

CHALLENGES OF DEMOCRATIC TRANSITION IN TAJIKISTAN

Kammuanmung Thangniang

Abstract

The sudden demise of the erstwhile Soviet Union in 1991 has resulted in the destruction of communist political system that subsequently led to the introduction of liberal democracy in Tajikistan as in any other newly independent countries that sprang out from the ashes of the Soviet Union. Despite the abolition of the communist political system, however, the Soviet legacy of authoritarian rule continues to be very strong while the newly installed democratic values remain largely weak. As such, Tajikistan has neither been able to break with the past practices nor bridge with the newly adopted liberal political system. Thus, its transition process from communism to democracy has proven unsuccessful. This article looks into factors hindering Tajikistan's transition to democracy which are divided broadly into three major categories. First, the democratic institutions which include the separation of state power among the executive, legislative and judicial branches; the multiparty system; the civil society and the independent media. Secondly, the civil war of 1992-97 that has a far reaching impact on the Tajik society in the aftermath of the civil war period. Thirdly, the role of external actors, particularly, the US and Russia on the political transition process of Tajikistan.

Keywords

Democracy, Authoritarianism, Transition, External Actors, Political Parties, Independent Media, Civil War, Separation of Power, Civil Society, Multi-party System, Satellite Parties.

Introduction

The induction of liberal democracy following the collapse of Soviet Union in 1991, ushered the beginning of transition in Tajikistan. The newly established liberal political system, unlike the previous Socialist political system, permitted individual freedoms and allowed different political parties with varying ideologies to exist and compete for political power. Consequently, relative political pluralism emerged in Tajikistan and the prospect for transition was bright at least at this initial stage. In fact in 1991, Tajikistan was comparatively having better democratic values in the whole of the post-Soviet Central Asia and better one among the post-Soviet countries.¹ Even then, as the transition process began,

it soon appeared that the transition was neither smooth nor successful.² As early as in May 1992, a civil war broke out in the country that brought large scale destruction in the society that seriously enhanced authoritarian rule. Thus, the newly initiated transition process came to a standstill within a short period of less than one year. With the end of the civil war in 1997, a limited political pluralism re-emerged that opened a new opportunity for Tajikistan to restart the process of transition. The ban imposed on independent media and opposition parties was lifted and they were allowed to re-emerge.³ The re-emergence of independent media such as television, radio and newspapers, resulted into more open public debates about politics, albeit, to a limited extent. The re-emergence of opposition parties once again ushered multiparty system in the country⁴ and made political competition among different political parties possible once again.

Nevertheless, the post-civil war transition remained largely problematic. President, Imomali Rahmon, has been steadily deviating from democratic path and was increasingly turning toward authoritarian rule, particularly, from 2001. He suppressed or sidelined political opponents, curbed the freedom of independent media and strictly controlled the activities of the civil society organizations. After the 2005 parliamentary elections and the presidential election of 2006, it became clear that Tajikistan was far from being democratic. Now, the regime at best is soft-authoritarian⁵ and at the worst, it is consolidated authoritarian regime.⁶ Various factors are responsible for Tajikistan's unsuccessful transition to democracy which can be broadly classified into three categories: weak democratic institutions, negative impact of the civil war and the lack of strong external pressures for promoting democracy.

Weak Democratic Institutions

Democratic institutions such as separation of power, multiparty system, civil society and independent media emerged in Tajikistan as a result of the abandonment of the socialist political system and the introduction of liberal democratic political system. Nevertheless, these newly emerging democratic institutions are weak and ineffective to serve as an agent of democracy and change.

Weak Power Segregation

The Tajik constitution of 1994 introduced American-style presidential system that separates and distributes state power into executive, legislature and judiciary.⁷ The same constitution also embodied many elements of the Russian constitution of 1993 that vested enormous power with the president. As a result, state power in Tajikistan is highly concentrated in the president. The president dominates the executive branch, the legislative assembly and the judiciary; and the parliament and judiciary are greatly subordinate to the president.⁸ The president controls the judiciary by virtue of having right to nominate the judges of the Constitutional Court and the Supreme Court, the Supreme Economic Court, the procurator-general and the military procurator. Due to lack of independent judiciary, the rule of law was weak in Tajikistan. The judiciary being subordinate to president's political authority, was used for prosecuting political opposition. In politically sensitive cases, the court ruled according to the instruction of the ruling regime. For instance many of the opponent members, particularly, members of Islamic Renaissance Party of Tajikistan, were selectively persecuted for crimes committed during the civil war. Between 2004 and 2005, many prominent opposition leaders were convicted and jailed for long periods. Eventually they were barred from contesting the parliamentary elections of 2005 and the presidential election of 2006.⁹

Also, the president has dominating influence over the legislature by virtue of the enormous powers, particularly, the power to appoint the legislatures and local deputies. Of the 33 members of the upper chamber of the parliament, eight members are appointed by the president and the remaining 25 are elected by local deputies who also are appointed by the president. The second chamber, in this way, is composed of almost the representatives of the president.¹⁰ Further, since the president can circumvent the legislative function of the parliament by ruling with referenda and decree, the parliament is ineffective to control the functions of the president.¹¹ The already powerful president has been made more powerful through various referenda; among others were the referenda in 1999 and 2003. While the constitutional amendment in 1999 extended the period of presidential term from five to seven years with one term limit¹² the 2003 constitutional amendment broke the one term limit and extended the presidential term to two terms.¹³ Using the 2003 constitutional amendment to claim that the presidential election

of 2006 is the first term in office since that was the first presidential election under the new constitution, President Rahmon undermined the country's constitutional two term limits for presidency and contested the November 2013 presidential elections. Winning with 84 percent of total votes, his rule now extends up to 2020.¹⁴ By concentrating enormous powers in the executive branch, the separation of power in Tajikistan in reality bluntly violates the principle of "separation of power" and "checks and balances". Thus neither the parliament nor the judiciary was capable of checking or balancing the president who exercises the executive power from his undemocratic move. This consequently paved the way for the emergence of authoritarian regime.

Weak Multi-party System

Unlike the previous Soviet period of single party rule of the Communist Party, independent Tajikistan allowed different political parties with varying ideologies and varying support bases to operate in the country. Broadly, the country's political parties can be divided into three: the ruling party or the party in power; the opposition parties and the satellite parties; pro-government parties.¹⁵ Yet, despite the existence of various political parties, there is no real political pluralism in the country.¹⁶ In much bias against the opposition, the government used state resources to promote its own party / parties being pro-government,¹⁷ while making all possible efforts to sideline or eliminate opposition parties from active politics.¹⁸ Opposition leaders were frequently harassed or attacked, and their workers were intimidated. Operating under difficult political environment of intimidation and suppression, the opposition parties were weak and ineffective. Consequently, Tajikistan's politics has been dominated by President Rahmon's party, the People's Democratic Party of Tajikistan (PDPT), which enjoyed the country's resources and the patronage of the government.¹⁹

The dominance of the PDPT, however, was neither the result of good governance nor the existence of strong support among the people. Rather, it was the outcome of the authoritarian rule of the government. In close similarity with the Soviet rule, the government was intolerant to the opposition and was reluctant to provide free space to them for fair political competition for power. The government selectively targeted potential opposition leaders, charged them with politically motivated cases such as criminal and corruption cases, imprisoned

them, and subsequently disqualified them from contesting elections.²⁰ For instance, major contenders of President Rahmon were removed from active politics in early 2005.²¹ Thus, the parliamentary elections of 2005 and the presidential election of 2006 were held in the absence of strong opposition forces. Similar measures against the opposition could also be seen in the 2013 presidential election and 2015 parliamentary elections.²²

Besides sidelining or eliminating important opposition leaders from politics on the eve of elections, the government was also unfairly treating the opposition during election campaigns that clearly signifies that “free political competition” – a basic tenet of democracy, has been outrightly denied to opposition parties. The government officials openly made campaigns for candidates of the ruling party, the PDPT, and pressurised the residents to vote for them. In addition, they intimidated the workers of the opposition parties and prevented them from free and fair campaigning for their candidates.²³ Moreover, the government used state-run media to promote the candidates of the ruling party while exerting series of pressures on independent media to restrain from voicing the views of the opposition parties.²⁴ Unsurprisingly, weakened by the repressive rule of the government, the opposition parties were unable to make strong inroads to the parliament. In 2000 elections, only 15 seats of the total 63 were won by the opposition: 13 seats won by the CPT and 2 seats by the IRPT. The opposition share of seats in parliament sharply declined in 2005 from 13 to 6 seats: four seats won by CPT and two seats by IRPT.²⁵ The share further declined in 2010 parliamentary elections in which the opposition won only four seats out of the total 63 seats: two seats each by the IRPT and CPT. Worse than ever before, all the opposition parties including IRPT and CPT failed to reach the five percent threshold to enter parliament in the recently concluded 2015 parliamentary elections, although the CPT at least captured two seats on single mandates.²⁶

The opposition parties blamed the government for their poor performance in the elections. After every election result is declared, they complained that the results were manipulated and the parliamentary seats allotted to them were far lower than they actually won.²⁷ For instance in the 2010 parliamentary elections the IRP claimed to have secured 30 percent of the votes as against the official result of 8.2 percent, and the Social-Democratic Party claimed to have secured 12 percent as against

less than 1 percent official result.²⁸ Going by the reports of the OSCE which claimed that the elections in Tajikistan were neither free nor fair, it may be argued that in case free and fair elections were conducted, and important opposition leaders were not suppressed especially before the elections, the opposition's performance could have been far better and the number of seats they secure could have been drastically increased. In consequence, the opposition capability to check the government from authoritarian move may be largely enhanced.

For now, unable to make strong presence in the parliament, the opposition has little or no influence in the political process of the country. Specifically, the opposition were neither capable of pushing for better democratization nor checking the government from drifting towards authoritarian rule. Clearly, this is mainly the result of the government's reluctance to provide to the opposition parties the freedom to freely participate in politics and compete for political power. This bluntly violates the principle of democracy and shake the whole of the existing multiparty system and, thus, create a condition unfavorable for the country's ongoing transition process.

Weak Civil Society / NGOs

Though the history of civil society in Tajikistan dates back to pre-Soviet period, Western-style NGOs emerged in the country only in the mid-1990s, that too, with the active initiative of international donors, particularly, from the US.²⁹ The government welcomed the suddenly mushrooming NGOs in the country, primarily, for two reasons. First, many NGOs such as the Aga Khan Foundation, were working on socio-economic development much to the relief of the people who were plagued with deep crises of widespread poverty.³⁰ Second, the government authorities initially did not consider the NGOs as a threat to their political power since they did not foresee that NGOs would engage in politics.³¹ With the spread of color revolution in the Soviet space in the early 2000s, however, the government's perception about civil society gradually changed. Frightened by the events of color revolutions, the authorities became highly critical about civil society in Tajikistan.³² Consequently, they closely watched and tightened its control over the activities of the NGOs. Although their activities were not banned, strong warnings against foreign-financed NGOs were released. On 14 January 2005, for example, the elections officials warned that any candidate

found to be receiving money from abroad would be disqualified from contesting the elections.³³ In the same year, restrictive laws that greatly hindered the activities of NGOs, were passed. It was made obligatory for NGOs to submit their financial reports to the authority. Moreover, foreign embassies and international organizations were required to inform the government about the dates and topics of their meeting with local NGOs, political parties and journalists.³⁴

Strict rules were imposed for registration and renewal of the existing registration. NGOs thought to be threatening the regime were removed either by denial of registration or denial of renewal of registration. In 2006, the authorities denied registration to Freedom House by applying complicated registration requirements. Another international NGO, National Democratic Institute, which has been actively operating in the country since 2002 in building the capacity of civil society and political parties, was denied re-registration in 2008.³⁵ The complexity of the re-registration laws on NGOs passed in 2007 were more crude.³⁶ In order to prevent the NGOs from achieving genuine political reform output, the government directly attacked or harshly dealt with NGOs working on liberalisation or democratization³⁷. However, it was comparatively soft on those working on socio-economic development. For this reason, NGOs in Tajikistan choose to refrain from working on sensitive areas, such as, democracy-building³⁸ and shifted to engage on relatively uncontroversial issues, such as, rule of law, training and workshops for lawyers and judges.³⁹ In consequence, despite existing in numerous numbers, Tajik NGOs were weak and incapable of exerting effective influence on the policies and programs of the government, particularly in matter relating to democratisation.

Weak Media

In contrast to the previous Soviet period of state monopoly over media outlets, independent Tajikistan has witnessed the emergence of numerous media outlets including privately owned independent media. Even then, the government continued to enjoy dominant influence, particularly, over the broadcasting television which is the most important source of information in the country. Despite the fact that broadcasting television stations were owned both by the government and private organizations, all the nationwide television stations were owned by the state alone.⁴⁰ In this sense, independent media refers mainly to print media or newspapers. State-owned television stations promoted the

views and interests of the government while refusing to cover the views of the opposition.⁴¹ Being intolerant to criticism, the government made serious efforts to restrain independent media from raising critical issue about the government.⁴² For instance, in what came to be the darkest period for independent media in Tajikistan, the government imposed a ban on independent media in 1990s by taking advantage of then on-going civil war in the country.⁴³

However, following the end of the civil war, independent media slowly re-emerged beginning from 2001. Yet, this limited media freedom could not continue for long since the authorities quickly resumed its practice of intervening in the affairs of independent media. As such, as early as in 2005, the government was successful in closing down without much difficulty the country's independent media including newspapers, radio and local television channels.⁴⁴ Remarkably, the country's two most critical weekly newspapers (Nerui Sukhan and Ruzi Nav) had been frequently denied printing with the direct or indirect intervention of the government. Thus, the two papers were forced to frequently shutdown their publications.⁴⁵

After the parliamentary and presidential elections held in 2005 and 2006 respectively, government's control over independent media was slightly relaxed, yet the government remained intolerant to critical media. Critical independent media personnel were regularly intimidated and charged with cases such as criminal and corruption.⁴⁶ Among others, the government leveled case against the Editor-in-Chief of the newspaper Ovoza, Saida Ourgonova and two of its reporters in 2007 and journalist Tursunali Aliev in 2008.⁴⁷ Also in 2010, the government filed a defamation case against three critical independent newspapers, Ozodagon, Farazh and Asia-Plus, two of which were among the country's most three read newspapers, for publishing articles about a press conference held by a lawyer who protested against what he believed to be local judges' unfair sentencing of 33 businessmen.⁴⁸ This seriously weakened the independent media.⁴⁹ Because of government's tight control over independent media, and indeed because of the government's suppression of critical media, many independent media in Tajikistan choose to practice self-censorship for fear of government's retaliation. The result is obvious. Despite existing in numerous number, independent media in Tajikistan was neither free nor vibrant, and thereby, they failed to serve as an agent of democratization.

Impact of Civil War

As already mentioned, the transformation of Tajikistan's political system from communism to liberal democracy released political freedoms that allowed the people to participate in politics and compete for political power. Unfortunately, the competition for political power quickly turned violent and eventually led the outbreak of a civil war. The five years disastrous civil war (1992-97) brought large-scale destruction to the lives and properties of the people in Tajikistan. It claimed the lives of an estimated number of 50,000 people⁵⁰ and displaced about 600,000 people constituting one-tenth of the country's total population.⁵¹ The war also turned about 25,000 women as widows and 55,000 children as orphans.⁵² The dreadful memories left by the war continued to haunt and shape people's thoughts and way of life in the post-civil war period much to the disadvantage of the country's transition to democracy.⁵³

Triggered by the controversy over the presidential election of 1991, Tajik's first experiment with the working of liberal democracy, the civil war carried with it the image of democracy. Being gravely destructive, Tajiks learnt from that civil war that democracy released chaos and social division, and brought pains and sufferings into the society. Therefore, they associated democracy with lawlessness while associating authoritarianism with strict law and order.⁵⁴ Correspondingly, they preferred authoritarian regime over democratic regime,⁵⁵ and thus, the demand for democracy was predictably low and the level of acceptance for authoritarianism was unsurprisingly high. Such negative attitude of the people about democracy was highly inhospitable for democracy to prosper.⁵⁶ Using this post-civil war political environment for their political gain which worked quite effectively, Rahmon and his ruling authorities manipulated the destructive consequences of the civil war to stabilize and safeguard their authoritarian regime. On the one hand, they accused the opposition of provoking the civil war and warned not to repeat the same,⁵⁷ while on the other hand, they not only credited themselves but also projected themselves as the best guarantor of peace and stability in post-civil war Tajikistan.⁵⁸

This policy produced two closely related results favoring authoritarian rule in Tajikistan. First, seen by the people as the best guarantor of peace and stability, Rahmon's regime was generally accepted by the people⁵⁹ despite its democratic deficiency merely because it was successful in maintaining social peace and political

stability.⁶⁰ Not surprisingly as such, as in many post-conflict societies, political stability in Tajikistan, delayed the process of democratization rather than enhancing it.⁶¹ Secondly, frightened by the civil war based intimidations, the people to a great extent were discouraged to actively participate in politics and competition for political power, a highly essential condition for successful democracy. Weak participation of citizens in politics in fact is a common feature of the post-Soviet countries' political process which to a large extent is the legacy of the Soviet authoritarian rule. In Tajikistan, however, citizens' role in politics was limited not only by the legacy of the Soviet rule but also by the impact of the civil war.

Role of External Actors: US and Russia

External powers such as Russia and the US had been playing a crucial role in the transition process of post-Soviet countries and Tajikistan in particular. Russia, the colonial master, play the role of protecting Rahmon's regime with its financial and military might whereas the US, the sole super power of the post-Cold War era, played the role of supporting political reforms by pumping financial assistance. The different interests and roles that these two external players had played left the ruling authorities in Tajikistan, the choices to either take the path of democracy or authoritarianism. The US had been engaging in Tajikistan soon after independence with the mission, 'democracy promotion' high on its agenda. Nevertheless, despite being the chief campaigner of 'global democracy' with special focus on post-Soviet countries, the US lacked genuine interest to promote democracy in Tajikistan.⁶² It did not effectively use its influence to promote democracy. As such, the relationship between the two countries, even at its zenith point, did not lead to genuine democratic reforms in Tajikistan.⁶³ Also, despite the enhanced cooperation emerging from the terrorist attack on US in 2001, the US influence on Tajikistan remained limited. The accusation that the US was supporting the color revolution that erupted across the post-Soviet countries in early 2000 created suspicious about its engagement in the region. As such, as was in many post-Soviet countries, the US suffered back lashed in Tajikistan.⁶⁴ Consequently, Tajikistan slowly drifted away from the US and moved closer and closer towards Russia, the country which unlike the US was not uncomfortable with authoritarian rulers.⁶⁵

Highly concerned about the Islamic rule in Afghanistan and its possible spill in to its neighbouring Central Asian countries through Tajikistan, the US supported Rahmon's regime, despite the fact that it was authoritarian, simply because he was capable of maintaining stability in the country and preventing the infiltration of the above mentioned Islamic rule. The US feared that 'regime change' in Tajikistan would result into domestic instability that would create favourable condition for Islamic rule to emerge, and thus, it wanted Rahmon to remain in power.⁶⁶ In addition, satisfied with Rahmon's cooperation on its war against Taliban in Afghanistan, the US turned a blind eye on his authoritarian regime,⁶⁷ thereby undermining its mission for democracy. While Tajikistan has been following the policy of engagement with the West, particularly, the US, it has also been maintaining its relationship with Russia in even stronger terms. Indeed, Russia has been serving as a provider of security to Tajikistan from internal unrest and external pressure since its independence. During the civil war the Russian army guarded the Tajik-Afghan border to check the penetration of opposition from their hide outs in Afghanistan and also fought against the opposition with the government side by side.⁶⁸ In the absence of a standing army of its own, the military assistance provided by the Russian army proved extremely helpful for Rahmon's regime to survive in the face of strong opposition forces. In fact, it was the assistance of Russia that enabled Rahmon to remain in power throughout these trouble times of the civil war.⁶⁹ Russia continued to extent its support for authoritarian regime in Tajikistan in face of mass protest against authoritarian regimes during the post-Soviet color revolution in the early 2000s and also during the Middle East unrest in the early 2010s.⁷⁰

The influence of Russia, the colonial master of Tajikistan and a staunch supporter of authoritarian regime, remained strong and stable in Tajikistan which to a great extent promoted and strengthened Rahmon's authoritarian regime. By contrast, the US lacked strong historical, political and economic ties with Tajikistan as Russia does. In addition, it lacked genuine interest to promote democracy since its strategic interest in Tajikistan and Central Asia as a whole often overshadowed its concern for democracy. Consequently, there is no strong pressure from external actors including the US for genuine democratic reforms in Tajikistan. This made the international environment suitable for authoritarian regime to survive and consolidate rather than to enhance democracy.

Conclusion

The problems hindering the transition of Tajikistan from communism to liberal democracy has been emanating broadly from three factors: weak democratic institutions, the negative impact of the civil war and the lack of external actors' genuine commitment to and strong pressure for democracy. First, democratic institutions such as separation of power, multiparty system, civil society and independent media which emerged soon after independence were weak and immature. Though power is separated among the three branches of the state, it is largely bias in favor of the executive branch. Vested with inadequate power, the legislature and judiciary were unable to check the executive power. In addition, political parties were weak and lowly rooted in the society. Despite the existence of multiple political parties, the opposition parties were denied free and fair competition for political power. Likewise, the independent media outlets were neither genuinely independent nor vibrant. The government owned most of the famous media outlets and used them as its mouthpiece while putting the independent media outlets under tight grip of the state, thereby, prevented them from freely publishing, airing or broadcasting the views of the opposition. Similar tight control of the state was also imposed on civil society. As such, the civil society was weak and incapable of playing effective role in voicing or promoting people's views and interest, especially on matter relating to politics. Not surprisingly, none of the above mentioned democratic institutions effectively served as an agent of democracy, thereby leaving the ruling regime unchecked from its path to authoritarianism.

Secondly, the civil war created a bad image for democracy. Because of the devastating impact of the civil war, the people associated democracy with lawlessness while they associated authoritarian rule with strict law and order. Thus, many people favoured authoritarian rule over democracy. In this sense, it may be argued that the Soviet legacy of authoritarian political culture that has been existing in Tajikistan has been enhanced by the civil war. Haunted by the memories of the civil war, the people felt reluctant to actively engage in politics fearing that doing so would invite a backlash from the ruling regime that would lead to a new civil war in the county. Finally, the Western actors particularly the US lacked genuine commitment and capability to promote democracy in Tajikistan. Its commitment to democracy has often been overshadowed by its geopolitical interest. Moreover, its influence or capability to

promote democracy in Tajikistan has also been undermined by the presence of Russia's stronger influence. Thus, the West and the US in particular not only lacked the interest but also the capability to promote democracy in Tajikistan. This allowed the ruling regime to abandon democratic reforms and inclines towards authoritarian rule. It may be pointed that whereas the first and the second problems were common in many of the post-Soviet countries, the third problem prevailed only in Tajikistan. This meant that being the only post-Soviet country to have been experiencing a disastrous five years civil war in the immediate aftermath of independence, Tajikistan has an additional challenge for its transition to democracy i.e. people's reluctance to actively participate in politics for fear of a new civil war.

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