

# Does Khatami want political parties?

The track record of the president-elect suggests a belief in a revived civil society, writes *Chibli Mallat*

**M**ohammad Khatami's track record in government is straightforward. He was once a relatively enlightened minister for guidance. Khatami resigned (or was sacked) in 1992 over his tolerance towards bolder styles of expression than hitherto accepted in the Islamic republic, notably over the release of a film depicting the miseries of daily life in Islamic Iran.

His style of campaigning during last month's presidential election, his evident care for women and minorities, and his readiness to open up the country, were fresh. But how will these shape his period of office as president of the Islamic republic?

A key question is the mode of political organisations. Will there be political parties in Khatami's Iran?

In the first official speech of his campaign, Khatami outlined his conception of good government: "In the sphere of political development, [we must ensure the] active involvement of people in all fields and make efforts to strengthen civil foundations, within which individuals and factions identify their rights, defend their rights and find opportunities to participate in social spheres ... Organising society on the basis of law, and institutionalising individual and social behaviour on the basis of law is, by itself, a sign of political development."

Aside from the emphasis on the rule of law, prominent in his campaign, he developed the concept of "civil foundations" in the following way: "The implementation of principles laid down in the constitution is very important for political development, especially the principle regarding councils, ... which - if implemented correctly in its true form - can facilitate and make sustainable and permanent the issue of the involvement [of people] in society."

The message has not been lost to his would-be supporters, and an editorial of the English-language *Tehran Times* noted this need immediately after the election, on May 24: "The

next president," concluded the editorial, "must encourage the formation of political parties in order to succeed in his mandate."

But are councils, or civil foundations, "in their true form", the equivalent of political parties for Khatami?

Despite the better hopes of Iranian 'liberals', the real answer is 'no'. The experience of revolutionary Iran is important. In the early months of the revolution, there were clearly identifiable groups, like Masud Rajavi's Mujahedeen-e Khalq, or then prime minister Bazargan's Islamic Freedom group (now headed by Ibrahim Yazdi), or, nearer the ruling circles, the late prime minister Bahonar's Islamic Republic party, also known as Hizbullah.

The fate of these three groups is telling: the Mujahedeen started, for various reasons including the violent cowering of their supporters in any mass demonstration by supporters of the clergy, on a course of political terrorism which culminated in the bombing of the Islamic party's headquarters in June 1981, and the killing of Bahonar and of some 70 other leading figures of the party.

Rajavi has since fled and reorganised in Baghdad, the worst possible place for any Iranian opposition to regroup. Meanwhile, Bazargan lost his premiership, and his Freedom group was barred from political action as a party. It remained as a 'movement', but any supporters, including Bazargan and Yazdi, were prevented from access to political office by the Council of Guardians.

Bazargan was disqualified in the mid-1980s from the presidential race, along with some 80 other candidates. Until his death last year, he remained totally out of the purview of political power in Tehran. Prime minister Bahonar had tried hard organising a political party. It threatened to divide irremediably the Shiite clergy, and the efforts were eventually shelved *sine die*, even though other founders included such prominent figures as Khomeini and Rafsanjani. In spite of this negative track record, the yearning in Iran for organised and

legal political parties has not subsided.

Only a week after the elections, an important 'faction' was reported trying to revive the idea of forming a political party. These are the so-called 'Servants of Reconstruction', who had strongly supported President Rafsanjani's reforms, and who had thrown their lot behind Khatami. It is unlikely they will succeed.

In addition to the difficult history of political parties in the early days of the revolution, one can detect in Khatami's speeches and writings that the openness in political life which he defends does not depend on political parties, but on a loose concept of civil society.

"We must ensure," he explained in the campaign, "that today's civil society takes [a more distinct] shape and perpetuates its shape in an even more extensive form. Civil society needs to be based on order and the basis of that order is the constitution, which, to our great good fortune, was approved and endorsed by the leader less than one year after the victory of the revolution, on the insistence of his eminence the Imam and through the participation and efforts of the people." Aside from the replacement of parties by a vague expansion of "civil society", another reason for the unlikely emergence of political parties is more technical.

The Council of Guardians - made up of 12 members, more than half of whom are members of the clergy - is a key constitutional hurdle to the openness of presidential and parliamentary elections.

The first prime minister of Islamic Iran was barred from the race by the Council of Guardians' veto. But in the recent presidential elections, the situation was even worse. Out of 238 candidates, four only were retained. One will never know how Khatami escaped the net.

The Council does not explain why it accepts or refuses candidates, so one must speculate on the basis of results. Out of the four accepted, only one, Zavarei, was a layman. The three others were clerics. None of the women candidates was accepted. This is

anathema to any self-respecting electoral system but this, however, is not in need of urgent correction. Khatami simply escaped the net.

What he will not escape, should he try to push forward the concept of political parties, is the other key role of the Council of Guardians. It vets all legislation. Even if the law passes parliament, which is unlikely, it would not pass through the net of the Council of Guardians.

So the rule of law, in Khatami's worldview, must be sought outside free political parties. It must be vested instead in the expansion of basic freedoms, and in an overhaul of the judiciary.

**T**his, if at all possible, will take time, but the rule of law, and the constitution, were the main planks of candidate Khatami: "We must strive in every way to ensure that the law forms the basis of order and that we have a society which is lawful in every respect."

For that, Khatami advocates building on the special constitutional legacy of Iran: "Today, our religious, Islamic, revolutionary and national mission dictates that we should consolidate society on the basis of the constitution and institutionalise law in our society, especially because we must complete overnight a road that is 100 years long."

It would be a nice surprise to have political parties in the new Iran, but expectations cannot run high, especially since Middle Easterners know from experience, in Lebanon, Egypt, Israel, Turkey and elsewhere in the region that political parties are no panacea in themselves. Better hopes rest in widening the rule of law and the protection of the constitution. It is in these crucial realms that Khatami must seek success.

*Tomorrow, Chibli Mallat examines the fault lines in Iranian politics - how can practical change come about?*

*Chibli Mallat is professor of law at St Joseph. This piece is special to The Daily Star*