

The Reform Nobody Wants Anymore Iran's Elections

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From 11 January 2004, the day the list of acceptable candidates for the seventh parliamentary elections was officially announced, until 2 February, the day that 126 legislators submitted their resignation to show their dissatisfaction with the way these elections were taking place, the Guardian Council (GC) has taken the whole nation as hostage.

The GC is a twelve-member body in charge of ensuring that laws voted in parliament are in accordance with the Constitution and Islamic principles. Indeed, not only did the Council disqualify 44% (3533 out of 8145) of the applicants, among them 80 incumbent parliamentarians, but it also effectively disregarded the intervention of the President of the Republic, the Speaker of Parliament, the National Security Council, and even the Leader.

In effect, the intervention of the GC in the process of the elections constituted common practice especially after Ayatollah Khomeini's passing from the scene. The height of these interventions however peaked in the last elections. In the past, the GC had disqualified 44% of the candidates during the 1996 parliamentary elections, and intervened in the year 2000 elections by nullifying 700,000 voting ballots in Tehran, which corresponded to more than 20 % of the turnover in the capital. Thus, although the act in itself is not to be considered as an innovation, it could be seen, at least for three different reasons, as an original move. First is the extent of the disqualifications and the people it concerned. Second, is the composition of the final alliance that made the disqualifications possible, and finally, the way the State was treated during the whole affair. How did a coup of this scale become possible? Who were its first and final protagonists? Finally, what are its consequences for Iran?

Against all odds: the Guardian Council

The disqualification of a large number of candidates to the seventh parliamentary elections, including 80 incumbent legislators was immediately followed by a sit-in by 140 legislators, and the threat of an election boycott by the two most important reformist political parties. The sit-in was also followed by the warning of resignation of all of the provincial governors (in charge of the organization of the elections in Iran), and few members of the presidential cabinet.

To calm down the situation, the Security Council issued a communiqué, announcing the creation of a three-member committee, composed of the Defence Minister, the Information Minister and the Director of Voice and Vision of the Islamic Republic of Iran, which is to find an honourable solution to the crisis.¹ Unfortunately, neither the sit-in and the threats, nor the three-member committee were able to bend the GC's decision. On 16 January, Ayatollah Khamenei, the Leader, convened a high-level meeting to discuss the matter. The President, the Speaker of Parliament, and the Chairman of the GC participated in that meeting, the result of which seemed to be supportive of the reformists. The Leader pressed the GC to revise its position: "If you are in doubt, go by the previous decisions made in earlier cases by yourself and others. Assume the soundness and assume that those who had been elected previously were acceptable." To make himself clear about the incumbent parliamentarians, he again came back on the issue and urged the GC to "act on what was previously accepted ... the principle of accepting the previous situation is correct. In my view, and as far as the Majlis

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deputies are concerned, it is possible to act on this basis." Khamenei also emphasized that in any case the rejection had to be justified by proof.

Nevertheless, the GC did not entirely yield: although 1160 previously disqualified prospective candidates were re-instated, only three incumbent legislators saw their candidacy re-established.

Later on, in an open letter published in two daily newspapers, the parliamentarians whose candidacies were rejected questioned the council's defiance of the leader's order. The letter asked suggestively if the GC had not privately received from the Leader himself the authorization to insist on the disqualifications.²

While the existence of the Leader's secret approval of the GC's decision could provide the simplest explanation for the council's insistence on its position, it seems rather improbable that the Leader would have accepted to ridicule himself publicly by making a clear proclamation in favour of the incumbent legislators as seen previously. Moreover, the Leader's office has been particularly useful in Iran's political arena in arbitrating the controversies between different factions. By accepting—covertly—the elimination of one faction, while publicly defending its existence he would significantly weaken his own political position. This is actually the reason he intervened so clearly on behalf of maintaining the incumbent legislators' candidacies. Hence, the explanation for the council's unyielding position has to be sought elsewhere.

Ending the reform and its legal basis

By disqualifying the candidacy of 80 incumbent legislators, the GC showed its will to put an end to the reform movement. This decision was most likely taken when the Iranian population showed its dissatisfaction with the reform movement by not voting for the reformist candidates during the second election for local councils, held less than a year earlier. In fact, at the opening of the seventh parliamentary elections campaign, the reform movement was at its lowest level of popularity. The time was most favourable to put a conclusive end not only to the reform movement, but also to the electoral system that was responsible for creating such a movement: an electoral system that although not fully democratic, but open enough to allow individuals from within the inner circle of the Islamic Republic to openly challenge it.

In this battle there was no room for any arbitration: everyone had to choose the council's side. For the same reason, a few days after the GC refused to acknowledge the Leader's recommendation, the two most eminent chiefs of the reform movement, i.e. the President and the Speaker of the Parliament, went to the GC headquarter for a final round of negotiations. Though the content of the negotiations was left unknown, the declaration that followed the meeting showed that both sides stood by their respective positions. Ayatollah Jannati, the GC's Chair declared that the President and the Speaker were convinced of the appropriateness of the GC's disqualifications, a claim which the government denied immediately. The government in turn announced (via its spokesman) its refusal to organize a non-free election, and accordingly asked the Leader to intervene once again. While it was clear that both sides were bluffing, by deferring to the Leader, the government showed its limitations in this last round of a seven-year struggle against the conservatives. On the contrary, by refusing the Leader's demand to reintegrate the incumbent legislators into the process of elec-

tions, the GC showed its determination to overcome any obstacle along its way to achieve its end.

Shall it be concluded that a blatant political error occurred on the part of the government? Was there a miscalculation as to who defines the rules of the game in the Islamic Republic of Iran's political scene? By reviewing Khatami's seven-year record, the answer to both questions is rather negative. Actually, what Khatami did in this final round was in full accordance with what he did during his previous two presidential terms, which was to abide by the Constitution. The Constitution gives the highest responsibility to the Leader. For the same reason, after the resignation of 126 parliamentarians and when the two most important reformist political formations declared their refusal to participate in the upcoming elections, Khatami did nothing but write a letter to the Leader, asking for the deferment of the elections. Again, in the same line of thought, when the Leader advised him not to postpone the elections, he yielded to the Leader's will, giving the Interior Ministry the order to prepare the elections for 20 February.



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The absence of reform supporters

Had the popular supporters of the reform movement stood up more determinedly than they had done during the 22 days of the parliamentarians' sit-in, the GC could not have stood so irrevocably in its position. In reality, despite several appeals from the parliamentarians who occupied the Parliament for more than three weeks, no serious backing came from the society. The day after the sit-in started, in a communiqué, the 126 parliamentarians joined by a few other well-known reformist figures called upon "the intellectuals, academics, students, teachers, and finally all the enlightened and clear-sighted people to understand the seriousness of the situation and to take the responsibility befallen upon them."³ However, nothing happened. Even students who were in the forefront of the fight against the conservatives during the last seven years took their time in issuing a few ambivalent communiqués.

The students of *Daftar-e Tahkim-e Vahdat* (the most powerful student union and the closest to the reform movement) acknowledged the courage of the parliamentarians, but also criticized them for having lost the confidence of the 30 million people who had brought them to power by waiting seven years before taking such brave actions.⁴ In fact, the euphoria of the 1997 presidential elections was gone for good, and a bitter feeling of having been betrayed had already replaced it. As one research has recently remarked, Khatami's election was expected to turn the Islamic Republic's adversaries into the loyal opposition, and the ongoing opposition was to be transformed into supporters. What happened after seven years of quasi-continuous setting back of Khatami in every subject that opposed him to the conservative forces? A large number of his supporters now oppose the idea of a possible reform from within the framework of the actual Constitution of the Islamic Republic, and political forces that wanted to act as the loyal opposition are now acting as open adversaries.⁵ Indeed, the Student Union of Amir Kabir University (the second most important student union of the country), while praising the bravery of the parliamentarians, asked if the real point of debate is not whether the actual Constitution gives a real possibility of reform.⁶

The international dynamic

Contrary to the American Government which following the adoption of the "double containment (i.e. containing both Iraq and Iran) policy", cut off its economic relations with Iran, the European Community decided to follow on what they called the "critical dialogue." In this respect, the election of a reformist candidate—M. Khatami—in 1997 as President of the Republic became a blessing for the political line chosen by European countries toward Iran. Seven years later, the reform

movement was caught up in endless fights between factions and no significant progress was made neither on the field of civil liberties nor in the economic area. Moreover, there was no clarification regarding the responsibilities of the different government offices, preventing Europe from having a unique negotiating Iranian partner. The confused situation in Afghanistan and Iraq, created by the American invasion, and the world concern about the Middle East nuclear proliferation, convinced the European countries that having a unique negotiating partner in Iran is more important than standing up for the cause of reform in Iran. This is why after a few shy critiques addressed to Iran for holding non-democratic elections, the European community kept quiet and joined the ever-enlarging cluster of those who believe that the reform movement is not worth the backing.

While the reform movement which started with the 1997 elections that brought Mohammad Khatami to power did not fulfill any of its engagements, it however produced one big change in the way politics was practised in the Islamic Republic of Iran: elections became the most important place where the struggle for power had to occur. It was for stopping the expansion of the electoral process as the centre of Iran's political system and thus preventing it from becoming the primary tool for the creation of political authority that the conservative forces, guided by the GC, disqualified more than 40% of the candidates, among them 80 incumbent legislators. With a weakened reform movement opposing them, and an international community urging to negotiate with a unique central authority in Iran, the moment was opportune to strike a fatal blow at the electoral system.

By fiercely opposing the reform movement during seven years, the conservatives reached their aim of annihilating it. The question is no longer whether the political situation of the country could be improved through a reform, or whether Iran will need a constitutional change. The answer is clear: nobody wants the reform anymore. With the blow struck at the electoral process, the question is now whether the agents of change will continue looking at it as a means to create change or whether they will seek other means to this end.

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Reformist Parliamentarian's sit-in for the eighth day in Parliament, Tehran, 18 January 2004.

Notes

1. *Shargh*, (Daily newspaper), January 12, 2004.
2. *Shargh*, February 4, 2004.
3. *Shargh*, January 12, 2004.
4. *Daftar-e Tahkim-e Vahdat*, Communiqué no. 3, not dated.
5. Jahangir Amuzegar, "Khatami: A Folk Hero in Search of Relevance," *Middle East Policy* 11, no.2 (Summer 2004):75. Although the paper lacks impartiality, it summarizes well all the controversies that oppose Khatami to the conservative forces and the weakness of Khatami's political standing.
6. "Communiqué of the Student Union of Amir Kabir's University about the sit-in at the parliament," not dated.