



Token Constitutionalism and Islamic Opposition in Tajikistan

Muriel Atkin

George Washington University

Abstract

Tajikistan is a predominantly Muslim country where the concept of having a constitution is not controversial, but the content of that constitution is. Roughly seventy years of Soviet rule over the territory that became independent Tajikistan at the end of 1991 introduced constitutions as a norm, although the rights the constitutions appeared to accord did not jibe with political reality. The years of Soviet rule also created an environment hostile to Islam, as a result of which some of Tajikistan's inhabitants ceased to be believers, while many who continued to practice their faith knew little about it other than the rituals of everyday life. In the last years of the Soviet era and the two decades after the breakup of the USSR, Islam was caught up in the political as well as religious controversies that developed in Tajikistan during this upheaval. There was an upsurge of attention to Islam, in a religious sense for some, a cultural and nationalist sense for others, and as a bogeyman for yet others. The Islamic Rebirth Party of Tajikistan (IRPT), the only legal Islamic political party in post-Soviet Central Asia, along with the head of the religious establishment in the republic, the *qadi*, joined with secular groups advocating reforms that would promote political and economic change. The power struggle between neo-Soviet ruling elites and the opposition led to a civil war (1992-97) in which the neo-Soviets prevailed. Tajikistan's post-Soviet constitution reflects the emphatic secularism of the neo-Soviets, despite the objections of the IRPT. The post-civil-war government has also enacted legislation reestablishing Soviet-style constraints on Islamic institutions and personnel and has used its power to thwart genuinely pluralistic politics. The IRPT as well as secular opposition parties have felt the effects of the rigged elections and harassment by the regime.

Keywords

Tajikistan, constitution, Islamic Rebirth Party of Tajikistan

Introduction¹

The overwhelming majority of Tajikistan's roughly 7.6 million inhabitants (in 2011) belong to nationalities which are historically Muslim, specifically Sunnis who follow the Hanafi legal school. That fact does not, by itself, reveal

¹ Major abbreviations used in this article are: IRP = Islamic Rebirth Party, IRPT = Islamic Rebirth Party of Tajikistan, UTO = United Tajik Opposition, WNC = World News Connection.

Tajikistan

191186

much about their attitudes toward the role Islam should play in their country's governance or in their everyday lives. Nearly seventy years of Soviet rule brought periodic waves of religious persecution as well as episodes of less ferocious harassment, all of which substantially impeded the study and practice of Islam, without managing to secularize Tajikistan completely (Atkin 1989a, 13-15, 29-35; idem, 1989b). Given an environment which has been unfriendly to Islam and in which Islam remains politically contentious, there are no reliable surveys of Tajikistani Muslims' attitudes toward the faith of their ancestors. Since becoming independent at the close of 1991, the country has had a civil war (1992-97) in which one side stigmatized the other as Islamic extremists, but has yet to have a free and fair election. Therefore, what ordinary people really thought about an Islamic state as a general principle or what it might entail specifically remains unclear. Some people who were active in above-ground politics advocated the creation of an Islamic state as an ultimate goal. They outlined some of the characteristics they expected such a state to have, but nothing as detailed as a draft constitution. They, like people from other political camps, grew up in a country which had one constitution or another throughout their lives; they accepted the general principle that Tajikistan ought to have one. Unlike Iran, where those who ruled the Islamic Republic depicted themselves as guided by Islam, in Tajikistan advocates of Islamic politics not only did not rule, but also addressed the preparatory task of trying to gain public support for the principle that the laws of the land ought to be based on Islamic teachings. They had far to go to reach that goal. In contrast to states whose leadership asserts that it followed Islamic law, Tajikistan's Islamists did not have to grapple with the practical problem of how to incorporate concepts derived from Islam into the constitution.

Token Constitutionalism

Tajikistan had five constitutions in the twentieth century. All but the last of these (1994) were products of the Soviet system. The 1994 constitution remained in effect into the twenty-first century, with significant amendments made in 1999 and 2003. The Soviet-era constitutions were all modeled on those for the USSR as a whole. Soviet-wide laws and, more importantly, the policies of the Communist Party of the Soviet Union, where the real power lay, applied to Tajikistan as to the rest of the Union. None of the five constitutions was the product of public deliberations reflecting the views of Tajikistan's inhabitants. All five were emphatically secular.

All Soviet constitutions, beginning with the first, enacted in 1918, separated religion from the state. The 1918 constitution also provided for freedom

04256



MADDE YAYIMLANDIKTAN SONRA GELEN DOKÜMAN

Tajikistan
131186

266-26 Tabriz: Bibliography



2. Tilework, interior of the Blue Mosque, Tabriz, 1465; photo credit: Sheila S. Blair and Jonathan M. Bloom

J. T. Tabataba'i: *Naqshhā va nigāshihā-yi masjid-i kabūd-i tabriz* [Paintings and drawings of the Blue Mosque of Tabriz] (Tabriz, 1969)

L. Golombek and D. Wilber: *Timurid Architecture of Iran and Turan* (Princeton, 1988), pp. 407–9, pls. 415–26, color pl. XVb, fig. 140

Tāherī. See **SIRAF.**

Tajikistan. Republic in Central Asia bounded by Uzbekistan to the west, Kyrgyzstan to the north, China to the east and Afghanistan to the south (see fig.). The capital DUSHANBE in the west was transformed from a village after 1929 when it was connected to the Transcaspian Railway.

The history of the territory reflects its position as a gateway to the Transoxiana plains. From the 6th century BCE it was part of the Achaemenid Empire until taken by Alexander the Great c. 334 BCE. Thereafter it fell within the Greco-Bactrian orbit (mid-3rd century–2nd BCE) until overrun by Yueh-chih and possibly also Saka (Scythian) nomads c. 145 BCE.

Subsequently the Yueh-chih/Tokharians and one of the Yueh-chih tribes, the Kushanas, held sway: the Kushanas were powerful from the 1st to the 3rd century CE when Ardashir I (r. 224–41) incorporated the region into the Sasanian Empire. The Sasanians were overwhelmed by the Huns in 425. Significant Turkic invasions followed, and in the 6–8th centuries the Turkic Khaqanate was dominant. Major pre-Islamic sites have been excavated at PENDZHIKENT and KHODZHENT. The Arab conquest was succeeded by the Tahirids, Saffarids, Samanids and then by the Qarakhanids in the 10th century; the Saljuqs in the 11th and 12th and the Mongols in the 13th and 14th. Despite a sequence of Turkic overlords, the Tajiks themselves remained Iranian, not Turkic, a distinction preserved by their sedentary rather than nomadic existence. For the rest of their history the Tajiks were closely tied to the Uzbeks but maintained a de facto independence on the edge of Uzbek territory. Russian interest in the area in the 18th and 19th centuries led to the taking of URA TYUBE and Khodzhen, while the emirate of Bukhara took Karategin and Darwen in the 1870s, so that the area was effectively divided into two parts, north and south, both in the hands of external rulers. After the 1917 Revolution the Russian lands were included in the Turkestan SSR. The nominally independent Bukhara was taken by the Red Army in 1921, and in 1924 the Tajik ASSR, comprising both Russian and Bukharan lands, was created within the Uzbek SSR. In 1929 the area was renamed the Tajik SSR and gained Khodzhen, then part of the Uzbek SSR. As a result of the break-up of the USSR Tajikistan declared independence on 9 September 1991.

I. Architecture. II. Painting and sculpture. III. Decorative arts.

I. Architecture. Fortified structures in Tajikistan, such as the citadels in HISSAR, Khodzhen and Isfara, incorporate medieval traditions. Religious buildings (two madrasas in Hissar, dating from the turn of the 18th/19th century and from the mid-19th century respectively) repeat the forms of earlier periods. Tajik architects concentrated on the construction and decoration of town buildings and rural mosques and housing. The widespread and varied use of wood (beamed roofs resting on columns with figured bases and capitals; plank ceilings with lofty cornices) encouraged the development of such kinds of architectural detail as deep relief carving and polychrome tempera painting on wood. Walls were decorated with carved and painted *ganch*, a local type of stucco distinguished by its white color, and an impression of great richness was created by patterns done in the *kundal* technique (painting in bright colors, including gilt and silver, on relief *ganch* ground). Local schools of architectural ornamentation were formed in Ura Tyube, Khodzhen and Isfara, as well as in Samarkand and Bukhara, with their sizeable Tajik populations.

191186

DİA

TACİKİSTAN

Madde Yayınlandıktan Sonra Gelen Doküman

21.08.2017

Yılmaz, İhsan

An İslamişt party, constraints, oppportunities and transformation to poşt-Islamism: the Tajik case .-- 2009
ISSN: 1305-5208 : Uluslararası Hukuk & Politika. Review of International Law and Politics, vol. 5 / 18
pp. 133-147, (2009)

DUDOIGNON, Stéphane A. & QALANDAR, Sayyid Ahmad. "They were all from the country". The revival and politicisation of Islam in the lower Waskhsh river valley of the Tajik SSR (1947-1997). *Allah's kolkhozes: migration, de-Stalinisation, privatisation, and the new Muslim congregations in the Soviet realm (1950s-2000s)* / Stéphane A. Dudoignon, Christian Noack (eds). Berlin: Schwarz, 2014, (Islamkundliche Untersuchungen, 314), pp. 47-122.

GIEHLER, Beate. Maxim Gorki and Islamic revolution in a southern Tajik cotton plain. The failure of Soviet integration in the countryside. *Allah's kolkhozes: migration, de-Stalinisation, privatisation, and the new Muslim congregations in the Soviet realm (1950s-2000s)* / Stéphane A. Dudoignon, Christian Noack (eds). Berlin: Schwarz, 2014, (Islamkundliche Untersuchungen, 314), pp. 123-147. Examines the role of Islamic identity in the life of resettled migrant cotton farmers, using the case of the Maxim Gorki Kolkhoz.

KALINOVSKY, Artemy. Tractors, power lines, and the welfare state: the contradictions of Soviet development in post-World War II Tajikistan. *Asiatische Studien. Etudes Asiatiques*, 69 iii (2015) pp. 563-592.

MADDE YAYIMLANDIKAN
SUNVA GELEN DOKÜMAN

12 Subat 2017

Tajikistan 1947-1997

11 Aralık 2015

2363 SUMITS, Will. Uzbekistan and Tajikistan. *The other classical musics: fifteen great traditions*. Ed. Michael Church. Woodbridge: Boydell Press, 2015, pp. 341-360;369.

özbekistan
150161
Tajikistan
131186

MADDE YAYIMLANDIKTAN
SONRA GELEN DOKÜMAN