

Building Democracy in Egypt:

Women's Political Participation

Political Party Life and

Democratic Elections

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Preface

Internal pressures and advocacy for change have raised awareness and precipitated debates about the nature and need for reform processes in many Arab countries. Such debates have drawn in a diverse range of groups articulating interests and defining their own political programmes. In this context, electoral processes, women's participation and political parties have emerged as central issues in political reform agendas in the Arab world.

The establishment in the mid-1990s of pan-Arab and transnational satellite television and radio channels widened space for debate that was not subject to national-level restrictions and censorship. In addition, the ratification by many Arab governments of international conventions related to political and economic reforms and the abolition of all forms of discrimination against women has offered new leverage for change. Demographic trends (60 per cent of the population in these countries is under adult age) are giving added impetus to demands for further economic and political reform.


As a result, many reforms have been introduced in countries like Bahrain, the United Arab Emirates, Qatar and Kuwait, while political openness has been developing in Yemen. Advances continue in Jordan and Morocco, where reforms were already in progress.

The first United Nations Development Programme (UNDP) *Arab Human Development Report* (AHDR) (2002), prepared by Arab scholars and experts, identified the three most important development challenges facing the Arab world as deficits in knowledge, freedom, and women's empowerment. In the conclusions of the AHDR—echoed in the declarations of many Arab reformers and regional networks—the way forward in Arab countries is seen as lying through 'promoting good governance' and 'reforming the state institutions, and activating the voice of the people'. Emphasis was placed on:

- comprehensive political representation in effective legislatures that are based on free, honest, efficient and regular elections;
- legal and administrative procedures which guarantee citizens' rights and are compatible with fundamental human rights, particularly the rights to freedom of expression and freedom of association for all; and
- women's participation in political, economic and other societal institutions.

By focusing on electoral systems and processes, women's participation and political parties, IDEA's project on Democracy in the Arab World, as defined in the second half of 2002, was directly related to these themes and to the reform agendas being elaborated in the three focus countries, Egypt, Yemen and Jordan.

The second AHDR (2003) has since focused on one of the three challenges identified in 2002—the building of a knowledge society. It acknowledges that since 2002 there has been some progress in the advancement of women and in some aspects of popular participation, 'yet these bright spots, accompanied briefly by dawning awareness of the need for reform, were partly eclipsed by new setbacks in the area of freedom of opinion, expression and association'. The need for extensive dialogue and consensus building around agendas for political reform is more important than ever. It is hoped that the IDEA project can contribute to this process.



This report—*Building Democracy in Egypt*—is one of the most important outcomes of the project carried out by International IDEA, in cooperation with the Arab NGO Network for Development (ANND), aimed at discussing democratic reform in Egypt, Jordan and Yemen. The aim of the project has been to contribute comparative analysis and information on good practice so as to enrich debate on democratic reform in the three countries.

The project focused on three interconnected themes seen as entry points to help establish a reform-oriented agenda: electoral system reform, the political participation of women and the development of political parties. The challenges, opportunities and recommendations identified in the report are the result of the work of research teams in each of the three countries together with the contributions made during the regional meetings organized by the project.

At national level in the three focus countries, teams of experts were set up representing different viewpoints who carried out in-depth studies of electoral reform, gender in politics and the functioning of political parties, consulting various local stakeholders. The three expert teams were brought together at a workshop in Beirut in October 2003 to review the preliminary conclusions and help in drawing up the country reports.

The critical challenges facing democratization in the Arab world reflect themes that are central to IDEA's work in general—the conduct of free and fair elections, the political inclusion of women, and the functioning of political parties. A regional perspective is crucial to understanding the trends in democracy in the Arab world. IDEA's efforts aim to provide a forum for dialogue within and between Arab countries, seeking to identify and establish good democratic practice in the region. In this context, this report on *Building Democracy in Egypt* should be seen as a reflective contribution to the ongoing discussions about democracy, a basis for further dialogue.

We hope that this project contributes comparative analysis of and information on good practice in democratization in order to enrich debate about democratic reform in Egypt, Jordan, Yemen and beyond. The project has aimed to identify the main challenges and opportunities for reform that may also be valid for other Arab countries engaged in democratic transition or for the international community that is interested in supporting the process of reform in the Arab world.

Regarding **electoral processes**, the findings of the project seem to suggest that government and national stakeholders promote greater independence and professionalism in election administration, systematic authorization for domestic election observation, the establishment of mechanisms for the resolution of electoral disputes, equal access to the media for political parties and some regulation of campaign financing. On electoral system design, the introduction of mixed electoral systems is suggested so as to improve representation and legitimacy. Continued broad national debate on electoral reform is an important way to achieve consensus on this and other matters.

To enhance the **political participation of women**, the report is proposing to government and national stakeholders that more serious consideration be given to the potential of electoral systems, as well as to affirmative measures and gender quotas for political parties and other institutions. Gender issues are best promoted through specific structures inside government as well as specific public institutions such as an ombudsperson on discrimination against women. Civil society should gender-mainstream its programmes, and regional networks and alliances should be built to support the gender dimension in democratization agendas.

On the **development of political parties** as effective actors in democratization, it is suggested that political party law should be modernized and stronger guarantees of freedom of association should be established. In the short term, parties should move to democratize themselves, whether or not legislation is used. Inter-party dialogue should be facilitated at regional and national levels.

Country studies prepared during the course of the project indicate three levels of engagement to create change and implement reforms.

- *The legal environment*: the amendment of or creation of new legislation that can promote women's participation, strengthen political parties and reform electoral processes. This level concerns mainly governments and parliaments, but it also concerns political parties, research centres and other civil society organizations that should create a dialogue space with governments in order to reach consensus on new laws and measures.
- *Internal governance and capacity*: political parties and women's organizations should develop strategies for change and create alliances in order to give an example that governments could follow. They need to be democratic and representative in order to gain credibility, build confidence and construct a strong public opinion base to support lobbying efforts.
- *The social, cultural and economic environment*: reforming and opening economic sectors in order to enable more women to join in productive activities; and changing educational curricula to raise awareness of women's roles, the importance of political parties, a citizenship culture, and freedom of choice and election. This level also concerns the media and information sectors. The media plays a major role in shaping people's minds. Any reform plan should be mirrored by independent and free media where different stakeholders present their views and people choose those who best reflect their interests and values.

IDEA and ANND consider that there are distinct opportunities for democratization in the region, but recognize that each country needs sufficient space and time to develop its own reform agenda and democratization strategy and to craft its own democratic institutions according to its particular cultural, political and historical circumstances. For a successful engagement in support of democratization, international actors need to develop credibility by establishing collaboration based on genuine dialogue and long-term commitment. Both IDEA and ANND hope to build on this first project and contribute in this way to a reform process that is nurtured and shaped by internal debate and dialogue with all interested parties.

Finally, we would like to extend our deepest gratitude to Ziad Majed, Martin Ångeby and Nadia Handal Zander for coordinating this ambitious and rewarding project, along with Hala Mustafa, Abd al-Ghaffar Shukor, Amre Hashem Rabi' and all other writers and thinkers that have helped in developing these reflections on building democracy in the Arab world.

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Introduction and Executive Summary

I. Political Conditions in Egypt

1.1. Women, Politics and Modernization

The cause of women in Egypt is linked to the cause of modernization. Historically speaking, the 18th century marked the opening of creative interaction with modern Western civilization and the emergence of modern Arab thinking. A national Egyptian elite began to take shape whose modernization project included furthering the cause of women, encouraging democracy, improving education, and reform in general. By the end of the 19th century the first liberal constitution had been promulgated (in 1971). The first experiment with a multiparty system took place at the beginning of the 20th century.

The course of modernization has highlighted two main issues, at the heart of which are women, and democracy and related cultural aspects. The first of these issues is the decline, around the beginning of the 20th century, of the reformist school, which had taken a liberal path and served as the basis of modernization in the Arab world. This decline is due to the growth of intellectual currents advocating different projects that are opposed to that of reformist liberalism. These currents range from the far right (fundamentalist and Salafi currents) to the far left (Marxism and some Arab nationalist currents). A second issue is that of whether there is 'general agreement' in Arab thought and in society regarding the concepts and foundations that govern the entire political and social experience.

On this latter point, it appears that the culture of modernization has run parallel over time to the traditional inherited culture, which has not undergone renewal. At different periods, one or the other has been in the ascendant, to the detriment of the other, especially since Egypt's defeat by Israel in 1967. This has resulted in a lack of general agreement and generated a spread of cultural dualism, where values such as freedom, democracy, rationalism and women's rights are pitted against a patriarchal culture that is not in tune with the spirit of equality.

*Mr Ziad Majed, a Lebanese political and social researcher, was the coordinator for IDEA's Programme on Democracy in the Arab World (2003–2004).

1.1.1. The Constitutional Framework and the Political, Social and Cultural Environment

The current situation of women in Arab political life shows that their status has deteriorated: this is reflected in their role and in their participation in public life. Political participation by women involves two main dimensions: the legal constitutional framework, on the one hand, and the political climate and social and cultural aspects, on the other.

Where the first dimension is concerned, women in Egypt can cite what was considered to be the most advanced constitution in Arab countries, stipulating the equality of citizens before the law. The 1956 constitution granted women the right to vote and to stand for office. A survey of the expression of these principles in practice shows, however, that the actual representation of women has remained almost insignificant: women held two seats in the legislature (0.57 per cent of the total number of seats) in 1957 and 11 (2.49 per cent)—seven elected and four appointed by the president—in 2000. The situation is not much better on the local councils.

This poor representation extends to women's presence in political parties, which is extremely limited, if not completely lacking. The highest proportion of women members in a political party is 2 per cent (in the ideologically liberal Wafd Party).

For the second dimension, the socio-cultural legacy that is prevalent in Arab societies means that women suffer from a lack of confidence in their abilities and capabilities on the political stage. This is heightened by the increase in illiteracy among rural women and the control of custom, which designates certain types of behaviour by women as unseemly. The appearance of the fundamentalist phenomenon has supported this inherited cultural mindset.

1.1.2. The Civil Society Sector as a Privileged Place for Women's Participation

In contrast to their situation on the political arena, women play an important role in civil society, that is, the civil sector (such as the labour unions and professional associations) and voluntary associations. Thanks, among other things, to globalization in its political, economic, social and cultural manifestations, with women's rights being considered an indivisible part of human rights, there has been a recent increase in concern on the part of the Egyptian state about the role of women, which it now considers necessary to advance. In 2000, the government established the National Council for Women for women to express their voice and to encourage them to enter public life. These factors, along with a considerable increase in the level of education of girls and women, can be expected to lead to an increase of political awareness among women and in their belief that they can make tangible progress in the political sphere.

1.2. Political Parties in Egypt

The 1952 Revolution laid the foundations for independent national development, central planning, a leading role for the public sector in development, and an increase in labour's share of the distribution of gross national product (GNP). This was accompanied by a one-party political system, the banning of political opposition, and the linking of mass organizations to state organs. After the defeat of 1967, there was an increasing general move towards independence from the ruling institutions of power and growing opposition to them. The economy moved towards a free market economy tied to the international capitalist economy and the foundations of the former socio-economic regime were gradually eliminated. The late 1960s and early 1970s saw the emergence of a protest movement calling for freedom and democracy, and the formation of secret political organizations, Arab nationalist and Marxist organizations among them. In 1976 the country's highest political authority issued a decision allowing a multiparty system.

1.2.1. The Political Parties Law and 'Controlled Pluralism'

The formula arrived at, however, is one of controlled pluralism, characterized by three features: change is decided from above; the gradual move towards pluralism is determined by the regime; and the executive authority (specifically, the president) dominates all political life, including the judicial and legislative branches. Consequently, the party that is close to the state apparatus always remains the majority party and other parties are not allowed to participate in the rotation of power. The Political Parties Law of 1977, among other things, obliges parties to conform to the same principles (e.g. they must consider Sharia the principal basis of legislation and must maintain the socialist–democratic system and the benefits of socialism) at the same time as distinguishing themselves from other parties. In practice, this does away with the freedom to form parties whose principles diverge from those of the ruling National Democratic Party (NDP). The law also guarantees that the NDP will exercise complete stewardship by establishing a Committee on Political Parties, on which there is a government majority, which approves the formation of new political parties and can suspend party activities, newspapers and decisions.

The party system and the political regime in general are responsible for preventing the rise of genuine, effective parties by generating the creation of parties 'on paper' which do not have a genuine political presence in society. In 2002, there were six big parties and 11 small ones which had never secured parliamentary representation. This political equation could be overturned if the small parties merged with larger parties, formed alliances with each other, or eventually withered away. Political alliances attempted by five parties in the period 1976–93 failed to achieve tangible results, except for those which supported the Palestinians and opposed the normalization of relations with Israel.

Political parties have been affected by competition from the civil sector as globalization has brought about a new agenda including human rights, democracy, minority rights and women's rights. Civil society organizations have drawn many of the most talented and qualified political cadres away from the parties. This, added to their weak financial base, has thwarted political parties' efforts to educate the public. Furthermore, the lack of clarity about the roles of the opposition and government in the second half of the 1990s, as the opposition political elite sought contact with the ruling elite in order to guarantee seats in Parliament, convinced the public that the opposition would not solve its day-to-day problems, and party membership has declined considerably. In addition, parties suffer from a lack of internal democracy.

The state's position on pluralism is in essence the acceptance of the existence of different political parties but under certain constraints and controls. The activities of parties are thus constrained by four factors:

Legislation. The 1977 Political Parties Law is the clearest example of this, and new laws have also been issued or existing ones amended to close the gaps revealed in the implementation of this law. These laws have added constraints on party activity, mass political activity, party newspapers, professional unions and so on.

Government monopoly of the mass media. A number of laws have been issued to prevent contact between parties and their mass bases.

Control over civil society. The government keeps the institutions of civil society—organizations, labour unions, civil associations, professional associations, cooperative associations, clubs and youth centres—under the control of its bureaucracy.

Elections. Egypt's electoral conditions and arrangements do not provide true guarantees for free elections.

Thus, despite the adoption of a multiparty system in the mid-1970s, its scope has remained limited, to the point where the system is closer to being a one-party state. The ruling party—the National Democratic Party—holds most seats in the legislature and dominates the media.

The experience of pluralism has had the following results.

- The character of the regime is still authoritarian.
- Legal political parties are weak.
- The 'officially unrecognized' Islamic opposition has grown stronger.
- Society has suffered from socio-economic problems accompanied by more social tension and political weakness.
- Authority continues to be monopolized by one party, although parliamentary elections have been held regularly since 1976.

1.3. Electoral Systems and Parliamentary Elections

In the period 1984–2005, Egypt has had three different electoral systems. (a) the List Proportional Representation (PR) system—a party-centred proportional representation system (the 1984 election), (b) a Parallel System with party lists and 48 single-member districts (1987 election), and (c) the candidate-centred Two-Round system (the 1990, 1995 and 2000 elections), still in effect today. Each system has had an impact on the country’s entire process of political interaction, the effectiveness of the legislature, the supervisory role of the People’s Assembly, and the relations between different parties and political forces.

In August 1983, the Election Law (no. 114 of 1983) was issued, stipulating ‘the election of members of the People’s Assembly through party lists based on the proportional system, each party shall have its own list, and a single list cannot include candidates from more than one party... each list should include a number of candidates equal to the number of seats up for election in a given district, and an equal number of alternate candidates’. In 1986, the Supreme Constitutional Court found Law no. 114 to be unconstitutional, as a system based on proportional party lists would prevent non-party members from standing for office. The new Election Law, no. 188 of 1986, combined elections based on candidate-centred seats and party lists with the election of the remainder of the representatives in a given district by party lists. It retained all the negative aspects of Law no. 114, its only novelty being that it opened a window for non-party forces by enabling them to stand for the candidate-centred seats. This law was also declared unconstitutional and was followed by Law no. 201, issued in 1990, based on the candidate-centred system, giving all qualified people the right to declare their candidacies without any constraints. As a result, political parties, and in particular the weaker ones, were faced with much greater obstacles to securing representation.

The candidate-centred system, like the two previous systems, retained the stipulation of article 87 of the 1971 constitution that half of the seats in the Assembly must go to workers and peasants.

1.3.1. Impacts of the Different Electoral Systems on Candidates and Voters

The different systems had different impacts on participation in elections, both for candidates or for voters.

In 1984, with party lists based on the proportional system, five parties took part in the election, one party boycotted it, and two parties allied with each other on a single list with a platform of ‘religious issues’. This was allowed, although such an alliance was illegal. There were 3,879 candidates for 448 seats. Registered voters stood at 54.9 per cent of the total voting-age population, and of these 43 per cent (or 23 per cent of the voting-age population) actually voted.

In 1987, with party lists and a candidate-centred system, six parties took part in

the election as well as members of small or illegal movements, and all the opposition parties but one presented candidates as independents. This election also featured the Islamic Alliance, between the Labour and Ahrar parties and the Muslim Brotherhood, once again allowed by the regime. There were 3,592 candidates, of whom more than half were independents. Votes were cast by 50.4 per cent of registered voters.

In 1990, with a candidate-centred system, 2,676 candidates stood for 444 seats. The drop was attributed to a lack of familiarity with this system and a boycott by some opposition groups. Forty five per cent of those registered voted.

In 1995 and 2000, the numbers of candidates were 3,980 and 3,957, respectively, the candidate-centred system giving an opportunity to both party members and independents to stand for the Assembly. Fifty per cent and 25 per cent of registered voters, respectively, voted.

People's failure to participate in elections under the different systems can be attributed to cultural illiteracy and to lack of trust in the election results, in the government's promises, in the fairness of the election, and in the vote tabulation procedures.

1.3.2. Women, Minorities, Workers and Peasants

In 1983, Law no. 114 was issued. It stipulated that there should be a female candidate on each list presented for the 31 districts, which meant that women would inevitably get 31 seats. Law no. 188 of 1986 found this provision to be unconstitutional with regard to the principle of equality between men and women. As a result, in 1987 women won 14 seats, in 1990 seven seats, in 1995 five seats, and in 2000 seven seats. The reduction in the number of women candidates and in the representation of women since the quota was abolished has worked to increase the level of public cultural illiteracy, which gives rise to a negative image of the role of women in society.

Cultural and tribal principles also reject the idea of women voting for female candidates, and especially of men voting for women. Members of ethnic or religious minorities face a similar situation: many Muslim voters, for instance, will reject the authority of a Copt and therefore will not vote for a Coptic candidate.

A distinctive feature of the Egyptian electoral system is the requirement that 50 per cent of the seats in the legislature be occupied by a worker or peasant. This provision reflects the socialist orientations and principles announced at the beginning of the 1960s and consecrated in the constitution of 1964 and the present (1971) constitution. In practice, this means that each district is represented at the Assembly by two persons, one from the ranks of the workers and peasants, and one from any other segment of society. It is interesting to note that this imposed quota cannot be declared unconstitutional (as the quota on representation of women was) as the constitution itself is contradictory. This quota flies in the face of the constitutional declaration that all citizens are equal, regardless of race, doctrine or gender. It also conflicts with the principle of equality of opportunity and produces a number of perverse effects,

including potential candidates misrepresenting themselves as workers or peasants, and qualified and trustworthy candidates being kept out of the legislature.

2. Obstacles to and Recommendations for a Political Reform Agenda for Egypt

The three chapters of this report show that women's participation and the active role of political parties in Egyptian society, as well as the reform of the electoral system, are facing a number of common obstacles.

2.1. Cultural Dualism and Top-Down Processes

The greatest of these obstacles is the 'cultural dualism' specifically mentioned in chapter 1, on the participation of women. This is the existence of two deeply ingrained, non-convergent cultural trends—on the one hand modernization, the cultural foundations forming in interaction with and benefiting from modern contemporary culture, also called 'the contemporary'; and on the other the traditional, inherited culture, also called 'authenticity', which has not undergone renewal and in fact appears to have stagnated. Two cultures are thus pitted against one another. One is based on the spirit of equality, freedom, democracy, rationalism and women's rights, and is engaged in lively interaction with globalized advocacy for human rights, among other rights. The other is patriarchal: decisions are made from the top by men whose only legitimacy is inherited tradition, and it is actively resistant to any reform and to modernization in general.

This conflict is also reflected in the legal system governing the formation of political parties. In effect, the law, by requiring parties to conform to the same principles, excludes parties whose thinking and policies are independent of the authorities. In addition, the law establishes a Committee on Political Parties, set up by the president and on which the majority are members of the government party, tasked with approving the formation of new political parties and with stopping party activities, newspapers and decisions. Parties are thus formed from above, so to speak, and large sections of the population are prevented from setting them up.

Political parties are also affected by a whole range of laws inherited from previous eras or issued in the years following the rise of parties. These laws add restrictions to the right of peaceful assembly and public meetings, ban mass political action, and are accompanied by an array of exceptional courts where people can be tried for their opinions. Despite the development that has taken place in certain political directions, the political regime retains many of the traits inherited from a previous era and the political culture is still governed by traditional values and the resulting emphasis on loyalty and submission.

This mixture of traditional and paternalistic values and authoritarian customs is also present within the parties themselves. Although for the most part they have

modern organizations on paper, they are authoritarian in the relations between the top, middle and lower levels.

Finally, the electoral arrangements suffer from the same phenomenon. The judicial and legislative branches come under the executive branch. Paradoxically, the only election for which voter lists were subject to total judicial supervision—in 2000—revealed so many problems in the lists that the turnout of registered voters was the lowest it had been for five elections, reaching 25 per cent at most.

2.2. Islamic Opposition, Weak Civil Society Organizations and Violence

The rise in religious fundamentalism has reinforced the traditional cultural legacy which, among other things, maintains a negative view of women and their role, especially in the domain of participation in public life and politics. Women, like many of the most qualified and talented political cadres, have thus been drawn to the civil sector and civil society organizations. This has had a weakening effect on party machines. Meanwhile the civil sector also faces a hostile legal environment, so that the building up of democratic forces from below through such organizations is jeopardized. Neither the political parties nor the civil society organizations are strong enough to form public opinion to pressure the authorities to make further concessions in the direction of more political and democratic reform. The Islamic opposition, meanwhile, is increasingly able to exert pressure.

There has been a legal provision for the compulsory registration of women on the voter lists since 1979, but this provision is purely formal: a large number of eligible female voters are not on the voter lists.

A related issue is the fact that the candidate-centred electoral system strengthens tribalism and clan or other types of solidarity, which then creates an atmosphere of violence and bullying in the election process.

2.3. Bridging the Gap between Tradition and Modernization

In the face of these obstacles, the following recommendations are made.

Education and awareness. Arab culture is in need of renewal. It must produce a rereading of its heritage, presented in an open-minded fashion and based on a new mentality so that reason and interest prevail over imitation. Positive and open-minded concepts in the political culture will help to produce sound political guidance and education for women, and this in turn will generate new directions and approaches when it comes to women's issues and women's role in society. Political education is one of the most important components of democratic evolution. Political parties must thus concentrate on their political mission, focusing on political guidance and education and not just on gaining power, and modernize their organizational structures (decentralizing power) and their information structures (building

knowledge and capacities in order to understand themselves and their environment better). A massive public awareness campaign should encourage all who are eligible to vote, especially women and those who have just reached the age of 18—the groups who are least aware of their voting rights.

Inclusion, dialogue and bottom-up processes. Political parties must try to make the role of women in the party more effective, since they are among the most important institutions responsible for furthering the causes of women, who form one-half of society. The issue of the level of participation and representation of women should also be raised in the judicial and executive branches of government, as well as in civil society institutions, so that women may take part in policy making, directing the ways in which society is guided and educated, and in other areas involved in seeing the process of modernization through to the end. Opposition parties should also take into account that their real field of struggle is the labour unions and voluntary and social activities. They should have regular activities in civil society organizations. They should introduce structures founded on popular-level units in society, rising up through a middle level, and ending at a single decision-making centre that coordinates party activities and unites the party in its political struggle. A democratic reform front should be formed to bring popular pressure to bear on the authorities so that they respond to this demand.

Constitutional and political reform. Political reform must be accompanied by constitutional reform that will recalibrate the relationship between the legislative, judicial and executive branches on new bases. The authorities must take specific steps, among other things to guarantee citizens' freedoms and human rights; to amend the State of Emergency Law; to allow truly free political, union and civil organizations within the framework of the basic requirements of society and public order; and to free the press and the media from government control and monopoly. They should also review all the electoral laws and the electoral system itself in order to increase popular participation and create fair conditions for candidates to compete. The state must be prepared to benefit from the opportunities presented by globalization and limit its dangers and negative aspects. To do so, it should set up an independent centre that studies the phenomenon in its various aspects and its impact on Egyptian society. Finally, it should comply with international standards of democracy and human rights.



Chapter 1

Women, Politics and Modernization in Egypt



Women, Politics and Modernization in Egypt

1. Introduction

The subject of women and modernization is taking on considerable and increasing importance because it combines two issues that have constituted and continue to constitute the essence of a project to achieve an Egyptian, Arab and Islamic renaissance, the first steps of which were taken at the end of the 18th century. In one sense, this historical moment marked the beginning of creative interaction with modern Western civilization through the pioneering rule of Muhammad Ali in Egypt (1805–48) and the beginning of modern Arab thought. In another sense, a national Egyptian elite began to take shape, open to the world and to contemporary culture. This took place with the spread of education, the widening scope of the middle class, and acceptance of the reasons for modern science and learning, reflected in the movements of religious reform and cultural enlightenment. It also took place as the concepts of citizenship, equality, and public and individual freedoms became anchored; awareness of the issue of liberating women and democracy also grew. The first liberal constitution in the country was promulgated in 1971 and the first experiment with a multiparty system took place at the beginning of the 20th century.

These achievements were an indivisible part of the intellectual, reformist project to modernize the state and society. It is therefore difficult to deal with any one of the issues at hand in isolation from the others. Furthering the cause of women remains linked to furthering the cause of modernization as a whole; Egypt is advocating modernization so that it can move into the third millennium.

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Modernization in its widest meaning is based on a distinction between traditionalism and modernity. If we go back to Max Weber, we find that the 'traditional' situation is the situation that existed prior to the national state, cultural rationalism, industrialization, democracy and legal constitutionalism.

In brief, this means that modernization involves continual processes of change, which in most cases require a difficult struggle. Modernization also means a number of different levels—legal, constitutional and institutional, linked to the modernization of structures and institutions; socio-economic; and cultural, linked to value systems and the nature of the prevailing culture. Perhaps this last level is the most difficult, since change here takes place slowly and is often faced by resistance; there are some traditions and customs that are deeply rooted and cannot adapt to the requirements of the age.

This leads on to a number of issues that are connected to the course of modernization in the Arab world. At the heart of these issues are women, and democracy and the related cultural dimensions. These issues can provide a useful analytical framework.

The first issue involves the decline, around the beginning of the 20th century, of the reformist school, which had taken a liberal path and served as a basis for modernization at the beginning of the 20th century. Its leading symbol in Egypt was Rifaa al-Tahtawi, who was followed by other intellectual giants such as Taha Husayn, Muhammad Hasanayn Haykal, Husayn Mu'nis, Ahmad Lutfi al-Sayyid, Qasim Amin, Ali Abd al-Raziq, Tawfiq al-Hakim and Naguib Mahfouz.

One of the most important reasons for its decline is the growth of intellectual currents which in many cases advocated projects that were different from, if not contradictory to, reformist liberalism. These currents range from the far right (the fundamentalist and Salafi currents) to the far left (Marxism and some Arab nationalist currents), and some of them conflated modernization with Westernization as a basis for attacking the reformist project. For the most part, they gave priority to meeting external challenges, at the expense of internal structures and furthering the cause of Arab societies, and they suffered from this lack of balance between the internal and external fronts. It is therefore important, when talking of furthering the cause of women today, to begin by giving fresh consideration to the concept of modernization, or rather the intellectual school of modernization, since it is closely connected to the processes of reform and development and to the issues that can help any society to advance.

The second issue is the nature of the role played by the cultural and intellectual elite in the Arab world, and the nature of the culture it expresses and on whose basis its role and priorities are constituted. Modernization, furthering the cause of women, encouraging democracy, improving education, reform in general—all these are an indivisible part of the intellectual system and modernization project of the Egyptian and Arab elite. Does this elite still play the same role and have the same comprehensive intellectual project?

Third, there is the issue of culture, and specifically the issue of whether there is

a 'general agreement' in society about the concepts and foundations that govern the entire political and social experience. We say general agreement, and not consensus, and the two should not be conflated. In this context, the word 'agreement' implies shared agreement among different currents and segments of society about the basic principles that ensure their coexistence, as well as ensuring modernization and progress. Does this general agreement in fact exist?

In fact it is still missing on the Arab intellectual scene, and divisions remain on a number of vital and important issues. This can be considered both an old and a new phenomenon; this state of affairs may be as old as the modernization effort itself and was present when the new foundations of Egyptian culture began to form, interacting with and benefiting from modern contemporary culture. At the same time, the traditional inherited culture has not undergone renewal. The crux of the problem is that both cultures remained on parallel tracks, and this has given rise to two different types of thought, behaviour and ways of dealing with different issues. At times, the modernizing current has been on the rise and at others the traditional, conservative mode has been in the ascendant; at other times, the latter has been transformed into a type of intellectual fundamentalism. This phenomenon has been strong since the end of the 1960s, and specifically after the defeat by Israel in 1967.

The absence or weakness of general agreement in Arab thought has led to, and continues to lead to, a number of negative phenomena in Arab culture. Perhaps the most important of these is cultural stagnation—a kind of immersion in the past. A number of vital issues being discussed today, such as the style and content of improvements to education, the situation of women and the development of the religious discourse, not to mention democracy itself, are the same issues that occupied the Egyptian elite for almost 200 years. It is as if the whole of Arab thought was halted at a specific historical moment that cannot be transcended so that we can face the future.

The absence of general agreement has also seen the spread of cultural dualism, which is an aspect of the problematic relationship between 'authenticity and the contemporary'. This situation does not help the true renewal of Arab culture insofar as it leads at times to the old being replicated—'the old' meaning the type of culture that still sees values such as freedom, democracy, rationalism and women's rights as if they are alien to our heritage or are merely the products of a Western culture of which we should be wary. In the end, as the famous Arab thinker Muhammad 'Abid al-Jabiri pointed out, it consecrates a type of patriarchal culture that is not in accord with the spirit of equality.

All this means that any attempt to move towards modernization and promote women's issues requires a review of the cultural and epistemological framework that we use. We need to renew Arab culture and must produce a re-reading of our heritage, and present it in an open-minded fashion and in a new mentality so that reason and interest replace imitation.

A general look at the situation of women in Arab political life will show how

far their status has deteriorated. This intellectual and political stagnation has been reflected in the role of women and their participation in public life; and the question of women's political participation can be taken as a model for this decline.

2. Political Participation by Arab Women

Political participation by women involves two main dimensions: (a) the legal and constitutional framework, and (b) the political climate and social and cultural aspects. Perhaps the former is more important in Arab societies, but in any case there is a large gap between what the laws and constitutions say and what is practised on the ground.

Legal and constitutional rights for women have historically been endorsed as part of the huge progress that has taken place since the Renaissance in Europe, from the French Revolution of 1789 to the Universal Declaration of Human Rights in 1948. This document was approved by most countries after the end of World War II and redrafted the concept of human and individual rights at an international level.

It should be pointed out here that these rights and freedoms (especially those related to women) were not endorsed all at once. The right to vote, for example, was only endorsed four or five decades ago in the form in which it exists today. Up to that time, women had been denied the right to vote in developed countries. Gradual progress on this issue then began to take place, spreading to most Arab countries.

For example, article 40 of the Egyptian Constitution (the 1956 and the 1971 constitutions) states that citizens 'are equal in front of the law and equal in rights and duties. There shall be no discrimination between them based on gender, origin, language or belief'. It was considered one of the most advanced constitutions in this regard.

The 1956 constitution was seen as the first Egyptian, and Arab, constitution to grant women the right to vote and stand for office; Law no. 73 of 1956, on political rights, did not refer to gender but rather dealt with women as citizens. It gave women the right to stand for Parliament as long as they had citizenship, were registered voters, and were at least 30 years of age and literate. In order to vote, a woman had to be 18 and not be under any restriction on exercising her political rights—that is, the same conditions as those that apply to men. However, did these progressive constitutions reflect the true situation of women and their representation in political life?

This question can be answered with figures. The actual representation of women has differed from one era to another. In the 1957 election, the first after the Law on Political Rights was issued, only two women won seats in the legislature, representing 0.5 per cent of the members. Today, around 45 years later, this percentage has risen. However, there are only 11 women out of 454 members of the current People's Assembly (Majlis al-Sha'b), seven elected and four appointed by the president. There was a period in which the percentage of female representation in Parliament was higher than it is today, for instance, in the 1979 and 1984 legislatures, when women made up 9 per cent and 8.25 per cent of the legislature, respectively. This rise can be attributed to the issuing of Law no. 188 of 1979 which set aside a quota (30 seats) for women

as a type of affirmative action. However, this law was then repealed in 1986, and this greatly affected the percentage of women in the legislature, as is shown by the results of the parliamentary elections in 1990, 1995 and 2000.

In the 1990 elections, there were only 42 women candidates out of a total of 2,676. Thus, women made up only 1.6 per cent of the total number of candidates. Only seven women won seats, meaning a percentage of less than 1.6 per cent representation in the legislature.

In the 1995 elections, there were 87 female candidates out of a total of 3,980, or 2.1 per cent of the total number of candidates. Most of these women ran as independents, without any support from political parties. Only five women obtained seats, and four women were appointed to the People's Assembly. This meant that 1.9 per cent of the 454 deputies were women.

The same thing happened in the recent parliamentary elections, which took place in October and November 2000. Out of a total of 4,250 candidates, 109 women ran for seats, meaning a percentage of 2.56 per cent. Seven won seats and four other women were appointed by the president, so that the 11 female deputies held 2.49 per cent of the total number of seats. This is lower than the proportion of women represented in other Arab legislatures, such as the Tunisian Parliament, where female representation is 11.5 per cent. The proportion of women in the Tunisian Parliament has risen steadily since 1959, when it stood at 1.1 per cent, climbing to 3.2 per cent in 1979 and 5.4 per cent in 1981.

As for the Majlis al-Shura (the Consultative Council), which is the other half of the Egyptian legislature, there were only seven female deputies here when the body was established in 1981. The number rose slightly to 12 in 1992 and then 15 in 1995, out of a total of 264 members. The average rate of female representation here has never been above 5.6 per cent.

A similar situation obtained in the by-elections for renewing the mandate of the People's Assembly in 1998, when 397 candidates contested the 66 vacant seats. There were only seven female candidates, or about 1.4 per cent of the total, and only one was able to win a seat.

When it comes to women participating in local councils, the situation is not much better. Women made up only 10.22 per cent of the total number of seats on popular councils throughout the Republic at the beginning of the 1980s. This percentage dropped to 2.11 per cent in 1991 and then to 1.2 per cent in 1992. This did not improve much through the rest of the 1990s. The local elections that took place in 1997 saw 663 female candidates out of a total of 58,793, or about 1.2 per cent. Most of the women who won seats belonged to the ruling National Democratic Party (NDP). The most recent local elections, in April 2002, saw an increase in the number of candidacies by women, to 1,034, but only 774 won seats. These figures are far below the numbers of women on local councils in Tunisia, where they make up about 21.6 per cent of the seats elected in the 2000 elections. After the 1990 elections the figure was about 14 per cent.

This weak representation of women raises the question of what type of electoral system is best suited to giving women the opportunity for an appropriate level of representation in Parliament. Is it the candidate-centred system, which is in place in a number of Arab countries, including Egypt? Or is it the party list system, or a system that combines the two? Is it better to set aside a quota of seats designated for women, which only women can contest, as happened in Egypt in 1979 and 1984? Or is it better to let the competition be free and open?

Weak female political representation is not confined to the legislature or participation in general elections. It also extends to women's entire presence in political life in general, and especially in political parties. The contribution of Egyptian women to political party activity is extremely limited, if not absent altogether. The political programmes of all Egyptian political parties, despite their differing ideological orientations, advocate the need for a suitable climate to help women exercise their rights and duties. However, in reality, political parties continue to work against such proposals. Some of the proposals that have been made by some parties, such as the formation of women's committees, as part of a call for women to be represented in the groups' organizational structure, are purely formal and have not changed anything on the ground. Parties are usually content to mouth the slogans contained in their platforms, such as references to the role of women, without this having any real content.

For example, the Wafd Party is the organization that has been seen historically and qualifies ideologically as liberal. However, only 2 per cent of its total membership is female. The leftist Tagammu' (National Progressive Unionist Party), according to its party programme, sets aside ten seats on its Central Committee for women, or its 'women's wing', as it calls it. In practice, however, it appears that there are only four women on the committee. It was natural that a Salafi-Islamist party such as the Labour Party (whose activities are currently frozen) would not have more than two women represented on its Higher Committee.

The last election for the People's Assembly provides a clear indication of this problem. Out of the 109 female candidates standing, the NDP put forward only 11 out of its total of 444 candidates. This represented 2.48 per cent of the total. Wafd had eight women candidates out of its total of 272 candidates (2.94 per cent), and the Tagammu' Party three out of a total of 51 candidates (5.88 per cent), showing that it is the best of all parties when it comes to nominating women—the result of its leftist traditions. The small parties, meanwhile, comprise groups like the Ahrar Party, which, despite its lack of official presence on the political scene, put forward seven women candidates. The Green Party fielded two women candidates, while the Umma and Social Justice parties and the Muslim Brotherhood had one each. Women therefore resorted to standing as independents, and 75 did so (1.76 per cent of the total number of candidates), or roughly the same percentage as in the 1995 election, when 49 women ran as independents (1.23 per cent of the total number of candidates). Parties and political groups fielded less than half of the women candidates; their reluctance

to do so can be explained by their doubt that women would be able to run effective campaigns and secure the majority of votes needed to win.

This leads us to ask how far the political parties have genuinely taken up the issue of political participation by women, whether inside the party through leadership posts or outside the party through candidacy on electoral lists. By definition, political parties are one of the channels for political modernization, whether in terms of political culture or in social terms, since they are supposed to represent a wide base and be drawn from different segments of society. The evolution and health of political parties is one of the most important guarantees of political vitality and democratic effectiveness. We must call on all political parties to make the role of women in the party more effective, since the parties are among the most important institutions responsible for furthering the causes of women.

From these statistics, it is obvious that political participation by women remains very modest and does not approach the level of rights recognized in the constitution and the laws regarding women. This level of participation does not meet the hopes and aspirations that were prevalent during the era of national independence (or post-colonial period) more than six decades ago.

We turn now to the second dimension of political participation by women—the political climate and social and cultural aspects. With regard to the cultural aspect in an Arab context, there are a number of interconnected factors, related to the inherited socio-cultural legacy prevalent in Arab societies, which in the end define the general framework for participation by Arab women. These are reflected on more than one level, such as the weak participation by women in political life, especially when it comes to filling high-ranking leadership positions or standing for elected office.

Because of this cultural inheritance, Arab women have come to suffer from a lack of confidence in their abilities and capabilities. Women believe that men are qualified to undertake political work ‘because they can express themselves better and are free of social constraints; thus they have better freedom of movement’, as some opinion polls indicate. Supporting this conviction is the rise in illiteracy among women, especially rural women, and the control of custom and tradition, which inflates the role of men and limits the role of women on the basis of the concept of ‘shame’ or the unseemliness of certain types of behaviour by women.

Social and cultural institutions of varying types have played a role in cementing this inherited cultural view of women. These institutions do not bring up boys and girls on the basis of equality between the sexes, but rather reinforce the idea of male superiority. There is the idea that men are better able to undertake difficult tasks than women, and this includes politics and government. Thus, women grow up thinking that they have certain limits which should not be transgressed. The appearance of the fundamentalist phenomenon in the Arab world has supported this inherited cultural mindset, which reinforces the negative view of women and their role, especially in the domain of participation in public life and politics.

3. Women and Politics: Getting Beyond the Socio-Cultural Mindset

In contrast to the situation in the political parties and the legislature, we find that women play an important role in the civil sector and volunteer associations, or what is called 'civil society'. Egyptian women have had an honourable record in this regard since the early 20th century. For example, their representation in the 23 professional associations and unions has reached 28 per cent. Women are most strongly represented in the nurses' union, where they make up 92 per cent of members, followed by the union of social professions (55 per cent), the teaching unions (52 per cent) and the labour unions (3.4 per cent). Women have held leadership positions in four labour unions; the number of volunteer and civil associations and women's federations has risen in the past ten years, and the percentage of women in them has also increased.

This quick look at the activity of women in the civil sector highlights the fact that the absence of women in the political arena is connected to the prevailing traditional culture and not to a lack of ability.

There are some indications that the political role of women might be strengthened. However, the course and quality of this development, if it happens, will depend on several factors, both negative and positive, and the interaction between them.

One of the most important of these is certainly the socio-cultural legacy referred to above. In fact, there are broad opportunities to surmount this legacy and urgent reasons for doing so.

In one sense, recent years have seen changes on the international level, such as globalization and its political, economic, social and cultural manifestations. No society can remain isolated from these changes, and an international discourse has arisen in the midst of them which stresses the need to respect and strengthen human rights, with women's rights, including women's political rights, at the heart of the topic. Women's rights are considered an indivisible part of human rights, if not central. A number of international conferences, such as the International Conference on Population and Development in Egypt in 1994, the Fourth International Conference on Women in Beijing in 1995, the First Arab Women's Summit in Cairo in 2000, and the Second Arab Women's Summit in Casablanca in 2001, have discussed women's rights. Workshops and seminars held by non-governmental organizations (NGOs) at the local and international levels have dealt with women's issues. The current international discourse confirms the need to make the role of women more effective in all domains, since this is part of the comprehensive development of society: it is important to empower women so that they can reach positions of influence, decision making and authority in their countries. Their opinions must be taken into consideration when drafting and implementing public policies.

Moreover, the Egyptian state has recently shown an increased interest in boosting the role of women. This has stemmed from the belief that women's issues were no longer merely a question of gender, meaning a struggle for equality between men

and women, but rather an issue that concerns and affects societies as a whole. The official discourse in a number of Arab states has affirmed the need to improve the political presence of Arab women; some states have taken positive, practical steps in this direction. For example, the National Council for Women was established in Egypt in 2000 as a forum to express the voice of women in all the areas that affect their life and encourage women to enter public life and widen the base of their political participation.

The council represents an important mechanism for improving the social and political role of Egyptian women, and can be relied on in the future to create female cadres. In cooperation with the ministries concerned, especially the ministries of culture and information, the council can play a leading role in spreading a social awareness that is characterized by understanding and flexibility, and is positive about political participation by women and about adopting their causes. In addition, an Egyptian woman (Laila Jaafar, who succeeded Hind Tantawi) has become head of the Parliamentary Administrative Committee; and the first female judge in Egyptian history was appointed in 2003, when Tahani al-Jabali was appointed an adviser to the Supreme Constitutional Court, with the position of vice-president of the court.

In other Arab countries, two female ambassadors and five state secretaries have been appointed in Tunisia, and a woman holds the post of second deputy speaker of Parliament. More than 20 women have been selected for various tasks in government ministries. The representation of women on Tunisia's Higher Judicial Council stands at 13.3 per cent, and on the country's Social Economic Council it is 11 per cent. One woman was elected vice-president of the council and another serves as a committee chair; women hold the position of administrative auditor and general manager of a bank. In Jordan, a woman holds the post of deputy prime minister; in Morocco there is a woman deputy foreign minister; Bahrain saw its first female ambassador appointed in 1999; and in Kuwait a draft law has been proposed to grant women the same voting and candidacy rights as men. Although the Kuwaiti legislature (the Majlis al-Umma) has rejected the draft law on more than one occasion, the fact that the idea has been raised again provides strong evidence of the beginnings of positive signs of support for the political role of women, which will bear fruit sooner or later.

Another positive factor promoting support for the political role of Egyptian and Arab women is the increase and growth in the democratic development processes in most Arab countries (Egypt, Jordan, Tunisia, Morocco, Lebanon, and Gulf countries such as Kuwait and Bahrain). The transition towards democracy, involving positive and open-minded concepts in political culture, is helping to produce sound political guidance and education for women, which in turn is creating new directions and approaches when it comes to women's issues and their role in society.

Reinforcing this positive factor is the considerable increase in the education of girls in all Arab countries and their entry into the labour market. This has helped to improve their political awareness—a necessary step in principle towards their true involvement in political activity. In Egypt, for example, the illiteracy rate for women

dropped to 52 per cent in 2003, after standing at 62 per cent in 1986. The same figure has dropped to 35 per cent in Tunisia and is at its lowest level in Lebanon, at only about 17.3 per cent, according to estimates for 2003.

The percentage of Egyptian girls who have received a pre-university education stood at 31 per cent in 1996, compared to 21 per cent in 1986. The proportion of those who had received university-level education or higher was 4 per cent in 1996, compared to 1.3 per cent ten years earlier. The percentage of women in the teaching profession at various levels in Egyptian universities stood at 35 per cent for the 2000/2001 academic year.

There are therefore wider opportunities to reduce or overcome the negative aspects of the factors that are restricting the political role of women. With increased openness to the outside world and the continuing democratic evolution, a general climate is being created that goes beyond the traditional cultural legacy where women and their role and status in society are concerned. Moreover, women's political awareness and confidence in their abilities to achieve tangible progress in the political sphere are growing. In the final analysis, therefore, the interaction of positive and negative aspects concerning Egyptian and Arab women seems on balance to favour the improvement and development of their role.

4. Conclusion

The issue of women and modernization has two particularly important aspects.

The first is the view of women's issues as a goal of modernization, or as a subject for modernization. One of the most important signs of the modernization of society is connected to the role of women in society. We cannot speak of a modern society without considering the status of women; we cannot speak of such a society if its women do not enjoy their social, political, cultural and economic rights and if women have not achieved full dignity and social status. This will not take place unless special attention is paid to women in efforts at development and when it comes to education, providing means of social assistance, and supporting their participation in various domains. Here, it becomes necessary to focus particularly on achieving political participation for women as a milestone on the way to social and political modernization.

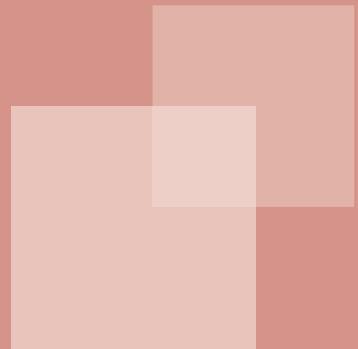
The second aspect is the role played by women in the process of development, or women as 'agents' of modernization and a force for change. True development, modernization and democracy will not be achieved without the participation of women, who form one-half of society. This requires raising the level of their participation and representation in the process of change at various levels, such as the executive and judicial branches of government, as well as the political parties. This must also affect the institutions of civil society, so that women take part in policy making, directing means of guiding and educating society and other areas that help see the process of modernization through to the end.

In summary, the situation of women as a force for change and modernization is connected to their position in society in general, and in political and public life in particular, as well as the impact they have in the various positions they now hold.



Chapter 2

Political Parties in Egypt



Political Parties in Egypt

1. Introduction

The military defeat of June 1967 marked the beginning of a new phase in political action and mass politics in Egypt. For roughly the next decade, there was increasingly a move towards independence from the ruling institutions and growing opposition to these institutions of power. During this period, a number of political, economic and social developments, both domestically and internationally, strengthened the move towards independence and opposition. President Gamal Abdel-Nasser died in September 1970, his successor Anwar Sadat assumed full power in May 1971, and the October War took place two years later, followed by the signing of disengagement agreements under US mediation in 1974. Egypt's relations of friendship with the Soviet Union were replaced by a link with the USA and its policies in the region. The economy was transformed from one of independent development into a free-market economy tied to the international capitalist economy, with the door opened to Arab and foreign investment in practically all sectors. This phase saw the gradual elimination of the foundations of the former socio-economic regime and political orientations established by the 23 July 1952 Revolution, which were based on independent national development, central planning, a leading role for the public sector in development, and increasing labour's share of the distribution of gross national product (GNP). This development policy was accompanied by a one-party political system, the banning of a political opposition, and the linking of mass organizations to state organs.

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These political and economic developments accompanied a change in the ruling elite, from the broadly-based social alliance of the 1952 Revolution—the middle class, workers and peasants—to a new social alliance, based on the policies of capitalist economic liberalization, which saw a convergence of various capitalist interests. These included bureaucratic elements, which formed a new class that grew at the heart of the development process of the 1960s, traditional capitalist industrial and agricultural elements that had been subjected to nationalization and appropriation in the 1950s and 1960s, and new, big capitalists who had amassed their fortunes under the *infitah* (openness) policies of the 1970s. There was also a ‘parasitic’ capitalist group that arose from non-productive activities such as trade in the black market, foreign currency dealing, smuggling and brokering (middleman) activities of various types (Ibrahim 1996: 42).

These developments and the resulting social distinctions were reflected in political life, in society and in the growth of currents of opposition and independence from the ruling institutions. A number of mass actions took place, beginning with student demonstrations in February 1968, calling for change and freedom (which resulted in the 30 March Programme), the demonstrations of November 1968, and the student uprising at Egyptian universities in 1972 and 1973, calling for the liberation of occupied land, a war economy, popular mobilization, freedom and democracy. There were also workers’ strikes and sit-ins outside their workplaces, which became demonstrations in industrial areas such as Helwan, Shubra al-Khayma, al-Mahalla al-Kubra, Kafr al-Dawwar and Alexandria.

During the same period, a number of secret political organizations were formed, such as the Egyptian Communist Party, the Egyptian Communist Workers’ Party, and the Egyptian Communist Party–8 January, while the trend of political Islam also returned after members of the Muslim Brotherhood were released from prison and members of the Partisans of Arab Vanguard (Ansar al-Tali’a al-Arabiyya) organization were put on trial. Other secret liberal, Arab nationalist and Marxist types of political organization were formed, of varying sizes and influence.

The organized political opposition to state policies grew in scope in the mid-1970s. The new ruling coalition, meanwhile, undertook a restructuring of politics to serve its own interests and those of the groups benefiting from *infitah*, while trying to limit the spread of independent and mass political action, which had come close to imposing pluralism on the ground thanks to the growing strength of pan-Arab and leftist groups. The independent mass movement was also gaining expertise in mobilizing large sections of the population, such as students, workers, intellectuals and professionals.

A degree of political liberalism was bound to accompany this trend towards economic liberalism. In 1976, the highest political authority issued a decision allowing a multiparty system, in the form of three parties—the Egypt Arab Socialist Party (centrist), the ‘Tagammu’ (National Progressive Unionist) Party (leftist), and the Socialist Liberal Party (Ahrar) (rightist).

By 2002, the number of parties had reached 17—a development that reflects three main factors.

First, contradictions within social classes had become sharp, to the extent that they could not be represented within a single political organization, the Arab Socialist Union. It was obvious that there was a need to allow these contradictions to express themselves in different organizational frameworks.

Second, it was obvious that these social contradictions would translate into an open political conflict that would threaten the stability of the regime. This not only took the form of a violent political debate, which society had witnessed, between different political trends; it also included the student, professional and union actions that had angered the regime. There was a need for a new organizational set-up where these contradictions could be expressed so that they could be contained and prevented from developing into a general eruption.

The formula arrived at was that of controlled pluralism, where the state was in control of all political life. The party close to the state apparatus would always remain the majority party in the government, while the other parties would not be allowed to participate in the rotation of power through general elections, although the constitution guaranteed this right (Shukor 1994: 29).

Third, the adoption of political pluralism gave the regime a positive image and a much-needed democratic veneer in the eyes of its new allies, under the leadership of the USA, who were presenting the capitalist system to the countries of the world as the one best able to fulfil their aspirations of economic progress and democracy.

This study will show that the adoption of political pluralism in 1976 was first and foremost a process of managing the contradictions of the political society and the country's development rather than a goal in and of itself or a means for achieving democracy (Abd al-Jawad 1999: 28). It will also show that 'the rise and fall of the process of political reform in Egypt over a quarter-century of party pluralism reflected the ruling elites' view of the best way to meet the threat to their survival. The concept of survival involves an intersection of the idea of survival in its ideological, institutional, class and elite senses with the concept of personal survival, namely the survival of certain people in positions of authority' (Abd al-Jawad 1999: 8).

If pluralism became a reality in Egypt after 1976, the way the authorities dealt with it gave it a special character. 'Among these various opinions is a single and correct opinion; the other opinions are wrong. Their impact on the political, social and economic situation must be thwarted. Of course, the single correct opinion is that of the ruling elite, which dominates the state, which is the same impetus that dominated the period of one-party rule' (Abd al-Jawad 1999: 34).

Party pluralism in Egypt was born in crisis and constrained, and remains so to this day. If these were the conditions and problems that surrounded the growth of modern pluralism in Egypt, how do researchers view this experience and evaluate it? What path did political parties take and what factors affected them? How did the authorities deal with them? What are the most important features of today's political map in Egypt

and what are the main problems? What are the possibilities for evolution and the main political trends as regards the country's coming through its current crisis?

2. An Analytical Reading of Earlier Literature on Political Parties in Egypt

There have been a considerable number of studies and a considerable amount of research on political parties in Egypt; dozens of books have been published and hundreds of articles have taken up the subject. Books have included Master's and PhD theses and the complete proceedings of conferences and seminars on pluralism and democracy in Egypt, in which a large number of academics specializing in politics and law, political activists and leaders in civil society have taken part and made contributions. They have discussed the topic from various political and legal angles and their studies have treated the legal and constitutional framework, the nature of the party system, the political map, and organizational issues; and proposals and recommendations have been made as to how to arrive at a true multiparty system which would be the basis of a democratic system that sees the transfer of power through free and regular elections.

This section discusses examples of this literature, which has dealt with various aspects of the phenomenon. Details of all these publications are included in the list of Sources and References at the end of this chapter.

1. In *The Freedom of Organization and Political Parties in Egypt*, Tariq Abd al-'Al deals with the ironies in the provisions of the Law on Political Parties, Law no. 40 of 1977. He affirms that the freedom to form political parties is considered a basic public freedom and the basis of a democratic regime, based on the words of the French professor of jurisprudence, Izmin: 'There is no political freedom without parties, and there can be no democracy without organization; parties are what take responsibility for this organization'.

Although under the constitution the Political Parties Law governs the formation and running of political parties, it sets out conditions which restrict the freedom to form parties. The researcher sees that the law contains a number of defects in terms of the constitution, as it contradicts the principles of party pluralism, the right to form associations, the right to vote and stand for office, the right to free expression and opinion, the right to participate in public life, and the right to approach the authorities, as well as working against the principle of equality and equal opportunity, the rule of law and the principle that the state is subject to the law. The law has the defect that it obliges political parties to consider Sharia as the main basis of legislation and to maintain national unity, social peace, the socialist–democratic system and the benefits of socialism. Parties are also required to demonstrate openly in their programmes and platforms how their means of achieving these things differ from those of other parties. In addition, parties cannot issue programmes and principles,

conduct activities or select members or leaders on bases that work against the protection of the 'domestic front and social peace', and so on. It is also contradictory in that it requires parties to conform to the same principles while asking them at the same time to distinguish themselves from other parties.

2. In a study entitled *The One-Party System in a Multiparty Form*, 'Isam al-Din Muhammad Hasan shows that the existing legal system plays a decisive role in damaging the parties. It is an obstacle that is difficult to overcome in the way of parties' achieving their tasks of political participation by interacting with the masses, affecting the decision-making process, and taking part in the peaceful transfer of power through free elections. The study highlights a number of repercussions of this legal framework.

- In practice, the law does away with the freedom to form parties that are independent in their thought and policies from the authorities; it restricts the popular democratic movement that has grown during this period but has not been strong enough to impose its democratic programme.
- The emergence of parties that are formed from above without being a true expression of the popular will is leading to flaws in party organizations at a time when substantial and qualified political forces in society are prevented from exercising their right to set up their own parties.
- The law guarantees that the ruling National Democratic Party exercises complete stewardship by establishing the Committee on Political Parties, with a government majority, tasked with approving the formation of new political parties and having the power to stop party activities, newspapers and decisions.
- The special institution of a department of parties in a Higher Administrative Court cannot replace an actual judge when it comes to party-related disputes.
- The true measure of pluralism is not the number of parties, but the extent to which they are able to carry out their political roles. The conditions for setting up parties laid down by law have helped in the emergence of 'flawed' parties that are obliged to follow contradictory principles and policies that contain the seeds of disputes and divisions. The legal structure, which in essence is hostile to freedom of peaceful assembly, expression, opinion and protest, has restricted party activity to party headquarters or party media, which in its turn clashes with the penal code and laws governing the work of the press, in addition to other legislation that limits freedom of opinion and imposes harsh penalties for discussing certain information or criticizing state employees.
- As a result of all this, the opportunities for political participation by parties have been narrowed, especially in local and parliamentary elections: the government and its party completely dominate the electoral administration and individuals do not have the right to stand for president.
- Comprehensive democratic reform must be undertaken that guarantees the

freedom to form parties and abolishes the Committee on Political Parties; party disputes should be settled by the administrative judiciary and all constraints on party activity should be lifted.

3. In a study entitled *The Legal Framework of Democratic Evolution in Egypt*, Hana' 'Ubayd examines the Law on Political Rights, which provides for the organization of the election process. Elections play a number of vital roles, such as organizing the peaceful transfer of power, renewing the institutions of the political regime, building and supporting political participation, confirming the right of the people to monitor political performance, and building political legitimacy. The law is lacking because it fails to settle the issue of judicial specialization when it comes to deciding on membership in the legislature and ruling on challenges. It confirms that the legislature is the competent body, and thus the decisions of the Court of Cassation are not binding. It also tasks the Interior Ministry, which is not a neutral party, with running the elections in preparing voter lists, running the voting and vote tabulation, and announcing the results.

Judicial supervision over the voting process will not bring about the desired result. Also, the legislation on election advertising and limiting the role of money in elections is not being implemented and is not a deterrent, and this has led to the dominance of money in election campaigns. There are no sanctions for infractions of the electoral law that have sufficient deterrent force, and this encourages forgery and intimidation of voters. 'Ubayd's paper criticizes the change in the electoral system, from a candidate-centred system to a proportional representation (PR) list system and then back again to a candidate-centred system, confirming the importance of a stable system. These continuing changes are detrimental to one of the most important components of democratic evolution, which is the political education of the masses. In the light of Egypt's cultural and social situation, the continuing changes in the electoral regime are a burden on the average citizen who finds that, as soon as he or she gets used to one system, it changes.

4. Wahid Abd al-Majid discusses the crisis of political parties in Egypt in his study *The Position of Political Parties in the Democratic Evolution: The Crisis and Possibilities of Overcoming It*. He sees the crisis as being due to two main factors. The first is objective, and connected to the nature of the political regime and the environment in which these parties operate. The second is subjective, related to the parties' internal imbalances in structure, leadership and performance. The first of these factors involves the move from a closed authoritarian political regime to one that is open. The internal imbalances in parties, meanwhile, are due to two factors—weak and fragile structures, and the absence of democracy within these parties to various degrees.

As Abd al-Majid sees it, in order to overcome this crisis, the parties must be modernized and concentrate on reforming their political missions (focusing on political guidance and education rather than gaining power), modernizing their organizational

structures (decentralizing power) and modernizing their information structures (building knowledge capacities to understand themselves and their environment better). He concludes his study by saying that parties historically were not necessary for the transformation to democracy. They played an extremely important role in this evolution after it appeared, but nothing indicates that this role was inevitable.

5. Sa'd Abu 'Amud in *Small Parties in Egypt and their Relations with Other Political Forces* defines a small party as one lacking representation in Parliament (there are currently 11 such small parties in the country). These parties are characterized by splits resulting from conflicts over the party presidency, small memberships, weak membership bases, and an inability to take part in local and parliamentary elections; they are centred around one or several personalities or have split from other parties, and with very few exceptions their activities are centred in the capital.

Most of these parties cannot be considered 'opposition', which is why they refuse to enter into alliances with the main opposition parties. Some of them coordinate with these parties on important issues without creating what could be called an alliance.

Abu 'Amud believes that the future of the relations between these small parties and the larger ones involves several possible scenarios: the small parties merge with larger parties; the small parties ally with each other; small parties eventually wither away; or the existing political equation is overturned.

6. In *The Role of Small Parties in Political Regimes: The Case of Egypt*, Amre Hashim Rabi' divides party systems into competitive and non-competitive, the latter type being based on one party. There are also competitive systems, such as that of Egypt, where one party dominates. There are various political functions for parties, such as political recruitment, monitoring the executive branch, support for economic and social development, the promotion of national cohesion, supporting legitimacy, and mobilization. In Rabi's view, there are six indicators of whether a party should be considered large or small: the history of its founding, its ideology, its organization, the size and scope of its presence, its funding, and its membership in Parliament. As for the latter indicator, applying it in Egypt shows that there are six big parties and 11 small ones which have never secured parliamentary representation. The party system and the political regime in general are responsible for preventing the rise of true, effective parties by creating parties 'on paper' which do not have a true political presence in society. This situation has led to the creation of small parties which are unable to carry out the functions the literature assigns to them.

Rabi' attributes this situation to the weakness of democratic practice in Egyptian society, based on inherited conditions and the nature of the socio-economic, political and cultural structure. Democracy is not merely a group of indicators and organizations that are active within a social framework; it must satisfy certain socio-economic and cultural conditions as well.

7. *In Political Alliances and Joint Action in Egypt, 1976–93*, the present author discusses the types of coordination between parties and political forces in Egypt, focusing on the discourse of alliance during this period. Shukor observes that joint work among parties covered only five groups—the Wafd, Tagammu', Labour, Ahrar and Nasserist parties—along with the Muslim Brotherhood and the Communist Party. These are considered to be the main parties in the country; none of the small parties was involved in joint work. As part of this cooperation there were different types of coordination and joint work, which were appropriate to the weakness of politics since party pluralism was new and because of the constraints imposed on mass action. These different types of coordination also suited the class distortions resulting from the *infitah* policies, which gave rise to contradictory interests within each class. There were various issues on which joint action was taken, political, socio-economic, cultural, domestic and foreign.

One form of coordination is the Egyptian Committee to Defend Freedoms, the Coalition of Egyptians, and the Committee of National Forces to Defend Democracy (October 1983). Election alliances were concluded, such as those between the Wafd and the Muslim Brotherhood in the 1984 elections to the People's Assembly (Majlis al-Sha'b), and the Islamic Alliance of 1987 between the Labour and Ahrar parties and the Muslim Brotherhood. In June 1982, the Egyptian National Committee to Support the Palestinian and Lebanese Peoples was formed after Israel's invasion of Lebanon. Other front-type organizations were also formed, such as the Committee to Defend the Public Sector; these initiatives were all carried out by the left and remained limited in scope and results.

The main topics of the alliance discourse were political and democratic reform; rejection of peace with Israel and the normalization of relations with Israel, holding the USA responsible for Zionist aggression; helping the Palestinian revolution; and confronting the socio-economic crisis and Egypt's dependence.

Democratic reform has been the main issue for alliance activities in Egypt since the multiparty system appeared in 1976. During the 1990s, reform activity was renewed through a coordinating committee for opposition parties. However, this activity offered no role for the masses and was seasonal and elite-based in nature. The agreements reached were fragile and parties would fail to live up to their commitments at any decisive moment; most of the alliances failed to achieve tangible results, except for those in support of the Palestinians and opposing the normalization of relations with Israel.

8. Wahid Abd al-Majid discusses the internal democracy of parties in *Egyptian Parties from the Inside*, his 1992 doctoral dissertation from the Faculty of Economy and Political Science of Cairo University. He outlines the concept of internal democracy of political parties from the theory of pluralism, which requires pluralism in values, in practice, in the institutions of state and in society, so that power is distributed among a number of groups which rotate in power instead of one group monopolizing power

and exercising it on a continuous basis. The study identifies the following indicators of democracy within parties:

- the type of distribution of authority and specialization, seen by studying the organizational structure and decision-making process;
- the relationship between the elite and rank-and-file members, including the institutional frameworks for participation, recruitment and elite renewal; and
- interaction within the party elite, including the struggle for influence inside the party elite and disputes over ideological and political issues.

Abd al-Majid compares the pre-1952 period to the post-1976 period and arrives at the following conclusions.

- After more than two decades of pluralism being illegal, the appearance on the scene of parties had a negative impact on the receptivity of the overwhelming majority of the public to this new political process. At the same time, security constraints on opposition parties remained in place, which affected the public's interaction with them. The ruling party (the Egypt Party, followed by the National Democratic Party (NDP)) retained its administrative methods, inherited from the period of the one-party state. It was difficult for party organizations to reach all the major regions of the country and some were unable to reach certain remote areas. Parties for the most part had modern organizations, although an authoritarian character continued to characterize relations between the top, middle and lower levels. The main problem parties face is completing the building of the party organization, beginning with units at the lowest level.
- The key role of the party's president in party decision making is confirmed by his or her privileged position in the party structure; the authoritarian nature of decisions is disguised in a democratic form. Party presidents have no trouble getting the decisions they want from the leadership, thanks to their personal standing and influence. Naturally, there are exceptions. In the Labour and Tagammu' parties the broader leadership bodies issue decisions. In general, however, the middle-level party body enjoys only limited participation in decision making and the mass level has hardly any at all.
- The relationship between the elite and the membership takes the form of contacts at the general convention and in the body that takes its place in between the general convention's meetings. The general convention comprises delegates who represent the lowest level of the party base, as well as the party elite. The nature of the relationship can be gauged by how regularly the conference is convened, the way delegates are selected and their participation in discussions. There is a general trend to limit this participation, and the Tagammu' and Labour parties are known for the level of participation they do permit.
- There is no relationship between the way the elite is recruited (by election or by appointment) and the average turnover of the elite; the rate of elite turnover in

parties which use appointment (Ahrar and the NDP) is higher than for those using election (Tagammu’).

- The struggle over influence within the elite is affected by two main factors. The first is the decisive role of the party president and the second is the link between the types of struggle for influence and the party’s make-up and the legacy of previous organizations, of which the party represents an extension in one way or another.
- Disputes within parties have broken out over three main issues: parliamentary elections and their repercussions, the party’s political line, and its media. These conflicts have been managed in fairly democratic fashion, unlike the struggle over influence. The degree of tolerance is greater the further a dispute is from being a threat to the influence of the president or his closest circles. As for the ruling party, there have been no major disputes there over ideological and political issues. This may be attributable to its being an extension of the same political organization or system.

The failure to manage a conflict democratically inside the Labour Party led to the biggest split in the party’s history, and in the history of parties covered by the study.

9. Amre Shubaki, in *The Organizational Structure of Egyptian Parties: Changes in the Reality and Stability of the Structure*, writes that, although a quarter-century has passed since the beginning of the experiment with the multiparty system, there has been only limited evolution. There have been two phases of pluralism. The pre-1990 period was the first, when pluralism had a widespread impact; the second period began with the boycott of the 1990 election and was characterized by the declining impact of parties, declining membership, weak organizational structure and poor capacity for mobilization. The parties bear most of the responsibility for this decline, as the elite could have performed better in political and party work.

During the first phase, opposition parties were successful in seeing the theme of struggle dominate their rhetoric and political positions, helped by a political climate that featured ideological polarization and political and economic transformations (such as the *infitah* policy and the unilateral peace agreement with Israel). Opposition candidates retained their image as the people struggling against the force and coercion of the authorities while at the same time having a political vision that differed from that of the authorities. Ideological polarization helped the parties to establish a closed organizational structure and political rhetoric.

The 1980s saw a period of tangible democratic and political openness, confirmed by the 1984 and 1987 elections. The Wafd Party won election to the People’s Assembly on the basis of its ideological statements. The 1987 election saw the greatest political and ideological mobilization by Egyptian political currents, whether in support of or opposed to the slogan ‘Islam is the Solution’ raised by the Islamic Alliance. However, the change in the political environment since the early 1990s has not been accompanied by a change in parties’ rhetoric. The organizational structure has also

continued unchanged and does not suit the complex transformations that Egypt and the world saw in that decade. There have been new, unprecedented phenomena, such as large sections of the elite opposition creating direct or indirect channels of contact with the ruling elite in order to guarantee seats in Parliament. The old, 'struggle'-based image of opposition candidates has disappeared, and it is now difficult to speak of two different elites in ideological terms.

Local and international developments helped to bring about a change in the performance of the political parties. These developments have included globalization and its repercussions on the Egyptian scene, where a new agenda has arisen—one of human rights, democracy, minority rights and women's rights. New factors have appeared which have an effect on the popularity of political parties, such as the political role of professional and union activity; these groups have interacted with their political and professional environment and have become more open and had more of an impact on society. They have secured popularity by providing services. Also appearing on the scene are civil-sector cadres and human rights organizations as new competitors to political party work. This has been inimical to the party machines, as many of the most qualified and talented political cadres have been drawn to the civil sector and civil society organizations. There have also been new groups of opponents of the government within the NDP. Some party members have stood as independents in elections or criticized some NDP deputies for the government's policies.

Thus, it has been difficult to separate the recent phase of controlled pluralism from the considerable weakness that affected the party system in the second half of the 1990s, with the roles of the opposition and government becoming less and less clear. The public became convinced that the opposition would not alter the political situation and would not solve the day-to-day problems of the masses. The importance of getting involved in public affairs declined, and party membership declined considerably.

It is time for opposition parties to review their positions and consider that their true field of struggle is the workers' unions and voluntary and social activities, which do not directly clash with the state. They should try to reassure the state bureaucracy (3.5 million people) and convince it that party activity is not evil; the parties should try to modernize the state institutions. Perhaps all this might produce a new political climate.

10. Iman Hasan studies the case of the Tagammu' Party in *The Functions of Political Parties under Controlled Pluralism: A Case Study of the Tagammu' Party*, a 1993 Master's dissertation from the Cairo University Faculty of Economy and Political Science. She sees the current situation in Egypt as one of controlled political pluralism, characterized by three features: change decided from above; a gradual move towards pluralism, the timetable of which is determined by the regime; and the dominance of the executive authority (and specifically the president) over all political life in the country, including the judicial and legislative branches of government. Parties' ability

to perform their political tasks, which include bringing together interests, political recruitment, political participation and political guidance, is affected by the political constraints on them. The following are Hasan's conclusions about the Tagammu' Party:

- It faces a real problem where the bringing together and expression of interests are concerned. The crux of the problem is that it has a weak mass presence within the social groups with whose interests and issues it supposedly concerns itself.
- In general, the party suffers from weak participation in political life and is unable to mobilize the masses because its lines of communication with the masses are weak and because of the impact of government campaigns against it.
- Where internal democracy and decision making are concerned, the party's make-up as an expression of several different trends (Marxist, Nasserist, pan-Arab nationalist and so on) has imposed a system of consensus among these trends as a decision-making mechanism. The party has succeeded in containing internal disputes by opening channels of dialogue. However, it also suffers from a lack of internal democracy, and this is reflected in the personalization of the leadership. A number of people have become ossified in their party posts and members of the general secretariat are chosen by a process that resembles appointment.
- The party is increasingly concerned with political education inside and outside the party and the various methods of educating people. Nonetheless, in educating the public it has faced various problems, such as lack of financial resources and of sufficient numbers of qualified cadres.

11. Amre Hashim Rabi' deals with external issues for opposition parties in *External Issues During the Mubarak Era*, a 1991 Master's dissertation from the Faculty of Economy and Political Science of Cairo University. It raises a number of theoretical issues that are not covered elsewhere in the literature of comparative systems and international relations, such as the role of parties in foreign-policy making, where for a long time only the role of the state was acknowledged. He identifies the authoritarian character of the political regimes, the resulting youth of the parties, and the fragility of party organization as having the most important impact on parties in the Arab world when it comes to foreign policies.

Rabi' divides foreign policy in the Mubarak era into security issues, such as Palestine, the Arab–Israeli conflict and the 1980–8 Iran–Iraq War, political issues, such as Egypt's policy towards the two superpowers and the rest of the Arab world, and economic issues, such as external trade, foreign debt and assistance, and sources of foreign exchange. The study examines the positions of the three main opposition parties (Tagammu', Labour and Wafd) and the extent to which their principles affect these positions.

Regarding Palestine and the Arab–Israeli conflict, the Tagammu' Party puts forward a vision based on a perspective that rejects an individual settlement on

principle and accepts a comprehensive settlement as a tactical goal that does not contradict the strategic goal, which involves doing away with Israel. The Wafd and Labour parties, meanwhile, are mainly pragmatic parties. Although they generally reject an individual settlement, they consider a comprehensive settlement with Israel a strategic goal. As for the Iran–Iraq War, the Wafd Party’s position is close to the official Egyptian position, which is comprehensive and clear. The three parties supported ending the war between Iran and Iraq.

Regarding their positions on the two superpowers, the three parties’ views in general resembled that of the authorities, without further detail. The Tagammu’ Party’s position on the Soviet Union evolved when the latter adopted more neutral policies on Afghanistan and a peaceful settlement of the conflict with Israel. The Labour Party adopted an anti-USSR position with the increasing role of the Islamic current within this party and its alliance with the Muslim Brotherhood.

The study contains general conclusions, the most important of which is that parties are concerned with external policy in general, and particularly pan-Arab concerns. Perhaps this is partly due to their inability to have any impact on domestic issues and the constraints imposed on their activities. Yet moral and financial constraints also imposed on parties’ work in the field of external policy have also played a major role in limiting the effectiveness of these parties. Nonetheless, the parties have undertaken tangible activities in ‘popular’ diplomacy though their frequent visits abroad and hosting of foreign delegations. Opposition deputies have played an important role in the People’s Assembly regarding international agreements. Parties have also participated actively in conferences and in regional and international NGOs.

12. al-Sayyid Zahra follows parties’ performance on economic policies in *Opposition Parties and the Policy of Economic Openness in Egypt*, a 1983 Master’s thesis from the Faculty of Economy and Political Science of Cairo University. Zahra discusses four opposition parties—Tagammu’, Wafd, Labour and Ahrar—and shows that three main policy directions can be ascertained.

- *Tagammu’*. This party’s principles and goals contradict the policy of *infitah*; the party was alone in warning early on of the dangers of this policy in various domains. Its analysis was multifaceted, detailed and well studied; the party also put forward alternative policies in various areas.
- *Ahrar and Wafd*. These parties’ goals and principles conformed with *infitah*, if they did not advocate even more openness. They not only supported *infitah* but demanded that it continue and develop even further.
- *Labour*. This party’s principles and intellectual foundations were less clear, and this was reflected in its policies. Its criticisms of *infitah* were partial and did not go to the core of the issue. It was the least active party in presenting its point of view, in follow-up and in presenting alternative ideas. Its ideas appeared to resemble the components of the current system.

3. The Constitutional and Legal Framework of Pluralism in Egypt

Party activity has been greatly affected by the constitutional and legal framework and the (related) nature of the political regime and the Law on Political Parties.

According to the constitution, the president of the Republic enjoys near-absolute powers, making him the centre of political life. He dominates all state authority and is commander-in-chief of the armed forces, the head of the police, and head of the Higher Council on Judicial Bodies, as well as of the executive branch of government. He can proclaim states of emergency, concludes treaties, and consults the people via referendum on important matters that affect the higher national interest. According to article 74 of the constitution, if there is a threat to national unity or the security of the nation which obstructs the institutions of the state in carrying out their constitutional roles, the president is to take rapid measures to meet this threat, issue a statement to the people, and hold a referendum on the measures he has taken within 60 days. This provision allowed the president to arrest more than 1,600 political figures in September 1981, representing all the opposition political and party leaderships, mass organizations and press institutions; he closed down all party newspapers and publishing houses, and many civil organizations. There is nothing to prevent this happening again.

The president's prerogatives, according to the constitution, include appointing and dismissing a vice-president, the prime minister, ministers, civilian employees, military personnel and political representatives (ambassadors); issuing implementing lists for laws; and issuing laws in the absence of the People's Assembly. The People's Assembly (the legislative branch) does not have a true role in monitoring the executive branch of government (Permanent Constitution of the Egyptian Arab Republic 1971).

The natural result of this constitutional situation is the ability of the president and the executive branch to dominate political life, including political parties. This state of affairs is strengthened by the constraints imposed on the freedom of formation and activity of political parties imposed by the Political Parties Law of 1977 and subsequent amendments, giving the state control over political parties.

Under the law, the conditions under which parties can be established and continue their activity are harsh and contradictory.

1. A party's principles, goals, policies, programmes and activities cannot contradict the principles of Sharia or the principles of the 23 July 1952 and 15 May 1971 revolutions; they must preserve national unity, social peace, the democratic socialist system and socialist economic gains.

2. A party's programmes and policies and the methods by which it is to achieve its goals must be clearly different from those of other parties.

3. A party cannot undertake acts that contradict the Law on Protecting the Internal

Front and Social Peace; it cannot act on a class, sectarian, group or geographic basis or in any way that discriminates on the basis of gender, origin or religion.

4. The founders and leaders of a political party cannot include people for whom there is serious evidence that they have called for or participated in acts or principles that contradict the principles in the above provision.

5. No party can be a re-creation of a party that was abolished in 1953.

The Law on Political Parties also includes the establishment, by presidential decree, of the Committee on Political Parties, which is composed of the head of the Shura Council, three ministers and three retired judges. The majority of its members are thus state or government officials. Applications for licensing by prospective political parties are referred to this committee; if it is proved that any violation of any of the above conditions has taken place, the committee rejects the application. The founding members can go to a special court which is composed of a number of public figures, appointed by the minister of justice, to appeal against the decision.

The committee can also halt the activity of a party, suspend its publications, or recommend that a party be frozen. The law says that violators are punished by prison terms of between one and 25 years and large fines.

The existing legislative framework is not limited to the restrictions in the Law on Political Parties; there is also a large number of other laws inherited from previous eras or which were issued in the years following the rise of parties, and they contain additional restrictions banning mass political action and the right to peaceful assembly and public meetings. Law no. 96 of 1996, Law no. 3 of 1998, the Law of Assembly no. 10 of 1914 and the Law on Meetings and Demonstrations no. 14 of 1923 give the authorities the right to arrest suspects and place constraints on the publishing of newspapers and other publications; and the laws on civil associations, cooperatives, unions and professional associations put all these groups under the control of the bureaucracy and give this administrative apparatus the right to object to the setting up of civil associations and their decisions, and to 'freeze' them.

A group of exceptional courts play a dangerous role in their effect on political parties. People can be tried for their opinions before emergency security courts and state security courts. Special departments made up of non-judicial personnel can be set up in the administrative judiciary to look into disputes over the Law on Political Parties. The implementation of the State of Emergency Law no. 162 of 1958, which was in force for 22 years, had a very negative impact on the activity of political parties. The law gave the authorities the right to impose constraints on the freedom of assembly and movement; those suspected of wrongdoing could be arrested and searched without the criminal law statutes being followed. The authorities had the right to monitor correspondence, newspapers, publications, and all forms of expression, propaganda and advertising before publication; they could halt such activities, confiscate the materials, and determine when public places such as party headquarters, clubs, unions and associations were to be open. These constraints could

be communicated orally and then backed up by written order within eight days. Those who violated the emergency law were tried in front of emergency state security courts, which included army officers. Some courts were composed entirely of officers, and in some cases these courts tried civilians for offences that are covered by the ordinary laws. In many cases there was no justification for not trying these civilians before an ordinary judge.

The negative effects of this continued implementation of the State of Emergency Law were not limited to its violating international human rights charters and treaties which Egypt had ratified; political life was also weakened, as citizens avoided involvement in public life out of fear. This damaged the chances of a peaceful, democratic evolution of society, which requires that human rights be respected, the peaceful expression of opinion and participation by people in political life be allowed, and peaceful political competition be supported.

Thus, the multiparty system suffers from serious problems. The most important of these is the nature of the political regime, which retains many of the traits inherited from the previous era, despite the evolution that has taken place in certain political directions. The regime has retained its authoritarian character, as manifested in the hegemony of the state apparatus—the government, with the presidency and bureaucracy at its head, confronted by a weak civil society. Personal and clientelist relations dominate and play an important role in bringing interests together and giving them expression.

This political regime has subjected the process of liberal–democratic transformation to severe pressures. The political culture in Egypt is still governed by traditional values, the resulting emphasis on loyalty and submission, and a reliance on religion as one of the main sources of political legitimacy. Political organizations, meanwhile, have remained weak and therefore do not represent the main channels of political activity in the light of the democratic transformation of the 1980s (Mustafa 1995: 296). The political parties that were recognized during the era of pluralism have failed to transform themselves into independent political organizations that play an effective role in political participation, one that is appropriate to the nature of the changes required by the democratic transformation. The existing legislative system embodies constraints that have more impact than anything else on the effectiveness of these parties and weaken them both ideologically and organizationally, as will be seen below. The implementation of the Law on Political Parties saw the banning of a number of parties that have genuinely given expression to real social forces and carried out actual activities in society, and some parties were allowed that were not the expression of social forces or did not have any activities worth mentioning.

4. The Position of the State on Party Pluralism

The move to a multiparty system in Egypt in 1976 did not result from a conviction of the importance of democratic evolution. It was, in the first place, more a process

of managing the contradictions of the political society than a policy in and of itself or one that was meant to bring about a democratic evolution. Thus, the state's position on pluralism reflected that of the ruling elite regarding the best way to meet the threat to its survival. The essence of the state's position on pluralism was acceptance of the existence of different political parties, but under certain constraints and controls, which would limit the possibility of rotation of power or the ability of these parties to carry out the functions that they would enjoy in a pluralist, democratic system (Hasan, Iman Muhammad 1999: 44).

The authorities have always sought to limit the activity of parties and prevent them from going beyond the limits set down for them. Various mechanisms have been used to achieve this.

4.1. Legislation

The authorities have used the mechanism of legislation to guarantee their own dominance over party pluralism, whether by issuing new laws or by amending existing ones. The 1977 Law on Political Parties was the clearest example of this, since it contained the provisions mentioned above that guaranteed the authorities' dominance over the setting up of new parties and the activity of existing parties. During the multiparty era, new laws were issued and existing ones amended to close the gaps revealed in the implementation of this law. For example, when the Socialist Nasserist Party carried out broadly-based and effective activity before official permission had been granted for it to be set up, an amendment made it illegal for a party in the process of being set up to carry out any activity. Law no. 2 of 1977 was also issued after the mass protests of 18–19 January of that year in order to impose new constraints on mass political activity. The issuing of the Law on the Detention of Suspects and the Law on Protecting the Internal Front and Social Peace came as a consequence of increasing mass political activity by political parties in 1978. The Publications Law was amended more than once, to limit the effectiveness of party newspapers (for more detail, see Khalil).

When the Law on Corporations was issued, it contained a provision that required the Cabinet's approval for the setting up of companies in the press and publishing sector, so that the authorities could control the issuing of new newspapers. To date, the Cabinet has yet to approve the setting up of a corporation in the press and publishing sector, despite a number of applications. The issuing of Law no. 100, in 1993, led to the freezing of the majority of professional unions, including a freeze on their leadership elections. The Law on Labour Unions was amended to give upper-echelon, pro-government leaderships the right to continue in their posts after retirement if they sign new employment contracts in the private sector. They also received the right to continue for new mandates in grass-roots-level labour committees without standing for election, so that they could continue to dominate the labour movement in accordance with government directives.

4.2. Monopoly of the Mass Media

A number of laws were issued to prevent contact between parties and their mass bases. The Law on the Union of Radio and Television put these media under complete government control, so that opposition parties could not use them to publicize their programmes and positions to the general public, while the ruling party enjoyed wide-ranging opportunities to do so. The ownership and activity of state-owned papers, or so-called 'national' papers, were put under the control of the Shura Council, which functions according to government directives and appoints the chairmen and editors-in-chief of these newspapers. Again, opposition parties could not use them to put forward their political positions or explain their positions to the public at a time of important political developments. The same applies to mass cultural activities and to media centres in the various governorates; with the government and the ruling party monopolizing the mass media, the average citizen did not enjoy the right to obtain information and statements from different sources which would allow him or her to judge events and take the appropriate positions from a choice of alternatives. Citizens learned of different alternatives by way of the government's position on them in the mass media, which usually distorted these alternatives.

4.3. Elections

Egypt's electoral regulations and system are considered to be one of the biggest obstacles to the development of party pluralism and the achievement of its main goal, namely the rotation of power through free, fair and regular elections. The system does not provide genuine guarantees for free elections or for elections to express the voters' will. Elections take place under the supervision of the Interior Ministry, which is a non-neutral government body; it prepares the voter lists and supervises all stages of the electoral process, from the declaration of candidacy to the announcement of results. As a result, the country's police forces have a major opportunity to intervene in the elections.

The voter lists are full of the names of the deceased, army recruits and people living outside the country. Many names are listed twice. Voters find it difficult to find the location of polling stations and to get there. They are subjected to intimidation and pressure so that they do not vote for opposition candidates.

Although the electoral regulations were amended so that the judiciary now supervises voting and vote tabulation, the system as a whole still gives the government the largest role in managing the elections in favour of ruling-party candidates. Opposition parties have submitted proposals for amendments to the electoral regulations that would give a neutral judicial body total control over the polls, but the government has not been responsive; the election system remains one of the main hurdles faced by the multiparty system.

4.4. Control over Civil Society

The institutions of civil society are extremely important in democratic guidance and education and in drawing people's attention to public affairs; they can help to provide the necessary conditions to encourage society to be concerned with political action. However, the government insists on putting these organizations under its control and refuses to amend laws which guarantee the bureaucracy's control over these organizations, especially the labour unions, civil associations, professional associations, cooperative associations, clubs and youth centres. All these different organizations are subject to laws that give the government considerable latitude in controlling them.

The bureaucracy has the right to object to the setting up of civil associations, cooperative associations and youth centres. It can object to candidates for their administrative boards, nullify their decisions and suggest that they be frozen. The government's position is clear as it insists on retaining this administrative oversight even after the Supreme Constitutional Court ruled that the Law on Civil Associations of 2000 was unconstitutional; the government re-issued the law with the same articles to meet the requirements of form. The government insists on applying Law no. 100 of 1993 on Professional Associations, which froze unions and prevented new leadership elections from being held for approximately ten years. The same applies to laws regulating cooperative associations, clubs and youth centres, so that civil society does not help widen the exercise of democracy in society or provide political parties with new members or leaders.

4.5. Lack of a Comprehensive Vision of the Democratic Transformation

The establishment of the multiparty system was not part of a comprehensive vision of moving towards democracy. As noted above, it was used to save the regime from the crisis it was in and provide it with new legitimacy, giving it a democratic veneer for the benefit of the West. Pluralism cannot thrive in a non-democratic climate or without respect for civil and political rights and freedoms, the independence and unity of the judiciary, a free press, and democratic values and practice penetrating the various institutions of society. The custodianship of the administrative apparatus (the bureaucracy) over mass and social organizations must be ended. When the political and legal framework of society, relations between the state and the citizens, and relations between the state and other institutions are not democratic, pluralism cannot mature or achieve its goal, which is serve as a framework for peaceful, democratic competition among different social and political forces.

Figure 2.1: The Political Party Map of Egypt, 2002

Party	Date of Formation	Method of Formation	Situation of the Party
National Progressive Unionist Party (Tagammu')	1976	Decision by the Committee on Political Parties	Present
Ahrar Party	1976	Decision by the Committee on Political Parties	Frozen
National Democratic Party	1978	Decision by the Committee on Political Parties	Present
Labour Party	1978	Decision by the Committee on Political Parties	Frozen
Wafd Party*	1978	Decision by the Committee on Political Parties	Present
Umma Party	1983	Judicial decision	Present
Young Egypt Party (Masr al Fatah)	1990	Judicial decision	Frozen
Green Party	1990	Judicial decision	Present
Democratic Unionist	1990	Judicial decision	Present
Egypt Arab Socialist Party**	1992	Judicial decision	Frozen
Democratic People's Party	1992	Judicial decision	Frozen
Nasserist Democratic Arab Party	1992	Judicial decision	Present
Social Justice Party	1993	Judicial decision	Frozen
Social Integration Party	1995	Judicial decision	Present
National Accord Party	2000	Decision by the Committee on Political Parties	Frozen
Egypt 2000 Party	2001	Judicial Decision	Present
New Generation Party	2002	Judicial Decision	Present

* The New Wafd Party was frozen on 22 June 1978 a few months after it was created, due to a clash with President Sadat. It resumed activity in November 1983 after a court decision.

** Formed in 1976, it resumed its activity in 1992 after a court decision.

5. The Principal Features of the Political Party Map

Although the regime adopted a multiparty system in the mid-1970s, the scope of this system has remained limited, to the point where it is closer to that of a one-party state, as the ruling party holds most seats in the legislature and dominates the media. This has dwarfed the parties that are legally permitted to operate, marginalizing their impact and the alternatives they propose. Constraints on the opportunity to participate have led to the existence of effective political currents and forces in society outside the framework of legitimacy—most importantly the Communist, Nasserist and Islamist groups. Government policies on legal parties have allowed the Islamist political current to intensify its political presence in most political, economic and social institutions, and there is no party that can express this current, which has grown at the expense of other political forces, legitimate and otherwise. This has had a clear impact on the political map of parties and on the forces that are thus deprived of legitimacy (Abu Zayd 1996: 82).

As figure 2.1 shows, there were 17 political parties in existence by 2002. They can be divided into main parties and small parties, small parties being defined as those which either do not participate in parliamentary elections or participate with only a very small number of candidates, and have never won a seat in the legislature. This criterion is derived from the elements that are basic to the functioning of a political party and essential for distinguishing between them. In addition to political programmes and by-laws, they are (Shukor 1999: 76–77):

- a stable organizational structure based on popular-level units in society, rising up through a middle level and ending at a single decision-making centre that coordinates the party's activities and unites its political struggle;
- defined foundations for internal relations that organize the party's membership in an institutional framework; the more mature the institutional situation, the bigger the role the party can play in society;
- a broadly-based membership that reflects the make-up of society (intellectuals, the middle class, workers, peasants and businesspeople) according to the party's social directives, and extends across the entire country;
- a leadership cadre that groups diverse intellectual, political and popular figures, not to speak of representing all generations, social forces and geographic regions; it should embody the masses across the country;
- regular activities in civil society organizations; and
- enough financial resources to carry out increasingly political and mass activities that empower the party.

The more closely a party meets these six criteria, the better will it be able to play a mass and political role. If some or all of these conditions are absent, the party's activities and its role in society will suffer.

5.1. The Main Parties

Only six parties qualify in this group. They have specific political and intellectual orientations and mass bases of differing sizes, and they carry out regular political activity that expresses the interest of certain social forces. They are the ruling NDP, the Wafd Party, Tagammu', the Nasserist Democratic Arab Party, the Labour Party and the Ahrar Party.

The National Democratic Party

The party was founded in 1978 and has been headed by the president since then. It has always won an overwhelming majority of seats in the People's Assembly (between 75 and 95 per cent, as was the case in 1990, 1995 and 2000). According to its programme, the party is part of the 23 July 1952 Revolution and is committed to political freedom, social justice and implementing democracy in the light of sound party life. Its capitalist political policies, however—structural adjustment and friendship with the USA—contradict the principles of the July Revolution, which makes the party weak in ideological terms and lacking in intellectual and political coherence (Mustafa 1995: 180); the party lacks a specific political discourse that would define it as left or right, and it speaks in generalities that shift with the changes in state policies. The NDP has put forward the slogan of 'democracy, stability and development' (al-Ahram Center for Political and Strategic Studies 1990: 415) and the strength of its rhetoric is due to the link with the party president, namely the president of the Republic.

This discourse dominates the legislative and executive branches, the educational system and the media, and shows up in the government's domestic and foreign policies. It can thus be classified as the official discourse of the ruling regime. The NDP and the government therefore appear to be a mere general framework within which the ruling elite interact, putting forward different opinions that are then developed and settled by the president of the Republic. The party's rhetoric is that of the president (al-Ahram Center for Political and Strategic Studies 1989: 409). In addition to being dominated by the president, the party is characterized by its bureaucratic nature because of the way in which it was created and its make-up. This is reflected in its political performance and internal mechanisms: the party cadres do not come from the party's bases but are created by appointment. The movement is from top to bottom, in the well-known bureaucratic way (Mustafa 1995: 179–80).

The NDP leadership has recently acknowledged its weakness, its lack of effectiveness among the masses and its lack of internal democracy. The party began implementing a plan to modernize and democratize itself in June 2002, electing leadership bodies at all levels, in order to hold a general conference in September of that year. The eighth party congress was convened amid slogans such as 'New Thought' and 'A Call to Participation', as well as slogans advocating change and political renewal. The most significant slogan was the call to change the party from the 'party of the government

to the government of the party’—an implicit recognition that the overlap between party and state had damaged its performance. For the first time, elections were held at base level and up to the governorate level (without this extending to the secretariat general or the political bureau, membership of which remained by appointment). A new secretary general was appointed, but many observers viewed the changes as changes of form only, as the overlap between state and party remains. This confirms that the task of change from above remains an arduous one, requiring strict internal monitoring, institutional foundations that control party activity, and a larger arena of internal democracy and criticism (al-Ahram Center for Political and Strategic Studies 2003: 425–9).

The Wafd Party

This party is in effect an extension of the majority party of the pre-1952 liberal era, and was thus not made up in the same way as the other parties. It is a liberal party; its programme and practice confirm that it is an extension of capitalist thought, and it supports public freedoms and the reduction of the economic role of the state as much as possible (Zahra 1986: 89). It believes in the policy of capitalist economic openness, encouraging Arab and foreign investment, the liberalization of foreign trade and the exchange rates, and the gradual abolition of subsidies for consumer goods (Wafd Party, General Programme: 20–27). It calls for parts of the public sector to be abolished and for the private sector to be allowed to flourish (Wafd Party, General Programme: 55–74). This part of its programme agrees with that of the ruling party; early on the Wafd Party raised all the issues that formed the basis of the agreement between the government and the International Monetary Fund (IMF). This agreement is now being implemented in the name of economic reform through policies such as structural adjustment and stabilization, which aim to abolish all the constraints on the growth of foreign and Egyptian capitalist activity and the constraints that prevent the integration of the Egyptian economy into world markets. Despite this agreement on economic issues, however, the party differs radically from the NDP on the issue of democratic reform.

The Tagammu’ Party

This is a leftist party whose programme calls for the establishment of a socialist society free of exploitation. Its intellectual origins derive from scientific socialism and the July 1952 Revolution, represented by the National Covenant (Zahra 1986: 74–6). To achieve its final goals, the party advocates the establishment of a society of popular participation as part of a transitional phase.

The party believes that class struggle cannot be avoided but must be resolved peacefully, through national unity and by eliminating the differences between classes (Tagammu’ Party, General Programme: 80). It claims that its class base includes workers, peasants and revolutionary intellectuals in addition to artisans, small manufacturers, petty traders, and middle-income groups and petty capitalists

whose interests are harmed by the government's economic policies (Tagammu' Party 1993: 7).

The Labour Party

An extension of the Young Egypt Party, which was founded in the 1930s under the influence of fascism and Nazism, the Labour Party has two main influences on its thought. One involves Islamic principles, and the other is what the party's founding statement called socialism arising from 'our situation', which aims to provide prosperity for all of the people and rests on freedom, democracy and scientific planning (Zahra 1986: 85). The party says that it intends to implement socialism based on Islam and on the Egyptian and Arab situation, and calls for the idea of economic openness to be corrected in order to base it on solving Egypt's problems, by identifying which areas of national life are appropriate for the public sector. The areas that are not appropriate for the public sector should be relinquished to the cooperative sector, the mixed sector or the private sector (Zahra 1986: 85). Relations between landlords and tenants, especially regarding rent on agricultural land, should be reviewed in order to achieve a fair balance between income and rent (Labour Party 1984: 147).

In 1987 the Labour Party entered the Islamic Alliance with the Muslim Brotherhood and the Ahrar Party under the slogan 'Islam is the Solution'. Later, it put forward political, economic, social and cultural policies that differed from its founding programme, all of which were based on establishing a state that follows a comprehensive Islamic project (Labour Party 1984: 146).

The Nasserist Democratic Arab Party

A progressive pan-Arab party that considers itself an extension of the July 1952 Revolution and the thought of Gamal Abdel-Nasser, the Nasserist Democratic Arab Party is committed to the principles of the revolution and its basic documents, especially the National Covenant and the 30 March Programme of 1968. Its ultimate goals are freedom, socialism and unity. It believes that the options offered by the socialist solution—the dominance of an alliance of working people over economic policies—are the only way to guarantee the releasing of Egypt's hidden potential to increase production so that it meets the basic needs of the citizens. This will also provide workers with a return that matches their efforts, the party believes.

The party puts forward ways in which to organize the Egyptian economy—through independent development, planning, limiting the control of market forces (domestic or foreign) over price structures, and a strong public sector. The party considers itself the framework of an alliance that comprises workers, peasants, nationalist capital and intellectuals.

The Ahrar Party

This is a liberal party, although it described itself as socialist when it was founded and has tried to mask its class position by giving a religious character to its political

line. According to its programme, it believes that Sharia provides decisive solutions to Egypt's problems and that these solutions should be gleaned from the Qur'an. Nevertheless, the party's thought is based on capitalism and it long ago called for article 4 of the constitution, which says that the state is based on socialism, to be amended to say that the economic basis of the state is Islamic, which would protect legitimate gain. Its programme is based on capitalist thought in the form of free competition, reducing the role of the state as far as possible, support for *infitah* policies, and a call for complete economic freedom. The party entered the Islamic Alliance with the Muslim Brotherhood and the Labour Party and competed under the 'Islam is the Solution' slogan in the 1987, 1995 and 2000 elections. It boycotted the 1990 election, along with the other Islamic Alliance parties.

5.2. Small and Marginal Parties

The remainder of the legal parties, which number 11, lack a specific political or intellectual orientation, and their programmes put forward partial ideas that distinguish them from existing parties in order to gain the approval of the Committee on Political Parties. Their memberships are no larger than their founding memberships—some 50 persons each. They do not carry out regular political activity and some of them have no headquarters or party newspaper. Most of them fail to issue political statements and have no actual presence beyond the fact that they have obtained licensing from the state.

Some of these parties have engaged in commercial activities. They have all failed to create a modern type of party, one that goes beyond the model of the country's bigger parties. One of the biggest ironies is that they have failed to even retain the classification of small party, becoming marginalized parties, with no impact.

None of them has been able to present a new form of political activity that could see it, even partially, break the existing stranglehold on party activity in Egypt. This might appear surprising, since it was expected that, with the appearance of new parties in a new regional and international environment, there would be more respect for the values of democracy and diversity, and acceptance of the idea of a domestic agenda. Instead of this happening, there have been accusations of conspiracy and treason between the leaderships, while in many cases the membership of these parties does not exceed a few dozen individuals.

5.3. Activities of the Main Parties

The main political parties have carried out various mass and political activities in various domains, and the effectiveness of these activities differs from one party to another. The six main parties have taken part in parliamentary elections—the central activity of a pluralist system—in all the elections from 1976 until 2000, with the exception of 1990, which was boycotted by all parties except the NDP and Tagammu'.

The NDP has always secured at least two-thirds of the seats. The main parties and small parties have published a number of party newspapers (more than 26). However, their circulation does not exceed 50,000 copies, while that of some of the national newspapers is up to 1 million copies. Only nine of the 17 parties publish newspapers; parties are prohibited from establishing radio or television stations.

Parties also carry out mass activities in civil society organizations, especially in the labour unions, professional associations and civil associations, but this activity is limited and does not allow them to expand their base. It should be noted that the Muslim Brotherhood, which is banned, has an impressive presence in society, with more than 3,000 Islamic associations, while its members dominate the professional associations, such as the doctors', pharmacists' and lawyers' groups.

Political parties have only a limited presence in student unions, which are also dominated by Islamist groups.

5.4. Internal Disputes of Political Parties

Internal disputes within parties have reached such a scale that the activities of eight of them have been frozen and their newspapers suspended from publishing.

The government usually feeds or prompts these disputes when these parties cross certain 'red lines'. This happened to the Labour Party after it allied with the Muslim Brotherhood and the *Sha'b* newspaper published articles critical of the novel *A Feast for the Seaweed*, which led to protests at al-Azhar University against the publication of the novel. There were disputes in the Democratic People's Party after its president declared his candidacy for the presidency of the Republic. After the newspaper *al-Qarar* published a number of articles, a dispute broke out within the ranks of the National Accord Party. Most of these disputes concern struggles over the presidency of the party and the way in which party activity is run. In some cases they begin after the death of the party's founder (Ahrar, Young Egypt, Wafd), or after the party's newspaper prints articles that the authorities feel have crossed 'red lines' (Labour, National Accord) or when a party newspaper is used for profit and extortion (the Social Justice Party). There are also disputes within the major parties about the parties' political line or how they are run, but these are usually settled through dialogue ('Tagammu'), unlike the situation in small parties, where disputes usually lead to splits and the freezing of the parties' activities.

The Nasserist Democratic Arab Party

Disputes began at a meeting of the Central Committee in Alexandria in March 1996 over the position of editor-in-chief at *al-Arabi* newspaper and the position of secretary of the organization after Muhammad 'Arruq died. Younger cadres thought that younger members should be given the posts. The Central Committee was unable to settle the dispute and froze the memberships of Hamdin Sabahi, Amin Iskander, Salah Dissuqi and Ali Abd al-Hamid, all members of the committee. Some of them

decided to form a Dignity Movement Party, which comprised former members of the party and Hamdin Sabahi, a deputy in the People's Assembly. Although the Committee on Political Parties rejected the party's application for licensing it is still active today. Another group of Nasserists, led by the late Farid Abd al-Karim, the designated successor of the founder of the Nasserist Socialist Party, refused to join the Nasserist Democratic Arab Party when it was set up; they formed the National Accord Party.

The New Wafd Party

Political disputes have led to the freezing of the membership of a number of party leaders, such as the late Ibrahim Tal'at and Abd al-Mushin Hammuda; disputes increased after the death of the founder, Fu'ad Saraj al-Din, in 2000 with the election of Na'man Jum'a as his successor in early September of that year. Afterward, Jum'a expelled Ayman Nur and Muhammad Farid Hasanayn, members of the People's Assembly; Muhammad Shadhli, also a deputy, resigned in protest over Jum'a's running of the party. Sa'id Abd al-Khaliq resigned as editor-in-chief of the *al-Wafd* newspaper, and Majdi Mahanna was dismissed from the same position afterwards. Tariq al-Shishini resigned as a member of the party's Higher Committee and Jum'a decided to halt publication of the magazine *al-Bidaya*, which was headed by Wahid Abd al-Majid.

Jum'a believes that through these decisions he has kept the party from collapsing after Saraj al-Din's death because it would have been taken over by 'personal aspirations and small-minded politicians'. Others, who were hurt by Jum'a's decisions, say that he led the party like a dictator; they call for a broadly-based party dialogue to settle the issue of holding a party conference.

The Tagammu' Party

Since its founding, the party has experienced disputes about its political line and the way it manages its affairs. However, it has succeeded in weathering these disputes by airing all opinions in a process of internal dialogue, by publicizing the work of the party's Dialogue Department and relaying the results of the dialogue to the Central Committee and General Conference to settle matters. Thus, the party avoids widening the disputes and prevents splits in its ranks.

A draft political report submitted by the Central Committee to the Fifth General Congress, which was to be held in December 2003, indicates (on page 66) that there are still two points of view about the party's political performance and mass organization. One opinion holds that, although there is criticism of the party's performance, it has confirmed its opposition stance by always rejecting the government's annual statements and budgets and all laws that work against the interests of the nation and the popular and middle classes, or against democracy and national independence. The party's local and national media, its newspaper (*al-Ahali*) and its statements and stands have also helped in this regard. Another group, meanwhile, believes that the

party has not made significant progress in implementing the decisions of the Fourth General Congress, such as doubling the membership and becoming an effective mass force on the political scene, while it has lost influence in the labour and professional unions, in the universities (among students and professors) and among intellectuals.

There is a big difference between the party's general programme and the political line issued by the General Conference, and the party leadership, which shows more flexibility in dealing with the authorities and approaching them. Disputes erupted over supporting Mubarak's candidacy for a fourth term as president of the country, and for the first time the party abstained in the vote, after voting 'No' on the three previous occasions; the party newspaper did not cover the basic opinions inside the general secretariat and the party about this issue and others, while the method of voting within the general secretariat also sparked a dispute. Dialogue did not help clarify the scope of this debate or how much support each side enjoyed in the party.

The same draft political report, on page 67, stated that: 'Recently, disputes have appeared once again about the (party's) position on groups advocating political Islam'. Some see a contradiction between the decision allowing all political forces and trends to establish political parties based on any ideology, and the rejection of parties that are based on a religious reference point. They see basic trends in Egyptian society, namely the liberal, socialist, pan-Arab nationalist and Islamist trends. All trends should be recognized, including the Islamic one, as having the right to set up parties.

The Socialist Labour Party

Disputes arose after the Fifth General Congress, which adopted an Islamist political line under the leadership of the late Adil Husayn, the party's secretary general. Ahmad Mujahid, the vice-president, rejected this policy and the dispute continued unsettled. After the party's newspaper, *al-Sha'b*, printed articles critical of the novel *A Feast for the Seaweed*, and al-Azhar students demonstrated in protest at the publication of the novel, a conference was convened at the party's headquarters in Qibbe Gardens on 16 May 2000 where it was announced that Hamdi Ahmad had been chosen party president. On the same day, at the party's headquarters in Nasr City, the election of Ahmad Idris as president was announced. The Committee on Political Parties issued a decision on 20 May 2000 announcing that neither individual had been recognized and suspending publication of *al-Sha'b* until the dispute was resolved. Although the president and founder of the party, Ibrahim Shukri, obtained court decisions annulling the committee's decision, these decisions have not been implemented and the party's activities remain frozen.

The Egypt Arab Socialist Party

A dispute arose in 2001 when party president Jamal Rabi' issued a decision appointing Ayman Nur, a member in the People's Assembly, as the party's first vice-president and head of its parliamentary bloc, also giving him the position of secretary general, which had been held by Wahid al-Aqsuri. al-Aqsuri called for a general conference and

for his own election as president. On 29 October 2001, the Committee on Political Parties decided that neither side would be recognized until the matter was settled and froze the party's activity. After that, Hisham Yunis and Salah Farjani each declared himself party president, and the dispute remains until this day, although Jamal Rabi' has died and Ayman Nur has left the party, applying to the committee for approval to set up a new party.

The Ahrar Party

After the party's founder and president, Mustafa Kamil Mrad, died on 14 August 1998, disputes began about his succession. Hilmi Salim and Rajab Hilal Hamida contested the position; both had been victorious in preliminary party elections. Tal'at al-Sadat intervened; the committee on challenges had blocked his own candidacy, and a battle erupted between his supporters and those of Hamida, with the police intervening to stop it. An administrative court halted the elections until the dispute was settled, and the number of candidates for the presidency rose to nine. Each side runs a headquarters that he controls, although the party's activities have been frozen, while the party newspaper continues to be published under Salah Qabadaya, the editor-in-chief. Hilmi Salim is now attempting to hold a unity conference to elect a president from among the declared candidates.

The Young Egypt Party (Masr Al Fata)

Internal disputes erupted after the party's newspaper published reports of embezzlement at various places, including Tahrir Press and Publishing, for which Samir Rajab was personally responsible as chairman. A former police general, Abdullah Rushdi Muhammad Mahir, informed the Committee on Political Parties that he had convened a general conference and been elected president, while Ali al-Din Salih was removed from the presidency and Muhammad Mustafa Bakri was removed from the position of editor-in-chief of the newspaper. The committee approved Mahir as president but an administrative court annulled the decision because it did not fall under the committee's purview. Six people then contested the presidency, each claiming to have convened a congress and been elected (these included Abd al-Hakam Jamil and Ahmad 'Izz al-Din Soliman); the party's newspaper remains suspended and its activity frozen.

The National Accord Party

After the party's newspaper (*al-Qarar*) published articles and investigative reports criticizing top-ranking leaders in the regime, Rif'at Muhammad al-'Ajrudi announced that he had convened a general congress on 10 August 2001 and been elected president. Nine days later, the Committee on Political Parties decided not to recognize either al-'Ajrudi or Ahmad Abd al-Latif Shuhayb; it stopped the party's newspapers until the dispute was resolved, and the party remains frozen to this day.

The Social Justice Party

In 2001, party president Muhammad Abd al-'Al was accused of using the party newspaper (*al-Watan al-'Arabi*) to blackmail businessmen and obtain bribes; he was convicted and sentenced to ten years in prison in June 2003. Zakiya Kall (the wife of Abd al-'Al), Mahmud Farghali 'Umran, a member of the party's Higher Committee, and Abd al-Hayy Khalaf, the party's lawyer, all sought the presidency. Each informed the committee that a party conference had elected him or her president, but none was recognized and the party's activities are still frozen.

The experience of pluralism has thus led to the following results:

- The regime continues to be authoritarian in character.
- Legal political parties are weak.
- The 'officially unrecognized' Islamic opposition has grown stronger.
- Society has been subjected to socio-economic problems accompanied by more social tension and political weakness.
- Authority continues to be monopolized by a particular party although parliamentary elections have been held regularly since 1976.

6. Challenges to the Survival and Future of Pluralism

The Egyptian political parties are facing a number of challenges that prevent them from developing and threaten their very existence. They are legal, social and cultural in nature. Some challenges are also the result of the performance of the parties themselves. The resulting crisis of Egyptian political parties appears in various political and organizational problems, affecting their impact and preventing them from developing.

Weak political participation. Field studies (the most recent being one carried out by the Democratic Development Association) indicate that the percentage of the population who belong to political parties, including the ruling party, is only 12 per cent. Of the 88 per cent who do not belong to a party, 66.69 per cent say that they are not concerned with politics, and 94.32 per cent say that they do not belong to any associations. As for parliamentary elections, 52.46 per cent of the population are registered on the voter lists, so that around half of eligible voters are not registered. Some 42 per cent of registered voters indicated that they would vote in elections, whereas 57.98 said they would not. Of the respondents, 22.6 per cent said that they do not trust elections, and 12.38 per cent said that they were not convinced by any of the candidates, meaning that only 20 per cent of all voters actually take part in elections (*Democratic Forum* July 1997: 15–16).

Weak party competition. The spirit of the one-party regime continues and the types of political interaction reflect the dominance of a single political force, even though the regime is now a civilian rather than military one. Patterns of decision making have not necessarily changed, since economic power remains concentrated in the hands of a

small group; the result is a political regime dominated by an elite that sees democracy as a means to reconfirm its influence over the political process. In such a situation, compromises are made and there is no possibility of sharing power; this elite does not see society from a pluralist standpoint. It is the only actor that mobilizes the masses (Zarnuqa 1994: 60).

A turning away from parties by the masses. Egyptians have lost interest in pluralism because they have seen that political parties are weak and unable to achieve the goals for which they were established, namely the rotation of power through elections, or at least the pressuring of the authorities to change policies in order to solve people's day-to-day problems. This turning away from parties takes many forms, such as falling party membership and newspaper circulation, and limited representation in Parliament and local councils. This is due not only to tampering but also to an inability to compete and put forward enough candidates; the parties have seen a decline in their presence in the unions and civil society organizations, whether on administrative boards or as active members.

Organizational problems. The organizational problems of political parties have increased as a result of the external constraints imposed on them, social conditions that are not conducive to their growth and development, and the actions of the parties themselves. These organizational problems limit the effectiveness of the parties and their impact on political life, as well as their contact with the public. Most importantly, parties lack a base organization, have declining memberships and are unable to produce enough new leaders to expand the mass base or replace old leaders who are retiring. Financial resources are lacking and parties have been unable to set up a system that links the central leadership to the mass and middle levels. This prevents the entire party structure from interacting on important party policies at the appropriate time (for more detail, see Shukor 1999: 73–100).

Party schisms and disputes. Parties have suffered from increasing internal tension and the resulting schisms. Due to legal restrictions on forming new parties, the various sides to a dispute continue their struggle within a party because they are forced to; the party's internal activities suffer as a result. This leads quickly to one of the sides to a dispute being expelled, taking the initiative to announce that it represents the only legitimate party leadership or withdrawing because it is useless to carry on the struggle. There are parties whose activities have been suspended because of internal conflicts over the party presidency, such as the Labour, Young Egypt, Ahrar, National Accord, Social Justice, Egypt Arab Socialist and Democratic People's parties. Although the Wafd and Tagammu' parties have not experienced such schisms, a considerable number of their leaders have withdrawn from them on an individual basis. These disputes and schisms are damaging to the mass appeal and vitality of the political parties.

7. Directions for Political and Democratic Reform in Egypt

There has been constant concern about finding a way to rescue pluralism from its current crisis; a number of opinions have been expressed at seminars and conferences on the subject, and in the papers and studies prepared for such events, as well as the academic papers prepared by research centres and at various universities. Out of the different orientations or approaches to addressing reform, five main ones can be identified, each giving priority to a particular aspect of the problem.

The points of agreement in all these proposals for reform include the idea that political reform must be accompanied by constitutional reform, which will recalibrate the relationship between the legislative and executive branches of government on new bases: the president of the Republic should be directly elected and there should be more than one candidate. The timing of this constitutional reform, however, is a matter of dispute, since some believe that political reform does not necessarily have to begin with constitutional reform, but can take place after a transitional period during which freedom is allowed (al-Ahram Center for Political and Strategic Studies 2003: 396; and Coordination Committee for Political Parties and Forces 1997).

The first approach is based on the idea that the constraints imposed by the authorities on pluralism are the main reason for its weakness. All the main opposition parties accept this. Thus, the authorities must take specific steps to tackle the situation. This issue was discussed at a December 1997 conference entitled In Defense of Democracy, Freedom and Human Rights, organized by the Coordinating Committee of Parties and Political Forces (made up of the Wafd, Tagammu', Labour, Nasserist and Ahrar parties, along with the Communists and the Muslim Brotherhood). A number of university professors, writers, researchers, leaders of public opinion and activists from civil society organizations took part in the conference, which issued a call by political parties and forces to the nation that contained a comprehensive programme for political and constitutional reform embodying this reform orientation (al-Ahram Center for Political and Strategic Studies 2003: 396; and Coordination Committee for Political Parties and Forces 1997). The programme confirmed that the essence of political and democratic reform involved allowing the genuine peaceful rotation of power, which requires the following: guarantees for citizens' freedoms and human rights; guarantees for resolving grievances; an independent judiciary and easier resort to litigation; the abolition of all exceptional courts; the abolition of the state of emergency; the amendment of the State of Emergency Law; amendment of the constitution after a transitional period in which freedoms would be permitted; guarantees for free and fair elections; the transformation of local administration into true local government; allowing truly free political, union and civil organizations within the framework of the basic requirements of society, order and basic morals; freeing the press and the media from government control and monopoly; confronting terrorism and protecting national unity; and a socio-economic policy that frees the citizen from fear and need and guarantees a fair distribution of the national income.

At the end of this call, the parties indicated that they needed to review their internal affairs and the relations between parties and with society in order to deepen democracy within parties, and to relinquish the closed thinking of the past and the culture of denying each other's existence. They also called for the siege imposed on parties, which prevents them from interacting with the masses, to be broken.

Although there is an acknowledgement that the political parties themselves are responsible for improving their general situation and breaking this siege, they have yet to achieve significant results; their internal affairs have become worse and they are still under siege.

Opposition parties reiterated this stance after the US invasion of Iraq in 2003. A call for change was launched by the National Salvation Front, which grouped together the Wafd, Tagammu', Nasserist and Labour parties, along with some civil organizations, calling on the authorities to take roughly the same steps.

The second approach is primarily an elite orientation. It sees a split in the NDP as the way out of the crisis: one party would represent the centre-right and the other the centre-left. Such a development would certainly assist the process of democratic change, which would lead to the beginning of complete pluralism. Although a 'rightist' orientation dominates the politicized sector of the NDP, there are some middle-level leaders and deputies in Parliament who stress socio-economic issues and oppose many US policies in the region. Perhaps a split in the NDP would lead to a natural 'sorting out', creating two larger groupings, one conservative and one progressive, without affecting the other elements of the political spectrum. In the end, the decision must be left to the ballot box. The proponents of this approach to reform believe that this type of change would see the NDP enter the world of politics in its party and institutional forms by having a cohesive discourse. The regime's need for monitoring from within and for the political renewal of its elite, as well as the need for an opposition with a genuine chance of being elected to power, have become critical for the future of the country. The multiparty system of the last quarter-century has proved unable to effect real change under the current mechanisms (al-Ahram Center for Political and Strategic Studies 2003: 431–3).

Part of the same type of elite proposal for reform is the argument that parties are unable to improve party pluralism for various reasons, such as their weak mass membership bases, their internal divisions, the dominance of old leaderships and their failure to attract new members. A call for the party structure to be improved here involves creating a new, large party that would be a genuine addition to the large nationalist groups and reflect the new developments in Egyptian society.

The presence of a new large party would mean the creation of a new political programme based on democracy, a liberal economy, cultural enlightenment and human rights, which are the same basic choices to which the state has committed itself and which are dominant in society. Thus, such a new party would make various types of freedom (political, economic and social) the basis of its programme, expressing liberalism, which has been lacking in the pluralist experiment.

A call for a new party means that new leaders would be needed who would represent not only new generations but also new ideas and orientations to reflect the political and social forces that have appeared over the past two decades. Such a party could attract members who believe in new ideas from all the existing parties and all generations, creating an organization that rivals the NDP; this would boost competition and could return some political vitality to the NDP (Mustafa 1998: 28).

The same elite-based orientation has produced another opinion that does not contradict the first two, but complements them. It holds that political reform will not take place merely by virtue of the executive and legislative branches taking certain steps. Just as important is an effective role for intellectuals in decision making from inside and outside the political regime. There must be a degree of consensus about broader issues such as the balance between domestic and foreign, fixed and changing, sooner and later, past and present, people vis-à-vis government, politics versus economics and so on. These issues require a profound review by the elite so that the political reform programme can begin to be implemented (Sa'id 2003: 22).

The third view is that political parties must put their own internal affairs in order first and approaches reform from the standpoint that Egypt lacks a historical accumulation of democracy, which is reflected not only in the culture of society—which remains a mixture of traditional and paternalistic values, authoritarian customs and totalitarian leanings—but also in the make-up of the cultural and political elite in the opposition and civil society. These are characterized by the weak and fragile nature of their democratic traditions. Experience has been disappointing when it comes to the elite leading the process of democratic evolution; most of the elite lacks the necessary values to achieve this. In this view, the problem is that parties which call for political reform require reform themselves before the people will believe in their call.

For political and constitutional reform, internal party reform is required; the Egyptian political parties to differing degrees suffer from the weakness of internal democracy. (The 'Tagammu' Party seems to do best in this regard.) However, in general, experience has proved that the passing of historical leaders of opposition parties has endangered the parties because of the weakness or absence of democratic practice within these groups. The call for political and constitutional reform loses its significance as members constantly resign to escape non-democratic practices, deciding to drop out of politics altogether. How can political reform expand the base of participation if this base is narrowing in some parties? (Abd al-Majid 2003a).

The fourth view is that what is damaging to all the ideas on political and constitutional reform is that they are not tied to confronting globalization; this must be corrected so that the state can be prepared to benefit from the opportunities presented by globalization and to limit its dangers. This means political reform covering the following areas:

Understanding globalization by creating an independent centre that studies the

phenomenon in various aspects and its impact on our society.

Selecting leaders who have worked or had academic experience abroad, especially in decision making in advanced countries, international companies and organizations of all types.

Renewing their leaderships in order to keep up with developments in globalization and encourage the trying out of new methods and approaches and different policies.

Flexibility in policies because some policies are not suitable under certain conditions; insisting on maintaining them wastes human, economic and financial resources.

Directing the decision-making process. Policies will have to be changed less if they are the result of study, and this goes for the highest level of policy making, namely the president, prime minister and ministers. Studies based on sound information and useful discussions should precede policies, which should provide alternative options. The alternative that offers the greatest benefit and the least damage over the long term should be chosen.

Complying with international public opinion on democracy and human rights. Complying with calls for democracy should not be viewed as a surrender to the demands of foreign powers because Egypt urgently needs such a democratic development. This will allow decision makers in Egypt a greater degree of freedom of movement externally.

Continuing the necessary legal reform to keep up with economic reform and releasing society's potential. It is urgent to acknowledge that progress in creating the legal climate for a free market involves lifting the restrictions on public activity by citizens, whether as members of political parties, union organizations or civic groups. They have all been subject to constraints that have reached the point of elections in some professional unions being suspended since the mid-1990s. Amending the constitution will represent a qualitative leap in seeing more democratic conditions prevail.

Increasing the effectiveness of the judiciary. There is no hope of all these legal and political reforms being carried out if the judiciary is not effective and if exceptional courts are not abolished (al-Sayyid undated).

The fifth approach sees political reform and democratic reform as requiring Egypt's democratic forces to build democracy from below by concentrating on work in civil society institutions and popular organizations, to support their independence and rely on them in forming public opinion that will pressure the authorities to achieve more political and democratic reforms. There are no tangible indications that the authorities are prepared to take new measures on the path of democratic transformation, and the political parties are not capable of pressuring them to make further concessions. Meanwhile, the Islamic opposition is becoming increasingly able to exert pressure, which means that the confrontation between it and the regime will continue. This in turn means that Egyptian society is experiencing a serious crisis, and none of the parties involved is currently able to get the country out of this crisis.

Democratic forces should meet and take on the responsibility for raising the issue of democratic transformation in Egypt since that is the suitable framework for finding a way out of the crisis.

A democratic reform front should be formed and should appeal to the masses to exert pressure for this goal. If this goal is not met, more effective parties that can escape their currently wretched conditions will not come into being. The experience of many countries has shown that rulers do not voluntarily give up their privileges, which means that popular pressure must be brought to bear on them so that they respond to the demands of democratic reform.

This approach requires work through popular organizations, civil society institutions and the civil sector, covering labour and professional unions, student federations, women's and youth organizations, cooperatives and civil associations active in the cultural and development fields, human rights groups, research centres, and independent press and publishing organizations. These popular organizations represent the most important channels of popular participation although they do not engage in direct political activity or seek state power. However, their members represent the sectors of society that are most prepared to engage in democratic political action; they have a direct link to Egypt's democratic evolution and an interest in pushing it forward.

The stalling of the democratic transformation in Egypt is partly due to the absence or weakness of these institutions; their participation in the struggle for democracy will help to strengthen their status as the basic arena in which democracy is exercised. When democratic organizations become effective players and participants in democratic practice in society, there will be a real possibility of a democratic and popular civil society being established that will serve as the infrastructure for democracy. Thus, democracy will be built from the bottom up and cover the entire people in terms of education, training and practice in different areas of daily life. Then the people will be a fundamental party to the equation of rule, and political democracy will be the result (Shukor and Muru 2003).

There are, however, some reservations about the ability of Egypt's civil society to achieve change, since most of its institutions cannot be considered forces for cultural, political and social change. These institutions' focus is more on reform than on change. They work mostly within a framework of reform to close gaps in the state's performance.

For the institutions of civil society to be launched as a force for social, cultural and political change, three conditions must be met. First, the basic structure of civil society must include parties, NGOs, labour and professional unions, business groups and human rights organizations. Second, the legislative, political and institutional environment must end the clash with the state that results from the legislation that constrains civil society. Third—and most difficult—there must be a civic democratic culture that is compulsory for the components of civil society. We must discuss the issue of civil society in Egypt honestly and transparently if we are serious about achieving political and social change and producing forces that help in modernization (Qandil 2003: 29).

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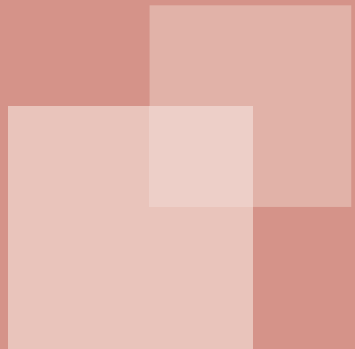
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Chapter 3

Electoral Systems and Parliamentary Elections in Egypt



Electoral Systems and Parliamentary Elections in Egypt

1. Introduction

This chapter examines the rules that govern parliamentary elections in Egypt—the parliamentary election process, the topics and issues raised during elections, general conclusions that can be drawn from studying elections and their implications in Egypt, and the relevant legal texts and political practice. Finally, it makes some recommendations as to how Egypt's laws and electoral practices can be safeguarded from the problems caused by the electoral system.

1.1. Assumptions

The study is based on two assumptions. The first is that there is a connection between the electoral rules and system governing the entire election process, on the one hand, and Egypt's social, political and economic environment, on the other. In other words, there is a relationship between the form of the electoral system and the various measures and stages of the electoral process, on the one hand, and several elements—the political climate, in terms of openness and freedom from constraints; the economic climate, in terms of economic growth and per capita income; and the social climate, in terms of levels of unemployment, illiteracy rates and religious diversity—on the other. The second assumption is that there is a connection between the election climate itself and Egypt's culture of absolute political centralization,

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which goes back many centuries. To a great extent this culture rests on domination and on administrative, bureaucratic and political despotism, which govern all aspects of people's lives, including parliamentary elections.

1.2. The Period Covered

The study covers the period 1984–2000, during which Egypt had three different electoral systems; a party list-centred system (the 1984 parliamentary election), a party list with some candidate-centred seats (the 1987 election), and a candidate-centred system (the 1990, 1995 and 2000 elections), which is still in effect today. The period 1984–2000 saw more than one way of dealing with the issue of women's participation—the quota system from 1979 to 1987, and the free system, which treats men and women equally, from 1987 to 2000. Electoral supervision has also been managed in different ways, ranging from the judicial supervision of the main electoral districts, with some state employees answering to judges being stationed at branch polling stations, to general supervision by judges at all central and branch polling stations, which only began in the 2000 election.

1.3. The Structure of this Chapter

The chapter falls into three parts.

Section 2 looks at the main factors that govern the electoral system and the electoral process in terms of standing for election and voting. These include legal aspects, connected to the constitution and the laws, such as those relating to the People's Assembly (Majlis al-Sha'b), political parties and political rights. There are also political aspects, related to the climate within political parties and other areas connected to elections, and economic aspects related to the general economic environment in which elections take place. In addition, there are cultural dimensions, which have to do with illiteracy, tribal ties, and divisions among candidates and voters based on religious ties or their general political preferences.

Section 3 examines various particular aspects of Egypt's electoral system, such as the voter lists, the percentage of workers and peasants that have to be represented under different electoral systems, administrative interference in elections, judicial supervision, the role of money, and challenges to the election results. Finally, section 4 draws general conclusions and considers ways in which electoral law and practice can be improved in Egypt to avoid the problems that have been produced by the electoral systems.

2. The Principal Factors Governing Electoral Systems and the Electoral Process in Egypt

For the past two decades, Egypt has known three different electoral systems, and each has had an impact on the country's entire process of political interaction, the

effectiveness of the legislative and supervisory role of the People's Assembly, and the relations between different parties and political forces. These electoral systems and their constitutional, legal, political, economic and cultural environment can be studied by examining the electoral system in force, the candidates and the electorate, and the election results.

2.1. The Electoral System

Egypt's first electoral regime dates from 1866, when members of the (Shura) Council of Deputies were elected during the reign of the Khedive Ismail. The system followed at the time was an indirect one and involved two stages—the election of delegates, followed by their electing the representatives on the Shura Council. The system was based on single-member districts. In 1924 the method of election was changed to direct election, but still based on the single-member district. The system alternated between direct and indirect elections until 1938, when direct elections were finally adopted, and this remained the case until 1983.

In August 1983, the Election Law (no. 114) was issued, stipulating 'the election of members of the People's Assembly through party lists based on the proportional system, each party shall have its own list, and a single list cannot include candidates from more than one party. Each list should include a number of candidates equal to the number of seats up for election in a given district, and an equal number of alternate candidates'. This electoral system differed from the system previously set up for Majlis al-Shura (the Consultative Council), a non-legislative consultative body established in 1980, under which elections involved the 'winner-takes-all' system. Under this system a party would gain all the seats in the district if it obtained an absolute majority of the votes cast, regardless of the shares of the votes secured by other parties.

In 1986, the Supreme Constitutional Court found Law no. 114 to be unconstitutional, as the system based on proportional party lists would deny non-party members the right to stand for office. The law had strengthened political parties and encouraged people to join them, doing away with competition between them and independent candidates, but it ignored the fact that in Egypt the number of independent candidates is appreciably greater than the number of members of political parties. Moreover, the law prevented Islamist, Nasserist and Marxist candidates from standing: they could not be accommodated within the existing political parties, and this limited the freedom of movement of opposition parties. The law also stipulated that coalition lists could not be established, thus forcing parties to compete against each other instead of forming a united front against the ruling National Democratic Party (NDP).

The court's decision led to the People's Assembly being dissolved before the end of its fourth legislative term, which began in 1984 and was scheduled to continue until 1989. The new election law (Law no. 188, issued in 1986) was similar to the old one

in that it set the number of seats in the People's Assembly at 448, but differed in that it combined party lists and a candidate-centred electoral system for the election of some of the representatives in a particular district, with the election of the remainder by party lists. Each party would have a list, which could not contain candidates from other parties. Thus, Law no. 188 tried to correct the unconstitutionality of article 62 of the constitution and gave independents the right the right to declare their candidacies.

Although this amendment saw the largest number of independents ever win seats in the People's Assembly (which was established in 1971) and the Shura Council (established in 1866, with *c.* 100 members), it was to a great extent an amendment in form only. It gave independents only one seat in each of the country's 48 districts. This did not match their political weight, which was huge compared to that of the existing parties, including the NDP. In other words, the new law put the independents between the hammer and the anvil—the hammer of the large number of independents, who usually outnumber the party list candidates, and the anvil of the political parties, which look to the candidate-centred seats as an opportunity for increased representation in the Assembly.

The law also retained all the negative aspects of Law no. 114, such as the constraints on political parties forming coalitions. The most prominent of these was the condition that a party had to secure approximately 8 per cent of the votes in the country as a whole in order to gain a seat in the People's Assembly. This threshold was high and prevented the Labour Party and 'Tagammu' (the National Progressive Unionist Party) from securing seats in the parliamentary elections of 1984, and 'Tagammu' from securing seats in the 1987 elections.

In general, therefore, Law no. 188 offered nothing new except for opening a window for non-party forces to stand as independents for the candidate-centred seats.

In any case, the Supreme Constitutional Court declared this new law to be unconstitutional, and this was followed by the issuing of Law no. 201 in 1990. The number of deputies was now set at 444, based on a candidate-centred system, and all qualified persons were given the right to declare their candidacies without any constraints.

In practice, this did away with political parties—this in a developing society that dreamed of having mature parties as one of the most important mechanisms for political development.

There is justification for this electoral system in the constitution itself. Article 87 stipulates that the election of members of the People's Assembly should be direct, and article 94 stipulates that if a seat becomes vacant a replacement should be elected. On this basis, elections are candidate-centred: these provisions implicitly exclude election on the basis of party lists, where alternate candidates take the place of elected members in the event of a vacancy occurring, without a by-election having to be held.

The law can be criticized for constraining the ability of parties in general,

and particularly the weaker ones, to secure representation, since it means that the candidate is known to the constituency in his or her personal capacity and not as a member of a party. The candidate-centred system also leads to major problems such as bullying, clannishness and the dominance of money, and allows individuals who have not been nominated by their parties to nominate themselves and compete with their party colleagues in the same district, which increases the possibility of disputes and divisions within a party. This explains the comments by the secretary general of the Tagammu' Party and the president of the Labour Party during discussions by the political committee of the National Dialogue conference convened in 1994: they agreed, with conditions, to return to a party list-based system, although they confirmed that public opinion largely supported the candidate-centred system. Also, this system could in effect ignore 49.9 per cent of the votes in a particular electoral district, giving all the seats in the district to whoever received 50.1 per cent.

This candidate-centred system, like the two previous systems, retained one stipulation of article 87 of the 1971 constitution—that half of the seats in the People's Assembly must go to workers and peasants. The law governing the Assembly identified a peasant as someone whose only job involves agriculture and whose chief source of income is from agriculture; he or she must reside in the countryside and, together with his/her spouse and under-age children, cannot own or lease more than 10 *feddans*. A worker is defined as a person who does manual or non-manual labour in agriculture, industry or the service sector and relies mainly on this income. He or she cannot be a member of a professional association or be listed in the Commercial Registry, or hold higher educational qualifications. Those who do not qualify include members of professional associations who do not have higher educational qualifications and people who began their lives as workers but then obtained higher qualifications. In both cases, for a person to be considered a worker, he/she must remain registered in his/her workers' union. Changes of category to the peasant or worker categories taking place after 15 May 1971 are not admissible. Candidates cannot change the worker or peasant category that they had up to 15 May 1971, nor can they change the category in which they have declared their candidacy for the People's Assembly.

This definition was slightly amended on 11 April 2000, when the government passed an amendment that stated that a candidate's status would be determined upon his or her declaring candidacy when the form is filled out, with him or her bearing complete responsibility for the information contained in the form. In other words, the previous text was retained in its entirety while abolishing the constraint relating to 15 May 1971. There is no doubt that this amendment tempted many candidates to benefit from it, as an increasing number of candidacies in this category were registered.

The judiciary remains the final arbiter in the case of people misrepresenting themselves for electoral purposes, but election-related judicial decisions have faced difficulty when it comes to implementation by the executive branch, not to mention legal wrangling by those who are being challenged.

2.2. The Candidates and the Electorate

Electoral systems have had an impact on participation in elections, whether by the voters or by candidates.

2.2.1. The Candidates

The three electoral systems have affected candidacy in the successive elections that have taken place since 1984. In that year, on the basis of proportional lists, the National, Wafd, Labour, Tagammu' and Ahrar parties took part, while the Umma Party boycotted the election. The Wafd Party and the Muslim Brotherhood allied with each other, forming a single list and producing a platform in which 'religious issues' were a top priority. The regime thus showed flexibility towards the oppositions and turned a blind eye to this alliance. In the 1987 election, based on a mixed system of party lists plus candidate-centred seats, all the parties mentioned above and the Umma Party took part, while the Nasserists, although they did not yet have a party, also participated, along with the Communists, 'under the guise' of independents.

The biggest surprise of the 1987 election was without doubt the alliance between the Muslim Brotherhood and the Labour and Ahrar parties, called the Labour Alliance or the Islamic Alliance; the regime was once again forgiving, and ignored this opposition alliance. In any event, the opposition parties, with the exception of the Umma Party, put forward candidates for some or all of the candidate-centred seats in the 48 districts around the country, in addition to the 'real' independent candidates.

In 1990, the election law was amended to a candidate-centred system. Some opposition parties (Wafd and Labour) boycotted the election of that year on the grounds that the regime in power was acting completely alone and amending election laws in absolute secrecy, without involving the public in the process, by putting the matter forward as a decision in a law by the president. (It is worthwhile to note here that decisions in a law can be issued by the president when the People's Assembly is not sitting or is dissolved, and has delegated the power to issue such decisions to the president. Such decisions issued in the absence of the Assembly will be put forward for discussion in the Assembly after it re-convenes, and the Assembly can then either accept them without amendment or refuse them. However, the decision will have been applied in the meantime.)

The National Democratic, Tagammu', Democratic Unionist, Umma, Green and Young Egypt parties took part in the 1990 election, along with the Nasserists (still lacking a party) and the Communists (masquerading as independents). In 1995, the NDP, Wafd, Labour, Tagammu', Ahrar, Muslim Brotherhood, Umma, Green, Democratic Unionist, Nasserist, Justice and Development, Egypt Arab Socialist and Solidarity parties and independents all took part. In 2000, these same groups participated, with the exception of the Egypt Arab Socialist Party, and this time also Young Egypt, National Accord, and the Democratic People's Party. This shows that

the candidate-centred system did not increase the scope of party participation; it is true that the number of participating parties increased, but most of them had emerged after the 1987 election, that is, they were established after the candidate-centred system was in place.

As for the number of candidates standing, in the 1984 election, held on the basis of party lists, there were 3,879 candidates for 448 seats. In the 1987 election, held on the basis of a combination of party lists and candidate-centred seats and for the same number of seats, there were 3,592 candidates, of whom 1,937 were independents and 1,655 on party lists. For the 1990 election, held on the basis of a candidate-centred system for 444 seats, the number of candidates dropped to 2,676. This type of electoral system was supposed to increase the number of candidacies, and the drop was attributed to a lack of familiarity with this system since the 1979 elections and to the boycott of some opposition groups.

In 1995 and 2000, the numbers of candidates were 3,980 and 3,957, respectively, after withdrawals following negotiations and legal challenges to candidacies. The increase was also due to the candidate-centred system, which gives an opportunity to party members who are not chosen for their party lists, while independents could stand for election. The emergence of new parties was an additional factor that explains the increase in the number of candidacies.

2.2.2. *The Voters*

During the 1984 election, the number of registered voters stood at 12,619,919; this is considered a large number compared to those registered at the time of the 1976 and 1979 elections (c. 9,500,000 and 10,998,675, respectively). Later elections saw the following figures: 14,324,162 in 1987, 16,273,616 in 1990, 20,987,000 in 1995 and 24,602,241 in 2000. These numbers do not include all those who had reached voting age. In 1984, for example, the number of people who were of voting age stood at 22,972,961, meaning that only 54.9 per cent of those eligible were registered. This indicates the failure of both people and the state to support electoral participation, and indifference to the comprehensiveness of the voter lists.

This lack of interest is seen more clearly by viewing electoral participation rates, or voter turnout, under three different electoral systems. In 1984, 5,323,086 people voted, that is, 43 per cent of registered voters. (This figure drops considerably if we include those who are of voting age but not registered: the percentage falls to 23 per cent.) In 1987, 7,227,467 people voted, or 50.4 per cent of registered voters, and in 1990, 7,314,893, or 45.9 per cent of registered voters. In the 1995 and 2000 elections, 10,480,000 and 6,050,560 people, respectively, turned out to vote, meaning 50 per cent and 25 per cent participation rates (based on numbers of registered voters). Perhaps the most notable phenomenon was that participation rates in the countryside and the *badiya* (communities where Bedouin live) under all electoral systems were higher than turnout in urban areas: these voters took part in order to please their

sheikhs and family or other elders.

In general, people's failure to participate in elections under the different electoral systems can be attributed to the environment of cultural illiteracy and to lack of trust in the election results or in the institution of a legislature as a tool for peaceful change. It is also attributable to the fact that people tend to care more about their economic situation than about their political conditions, as well as to the large number of voting-age Egyptians (estimated at some 3,000,000 people) living outside the country. They do not enjoy the right to vote under the law since there is no fixed mechanism to enable them to vote. There are also some 1 million people in the army and police: they have not had the right to vote since a law in the 1970s abolished it, ostensibly to guarantee the neutrality of the army and prevent its politicization. The opposition also adduces other reasons for the poor turnout, connected to the electoral systems, such as inconsistencies in the voter lists, as well as lack of trust in the government's promises, the fairness of elections and the vote tabulation procedures.

Two particular groups deserve consideration here: women and the Copts. Women have taken part in elections to the People's Assembly. Law no. 114 of 1983 stated that 'each list in the 31 districts must have a female member'—meaning that women would inevitably obtain 31 seats, in addition to others in which they competed against men. This came in response to demands by the wife of the late President Anwar Sadat, Jehan Sadat, who supported the right of women to be represented in the legislature. These demands were answered in the election law of 1979.

The quota of seats set aside for women was abolished in the second amendment to this law, in Law no. 188 of 1986: the Supreme Constitutional Court found it to be in conflict with the principle of equality between men and women and therefore unconstitutional. The striking down of this provision did not prevent women winning some seats in subsequent elections. In 1987, women obtained 14 seats, 13 for the NDP and one for the Wafd Party. However, in the 1990, 1995 and 2000 elections, as a result of the candidate-centred system, which led to a large number of candidacies, parties that had found it necessary to include women candidates under the list system for reasons of their image found that this was no longer necessary. Women won only seven, five and seven seats, respectively, in these three elections—all for the NDP, except for one independent in the 2000 election.

The reduction in the number of women candidates and in the representation of women since the abolition of the quota in 1987 has had the effect of increasing the level of public cultural illiteracy, which produces a negative image of the role of women in society. There are other, cultural and tribal, reasons for the decline: the idea of women casting votes for female candidates, and especially of men voting for women, is unacceptable. Last but not least, there are economic aspects: it is easier for men to stand for election, since they are better able to take on the financial burdens of an election campaign. (On women's political participation, see chapter 1 of this report.)

For the Copts, the constitution stipulates that all citizens are equal, regardless

of religion. Although political parties sought to include some Coptic candidates in order to make it appear to those both in and outside the country that they did not discriminate on the basis of religion, this was only done on a very limited scale, whether under the candidate-centred system, the pure list PR system, or the mixed system. In fact, parties were criticized for not having Coptic candidates under the candidate-centred system (which gave Copts, like other Egyptians, the chance to stand as independents without being members of a political party), and were criticized even more during list-based elections, when Copts, like other citizens, can only be candidates on political party lists.

The level of representation of Copts in the legislature has remained very limited because of certain obstacles. In addition to those which all Egyptians, whether party candidates or independents, face in the process of declaring candidacy—namely the behaviour of political parties already mentioned—there are two obstacles to the participation of Copts. The first is social obstacles that are usually associated with the situation of minorities, whether ethnic or religious, in a society where they usually perceive a type of persecution to which they respond by withdrawal if there are no peaceful means of combating it. The second is related to the fact that some Muslim voters would refuse to elect a Coptic candidate because they reject the authority of a Copt over Muslims; this belief exists in some regions of Egypt.

2.3. Election Results and Electoral Systems

On the vote tabulation procedures and the results of parliamentary elections under the three electoral systems, Law no. 114 of 1983 stated that: ‘Each list receives a number of seats in proportion to the percentage of actual votes that it has obtained, and the remaining seats are given to the list receiving the highest number of votes... . No party can be represented if its lists do not receive at least 8 per cent of the total actual votes in the Republic’. In addition, at least 50 per cent of the seats must go to workers and peasants, in each district. Thus, on the basis of this method, the party winning the majority in each district wins the ‘fractions’ as well, that is, the votes that are insufficient to secure a single seat for a party. Under this method, some votes go to the party that has won a majority even though these votes were not cast for that party.

Law no. 188 of 1986 adopted the same method, retaining the 8 per cent threshold, although it allowed independents to become candidates, whatever their capacity (worker, peasant or other), provided that they received at least 20 per cent of the total actual votes in a district. If they did not, a second election would take place, when the two candidates who had received the largest numbers of votes ran against each other for a candidate-centred seat. The law also stipulated that election results must respect the percentage of seats allotted for workers and peasants, in each district.

The 1990 amendment towards a candidate-centred system, on the basis of which the 1990, 1995 and 2000 elections were held, stipulated that a member of the People’s

Assembly must receive an absolute majority of all actual votes cast in the election. If a non-worker or non-peasant wins an absolute majority, a second election is held for another seat in the district, contested by the workers and peasants who came behind the winner in the number of votes received. If no absolute majority is secured, a second election is held among the top four recipients of the largest numbers of votes, with the top two taking the seats, and at least one of these must come from the category of workers and peasants.

After the results are announced, the election law continues to have an impact on members of the People's Assembly because none of the three electoral systems placed restrictions on a member changing his or her political affiliation after being elected. This has led to a phenomenon that can be called 'floating' membership of the Assembly. The disadvantages of this practice emerged more under the candidate-centred system than under the party list system. Under the latter system, there was only one case of a member of the Assembly switching after his election, when Sheikh Salah Abu Ismail—a Muslim Brotherhood member belonging to the Wafd in the legislature—became an independent. Meanwhile, under the mixed system (party list system with some candidate-centred seats), the People's Assembly saw about 18 members, all from opposition parties, become independents, and under the candidate-centred system, dozens of members have changed their affiliation.

In a candidate-centred system, a candidate declares his or her candidacy as an independent and, if they win, can then announce their affiliation to a party. A number of independent candidates, whether truly independent or dissident members of parties, turned to the NDP after their victory, even though the party had threatened to expel them for competing against those selected for the party list—which would indicate that they had been given the green light to take part in the elections, on their own responsibility. If they lost, the party could wash its hands of them; if they won it could accept them. It was as if the party put forward candidates and dissidents as well.

This situation led to demands, after the 2000 election, when the NDP only received a majority after its dissidents returned, that the parties refrain from putting forward lists at all, despite the danger that this might hold for the process of political development, in which parties play a central role. However, the negative effect that the candidate-centred system might have on political development in a developing country like Egypt was readily apparent.

3. Electoral Regulations in Egypt

Egypt's regulations involve a number of issues beyond the nature or form of the system and the legal, political, economic, social and cultural repercussions. They go much deeper than this as they involve the voter lists, the percentage of workers and peasants in the Assembly set down by the law and the constitution, administrative interference in elections, judicial supervision, the role of money, violence and bullying, and

electoral challenges. There are other factors as well, which are not examined here in detail because their impact goes far beyond elections. At the head of this list of issues is the Emergency Law, which has negatively affected all aspects of life in Egypt since it came into effect in 1981, as well as the parliamentary elections that followed.

3.1. The Voter Registration Lists

Electoral lists guarantee that those eligible to vote can participate. They are without question one of the basic elements that determine people's participation in the voting process in political systems. They should be comprehensive and free of errors, and if they are this will encourage participation in the political system. Participation rates can drop significantly if those eligible to vote cannot cast their ballots on election day because their names are missing from the lists, even if the election process as a whole is fair. Thus, it is not surprising to see that, in the last election in Egypt, in October–November 2000, turnout at 25 per cent was the lowest since 1984, and this despite the guarantees of fairness compared to the problems encountered in the earlier elections. It was attributable to the many problems in the voter lists, which were discovered by comprehensive judicial supervision over the voting.

Since the 1952 Revolution, Egypt has had a fixed method of registering the names of eligible voters. The current law for registering voters, the Law on Political Rights (no. 73 of 1956¹), requires the voter to satisfy certain conditions, such as citizenship, being of sound mind, and being of age. Those doing military or police service are exempted from voting during the terms of their service. People not allowed to vote include convicted criminals and those arrested because of their opposition political affiliations (although sanctions on the later category were abolished in 1994).

Several factors determine the process of preparing the voter lists. The first is the law and the implementing provisions. The voter lists are prepared by the Interior Ministry on the basis of the work of registration committees in the *shiyakhat* (local communities in Egyptian villages, each headed by a sheikh) in the cities and villages in rural areas, by recording the names of eligible voters and striking out the names of those not eligible to vote. The lists are corrected in November, December and January of every year, the names of new eligible voters being added and those of the deceased and those ineligible to vote being struck off. They are not amended otherwise unless decisions are issued that cause a name to be added or struck off. The permanent residence of the voter is adopted, unless the voter requests that his place of work or the residence of his family be used instead, after the committee chairman verifies that the person's name is not registered in his or her place of residence.

The way in which the voter lists are prepared was affected by a number of elements.

¹ This law has been amended 11 times, most recently by Law no. 167 of 2000.

First, the 1956 Law on Political Rights obliged the government to update the voter lists. However, it has done this only since 1983, after relying earlier (despite the law) on people taking the initiative to have their names registered, and registering the names of those who reach the age of 18. In reality, this meant ignoring everyone born before 1965. Moreover, the government only registered the names of those who were resident in their place of birth; those who were not had to submit a request for their names to be recorded. All these conditions and procedures for preparing voter lists have led to a large gap between the numbers of eligible and actually registered voters.

Second, the form of the electoral system also affected the voter lists. The candidate-centred system, which allows everyone to stand for election, encouraged people to participate by voting and by being included on the voter lists. However, the party list system, which limits candidacy to the parties, helped to discourage people from registering to vote, even though theoretically it should have encouraged political parties to follow up the correction of voter lists.

Third, in addition, there was the issue of the inclusion of women on voter lists through compulsory registration. Registration was voluntary up to 1979. Despite this, women's inclusion has been in form only, as a large number of eligible female voters are still not on the voter lists.

Fourth, the preparation of the voter lists is affected by people's confidence in the political system in general and their vision of the role of the legislature in this political system in particular. As the authorities continue to try to distort the will of the voters, negative feelings about participation and standing for office increase. Given the belief that the institution of the legislature is not a means for ensuring rotation in office, voter participation falls. For a long time, the feeling has been prevalent that the authorities were intervening against the will of the voters—not just by intervening in voting but also by manipulating the voter lists. All these things work to reduce the legislature to a rubber-stamp institution, which also affects the registration of names on voter lists and makes correcting these lists a useless enterprise.

Finally, economic difficulties have affected voter registration, particularly for parliamentary polls. A drop in the standard of living, expressed by the fall in per capita income, and a rise in unemployment have caused large segments of society to refrain from electoral participation. Thus, candidates often use money to attract voters, to encourage them to vote and to gain a larger number of votes. In social terms, illiteracy (which affects around 50 per cent of Egypt's population) reduces electoral participation and registration on voter lists. The illiterate citizen usually refrains from exercising his or her right to vote.

3.2. *The Issue of Workers and Peasants*

The Egyptian Constitution of 1964 consecrated socialist orientations and principles for the political regime that was announced at the beginning of the 1960s. Thus, the electoral regulations were amended, with two, instead of one, members of the legislature being elected in each district, so that one-half of the Assembly would be from the ranks of workers or peasants.

In dividing society into workers and peasants versus all other segments, the constitution is self-contradictory. Both the 1964 constitution and the present (1971) constitution provide for this quota at the same time as stipulating that all citizens are equal, regardless of race, doctrine or gender. In general, the different electoral systems that employed this 50 per cent quota have worked to keep other candidates who win the people's trust out of the legislature in favour of candidates from the ranks of workers and peasants, just for the sake of filling the 50 per cent quota for workers and peasants, even if they receive fewer votes. The quota provision is also harmful to the Assembly's legislative and supervisory roles, since workers and peasants are less likely to be knowledgeable about the issues under discussion as they most probably lack the relevant education and experience. The number of other segments of society likely to win seats is declining, especially among lawyers and others in the legal profession—a category which a number of studies have shown to be the most active inside parliaments.

In addition, the issue of dividing the population into workers and peasants, on the one hand, and all others, although it was accepted over the past few decades, has now become unacceptable. To begin with, the policy of economic openness (*infitah*) in the 1970s led to social movement that generated greater affluence in these two classes, at the expense of most other segments. The Egyptian political regime has also taken tangible and serious steps in the past two decades to achieve economic reform, so that it is no longer acceptable for economic reform to be progressing while political reform (including the abolition of the worker/peasant designations) is still halting. (Some key figures in the political party opposition link the retention of the worker/peasant quota to a desire to limit the strength of the political opposition, since the law stipulates that parties must take the 50 per cent condition into consideration when putting forward their lists, and it is difficult for them to satisfy this condition, especially under a party list system.)

Perhaps one of the issues that puzzle many is that the political regime that defends keeping this percentage of workers and peasants is that same regime that does not want to deal with its repercussions. The two electoral systems for the People's Assembly, on the basis of which the 1984 and 1987 elections took place, forced the party that secured representation in an electoral district but with the lowest number of votes to be responsible for completing the percentage of workers and peasants represented. If this indicates anything, it is that those who support the idea use it as a mere slogan, empty of meaning and content. They support it in form but force the opposition

parties to implement it, therefore inflicting harm on these parties, which end up with a large number of their representatives from among the workers and peasants, while the ruling party enjoys a more diverse representation from the different segments of society.

Moreover, despite many amendments, the law that defines the two segments—workers and peasants—is always exploited by some to declare their candidacy for these two groups, hoping to win an advantage compared to the other segments of society. Many electoral challenges have been filed against those claiming to be workers or peasants, and the judicial decisions issued show that considerable manipulation has indeed taken place. Some of these decisions have been implemented while others have not because of the desire to avoid an imbalance in membership inside the People's Assembly.

Finally, the main argument that is currently used by some for keeping the percentage of workers and peasants is that it helps to prevent other groups dominating the Assembly. It appears that this means businessmen. This argument is valid, but the setting of a percentage contradicts the principle of equality of opportunity. The dominance of businessmen should be tackled by judicial reform of election advertising in order to make money neutral in elections. This requires raising the awareness of the voters, who may be approached with offers to buy their votes from people who could potentially use their parliamentary immunity after the elections in order to evade the law (and in some cases have done so).

3.3. Administrative Interference in Elections

Administrative interference—that is, intervention that proves that the state is not neutral—is considered to be a negative factor. It is a general trait of electoral administration in most developing countries. It constitutes a deliberate change in the election process, bringing about the same results as falsifying the voters' choice would produce.

Administrative interference in elections involves two processes. The first is the running of the polls themselves; this depends on the strength of the body overseeing the elections, in addition to the large number of people involved in this apparatus and occasionally their lack of organization, and the lack of administrative oversight over this apparatus. The second involves the weakness of popular oversight over the administration of the elections, which makes administrative intervention even more aggressive. The administrative apparatus in Egypt does interfere and, given most citizens' ignorance of their rights and the climate of centralization, it is a gigantic entity that is difficult to deal with. On this basis, the interference of the administrative apparatus in elections acts as an arbiter of the results beforehand, regardless of the other aspects of electoral fairness.

There are many elements to administrative interference: the Interior Ministry, by virtue of its heading the entire administrative apparatus; candidates who belong to the

ruling party; and the departments and official bodies that are considered to be tools in the hands of the ministry. There are two other important sides, namely the opposing candidate, who is largely helpless, even if supported by a party or opposition forces with limited resources compared to the competition, and the voter, who is subject to various types of administrative interference.

The reasons for administrative interference in elections include the lack of the spirit of tolerance that means acceptance of the victory of others at the ballot box. This is due to the desire to maintain the climate of hegemony, based on outdated ideologies and the one-party state mentality, especially when people with this outlook continue to occupy positions of power. The people who interfere are sometimes afraid of fair supervision of the voting process, and they are aware that legal measures take time and the implementation of judicial decisions is still inadequate.

There are various types of administrative interference in parliamentary elections, growing in scale in accordance with the importance of the candidate. They are of both a positive and a negative kind. In an agricultural society like Egypt, the state administration approaches the voter through the agricultural bureaucracy—through agricultural banks, which can relieve indebtedness, interest payments or penalties. In areas of high population density, service-related bureaucracies come into play and services are lavished on areas that have been deprived of them for a long time. As for election propaganda, the official state media usually promote candidates of the ruling party. Posters and banners cover vehicles and public buildings, and state printing presses are used to print party-related campaign material for candidates. Election symbols are important in societies with high illiteracy rates like Egypt, and these symbols are distributed to candidates in the way favoured by the election administration, meaning that pre-selected symbols go to NDP candidates.

Other negative forms of administrative interference include the harassment of opposition candidates and their exclusion. The most recent type of this negative interference has been seen at polling stations on election day, when the security forces refuse to intervene when fights break out between ruling party and opposition candidates, on the pretext of remaining neutral.

3.4. Judicial Supervision

The constitution and the law determine the question of judicial supervision of elections. Article 88 of the 1971 constitution (as amended in 1980) states that the voting process must take place under the supervision of members of the judiciary. Elections since then have taken place with partial judicial supervision over polling stations, and with some state employees and state-sector employees overseeing the process as well. As usual, when the government becomes aware that the electoral system is about to be declared unconstitutional, it quickly moves to amend the law, as it did before the ‘in form only’ judicial supervision was declared unconstitutional in 2000. The government then amended the Law on Political Rights, thereby making judicial

supervision over polling stations more substantial. Yet, although this amendment (Law no. 13 of 2000) required committees of judicial supervision to be part of the general committees overseeing the polls, it gave these committees, which are headed by state employees, the authority to oversee the voting in branch polling stations. As a result, this supervision did not put a stop to the manipulation of the election process. On 8 June 2000, the Supreme Constitutional Court issued its decision finding the Law on Political Rights (i.e. the old provision prior to amendment by the government) to be unconstitutional because the appointed heads of committees were state employees. Thus, the executive branch amended the law once again, only weeks after the earlier amendment, granting total judicial supervision over the voting process in central and branch election committees.

Although judicial supervision has been in place for all election committees since 2000, elections continue to suffer from many problems, which can be summed up in two points.

First, judicial supervision over elections remains lacking after the most recent amendments to the provisions that regulate the voting and vote tabulation, and it has no part in the preparation of the voter lists. Furthermore, judicial supervision is limited to voting inside polling stations, while bullying, which affects electoral fairness, takes place outside polling stations.

Second, the number of branch polling stations has been reduced because there are not enough judges to supervise activities there. It is enough to point out that in 1995 there were 36,168 branch committees throughout the country. In 2000, when there was comprehensive judicial supervision, there were 15,251 branch committees. This reduction in the number of committees led to substantial problems on election day as the polling stations could not accommodate the large number of voters within the limited time allocated for voting.

3.5. The Role of Money

The issue of the role of money in Egyptian elections has increased greatly under the candidate-centred system, although it was present to a lesser degree under the party list-based system. It takes the form of offering money or services and is channelled to three groups—those responsible for nominating candidates, the voters, and the candidates.

The money that goes to the first group, those responsible for nominating candidates, goes to two subgroups. The first are those individuals who prepare the party lists, and this is connected to structural corruption in Egypt, especially under the candidate-centred system. Members of the parties, especially the NDP, compete to have their names included on the party's lists in order to avoid having to stand as independents. Those who pay these sums see them as small compared to the money they can access as members of Parliament, where they benefit from becoming notables in society or exploiting their office for illegitimate ends. The second subgroup (to

which financial resources are rarely allocated) includes parties and political forces which can nominate candidates, in order to encourage them to put forward particular candidates. This type of support is usually legitimate because the money does not go to individuals.

The second group is the voters themselves, to whom money is given as a form of direct bribe to buy people's votes, whether as individuals or as groups, exploiting the economic difficulties they face and the prevailing climate of illiteracy and ignorance. Naturally, this type of bribery has been used a good deal in Egypt since the 1990 election and the adoption of a candidate-centred system, under which, when the results are announced, the name of the individual is announced first and the name of the party only second.

The third group to receive political money is the candidates for election to the Parliament. Here, resources are given by a political party or a political force to a candidate or group of candidates in order to help them gain representation in Parliament or to prevent an opponent winning. This type of support was given to few parties and opposition candidates (particularly for candidate-centred seats) under the mixed electoral system.

Political money can be paid up-front or payment can be deferred. Money paid on the spot is often used before elections to guarantee that the 'payee' complies quickly with the wishes of the 'payer'; it is used for election advertising, to secure the withdrawal of a candidate or to see a certain candidate included on a list, or it can go directly to voters in front of the polling station, which has been the most prevalent type since a candidate-centred system was used in the 1990 election. Deferred payment can come in the form of election promises, often promises to voters from a certain district or to groups of people who are leaders of public opinion and command large blocks of votes within their constituencies. For example, the candidate promises some voters certain jobs if he is elected, or the candidates and parties can promise voters support for infrastructure projects in areas such as health, education and transport if they win.

3.6. Violence and Intimidation

Elections usually witness the phenomenon of a number of people engaging in organized acts of violence and intimidation in order to secure the victory or defeat of particular candidates (or both, as is usually the case). There are many reasons for the spread of violence and bullying in parliamentary elections, but three main reasons can be identified.

First, there is a certain cultural climate among a section of Egyptians who are said to have a *'fablawi'* personality, meaning a shrewd 'fox-like' character who can 'get things done', usually avoiding the proper or legal channels. This kind of person claims to be able to falsify and manipulate results during elections, not only by mobilizing people but also by using oppression to influence voting. The weakness of

the legislation that makes such manipulation and influence illegal is partly to blame, as the penalties are currently only light.

Second, the two-decades old economic crisis is having its effect on society. It affects a large proportion of the population. This leads some people to resort to reducing their financial difficulties by exploiting certain opportunities to engage in lucrative activities such as trading in scarce goods or expediting visas for the hajj. Elections may present a seasonal opportunity that some use as a means to work in election campaigning; within this group are professional bullies who set out to profit from this.

However, it is clear that one basic factor in the emergence of a climate of violence and bullying lies in the electoral system itself and its candidate-centred nature. This system strengthens tribalism and clan or other types of solidarity, which then create an atmosphere of violence and bullying. It is true that Egypt has had an electoral system with a candidate-centred aspect since the period of President Nasser (1954–70), but acts of violence and bullying did not take place then. This was a period when the single political organization was dominant, and a multiparty system had yet to emerge.

Election data bear this out. In the 1984 election (under a proportional list system), only two people were killed (including a Labour Party female candidate) and around 30 injured. In the 1987 election (List Proportional Representation (List PR) and a limited number of candidate-centred seats), there was one death. There are no figures for numbers wounded. In 1990 there were ten deaths and an unknown number of people wounded as well. In the 1995 elections, around 42 people were killed, not to speak of the number wounded. In 2000 the number of deaths reached 50.

3.7. Electoral Challenges

Electoral challenges have always been an important factor in impeding the democratic process, particularly with regard to the parliamentary elections, and especially since the adoption of the candidate-centred system, which allowed candidates to challenge candidacies and membership in the Assembly. Electoral challenges are generally connected to election results and the validity of candidates' membership, as well as to the role of the judiciary and the People's Assembly in dealing with these challenges.

Challenges can be lodged on the basis of a candidate's status (i.e. as worker, peasant or other groups), failure to perform military service or inability to read and write, as well as his or her holding of dual nationality or electoral domicile. Challenges can also be lodged against the counting and tabulation of the votes. The increased number of challenges submitted to the Interior Ministry as the body responsible for running the elections has impugned the electoral process and its fairness, especially as they have led to disputes between the challengers and the members elected to the Assembly. This has led to dissatisfaction on the part of all parties, especially members of the Assembly, with the judicial decisions issued against them.

Candidates who have won seats have sought to get around earlier decisions against them by challenging them in such a way as to gain time. This is illegal, as the law requires appeals to the Civil Court against the decisions of the administrative judicial court to be submitted before the voting takes place, even if these decisions can be implemented in draft form (this is in line with the practice of the State Prosecutor, who deals with state cases and adopts this method in order to avoid implementing decisions). An Assembly member who wishes to appeal against a decision has to take an oath. The result of the appeals comes months later, by which time the Assembly has convened, which means that—on the basis of the principle of the separation of powers—only the Assembly, and not the judiciary, has the right to decide on the legality of an individual's membership to the Assembly.

The Assembly's view of challenges is certainly different from that of the judiciary, as the latter takes a legal view while the Assembly's view is political and based on the interests of political parties. The judiciary deals with the challenges on a neutral and objective basis, while the Assembly deals with them as both the accused and the judge, and on the basis of mutual interest between members. Members will reject a challenge against a fellow member, and in the future this member will reject challenges against them. This is in order to preserve balance in the legislature and to prevent an increase in the representation of opposition members: if it were to reach one-third of the members, it would be able to make important decisions—as almost happened in the 1987–90 People's Assembly, when the opposition held about 23 per cent of the seats.

These issues have prompted many in the legal profession to oppose the Assembly's authority to decide about its members' status. They point out that there is a dangerous conflict in the legal texts on this issue. Should the State Court judges have total control or should the Assembly have a prominent role as well? Does the authority of the former stop at measures regarding declaring candidacy and committees charged with checking applications and examining objections? Does the authority of the latter extend to political considerations or should it comply with the opinion of the Court of Cassation?

Much of this debate could be settled if the issue of candidacy for the People's Assembly were settled before the Assembly convenes, because the Assembly focuses on problems connected with voting and sees the problems arising before voting as falling under the responsibility of the judiciary. The current speaker believes that there is a need for a law that prevents appeals against decisions issued prior to the voting being lodged after the election—a positive stance that would eliminate most of this problem. He also believes that the Assembly is sovereign when it comes to decisions regarding membership, which is what the judiciary is competing for. He believes that the Court of Cassation has the right to rule on membership, with the Assembly having the final say. The speaker has indicated this once as a warning, saying that the People's Assembly was committed to the principle of the separation of powers and that the judiciary should obey this as well: it should monitor the legislature's

performance regarding legislative matters, while the Supreme Constitutional Court should be the only party to examine the constitutionality of laws.

4. Ways of Safeguarding Egypt's Laws and Electoral Practices from the Problems Caused by Electoral Systems

The two previous sections of this chapter have examined the various electoral systems in Egypt and the resulting problems, and the two assumptions behind the study have been proved. The first is the relationship between the electoral system and the Egyptian environment, and the second is the relationship between electoral practice and Egyptian culture, closely connected to the centralization and influence of the state. The final part of this chapter will consider ways of reforming Egypt's electoral system, both in form and in content, in the light of the problems outlined above. It should be pointed out at the outset that the recommendations below are suggestions that can be implemented in that they involve political practice and the laws, not issues connected to reform of the constitution since, as is well known, the Egyptian political regime rejects any departure from the constitution which would open the way to amendments that would target political, economic and social issues.

1. Regarding the *form of the electoral system*, it should be noted that any system chosen, if there is a genuine desire to reform, must combine a party list system and a candidate-centred system. Reform will not succeed unless genuine equality of opportunity between parties and independent candidates is attained. There is therefore a need for a text to restore the lost balance between parties and independents. The question is how to achieve this difficult goal, since the constitution is obviously vague. This vagueness has allowed supporters of a party list system to defend their position by claiming that the constitution stipulates party pluralism, while supporters of a candidate-centred system cite the article in the constitution on the need for by-elections if a seat is vacated, as opposed to having alternate members succeed.

2. One way to remedy *unconstitutional legislation* would be to hold elections on the basis of 'open formation' of lists. With parties having the right to form lists of their own, independents would have the equal right to form their own lists, which would mean having regular and alternate candidates in each district. To prevent conflicts between independents in forming their lists, it is proposed that they obtain signatures of support from ten members of the Shura Council or local councils in a given district.

This open formation of lists has many counterparts in democratic countries, and it guarantees the seriousness of a list and its candidates and a minimum level of popular support for them before the elections. This system would also comply with the articles in the constitution on equal opportunity for parties and independents in declaring their candidacy, not to mention that it would help to eliminate the personal

nature of the candidate-centred electoral system and the resulting clannishness and lack of ideas and political platforms. The system has many defects, but they can be overcome. Some of those who sign in support of independents may practise a certain amount of blackmail against the candidates, and there might be difficulties regarding the order of names on independent lists, with people fighting to occupy the top slots. However, candidates can get used to this new system in subsequent elections, and this will limit the impact of these two problems.

3. It is also not easy to ensure that the numbers of names on party lists and on non-party lists (which are compiled separately) will add up to the number of seats to be filled in a given electoral district. This may be overcome by adding a condition that the number of names on any list submitted should be at least two-thirds of the number of seats to be filled, which will ensure that real candidate lists are submitted and that no lists are 'artificially' filled up with names just to complete the number required.

4. The new system might not be compatible with the existing condition of a 50 per cent minimum representation of workers and peasants, especially in elections to the Assembly. This can be overcome by not accepting to begin with the lists that do not meet this ratio. Upon the election of candidates in each district, half of the winners must be workers and peasants. As under the current system, a winning candidate might not necessarily secure a seat but would give way to someone below him or her in the vote count in order to meet the 50 per cent provision.

5. Where the *content of the electoral system* is concerned, many reform measures can be taken. Above all, regarding judicial supervision, the judiciary must take the place of the Interior Ministry in overseeing the entire electoral process, instead of responsibility being divided between the judicial and executive branches, following the example of India. The judicial body's work must go beyond supervising voting and announcing the results to include the preparation of voter lists and ensuring that voting is secure outside committee headquarters, especially after the experience of the 2000 election demonstrated that the problems faced by voters outside polling stations are considerably more than those they confronted within the stations. The judicial body should meet regularly, not just at every election. Since there are so few judges in Egypt, and in order for this not to affect their 'usual work', they could meet during the courts' summer recess, taking advantage of this period to review the voter lists.

The judiciary's work should be buttressed by the judicial police, which are independent from the regular police under the Interior Ministry. In carrying out its work the judiciary should be able to call on other state bodies for assistance, in correcting voter lists, organizing polling stations outside the country, or other tasks. Its decisions should be subject to challenges by the public.

6. Since voters sometimes refrain from voting because of the reduced number of polling stations, which is the result of the lack of judges, elections can be rescheduled to last over four or five days. This would relieve crowding at the polling stations, help judicial supervision, and limit manipulation of the process.

7. One of the means of reforming the administration would be the continuous entry of voter lists on a centralized computer system to allow for supervision and to prevent double entry when a person's residence changes, especially as the place of residence is the main criterion in Egypt for inclusion on the voter lists. Three other steps should accompany this. First, a massive public awareness campaign should encourage all those eligible to vote (especially women and those who have reached the age of 18, since they are the groups least aware of their voting rights) to have their names registered on the voter lists, which will help the process of correcting these lists. Second, corrected voter lists should be made available to people for inspection in public places, for a period longer than February of each year, as stipulated in the Law on Political Rights. In addition, articles 15–19 of this law, which set out difficult and bureaucratic measures enabling voters to correct the voter lists, should be amended. Third, the role of some state bodies or extraordinary judicial bodies should be abolished when it comes to preventing the addition of names to the voter lists, which would mean amending articles 2 and 16 of the Law on Political Rights.

A national identity number should be used in registering people on the voter lists, instead of verifying a person's presence on the basis of the red election card. This would help the fairness of the voting process, since national identity numbers are very difficult to forge, and do not have any number combinations repeated (unlike the personal identity cards that were still in use until recently). The voter must sign or validate the voter lists when casting his or her ballot, and the voter's name and that on the lists must be checked against each other to prevent falsification and avoid challenges to the results. Only on this basis would the signature of the head of the election committee on the electoral lists be sufficient on election day, as stipulated in article 32 of the Law on Political Rights.

8. A re-evaluation should take place of the penalties for violations of the election rules, such as individuals who are not registered voting, individuals voting in more than one place, and tampering with voter lists, especially since the penalties do not go beyond a prison term of three months or a fine of 500 EGP (*c.* 80 USD at current exchange rates); the statute of limitations specifies six months after the day the results are announced. This contravenes the constitution, which forbids a statute of limitations (article 57). These penalties are out of step with others for lesser crimes, such as breaking the environmental laws or traffic laws: here cases are only dropped after one year and two years, respectively.

9. To deal with *administrative interference*, reform or change to the system is in order.

The bureaucracy should be distanced from anything that has to do with elections, such as accepting applications for candidacy and election advertising, and rules should be established to guarantee the complete neutrality of the media and the bureaucracy in elections. New laws can be enacted or existing laws amended to guarantee the neutrality and non-intervention of all state bodies.

This solution, in addition to the leading role of the judiciary, is connected to a radical, more comprehensive step—the creation of a neutral ministry to oversee the polls. Here Egypt has rich experience. In the January 1950 election, the ministry of Hussein Sirri Basha was charged with supervising the polls, which saw a huge victory for the Wafd Party, against the wishes of the king, and the task of Sirri's ministry ended with the conclusion of the election.

10. The world has yet to see a completely successful means of controlling election advertising which guarantees that the richest and highest-spending individual does not secure a seat in Parliament. However, more stringent legislation can be introduced to ensure equal opportunity for all. Here there is a need to prevent all types of bribery, both before and on election day, and a need for candidates to declare the sources of money spent on advertising and the amount and cost of their election advertising, so that they do not exceed a certain figure which is applicable to all candidates. These declarations should be verified and candidates who falsify information about themselves or their sources should be prosecuted. Voters should benefit from media awareness campaigns concerning the selection of candidates in order to avoid the election of legislators who do not represent their constituencies' interests or who seek to exploit parliamentary immunity to engage in illegal activities—a common practice in recent parliaments. Deputies have been associated with scams and questionable or undesirable personal behaviour such as securing visas and loans, dealing with drugs, passing bad cheques, forgery, illiteracy and evading military service—to the point where Egypt's legislature has become a laughing stock to the world, judged by the candidates whom the voters have selected.

Tackling all these issues will undoubtedly make up for the parliamentary instability that Egypt has experienced for two decades. The electoral system is the backbone of the People's Assembly and the only thing that can determine whether it will survive. Through it, we can begin to improve the role of the Assembly in both monitoring and legislating, followed by reforming some of the imbalance between it and the executive branch, which will restore the public's trust in the legislature as a means of effecting peaceful change in society, boosting the process of political participation and limiting the excessive control of the executive branch.

Legislative and legal reforms are crucial if the problems are to be eliminated. However, equally crucial is the need to improve the tools of political education, such as the schools, newspapers, television and political parties, in order to raise the awareness of people in general, and voters in particular, of the problems, their repercussions and ways of putting them right. It is true that some of these tools actually reinforce some

of the problems during elections, but the existence in these institutions of people with clear consciences leads us to hope that the problems undermining the democratic experiment, which began over a quarter of century ago with the introduction of pluralism, will be overcome.

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