



Political Islam and Regime Survival in Egypt

Khairi Abaza

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Front cover: An Egyptian woman, Um Mohammed, casts her vote as her son looks on at polling station in Cairo, Egypt, Wednesday, Sept. 7, 2005. Ten candidates ran in the country's first ever multi-candidate presidential elections, including veteran President Hosni Mubarak. (AP Photo/Amr Nabil)

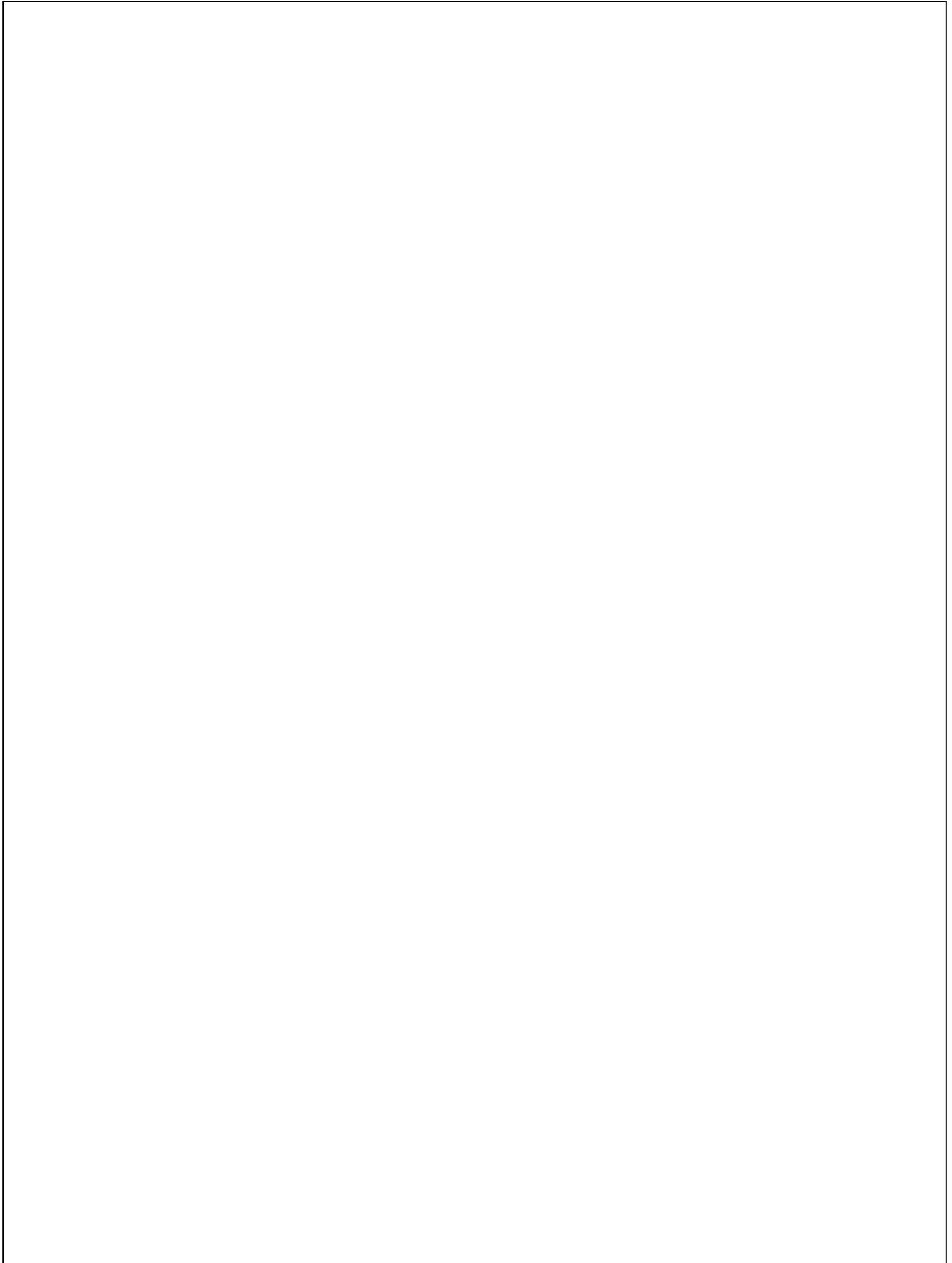
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Executive Summary

Until 2005, President Hosni Mubarak's rule had been characterized by a reluctance to carry out political reforms. As a reason, the regime consistently claimed that stability would be undermined if the door for political reform were opened. By contrast, in 2005, after much internal pressure, the Egyptian regime implemented some limited political reform.

This monograph reviews what practical difference reforms made for the 2005 elections and explores the uneasy and ambiguous relationship between the regime and political Islam. Its main thesis is that if the only well-organized opposition is from Islamists, the regime will receive support internationally and from many at home to maintain the status quo. Therefore, the most significant threat to the existing political system in Egypt would be a strong liberal opposition, which could pressure the regime for more reforms.

MULTICANDIDATE PRESIDENTIAL ELECTIONS

In February 2005 Mubarak expressed his wish to amend the constitution to allow multicandidate presidential elections. This surprise move was accepted by Egypt's parliament on May 10 and then submitted to the voters for approval. The new amendment provides few opportunities for challengers to the incumbent. All of Egypt's major opposition groups claimed that this amendment did not guarantee free and fair elections and called for a boycott of the May 25 referendum on the amendment. The judiciary, which under the Egyptian constitution has the duty of supervising the electoral process, refused to monitor polling stations, demanding greater independence from the executive branch. Although turnout

in the referendum was low, the amendment was approved.

The September presidential elections, the first with several candidates running, reflected many of the old practices which gave unfair advantage to the incumbent. The election campaign for president did not begin until August 17 and lasted only nineteen days; the opposition challengers, unknown to the public, were ill prepared for a presidential campaign on such short notice. Election laws impose a 10 million pound (\$1.7 million) ceiling on campaign expenditures, which is modest for a country of 72 million inhabitants. When performing his duties as president, Mubarak enjoyed unlimited, free media coverage; however, in an unprecedented step in post-1952 politics, the Egyptian opposition enjoyed some access to state-controlled media. Only after considerable pressure from the Judges Club did the presidential election committee—dominated by government figures and immune from judicial review—agree to reduce the number of polling stations from 54,000 to 10,000, which meant that most polling stations could be supervised by one of the 8,000 judges. Election day confirmed the fears of the opposition and proved that the country has a long way to go before elections meet the criteria of fully democratic elections.

It would be a mistake, however, to think that the presidential elections were not without gains for the opposition. Even if access to state-controlled media was limited and the duration of the electoral campaign was much too short, opposition candidates had a real opportunity to address the Egyptian public on a relatively large scale. It is encouraging that for the first time in over half a century, some opposition leaders could freely address large portions of the Egyptian populace. The two main opposition contenders—Nooman Gomaa from the liberal Wafd party and Ayman Nour

from the al-Ghad party—had the unprecedented chance to organize large-scale rallies. Nevertheless, the general environment in which the elections were conducted was not conducive to free and democratic elections. The low turnout, officially 23 percent of registered voters, reflected the lack of faith in the electoral process.

THE 2005 LEGISLATIVE ELECTIONS

The November 2005 legislative elections could have been an opportunity to highlight the Egyptian government's serious commitment to reform. Instead, new and innovative irregularities had the effect of continuing the regime's old practices of intimidation and rigged results.

In the elections, 5,414 candidates competed for the 444 seats of the People's Assembly, Egypt's lower chamber of parliament. The list of the National Democratic Party (NDP) was dominated by old guard, veteran party leaders, at the expense of the new guard surrounding Mubarak's son Gamal. Most opposition groups joined forces in the United National Front for Change (UNFC). The Muslim Brotherhood (MB) decided to coordinate its efforts with the UNFC during the legislative elections but opted to field 150 candidates—although they officially ran as independents.

After all three balloting rounds, the NDP secured 70 percent of the elected seats in the People's Assembly, though many of the NDP winners ran as independents and joined the party parliamentary group only after winning their seats. The MB secured 20 percent of the seats, other opposition parties won 3.5 percent of the seats, and independents won 6.5 percent of the seats.

One reason for the MB's success relative to the secular opposition was that the secular opposition faced many more barriers. The regime gave an unprecedented margin of freedom to the MB prior to the elections, releasing MB activists from jail and allowing

movement leaders access to the state media. However, when it became clear that the MB was by far Egypt's largest opposition group, the regime reversed its policy of tolerance and resumed its intimidation of the MB during the second and third rounds of balloting.

Having the MB as the largest political opposition in parliament offers a pretext to voices within the regime who justify authoritarianism on the grounds that the alternative is total control by Islamists. Yet the low turnout—around 25 percent—proves that neither the ruling party nor the MB reflects the will of the Egyptian people. The regime would much rather demonstrate that the democratic opposition is insignificant than face a stronger pro-democracy opposition that would be accepted—both internally and externally—as a potential replacement for the NDP. The real danger for the regime is a strong pro-democracy opposition, not the Islamists.

RELIGION: AN INSTRUMENT OF POLITICS

The results of the legislative elections revived the issue of the link between politics and religion. Since the late 1970s, the Egyptian state has used religion as an instrument to pursue political ends. In the 1970s the aim was to counter the left; in the 1980s there was an attempt at co-opting Islamist political groups within the fringes of formal politics; and in the 1990s there was an attempt at containing the Islamist challenge (of both violent and nonviolent groups), as well as legitimizing authoritarian politics.

One of the state's responses to political Islam was an attempt to portray itself as almost as Islamic as the Islamist opposition. The symbolic world became the battlefield in which the state and Islamists fought. Television started to air more religious programs and to modify all programming in line with conservative Islamic values. Another aspect of "re-Islamization" has been the enactment of legislation giving more

prominence to Islamic law. The *ulama*, or religious scholars, began to be consulted on political, social, cultural, and even economic matters. The process of state “instrumentalizing” of Islam was supposed to calm the militant Islamic groups and to co-opt them. If anything, the opposite took place; the radical groups only emphasized the Islamist norms and values in the country, pressuring moderate forces.

One could argue that the presence of a militant Islamist threat proved useful to the Egyptian state. The state used its confrontation of Islamist groups to justify the perpetuation of its authoritarian structures. At an international level, the state portrayed itself as defending “freedom” and “democracy.” However, the re-Islamization policies had an important effect on Egypt, and reversing this trend could prove more challenging than expected for the government.

THE ROAD TO DEMOCRATIC REFORMS

In the current political environment, the best scenario for democratic reform in Egypt would begin by encouraging the regime to engage with the opposition. Specific goals that set timeframes for reform are the only way to build confidence among the Egyptian people in the electoral process; only with greater public confidence will greater numbers participate in the electoral process. Elections are not the key to reform, but reform could be the key to free and fair elections. Only the hope of reform and the creation of a viable opposition will encourage Egyptians to participate in their government and lead to the democratization that Egypt so badly needs.

If President Mubarak expresses a genuine willingness to make democratic reforms, he could rally the opposition behind him and secure a safe and stable transition to democracy. Unlike in Georgia or Ukraine, the opposition’s focus is on constitutional reform, not on replacing the current leader.

The 2005 presidential elections gave a new momentum to political life. Were Mubarak and the reformers in his ruling NDP so inclined, they could build on that momentum to implement a comprehensive political reform program that includes ending the emergency law, allowing the formation of new political parties, facilitating the creation of private newspapers and television broadcasters, granting the freedom of assembly, making the judiciary independent, increasing the power of parliament, and reducing the concentration of power in the presidency.

The United States faces two problems in communicating its message of support for democratic change in Egypt. First, fifty years of Egyptian rhetoric about the threat of “foreign domination” means that opponents of the state are labeled as agents of foreign powers whose aim is to destabilize the country. Egyptians are less sensitive to the threat of foreign domination from U.S. assistance when such programs are coordinated with the European Union or other democratic nations. A second problem is the traditional perception that the United States supports Mubarak’s authoritarian regime, which raises doubts in Egyptian minds about the sincerity of the American calls for reforms.

Given this background, the educated public is highly sensitive to any sign of ambiguity in the U.S. call for reform. Directing a larger share of the U.S. aid package to Egypt toward programs that promote democratic principles through nongovernmental organizations, educational institutions, and media programs could have a favorable effect on Egyptian public perception.

Introduction

One of the most important achievements of the Mubarak era is stability. Nevertheless, the much-needed stability for U.S. interests in the region came at great costs. It came at the expense of the freedom of the people of Egypt as well as at the expense of good democratic governance. The failure to achieve the hoped-for economic and social progress, together with the lack of political liberties, led to the radicalization of a substantial part of the Egyptian polity, including antipathy toward U.S. policies—which are widely perceived as the main source of support for oppressive regimes in the region.

The year 2005 could mark a turning point in Egyptian history. For the first time in decades, and after much internal pressure, the Egyptian regime acknowledged the need for political reform. That same year, the country witnessed its first multicandidate presidential elections followed by legislative elections. The official evaluation of those elections wanted to demonstrate the virtual insignificance of the liberal opposition and stressed the importance of the Islamist opposition. The real threat for the regime would be a strong liberal opposition, which could pressure the regime for more reforms; whereas if the only opposition is the Islamists, the regime will get support to maintain the status quo. Preventing liberal forces from flourishing is therefore part of the strategy of the regime. The reforms and elections of 2005 failed to meet the expectations of reformers; however, it revived the ambiguity that exists between the regime and political Islam.

Democratic reform in Egypt is the best way of ensuring the sustainability of U.S. interests in the region. The U.S. interests in the region—mainly energy, and regional peace and security—are both compatible with Egyptian interests. A partnership with a representative government could only

strengthen this relationship and ensure a durable stability in the region. Skepticism toward U.S. intentions will decrease as the United States shows commitment to a democratic process. Such commitment will, in turn, win the hearts and minds of Egyptians and help secure a sustainable stability in the region. Also, a democratic process in Egypt will have an effect on the regional level, helping democratic principles replace authoritarianism as a political norm in the region.

Traditional Refusal to Reform Politics

A main characteristic of Mubarak's rule has been a reluctance to carry out any political reforms. The regime consistently claimed that the stability Mubarak provided would be undermined if the door for political reform were opened.

Internal pressure for reform has never ceased throughout the Mubarak era; however, despite opposition calls for reforms, the Mubarak regime has been able to receive extensive support from Western and Arab allies alike because he has made a much-needed contribution to regional stability. At the same time, the continuing failure to contain the spread of Islamic extremism or to produce any substantial economic and social progress at home has led to growing internal and external pressures for reforms.

The first attempt at appeasing the calls for reforms took place in the summer of 2004 when Mubarak appointed the younger and dynamic Ahmed Nazif as prime minister. In one minor change that the regime likely viewed as a political reform, the new ministers were slightly younger than their predecessors. The regime's goal was to create a cabinet in which the majority of ministers were under sixty years of age. In addition, presidential directives were issued, permitting more contact by government officials with political parties—most of which are currently either co-opted or under tight control by the state. Many had hoped that political reforms of this sort would be part of the new prime minister's agenda. Instead, the government's focus remained fixed on the traditional yet vague mission of continuing economic reform, fighting poverty, and decreasing unemployment.¹ However, the second Nazif

cabinet, formed in early 2006, included the rhetoric of political reform in its agenda.

No clear mention was made of measures that would liberalize the political system, such as amending the constitution, abolishing the emergency law, instituting freedom of the press, permitting the freedom of assembly (including rallies and strikes), and allowing citizens to create political parties. Skeptics argued that the political system does not allow qualified officials to freely implement needed reforms. In other words, they asked, does Egypt need new technocrats or a better political system that enables the officials already in place to carry out their duties more effectively?

Also starting in 2004 was the rise of a new elite within the ranks of the ruling National Democratic Party (NDP). The new guard, led by President Mubarak's son Gamal, effectively started to take control of the ruling party and to erode the power of veteran party leaders.

No clear presidential successors to Mubarak have emerged in the current government. Given the increased political involvement of the president's son, many have begun to speculate in earnest about his political future. Both the president and Gamal Mubarak have denied that they are aiming to create a Syrian-style "republican monarchy." Nevertheless, much attention has been devoted to the implications of the first Nazif cabinet for Gamal. Two key members of the old guard were removed from the cabinet. NDP heavyweights Youssef Waly and Safawat al-Sherif, vice president and secretary-general of the party, respectively, lost their powerful portfolios (for deputy premier and agriculture, and information, respectively) after having served in them for more than two decades. Curtailing the power of the old guard and replacing some of its

¹ No Author, "Mubarak: Al-Muhima al-Ula Lil-hukuma al-Jadida," *Al-Ahram Egyptian Edition*, July 15, 2004. Available online (www.ahram.org.eg/archive/Index.asp?CurFN=fron1.htm&DID=8183).

members with younger figures who are friendlier to Gamal Mubarak almost certainly empowers him and increases his influence over the cabinet. Moreover, seven of the new ministers are members of the influential NDP Policy Committee, which is chaired by Gamal Mubarak. The second Nazif cabinet continued curtailing the power of party veterans by replacing them with younger, dynamic technocrats closer to Gamal Mubarak. Hence, even if some of the new cabinet members do not support his ascension, they are not in a strong enough position to challenge him. The new cabinet could therefore represent a means of bolstering Gamal Mubarak's authority.²

² Gamal Essam El-Din and Dina Ezzat, "Testing the Waters," *Al-Ahram Weekly Online*, July 15–21, 2004. Available online (<http://weekly.ahram.org.eg/2004/699/fr1.htm>).

Amending the Constitution

In February 2005, Mubarak unilaterally expressed his wish to amend the constitution to allow multicandidate presidential elections. This move came as a surprise because the president was always persistent in his refusal to institute reforms. Egypt's parliament agreed to the change on May 10, and the amendment was approved in a controversial referendum on May 25.^{1,2}

Explaining the latest constitutional amendment requires a comparison between the previous and amended articles:

- Before the amendment, article 76 of the Egyptian constitution stipulated: "The People's Assembly shall nominate the President of the Republic [...] The candidate who wins two-thirds of the votes of the Assembly members shall be referred to the people for a plebiscite...."³, which also means that the president had to manage to control at least two-thirds of the assembly to secure a nomination and stay in office.
- After the constitutional amendment, article (3) of the law regulating presidential elections stipulates: "Political parties, founded at least five years before the starting date of candidature and that have been operating uninterruptedly for this period, and whose members have obtained at least 5 percent of the elected members of both the People's Assembly and the Shura Council, may

nominate for presidency a member of their respective upper board, according to their own by-laws, provided he has been a member of such board for at least one consecutive year." This provision means that the regime could still control which party members can become presidential candidates if it interferes in legislative elections.⁴

In short, the new amendment provides few opportunities for challengers to the incumbent because of various restrictive provisions:

- Eligibility for presidential candidacy is limited to the executive bodies of political parties, excluding party members who hold no leadership positions.
- It is almost impossible for independent candidates to run for president. With elected bodies dominated by the ruling NDP, independent candidates would find securing the 250 signatures required to run almost impossible.⁵
- Only parties with 5 percent of the legislative seats can field a presidential candidate. This requirement gives the regime a strong incentive to perpetuate the vicious cycle of rigging legislative elections to secure the dominance of the NDP candidate in presidential elections.

¹ No Author, "Idana dawleya wa amrikia Li-Fadihat Al-Istifta'a," *Al-Wafd Newspaper*, May 27, 2005.

² The last constitutional amendment was passed more than two decades ago, in 1980, shortly before President Sadat's assassination; it allowed the president to run for an unlimited number of terms, rather than the one term initially stipulated in Egypt's 1971 constitution. That amendment was widely viewed as undemocratic.

³ *Dustur Jumhuriyyat Misr Al-Arabiya. Al-Matabii al-Amiriyya.* Imbaba, Misr, 1999.

⁴ State Information Service, "Law No. 174 for the Year 2005 on Regulating the Presidential Elections." Available online (www.sis.gov.eg/En/Politics/PElection/election/Laws/04020204000000002.htm).

⁵ Article (2) of the law regulating the presidential elections hardly makes it possible for an independent to run: the candidate would need the backing of 250 elected members of the lower and upper houses of parliament as well as the municipal councils, and those signatures need to be obtained from bodies controlled by the ruling NDP. *Ibid.* Thus, as with party members, independent candidates would face dead ends if the regime were to interfere in legislative elections.

- Parties are not guaranteed freedom of assembly and still have to seek government permission to hold rallies; such permits are not always easy to obtain.
- The amendment does nothing to change the ambiguity in the use of state-owned media by the ruling NDP and the use of government resources for organizing the incumbent president's campaign.

REACTION OF THE OPPOSITION

The constitutional amendment was a catalyzing force that rallied the opposition behind the same demand. All of Egypt's major opposition parties—the liberal al-Wafd party, the leftist Tagammu party, the Arab nationalist Nasserite party,⁶ the al-Ghad or “Tomorrow Party,” and even the banned Islamist Labor party—claimed that this amendment did not guarantee free and fair elections and called for a boycott of the May 25 referendum. These parties dismissed the constitutional amendment on the grounds that it was not conducive to the establishment of a truly democratic system.

Other significant political movements, tolerated but not recognized by the state, also protested the amendment. The Muslim Brotherhood (MB) and the secular Kefaya, or “Enough” movement, called for a boycott of the referendum on the constitutional amendment. The MB parliamentarians supported other opposition members of parliament in their protests against the amendment, describing it as not conducive to free and fair elections. The MB organized demonstrations calling for more political freedom and expressed its discontent with the lack of Egyptian political reform. Several MB activists and leaders were arrested in the weeks that preceded the referendum, including the organization's secretary-general.

Kefaya, which takes its name from its rallying cry of *kefaya* (enough), was the fastest-growing political movement of 2005. It began as an elite attempt at political reform and has become an opposition front and grassroots movement, uniting secularists, moderate Islamists, Christians, liberals, leftists, and other political activists from various opposition parties. Kefaya has organized most of the demonstrations calling for political reform in the last year. Still a fluid movement, Kefaya, which has vowed to carry on with protests until real political reform takes place in Egypt, has successfully organized in most of the country's twenty-six provinces. Kefaya was among the strongest supporters of the referendum boycott.⁷

JUDICIARY AND REFORM

According to the Egyptian constitution, the judiciary has the duty of supervising the electoral process. All polling stations should be monitored by judges, the legal representative of an independent branch of government.

On May 13, 2005, the general assembly of the Judges Club, an official entity that works as a de facto judges' syndicate, made an unprecedented provisional decision to abstain from supervising the May 25 referendum as well as the September presidential and legislative elections. With no judicial supervision, the elections would lack the guarantees of fairness and independence.

This decision came amid growing tension between the government and the judges over a new law on judicial authority, with judges asking for greater independence from the executive branch of government. Currently, the Ministry of Justice controls judges' salaries, bonuses, and promotions. The Judges Club maintains that the judiciary cannot be neutral if the minister of justice controls the pay and promotion scales of the judges.

⁶ Gamal Essam El-Din, “NDP Reacts Coolly to Boycott Call,” *Al-Ahram Weekly Online*, May 19–25, 2005. Available online (<http://weekly.ahram.org/2005/743/fr2.htm>).

⁷ Ibid.

Accordingly, the judges want the judiciary to supervise its own budget and personnel. The judges claim that if judicial supervision of elections is a constitutional duty, then fulfilling that duty requires judicial independence from government pressure. Judges have also protested the inclusion of administrative magistrates in the electoral monitoring process—the latter are civil servants dependent on the executive branch of government and hence lack the impartiality of judges in the judiciary branch.⁸

Days after the refusal of the Judges Club to monitor the elections, the Supreme Council of the Judiciary—an official body appointed by the government—declared that it would not abide by the club's decision and that it was unconditionally ready to supervise elections.⁹ The Supreme Council of the Judiciary also said it was ready to use civil servants from the Ministry of Justice to supervise the electoral process, further jeopardizing the neutrality of electoral supervision.

The lack of judicial supervision in the referendum on the constitutional amendment and the boycott of the electoral process by opposition political forces certainly reinforced a traditionally low rate of voter turnout, despite government claims that Egyptian elections usually boast reasonable participation.

⁸ Mona El-Nahhas, "Final Warning," *Al-Ahram Weekly Online*, May 19–25, 2005. Available online (<http://weekly.ahram.org.eg/2005/743/eg4.htm>).

⁹ *Ibid.*

The First Multicandidate Presidential Elections

The electoral law entrusts a presidential election committee (PEC) with the implementation of regulations governing campaigning, funding, and poll monitoring. The PEC includes five judges—the chairman of the Supreme Constitutional Court and his most senior deputy, the chairman of Cairo’s Court of Appeal, and two senior judges from the Court of Cassation and the State Council—and five “public figures” appointed by parliament, which is controlled by the ruling NDP. The opposition and the Judges’ Club condemned the inclusion of public figures on the PEC as a means for appointing biased members to the committee. The decisions of the PEC are immune from judicial review.¹

Even though the constitution and the election law call on the judiciary to monitor balloting, the Judges Club objected that its 8,000 members could not supervise all of Egypt’s 54,000 polling stations on one day. It called for guarantees that security forces would not interfere in the balloting, and it demanded complete control over the electoral process, from drawing up registries to counting the ballot papers and publishing the results.

In an attempt to ease the tension between the Judges Club and the regime, the PEC promised to group some auxiliary polling stations in the same location to allow for greater judicial supervision, and the number of polling stations was reduced to about 10,000. The Judges Club reviewed its position on September 2; some judges believed it was their duty to participate so that they could report irregularities.

Egyptian law prohibits international observation of presidential elections. Therefore, a coalition of local nongovernmental organizations (NGOs) formed a national campaign in the hope of monitoring the elections with the help of journalists, lawyers, and other volunteers and paid monitors. Permission to monitor the elections was denied to them until a few hours before the elections. Even then, permission often required complicated licensing procedures.

TIME FACTOR

Even though Mubarak’s proposal for multicandidate elections was approved by referendum in May, the official date for beginning the presidential campaign remained unclear until late July. In the end, the campaign lasted nineteen days, starting August 17 and ending September 5. The opposition objected that nineteen days were not sufficient, because it did not even allow the candidates to tour Egypt’s twenty-six provinces.

Shortening the electoral campaign gave Mubarak an advantage. The opposition challengers, unknown to the public, were ill prepared for a presidential campaign on such short notice.

In addition, Egyptian voters must obtain a registration card in December every year to be eligible to vote in elections the following year. In December 2004, few expected the 2005 elections to matter, so registration rates were low. A large number of potential voters did not have registration cards, preventing many interested Egyptians from voting.

MEDIA AND FUNDING PROBLEMS

According to the election law, each candidate would receive 500,000 pounds (\$87,000) from the state as a subsidy for the electoral

¹ State Information Service, “Law No. 174 for the Year 2005 on Regulating the Presidential Elections.” Available online (www.sis.gov.eg/En/Politics/PElection/election/Laws/0402020400000002.htm).

campaign—which could also be an incentive for smaller parties to file a candidate. Election laws impose a 10 million pound (\$1.7 million) ceiling on campaign expenditures. Those sums are modest for a country of 72 million inhabitants. Candidates are not allowed to accept donations from Egyptians living abroad, much less from foreigners. The Central Auditing Agency, a government body, is supposed to examine campaign contributions. Opposition candidates have expressed their concerns that Mubarak could use state resources for his campaign. As president, many of his activities during the campaign would be paid for by the state, and carrying out presidential duties could be considered a part of the campaign.²

When performing his duties as president, Mubarak enjoys unlimited, free media coverage. NDP officials claim that state media coverage is because Mubarak is president and not based on the NDP candidacy. Nevertheless, for the first time, the Egyptian opposition enjoyed some access to state-controlled media. This margin of exposure was an unprecedented step in post-1952 politics.

IRREGULARITIES

The presidential elections did not go without irregularities. Many of the old practices remained despite the new rules for political participation. Some irregularities were national in character, while others were observed more on provincial or electoral-district levels.

Irregularities at the National Level. An estimated 3 million Egyptians living abroad are eligible to vote; if allowed to participate, the expatriate community could significantly affect the election. No legal disposition was made concerning the participation of the

expatriate community, thus depriving them of participating in choosing their government.³

At the beginning of the short campaign, some provincial governors took measures to obstruct the campaigns of opposition candidates by imposing a fee on any poster or banner placed in public spaces. A poster would cost 50 pounds (\$8.70) and a banner, 100 pounds (\$17).⁴ No candidate can afford such prices, especially with the low ceiling for campaign expenditures. The issue was resolved in the first days of the campaign.

In the greater Cairo area and in Alexandria, as well as in several other governorates, government agencies and state-owned companies started to place pro-Mubarak banners and posters even before the official start of the campaign.⁵ Such activity violates the electoral law preventing government agencies and state-owned companies from funding campaigns.

Irregularities at the Local Level. The scale of irregularities on election day confirmed the fears of the opposition and proved that the country still has a long way to go before elections meet fully democratic criteria. Irregularities included the following examples:

- In Qalyubeya province, representatives of the opposition Wafd party were prevented from monitoring elections in at least three villages. State-owned buses brought to the polls civil servants who were ordered to vote for the NDP candidate.
- In Marsa Matruh province, supporters of the NDP were able to vote more

³ No Author, "Al-Hukuma Tajahlet Musharakat Thalath Mallayin Misri," *Al-Wafd Newspaper*, August 9, 2005. Available online (www.alwafd.org/front/detail.php?id=9049).

⁴ No Author, "Al-Mohafazat Tafrid Shurut tajezeya Amam De'ayat Morashah al-Wafd," *Al-Wafd Newspaper*, August 15, 2005. Available online (www.alwafd.org/front/detail.php?id=9122).

⁵ No Author, "Ajhezat al_Ri'asa Tantahik Qanun al-Intikhab," *Al-Wafd Newspaper*, August 11, 2005. Available online (www.alwafd.org/front/detail.php?id=9077).

² Ibid.

than once in several polling stations and without registration cards.

- In Fayyum, registration lists included deceased people, and several polling stations did not have curtains to allow voters to mark their ballots in private.
- In Port-Said, the secretary-general of the governorate assembled all his civil servants at eleven o'clock in the morning and ordered them to vote for the NDP candidate.
- In Sohaj province in Upper Egypt, several polling stations did not mark voters' fingers with the phosphoric ink meant to identify voters and prevent them from casting ballots at multiple polling places.
- In Damietta, NDP supporters were assembled and taken to the city of Port-Said to vote for a second time.⁶

GAINS OF THE OPPOSITION

It would be a mistake to think that the presidential elections were not without gain for the opposition. Encouragingly, for the first time in more than half a century some opposition leaders could freely address large portions of the Egyptian populace. Even if access to state-controlled media was limited and the duration of the electoral campaign was much too short, opposition candidates had a real opportunity to address the Egyptian public on a relatively large scale.

Accordingly, the two main opposition contenders—Nooman Gomaa from the liberal Wafd party and Ayman Nour from the al-Ghad party—had the unprecedented chance to organize large-scale rallies. A week before the election, Gomaa was able to mobilize about 100,000 supporters in a visit to the Nile Delta province of Sharkiya.⁷ This trip was in addition to other large rallies in Upper Egypt

and the Nile Delta. Nour was also successful in organizing important rallies in Cairo and Upper Egypt. Such gatherings would have been unthinkable only a few months ago.

Mohamed Mahdi Akef, the leader of the MB, asked his supporters to participate in the election with no specific support to any candidate: "We know in advance that the election is already settled in the president's favour . . . yet we call on our brothers, and the whole nation, to take part and, after reviewing the different candidates' platform and deciding which vision best serves the nation, make their choice."⁸

The Kefaya movement maintained its call for a boycott of the elections. On the day of the election, the movement organized a rally in central Cairo to protest against the poll. In an attempt to have a peaceful election day, the authorities attempted to stop the demonstrations, which ended up intimidating the peaceful protestors.⁹

The presidential election, held in what the NDP calls a more democratic environment, was only a rehearsal for more-important parliamentary elections in November and December. For the opposition, replacing Mubarak under current electoral rules was never likely, but making significant gains in legislative elections seemed to be a more realistic objective.

RESULTS

The results of the elections did not come as a surprise to the Egyptian public. The general environment in which the elections were conducted was not conducive to free and democratic elections. Of the nine opposition contenders, only two represented major opposition parties. Ayman Nour, who came second, officially asked for a rerun, while

⁶ No Author, "Tajawuzat Khatira fe-entekhabat Ri'asat al-Jumhuryia," *Al-Wafd Newspaper*, September 8, 2005. Available online (www.alwafd.org/front/detail.php?id=9363).

⁷ No Author, "Mi'at Alf Muwatan fe-Istiqbal Tarikhi," *Al-Wafd Newspaper*, August 31, 2005. Available online (www.alwafd.org/front/detail.php?id=9293).

⁸ Jailan Halawi, "When Boycott Means Vote," *Al-Ahram Weekly*, August 25–31 2005. Available online (<http://weekly.ahram.org.eg/2005/757/eg12.htm>).

⁹ No Author, "Plainclothes Men Beat Anti-Mubarak Protestors," *Red Orbit*, September 7, 2005. Available online (www.redorbit.com/news/international/232814/plainclothes_men_beat_antimubarak_protesters/).

Nooman Gomaa, the Wafd candidate, denounced the irregularities of the process. The low turnout, officially 22.9 percent of registered voters, reflected the public's lack of faith in the electoral process.

Egypt's presidential election will be considered a small step toward democracy only if it is promptly followed by further steps toward reform. The presidential elections cannot be considered as the beginning of a new era in Egyptian politics, because the reforms undertaken so far are more of a change of style rather than a substantive change. The practices of the state were the same, and the results for the president were also similar because Mubarak manages to always get more than 88 percent of the votes, either through a referendum or direct elections. Nevertheless, in the latest elections, the official figure for voter turnout is a better reflection of reality, because most Egyptians refused to participate in elections governed by irregularities. Also, during his presidential campaign, for the first time Mubarak promised more political reforms, hence acknowledging the need for more reforms.

Presidential Candidates 2005	Percentage Votes Received
	(22.9% voter turnout, 7,059,010 out of nearly 32 million voters)
Hosni Mubarak <i>National Democratic Party</i>	88.6 (6,316,714 votes)
Ayman Nour <i>Al-Ghad</i>	7.3 (540,405 votes)
Numan Gumaa <i>Al-Wafd</i>	2.6 (201,891 votes)
Others	0.9

Sources: *CIA World Factbook* and *Wikipedia*.¹

Year of Presidential Referendum to Elect Hosni Mubarak	Percentage Yes Votes	Percentage No Votes	Percentage Voter Turnout
1999	93.79	6.21	79.2
1993	96.28	3.72	84.16
1987	97.12	2.88	88.47
1981	98.46	1.54	81.10

Source: University of Geneva's C2D—Research and Documentation Centre on Direct.

¹ *Wikipedia Free Encyclopedia*. Available online (http://en.wikipedia.org/wiki/Egyptian_presidential_election_2005).

The 2005 Legislative Elections

The November–December 9 legislative elections in Egypt were the first elections to be contested after Mubarak pledged to implement political reforms during his presidential campaign in September.

BACKGROUND

In the 2005 legislative elections, 5,414 candidates competed for the 444 seats of the People’s Assembly, Egypt’s lower chamber of parliament. Half the seats are allocated to professionals, while the other half are allocated to workers and farmers—a populist divide reminiscent of the Nasserite era, though many so-called workers and farmers are in fact wealthy businessmen. Ten more seats are allocated by presidential decree; these are usually granted to women and Christians to compensate for their lack of other representation in the assembly. The elections were held in three phases on November 9, November 20, and December 1, with elections taking place in about one-third of Egypt’s provinces on each date.

All opposition groups were skeptical about the intentions of the Mubarak regime and whether it would hold free and fair elections. The regime’s rhetoric has outpaced its actions for change. In addition to the general lack of civil liberties and the restrictions on political participation, the electoral process still lacks guarantees of true fairness. Egyptian courts were confronted with hundreds of suits demanding the review of voter lists, many of which included irregularities that favor the NDP.

The Ruling Party. The nomination of candidates opened a heated debate over who controls the NDP and who should run on the party’s ticket. The new guard around Mubarak’s son Gamal had organized Mubarak’s election campaign, but the old

guard of veteran party leaders proved its continuing usefulness in legislative elections. However, the institution of the presidency holds ultimate power, not the ruling party.

Nearly 2,700 party members wanted to run on the NDP’s list. With only 444 seats available, many important party members were left out. The party feared repeating the scenario of the 2000 elections, in which the NDP won 38 percent of the seats while its dissenters, who ran as independents, won 51 percent of the seats (the dissenters were readmitted to the NDP after the elections).

The NDP declared newcomers would be 35 percent of its candidates, though critics claim that figure is not sufficient to inject new blood into an assembly that should pave the way for more reform. Moreover, some of the newcomers would be returning to parliament after sitting out the outgoing assembly; these former legislators can hardly be regarded as likely to revitalize the system.

Another issue for the NDP was the lack of women and Christian candidates. Only five women and one Christian ran on the party’s list, a poor number considering that half of Egyptians are women and no less than 10 percent of Egypt’s 72 million people are Christians.

The Opposition. In the weeks leading up to the first round of the election, the Egyptian opposition made some attempts at creating a united front, with a single list of candidates for the legislative elections, to challenge the regime. Most opposition groups joined forces and created the United National Front for Change (UNFC), not only to contest elections, but more important to create cohesion between the forces calling for reform. The UNFC brought together the liberal Wafd party; the leftist Tagammu party; the Arab nationalist Nasserite party; the suspended

Labor party; the would-be liberal Islamist Wasat party; the unregistered Karama party; the Egyptian Movement for Change, known as Kefaya (Enough); the National Coalition for Democratic Transformation; and the National Alliance for Reform and Change.¹ Ayman Nour's al-Ghad party was left out the UNFC, officially because of internal strife dividing the party, but most likely because of the hostility between Nour and the Wafd's leader.

The MB decided to coordinate its efforts with the UNFC during the legislative elections but opted to run its candidates on its own ticket, explaining that it had already prepared for the legislative elections long before the UNFC was created. The MB believed that the newly formed UNFC was short on time to prepare for the elections. The MB fielded 150 candidates—although officially they ran as independents. The group operated with unprecedented freedom from harassment compared with previous parliamentary elections. In the 1995 elections, many MB leaders were being tried before military courts; in the 2000 elections, about 6,000 MB members were arrested before polling. In 2005, the leader of the MB was interviewed by major national publications known to be controlled by the government. In addition, although officially the MB did not coordinate with the ruling NDP, it did not field candidates in constituencies contested by key regime figures, such as the chief of the presidential staff or the speaker of the People's Assembly.²

Overall, the opposition was aware of the difficulty of contesting elections in the current political environment, but it hoped that the scale of irregularities would decrease, allowing the opposition to increase its share of seats in the assembly. After the 2000 elections, the opposition accounted for thirty-

two seats: seventeen for independents affiliated with the MB, seven Wafd, six Tagammu, and two Nasserite.

A November 6 court ruling gave civil society organizations the formal right to monitor the electoral process and urged the executive branch to act accordingly.³ Also, for the first time, the opposition was not shy in demanding international monitors. Previously, the opposition had rejected the idea of inviting international monitors, in order to avoid being labeled as agents of foreign interests. This taboo was broken after the irregularities of the September presidential elections.

MOUNTING IRREGULARITIES

The legislative election was meant to emphasize the Egyptian government's serious commitment to reform. However, new and innovative irregularities were seen, which had the effect of continuing the regime's old practices of intimidation, bribery, rigged voter lists, and limits placed on independent election monitors. The new techniques for continuing old practices showed the regime's unwillingness to relinquish power or open up the system.

Vote buying, ballot stuffing, intimidation, and violence against opposition candidates and voters were the main characteristics of these elections. Violence and irregularities increased in each of the election's three successive phases.⁴ News agencies from around the world ran images of thugs—supporters of the Mubarak regime's candidates—armed with swords and knives, intimidating opposition voters. The security forces were more or less neutral when thugs attacked opposition voters, but they actively protected thugs from retaliation by angry voters.

¹ Fatemah Farag, "Political Wastelands," *Al-Ahram Weekly*, December 1–7, 2005.

² Khairi Abaza, "Legislative Elections in Egypt: Another Test for Democracy," *PolicyWatch* no. 1046 (Washington Institute for Near East Policy, November 8, 2005). Available online (www.washingtoninstitute.org/templateC05.php?CID=2394).

³ No Author, "Ahkam Tarikhiya Lil-Qada' Al-Idari," *Al-Wafd Newspaper*, November 7, 2005. Available online (www.alwafd.org/front/detail.php?id=10085&cat=sma1).

⁴ Gihan Shahine, "Stunning Failure," *Al-Ahram Weekly*, December 1–7, 2005.

After promises of reforms and fairness, judges decided to supervise elections and report irregularities. Hundreds of judges lobbied to boycott the elections after dozens of judges were attacked by thugs and security forces.⁵ The Egyptian Organization for Human Rights recorded more than seventy cases in which judges were attacked by police and thugs on election day. The Judges Club vowed to support democracy and the independence of the judiciary and to investigate judges alleged to have taken part in electoral irregularities.

Egyptian courts are reviewing cases of irregularities, but under the terms of a controversial law, parliament is “sovereign” and need not abide by court verdicts. This law curtails the power of the judiciary and reinforces the authoritarian structure of the regime.

ELECTION RESULTS

In the first round of the parliamentary elections, the MB did well. While the ruling NDP won 69.7 percent of the vote, the MB won 20.7 percent, and the non-Islamist opposition parties tied with the independents in earning 4.8 percent.

Those results more or less held up throughout the next two rounds. After all three rounds, the NDP secured 70 percent of the elected seats in the People’s Assembly, though many of the NDP winners ran as independents and joined the party ticket only after winning their seats. The MB secured 20 percent of the seats, and the other opposition parties won 3.5 percent of the seats—the liberal Wafd party won six seats; the leftist Tagammu, two; the liberal Al-Ghad, or “Tomorrow,” two (one each for Ayman Nour’s wing of the party and a dissenting wing); and the Arab nationalist Nasserite Karama party, two. Independents won 6.5 percent of the seats. After the elections, in an attempt to increase the

representation of Christians and women, President Mubarak appointed five Christians and five women to the People’s Assembly.⁶

The Muslim Brotherhood’s Showing. The successes of the MB in the elections highlighted the importance of the movement in the Egyptian political scene while demonstrating the problems of the secular democratic opposition. In early 2005, the MB used significantly fewer Islamic slogans and demonstrated more openness than in previous years as secular opposition groups like the Kefaya movement were becoming more popular. Yet when the non-Islamist opposition and the international community failed to engage the MB, the movement began using slogans such as “Islam Is the Solution,” probably as a reaction to the lack of collaboration with the opposition and supporters of democracy.

The regime gave an unprecedented margin of freedom to the MB before the elections, releasing MB activists from jail and allowing movement leaders access to the state media.⁷ The MB notably did not field candidates in constituencies where some high-ranking figures in the regime were running. When it became clear that the MB was by far Egypt’s largest opposition group, the regime reversed its tolerance policy and resumed its intimidation of the MB during the second and third rounds of balloting.

Having the MB as the largest political opposition in parliament offers a pretext to voices within the regime who justify authoritarianism on the grounds that the alternative is total control by Islamists.⁸ Nevertheless, the low turnout—about 25 percent—proves that neither the ruling party nor the MB reflects the will of the Egyptian

⁵ Mona El-Nahhas, “Will It Be Different This Time?” *Al-Ahram Weekly*, December 8–14, 2005.

⁶ International Republican Institute, “2005 Parliamentary Elections Assessment in Egypt.” Available online (www.iri.org/pdfs/12-19-05-EgyptParliamentaryElectionsAssessmentReport.pdf).

⁷ Galal Nassar, “When the Law Is—and Is Not—the Law,” *Al-Ahram Weekly*, December 15–21, 2005.

⁸ Mohamed El-Sayyid, “Paying the Price?” *Al-Ahram Weekly*, December 15–21, 2005.

people. Given that the MB is better organized than the secular opposition—having devoted considerable energy to registering its voters and turning them out at the polls—it is quite possible that more-open voter registration and higher turnout would disproportionately benefit the secular opposition, with the result that the MB's support would drop as a proportion of the larger electorate.

Powerless Opposition. One reason for the MB's success relative to the secular opposition was that the secular opposition faced many more barriers. Those barriers ranged from intimidation to administrative obstruction. The regime would much rather demonstrate that the democratic opposition is insignificant than face a stronger pro-democracy opposition that would be accepted—both internally and externally—as a potential replacement for the NDP. The real danger for the regime is a strong pro-democracy opposition, not the Islamists. The Mubarak regime could rely on international support against the Islamists, but it could not count on support against a strong pro-democracy opposition.

The elections produced the paradoxical result that the MB will not be the official leader of the opposition in parliament. The Wafd party, with six seats—less than one-tenth the size of the MB's caucus—will lead the opposition as the largest legal opposition party in the People's Assembly.

According to the new law on presidential elections, only parties with 5 percent of the seats in parliament will be allowed to field presidential candidates. The parties must exist five years before the election, and the party's candidate should be in a leading body of the party one year prior to the election.⁹ None of the legal parties secured the requisite 5 percent of parliamentary seats—twenty-three seats—

whereas the MB, the only opposition group to secure more than 5 percent of the assembly's seats, is not a legal organization. The MB's members in parliament are officially independent.

According to the current legislative arrangement, the only party that could field a presidential candidate is the ruling NDP. The situation resembles the pre-2005 era, before the introduction of multicandidate presidential elections, when parliament nominated a single presidential candidate for approval by referendum. The effective ban on opposition candidates after the 2005 presidential vote was a main reason the entire opposition rejected the Mubarak regime's electoral reforms earlier this year.

THE IMPACT OF THE LEGISLATIVE ELECTIONS ON THE REFORM PROCESS

For the ruling NDP, the results will prove useful in justifying its unwillingness to implement political reform. Having an atrophied secular opposition and an inflated Islamist one is in the interest of the regime. "If not us, then the Islamists will rule Egypt," the regime's apologists will say. This excuse was the pretext for the lack of reform for more than two decades; it will be the justification for the lack of reform in the future.

In the current political environment, elections are not the key to political reform. Only serious reform can lead to free and fair elections that would attract the silent majority of Egyptians. Opening up the political environment by allowing parties and civil society organizations to be created more easily, by creating true impartiality in the state media, by restricting the unlimited use of state resources by the ruling party, by abolishing the emergency laws, and above all by reforming the constitution will contribute to greater political participation.

The best scenario for democratic reform in Egypt would begin by encouraging the regime

⁹ State Information Service, "Law No. 174 for the Year 2005 on Regulating the Presidential Elections." Available online (www.sis.gov.eg/En/Politics/PElection/election/Laws/0402020400000002.htm).

to collaborate and engage with the opposition. Specific goals that set time frames for reform are the only way to build confidence among the Egyptian people in the electoral process; only with greater public confidence will greater numbers participate in the electoral process. Elections should not be viewed as a measure of success in opening up the political system. Elections are not the key to reform, but reform should be the key to free and fair elections. Only the hope of reform and the creation of a viable opposition will encourage Egyptians to participate in their government and lead to the democratization that Egypt so badly needs.

A sign of seriousness in a political reform program would be cooperation between the regime and the pro-democracy opposition to achieve specific goals of constitutional and legal reform within a set time frame. Unilateral and poorly defined reform programs are perceived as maneuvers to keep real reform at bay, leading to increasing radicalization and serious concerns for Egypt's future stability.

Religion: An Instrument of Politics

The results of the 2005 legislative elections, with the Muslim Brotherhood securing about 20 percent of the seats, revived the issue of the link between politics and religion. The last three decades witnessed a resurgence of religious ideals and the growing importance of politico-religious movements. Not only was this religious resurgence a result of the grassroots work and the means at the disposal of these movements, but the state, through its instrumentalization of religion, also played a role in laying the ground for the acceptance of politico-religious ideas. Even if the regime had no intention of creating an Islamic Republic, it nonetheless wanted to promote and stress the Islamic nature of Egypt—thinking that it was countering Islamic radicalism. After nearly three decades, the main beneficiaries of those policies are the religious political movements. The regime stressed the role of religion while downplaying democratic and liberal principles, hence contributing to the promotion of religious ideals in political life. These policies are not the main reason behind the importance of religious political movements, but they contributed to the success of those movements by preparing an Egyptian mind receptive to Islamist ideals.

ISLAM: RELIGION AS AN INSTRUMENT OF THE STATE

Since the late 1970s, the Egyptian state has used religion as an instrument to pursue political ends. This strategy has led to what could be called a “re-Islamization” of the country. It is worth mentioning that the current wave of instrumental use of religion was initiated by President Anwar Sadat in the mid-1970s as a way of countering leftist movements. This policy backfired as Muslim extremist groups challenged the state, culminating in the assassination of Sadat.

After the death of Sadat, the same policy trend continued: attempting to co-opt Islamists’ supporters by using religion and also using repression to weaken Islamist groups.

THE REGIME CONFRONTS ISLAMIST OPPOSITION

In the 1980s, President Mubarak’s regime adopted more-repressive measures against militant Islamist groups. According to some human rights organizations, in the mid-1980s the security forces were arresting up to 100 Islamic militants a day, and Upper Egypt was living under a regime of quasi-military occupation.¹ The harsh repression radicalized extremist groups. The regime also started to discredit the Islamists who decided to take part in the formal political system, thus putting more pressure on them to exit the system and to join the radicals. During the 1980s, Islamist militancy spread from an urban educated elite to a rural, often uneducated population.

The 1990s witnessed a resurgence of radical Islamic activism in the Egyptian polity. Radical Islamic groups declared a war against the state. Also at that time Egypt witnessed the return of about 800 Egyptian Islamic militants who were trained and fought in the Afghan war.² These freshly arrived militants would play an important role in the relationship between the state and Islamic militant groups. Islamist violence posed little real threat of overthrowing the regime but placed enough pressures on the state to launch an offensive in the early 1990s.

The violence that ensued between the Islamists and the state differed in magnitude from that of previous times. The attacks

¹ Alain Roussillon, *L’Égypte et L’Algérie au Pêril de la Libéralisation* (Cairo: CEDEJ, 1996), p. 244.

² Bruce Maddy-Weitzman and Efraim Inbar, eds., *Religious Radicalism in the Greater Middle East* (London: Frank Cass, 1997), p. 53.

witnessed during the 1990s were deliberate and coordinated violent actions against the state. Islamist groups were vocal in calling for the abolition of the Mubarak regime and its replacement by an Islamic state. Attempts to kill the president, prime minister, and several cabinet ministers were intended to destabilize the Egyptian state. In June 1992, the militants targeted the tourist industry, which compelled the political elite to act more swiftly and violently because one of the most important sources of hard currency was threatened.³ Upper Egypt was in a state of a quasi civil war, and a sort of tit-for-tat violence (*tha'r*) ensued between Islamic militants and the security forces. In 1994, the minister of interior, Hassan Al-Alfi, admitted that about 10,000 Islamist militants were detained in Egyptian prisons, not to mention the many militants who were killed during street battles with security forces.⁴ Furthermore, the state tightened its grip on the moderate Islamic groups, such as the MB, and, despite their condemnation of terrorism, the state encouraged the marginalization of those groups from the political system.

CO-OPTING THE ISLAMIST POSITION

One of the state's responses to political Islam was an attempt to re-Islamize the polity through the instrumentalist, yet symbolic, use of religion. The Egyptian state wanted to be portrayed as almost as Islamic as the Islamist opposition, toward which end it used many tools. The media, education, legislation, and toleration of some Islamic opposition figures in the political scene were all used to counter the so-called threat that political Islam posed. The fight for the symbolic world intensified as the state embarked on re-Islamization policies. The symbolic world became the battlefield in which the state and Islamists fought.

In the late 1970s, the media, television in particular, started to present more religious programs; television preachers were seen more frequently, and regular programs were interrupted for the call of prayers. Furthermore, beginning in the 1970s and continuing during the two following decades, scenes like kissing, drinking alcohol, or committing adultery were considered improper and often censored following Ministry of Information policies.⁵ Veiled actresses started to appear on television series and movies in the 1990s. These policies would have a tremendous effect on Egypt's population given the state's monopoly of the airwaves until the late 1990s. The high rate of illiteracy and virtually nationwide access to electricity ensured state-run television an important audience. Safwat Al-Sherif, the minister of information throughout the 1980s and 1990s and the current secretary-general of the NDP, noted that the media should be used to combat terrorism and that it is a weapon to defend the "true" religion.⁶

Another aspect of re-Islamization has been the enactment of legislation giving more prominence to Islamic law. In 1980 a constitutional amendment made *sharia*, or Islamic law, *the* source for legislation instead of being the *main* source for legislation. This amendment created discontent within the ranks of the secularists and reinforced the Islamists in their claim for establishing a "real Islamic state." The Islamists considered the Egyptian regime un-Islamic and understood that it was using Islam for political maneuvers. Moreover, on a local level some governors started to issue new laws with "Islamic" connotations. For example, the governor of Assyut in 1986 prohibited the consumption and distribution of alcohol.⁷ This action was especially important, considering

³ Roussillon, *L'Égypte et L'Algérie au Pêril de la Libéralisation* (Cairo: CEDEJ, 1996), p. 243.

⁴ Denis J. Sullivan and Sana Abed-Kotob, *Islam in Contemporary Egypt. Civil Society vs the State* (London: Lynne Rienner Publishers, 1999), p. 87.

⁵ Roussillon, *L'Égypte et L'Algérie au Pêril de la Libéralisation* (Cairo: CEDEJ, 1996), p. 235.

⁶ Joel Beinin and Joe Stork, eds., *Political Islam* (Los Angeles: University of California Press, 1997), p. 80.

⁷ Roussillon, *L'Égypte et L'Algérie au Pêril de la Libéralisation* (Cairo: CEDEJ, 1996), p. 239.

that a good proportion of Assyut's inhabitants were Christian. Other governors also started to have some "Islamic laws" of their own. This kind of legislative maneuvering on the part of the state suppressed possibilities of a secular discourse at the legislative level, as it would any discourse that did not take place in the framework of a "re-Islamized legislation." Although the state locked itself into an almost exclusively Islamic legislative framework, it did not call for strict application of the *sharia* law. It reinforced the *need for having* more Islamic legislation on a merely symbolic level rather than *actually having* an Islamic legislation. This policy had the double effect of upsetting both Islamic and secular political movements. The former considered that the state did not do enough, whereas the latter thought that the state went too far.

ASSESSING THE REGIME'S SUCCESS

The interaction between the Islamist political groups and the state had many effects, one of which could be considered the re-Islamization of the polity. This re-Islamization had, and still has, an impact on the Egyptian polity, but has the re-Islamization process strengthened or weakened the actual Egyptian regime? In order to answer this question, it is important to know whether a mutation of the social and political norms took place as the state increasingly used the language of Islam. Does any room exist nowadays for a secular discourse in the Egyptian polity, or are the secular and nonsecular spheres in Egyptian society and politics increasingly conflated?

What could be said is that the state's policies, often violent, did not eradicate political Islam from the Egyptian polity. On the contrary, some could argue that those policies helped breed a new, though not necessarily violent, generation of Islamist political activists. The process of state "instrumentalizing" of Islam was supposed to calm the militant Islamic groups and to co-opt them, as had been done, in a different context

and with different tools, with trade unions and businessmen's associations in the past. The opposite took place, it can be argued; as the radical groups put more pressure on moderate groups, the former realized that the regime had no intention of establishing an Islamist state.⁸ The regime failed to co-opt Islamist groups into the system. It only increased the radicalization of those groups and emphasized the Islamist norms and values in the country.

The "instrumentalization" of religion produced such consequences as the introduction of the *ulama*, or religious scholars, into all aspects of Egyptian life. They would be consulted for their opinion on political, social, cultural, and even economic matters. Al-Azhar University, the most prestigious Islamic institution in Egypt, was empowered during the last two decades, becoming a chief authority dealing with issues such as the banning of books, art, and even the enactment of laws dealing with economic matters. The most conservative elements of al-Azhar used the religious scholars as a tool to increase the re-Islamization of the country.⁹ Some scholars consider that the new generation of clerics does not support the government unconditionally. They sometimes use their position to promote their own interpretation of Islam, a vision that is in line with that of some Islamists.¹⁰

Secular activists were not the only ones to disagree with the state's manipulation of Islam. The Coptic community was unhappy to see their country being re-Islamized as a source of regime legitimacy and mobilization.¹¹ Those policies deepened the differences between Egyptian citizens, focusing on the norms and values of one segment of the population over those of another. This strategy created tensions

⁸ *Ibid.*, 240.

⁹ Sayyid Al-Qumni, *Al-Fashiyun wal-Wattan* (Cairo: Al-Markaz al-Misri li-Buhuth al-Haddara, 1999), p. 207.

¹⁰ Geneive Abdo, *No God but God. Egypt and the Triumph of Islam* (Oxford, England: Oxford University Press, 2000), p. 44.

¹¹ John L. Esposito and John O. Voll, *Islam and Democracy* (Oxford, England: Oxford University Press, 1996), p. 188.

between the Muslim and Christian communities and threatened social stability. Hence, the instrumental use of religion could have the double effect of attracting and repelling, attracting some Islamists but repelling secular Muslims and non-Muslims. In the mid-1980s, a symbolic war started between Muslims and Copts when stickers with religious connotations—verses of the Qur'an or the Bible, or pictures of the Pope Shenuda III—proliferated. The “sticker war” came to an end when the Ministry of Interior banned the display of writings or pictures on cars.¹²

One could argue that the presence of a militant Islamist threat proved to be useful to the Egyptian state. The state used its confrontation of Islamist groups to justify the perpetuation of its authoritarian structures. Some of these confrontational structures had become part of the legal edifice of the state, such as the unlimited extension of the State of Emergency, the modification of the Press Law, the reinforcement of the control of organs of political expressions, and control over the syndicates.¹³

Violence facilitated the candidacy of Mubarak for a third term in 1993. He was able to use the violence to portray himself as the only alternative to the establishment of an Islamist state.¹⁴ At an international level, the state portrayed itself in secular terms of defending “freedom” and “democracy,” hoping to bestow international support on the regime.

Beyond the attempts to appease its foreign partners and eradicate its domestic foes, however, the state made a concerted attempt to respond to the Islamist challenge by re-Islamizing the polity. In this way, the state was quite novel in its approach to the Islamist challenge.

Those policies had an important effect on Egypt, and reversing this trend could prove more challenging than expected for the government. As such, it is important to evaluate the consequences of such policies on the state and society. Throughout the presidencies of Sadat and Mubarak different reasons were behind the state's attempt to re-Islamize: in the 1970s the aim was to counter the left; in the 1980s there was an attempt at co-opting Islamist political groups within the fringes of formal politics; and in the 1990s there was an attempt at containing the Islamist challenge (of both violent and nonviolent groups), as well as legitimizing authoritarian politics.

CHRISTIANS AND THEIR POLITICAL IMPACT

Christians make up 10 to 20 percent of Egypt's population. Even if the number varies depending on the source, they nevertheless represent by far the largest Christian community in the Middle East. About 90 percent of Christians in Egypt belong to the Coptic Orthodox Church; while the other Christians—Copts and non-Copts—are affiliated with Catholic, Evangelical, Protestant, Greek Orthodox, Armenian Orthodox, and other smaller churches.

Christians in Egypt were not immune to the general Egyptian apathy to politics. The lack of democracy in the last fifty years did not allow proper channels of political expression and demands. In the late 1970s the situation worsened when relations deteriorated between Pope Shenouda III, head of the Coptic Orthodox Church, and President Sadat. Then, community leaders did not encourage the Copts to take an active role in politics or to join the then-nascent overt demands for political liberties.

On the one hand, some community leaders criticized the government for the lack of full equality between Christians and Muslims in Egypt, but on the other hand, some

¹² Robert Springborg, *Mubarak's Egypt: Fragmentation of the Political Order* (London: Westview Press, 1989), p. 216.

¹³ Roussillon, *L'Égypte et L'Algérie au Pêril de la Libéralisation* (Cairo: CEDEJ, 1996), p. 244.

¹⁴ *Ibid.*, 242.

community leaders endorsed Mubarak during the last two decades as a way of countering Islamic extremism. They thought the current regime would protect them from an eventual takeover of the state by Islamists. This endorsement culminated with the official support by Pope Shenouda of Mubarak, when he urged the Coptic community to vote for President Mubarak in the September 2005 presidential election.¹⁵

Despite the fact that Egyptian Copts and Christians greatly respect Pope Shenouda as a spiritual leader, they nevertheless do not necessarily adhere to his political vision. Indeed, much as with Muslim Egyptians, Copts did not participate en masse in the elections, as shown by the low turnout in the presidential election—with an official figure of 23 percent of registered voters. Furthermore, Copts are found in important positions of various opposition political groups, such as the most prominent leader of the Kefaya movement, George Isaac; or vice-president of the liberal Wafd party, Mounir Abdel-Nour; or even, like Rafik Habib, among the founding members of the al-Wasat party, whose approval had been suspended for years because some of its founding members were former members of the MB. The list of Copts who are active in opposition groups is long and covers the full spectrum of the Egyptian opposition.¹⁶

The Pope's endorsement of Mubarak in the 2005 presidential elections not only embarrassed Copts in the opposition but also did not leave the best impression on the Muslim community. It made some Muslims think that the Coptic Church does not favor democratic reforms and that it supports the authoritarian structures of the Egyptian state.

If they decided to participate in politics, Christians in Egypt could make a positive

contribution to the democratic process. Their large number is an important force in countering any risks of takeover by Islamic extremists in any democratic elections.

Meanwhile, the leaders of the Christian community in Egypt, including the Pope, should be above party politics so as not to embarrass devout Copts who decide to follow a different political path. Nevertheless, only through a democratic system can Christians achieve their demands for total equality. Copts, like Muslim Egyptians, can only have full rights with the establishment of a truly democratic system.

¹⁵ Ahmed Moussa, "Al-Baba Shenuda Fi Hiwar Khas," *Al-Ahram Egyptian Edition*, August 1, 2005.

¹⁶ Khairi Abaza and Mark Nakhla, "The Copts and Their Political Implications in Egypt," *PolicyWatch* no. 1039 (Washington Institute for Near East Policy, October 25, 2005). Available online (www.washingtoninstitute.org/templateC05.php?CID=2213).

The Road to Democratic Reforms

If President Mubarak expressed a serious willingness to make democratic reforms, he could rally the opposition behind him and secure a safe and stable transition to democracy. Unlike in Georgia or Ukraine, the opposition's focus is on constitutional reform, not on replacing the current leader. Indeed, the opposition parties cannot agree on a single candidate to replace Mubarak, in contrast to their unity in calling for democratic reforms. To be sure, the opposition would be skeptical of Mubarak's intentions even if he were to announce reforms. He would have to take measures proving his determination for real reform and meet the various demands of the opposition. Still, the tripartite alliance of major opposition groups—Wafd-Tagammu-Nasserite—did not call for Mubarak to step down; instead, it urged Mubarak to resign from the ruling NDP, make the necessary constitutional change, and appoint a neutral government to oversee elections.

A transition to democracy in Egypt could prove less complex than in other Middle Eastern states. Egypt is not going through a nation-building process. It is the oldest nation-state in the region; it has clear boundaries and a strong sense of national identity. The country has well-established government institutions. Its first legislative assembly dates back to 1866, and despite an authoritarian rule since the early 1950s and irregularities in elections, the parliament has never ceased to exist. Egyptians are familiar with the concepts of parliament, the judiciary and executive branches, political parties, and elections. Finally, Egypt has no ethnic or tribal divisions. Most of its population is Muslim, with a large Christian minority. Christians are found in all social classes and in all regions of the country, and represent 10 to 20 percent of the population (figures vary depending on the source). Such a large Christian minority will

help counter Islamic extremism in democratic elections.

NEED FOR REFORMS AND BEST-CASE SCENARIO

For the first time in more than fifty years, despite Egypt's emergency law and continuing restrictions on the right of assembly, 2005 saw regular, small demonstrations all over the country. The 2005 presidential elections gave a new momentum to political life. Were Mubarak and the reformers in his ruling NDP so inclined, they could build on this momentum to implement a comprehensive political reform program with clear objectives and time frame. Such a program would entail the following:

- Engaging in a serious national dialogue, including representatives of all political forces, addressing issues of constitutional and political reforms.
- Ending the emergency law. This action would limit the unchecked powers of the state. (Mubarak has promised to do so, but only by replacing the emergency law with antiterrorism legislation.)
- Allowing the formation of new political parties. The regime controls the creation of political parties, which makes it difficult for serious opponents to organize themselves.
- Facilitating the creation of private newspapers and television broadcasters, and creating an independent authority that would govern state-owned media.
- Granting the freedom of assembly, which is still restricted by law.
- Making the judiciary independent by letting judges govern their own budget and promotions.

- Allowing international observers to monitor the electoral process.
- Increasing the power of parliament. The government should answer to, and be held accountable by, parliament rather than the president.
- Creating serious checks and balances to reduce the concentration of power in the institution of the presidency.

These reforms are needed to create a partnership between the regime and the opposition in genuine and comprehensive political reform. If reform is to succeed, the opposition should be a partner in the reform process, not merely an observer.

By contrast, maintaining the status quo and ignoring opposition demands could prove hazardous for the stability of Egypt and the region. The regime's reluctance to make genuine reforms swelled the ranks of the opposition. In 2005, the events in Lebanon and the elections in the Palestinian Authority and Iraq helped reduce Egyptians' fear of political change. The regime's failure to improve living conditions, coupled with the lack of liberty, would provide an ideal environment for producing extremists. The growth of extremism in Egypt will not help win the global war against terror.

U.S. SUPPORT FOR REFORM

The United States faces two problems in communicating its message of support for democratic change in Egypt. First is the reluctance of reformers to acknowledge U.S. efforts. Fifty years of Egyptian rhetoric about the threat of "foreign domination" means that opponents of the state are labeled as agents of foreign powers whose aim is to destabilize the country. This label has been applied to many human rights and pro-democracy groups when they have been critical of the regime. In an effort to appear authentically Egyptian, opposition movements seek distance from any appearance of foreign backing. Egyptians are

less sensitive to the threat of foreign domination from U.S. assistance when such programs are coordinated with the European Union or other democratic nations.

A second problem is the traditional perception that the United States supports Mubarak's authoritarian regime, which raises doubts in Egyptian minds about the sincerity of American calls for reforms. For more than two decades, Egypt has been the recipient of the United States' second-largest package of foreign aid, which many Egyptians see as supporting Egypt's authoritarian regime—not its people.

Given this background, the educated public is quite sensitive to any sign of ambiguity in the U.S. call for reform. Reformers pay great attention to how vigorously the United States encourages the adoption of a comprehensive democratic reform program—that, rather than the fate of Mubarak, is the issue of concern. A key indicator of whether such a program is under way is the extent to which the regime is willing to work with the opposition on matters related to political reform.

Directing a larger share of the U.S. aid package for Egypt toward programs that promote democratic principles—through nongovernmental organizations (NGOs), educational institutions, and media programs—could affect Egyptian public perception considerably. The same would apply if a larger share of the U.S. aid package were directed away from the state and to NGOs, especially to mainstream groups providing social services, such as education and health care, in areas now served by charities affiliated with religious extremist groups.

When addressing the International Republican Institute in May 2005, President George W. Bush explained that all successful democracies are built on common foundations:

First, all successful democracies need freedom of speech, with a vibrant, free press that informs the public,

ensures transparency, and prevents authoritarian backsliding.

Second, all successful democracies need freedom of assembly, so citizens can gather and organize in free associations to press for reform, and so that a peaceful, loyal opposition can provide citizens with real choices.

Third, all successful democracies need a free economy to unleash the creativity of its citizens and create prosperity and opportunity and economic independence from the state.

Fourth, all democracies need an independent judiciary to guarantee rule of law and assure impartial justice for all citizens.

And, fifth, all democracies need freedom of worship, because respect for the beliefs of others is the only way to build a society where compassion and tolerance prevail.¹

Egypt has all of these democratic foundations in theory, but it has a long way to go to see them fully realized in practice. Helping Egypt and the Mubarak regime in a successful transition to democracy will have a positive effect on the entire region, and it will help to grow a stronger and more sustainable partnership between the United States and Egypt.

¹ President George W. Bush addressing the International Institute, Renaissance Hotel, Washington, D.C., May 18, 2005. Available online (www.whitehouse.gov/news/releases/2005/05/20050518-2.html).

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