

# The Future of Egypt's Electoral System

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Brief Analysis

**The system that will likely be put in place for Egypt's next parliamentary elections may sideline new parties, but this could help consolidate the country's scattered political spectrum.**

Egypt's political transition has been forging ahead quickly, with discussion of the draft constitution now taking center stage. One of the main items of debate is whether and how the new charter will change the electoral system. The final draft will be put up for a public referendum in November after the fifty-member constitutional committee concludes its work, and parliamentary and presidential elections will follow. The leaders of the Tamarod (rebellion) movement, the driving force behind former president Muhammad Morsi's ouster, prefer an individual candidate system. Yet smaller and weaker factions -- mainly those that compose the National Salvation Front coalition -- prefer a party list system, which would enhance their electoral chances. The outcome of this debate is important to follow, as it will shape the trajectory of Egyptian politics for the foreseeable future.

## ELECTORAL SYSTEM UNDER MUBARAK

Historically, Egypt's parliament has consisted of two chambers: the lower legislative body known as the People's Assembly (Majlis al-Shab) and the upper consultative chamber known as the Shura Council (Majlis al-Shura). The latter chamber was largely symbolic and powerless, and it has been scrapped in the new draft constitution.

The electoral system employed during the Mubarak era was mainly an individual-candidate process. Voters chose two winners from each district; the law required that at least one of these winners be a worker or farmer, and most such candidates were affiliated with syndicates. The process of selecting which worker/farmer candidates would be permitted to run was often manipulated, with the central government's electoral administrative body having the final say. Indeed, the ruling National Democratic Party (NDP) tailored the system to its advantage, mainly by gerrymandering districts and using tribal affiliations and financial means to monopolize power. For example, low-population rural areas -- the NDP's stronghold -- were divided into smaller districts, giving them more seats in

parliament compared to the high-population urban districts where most liberal opposition constituents were concentrated. Under this system, the NDP's only real challenger was the Muslim Brotherhood, whose well-organized and well-financed grassroots network allowed members to run successfully as independents.

Debates over the electoral system are hardly new. In 1983, for example, the parliament attempted to implement a party-list system. Yet the Supreme Constitutional Court ruled the law unconstitutional because it hindered independent candidates from contesting elections.

## **ELECTORAL SYSTEM AFTER THE 2011 REVOLUTION**

**F**ollowing Mubarak's ouster, discussion of the electoral system drew great attention from several political forces, since changes in the electoral law were sure to have a major impact on their future. On July 20, 2011, the transitional Supreme Council of the Armed Forces (SCAF) proposed a mixed system in which half of the People's Assembly seats would be contested via an individual-candidate system, and the other half via party lists. The basic framework of the electoral system would be kept in place, including the worker/farmer quota; the only game-changer was the dissolution of the NDP, which meant the Brotherhood had no real competitor.

The SCAF's proposal drew much criticism across the political spectrum and spurred calls for boycotting the elections, which were scheduled to begin later that year. For example, Wafd Party leader El Sayed El Badawy warned, "We will boycott if they have not responded positively to our demands." In the end, a compromise was reached whereby one-third of the seats were contested by individual candidates and two-thirds by party lists. Under this system, eighty-three districts used the individual system, constituting 166 parliamentary seats. In addition, members of parties were permitted to compete for these allotted individual seats so long as they ran as independents.

In June 2012, however, the Supreme Constitutional Court dissolved the new parliament, deeming its makeup illegal. The chief justice at the time, Farouk Sultan, explained the decision: "The ruling...includes the dissolution of the lower house of parliament in its entirety because the law upon which the elections were held is contrary to rules of the constitution." Many of the electoral victories that were nullified had been won by Brotherhood candidates.

## **CURRENT DEBATE**

**L**ast month, Ali Awad, the constitutional advisor to interim president Adly Mansour, explained that the initial ten-member technical committee tasked with amending the charter had received numerous demands for an individual-candidate system. He also noted that the electoral system would be one of the main issues discussed by the fifty-member committee tasked with finalizing the technical committee's work before the referendum.

Thus far, several small, weak political parties have protested the proposed system, demanding a party-list arrangement in order to increase their likelihood of winning seats. Earlier this month, twenty-four political parties and NGOs sent a statement to the fifty-member committee demanding that Article 191 of the draft constitution, which determines the electoral system, be changed.

Similarly, Mohamed Abul-Ghar, head of the prime minister's Social Democratic Party, has criticized the individual-candidate system and asked for changes. Badawy's Wafd Party, part of the National Salvation Front, has strongly rejected it as well, with some members even threatening to boycott the elections.

In contrast, the Tamarod movement strongly supports an individual-candidate scheme, fearing that a party-list system would give the Brotherhood an opportunity to gain seats by joining the lists of other parties. The movement's cofounder, Mahmoud Badr, also recommended leaving the electoral system out of the draft constitution and letting the interim president decide how the next elections are conducted, with the new parliament later amending the law as needed. Another key actor -- the strong centrist political movement al-Tayyar al-Hor -- supports the proposed

system as well.

Indeed, those political forces that are well funded and enjoy grassroots support are the most likely to benefit from an individual-candidate system. Newly established parties would probably be sidelined under such an arrangement, since their organizational capabilities remain limited. Yet that scenario could force small factions to merge, thereby consolidating Egypt's scattered political spectrum.

## CONCLUSION

**E**gypt's political establishment is strongly leaning toward an individual-candidate electoral system, and the next parliamentary elections will most likely be run under that arrangement. For those factions that oppose it, behind-the-scenes negotiations could convince them to accept this reality. If they do not, they will just end up participating in Egyptian politics from the sidelines.

*Adel El-Adawy is a Next Generation Fellow at The Washington Institute.* ❖

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