Egypt at the Polls:

Consequences for Cairo and Washington

by David Schenker **(/experts/david-schenker)**

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Brief Analysis

On November 22, 2010, Dina Guirguis, David Schenker, and Leslie Campbell addressed a special Policy Forum luncheon at The Washington Institute to discuss the context surrounding Egypt's parliamentary elections. Held a week after the forum, the elections were reportedly marred by irregularities. Ms. Guirguis is a Keston Family research fellow in the Institute's **Project Fikra: Defeating Extremism through the Power of Ideas (/templateI02.php?SID=24&newActiveSubNav=Project%20Fikra%3A%20Defeating%20Extremism%20through%20the%20Power%20of%20Ideas&activeSubNavLink=templateI02.php%3FSID%3D24&n**. Mr. Schenker is the Aufzien fellow and director of the **Program on Arab Politics (/templateI02.php?SID=1&newActiveSubNav=Program%20on%20Arab%20Politics&activeSubNavLink=templateI02.php%3FSID%3D1&newActiveNav=researchPrograms)** at the Institute. Mr. Campbell is director of Middle East programs at the National Democratic Institute. The following is a rapporteur's summary of their remarks.

Dina Guirguis

Given the Egyptian regime's electoral and constitutional changes in recent years, the November 28 parliamentary elections will serve as a dress rehearsal for the 2011 presidential elections. Prior to the 2005 presidential vote, the state introduced a multicandidate, direct-ballot format. In addition, the ruling National Democratic Party (NDP) amended article 76 of the constitution to create two avenues, one by parliament, the other by party, whereby candidates could be nominated for the post. These amendments were purportedly aimed at expanding and modernizing the legislature. In reality, the changes set a largely unreachable nomination standard for opposition candidates: a requirement that their parties hold at least 250 seats in the parliament. As a result, the gambit further consolidated executive power with the NDP, which already dominated the legislature and municipal councils.

In addition to these power centers, the NDP oversees party registration via the Political Parties Committee (PPC). Headed by NDP secretary-general Safwat al-Sharif, this body manages what appears to be a capricious process. Even parties that successfully register are not immune from regime suppression or marginalization if they later demonstrate independence. Ayman Nour's al-Ghad Party is a good example of this pattern. Nour was imprisoned in 2005 after he ran against Hosni Mubarak and won 8 percent of the presidential vote. While he was detained, the PPC divided his party and installed a proregime leader in his place. And the NDP's only other serious opponent -- the Muslim Brotherhood (MB) -- is not a registered party and remains illegal.

The opposition faces other obstacles as well, including a significantly biased electoral process that has limited judicial oversight since 2007. Currently, disputes regarding candidate registration, campaigning, and the licensing of monitors are adjudicated by a "higher electoral commission," a body run by the Interior Ministry and consisting of regime-selected members. During the past two elections for the legislature's upper house, or Shura Council, the commission approved only a few hundred of the thousands of monitor license requests it received from domestic applicants. It also favored the NDP in cases of violence and permitted state security intervention in the electoral process. In addition, the commission has enforced restrictions on religious activity in cases involving the MB, but not in cases involving NDP candidates.

Cairo has taken similar steps in the run-up to the November 28 lower-house elections, rejecting requests for international observers and limiting domestic monitors. Reports have also surfaced of illegal campaigning and government refusal to register candidates; for example, the Interior Ministry and electoral commission have not honored the Administrative Court's rulings on reinstating individuals stricken from the candidate lists. Meanwhile, arrests -- targeting liberal and Islamist opposition figures alike -- are already ubiquitous.

The NDP is not taking any chances, because the legislature's composition is critical to determining presidential succession. In response to the increasingly constrained political space, some opposition groups are boycotting the parliamentary elections. In short, the stage is set for a status quo that continues to polarize the public and benefit the Islamists.

David Schenker

The NDP has approached parliamentary elections quite seriously. The party's first priority has been to secure at least 250 reliable seats in the parliament -- the number required to nominate a presidential candidate. At the same time, the party hopes to avoid a repeat of the 2000 and 2005 elections, in which "independent" NDP candidates defeated the official, party-nominated NDP candidates at the polls -- an embarrassing outcome that highlighted the party's lack of internal discipline.

In the run-up to the elections, some 2,800 NDP members have been vying for the 508 available parliamentary seats. The fierce competition has complicated candidate selection, reportedly leading to incidents of violence and vote buying. The process has also highlighted the division between the party's old and new guard -- a fissure largely caused by differences over economic reform policies. More recently, the NDP has somewhat pared down the list of candidates, but nearly 850 party members are still set to compete in the elections, in many cases against one another.

In addition to getting its own house in order, the NDP has sought to stymie the Muslim Brotherhood before the elections. The regime has arrested more than 1,200 MB members in dozens of governorates. Indeed, NDP officials have stated that they will "not allow" a repeat of 2005, when the MB won 88 out of the 444 lower-house seats available at the time. Although MB leader Muhammad Badie declared the group's intention to capture 30 percent of parliament, the MB is unlikely to perform nearly as well as it did in 2005. The government will probably use electoral fraud against the group as well, as it did in 2005, when the MB somehow failed to win a single seat in the parliament's upper house despite winning 20 percent of the lower house.

Regarding other opposition figures, the NDP does not appear to be concerned about Mohamed ElBaradei. In fact, the regime has proven quite creative in undermining him. Earlier this year, for example, his daughter's Facebook account was hacked, revealing compromising pictures of the young woman and a homepage on which she defined herself as an "agnostic." Needless to say, the images and irreligious message did not play well with Egypt's largely conservative Muslim population.

Even as it focuses on presidential succession, the regime hopes to avoid both international scrutiny and a crisis with Washington. For its part, the Obama administration has clearly stated its preference for free and fair elections. On November 15, Assistant Secretary of State for Public Affairs Philip Crowley reiterated Washington's longstanding requests for international monitors, the right to peaceful assembly, and the right to balanced media coverage of the polling. Yet Egyptian liberals doubt Washington's commitment to democracy in their country.

Cairo's ongoing rejection of international monitors stands in stark contrast to the Jordanian elections held on November 9. American diplomats pushed long and hard until Amman permitted monitors to observe the voting. As a result, the elections were universally praised as a step forward. Yet U.S. diplomats have failed to make similar progress in Egypt.

Regrettably, Cairo's opposition to transparency will further undermine the regime's threadbare legitimacy. This crisis of governance might also accelerate the decline in Egypt's regional standing -- a development that would have implications not only for Cairo, but also for Washington.

Leslie Campbell

Contrary to Egyptian claims, international observers do not infringe on state sovereignty. Among the Middle East governments that hold elections, Algeria, Morocco, Iraq, Jordan, Kuwait, Lebanon, the Palestinian Authority, Qatar, and Yemen have all welcomed such observers to participate in the process. Bahrain, Egypt, Syria, and Tunisia are the exceptions.

International observers are common in the West, of course. Any member of the Organization for Security and Cooperation in Europe (OSCE) must allow observers from other OSCE countries, and international delegations are likewise invited to observe U.S. elections. Indeed, the National Democratic Institute (NDI) and the International Republican Institute (IRI) hosted eight Egyptian observers during the U.S. midterm elections this November, granting them full access to polling stations, electronic voting equipment, and election officials.

Egypt has not always been resistant to democracy programs. In 1995, the country's local election monitors had more access than they do today. And between 1995 and 2003, NDI had good relations with Egypt. High-level Egyptian officials frequented our offices, and even NDP members spoke about the dearth of secular democratic parties. Later, during Egypt's 2005 elections, NDI and IRI were welcomed as informal high-level delegations. Although NDI deferred to Cairo and declined to issue a public report on the voting, we held high-level discussions with the Ministry of Foreign Affairs to convey our assessment of the elections.

Today, five years after submitting the proper registration papers, NDI is still awaiting approval to operate legally in Egypt. Clearly, the government uses the registration process more for control than for organization. For example, NDI staff visas were denied recently because the institute is not yet registered. Our domestic-monitor trainer had to leave the country last week, and a former senior congressional staffer was detained at the airport for twelve hours prior to being deported. Likewise, local staff are frequently harassed by the security services.

In advance of the November 28 elections, both the Egyptian Foreign Ministry and parliamentary speaker Fathi Srour have made it clear that informal election monitoring groups are unwelcome -- an unprecedented move by Cairo. Even diplomats will reportedly be barred from visiting polling stations, though such visits are standard practice throughout much of the world. In comparison, Jordan provided buses and security to diplomats wishing to observe polling stations.

As for domestic election observers, their numbers are routinely inflated and therefore difficult to measure. Even so, only around 3,000 of the roughly 12,000 locally trained Egyptian observers can be considered independent -- the vast majority of monitors are affiliated with government-sanctioned groups. And regardless of their loyalties, only sixty of several thousand accredited domestic observers actually entered polling centers during the June Shura Council elections, demonstrating that their large numbers are mostly meaningless.

In response to these conditions, the opposition seems to have become lazy. Their turnout at the polls has been low because boycotts are an easy alternative. Individuals such as ElBaradei either do not want to put in the hard work needed to turn the tide or are rightfully fearful for their supporters, who may be attacked by security services. At the same time, given Egypt's low turnout rate, not many voters are required to sway an election.

Recent government actions underscore the importance of international observers during Egypt's parliamentary elections. NDI has never before witnessed electoral administration so blatantly under the control of the ruling party, illustrating sharply the great need for a more objective presence on the ground.

This rapporteur's summary was prepared by Andrew Engel. ❖

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