

Egyptian Legislative Elections:

A Reading of the Results

Dec 12, 2005



Brief Analysis

Egypt completed the final round of balloting in legislative elections on December 7. The first round of polling took place on November 9; all told 5,414 candidates vied for 444 seats in the lower house of Egypt's parliament, the People's Assembly. The elections were set in three phases to facilitate electoral supervision and secure a safe electoral process, but they were shadowed by a high level of violence and by low levels of participation, with less than 25 percent of eligible voters taking part.

Background

The main contenders were the ruling National Democratic Party (NDP); the United National Front for Change (UNFC), a coalition of pro-democracy opposition parties and movements; and the officially banned but informally tolerated Muslim Brotherhood (MB).

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 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 nationalist Nasserite parties, two. Independents won 6.5 percent of the seats. These results will change slightly after postponed ballots are held in twelve constituencies and the president makes appointments to ten additional seats.

Mounting Irregularities

The three phases of the elections proved that the regime is not capable of holding free and fair elections. 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 successive phase. 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.

The Judges Club, the official entity representing Egypt's judges, threatened earlier this year not take part in any electoral process if they did not have guarantees of absolute fairness in the elections and greater independence for the judiciary. 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. 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.

Powerless Opposition

The elections produced the paradoxical result that the Muslim Brotherhood 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 opposition legal 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. 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.

Useful Results for the Regime

For the ruling NDP, the results will prove to be useful in justifying its lack of seriousness toward political reform. The regime sent a clear signal to supporters of reform that there is no alternative to the current regime but the MB. 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 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.

The regime gave an unprecedented margin of freedom to the Muslim Brotherhood prior to the elections, releasing MB activists from jail and allowing movement leaders access to the state media. The MB notably did not field candidates in constituencies where some high-ranking figures in the regime were running. Once it became clear that the Muslim Brotherhood 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.

One reason for the MB's success relative to the secular opposition was that many more barriers were put in front of the secular opposition. These barriers ranged from intimidation to administrative obstruction. The regime would much rather demonstrate that the democratic opposition is insignificant than face a stronger prodemocracy 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 prodemocracy 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 prodemocracy opposition.

Conclusion

The legislative elections did not reflect the will of the Egyptian people. More than 75 percent of registered voters did not cast ballots. Furthermore, the opposition and prodemocracy nongovernmental organizations reported numerous irregularities on existing voter lists -- complaints included the enrollment of the deceased as well as the duplication of names. The turnout represented the mobilization capacity of both the ruling NDP and the Muslim Brotherhood; neither party represents the large majority of Egyptians, who decided to boycott an election perceived as part of an undemocratic political process.

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.

A sign of seriousness in a political reform program would be cooperation between the regime and the prodemocracy opposition to achieve specific goals of constitutional and legal reform within a set timeframe. 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.

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