

# **EGYPT: AN ANALYSIS OF PARLIAMENTARY ELECTIONS SINCE 1984**

*Dissertation submitted to Jawaharlal Nehru University  
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**Master of Philosophy**

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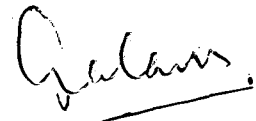
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**CERTIFICATE**

Certified that the dissertation entitled, **EGYPT: AN ANALYSIS OF PARLIAMENTARY ELECTIONS SINCE 1984**, submitted by **SANJEEV SINGH** is in partial fulfillment for the award of the degree of **MASTER OF PHILOSOPHY** and has not been previously submitted for any other degree of this or any other University. To the best of our knowledge this is his own work.

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It is to my papa and mummy that I dedicate this work.

Sanjeev Singh

## PREFACE

Egypt has more often than not been regarded as a country whose political regime, despite its undeniable authoritarian features, displaced recognizable liberal and even democratic traits.

In this dissertation it primarily aim to analyze the process of democratization and various factors contributing to it in Egypt under Mubarak. It also aims to study about the role of state and the political experiments having taken place in Egypt under Mubarak and the influence of economic factors in the process of democratization:

Elections are one of the important pillars in the process of democratization. In Egypt elections have been conducted at various level and at regular intervals. In the light of this an analysis has been made of the election of the past two-decade.

The work has been divided into five chapters. The first chapter deals with the contemporary debate on democratization in the Arab world. This chapter deals with the notions of democracy in the Arab world, the civil society and the pattern of government in various Arab countries.

The second and third chapter deals with the Regime i.e. Mubarak's government and the authoritarian nature of his government. It also deals with the parliamentary election conducted by the regime and the manipulation of various electoral laws in favour of the regime. It has a brief analysis of the election conducted in the 1980s and 1990s respectively. It deals with the regime's highhandedness in the parliamentary election conducted by the regime where the opposition are suppressed and many at times arrested. It also deals with the fraudulent means adopted by the government in the conduction of the election and counting of votes as well.

The fourth chapter deals with the opposition parties, and their profile. This chapter also explains the various methods adopted by the government to check the opposition parties through various kinds of laws passed by the government from time to time. It gives an account of the forced submissive role of the opposition parties.

Finally, the conclusion deals with the assessment of democratization and the methods to be adopted in the proper function of democratization.

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# **Chapter-I**

**Introduction- Contemporary Debates on Democracy  
in the Arab World- A Brief Outline**

The history of the Arab World has been a tormented endeavour to discard the old ways from the collapse of the Ottoman Empire to the present day. This endeavour has been unsuccessful and therefore the tension between religion and politics in the Arab World is far from resolved.

Islam continued to be operative in political notions of society and citizenship, law and judiciary, education and taxation, war and peace. State institutions concerned with law, the judiciary, education, and social welfare services were administered in large part by the *Ulema*. The state was often a major patron of Islam and Muslim institutions. Moreover, Islam has remained a primary principle of social cohesion and identity in spite of its loss of power and autonomy occasioned by colonialism and the Western secular path followed by most Muslim governments. Its continued presence among the vast majority of Muslims explains the continued appeal to and acceptance by many Muslims.

Now it is certainly true that from the time of the Abbasids the *shari'a* operated as the framework for judgement by *qadis* appointed by the ruler. But the *shari'a* was considerably less than law in any modern sense of the term.



While most Arab countries are classified as “middle” or “lower-middle” income countries by the World Bank, the major Arab oil producers are unique among developing countries in the high levels of economic resources available to them. Indeed, the disparities between Arab “haves” and “have-nots” represent the greatest regional disparities in the world.

Since the early 1980s a number of scholars have posited a connection between Arab oil wealth and the lack of democracy in Arab oil-producing countries.<sup>1</sup> It is argued that these countries constitute the “rentier” states in which access to large amounts of externally generated economic resources serves to strengthen state autonomy. Because state revenues are not dependent on domestic production, but rather on the international market, state decision-makers are much less constrained by the interests of domestic actors.<sup>2</sup> The availability of financial resources not only supports the coercive apparatus of the state but also sustains massive social welfare programs and fuels powerful neo-patrimonial network based on family, tribe, and proximity to the ruling elite. Indeed, coercion becomes less important as political legitimacy is, in a very real sense, “purchased” through economic rewards.

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<sup>1</sup> Hazem Beblawi (ed.), *The Arab State*, (London, 1988), pp. 85-98.

<sup>2</sup> Giacomo Luciani, and Hazem Beblawi (eds.), *The Rentier State in the Arab World in The Rentier State*, (London, 1987), pp. 150-188.

Politics in the Arab World is above all shaped by oil, and its associated Western interests are linked to debates about the rentier character of the state and the economy. A rentier economy is defined as an economy in which income from rent dominates the distribution of national income, and thus where rentiers wield considerable political influence. In this context, Giacomo Luciani has argued that the linked developments of colonial expansion and the exploitation of oil resources have consolidated the process of state formation in the Arab World. Moreover, he claims that 'oil production appears to have a strong and decisive influence on the nature of the state.

The oil phenomenon has cut across the whole of the Arab World, oil-rich and oil-poor. Arab oil states have played a major role in propagating a new pattern of behaviour, i.e. the rentier pattern. The impact of oil has been so pre-eminent that it is not unrealistic to refer to the present era of Arab history as the oil era, where the oil disease has contaminated all of the Arab World. Oil has attracted the interest of outside powers, and with them the dispensing of strategic rents, the presence of the Western powers, especially the United States in the post-Second World War era, is also argued to have frustrated from movements within the region in order to protect the West's access to oil. Defense of the status

quo, in which the distribution of oil reserves in relation to population (particularly marked in Saudi Arabia and the Arabian Gulf states) favours the West, has been the principal aim of US foreign policy in the region. The continued reproduction of the Arab-Israel conflict has conspired to make the Middle East the most armed region of the world, and has thereby bolstered the presence of military and authoritarian forces in the region's polities.

The concept of civil society has emerged in the last decade as an overarching category linking democracy, development, and peaceful management of domestic and regional conflict. A strong state does not necessarily imply a weak civil society or vice versa. In fact, most stable Western democracies represent cases of strong civil society and strong state. Similarly, as we will observe in the Arab world, a more common situation is that of weak civil societies and weak states.

The link between civil society and democratization should be obvious. Democracy, after all, is a set of rules and institutions designed to enable governance through the peaceful management of competing groups and/or conflicting interests. Thus, the normative component of "civil society" is essentially the same as that of "democracy". Aside from the Athenian or "town-hall"

model of direct democracy, organs of civil society are believed to be the optimum channels of popular participation in governance.<sup>3</sup>

No longer able to honour the terms of the old social contract, assuage new socio-economic formations with the tired language of political discourse, or forge a new participatory social contract (for fear of being toppled from power), Arab ruling elites resorted either to coercive repression at home or to risky adventures abroad.<sup>4</sup> Since 1980, Saddam Hussein's regime in Iraq has followed both these tacks, which reached their peak of 2<sup>nd</sup> August 1990 with the invasion of Kuwait, triggering what came to be known as the "Gulf crisis". During the crisis it was predicted that more participatory governance in the Arab world would be among the outcomes. This prediction was based on the proposition that the crisis was as much an internal Arab political crisis as it was a regional international. In fact, elements of participatory governance did materialize in a number of Arab countries, but the trend was already underway before the crisis. What the crisis has done is to expedite it. That some countries are proceeding faster than others can be ascribed to numerous domestic and external factors. Among the former is the relative size and degree of

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<sup>3</sup> Richard Augustus, "The Future of Civil Society in the Middle East", *Middle East Journal*, (Washington), 47(2), Spring 1993, p. 211.

<sup>4</sup> Michael Hudson, "Democratization and the Problem of Legitimacy", *Middle East Politics*, (Middle East Studies Association Bulletin), 22 (2), December 1988, p.157.

maturity of civil society in each country. It was among civil society organizations that rumblings were first heard, and these were followed by advances in democratization. In some countries, the march towards democracy was set back; in others it proved stillborn. What follows is a sketch of these three model conditions of current Arab politics.<sup>5</sup>

Still another position in this debate responds to charges of an anti-democratic bias in Arab or Islamic political culture not by focusing on the truth or untruth of such a claim, but rather by asserting that political culture itself should not be seen as the prime or overriding variable in any process of regional democratization.<sup>6</sup> Cultural attitudes, it is suggested, not only influence political realities but are also themselves influenced by political context. The danger is not that Islamic fundamentalists or others will use the electoral process to subvert democracy, but rather that the absence of democracy creates that conditions under which anti-democratic political forces thrive.<sup>7</sup> Finally, several critics of a political culture approach point as well to what they see as its methodology failings. Specifically, they suggest that

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<sup>5</sup> Nathan Brown, "Crises, Elites, and Democratization in the Arab Worlds", *Middle East Journal*, (Washington), 47(2), Spring 1993, pp. 292-305.

<sup>6</sup> Rex Bryen, Korany, Bahgat, and Paul Noble (eds.), *Political Liberalization and Democratization in Arab World*, (London, 1996), p. 184.

<sup>7</sup> Richard Augustus, "Inclusion Can Deflate Islamic Populism?", *New Perspectives Quarterly*, 10 (3), Summer 1993.

attitudinal variations (across countries, classes, and communal groups), the absence of sound survey data for most populations, and the tendency to use “culture” as an explanatory catch-all for political behaviour all restrict the value of such analyses. Consequently, they point what they see as more useful areas of investigations, such as historical process of state-formation and the contemporary impact of political economic.<sup>8</sup>

The notion of “democracy” in contemporary Arab discourse is explored by Salwa Ismail. It is clear from her survey that although the term *dimuqratiyya* has come to occupy a central place in contemporary Arab political and intellectual debates, there is by no means a consensus on how democracy should be understood or implemented. In particular, differences arise over how to reconcile the protection of individual rights within the framework of a broader project of Arab societal renovation.<sup>9</sup> The tensions that this generates are particularly evident in the different societal views on secularism, pluralism, and the role of the state. In terms of the sorts of analytical issues raised above, Ismail’s discussion is salutary in two key respects. First, it underscores the dangers of analytically imposing outside definitions of democracy on actors

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<sup>8</sup> Lisa Anderson, “Absolutism and the Resilience of Monarchy in the Middle East”, *Political Science Quarterly*, (London), 106 (1), (9), 1991, pp. 21-25.

<sup>9</sup> Salwa Ismail, “Democratization and Islam”, *Middle East Journal*, (Washington), 45 (3), Summer 1991, pp.199-225.

and social groups that may in fact use the term in very different ways. Second, it highlights the intellectual concern, energy, and tumult generated by questions of political reform in the contemporary Arab world—a picture very different from portrayals of the region as somehow intrinsically disinterested in political liberalization and democratization.

Around the world, elections have been the most common way of expanding political participation in government decision-making. This connection is at the heart of democratic theory, and it is likely to be an incontestable characteristic of any meaningful democratic system. It is important not to presume that all democracy must necessarily follow a Western liberal democratic model. Whenever and wherever it operates, democracy is fundamentally shaped by the historical and cultural context out of which it emerges.<sup>10</sup> When Michael Hudson decided to deliver his 1987 presidential address to the Middle East Studies Association on the subject of “democratization and problem of legitimacy in Middle East politics,” he reported that most of his colleagues were “incredulous” at the prospect.

The specific question of Islam and political pluralism is taken up in greater detail by Gudrun Kramer. She notes that it is possible

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<sup>10</sup> Gudrun Kramer, “Islamist Notions of Democracy”, *Middle East Journal*, (Washington), 484, July-August 1993, pp.21-27.

to identify both anti-pluralist and pluralist tendencies within Islamic political theory, the former emphasizing the unity of the Islamic community and the dangers of internal division, and the latter rejecting any human claim to monopoly of truth. This second position, she suggests, is a minority view. It is also qualified by its acceptance of the unassailable character of certain foundations of Islamic faith, as well as its attitude to those (non-Muslims or atheists) outside the Islamic framework. This having been said, however, she also suggests that it would be a mistake to attempt to discern the compatibility of Islamic movements (or Islam in general) and pluralist politics solely from a narrow and abstract reading of doctrine. In practice-as her case studies of Egypt and Tunisia suggest-the role and attitude of Islamic groups is shaped by regime policies, by the movement's own internal dynamics and debates, by the members' actual experiences, and by the balance of other political forces. This theme is one that is returned to later in the volume, as other contributors-notably al-Syyid, Clark, Brumer; and Ben-Dor-return to offer varying perspectives on Islamic movements and democratic politics.

In the years immediately preceding the Gulf crisis, several Arab regimes were already sensing their deepening loss of internal legitimacy. This was expressed in increasingly frequent violent



confrontations between regimes and one or more of the major socio-economic formations. The upper rungs of the new middle-class engaged regimes in nonviolent battles over basic freedoms, human rights, and democracy. On the Pan-Arab level, and within several Arab countries, the quest for democracy took the form of establishing human rights organizations and more autonomous professional associations, thus revitalizing stunted civil societies. There were varying levels of popular demands vis-à-vis Arab regimes. On one level, the demands were for greater “liberalization”, such as freedom of the press and association, as well as the right to travel abroad. Nearly all regimes made some concessions in response to these demands. On a more elevated level, the demand was for serious and explicit democratization, such as legalized political parties, equal access to mass media, and free and honest elections.<sup>11</sup>

The lower rungs of the new middle-class adopted Islamic political activism to challenge ruling elites. The modern working-class opted more often for strikes or other forms of work slowdown and industrial sabotage. The urban lumpen proletariat resorted to “street politics” such as demonstrations, rioting, and looting. In Egypt, there was less discordance between the ruling

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<sup>11</sup> Rex Bryen, Korany, Bahgat, and Paul, n. 6, p. 184.

elite and the public over the crisis. In fact, the regime issued a call for a parliamentary election in October 1990, as if to show that life in Egypt was orderly despite the crisis namely, the government's refusal to guarantee fairness in the political competition. The Egyptian regime's self-assuredness was, however, shaken by two events: the October 1990 assassination of former parliamentary speaker Rif 'at al-Mahgub, supposedly by Islamic militants, and the protests of thousands of Egyptian university students against what seemed to be the systematic destruction of Iraq.<sup>12</sup>

One positive development among the many negative aspects of the Gulf crisis has been the unprecedented political mobilization of the Arab masses. Popular expressions of support for one Arab side or the other in the crisis were not always in accord with the official positions of regimes. This had the effect of breaking the wall of fear between many Arabs and their ruling elites. Iraq is a dramatic example of this trend. Shi'a in the south and Kurds in the north rose up against the regime of Saddam Hussein-emboldened, it could be argued, by Iraq's crushing defeat and the prospect of aid from the victorious allies. Even the Gulf

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<sup>12</sup> Salwa Ismail, n. 9, p.202.

elites on the willing side faced mounting demands from their intelligentsia for more political participation.

Since the Gulf War, political liberalization has unfolded in a number of Arab countries only slowly and reluctantly. Despite advances in Arab political liberalization after the Gulf crisis, there were also important reversals. The most dramatic among these occurred in Algeria and Yemen. Tunisia and Egypt also have had some difficult moments in their democratization processes.

In 1988, Algeria seemed to be a promising contender for the transition from autocratic to democratic rule, after nearly 30 years of one-party rule by the National Liberation Front (FLN), and in the aftermath of widespread rioting in the fall of 1988. A multiparty system was introduced in 1989, under which municipal elections were held in the spring of 1990. Of the many parties competing in those elections, the Islamic Salvation Front (FIS) emerged as the most threatening to the FLN, scoring victories in about 50 percent of the country's municipalities.

In Yemen, shortly after the unification of the north and south in March 1990, the regime, made up of an alliance of the two parties that had ruled in the two Yemens-announced its intention to introduce a multiparty system in a full fledged democracy. An interim period not exceeding 30 months was to culminate in

parliamentary elections in the united, political pluralistic Republic of Yemen. By the spring of 1992 a democratic environment was flourishing. Forty-six political parties and organizations were operating in the political arena, and the number of daily and weekly newspapers and magazines had multiplied several folds. Observers visiting Yemen in 1992 were impressed without fear or retribution.<sup>13</sup>

In Tunisia, a multiparty system has been in effect since the coming to power of President Bin 'Ali in 1988. The ruling party, however, continues to monopolize power, although it engages in democratic rhetoric and dialogue with secular opposition parties. Meanwhile, the regime has been forceful in isolating and oppressing the followers of al-Nahda and other Islamists. Gross human rights violations have been recorded by Amnesty International and Middle East Watch. The regime has not only ignored such criticism but has endeavoured to curb the activities of the Tunisian League for Human Rights by making it illegal to hold simultaneous memberships in that organization and a political party. By July 1992, the League found it impossible to operate, and dissolved itself. Its dissolution was a serious setback not only

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13 David Sagiv, *Fundamentalists and Intellectuals in Egypt 1973-1993*, (London, 1995), p. 54.

for the democratization process, but also for the evolution of civil society in Tunisia.<sup>14</sup>

In Egypt, the Mubarak government has continued to muddle through with little, if any, marked change in its attitude towards further democratization of the system. The press continues to enjoy a reasonable degree of freedom, and three new parties have been established by court order since the Gulf crisis; of these, the most important is the Arab Democratic Nasserite Party, established in April 1992. Not much has happened to make the system more participatory. Meanwhile, new bouts of violent confrontations with Islamist groups broke out. The assassination of Farag Fawdah, a notable secular thinker, along with sectarian strife in Asyut and assaults on foreign tourists, were among the more ominous developments.<sup>15</sup> The regime's reactions to violence and strife have been more of the same: tighter security measures and additional anti-terrorism laws. At present, the situation remains a low-level war of attrition between the regime and Islamists. With greater freedom in Egypt, however, other, more moderate Muslim Brothers continued their peaceful attempts to

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<sup>14</sup> *ibid.*, p. 55.

<sup>15</sup> Meir Hatina, "On the Margins of Consensus: The Call to Separate Religion and State in Modern Egypt", *Middle Eastern Studies*, (New York), 36 (1), January 2000, pp. 35-67.

secure greater influence in the major organizations of civil society, such as professional unions. Through democratic elections, they gained control of the boards of doctors, engineers, and lawyers' association, which has been called Egypt's "fortress of liberalism."

In Iraq, Syria, Libya, and the Sudan, regimes have shown no discernible change in their autocratic methods. Iraq, a three-decade-long authoritarian state, emerged from the Gulf crisis as a tragic mixed case. Having been the immediate causes of the crisis, and having suffered a serious defeat at the hands of the U.S.-led multinational coalition, the regime of Saddam Hussein was substantially weakened. Nevertheless, the regime has clung doggedly to power in Baghdad and the centre of the country by maintaining its traditional authoritarian-repressive methods of governance.<sup>16</sup>

The global wave of democratization is helping the process of opening up Arab polities, as is the prominent role being played by international and Arab human rights advocates such as Amnesty International, Middle East Watch and the Arab Organization for Human Rights. These organizations are making it more and more difficult for Arab elites to draw upon their traditional coercive

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<sup>16</sup> David Sagiv, n. 13, p. 57.

impulse and apparatus. Thus, while the Gulf crisis may not have led to a “democratic revolution” in the Arab world, it has definitely contributed to an erosion of Arab authoritarianism edges through the moderate variety of Islamic groups that are opting to engage in “politics as usual”. Incorporation of these moderate Islamists into the mainstream of Arab politics would be much enhanced if civil society were permitted to develop naturally; but this process still is highly restricted in several Arab countries, as is democratization itself.

In extreme cases, such as Iraq, forming an association inside the country or joining one outside the country without written governmental approval can expose a citizen to nothing less than the death penalty. Even in countries with a longer history of civic organization, such as Egypt and Tunisia, not only a governmental approval is required, the authorities reserve the right to monitor and dissolve such organizations, almost at will.

Equally important to reinforcing democratization would be positive regional developments, especially regarding the Arab-Israeli conflict. The signing of the historic peace accord between Israel and the Palestinian Liberation Organization is potentially of great importance, not only in bringing peace and stability to the

region, but also in promoting the process of democratization and the development of civil society in the Arab world.

The agreement stipulates that any Palestinian authority must be freely elected. If this plan bears fruit, Palestine would be the first Arab state to be born democratically. Beyond the agreement itself, a close look at Palestinian society reveals that in the previous absence of a ruling state as such, the institutions of civil society have attained considerable prominence. The PLO itself has been a federation of non-state actors. The Fatah group with numerous voluntary organizations are examples of active instruments of civil society.

Among the many sets of issues addressed by contemporary scholarship on Arab democracy and perhaps the most intensely debated of all of them is that of the role played by Arab and Islamic culture. That Islam's emphasis on divine rather than popular sovereignty with the former being expressed in an established body of Islamic law resistant to change, and generally interpreted by an elite of religious scholars-puts many of the most important issues of public outside.



## **Chapter-II**

**Regime, Electoral Laws and Parliamentary Elections in  
the 1980s**

The parliament that presided over his succession to the Presidency in 1981 was the one produced by Sadat's vengeful 1979 elections, in which he had sought to purge the legislature of all meaningful opposition. That parliament was thus too weak to provide real legitimacy for the new president. Accordingly, although wary of the consequences of free and fair elections, Mubarak sought through the election of a slightly more representative legislature in 1984 to provide some substance to his claim to be a democrat, a claim by which he hoped to bolster his popularity.

Mubarak prepared the ground carefully for the 1984 election, as he has done for subsequent ones in 1987, 1990 and 1995. In the lead-up to the 1984 elections, opposition spokespersons (including those for the Wafd Party, which had been brought back to political life by a 1983 decision of the Supreme Constitutional Court) demanded that Egypt's long-standing constituency-based, multimember, simple majority, winner-take-all electoral system be changed to a proportional representation system.

The promulgation of the notorious laws No. 33 of 1978 concerning the 'protection of the internal front and social peace' and No. 95 of 1980 concerning the 'protection of values from shame' known as the Law of

Shame.<sup>1</sup> The law on the protection of the internal front and social peace provided for sanctions against those who questioned the principles of the revolution of 23 July 1952 or of the coup from above, which for the occasion was relabeled 'revolution', that Sadat had resorted to on 15 May 1971 to purge his regime of Nasirists who opposed his political line and domination.

The law of Shame allowed the punishment of any act contrary to morality, as defined by the regime. As a catch-all, it applied to the dissemination of 'immoral' messages as much as to public criticism of religious values. Those accused of such crimes appeared before a special court, the Court of Ethics often called the Court of Shame, which independently of any ruling by ordinary courts, could deprive the accused of their political rights and even of some economic rights. This court also became the only place to appeal against the measures taken by the executive against the press.<sup>2</sup> If the promulgation of these two laws by Sadat was proof of the more-than-ambiguous character of his political reforms, the rare recourse to them during the 1980s confirmed at the same time the relative liberalization of political life during the first ten years of Mubarak's Presidency. However, the fact that they remained in force

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<sup>1</sup> Eberhard Kienle, *A Grand Delusion Democracy and Economic Reform in Egypt*, (London, 2000), p. 19.

<sup>2</sup> *ibid*, p. 20.

throughout the 1980s also revealed the limitations of this liberalization and consequently confirmed that by the end of that decade the regime was still largely illiberal. As far as political liberties were concerned, the constitution recognized, for example, the principle of pluri-partism but stipulated that the activities of the political parties must not stray beyond 'the framework of the basic elements and principles of Egyptian society'.

A proportional representation, party-list system was bound to give the National Democratic Party leadership much greater control over candidate selection. It also would prevent independents from contesting elections. Not surprisingly, the government incorporated into the electoral law additional provisions designed to screen out opposition candidates. One such stipulation was that a party could enter parliament only if it captured a minimum of 8 percent of the vote nationwide. In addition a complex formula for distributing votes was adopted that favored the dominant party.<sup>3</sup>

The electoral system adopted in 1984 was that of corrected proportional representation-corrected largely in favour of the list of candidates that obtained the majority of votes. Only political parties could

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<sup>3</sup> Charles Tripp, and Owen Roger, *Egypt under Mubarak*, (New York, 1989), p. 76.

put out lists. Each list was credited with the percentage of seats that corresponded to the percentage of votes it received, as long as it gained more than 8 percent of all votes cast nationally.<sup>4</sup> Votes for lists that did not receive the qualifying percentage were transferred to the list that had won the greatest number of votes; in practice, the latter was always that of the National Democratic Party. The participation of individual or 'independent' candidates was excluded.

Under the amendments, a tenth of the seats in the people's Assembly were reserved for individual candidates, who, to be elected, had to gain the majority of votes given to individual candidates in a ballot in which voters cast one vote for an individual candidate and one for a party. None of the 48 constituencies could elect more than one deputy who was not part of list.<sup>5</sup> The electoral importance of candidates' local support bases was also reduced by increasing the number of seats from 350 to 448 while simultaneously enlarging the districts and bringing their number down from 175 to 48. Finally, each party was required to field two lists of candidates in every district.<sup>6</sup> The official rationale for this decision was to deal with the contingency of some candidates'

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<sup>4</sup> Richard Jacquemond, *Poliques Legislative Egypt Tunisia Algeria Morocco*, (Cairo, 1994), p. 96.

<sup>5</sup> Eberhard Kienle, n.1, p. 26.

<sup>6</sup> Erbeltan Borivoj, "Mubarak's Concentric Circle", *Review of International Affairs*, (Washington), 36 (89), March 1985, p. 20.

withdrawing from a party's original list. In reality, the new measure was designed to work against opposition parties, which finds it much harder than the ruling National Democratic Party to present two lists of candidates.

The many agents and agencies of the regime, which controlled the actual exercise of the right to vote and the right of eligibility frequently, suppressed these rights. The admissibility of each candidate for a parliamentary election was decided upon by a three-man commission presided over by a judge who, at first glance, seemed to be neutral, yet who was chosen and appointed by Ministry of Justice. The Minister of Justice and the Minister of the Interior appointed the two other members of the commission respectively.<sup>7</sup> A committee headed by judge presiding over the local court oversaw voters' inclusion in the electoral register; however, two members appointed by the regime flanked the judge, who sat *ex officio*.<sup>8</sup> In each constituency, a judge selected and appointed by the Minister of the Interior oversaw the counting of the vote. The latter also chose all members of the so-called general committee responsible for the counting and supervised by the judge. Additionally, the Minister of the Interior appointed the panels responsible for the various polling stations from where, according to the law, the ballot boxes were taken to

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<sup>7</sup> *Law No. 38, 1978, Article 8* which after modification by Law No. 901 in 1976 is still in force.

<sup>8</sup> *Law No. 73, 1956, Article 24* which was unaffected by the amendment of 1980s.

the general committee, which alone was allowed to open them. The ordinary members of these panels had to be selected from individuals on the payroll of the administration and public sector who, because of their professional situation, found themselves in subordination to the regime.

The 73 percent of the vote won by the National Democratic Party translated into 391 seats, or 87 percent of the total. Meanwhile, the combined vote of opposition parties, which was 27 percent, resulted in those parties' receiving only 13 percent of parliamentary seats. No independents were elected.<sup>9</sup> The Socialist Labor Party fell on percentage point short of that required for representation in parliament, so its votes, as well as those of National Progressive Unionist Party and the Liberals which in total amounted to 11.9 percent of all votes casted, were allocated to the National Democratic Party.<sup>10</sup> Ultimately the courts ruled that the complex and largely unfair formula for distribution of votes had been fraudulently applied in several districts and that those National Democratic Party deputies elected as a result should be unseated. Parliament however refused to comply: its speaker, supported by more than four-fifth of the National Democratic Party contingent, contested the courts' jurisdiction over the legislative branch. The opposition electoral

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<sup>9</sup> Cherif Bassiouni, "Egypt in Transition: Perspective on a Rapid Changing Society", *American Arab Affairs*, (New York), 27, Winter, 1988, p. 37.

<sup>10</sup> *ibid*, p. 37.

coalition of the Muslim Brotherhood and the Wafd, which had won 58 seats, became the principal parliamentary opposition and proceeded to use its limited presence to good effect. In the 1984-1985 sessions<sup>11</sup>, MPs associated with the Wafd- Muslim Brotherhood alliance submitted 22 percent of all bills.

The state of emergency allowed the regime to stop the opposition parties organizing electoral meetings in public places as well as to arrest, if only until the end of the electoral campaign or on polling day, party activists who were due to represent their parties or candidates at the polling stations and at the counting of the votes.<sup>12</sup> For example some 2,000 members and supporters of the Muslim Brothers were arrested the day before the 1987 elections.

Substantial fraud and interference always marked elections to the People's Assembly. Although the regime and its entourage were never alone in resorting to such methods, they were best placed to manipulate electoral registers, control access to polling stations or tamper with ballot boxes.

The elections always took place in a general political context characterized by the overwhelming *de facto* hegemony of the regime and

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<sup>11</sup> *ibid*, p. 38.

<sup>12</sup> *Law No. 162, 1958 on the state of emergency.*



its party. Because its power allowed it to tailor the constitution to its own needs and to manipulate and 'manage' the elections through widespread interference, the regime was also able to dominate or even monopolize debates, to exclude other actors from the game and to present itself as the 'only alternative'-be it in terms of political choices for the country as a whole or in terms of access to material benefits for individuals, groups or constituencies.<sup>13</sup>

In principle, the constitution also guaranteed freedom of opinion and expression, freedom of belief and worship, the sanctity of the private home, personal freedom and the dignity of the individual, including in cases of detention or imprisonment. However, personal freedom could be infringed or suspended by order not only of a judge but also of the public prosecutor, who was directly responsible to the executive. Moreover, the right to express one's opinion and to publicize it verbally or in writing or by photography or by other means 'could only be exercised 'within the limits of the law'.<sup>14</sup> The right to free expression did not extend to the right to demonstrate which was not mentioned in the constitution.

Many Egyptians did not experience the illiberal provisions of the constitution or the interventions in the electoral process as major

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<sup>13</sup> Eberhard Kienle, n. 1, p. 30.

<sup>14</sup> *Constitution of Egypt, Article 40 & 48.*

constraints. Although the National Democratic Party did not necessarily appear to them to be the best party, it frequently seemed to be the only party. It is therefore no surprise that all elections ended in victory for candidates of the National Democratic Party. Indeed, candidates of the regime party never obtained less than two-third of the seats in the Assembly. In the elections of 1979, 1984 and 1987, deputies who were members of the National Democratic Party accounted for 88 percent, 87 percent and 78 percent of the seats respectively.

In December 1986, the Supreme Constitutional Court ruled that the electoral law was unconstitutional because it prevented independent candidates from contesting elections. Accordingly new elections were held the following year. The revised election law passed by the People's Assembly stipulated that independents could compete for one seat in each of the forty-eight districts.<sup>15</sup> That this concession to independents was so limited reflected governmental apprehension about their potential role in parliament. Three years later the Supreme Constitutional Court ruled that this revised electoral law was also unconstitutional, thereby precipitating the 1990 elections, for which the party list system was abolished.<sup>16</sup>

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<sup>15</sup> Charles Tripp, *Contemporary Egypt: Through Egyptians Eye*, (London, 1993), p. 74.

<sup>16</sup> *ibid*, p. 76.

Despite the constraints of the electoral law, the opposition managed to capture 22 percent of the seats in the 1987 Assembly. Eight independents not including those more or less aligned with the National Democratic Party also won. The legislature elected in 1987 thus revealed the underlying weakness of the National Democratic Party's appeal to voters. The ruling party's percentage of the vote had fallen to 68.8, the poorest showing for the incumbent party since 1950. Even if the votes of National Democratic Party aligned independent candidates are added to the total, the National Democratic Party obtained no more than 77 percent of the votes, that is, 5 percent less than the ruling party's performance in the relatively free 1976 elections.

The 1987 election, in short, signaled to government and opposition alike that their competition was becoming a more equal one. In particular, the election of 56 deputies from the new Muslim Brother, Labor, and Liberal Party alliance, of which 36 were from the Muslim Brothers, reflected the Muslim Brothers' electoral appeal, which largely as a result of restrictions on its activities, was only partially translated into votes and parliamentary seats. With the Wafd's 36 MPs, the combined opposition controlled 92 of the 448 Assembly seats.<sup>17</sup>

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<sup>17</sup> Erdeltan Borivoj, n. 6, p. 22.

The weakness of the National Democratic Party then as now, is in fact much greater than the aggregate votes or even distribution of seats suggests, that weakness is due to the party's relative lack of appeal in urban and industrialized areas. Only through gerrymandering and the overrepresentation of rural areas does the National Democratic Party actually manage to win its lopsided parliamentary majorities. In 1987, for example, the National Democratic Party won a mere 51 percent of the votes in Cairo, only 42 percent of those in Port Said, and 39 percent of those in Suez.<sup>18</sup> To secure its overwhelming parliamentary majorities the government thus has to inflate the value of those rural votes it can more easily control. Significantly, border provinces, where the governmental bureaucracy dominates and where the National Democratic Party typically captures overwhelming majorities, are vastly over represented in parliament. With a population of just over half a million in 1987, those provinces elected 20 MPs, whereas Egypt's largest cities, with a combined population of almost 10 million-twenty times as much-elected only 90 MPs. Partly to facilitate this gerrymandering, the government discourages voter registration, especially in urban areas. In rural areas, families and clans, who receive encouragement from officials, do voter registration. In cities, by contrast, social solidarities are less compelling,

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<sup>18</sup> Simon Bromley, *Rethinking Middle East Politics: State Formation and Development*, (Cambridge, 1994), p. 42.

and governmental involvement is of a negative, rather than positive, nature. Until 1994, when the voter registration law was amended to extend the registration period from November to February, that law permitted new voters to register only during the month of December and through a relatively cumbersome procedure.

Turnout rates reflect the government's desire to encourage rural and discourage urban voters. In 1987, for example, fewer than 2 million of the almost 10 million inhabitants of Egypt's largest cities were registered voters, compared to over 200,000 registered voters out of just over 500,000 residents in the border governorates. Of just over 20 million residents of the Delta, 7 million were registered voters. Thus, border governorate residents were more than twice as likely, and Delta residents 50 percent more likely, to be registered voters than were inhabitants of the large cities. As Mark Cooper noted, the ruling party has, through patronage networks, "gained control over the traditional political structures of the agricultural areas and in the fringe," but it is unable to "dominate the politics of the cities and the industrial areas," which constitute "the real constituency for a policy of political liberalization".<sup>19</sup>

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<sup>19</sup> Mark Cooper, "Money and Power: The Dilemma of the Egyptian Infitah", *Middle East Journal*, 34 (4), Autumn, 1986, pp. 634-650.

Even less ambiguous than the results of the elections were those of the referendum. In the referendum on 13 October 1981, endorsing Mubarak as the new president of Egypt, the 'ayes' accounted for 98.46 percent of the votes cast, if official results can be trusted. Six years on, in 1987, the 'ayes' still amounted to 97.12 percent, while the turnout reached 88.4 percent. Only the results of referendum that affected the president's legitimacy less directly were slightly less impressive. For instance, the referendum that, earlier in 1987, confirmed the dissolution of the people's Assembly, resulted in only 80 percent of votes in favor, roughly the same percentage as that of the seats that, went to members of the National Democratic Party in the ensuing elections.<sup>20</sup>

The National Democratic Party's majority was always large enough to enable the party to ignore other political forces, when it came to nominating Mubarak as the only candidate for president, or when as President he asked for the state of emergency to be renewed, or when he requested full powers so that he could legislate by decree. By the same token, the majority of NDP was large enough to secure, without other parties' support, a deputy's expulsion from the Assembly, which, under the constitution, also required a two-thirds majority. Of course, many National Democratic Party candidates would normally have won the elections without intervention in their favour, but it allowed them to

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<sup>20</sup> Eberhard Kienle, n. 1, p. 28.

quash the last potential threats to their victory. As has been argued in other cases, this sort of opposition contributed more to the regime's stability than it did to its downfall.<sup>21</sup>

During and between election campaigns, the existence of opposition parties was never mentioned on radio and television. As presented by these media the political arena was populated exclusively by actors belonging to or close to the regime. Given that radio and television were the main sources of information for most Egyptians, the number of potential voters for one of the opposition parties probably did not exceed the number of readers of their newspapers, whose print-run was limited and whose distribution was often patchy outside the major cities.<sup>22</sup>

The disadvantages and constraints that affected the activities, and even the existence of opposition party were obviously not limited to their marginalization by the official media. Promulgated as part of the transition to pluri-partism, Law No. 40 of 1977, submitted the creation of political parties to the authorization of the regime and once they were established, restricted their freedom of action. The Law established the special community to which initially all application to established a political party had to be addressed.

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<sup>21</sup> Charles Tripp, n. 15, p. 84.

<sup>22</sup> Eberhard Kienle, n. 1, p. 28.

The application had to be signed by at least 50 people, half of them workers or peasants.

Only parties that satisfied a certain number of legal conditions could be authorized. Parties were obliged to accept the principles of the *Shari'a* as the main source of legislation as well as to defend national unity, social peace, democratic socialism and the interests of workers and peasants. Parties could not be established on the basis of class, religion or social categories nor could they be established on grounds of geography, sex, origins or dogmas.<sup>23</sup> Furthermore, their programme had to be sufficiently different from those of existing parties.

Members of the armed and security forces, judges and certain categories of civil servants did not have the right to belong to political parties or to lodge an application for the creation of a new party. Most of the programmatic conditions were so vague and general that it was easy to reject almost any demand for the creation of a new party by pointing to one section or another of its manifesto.

Once legalized, parties still had to submit to a wide range of restrictions, including the need to respect continuously the very

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<sup>23</sup> *Constitution of Egypt Article 3 & 4.*



condition on which their initial authorization depended. They were not allowed to accept funds from abroad or to maintain offices or bank accounts outside Egypt. Their accounts were subjects to scrutiny by the Court of Auditors. Any transgression of these restrictions by party leaders could result in the party's dissolution. In addition, the provisions of the state of emergency prevented activities such as public meetings. There were also many de facto restrictions and daily forms of harassment, which often had no precise legal basis. Parties did enjoy a few privileges, however, the most important undoubtedly being the right to publish newspapers and periodicals without prior consent of the Higher Press Council.<sup>24</sup>

In principle, the restrictive policy of authorizing parties could have reinforced the parliamentary representation of opposition forces. For instance, a limited number of opposition parties could avoid the fragmentation of the vote's caste in their favour, which was crucial as long as parliamentary representation depended on obtaining a fixed minimum percentage of votes. The restrictive policy of authorization could also have reinforced the internal coherence of the parliamentary opposition if, for instance it had contributed to the emergence along side the National Democratic Party or of another major party, such as the Wafd Party before the revolution.

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<sup>24</sup> *Constitution of Egypt Article 15 & Press Law No. 157, 1960.*

In practice this did not happen even though the percentages of non-national democratic deputies rose from 13 percent of seats in the 1984 election to 23 percent in the 1987 election, this short-lived increase did not coincide with a decrease in the number of contending parties. The importance of parliamentary representation of the various political forces depended not on their number but on the factors mentioned above. This hardly allowed the result to be analysed in terms of simple electoral mechanics, which would come down to the formal rules in force and the number of votes cast for each party or candidate. For example the *de facto* hegemony of the regime and its party limited the total number of votes that the opposition parties could win-even if simultaneously the small number of these parties may have prevented excessive fragmentation of the vote in favour of the opposition. In fact the mechanism in place limited both the weight and number of opposition parties.<sup>25</sup>

At the beginning of the 1980s, there were five political parties and from 1984 there were six political parties. The fact that there were six fairly distinct parties in Egypt compare not unfavourable with several established liberal democracies such as the United States, the United Kingdom and the Federal Republic of Germany. However, the number was less impressive if one considers the difficulties that some of them had

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<sup>25</sup> Zaki, *Civil Society*, pp. 74-79.

to overcome to be authorized. It is still less impressive if compared to the number of rejected applications for authorization.

The Wafd and the Umma party were legalized only after a protracted appeal in the courts. Two other parties met with success only in the 1990s, again after long legal battles. The case of the Wafd party clearly illustrated that the restrictions were aimed not solely at the more obscure or eccentric projects, such as the Progressive Global Party, but also at parties, which might prove to be too popular.<sup>26</sup> The regime's unwillingness to consider the creation of a Nasirist party confirms the repressive nature of the authorization procedure. Indeed, it was not until the 1990s that a Nasirist party could be established, thanks to a court ruling. The fact that no applications were lodged for the creation of a Communist Party or an Islamist Party other than the Labour and Umma parties reflected the acceptations that any such attempt was doomed to fail, rather than a lack of real demand. The Labour and the Umma party by no means represented all the various and diverse Islamist current. The Labour party was constantly wracked by conflicts between its Islamists and Socialists wings. Umma party was monopolized by a single family, the *sabahis* and thus was not able to mobilize other actors, even if generally they shared the same goals and values.

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<sup>26</sup> Charles Tripp, n. 15 , p. 81.

Despite these obstacles the opposition fared comparatively well in the 1987 elections. Its strong position in parliament resulted in a series of confrontations with the government. Islamist MPs utilized the power of interpolation to harry the minister of interior over allegations of torture of detainees. When in March 1988 the government rammed through legislation to extend the state of emergency, not only did all opposition MPs vote against it, but also three National Democratic Party deputies joined them.

In the event, however, the opposition was unable to capitalize on its comparatively strong position in the 1987 legislature. Its failure to do so resulted in part from its own miscalculation. When new elections were declared as a result of the Supreme constitutional Court's decision invalidating the election law under which that parliament had been elected, opposition parties, with the exception of the National Progressive Unionist Party, announced that they would boycott those elections unless supervision was to be conducted directly by the judiciary, as opposed to the Ministry of Interior.<sup>27</sup> Hoping to exploit the government's need to demonstrate its popularity in the lead-up to the Gulf War, and assuming that the government would also feel pressure to legitimate the Assembly prior to the upcoming presidential election, the opposition overplayed its

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<sup>27</sup> *Al-Ahram*, (Cairo, April 1987), Newspaper.com.

hand. As it transpired, the government was less concerned about its democratic legitimacy than it was worried by the prospect of yet stronger opposition in the legislature. It therefore refused to give ground.

Consequently, of the significant opposition parties, only the National Progressive Unionist Party contested the elections and it won a mere 6 seats. The National Democratic Party, including independents aligned with it, captured 385 seats, or 86 percent of the total. Able to marshal at most twenty-five votes on important bills most of which after 1991 were intended to further constrict political participation, the opposition lost the capacity it previously had enjoyed to utilize parliamentary procedures to embarrass the government and occasionally induce it to change its approach.

## **Chapter-III**

**Regime, Electoral Laws and Parliamentary Elections in  
the 1990s**

The erosion of positive liberties in the central institutions of the state was largely synonymous with the erosion of possibilities for Egyptians to choose their representatives in the People's Assembly. These opportunities, extremely limited until the mid-1980s, had increased with the 1987 elections. As a matter of course, the regime at that time still enjoyed a majority of over two-thirds, but more than 20 percent of the seats went to candidates from opposition parties or to 'independents'.<sup>1</sup>

The opposition realized its mistake almost immediately after the 1990 elections and determined forthwith to prepare thoroughly for the scheduled 1995 elections. However, the Islamist insurgency that broke out in 1992 raised political tensions to a level with which Egypt's fragile institutions for representation and protection of the rule of law could not cope. The government, apparently worried equally by the legal, aboveground opposition and the militant Islamist insurgency, embarked in 1993 on a series of steps that led in the fall of 1995 to a situation reminiscent of that just before Sadat's assassination in October 1981. By Egyptian standards, positive liberties had grown to an unprecedented degree and in some areas were expected to increase. Unfortunately, the thaw was brief and from 1990

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<sup>1</sup> Eberhard Kienle, *A Grand Delusion, Democracy and Economic Reforms in Egypt*, (London, 2000), p. 51.

the trend was reversed. In the Consultative Assembly developments were more complex.

However, to the extent that they marginally enhanced representation, this was the result of court rulings, not of voluntary action by the regime. Nor, of course, did the constitutional powers of the Consultative Assembly match those of the People's Assembly. In presidential elections, no further erosion of positive liberties occurred, but only because their 'closed' nature excluded any further deterioration.<sup>2</sup>

From 1990 onwards, the National Democratic Party's majorities began to increase again, almost imperceptibly in the elections of that year, and then spectacularly in the 1995 elections. Reduced to 78 percent of the seats in the 1987 Assembly, the majority of deputies belonging to the National Democratic Party increased in the 1990 Assembly to more than 81 percent before jumping to more than 94 percent in 1995. By comparison, in the 1979 Assembly they occupied a little over 88 percent of the seats; and in 1984, 87 percent.<sup>3</sup>

The progression of the National Democratic Party's majority in the Assembly between 1987 and 1990 was too limited to indicate alone the beginning of de-liberalization in the domain of positive liberties. But

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<sup>2</sup> *ibid*, p. 52.

<sup>3</sup> *ibid*, p. 53.



although it was not evident at the time, the elections of 1990 were the turning point when a new mode of manipulating the elections and of 'managing' them from above appeared, entailing the continued growth of the regime majority in the people's Assembly. Prompted largely by the electoral mechanics resulting from the introduction of the new electoral system, the arrangements were in a sense tested in 1990 and then put in place definitively in 1995.<sup>4</sup> More than ever the elections now became non-competitive, and without choice.

The thrust of governmental measures was to make no distinction between the formal, legal opposition and the insurgents. From February 1993 until the November-December 1995 elections, the severity of these measures increased steadily. In February 1993, alarmed by the growing influence of the Islamist movement within professional syndicates, the government rammed through parliament the so-called "Law to Guarantee Democracy Within Professional Syndicates", the impact of which was to place most syndicate elections directly under government control. In October of that year the government tightened pressure on journalists, amending the Journalists Syndicate law to place all promotions under governmental supervision. In March 1994, parliament passed legislation to

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<sup>4</sup> *ibid*, p. 54.

terminate the century-old practice of electing village mayors and deputy mayors, a step the government apparently deemed necessary because the opposition, especially the Muslim Brother, had performed comparatively well in the 1992 local government elections. Less than a month later, parliament extended the Emergency Law for a further three years, with only twelve dissenting votes being cast (as compared to some five times that number in the 1987 parliament). In May 1995, the government forced the legislature to pass in a matter of hours Law 93, which drastically increased penalties on journalists accused of libeling government officials. In the summer of 1995 the government moved to close down human rights organizations activity in Egypt.

Coupled with these measures was a security crackdown that was progressively extended until it ultimately included scores of candidates in the 1995 parliamentary elections. Several journalists were arrested on spurious charges or simply beaten up by government thugs. The new anti-terrorism law legalized the practice of sending civilians to trial in military courts. That practice steadily gained momentum until, two months before the election, virtually the entirety of the Muslim Brotherhood leadership, including many candidates for parliament, was sent to military courts for offenses of considerably lesser magnitude than those on which alleged

Islamist terrorists were being tried. Fifty-four members of the Muslim Brother were sentenced to jail terms immediately prior to the elections, at which time the government also announced that the Muslim Brother was “inextricably linked to terrorist organization.”<sup>5</sup> The Ministry of Interior closed and sealed Muslim Brother headquarters on the grounds that its members had been holding secret meetings there. The former leader of the Muslim Brother parliamentary delegation was sentenced to five years’ hard labour.

For many Egyptians, the announcement of new elections in 1990 initially seemed to confirm the regime’s willingness to open the doors further to representation and participation. By calling the elections two years before the end of the term of the preceding Assembly, the regime respected the ruling of the Supreme Constitutional Court, which earlier in the year declared unconstitutional the electoral system adopted in the elections of 1987. In the eyes of some, the dissolution of the Assembly elected in 1987 appeared all the more inspired by a wish to democratize, as the 1984 Assembly had been dissolved for the same reason. Also, from dissolution to the dissolution the rules governing the elections developed in accordance with the Court’s ruling from the proportional representation of the parties

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<sup>5</sup> Joel Campagna, “From Accommodation to Confrontation: The Muslim Brotherhood in the Mubarak’s Years”, *Journal of International Affairs*, (New York), 50 (1), Summer 1996, p. 278.

lists towards two stages majority vote for individual candidates in two member constituencies. By respecting the court's judgments, the executive appeared to respect the principle of separation of powers and thus to give proof of its own evolution towards post-authoritarian government.

To ensure the overwhelming defeat of the opposition, the government manipulated the election laws. The National Dialogue Conference of July 1994 had discussed whether the country should revert to a proportional representation system, but no definitive conclusion had been reached. The government had promised to take the matter under consideration. Then it delayed its decision for more than a year, thereby severely limiting the time opposition parties would have to prepare their slates of candidates, which was no simple task given the expansion of the number of districts from 48 to 222. By reducing the lead-time before the election, the government created uncertainty and confusion within opposition parties.

However, the adoption of an electoral system more in line with the requirements of the constitution, and apparently more democratic, took place through procedures which themselves were not democratic.<sup>6</sup> The country was subdivided into 222 constituencies; each electing two deputies, of whom

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<sup>6</sup> Eberhard Kienle, n.1, p. 55.

at least one had to match the official description of a worker or a peasant.<sup>7</sup> On 2<sup>nd</sup> October, Law No. 206 of 1990 was published, demarcating the boundaries of the new constituencies.<sup>8</sup> Candidates could finally register from 22<sup>nd</sup> October. Thus the new electoral system and the new constituencies were definitely in place only two months before the elections, the first round of which was set for 29<sup>th</sup> November and the second for 6<sup>th</sup> December. The disadvantages for non-National Democratic Party candidates who had no sizeable supporting infrastructure were obvious, and were exacerbated by the ruthless gerrymandering under Law No. 206.

The delay in promulgating the new arrangements seemed all the more deplorable because in essence it was a return to the provisions that governed the 1979 elections. The impression that the regime willfully kept its rivals in the dark was strengthened by the fact that the delay could not be explained by complex and extended consultations in advance of the changes, as none had taken place. Although there was some discussion in the ranks of the regime, the opposition was at no point consulted.<sup>9</sup>

Accusing the regime of reducing democracy to a 'democracy of slogans and decorum' and of avoiding dialogue with the opposition, the Wafd, the Liberal Party, the Labour Party and the Muslim Brotherhood

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<sup>7</sup> *Law No. 38, Constitution of Egypt, 1972.*

<sup>8</sup> *Law No. 206, Constitution of Egypt, 1990.*

<sup>9</sup> Eberhard Kienle, n.1, p. 55.

decided to boycott the elections. In particular, they rejected the idea that the elections be held under the state of emergency, with constituencies determined by the regime, and without guarantees to ensure their 'cleanliness' (*al-nadhafa*). Various professional syndicates, the Judges' Club and several 'clubs' of university professors (Hay's, pl. Hay'at al-tadris), which resemble the senior common rooms in British universities, also deplored, denounced and condemned the procedures.

Although since 1992 the governed has relied primarily on the stick in its approach to the opposition, it also has brandished the carrot intermittently, hoping that some elements of the opposition, would choose to receive benefits rather than be harassed. The most noteworthy example of this was the National Dialogue. President Mubarak had announced during his presidential acceptance speech before parliament in October 1993 that he wanted to conduct a dialogue with the opposition. In reality the National Dialogue was intended, as have been virtually all subsequent "carrots," as a device to split the secular from the Islamist (i.e., Muslim Brotherhood) opposition. That effort failed, largely because the government was unwilling to make sufficient concessions to the secular opposition in the form of guarantees of political freedoms. Consequently, the National Dialogue became a stage-managed event that produced no tangible results.

Technically, the new system favoured only independent candidates. The independent candidates were often independent only to the extent that they were not officially invested and supported by a party. Many belonged to a party and whose officially endorsed candidate or whose decision to boycott the elections they did not support. More than 80 Wafdists, 22 members of the Liberal Party (including its secretary general), 25 Muslim Brothers and other Islamists, 69 members of the Labour Party and 789 members of the National Democratic Party stood as independents. A further 120 belonged to the Unified Democratic Party (Hizb al-Ittihad al-Dimuqrati), which was in the process of being constituted but was only officially recognized in 1993, again thanks to a ruling of the State Council. Among the parties, the National Democratic Party was the only party to present 444 'official' candidates one for every seat. The Umma Party presented candidates for 33 seats, the Tajammu 'for 28, the Young Egypt Party for 19, and the Greens for 11'.

Candidates belonging to opposition parties, that is, their official candidates and their members standing as independents obtained only 29 seats compared with 94 in 1987. Thus, their share amounted to less than 7 percent of the seats compared to 21 percent in the outgoing Assembly Six of these 29 seats went to candidates of the Tajammu', the only opposition party

that officially participated.<sup>10</sup> Of the remaining 23 opposition deputies, 14 belonging to the Wafd, eight to the Labour Party and one to the Liberal Party; they all stood as independents despite their respective parties' boycott of the elections.<sup>11</sup> In the outgoing Assembly, just over one-third of also opposition deputies belonged to the Wafd, while the others were members of the alliance formed by the Labour Party, the Liberal Party and the Muslim Brotherhood.<sup>12</sup> The remaining 55 seats went to independent candidates who were not linked to any party and therefore may be considered as 'true' independents. Finally, in accordance with the constitution, the president appointed ten additional deputies, bringing the total to 454.

Like the 1979, 1984 and 1987 elections, those in 1990 were organized by a regime whose dominance was not in question and which did not accept that its position could be challenged by the ballot. This dominance affected the election results in several ways.

To the limited extent to which it reflected the choice of voters, the resounding victory of National Democratic Party candidates cannot be disassociated from the regime's *de facto* hegemony over political debate. Outside election periods, the activities of opposition parties were again hardly, if ever, covered by the state-controlled media which were by far the

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<sup>10</sup> *Al-Ahram*, (8<sup>th</sup> December 1990), <http://www.Newspaper.com>.

<sup>11</sup> Zaki, *Civil Society*, p. 45.

<sup>12</sup> *ibid*, p. 81.



most widely read, watched and listened to. Although the daily newspapers did report some of their internal developments and their opinions on certain matters, the information was always relegated to an obscure inside pages or column. Television and radio, the only sources of information for the vast majority of Egyptians, completely ignored the existence of these parties. To many, the National Democratic Party therefore seemed the only possible choice.<sup>13</sup>

National Democratic Party candidates benefited not only from indoctrination or manipulation of the electorate, but also from the link between party and regime. Knowing that the party enjoyed the regime's support, and that it would be declared victorious anyway, voters were only rational when they voted for its candidates. A National Democratic Party member could be considered to have the best access to the regime, a significant advantage in a country where one of a deputy's principal duties is to influence the allocation of budgetary resources in favour of his constituency.<sup>14</sup>

The provisions governing the technical aspects of the ballot facilitated interference by the regime and the forces closest to it. Often, these provisions were not respected at all, and fraud occurred on an even larger

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<sup>13</sup> Eberhard Kienle, n.1, p. 56.

<sup>14</sup> *Al-Ahram*, (30<sup>th</sup> October 1990), <http://www.Newspaper.Com>.

scale. Endemic as it was, fraud was certainly not exclusive to the forces of the regime, but it was they who could most easily rely on the neutrality or the co-operation of bureaucrats and coercive agencies. For instance, electoral registers were doctored, allowing the dead, the missing and other phantoms to vote. If necessary, votes were recounted to ensure that such and such a candidate including, in one case, the Prime Minister's brother were elected, so that results were sometimes announced after a delay of several days. Sometimes the ballot boxes were already stuffed with ballot papers when they arrived at the polling stations. Elsewhere, others were prevented from voting, or votes were bought by the candidates and their aides, sometimes for more than E10 or E20 each.

National Democratic Party members had far greater material resources than their opponents. This is not something to be ignored, if one considers that an average candidate easily incurred expenses in the region of E 50,000 ten times the limit fixed by the Ministry of the Interior to buy or make posters, banners and the wooden gates (*bawabat*) which, decorated with his photographs, slogans and banderoles adorned the streets of his constituency, to organize receptions and to pay his campaign aides.

In the final days of the 1995 election campaign, and even as the votes were being counted, the government made overtures to several prominent

secular and semi secular opposition political figures, including the NPUP leader Khaled Muhyi al-Din and Labor Party activist Adil Hussein. When those politicians and others rejected these overtures, the government ensured their electoral defeats. In the case of Khaled Muhyi al-Din, it did so after it had first tentatively declared his victory.<sup>15</sup>

Of course, it was possible or even likely that the National Democratic Party did not itself cover its candidates' expenses. However, the official denial of external support for the party did not prevent its candidates from making use of public-sector vehicles to transport their propaganda material, or from using public buildings to hold their meetings. In purely material terms, the resources made available by wealthy individuals hoping to be enthroned as 'official' candidates, were undoubtedly more important. Considering a seat in the People's Assembly a good investment for future gains, businessmen and entrepreneurs naturally turned to the National Democratic Party, whose candidates had by far the best chance of winning. In exchange for their official nomination, they financed their own campaign, and perhaps even other party activities. As gatekeeper to the parliamentary paradise, the National Democratic Party was clearly in a position to choose the best performing and most wealthy candidates. The amounts raised in this

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<sup>15</sup> Meir Hatina, "On the Margins of Consensus: The Call to Separate Religion and State in Modern Egypt", *Middle Eastern Studies*, (Washington), 36 (1), January 2000, p. 23.

way far exceeded the modest subsidies that other parties received from public funds.

Funds served not only to run the campaign, buy votes and corrupt officials, but also to hire thugs (*ballaguiyya*), whose aggressive tactics in the 1990 elections contributed to a then unprecedented level of violence, resulting in the deaths of more than ten people. The increase of such violence was clearly linked to the new electoral system, which involved a more direct confrontation between candidates than had the list system.

Although these factors had marked and influenced every election since 1979, they, or rather some of them were more pronounced in 1990. This was particularly true of vote tampering and fraud, which were exacerbated (although not solely caused) by the increasing importance of money in the elections. While the National Democratic Party was the most successful party in attracting wealthy candidates, it was by no means the only party to do so. Ultimately, a growing number of candidates could spend increasing amounts of resources, which intensified their competition and contributed to its violence.

The regime's attempts to produce the right results were far more obvious in the 1995 elections than in 1990. The campaign itself, the ballot and the count of the votes were all market by decisions and activities

designed to ensure that the regime obtained a comfortable majority in the new Assembly. That this majority was a staggering 94 percent of the seats was probably not anticipated, but it would be equally hazardous to claim that this figure was no more than an accident of history.

Under the terms of the constitution, the 1995 elections were due to be held during the 60 days preceding 13 December 1995, the date on which the mandate of the 1990 Assembly expired. Given that the election comprised two rounds separated by a week, the first round needed to take place slightly more than a week before this deadline. Although the official campaign could not start until President Mubarak had fixed the dates of the ballot, which he was required to do at least 45 days in advance, the unofficial campaign began as early as the summer.<sup>16</sup> Without reducing them to simple electoral preparations, the regime's decisions and policies during this period cannot be fully understood outside this context.

The irregularities of the 1995 elections were reminiscent of those of 1979, and they produced remarkably similar results. The National Democratic Party took 417 of 444 seats, with opposition parties winning but 14. Only one candidate representing Islamism, a member of the Muslim

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<sup>16</sup> *Law No. 73, 1956 on Political Rights, Article 22.*

Brother running as an independent, succeeded in winning a seat.<sup>17</sup> The Wafd Party became the leader of the opposition, with a mere 6 seats (the exact number as those held by the NPUP when it constituted the opposition's leadership in the 1979 Assembly). All opposition MP stalwarts were removed from parliament. Ibrahim Shukry, for example, leader of the Labour Party, was defeated in Daqhaliya, where he had won in every election since 1950 (with the exception of the 1990 election, which he boycotted). Fikri al-Gazzar, a popular, veteran independent MP with a reputation as the most outspoken critic of the government in the 1990-1995 parliament, was also defeated.

Law No. 93, which was voted by the outgoing Assembly at the end of May 1995 and immediately promulgated by President Mubarak, took on particular importance. This law, which modified several texts in force, heavily increased the penalties for 'crimes of publication'. It also abrogated the provisions, which had hitherto allowed journalists to escape pre-trial detention. Although from the point of view of the regime the uses of this instrument were not restricted to the immediate future, the law enabled it to exert additional pressure on the press during the electoral campaign.

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<sup>17</sup>Tamir Hatina, "Conflict and Cooperation between the State and the Religious Institutions in Contemporary Egypt", *International Journal of Middle Eastern Studies*, (Washington), 32 (1), February 2000, pp.3-22.

No less important was the arrest, at the beginning of September, of more than 80 influential members of the Muslim Brotherhood, who were accused of belonging to an illegal organization and of meeting clandestinely to discuss schemes and activities contrary to the constitution and the law. The charges related to the activities of illegal organizations and to acts defined as terrorist. The 1995 arrests signaled a potential change in the regime's policy and were all the more significant because those arrested were tried in a military court.<sup>18</sup>

If Law No. 93 was a warning to journalists, the arrest of the Muslim Brothers was a warning not only to their fellow members but also to the voters. If in the past the solution lay in joint lists with officially recognized parties with the Wafd in 1984, and the Labour and the Liberal parties in 1987 it now lay in standing as independent candidates. The reinforcement of repression could only mean that the regime would not tolerate any Muslim Brother presence at all in the new Assembly; votes cast in their favor might not have been counted and voters might have been better advised to vote for more acceptable candidates.

The political uproar produced by governmental transgressions during the campaign and by the conduct and results of the election may have been

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<sup>18</sup> *Al-Hayat*, (September 1995), <http://www.Newspaper.Com>.

greater than the president had anticipated. The U.S. government issued a statement emphasizing its concern about reports of irregularities and expressed the hope that the Egyptian government would investigate them. Such veiled criticism from the United States, combined with domestic dissatisfaction, probably contributed to the decision on January 3, 1996, to replace Prime Minister Atif Sidqu, the longest-serving prime minister in Egypt's history, with former deputy Prime Minister Kamal al-Ganzuri.<sup>19</sup> Because a month earlier President Mubarak had flatly declared that there would be no change of government after the elections, this step was widely seen as an attempt to provide at least the image of change, since the elections had failed to provide the reality of it.

Still, although neither free nor fair, the 1995 elections paradoxically demonstrated that substantial potential exists for a negotiated transition to democracy in Egypt. All legal parties participated actively in the campaign. The Muslim Brother defied governmental intimidation and its leaders risked lengthy prison sentences in order for some of its members to contest seats as independents or to run in alliance with the Labor and Liberal parties.<sup>20</sup> The poor showing of the opposition reflected in part the sharp divisions in its ranks. Rivalry between secularists and Islamists was intense in districts

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<sup>19</sup> Ann Lesch., "Democracy in Doses", *Arab Studies Quarterly*, (London), Fall (8) 1996, pp. 87-91.

<sup>20</sup> *ibid*, p. 90.



where both fielded candidates. Fierce as well was the competition between candidates who subscribed to opposing economic philosophies, with the Wafd and Liberals endorsing neo-liberalism and the Nasserites and NPUP adhering to various versions of Arab socialism. Such competition suggests the maturation of the political system into one in which parties provide voters with choices between reasonably coherent political-economic philosophers.

The Islamic insurgency was certainly not the only cause of the government's heavy-handed tactics in the mid-1990s. After all, by the fall of 1995 that insurgency had been at least temporarily contained. Instead, the government's increasing intolerance of political autonomy was driven primarily by the ruling elite's concern about the legal opposition,<sup>21</sup> which seeks access to power through the ballot box. As discussed above, the electoral base of the ruling party is fragile and in decline. The strongest organized political tendency in the country is Islamism, were free and fair elections to be held, the Muslim Brother would very likely win more votes than any other party. The regime, therefore, has felt that it has no choice but to turn its back on democracy and impose its will by the threat or use of physical coercion and by electoral fraud and interference. The resulting popular discontent, however, has contributed to growing public support for

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<sup>21</sup> Gambian Najib, *Democratization and Islamists Challenge in the Arab World*, (London, 1997), p.48.

political change, which in turn has brought increased political pressure to bear on the ruling party.

The regime's hegemony over political debate was, again, most obvious in the media. Throughout the campaign, TV and radio news bulletins superbly ignored the existence of opposition parties. True, the regime granted each opposition party two 40-minute slots on television, which was double the time they were allocated in 1990, but the parties could not use this time as they wanted: they were only allowed to read their electoral proposals. Besides being the only party to get official news coverage on television, the National Democratic Party was the only one with access to modern production technology provided by state TV. The independent candidates were given no broadcasting time at all, even though the SCC had ruled that they should enjoy the same rights as candidates supported by parties.

The regime's hegemony was not, of course, restricted to the media. Because of the restrictions imposed under the state of emergency, the opposition parties and candidates were again unable to hold meetings except in private rooms and buildings. While in the countryside their marches were often tolerated, in the cities they were quickly broken up by the police, and the candidates were often taken to the nearest police station and held for

some time.<sup>22</sup> The only opposition candidates who more or less escaped these restrictions were the few whose victory was desired by the regime in order to give some colour to the new Assembly and to prove that Egypt was still in transition towards democracy. According to detailed calculations by an Egyptian NGO whose self-declared mission was the ‘development of democracy’, the Assembly constituted in 1995 included a total of 66 businessmen, 59 of whom belonged to the National Democratic Party and one to the Liberal Party, the other six being independents.

The regime manifested themselves during and after the 1995 election. The large number of former National Democratic Party stalwarts who contested seats as independents was due in part to their awareness of the unpopularity of the ruling party. Indeed, some 140 candidates running as independents won, with the overwhelming majority of them then joining the National Democratic Party bloc in parliament. However, because of its lack of popularity, the National Democratic Party has only a limited capacity to enforce discipline among its members in the People’s Assembly. This explains why the National Democratic Party parliamentary majority has been so critical of the government in areas of “low policy,” especially those connected to service delivery. Far from being a monolithic organization, the

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<sup>22</sup> Eberhard Kienle, n. 1, p. 53.

National Democratic Party is so fragmented that its various factions compete actively against one another, especially in the parliamentary arena.

In both rounds of the elections, as for instance in Zagazig, ballot boxes were already stuffed with voting papers when they arrived at the polling stations. In many polling stations, the delegates of independent or opposition candidates were not admitted, under the pretext that some detail was missing from their letters of authorization. Others were evicted before the polling stations closed. Elsewhere, the vote was stopped before the stations were legally to close, or only voters with the necessary recommendations were admitted. In the polling station for women in Tahrir Street in the Cairo district of Duqqi, a brawl broke out when several voters alleged fraud. The police arrived, arrested the women, and then made off with the ballot boxes. Many polling stations were wrecked by hired thugs, and the ballot boxes disappeared, were set alight or opened by force. When the police stood quietly by, as they did in Sayyida Zaynab in Cairo, the probability was high that the instigators were close to the regime. In other places, special polling stations were found to be in police stations, which was illegal. Not infrequently, votes and officials in charge of the vote were bought.<sup>23</sup>

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<sup>23</sup> *Egyptian Organization for Human Rights*, (in Cairo, 1996).

At the end of the ballot, the minutes of the polling stations were doctored, for instance by forging the signatures of opposition delegates who had been arrested or evicted.

Although it announced the winners, the Ministry did not publish the number of votes obtained by each candidate. The official figures were limited to the turnout. Even the official gazette only published the names of the candidates elected. There were only a few cases in which one could obtain relatively reliable information on the number of votes cast for individual candidates. Ultimately, the official results reflected the wishes of the elected far more accurately than those of the electors.

When the Minister of the Interior announced the final result of the ballot, 417 of the 444 seats went to members of the National Democratic Party. The figure included the hundred or so National Democratic Party members who were elected as independents, but then joined the party's parliamentary group. Even without the ten deputies appointed by the president, the regime thus had a majority of 93.90 percent of the seats in the Assembly. With the appointed deputies, the majority rose to 94.05 percent of the seats, the regime's biggest majority since the introduction of pluripartism in 1979.

The 1995 elections resulted not only in the largest majority of National Democratic Party deputies since 1979 but also in the largest majority of male deputies since that date. If the decline of female representation was not just a consequence of the exclusion of non-regime forces, it was nonetheless a sign of political de-liberalization in Egypt. However, unlike the parliamentary representation of the forces independent of the regime, which began to decline only after reaching its peak in 1987 that of women deteriorated continuously from election to election.

Among the 444 deputies elected in 1995 there were only five women, all members of the National Democratic Party. Four women were among the ten deputies appointed by the President; after the appointment of three woman deputies by the President, the 1990 Assembly included ten women. In 1987, 14 women were elected and the President appointed four more, giving a total of 18. Thus, women occupied only 2 percent of the seats in the 1995 Assembly, compared with 2.2 percent in 1990 and 4 percent in 1987. Before the quota of 30 seats (then out of 450) reserved for women was abolished in the mid-1980s, their share of total seats was 8.9 percent in 1979 and 7.86 percent in 1984.<sup>24</sup>

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<sup>24</sup> Zaki, n. 11, p. 58.

The decline of female representation cannot be explained by a fall in the number of female candidates or in their percentage of all candidacies. On the contrary, the development over time of the number and percentage of female candidates were inversely proportional to the number of seats that they obtained. In the 1987 elections, there were only 22 women among the 3,592 candidates, which is just about 0.6 percent. In 1990, there were 45 women out of a total 2676 candidates or 1.68 percent. In 1995, their number rose to 71 out of 3,980 candidates, which is 1.78 percent. Although the switch to majority vote coincided with an increase in both the number and percentage of female candidacies, it also coincided with a decline in the number of women elected. At the same time, the chances of being elected were not the same for female and male candidates. The five women elected in 1995 represented just 7 percent of all female candidates whereas the 439 men elected represented more than 11 percent of male candidates.

In short, electoral irregularities in the 1990s elections reflected the relative weakness of the ruling party. They also detracted from the government's legitimacy, thus further weakening it vis-a vis the opposition. Because the People's Assembly produced by the elections does not accurately reflect public opinion, it cannot legitimize the government. In this context, factionalism within the National Democratic Party encourages

sniping at governmental policies and performance, thereby further weakening both that party and the government. Egypt in the late 1990s therefore suggests that elections and parliaments can create pressure for a transition toward more democratic forms of government.



# **Chapter-IV**

## **Opposition to Regime**

The changes in Egyptian political life since Mubarak's accession to power have been dramatic. Following Sadat's hesitant steps toward pluralism, the Mubark government permitted the certification of a variety of opposition parties. Those that contested elections in 1984 and 1987, the freest in three decades (despite charges of fraud and intimidation), represented true alternatives to the ruling National Democratic Party (NDP) headed by Mubarak. In 1987, opposition parties captured 95 of the 448 seats in Parliament.<sup>1</sup>

Mubarak has allowed a lively opposition press to emerge, which quickly gained wide readership. The quality of coverage is mixed; it is often argued that the government has shrewdly exploited lax standards and a tendency toward sensationalism to deflate the credibility of opposition journals. Nonetheless, because the state-run media is so limited in coverage, those who want news or rumors of opposition activities, financial scandals, price rises and public disturbances are forced to turn elsewhere, irrespective of political affiliation.<sup>2</sup>

The parliamentary opposition represents diverse ideological and political traditions. The unofficial leader of the opposition is the Muslim Brotherhood. Still not a legal political party, the Brotherhood has been

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<sup>1</sup> *Middle East Times*, (April 1987), <http://www.Newspaper.com>.

<sup>2</sup> *Al-Ahram*, (April 1987), <http://www.Newspaper.com>.

allowed to contest elections in alliance with certified parties. An alliance in 1987 between the Brothers, the Socialist Labor Party (SLP) and the tiny Liberal Party captured 17 percent of the vote, 56 seats (60 after the assignment of 4 of 48 appointed seats). Although SLP President Ibrahim Shukri is the official leader of the alliance, the Brothers are the dominant faction, controlling 38 seats to the SLP's 16 and the Liberals' 6.

The Wafd, the reconstituted majority party of the parliamentary era (1924-1953), holds 35 seats, making it the second largest opposition bloc in Parliament. The Wafd differs minimally with the Mubarak government in economic and foreign policies and should represent the ideal loyal opposition. Allied with Muslim Brothers in 1984, a stratagem that probably cost the party as many votes as it gained, the Wafd has reasserted its traditional secular posture. Shut out of Parliament twice because it failed to win 8 percent of the vote, the National Progressive Union Party (NPUP), a broad coalition of Marxists, Nasserists and social democrats, remains a leading voice in opposition circles. Other small parties have been formed, but play no significant role in the opposition.

Despite fundamental ideological differences, the parliamentary opposition speaks with one voice on issues of democratization and civil liberties. It challenges the legality of the 1984 election law, restricted

representation to parties that win at least 8 percent of the national vote. In January, 1989, opposition deputies proposed revised guidelines for electoral reforms that included supervision of elections by the judiciary, the cancellation of current voter lists, and the redivision of constituencies “along objective lines.” They have sustained an offensive against the emergency measures, leveling charges of wiretapping, torture and corruption charges that the government denies vociferously but not always convincingly.<sup>3</sup>

The state continues to treat parliamentary foes as pariahs. On occasion Mubarak will meet with opposition leaders, but they remain virtual nonentities to the government-run media. In Parliament, where the NDP commands an honorary backbench. Speaker Rifat Mahgub, who wields a heavy gavel, ranks second only to Zaki Badr as a target of the nonstate press. Since assuming the post in 1984, Mahgub has presided over a decreasing number of issues debated, speeches made and votes taken by the People’s Assembly. He prematurely closed the 1986 session against oppositions out cry.

The regime monopolized all political activity and suppressed all forms of political dissent. The result was an imbalance between the administration and political action with the institutions of the civil service, police, and army

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<sup>3</sup> *New York Times*, (May 1989), <http://www.Newspaper.com>.

far outweighing the political parties and interest groups. The government penetrated almost all such groups and brought them under its legal and financial control.

The years 1976-1981 mark the beginning of political liberalism primarily through a contrived multiparty system. Anwar al-Sadat introduced economic and political liberalization by permitting groups representing roughly the socialist, centrist and capitalist points of view to organize themselves in parliament and within the single-party structure of the Arab Socialist Union. Measures taken to balance the structural rigidity of the regime included cautious liberalization of organized political participation, publication of opposition newspapers and freedom of assembly. Currently, the growing demands of the political opposition for a breakthrough in the long-promised yet still elusive transitions to democracy involve relaxing or eliminating restrictions on parties and associations in the electoral and parliamentary arenas.

### **The Parties**

The main official parties in Egypt today are the National Democratic Party (NDP), the New Wafd, the Socialist Labor Party (SLP) with which the

unofficial Muslim Brotherhood is allied, the Liberal Party, and the National Unionist Progressive Party (NUPP).

### **The National Democratic Party (NDP)**

Created by Anwar Sadat in 1978 out of the Arab Socialist Union, the National Democratic Party is the ruling government party. Among its membership are many senior government officials, including provincial governors, most of them dating back to the Sadat era. Still perceived as “Sadat’s party” and better financed than all other parties, it exercises virtual control of the media and dominates both the local and national legislatures. In 1983 the introduction of the absolute majority list system in local elections guaranteed that all council seats would be won by the NDP. The NDP is able to garner support because of its distribution of social services and its mobilization of tribal and patrimonial leaders.<sup>4</sup>

### **The New Wafd**

In contrast to the other opposition parties, which were to some degree created under the current regime, the New Wafd is a revival of the pre-revolutionary Wafd. Heir to the liberal nationalist independence movement begun in 1919 and to the majority party of 1922-1952, it linked national

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<sup>4</sup> Roger Owen and Tripp Charles, (eds.), *Egypt under Mubarak*, (London, 1989), p. 43.

independence with democratic reform. It was banned in 1953 but later allowed to reorganize in February 1978 under the leadership of Fuad Serag al-Din, former secretary general of the “old” party. It developed into such an influential legal opposition party that Sadat was prompted to introduce a specific referendum in June 1978 banning “pre-Revolutionary corrupters.”

The party again went out of existence but, after a long court case, it was allowed to resume its activities in 1983. The new Wafd’s secular traditions, coupled with the reputation of the old Wafd, attracted a number of Copts at one point in addition to its constituency among the rural middle class and urban liberal professionals, mainly lawyers and judges. Its alliance, however, with the Muslim Brotherhood in 1984 disquieted many of its secular and Coptic members, prompting a significant number of prominent Waffdists to leave the party. They maintained that the Wafd’s inability to stand fast on its secular principles undermined everything for which it had originally stood. Following the death in April 1986 of Umar al-Talmassani, leader of the Brotherhood and the principal supporter of the alliance with the Wafd, the Brotherhood dropped out of the alliance in 1987 and, in a bid to reestablish its traditionally secular image, Wafd leader Serag al-Din declared that the party was opposed to the formation of parties based on religion. This move, however, failed to trigger the expected support of Christian Egyptians

whose spiritual leaders opposed to militant Islamism and fearing. Lebanese-style sectarian strife seemed convinced that their interests lay more with the NDP, particularly considering President Mubarak's persistent commitment to national unity.<sup>5</sup>

It has joined other opposition groups in demanding legal and constitutional reforms, notably freedom of association for all political parties, reform of the electoral law, and election of the and Vice President by direct universal suffrage. It opposes the Camp David Accords on the basis that they have been repeatedly violated by Israel.

The absence of an effective grassroots organization with a more realistic approach to the social and economic changes that transformed Egypt's political landscape over the past three decades has prevented it from harnessing its real but diffuse support. The main themes that run through its newspaper, al-Wafd, are the alleged golden age before 1952, the record of the Nasir regime, a catalogue of current Egyptian problems, and a hope for a better age under a liberal parliamentary government. Such themes tended to be attractive to an important segment of the population when the party first reemerged but now seem to be irrelevant since they are not accompanied by a committed concern for socio-economic problems or for projecting a new

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<sup>5</sup> *ibid*, p. 44.



vision for Egypt that could galvanize the imagination of the young. The Wafd still speaks chiefly to the educated elite, an aspect of secular opposition politics that contributes to voter apathy and lack of mass confidence at election time.

Nonetheless, by raising doubts about the official policies during parliamentary debates and by relentlessly exposing government corruption and denouncing torture in prisons, as well as pushing for a freer parliament, the New Wafd has had considerable impact on educated public opinion; its daily newspaper has a sizable circulation of 750,000. If it could still rally substantial support from many Egyptians who see it as a means of winning a freer press, personal liberties, and a truly multiparty democracy.<sup>6</sup>

### **The Socialist Labor Party (SNP)**

This party was founded in 1978 by President Sadat and put under the leadership of Mahmud Abu Wafia, his brother-in-law. It was devised as a “loyal opposition” to the National Democratic Party and to compete with the New Wafd and the National Unionist Progressive Party both of which were banned at the time. The party, however, escaped Sadat’s control and, under the leadership of Ibrahim Shukri, represents a revival of the “Young Egypt”

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<sup>6</sup> *ibid*, p. 49.

party of the 1940s (an outgrowth of a nationalist-Islamist group, once thought of as fascist, that flourished among urban youth in the late 1930s). Its program has changed little since that time. Virtually all of its leaders were arrested by Sadat in 1981 and the party was outlawed. In 1982 it was again allowed to function after it supported Mubarak for President.

The party is intensely nationalistic and religion-oriented, two characteristics that facilitated an “alliance” with the Muslim Brotherhood during the April 1987 elections. In fact, observers saw this coalition as a Brotherhood takeover of the party and raised questions about the future of the SLP. The motto of the SLP had been “Allah and the People,” but during the elections it was changed to “*Allahu Akbar*” (God is great). The party’s program in 1984 opposed Sadat’s “consumerist” *infitah* (open-door policy) for moral rather than economic reasons and supported “productive” *infitah*. It also stressed that al-Azhar’s central position in the Arab and Islamic world be upheld. The SLP accepted “with reservations” the Camp David Accords in 1979 but has opposed them since 1981. It has called for a progressive fiscal system and for social justice by indexing wages and pensions. It is interesting to note that during the alliance with the Brotherhood in 1987 the

SLP made no mention of “social justice, although its position on wages and pensions remained the same.<sup>7</sup>

There was also no mention of the United States or the Arab League. Instead, a clause was included stipulating that Egyptian national security required Arab cooperation with all Islamic states and support of the Palestinian struggle (linking both to the “freezing “ of the Camp David Accords thus paving the way for their abrogation).

### **The Nationalist Unionist Progressive Party (NUPP)**

This party was formed in 1976 as a manifestation of the leftist tendency of the Arab Socialist Union. It is often described as a marginal group of Marxists and left-wing Nasserite intellectuals together with some trade unionists and “enlightened” Muslims. But this characterization of the NUPP as a marginal grouping of leftist intellectuals tends to underestimate the party’s potential as a political force. The party is headed by Khalid Mohy al-Din, a former member of the Revolutionary Command Council who split with Nasir in 1954. Its main recruiting ground and base of support is among socially mobile people of modest background who members are recruited from ranks of lower-level *muwazzafin* (white-collar employees) or what the

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<sup>7</sup> *ibid*, p. 50.

Egyptian economist Mahmud Abdal-Fadil calls “the new petty bourgeoisie.” This is the layer of society that constituted the urban base of the Nasir regime.

One of the main problems facing the NUPP is directly related to the constraints of the law regulating political parties. Because the Sadat regime had decided to allow only one leftist party, preferably a purely communist one in order to marginalize it more easily and, in particular, to prevent creation of an independent Nasirite party. Many opposition Nasirites and other Arab nationalists joined the NUPP. This, of course, meant the uneasy coexistence of different political persuasions and the necessity for compromise solutions, often in conflict with the desires of militant members for clear-cut programs, particularly on social and class issues. Persistent harassment by the Sadat government and branding of it as communist and atheist prevented the NUPP’s growth. The party is so often on the defensive that it announces from time to time that its leader is away in Saudi Arabia on an *umra*, a minor *hajj*.

The NUPP press, in times of communal tension particularly, tries to give a progressive interpretation of Islam in order to bring out the basic compatibility of Islamic principles with socialism. This stance did not prevent the NUPP in the last elections from being the target of the “alliance”

the Socialist Labor Party, Muslim Brotherhood, and the Liberal Party. One question raised by Brotherhood leader Hamad Abul Nasr during the elections was whether it was permissible for atheists to be allowed a party while believers were denied one. Yet, the NUPP has constantly pressed for freedom of party formation for all political forces, including the Muslim Brotherhood. In its response to repeated charges of “incompatibility” with Islam, and within the context of its refusal to join the alliance, the secretary of the NUPP Central Committee replied that it was not ready to abandon its principles of national unity for a handful of seats in parliament. With no elected representation in parliament and unable to hold public meetings or official rallies except within their headquarters, NUPP local provincial committees are currently isolated. The main weapon for confronting government attacks and for criticizing government policies has been through the party’s weekly newspaper, al-Ahali (The Populace), which has a substantial circulation of about 100,000.<sup>8</sup>

The relaxation of restrictions on the Nasirites in 1987, allowing them to publish their own newspaper, Swat al-Arab (Voice of the Arabs), and permitting them to convene their first conference has seriously weakened the all-embracing leftist front for which the NUPP has traditionally stood since

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<sup>8</sup> David Sagiv, *Fundamentalists and Intellectuals in Egypt 1973-1993*, (London, 1995), p. 86.

1976. A number of important members of the NUPP'S Central Committee and General Secretariat left the organization and founded the unofficial "Nasirite party." The Nasirites have due to be accepted by the government's Parties Committee and their newspaper was banned in 1988. They still have several legal hurdles to surmount before gaining legitimate status, among which, would be proof that their party is sufficiently different from the NUPP to warrant establishment.

During 1987, the Parties Committee accepted a court ruling that rejection of the peace treaty with Israel (the Nasirites position) could not be used as grounds for refusing a party's application for legitimacy. A positive aspect of this development is the increasing independence of the judiciary and the growing resort to it by different political forces to bring about change in the system. Marxists, too, outside the NUPP have relentlessly sought an operating license for the Egyptian Communist Party. With this goal, a number of them have stood for election as independents hoping to win a few seats.

### **The Liberal Party (LP)**

Developed from one of the Arab Socialist Union's original right-wing "platforms," this party is headed by Mustafa Kamal Murad, a second-rank

Free Officer, and was previously called the Liberal Socialists. Despite its declared attachment to basic liberties, the party publishes one of the more virulent ant-Christian newspapers, *al-Nur* (The Light), along with its own party organ, *al-Ahrar* ((The Freeman). Because of an almost total depletion of its party leadership when some of its most prominent members left it to join the Wafd, it has recently taken an even more Islamist approach in order to attract Muslim Brotherhood dissenters from the Wafd. The party is strongly in favor of *infitah* and the free market and backed Sadat's peace treaty with Israel. Eager to participate in the elections, the liberal Party in 1987 joined the Socialist Labor Party-Muslim Brotherhood alliance with a 20 percent share of candidate slots.

### **The Muslim Brotherhood (MB)**

In its 60 years of its existence, the Muslim Brotherhood has managed to politicize Islam, as has no other indigenous popular movement in Egypt's history. Founded in 1928 by Hassan al-Banna, it was outlawed in 1948 after being accused of several political assassinations, including two prime ministers and a head of the police. An attempt on Nasir's life in 1954 finally sidelined the Brotherhood in Egyptian politics for almost 20 years. Several

leaders were executed, including two of their main theoreticians – Abd al-Qadir Auda in 1955 and Sayyid Qutub 10 years later.

Since the 1960s and 1970s, and under the leadership of Talmassani, the Brotherhood has abandoned the use of violence. Although technically banned since 1954, the organization has enjoyed de facto recognition by the Egyptian government since the mid-1970s when Sadat sought their help in countering his leftist and Nasirite opponents. The attacks on Sadat's Jerusalem visit and the Camp David Accords prompted a halt in 1981 to their publications – *al-Dawa* (The Call), *al-I'tisam* (Steadfastness), and *al-Mukhtar al-Islami* (The Islamic Digest), and they were not spared in Sadat's September 1981 crackdown on the opposition.

The Muslim Brotherhood is still committed to its historical objective of bringing about an Islamic social order although in the 1980s they have clearly accepted political pluralism. They participated through the Wafd in the 1984 parliamentary elections and through their alliance with the SLP and the Liberal party in the 1987 general elections. More radical Islamist groups, such as *Jihad* (Struggle) and *Al-Thrir al-Islami* (Islamic Liberation), consider the Brotherhood's willingness to participate in electoral politics an evidence of their compromising and half-hearted commitment to Islam. Nonetheless, their ranks are expanding because of the cheap welfare services



the group offers. The premises of thousands of non-governmental mosques have been used to set up clinics, schools, investment companies and other services. According to a leading Egyptian sociologist, the Brotherhood has been steadily filling the political vacuum left by Nasir. Its religious populism is proving to be a functional equivalent to Nasir's nationalist, socialist populism and appeals to the same constituency – the lower-middle and middle classes.

During 1986 and the first half of 1987, Egypt experienced three major events, each of which had tremendous political implications. The police mutiny in February 1986, a constitutional crisis in December 1986, followed by the dissolution of Parliaments are in a curious way intertwined. The police riots expressed the frustration of an important and youthful sector of the working classes with the current socio-economic policies, the constitutional crisis reflected the mounting tensions and growing demands for an expansion of the democratization process, and President Mubarak's call for the dissolution of Parliament by referendum was motivated precisely by these serious and growing internal problems.<sup>9</sup>

The first event was so serious that the gravity of the situation called for the army to restore order – a dangerous precedent for any government.

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<sup>9</sup> Charles Tripp, (ed.), *Contemporary Egypt: Through Egyptian Eyes*, (London, 1993), p. 72.

The second event was brought about when a number of advisers for the constitutional court reviewed the case filed in 1984 by lawyer Kamal Khaled to prove that the electoral law which, prevented him from running for election as an independent candidate, was unconstitutional. His motion was supported by the High Administrative Court, which referred his case to the Supreme Constitutional Court. Moreover, the founding member of Nasserist Arab Socialist Party had presented an application for a party license to the Committee on Party Law. When the Committee turned it down they also took their case to the High Administrative Court. What transpired, therefore, was that both the electoral law and the party law contained items deemed unconstitutional items. The Committee eliminated the item which assigned a seat in each electoral district to women because it was against the constitutions which was the source of all the force, preventing independents to run in all 48 districts, thus, mixing the party-list proportional system (which dates back to 1984) and the single member constituency system (which dates back to the first elected parliament in Egypt in 1924).<sup>10</sup>

In an attempt to forestall increasing opposition pressure, President Mubarak called for the dissolution of the Assembly by referendum, opening the way for fresh elections on 6 April 1986. It is important at this stage to

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<sup>10</sup> Robert Baichi, "Islam and Democracy in Egypt", *Current History*, (Washington), February 1989, pp. 93-95.

note that this announcement occurred quite unexpectedly on 4 February 1986, of the first-ever mass rally jointly organized long before that date by all the licensed opposition parties under the theme of 'In Defense of Democracy'.

Ideologically, it would be possible to think of Egyptian political forces in conventional terms of right, left and center, or in slightly more complicated version: conservative, liberal, socialist, communist, fascist or anarchist. The problem is that all ideological frame words oversimplify the Egyptian political landscape, even though they each cast some light on Egyptian politics.<sup>11</sup> Furthermore, Presidents do dominate the system and much of the political activity has been characterized by support for, or opposition to the President, but, interestingly, many opposition leaders have concentrated their ire on specific policies or laws and have not formulated their ideas as opposition to the President in power.<sup>12</sup> In fact, on certain issues, there seems to be a tacit consensus between the government and opposition parties. At the political level this means no normalization of relations with Israel, and at the economic level, the maintenance of subsidies and war against corruption. Furthermore, there is a general agreement between the government and parties on the preservation of civilian rule and

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<sup>11</sup> David Sagiv, n.8, p. 82.

<sup>12</sup> *Al-Ahram*, (May 1984), <http://www.Newspaper.Com>.

demilitarization of the political process, and recognition of the importance of Sharia law as one source, not the main source, of legislation.

The Islamist challenge, combined with economic stagnation has raised the level of political tension well beyond that previously experienced under President Hosni Mubarak. It is not surprising therefore in 1996 the government, feeling that the worst of both crises was over began to show signs of tentative relaxation, much as if it was testing to see whether a return to a more normal political life could be engineer. It was political decompression coupled with the economic reforms that had been slowly proceeding and the resultant residue was the relegation of the political reforms into a reverse since the gulf war.<sup>13</sup>

From mid 1992, the government relentlessly strove to discourage political participation. It renewed and extended the emergency decree put effect in the wake of President Anwar Sadat's assassination in 1981. It purged the most vibrant arena of political activity in the country – the professional syndicate, and brought them under direct government scrutiny. It sought to impose harsh penalties on journalist to discourage them from engaging in investigative reporting.

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<sup>13</sup>Eberhard Kienele, "More Than a Response to Islamists: The Political De-liberalization of Egypt in the 90s", *Middle East Journal*, (Washington), 52 (2), Spring 1998, pp. 219-235.

The government in the 1990s tore up the quasi-liberal rules that governed political contestation in the 1980s, as they violated both the spirit and the letter of the constitution in its struggle to contain political violence. An attempt to initiate political dialogue with the opposition in the summer of 1994 failed when the government refused to countenance the participation of the Muslim Brotherhood. Indeed, the issue of legal political participation by the Brotherhood, as well as other nonviolent Islamists, is at the core of the broader question of how and when the rules of the political game are to be rewritten.<sup>14</sup>

In the 1980s, the Islamic movement- religious and political spread throughout Egypt and the Arab world. It was inflamed by Israel's brutal response, with U.S. support to the Palestinian *Infida* and by the humiliating and diverse Gulf war executed by the U.S. on behalf of- according to the Arabs- the Zionist agenda. These two events dramatized the double standards in the U.S. policy perpetrating atrocities against the Arabs and rejecting their rights while rewarding Israel and its repression with millions of dollars. The Islamic movement grew both as resistance to Israel's occupation and human rights violation and as political opposition the regime that submits to the West's dominance and brutalized their own people.

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<sup>14</sup> Asif Bayat, "Comparative Studies in Society and History", *International Journal of Middle East*, (New York), 41 (1), January 1998, pp. 136-169.

When Mubarak took office after Sadat's assassination, he made a promise to the Egyptian people of instituting democratic Presidential election. A decade later, he had not only reneged on his promise but also added insult to injury by instituting himself President for life.

Egypt's economy is primarily tourism and consumerism rather than local production, industrialization and services. Islamic groups provide much of the emergency, social and medical service that the state ought to provide its citizen's. In turn the Islamic movement gains ever more popular support. Today Egyptians live in terror, caught between those who want to remove Mubarak and Mubarak's ruthless response to them. Prisons are filled with those who oppose his regime. The Mubarak government's recent massacre of Muslims during worship in Aswan and the subsequent bloody roundups of "the usual suspects" throughout Egypt are extremists acts of desperation, reminiscent of Sadat's mass crack down on political dissidence in the months before his assassination.

The Society of Muslim Brothers is not a legal party in Egypt, but is one of the few political organizations, which has a nation wide infrastructure and the ability to rally support. In the 1980s it first formed an electoral alliance with the Wafd Party and then with the Socialist Labour Party. In the 1984 election the Wafd Brotherhood won 58 seats most of which were

Brotherhood. In 1987 it allied with Socialist Labour, the alliance took 78 seats, 36 of them belonging to the Brotherhood. The Brotherhood effectively took over a major wing of Labour and controlled its newspaper *Al-Shab*.

The Brotherhood used to elect a number of members of Parliament through its legal party allies, a series of boycotts excluded it from the last Parliament. Meanwhile the government has regularly cracked down on Brotherhood operations in several areas, regularly arresting activists and manipulating the rules of professional syndicates to force the Brotherhood out of leadership positions. The government has often focused its crackdown on the younger leadership. Group of these younger leaders sought to establish a political party of their own, *Al-Wasat* (The Center), without success but this led to a number of resignations from the Brotherhood. Officially government media were happy announcing the virtual demise of the Brotherhood.

The Brotherhood still faced considerable difficulties in the elections. Its supporters say that in many areas the police prevented them from entering the polling places. Most of the violence that did take place came from clashes between Islamists and police in certain towns. Still the Brotherhood managed to elect 17 of its candidates and there are another 2 Islamists who were elected and are not from the brotherhood.

However, Mubarak also regards the Brotherhood as being in league with radical Islamists and shows no interest in opening the political system, to even no-violent members of the Brotherhood or in tolerating the adoption of more fundamentalists Islamic practice or sympathizers, specially in the military services. Cairo has banned political parties based on religion, conducted security sweeps before elections, changed affective Municipal Offices to appointative ones, and uses the military rather than civilian courts to try suspects. Many Brotherhood politicians were arrested before last falls election including Sayf Al-Banna, son of the organizations founder and a prominent leader in the movement. This happened despite the Brotherhood's acceptance on its political activities.



# **Chapter-V**

## **Conclusion**

Those holding power in Arab governments including Egypt have traditionally demonstrated reluctance to relinquish their power, and the Algerian situation is usually taken as an example of what happens to governments, which decide to implement “free and fair” elections. In other words, there is a very real fear on the part of many of the Arab regimes that free and fair elections would oust them from power in no time at all. A common excuse promulgated by non-democratic leaders is that the Arab people do not know what is good for them and they might therefore abuse democracy, were it not controlled. As a result, elections – when and if they are to be held on whatever level – have to be “carefully monitored” and their results equally carefully “handled”.

The rigid regulations found in the constitution as well as the party and electoral laws have severally limited the scope of democracy in Egypt, and it is no wonder that all parties without exception have given pride of place to constitutional reform. The constitutional crisis of these years are the aspects of the strained tensions between government and opposition that have characterized parliamentary life since the last elections in 1984. Thus, the regime had made way to allow limited participation of independents, to

contest parliamentary elections in a bid to restore credibility to parliament, opposition leaders insist that the law is still unconstitutional, and indeed, many analysts regard the controversy of the constitutionality of the law as having serious repercussions on the ability of the legislature. More than the constitutional irregularities of the law, it is the political aspect which seems more meaningful in this respect, that it, the provisions of the electoral law make it far too difficult and even impossible to have a wide range of opinions being expressed, while at the same time allowing the ruling party to get a majority and limitless continuity. Consequently, the ruling party has been characterized by what seems a monolithic representation of the elite over the past three decades. Thus, the Free Officers, the members of the ASU, or those of the NDP represent a kind of 'unanimism', leaving little room for the expression of 'counter elites'.

Many of the existing political parties in the Arab world which are not a part of the government are allowed to exist only through the benevolence of the ruler(s) – a situation which inevitably compromises their freedom to maneuver as an opposition. Partly as a consequence, many of the existing political parties have lost their

credibility, and with it their popularity among masses. It is also true, however, that some of these parties are struggling with an ideological vacuum, given the global absence of grand and credible political schemes. In addition, the structure of the parties themselves mirrors some of the general institutional socio-political problems such as lack of transparency and corruption.

However, the fact remains that setting up a political party with legal status remains one of the most difficult tasks to accomplish in many parts of the Arab world. There are many active units, which, in all but name, function as a political party, but without legal standing, and are thus prey to any governmental clampdown. This is equally true of Egypt.

In most of the Arab countries an issue generating much debate and tension with governments is the law governing associations – their formal registration, funding and functioning. In Egypt, non-governmental organizations (NGOs) bitterly complain about repressive laws. The main point of contention in Egypt between the NGOs and the government is similar to that of the political parties: the government attempts to control and dominate the thinking and activities of these organizations. Typically governments attempt to

use the law of association to censure activities having a political impact, which they interpret as “troublesome”. In fact, many of these restrictive laws (in Egypt) stipulate that an NGO should not be involved in political activities at all.

In Egypt, laws make it difficult to obtain foreign funding for activities and entitle governments; to ban organizations receiving such aid if they see fit; to appoint government officials to the boards, or even divert the assets of one organization to another. Whatever the context and the specific stipulations, the main complaint remains that NGOs generally feel heavily censured politically and economically. In the words of one NGO activist, “it is as if our hands are constantly tied”. Such activists would argue that democracy is about empowering civil society, and NGOs form the bulwark of the process. In effect, to hamper the activities of NGOs is to disempower key civil society institutions.

Governments tend to counter with the argument that what is at stake ultimately is “national security”, and that to allow these organizations to operate without control might render them vulnerable to “manipulation” by external interests. In addition, the government contends that these organizations need some form of

supervision to enhance their own professionalism and ensure that they are serving national concerns rather than those of a particular group or individual.

The current situation in Egypt allows the perpetuation of certain obstacles to democracy. These obstacles can be summarized as follows:

- A lack of cumulative results through the government's constant revision and reintroduction of certain laws;
- A new law of association that weakens the independence of the NGOs;
- The cleft between development and democracy, whereby liberalization becomes a matter of form and not substance;
- A socio-economic situation where illiteracy, poverty and unemployment are very high;
- Weak political parties which fail to play an effective role in politics;
- The lack of independence in judiciary system.
- Persistence of Emergency Laws.

By Egyptian standards, positive liberties had grown to an unprecedented degree and in some areas were expected to increase.

Unfortunately, the thaw was brief and from 1990 the trend was reversed. In the Consultative Assembly developments were more complex. However, to the extent that they marginally enhanced representation, this was the result of court rulings, not of voluntary action by the regime. Nor, of course, did the constitutional powers of the Consultative Assembly match those of the People's Assembly. In presidential elections, no further erosion of positive liberties occurred, but only because their 'closed' nature excluded any further deterioration.

The progression of the National Democratic Party's majority in the Assembly between 1984 and 1990 was too limited to indicate alone the beginning of de-liberalization in the domain of positive liberties. But although it was not evident at the time, the elections of 1990 were the turning point when a new mode of manipulating the elections and of 'managing' them from above appeared, entailing the continued growth of the regime majority in the people's Assembly. Prompted largely by the electoral mechanics resulting from the introduction of the new electoral system, the arrangements were in a sense tested in 1990 and then put in place definitively in 1995. More than ever the elections now became non-competitive, and without choice.

To ensure the overwhelming defeat of the opposition, the government manipulated the election laws. The National Dialogue Conference of July 1994 had discussed whether the country should revert to a proportional representation system, but no definitive conclusion had been reached. The government had promised to take the matter under consideration. Then it delayed its decision for more than a year, thereby severely limiting the time opposition parties would have to prepare their slates of candidates, which was no simple task given the expansion of the number of districts from 48 to 222. By reducing the lead-time before the election, the government created uncertainty and confusion within opposition parties.

However, the adoption of an electoral system more in line with the requirements of the constitution, and apparently more democratic, took place through procedures which themselves were not democratic.

The Islamic insurgency was certainly not the only cause of the government's heavy-handed tactics in the mid-1990s. After all, by the fall of 1995 that insurgency had been at least temporarily contained. Instead, the government's increasing intolerance of political autonomy was driven primarily by the ruling elite's concern about the legal opposition, which seeks access to power through the ballot box. As discussed above, the electoral base of the ruling party is fragile and in decline. The strongest



organized oppositional political tendency in the country is Islamism. If free and fair election were to be held, the Muslim Brother would very likely win more votes than any other party. The regime, therefore, has felt that it has no choice but to turn its back on democracy and impose its will by the threat or use of physical coercion and by electoral fraud and interference. The resulting popular discontent, however, has contributed to growing public support for political change, which in turn has brought increased political pressure to bear on the ruling party.

Political Islam already constitutes a viable political opposition and as such must be included in any political dialogue, rather than ignored and marginalized. For a liberal democracy, opposition must be given a free hand and they must be allowed an equal opportunity to contest elections in a free and fair atmosphere.

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