

**DOKUZ EYLÜL UNIVERSITY
GRADUATE SCHOOL OF SOCIAL SCIENCES
DEPARTMENT OF INTERNATIONAL RELATIONS
INTERNATIONAL RELATIONS PROGRAM
DOCTORAL THESIS
Doctor of Philosophy (PhD)**

**A COMPARATIVE ANALYSIS OF POLITICAL LIBERALIZATION IN
EGYPT AND MOROCCO: IMPACT OF THE EUROPEAN UNION**

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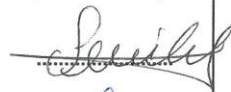


İZMİR- 2012

THESIS APPROVAL PAGE

DOCTORAL THESIS APPROVAL PAGE

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ABSTRACT

Doctoral Thesis

Doctor of Philosophy (PhD)

A Comparative Analysis of Political Liberalization in Egypt and Morocco:

Impact of the European Union

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The Arab Middle East has a deep-seated reputation of being impervious to the waves of democratization, assuming that individual experiences with political liberalization and/or democratization across the region have been uniform. Analyzing political liberalization in two Arab states from a comparative perspective, this dissertation aims to demonstrate that neither the region is exceptional nor political liberalization processes have occurred in identical patterns across the region. Departing from the existing academic literature on political liberalization in the Arab Middle East, which tends to concentrate mainly on domestic-level approaches (political culture approach, civil society approach, political economy approach), it rejects a clear cut distinction between internal and external variables. While primacy of domestic variables in explaining democratization or lack of it in a given state is accepted, it is argued that bringing external variables into analysis helps to capture a more comprehensive understanding.

Political reform in two different Arab states, Egypt and Morocco, is examined in this study through a combination of an essential domestic variable (civil society) with an influential international variable (impact of an external actor/ the EU). It elaborates on how the EU has influenced political liberalization/deliberation in Egypt and Morocco, particularly when it has

acted together with internal actors, specifically civil society to exert pressure on the ruling regimes since the early 2000s. It is concluded that while an external actor such as the EU has a remarkable potential to influence process of political liberalization in the Arab states such as Egypt and Morocco, democracy cannot be imposed from outside in the absence of meaningful pro-reform demand in the domestic context.

Keywords: Arab Middle East, Egypt, Morocco, European Union, Political Liberalization, Democratization, Political Reform, Arab Spring.

ÖZET

Doktora Tezi

Mısır ve Fas'daki Siyasi Liberalleşmenin Karşılaştırmalı Analizi: Avrupa Birliği'nin Etkisi

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Uluslararası İlişkiler Anabilim Dalı

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Arap Orta Dođusu'nun demokratikleşme dalgalarını geçirmez olduđu yönünde sahip olduđu yerleşik ün, bölgedeki siyasi liberalleşme ve/veya demokratikleşmeye dair bireysel tecrübelerin aynı olduğunu varsaymaktadır. İki Arap ülkesindeki siyasi liberalleşmeyi karşılaştırmalı bir perspektiften analiz eden bu çalışma, bölgenin istisnai olmadığını ve bölgedeki siyasi liberalleşme süreçlerinin aynı seyri izlemediğini göstermeyi amaçlamaktadır. Çalışma, Arap Orta Dođusu'ndaki siyasi liberalleşmeyi içsel kaynaklı yaklaşımlarla (siyasi kültür yaklaşımı, sivil toplum yaklaşımı, siyasi ekonomi yaklaşımı) açıklama eğiliminde olan mevcut akademik literatürden farklı olarak, iç ve dış değişkenler arasında kesin bir ayrımı reddetmektedir. Bir ülkedeki demokratikleşmeyi veya demokratikleşme konusundaki eksikliği açıklamada, iç değişkenlerin üstünlüğü kabul edilirken, dış değişkenlerin de analize dahil edilmesinin daha kapsamlı bir açıklama elde etmeye yardımcı olacağı öne sürülmektedir.

Bu çalışmada, iki farklı Arap ülkesindeki (Mısır ve Fas) siyasi reform süreçleri, temel bir iç değişken (sivil toplum) ile etkili bir uluslararası değişkenin (dış aktör etkisi/Avrupa Birliği) birleşimini temel alan bir yaklaşımla incelenmektedir. 2000'li yılların başından itibaren, Avrupa Birliği'nin özellikle sivil toplum gibi iç aktörler ile birlikte hareket ederek, yönetimdeki rejimleri baskı altına almasıyla, Mısır ve Fas'daki siyasi

liberalleşme/siyasi liberalleşmenin gerilemesi süreçlerini ne şekilde etkilediği ayrıntılı bir şekilde ele alınmaktadır. Bir dış aktör olan Avrupa Birliği, Mısır ve Fas gibi Arap ülkelerindeki siyasi liberalleşme süreçlerini etkileme konusunda önemli bir potansiyele sahip olmakla birlikte, demokrasinin reform yanlısı anlamlı bir talebin bulunmadığı yerli konjunktüre empoze edilemeyeceği sonucuna varılmaktadır.

Anahtar Kelimeler: Arap Orta Doğusu, Mısır, Fas, Avrupa Birliği, Siyasi Liberalleşme, Demokratikleşme, Siyasi Reform, Arap Baharı.

**A COMPARATIVE ANALYSIS OF POLITICAL LIBERALIZATION IN
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ABBREVIATIONS

ADFM	Democratic Association of Moroccan Women
AHRLA	Association for Human Rights and Legal Aid
AMDH	Moroccan Association for Human Rights
BMEI	Broader Middle East Initiative
CCDH	Consultative Council on Human Rights
CTUWS	Center for Trade Union and Worker Services
EC	European Community
EIDHR	European Instrument for Democracy and Human Rights
EMAA	Euro-Mediterranean Association Agreement
EMHRN	Euro-Mediterranean Human Rights Network
EMP	Euro-Mediterranean Partnership
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood and Partnership Instrument
EU	European Union
FIS	Front for Islamic Salvation
GMEI	Greater Middle East Initiative
GONGO	Governmental Nongovernmental Organizations
ICC	International Criminal Court
ICG	Islamic Combatant Group
IER	Equity and Reconciliation Commission
INDH	National Human Development Initiative
IRI	International Republican Institute
JC	Association for Justice and Charity
MB	Muslim Brotherhood
MENA	Middle East and North Africa
MEPI	Middle East Partnership Initiative
MEPP	Middle East Peace Process
MPDC	Democratic and Constitutional Popular Movement
NGGO	Nongovernmental Governmental Organizations
NDI	National Democratic Institute

NDP	National Democratic Party
NED	National Endowment for Democracy
NIP	National Indicative Programme
NPE	Normative Power Europe
OMDH	Moroccan Organization for Human Rights
PJD	Party of Justice and Development
UAE	United Arab Emirates
UNDP	United Nations Development Programme
US	United States
USAID	United States Agency for International Development
USFP	Socialist Union of Popular Forces

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INTRODUCTION

The Arab Middle East has traditionally been described as immune to democratization or exceptional in being resistant to democracy.¹ While it is true that the region lags behind other regions like Latin America and Eastern Europe in terms of democratization, a closer look at political reform processes in individual states across the region reveals that experiences with political liberalization and/or democratization are not uniform. This dissertation emerged with a discontent of viewing the whole region as a single bloc of anomaly regarding democratization with a belief that process of political liberalization and/or democratization varies among different Arab states. Besides, if there is scarcity of democratization in the region, there is need for directing more attention to understand why it is so.

Scholars tend to concentrate mainly on domestic-level approaches, prioritizing internal variables such as political culture, civil society and political economy to explain democratization trends in different regions across the globe and the Arab Middle East. In analyzing political reform in the region, scholars such as Giacomo Luciani, Janine A. Clark, Gudrun Kramer, Lisa Anderson, Michael Hudson and Mustapha Kamel Al-Sayyid mostly direct their attention to internal variables and try to assess individually the impact of these variables on this political process. For instance, in her article, Janine A. Clark argues that civil society is significant in transition to democracy and she points to the positive role played by Islamic health clinics in Cairo to support her argument.² There has been a gap in literature with respect to the impact of international environment on political liberalization in the Arab Middle East.

While it is true that domestic variables are leading explanatory tools in analyzing democratization or lack of it in a given state, this dissertation argues that employing merely domestic-level approaches (political culture approach, civil society approach, political economy approach) provides an incomplete understanding

¹ See Iliya Harik, "Democracy, 'Arab Exceptionalism,' and Social Science", **The Middle East Journal**, Vol:60, No:4, 2006, p.664.

² Janine A. Clark, "Democratization and Social Islam: A Case Study of the Islamic Health Clinics in Cairo", **Political Liberalization and Democratization in the Arab World Vol. 1: Theoretical Perspectives**, Eds. Rex Brynen, Bahgat Korany and Paul Noble, Lynne Rienner Publishers, London, 1995, pp.167-186.

of political liberalization in the Arab Middle East. In this respect, it is believed that international-level approaches (impact of external actors [the United States, the European Union and international organizations] and contextual influences) would also help to analyze and capture a more comprehensive snapshot of developments in the region. This dissertation aims to explain political liberalization and deliberalization in the Arab World by adopting a more comprehensive approach, combining an essential domestic variable (civil society) with an influential international variable (impact of an external actor/ the EU). Impact of external actors such as the EU over political reform process in the Arab Middle East is worth of research not least because of the remarkable involvement of the external actors in the region, particularly since the collapse of the Ottoman Empire. Britain and France were the two significant colonial powers to determine most of the new boundaries and forms of government in the Middle East in the post-First World War period. Penetration of major European powers into state-building process in the region has led to their further involvement in the domestic political affairs of a number of countries.

This dissertation departs from the existing literature by rejecting separation among internal and external dimensions of analysis. It tries to combine internal and external variables. In this regard, there is an attempt to assess impact of civil society along with impact of a relevant external actor (in this case, it is the EU) over political liberalization in two different Arab states since the early 2000s. To this end, the interaction between ruling regime, civil society and the EU in the two states are analyzed and compared. In exploring the interaction among these variables and how it influences political liberalization and deliberalization in two Arab states, namely Egypt and Morocco, it tries to present a more comprehensive analysis of political reform in the Arab World. Political reform in Egypt and Morocco is examined with a particular attention to how the EU has influenced this process especially when the EU has acted together with internal actors, particularly civil society and opposition groups, to exert pressure on the ruling regimes.

This dissertation starts with the awareness that political liberalization and deliberalization have neither been uniform nor occurred in identical patterns across the Arab Middle East. Thus, Egypt and Morocco are selected as two particular case

studies. Similarities and differences between them are analyzed to explain political liberalization/deliberation process. To start with similarities, both states share a similar cultural-historical background along with a colonial legacy that was influential in the state formation process. Secondly, Egypt and Morocco have been highly porous and vulnerable to external influences due to their strategic locations. Thirdly, both of these states are leading external aid recipients in the Arab world. On the one hand, Egypt was the second largest US aid recipient in the Middle East after Israel prior to 2003 and has been the third largest aid recipient in the Middle East after Israel and Iraq since 2003. On the other hand, Morocco is the leading recipient of EU aid in the region. Fourthly, both of them are non-oil exporters among the Arab countries. The last similarity is that both states have accommodated significant Islamist presence in their societies. In Egypt, the Muslim Brotherhood is an influential internal force, while in Morocco the Justice and Development Party (PJD) is a significant domestic actor. Notwithstanding these similarities, there are also differences between Egypt and Morocco such as divergences in demography and regime types (i.e, republic versus monarchy respectively). Another difference concerns their civil societies. Morocco is the leading state to have one of the most active civil society in the region. Although Egypt has a relatively diverse civil society especially when compared to Libya, Saudi Arabia and Syria, it still involves state repression. Civil society exists in Egypt, but the degree of its activeness and leverage potential over the ruling regime has remained limited. While the state permits a degree of autonomy for societal actors in Egypt, it regularly checks out, whether its interests are being challenged by these actors or not.

The main research questions of this dissertation are:

- Are there parallels between political liberalization processes experienced by these two Arab states, namely Egypt and Morocco, if not why?
- Have the EU democracy promotion policies been influential on the process of political liberalization in Egypt and Morocco? If yes why?
- Are the arguments on normative power Europe justified or not? Why?

There are also other questions to be answered:

- How has the triple interaction among civil society (Islamists), state (ruling regime) and the EU as an external actor influenced the process of political liberalization /deliberalization in the cases of Egypt and Morocco?
- Why has the EU been reluctant to engage Islamists in the Arab Middle East and what have been the political repercussions of this reluctance in the cases of Egypt and Morocco?
- How has the Arab Spring unfolded in the Egyptian and Moroccan political contexts and how has the EU responded to the political consequences in these two states following the eruption of Arab-Spring related demonstrations?

In line with above-mentioned research questions, the following hypotheses about the process of political liberalization/democratization in the Arab Middle East will be tested throughout the dissertation:

- Democracy assistance of the EU has positive impact, only when it is combined with strong internal pressure of civil society on the ruling regime in the target state. While an external actor such as the EU has a remarkable potential to influence process of political liberalization in the Arab states such as Egypt and Morocco, democracy can not be imposed from outside in the absence of meaningful pro-reform demand in the domestic context. When pressure is applied simultaneously from both within and outside, then it is more likely that the ruling regime has to take into consideration the dual weight for opening up political space. In this regard, whereas a consistent and coherent EU commitment to political reform combined with a powerful, vibrant local civil society creates a favorable environment for political reform, a half-hearted EU commitment combined with weak local pro-reform voices constrains chances for political reform in the target state.
- The triple interaction among state (the ruling regime), civil society (the Islamists [the most significant component of the civil society in the Arab World]), and the leading external actor (the EU) can be described as a ‘vicious circle’ in the Arab context regarding the issue of democratization. The EU has supported friendly

authoritarian regimes like Mubarak regime in Egypt and Moroccan regime as long as these regimes have acted in line with the European interests, contributing to stability in the region. This has encouraged those regimes to feel themselves free to place limits on civil society organizations, thereby avoiding their their pressure on their rule. This, in return, leads to an underdeveloped civil society in the Arab World except for the Islamist organizations, which have been relatively autonomous from the regime and have become powerful as the only opposition force. Eventually, this had led the EU to follow contradictory and inconsistent policies. For instance, cooperation with civil society organizations is an efficient democracy promotion strategy, but the EU often excludes the Islamist organizations – the most significant component of civil society in the Arab World – from its civil society assistance with a deep suspicion about their intentions.

With respect to methodology, this dissertation deploys a comparative analysis of relationship among state, civil society, and leading external actor in the process of political liberalization/deliberation in Egypt and Morocco. Consequently, there is an intensive attempt to obtain comparable data from the two cases. This study mostly utilizes documentary material and relies on both primary resources and secondary resources. Primary resources include amendments in Egyptian and Moroccan constitutions and laws, official reports such as EU documentations like association agreements, country strategy papers, National Indicative Programmes, Action Plans and European Neighbourhood Policy (ENP) progress reports, and UNDP (United Nations Development Programme) Arab Human Development Reports and international electoral observer reports. Secondary resources include scholarly books, articles and selected press releases on the subject. This research also benefits from discourse analysis of the speeches by European authorities involved in EU democracy assistance efforts in Egypt and Morocco.

Political representation and participation are leading indicators to be looked for to measure the extent of political liberalization in the Arab Middle East. Political representation and participation are important indicators of political liberalization in a given state, since they are directly related to the accountability of citizens and the legitimacy of ruling regime. In this regard, the focus will be on citizens' political rights, quality of electoral processes and extent of inclusion of citizens in decision-

making process, with particular attention on civil liberties, balance of powers in the political system, and women's rights.

The dissertation consists of five chapters. In the first chapter, analytical framework of the dissertation is constituted. The chapter begins by distinguishing the two interrelated concepts, political liberalization and democratization and explains why it is more appropriate to use the term 'political liberalization' rather than 'democratization' to address political reform process in the Arab Middle East. After a brief overview of political liberalization and deliberalization in the Arab Middle East, theoretical perspectives to analyze political liberalization in the region are covered including domestic-level approaches (political culture approach, civil society approach, political economy approach) and international-level approaches (impact of external actors [the United States, the EU and international organizations] and contextual influences). The chapter ends up with a theoretical framework to analyze political liberalization in Egypt and Morocco. Departing from the existing literature on political liberalization in the Arab World, this framework employs a more comprehensive approach combining civil society approach and impact of a leading external actor (the EU).

Chapter Two looks at domestic political contexts in Egypt and Morocco prior to the Arab Spring. Initially, the two states' political contexts are viewed with a visible weight on each state's experience with political liberalization. The sub-title 'internal calls for political reform' highlights the relevance of civil society, in general, and moderate Islamists, in particular, for exerting pressure on the ruling regimes for political liberalization. Lastly, major obstacles to democratization in both states are addressed which are – along with a number of other factors -thought to be responsible for triggering Arab Spring-related public demonstrations.

In the Chapter Three, the focus is on EU democracy promotion and political reform in the case of Egypt. Initially, a brief historical background of EU-Egyptian relations is provided. Then EU democracy promotion in Egypt is assessed through an analysis of objectives behind EU democracy promotion in Egypt and the strategies adopted by the EU in assisting democratic values and principles in the Egyptian political context. The ups and downs of reform process from the early 2000s until the end of Mubarak era are also examined with a special emphasis on how the EU

might have influenced this process. The shortcomings of EU democracy promotion in Egypt throughout the Mubarak's rule are addressed as well. The last part of the chapter focuses on the political interplay between inner dynamics and the EU as an external actor. It includes a detailed analysis of the triple interaction between the EU, the Egyptian ruling regime and the Muslim Brotherhood, and how this interaction had influenced the process of political liberalization in Egypt. It also examines unfolding of the Arab Spring in the Egyptian political context and the EU's response to the Arab-Spring related political consequences in Egypt.

Parallel to Chapter Three, Chapter Four concentrates on EU democracy promotion and political reform in the case of Morocco. The chapter begins with a brief historical background of EU-Moroccan relations. Then it continues with an assessment of EU democracy promotion in Morocco through an analysis of objectives behind EU democracy promotion in Egypt and the strategies adopted by the EU in assisting democratic values and principles in the Moroccan political context. The weight of EU democracy promotion over Moroccan political liberalization starting with the coming power of King Mohammad VI in 1999 until the initiation of Arab Spring in December 2011 is also addressed. After examination of limitations of EU democracy promotion in Morocco, the last part of the chapter focuses on the political interplay between inner dynamics and the EU as an external actor. It includes a detailed analysis of the triple interaction between the EU, the Moroccan ruling monarch and the Islamists, and how this interaction had influenced the process of political liberalization in Morocco. It also tries to shed light on the unfolding of the Arab Spring in the Moroccan political context and the EU's response to the Arab-Spring related political consequences in Morocco.

Chapter Five undertakes the task of comparing the Egyptian and Moroccan case studies. Firstly, internal dynamics in Egypt and Morocco are compared and contrasted with a special emphasis on their political contexts, civil society profiles and Islamists in an attempt to analyze how similarities and differences in internal dynamics have shaped peculiar paths of political reform in each state. Then the attention shifts to a comparative analysis of external dynamics, more specifically to parallels and divergences regarding the EU's impact on political reform processes in Egypt and Morocco. In this regard, EU democracy promotion and its political

consequences in Egypt and Morocco are compared and contrasted with a particular attention to a number of issues including bilateral relations, objectives behind support for political reform, strategies, approach to Islamists, impact on political reform and shortcomings. The last part of the chapter attempts to assess prospects for and challenges to democratization in both states. The dissertation ends with specific conclusions while also questioning the normative power approach toward the EU.

CHAPTER ONE

ANALYTICAL FRAMEWORK

1.1. POLITICAL LIBERALIZATION / DEMOCRATIZATION DISTINCTION

Political liberalization and democratization are closely interrelated but not identical concepts. Thus, it is critical to distinguish between them in order to understand why it is considered more appropriate to use the term ‘political liberalization’ rather than ‘democratization’ while addressing political reform processes across the Arab Middle East region.

Political liberalization is about relaxation of political control by ruling elites and it generally refers to reforms that enhance human rights and basic civil liberties such as relaxation of press censorship or public association laws. It involves some measures that create political opening but not always favoring democratization rather legitimacy of the ruling regimes. In other words, liberalization measures may or may not result with a shift toward democracy. Democratization, on the other hand, refers to reforms that enhance “the collective freedom of the citizen vis-a-vis the state, especially in terms of the public’s ability to participate in and influence the government”.³ Thus, it is about citizens’ political participation in the existing governmental systems. Brynen et al. define political liberalization as “the expansion of public space through the recognition and protection of civil and political liberties”, whereas they define democratization as “the expansion of political participation in such a way as to provide citizens with a degree of real and meaningful collective control over public policy”.⁴ Likewise, A. Richard Norton describes political liberalization as “measures to open up outlets for the free expression of opinion, to

³ Chris Zambelis, “The Strategic Implications of Political Liberalization and Democratization in the Middle East”, **Parameter: US Army War College**, Vol:35, No:3, 2005, p.89.

⁴ Rex Brynen, Bahgat Korany and Paul Noble, “Introduction: Theoretical Perspectives on Arab Liberalization and Democratization”, **Political Liberalization and Democratization in the Arab World Vol. 1: Theoretical Perspectives**, (Eds. Rex Brynen, Bahgat Korany and Paul Noble), Lynne Rienner Publishers, London, 1995, p.3.

place limits on the arbitrary exercise of power, and to permit political association”.⁵ According to Norton, democratization offers much more than does political liberalization such as “freely contested elections, popular participation in political life and – bluntly – the unchaining of the masses”.⁶

There are three key distinctions among the two concepts.⁷ Firstly, whereas political liberalization is about expansion of individual freedoms in the public sphere, democratization is about the expansion of political participation through visible institutional changes in rules and procedures. In this regard; political liberalization is more about civil liberties as Peter Burnell states; “liberalization advances political freedoms less than civil liberties”.⁸ Political liberalization, in general, precedes democratization through extension of rights contributing to an opening of public space for limited participation.⁹ Yet, political liberalization may not lead to democratization at all the time. Particularly, in the Arab political setting, the process of political liberalization often occurs without triggering a democratic transition from authoritarian rule. Instead, the ruling regimes in the Arab Middle East have traditionally used political liberalization as a survival strategy to overcome social, economic, or political crises arising from popular dissatisfaction with the government.¹⁰ Even; political liberalization can lead to a reverse process that is to de-liberalization as it happened in a number of Arab states like in Egypt, Jordan and Kuwait. Thus, relaxation of political repression is aimed at silencing mass discontent and is not accompanied by true democratization.

Secondly, these two concepts differ from one another with respect to their outcomes. Democratization is a process which ends up with the establishment of democracy, whereas political liberalization does not necessarily as stated by Holger

⁵ A. Richard Norton, “Introduction”, **Civil Society in the Middle East Vol. 1**, (Ed. A. Richard Norton), E. J. Brill, Leiden, 1995, (Introduction), p.5 and A. Richard Norton, “The Future of Civil Society in the Middle East”, **Toward Civil Society in the Middle East?**, (Ed. Jillian Schwedler), Lynne Rienner Publishers, London, 1995,(The Future), p.33.

⁶ Norton, The Future, p.33.

⁷ See table 1.

⁸ Peter Burnell, “Democratization”, **Politics in the Developing World**, (Eds. Peter Burnell and Vicky Randall), Oxford University Press, Oxford, 2008, p.272.

⁹ Pete W. Moore, “The International Context of Liberalization and Democratization in the Arab World”, **Arab Studies Quarterly**, Vol:16, No:3, 1994, p.43.

¹⁰ Zambelis, p.91.

Albrecht and Olivier Schlumberger.¹¹ Similarly, Geoffrey Pridham and Tatu Vanhanen view democratization as an overall process of regime change which involves the collapse of previous totalitarian/authoritarian system and the establishment of an order, where “the democratic structures become routinized and the political elites adjust their behavior to liberal democratic norms”.¹²

Thirdly, while political liberalization usually refers to a top-down process, democratization refers to a bottom-up process. Political liberalization generally occurs as a process of concession from above in the form of partial civil and political rights granted by ruling elites, whereas democratization is about “the real recognition of civil and political rights” and occurs as a result of the active involvement of civil society through divergent interest groups, labor unions and etc.¹³ In this regard, political liberalization is a process implemented by the ruling elites to bolster their power in contrast to democratization that comes from below introducing “arrangements for genuinely competitive elections”.¹⁴

Table 1: Distinctions between Political Liberalization and Democratization

	Political Liberalization	Democratization
Characteristic	refers to a top-down process	refers to a bottom-up process
Function	advances civil freedoms	advances particularly political freedoms
Outcome	does not necessarily ends up with the establishment of democracy	ends up with the establishment of democracy

In the light of these distinctions, rather than democratization political liberalization is observed in the Arab Middle East. Political reforms are by and large introduced by rulers through partial relaxation of restrictions. Ruling elites recognize

¹¹ Holger Albrecht and Olivier Schlumberger. “Waiting for Godot: Regime Change Without Democratization in the Middle East”, **International Political Science Review**, Vol:25, No:4, 2004, p.375.

¹² Geoffrey Pridham and Tatu Vanhanen. “Introduction”, **Democratization in Eastern Europe: Domestic and International Perspectives**, (Ed. Geoffrey Pridham and Tatu Vanhanen), Routledge, London, 1994, p.2.

¹³ Geoffrey Pridham, “Democratic transitions in theory and practice: Southern European lessons for Eastern Europe?”, **Democratization in Eastern Europe: Domestic and International Perspectives**, (Ed. Geoffrey Pridham and Tatu Vanhanen), Routledge, London, 1994, p.18.

¹⁴ Burnell, p.272.

some civil and political rights as a tactical response to the legitimacy crisis they are facing. Thus, political openings in the Arab Middle East have been far from being genuine as there are elections but they are neither competitive nor open. As Ehteshami and Murphy rightly point out, political liberalization is usually introduced by ruling elites as a strategy to advance their own interests rather than “a genuine attempt to democratize political society”.¹⁵

1.2. POLITICAL LIBERALIZATION AND DELIBERALIZATION IN THE ARAB MIDDLE EAST

The Arab Middle East is known to be lagging behind other regions like Latin America and Eastern Europe in terms of democratization.¹⁶ Drive toward political liberalization took off in the Middle East in the late 1980s and the early 1990s. In the external front, democracy proved itself as an ideal form of political governance within international community with the ending of the Cold War, whereas in the internal front, most of the Arab regimes were facing economic and political crisis. Consequently Arab ruling regime had no choice but to allow partial openings in their political systems to adapt themselves to changing external and internal contexts. Even Saudi Arabia, the most conservative Arab state, had its share from the wind of change and political reform in the Arab world. For instance, in 1992, King Fahd announced a reform initiative that included formation of a Basic Order of Government (‘al Hukm al-Asasi’)¹⁷ and the establishment of a Consultative Council (‘Majlis al-Shura’)¹⁸. This reform initiative was regarded as a considerable progress particularly within the Saudi context by a number of scholars and raised expectations in favor of further reform in the Arab Middle East. However; by the mid 1990s it became clear that these expectations were unfounded since political reforms halted in

¹⁵ Anoushiravan Ehteshami and Emma Murphy, “Transformation of the Corporatist State in the Middle East”, **Third World Quarterly**, Vol:17, No:4, 1996, pp.763-764.

¹⁶ Marsha P. Posusney, “Enduring Authoritarianism: Middle East Lessons for Comparative Theory”, **Comparative Politics**, Vol:36, No:2, 2004, p.127.

¹⁷ With the Basic Order of Government, King Fahd had for the first time defined the rules and the functioning of the Saudi government.

¹⁸ The main responsibility of the Consultative Council was to comment on various fields and to provide the King with advices. These fields included the general plan for economic and social development, international treaties and concessions; and administrative regulations and rules. The Consultative Council does not have any direct impact on the decision-making process in the Kingdom of Saudi Arabia. Yet, the suggestions of the Consultative Council have more or less provided the ruling elites with some feedback in the decision-making process.

following a vertical line. Most of the political openings were either suspended or came to an end because ruling elites continued to hold firmly on their power and that even limited political reforms led to Islamists gaining more political support. As a result, political deliberalization occurred in a number of Arab states such as Egypt, Tunisia, Lebanon, Jordan and Yemen through reduced liberties, renewed restrictions, harsher press laws, repeated postponement of elections and clampdowns on opposition movements by security forces. From then on, commitment of the Arab ruling regimes for political liberalization has been on and off without any genuine progress leading to a growing literature on ‘the Arab exceptionalism’¹⁹ or ‘the immunity of the Arab states to democratic values’.²⁰

In the past decade, there has been a proliferation of expressions to describe the hybrid political situation in the Arab states including ‘semi-authoritarianism’, ‘competitive authoritarianism’, ‘liberalized autocracy’ and ‘façade democracy’.²¹ For instance, Daniel Brumberg uses the term ‘liberalized autocracy’ to define the Arab states as he suggests that a “trademark mixture of guided pluralism, controlled elections, and selective repression in Egypt, Jordan, Morocco, Algeria and Kuwait is not just a ‘survival strategy’ adopted by authoritarian regimes, but rather a type of political system whose institutions, rules, and logic defy any linear model of democratization”.²²

Is the Arab Middle East really immune to democracy and democratization? Viewing the Arab Middle East as an exception or anomaly with respect to democracy and democratization would be to adopt a narrow, static and reductionist approach. Instead, a detailed analysis of the external and internal reasons is needed to understand the enduring authoritarianism in the Arab States as Brynen et al. note: “If democratization is comparatively rare in the Arab World, this demands study”.²³

¹⁹ For instance, see Harik, p.682 and Alfred Stepan and Graeme B. Robertson, “Arab, Not Muslim, Exceptionalism,” **Journal of Democracy**, Vol:15, No:4, 2004, pp.140-146.

²⁰ For instance, see Volker Perthes, “Is the Arab World Immune to Democracy?”, **Survival**, Vol: 50, No:6, 2008, pp.151-160.

²¹ Matthijs Bogaards, “How to classify hybrid regimes? Defective democracy and electoral authoritarianism”, **Democratization**, Vol:16, No:2, 2009, p.400.

²² Daniel Brumberg, “The Trap of Liberalized Autocracy”, **Journal of Democracy**, Vol:13, No:4, 2002, p.56.

²³ Rex Brynen, Bahgat Korany and Paul Noble, “Trends, Trajectories, or Interesting Possibilities? Some Conclusions on Arab Democratization and Its Study”, **Political Liberalization and Democratization in the Arab World Vol. 1: Theoretical Perspectives**, (Eds. Rex Brynen, Bahgat Korany and Paul Noble), Lynne Rienner Publishers, London, 1995, p.334.

Besides, one has to refrain from making generalizations even for the countries with similar political structures, since each political experience is the product of a particular historical setting, domestic context and international dynamics. Thus, it is unfair to suggest that the process of political liberalization and deliberalization is uniform in the Arab Middle East. Arab States like Morocco and Jordan had relative success in accomplishing political reform when compared with their counterparts such as Syria or Algeria.²⁴

Nevertheless, overall, when the region is taken into account as a whole we see that internalization of political reform is missing since the rulers employ political liberalization as strategies of legitimacy enhancing. Anoushiravan Ehteshami defines use of democratic practices such as electoral process in the Arab Middle East as ‘mere window dressing for old-fashioned authoritarianism’ which he contends has stemmed from ‘the ruling regime’s perceived strategy for survival’.²⁵ The democracy gap in the Arab Middle East has also regularly been highlighted by the United Nations Development Program’s (UNDP) Arab Human Development Reports prepared by Arab intellectuals since 2002.²⁶

1.3. THEORETICAL PERSPECTIVES: IDENTIFYING IMPACT PARAMETERS

In the following section, the focus will be on domestic-level and international-level approaches to explain political change and reform in the Arab Middle East. Domestic-level approaches include internal dynamics that influence political liberalization. These approaches attempt to reveal the relationship between various internal factors of a given state and the tendency of that state to democratize. They presume that external factors are less likely to influence prospects for democratization. International-level approaches, on the other hand, focus on the role

²⁴ Hussein A. Hassouna, “Arab Democracy: The Hope”, **World Policy Journal**, Vol:18, No:3, 2001, p.51.

²⁵ Anoushiravan Ehteshami, “Is the Middle East Democratizing?”, **British Journal of Middle Eastern Studies**, Vol:26, No:2, 1999, pp.199-203.

²⁶ For more details view annually published Arab Human Development Reports (first series); 2002, 2003, 2004, 2005 by United Nations Development Programme (UNDP). These reports mainly analyzed three deficits in depth; the acquisition of knowledge, political freedoms and women’s empowerment. A second Arab Human Development Report series was published during the years 2008-2011.

of external or systemic dynamics that influence political liberalization in a given state. International-level approaches attribute democratization or lack of it in a given state to changes either in the external environment or in the behavior of external actors. There is a widespread assumption among these approaches that external factors are more relevant in explaining the process of political liberalization.

1.3.1. Internal Dynamics in Political Liberalization

Internal dynamics in political liberalization and deliberalization in the Arab Middle East include domestic level approaches such as political culture, civil society and political economy. There is huge literature on internal dynamics in political liberalization, which is elaborated below.

1.3.1.1. Political Culture Approach

Political culture approach focus on the impact of patterns of leadership, tribalism and Islam. According to adherents of this approach, political culture is an important and necessary component of any effort to understand politics in the Arab Middle East. For instance, Micheal Hudson argues that the concept of political culture must be brought back in (“but carefully”), since economies or structures alone are not enough to understand liberalism, authoritarianism and democracy.²⁷

To start with patterns of leadership, John Leca highlights the significance of patterns of leadership in studying political culture in the Arab Middle East. According to Leca, political leaders play key roles in promotion of democratization in the region. He notes: “Above all we should keep in mind that the processes of democratization do not take place by virtue of an invisible hand unknown to concrete human beings, deemed rational whether they like it or not. After all, democracy needs democrats in other words, not only rational but also reasonable agents.”²⁸ In this regard, it is fair to say that the Arab rulers are neither democrats nor do they use

²⁷ Micheal C. Hudson, “The Political Culture Approach to Arab Democratization: The Case for Bringing It Back In, Carefully”, **Political Liberalization and Democratization in the Arab World Vol. 1: Theoretical Perspectives**, (Eds. Rex Brynen, Bahgat Korany and Paul Noble), Lynne Rienner Publishers, London, 1995, (Democratization), pp.61-75.

²⁸ John Leca, “Democratization in the Arab World: uncertainty, vulnerability and legitimacy. A tentative conceptualization and some hypotheses”, **Democracy without Democrats?: the Renewal of Politics in the Muslim World**, (Ed. Ghassan Salame), I.B. Tauris Publishers, London, 1994, p.77.

democratic institutions to legitimize their rule. Traditional religious legitimization is one of the mechanisms used by the Arab rulers such as those in Morocco, Saudi Arabia and Jordan. For instance, the Saudi Kings have traditionally employed religion and religious symbols as sources of legitimacy.²⁹

Tribalism is also broadly mentioned while discussing political culture in the Arab Middle East. Tribalism and its reflection on domestic politics in the forms of informality, personalism, patrimonialism and patron-client relationship constrain democratization in the Arab Middle East in three ways. First of all, the ruling elite continue to favor traditional tribal institutions and practices, in spite of the modern, rational institutions. Lisa Anderson notes: “Tribal social structures are usually thought to inhibit the development of democratic values, habits and institutions”.³⁰ Secondly, tribal identity is contradictory with the notion of citizenship as tribe, which one belongs to and his/her position in that tribe influences access to decision-making process. Lastly, Anderson points out that high reliance on kinship ties has been influential for the weakness of civil society in the Arab world which is considered as a significant component of democratic politics.³¹

Islam is the most highlighted component of political culture in the Arab Middle East. Islam has played a role in the national ideology of the Middle Eastern states in varying degrees.³² Particularly, with demise of pan-Arabism the vacuum left behind was filled by Islam.³³ Compatibility of Islam and democracy deserves special attention, while discussing the political culture approach in the region. It has been the subject of intensive debate in the academic circles. To start with the Western approaches, there are a number of Western scholars such as Bernard Lewis, Daniel Pipes³⁴, Martin Kramer³⁵ and Samuel Huntington³⁶ argue that a convergence among

²⁹ The Saudi Arabia was founded upon the Wahhabi interpretation of Islam and the historical alliance between the Al-Saud tribe and Ibn Abd al-Wahhab. Albrecht and Schlumberger, p.377.

³⁰ Lisa Anderson, “Democracy in the Arab World: A Critique of the Political Culture Approach”, **Political Liberalization and Democratization in the Arab World Vol. 1: Theoretical Perspectives**, (Eds. Rex Brynen, Bahgat Korany and Paul Noble), Lynne Rienner Publishers, London, 1995, p.81.

³¹ Anderson, p.82.

³² Fred Halliday, **Nation and Religion in the Middle East**, Lynne Rienner, Colorado, 2000, p.48.

³³ Fouad Ajami, “The End of Pan-Arabism”, **Foreign Affairs**, Vol:57, Winter 1978-79, p.364.

³⁴ See Daniel Pipes, “There are no moderates: Dealing with fundamentalist Islam”, **The National Interest**, Vol:41, Fall 1995, pp.48-57.

³⁵ See Martin Kramer, “Islam vs. Democracy”, **Commentary**, Vol:95, No:1, 1993, pp.35-42.

³⁶ See Samuel P. Huntington, “The Clash of Civilizations”, **Foreign Affairs**, Vol:72, No:3, 1993, pp.22-49.

Islam and liberal democratic norms is impossible. These scholars suggest that liberal democracy can not work in a society, where Islamic beliefs and principles are influential, as they propose that Islam by its very nature can not be democratic, pluralistic or egalitarian.³⁷ This argument mainly arises from the character of Islam, which does not only deal with a spiritual realm but also involve a material realm. Accordingly, holy book of Islam, the Quran, addresses both religious issues and political, social, legal matters. For instance, in one of his articles, Bernard Lewis argues that “Islam seems to offer the worst prospects for liberal democracy” from a political perspective.³⁸ Lewis asserts that liberal democracy is a Judeo-Christian concept which was shaped by European experience of Greco-Roman statecraft and law, and thus “however much it may have been transformed, is in its origins a product of the West” and when it is adopted to any other culture, it can not survive.³⁹

Islam is also found incompatible with democracy, due to its emphasis on the sovereignty of God, rather than popular sovereignty. While democracy is based on popular sovereignty, any clear reference to popular sovereignty does not exist in Islam. Indeed, the notion of divine sovereignty is underlined in Islam, as it is believed that the ruler derives his power not from the people, but from God and the Shari’a.⁴⁰ Finally, Islam is thought to be contradictory with the values of liberal democracy due to Islam’s approach to women and non-Muslim minorities. It is argued that discriminatory treatment of women and non-Muslim minorities in Islamic states is inconsistent with democratic politics.⁴¹

There are also a number of Muslim positions, which maintain that Islam has its own forms of governance that are incompatible with democracy. For some Muslims, democracy is perceived as a foreign concept that has been imposed by the West and secular reformers upon Muslim societies. Like their Western counterparts, these Muslim scholars claimed that “the divine will is supreme and in theory that God’s law is immutable and can not be altered by human desire or whim.”⁴² For

³⁷ Michael E. Salla, “Political Islam and the West: A New Cold War or Convergence?”, **Third World Quarterly**, Vol:18, No:4, 1997, p.736.

³⁸ Bernard Lewis, “Islam and Liberal Democracy.” **Atlantic Monthly**, Vol:271, No:2, 1993, p.89.

³⁹ Lewis, p.93.

⁴⁰ Lewis, p.96.

⁴¹ Anderson, pp.86-87 and Miller, pp.52-53.

⁴² John L. Esposito and James P. Piscatori, “Democratization and Islam”, **Middle East Journal**, Vol:45, No:3, 1991, p.438.

instance, Mawdudi⁴³ pointed out that Islam is not congruent with the Western notion of democracy that is based on the sovereignty of the people, whereas Sayyid Qutb totally objected to the idea of popular sovereignty on the ground that Islamic state is based on God's sovereignty to be guided by Shari'a.⁴⁴ Lastly, several Muslims oppose to the equality of all citizens since it is suggested that in Islam "unavoidable and insurmountable inequalities exist, such as between believers and unbelievers, rich and poor, husband and wife, the healthy and ill and the learned jurist and his followers..."⁴⁵

Counter to contention on incompatibility of Islam and democracy, Western scholars such as John Esposito⁴⁶, John O. Voll⁴⁷, James Piscatori⁴⁸ and Fred Halliday⁴⁹ argue that Islam is not inherently incompatible with liberal democracy. According to these scholars, obstacles to democratization in divergent Islamic countries stem from social and economic factors other than the Islamic tradition including "low levels of development, entrenched traditions of state control, political cultures that inhibit diversity and tolerance."⁵⁰ It is also put forward that if there has been a degree of convergence among Western liberal democracies and Marxist-Leninist states with respect to their views of the "proper extent of government intervention, role of the bureaucracy and the size of the market sector" then it is predicted that there can also be some kind convergence among political Islam and the Western liberal democracy as rival paradigms or discourses with universal appeal."⁵¹

Actually, the position in favor of compatibility among Islam and democracy is more widespread among Muslim intellectuals, in comparison with the Western intellectuals. Muslim intellectuals including Rashid Ghanoushi, Abdul Karim Soroush and Mohammed Khatami believe that Islamic traditions such as shura

⁴³ See Abul A'la Mawdudi, "A Political Theory of Islam", **Islam in Transition: Muslim Perspectives**, Eds. John Donohue and John Esposito, Oxford University Press, New York, 1982, pp.253-254.

⁴⁴ Ali R. Abootalebi, "Islam, Islamists and Democracy," **Middle Eastern Review of International Affairs**, No:3, March 1999, p.15.

⁴⁵ Esposito and Piscatori, p.435.

⁴⁶ See John Esposito, and John O. Voll, "Islam and Democracy," **Humanities**, Vol: 22, No:6, 2001, pp.22-26.

⁴⁷ Esposito, and Voll, pp.22-26.

⁴⁸ Esposito and Piscatori, pp.427-440.

⁴⁹ Fred Halliday, **Islam and the Myth of Confrontation**, I. B. Tauris, London, 1995.

⁵⁰ Halliday, p.116.

⁵¹ Salla, p.739.

(consultation), ijma (consensus) and ijihad (reinterpretation) would help to develop Islamic state which accommodates popular participation and democratization.⁵² It is argued that shura can be interpreted as a democratic principle; as it demands an “open debate among both the ulema and the community at large on issues that concern the public.”⁵³ Moreover, it is maintained that multiplicity of interpretations, contingency of positions and the need for consensus generates an appropriate ground for democracy to develop in the Muslim societies though this democratic model is not expected to be the identical twin of a Western model.⁵⁴ In an interview with the Tunisian Islamist Leader, Rashid Ghanoushi says:

*If by democracy is meant the liberal model of government prevailing in the West, a system under which the people freely choose their representatives and leaders, in which there is an alternation of power, as well as all freedoms and human rights for the public, then Muslims will find nothing in their religion to oppose democracy, and it is not in their interests to do so.*⁵⁵

Similar to what Ghanoushi says, another Islamist, Abdul Karim Soroush claims that not only there is not any contradiction among Islam and the values of democracy but also their association is inevitable.⁵⁶ Finally, Iran’s former President, Mohammed Khatami, points out that there is not only one specific formula in order to achieve a democratic order since he thinks that a democratic order would include religious norms and thus fill in the “vacuum of spirituality” from which “today world democracies are suffering”.⁵⁷

Other than above-mentioned debates on compatibility of Islam and democracy, there are also discussions about Islamists’ commitment to democracy, identified with the well-known question of ‘One-man, One-vote, Once?’. While Islamist movements have become powerful throughout the Muslim world, Islamists’ commitment to principles of liberal democracy has been extensively analyzed. Analysts, who are skeptical regarding Islamist’ commitment to democratic values

⁵² Esposito, and Voll, pp.22-26.

⁵³ Abootalebi, pp.15-16.

⁵⁴ Shahrough Akhavi, “Islam and the West in World History,” **Third World Quarterly**, Vol:24, No:3, 2003, p.559.

⁵⁵ Interview with Ghanoushi in Esposito and Voll, pp.22-23.

⁵⁶ Interview with Soroush in Robin Wright, “Two Visions of Reformation”, **Journal of Democracy**, Vol:7, No:2, 1996, p.68.

⁵⁷ Note by Khatami in a television interview in Esposito and Voll, p.23.

argue that Islamists decide to take part in parliamentary politics for tactical reasons as they predict that when Islamists gain access to power, they would “abort the democratic political process and institute a policy of one-man, one-vote, one-time.”⁵⁸ In other words, Islamists are being accused of using the democratic process to come to power and then only to destroy the democratic order to establish their own Islamic order.

But why should one suspect about sincerity of the Islamists’ commitment to democracy once they gain access to power? One of the reasons is that among a variety of democratic values, Islamists have mainly concentrated on the principle of free elections. It is argued that they have repeatedly demanded the realization of open elections and pressed for free campaigning prior to elections, but they have offered “nothing in exchange.”⁵⁹ Particularly, their party programs have remained ambivalent with respect to protection of women and religious pluralism. Another reason for the distrust in Islamists is that there have been several examples in the Arab and Islamic history with respect to insincerity of Islamist groups regarding their commitment to democracy, soon after their position shifts from being in opposition to being in power. The failure of Islamic movements in tolerating diversity once in power strengthens this skepticism as the cases of Afghanistan and Sudan demonstrated.

Algerian case had also been significant to demonstrate both general distrust on Islamists and how attitudes of Islamists change, when their access to power is guaranteed. In Algeria, when it became clear that the FIS (Front for Islamic Salvation) was going to win the national elections, which was held in December 1991, a military coup took place and the FIS was banned. The underlying reason for the military coup was that, whereas prior to the first round of voting, FIS candidates were careful to highlight their democratic intentions, their manners changed immediately once their party achieved the majority of votes in the first round and it seemed that at the end of the second round they would have the majority in the parliament.⁶⁰ As it is noted, soon after their success in the first round of elections

⁵⁸ Vickie Langohr, “Of Islamists and Ballot Boxes: Rethinking the Relationship Between Islamisms and Electoral Politics”, *International Journal of Middle East Studies*, Vol:33, No:4, 2001, p.591.

⁵⁹ Kramer, p.41.

⁶⁰ Judith Miller, “The Challenge of Radical Islam”, *Foreign Affairs*, Vol:72, No:2, 1993, p.48.

supposedly moderate FIS candidate pointed out; “No law. No constitution. Only the laws of God and Koran.”⁶¹ Paradoxically, political participation and increasing strength of Islamists have given authoritarian rulers an excuse to limit democratization and when Islamists are denied electoral victory through canceling elections, they become more radical.⁶²

Overall, while some scholars prefer to employ the political culture approach to explain the process of political liberalization and deliberalization in the Arab Middle East, one should take into consideration the fact that the Arab World is not monolithic. In this regard, criticisms directed against ‘political culture approach’ point out that each individual Arab state has a “distinct identity based on separate origin, political history and extreme variance in per capita income, in ethnic mix, social norms, educational systems, and in many cases religious distinctiveness”.⁶³

1.3.1.2. Civil Society Approach

The civil society approach concentrates on the essence of a functioning civil society for political liberalization / democratization. It is widely considered that an active civil society is an efficient way to establish a closer link between ruling elites and society, thus leading to more accountability and transparency in the political system. In this connection, advocates of the civil society approach emphasize that there is a direct relationship between the level of development in terms of civil society in a given state and prospects for democratization in that state. For instance, Larry Diamond puts forward:

*Profound change arises with the growth of formal and informal organizations in civil society, and in their capacities, resources, autonomy, and initiative, all of which can radically alter the balance of power. An authoritarian regime that could once easily dominate and control gets thrown on the defensive...In much of the world, it is this increase in independent organizational capacity and density that represents the real, indigenous origins of democracies.*⁶⁴

⁶¹ Miller, p.48.

⁶² John L. Esposito, “Political Islam and the West”, **Joint Force Quarterly**, No: 24, 2000, p.53.

⁶³ Harik, p 682.

⁶⁴ Larry Diamond, **The Spirit of Democracy: The Struggle to Build Free Societies Throughout the World**, Times Books, New York, 2008, pp.103-104.

This section will attempt to analyze following questions: What is civil society? How does it act as a pro-democratic force? Can we talk about the existence of a functioning civil society in the Arab Middle East? Civil society is generally defined as a combination of independent social organizations that exert pressure on state, thereby limiting state power. For instance, Ernest Gellner identifies civil society with institutional and ideological pluralism which both prevents the establishment of monopoly of power and counterbalances central institutions.⁶⁵ Gellner states: “Civil society is that set of diverse non-governmental institutions which is strong enough to counterbalance the state and, while not preventing the state from fulfilling its role of keeper of the peace and arbitrator between major interests, can nevertheless prevent it from dominating and atomizing the rest of society”.⁶⁶ According to Richard Norton, civil society is “more than an admixture of various forms of associations, it also refers to a quality, civility, without which the milieu consists of feuding factions, cliques, and cabals”.⁶⁷ For Amy Hawthorne, civil society refers to “the zone of voluntary associative life beyond family and clan affiliations but separate from the state and the market”.⁶⁸

While there is no commonly accepted definition regarding the exact constituents of civil society, a civil society roughly includes nonprofit organizations, religious organizations, labor unions, professional associations (syndicates), interest and advocacy groups, societies, clubs, and research institutions.⁶⁹ Cohen and Arato perceive civil society “as a sphere of social interaction between economy and state, composed above all of the intimate sphere (especially the family), the sphere of associations (especially voluntary associations), social movements, and forms of public communication”.⁷⁰ The European Union has a more extensive definition of the term ‘civil society’ and its constituents. In an official document by the European Commission, civil society and its constituents are described as:

⁶⁵ Ernest Gellner, **Conditions of Liberty: Civil Society and Its Rivals**, The Penguin Press, Allen Lane, 1994, pp.3-4.

⁶⁶ Gellner, p.5.

⁶⁷ Norton, Introduction, p.11.

⁶⁸ Amy Hawthorne, “Middle Eastern Democracy: Is Civil Society the Answer?”, **Carnegie Endowment for International Democracy Papers**, No:44, 2004, p.5.

⁶⁹ Hawthorne, p.5.

⁷⁰ Jean L. Cohen and Andrew Arato, **Civil Society and Political Theory**, MIT Press, Massachusetts, 1992, p.ix.

*...a range of organizations which include: the labour-market players (i.e. trade unions and employers federations); organizations representing social and economic players, which are not social partners in the strict sense of the term (for instance, consumer organizations); NGOs (non-governmental organizations), which bring people together in a common cause; such as environmental organizations, human rights organizations, charitable organizations, educational and training organizations, etc.; CBOs (community-based organizations), i.e. organizations set up within society at grassroots level which pursue member-oriented objectives, e.g. youth organizations, family associations and all organizations through which citizens participate in local and municipal life; and religious communities. So civil society organizations are the principal structures of society outside of government and public administration.*⁷¹

The role of civil society as a pro-democratic force has been the subject of extensive scholarly debate. It is argued that “the home of democracy is in civil society” as civil society provides a buffer zone between state and citizen through a “mélange of groups, associations, and clubs”.⁷² The argument here is that accountability and performance of state increases in line with strengthening of civil society. In this regard, a dynamic civil society is seen as a crucial step toward democratization. Addressing the question “Can we talk about the existence of a functioning civil society in the Arab Middle East?” is a complicated task. It is true that some components of civil society exist in the Arab Middle East, but as a whole these elements are very unevenly developed and they continue to remain under strict control of the authoritarian ruling regimes. Most scholars employ negative adjectives such as weak, deficient, absent, corrupt, co-opted, and insignificant to describe the civil society in the Arab world. For example, Eva Bellin points out the weakness of associational life in the Arab world and how it undermines the development of a counter social force to exert pressure on the state to increase its accountability.⁷³ Addressing the ineffectiveness of Arab civil society in fostering democracy she says: “Labor unions are empty shells; businessmen’s associations lack credible autonomy; nongovernmental organizations lack indigenous grounding.”⁷⁴ Another scholar to

⁷¹ European Union Official Web Site, “General principles and minimum standards for consultation of interested parties by the Commission”, 11.12.2002, http://ec.europa.eu/civil_society/consultation_standards/index_en.htm (27.01.2011).

⁷² Norton, *The Future*, p.33.

⁷³ Eva Bellin. “The Robustness of Authoritarianism in the Middle East: Exceptionalism in Comparative Perspective”, *Comparative Politics*, Vol:36, No:2, 2004, (The Robustness), p.139.

⁷⁴ Bellin, *The Robustness*, p.139.

establish a direct link among the democracy gap and civil society deficiency in the Arab world is Marina Ottaway. Ottaway thinks that democracy in the Arab world will not progress as long as broad-based, organized civil society organizations are lacking.⁷⁵ She believes that political parties, social movements and labor unions are crucial in curbing the power of the state and unless these components of civil society develop, “the future of democracy remains extremely uncertain” in the Arab world.⁷⁶

There are also scholars, who are less pessimistic regarding the state of civil society in the Arab World including leading Egyptian sociologist Saad Eddin Ibrahim. According to Ibrahim, civil society in the Arab World has revitalized itself through time due to a combination of internal, regional and international factors.⁷⁷ Ibrahim maintains that there has been an increase in civil society organizations in the Arab World, which have been influential in growing pressure on ruling regimes for greater political participation and liberalization.⁷⁸ Another scholar, Norton, admits that political intolerance and arbitrary government regulations have a negative impact in the progression of civil society organizations in the Middle East.⁷⁹ Yet, Norton suggests that it would be better to stop talking about exceptionalism, when we are discussing civil society and democratization in the Middle East. He mainly criticizes the scholars who argue that Islamists are the only opposition groups to take their place in the civil society as he notes; “One would think that the Islamist groups are the only opposition groups in town, the Islamists are only one component in an array of groups that populate civil societies in the Middle East.”⁸⁰ Accordingly, Norton points out a noticeable progress in women’s movements particularly in Algeria, Egypt, Kuwait, Yemen and amongst the Palestinians.⁸¹

Similar to what Norton suggests, Jill Crystal - a well-known scholar specialized on Gulf politics - mentions that although a huge number of independent groups are prohibited in the Arab Middle East, there are also promising examples of

⁷⁵ Marina Ottaway, “Democracy and Its Constituencies in the Arab World”, **Carnegie Endowment for International Peace Papers**, No:48, 2004, (Democracy), p.12.

⁷⁶ Ottaway, Democracy, p.3.

⁷⁷ Saad Eddin Ibrahim, “Democratization in the Arab World”, **Toward Civil Society in the Middle East?**, ed. Jillian Schwedler, Lynne Rienner Publishers, London, 1995, (Democratization), p.37.

⁷⁸ Ibrahim, Democratization, pp.37-38.

⁷⁹ Norton, The Future, p.33.

⁸⁰ Norton, Introduction, p.15.

⁸¹ Norton, Introduction, p.15.

civil society.⁸² She gives examples from both Bahrain and Kuwait.⁸³ Bahrain has accommodated a number of sports clubs, cultural clubs, trade unions and chambers of commerce. Kuwait too has long had its cultural clubs and professional associations and ‘diwaniyya’s.⁸⁴ In fact, Kuwait has always been several steps forward in comparison with the other Arab Gulf States in terms of its civil society. Iraqi invasion of Kuwait in 1990 led to strengthening of the civil society in Kuwait as the people, who chose to stay in their country acted in unity to overcome the difficulties during invasion through associations and elected cooperative societies.⁸⁵

In a comprehensive study on civil society in the Arab World, Amy Hawthorne – a specialist in Middle Eastern affairs – classifies the components of Arab civil society into five sectors.⁸⁶ The first and the most active one is the Islamic sector which includes a wide range of groups, associations, and movements whose common objective is upholding and propagating the faith of Islam. These groups also offer various welfare networks in a number of fields such as medical care and education. The second sector includes nongovernmental service organizations, in other words NGOs. The third sector consists of membership-based professional organizations such as labor unions, professional syndicate and chambers of commerce. As Hawthorne notes “the fourth sector is composed of associations which aim to foster solidarity and companionship, and sometimes to provide services, among groups of friends, neighbors, relatives, and colleagues”.⁸⁷ Lastly, the fifth sector of Arab civil society includes pro-democracy associations. According to Hawthorne a civil society organization can highly contribute to democratization if it possesses three attributes: “autonomy from the regime, a pro-democracy agenda, and the ability to build coalitions with other sectors of civil society”.⁸⁸ In her view;

⁸² Jill Crystal, “Authoritarianism and Its Adversaries in the Arab World”, **World Politics**, Vol:46, No:2, 1994, p.270.

⁸³ See Crystal, p.270.

⁸⁴ ‘Diwaniyya’ is a significant component of Kuwaiti civil society. The term ‘diwaniyya’ refers to regular meetings in leading citizens’ houses by family and friends to discuss business and social and political issues. Normally, public gatherings require state permission in Kuwait, however the diwaniyya is relatively free from state intervention, it provides people with an alternative opportunity for the discussion of politics. Through time diwaniyyas have become places where candidates for the National Assembly organize election campaign and to persuade people about their eligibility.

⁸⁵ For more details see, Mary Ann Tetreault “Civil Society in Kuwait: Protected Spaces and Women’s Rights”, **Middle East Journal**, Vol: 47, No:2, 1993, pp.275-291.

⁸⁶ Hawthorne, pp.6-8.

⁸⁷ Hawthorne, p.7.

⁸⁸ Hawthorne, p.11.

Morocco, Lebanon, and the Palestinian territories accommodate the most diverse and active civil societies in the region.⁸⁹ In addition to these five sectors, opposition political parties can also be regarded as components of civil society in the context of Arab states as it is difficult for an opposition political party to lead the government in these states.⁹⁰

1.3.1.3. Political Economy Approach

Two relevant issues are worth considering with respect to the political economy approach. The first one concerns favorable economic conditions for political liberalization and the second one is about the ‘rentier state’ paradigm. Lisa Anderson, a distinguished scholar of state formation and regime change in the Middle East and North Africa (MENA) highlights significance of political economy approach. She believes that structural aspects of economy need to be addressed studying democratization in the Arab World. For her, though values and attitudes play role in politics, the nature of the political regimes in the Arab World can best be understood by looking at the political economy of the countries in the region.⁹¹ To quote Anderson; “In my estimation, the nature of the political regimes in the Arab world, like those elsewhere in the world, can best be understood as reflections of the political economy of the countries in question, particularly the character of their integration into the world economy”.⁹²

It is widely believed that economically developed states tend to democratize easily than do their economically underdeveloped counterparts. There is also a widespread interrelated assumption in the literature that economic liberalization will inevitably lead to political liberalization. These two contentions lead one to ask: Is there a specific economic setting that is favorable for democratization? Is economic liberalization a precondition of political liberalization? Larry Diamond mentions about the association between economic development and freedom pointing out that all 44 states among the world’s 50 most economically developed states are

⁸⁹ Hawthorne, p.9.

⁹⁰ The situation is different in the West, as according to Western literature it is necessary to distinguish civil society from both a political society of parties, political organizations and political publics (in particular, parliaments). For more details see, Cohen and Arato, ix.

⁹¹ Anderson, pp.77-92.

⁹² Anderson, pp.77-92.

democracies.⁹³ According to Diamond, economic development prevents the concentration of power in unaccountable elites or parties by both dispersing power and resources in line with diversity in the economy and enlarging the middle class along with raising levels of education and information among the general public.⁹⁴

The Middle East is said to be lagging behind other regions except for sub-Saharan Africa in terms of economic development and this has been indicated as the underlying reason behind prevailing authoritarianism in the region. The Middle East has been facing an economic decline since the mid-1980s. Most of the ruling regimes have been coping with the problems of economic growth and development such as rapid population growth, growing unemployment, foreign debt and high military expenditures. For instance, it is noted that the rate of unemployment in the region is officially estimated as 25 percent and that demographic trends project higher levels of unemployment in the forthcoming years.⁹⁵ Besides, the region is described as unsuccessful in attracting foreign direct investment in sectors other than tourism and petroleum, and there has been a noticeable deterioration in living standards.⁹⁶

It is broadly argued that economic reform affects the process of democratization in a positive way. Here it is assumed that economic improvement leads to emergence of new values such as rationality, long-term perspectives, tolerance and individuality. These new values would influence the masses, and in return it would bring the exertion of internal pressures over the ruling regime for political reform. Although this argument seems logical, its validity for most of the Arab regimes is highly contestable. From the mid-1980s to the early 1990s majority of the Arab ruling regimes faced economic crises due to oil price collapse in the mid-1980s, and the end of the Cold War in the early 1990s. This led to economic liberalization in most of the Middle East states through structural adjustment programs suggested by the IMF and the World Bank, in return for giving funds. Issues of good governance, transparency, accountability, and participation were also advocated by the international financial institutions through the Washington

⁹³ Diamond, p.96.

⁹⁴ Diamond, p.98.

⁹⁵ Eva Bellin, "The Political-Economic Conundrum: The Affinity of Economic and Political Reform in the Middle East and North Africa", **Carnegie Endowment for International Peace Papers**, No:53, 2004, (Conundrum) p.3.

⁹⁶ Bellin, Conundrum, p.4.

Consensus. However, as Azzam emphasizes, whereas the IMF and the World Bank were influential in exerting pressure on the ruling regimes to open their economies, pressures of these organizations were not impressive, in terms of exerting sufficient pressure for political liberalization.⁹⁷ Nevertheless, he mentions about some limited shift towards political liberalization “only when domestic pressure has been intense and regimes have feared losing power or authority.”⁹⁸ But, even limited shifts towards political opening were reversed, as it happened in Algeria, Egypt and Jordan, when the Islamist opposition became stronger and ruling regimes possessed enough power to limit political liberties.

Secondly, according to the ‘rentier state’ paradigm, oil revenues release rulers from dependence on domestic revenue sources; mainly taxing their populations, free them from demands for democratic participation.⁹⁹ The result is a movement away from democracy commonly pronounced by the well-known expression: “no taxation without representation”. There are three negative contributions of the ‘rentier state’ model to the process of political liberalization. First consequence is that influx of huge oil revenues causes the ruling regimes to become dominant actors in their local economies; and benefiting from this dominance they legitimize themselves.¹⁰⁰ Secondly, oil rents give the ruling regimes opportunity to provide their citizens with a wide range of services, including free education, health care and housing. Oil rents also allow the ruling regimes to build up large government institutions and to offer numerous employment opportunities to their citizens. As Hazem Beblawi states: “The government not only distributes benefits and favors to its population, but it is also the major and ultimate employer in the economy”.¹⁰¹ This has contributed to initiation of a patron-client relationship among the ruling elites and the ruled. Thirdly, rentier character of these states, weaken political power of various groups which have once formed a potential opposition to the state. Finally, concentration of

⁹⁷ Maha Azzam, “Between the Market and God: Islam, Globalization and Culture in the Middle East”, **Globalization and the Middle East: Islam, Economy, Society and Politics**, (Eds. Toby Dodge and Richard Higgot), Royal Institute of Foreign Affairs, London, 2002, p.163.

⁹⁸ Azzam, p.163.

⁹⁹ Posusney, p.130.

¹⁰⁰ Hazem Beblawi, “The Rentier State in the Arab World”, **The Rentier State**, (Eds. Hazem Beblawi and Giacomo Luciani), Croom Helm, London, 1987, p.89.

¹⁰¹ Beblawi, p.91.

large resources in the hands of these states, have increased authoritarian nature of these regimes.

Giacomo Luciani, Alan Richards, Kiren Aziz Chaudhry are among the scholars to employ political economy approach to explain political liberalization process in the Arab Middle East. For instance, Alan Richards argues that low economic dependence of states on their citizens had been a critical barrier to democratic transition in the Arab states.¹⁰² Likewise, Kiren Aziz Chaudhry points out that oil revenues have released ruling regimes from taxing their population directly, thereby helping those regimes both to bolster their rule and to “ameliorate political conflict by directly distributing resources through gifts, subsidies, loans, and state contracts”.¹⁰³

Similar to what Richards and Chaudhry suggest, Giacomo Luciani claims that continuing access to exogenous rent help ruling regimes to postpone the process of democratization indefinitely.¹⁰⁴ Luciani further maintains that prevailing feature of economic life in a given state, particularly the nature of sources of income, is highly influential in determining the character of politics in that given state.¹⁰⁵ With respect to the origin of state income, Luciani classifies states into two groups as ‘exoteric states’ (allocation/rentier) - states which predominantly depend on external revenues coming from abroad - and ‘esoteric states’ (production) - states which predominantly (more than 40 percent) depend on domestic revenues and taxation.¹⁰⁶ He defines the Arab states such as Kuwait, United Arab Emirates (UAE), Qatar, Saudi Arabia and Libya as ‘exoteric states’ in other words rentier or allocation states, where oil rent is a primary source of government revenue.¹⁰⁷ According to Luciani,

¹⁰² Alan Richards, “Democracy in the Arab Region: Getting There From Here”, **Middle East Policy**, Vol:12, No:2, 2005, p.30.

¹⁰³ Kiren Aziz Chaudhry, “Economic Liberalization and the Lineages of the Rentier State”, **Comparative Politics**, Vol: 26, No: 4, 1994, p.18.

¹⁰⁴ Giacomo Luciani, “The Oil Rent, the Fiscal Crisis of the State and Democratization”, **Democracy without Democrats?: the Renewal of Politics in the Muslim World**, (Ed. Ghassan Salame), I.B Tauris Publishers, London, 1994, (The Oil Rent), p.132.

¹⁰⁵ Giacomo Luciani, “Allocation vs. Production States: A Theoretical Framework”, **The Rentier State**, (Eds. Hazem Beblawi and Giacomo Luciani), Croom Helm, London, 1987, (Allocation), pp.65-67.

¹⁰⁶ Luciani, Allocation, pp.71-72.

¹⁰⁷ Giacomo Luciani, “Resources, Revenues, and Authoritarianism in the Arab World: Beyond the Rentier State?”, **Political Liberalization and Democratization in the Arab World Vol. 1: Theoretical Perspectives**, (Eds. Rex Brynen, Bahgat Korany and Paul Noble), Lynne Rienner Publishers, London, 1995, (The Rentier State), p.212.

oil rent is a key variable in understanding the power of existing authoritarian regimes in the Arab world since those states neither need to tax their societies owing to external rents nor do they need to respond to societal pressure.¹⁰⁸

In fact, external rents do not only include hydro-carbon revenues, but also foreign political aid, foreign military aid, strategic rents and workers' remittances. For instance, Egypt is described as a semi-rentier state, due to significant amount of Suez Canal revenues, and foreign political and military aid by superpowers mainly the US. In the Egyptian case, the Suez Canal revenues along with huge foreign aid have functioned like oil in contributing to preservation of authoritarian rule through years. Yemen is also defined as a semi-rentier state due to giant chunk of workers' remittances in Yemen's economy. It is indicated that workers' remittances constitute more than 85 percent of the GDP in Yemen and for Beblawi this surely has a considerable impact on the role of the state and on citizens' behavior in Yemen.¹⁰⁹

While the influx of huge external rents have bolstered authoritarian character of the Arab ruling regimes providing them with economic means to silence their citizens, fiscal crises have contributed to political liberalization as the ruling regimes have granted partial political rights for legitimization. Majority of the states in the Arab Middle East experienced economic problems in the late 1980s, due to a decline in external rents particularly relatively low price of oil in international markets. This widespread economic crisis is argued to weaken the "authoritarian social contract" and aid liberalization process in the region in the first half of 1990s.¹¹⁰ Brumberg supports this argument by saying: "With external rents declining, the implicit bargain by means of which rulers bought popular acquiescence in return for various forms of petroleum-funded largesse has fallen on hard times".¹¹¹ Kuwaiti case is a relevant example. In Kuwait, there have been shifts toward political liberalization especially in times of acute economic crises, however achievements in the field of political liberalization were not sustained over a long period of time and there was a return to authoritarian policies as soon as the crisis ended.¹¹²

¹⁰⁸ Luciani, *The Rentier State*, p.211.

¹⁰⁹ Beblawi, p.97.

¹¹⁰ For these arguments see; Richards, p.31 and Ehteshami, p.212.

¹¹¹ Brumberg, p.66.

¹¹² Mehran Kamrava, "Non-Democratic States and Political Liberalization in the Middle East: A Structural Analysis", *Third World Quarterly*, Vol:19, No:1, 1998, p.75.

1.3.2. External Dynamics in Political Liberalization

There are few studies about the impact of external dynamics on political liberalization and external dynamics are considered as insignificant compared to domestic dynamics. In fact, it is difficult to define the international context as a variable and to draw its boundaries. Accordingly, it is a complicated task to measure the impact of international context on domestic political processes such as political liberalization. Yet, this does not mean that external dynamics are irrelevant in political liberalization process. An edited book by Laurence Whitehead collects perspectives on the interaction between domestic and international factors in the Southern Europe and Latin America.¹¹³ As Whitehead rightly points out: “a balanced analysis will have to give considerable weight to the international context in which they are occurring, as well as to the more strictly domestic forces in play.”¹¹⁴

Whitehead also suggests three main categories under which international factors may be grouped and analyzed: contagion, control, and consent. Contagion is considered as the most significant and common one among the three. It is about the diffusion of democratic ideas from one country to another through neutral, unintentional channels and it demonstrated itself in a number of waves of democratization. Secondly, control involves the policies of one country aimed at democratizing another country through inducements or sanctions, and it demonstrates itself in democracy promotion policies of the major powers. Lastly, consent emerges as a result of interactions between international processes and domestic groups generating internalization of democratic norms and expectations. An article by Thomas Risse and Kathryn Sikkink focuses on how international human rights norms are internalized in domestic practices and thus can be given as an example to how ‘consent’ functions.¹¹⁵ Risse and Sikkink maintain that the process by which international norms are internalized and implemented domestically

¹¹³ Laurence Whitehead (Ed.), **The International Dimensions of Democratization**, Oxford University Press, Oxford, 2001.

¹¹⁴ Laurence Whitehead, “Introduction”, **The International Dimensions of Democratization: Europe and the Americas**, (Ed. Laurence Whitehead), Oxford University Press, Oxford, 2001, p.4.

¹¹⁵ Thomas Risse and Kathryn Sikkink, “The Socialization of International Human Rights Norms into Domestic Practices: Introduction”, **The Power of Human Rights: International Norms and Domestic Change**, (Eds. Thomas Risse, Stephen C. Ropp and Kathryn Sikkink), Cambridge University Press, Cambridge, 1999, pp.1-38.

can be understood as a process of socialization. They point out that a process of ‘shaming’ is influential in moral consciousness-raising by the international human rights community.¹¹⁶ Categories of civilized community of states (us) and norm-violating, pariah states (them) are constructed and belonging to the latter category make the ruling elites feel deeply offended. Here; the point is to persuade norm-violating states through a carrot involving a belonging to the community of civilized nations.

Philippe Schmitter argues that ‘conditionality’ should be added to the three above-mentioned headings to categorize international influence.¹¹⁷ Schmitter thinks that conditionality is the most recent and rapidly expanding sub-context about international influence, involving attachment of “specific conditions to the distribution of benefits to recipient countries”.¹¹⁸ In this regard, the European Union has been an active implementer of ‘conditionality’ through its insistence on particular political reforms as a prerequisite for membership.

Nevertheless, above-mentioned categories have limitations in terms of their applicability to process of democratization in the Arab Middle East context. For instance, in order for the category ‘contagion’ to be applicable to the region, democratic countries must have existed in the region to constitute model for others, influencing them positively in terms of democratic values. Likewise, it is difficult to talk about ‘consent’ in the Arab World when the issue of democratization is in focus since a number of ruling regimes have been treated as allies by the Western powers, thereby preventing the formation of a sense of moral consciousness by these regimes. ‘Control’ and ‘conditionality’ are applicable in the Arab Middle East to limited extent since democracy promotion policies toward the region states have been in general inconsistent and incoherent. Thus, for practical reasons, these categories will not be used in analyzing literature about the impact of systemic/international dynamics in the course of liberalization in the Arab Middle East. Instead, there will be two major headings under which systemic/international dynamics are analyzed: impact of external actors and contextual influences. Further, there will be three sub-

¹¹⁶ Risse and Sikink, p.15.

¹¹⁷ Schmitter, p.28.

¹¹⁸ Schmitter, p.28.

headings under which impact of external actors are examined: impact of the United States, impact of the European Union, impact of international organizations.

1.3.2.1. External Actors

The United States, the European Union and international organizations such as the World Bank and the IMF are relevant external actors that influence the process of political liberalization in the Arab Middle East. They will be separately analyzed in the following sections.

1.3.2.1.1. Impact of the United States

In its conventional approach towards the Middle East, the United States (US) highlighted regional stability, constant access to regional energy resources, and peaceful settlement of the Arab-Israeli conflict¹¹⁹. Accordingly, for many years the US prioritized stability in the Middle East and even cooperated with the authoritarian regimes in the region. However, in the aftermath of terrorist attacks of September 11 2001, there was a change in US foreign policy toward the Arab Middle East. The US started to pay unaccustomed attention to the issue of democratization in the Arab world. After 9/11, US policy-makers realized that widespread authoritarianism in the majority of the Arab states had bred frustration in these countries, leading to a fertile ground for the growth of terrorist networks such as Al Qaida. Former President George W. Bush underlined democratization as the pillar of his administration's Middle East policy. Democracy promotion in the Arab Middle East was initially pronounced in the 2002 National Security Strategy of the US, which stated "supporting moderate and modern governments, especially in the Muslim world, to ensure that the conditions and ideologies that promote terrorism do not find fertile ground in any nation."¹²⁰ In her speech at the American University in Cairo, in 2005, former Secretary of State Condoleezza Rice confessed:

¹¹⁹ See table 3.

¹²⁰ The National Security Strategy of the United States of America, September 2002, <http://georgewbush-whitehouse.archives.gov/nsc/nss/2002/nss.pdf> (12.04.2009), p. 6.

*For 60 years, my country, the United States pursued stability at the expense of democracy in this region, here in the Middle East, and we achieved neither... Now, we are taking a different course. We are supporting the democratic aspirations of all people...It is time to abandon the excuses that are made to avoid the hard work of democracy.*¹²¹

US democracy promotion in general dated back to the World War I through Wilsonianism. Yet, in the Middle East, the US started to promote democracy specifically in the Middle East only in the early 2000s. The official framework for democracy promotion in the Middle East was established in December 2002 with the Middle East Partnership Initiative (MEPI). The MEPI sought to sponsor economic development, education, rights for women, and local civil society organizations to promote democratization in the region.¹²² MEPI then evolved into a more extensive plan called Greater Middle East Initiative (GMEI) that aimed at advancing democratic reform in the Greater Middle East. GMEI was widely criticized on two grounds. First of all, it was criticized for its being unilateral, devoid of any partnership with other leading actors in the international system. Secondly, criticisms arose due to the fact that regional actors, be they ruling elites, opposition groups or civil society organizations were not consulted, as the project was being developed. Even Husni Mubarak, ousted President of a strategic partner state, Egypt, criticized the initiative for not being consulted on matters that were related with his state.¹²³

These criticisms paved the way for an alternative project, the Broader Middle East Initiative (BMEI). The BMEI was born as a response to criticisms directed at the GMEI and was thus recognized as the successor of GMEI. It was presented by the US during G8 summit in Sea Island, Georgia in June 2004 and was adopted together by the US and the G7 states.¹²⁴ In this regard, adoption of the BMEI marked a transatlantic consensus to promote democracy in the broader MENA. This

¹²¹ “Rice calls for Mid-East democracy”, **BBC News**, 20.06.2005, <http://news.bbc.co.uk/1/hi/4109902.stm> (14.06.2009).

¹²² Oleg Pavlov and Olga Alekseeva, “US and a Democratization Project for the Middle East”. **International Affairs (Moscow)**, Vol:53, No:4, 2007, pp.46-47 and Lorne Craner, “Democracy in the Middle East: Will U.S. Democratization Policy Work?” **Middle East Quarterly**, Vol:13, No:3, 2006, pp.5-6.

¹²³ Dona J. Stewart, “The Greater Middle East and Reform in the Bush Administration’s Ideological Imagination,” **Geographical Review**, Vol:95, No:3, 2005, pp.400-424 and “Greater Middle East: the US Plan,” **Le Monde**, April 2004, <http://mondediplo.com/2004/04/04world> (14.01.2010).

¹²⁴ Pavlov and Alekseeva, p.46.

consensus among the Western states suggested that democratization in the region would not only contribute to peace and stability in the region, but also to the security of Western states.¹²⁵

On the whole, these initiatives have suffered from a number of shortcomings. First of all, the term “Greater/Broader Middle East and North Africa” is vague. As Larbi Sadiki notes,

*The usage of terms like ‘greater’ or ‘broader’ Middle East is a classic example of the persistent Orientalist understanding of the Arab Middle East. The monolithic label ‘Middle East’, already vague, is now rendered even more imprecise as its boundaries are stretched further afield to include in addition to the Arab Middle East Afghanistan, Iran, Israel, Pakistan and Turkey. The term that still begs the question ‘Middle of where East of what’ now calls for definition as to ‘greater’ or ‘broader’ in what sense.*¹²⁶

Secondly, these initiatives are criticized for their failure to recognize heterogeneity of the Middle Eastern countries. Thirdly, amount of resources allocated to these projects is insufficient. Lastly, US credibility as a “normative power” in the Arab World has been reduced both due to the Iraq War and lack of any sincere US commitment in settling the Arab-Israeli conflict. As Thomas Carothers point out it is difficult for Arabs to regard the US as pro-democratic actor in the Middle East given “insufficient US support for Palestinian rights, and a war in Iraq that most Arabs feel was an illegitimate imposition of American political force on Arab territory”.¹²⁷ It is also put forward that Muslims have been skeptical about ultimate intentions behind US democracy promotion due to long-standing US policy of supporting authoritarian regimes in the region.¹²⁸

Today, it is difficult to argue that the GMEI or its successor the BMEI still survive. Through time, the US has realized that political openings in the Arab Middle East have led Islamists to gain more power. For instance, in 2006 parliamentary elections that took place in Palestinian territories, Hamas gained the majority of the seats in the Palestinian parliament. Thus, this reality along with existing

¹²⁵ Tamara Cofman Wittes, “Promoting Democracy in the Arab World: The Challenge of Joint Action”, **The International Spectator**, Vol:39, No:4, 2004, p.76.

¹²⁶ Larbi Sadiki, **Rethinking Arab Democratization: Elections Without Democracy**, Oxford University Press, Oxford, 2009, (Rethinking), p.167.

¹²⁷ Thomas Carothers, **Critical Mission: Essays on Democracy Promotion**, Carnegie Endowment for International Peace, Washington D.C., 2004, (Critical Mission), p.254.

¹²⁸ Zambelis, p.92.

shortcomings have made the US to pull back these projects. Yet, the US continues to promote democratization through divergent agencies including United States Agency for International Development¹²⁹ (USAID)¹³⁰, National Endowment for Democracy (NED)¹³¹, National Democratic Institute (NDI)¹³², and International Republican Institute (IRI)¹³³.

The US has been facing a serious dilemma in its democracy promotion policy in the Arab Middle East. On the one hand, US administrations have established close relations with regional ruling elites, who are known as authoritarian rulers. Political liberalization in those states would challenge the rule of authoritarian leaders, who are also well known for their pro-Western and pro-American attitudes. Besides, political reform in these states would lead to further strengthening of Islamist political opposition in these states, which have exhibited critical stance against US policies in the region. Carothers argues that rapid openings in states like Saudi Arabia or Kuwait or even Egypt could well, in the short term to medium term, strengthen wider Islamist organizations that sometimes feed the extremists.¹³⁴ However, on the other hand, 9/11 experience has made the US to rethink its existing policies toward the region and to start encouraging region-wide political reform. Here, the critical question to be answered by US policy-makers is whether the US should encourage political reform in the Arab Middle East, being aware of the fact that Islamists could take advantage of this process.¹³⁵

¹²⁹ USAID is an independent federal government agency that receives overall foreign policy guidance from the Secretary of State. For more details on its functioning and activities, visit the official web site at <http://www.usaid.gov/>.

¹³⁰ See table for total USAID costs allocated for governing justly and democratically in the Middle East. US democracy promotion and EU democracy promotion in the region have been complementary to each other. For amounts allocated by the EU see tables 11, 14 and 22.

¹³¹ NED is a private, non-profit foundation funded by the US congress. For more details on its functioning and activities, visit the official web site at <http://www.ned.org/>. Also for an evaluation of NED's effectiveness in the 1990s see James M. Scott and Carie A. Steele, "Assisting democrats or resisting dictators? The nature and impact of democracy support by the United States National Endowment for Democracy, 1990-99", **Democratization**, Vol:12, No:4, 2005, pp.439-460.

¹³² NDI is a nonprofit, nonpartisan organization to promote democratic institutions. For more details on its functioning and activities, visit the official web site at <http://www.ndi.org/>.

¹³³ IRI is a nonprofit, nonpartisan organization to promote democracy and freedom. For more details on its functioning and activities, visit the official web site at <http://www.iri.org/>.

¹³⁴ Carothers, *Critical Mission*, p.252.

¹³⁵ For a detailed analysis of US attitudes toward Islamist movements in three Arab states namely Morocco, Egypt and Jordan, see Jeremy M. Sharp "U.S. Democracy Promotion Policy in the Middle East: The Islamist Dilemma". **Congressional Research Service Report for Congress**, The Library of Congress, 15.06.2006, <http://www.fas.org/sfp/crs/mideast/RL33486.pdf> (16.06.2009), pp.1-28.

The US has adopted both cooperative and conflictive approach in its democracy promotion in the Arab Middle East, according to its relations with the ruling regime in the target state. On the one hand, the US has adopted a cooperative approach and implemented a combination of top-down and bottom-up strategies in friendly states, whereas on the other hand it has been forceful in its attempt to export democracy in unfriendly states, where the ruling elites adopt uncompromising attitudes. The George W. Bush administration even regarded military intervention necessary to topple the authoritarian Saddam Hussein regime in the case of Iraq. This act has created resentment among many, persuading them that the US would not refrain from using arms to cause a regime change in unfriendly states.¹³⁶ It is put forward that the US needs to renew its democracy promotion policies in the region through cooperating with regional and local actors, since past US policies have undermined its credibility in the region.¹³⁷

Table 2: Allocation of USAID Funds as of 30.09.1012 and 2011.

USAID Objective: Governing Justly and Democratically	The Middle East
Rule of Law and Human Rights	\$30,189 thousands
Good Governance	\$186,578 thousands
Political Competition and Consensus-Building	\$28,875 thousands
Civil Society	\$140,652 thousands
Total Governing Justly and Democratically	\$386,294 thousands

Source: The information figured out in this table is accessed from USAID Official Web Site, “Fiscal Year 2012 Agency Financial Report”, <http://transition.usaid.gov/performance/afr/afr12.pdf> (25.12.2012).

¹³⁶ Marina Ottaway, “Promoting Democracy Promotion in the Middle East: The Problem of US Credibility”, **Carnegie Endowment for International Peace Policy Brief**, No:60, May 2008, (US Credibility), p.2.

¹³⁷ Ottaway, US Credibility, p.1.

1.3.2.1.2. Impact of the European Union

This section initially elaborates on the debate with respect to the term, ‘Normative Power Europe’ (NPE). After presenting the debate on the NPE, the focus will be on EU commitment to democracy assistance in the Arab World.

1.3.2.1.2.1. Normative Power Europe

The term NPE was put forward by Ian Manners in his well-known article¹³⁸ published in 2002 and has been debated since then. Manners argued that the EU had developed its normative basis through “a series of declarations, treaties, policies, criteria and conditions” and placed universal norms and principles including “the idea of liberty, democracy, the rule of law, and respect for human rights and fundamental freedoms” at the centre of its relations with its member states and the world.¹³⁹ In this regard, Manners placed a heavy emphasis on the tendency of the EU to act in a normative way in world politics and supported his claim through EU’s international pursuit of the abolition of the death penalty.¹⁴⁰ Manner’s argument triggered a lively debate in the academic circles with divergent contributions.

An alternative angle to the debate was by Richard Youngs, who argued that normative dynamics co-exist with power politics in EU’s external relations and thus there is need to combine rationalist and constructivist approaches to explain EU’s behavior.¹⁴¹ According to Youngs, both instrumentalist security-oriented dynamics and normative values shaped external policies of the EU. To justify his argument Youngs mentioned about European human rights policies. For instance, in the Palestinian Occupied Territories human rights assistance by the EU was aimed at funding only pro-Peace Process human rights NGOs in line with its strategic interests.¹⁴² Likewise, following an instrumentalist logic, “the EU has protested at the

¹³⁸ Ian Manners, “Normative Power Europe: A Contradiction in Terms?”, *JSMS*, Vol:40, No:2, 2002, (Normative Power Europe), pp.235-258.

¹³⁹ Manners, Normative Power Europe, pp.241-242.

¹⁴⁰ See Manners, Normative Power Europe, pp.245-252.

¹⁴¹ Richard Youngs, “Normative Dynamics and Strategic Interests in the EU’s External Identity”, *JSMC*, Vol:42, No:2, 2004, (Normative Dynamics), pp.415-435.

¹⁴² Youngs, Normative Dynamics, p.424.

detention of western-style civil society figures, but not responded to cases involving Islamists” across the Middle East ¹⁴³

Thomas Diez attracted attention to dispute about the consistency of EU behavior with respect to whether there were “double standards in the application of norms in EU policies towards other parties” and whether “different EU actors (eg., the European Commission, Parliament and Council) pursue different norms and interests”?¹⁴⁴ Accepting the relevance of this dispute, Diez pointed out the success of the EU’s self-representation as a normative power through construction of a particular identity against an image of others.¹⁴⁵ Adoption of the norms included in the Copenhagen Criteria helps to construct this distinct identity, which Diez claimed that diverse set of actors within the EU could agree on.¹⁴⁶ A relevant contribution to the debate was by Scheipers and Sicurelli, who argued that the EU was “able to fulfill its role as a normative power in a successful and credible way”.¹⁴⁷ They justified their argument through referring to two cases namely institutionalization of the International Criminal Court (ICC) and agreement over the Kyoto protocol. According to them, attitude of the EU with respect to “political issues with a global reach such as global warming and human rights” constitute evidences of an emerging EU identity as a credible normative power.¹⁴⁸ A counter argument to the debate was brought by Micheal Merlingen who pointed out a critical commentary on the subject suggesting that notion of NPE has downplayed strategic calculations behind European foreign policy. ¹⁴⁹ Underlining deep ambiguity of EU’s normative power Merlingen suggested that when material interests and normative agenda of the EU clash then it is the former to prevail. ¹⁵⁰

¹⁴³ Youngs, Normative Dynamics, p.426.

¹⁴⁴ Thomas Diez, “Constructing the Self and Changing Others: Reconsidering ‘Normative Power Europe’”, **Millennium: Journal of International Studies**, Vol:33, No:3, 2005, (Normative Power Europe), pp.613-636.

¹⁴⁵ Diez, p.614.

¹⁴⁶ Diez, p.614.

¹⁴⁷ Sibylle Scheipers and Daniela Sicurelli, “Normative Power Europe: A Credible Utopia?”, **JSMC**, Vol:45, No:2, 2007, p.439.

¹⁴⁸ Scheipers and Sicurelli, p.453.

¹⁴⁹ Michael Merlingen, “Everything Is Dangerous: A Critique of ‘Normative Power Europe’”, **Security Dialogue**, Vol:38, No:4, 2007, pp.435-453.

¹⁵⁰ Merlingen, p.449.

1.3.2.1.2.2. EU Democracy Assistance in the Arab World

The EU commitment to democracy assistance in the Arab states, in particular, dated back to earlier than that of the US. The EU, in general, has been promoting democracy since the late 1980s. With the Maastricht treaty of 1992, EU promotion of democratic values acquired a legal framework. Specifically, while US democracy promotion in the Arab Mediterranean region started in 2002 within the framework of MEPI, EU commitment to democracy promotion in the region had already started in 1995 Barcelona Summit within the framework of Euro-Mediterranean Partnership (EMP).

Table 3: US and EU Interests in the Region

US interests in the region	EU interests in the region
• regional stability	• managing increasing migration from region to Europe
• constant access to regional energy resources	• energy dependence of the EU on the region
• peaceful settlement of the Arab-Israeli conflict	• bilateral trade and economic relations between the EU and the regional states
	• security /counterterrorism

European interest¹⁵¹ in the region has mainly four grounds: increasing migration from region to Europe, energy dependence of the EU on the region, bilateral trade and economic relations between the EU and the regional states, and concerns on security /counterterrorism.¹⁵² The EU started to pay greater attention to political and economic reform in the Mediterranean Arab states by the mid-1990s, initiating the EMP during 1995 Barcelona Summit. With this partnership, the EU declared its commitment to encourage democratization and human rights in the Arab Mediterranean states. The partnership consisted of a series of bilateral association agreements among the EU and the Arab states. The major EU institutions that are responsible for democracy promotion policies in the region have been the European Commission and Council of the EU. The EMP as highly institutionalized foreign

¹⁵¹ See table 3.

¹⁵² For more details see, Mona Yacoubian, “Promoting Middle East Democracy: European Initiatives”, **United States Institute of Peace**, Special Report, No. 127, October 2004, <http://www.usip.org/files/resources/sr127.pdf> (20.08.2009), p.3.

policy partnership of the EU, included intensive network of cooperation with state and non-state actors in the Maghreb.¹⁵³ Through this cooperation, the EU has penetrated into economies and societies of the Arab Mediterranean states with the aim of establishing a Euro-Mediterranean identity. The EU has then continued its advocacy of democracy and human rights in the Arab Mediterranean states within the framework of European Neighborhood Policy (ENP), known as New Neighborhood Policy, since 2003. In this framework, the EU offered economic and political advantages to these states on the condition of materialization of economic and political reforms.

Although the EU member states have agreed to promote democratization and human rights in the Arab Mediterranean states through New Neighborhood Policy, there have been divergences among these member states in their approaches. On the one hand, Northern member states such as Sweden, Denmark, the Netherlands and the UK have preferred more demanding and assertive tactics to advance human rights and democracy in the Arab Mediterranean states. On the other hand, Southern member states such as Spain, Portugal, Italy and France have advocated gradual change without endangering stability in the region. Richard Youngs points out that north-south split in the EU is more noticeable regarding the Mediterranean region than other regions, as northern states have been in favor of pushing harder for political reform, whereas southern states have refrained from any critical pressure.¹⁵⁴ Another divergence is that whereas northern states have prioritized utilization of economic reform to encourage political liberalization, southern states, particularly France, have emphasized cultural cooperation to encourage political reform in the Arab Mediterranean.¹⁵⁵ In other words, northern states have believed that realization of reforms in the economic field would help a parallel process in the political field, while southern states have perceived cultural dialogue as a more efficient tool to promote political liberalization in the Arab states.

¹⁵³ Michael Emerson, Senem Aydın, Gergana Noutcheva, Nathalie Tocci, Marius Vahl and Richard Youngs, "The Reluctant Debutante – The EU as Promoter of Democracy in its Neighbourhood", **Democratisation in the European Neighbourhood**, (Ed. Michael Emerson), Center For European Policy Studies, Brussels, 2005, p.200.

¹⁵⁴ Richard Youngs, "The European Union and Democracy Promotion in the Mediterranean: A New or Disingenuous Strategy?", **Democratization**, Vol:9, No:1, 2002, (Disingenuous Strategy), p.44.

¹⁵⁵ Emerson et al., p.204.

While the scale of EU democracy assistance programmes along with overall spending in various projects have surpassed that of the US in the Arab Mediterranean context, these EU efforts have been subject to shortcomings. When compared with EU democracy promotion in some other regions such as central and eastern Europe, it would not be unfair to suggest that EU commitment to democratization in the Arab Mediterranean states has remained markedly modest. Without any doubt, the EU has played a vital role in the course of democratization in Eastern Europe through its enlargement policy. Diamond observes that adoption of the Maastricht Treaty has initiated a highly conditional process to exert pressure for political reform, and accordingly the EU has been able to convince post-communist states of Central and Eastern Europe for political openings by promising admission to the Union.¹⁵⁶ However, unlike the situation in Eastern Europe, EU democracy promotion in the Arab Middle East has been inconsistent. In Young's words: "Fraudulent elections failed to elicit the kind of expression of concern with which the EU frequently greeted similar irregularities in other regions, and the incremental tightening of political space in countries such as Egypt and Tunisia met with no substantive response".¹⁵⁷

Geographical proximity of the region has also made the EU to refrain from putting intensive pressure on the Arab ruling regimes for political reform. As Menotti suggests, EU officials have been cautious in their policies towards the region owing to close proximity of the region and their fear that democratization in the region would have side-effects to have challenging impact over the Europe.¹⁵⁸ Ali Bilgiç points out that "the EU has refrained from a more effective democratization agenda in North Africa" due to a fear of uncertain consequences of democratization such as empowering of the Islamists.¹⁵⁹ In order not to risk its cooperation with authoritarian, but friendly ruling regimes the EU has not adopted a tough position over political reforms in the region. The EU realized that existing ruling elites represented order by contributing European strategic interests through joint control of migratory flows

¹⁵⁶ Diamond, p.137.

¹⁵⁷ Youngs, *Disingenuous Strategy*, p.47.

¹⁵⁸ Roberto Menotti, "Democracy in the Middle East: Democratize but Stabilize," **Middle East Quarterly**, Vol:13, No:3, 2006, p.11.

¹⁵⁹ Ali Bilgiç, "Security through trust-building in the Euro-Mediterranean cooperation: two perspectives for the partnership", **Southeast European and Black Sea Studies**, Vol:10, No:4, December 2010, pp.462-463.

from the south, enhancement of security and ensuring continuous energy flow to Europe. By not engaging Islamists in general, the EU aimed to marginalize actors which it thought would challenge order in the region.¹⁶⁰

In principle, the EU has adopted both top-down and bottom-up approaches in promoting democracy in the Arab Mediterranean states within frameworks of the EMP and the ENP. However, in practice, limitations in implementation of bottom-up approaches in the Arab context have led EU to prioritize top-down rather than bottom-up democracy assistance programmes. Through top-down programmes, the EU aimed at improving functioning of state institutions in the Arab context. As part of its top-down programmes, the EU monitored several elections that took place in the region including 2005 parliamentary elections in Lebanon and 2006 parliamentary elections in Palestinian Territories. In the Lebanese case, the EU observed opening, polling and counting procedures in 1,308 polling stations with “an EU cadre of twenty-six long term data-collectors, sixty-two short-term monitors and additional representatives of the European and Spanish parliaments”.¹⁶¹ In the Palestinian case, “a hundred and eighty five EU auditors sampled over 800 polling stations” during 2006 parliamentary elections.¹⁶² On the other hand, bottom-up strategies mainly include financial and technical support to civil society organizations to enhance society vis-à-vis the state. Accordingly, stronger civil society is seen as the backbone of indigenous attempts to place pressure on ruling regimes in favor of political freedoms. Bottom-up strategies of the EU have suffered two major limitations in the Arab context. One of these limitations is related with difficulty in engaging cooperation with civil society organizations without the consent of the ruling regime in an authoritarian setting. The other limitation is that EU notion of civil society is unmatched that of the Arab states and thus has remained narrow when the Arab context is in focus. Basically, EU notion of civil society included secular liberal groups excluding other major constituents of civil society in

¹⁶⁰ Bilgic, p.465.

¹⁶¹ Sheila Carapico. “International Elections Experts, Monitors, and Representations in the Arab World”, **European University Institute Working Papers**, RSCAS 2008/24, (Monitors), http://cadmus.eui.eu/dspace/bitstream/1814/8989/1/RSCAS_2008_24.pdf (20.08.2009).

¹⁶² Carapico, Monitors.

the Arab context such as professional associations and syndicates.¹⁶³ Here, the problem is that secular liberal groups and organizations have been relatively weak in the Arab context, thus assistance to these groups has not been an efficient tactic to promote political liberalization in these states. On the contrary, professional associations and syndicates are relatively powerful in the Arab world, but the EU has refrained from assisting them since they are largely controlled by Islamist groups and organizations.

On the whole, the EU has been cautious in its democracy assistance in the Arab Mediterranean states. It adopted a cooperative approach in its relations with the regional states. Unlike the US, it embraced a less confrontational attitude in putting pressure on the Arab ruling regimes in terms of democratization. In other words, the EU has searched for peaceful means to sponsor democratic values strengthening its image as a 'Soft Power'. However, it is difficult to evaluate the performance of the EU as successful in democracy promotion in the Arab context. The EU has refrained from putting effective pressure on the ruling regimes of the Arab Mediterranean states fearing that Islamist opposition would become more powerful in Arab political settings leading to regional instability.

1.3.2.1.3. Impact of International Organizations

Influence of the IMF and the World Bank over the Arab Middle East had begun in the late 1980s and early 1990s. With the collapse of oil prices in the 1980s along with poor agricultural performance, inefficient industries and growing balance of payment difficulties, most of the ruling regimes in the Middle East faced with both economic and political crises. In that setting, they had no choice but to borrow funds from international organizations, mainly the IMF and the World Bank. As a condition of economic borrowing from the IMF and the World Bank, these ruling regimes were demanded "to limit their involvement in the economy, removing import quotas, cutting tariffs and interest rate controls, and moving towards the

¹⁶³ Richard Gillespie and Laurence Whitehead, "European Democracy Promotion in North Africa: Limits and Prospects", **Democratization**, Vol:9, No:1, 2002, p.197 and Youngs, *Disingenuous Strategy*, p.57.

privatization of state industries”.¹⁶⁴ Accordingly, economic liberalization began in most of the Middle East states through structural adjustment programs suggested by the IMF and the World Bank, in return for giving funds.

Liberalization in the economic field led to growing expectations for a parallel liberalization in the political field, initiating an extensive academic debate. Expectations for political liberalization were encouraged by the Washington Consensus¹⁶⁵ that was put forward by financial institutions like the IMF and the World Bank.¹⁶⁶ Through the Washington Consensus, these international financial institutions advocated issues of good governance, transparency, accountability, and participation. As Bellin points out adherents of the Washington Consensus, like the IMF and the World Bank, have advised states in the Middle East to carry out institutional reform to achieve transparency, predictability and accountability in their governance.¹⁶⁷ In this context, political conditions in a given state have influenced policies of the IMF and the World Bank. For instance, holding transparent elections is likely to be perceived as an improvement of democracy in a given state by international monetary organizations leading to an inflow of loans from these institutions.¹⁶⁸

¹⁶⁴ Toby Dodge, “Bringing the bourgeoisie back in: globalization and the birth of liberal authoritarianism in the Middle East”, **Globalization and the Middle East: Islam, Economy, Society and Politics**, (Eds. Toby Dodge and Richard Higgot), Royal Institute of International Affairs, 2002, pp.179-180.

¹⁶⁵ Washington Consensus, originally, denotes a set of liberal economic policy recommendations agreed by financial institutions such as the IMF and the World Bank to promote reform to save Latin America from the economic crisis of 1980s. Other than its economic aspect, Washington Consensus has a political aspect since there is a widespread assumption among the financial institutions that economic reform can best be realized in countries, where the political institutions are correctly designed. Thus, a parallel relationship between political and economic liberalization is roughly established. Implementation of Washington consensus has not remained limited to Latin America as its underlying assumptions have also been adopted for other regions including the Middle East. For more details see, Peter Kingstone, “After the Washington Consensus: the Limits to Democratization and Development in Latin America,” **Latin American Research Review**, Vol:41, No:1, 2006, pp.153-164.

¹⁶⁶ While conditioning economic assistance on progress in economic reform has long been a policy of international financial organizations such as the World Bank and the IMF, conditioning economic assistance on progress in democratization has relatively been a recent practice. Larry Diamond points out that aid conditionality on democracy by the World Bank and the IMF has become noticeable particularly in 2000s. For more details, see Diamond, p.118.

¹⁶⁷ Bellin, Conundrum, p.6.

¹⁶⁸ Jane Harrigan, Changang Wang and Hamed El-Said, “The Politics of IMF and World Bank Lending: Will it Backfire in the Middle East and North Africa?”, **The IMF, World Bank and Policy Reform**, (Eds. Alberto Paloni and Maurizio Zanardi), Routledge, London, 2006, p.90.

Assessing the extent to which international organizations have influenced the process of political liberalization in the Arab Middle East is not an easy task. Yet, it would be safe to assert that while the IMF and the World Bank have been influential in exerting pressure on the ruling regimes to open their economies, pressures of these organizations have not been impressive, in terms of exerting sufficient pressure for political liberalization in the Arab Middle East context.

1.3.2.2. Contextual Influences

There are two types of contextual influences over political liberalization in the Arab Middle East: demonstration effects and critical developments in the international context. In his well-known book on the third wave of democratization, Samuel Huntington defines demonstration effect or what he alternatively calls diffusion or snowballing as:

*Successful democratization occurs in one country and this encourages democratization in other countries, either because they face similar problems, or because successful democratization elsewhere suggests that democratization might be a cure for their problems whatever those problems are, or because the country that has democratized is powerful and/or is viewed as a political and cultural model.*¹⁶⁹

Political openings in several Arab states, failed electoral experience of Algeria, 2006 electoral victory of Hamas and democratization in the Eastern Europe to a lesser extent can be indicated as demonstration effects of political liberalization in the Arab Middle East. Yet, demonstration effects though may not only encourage process of political liberalization, may also discourage. For instance, on the one hand, political reform in Kuwait in the early 1990s had a positive impact on the other Arab Gulf states encouraging them to take similar steps toward political liberalization. However, on the other hand, democratic experiment in Algeria¹⁷⁰ had a negative impact over political liberalization in a number of regional states. Fearing that they would experience a similar consequence, the ruling elites in the region such as those

¹⁶⁹ Samuel P. Huntington, **The Third Wave: Democratization in the Late Twentieth Century**, University of Oklahoma Press, Norman, 1991, p.100.

¹⁷⁰ 1991 Parliamentary elections in Algeria initially took place in a democratic setting. Islamists were allowed to compete in the elections with their own political party: the FIS (Front for Islamic Salvation). However, during the last round of elections, when it became clear that Islamists won the elections, a military coup was carried out outlawing the FIS.

in Egypt, Morocco and Tunisia did not allowed true competitive elections in their states. Algerian experiment made it clear for these ruling elites by allowing genuine democratization would threaten their hold on power, so they chose to contain the Islamists.¹⁷¹ Likewise, 2006 parliamentary elections in the Palestinian territories had a negative demonstration effect on the ruling regimes of the Arab Middle East. The electoral victory of Hamas, an Islamist opposition party, intensified concerns of the regional ruling elites leading them to repress political opposition groups, particularly the Islamists. Democratization of Eastern Europe did not have a considerable impact as a demonstration effect for the Arab Middle East. This is mostly due to differences in state and societal structures among the Eastern European and Arab Middle East states.¹⁷² In addition, cultural and economic relations among these two regions have remained underdeveloped, leading to a less effectual role for the Eastern Europe as a model for democratization in the Arab Middle East.

The end of the Cold War was one of the central developments that influenced political reform process in the Arab Middle East. Democracy has become a widely accepted and admired form of political governance and it triggered growing international pressure against the authoritarian regimes of the world. Ruling regimes of the region were also subject to pressures by external states and international organizations to allow openings in their political systems. Ruling regimes could not remain completely unresponsive to these pressures and in the early 1990s, most of the Arab regimes more or less allowed partial openings in their political systems. However, by the mid 1990s most of these political openings were either suspended or came to an end because ruling elites realized that even these partial openings led to the Islamists gaining more political support.

Prospects for political liberalization in the region were discussed as well in the academic circles in the aftermath of the 1990-1991 Gulf War. Impact of the Gulf War on the process of political liberalization was both positive and negative. With respect to its positive impact, it became more difficult for some ruling regimes in the Arab world to legitimize themselves following the invasion of Kuwait by its neighbor, Iraq. As John Leca points out “the Gulf war contribute to the weakening of

¹⁷¹ Pete W. Moore, “The International Context of Liberalization and Democratization in the Arab World”, *Arab Studies Quarterly*, Vol:16, No:3, 1994, p.44.

¹⁷² Moore, p.44.

the legitimacy of all Arab political regimes unable to defend their border.”¹⁷³ To put it differently, it became clear that those ruling regimes, particularly the Saudi ruling regime, could not provide protection for their populations in the Gulf crisis, and as a result Western military help was sought. This situation had made people to question legitimacy of their rulers and their policies leading to growing internal pressure for political reform.

1990-1991 Gulf War had also negative impact on the trend of political liberalization/democratization in the Arab Middle East. According to Micheal Hudson, the Gulf War set back rather than accelerated this trend, particularly in the short-term.¹⁷⁴ Hudson draws attention to the fact that regional ruling regimes became highly alert owing to political insecurity and tension emanating from the conflict and they became “increasingly uneasy about allowing free public expression or political organization”.¹⁷⁵ For instance, 1990-1991 Gulf War impeded political reform in Egypt rather than promoting it. Mubarak regime decided to join the US-led coalition against Iraq. On the one hand, taking the advantage of the Gulf crisis, Mubarak declared state of emergency, limited free public expression or the functioning of civil society organizations and detained political activists. On the other hand, the victory of the US-led coalition and economic rewards given to Egypt also contributed Mubarak’s efforts to keep the opposition silent as the Egyptian security forces harshly detained political activists, particularly those belonging to Islamist organizations.

Another critical development that influenced the political reform in the Arab Middle East is the Arab-Israeli conflict. Undoubtedly, the Arab-Israeli conflict had a negative impact on the process of political liberalization in the region. Arab-Israeli wars had led to prioritization of national security among ruling regimes and contributed to rise of military regimes.¹⁷⁶ The existence of a credible threat such as the Arab-Israeli conflict has largely contributed to coercive apparatus and authoritarianism in many regional states along with the construction of massive

¹⁷³ Leca, p.62.

¹⁷⁴ Micheal C. Hudson, “After the Gulf War: Prospects for Democratization in the Arab World”, **Middle East Journal**, Vol:45, No:3, 1991, (The Gulf War), p.407.

¹⁷⁵ Hudson, The Gulf War, p.425.

¹⁷⁶ Hassouna, p.50.

armies by Arab ruling regimes against the Israeli threat.¹⁷⁷ Robert Springborg states that high military spending in the region leaves relatively less money for human development signaling “likelihood of poor governance and lack of democracy”.¹⁷⁸

1.4. INTERNAL VERSUS EXTERNAL DYNAMICS

An overwhelming majority of existing literature on political liberalization in the Arab world concentrates on domestic level approaches including political culture approach, civil society approach and political economy approach. It is difficult to deny primacy and relevance of domestic variables in understanding political liberalization in a given state and this applies to the Arab world as well. Yet, an adequate analysis of external factors is also needed to enable one to view the whole picture. However, external dynamics have been understudied. Impact of international influences in fostering democratic change should not be disregarded, particularly in regions vulnerable to external influence such as the Arab Middle East though the extent of influence is debatable. It is generally argued that external factors are not decisive in democratic transitions, since “democracy can not long survive in the absence of domestic support for it”.¹⁷⁹ Yet, it would be fair to suggest that external agents can be significant in providing a favorable international environment for political reform. For instance, in the case of Eastern Europe, the EU has highly been contributing to a fertile environment, in which democratic reform can appear and survive. In contrast, in the case of the Arab Middle East, lack of a favorable international environment has been added to shortcomings in domestic dynamics in encouraging political reform. This is not to accept the ‘Arab exceptionalism’ or ‘Arab immunity’ thesis regarding democracy and democratization. As Larbi Sadiki mentions: “the fact that democracy had been noted by its absence rather than presence does not mean democracy carries no meaning for Arab Middle Easterners.”¹⁸⁰ There have been steps toward political reform even in the most

¹⁷⁷ Bellin, *The Robustness*, p.151.

¹⁷⁸ Robert Springborg, “The Middle East’s Democracy Gap: Causes and Consequences”, **The Brown Journal of World Affairs**, Vol:13, No:2, 2007, (Democracy Gap), p.238.

¹⁷⁹ Diamond, p.106.

¹⁸⁰ Larbi, Sadiki, **The Search for Arab Democracy: Discourses and Counter-Discourses**, Hurst & Company, London, 2004, (The Search), p.4.

resistant Arab states such as Saudi Arabia, where first municipal elections were held in 2005. This may be perceived as an insignificant progress by most scholars of democratization. However, by evaluating this opening in the light of the specific domestic and international context shaping the Saudi political setting, one may appreciate relevancy of this step for the Saudi society.

This dissertation argues that focusing merely on domestic dynamics or international dynamics provides an incomplete understanding of political liberalization in the Arab Middle East. In this respect, a separation between domestic and international variables in studying political reform in the Arab World is rejected with a strong belief that domestic and international context are parts of an inter-related whole. John Hobson's assertion on these two contexts is highly meaningful at this point: "the national shapes the international quite as much as the international shapes the national or what I refer to as the 'dual reflexivity' of the two realms".¹⁸¹ Building on this assumption, this study aims to fill the gap in existing literature about political liberalization in the Arab Middle East through employing a more comprehensive approach without falling in the trap of reductionism.

Based on the review of existing literature, two variables are selected – one from domestic context and another from international context – which are considered to have more impact over political reform in the Arab World, when compared with other variables. Civil society is chosen among domestic variables, while the EU as the relevant external actor is chosen among international variables. The aim is to obtain a richer account of political liberalization and deliberalization in the Arab World through an analysis of how relationship between civil society, state and leading external actor has influenced this political process.

As already mentioned under the review of civil society approach, a functioning civil society is a prerequisite to establish democracy from below. The Islamist organizations constitute the largest and most influential segment of civil society in the Arab World. This is largely due to the fact that Arab ruling regimes attempt to eliminate any opposition through preventing them from speaking in public places and this attempt succeeds against secular groups. However, when the Islamist groups are involved, this strategy largely fails, as messages and activities of these

¹⁸¹ John M. Hobson, **The Wealth of States: A Comparative Sociology of International Economic and Political Change**, Press Syndicate of the University of Cambridge, Cambridge, 1997, p.9.

groups can easily spread through mosques and other religious institutions with a religious cover and without attracting much attention of respective regimes. For instance, the Muslim Brotherhood has been successful in dominating Egyptian civil society. Professional associations have been one of the most important components of Egyptian civil society, and the Muslim Brotherhood has been able to take control of the major professional associations (syndicates) including those representing doctors, lawyers, engineers and academics.

Leading actors in the international system like the US and the EU have been relatively successful in their democracy promotion efforts in other developing regions such as the Eastern Europe and Latin America. However, when it comes to the Arab Middle East, same actors prefer to act cautiously owing to presence of the Islamists both as civil society organizations and as political opposition groups. In Gillespie and Whitehead's words: "European policy-makers have acted as if, whenever the spectre of radical Islam could be invoked, that justified back-peddalling on political reform".¹⁸² External actors face dilemma in democracy assistance in the Arab Middle East, particularly in their 'bottom-up' strategies which mainly involve strengthening civil society in the targeted state. Assisting civil society organizations is a double-edged sword for these actors because main beneficiary of their strategies could be the Islamists, whose discourse is dominated by an anti-Western tone. Thus, these actors have proceeded cautiously in promoting democracy in the Arab states with an awareness that even tiny political openings could contribute to the Islamists to gain more political power. The Western states, particularly the US, lack credibility in the Arab world due to close ties with authoritarian regimes and affects of the so-called democracy promotion in Iraq. Ironically, there is also suspicion about both commitment of the Islamists to democracy and commitment of external actors to democracy promotion in the Arab context. For instance, the Muslim Brotherhood has not followed a consistent manner on the issue of democracy. While, themes of political participation, justice and reform are highlighted by the Muslim Brotherhood representatives, themes of minority rights and women's right are often neglected. It is also pointed out that democracy and human rights are not perceived as ends in

¹⁸² Gillespie and Whitehead, p.198.

themselves for external actors as “they are ends only in so far as they serve the national interest”.¹⁸³

¹⁸³ Sadiki, *The Search*, p.336.

CHAPTER TWO

DOMESTIC POLITICAL CONTEXT PRIOR TO THE ARAB SPRING

2.1. CASE OF EGYPT

2.1.1. Egyptian Political Context: An Overview

Egypt became fully independent and established as a republic in 1952. It has been governed by a presidential system with an elected parliament of a five-year term which was officially declared in the 1971 constitution.¹⁸⁴ The Egyptian state system has been marked by a highly centralized government since its establishment.¹⁸⁵ It was ruled by a single authoritarian party and a military regime during the presidency of Gamal Abdel Nasser until his death in 1970.¹⁸⁶ After Anwar Sadat succeeded to the presidency in 1970, partial liberalization occurred both in the economic and political fields. President Sadat began to tolerate a degree of pluralism allowing a few opposition parties to be established for the first time. Multiparty system was formally established in 1976.¹⁸⁷ However, it would be misleading to assume that a true multiparty system was introduced to Egyptian politics, since a licensing process was introduced for newly established political parties to be legalized, necessitating permission from the government. Licensing process was designed to keep the dominant National Democratic Party (NDP) as the gatekeeper of political activities thereby creating an image of political pluralism only on surface

¹⁸⁴ Amaney A. Jamal, **Barriers to Democracy: The Other Side of Social Capital in Palestine and the Arab World**. Princeton University Press, Princeton, 2007, p.117.

¹⁸⁵ Tahseen Basheer, "The Egyptian State in Transition", **Egypt at the Crossroads: Domestic Stability and Regional Role**, (Ed. Phebe Marr), National Defense University Press, Washington D.C., 1999, p.3.

¹⁸⁶ Gehad Auda, "Egypt's Uneasy Party Politics", **Journal of Democracy**, Vol:2, No:2, 1991, p.70.

¹⁸⁷ Bahgat Korany, "Restricted Democratization from Above: Egypt", **Political Liberalization and Democratization in the Arab World Vol. 2: Comparative Exercises**, (Eds. Bahgat Korany, Rex Brynen and Paul Noble), Lynne Rienner Publishers, London, 1998, (Restricted Democratization), p.47.

without changing the basic system of control.¹⁸⁸ During his rule, President Sadat encouraged Islamist groups as a counterbalance to leftist political forces allowing them to participate in the socio-economic and political arena to some extent.¹⁸⁹ Relations among Sadat and Islamist groups deteriorated after he signed Camp David Accords with Israel in 1979. He was then assassinated by a member of the Egyptian Islamist Jihad, a radical Islamist group.

Husni Mubarak succeeded presidency following Sadat's assassination in 1981. Emergency law was introduced to keep the country in control at that time which expired by the early July 2012. In his first decade in office, President Mubarak seemed determined to shift the Egyptian political system towards greater political openness. Accordingly, the 1980s saw a number of political liberalization measures as number of non-governmental associations increased in a noticeable way, professional syndicates became forums for debate and opposition press enjoyed more freedom.¹⁹⁰ Besides, 1987 parliamentary elections resulted with 20 percent representation of the opposition in parliament (People's Assembly) that can be regarded as a significant progress.¹⁹¹ However, political liberalization in the 1980s was short-lived as the 1990s witnessed an erosion of openings in the political system, which Eberhard Kienle portrayed as "deliberalization" in his well-known article on reversal of political liberalization in Egypt in the 1990s.¹⁹² Political deliberalization showed itself in the form of new restrictions on liberties, setbacks in the rights of civil society, curbs on press freedoms, use of military courts to judge civilians and attempts to exclude political opposition, particularly the Islamist opposition from the parliament. Most liberties that were introduced prior to 1990 became subject to critical restrictions.¹⁹³

Two critical developments had contributed to political deliberalization in this period. First of all, there was an increase in violent attacks by radical Islamist groups

¹⁸⁸ Basheer, pp.5-6.

¹⁸⁹ Maye Kassem, **Egyptian Politics: The Dynamics of Authoritarian Rule**. Lynne Rienner Publishers, London, 2004, p.140.

¹⁹⁰ Jason Brownlee, "The Decline of Pluralism in Mubarak's Egypt", **Journal of Democracy**, Vol:13, No:4, 2002, p.7.

¹⁹¹ Brownlee, p.7.

¹⁹² Eberhard Kienle, "More Than a Response to Islamism: The Political Deliberalization of Egypt in the 1990s", **Middle East Journal**, Vol.52, No:2, 1998, (More than a Response), pp.219-235.

¹⁹³ For more details see Eberhard Kienle, **A Grand Delusion: Democracy and Economic Reform in Egypt**, I.B. Tauris, London, 2001, (A Grand Delusion), pp.119-120.

which constituted a serious domestic security challenge to the regime. Mubarak regime started to employ more repressive policies pointing out these attacks. Accordingly, there was a rise in the “number of political detainees, of civilians referred to military courts, of death sentences, and of other human rights abuses”.¹⁹⁴ Clashes among the security forces and armed Islamist groups certainly had a negative impact over political liberalization in Egypt since the regime used this situation as an excuse for deliberalization policies.¹⁹⁵ These deliberalization policies included “repressive amendments to the penal code and enactment of the anti-terrorist law, continuation of the emergency law, and interference of the government into the affairs of the professional syndicates and trade unions, and electoral fraud.”¹⁹⁶ A second development contributing to political deliberalization in the early 1990s was the strengthening of mainstream Islamist movement, the Muslim Brotherhood (MB). By the early 1990s, the MB had become popular among the masses owing to its generous social services. This led to a sense of alarm by the ruling regime which in response intensified control over civil society organizations and opposition parties. Surrounded by an overwhelming feeling of discontent arising from a combined challenge of both radical and mainstream Islamists, Mubarak regime began to deliberalize the political context. Broad restrictions accompanied by use of military courts and security forces helped the ruling party NDP to strengthen its dominant role in this period. Ottaway points out that Egypt had become “a prime example of consolidated semi-authoritarianism” during Mubarak’s rule which could be observed through the conduct of elections, the continuation of state of emergency, and the way the government had dealt with the challenge of political Islam.¹⁹⁷

Following political deliberalization in the 1990s, commitment of Mubarak regime to political reform had been inconsistent. The NDP led by President Mubarak had remained to be a privileged party dominating parliament as it “never won an

¹⁹⁴ Kienle, *More than a Response*, p.229.

¹⁹⁵ Dennis J. Sullivan and Sana Abed-Kotob, **Islam in Contemporary Egypt: Civil Society vs. the State**, Lynne Rienner Publishers, Boulder, 1999, p.129.

¹⁹⁶ Müge Aknur and İrem Aşkar Karakır, “The Reversal of Political Liberalization in Egypt,” **Ege Akademik Bakış**, Vol:7, No:1, 2007, p.315.

¹⁹⁷ Marina Ottaway, **Democracy Challenged: the Rise of Semi-Authoritarianism**, Carnegie Endowment for International Peace (distributed by the Brookings Institution Press), Washington D.C., 2003, (*Democracy Challenged*), p.42.

election with less than 80 percent of all votes.”¹⁹⁸ This dominant party system was institutionalized by Mubarak maintaining a strong dominant party in the centre and an array of small, weak opposition parties on its left and right.¹⁹⁹ Political parties had been subject to a licensing process by the Political Parties Committee, most of whose members belonged to the ruling NDP; Islamist parties were not permitted to function.²⁰⁰ Political parties which were once granted license to function had not been allowed to acquire any significant presence in the national assembly.²⁰¹ The president was at the center of the state elites, and he was also the chairman of the NDP. Dual role of the President as both the head of the state and the head of the ruling party demonstrated an entanglement of executive and legislative powers.²⁰² Legislative branch²⁰³ had been subordinate to executive branch as disproportionate powers of the President included the right to appoint a prime minister and cabinet, to convene and dissolve parliament at any time, to rule by decree in cases of emergency and to unilaterally declare laws when parliament was not in session.²⁰⁴

The history of elections throughout the Mubarak regime had demonstrated not only the regime’s determination to monopolize its power, but also inability of the political opposition to become a real power. A brief look at the electoral process in Egypt during Mubarak’s rule would be appropriate to support this demonstration. In 1984 elections, the Wafd Party entered into an informal coalition with the MB and this informal coalition was only able to win 57 out of the 448 seats in the National Assembly against the NDP. In 1987 elections, the Wafd Party won 36 seats, while the MB entered into coalition with the Socialist Labor Party along with the Socialist Liberal Party, and won 57 seats. In comparison with the previous election results,

¹⁹⁸ Gamal Abdelnasser, “Egypt: Succession Politics,” **Arab Elites: Negotiating the Politics of Change**, ed. Volker Perthes, Lynne Rienner Publishers, London, 2004, p.124.

¹⁹⁹ Maha. M. Abdelrahman, **Civil Society Exposed: The Politics of NGOs in Egypt**, Tauris Academic Studies, London, 2004, p.108.

²⁰⁰ Robert Springborg, “An Evaluation of the Political System at the End of the Millennium”, **Egypt in the Twenty-First Century**, ed. M. Riad El-Ghonemy, RoutledgeCurzon, New York, 2003, (Millennium), p.188.

²⁰¹ Richard Youngs, **The European Union and the Promotion of Democracy**, Oxford University Press, Oxford, 2001, (The European Union), p.50.

²⁰² Nihad Gohar, “Mapping Participation in Egypt”, **Political Participation in the Middle East**, eds. Ellen Lust-Okar and Saloua Zerhouni, Lynne Rienner Publishers, London, 2008, pp.172-173.

²⁰³ Egypt has two legislative bodies. People’s Assembly with its 454 members constitutes the lower house of the parliament while Consultative Council (Majlis al-Shura) with its 264 members created in 1980 constitutes the upper house of the parliament. For more details see Korany, *Restricted Democratization*, pp.40-41.

²⁰⁴ Springborg, *Millennium*, p.190.

this time the two opposition forces were able to win a total number of 93 seats that can be called as a progress. By 1990, when opposition parties were convinced that the government was manipulating elections, most of them refused to participate in elections. This boycott merely increased NDP's control over the National Assembly. Having realized this development, opposition parties took part in the 1995 elections, but they won only 14 seats, while independents were able to win additional 13 seats. This result may be due to the fact that "during the 1995 elections, candidates were regularly silenced when they criticized the government, and the elections were marked by other forms of gerrymandering and vote rigging."²⁰⁵ 2000 elections took place in a relatively more transparent setting. Prior to 2000 elections, with the court decree, polling places were put under judicial supervision to make sure that electoral process was functioning fairly. In order to enable judges to supervise electoral process effectively, the 2000 elections were held on three separate days with different regions voting each time. As a result, although again an overwhelming majority of seats went to the president's party, the NDP, number of seats which went to the opposition in the 2000 elections was higher than the ones in 1995 elections. But, the opposition in the assembly consisted of independent Islamists, who were "unofficially affiliated with the Muslim Brotherhood."²⁰⁶ Finally, in 2005 parliamentary elections, independent candidates from the MB won 88 seats that was a considerably higher number of seats when compared with previous elections. Overall, regarding the history of elections Ottaway argues that although government manipulation certainly played a role in opposition's gaining of so few seats in the National Assembly, this could not be attributed solely to government manipulation, since weakness of the opposition parties and their incapacity to craft a platform with popular appeal had also been undeniable.²⁰⁷

On the whole, personal authoritarian rule, dominant executive branch and weak political opposition characterized the political system under Mubarak-ruled Egypt.²⁰⁸ Liberalization policies of the Mubarak regime had been superficially aimed at responding temporarily to domestic and international pressures in order to ensure

²⁰⁵ Noah Feldman, **After Jihad: America and the Struggle for Islamic Democracy**, Farrar, Straus and Giroux, New York, 2003, p.169.

²⁰⁶ Feldman, p.169.

²⁰⁷ Ottaway, *Democracy Challenged*, p.48.

²⁰⁸ Kassem, p.1.

its regime survival. It is even argued that those liberalization measures were intended to camouflage extended networks of patronage exhibiting a symbolic commitment for reform by the ruling regime.²⁰⁹ Absence of a truly transparent setting to hold elections had prevented formation of an effective political opposition to exert needed pressure on the ruling regime to materialize political reforms.

2.1.2. Internal Calls for Political Reform

2.1.2.1. Civil Society

Professional associations (syndicates), trade and industry chambers, workers' unions, business groups, advocacy groups and research institutions are components of Egyptian civil society. Political parties can also be accepted as part of civil society in Egypt, because political parties act more like interest groups in the Arab world in general due to the fact that it is almost impossible for opposition political parties to form government in nearly all Arab countries.²¹⁰ Since the early 1990s there has been a considerable increase in the number and activities of civil society organizations in Egypt.²¹¹ Yet, it is difficult to suggest that NGOs are powerful and truly effective as they have been subject to intensive state control. Currently, there are 115 trade and industry unions, 24 professional associations (syndicates), 22 workers' unions and 24 legally registered political parties.²¹²

Professional associations and trade unions are the most powerful segments of civil society in Egypt. While these legalized institutions were known to have been at odds with the Mubarak regime, they still enjoyed relatively more independence from the government, particularly when compared with advocacy groups. However,

²⁰⁹ Dietrich Jung, "Democratizing the Middle East: A Means of Ensuring International Security or an End in Itself?", **Democratization and Development: New Political Strategies for the Middle East**, (Ed. Dietrich Jung), Palgrave Macmillan, New York, 2006, (An End in Itself), p.183.

²¹⁰ Mustapha Kamel Al-Sayyid. "The Concept of Civil Society in the Arab World", **Political Liberalization and Democratization in the Arab World Vol. 1: Theoretical Perspectives**, (Eds. Rex Brynen, Bahgat Korany and Paul Noble), Lynne Rienner Publishers, London, 1995, (The Concept), pp.136-137.

²¹¹ Mustapha Kamel Al-Sayyid, "A Civil Society in Egypt?", **Civil Society in the Middle East (Vol I)**, (Ed. Augustus Richard Norton), E.J. Brill, Leiden, 1995, (Civil Society), p.290 and Abdelrahman, p.108.

²¹² Kristina Kausch, "Defenders in Retreat: Freedom of Association and Civil Society in Egypt", **FRIDE** (Working Paper), No:82, April 2009, (Defenders), <http://www.fride.org/publication/601/freedom-of-association-and-civil-society-in-egypt> (12.02.2010), p.3.

success of the Islamists, namely the MB, in gaining control in most of the professional associations and trade unions had led the Mubarak regime to pass new laws that were aimed at expanding government control on these associations and containing Islamists.²¹³ The main reason behind the success of Islamists in permeating divergent NGOs has been their access to funds that are not subject to state control, granting them advantage over secular groups.²¹⁴ The Egyptian state controlled NGOs through financial resources available to them like direct government funds, foreign funding, income-generating activities or public donations.²¹⁵ While NGOs needed state permission to secure funds, donations made to religious houses such as mosques were not subject to any permission. There has also been generous flow of donations to Islamic NGOs from sympathizers contributing their ability to organize and to offer various welfare networks to increase its constituency.²¹⁶ Despite popularity of Islamic NGOs within public, both the Mubarak regime and Western governments questioned their intentions and distrusted them.²¹⁷

Advocacy groups such as human rights organizations and women's organizations are known to play a significant role in their call for democratization. Yet, they constitute only a small percentage of the Egyptian civil society and they are the ones "whose ability to freely associate and develop their activities is most harshly affected by the formal and informal limits put upon them by the state".²¹⁸ Egyptian advocacy NGOs have also attempted to change the nature of governance in Egypt through lobbying.²¹⁹ They have been outspoken particularly on human rights abuses. However, these groups have also failed to reach masses due to elitist nature of their membership; and their dependency on foreign funding have made them subject to public and government criticism facilitating governmental restrictions.²²⁰ Some advocacy groups were denied to register from the beginning. For instance, the New

²¹³ Gohar, p.181.

²¹⁴ Abdelrahman, p.138.

²¹⁵ Abdelrahman, p.138.

²¹⁶ Abdelrahman, p.138.

²¹⁷ Gohar, p.188.

²¹⁸ Kausch, Defenders, p.3.

²¹⁹ Nicola Pratt, "Hegemony and Counter-Hegemony in Egypt: Advocacy NGOs, Civil Society, and the State", **NGOs and Governance in the Arab World**, (Eds. Sarah Ben Nefisa, Nabil Abd al-Fattah, Sari Hanafi and Carlos Milani), The American University in Cairo Press, Cairo, 2005, p.125.

²²⁰ Abdelrahman, pp.136-138.

Women Research Center, which has advocated gender issues and called for more democratization, was denied registration.²²¹ Other advocacy groups which succeeded in being legally registered have faced threat of closure by the authorities. For example, in 2007 two registered human rights organizations namely the Association for Human Rights and Legal Aid (AHRLA) and the Center for Trade Union and Worker Services (CTUWS) were closed by the Egyptian authorities.²²²

Associational activities were closely watched and controlled by the Ministry of Social Affairs. All NGOs needed approval of the Ministry of Social Affairs in order to register and the government legally referred to the constitution, the Associations Law (Law 84 of 2002), the Political Parties Law (Law 177 of 2005) and the Press Law in regulating the freedom of non-governmental organizations to organize and develop their activities.²²³ Associations Law 84 of 2002 was particularly significant in governing NGOs. It was a descendant of Associations Law 153 of 1999 and Associations Law 32 of 1964. Associations Law 32 of 1964 was replaced by Associations Law 153 of 1999 with the aim of reducing restrictions on “good” (apolitical) NGOs, while preserving limitations over the activities of oppositional advocacy organizations.²²⁴ When Associations Law 153 of 1999 failed to meet the expectations of the NGOs, it was then replaced by current Associations Law 84 of 2002.²²⁵ Egyptian Associations Law 84 of 2002 was regarded as one of the most restrictive in the Arab World as it revealed a severe governmental control over the civil society.²²⁶ For instance, the Ministry of Social Affairs could take a decision to dissolve an association without any court ruling referring to articles 41-47.²²⁷

Despite existence of restrictive regulations over civil society, the Egyptian civil society has experienced a consolidation and an increase in a number of associations through time. This was largely due to decreasing capacity of the

²²¹ Gohar, pp.178-179.

²²² Kausch, Defenders, p.10.

²²³ Kausch, Defenders, pp.4-5.

²²⁴ Vickie Langohr, “Too Much Civil Society, Too Little Politics? Egypt and Other Liberalizing Arab Regimes”, **Authoritarianism in the Middle East: Regimes and Resistance**, (Eds. Marsha Pripstein Posusney and Michele Penner Angrist), Lynne Rienner Publishers, London, 2005, (Too Much), p.208.

²²⁵ Aziza Hussein, “NGOs and the development challenges of the twenty-first century”, **Egypt in the Twenty-First Century**, ed. M. Riad El-Ghonemy, RoutledgeCurzon, New York, 2003, p.214.

²²⁶ Kausch, Defenders, p.5.

²²⁷ Kausch, Defenders, p.5.

Egyptian state to play its welfare role owing to fiscal crisis starting with the 1980s.²²⁸ Commitment to economic reform and structural adjustment programme insisted by the IMF led to a rise in socio-economic problems such as unemployment, inflation and poor health, infrastructure and education services. In such a setting, Egyptian state began to view voluntary associations as partners, and social welfare networks offered by them as helpful means in managing socio-economic crises.²²⁹ As Hussein points out, this has made the ruling regime to follow an ambivalent attitude towards NGOs because on the one hand it needs their help in coping with socio-economic problems, whereas on the other it fears their potential power to challenge its rule.²³⁰

The Mubarak regime had followed a selective approach towards NGOs using existing laws and regulations. Existing legal structures gave the Egyptian regime necessary means to manipulate the political and social atmosphere at will.²³¹ The regime had referred to laws and regulations in an arbitrary way to help its supporters and to dissolve its opponents.²³² Accordingly, the organizations which had potential for political mobilizations and which posed greater challenge to the Mubarak regime had faced greater legal difficulties. Licenses for these organizations were often arbitrarily refused by the Ministry of Social Affairs. For instance, the oldest human rights group in the country operating since 1985, the Egyptian Organization for Human Rights “was denied a license to operate officially”.²³³ Moreover, organization’s secretary general, Hafez Abu Saeda was arrested by security forces with the accusation for serving Western interests so that following this event the organization had to reject Western funding and to downsize its activities.²³⁴ On the contrary, apolitical or pro-regime associations had been subject to less restrictive regulations and thus functioned much more easily.

Broad restrictions on funding of NGOs were claimed to impede the development of civil society in Egypt the most. Associations Law 84 of 2002 forbidded the flow of funds and donations without prior authorization of the Ministry

²²⁸ Korany, *Restricted Democratization*, p.60.

²²⁹ Korany, *Restricted Democratization*, p.60.

²³⁰ Hussein, p.212.

²³¹ Jamal, p.117.

²³² Pratt, p.131.

²³³ Brownlee, p.8.

²³⁴ Brownlee, p.8.

of Social Affairs and brought new restrictions to foreign funding.²³⁵ Foreign funding required prior authorization from the government without any clear and transparent criteria.²³⁶ If the NGO in question was working in a politically delicate field, then it became almost impossible for that NGO to persuade the government.²³⁷ In this regard, restrictions on foreign funding had been problematic particularly for advocacy NGOs to promote issues including democratization, women rights, and human rights, most of which are mainly funded by external sources.²³⁸ Organizations which relied on foreign funding were subject to various penalties for accusations of homeland betrayal and serving foreign interests. Laws for defining punishment for accepting foreign funds without permission were strengthened²³⁹ with the presidential decree 4/1992, paving the way for trial by military courts and “sentence of seven to fifteen years without the option of an appeal”.²⁴⁰ For instance, Saad Eddin Ibrahim, founder and director of the Ibn Khaldun Center for Development Studies, was sentenced to seven years hard labor in 2001 for implicitly accepting foreign funding and tarnishing Egypt’s reputation abroad.²⁴¹ Another example was governmental decision to dissolve the Arab Women’s Solidarity Union in 1991 for tarnishing Egypt’s reputation abroad by issuing statements against Egyptian government’s involvement in the 1991 Gulf War.²⁴² The secretary-general of the Egyptian Organization for Human Rights was also accused of accepting foreign funds without the permission of the Ministry of Social Affairs in 1991 and sent to state security court for trial.²⁴³

State control over professional associations intensified following Islamist victories in syndicate council elections. Regulations for syndicate council elections were revised in 1993 to prevent further Islamists’ victories. To prevent low voter-turnout contributing to Islamist victory in syndicate council elections, Unified Law of Professional Syndicates no.100 (1993) was passed bringing obligation of at least

²³⁵ Gohar, p.188.

²³⁶ Kausch, Defenders, p.10.

²³⁷ Kausch, Defenders, p.10.

²³⁸ Gohar, p.188.

²³⁹ Prior to the presidential decree 4/1992, the sentence for accepting foreign funds was six-months.

²⁴⁰ Joshua A. Stacher, “Parties Over: The Demise of Egypt’s Opposition Parties”, **British Journal of Middle Eastern Studies**, Vol:31, No:2, 2004, p.217.

²⁴¹ Brownlee, p.10.

²⁴² Pratt, p.130.

²⁴³ Pratt, p.130.

fifty percent of syndicate general assembly members' participation in voting process in order for a syndicate council election to be valid.²⁴⁴ If elections failed to meet this requirement then elections were to be repeated in which 33 percent of members had to vote to validate the results. If there was again a failure to meet this obligation then a committee was to be assigned by the government to administer the syndicate for six months under judicial supervision.²⁴⁵ This law was protested by most members of professional associations for governmental intervention into administrative freedom and it led to deadlock in electoral process of ten leading professional syndicates such as doctors', engineers', lawyers' and teachers'.²⁴⁶

To conclude, while Egyptian civil society have improved both in quantity and quality over the past few decades, civil society organizations remained far from realizing their potential. They had not been able to make any meaningful contribution to democratization in Egypt under Mubarak's rule. Restrictive laws and regulations placed severe restrictions on civil society and made it particularly difficult for advocacy NGOs active in the field of democratization, human rights and women rights to function. Mubarak regime had closely watched developments within civil society and searched for alternative ways to intervene whenever it perceived any threat to its power and survival. In line with the general trend in the region, the ruling regime preferred to employ more subtle means rather than blatant means of the past to ensure its control over civil society.²⁴⁷

²⁴⁴ Mamoun Fandy and Dana Hearn, "Egypt: Human Rights and Governance", **Middle East and North Africa: Governance, Democratization and Human Rights**, (Ed. Paul J. Magnarella), Ashgate, Aldershot, 1999, p.112 and Gohar, p.181 and Kienle, A Grand Delusion, p.121.

²⁴⁵ Fandy and Hearn, p.112 and Gohar, p.181.

²⁴⁶ Fandy and Hearn, p.112 and Gohar, p.181.

²⁴⁷ Kausch, Defenders, p.3.

Table 4: Civil Society Profile in Egypt

	Civil Society in Egypt*
Strength	<ul style="list-style-type: none"> • not powerful and not a truly functional civil society • heavy restrictive measures on associational life
Freedom	<ul style="list-style-type: none"> • limitations to free associative life exist including process of registration, clientelization of civil society and restrictions on fundraising
Leading Components	<ul style="list-style-type: none"> • professional associations and trade unions are relatively more powerful than others • pro-democracy groups are the weakest • service providing civil society organizations run by Islamists are significant

* Civil society profile in Egypt prior to the Arab Spring is taken into account in this table.

2.1.2.2. Islamists

Islamists²⁴⁸ in Mubarak-ruled Egypt can be classified into two groups as moderates²⁴⁹ including the MB²⁵⁰ and the Wasat Party and radicals²⁵¹ including al-Gama'a al-Islamiyya and al-Jihad. Islamists are examined in a separate section from that of civil society, due to the fact that while moderate Islamists constitute the leading components of civil society in Egypt, radical groups are not considered as elements of civil society as they employ violent means.

With respect to moderate Islamists, the focus will be mainly on the MB, since it has been the most important and most institutionalized Islamist organization contributing to civil society in Egypt. It has constituted the largest and most influential component of civil society in Egypt. There has been considerable popular support behind the MB, and thus it has had a potential to influence the political

²⁴⁸ The term "Islamists" refers to those Muslims, who have a political agenda and use Islam as a platform.

²⁴⁹ Moderate Islamists accept democracy in general and adopt peaceful means for political ends. Accordingly, they prefer integrating into the political system to change or reform the system as they believe in gradual reform.

²⁵⁰ The MB has both social and political wings, and through both wings it contributes to the civil society in Egypt. The term "Islamists" refers merely to political wing of the MB whereas it is more appropriate to refer to social wing of the Brothers as a social Muslim group rather than Islamists.

²⁵¹ Radical Islamists employ revolutionary tactics rather than gradual ones and mostly they resort to violence for political ends. They perceive toppling of corrupt and illegitimate governments as a religious duty, as a larger concept of jihad. Radicals reject democracy as they view it as an imported Western concept.

context in Egypt. Historical background of the Brotherhood, its ideology and how it has evolved from a radical movement to a moderate movement with social and political assets through time will be analyzed in a detailed way. Other than the MB, the Wasat Party will also be mentioned briefly as a moderate Islamist group within the context of civil society in Egypt as part of political opposition.

The MB (Al-Ikhwan Al-Muslimun) was established in 1928 by Hassan al-Banna ²⁵² (1906-1949), a school teacher, with the aim of transforming society in line with Islamic principles through political and social reforms.²⁵³ Being the oldest grass-roots Islamist movement of the twenty century, it has been a model for mainstream Sunni political Islamism in the Arab world with various branches across the region.²⁵⁴ In fact, in its early years the movement was not exhibiting a moderate posture with its aggressive attitude towards the monarchical political order of the time. Without any doubt, Sayyid Qutb's²⁵⁵ views were influential in shaping the radical aspect of the Brotherhood's ideology. According to Qutb "attempts to bring about change from within the existing repressive Muslim political systems were futile, and that jihad was the only way to implement a new Islamic order".²⁵⁶ The MB gave support to Free Officers' movement in overthrowing monarchy in 1952, however then relations among Egypt's new military leaders grew tense and members of the MB were subject to violent suppression by the regime.²⁵⁷ A failed assassination attempt against Gamal Abdul Nasser led to imprisonment of many MB members and the organization went underground for some time.

In the early 1970s, the MB renounced violence and with the coming power of Husni Mubarak it was allowed to participate in parliamentary elections by joining

²⁵² For more details about Hassan al-Banna see Carl L. Brown, **Religion and State: The Muslim Approach to Politics**. Columbia University Press, Colombia, 2000, pp.143-148.

²⁵³ Gohar, p.179.

²⁵⁴ Emad El-Din Shahin, "Political Islam in Egypt", **Political Islam and European Foreign Policy: Perspectives from Muslim Democrats of the Mediterranean**, (Eds. Michael Emerson and Richard Youngs), Center for European Policy Studies, Brussels, 2007, p.65 and Sharp, p.18.

²⁵⁵ Sayyid Qutb (1906-1966) is an Egyptian writer and intellectual, who joined the Muslim Brotherhood in early 1950s, and whose ideas have been a significant source of inspiration for various radical Islamist groups. For more details on Qutb's views see C. L. Brown 2000, pp.153-159 and Martin Kramer, "Fundamentalist Islam: The Drive for Power", **Middle East Quarterly**, Vol:3, No:2, 1996, pp.37-49.

²⁵⁶ John L. Esposito, **The Islamic Threat: Myth or Reality?** Oxford University Press, Oxford, 1995, (The Islamic Threat), p.128.

²⁵⁷ Sharp, p.18.

other opposition parties.²⁵⁸ As Norton mentions what Mubarak did was to grant some political space to the Islamists and thereby “experimented with the controlled inclusion of mainstream Islamist opposition forces in parliament”.²⁵⁹ As a result, while official restrictions against the MB continued preventing its candidates to compete for elections under its own banner, candidates took part in parliamentary elections under the banners of other opposition parties.²⁶⁰ To put it differently, although the MB was denied a legal recognition, it has adopted various strategies to cope with the legal restrictions, such as nominating independent candidates and entering into coalitions²⁶¹ with the legalized parties. In 1984, the MB forged an alliance with the Wafd party contesting parliamentary elections the same year and entered into the People’s Assembly for the first time.²⁶² In 1987 parliamentary elections, the group established an alliance with the Labor Party and the Liberal Party and won a significant number of seats in the People’s Assembly.²⁶³ In the meantime, the group started contesting elections in professional associations and trade unions. Rapidly, the group became popular among members of a number of professional associations. For instance, the MB participated in the Physicians Syndicate council elections of 1984 and gained seven out of 25 seats of the syndicate board.²⁶⁴

By the 1990s, the MB continued with its cautious, pragmatic and gradualist bottom-up approach to resocialise society along the Islamic lines.²⁶⁵ ‘Islam is the solution’ remained to be its central slogan. In 1990, it requested registration as a political party, but its demand was rejected by the government. The same year, it joined other opposition parties to boycott parliamentary elections. During the early

²⁵⁸ Sharp, p.18.

²⁵⁹ A. Richard Norton, “Thwarted Politics: The Case of Egypt’s Hizb al-Wasat”, **Remaking Muslim Politics: Pluralism, Contestation, Democratization**, (Ed. Robert W. Hefner), Princeton University Press, New Jersey, 2005, (Hizb al-Wasat), p.136.

²⁶⁰ Auda, p.73.

²⁶¹ For more details with respects to Muslim Brotherhood’s coalitions, see Noha El-Mikawy, **The Building of Consensus in Egypt’s Transition Process**, The American University in Cairo Press, Cairo, 1999, pp.80-93.

²⁶² Ibrahim El-Houdaiby, “Trends in Political Islam in Egypt”, **Islamist Radicalization: The Challenge for Euro-Mediterranean Relations**, (Eds. Michael Emerson, Kristina Kausch and Richard Youngs), Centre for European Policy Studies, Brussels, 2009, (Trends), p.41.

²⁶³ Korany, *Restricted Democratization*, p.52.

²⁶⁴ Sameh Naguib, “The Muslim Brotherhood: Contradictions and Transformations”, **Political and Social Protest in Egypt**, (Ed. Nicholas S. Hopkins), The American University in Cairo Press, Cairo, 2009, p.164.

²⁶⁵ Shahin, p.66.

1990s, the Mubarak regime allowed more space for the MB distinguishing it from radical groups.²⁶⁶ In that allowed space, the MB was able to demonstrate its mobilization and organization capacity. For instance, during the disastrous earthquake of October 1992 it organized a help campaign for the victims of earthquake that was more effective than the government's campaign.²⁶⁷ Saad Eddin Ibrahim mentions about the MB's performance in recovering detriments of 1992 earthquake with these words: "In times of crisis, such as the Egyptian earthquake of October 1992, the MB-controlled professional syndicates outperform not only their secular counterparts but the state itself".²⁶⁸ In the meantime, the group reinforced its influence in many syndicates. Members of the MB won elections for the leadership of doctors', engineers', pharmacists', and lawyers' syndicates in the early and mid-1990s.²⁶⁹ In the 1990 elections of the council of physicians syndicate, the group members won 20 out of 25 seats and this success was followed by others in council elections for engineering, dentistry, pharmacology and agriculturalist syndicates.²⁷⁰ Increasing success of the MB alarmed the Mubarak regime and led to a number of governmental measures to prevent MB's growing influence. Passing of the Unified Law of Professional Syndicates no.100 in 1993 to curb Brotherhood's influence in professional associations was one of these measures. Another measure was the crackdown of MB members by the regime in November 1995. Approximately 80 Brotherhood members were arrested and sent to the Supreme Military Court.²⁷¹ 54 of these people were sentenced to three to five years of imprisonment by military tribunals although there were civilian court decisions to drop those charges.²⁷²

Repressive policies against the MB and attempts to exclude this mainstream non-violent Islamist group in the late 1990s contributed to strengthening of radical Islamists such as al-Gama'a al-Islamiyya. There was an increase in violent attacks by these radicals against European tourists and the Egyptian police. Following those attacks a new minister of interior affairs was appointed who paved the way for

²⁶⁶ El-Houdaiby, Trends, p.42.

²⁶⁷ Korany, Restricted Democratization, p.62.

²⁶⁸ Saad Eddin Ibrahim, "The Changing Face of Egypt's Islamic Activism", **Egypt at the Crossroads: Domestic Stability and Regional Role**, (Ed. Phebe Marr), National Defense University Press, Washington D.C., 1999, (The Changing Face), p.33.

²⁶⁹ Brownlee, p.7.

²⁷⁰ Naguib, p.164.

²⁷¹ El-Houdaiby, Trends, pp.42-43.

²⁷² Naguib, p.170 and El-Houdaiby, Trends, pp.43-44.

another period of toleration towards the MB.²⁷³ During this period of toleration, the MB made its preparations for the 2000 parliamentary elections. Despite widespread fraud and police intervention, independent candidates from the MB were able to win 17 seats in the 2000 parliamentary elections, forming the largest opposition bloc in the People's Assembly.²⁷⁴ It was the first time that the MB candidates entered the elections as independent candidates not allying themselves with any other parties.

In the aftermath of 2000 elections, regime toleration for the MB was over again. The Mubarak regime deployed repressive measures against leading political actors from the MB, arresting and detaining them without trial on charges of planning to overthrow the government.²⁷⁵ Yet, it had been more challenging for the Mubarak regime to contain the MB in social domain, where an efficient network of welfare services is run by the Brotherhood. It is a huge network with more than thousands of private, voluntary organizations whose numbers continue to increase through time.²⁷⁶ These organizations varied from health clinics for treatment of poor to commercial enterprises to make cheap products available to those in need.²⁷⁷ This welfare network has been filling the vacuum arising from "regime's inability to answer the public's burgeoning needs".²⁷⁸ As it is pointed out with adoption of neo-liberal policies, the Egyptian state retreated from providing basic services and as a result the Islamists were the ones to provide services previously provided by the state.²⁷⁹ Provision of these networks has certainly contributed to growing public support for the MB. In fact, it has been a part of MB's attempt to position itself as an alternative political, economic and cultural alternative to existing authoritarian regime.²⁸⁰

Through time, the MB became more pragmatic and tried to demonstrate its adherence for reform at every instance. The Brotherhood joined pro-democracy movement of 2004-2006, constituting the largest and most effective force in that

²⁷³ El-Houdaiby, Trends, p.43.

²⁷⁴ El-Houdaiby, Trends, p.43 and Naguib, p.166.

²⁷⁵ Brownlee, pp.7-10.

²⁷⁶ Nachman Tal, **Radical Islam in Egypt and Jordan**, Sussex Academic Press, Brighton, 2005, p.46.

²⁷⁷ Korany, Restricted Democratization, p.62.

²⁷⁸ Tal, p.46.

²⁷⁹ Naguib, pp.165-166.

²⁸⁰ John L. Esposito, "The Islamic Factor", **Egypt at the Crossroads: Domestic Stability and Regional Role**, (Ed. Phebe Marr), National Defense University Press, Washington D.C., 1999, (The Islamic Factor), p.58 and Naguib, p.166.

movement.²⁸¹ In March 2004 just a year prior to the 2005 parliamentary elections, the Brotherhood came up with a reform initiative to emphasize its support for reform, elections, accountability, and non-violence.²⁸² A detailed 50-page long declaration was published focusing on different types of reform such as political, economic, judicial, social and religious.²⁸³ On the political reform, the declaration highlighted MB's commitment for democratic principles presenting the Brotherhood as a significant partner for dialogue.²⁸⁴ This reformist position remained to be a key component of Brotherhood's electoral campaign for the 2005 parliamentary elections. In the 2005 parliamentary elections, the Brotherhood won 88 seats, more than four times the number of seats it had won in previous elections, capturing 20 percent of the seats in the People's Assembly.²⁸⁵ Shahin argues that while the result was an outcome of different factors, the Brothers' adoption of a reformist and pragmatic strategy had played its role and "paid off" during the 2005 elections.²⁸⁶ The success came despite the fact that MB candidates were subject to restrictions by the security forces. Nevertheless, when compared with previous elections, the MB was allowed more freedom by the ruling regime. Surprisingly, unlike its earlier policies the Mubarak regime even ignored participation of MB candidates explicitly under their own banner "Islam is the solution".²⁸⁷

Regime toleration for the MB was short-lived as usual. Electoral success of the Brotherhood led the Mubarak regime to react by holding on repressive measures against the group. Following the 2005 elections, hundreds of Brotherhood members were arbitrarily arrested, "held in custody without charge, and tried and convicted before military courts".²⁸⁸ Besides, amendments were made in the constitution in 2007 that prohibited all political activity that is based on religious principles.²⁸⁹ The MB responded those repressive measures with a new initiative in 2007. To demonstrate its confidence, political openness and tolerance, the Brotherhood sent a

²⁸¹ Naguib, p.170.

²⁸² Sharp, p.19.

²⁸³ Mona Yacoubian, "Promoting Middle East Democracy II: Arab Initiatives", **United States Institute of Peace**, Special Report, No. 136, May 2005, <http://www.usip.org/files/resources/sr136.pdf> (10.07.2009), (Arab Initiatives), p.10.

²⁸⁴ Yacoubian, Arab Initiatives, p.10.

²⁸⁵ Naguib, pp.155-156 and El-Houdaiby, Trends, p.25.

²⁸⁶ Shahin, p.68.

²⁸⁷ Gohar, p.189.

²⁸⁸ Kausch, Defenders, p.2.

²⁸⁹ Kausch, Defenders, p.12.

draft of its political manifesto for review to a number of intellectuals and the opposition leaders from different backgrounds including seculars and critics of the Brotherhood.²⁹⁰ The Brotherhood underlined its moderate stance in the draft manifesto through references to parliamentary democracy and full political freedoms. Despite its overall moderate and reformist outlook, the draft manifesto was criticized with respect of its approach to Copts and women on the issue of running for presidency. The draft manifesto stated that the MB did not support candidacy of either Copts or women for presidency.²⁹¹ This statement marked a noticeable contradiction in Brotherhood's stance on equal rights for everyone. While equal citizenship rights between men and women and between Christians and Muslims was a frequently emphasized issue in Brothers' discourses,²⁹² exclusion of women and Christian Copts from presidency in the manifesto was an inconsistency in Brothers' position.²⁹³

With all its consistencies and inconsistencies, the MB has been a significant social and political force in Egypt for more than 70 years. It is clear that the weakness of secular political opposition has provided more political space for the MB which like other Islamist organizations has "both a moral message appealing to many in a conservative society and a demonstrated ability to deliver sorely needed tangible goods, such as education and health care."²⁹⁴ The MB has claimed to be committed to non-violent methods and actually until now, they have demonstrated their motivation to play a political role through democratic process. The Muslim Brothers' record of success has depended on its efficient organization, and its ability to realize political mobilization through broad social base. Indeed, it is not easy to determine "to what extent the vote for the Brotherhood candidates indicated widespread support for the organization, and to what extent it was simply a statement of dissatisfaction with the government and its attempts to impose control over all

²⁹⁰ Ibrahim El-Houdaiby, "The Brotherhood opens up", **The Guardian**, 02.01.2008, (The Brotherhood), <http://www.guardian.co.uk/commentisfree/2008/jan/02/thebrotherhoodopensup> (15.11.2009).

²⁹¹ El-Houdaiby, The Brotherhood.

²⁹² For instance, in his speech at Northcote House Council Chamber, University of Exeter, on 18 February 2010, Dr. Kamal El-Helbawy, former spokesman of Muslim Brotherhood in the West and the founder of the Muslim Association of Britain, said that the Muslim Brotherhood pays great attention to non-exclusion of any citizen from participation in parliamentary elections.

²⁹³ Naguib, pp.170-171.

²⁹⁴ Ottaway, *Democracy Challenged*, p.49.

organizations.”²⁹⁵ One way or another, it is fair to suggest that MB’s ability to gain popular support had provided the Mubarak regime with a convincing justification to resist external pressures for more political opening.

Another moderate Islamist group in Egypt is the Wasat²⁹⁶ Party (Hizb-Al Wasat). In 1995, disagreements among younger and older members of the MB intensified leading to a split within the Brotherhood. Several young members led by Abul Ela Madi who were unhappy with the rigid leadership style and ideological ambiguities in the Brotherhood broke away from the group.²⁹⁷ These former members of the Brotherhood along with a number of Copts and women founded the Wasat Party in late 1995. The Wasat leaders applied for legal recognition to regime dominated Political Parties Committee four times, in 1996, 1998, 2004 and 2009. All these four attempts to acquire legal recognition were rejected on ground that it was illegal to establish a party based on religion.²⁹⁸ The founders tried other judicial channels to pursue their case but these attempts also failed.²⁹⁹ The Wasat Party had not only been opposed by the Mubarak regime officially through the Political Parties Committee, but also it had been opposed by the MB which perceived the Wasat Party as a rival.³⁰⁰

Although the Wasat was not recognized as a party in legal sense during the Mubarak’s rule, it had attracted both domestic and international attention with its moderate vision. Norton indicates that the Wasat is “a remarkable attempt by Islamists to play by democratic rules of the game in Egypt”.³⁰¹ It has been a combination of mainstream national discourse with Islamic principles. Founders of the party have emphasized their commitment to pluralism, religious toleration and acceptance of secular political principles. Party’s programme makes clear references to equal rights for Muslims and non-Muslims, respect for cultural specificities, justice and interdependence.³⁰² It also has an agenda for political reform prioritizing issues such as freedom of speech, freedom of belief respect of human rights,

²⁹⁵ Ottaway, *Democracy Challenged*, p.46.

²⁹⁶ Wasat means middle in Arabic, denoting the moderate orientation of the group.

²⁹⁷ Shahin, p.67.

²⁹⁸ Sharp, p.20.

²⁹⁹ Shahin, p.68.

³⁰⁰ Norton, *Hizb Al-Wasat*, p.133.

³⁰¹ Norton, *Hizb Al-Wasat*, p.133.

³⁰² Shahin, p.69.

complete equality between all citizens regarding legal and political rights and judicial independence.³⁰³

When compared with the MB, the Wasat has been controlled by a group of more moderately oriented Islamists and it “has been closer to the moderate end of its ideological boundaries”.³⁰⁴ Founders of the Wasat have been careful in differentiating themselves from those members of the MB. They have constantly underlined their party’s independence from the MB presenting it as a “civil party with an Islamic background” and an alternative to an ordinary religious advocacy group to represent a larger section of the Egyptian society in a better way.³⁰⁵ The Wasat party’s membership combination has been noticeable in its diversity unlike that of the MB. The party has accommodated a significant percentage of Copts and women that is distinctively higher for an Islamist party. This peculiarity has helped the Wasat to reach out supporters beyond the traditional Islamist base.³⁰⁶ Still, the party has lacked a wide popular support unlike the MB that has had a broad popular support since the 1990s. Thus it would not be unfair to maintain that despite its young leadership and promising vision it has had a relatively insignificant influence over Egyptian politics.

Other than the moderate Islamists like the MB and the Wasat Party, there are also two extremist Islamist groups as al-Gama’*a* al-Islamiyya³⁰⁷ and al-Jihad that are not regarded within the context of civil society but constitute a challenge to ruling regime in Egypt.³⁰⁸ These two radical groups were established in the 1970s and have been operating since the 1980s. In the 1990s both were actively involved terrorist activities. They carried out a number of violent attacks on government officials, intellectuals, foreign tourists and non-Muslims. Esposito describes these two groups’ fight against the Mubarak regime and its institutions such as the security forces and the police as a “deadly battle” in which they were locked.³⁰⁹

³⁰³ El-Houdaiby, Trends, p.45.

³⁰⁴ El-Houdaiby, Trends, p.46.

³⁰⁵ Gohar, p.180.

³⁰⁶ El-Houdaiby, Trends, p.45.

³⁰⁷ Al-Gama’*a* al-Islamiyya is also known as al Jamaat al Islamiya.

³⁰⁸ Both of these groups are considered as terrorist organizations by the United States, the European Union and the Egyptian state.

³⁰⁹ Esposito, The Islamic Factor, p.54.

Led by its spiritual guide cleric Sheikh Omar Abdel-Rahman, Al-Gama'a al-Islamiyya sought to destruct the secular ruling regime in Egypt and to replace it with an Islamic state based on shari'a. In line with this goal, it initiated a struggle against enemies of Allah like government officials, supporters of the regime, the Copt minority, foreigners and tourists through its military branch.³¹⁰ While the organization also had a civilian branch to reach out society through preaching, terrorism was perceived to be the most effective means in its struggle. Thus, the organization carried out many attacks particularly in the 1990s including assassinations of Parliament Speaker Refaat Mahjoub and writer Farag Fouda; attempts on President Mubarak, minister of information, minister of interior and Nobel laureate Naguib Mahfouz; and attacks targeting tourists such as the Luxor attack³¹¹ of November 1997.³¹² Following the Luxor attack, al-Gama'a al-Islamiyya entered into a period of decline due to both massive governmental crackdown and ideological split within the organization. As a result, it declared a ceasefire with the government giving up violence and since 1998 the organization has not engaged in any attack in Egypt. Civilian branch of the organization has carried on its activities through preaching in the mosques and propaganda meetings mostly in Upper Egypt.³¹³

The other leading radical Islamist group in Egypt, al-Jihad was established in 1979 by Mohammed Abdel Salam Farag. Like al-Gama'a al-Islamiyya, the core objective of al-Jihad was to overthrow the Egyptian government and replace it with an Islamic state. Unlike al-Gama'a al-Islamiyya which adopted both armed and social struggle to achieve its objective, al Jihad mainly adopted a militant approach. Sayyid Qutb's views were a primary source of inspiration for Farag, who emphasized "the need to establish an Islamic theocratic state through waging jihad against the secular regimes".³¹⁴ Al-Jihad was thought to be responsible from Anwar Sadat's assassination in 1981. After Sadat's murder, most of al-Jihad's leaders and members were arrested and some were executed, including Farag. In the early 1990s, al-Jihad

³¹⁰ Tal, p.28.

³¹¹ 58 tourists were killed in Luxor attack, which took place at the Temple of Queen Hatshepsut, a leading tourist site in Luxor. For more details about Luxor attacks view "Massacre in Luxor", **BBC News**, 06.12.2002, <http://news.bbc.co.uk/2/hi/programmes/correspondent/2546737.stm> (10.04.2010).

³¹² El-Houdaiby, Trends, pp.37-39.

³¹³ Tal, pp.29-30.

³¹⁴ Tal, p.27.

extended its aims to include challenging the United States and Israel. Accordingly, it began to carry out terrorist activities beyond Egypt as well. Through time Al-Jihad has evolved into a global radical terrorist organization from an Egyptian extremist opposition group.³¹⁵ To put it differently, its orientation changed from national dimension to an international dimension and from hostility towards the Egyptian ruling regime to Western aggression. Since 1991 the organization has been led by Ayman al-Zawahiri, who fled from Egypt following the assassination of Sadat.

Table 5: The Muslim Brotherhood in Egypt

	The MB in Egypt*
Character	<ul style="list-style-type: none"> ▪ moderate and pragmatic ▪ willing to work within existing political system. ▪ did not hesitate to openly confront the regime.
Background	<ul style="list-style-type: none"> ▪ has been operating for more than 80 years. ▪ was a radical movement in its early years
Agenda	<ul style="list-style-type: none"> ▪ Islamic tendency ▪ emphasis on socio-economic issues ▪ commitment for democratic principles
Penetration into civil society	<ul style="list-style-type: none"> ▪ very active ▪ impressive performance
Reasons behind political success	<ul style="list-style-type: none"> ▪ well-organized administrative structure ▪ good at addressing socio-economic needs of the people ▪ emphasis on transparency and accountability ▪ moral messages ▪ broad social welfare network
Extent of being subject to repression	<ul style="list-style-type: none"> ▪ to a large extent
Electoral record	<ul style="list-style-type: none"> ▪ impressive successes in the 2000s

* The MB in Egypt prior to the Arab Spring is taken into consideration in this table.

2.1.3. Major Obstacles to Democratization

Major obstacles to democratization in Egypt under Mubarak regime included centralized political authority, weakness of political opposition, continuation of

³¹⁵ El-Houdaiby, Trends, pp.35-36.

emergency law, lack of fair and transparent elections, restrictions on freedom of expression and association, lack of judicial independence and role of the security services and the military.³¹⁶

Firstly, the Egyptian political scene was dominated by the president and the ruling party, the NDP. Particularly, the executive which is represented by the president occupied a very central and strong place in the political system. President had a wide range of powers without any meaningful constraint to limit presidential authority.³¹⁷ Egypt's presidents could be continually reelected and there had only been one candidate for the presidency prior to the 2005 presidential elections.³¹⁸ Since its independence in 1952, Egypt had three presidents, – Nasser, Sadat and then Mubarak – only three in nearly six decades. Mubarak himself remained in office more than 30 years. With a constitutional amendment in 2005, multi-candidate presidential elections were introduced and it took place for the first time in September 2005. Yet, in practice the 2005 presidential elections was more like a regular referendum on Mubarak rather than a real competition among the candidates.

Secondly, penetration of the NDP in state institutions as the permanent ruling party also constituted an impediment to democratization.³¹⁹ The NDP did not allow a normalized political competition among political parties through taking advantage of its monopoly over radio, television, and other official mass media organs.³²⁰ It adopted political repression as means to silence opposition which “undermine its tenuous hold on ideological credit”.³²¹ Domination of the political system by the president and the NDP constituted a serious problem for democratization as it contradicted with the principle of checks and balances among different state institutions. Thus, unless an equal dispersal of authority is materialized by ceding power to other institutions of state, prospects for democratization in post-Mubarak Egypt will remain to be dim.

Thirdly, weakness of political opposition was another handicap for democratization in Egypt. Functioning of political parties in Egypt was regulated by

³¹⁶ See table 6.

³¹⁷ Brownlee, p.6.

³¹⁸ Korany, *Restricted Democratization*, p. 62.

³¹⁹ Irene Menendez, “The Travails of Egypt’s Democrats”, **FRIDE**, 12.11.2005, <http://www.fride.org/publication/181/the-travails-of-egypts-democrats> (10.02.2010).

³²⁰ Korany, *Restricted Democratization*, p.62.

³²¹ Fandy and Hearn, p.121.

the Political Parties Law (Law 40 of 1977 and then Law 177 of 2005). The Political Parties Law granted the ruling party significant control over formation of political parties while including a number of restrictions.³²² Committee on Political Parties, composed of several leading ministers, three nonparty members from judicial background to be selected by the president, thus had been far from being an independent organization.³²³ It was approving registration of a political party. As it is pointed out, registration of new political parties had been very restrictive, particularly for potentially powerful opposition forces.³²⁴ According to Stacher, these restrictions on registration aimed “to block the rise of viable challengers to the NDP”.³²⁵ Despite all these limitations, there were 24 registered political parties in Mubarak-ruled Egypt including the New Wafd Party,³²⁶ the Nasserist Democratic Arab Party,³²⁷ the Progressive National Unionist Party,³²⁸ and the Ghad (Tomorrow) Party.³²⁹ However, on the whole it would be fair to say that these parties could not have any remarkable impact on the political system. Only the MB constituted an effective oppositional power, but it had remained outlawed from politics and its members had been subject to severe repression. There were also a number of political parties which had applied for registration for years and sought other judicial channels to push through for license such as the Wasat Party. Even if a party’s application for legal license is approved by the Committee on Political Parties, this does not mean that party would have surpassed barriers to compete in the political race or act as a real opposition force. The ruling party, NDP, had not tolerated any dissent coming from the opposition parties. If an opposition party expressed dissent, at first instance the government tried to “isolate and fragment the opposition party involved”.³³⁰ In cases where an opposition party crossed the red lines of the government then that party probably had its activities frozen temporarily or get

³²² Gohar, p.172.

³²³ Gohar, p.172.

³²⁴ Kausch, Defenders, p.8.

³²⁵ Stacher, p.220.

³²⁶ Wafd Party is a liberal party and is one of Egypt’s oldest political parties. Its name became the New Wafd Party when it was dissolved and then reestablished in 1983. It entered into alliance with the Muslim Brotherhood in 1984 parliamentary elections.

³²⁷ The Nasserist Democratic Arab Party is a left-wing party founded in 1992.

³²⁸ The National Progressive Unionist Party is a left-wing party.

³²⁹ The Ghad Party is a liberal party founded by Ayman Nour who was a candidate in 2005 presidential elections and gained 8 percent of the votes.

³³⁰ For details see Stacher, p.224.

closed.³³¹ Opposition parties had also failed to constitute a unified front which would make them relatively stronger against the ruling NDP.³³² Briefly, opposition parties in Egypt were weak organizations during the Mubarak's rule. Lack of any political alternatives was a notable constraint for a pluralistic political context to pave the way for democratization in Egypt.

Fourthly, democratization in Egypt had further been constrained by the continuation of the emergency law. The emergency law had been in effect since Sadat's assassination in 1981. It was extended almost every three years by the parliament and the last extension took place in May 2008 despite widespread objection from the opposition and human rights organizations. Husni Mubarak continued to exercise his powers under a continuous state of emergency throughout his presidency. The state of emergency granted the president a broad range of powers including "the power to restrain the movement of citizens, forbid meetings, intern suspects, search persons or places, and ban publications".³³³ The emergency law was supplemented with a series of other laws and regulations such as the Anti-terror Law 97 of 1992 and the Penal Code. These laws together gave the authorities coercive powers to undermine human rights and fundamental freedoms arbitrarily in the name of national security.³³⁴ Human rights organizations reported that hundreds of people were detained under provisions of the Emergency Law and remained in prison for years without any charge.³³⁵ Many others were deprived of their constitutional right to be tried before a normal civilian judge and tried before military and state security emergency courts.³³⁶ Security forces were "vested with the powers to arrest citizens, search their houses, and monitor their correspondence and phone calls without court order".³³⁷ In line with some articles in the Penal Code, human rights activists had also been subject to prosecution on the grounds of national security.³³⁸

³³¹ Stacher, p.232.

³³² For details on which issues pro-reform opposition parties converge and divergence see Menendez 2005.

³³³ Ann M. Lesch, "Domestic Politics and Foreign Policy in Egypt," **Democracy, War, and Peace in the Middle East**, (Eds. David Garnham and Mark Tessler), Indiana University Press, Indianapolis, 1995, pp.228-229.

³³⁴ Kausch, Defenders, p.13 and Fandy and Hearn, p.121.

³³⁵ Springborg, Millennium, p.187.

³³⁶ Springborg, Millennium, p.187.

³³⁷ Gohar, p.184.

³³⁸ For instance, Saad Eddin Ibrahim was prosecuted for threatening national security in 2008. Kausch, Defenders, p.13.

Fifthly, lack of fair and transparent elections was also among leading limitations for democratization in Mubarak-ruled Egypt. Various types of elections had been subject to constant manipulation by the government.³³⁹ As it is put forward, free and fair general or professional elections had become a “wild dream” in Egypt under Mubarak regime.³⁴⁰ Fraudulent practices took place initially during the campaign period and then continued throughout the election and the counting of the votes. For instance, during parliamentary elections in 1990 and 1995, candidates from the NDP relied on public support including “the use of public sector vehicles” and “the collusion of state officials appointed to run the polling stations”.³⁴¹ Besides, while candidates from the opposition parties were subject to interferences and harassments, posters and banderoles for candidates from the NDP could be put up before the official beginning of the election campaign.³⁴² Another unfair practice was observed regarding electoral campaigns in state-controlled television. Whereas “opposition parties were only granted a few short slots for campaign statements”, the NDP campaign was on all the time, giving the impression that the NDP was the only party running for elections.³⁴³ Owing to a combination of strong internal and external pressures, judicial supervision of elections was first implemented in 2000 parliamentary elections and it particularly contributed to the fairness and transparency of elections in 2005.³⁴⁴ Also, prior to 2005 parliamentary elections the Egyptian government also had to consent two progressive court rulings to promote fairness in elections. One of these court rulings - which several human rights organizations had struggled for - was about allowing the presence of civil society organizations inside voting stations to monitor 2005 parliamentary elections.³⁴⁵ The second one was about allowing the installation of television cameras in voting stations.³⁴⁶ However, these favorable practices were short-lived as amendment of

³³⁹ Sullivan and Abed-Kotob, p.131.

³⁴⁰ Mustapha Kamel Al-Sayyid, “The Judicial Authority and Civil Society”, **Judges and Political Reform in Egypt**, (Ed. Nathalie Bernard-Maugiron), The American University in Cairo Press, Cairo, 2008, (The Judicial Authority), p.235.

³⁴¹ Kienle, More than a Response, p.225.

³⁴² Kienle, More than a Response, p.225.

³⁴³ Kienle, More than a Response, p.226.

³⁴⁴ Michele Dunne and Amr Hamzawy, “The Ups and Downs of Political Reform in Egypt”, **Beyond the Façade: Political Reform in the Arab World**, (Eds. Marina Ottaway and Julia Choucair-Vizoso), Carnegie Endowment for International Peace, Washington D.C., 2008, p.27.

³⁴⁵ Al-Sayyid, The Judicial Authority, p.235-236.

³⁴⁶ Al-Sayyid, The Judicial Authority, p.236.

article 88 in 2007 removed “the constitutional requirement for full judicial supervision of elections in favor of creating an electoral commission”.³⁴⁷ There was widespread doubt about impartiality and independency of this new electoral commission. Overall, there was need for comprehensive changes in regulations and practices to ensure fairness and transparency in Egyptian electoral process.

Sixthly, restrictions on freedom of expression and association had a negative impact on democratization. On the surface, Egypt’s constitutional guarantees and ratification of international agreements gave an impression of national commitment to freedom of expression and association.³⁴⁸ However, this artificial commitment constituted a noticeable contradiction with the actual reality since Egypt had a poor record on human rights. In practice, the Mubarak regime had adopted various legal measures and practices to maintain political exclusion and repression. For instance, Associations Law (Law 84 of 2002) placed severe restrictions on associations, creating “a legal framework in which the state can dominate NGOs”.³⁴⁹ There had been intolerance for criticism by the government. Whenever the government faced criticism, it sought to silence opponents through limiting the freedom of association.³⁵⁰ Criteria for peaceful assembly and for organization were narrowly defined so that “religious, political, professional, and academic groups had limited space to express critical positions, direct their own affairs, and participate in the political process”.³⁵¹ On the whole, restrictions on freedom of expression and association had constrained the development of democratization in Egypt as they had limited citizens’ ability to check state power.

Seventhly, lack of judicial independence also represented a distinct challenge for democratization. The independence of the judiciary is a vital prerequisite for democratization as it contributes to separation of powers. However, in Mubarak-ruled Egypt, independence of the judiciary was constrained by laws. Article 9 of Law no. 35 (1984) gave “the Minister of Justice the final word in assigning or renewing judgeships on the appellate courts, which supervised the work of primary

³⁴⁷ Dunne and Hamzawy, p.27.

³⁴⁸ Fandy and Hearn, p.121.

³⁴⁹ Kausch, Defenders, p.9.

³⁵⁰ Fandy and Hearn, p.111.

³⁵¹ Fandy and Hearn, p.111.

courts”.³⁵² Article 78 of the same law created a department within the Ministry of Justice for judicial inspection.³⁵³ This department was authorized to inspect the performance of judges and to decide upon their promotion, demotion and transfer.³⁵⁴ Judicial independence became a highly debated issue in May 2005,³⁵⁵ when the Association of Judges, namely the ‘Egyptian Judges Club’, threatened the government that it would continue to supervise parliamentary and presidential elections, scheduled for 2005, only if the government amended Judicial Authority Law ensuring judicial independence and granting judges greater authority in electoral supervision.³⁵⁶ To make their voice heard, reformist judges also “gave interviews to newspapers and satellite channels; their club published press releases, memos, and reports; they filed complaints with the public prosecution, and even organized sit-ins”.³⁵⁷ The threat by the Association of Judges was a powerful one for the government as the elections were approaching and that they can not be held without judicial supervision. Faced with the potent threat, the Minister of Justice initially agreed to work on a new draft law and to give judges greater authority in supervising elections.³⁵⁸ However, in the aftermath of elections, the government shifted its attitude towards judges from that of a compromising one to a confrontational one. This led to a revolt and resistance among the judges. The government then tried to break the resistance of judges through a combination of “punishment and patronage to divide and buy off judges”.³⁵⁹ Disciplinary measures were taken against leading members of the Judges Club. No amendment in the Judicial Authority Law regarding judicial independence was realized. The toughest action against judges came with a constitutional amendment in March 2007 through which judicial supervision of the elections was abolished.³⁶⁰ Exclusion of judges from electoral supervision was a big

³⁵² Gohar, p.177.

³⁵³ Gohar, p.177.

³⁵⁴ Gohar, p.177.

³⁵⁵ Increase in pro-reform activism by members of the judiciary in May 2005 was not a coincidence. The same year witnessed a noticeable increase in domestic and international pressures on the ruling regime for political reform. This context encouraged the Association of Judges to voice their concerns on judicial independence.

³⁵⁶ Dunne and Hamzawy, pp.24-25.

³⁵⁷ Nathalie Bernard-Maugiron. “Judges as Reform Advocates: A Lost Battle?”, **Political and Social Protest in Egypt**, (Ed. Nicholas S. Hopkins), The American University in Cairo Press, Cairo, 2009, p.62.

³⁵⁸ Dunne and Hamzawy, p. 25.

³⁵⁹ Dunne and Hamzawy, p. 25.

³⁶⁰ Bernard-Maugiron, p.70.

blow to judges, whose bargaining power vis-à-vis the government was destroyed. Overall, lack of judicial independence had been a serious constraint for democratization in Mubarak-ruled Egypt and if post-Mubarak Egypt is to democratize, there is urgent need to liberate the judges from government control.

Lastly, role of the security services and military threatened the process of democratization in Egypt in a considerable way. Security services interfered into everyday life and political activity to an extent incompatible with a democratic order.³⁶¹ As Dunne and Hamzawy noted; Egyptians were “regularly required to inform security officers about political activities and discussions in which they have participated, leading to a climate of mutual suspicion”.³⁶² Senior members of the ruling party, the NDP, also used security services against their political rivals to punish and humiliate them and to prevent public support behind them.³⁶³ Besides, military has been very powerful and influential over public policy decisions in Egypt.³⁶⁴ Since the presidency of President Gamal Abdul Nasser, Egypt’s presidents had military backgrounds³⁶⁵ and these leaders kept close ties with their military base of support.³⁶⁶ There had been an implicit deal between the president and the military to serve mutual interests, that was, while presidents tried to satisfy the interests of the military members, the military leaders kept “out of the political fray”.³⁶⁷ Basheer rightfully described this situation in Egypt as “a workable accommodation between the military and political constituents”.³⁶⁸ The President was the Supreme Commander of the Army³⁶⁹ and the armed forces were not subject to parliamentary or judicial oversight.³⁷⁰ All these have prevented a fertile environment for democracy to grow in Egypt. In order to pave the way for democratization, there is need for

³⁶¹ Dunne and Hamzawy, p.35.

³⁶² Dunne and Hamzawy, p.35.

³⁶³ Dunne and Hamzawy, p.36.

³⁶⁴ Jamil E. Jreisat, **Politics Without Process: Administering Development in the Arab World**, Lynne Rienner Publishers, London, 1997, p.94.

³⁶⁵ There are expectations for the civilianization of presidency in Egypt after Husni Mubarak’s term in office comes to an end in near future.

³⁶⁶ John Waterbury, “Whence Will Come Egypt’s Future Leadership?”, **Egypt at the Crossroads: Domestic Stability and Regional Role**, (Ed. Phebe Marr), National Defense University Press, Washington D.C., 1999, (Future Leadership), p.17.

³⁶⁷ Jreisat, p. 94.

³⁶⁸ Basheer, p.5.

³⁶⁹ Basheer, p.5.

³⁷⁰ Dunne and Hamzawy, p.36.

bringing the intimate relation both between politics and security services and between politics and the military to an end in post-Mubarak Egypt.

Table 6: Major Obstacles to Democratization in Egypt under Mubarak Regime

Major Obstacles to Democratization in Egypt*
• centralized political authority
• weakness of political opposition
• continuation of emergency law
• lack of fair and transparent elections
• restrictions on freedom of expression and association
• lack of judicial independence
• role of the security services and the military

* Major obstacles to democratization prior to the Arab Spring are taken into consideration in this table.

2.2. CASE OF MOROCCO

2.2.1. Moroccan Political Context: An Overview

Morocco became a protectorate of France in 1912 and remained under the French rule for forty-four years.³⁷¹ In 1956, Morocco gained its independence under King Mohammed V (1956-1961) -a charismatic leader who led the nationalist struggle- when France formally recognized sovereignty of the kingdom through an agreement.³⁷² King Mohammed V reestablished the Moroccan state as a consultative monarchy and set up the Consultative National Assembly. The Consultative National Assembly included representatives from diverse political parties such as Istiqlal, Independence Democratic Party and Liberal Independents Party, as well as

³⁷¹ Mohamed Tozy, "Islamists, Technocrats and the Palace," *Journal of Democracy*, Vol:19, No:1, January 2008, p. 34 and Omar Bendourou, "Power and Opposition in Morocco", **Journal of Democracy**, Vol:7, No:3, 1996, p.108.

³⁷² Pierre Hazan, "Morocco: Betting on a Truth and Reconciliation Commission", **United States Institute of Peace**, Special Report, No.165, July 2006, <http://www.usip.org/files/resources/sr165.pdf> (12.11.2009), p.2.

representatives from associations, religious and professional groups.³⁷³ Representatives of the assembly were chosen by the king himself and thus the Assembly had no real power other than ratifying the king's decisions at the time.³⁷⁴

Moroccan political system has been based on a “mix of authenticity and modernity” since the rule of King Mohammed V³⁷⁵. It is authentic since legitimacy of the king stems from religious sources. Because of being descendent of the Prophet Mohammed, Moroccan king is regarded as the religious leader of Muslim community (‘commander of the faithful’/’*amir al-mu’minin*’) and he is above the constitution.³⁷⁶ Traditional legitimacy grants the king vast powers. He is both supreme head of the country and commander of the armed forces. He also controls executive, legislature and judiciary. In fact, not only the King but the elite surrounding him, namely the makhzen³⁷⁷, enjoy great powers over the system. As it is pointed out many important decisions are made by the makhzen, “which constitutes informal yet powerful behavioral institutions and power sources”.³⁷⁸

Other than its authenticity, Moroccan political context can be defined as modern since it has been a multiparty system from the time when it became independent. National-liberation parties, such as Istiqlal and the Socialist Union of Popular Forces (USFP) constituted major opposition forces during the rule of King Mohammad V. Fierce power struggles occurred between the monarchy and the nationalist movement, but King Mohammed V did not allow any party to challenge its supremacy.³⁷⁹ Thus, political parties had to join coalition governments operating under pro-monarchy formations.³⁸⁰ As a result, although dominance of the king and the makhzen limited functioning of political parties, opposition forces have matured

³⁷³ Bahgat Korany, “Monarchical Islam with a Democratic Veneer: Morocco”, **Political Liberalization and Democratization in the Arab World Vol. 2: Comparative Exercises**, (Eds. Bahgat Korany, Rex Brynen and Paul Noble), Lynne Rienner Publishers, London, 1998, (Monarchical Islam), p.165.

³⁷⁴ Jamal, p.101.

³⁷⁵ Korany, Monarchical Islam, p.158.

³⁷⁶ Azzedine Layachi, **State, Society and Democracy in Morocco: The Limits of Associative Life**. The Center for Contemporary Arab Studies - Georgetown University, Washington DC, 1998, p.29.

³⁷⁷ Makhzen, the Arabic word for storehouse, denotes ruling elites and networks of power surrounding the king in the Moroccan political context.

³⁷⁸ Layachi, p.31.

³⁷⁹ Tozy, p.34.

³⁸⁰ Layachi, p.29.

significantly through time and they have been active components of the system since 1956.³⁸¹

After death of Mohammad V, his son Hassan II (1961-1999) came to power in 1961. Hassan II lacked charismatic appeal of his father, and thus he adopted other means to consolidate his power.³⁸² Authoritarian policies marked his reign until the end of the Cold War in 1989. He tried to neutralize any opposition to his power in this period through a number of tactics. Through mobilization of influential traditional networks including “tribal chiefs, rural notables, Sufi orders, prominent urban families, and the like” Hassan II reinforced his control.³⁸³ He mainly used clientelism and co-optation to pacify his opponents. When these pacification methods did not bear fruit he did not hesitate to utilize bullying means. As Hazan notes, Hassan II put security services under his direct control which were responsible for the “disappearance of hundreds of political opponents and the torture of thousands”.³⁸⁴

A significant development that marked early years of Hassan II’s rule was the adoption of 1962 constitution.³⁸⁵ Although the 1962 constitution seemed to set up a ‘constitutional, social, democratic’ monarchy on the surface, in reality concentrating power in the hands of the monarch, it led to further centralization of power in the political context.³⁸⁶ With the 1962 constitution, Moroccan Parliament gained a bicameral composition.³⁸⁷ While its bicameral form turned Moroccan parliament into

³⁸¹ Halima El-Glaoui, “Contributing to a Culture of Debate in Morocco,” **Journal of Democracy**, Vol:10, No:1, 1999, p.158.

³⁸² Layachi, p.29.

³⁸³ Abdeslam M. Maghraoui, “Depoliticization in Morocco”, **Journal of Democracy**, Vol:13, No:4, October 2002, (Depoliticization), p.28.

³⁸⁴ Hazan, p.2.

³⁸⁵ Hassan II had to make amendments on the 1962 constitution four times in 1970, 1972, 1992 and 1996 respectively to ease public pressure for reform. For more details see Jamal, pp.101-102.

³⁸⁶ Bechir Chourou, “The Challenge of Democracy in North Africa”, **The European Union and Democracy Promotion: The Case of North Africa**, (Ed. Richard Gillespie and Richard Youngs), Frank Cass Publishers, London, 2002, p.20.

³⁸⁷ While 1970 amendment on the constitution turned the parliament into a unicameral structure, 1996 amendment restored the bicameral structure with two chambers. The Assembly of Representatives (‘Majlis Al-Nuwwab’) constitutes the lower house whereas the Assembly of Counselors / the Senate (Majlis Al-Moustasharin) constitutes the upper house. In the current parliament there are 325 members in the Assembly of Representatives (directly elected by citizens for five-year terms) and 270 members in the Assembly of Counselors (indirectly elected for nine-year terms). For more details, view the web site of the Moroccan Ministry of Foreign affairs & Cooperation at <http://www.maec.gov.ma/en/default.html> and Andrew Barwig, “How electoral rules matter: voter turnout in Morocco’s 2007 parliamentary elections”, **The Journal of North African Studies**, Vol:14, No:2, 2009, p.293.

a more representative entity with its directly elected members for the lower house, the same constitution granted the king the right to dissolve parliament and legislate during recess.³⁸⁸ In addition, with the 1962 constitution, the monarch can declare state of emergency and revise the constitution by submitting amendments to a national referendum.³⁸⁹

Hassan II successfully revived the question of Western Sahara to ease public pressure for political reform. In 1975, he initiated a campaign namely the Green March³⁹⁰ declaring “his country’s claim to the formerly Moroccan provinces of the Western Sahara”.³⁹¹ By emphasizing external danger, he aroused national sentiment among Moroccans and united them around the theme of territorial integrity.³⁹² In fact, the Green March was not only a campaign to win back Morocco’s former territories. Carefully planned, it was a tactical political move by Hassan II to remove the issue of reform from the political agenda and to consolidate his legitimacy. Bendourou describes this campaign as follows: “It was every bit as much a political gambit meant to rouse popular enthusiasm for the monarchy, and indeed many Moroccans interpreted its success as a sign of divine favor toward the king”.³⁹³

King Hassan continued to rule the country with an iron fist until the end of the Cold War through repression of political opponents and suppression of rural and urban riots.³⁹⁴ Following the end of the Cold War, faced with changing international environment and increasing internal and external pressures, Hassan II had to respond by adopting a series of reform measures. Internally, on the one hand urban riots were taking place, whereas on the other opposition parties begun raising their demands in

³⁸⁸ Jamal, p.102.

³⁸⁹ Jamal, p.102.

³⁹⁰ Since its independence, Morocco had been asserting its right over territories in the Western Sahara occupied by Spain in the late nineteenth century. Green March was a peaceful campaign to remind Morocco’s claim to these territories on its southwestern border. Approximately 300,000 unarmed Moroccans gathered and marched into these territories. This mass demonstration was highly influential in persuading Spain to sit on the table with Morocco to discuss the fate of these lands. For more details see Bendourou, p.111.

³⁹¹ Maghraoui, *Depoliticization*, pp.28-29.

³⁹² Malika Zeghal, **Islamism in Morocco: Religion, Authoritarianism and Electoral Politics**, Markus Wiener Publishers, Princeton, 2009, p.156.

³⁹³ Bendourou, p.111.

³⁹⁴ Dafna Hochman, “Divergent Democratization: The Paths of Tunisia, Morocco and Mauritania”, **Middle East Policy**, Vol:14, No:4, Winter 2007, p.69.

an effective way as they united their forces under the umbrella of the ‘Koutla’³⁹⁵ bloc.³⁹⁶ On the external front, there was growing criticism of human rights conditions in Morocco by the international community which was expressed loudly particularly by the European Commission and the European Parliament.³⁹⁷ King Hassan’s reform initiatives marked an era of political liberalization in Morocco. These reform initiatives included constitutional amendments, improvement of human rights conditions and releasing of a significant number of political prisoners.

Considering constitutional amendments, in 1992 there was a major amendment contributing to a greater diffusion of power throughout the political system.³⁹⁸ A leading revision was about formally granting executive powers to the government and parliament increasing the prerogatives of parliament in its relations with the government.³⁹⁹ For the first time, parliament was given authority to approve a new government appointed by the king, and to reject a government through a vote of no confidence.⁴⁰⁰ Prime Minister was also empowered to have more authority over the cabinet through the selection of his/her ministers.⁴⁰¹ Thus, through amendment of the constitution in 1992 prime minister was granted “more leeway to set and implement the country’s agenda”.⁴⁰² Constitutional amendment of 1996 was another critical move by the King toward a more representative political system. Restoring bicameral structure of the parliament, 1996 amendment provided direct election of all members of the lower house (Chamber of Representatives) who were granted power to approve the cabinet upon the presentation of its programme.⁴⁰³

About human rights, Hassan II established the Moroccan Organization of Human Rights (OMDH) in 1988 which helped to place the issue of human rights on

³⁹⁵ Koutla, the Arabic word for coalition, is the name of the coalition of three parties: the Istiqlal, the USFP and the Party of Progress and Socialism.

³⁹⁶ Bradford Dillman, “The European Union and Democratization in Morocco”, **The European Union and Democratization**, (Ed. Paul J. Kubicek), Routledge, London, 2003, (The European Union), p.176.

³⁹⁷ Hochman, p.69 and Dillman, The European Union, p.176.

³⁹⁸ Guilain Denoeux and Abdeslam Maghraoui, “King Hassan’s Strategy of Political Dualism”, **Middle East Policy**, Vol:5, No:4, January 1998, p.108.

³⁹⁹ Zeghal, p.157 and Layachi, p.28.

⁴⁰⁰ Maghraoui Depoliticization, p.30 and Zeghal, p.157.

⁴⁰¹ Before 1992 constitutional revision the King was choosing the ministers as the cabinet was under the authority of the king.

⁴⁰² Denoeux and Maghraoui, p.108.

⁴⁰³ Denoeux and Maghraoui, p.113.

the public agenda.⁴⁰⁴ Two years later, on May 1990 he announced formation of a Consultative Council on Human Rights (Conseil Consultatif des Droits de l'Homme) (CCDH) to investigate human rights violations.⁴⁰⁵ Finally, in 1993 the King formed a Ministry of Human Rights.⁴⁰⁶ These initiatives turned a new page on human rights practices in Morocco as a clear decline was observed in human rights violations starting with early 1990s.⁴⁰⁷ In addition to constitutional amendments and initiatives in the field of human rights, Hassan II pardoned a large number of political prisoners ordering their mass release in 1991, 1994⁴⁰⁸ and 1998.⁴⁰⁹

Equally important as these reform initiatives was the compromising attitude of the King on a number of issues following 1997 parliamentary elections, since it led to some opening in the political system. After the 1997 elections, other than loyalist parties, Hassan II invited traditional opposition parties; the Istiqlal and the socialist USFP to form a coalition government which was called the 'alternance'.⁴¹⁰ For the first time, he appointed a figure from the opposition, Abderrahmane Youssoufi - a former leftist dissident and a leading member of the USFP⁴¹¹ as the prime minister to lead the alternance.⁴¹² Storm refers to this development as follows, "By appointing Youssoufi as prime minister, Hassan II had chosen to break with tradition and base the new government on the parties of the traditional opposition".⁴¹³ In addition to alternance, legislative elections of 1997 marked a positive step toward political liberalization as it saw the inclusion of main Islamist groups.⁴¹⁴ The Palace

⁴⁰⁴ Denoeux and Maghraoui, p.115.

⁴⁰⁵ Mohammad-Mahmoud Mohamedou. "The Rise and Fall of Democratization in the Maghreb", **Middle East and North Africa: Governance, Democratization and Human Rights**, (Ed. Paul J. Magnarella), Ashgate, Aldershot, 1999, pp.226-227.

⁴⁰⁶ Said Haddadi, "Two Cheers for Whom? The European Union and Democratization in Morocco", **The European Union and Democracy Promotion: The Case of North Africa**, (Eds. Richard Gillespie and Richard Youngs), Frank Cass Publishers, London, 2002, (Two Cheers), p.156.

⁴⁰⁷ Mohamedou. pp.226-227.

⁴⁰⁸ He announced his intention to release political prisoners on his sixty-fifth birthday on July 8, 1994. For more details see Denoeux and Maghraoui 1998, p.117.

⁴⁰⁹ Haddadi, Two Cheers, p.150.

⁴¹⁰ Alternance meant the alternation of power. Michael McFaul and Tamara Cofman Wittes, "The Limits of Limited Reforms", **Journal of Democracy**, Vol:19, No:1, January 2008, p.27.

⁴¹¹ USFP won the majority of the seats in the lower house of the parliament during 1997 parliamentary elections.

⁴¹² Farid Boussaid, "The Rise of the PAM in Morocco: Trampling the Political Scene or Stumbling into it?", **Mediterranean Politics**, Vol:14, No:3, November 2009, p.414 and Layachi, p.29.

⁴¹³ Lise Storm, **Democratization in Morocco: The Political Elite and Struggles for Power in the Post-Independence State**, Routledge, London, 2007, (Democratization), p.84.

⁴¹⁴ Prior to 1997 parliamentary elections Islamists were excluded from any electoral process.

for the first time allowed participation of Islamists in politics through 1997 elections.⁴¹⁵

Reform process initiated by King Hassan II during 1990s has been continued by his son Mohammad VI (1999-present) – a young, Western-educated leader-following Hassan’s death in 1999. Ascending to the throne in 1999, Mohammad VI expressed his desire to accelerate Morocco’s experience with political liberalization. Major reforms introduced by Mohammad VI included further improvement of human rights conditions, promotion of the rule of law, more political and civic freedoms and a new family code (Mudawana).⁴¹⁶ Through liberalization policies Mohammad VI granted more freedom to civil society organizations and the press. Moreover, he expanded authority of parliament and allowed for more transparent elections.

On the whole, while Mohammad VI’s reign has witnessed genuine reform particularly in the field of human rights, no real change has occurred in favor of democratic transformation. Ottaway and Riley note that measures adopted by King Mohammad “intended to introduce limited change in very specific areas rather than stimulate a sustained process of democratic transformation”.⁴¹⁷ Like his father, Mohammad VI followed a path of top-down reform which has contributed to consolidation of monarchical control. Thus, Moroccan political realm has continued to suffer from clientelism and co-optation.⁴¹⁸ Political actors who give support to regime are in return awarded with material or symbolic advantages and political appointments which intend to integrate them into royal territory.⁴¹⁹ Political liberalization under King Mohammad has not significantly weakened power of the makhzen as well.⁴²⁰

⁴¹⁵ Islamist group Al Islah wa Attawhid was allowed to take part in the 1997 parliamentary elections under the banner of the Mouvement Populaire Constitutionnel Démocratique (MPCD) which won nine seats in the lower house. Later, MPDC was transformed into Justice and Development Party (JDP) underlining its Islamist tendency. For more details see Boussaid, p.414 and Haddadi, Two Cheers, p.157.

⁴¹⁶ These reform measures are analyzed in details in chapter four.

⁴¹⁷ Marina Ottaway and Meredith Riley, “Morocco: Top-Down Reform Without Democratic Transition”, **Beyond the Façade: Political Reform in the Arab World**, (Eds. Marina Ottaway and Julia Choucair-Vizoso), Carnegie Endowment for International Peace, Washington D.C., 2008, p.161.

⁴¹⁸ Youngs, The European Union, p.49.

⁴¹⁹ Zeghal, p.156.

⁴²⁰ Youngs, The European Union, p.49.

2.2.2. Internal Calls for Political Reform

2.2.2.1. Civil Society

Cultural regional associations including Ribat Al Fath, Fes-Saiss, Bou Regrag and Souss-Casablanca gave rise to Moroccan associational life in its modern form during the mid-1980s.⁴²¹ By and large established by individuals close to the palace, these associations operated in the fields of socio-cultural development, the environment, arts and sports.⁴²² With political liberalization in the early 1990s, Moroccan civil society started to experience a considerable increase both in quantity and quality. Political opening of the early 1990s has led civil society organizations to exhibit increasing activity, launching pressure campaigns on the regime mainly in the field of human rights.⁴²³ Particularly after the death of Hassan II, respect for civil liberties was improved including freedom of association and freedom of assembly.⁴²⁴

Associations addressing a wide variety of issues including human rights, women rights, religion, socio-economic development, health, children and civic education constitute the largest segment of civil society in Morocco.⁴²⁵ Today, it is estimated that between 30,000 and 80,000 associations are registered in Morocco, making it the leader in the region.⁴²⁶ Other than associations, labour and trade unions are also components of Moroccan civil society. Currently, there are 17 labour and trade unions in Morocco.⁴²⁷ Thus, Moroccan civil society is known for being vibrant and relatively free when compared with other countries in the region.⁴²⁸ Yet, as

⁴²¹ Haddadi, *Two Cheers*, p.160.

⁴²² Haddadi, *Two Cheers*, p.160.

⁴²³ James N Sater, "Reforming the Rule of Law in Morocco: Multiple Meanings and Problematic Realities", *Mediterranean Politics*, Vol:14, No:2, July 2009, p.188.

⁴²⁴ Storm, *Democratization*, p.113.

⁴²⁵ Said Haddadi, "The EMP and Morocco: Diverging Political Agendas?", *Euro-Mediterranean Relations after September 11: International, Regional and Domestic Dynamics*, (Ed. Annette Junemann), Frank Cass Publishers, London, 2004, p.81.

⁴²⁶ Kristina Kausch, "Morocco: Negotiating Change with the Makhzen", *FRIDE: A European Think Tank for Global Action* (Working Paper), February 2008, (Negotiating Change), <http://www.fride.org/publication/391/morocco:-negotiating-change-with-the-makhzen> (11.03.2010), p.3.

⁴²⁷ Kausch, *Negotiating Change*, p.3.

⁴²⁸ Kristina Kausch, "How serious is the EU about supporting democracy and human rights in Morocco?", *FRIDE: A European Think Tank for Global Action* (Working Paper), May 2008, (How Serious) <http://www.fride.org/publication/431/how-serious-is-the-eu-about-supporting-democracy-and-human-rights-in-morocco> (10.03.2010), p.3.

Dimitrovova notes, it would be mistaken to consider its transformation ‘complete’ since there are a number of limitations regarding its functioning which will be explained below.⁴²⁹

Freedom of association is guaranteed by the Constitution which is clearly stated in Article 9 as follows: “The constitution shall guarantee all citizens the following: freedom of association, and the freedom to belong to any union or political group of their choice. No limitation, except by law, shall be put to the exercise of such freedoms.”⁴³⁰ Associational activities are regulated by the association law which is based on the royal decree of November 1958 and took its final shape in 2002 through a major amendment.⁴³¹ In order for an association to function, it needs to acquire a status of legal entity through official registration by the Ministry of Interior.⁴³²

Civil society organizations focusing on human rights and women’s rights constitute the most significant forces putting pressure on the monarch for reform. These organizations have demonstrated impressive performance in their respective areas. Human rights organizations have played a critical role in expansion of basic freedoms making human rights violations of the state a matter of public discussion.⁴³³ For instance, the Moroccan Association for Human Rights (AMDH) has been a determined actor “in its struggle for basic freedoms, as set forth in the Universal Declaration of Human Rights”.⁴³⁴ Women’s rights organizations⁴³⁵ were influential as well in advocating emancipation of women and negotiating reform of the Family Law (Mudawana). It is pointed out that women’s rights organizations are “one of the most organized sectors of civil society in Morocco” owing their strength

⁴²⁹ Bohdana Dimitrovova, “Reshaping Civil Society in Morocco: Boundary Setting, Integration and Consolidation”, **CEPS (Center for European Policy Studies) Working Document**, No:323, December 2009, <http://www.ceps.eu/book/reshaping-civil-society-morocco-boundary-setting-integration-and-consolidation> (01.12.2010), p.3.

⁴³⁰ “Constitution of the Kingdom of Morocco” at the Official Web Site of Moroccan Ministry of Foreign Affairs and Cooperation, <http://www.maec.gov.ma/en/default.html> (12.03.2011).

⁴³¹ 2002 amendment had a liberalizing impact on the law through a series of measures such as enhanced financial capacity for registered associations. For more details see Kausch, *Negotiating Change*, p.4.

⁴³² Kausch, *Negotiating Change*, p.5.

⁴³³ Ottaway and Riley, p.167.

⁴³⁴ Marvine Howe, **Morocco: The Islamist Awakening and Other Challenges**, Oxford University Press, Oxford, 2005, p.360.

⁴³⁵ There are more than 30 women’s rights organizations in Morocco. Dimitrovova, p.6.

to their firm struggle to change the mudawana.⁴³⁶ For instance, the Democratic Association of Moroccan Women (Association Democratique des Femmes du Maroc, ADFM) was a leading actor in the battle for reforming the mudawana.⁴³⁷

Civil society organizations addressing socio-economic issues have also become active in recent years due to relative inability of the Moroccan state to provide basic socio-economic rights to its citizens.⁴³⁸ Deteriorating socio-economic conditions has led to an increasing number of civil society organizations to become social welfare providers. Islamic charity organizations have been leading providers of many basic services. In fact, these organizations were established in 1970s in response to country's multiple economic, political, and ideological crises.⁴³⁹ Despite attempts of the regime to weaken these organizations through a number of means such as excluding most of them from Western financial assistance, they have remained as considerable elements Moroccan civil society.⁴⁴⁰

While Moroccan civil society has a reputation for being relatively free in the region, limitations to free associative life still exist. Mainly, there are three obstacles. One of them is about difficulties with respect to the process of registration. It is pointed out that unnecessarily complicated procedures such as demand for too many documents –“some of which are difficult to attain”- constitute a noticeable barrier to registration.⁴⁴¹ Associations which apply for registration, are subjected to many legal inquiries regarding their structure, objective, and functioning.⁴⁴² They are denied formal authorization if they are thought to challenge the Kingdom by adopting a contradictory attitude toward sensitive issues such as national territorial integrity (particularly regarding the question of Western Sahara), legitimacy of the King and the primacy of Islam.⁴⁴³ A number of Islamist or leftist organizations have been rejected registration by the authorities on the grounds that they constitute threat to the territorial integrity of Morocco.⁴⁴⁴ The length of the legalization process is another

⁴³⁶ Anna Khakee, “Assessing Democracy Assistance: Morocco”, **FRIDE** (Project Report), May 2010, <http://www.fride.org/publication/780/morocco> (07.05.2010), p.7.

⁴³⁷ Dimitrovova, p.6.

⁴³⁸ Dimitrovova, p 10.

⁴³⁹ Korany, Monarchical Islam, p.164.

⁴⁴⁰ Dimitrovova, p 10.

⁴⁴¹ Kausch , Negotiating Change, p.10.

⁴⁴² Korany, Monarchical Islam, p.174.

⁴⁴³ Kausch, Negotiating Change, p.11.

⁴⁴⁴ Storm, Democratization, p.113.

difficulty, which civil society organizations face in Morocco. Jamal argues that the length of the legalization process changes according to the regime's approach to organization in question as pro-regime associations are likely to enjoy legal status in clearly shorter periods of time.⁴⁴⁵ The monarchy also does not approve the application of organizations whose objectives challenge its authority. For instance, application of Transparency Maroc (TM), - an organization whose activities concentrate on fighting corruption in Morocco – was refused between years 1996 and 1998.⁴⁴⁶

Another barrier to free associative life in Morocco is the clientelization of civil society.⁴⁴⁷ The Moroccan state has penetrated into civil society through its manipulation of the allocation of financial resources. While it has provided financial support to pro-regime organizations, associations that are critical of the regime “not only receive no support but are actively obstructed”.⁴⁴⁸ State control over associations can even be direct in some cases. While some organizations are directed by the makhzen,⁴⁴⁹ the state itself established a number of pro-regime associations appointing faithful individuals as directors and providing financial and infrastructural support for them.⁴⁵⁰ Ironically, this dependency has led to creation of new terminology in the literature labeling these regime-created organizations as GONGOs (governmental nongovernmental organizations) or NGGOs (nongovernmental governmental organizations).⁴⁵¹ For instance; the Foundation, Mohammed VI for Solidarity, is one of these organizations which received a significant amount of public NGO funding.⁴⁵²

Restrictions on fundraising have also impeded associational life in Morocco. Civil society organizations that are not close to the government such as Islamist and leftist associations have been exposed to discrimination by the regime regarding the

⁴⁴⁵ Jamal, p.97.

⁴⁴⁶ Jamal, pp.96-97.

⁴⁴⁷ Korany, Monarchical Islam, pp.174-175.

⁴⁴⁸ Jamal, p.98.

⁴⁴⁹ Dimitrovova, p.14.

⁴⁵⁰ Korany, Monarchical Islam, pp.174-175.

⁴⁵¹ See Korany, Monarchical Islam, pp.174-175 and Kristina Kausch, “Morocco: Smart Authoritarianism Refined,” **Democracy’s Plight in the European Neighbourhood: Struggling Transitions and Proliferating Dynasties**, (Eds. Michael Emerson and Richard Youngs), Centre for European Policy Studies, Brussels, 2009, (Smart Authoritarianism), p.142.

⁴⁵² Kausch, Smart Authoritarianism, p.142.

distribution of public funds.⁴⁵³ To put it differently, organizations which do not meet expectations of the palace have been deprived of financial resources.⁴⁵⁴ At the same time, foreign funding to civil society organizations is closely controlled. Associations have to report any foreign fund within 30 days of its receipt indicating the amount, the donor and the purpose of funding.⁴⁵⁵

Notwithstanding these existing difficulties challenging the associative life, Morocco has seen a considerable increase in the number of nongovernmental organizations under the rule of current King. Since Mohammed VI came to power, formation of secular associations has been encouraged by the regime, and thus it led to development of a significant network of secular civil society organizations.⁴⁵⁶ It is also pointed out that during Mohammad VI's reign, engagement between civil society actors and the regime has been intensified.⁴⁵⁷ As a result, civil society organizations particularly operating in the fields of human rights and women's rights have been successful in putting pressure on the regime for reform. Yet, it would be misleading to suggest that reform came just because those organizations have acted in a determined manner. As Entelis rightly puts forward, ability of civil society organizations to influence reform agenda is directly related with monarchical priorities and preferences.⁴⁵⁸ As the case of amendment of the family code in 2004 clearly demonstrated "it was under the king's initiative and insistence that a fundamental change in women's rights was achieved, however much progressive women's groups had been in the forefront of pressing for the revision of the code".⁴⁵⁹ It has also been a part of King Mohammad's strategy to promote Morocco's image in the international realm.

Despite promising developments regarding associative life in Morocco particularly during the last decade, a real transformation of civil society has not been achieved yet. Restrictions continue to hinder activities of civil society organizations that have expressed their criticisms for the regime. Like the previous regime, the

⁴⁵³ Kausch, *Negotiating Change*, p.11.

⁴⁵⁴ Jamal, p.97.

⁴⁵⁵ Kausch, *Negotiating Change*, p.6 and Kausch, *Smart Authoritarianism*, p.142.

⁴⁵⁶ Ottaway and Riley, pp.184-185.

⁴⁵⁷ Jamal, pp.110-111.

⁴⁵⁸ John P. Entelis, "The Unchanging Politics of North Africa", *Middle East Policy*, Vol:14, No:4, Winter 2007, p.36.

⁴⁵⁹ Entelis, p.36.

current regime has continued to impose its influence over associations through rewarding followers on the one hand, whereas punishing dissenters on the other.⁴⁶⁰ Ironically, the ruling regime has also created its own civil society organizations like the Mohammed VI Foundation, which have funded various projects aimed at “keeping would-be oppositional civil society sectors under the firm control of the regime”.⁴⁶¹

Table 7: Civil Society Profile in Morocco

	Civil Society in Morocco
Strength	<ul style="list-style-type: none"> • relatively more powerful and vibrant than others in the region. • increased ability of civil society organizations to influence political agenda under the rule of King Mohammad VI
Freedom	<ul style="list-style-type: none"> • limitations to free associative life exist including process of registration, clientelization of civil society and restrictions on fundraising
Leading Components	<ul style="list-style-type: none"> • pro-democracy groups such as human and women’s rights organizations constitute the most significant segment of civil society • service providing civil society organizations run by Islamists are significant

2.2.2.2. Islamists

There are a number of factors including weak economic growth, social inequality, poverty, growing unemployment and lack of trust in the governing institutions behind increasing appeal for Islamist movements in the Kingdom of Morocco.⁴⁶² Islamist movements have been successful in expressing the frustration of Moroccans regarding socio-economic difficulties. Moderate Islamism in Morocco is represented by two groups; the Party of Justice and Development (PJD)⁴⁶³ led by Saad Eddine Othmani and the Association for Justice and Charity (JC)⁴⁶⁴ led by

⁴⁶⁰ Jamal, p.100.

⁴⁶¹ Jamal, p.110.

⁴⁶² Hazan, pp.1-3.

⁴⁶³ Hizb al-Adala wa'l-Tanmiya is the Arabic name for the PJD.

⁴⁶⁴ Al-Adl wal-Ihsan is the Arabic name for the JC.

Abdessalam Yassine while radical Islamism is mainly represented by the Islamic Combatant Group (ICG).

As a moderate Islamist, the PJD was born out of a religious movement namely al-Tawhid wal Islah (Unity and Reform).⁴⁶⁵ Al-Tawhid wal Islah leaders negotiated and agreed with Abdul Karim al-Khatib, leader of the Democratic and Constitutional Popular Movement (MPDC)⁴⁶⁶ in 1997 to join his party.⁴⁶⁷ Upon the approval of Hassan II, Al-Tawhid wal Islah members were able to participate into politics through merging forces with the MPDC.⁴⁶⁸ Contesting 1997 legislative elections the MPDC won 9 out of 325 seats, which at the same time marked the entry of the Islamists into the parliament.⁴⁶⁹ In 1998, the MPDC changed its name to the Party for Justice and Development, and since then PJD has become the largest Islamist party in the country.⁴⁷⁰

The PJD has been a pragmatic, patient and cautious player in the political system. Modeling itself largely on the example of the Justice and Development Party in Turkey, the PJD has perceived “management of local affairs the first step toward participation in a national government”.⁴⁷¹ Emphasizing party’s moderate, non-violent and non-revolutionary structure, the PJD representatives have carefully stated their complete recognition of the existing monarchical political order at every instance.⁴⁷² On PJD’s approach to Moroccan monarchical order, Amghar notes: “the

⁴⁶⁵ Al-Tawhid wal Islah - which had its roots in a radical Islamist youth group called Shabiba Islamiyya - was formed in 1996. The group was recognized as a legitimate association by the regime. Yet, al-Tawhid wal Islah was denied registration to enter electoral process as an official political party despite years of attempt to distance itself from Islamist militant elements renouncing violence at all times. See Amr Hamzawy, “Party for Justice and Development in Morocco: Participation and Its Discontents”, **Carnegie Endowment for International Peace Papers**, No:93, July 2008, (Party for Justice and Development), <http://www.carnegieendowment.org/2008/07/23/party-for-justice-and-development-in-morocco-participation-and-its-discontents/a4m> (12.10.2010), pp.7-8 and Ottaway and Riley, p.177.

⁴⁶⁶ The Democratic Constitutional Movement is a political party which was established in 1967 but had not been an active player in the political scene for many years. See Hamzawy, Party for Justice and Development, p.8.

⁴⁶⁷ Hamzawy, Party for Justice and Development, p.8.

⁴⁶⁸ McFaul and Wittes, p.26 and Ottaway and Riley, p.178.

⁴⁶⁹ Hamzawy, Party for Justice and Development, p.1 and Zeghal, p.180.

⁴⁷⁰ Establishment of the PJD coincided with King Hassan’s liberalization of the political system in the mid-1990s. In such a political context, Hassan II allowed the integration of an Islamist party to political system. For more details see Clement M. Henry, “The Dialectics of Political Islam in North Africa,” **Middle East Policy**, Vol:14, No:4, Winter 2007, p.91 and Ottaway and Riley, p.178 and Hamzawy, Party for Justice and Development, p.8 and Zeghal, p.xix.

⁴⁷¹ Zeghal, p.186.

⁴⁷² Kristina Kausch, “An Islamist Government in Morocco?”, **FRIDE** (Democracy Background), July 2007, (An Islamist Government),

PJD does not call into question the Moroccan kingdom's political foundations. The party is pro-monarchist and does not endorse a revolutionary rhetoric of social change aimed at creating an Islamic state."⁴⁷³ While the PJD has exhibited a compromising stance in accepting the legitimacy of the King and the political system it has represented, the PJD members have not hesitated to criticize some of its policies. Neither have they hesitated to hide their Islamic tendency. For instance, they opposed all proposed measures which they thought would weaken the Muslim character of the monarchy.⁴⁷⁴ They have clearly opted for preserving Moroccan society's Islamic identity through legislative and institutional means.⁴⁷⁵ PJD members' touch on religious issues included "non-Islamic banking, alcohol consumption, Islamic education, immoral practices in the tourism industry, and reforming the cinema industry to ensure that it complied with Islamic teachings".⁴⁷⁶

In 2002, the PJD was allowed to contest the parliamentary elections, whereas all other Islamist organizations were excluded from that electoral process. It was largely due to the fact that the PJD was the only Islamist party which demonstrated its willingness to accommodate the existing system, and ready to negotiate on things through bargaining with the palace.⁴⁷⁷ Storm correctly observes: "By striking the deal with the makhzen, the PJD became the first Islamist party ever allowed to contest the parliamentary elections...Had the PJD not entered into a pact with the regime, there is no doubt that the party would have been banned from contesting the elections".⁴⁷⁸ In September 2002 legislative elections, the PJD limited the number of districts in which it competed, in order not to alarm the king.⁴⁷⁹ During electoral campaign, it just presented candidates in 56 percent of the electoral districts.⁴⁸⁰ Despite its limitation on the number of candidates, the PJD won an impressive success gaining 43 out of 325 seats in the parliament and became the third largest

<http://www.fride.org/publication/129/an-islamist-government-in-morocco?> (14.02.2010), p.1.

⁴⁷³ Samir Amghar, "Morocco", **Political Islam and European Foreign Policy: Perspectives from Muslim Democrats of the Mediterranean**, (Eds. Michael Emerson and Richard Youngs), Center for European Policy Studies, Brussels, 2007, p.15.

⁴⁷⁴ Amghar, p.15.

⁴⁷⁵ Amghar, p.15.

⁴⁷⁶ Hamzawy, Party for Justice and Development, p.12.

⁴⁷⁷ Storm, Democratization, pp.87-88.

⁴⁷⁸ Storm, Democratization, p.86.

⁴⁷⁹ Ottaway and Riley, p.178.

⁴⁸⁰ Kausch, An Islamist Government, p.1.

party in the parliament.⁴⁸¹ Its success in the Casablanca was particularly significant where eleven candidates from the party were elected.⁴⁸² According to Hazan, success of the PJD would have been greater if the PJD had presented more candidates for a larger number of electoral districts.⁴⁸³

In fact, political success of the PJD has largely owed to its emphasis on transparency and accountability.⁴⁸⁴ Its relatively open and democratic internal governance has contributed to its popularity as well.⁴⁸⁵ Election of Saadeddine Othmani as the party leader⁴⁸⁶ in 2004 through a transparent internal electoral process clearly illustrates this point. Othmani's becoming secretary general of the party was also meaningful as he represented the moderate and compromising wing of the party. Under the leadership of Othmani, PJD's image as a moderate and accommodating party was reinforced. The party also became a leading venue to address socio-economic problems threatening Morocco.⁴⁸⁷ PJD's emphasis on religious issues has clearly declined in this period. Party's unexpected support for a revised family code⁴⁸⁸ was a remarkable development in this regard.⁴⁸⁹

When compared with 2002 legislative elections, the PJD exhibited a more ambitious attitude in its preparations for the next legislative elections scheduled for September 2007. Throughout the electoral campaign, candidates from the party underlined their "advanced degrees, competence and professionalism, not their religious credentials".⁴⁹⁰ As a part of its electoral strategy, it even organized a 'European electoral campaign' in April 2006 to attract the votes of those Moroccan immigrants living in Europe.⁴⁹¹ Unlike 2002 elections, the party presented candidates for all electoral districts this time declaring its willingness to take part in the

⁴⁸¹ Kausch, *An Islamist Government*, p.1.

⁴⁸² Zeghal, p.183.

⁴⁸³ Hazan, p.3.

⁴⁸⁴ Kausch, *An Islamist Government*, p.6.

⁴⁸⁵ McFaul and Wittes, p.25.

⁴⁸⁶ Abdelillah Benkirane was chosen as the secretary general of the party in July 2008 and he has been heading the party since then.

⁴⁸⁷ Hamzawy, *Party for Justice and Development*, p.9.

⁴⁸⁸ Revised family code included more liberal clauses which reinforced the role of women within the family. It was by and large opposed by Islamist groups. PJD's backing of the new version of the family code was a breakthrough with its earlier stance regarding religious issues.

⁴⁸⁹ Hamzawy, *Party for Justice and Development*, p.9.

⁴⁹⁰ McFaul and Wittes, p.26.

⁴⁹¹ Amghar, p.20.

government.⁴⁹² Despite its expectation to win majority of the votes in 2007 parliamentary elections, the PJD became the second strongest party⁴⁹³ in the parliament winning 46 seats.⁴⁹⁴ McFaul and Wittes point out that while the party performed well in 2007 elections, it was not well enough to take power and this was partly due to electoral and constitutional rules preventing them to take power.⁴⁹⁵ Accusations of co-optation were also influential behind remaining of party's performance below expectations.⁴⁹⁶

The PJD has been facing a dilemma since 2007 parliamentary elections. On the one hand, the more the party adapts to the line of the palace, the greater is the likeliness of its involvement in the decision-making process, whereas on the other hand closer relations with the palace would cause collision between the party and its base.⁴⁹⁷ Keeping this dilemma in mind the PJD leadership has been careful in adopting a moderate discourse conforming “makhzen's rules of the game” and avoiding any position that might cause direct confrontation with the regime.⁴⁹⁸ In this light, PJD deputies have frequently repeated that their party “accepts the rules of the game that it has no intention of imposing Sharia law, and that its presence in parliament serves as a barrier to Islamic radicalization”.⁴⁹⁹ Notwithstanding this overall non-oppositional stance, the PJD deputies have not avoided criticizing various government policies. They have concentrated their criticisms on leading socio economic issues such as corruption, unemployment, and poverty.⁵⁰⁰ Moreover they backed initiatives to promote transparency, accountability and better accessibility to the executive.⁵⁰¹ Amghar summarized flexible position of the party as follows: “Its positions are sufficiently flexible to allow the party to endorse various

⁴⁹² Kristina Kausch, “Elections 2007: The Most Transparent Status Quo in Moroccan History”, **Mediterranean Politics**, Vol:13, No:1, March 2008, (Elections 2007), p.80.

⁴⁹³ The Istiqlal Party won the majority of the votes in the 2007 legislative elections becoming the strongest political force in the country.

⁴⁹⁴ Kristina Kausch, “Morocco: Whitewash and Resignation,” **FRIDE** (Comment), September 2007, (Whitewash), <http://www.fride.org/publication/222/morocco:-whitewash,-resignation> (04.05.2010), p.1.

⁴⁹⁵ McFaul and Wittes, p.22.

⁴⁹⁶ Rory Miller and Andrew Bower, “The Threat from the South? The Islamist Challenge as a Factor in Euro-Moroccan Relations, 1995-2009”, **Journal of Contemporary European Studies**, Vol:18, No:4, December 2010, p.500.

⁴⁹⁷ Kausch, An Islamist Government, p.7.

⁴⁹⁸ Kausch, An Islamist Government, p.6.

⁴⁹⁹ Entelis, p.36.

⁵⁰⁰ Hamzawy, Party for Justice and Development, pp.8-9.

⁵⁰¹ Hamzawy, Party for Justice and Development, p.10.

government policies when necessary, and at the same time to criticise other government positions in order to appear as a platform for protest among militants.”⁵⁰² On the whole, the PJD has been a moderate, pragmatic actor on the Moroccan political scene which owes its success to its well-organized party structure, hard-working deputies, grassroots campaigning and its search for solutions to socio-economic needs of the population.⁵⁰³

Other than the PJD, the JC has been a significant representative of moderate Islamism in Morocco. The movement was founded in 1974 by Abdessalam Yassine, an Islamist philosopher and a charismatic leader. Invoked by Sufism and inspired by the Islamic revolution in Iran, Yassine’s aim was to turn Islamic ideas into practice through the establishment of an Islamic Caliphate.⁵⁰⁴ Yassine sent an open letter to King Hassan II in 1974, exhibiting his antagonistic position against the monarchy, criticizing the king and challenging his political and religious legitimacy.⁵⁰⁵ Rather than executing Yassine, Hassan II ordered his imprisonment not to make him “a national martyr around which a national opposition might solidify”.⁵⁰⁶ In December 1989, Yassine was released from prison and placed under house arrest.⁵⁰⁷ The movement applied for legal recognition as a political party in 1982, but rejected by the government on the grounds that the movement mixed religion and politics.⁵⁰⁸ The association was outlawed by the regime in 1990, due to its permanent conflict with the authorities.⁵⁰⁹ After coming to power, King Mohammed VI adopted a new strategy towards the movement. He ended surveillance of Yassine. Today, while the JC continues to remain outlawed and not recognized as a political party, it is tolerated as a social movement.⁵¹⁰

Organized around Yassine, the JC has undertaken the expression of social and religious anxiety in the Moroccan society as its leading mission.⁵¹¹ The movement has presented a far different stance from that of the JDP with respect to both its

⁵⁰² Amghar, p.16.

⁵⁰³ Kausch, *An Islamist Government*, p.6 and Hamzawy, *Party for Justice and Development*, p.10.

⁵⁰⁴ Hamzawy, *Party for Justice and Development*, p.8.

⁵⁰⁵ Ottaway and Riley, p.179.

⁵⁰⁶ Henry, p.90.

⁵⁰⁷ Amghar, p.15.

⁵⁰⁸ Hamzawy, *Party for Justice and Development*, p.8.

⁵⁰⁹ Amghar, p.15.

⁵¹⁰ Henry, p.88 and Hazan, p.3.

⁵¹¹ Zeghal, p.175.

ideology and its approach to monarchical order.⁵¹² Unlike the JDP which accepted the legitimacy of the monarchy, the JC has publicly rejected the legitimacy of the monarchy and called “for the elimination of the monarchy in favour of an Islamic system”.⁵¹³ As Kaush notes, this non-conformist and anti-monarchic position has led to growing open confrontation between the movement and the Palace.⁵¹⁴ Yet, despite its confrontational approach towards the king and the system it represents, the organization prefers non-violent means to spread its ideas within the society. Denouncing armed action, the JC has preferred “legalistic and pacifist action (such as demonstrations, petitions, and so forth)” to raise its criticism of the regime and to Islamicise the society.⁵¹⁵ It has been active in the educational and charitable domain. Members of the organization have highlighted the importance of spiritual education on individual and collective levels.⁵¹⁶ Because of its antagonistic approach, members of the movement have been subjected to repression by the authorities. They have faced violations of their freedom of speech, prohibition of their activities and arrest by the police on various occasions.⁵¹⁷

The movement has gained strong popular support through time, thanks to its grass-roots approach to educational and social-welfare activism.⁵¹⁸ It has been successful in reaching diverse segments of society varying from university students to marginalized rural population.⁵¹⁹ Today, it is a significant force in Moroccan society yet it is “situated outside of the political-electoral sphere”,⁵²⁰ since neither it is recognized as a legal political party nor it recognized the “legitimacy of the current political system.”⁵²¹ The organization openly criticizes the current king, Mohammed VI, and makes regular calls to boycott parliamentary and local elections.⁵²² The ruling regime has tolerated the organization’s social services and campus activism, while at the same time it has closely monitored its activities.⁵²³ Non-violent but

⁵¹² Amghar, p.16.

⁵¹³ Kausch, Elections 2007, p.81.

⁵¹⁴ Kausch, An Islamist Government, p.7.

⁵¹⁵ Amghar, p.17.

⁵¹⁶ Hamzawy, Party for Justice and Development, p.8.

⁵¹⁷ Storm, Democratization, p.110.

⁵¹⁸ Entelis, p.36.

⁵¹⁹ Kausch, Negotiating Change, p.12.

⁵²⁰ Kausch, Morocco: Negotiating Change, p.12.

⁵²¹ Hamzawy, Party for Justice and Development, p.8.

⁵²² Hamzawy, Party for Justice and Development, p.8.

⁵²³ Sharp 2006, p.12.

confrontational posture of Yassine is adopted by his daughter, Nadia Yassine, who is an influential figure in the organization.⁵²⁴ Nadia Yassine organizes regular visits to European countries to condemn the existing political system in her country and the repression which the JC has been facing.⁵²⁵

Having examined moderate Islamists, radical Islamism in Morocco will be briefly mentioned. There are a number of radical Islamist groups in Morocco, among which the Islamic Combatant Group (ICG)⁵²⁶ has constituted a major challenge to rule of the ruling regime and has attracted the most attention both in domestic and international realm through its armed violence. The ICG is a Sunni Islamist militant organization affiliated with the al-Qaeda, which has sought to destruct the monarchical order and to replace it with an Islamist regime.⁵²⁷ The organization is known to have carried out Casablanca terrorist attacks of 16 May 2003, which resulted in 33 deaths.⁵²⁸ Following Casablanca bombings members of the organization faced massive arrests and became criminals in the eyes of most Moroccans.⁵²⁹

⁵²⁴ Ottaway and Riley, p. 179.

⁵²⁵ Amghar, p.18.

⁵²⁶ ICG is regarded as a terrorist organization by various countries such as the US. It is also banned worldwide by the UN following September 11 terrorist attacks.

⁵²⁷ Hazan, p.3.

⁵²⁸ McFaul and Wittes, p.24.

⁵²⁹ Henry, p.91.

Table 8: The Party of Justice and Development in Morocco

	The PJD in Morocco
Character	<ul style="list-style-type: none"> ▪ moderate and pragmatic ▪ willing to work within existing political system ▪ never questioned the legitimacy of the regime (patient & cautious)
Background	<ul style="list-style-type: none"> ▪ established in 1990s. ▪ has been a moderate party from the beginning.
Agenda	<ul style="list-style-type: none"> ▪Islamic tendency ▪emphasis on socio-economic issues ▪commitment for democratic principles
Penetration into civil society	<ul style="list-style-type: none"> ▪ not very active
Reasons behind political success	<ul style="list-style-type: none"> ▪ well-organized administrative structure ▪good at addressing socio-economic needs of the people ▪emphasis on transparency and accountability ▪moral messages
Extent of being subject to repression	<ul style="list-style-type: none"> ▪ not exposed to any repression
Electoral record	<ul style="list-style-type: none"> ▪impressive successes in the 2000s

2.2.3. Major Obstacles to Democratization

Major obstacles to democratization in Morocco include centralized hereditary political authority, weak and fragmented political party system, anti-terrorism measures, lack of judicial independence and corruption.⁵³⁰ Firstly, while officially Morocco is a constitutional monarchy⁵³¹ where the power is expected to be shared by the king, government and parliament, ultimate authority continues to be concentrated in the hands of the king.⁵³² Kausch points out that while constitution is meant to limit and control the powers of a monarch in constitutional monarchies, Moroccan constitution can be described as a ‘monarchical constitution’ for it has protected

⁵³⁰ See Table 9.

⁵³¹ Article 1 of the 1996 constitution declares Morocco as a constitutional monarchy. See 1996 Constitution of the Kingdom of Morocco at the Official Web Site of Moroccan Ministry of Foreign Affairs and Cooperation, <http://www.maec.gov.ma/en/default.html> (12.03.2011).

⁵³² Abdeslam M. Maghraoui, “Monarchy and Political Reform in Morocco”, *Journal of Democracy*, Vol:12, No:1, January 2001, (Monarchy), p.78 and Layachi, p.28.

powers of the king.⁵³³ Article 19 of the 1996 constitution grants the king not only supreme political authority but also supreme religious authority as the Commander of the Faithful (“Amir Al-Muminin”).⁵³⁴ Declaring the king “supreme representative of the nation”, article 19 is widely interpreted as the king, not the people through their assembled representatives, is the sovereign.⁵³⁵ Article 20 of the constitution underlines the hereditary nature of the political system describing the Moroccan crown and constitutional rights as “hereditary and handed down, from father to son, to descendants in direct male line”.⁵³⁶ By order of the constitution, the king has power to appoint a prime minister and other cabinet members⁵³⁷ without taking election results into account, to terminate the government “either on his own initiative or because of their resignation”.⁵³⁸ In this regard, the government is granted a subordinate role by the constitution aimed at serving as “an instrument of the royal will”.⁵³⁹ Other than government, the king dominates legislative process since he has authority to approve and adopt legislation, to veto any parliamentary decision, to dissolve the parliament and rule by decree.⁵⁴⁰ Along with his executive and legislative powers, the king appoints governors of eighteen provinces, who exercise greater power than elected mayors in their regions.⁵⁴¹

King Mohammed VI has been reluctant to give up any of his powers to enable a more balanced distribution of power in the political system. Parliament’s legislative powers⁵⁴² have remained limited⁵⁴³, as they have been subordinated to the authority of the monarchy.⁵⁴⁴ The king controls government and parliament, not only through authority granted him by the constitution, but also through the makhzen. He

⁵³³ Kausch, *An Islamist Government*, p.3.

⁵³⁴ 1996 Constitution of the Kingdom of Morocco.

⁵³⁵ Guilain Denoëux and Helen R. Desfosses, “Rethinking the Moroccan Parliament: The Kingdom’s Legislative Development Imperative,” *The Journal of North African Studies*, Vol:12, No:1, 2007, p.98.

⁵³⁶ 1996 Constitution of the Kingdom of Morocco.

⁵³⁷ King determines heads of key ministries known as “ministries of sovereignty”: Justice, Defense, Foreign Affairs, Religious Affairs, and the Interior Ministry. See Maghraoui, *Monarchy*, p.79.

⁵³⁸ See article 24, 1996 Constitution of the Kingdom of Morocco.

⁵³⁹ Bendourou, p.110.

⁵⁴⁰ George Joffe, “Morocco’s Reform Process: Wider Implications”, *Mediterranean Politics*, Vol:14, No:2, July 2009, (Wider Implications), p.156.

⁵⁴¹ McFaul and Wittes, p.29.

⁵⁴² Legislative powers of the parliament is described by Article 46 of the constitution. For a list of Moroccan Parliament’s legislative powers view 1996 Constitution of the Kingdom of Morocco.

⁵⁴³ Dillman, *The European Union*, p.174; Maghraoui, *Monarchy*, p.79 and Kausch, *An Islamist Government*, p.3.

⁵⁴⁴ Denoëux and Desfosses, p.98.

appoints loyalists, constituting the makhzen, to critical governmental positions such as Minister of the Interior.⁵⁴⁵ Furthermore, he appoints the makhzen to key positions in other areas including media, business, economy and local administration.⁵⁴⁶ The makhzen has been a crucial institution in service of the king to control political system in Morocco. As Entelis notes, through the makhzen the king makes use of a structure of power that is parallel to constitutionally legitimated system of power represented by the parliament and the government.⁵⁴⁷ Thus, the parliament and government “execute the will of the makhzen rather than the will of the electorate”.⁵⁴⁸ In such a political context, criticism of the king and royal family remains illegal, a red line that can not be crossed in Moroccan politics.⁵⁴⁹ To conclude, centralized hereditary political authority constitutes a significant barrier to democratization, as overall concentration of power in the hands of the monarch has made him the dominant actor in the political system at expense of popular sovereignty.

Secondly, weak and fragmented political party system is another limitation to democratization in Morocco. Political parties have remained weak to make any meaningful contribution to democratization in Morocco. They have been unable to exert enough pressure on the monarchy for political reform. Storm correctly observes: “Political parties have so far served a procedural role, rather than the representative role, which is not only needed if the country is to progress to a high level of democratic development, but also expected in most democracies”.⁵⁵⁰ So far, political parties have shaped political agenda only at the margins and to the extent allowed by the regime.⁵⁵¹ Mostly, they are allowed to influence decision-making on peripheral issues rather than on core issues.⁵⁵² Traditionally, Moroccan kings have used various strategies including co-option, repression, division and manipulation to prevent opposition political parties to become strong enough to challenge their

⁵⁴⁵ Jamal, p.106.

⁵⁴⁶ Kausch, *An Islamist Government*, p.3.

⁵⁴⁷ Entelis, pp.34-35.

⁵⁴⁸ Kristina Kausch, “The European Union and Political Reform in Morocco”, **Mediterranean Politics**, Vol:14, No:2, July 2009, (The European Union), p.168.

⁵⁴⁹ Storm, *Democratization*, p.99 and Khakee, p.1.

⁵⁵⁰ Storm, *Democratization*, p.172.

⁵⁵¹ Entelis, p.35.

⁵⁵² Korany, *Monarchical Islam*, p.170.

power.⁵⁵³ Monarchical regime has fragmented the political landscape pitting opposition parties against each other. Elections have been manipulated by the palace “to avoid too much power accruing to opposition parties”.⁵⁵⁴ Thus, the emergence of a strong and coherent opposition was prevented to function as a driving force for political change.⁵⁵⁵

Thirdly, antiterrorism measures taken in the aftermath of the Casablanca attacks of 16 May 2003 constitutes a setback for democratization in Morocco. Passing of antiterrorism law in May 2003 by the parliament resulted in reduced liberties at all levels. It has granted authorities extensive powers of control over civil society and undermined human rights and free press.⁵⁵⁶ The law has been criticized by human rights organizations and journalists for imposing tightened restrictions on freedom of expression, association and assembly.⁵⁵⁷ The antiterrorism legislation has legalized detention up to twelve days without any charge and access to a lawyer.⁵⁵⁸ It has also allowed “authorities to intercept phone, mail, and Internet communications and to search homes and businesses without a warrant”.⁵⁵⁹ Following the adoption of the law, a series of police investigations took place. Many people were arrested including human rights activists and journalists. But the most affected group by these measures have been the Islamist groups as more than 1,500 Islamists were arrested following Casablanca attacks.⁵⁶⁰ Overall, adoption of anti-terrorism legislation has been a pressing concern for democratization in Morocco.

Fourthly, lack of judicial independence is among leading limitations for democratization in Morocco. Judicial order has been an instrument in the hands of the regime since the rule of King Mohammed V.⁵⁶¹ Particularly, during the rule of Hassan II, judiciary remained silent towards mass human rights violations committed by state security forces.⁵⁶² The monarch has had a considerable influence over justice

⁵⁵³ Ottaway and Riley, p.163.

⁵⁵⁴ Korany, *Monarchical Islam*, p.170.

⁵⁵⁵ Denoex and Desfossses, p.83.

⁵⁵⁶ Kausch, *Negotiating Change*, p.14.

⁵⁵⁷ Storm, *Democratization*, p.107 and Kausch, *An Islamist Government*, p.8.

⁵⁵⁸ Sater, p.186.

⁵⁵⁹ Yacoubian, *Arab Initiatives*, p. 12.

⁵⁶⁰ Kausch, *Negotiating Change*, p.15 and Sater, p.186.

⁵⁶¹ Sater, p.182.

⁵⁶² Sater, p.182.

and legislative matters.⁵⁶³ According to articles 84 and 86 of the 1996 constitution, the King has the authority to appoint judges upon recommendations made by the Supreme Council of Magistracy⁵⁶⁴ which is presided over by the King.⁵⁶⁵ Article 87 of the 1996 constitution grants the Supreme Council of Magistracy - under the supervision of the King - right to determine all promotions and disciplinary actions involving judges.⁵⁶⁶ This has led to frequent state-executive interference in judicial decisions thereby impeding judicial independence.⁵⁶⁷ Lack of judicial independence has in return prevented “effective enforcement of existing democratic laws”.⁵⁶⁸ As a result, judicial system in Morocco has not been able to act as a watchdog over legislative and executive powers and ensure implementation of human rights and basic freedoms in general.⁵⁶⁹ In order to overcome limitations to judicial independence and accountability, constitutional reform should take place providing juridical independence.

Lastly, corruption has had a negative impact on democratization. Corruption constituted a key component of King Hassan II's ruling strategy mainly in the 1980s.⁵⁷⁰ As Denoeux points out, corruption was employed and encouraged as a strategy of political control and management during the rule of Hassan II, and thus it has become an accustomed component of kingdom's current administrative, political and economic systems.⁵⁷¹ By and large, it has been used by the regime to silence actual and potential contestants, and to ensure support among “key constituencies, such as military officers, members of the security apparatus, senior civil servants, rural notables and urban elites”.⁵⁷² Corruption was for the first time recognized as a problem with the attempt of Abderrahmane Youssoufi, who was then the first prime minister from an opposition party, the USFP, but he was unable to adopt any

⁵⁶³ Kausch, *Negotiating Change*, p.15.

⁵⁶⁴ Other members of the Supreme Council of Magistracy include the Minister of Justice as Vice-President, the First President of the Supreme Court, the Prosecutor General in the Supreme Court and the President of the First Chamber of the Supreme Court.

⁵⁶⁵ See articles 84 and 86 of the 1996 Constitution of the Kingdom of Morocco.

⁵⁶⁶ See article 87 of the 1996 Constitution of the Kingdom of Morocco.

⁵⁶⁷ Sater, p.185.

⁵⁶⁸ Kausch, *An Islamist Government*, p.4.

⁵⁶⁹ Sater, p.185 and Kausch, *Negotiating Change*, p.15.

⁵⁷⁰ Guilain Denoeux, “Corruption in Morocco: Old Forces, New Dynamics and A Way Forward”, **Middle East Policy**, Vol:14, No:4, Winter 2007, p.139.

⁵⁷¹ Denoeux, pp.139-140.

⁵⁷² Denoeux, p.139.

corruption-related measures.⁵⁷³ Leaving its mark in current political affairs, corruption continues to be a serious problem challenging democratization in today's Morocco raising doubts about authorities' willingness to engage with this problem.

Table 9: Major Obstacles to Democratization in Morocco

Major Obstacles to Democratization in Morocco
• centralized hereditary political authority
• weak and fragmented political party system
• anti-terrorism measures
• lack of judicial independence
• corruption

⁵⁷³ Denoeux, p.140.

CHAPTER THREE

EU DEMOCRACY PROMOTION AND POLITICAL CONSEQUENCES: THE CASE OF EGYPT

3.1. BRIEF HISTORICAL BACKGROUND OF EU-EGYPT RELATIONS

First diplomatic relations among Egypt and the European Community was established in 1966.⁵⁷⁴ A decade later, in 1976, the first Cooperation Agreement was signed among Egypt and the European Community. Following the end of Cold War, the EU started to pay closer attention to Eastern Europe and the Maghreb. The first Maghreb state to take advantage of European interest in the region was Algeria. Algeria came up with a proposal, a ‘Ministerial Declaration’ in October 1991 to initiate cooperation among the EU and the region.⁵⁷⁵ This proposal was called as 5+5 formula as it included five southern Mediterranean Arab countries (Algeria, Libya, Mauritania, Morocco and Tunisia) and five northern Mediterranean countries (France, Italy, Malta, Portugal and Spain). According to this declaration, five southern Mediterranean Arab countries would collaborate with five northern Mediterranean countries on a number of divergent issues.

Egypt was being excluded from the 5+5 formula; Egyptian political elites realized that this would mean a further exclusion from a future Euro-Mediterranean cooperation. In order to secure Egypt’s interests as well as to assure its place in a newly emerging Euro-Mediterranean partnership, Egyptian president Husni Mubarak came up with an alternative project, the ‘Mediterranean Forum’ in 1991.⁵⁷⁶ Mediterranean Forum was mainly a framework for pan-Mediterranean economic and cultural cooperation. Through the ‘Mediterranean Forum’ proposal, Mubarak aimed

⁵⁷⁴ European Union Official Web Site, “European Neighbourhood Policy Country Report: Egypt”, 02.03.2005, http://ec.europa.eu/world/enp/pdf/country/egypt_country_report_2005_en.pdf (16.02.2010).

⁵⁷⁵ Mohammad El-Sayed Selim, “Egypt and the Euro-Mediterranean Partnership: Strategic Choice or Adaptive Mechanism?”, **The Euro-Mediterranean Partnership: Political and Economic Perspectives**, (Ed. Richard Gillespie), Frank Cass Publishers, London, 1997, p.70.

⁵⁷⁶ Selim, p.69.

“to slow down the momentum of 5+5 formula and replace it with a pan-Mediterranean formula”.⁵⁷⁷

Just a few years after the adoption of the Mediterranean Forum, the EU declared its intention to initiate a new project namely the Euro-Mediterranean Partnership (EMP) in 1994. The EMP was officially established during the Barcelona conference in 1995 between the fifteen EU governments and southern Mediterranean states of Morocco, Algeria, Tunisia, Egypt, Jordan, Syria, Lebanon, Israel, the Palestinian Authority, Turkey, Cyprus, and Malta.⁵⁷⁸ At first sight, the EMP seemed like a contestant to Mediterranean Forum since both projects included same countries. Yet, Egyptian policy-makers gave full support to this new project pointing out that these two frameworks were complementary. On the one hand, the cooperation already initiated under the Mediterranean Forum would be a guide for the materialization of the EMP whereas on the other hand Mediterranean Forum could continue to function under the EMP as a Mediterranean sub-project. Yet, as soon as the EMP was formalized, the Mediterranean Forum lost its *raison d'être* and “became a symbol, rather than an instrument of Mediterranean cooperation”.⁵⁷⁹

The EMP included three spheres of partnership or three baskets as political basket, economic and financial basket, and lastly cultural and social basket. Through the EMP, the EU aimed both to establish a Euro-Mediterranean zone of political stability and security, and to establish a Euro-Mediterranean Economic Area. In line with the EMP, the EU and Egypt began to negotiate in January 1995. Association Agreement between the EU and Egypt was signed on 25 June 2001 and entered into force in June 2004 setting out a detailed framework for specific fields in which bilateral relations among the sides would develop in accordance with the objectives of the EMP.⁵⁸⁰ Based on respect for human rights, democratic principles and economic freedom, Association Agreement underlined the need for peace, security and regional cooperation for the stability of the region and called for political

⁵⁷⁷ Selim, p.71.

⁵⁷⁸ Youngs, *The European Union*, p.47.

⁵⁷⁹ Selim, p.79.

⁵⁸⁰ European Union Official Web Site. “Implementation of the European Neighbourhood Policy Progress Report: Egypt”, 03.04.2008, http://ec.europa.eu/world/enp/pdf/progress2008/sec08_395_en.pdf (16.02.2010).

dialogue in bilateral and international contexts on issues of common interest.⁵⁸¹ 2004 Association agreement still forms the legal basis of EU-Egypt relations.

With the adoption of the EU-Egypt European Neighbourhood Policy (ENP) Action Plan in March 2007, the EU and Egypt reaffirmed their commitment to deepen their political, economic and social relations. The Action Plan is intended to help fulfill the provisions and aims of the Association Agreement and the EU agreed to provide appropriate financial support through divergent financial instruments in this process.⁵⁸² As it is indicated in the EU Commission proposal for implementation of EU-Egypt Action Plan, “The Action Plan serves the dual purpose of setting out concrete steps in bringing the fulfillment of the Parties’ obligations set out in the Euro-Mediterranean Agreement, and of providing a broader framework for further strengthening EU-Egypt relations.”⁵⁸³ Overall, the Action Plan has contributed to intensification of EU-Egypt relations in political, security, economic, cultural, investment and trade spheres.

3.2. ASSESSMENT OF EU DEMOCRACY PROMOTION IN EGYPT

3.2.1. Objectives Behind EU Democracy Promotion in Egypt

The EU’s commitment to political reform in Egypt can be assessed as a part of its parallel commitment to political reform in the Middle East and North Africa (MENA), since objectives behind EU democracy promotion in Egypt are not totally distinct from those of its considerations toward the region in general. There are three different perspectives to analyze EU democracy promotion in general in the region. The first perspective is built upon the ‘democratic peace’ hypothesis which proposed

⁵⁸¹ Vincent Durac. “The Impact of External Actors on the Distribution of Power in the Middle East: the Case of Egypt”, *The Journal of North African Studies*, Vol: 14, No:1, 2009, p.81.

⁵⁸² Delegation of the European Union to Egypt Official Web Site. “European Neighbourhood Policy EU-Egypt Joint Action Plan”, 06.03.2007, http://www.delegy.ec.europa.eu/en/eu_and_country/Action%20Plan.doc (18.03.2010).

⁵⁸³ European Union Official Web Site. “Commission Proposal for the Implementation of EU-Egypt Action Plan”, 07.06.2006, http://ec.europa.eu/world/enp/pdf/action_plans/egypt_com_proposal_enp_ap_2006_en.pdf (13.02.2010).

that conflict and wars are unlikely to occur among democratic states.⁵⁸⁴ It is pointed out that political pluralism and transparent systems of governance leads to moderation in foreign policies of states reducing the scope for arbitrary acts and external aggression.⁵⁸⁵ Accordingly, EU democracy promotion in the southern shore of the Mediterranean would both contribute to peace in the world and reduce the array and degree of threats to the West from its close neighbourhood.⁵⁸⁶ In this regard, this perspective brings together ethical and pragmatic concerns to explain EU support for democracy in the region.

A second perspective suggests that encouragement of democracy in the region by the EU is merely driven by calculations of strategic self-interest. This perspective has a considerable weight. It is argued that mainly security, migration, economic and trade considerations have shaped EU approach. EU support for democracy in the region is based on the notion that promoting democracy would contribute to stability and prosperity in the region in the long-term that would in return meet EU interests regarding security, migration, trade and economic cooperation.⁵⁸⁷

The last perspective underlines the dilemma that EU has been facing among its self interests and encouragement of democratization in developing states of the Arab Middle East. Adherents of this perspective have remained skeptical about the merits of EU democracy promotion in the region.⁵⁸⁸ They point out that support for political reform is risky in the context of developing states as transition from authoritarian rule to democracy is an “extremely destabilizing period, during which elites were often encouraged to offset internal strains by pursuing more, not less, aggressive external policies”.⁵⁸⁹ It is also put forward that political liberalization would pave the way for political forces that are hostile to the West, thereby

⁵⁸⁴ See Immanuel Kant, “Perpetual Peace: A Philosophical Sketch”, **Kant’s Political Writings**, (Ed. H. Reiss), Cambridge University Press, Cambridge, 1970 and Michael Doyle, **Ways of War and Peace**. N.N. Norton, New York, 1997.

⁵⁸⁵ Richard Gillespie and Richard Youngs, “Themes in European Democracy Promotion”, **The European Union and Democracy Promotion: The Case of North Africa**, (Ed. Richard Gillespie and Richard Youngs), Frank Cass Publishers, London, 2002, (Themes), p.8.

⁵⁸⁶ Gillespie and Youngs, Themes, p.8.

⁵⁸⁷ Birgitte Rahber, “Introduction: Dilemmas of democratization in the Middle East”, **Democratization in the Middle East: Dilemmas and Perspectives**, (Ed. Brigitte Rahbek), Aarhus University Press, Aarhus, 2005, p.9.

⁵⁸⁸ Gillespie and Youngs, Themes, p.14.

⁵⁸⁹ Gillespie and Youngs, Themes, p.14.

constituting a challenge to Western interests. Thus, there is high contradiction between democracy promotion in the region and Western strategic interests.

The roots of EU democracy promotion in the region were established through the Barcelona Process in 1995. Adoption of the European Neighbourhood Policy (ENP) in the early 2000s intensified EU commitment to democracy and human rights in the region and provided the EU with a useful instrument, action plan, to differentiate its approach towards states being included in the process. The ENP signaled a shift in the EU approach “from broad cooperation to an attempt to link certain actions to concrete development in national domestic politics”.⁵⁹⁰ In other words, the ENP paved the way for differentiation and bilateralism in conducting negotiations with the southern Mediterranean states as action plans made it clear that each country would proceed as far as it was willing in its relations with the EU.⁵⁹¹

The EU perceives Egypt as a key state for stability in the region due to its strategic position and its leadership role in the Arab world. Egypt has long been host to the Arab League and is a significant voice in African issues as well. EU National Indicative Programme (NIP) 2011-2013 describes Egypt as “a key partner for the EU in the region, offering stability and vital Arab leadership on the Middle East Peace Process (MEPP).”⁵⁹² Egypt also plays an active role in negotiations within the framework of ENP as in 2008 Egypt undertook the role of Co-President of the Union for the Mediterranean together with France. European Commissioner for External Relations and European Neighbourhood Policy of the time, Benita Ferrero-Waldner⁵⁹³ in her speech in Egyptian Foreign Relations Council and Egyptian European Council luncheon in Cairo 7 May 2006 said:

⁵⁹⁰ Ana Echague and Richard Youngs, “Democracy and Human Rights in the Barcelona Process: Conclusions of a Workshop at FRIDE, Madrid, 14-16 January 2005”, **Mediterranean Politics**, Vol:10, No:2, 2005, p.235.

⁵⁹¹ Echague and Youngs, p.235.

⁵⁹² European Union Official Web Site, “European Neighbourhood and Partnership Instrument: Arab Republic of Egypt National Indicative Programme 2011-2013”, http://ec.europa.eu/world/enp/pdf/country/2011_enpi_nip_egypt_en.pdf (13.02.2010).

⁵⁹³ Ferrero-Waldner served as European Commissioner for External Relations and European Neighbourhood policy from November 2004 to December 2009 and European Commissioner for Trade and European Neighbourhood Policy from December 2009 to February 2010. She was succeeded by Stefan Füle who have been serving as the European Commissioner for Enlargement and Neighbourhood Policy since then.

*Egypt is an important partner for the EU, as a strategic player in this region and one of the leaders of the Euro-Mediterranean partnership, whose 10th anniversary we celebrated last year... The Action Plan, which we need to conclude, has the potential to create a relationship that we only offer our very closest partners. We want to draw Egypt as close to Europe as we possibly can and as close as Egypt wants... The idea behind ENP is to promote an area of stability, prosperity, and security for the EU and its neighbours to the south and east. This is a significant development for us and goes far beyond anything we have ever previously offered to partners, except those en route to becoming EU members.*⁵⁹⁴

Following September 11, 2001 terrorist attacks in the US, European leaders started to pay higher attention to issues of democracy and human rights in the region and Egypt was not an exception. They perceived democracy promotion in Egypt as a part of tackling the root causes of terrorism in the region and put forward offer of trade, aid and political co-operation within the framework of ENP to encourage political reform.⁵⁹⁵ From European perspective, a considerable advantage of promoting democracy in the southern shore of the Mediterranean as a foreign policy issue is to promote regional stability thereby enhancing European security.⁵⁹⁶ In this regard, intensive political contact with Egypt was seen as the component of recipe to create a neighbouring area of peace and stability and to fend off the extremists' threat.⁵⁹⁷

European concerns over growing migratory flows from the Southern shores of the Mediterranean have also been influential in EU democracy promotion. Egypt has been commonly used as a transit state by migrants to enter into European territories. Besides, Egyptians have constituted a considerable amount of overall migrants in EU member states. Through time this situation has contributed to the experience of Egypt in managing migration from its territories. EU Country Strategy Paper on Egypt for years 2007-2013 illustrates the point;

⁵⁹⁴ Benita Ferrero-Waldner, "Egypt-European Union relations in the age of reform", 07.05.2006, <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/06/281&format=HTML&aged=1&language=EN&guiLanguage=en> (11.02.2010).

⁵⁹⁵ Richard Youngs, "Europe's Flawed Approach to Arab Democracy", **Centre for European Reform Essays**, October 2006, (Arab Democracy), http://www.cer.org.uk/pdf/essay_youngs_arab_democracy.pdf (17.02.2010).

⁵⁹⁶ Gorm Rye Olsen, "Promotion of Democracy as a Foreign Policy Instrument of 'Europe': Limits to International Idealism", **Democratization**, Vol:7, No:2, 2000, p.143.

⁵⁹⁷ Sara Silvestri, "EU Relations with Islam in the Context of the EMP's Cultural Dialogue", **Mediterranean Politics**, Vol:10, No:3, 2005, p.399.

*Egypt has acquired considerable experience in managing international migration and its policies in this area are quite articulate. The EU is becoming increasingly important as a destination for Egyptian migrants. Migration from (and via) Egypt to Europe includes both legal and illegal migrants (many of the latter are from South Asia). Efforts to fight illegal migration will have to be intensified while management of economic migration could be strengthened at the same time. This could include mutual recognition of expulsion decisions, plus assistance in cases of transit for the purpose of removal by air and in combating trafficking of human beings, to which the EU is paying greater attention.*⁵⁹⁸

Political liberalization is believed to contribute stability and moderation in the region offering optimistic prospects of generating the economic growth that would eventually ease migratory pressures in the longer term.⁵⁹⁹

When it comes to economic and trade considerations, support for political reform in the region has an underlying logic of creating a stable environment where economic cooperation, trade and investment can take place in a smooth way. It was even argued that EU commitment to democracy promotion reflected the pressure of transnational capital for democracy.⁶⁰⁰ In this regard, a democratic Egypt would better accommodate Western investment⁶⁰¹ and accelerate economic cooperation and trade through liberal economic regulations. The EU has been Egypt's major trading partner with a €16.3 billion total trade volume with the EU by the year 2008.⁶⁰² According to statistical data, by the year 2011, Egypt is EU's 30th trading partner with its 0.7% (€23,3 billion) share in EU's total trade volume.⁶⁰³ In a luncheon hosted by the Egyptian-European Council in Cairo 31 October 2007, Benito Ferrero-Waldner said: "The EU is Egypt's main trading partner, a fact known for some time.

⁵⁹⁸ European Union Official Web Site. "Egypt Country Strategy Paper 2007-2013", 04.01.2007, http://ec.europa.eu/world/enp/pdf/country/enpi_csp_egypt_en.pdf (13.02.2010).

⁵⁹⁹ Youngs, *The European Union*, p.59.

⁶⁰⁰ Gillespie and Youngs, *Themes*, p.10

⁶⁰¹ For instance Egypt has attracted the attention of European hydrocarbon giants since the mid-1990s. For more details view, Bradford Dillman, "International Markets and Partial Economic Reforms in North Africa: What Impact on Democratization?", **The European Union and Democracy Promotion: The Case of North Africa**, (Ed. Richard Gillespie and Richard Youngs), Frank Cass Publishers, London, 2002, (International Markets), p.75.

⁶⁰² Dillman, *International Markets*, p.71. By the year 2011, total trade volume between the EU and Egypt reached its highest level ever in 2011 with €23.3 billion (EU exports to Egypt: €13.9 billion and EU imports from Egypt: €9.4 billion). See EU Official Web Site, "Trade with Egypt", <http://ec.europa.eu/trade/creating-opportunities/bilateral-relations/countries/egypt/> (11.10.2012).

⁶⁰³ European Union Official Web Site. "Trade Statistics: Egypt", http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc_113375.pdf (30.10.2012).

That is something you as the business community here today will certainly be aware of. Forty percent of your total trade is conducted with the EU.”⁶⁰⁴

Finally, Egypt’s position as a key actor in the region has also motivated EU commitment to political reform. For instance, Egypt has played an active role in the Middle East Peace Process. Egypt is the first Arab state to sign a peace treaty with Israel and remains to be one of two Arab countries to conclude such a treaty. Egypt continues to play a mediator role in Arab-Israeli conflict and a democratic Egypt would make a better contribution to peace negotiations. As Ferrero-Waldner stated;

*Of course another important element to our relationship is our cooperation on Regional affairs. Egypt is an important partner for the EU in the wider region, particularly in the Middle East Peace Process, where Egypt has always played a leading role in bringing the parties together...I am confident we can rely on Egypt to continue its moderating role in its contacts with the Palestinian and Israeli authorities and the wider Arab world.*⁶⁰⁵

EU officials also consider Egypt as a significant actor in the region which has a potential to influence other states as a model for political reform. Egypt National Indicative Programme 2011-2013 portrays this consideration through these words: “Political reform is clearly important for the process of domestic democratization and upholding of human rights, but it can also have a significant impact on the region where Egypt is considered a key player and can lead others by example.”⁶⁰⁶

3.2.2. EU Strategies in Promoting Democracy in Egyptian Setting

There are a variety of instruments to be employed in democracy promotion ranging from political dialogue to political/economic conditionality, from democracy assistance to military means. The most common instrument to be employed worldwide in democracy promotion has been democracy assistance through a toolbox filled with various assistance programmes, “including technical support for

⁶⁰⁴ Benita Ferrero-Waldner, “EU and Egypt – partners for the future”, 31.10.2007, <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/07/677&format=HTML&aged=0&language=EN&guiLanguage=en> (11.02.2010).

⁶⁰⁵ Benita Ferrero-Waldner, “Egypt-European Union relations in the age of reform”, 2006.

⁶⁰⁶ EU Official Web Site, Egypt National Indicative Programme 2011-2013,

reforming government agencies; training for lawyers, journalists, political party leaders, and trade unionists; direct financial aid for civil society organizations; and exchanges and scholarships for students”.⁶⁰⁷ The EU employed two sets of instruments in promoting democracy in the context of Eastern and Central Europe. On the one hand, democracy assistance was employed, whereas on the other a unique political conditionality, namely the possibility that these countries might become full members of the EU was employed in an efficient way.⁶⁰⁸

In the case of Arab Mediterranean states, the EU mainly employs democracy assistance instrument through the Euro-Mediterranean Partnership (EMP), the European Neighbourhood Policy (ENP) and the European Instrument for Democracy and Human Rights (EIDHR), all of which are supervised by the European Commission. The EU mostly follows a top-down approach through the programmes of EMP and ENP, channeling its aid through official structures to support state capacity building and reform of state institutions in target states.⁶⁰⁹ With the EIDHR programme, the EU follows a bottom-up approach channeling aid through civil society organizations to strengthen them. Overall, it is fair to suggest that EU prefers to follow a top-down approach focusing on intergovernmental domain rather than a bottom-up approach focusing on non-governmental domain in the Arab Mediterranean context, since the EIDHR is a much smaller project when compared with those of EMP or ENP. These programmes have different designs. Whereas the EIDHR is set up only to support democracy and human rights in target states, the EMP and its complementary programme ENP are designed not only to encourage political reform, but also economic and social reform and to strengthen bilateral and multilateral relations between the EU and the Mediterranean states.⁶¹⁰ In addition to standard democracy assistance mechanisms, the EU employs positive conditionality as well through the programmes EMP and ENP. The EMP includes associative agreements while the ENP includes Action Plans both of which are bilateral – between the EU and the partner state – , setting out the reform priorities in the Arab

⁶⁰⁷ David Adesnik and Michael McFaul, “Engaging Autocratic Allies to Promote Democracy”, **The Washington Quarterly**, Vol:29, No:2, 2006, p.7.

⁶⁰⁸ Olsen, p.148.

⁶⁰⁹ Daniela Huber, “Democracy Assistance in the Middle East and North Africa: A Comparison of US and EU Policies”, **Mediterranean Politics**, Vol:13, No:1, 2008, p.58.

⁶¹⁰ Huber, p.52.

Mediterranean states. Accordingly, the EU employs positive conditionality in economic means to large extent and political means to smaller extent. Economic conditionality functions through economic rewards mostly in the form of funds to partner states, which perform well in democracy and human rights issues. With respect to political conditionality, countries that successfully implement political reform agenda are bound closer to the EU through privileged status other than EU membership.⁶¹¹ Reform expectations from partner states and funding issues are specified in EU reports such as Country Strategy Papers and National Indicative Programmes.

In line with its democracy promotion approach in the Arab Mediterranean States, the EU has supported the process of democratization in Egypt through democracy assistance programmes and positive conditionality within the frameworks of EMP, ENP and EIDHR.⁶¹² Egypt has been one of the main beneficiaries of EU support in the region and EU documents have frequently underlined willingness of the EU to encourage the adoption of democratic values in Egypt. In fact, political reform and good governance in Egypt is only one of three priorities of EMP and ENP programmes. Other priorities include economic and social considerations. To support these three priorities in Egypt, multi-annual financial assistance packages have been offered under the NIP. The funding for the NIP 2002-2004 for Egypt amounted to € 351 million and the NIP for 2005-2006 involved total funding of €243 million.⁶¹³ The NIP for 2007-2010 for Egypt has involved a total funding of €558 million.⁶¹⁴ In her presentation of this financial package, Benita Ferrero-Waldner, Commissioner for External Relations and European Neighbourhood Policy then, said: “With the financial package I am proposing, and the many advantages available under the Neighbourhood Policy, we are offering very significant new opportunities to Egypt, and supporting Egypt’s own reform programme”.⁶¹⁵ While it was emphasized that support for Egypt’s political reform agenda was a key feature of this aid only € 39 million of the total amount of € 558 million have been allocated for human rights and

⁶¹¹ Huber, p.52.

⁶¹² See Table 9.

⁶¹³ EU Official Web Site, “ENP Country Report: Egypt”, 2005.

⁶¹⁴ EU Official Web Site, “Implementation of the ENP Progress Report: Egypt”, 2008.

⁶¹⁵ European Union Official Web Site, “EU-Egypt: EU Commissioner Ferrero-Waldner presents €558m assistance package”, 26.02.2007, http://www.europa-euun.org/articles/en/article_6798_en.htm (13.02.2010).

good governance issues for years 2007–2010, accounting for 7 per cent of total EU assistance to Egypt.⁶¹⁶ Also, Commissioner Benita Ferrero-Waldner announced a financial package of €20 million for Egypt within the 2008 Annual Action Programme under the ENP to support both Government of Egypt institutions and civil society organizations.⁶¹⁷ €17 million of this financial assistance was allocated to strengthen civil and political rights, women and child rights and environmental rights whereas €3 million aimed at supporting the Egyptian government's efforts to improve good governance in public administration.⁶¹⁸

Table 10: Frameworks of EU Democracy Assistance in the Arab Mediterranean

Frameworks of EU Democracy Assistance in the Arab Mediterranean		
•Euro-Mediterranean Partnership (EMP)	•European Neighbourhood Policy (ENP)	•European Instrument for Democracy and Human Rights(EIDHR)

For the years 2011-2013, €449.29 million is allocated by the EU to support reform in Egypt with three different priority areas, one among which is related with political reform that aims at supporting democracy, human rights, good governance and justice.⁶¹⁹ The total allocation for supporting the political reform priority area is €50 million forming 11.1% of the total package signaling an increase when compared with the €39 million allocation for this priority in 2007-2010 period. Like the NIP 2007-2010, the NIP 2011-2013⁶²⁰ for Egypt included four sub-priorities under political reform priority. These sub-priorities are as follows: 1) The support for political development, decentralization and promotion of good governance, 2)

⁶¹⁶ Kristina Kausch, “Why the West should relinquish Mubarak”, **FRIDE** (Policy Brief), No: 46, May 2010, (The West), <http://www.fride.org/publication/761/why-the-west-should-relinquish-mubarak>, (03.05.2010), p.5.

⁶¹⁷ European Union Official Web Site, “Commissioner Benito Ferrero-Waldner announces assistance of €149 million to Egypt for education, transport and public services”, Press Releases, 12.02.2008, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/09/255&format=HTML&aged=0&language=EN&guiLanguage=en> (13.02.2010).

⁶¹⁸ EU Official Web Site, “Commissioner Benito Ferrero-Waldner announces assistance of €149 million...”, 2008.

⁶¹⁹ EU Official Web Site, “Egypt National Indicative Programme 2011-2013”.

⁶²⁰ For details such as sub-priority areas, allocation, specific objectives and indicators of achievement see Table 11.

Promotion and protection of human rights, 3) Support for modernization of administration of justice and 4) Upgrading of Regulatory, Institutional and Legislative Environment.⁶²¹ €12 million, €17 million and €10 million are allocated respectively for the first three sub-priorities, while the certain amount for the fourth sub-priority area is not indicated in the programme document. Specific objectives, expected results, indicators of achievement and indicative budget⁶²² are indicated in documents such as NIP, Joint Action Plan and Country Strategy Papers.⁶²³

The funds allocated in the beginning to support political reform related with different sub-priorities are part of democracy assistance instruments in the form of economic assistance. The EU has also employed technical assistance within the framework of democracy assistance in Egypt. For instance; fourth sub-priority area in the NIP 2011-2013, namely upgrading of regulatory, institutional and legislative environment included technical assistance as means to facilitate legislative and procedural harmonisation between Egypt and the EU. Positive economic conditionality has also been employed as a means of institutional capacity building. According to NIP Egypt 2011-2013, economic rewards amounting to €5 million for the first, €15 million for the second, €10 million for the third and €20 million for the fourth sub-priority areas are agreed to be granted to the government of Egypt on the condition of meeting indicators of achievement in related sub-priority categories.⁶²⁴ Implementation of reforms is monitored by joint bodies established under Association Agreement on the basis of regular progress reports.

The EU has largely followed a top-down approach in encouraging political reform in Egypt as most of the European commission funding has been channeled through the Egyptian government. The European Commission has been very careful in its cooperation with representatives of civil society and has avoided from establishing relations with those that would cause any conflict with the ruling regime.⁶²⁵ For instance, with respect to Islamist groups the EU has kept its “support

⁶²¹ EU Official Web Site, “Egypt National Indicative Programme 2011-2013”.

⁶²² Indicative budget is about promised economic rewards to be granted upon meeting indicators of achievement, whose details are determined beforehand.

⁶²³ See Table 11 for these details specified in NIP Egypt for 2011-2013.

⁶²⁴ EU Official Web Site, “Egypt National Indicative Programme 2011-2013”.

⁶²⁵ Annette Junemann, “From the Bottom to the Top: Civil Society and Transnational Non-Governmental Organizations in the Euro-Mediterranean Partnership”, **The European Union and**

for religious dialogue projects to a minimum and the few projects that are organized involve only those representatives of Islam that are loyal to the government”.⁶²⁶ Similar to other Arab states, the space for NGOs is very limited in Egypt as registration procedures are strict and those NGOs able to register are closely scrutinized.⁶²⁷ Intensive restrictions are imposed on foreign funding by the Egyptian Ministry of Social Affairs which further limit EU assistance to NGOs. Foreign funding is allowed rarely only after permission of Minister of Social Affairs. Article 17 of the Associations Law states; “The association has the right to accept contributions. It may collect contributions from natural or juridical persons and in such a manner as may be set forth by the executive regulations.”⁶²⁸

As mentioned earlier, the European Commission employs EIDHR in its bottom-up democracy promotion in Egypt. One of the significant features of EIDHR is its “independence of action, which allows it to directly address non governmental actors without host government consent, at least in principle”.⁶²⁹ At first sight, the EIDHR may seem to be a very effective instrument to help capacity-building of NGOs in authoritarian settings. However, functioning of the EIDHR in Egypt has been constrained by strict regulations in transferring funds to civil society organizations and the reaction of Mubarak regime. It has also been difficult for the EIDHR delegation in Egypt to find a proper NGO to support since strict registration procedures limit the number of potential NGOs. In order to cope with this problem the EIDHR delegation in Egypt has instead opened the call for project funding “to all ‘civil companies’, meaning organizations with the status of company but with a not-for-profit declared objective, which is the way in which most NGOs in Egypt circumvent the legislative requirement for an administrative authorization by the Ministry of Social Affairs”.⁶³⁰ Still, overall impact of the EIDHR on political liberalization in Egypt has been limited since its funding has been very modest. For

Democracy Promotion: The Case of North Africa, (Ed. Richard Gillespie and Richard Youngs), Frank Cass Publishers, London, 2002, p.90 and Gillespie and Whitehead, p.198.

⁶²⁶ Junemann, p.93.

⁶²⁷ Federica Bicchi, “Democracy Assistance in the Mediterranean: A Overview”, **Mediterranean Politics**, Vol:14, No:1, 2009, p.62.

⁶²⁸ Egyptian Government Official Web Site, “Associations Law”, http://www.egypt.gov.eg/english/laws/personal/ngo/part_one/chp_two.aspx (11.03.2010).

⁶²⁹ Bicchi, pp.65-66.

⁶³⁰ Bicchi, p.67.

instance € 900,000 was allocated to Egypt in both 2008 and 2009 and this amount is expected to reduce further in coming years.⁶³¹

Other than the EIHDR, Anna Lindh Foundation⁶³² and Euro-Mediterranean Human Rights Network (EMHRN) have been employed as instruments to encourage bottom-up political liberalization in Egypt. Established in 2005, main purpose of the Anna Lindh Foundation is to improve mutual respect between cultures across the Mediterranean. It has contributed to bottom-up EU democracy assistance in Arab states through developing a region-wide network of over 3000 civil society organizations across the Mediterranean, thereby contributing to strengthening of civil society organizations in the region.⁶³³ Egyptian Network is the second largest Network of the Anna Lindh Foundation in the South Mediterranean Region bringing together around 200 members⁶³⁴ working in different fields such as gender, human rights, and sustainable development.⁶³⁵ EMHRN was set up in 1997 in the context of the Barcelona Process to sponsor the development of democratic institutions and to support the rule of law, human rights principles and human rights education in the Euro-Mediterranean region.⁶³⁶

⁶³¹ Kausch, *The West*, p.5.

⁶³² Egypt is the home of the Euro-Med Anna Lindh Foundation for dialogue.

⁶³³ For more details view Anna Lindh Foundation Official Web Site, <http://www.euromedalex.org/about> (11.04.2010).

⁶³⁴ For Egyptian Network membership list view <http://www.bibalex.org/hon/Egyptian%20Network%20Member%20List%2015.03.10.pdf> (11.04.2010)

⁶³⁵ Egyptian Anna Lindh Network Official Web Site, <http://www.bibalex.org/hon/home.html> (11.04.2010).

⁶³⁶ Junemann, p.98.

Table 11: The EU Democracy Assistance in Egypt (2011-2013)

Sub-priority areas	Allocation	Specific Objectives	Indicators of Achievement
1. The support for political development, decentralization and promotion of good governance	€12 million	<ul style="list-style-type: none"> • Reform of local administration • Improved management of public finances • Improved capacity of institutions responsible for the electoral process 	<ul style="list-style-type: none"> • Increase in percentage of public budget administered at the local level • Reduction in number of complaints of mismanagement of public funds • Increase in number of voters registered to take part in elections, in particular women
2. Promotion and protection of human rights	€17 million	<ul style="list-style-type: none"> • Strong culture of respect for human rights and fundamental freedoms of all competent institutions, including the security apparatus and the police • National institutions more effective in defending human rights and fundamental freedoms • Improved awareness of rights amongst women and children 	<ul style="list-style-type: none"> • Reduction in number of reports of human rights violations • Reduction in number of prosecutions and convictions for publishing crimes • Reduction in number of outstanding conventions to be applied
3. Support for modernization of administration of justice	€10 million	<ul style="list-style-type: none"> • Independent and effective administration of justice • Greater capacity to fight against drugs and human trafficking • Improved economic justice: more efficient fight against money laundering, protection of IPR, enforcement of investment and company laws • Improved places of detention and prison conditions 	<ul style="list-style-type: none"> • Reduction of delays and complaints related to the administration of justice • Reduction of the number of cases related to drugs and trafficking in human beings • Increase in foreign direct investment; less backlogged cases in courts relating to money laundering, IPR and foreign investment • Reduction of average duration of pre-trial detention, increase in average space per detainee/prisoner in police cells and prisons
4. Upgrading of Regulatory, Institutional and Legislative Environment	not indicated	<ul style="list-style-type: none"> • Institutional framework and legislation adjusted to match European and international best practices • Technical assistance provided to ensure successful implementation of cooperation projects 	<ul style="list-style-type: none"> • Increase in number of laws and procedures that approximate to the EU <i>acquis</i> • Increase in proportion of projects related to AP implementation executed with adequate TA

Source: The information figured out in this table is accessed from EU Official Web Site, “European Neighbourhood and Partnership Instrument: Arab Republic of Egypt National Indicative Programme 2011-2013”, http://ec.europa.eu/world/enp/pdf/country/2011_enpi_nip_egypt_en.pdf (13.02.2010).

3.2.3. Impact of EU Democracy Promotion on Political Reform in Egypt

Admitting difficulty to assess the specific impact of EU democracy promotion on the political reform process in Egypt due to complex interaction with various other forces, this section analyzes ups and downs of the reform process from the early 2000s until the end of Mubarak era.⁶³⁷ It tries to clarify to what extent the EU policies have contributed to the reform process, which precipitated the eruption of Egyptian revolution. The argument here is that EU democracy promotion in Egypt has the best results when it acts together with internal actors particularly civil society and opposition groups to exert pressure on the Egyptian ruling regime. Yet, there were only few instances when internal and external pressures for political reform interacted creating a favorable context for opening up of the political space in Egypt. Despite the fact that reform can not be imposed from outside, the EU has a considerable potential to influence the political reform process in Egypt through aid and bilateral political, economic and trade relations. Yet, an inconsistent and half-hearted EU commitment combined with weak local pro-reform voices had not led to any meaningful contribution to political liberalization in Egypt.⁶³⁸

Like in the other Arab states, key to democratization in Egypt lies in the linkage among internal and external pressures for political reform. When pressure is applied in a parallel way both from within and from outside then it is more likely that the ruling regime has to consider the dual weight for opening up the political space. For most of the time, the Mubarak regime has not felt any such weight pressuring for political reform. However, the early 2000s was worth mentioning as it augmented hopes in favour of political liberalization in Egypt. Egyptian political landscape witnessed a harmony between growing demands for political reform at home and abroad by the early 2000s. Internal pressure reached its peak, when civil society organizations, movements and opposition parties including the Muslim Brotherhood, the Al Ghad Party and Kefaya (Enough) Movement⁶³⁹ joined their forces in a

⁶³⁷ Husni Mubarak was ousted on 11 February 2011, following mass demonstrations - demanding an end to his rule- in the Tahrir Square, which lasted 18 days, marking the end of Mubarak regime.

⁶³⁸ Youngs, Arab Democracy.

⁶³⁹ The Kefaya (Enough) Movement consisted of 15,000 people including a number of middle-class intellectuals, academics, parliamentarians, and students who mobilized through campaigns, conferences, and demonstrations to resist Mubarak's authoritarian rule. For more details see Gohar, p.185.

common strong demand for opening up the political space. They called for a number of political reforms including amendments in constitution for competitive presidential elections and for presidential term-limits, lifting restrictive legal limits on the activities of political parties, civil society organizations and media, ending the state of emergency, and free and fair elections.⁶⁴⁰ Together they protested the authoritarian policies of the Mubarak regime.

In the meantime, following September 11 2001, EU commitment to supporting democratization in the Arab Mediterranean region in general and in Egypt in particular was on rise through the EMP and its complementary framework of ENP. Association agreement between the EU and Egypt was signed on 25 June 2001 and entered into force on 1 June 2004.⁶⁴¹ With this Association Agreement the EU individualized its relations with Egypt within the ENP framework. As the signatory of Association Agreement with the EU, Egypt was expected to realize political reform along with economic and social reforms.⁶⁴² The second article of the EU-Egypt Association Agreement is worth mentioning with respect to its strong emphasis on democratic values and human rights. It says:

*Relations between the Parties, as well as all the provisions of the Agreement itself, shall be based on respect of democratic principles and fundamental human rights as set out in the Universal Declaration on Human Rights, which guides their internal and international policy and constitutes an essential element of this Agreement.*⁶⁴³

To endorse the process of political liberalization, the EU offered a number of instruments and incentives to Egypt such as technical and financial assistance and a stake in the internal market. As Schlumberger notes; “the EU’s association agreements with Arab partners provide the European side with a strong instrument

⁶⁴⁰ Dina Shehata, “Egypt and the Retreat of Liberalization”, **Democracy’s Plight in the Neighbourhood**, (Eds. Michael Emerson and Richard Youngs), Centre for European Studies, Brussels, 2009, p.156.

⁶⁴¹ European Union Official Web Site. “EU-Egypt Association Agreement”, 25.06.2001, http://ec.europa.eu/external_relations/egypt/eu-egypt_agreement/index_en.htm (13.02.2010).

⁶⁴² Jeffrey Kopstein, “The Transatlantic Divide over Democracy Promotion”, **The Washington Quarterly**, Vol:29, No:2, 2006, p.92.

⁶⁴³ EU Official Web Site. “EU-Egypt Association Agreement”, 2001.

for conditionality that has never been used”.⁶⁴⁴ With the Association Agreement, the EU started to implement positive conditionality towards Egypt both in political and economic means. On the one hand, the EU politically offered a privileged relationship, whereas on the other it offered greater access to the EU internal market and certain internal programmes.⁶⁴⁵

It was in that political setting where growing internal and external pressure on the ruling regime reached a peak, the Mubarak regime had to make a number of concessions. Closer attention of the EU on political developments in Egypt through Association Committee and sub-committees has made it difficult for the regime to crack down protests by local opposition groups to voice their criticism against the regime. External pressure by the EU helped internal factors to play themselves out in raising the cost of repression and thus paved the way for the removal of restrictions in the political scene to some extent.⁶⁴⁶ At the same time, the US government was also a part of external front of pressure, criticizing the Egyptian government through its Greater Middle East Initiative.⁶⁴⁷ As a result some progress was made in the Egyptian political scene towards political liberalization. Reforms began in May 2003 with the abolishment of state security courts⁶⁴⁸ which were highly criticized by “Egyptian and foreign human rights organizations because they offered no right of appeal and authorized heavier sentences than would have been permissible in regular criminal courts”.⁶⁴⁹

A remarkable progress was the establishment of an independent National Council of Human Rights (NCHR) in June 2003, headed by former UN Secretary General Dr. Boutros Boutros Ghali.⁶⁵⁰ The NCHR was created to serve as a dialogue forum on human rights and an interface between the government and civil society.⁶⁵¹

⁶⁴⁴ Oliver Schlumberger, “Dancing with Wolves: Dilemmas of Democracy Promotion in Authoritarian Contexts”, **Democratization and Development: New Political Strategies for the Middle East**, (Ed. Dietrich Jung), Palgrave Macmillan, New York, 2006, pp.38-39.

⁶⁴⁵ Patrick Holden, “Security, power or profit? The economic diplomacy of the US and the EU in North Africa”, **The Journal of North African Studies**, Vol:14, No:1, 2009, p.22.

⁶⁴⁶ Shehata, p.156.

⁶⁴⁷ Gohar, p.185.

⁶⁴⁸ State security courts had been used to prosecute national security offenses since 1958.

⁶⁴⁹ Michele Dunne, “Evaluating Egyptian Reform”, **Carnegie Endowment for International Peace Papers**, No:66, 2006, p.9.

⁶⁵⁰ Council of the European Union, **EU Annual Report on Human Rights**, Brussels, 3 October 2005, p. 99.

⁶⁵¹ Kausch, Defenders, p.15.

The first annual report by the Council was released in April 2005 drawing attention to shortcomings in human rights issues in Egypt such as the continued state of emergency, arbitrary detention, and torture. Council of EU welcomed the establishment of NCHR describing this as a progressive stance on human rights issues in Egypt in its 2005 EU annual report on human rights.⁶⁵² Yet, given the continuation of emergency laws in Egypt, human rights organizations remained skeptical about the NCHR's value in supporting human rights.⁶⁵³

Another significant development was that in January 2005 the ruling party NDP (National Democratic Party) initiated a national dialogue with internal actors such as civil society groups and opposition parties to discuss political reforms that were on the agenda.⁶⁵⁴ However, the Muslim Brotherhood, as the leading political opposition group was excluded in this national dialogue. Following the national dialogue, President Mubarak and the NDP took a number of reform measures to liberalize the political system including amendment of constitutional articles or laws regarding political activity and abrogation of laws or regulations impinging on civil liberties.⁶⁵⁵ Among these measures, constitutional amendment of the Article 76, to allow for direct popular election of the president was a notable step. In March 2005, President Mubarak came up with a proposal to amend the constitution to allow for multi-candidate presidential elections.⁶⁵⁶ Constitutional amendment of article 76 was accompanied by an amendment in Presidential election law 174 giving each licensed party the right to put a candidate on the ballot.⁶⁵⁷ Political Parties Law 177 was also amended in July 2005 changing procedures for forming parties. This amendment in Political Parties Law 177 not only speeded up the process of getting license for newly established parties but also expanded the membership in the Political Parties Committee adding several nonpartisan figures.⁶⁵⁸ Lastly, Political Rights Law 73 was amended to allow the establishment of an electoral commission to supervise parliamentary elections.⁶⁵⁹

⁶⁵² EU Annual Report on Human Rights, 2005.

⁶⁵³ Gohar, p.186.

⁶⁵⁴ Gohar, p.185.

⁶⁵⁵ Dunne, p.7.

⁶⁵⁶ Yacoubian, Arab Initiatives, p.12.

⁶⁵⁷ Dunne, p.8.

⁶⁵⁸ Dunne, p.9.

⁶⁵⁹ Dunne and Hamzawy, p.41.

In line with the constitutional amendment of the Article 76, Egypt's first competitive elections were held in September 2005 resulting in Mubarak's victory with 87% of the votes.⁶⁶⁰ Mubarak's contestant Ayman Nour could only gain 7% of the votes. 2005 also witnessed parliamentary elections in the Egyptian political scene, which were for the first time supervised by electoral commissions under full judicial supervision and observed by local NGOs and the media. In such an electoral setting which was closely monitored and followed by various actors opposition parties were able to gain a noticeable number of seats in the parliament. While the ruling NDP maintained its majority, the Muslim Brotherhood, the largest opposition movement, won 20% of the seats in the parliament.⁶⁶¹ 2005 parliamentary elections were also influential in revealing shortcomings in the electoral processes such as low voter turnout, inaccuracy of the voter's lists and poor administrative practices. All these developments had led to further expectations for political liberalization in Egypt.

However, this promising political context had not lasted long and came to an end in the aftermath of 2005 parliamentary elections. Following the elections, the regime maintained some counter-measures de-liberalizing the political space. One of these counter-measures was the arrest of the Al Ghad party's leader Ayman Nour who ran as a candidate in 2005 presidential elections. A second counter-measure was the arrest of prominent leading members of the Muslim Brotherhood movement which gained a considerable number of seats in the 2005 parliamentary elections and the shutdown of the Muslim Brotherhood's website.⁶⁶² Muslim Brotherhood members were also barred from contesting both labor union and student union elections. Furthermore, the regime prevented Muslim Brotherhood candidates from contesting the 2007 Shura Council⁶⁶³ elections and the 2008 local elections.⁶⁶⁴ One

⁶⁶⁰ Shehata, p.157.

⁶⁶¹ Shehata, p.157.

⁶⁶² Yacoubian, Arab Initiatives, p.13.

⁶⁶³ Shura Council is the upper house of the parliament, namely the People's Assembly. It undertakes a consultative role, while its legislative powers are limited. It is composed of 264 members, a third of which appointed by the President and the rest is elected for six-year. The last elections for Shura Council were held on 1 June 2010. As usual, the NDP won the majority of the seats in the election. For more details about The Shura Council and 2010 Shura Council elections see Issandr El Amrani, "Dress Rehearsal", **Middle East International**, Vol:2, No:15, May 2010, <http://www.arabist.net/blog/2010/6/3//egypts-shura-council-elections-and-its-future.html> (10.06.2010), and "NDP Dominates Shura Council Elections in Egypt", **Arab Reform Bulletin**, June 2 2010, <http://www.carnegieendowment.org/arb/?fa=show&article=40917> (10.06.2010).

other critical measure by the regime was the penalization of two judges who criticized the 2005 parliamentary elections bringing into light the election fraud. Prolongation of the State of Emergency for another two years was a critical counter-measure which led to further tension in the domestic context. As a result, several demonstrations took place in Cairo by civil society activists in a peaceful manner to protest these measures. These demonstrations were suppressed in a harsh manner and activists were severely arrested through a disproportionate power.

A combination of internal and external factors led to de-liberalization of political space. On the domestic scene, the harmony among internal forces in their demand for political reform came to an end following the unexpected electoral success of the Muslim Brotherhood along with the electoral failure of secular parties. Opposing voices to the regime became fragmented causing a decline in internal pressure on the ruling regime. In the meantime, there was also a decline of external pressure for political reform. For its part, the EU had lost its initial intensive interest in supporting political liberalization in Egypt. It realized that partial liberalization of political space led the Islamists move closer to political power circles, as the electoral success of the Muslim Brotherhood clearly demonstrated. The ruling regime had the means to crack down on both Islamist and secular forces in such a context, where the pressure on the Egyptian government for political reform was in decline both internally and externally.

EU response to retreat in political liberalization in Egypt was weak and expressed only by two means. The first was a note of concern in the 2005 EU Annual Report on Human Rights. Addressing worries about the arrest of Ayman Nour, it wrote;

*The EU viewed the arrest of Ayman Nour, leader of an opposition political party, in January 2005 as a setback for the political reform process, and it carried out a demarche on 15 February 2005 on this issue. Mr. Nour has since been released although the charges against him have not been cleared yet. The EU intends to hold negotiations with the Egyptian Government on a European Neighbourhood Policy Action Plan during the course of 2005. This will contain political commitments, including on human rights.*⁶⁶⁵

⁶⁶⁴ Shehata, p.157

⁶⁶⁵ EU Annual Report on Human Rights, 2005.

A second instance was the declaration by the EU Presidency on measures of the Egyptian government against civil society activists. The declaration was as follows:

The EU has followed with concern developments in Egypt, where several demonstrations have taken place in the context of the recent prolongation of the State of Emergency in Egypt as well as the ongoing disciplinary proceedings against two Egyptian judges for, inter alia, criticism relating to the conduct of the Egyptian Parliamentary elections of 2005... The European Union expresses its concern that many persons taking part in these demonstrations have been arrested and are being held in custody... The European Union urges the Egyptian authorities to limit the application of the law on the State of Emergency to cases of terrorism and to end the State of Emergency as soon as possible. The European Union calls on the Egyptian government to allow civil society activists and other political forces to express themselves freely, to permit peaceful demonstrations and freedom of assembly and to maintain public order by transparent and proportionate legal procedure.⁶⁶⁶

Yet, other than expressing these two concerns, overall attitude of the EU towards setbacks in the Egyptian political reform process had remained weak. No concrete steps were taken against the Egyptian government. It is fair to suggest that the tone and level of European engagement with the government regarding political de-liberalization following the parliamentary and presidential elections of 2005 can best be described as lukewarm.⁶⁶⁷ The EU was concerned mainly about the conviction and jailing of Ayman Nour. There was little official response by the EU with respect to the crackdown on the Muslim Brotherhood.⁶⁶⁸ Richard Youngs criticizes the EU's attitude by comparing with the US attitude: "When the Egyptian government cracked down on opposition forces in the run-up to the parliamentary elections the US held back on its free trade talks with the Mubarak government, while the EU ploughed ahead with efforts to deepen co-operation through negotiating an action plan".⁶⁶⁹ The language used by Benito Ferrero-Waldner, the former European Commissioner for External Relations and European Neighbourhood, in the

⁶⁶⁶ European Union Official Web Site, "Declaration by the Presidency on behalf of the EU on measures by the Egyptian authorities against civil society activists", 15.05.2006, http://www.europa.eu-un.org/articles/en/article_5967_en.htm (13.02.2010).

⁶⁶⁷ Durac, p.81.

⁶⁶⁸ Durac, p.81.

⁶⁶⁹ Youngs, Arab Democracy.

Egyptian European Council luncheon held in Cairo on 7 May 2006 was quite optimistic. She said:

We appreciate that political reform is a particularly complex and sensitive matter, but the EU is a loyal partner, and we will do everything we can to support Egypt's progress. Your President announced important steps forward in last year's elections, and we must now build on this and go further. Only a truly democratic state is an effective bulwark against extremism and violence. Let's not forget "The cure for the ills of democracy is more democracy".⁶⁷⁰

Following this positive speech by Ferrero-Waldner on behalf of the EU, there was a meeting between the EU and Egypt at foreign ministerial level in Luxembourg on 13 June 2006 at the 2nd Association Council, under the chair of the Austrian Presidency. In that meeting the EU has adopted a positive attitude in assessing its relations with Egypt and setting out its perspective for the future of relations through a statement. The first article of the statement expressed European willingness to further enhance relations with Egypt through the Action Plan. It wrote; "Action Plan would open a new chapter in the EU's relations with Egypt, and offer the prospect of enhanced co-operation in the political, economic and social spheres of our relationship".⁶⁷¹

Adoption of Action Plan meant a considerable step forward in EU-Egypt relations and it was adopted in March 2007. It also meant a significant inflow of official financial grant into the hands of ruling elites. The European Commission agreed to allocate a €558 million package of financial support for Egypt for 2007-2010 to support the implementation of the Action Plan.⁶⁷² Let alone the lack of any expression of disapproval by the EU about the setbacks in political reform, the Egyptian government was further rewarded by the EU through the political and economic advantages of the Action Plan. Financial grant by the EU has been a potentially important resource that governing elites can access or channel in Egypt.⁶⁷³ As the example demonstrates rather than serving as means of positive

⁶⁷⁰ Ferrero-Waldner, "Egypt-European Union relations in the age of reform", 2006.

⁶⁷¹ European Union Official Web Site. "EU-Egypt Second Association Council", 13.06.2006, http://ec.europa.eu/external_relations/egypt/aa/eu_dec_0606.pdf (13.02.2010).

⁶⁷² Commissioner Benito Ferrero-Waldner announces assistance of €149 million to Egypt, 2008.

⁶⁷³ Dillman, International Markets, p.72.

conditionality, financial grant by the EU has generally contributed to regime stability in Egypt through strengthening hands of ruling elites in Egypt.

Following the adoption of Action Plan in March 2007, in April 2007 the NDP-dominated parliament adopted 34 constitutional amendments.⁶⁷⁴ These constitutional amendments included a wide range of issues, few of which can be considered as contribution to political reform process, whereas majority of others can be described as backlash to this process. To start with progressive amendments, parliament was granted additional powers such as increased control over budget and a new power to withdraw confidence from prime minister. Another progressive development was the insertion into constitution of a new institutional framework for combating terrorism which paved the way for ending the state of emergency before the end of current legislative session in July 2008.⁶⁷⁵ Yet, other amendments caused a retreat in political reform process. Regressive amendments included a change in Article 129 further strengthening powers of president. President was granted power to dissolve parliament at a time of necessity and some of the emergency powers enjoyed by president were made constitutional.⁶⁷⁶ Judicial supervision of electoral process was ended through the amendment in article 88, transferring responsibility for supervision of electoral process to a new electoral commission. Ambiguities remain concerning administrative structure of the newly established Electoral Commission as well as mandate of its staff. Article 5 was also amended to prevent individuals and groups that adopt a religious platform from participating in the political process.⁶⁷⁷ Amendment in article 5 was viewed as an attempt by the ruling regime to curb growing role of the Muslim Brotherhood in political life.⁶⁷⁸ Finally, amendment of articles 62 and 94 redefined Egypt's election system changing individual candidacy to slate candidacy.⁶⁷⁹ These amendments were noticeable as they aim at preventing the Muslim Brotherhood from running in elections as independents.

⁶⁷⁴ Shehata, p.157.

⁶⁷⁵ Implementation of the European Neighbourhood Policy Progress Report: Egypt, 2008.

⁶⁷⁶ Shehata, p.157.

⁶⁷⁷ Shehata, p.157.

⁶⁷⁸ Gamal Essam El-Din, "2007: Redrawing the map", **Al-Ahram Weekly**, 28.12.2006-03.01.2007, (Redrawing the Map) <http://weekly.ahram.org.eg/2006/826/fr2.htm> (21.09.2009).

⁶⁷⁹ El-Din, Redrawing the Map.

Just like earlier responses to setbacks, the EU did not demonstrate a meaningful response. In rhetoric, concern over regressive constitutional amendments was expressed by the European Commission in regular the 2008 ENP progress report of Egypt. However, in practice nothing was done to change the situation in favor of progress. The 2008 Egypt ENP progress report even maintained that on the whole Egypt had shown commitment to its Action Plan, while the situation in the political area had demonstrated the opposite.⁶⁸⁰ Subsequent ENP progress reports issued in 2009 and 2010 pointed out a number of shortcomings in the Egyptian political reform process, but the overall progress of Egypt was assessed as encouraging with an emphasis on reforms made in economic and social fields. The ENP progress report issued in 2009 wrote; “Overall progress on the implementation of the Action Plan in 2008 can be summarized as limited but encouraging, with a stronger commitment to social, economic and sector reforms, though with a lesser commitment to political reform”.⁶⁸¹ The recent ENP progress report published in April 2010 mentioned: “concerns remain on the pace of the implementation of reforms in the field of democratization and human rights, although the Government seems increasingly convinced of the need to tackle governance issues as part of its domestic reform agenda”.⁶⁸²

On the whole, it is fair to suggest that limited progress was observed in the political reform of Egypt since the beginning of ENP. Prior to the ouster of Mubarak, twenty-nine year old emergency laws were still in use, which constituted a significant limitation for fundamental freedoms and human rights. While the amendment of article 76 in the constitution on allowing multiple candidates was a progressive measure, it was followed by a counter-measure namely by a law that brought limitations to the right to stand as a candidate for presidential elections.⁶⁸³ The Muslim Brotherhood, which could provide an effective base for a presidential candidacy was prevented from nominating a candidate for the 2005 presidential

⁶⁸⁰ Implementation of the European Neighbourhood Policy Progress Report: Egypt, 2008.

⁶⁸¹ European Union Official Web Site, “Implementation of the European Neighbourhood Policy Progress Report: Egypt”, 23.04.2009, http://ec.europa.eu/world/enp/pdf/progress2009/sec09_523_en.pdf (16.02.2010).

⁶⁸² Implementation of the European Neighbourhood Policy Progress Report: Egypt, 2009.

⁶⁸³ UNDP (United Nations Development Programme), “Arab Human Development Report 2005”, <http://www.arab-hdr.org/publications/other/ahdr/ahdr2009e.pdf> (10.12.2009).

elections.⁶⁸⁴ The calls for implementation of presidential term limits were ignored and no significant progress was made related on freedom of association. Husni Mubarak enjoyed “a great deal of power and little accountability”.⁶⁸⁵ To summarize, since the beginning of implementation of ENP there had been limited progress as progressive constitutional amendments were followed by additional amendments and new laws to withdraw previously granted political rights and freedoms. While Mubarak and the NDP marketed constitutional amendments as political reform measures to silence internal and external pressures, they adopted counter-measures when there was decline in internal and external demands for reform. As a result, wide powers of the ruling regime were secured.

Neither internal opposition forces nor the EU had used their power effectively following the 2005 parliamentary elections. While electoral success of the Muslim Brotherhood caused a fragmentation among local pressure forces, the EU refrained from using its leverage, due to concern that a rapid political reform process would contribute to an electoral victory of the Muslim Brotherhood forming a challenge to EU interests. As Springborg points out “it is easier to say what the EU has not done to confront Arab authoritarianism... than it is to identify a coherent strategy and associated actions”.⁶⁸⁶ The EU was not content with the result of 2005 parliamentary elections and failed to stand against governmental intimidation of the Muslim Brotherhood. In promoting democracy in Egypt, the European Commission mainly preferred to work with the ruling regime while relations with civil society organizations remained weak. Condemnation of the Egyptian government for setbacks in the political reform process was expressed through “simply so many words” while at the same time assistance has continued to be offered without any preconditions for liberalization.⁶⁸⁷ Therefore, it can be maintained that the EU had a very limited impact on the political reform process in Egypt throughout the Mubarak regime. It can even be argued that the EU had contributed to strengthening the hand

⁶⁸⁴ Robert Springborg, “Multiple Candidate Elections in Egypt: Diverting Pressure for Democracy”, **FRIDE**, 16.03.2005, (Multiple Candidate), <http://www.fride.org/publication/182/multiple-candidate-elections-in-egypt-diverting-pressure-for-democracy> (10.02.2010).

⁶⁸⁵ Dunne, p.11.

⁶⁸⁶ Robert Springborg, “Is the EU Contributing to Re-Radicalization?”, **Islamist Radicalization: The Challenge for Euro-Mediterranean Relations**, (Eds. Michael Emerson, Kristina Kausch and Richard Youngs), Centre for European Policy Studies, Brussels, 2009, (Re-Radicalization), p.14.

⁶⁸⁷ Springborg, Re-Radicalization, p.14.

of the ruling regime through its financial packages. EU democracy promotion in Egypt was largely overshadowed by its self interests as European officials perceived that their interests would be better served with the Mubarak regime rather than Islamists.

3.2.4. Limitations of EU Democracy Promotion in Egypt

EU democracy promotion in Egypt throughout the Mubarak's rule had suffered from a number of shortcomings including inconsistency, hesitancy between security and political change, ineffective use of conditionality, prioritization of economic reform over political reform, a predominantly top-down approach and lack of agreement between member states.⁶⁸⁸

Firstly, the EU followed an inconsistent policy in its promotion of democracy in Egypt. While in the early 2000s, the EU had drawn a serious image in its established aim of promoting political change in Egypt, this seriousness was undermined following the 2005 parliamentary elections. EU reaction to retreat in political liberalization in Egypt such as new restrictions on civil society organizations and media remained only in words. For instance, setbacks in the political reform process related with the 2007 constitutional amendments were criticized in the ENP Egypt progress reports of 2008, 2009 and 2010, but no concrete measure was adopted to express any disapproval of the regime for its regressive policies. Incoherency also existed in messages delivered by EU member states, in relation with the arrest of Ayman Nour, by the leader of secular al-Ghad party as well as the Muslim Brotherhood members in the aftermath of 2005 parliamentary elections. While the imprisonment of Ayman Nour awoke significant European concern leading the European governments to organize a demarche, doubtful arrest of the Muslim Brotherhood members was met with silence.⁶⁸⁹ Another inconsistency was that while the EU was enthusiastic in establishing dialogue with secular opposition groups, it was reluctant to initiate any dialogue with the moderate Islamist opposition groups, despite the fact that the moderate Islamists had been more influential in exerting pressure on government for political change.

⁶⁸⁸ See Table 11.

⁶⁸⁹ Youngs, Arab Democracy.

The second limitation was that European willingness to promote democracy in Egypt had now and then been overshadowed by security concerns. Stabilizing and securitizing migration and borders had been an old EU tendency underlying its policies towards its southern Mediterranean partners.⁶⁹⁰ Olsen argues that security constitutes ‘high politics’, whereas democracy constitutes ‘low politics’ according to Union’s perception with respect to Europe’s external relations in the post-Cold War era and whenever there is a conflict between promotion of democracy and security, the EU would always give the highest priority to security.⁶⁹¹ The initial rationale behind democracy promotion in Egypt was driven by the belief that democratization would contribute to a more secure and stable neighbourhood. However, through time, the European officials had realized that rapid openings in the Egyptian political system would bring Islamists to power, who probably would not be as friendly as the Mubarak regime. Thus, the EU had not been insistent in its democracy promotion policies in Egypt in favor of maintaining a friendly ruling regime. Accordingly, as Durac points out “EU democracy assistance policies in Egypt have had the paradoxical effect of strengthening, rather than challenging the authoritarian political order”.⁶⁹² The perceived trade-off between security and democracy in Egypt had led the EU to follow a cautious approach in its support for political reform in Egypt contributing to accommodation of an authoritarian regime rather than any serious effort to undermine it.⁶⁹³

Thirdly, inefficient or near non-existent use of conditionality was also worth-mentioning in relation to weaknesses in EU support for democracy in Egypt. The EU has had a significant leverage in promoting democracy in Egypt through the frameworks of EMP, ENP and EIDHR. Yet, the EU did not meaningfully employ this leverage to support political change in Egypt remaining flexible over political issues. To put it differently, the EU had failed to fulfill its potential as it exhibited an unwillingness to offer major incentives to Mubarak regime, in return for political reform.⁶⁹⁴ Trade relations and economic assistance have been major tools which the EU could have used to encourage democratization in Egypt. In fact, 2001

⁶⁹⁰ Kopstein, pp.92-93.

⁶⁹¹ Olsen, p.144.

⁶⁹² Durac, p.75-76.

⁶⁹³ Gillespie and Whitehead, p.198 and Kausch, *The West*, p.5.

⁶⁹⁴ Youngs, *Arab Democracy*.

Association agreement between the EU and Egypt had established a significant link between progress on political reform and trade relations.⁶⁹⁵ However, this linkage remained only in the document, in practice Egypt was granted trade benefits without taking this linkage into consideration. As it is pointed out; “although each of the new bilateral free trade area agreements has requirements for democratic government and respect for human rights, these are usually treated as formalities by both parties to the agreement”.⁶⁹⁶

The EU had not effectively used economic assistance as a conditionality tool as well. Economic carrots had been offered to Mubarak regime with little political conditionality.⁶⁹⁷ In order for economic assistance to function as a conditionality tool, the European Commission should have made clear that each of the economic packages would depend in part on Egypt’s progress toward democracy.⁶⁹⁸ Funds for Egypt by the EU had not undergone any interruption or deduction following setbacks in the political reform process as if the ruling regime had exhibited a progressive attitude. Besides, while the ENP Egypt action plan was clear on a comprehensive set of priorities in areas such as democracy and rule of law, and human rights and fundamental freedoms, it did not include any specific benchmarks, methodologies or clear means of evaluation.⁶⁹⁹ As it is pointed out it may be useful for the EU to specify both the way how the aid was to be used and policies for failure to materialize political reforms mentioned in National Indicative Programme.⁷⁰⁰

Fourthly, another limitation of EU democracy promotion in Egypt was prioritization of economic reform process over political reform process. From the very beginning of the EMP process, economic issues defined under basket two had been predominant when compared with political or social issues defined in basket one and basket three respectively. There were clearly more details in EU documents on Egypt in relation to how economic objectives would be met in

⁶⁹⁵ Dunne, p.17.

⁶⁹⁶ George Joffe, “Southern Attitudes towards an Integrated Mediterranean Region”, **The Euro-Mediterranean Partnership: Political and Economic Perspectives**, (Ed. Richard Gillespie), Frank Cass Publishers, London, 1997, (Southern Attitudes), p.20.

⁶⁹⁷ Dillman, *International Markets*, p.82.

⁶⁹⁸ Dunne, p.16.

⁶⁹⁹ Echague and Youngs, p.235.

⁷⁰⁰ Roderick Pace, Stelios Stavridis and Dimitris K. Xenakis, “Parliaments and Civil Society Cooperation in the Euro-Mediterranean Partnership”, **Mediterranean Quarterly**, Vol:15, No:1, 2004, p.88.

comparison with political objectives.⁷⁰¹ Conditionality has mostly been used with a focus on progress in the economic reform process. Overall, reform process in Egypt had been evaluated as progressive, if economic objectives were met. As a result, Egypt has been granted economic rewards despite its poor record in political reform.

Fifthly, a predominantly top-down approach in the expense of a bottom-up approach had also limited EU democracy promotion in Egypt. The EU would have persuaded Egypt for liberalization if both a top-down approach with an appreciation for the role of the state and a bottom-up approach with an emphasis on civil society had been used in a balanced way.⁷⁰² The EU mainly preferred to promote democratization through government to government channels rather than channeling aid through civil society organizations. Without any doubt, there had been serious obstacles attached to bottom-up democracy promotion in Egypt such as intensive interference of the ruling regime in external funding of the NGOs. The Mubarak regime retained a veto power over which civil society organizations may be supported by external donors. The EU and Egyptian government had experienced a tense instance in relations when EU-funded Ibn Khaldun Center's⁷⁰³ head, Saad Eddin Ibrahim was arrested and convicted of "defaming the state" when "an EU-financed video about Egypt's patently bogus electoral system" was revealed.⁷⁰⁴ In order not to face any further crisis with the regime, the EU had been cautious in its fund allocation to civil society organizations and continued to disburse funds primarily through governmental channels. Yet, the EU might have exerted pressure on the ruling regime to facilitate direct aid from EU to civil society organizations.⁷⁰⁵

In cases where EU funding and assistance to civil society organizations were put into practice, it can not be suggested that those were implemented with great success as a number of problems have existed in relation to administering of grass-roots projects.⁷⁰⁶ Like in other Arab Mediterranean states, the EU mainly implemented bottom-up approach in Egypt through the instrument of EIDHR. One of the shortcomings in civil society assistance had been lack of sufficient projects.

⁷⁰¹ Holden, p.21.

⁷⁰² Kopstein, p.93.

⁷⁰³ Ibn Khaldun Center is a leading think tank located in Cairo.

⁷⁰⁴ Sheila Carapico, "Foreign Aid for Promoting Democracy in the Arab World", **Middle East Journal**, Vol:56, No:3, 2002, (Foreign Aid), p.393.

⁷⁰⁵ Pace et al., p.83.

⁷⁰⁶ Junemann, p.101.

Another problem was that calls for projects often went unanswered. For instance, for the years 2005 and 2006, there were project calls for addressing torture by the Egyptian Delegation but “no proposal received was sufficiently well developed to justify funding”.⁷⁰⁷ The last problem was that little money was allocated for bottom-up projects. For instance, the EU provided € 20 million to mobilize Egyptian NGOs “working among the ultrapoor and most socially vulnerable strata of society” for the period 2002 to 2004.⁷⁰⁸ This was an insignificant amount for a country of 64 million people with the largest population in the Arab world.⁷⁰⁹

Lastly, EU democracy promotion in Egypt had been constrained by lack of agreement between the member states due to disparate interests. In fact this limitation is not unique to Egypt. Divergence among the EU member states on priority of democratization issue has been a shortcoming common to EU democracy promotion policies in the Arab Mediterranean states. While Northern EU states have perceived promotion of democracy in the region as an ethical issue advocating more pressure on ruling regimes for political reform, Southern EU states have seen the region as one of strategic backyard claiming that any rapid change would lead to instability in the region.⁷¹⁰ For instance, France and Spain have expressed their objections to any strengthening of the EU’s democratization policy in the south Mediterranean.⁷¹¹

⁷⁰⁷ Bicci, p.71.

⁷⁰⁸ Pace et al., p.82.

⁷⁰⁹ Pace et al., p.82.

⁷¹⁰ Youngs, *The European Union*, pp.60-61.

⁷¹¹ Junemann, pp.101-102.

Table 12: Limitations of EU Democracy Promotion in Egypt

Limitations of EU Democracy Promotion in Egypt
• inconsistency
• hesitancy between security and political change
• ineffective use of conditionality
• prioritization of economic reform over political reform
• a predominantly top-down approach
• lack of agreement between member states

3.3. POLITICAL INTERPLAY BETWEEN CIVIL SOCIETY AND THE EU

3.3.1. Linking EU Democracy Promotion, Islamists and Political Reform in Egypt

Linking EU democracy promotion, Islamists and political reform in Egypt needs a detailed analysis of triple interaction between the EU, the Egyptian ruling regime and the MB, and how this interaction had influenced the process of political liberalization in Egypt. This triple interaction throughout the Mubarak's rule can best be described as a 'vicious circle' regarding its outcome, since it is difficult to suggest that any overall progress was achieved on political reform. Except for few instances, the EU refrained from exerting pressure on the Mubarak regime for political reform as this friendly authoritarian regime had acted in line with the interests of the EU, contributing to stability in the region. The Mubarak regime had, in return, felt itself free to place limits on civil society organizations, thereby preventing them to exert pressure on its rule. This, in return, had led to a weak and underdeveloped civil society in Egypt, except for the Islamist organizations namely the MB, which had been relatively autonomous from the regime and had become powerful as the only

true opposition force. Eventually, this had led the EU to follow contradictory and inconsistent policies in its democracy promotion towards Egypt prior to the Cairo Spring. On the whole, Egypt had a poor record on democratization with two steps forward and then three steps backward in realizing political reform. This section will address how each actor – the EU, the Mubarak regime and the MB - had contributed to political impasse that took place in Egypt regarding political reform and triggered countdown for the Egyptian revolution on 25 January 2011 and overthrow of the Mubarak’s regime.

Although there had been times when internal calls for political reform increased, they were easily ignored or suppressed by the Mubarak regime as these pressures from within had not enjoyed the support of major outside powers such as the US and the EU.⁷¹² It had been almost impossible for the Egyptian government to ignore internal calls for change when supported by external actors, since these actors are very important to Egypt in terms of military and economic assistance, strategic cooperation, and trade.⁷¹³ The US and the EU had an active interest in democratization in Egypt in the early 2000s, when internal calls for political reform reached its peak. At that rare instance, internal calls for political reform were supported both by the US and the EU, and the Egyptian government had to realize a number of political reforms. However, this situation did not last long. The US and the EU both withdrew their pressure on the Mubarak regime and retreated their support for internal calls, when they faced electoral success of the MB in the 2005 parliamentary elections. Concerns about a possible Islamist Egyptian government in future had led external powers to step back in their democracy promotion policies and to continue prioritizing stability over political reform as usual. Western powers considered the Mubarak regime as a reliable partner with the belief that “they would risk losing a key supporter of Western security interests” if they did anything destabilising this strategic partner.⁷¹⁴ Western support of the regime starting with the early 1980s, allowed the Mubarak regime to continue with an authoritarian system of rule hiding behind cosmetic political reforms.⁷¹⁵ Accordingly, Egyptian political

⁷¹² Dunne and Hamzawy, p.36.

⁷¹³ Dunne and Hamzawy, p.36.

⁷¹⁴ Kausch, *The West*, p.3.

⁷¹⁵ Kassem, p.1.

scene had not seen any genuine political change other than adoption of various liberalization measures to ease internal and external pressures when needed.

Authoritarian system of rule had left the Egyptian civil society weak and underdeveloped. Civil society organizations had been subject to intensive state control through restrictive regulations which were designed to curb their power and effectiveness. The laws regulating political parties, syndicates, and associations in Egypt were aimed at preventing any counterweight mechanism to the rule of the government.⁷¹⁶ This attempt to eliminate any opposition succeeded against secular groups. However this strategy largely failed against the Islamist groups as “the messages and activities of these groups can easily spread through mosques and other religious institutions with a religious cover and without attract much attention of respective regimes”.⁷¹⁷ As Wittes points out, the Islamists have an advantageous position when the regimes restrict speech and association everywhere, except for religious institutions.⁷¹⁸ Accordingly, severe restrictions imposed by the Egyptian ruling regime on the public sphere paved the way for the rise of the MB in civil society.⁷¹⁹ Like the Islamists in some other Arab States, the MB has been able to take advantage of even limited political openings and has become the most powerful populist force in Egypt through time.⁷²⁰ The MB not only surpassed secular groups and movements, but also other Islamist movements. They were able to surpass secular groups and movements as they have avoided government restrictions through “meeting in mosques and delivering a religious message”.⁷²¹ Their well established organizational structure and functioning have also helped them to surpass other Islamist groups.⁷²² Owing to its strong assets including financial resources, educated elites, corruption-free past, a solid base at the grassroots, an ethical discourse, and an impressive social agenda, the MB has become the leading force to voice internal

⁷¹⁶ Gohar, p.184.

⁷¹⁷ Irem Askar Karakir, “Rising Political Islam: Is It a Matter of Ideology or Pragmatism?”, **Turkish Policy Quarterly**, Winter 2006/07, p.86.

⁷¹⁸ Wittes, p.85.

⁷¹⁹ Kassem, p.169.

⁷²⁰ Yacoubian, Arab Initiatives, p.10.

⁷²¹ Alaa Al-Din Arafat, **The Mubarak Leadership and Future of Democracy in Egypt**, Palgrave Macmillan, New York, 2009, p.180.

⁷²² Robert Springborg, “Protest against a Hybrid State: Words without Meaning?”, **Political and Social Protest in Egypt**, (Ed. Nicholas S. Hopkins), The American University in Cairo Press, Cairo, 2009, (Protest), p.17.

demands for political reform in Egypt in different platforms.⁷²³ According to Springborg, the MB was the only domestic societal actor, which had “sufficient power and a possible motivation to challenge the political status quo” in Mubarak-ruled Egypt.⁷²⁴ Yet, following the 2005 parliamentary elections, where the Brotherhood had an impressive electoral success, government adopted severe repressive measures against them limiting their activities.

On the external front, the US and the EU are two major actors, which could have made positive contributions to process of democratization in Egypt during the Mubarak’s rule. Pressure from these two actors was highly needed to encourage political reform in Egypt, since the Mubarak regime could “not afford to alienate these actors”.⁷²⁵ These two actors could have been influential in drawing Egyptian government’s attention to internal demands for reform.⁷²⁶ Their support for internal demands could affect rapidity, scope and quality of reforms implemented by the ruling regime.⁷²⁷ Springborg believes that sufficient external support could “enable domestic opposition to overwhelm the state” in the case of Egypt.⁷²⁸ However, this did not occur in Mubarak-ruled Egypt as external democracy promoters such as the US and the EU had acted reluctant to “stimulate widespread protests” against the Mubarak regime.⁷²⁹ Instead, they carried on their cordial relations with the Mubarak regime in the name of stability. From the perspective of the EU, a fundamental political transformation in the region, in general, and in Egypt, in particular, would have risked its interest in stable hydrocarbon supplies, reduced immigration and greater security since mainstream Islamists would probably be the greatest winners from true liberalization.⁷³⁰ It is pointed out that the EU perceived Egypt “as a business and security hub”, and thus avoided pressing the Mubarak regime forcefully for change, endangering stability.⁷³¹

The EU faced a serious difficulty in choosing methods and deciding how strongly to adopt them to encourage democratization in Egypt under the Mubarak

⁷²³ Arafat, pp.179-180.

⁷²⁴ Springborg, Protest, p.14.

⁷²⁵ Arafat, p.165.

⁷²⁶ Dunne, p.15.

⁷²⁷ Dunne, p.15.

⁷²⁸ Springborg, Protest, p.15.

⁷²⁹ Springborg, Protest, p.15.

⁷³⁰ Dillman, International Markets, p.83.

⁷³¹ Kausch, The West, p.4.

regime. This process became more complicated following the 2005 parliamentary elections, since the MB proved itself as the only significant opposition group. The EU did not want to follow an aggressive policy in its democracy promotion with the fear of alienating the Egyptian government. It was widely believed that a rapid and extensive political opening would have resulted in an Islamist victory in government that would jeopardize core interests in relations with Egypt. On the other hand, being too patient would have destabilized Egypt and endanger EU interests as repression of Egyptian advocates of reform by the regime would leave them no choice but to adopt extremist means to express themselves in the end.⁷³² Besides, autocratic rule would have gained strength in the country accompanied by increased violence against dissidents and human rights abuses in the absence of external and internal pressures. Thus, the EU acted in a highly cautious manner in adopting an approach in its democracy promotion in Egypt throughout the Mubarak's rule.

Economic conditionality was the strongest tool, which the EU could have used actively to promote democratization in Egypt. Economic assistance and trade relations were probably the most efficient means to implement conditionality to push the Mubarak regime for reform. While implementing conditionality, the EU could have prioritize reform measures on which it had the most leverage and which were more urgent than the others.⁷³³ The EU officials could have regularly emphasized that “the amount and types of assistance they were willing to provide would depend in part on Egypt's progress toward democracy”.⁷³⁴ A significant point was that EU officials could have openly objected to repression of non-violent opponents and dissidents by the Mubarak regime and reminded the ruling regime that this act would have certain costs.⁷³⁵ Another point is that the EU could have distinguished real reforms from cosmetic ones and acted accordingly, while commenting on measures by the Mubarak government. As Dillman points out the fake political reform as witnessed in Egypt since the early 1990s did not “deserve European support or encouragement”.⁷³⁶ Likewise, EU officials could have refrained from constructing positive public statements about initiatives by the ruling regime before they were

⁷³² Dunne and Hamzawy, p.37.

⁷³³ Dunne and Hamzawy, p.39.

⁷³⁴ Dunne and Hamzawy, p.39.

⁷³⁵ Dunne and Hamzawy, p.38.

⁷³⁶ Dillman, *International Markets*, p.83.

materialized in the shape of concrete steps.⁷³⁷ Political measures could have also been influential to encourage political reform in Mubarak-ruled Egypt. Political measures that the EU could have adopted include support for human rights groups, official dialogue with both secular and Islamist opposition parties, training for electoral monitoring and cooperation with the electoral commission.⁷³⁸

Relations with the Islamists, particularly the MB had been one of the most challenging issues for the EU in its democracy promotion in Egypt. EU officials had been reluctant to engage with the MB, largely excluding them from their democracy promotion initiatives aimed at Egypt. Like the American government, common concern of the European governments was that the MB would spoil the democratization process in Egypt.⁷³⁹ This concern was basically rooted in the outcome of Algerian experience with democratization in the early 1990s. The EU fears that a rapid political opening might result in the take over of Arab governments by Islamists, who could use democracy as a means to materialize their hidden objectives.⁷⁴⁰ This attitude had complicated EU democracy promotion policies toward Egypt during Mubarak's rule and led incoherence to dominate the European approach to democratization in this country.

Cooperation with civil society organizations has been a complicated tool for European democracy promotion in the Arab context, since there is an incompatibility between European conception of civil society and actual constituents of civil society in the Arab states. While European perception of a civil society does not include religious-inspired associations, Arab political systems "differ with respect to the extent to which civil society associations have evolved" and religious organizations constitute significant components of Arab civil society.⁷⁴¹ As Youngs points out, unlike the forms of civil society underpinning Western liberal democracy, civil society in the Arab world accommodates different forms such as the mosque, the neighborhood or village, the tribe, professional associations, and syndicates.⁷⁴² In line with this general trend in the Arab world, the MB has constituted the most

⁷³⁷ Dunne and Hamzawy, pp.38-39.

⁷³⁸ Dillman, *International Markets*, p.83.

⁷³⁹ Wittes, p.84. Wittes points out that both the US and EU governments regard Islamist movements as "potential spoilers in the democratization picture" in many Arab states in the region.

⁷⁴⁰ Wittes, p.85.

⁷⁴¹ Al-Sayyid, *The Concept*, p.141.

⁷⁴² Youngs, *The European Union*, p.59.

significant component of Egyptian civil society which has not only penetrated into professional associations and syndicates but also into People's Assembly, the Egyptian Parliament. The EU had been reluctant to engage with the MB as MB's radical past and its fundamentalist ideologues - regardless of commitment to non-violent means for almost three decades – preserved deep suspicion about the underlying intentions of the organization in the eyes of the EU officials.⁷⁴³

Gillespie and Youngs rightly maintain that excluding Islamist activists from democracy promotion agenda could dismiss the notion of civil society in North Africa altogether.⁷⁴⁴ Likewise, Silvestri points out that Islamist associations constitute backbone of civil society in the southern Mediterranean, and thus exclusion of Islamists “often results in the suppression of potential sources of democratization, thus jeopardizing the purpose and the impact of the EMP”.⁷⁴⁵ On the whole, the EU's reluctance to engage with the MB had negative returns for the EMP programme, since this programme had failed to serve its purpose in Egypt.⁷⁴⁶ One way or another, the EU should have engaged with the MB since it has been the most powerful opposition group in Egypt. Accordingly, the EU has to reconsider its definition of civil society in the context of Egypt and the whole Arab world. At least, European notion of civil society should be more elastic to include those Islamist movements, which denounce violence and adhere to democratic principles. As Echague and Youngs put it, through engaging Islamists, the EU would have a better chance of influencing them.⁷⁴⁷ Engaging with the MB, the EU could have better understood the social and political realities in Egypt and this would provide the necessary “information and analysis that would help the West formulate its foreign policies more accurately and effectively”.⁷⁴⁸

So, where did the Mubarak regime stand within the political impasse that had taken place in Egypt prior to mass uprisings? The Mubarak regime had exploited

⁷⁴³ Sharp, 2006, p.18.

⁷⁴⁴ Gillespie and Youngs, Themes, p.4.

⁷⁴⁵ Silvestri, p.388.

⁷⁴⁶ Frederic Volpi, “Regional Community Building and the Transformation of International Relations: The Case of Euro-Mediterranean Partnership”, **Mediterranean Politics**, Vol:9, No:2, 2004, p.148.

⁷⁴⁷ Echague and Youngs, p.236.

⁷⁴⁸ Mona Mikhelidze and Nathalie Tocci, “How can Europe Engage with Islamist Movements?”, **Islamist Radicalization: The Challenge for Euro-Mediterranean Relations**, (Eds. Michael Emerson, Kristina Kausch and Richard Youngs), Centre for European Policy Studies, Brussels, 2009, p.153.

domestic and external actors, and tried to bring them against each other. On the one hand, it had intimidated and suppressed NGOs and political opposition through referring to national sovereignty and violations of the country's independence, whereas on the other it had cited the Islamist threat to fend off EU pressure for political reform.⁷⁴⁹ Whenever external and domestic pressures for reform intensified, the Mubarak regime eased the pressure through adopting cosmetic reforms without materializing any genuine reforms. These reforms were carefully designed aimed at selective opening of political space without sacrificing any concessions from the power of the ruling regime. Ironically, these carefully designed reforms even served further survival of the regime silencing domestic and external pressure to reform for another period of time. Mubarak's reform strategy is clearly captured by Arafat:

*These measures appear to liberalize the political system, but they take place within carefully controlled guidelines that preserve NDP control for the foreseeable future...The primary motive is to ensure that the interests of the present elites are taken care of while simultaneously counteracting the possibility that a reform movement might eventually spin out of control and lead to unintended consequences. Mubarak's reform agenda is thus one step forward and ten steps backward.*⁷⁵⁰

The Mubarak regime had adopted a harsh approach against the Islamists, particularly the MB. Here, the real challenge for the regime had not been the Islamist character of the MB but rather their popularity.⁷⁵¹ Thus, electoral successes of the Brothers either in professional associations or in the People's Assembly were punished through severe repression. Strong performance of the MB affiliated candidates in the 2005 parliamentary elections was an unexpected development for the ruling elites. Yet, the regime had no other choice but to accept the result - eighty-eight seats for the Brothers- in a reluctant way since external actors were committed to democratization in Egypt in a full-hearted way, at the time. Accordingly, international elections monitors and world media had been closely watching the electoral process. Following the elections, the Mubarak regime began attacking the MB through a harsh campaign. Many members including senior ones were arrested and

⁷⁴⁹ Arafat, p.88.

⁷⁵⁰ Arafat, p.121.

⁷⁵¹ Kienle, A Grand Delusion, p.137.

forthcoming municipal elections were postponed to prevent another Brotherhood success.⁷⁵² The regime then tried to generate fear towards the MB both in the domestic and in the international arena. Using the fear for the Brotherhood as an excuse, the regime passed a number of constitutional amendments restricting freedoms. Ironically, rise of the Brotherhood in the elections provided the regime with a justification to deliberalize political space and to consolidate its authoritarian rule without being subject to any serious criticism by the EU.

Ascendancy of the MB in the 2005 parliamentary elections led to a reversal with respect to promising political reform process that began in the early 2000s. Early 2000s witnessed an extensive political opening unlike any other previous reforms that took place in Egypt. For the first time presidential elections were held, broad revisions were made in constitution and parliamentary elections were materialized in a significantly fairer and more transparent setting than in the past.⁷⁵³ However, there was a striking change in the attitude of external actors such as the EU following the electoral outcome. The Brotherhood's success in the ballot box raised fear among external actors, as the process of democratization led to strengthening of an Islamist movement "with an anti-Western and anti-Israeli agenda".⁷⁵⁴ Thus, external democracy promotion efforts towards Egypt had a serious blow from 2006 onwards.

2010 parliamentary elections were held in a background, where major external actors including the EU chose to avoid pressing the Mubarak regime for materialization of a fair and transparent electoral process. Prior to elections, some opposition party leaders including the Ghad and the Democratic Front called for a general boycott of the elections arguing that participating the elections would legitimize "the regime's undemocratic control with no real gain to the opposition".⁷⁵⁵ Other opposition groups such as the MB, the New Wafd and the Progressive National Unionist Party were in favor of participating parliamentary elections on the grounds that an electoral boycott would deprive opposition of a presence – however

⁷⁵² El-Houdaiby, Trends, p.43.

⁷⁵³ Dunne and Hamzawy, p.17.

⁷⁵⁴ Shehata, p.160.

⁷⁵⁵ Amr Hamzawy, "The Case for Boycotting Egypt's Elections", **Carnegie Endowment for International Peace**, 10.09.2010, (The Case), <http://carnegieendowment.org/publications/index.cfm?fa=view&id=41541> (12.10.2010).

small number of seats they may gain – in parliament, thereby handing “an automatic victory to the ruling National Democratic Party”.⁷⁵⁶ 2010 parliamentary elections were held in two rounds, the first on 28 November and the second on 5 December with a low voter turnout as expected. Low voter turnout was observed due to both disappointment of the Egyptians with unchanging politics and politicians, and their decision to stay home fearing elections day violence on streets.⁷⁵⁷ Violence and rigging marked the elections, which led to a series of condemnations by human rights groups. Violent clashes took place between the governmental security forces and supporters of the opposition groups who accused government for widespread rigging in favor of Mubarak’s ruling NDP party.⁷⁵⁸ Videos were circulated on internet and broadcasted by some TV stations bringing into light striking shots from the election days including “people stuffing ballot boxes, attacking voting stations, opening and destroying ballot boxes, in some cases by setting them on fire”.⁷⁵⁹ With respect to violence which dominated the 2010 parliamentary elections, the Amnesty International called on the Egyptian government to investigate the deaths, police torture and other human rights abuses.⁷⁶⁰ In addition, Amnesty International reported that security forces prevented representatives of human rights organizations monitoring voting process, although they possessed permit cards by the High Elections Commission meaning that they were allowed to watch voting.⁷⁶¹

The ruling NDP emerged victorious from the two rounds of parliamentary elections winning 420 seats of the People’s Assembly.⁷⁶² The scope of NDP victory was huge, when compared with the previous parliamentary elections that were held in 2005. Opposition parties were able to win only 15 seats while independent

⁷⁵⁶ Hamzawy, The Case.

⁷⁵⁷ “Egypt holds parliamentary poll”, **BBC News**, 28.11.2010, <http://www.bbc.co.uk/news/world-middle-east-11855691?print=true>, (01.12.2010).

⁷⁵⁸ Jack Shenker, “Egypt’s discredited elections blighted by shadow of police violence”, **The Guardian**, 28.11.2010, <http://www.guardian.co.uk/world/2010/nov/28/egypt-election-police> (30.11.2010).

⁷⁵⁹ Amira Howeidly, “The Brotherhood’s Zero”, **Al-Ahram Weekly**, 2-8 December 2010, <http://weekly.ahram.org.eg/print/2010/1025/eg9.htm> (10.12.2010).

⁷⁶⁰ “Egypt Parliamentary Election Violence Must Be Investigated”, **Amnesty International**, 30.11.2010, <http://www.amnesty.org/en/news-and-updates/egypt-parliamentary-election-violence-must-be-investigated-2010-11-30> (01.12.2010).

⁷⁶¹ Amnesty International 2010.

⁷⁶² Gamal Essam El-Din, “Landslide”, **Al-Ahram Weekly**, 9-15 December 2010, (Landslide), <http://weekly.ahram.org.eg/print/2010/1026/eg1.htm> (14.12.2010).

candidates won 70 seats, and surprisingly the MB gained just one seat.⁷⁶³ The weakness of opposition as demonstrated by the poll results was striking. Particularly, there was a sharp difference between the number of seats won by Brotherhood affiliated candidates in 2005 elections and 2010 elections. While in 2005, 88 members of the MB won seats, five years later only one member from the same group was able to gain a seat in the Egyptian People's Assembly.⁷⁶⁴ What may have caused such a remarkable decline in the number of seats gained by the MB? There are two main reasons behind this contrast between Brotherhood gains in the Egyptian parliament in 2005 and in 2010. First of all, success of the MB in the 2005 parliamentary elections was annoying for the Mubarak regime. This victory was the highest of all times for an opposition group to gain right for representation in the People's Assembly. Besides, there had been a historical tension between the Mubarak regime and the Brotherhood. Discontent with the composition of People's Assembly for the 2005-2010 term, the Mubarak regime started to follow "a growing policy of zero tolerance" towards members of the MB to prevent a similar success in upcoming elections.⁷⁶⁵ MB members then became subject to harsh repression by the government which resulted in the imprisonment of at least 1,000 Brotherhood activists.⁷⁶⁶ In addition, around 180 of Brotherhood members and supporters were arbitrarily arrested just prior to 2010 parliamentary elections.⁷⁶⁷

The other reason behind the striking decline in the number of seats won by the Brotherhood was that, while 2005 parliamentary elections were realized at a time when Egypt was under intensive pressure by both the EU and the US authorities, 2010 elections were held in the absence of any foreign pressure.⁷⁶⁸ Whereas external pressure to democratize contributed to a fairer and more transparent electoral process in 2005, 2010 elections took place in the shadow of violence and rigging, in the absence of external pressure. 2010 parliamentary elections resulted in strengthening of NDP's grip on power and weakening of opposition's chance to place pressure on the ruling party. In the meantime, discussions over presidential succession were

⁷⁶³ El-Din, Landslide.

⁷⁶⁴ Ashraf Khalil, "O, Brotherhood, Where Art Thou?", **Foreign Policy**, 26.11.2010, http://www.foreignpolicy.com/articles/2010/11/26/0_brotherhood_where_art_thou (30.11.2010).

⁷⁶⁵ Howeidy.

⁷⁶⁶ Khalil.

⁷⁶⁷ Amnesty International 2010.

⁷⁶⁸ Howeidy.

intensified as the date for presidential elections, scheduled for September 2011, was approaching. While Husni Mubarak was not expected to run for reelection due to both his age and his deteriorating health⁷⁶⁹, his son, Gamal Mubarak⁷⁷⁰'s strong candidacy for presidency caused serious erosion in popular hopes for political reform. Succession of presidency by Gamal Mubarak would mean preservation of the status quo. Disappointment both with the outcome of the 2010 parliamentary elections and the political context prior to presidential succession led to growing despair among the Egyptian people. It was in that political context, where public expectation for any political change in the country was exhausted, the stage for Cairo Spring performance was being set up.

3.3.2. Unfolding of the Arab Spring in the Egyptian Political Context and EU's Response

In this section, the focus will be on how the Arab Spring has so far influenced the process of political reform in Egypt and EU's response to the Cairo Spring. Recent political developments in the Egyptian political context are examined with an attempt to answer the following questions: What are the steps in Egypt's transition process following the end of Mubarak regime? How ready is the Supreme Council of the Armed Forces (SCAF) for handing over power to civil political structures? Following electoral victory of the MB's Freedom and Justice Party (FJP) in recent parliamentary elections, to what extent will the MB influence the reform agenda? How has the EU responded to Cairo Spring and the developments regarding Egypt's transition period?

Following the overthrow of Tunisia's president Ben Ali on January 14, 2011, anti-government protests began in Egypt on January 25, 2011.⁷⁷¹ Organized by civil society and opposition groups, demonstrations brought thousands of people from

⁷⁶⁹ Mubarak underwent an operation from his gallbladder in March 2010 in Germany and his extended stay in Germany led wonders about seriousness of his illness. For more details see Steven A. Cook, "Egypt's Hero? Mohamed El Baradei and the Chance for Reform", **Foreign Affairs**, 26.03.2010, <http://www.foreignaffairs.com/articles/66178/steven-a-cook/egypts-hero> (28.03.2010).

⁷⁷⁰ Gamal Mubarak was the policy secretary of the former ruling NDP.

⁷⁷¹ "Timeline: Egypt since January Protests", 22.11.2011, **Reuters**, <http://www.reuters.com/article/2011/11/22/us-egypt-protests-events-idUSTRE7AL1BQ20111122> (28.11.2011).

divergent social classes together in the Tahrir Square, near the parliament building in Cairo.⁷⁷² A combination of socio-economic and political grievances was influential in triggering the uprising. Strongly annoyed from torture, poverty, injustice, corruption and unemployment; demonstrators called to end the Mubarak's three decades long rule, repression, as well as police brutality. According to Richard Haass, these grievances led to a strong feeling of alienation and humiliation among the Egyptian people, which he thinks were the main motivators behind the Egyptian revolution.⁷⁷³ The crowd seemed highly determined to wait in the Tahrir Square until the Mubarak regime would step down. In order to ease the increasing pressure, on 29 January, President Mubarak appointed Omar Suleiman, the head of the General Intelligence Service, to vice-presidency to show that he was not planning to pass presidency to his son.⁷⁷⁴ However, rather than diminishing, discontent among people grew and reached to its peak by the early February. As the protests grew, Mubarak was losing his authority. On 11 February, on the 18th day since the protests first broke out, Mubarak resigned⁷⁷⁵ and his powers were transferred to the SCAF.⁷⁷⁶

The army's⁷⁷⁷ rule was met with enthusiasm among the Egyptian people.⁷⁷⁸ The first task of the SCAF was to set out rules to clarify how the country will be governed during the transition period. First of all, the SCAF suspended the existing constitution, as it did not allow for military rule and then it amended a number of articles, many of which deal with electoral procedures with respect to parliamentary

⁷⁷² "Egypt protests: Police disperse Cairo crowds", **BBC News**, 26.01.2011, <http://www.bbc.co.uk/news/world-africa-12283623> (26.01.2011).

⁷⁷³ Richard N. Haass, "Reflections: Egypt Revolution", **Al Jazeera**, 16.02.2011, <http://www.openlogger.com/u/24723/?reflections%3A+egypt+revolution+-+opinion+-+al+jazeera+english> (17.02.2011).

⁷⁷⁴ Katerina Dalacoura, "The 2011 uprisings in the Arab Middle East: political change and geopolitical implications", **International Affairs**, Vol:88, No:1, 2012, p.64.

⁷⁷⁵ Six months after his resignation, Mubarak was put on trial. On August 3, 2011, the trial against Mubarak, his sons and major regime figures began. They were charged with corruption and the killing of protesters, but they denied all the charges. The trial is still in progress at the time (April 2012) of this writing. For more details view; "Human Rights Watch World Report 2012 (Events of 2011)", **Human Rights Watch**, 22.01.2012, <http://www.hrw.org/sites/default/files/reports/wr2012.pdf> (23.01.2012), pp.545-546 and Dalacoura, p.65.

⁷⁷⁶ "Timeline: Egypt since January Protests", Reuters 2011.

⁷⁷⁷ The army's position during the uprising was ambivalent at the beginning, yet through time it adopted an opposing position to Mubarak's rule. For more details see Dalacoura, p.70.

⁷⁷⁸ Dalacoura, p.64.

and presidential elections and powers of the parliament and the president.⁷⁷⁹ What the SCAF did in fact was to issue a “constitutional proclamation” which was formed from pieces of the old constitution to legally indicate the steps for handing over power to civil political structures.⁷⁸⁰ Constitutional amendments were approved through popular referendum on 19 March 2011 by 77 percent of the votes with a 41.2 percent turnout of the 45 million eligible voters.⁷⁸¹ The “constitutional proclamation” including constitutional amendments then became country’s governing document until drafting a new constitution. Constitutional amendments regarding presidency limited presidential term to two four-years, obliged the president to choose a deputy within 30 days of election and installed new criteria for presidential candidates that “they must be over 40 years old and not married to a non-Egyptian”.⁷⁸² Also, changes included restoration of full judicial oversight for elections, requirement of public referendum for any state of emergency that lasts longer than six months and obligation for the new parliament to appoint a constitutional committee, responsible for drafting a new constitution, within six months of taking office.⁷⁸³

Following approval of constitutional amendments a roadmap for transition to civilian democratic rule was roughly designated: parliamentary elections would be followed by selection of constitutional committee and then presidential elections would take place. In the meantime, then deputy Prime Minister Ali Al-Selmy released a debated draft of supra-constitutional principles on November 1, known as the Selmy document, written in direct consultation with the SCAF.⁷⁸⁴ According to the Selmy document, freedom of military budget from parliamentary oversight would be guaranteed, eighty of the one-hundred members of constitutional commission would be appointed by military -“leaving the elected parliament to only appoint

⁷⁷⁹ “Egypt approves constitutional changes”, **Al Jazeera**, 20.03.2011, <http://www.aljazeera.com/news/middleeast/2011/03/2011320164119973176.html> (20.03.2011).

⁷⁸⁰ Marina Ottaway, “Egypt’s Transition: Finding a Way Out of the Vicious Circle”, **Carnegie Endowment for International Peace Commentary**, 06.02.2012, (Vicious Circle), <http://carnegieendowment.org/2012/02/06/egypt-s-transition-finding-way-out-of-vicious-circle> (10.02.2012).

⁷⁸¹ “Egypt referendum strongly backs constitution changes”, **BBC News**, 20.03.2011, <http://www.bbc.co.uk/news/world-middle-east-12801125> (20.03.2011).

⁷⁸² “Egypt referendum strongly backs constitution changes”, 2011.

⁷⁸³ “Egypt approves constitutional changes”, 2011.

⁷⁸⁴ Yezid Sayigh, “The Specter of ‘Protected Democracy’ in Egypt”, **Carnegie Endowment for International Peace Commentary**, 15.12.2011, (Protected Democracy), <http://egyptelections.carnegieendowment.org/2011/12/15/the-specter-of-%E2%80%9Cprotected-democracy%E2%80%9D-in-egypt> (18.12.2011).

twenty” - and any passage that contradicts the basic tenets of the Egyptian state and society could be overruled by military.⁷⁸⁵ The release of the Selmy document was viewed as an attempt by the Egyptian army to preserve its political and economic privileges in the new political system. It was a turning point in Egyptians’ perception of military following overthrow of the Mubarak regime. When the SCAF initially took control, military had a very popular image among people that was largely seen as a national protector, while the Selmy document had demonstrated military’s determination for holding on to power.⁷⁸⁶ As a result, hundreds of people came together to protest the Selmy document and the SCAF had to retreat shelving the document albeit temporarily.⁷⁸⁷

In line with sequencing of transition steps in the roadmap, the first round of voting for parliamentary elections was scheduled on November 28.⁷⁸⁸ Prior to parliamentary elections, new political formations emerged in political scene. After years of denial of legal recognition as a political entity under the Mubarak rule and thus participated elections either through nominating independent candidates or entering into coalitions with legalized parties, the MB established a political party, Freedom and Justice Party (FJP). Headed by Mohammed Mursi, the FJP was legally recognized as a political party in May 2011.⁷⁸⁹ While the FJP enjoys fiscal and administrative autonomy, it in fact is the political arm of the MB which remains politically and ideologically subordinate to the Brotherhood.⁷⁹⁰ Alongside the FJP, the Wasat Party was also recognized as a political party in legal sense after years of rejection for legal recognition.⁷⁹¹ These two parties both of which belong to the moderate Islamist camp, guaranteed right to compete in the forthcoming

⁷⁸⁵ Marina Ottaway, “Egypt’s Democracy: Between the Military, Islamists, and Illiberal Democrats”, **SADA Journal**, 03.11.2011, (Egypt’s Democracy), <http://carnegieendowment.org/2011/11/03/egypt-s-democracy-between-military-islamists-and-illiberal-democrats/6m1s> (10.11.2011) and Sayigh, Protected Democracy.

⁷⁸⁶ Philippe Droz-Vincent, “Is Military Rule in Egypt Really Temporary?”, **SADA Journal**, 10.11.2011, <http://carnegieendowment.org/2011/11/10/is-military-rule-in-egypt-really-temporary/71dj> (12.11.2011).

⁷⁸⁷ Sayigh, Protected Democracy.

⁷⁸⁸ “Egypt parliamentary elections to start on November 28”, **Al Arabiya**, 27.09.2011, <http://www.alarabiya.net/articles/2011/09/27/168988.html> (03.10.2011).

⁷⁸⁹ Khalil Al-Anani, “Egypt’s Freedom and Justice Party: to be or not to be Independent”, **Arab Reform Bulletin**, 01.06.2011, <http://carnegieendowment.org/2011/06/01/egypt-s-freedom-justice-party-to-be-or-not-to-be-independent/3gca> (04.06.2011).

⁷⁹⁰ Al-Anani.

⁷⁹¹ Dalacoura, 75.

parliamentary elections. In the meantime, surprisingly, the Salafis⁷⁹² who had preferred to remain apolitical until then established a number of political parties including the Al-Nour Party and the smaller Fadila and Asala Parties, and declared their intention to contest parliamentary elections.⁷⁹³ Following outbreak of revolution, Salafis had justified their participation in politics by arguing that while an Islamic state is the ideal form of state, in the absence of an Islamic state, “it is imperative to participate in a secular system in order to prevent the return of an oppressive and corrupt government”.⁷⁹⁴ With the entry of Salafi parties into politics, spectrum of political Islam in Egypt has expanded. To contest parliamentary elections the Salafi parties initially took part in the Democratic Alliance together with the FJP and several liberal and left parties, but then quitting the democratic alliance, they established an Islamist alliance which is also known as the Salafi alliance.⁷⁹⁵

Parliamentary elections were held through three rounds starting on the late November. Final results⁷⁹⁶ of elections demonstrated popularity of the FJP, which won 216 of the 498 seats owing its success largely to its organizational strength, experience, nationwide presence, as well as weakness of other parties.⁷⁹⁷ Results also revealed strength of Salafi Al-Nour Party which contested elections under the Islamist Alliance, winning 109 of the seats.⁷⁹⁸ The Liberal Al-Wafd Party was the third winning 41 of the seats.⁷⁹⁹ As a result; Islamist parties together won almost 70% of the seats in the lower house of the People’s Assembly that means an

⁷⁹² Salafism is an understanding of Islam which emphasizes the time of Prophet Muhammad and early Muslims, known as the golden age of Islam, and aims to restore the Islamic faith in its purest form as practiced in the golden age.

⁷⁹³ Jonathan Brown, “Salafis and Sufis in Egypt”, **Carnegie Endowment for International Peace Papers**, December 2011, (Salafis), http://carnegieendowment.org/files/salafis_sufis.pdf (10.01.2012), p.8.

⁷⁹⁴ Brown, Salafis, p.8.

⁷⁹⁵ Brown, Salafis, p.9.

⁷⁹⁶ See table 13 for the results of 2011 parliamentary elections.

⁷⁹⁷ Nathan J. Brown, “When Victory Becomes an Option: Egypt’s Muslim Brotherhood Confronts Success”, **Carnegie Endowment for International Peace Papers**, January 2012, (Victory), http://carnegieendowment.org/files/brotherhood_success.pdf (05.02.2012), p.5.

⁷⁹⁸ Matt Bradley, “Islamist parties dominate Egypt parliamentary elections”, **The Wall Street Journal**, 21.01.2012, <http://online.wsj.com/article/SB10001424052970204301404577174832117262816.html> (21.01.2012).

⁷⁹⁹ Jasmine Coleman, “Egypt election results show firm win for Islamists”, **The Guardian**, 21.01.2012, <http://www.guardian.co.uk/world/2012/jan/21/egypt-election-clear-islamist-victory> (21.01.2012).

impressive victory and domination of legislature by the Islamists.⁸⁰⁰ Yet, while Islamist parties seem to have an overwhelming influence over legislation and drafting of a new constitution, it is unlikely that they act together in harmony. Besides, there is still state of emergency that will expire by June 2012 and the SCAF continues to maintain a noticeable amount of control over the political system including right to rule by decree.⁸⁰¹ Following elections for the lower house of the People's Assembly, elections for the upper house, the Shura Council⁸⁰² took place starting on late January. Shura Council elections once again confirmed strength of the Islamist parties and consolidated Islamists' control of legislature. The FJP came the first, winning 106 seats, while Al-Nour party came the second⁸⁰³ winning 45 of the upper house's 180 seats.⁸⁰⁴

With completion of elections for the two chambers of parliament, the priority of the People's Assembly was to determine composition of the committee, which would be responsible for drafting a new constitution. The constitutional committee would consist of 100 people, 50 of which will be elected among parliamentarians in newly formed parliament, while the other 50 will be chosen among members of civil society.⁸⁰⁵ Selection of the members of constitutional committee took place in shadow of intense debates and struggles among the Islamist and liberal parliamentarians.⁸⁰⁶ The SCAF also sought to influence writing of the constitution to preserve its interests in newly emerging order through the Selmy document. But its attempt to minimize the role of incoming parliament in writing a new constitution

⁸⁰⁰ Bradley.

⁸⁰¹ Nathan Brown, "Landmines in Egypt's Constitutional Roadmap", **Carnegie Endowment for International Peace**, 07.12.2011, (Landmines), <http://egyptelections.carnegieendowment.org/2011/12/07/landmines-in-egypt%E2%80%99s-constitutional-roadmap> (20.12.2011).

⁸⁰² The Shura Council is not a powerful institution which acts like a consultant body, responsible for providing opinion and advices on issues and draft laws. Two thirds of the council's members are elected while the rest is appointed by the president. Since presidential elections are scheduled for late May, non-elected members of the council will be appointed only after the election of the president. For more details see Ottaway, Vicious Circle.

⁸⁰³ The popularity of the Salafi parties and Al-Nour Party's electoral success during parliamentary elections have caused alarm among secular Egyptians and external actors such as the United States and Europe. Salafis' hardliner stance on various issues raised concerns about Egypt becoming an Iranian-style theocracy. See Brown, Victory, p.14.

⁸⁰⁴ "Islamist elected speaker of Egypt's upper house", **BBC News**, 28.02.2012, <http://www.bbc.co.uk/news/world-middle-east-17199262> (04.03.2012).

⁸⁰⁵ "Egypt begins constituent assembly selection", **Al Jazeera**, 24.03.2012, <http://www.aljazeera.com/news/middleeast/2012/03/201232411736959254.html> (25.03.2012).

⁸⁰⁶ Amani Maged, "Battle of the 100", **Al-Ahram Weekly**, 1-7 March 2012, <http://weekly.ahram.org.eg/print/2012/1087/fr1.htm> (12.03.2012).

failed.⁸⁰⁷ It was in fact a struggle over defining Egyptian state's new identity as well as its future in its transition from authoritarian order to democratic order. Secular, liberal and leftist parliamentarians raised their concerns about an Islamist monopoly over the constitutional committee, due to domination of parliament by the Islamist parties.⁸⁰⁸ There are competing views with respect to the nature of new constitution particularly on civil-military relations,⁸⁰⁹ role of Islam in politics,⁸¹⁰ and central tenets of the political system⁸¹¹ including powers of president and parliament.⁸¹² Notwithstanding heated discussions, members of the constitutional committee were appointed. Among committee's 100 members, 64 of them were either members of Islamist movements or had strong ties to them and among 50 parliamentarian members of the committee, 25 were from the FJP and 11 were from the Al-Nour Party.⁸¹³ 50 non-parliamentarians of the committee included the chairmen of pharmacists', engineers' and journalists' syndicates, MB members, clerics, economists, professors and judges.⁸¹⁴ In line with the composition of parliament's lower and upper houses, constitutional committee was dominated by the Islamists be they the moderate Brothers to large extent or hardliner Salafis. Discontented with Islamists' domination of the committee, a series of liberal, leftist and other members

⁸⁰⁷ Sayigh, Protected Democracy.

⁸⁰⁸ Maged.

⁸⁰⁹ The military in Egypt has been very powerful and influential over various political decisions. Armed forces have had an institutional autonomy and financial independence along with the privileges of senior staff. The military has sought to guarantee these in the new political order and to "safeguard a voice in the policy making process through the establishment of a national security council". For more details see Mahmoud Hamad, "The Constitutional Challenges in Post-Mubarak Egypt", *Insight Turkey*, Vol:14, No:1, 2012, pp.53-54.

⁸¹⁰ The role of Islam in politics has highly been debated since the ending of the Mubarak regime. While conservative Muslims and a number of Islamist parties want Islam to have a central role over society and politics, the Copts (Christian minority) and "seculars want a religion-neutral constitution that omits any reference to Islam". Hamad, p.59.

⁸¹¹ Egypt was governed by a presidential system which granted president great amount of powers. Whether Egypt would continue to be governed by a presidential system or an alternative system such as parliamentary (Westminster) or semi-presidential system remains to be seen. While the SCAF has been in favor of the continuation of the presidential system, where executive powers are vested in the president, the FJP advocates a parliamentary political system, where executive powers are vested in the prime minister and the cabinet who are accountable to parliament. There are also those who argue for a semi-presidential system which distributes powers between cabinet and president. For more details view Hamad, pp.60-61.

⁸¹² For a detailed analysis of these competing views see Hamad, pp.51-52.

⁸¹³ Gamal Essam El-Din, "Dubious Addition", *Al Ahram Weekly*, 29.03.2012-04.04.2012, (Dubious Addition), <http://weekly.ahram.org.eg/2012/1091/eg30.htm> (05.04.2012).

⁸¹⁴ El-Din, Dubious Addition.

withdrew from the committee accusing the Islamists of monopolizing the process.⁸¹⁵ These withdrawals combined with appeals by a number of lawyers and activists for suspension of the committee resulted in 10 April Administrative Court ruling, which dissolved the constitutional committee appointed by parliament.⁸¹⁶ At the time of this writing⁸¹⁷ there is still a deadlock with respect to writing a new constitution. There have been attempts by the SCAF and the People's Assembly to resolve the impasse and to form a new authorized body to write a new constitution, but they all failed till now.⁸¹⁸

While intense debate over drafting of constitution continued, the countdown for the first round of presidential elections scheduled for 23-24 May began. As the process of nomination and registration for presidential candidacy was reaching its deadline by the early April, an unexpected nomination by the MB had complicated already entangled political scene. The MB nominated its own presidential candidate, Khairat Al-Shater⁸¹⁹ although earlier they announced that they would not field a candidate for presidency reassuring "progressives and Western countries fearful of an Islamic takeover".⁸²⁰ Brotherhood representatives argued that their move was a response to popular pressure on them to run for presidency.⁸²¹ Yet, it was broadly perceived as a calculated strategy by the Brothers to contest Al-Nour party's candidate Hazem Abu Ismail on the one hand, whereas on the other to strengthen its hand against the possibility of SCAF's support for a candidate, who would dissolve the parliament in case of a presidency.⁸²² Discontent by various segments of society about Al-Shater's candidacy seemed to be removed with the declaration by the Supreme Presidential Election Commission - responsible for approving nominations of presidential candidates – which excluded 10 of the 23 registered candidates from

⁸¹⁵ "Panel writing Egypt constitution hit by fresh boycotts", **BBC News**, 20.03.2012, <http://www.bbc.co.uk/news/world-middle-east-17553610> (21.03.2012).

⁸¹⁶ Gamal Essam El-Din, "Constitutional Quagmire", **Al Ahram Weekly**, 25.04.2012-01.05.2012, (Constitutional Quagmire), <http://weekly.ahram.org.eg/2012/1095/eg2.htm> (26.04.2012).

⁸¹⁷ April 27, 2012.

⁸¹⁸ El-Din, Constitutional Quagmire.

⁸¹⁹ Khairat al-Shater is a multi-millionaire, respected strategist of the MB who was imprisoned under Mubarak's regime.

⁸²⁰ "Brotherhood to run for Egypt's presidency", **Al Jazeera**, 01.04.2012, <http://www.aljazeera.com/news/africa/2012/03/2012331191231210148.html> (01.04.2012).

⁸²¹ Marwan Bishara, "Egypt's Spring Break", **Al Jazeera**, 02.04.2012, <http://www.aljazeera.com/indepth/opinion/2012/04/20124214426815765.html> (04.04.2012.)

⁸²² Bishara.

forthcoming presidential elections including MB's candidate Al-Shater.⁸²³ Other candidates that were disqualified by the Election Commission included Al-Nour Party's candidate Hazem Salah Abu Ismail,⁸²⁴ and Omar Suleiman.⁸²⁵ After elimination of 10 candidates, the final list declared by the Election Commission consists of 13 candidates to compete for presidency. Among these candidates, four names have attracted major attention including Amr Moussa,⁸²⁶ Abdel-Moneim Abul-Fotouh,⁸²⁷ Mohammed Mursi⁸²⁸ and Ahmed Shafik⁸²⁹ suggesting a tough competition among them.

Let us now focus on how the EU responded to the Cairo Spring and the developments regarding Egypt's transition period? The EU adopted a cautious approach when the protests broke out in Egypt on January 25, 2011. As the EU had close ties with the Mubarak regime, the uprisings demanding political reform and

⁸²³ Al-Shater was disqualified on the grounds that candidates are eligible to run in elections six years after being released or pardoned and Shater was released from prison only in March 2011. "Egypt bars 10 candidates from election", **Al Jazeera**, 15.04.2012, <http://www.aljazeera.com/news/middleeast/2012/04/2012414185229419379.html> (15.04.2012).

⁸²⁴ Hazem Salah Abu Ismail is a Salafi hardliner who was disqualified for contesting presidential elections when it was revealed that his mother holds US citizenship, violating the requirement that candidates, their parents, and their wives must have only Egyptian citizenship. See "Egypt bars 10 candidates from election", **Al Jazeera** 2012.

⁸²⁵ Omar Suleiman comes from a military background, who served as head of intelligence for two decades under Mubarak's rule and Mubarak's vice president for two weeks after protests broke out. He was found ineligible by the commission since irregularities were observed with respect to 30,000 recommendations required for nomination of independent candidates. See "Egypt bars 10 candidates from election", **Al Jazeera** 2012.

⁸²⁶ Amr Moussa is a liberal candidate, a diplomat, who served as the foreign minister of Egypt for a decade under Mubarak's rule and then served as the secretary-general of the Arab League. He is popular among Egyptian people with his long, distinguished career. See Jon Leyne, "Egypt elections: On a mission to rebuild the country", **BBC News**, 27.03.2012, <http://www.bbc.co.uk/news/magazine-17492734> (29.03.2012).

⁸²⁷ Abdel-Moneim Abul-Fotouh is a moderate Islamist candidate, a pediatrician, who served as secretary-general of the Arab Doctors' Union and the former leader of the MB. He was expelled from the MB after he declared his intention to contest presidential elections, despite Brotherhood's decision not to nominate a candidate. Known for his democrat character, he is a popular figure mostly among young members of the MB. See "The Final Countdown". **Al Ahram Weekly**, 19.04.2012-25.04.2012, <http://weekly.ahram.org.eg/2012/1094/sc3.htm> (20.04.2012).

⁸²⁸ Holding a PhD in engineering, Mohammed Mursi is the leader of the FJP, who was nominated by the MB after the disqualification of group's earlier candidate Khairat Al-Shater. For this reason, he is called as the reserve candidate of the MB. While he is not a very charismatic figure, still he attracted mass public support for the post he holds as one of the leading representatives of the MB. See Khaled Dawoud, "Presidency poll on time", **Al Ahram Weekly**, 19.04.2012-25.04.2012, <http://weekly.ahram.org.eg/2012/1094/fr2.htm> (20.04.2012) and "The Final Countdown". **Al Ahram Weekly**, 2012.

⁸²⁹ Ahmed Shafik was the minister of civil aviation under Mubarak's rule who was appointed by Hosni Mubarak as the prime minister shortly after the protests broke out. His post as prime minister did not last long, as he was forced out by public pressure because of his ties with the Mubarak regime. He is supported by former members of the dissolved NDP, the army personnel and the business community. See "The Final Countdown". **Al Ahram Weekly**, 2012.

regime removal led to an initial confusion among the EU leaders.⁸³⁰ Thus, the EU officials remained silent for a few days, but as protests grew they cautiously raised their concern about protesters' right to freedom of assembly and expression and police violence without confronting the Mubarak regime.⁸³¹ President of the European Council, Herman Van Rompuy's statement on the situation in Egypt dated back to January 29, 2011 illustrates this point:

*I am deeply troubled by the spiral of violence leading to a situation which makes dialogue even more difficult. The respect for fundamental human rights, such as the freedom of expression, the right to communicate, and the right of free assembly, as well as social inclusion are constituent elements of democracy which the Egyptian people, and in particular the young, are striving for. History has shown that dialogue can also lead to change if a conducive environment is built, without the use of force or a military crackdown. I therefore call for the cessation of violence to stop bloodshed, the release of all those arrested or under house arrest for political reasons, including political figures, and to set the necessary reform process in motion. I sincerely hope that the promises of openness by President Mubarak will translate into concrete action.*⁸³²

As protests against the Mubarak regime continued, Catherine Ashton, - the High Representative of the Union for Foreign Affairs and Security Policy and Vice President of the Commission - called for peaceful dialogue in Egypt. At a meeting in Brussels, she said: "There needs to be a peaceful dialogue, an open dialogue to actually move forward...We have worked closely with Egypt over many years to offer international support and we will be there for the short, medium and long term to help build democracy, the rule of law, all of those values coming into action."⁸³³

In the beginning, EU authorities believed that a democratic transition could take place in Egypt through dialogue under the rule of Mubarak. Political reform led by a friendly regime was more preferable from Union's point of view rather than

⁸³⁰ Katherine Butler, "Europe's betrayal of the Arab awakening", **The Independent**, 10.02.2011, <http://www.independent.co.uk/opinion/commentators/katherine-butler-europes-betrayal-of-the-arab-awakening-2209675.html> (12.02.2011).

⁸³¹ Annual Human Rights Watch Report published on 22 January 2012 openly criticizes both the EU's and the US's cautious responses to uprisings in the Arab world which took place in early 2011. For more details see Human Rights Watch World Report 2012 (Events of 2011), pp.551-552.

⁸³² "Statement by Herman Van Rompuy, President of the European Council, on the situation in Egypt", **EU Press**, 29.01.2011, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/118993.pdf (12.02.2011).

⁸³³ "EU warns Egypt over protests". **Al Jazeera**, 31.01.2011, <http://www.aljazeera.com/news/europe/2011/01/201113112215714727.html> (31.01.2011).

regime change in the form of an un-controlled process. Thus the EU did not voice any serious criticism against the Mubarak regime. However, realizing determination of protesters and seriousness of the situation, the EU sought to distance itself from the Mubarak regime. On February 4, a declaration by the European Council on Egypt and the region “condemned in the strongest terms the violence and all those who use and encourage violence” and “called on the Egyptian authorities to meet the aspirations of the Egyptian people with political reform not repression”.⁸³⁴ While the declaration signified a change in the EU’s tone against the Mubarak regime, still it remained short demanding resignation of Mubarak.⁸³⁵

Finally, with THE collapse of regimes in Tunisia and Egypt, the EU realized the need to adopt a new approach towards the Middle East in general and Egypt in particular. After the decline of the Mubarak regime on February 11, Stefan Fule, Commissioner for Enlargement and European Neighbourhood Policy, addressed the regime change in Egypt during a session of THE European parliament in Strasbourg:

*The political reality of Egypt changed spectacularly last Friday when President Mubarak stepped down after 30 years in office. His departure has opened the way to the possible transformation of Egypt...A great responsibility now rests on the shoulders of the Supreme Military Council to guide Egypt towards the democratic future for which its people have striven....We will closely watch the steps that will be taken and we hope they will pave the way towards democratic, free and fair elections later in the year.*⁸³⁶

A few days later, EU High Representative Catherine Ashton visited Egypt to contact transitional authorities. Underlining EU’s willingness to support Egypt in its transition to a civilian and democratic government, she said:

I salute the courage of Egyptian people in their peaceful and dignified mobilization to bring democracy and improve opportunities in their

⁸³⁴ European Union Official Web Site, “European Council Declaration on Egypt and the Region”, 04.02.2011, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/119145.pdf (10.02.2011).

⁸³⁵ Tobias Schumacher, “The EU and the Arab Spring: Between Spectatorship and Actorness”, **Insight Turkey**, Vol:13, No:3, 2011, p.116.

⁸³⁶ “Statement by Commissioner Stefan Fule on Egypt Plenary Session of the European Parliament”, **EU Press**, 16.02.2011, <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/11/111&format=HTML&aged=1&language=EN&guiLanguage=en> (18.02.2011).

*country....I encouraged the transitional authorities to set a clear timetable and steps for constitutional reform, paving the way for free and fair parliamentary and presidential elections... The EU stands ready to accompany the peaceful and orderly transition to a civilian and democratic government and to support Egyptian efforts to improve their economic situation and increase social cohesion.*⁸³⁷

Following Ashton's visit to Egypt on March 8, 2011 the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy presented a "Partnership for Democracy and Shared Prosperity with the Southern Mediterranean" which claimed to expose "a fundamental step change in the EU's relationship with those partners that commit themselves to specific, measurable reforms".⁸³⁸ Admitting risks and uncertainties associated with transitions in the Arab Mediterranean states, the partnership document underlines EU's responsibility to support "the quest for the principles and values that it cherishes" in these states through these words: "the EU must not be a passive spectator. It needs to support wholeheartedly the wish of the people in our neighbourhood to enjoy the same freedoms that we take as our right."⁸³⁹ To enable the EU to play a more active role, the document puts forward "an incentive-based approach based on more differentiation ('more for more')", which proposes greater support by the EU to those states that perform further and faster with respect to agreed reform plans.⁸⁴⁰

Parallel to the new partnership document, the change in EU's policy towards Arab Mediterranean states and support of the EU for political transition in these states were expressed by EU authorities. On the 2 and 3 May, Stefan Füle visited Egypt, where he met government representatives and a broad range of civil society

⁸³⁷ "Remarks by EU High Representative Catherine Ashton at the end of her visit to Egypt". **EU Press**, 22.02.2011, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/119445.pdf (24.02.2011).

⁸³⁸ "A partnership for democracy and shared prosperity with the Southern Mediterranean", The Joint Communication of the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy, **European External Action Service (EEAS)**, 08.03.2011, http://eeas.europa.eu/euromed/docs/com2011_200_en.pdf (18.06.2011).

⁸³⁹ "A partnership for democracy and shared prosperity with the Southern Mediterranean", 2011.

⁸⁴⁰ "A partnership for democracy and shared prosperity with the Southern Mediterranean", 2011.

organizations and expressed EU's support for Egyptian people's "legitimate request for democracy, human rights and a better future".⁸⁴¹ He stated:

*Egypt is changing as are both its neighbours and the European Union itself. To take into account these fundamental changes, the EU is adapting its policies... The EU intends to promote a new approach which will be founded on key principles such as differentiation, increased support and incentives to those partners that are taking clear steps towards reforms. The EU also intends to strengthen its dialogue and cooperation with civil society.*⁸⁴²

With the failure of authoritarian Mubarak regime, there was a noticeable shift in the rhetoric of EU authorities from stability to democracy. Before the fall of Mubarak regime, the EU highly emphasized on the stability and thus political reform was expected to be materialized by the existing regime. After the regime change in Egypt, EU officials have understood that long-term stability can not be achieved in the absence of democratic regimes. Speech by Jose Manuel Durao Barroso, President of the European Commission in Opera House during his visit to Cairo was like a confession of the Union's former policies towards Egypt: "In the past too many have traded democracy for stability. But recent events have only proven that lasting stability can only be achieved through democratic and accountable governments". Barroso also mentioned about challenges to democracy in a transition process and offered Union's assistance and experience through these words:

*We recognize there are many risks still to be faced. We recognize that the Revolution is not finished. The expectations are high and the potential for frustration is considerable. Deep change takes time. The road to democracy is not a peaceful stream of water but rather an unpredictable river very much like the Nile used to be before the Aswan Dam. But we fundamentally affirm the spirit that has ignited the revolution thus far. And throughout we remain acutely aware that democracy must come from within. While external assistance may help the flowers of democracy bloom, it is only you who have planted the seeds that can ensure democracy takes root.... We simply offer our experience and our assistance, should you think it can help in your search for new institutions, new opportunities and a new social contract.*⁸⁴³

⁸⁴¹ "Commissioner Stefan Fule visits Egypt", **EU Press**, 03.05.2011, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/11/528&format=HTML&aged=1&language=EN&guiLanguage=en> (12.07.2011).

⁸⁴² "Commissioner Stefan Fule visits Egypt", **EU Press**, 03.05.2011, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/11/528&format=HTML&aged=1&language=EN&guiLanguage=en> (12.07.2011).

In an attempt to respond to the new political context and to encourage transition to democracy in Egypt, the EU provided a €20 million package to support civil society and a €2 million package to assist the High Electoral Commission in its work.⁸⁴⁴ In the meantime, materialization of parliamentary elections orderly was welcomed by the EU as Catherine Ashton stated: “Egypt’s Parliamentary elections, which saw a good level of participation from voters, are an historic step towards the country’s democratic transition. I congratulate the members of parliament and wish them every success in their work”⁸⁴⁵ In her speech, Ashton also underlined Parliament’s responsibility to realize democratic reforms and the great importance the EU attached to transfer of civilian rule as early as possible.⁸⁴⁶ EU officials in general believe that Egypt had progress in its transition to democracy despite their condemnation of the military’s repeated violations of civil liberties including beating and torture of protesters.⁸⁴⁷ During a press conference held by the EU delegation to Egypt, Ambassador Marc Franc, the delegation head and EU ambassador in Cairo said: “You cannot expect a transition to democracy after years of tyranny by the shake of a magic wand...There have been occurrences that make it look like Egypt is ‘still in Mubarak’s days’ but I believe that the country’s overall direction is positive”.⁸⁴⁸ It seems that the EU would closely watch drafting of a new constitution and presidential elections. On the whole, while the EU has regularly offered assistance to Egyptian authorities and civil society organizations to encourage Egypt’s transition

⁸⁴³ “Speech by Jose Manuel Durao Barroso, President of the European Commission / Partners in Freedom: The EU Response to the Arab Spring”, **EU Press**, 14.07.2011, <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/11/523&format=HTML&aged=1&language=EN&guiLanguage=en> (20.07.2011).

⁸⁴⁴ “The EU’s response to the Arab Spring”, **EU Press**, 16.12.2011, <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/11/918&format=HTML&aged=0&language=EN&guiLanguage=en> (25.12.2011).

⁸⁴⁵ “Statement by High Representative Catherine Ashton on the opening session of the Egyptian Parliament”, **Delegation of the EU to Egypt Official Web Site**, 23.01.2012, http://eeas.europa.eu/delegations/egypt/press_corner/all_news/news/2012/20120123_en.htm (27.01.2012).

⁸⁴⁶ “Statement by High Representative Catherine Ashton on the opening session of the Egyptian Parliament”, 2012.

⁸⁴⁷ Osman El-Sharnoubi, “EU Delegation in Egypt praises democratization process”, **Ahram Online**, 18.01.2012, <http://english.ahram.org.eg/NewsContent/1/64/32079/Egypt/Politics/-/EU-delegation-in-Egypt-praises-democratisation-pr.aspx> (28.01.2012).

⁸⁴⁸ El-Sharnoubi.

to democracy, until now, it has been far from undertaking a truly active role in this process.

Writing a new constitution and presidential elections are the major tests in Egypt's transition to democracy. According to sequence of transition steps indicated in the constitutional proclamation, the new constitution has to be put forward to a popular referendum before presidential elections are held on 23-24 May. However, as deadlock continues in writing the constitution by late April 2012, it may pave the way to election of a new president before completion of the constitution. The SCAF will continue to rule the country until the outcome of presidential elections is declared. Only after the SCAF's handing of power to civilian rule, the process of transition to genuine democracy would advance. Both constitution and new president will be significant in determining the course of political reform in the post-Mubarak Egypt. While removal of Mubarak was surprisingly easy, it was only the initial step, as transition can be a complicated process that accommodates many challenges ahead.⁸⁴⁹ It's true that Mubarak's departure is an important development, but it was not a decisive development since struggle among political actors to influence Egypt's future does not seem to end soon.⁸⁵⁰

The prospect for MB influence on political agenda has undoubtedly increased with its political party FJP's electoral victory in the parliamentary elections. It is the first time that the MB undertakes control over the political system, since it had traditionally been in the opposition.⁸⁵¹ However, transitional rules and regulations governing Egypt suggest that the MB has to share power with the SCAF until the presidential elections. MB's capacity to influence political reform is also closely related with the new constitutional design over whether Egypt would continue to be governed by a presidential system or an alternative system such as a parliamentary or a semi-presidential system. For now, the MB has a strong authority in the political system with a total number of 322 seats in lower and upper houses of the People's Assembly. Yet, for the time being, it is hard to tell that the Brotherhood is the leading political force to be in charge of the country. The military continues to hold a wide

⁸⁴⁹ Dietrich Jung, "Unrest in the Arab World: Four Questions", **Insight Turkey**, Vol:13, No:3, 2011, (Unrest), p.5.

⁸⁵⁰ Haass.

⁸⁵¹ Brown, Victory.

range of powers granted by the constitutional declaration. The FJP's ministers have also faced a dilemma on how to approach Islam in their statements, as on the one hand the Brothers have to compete with Salafis for the Islamist base, whereas on the other hand they seek to reassure "non-Islamist political forces at home and abroad" with respect to their political intentions.⁸⁵²

For its part, military seeks to secure its privileges and interests in the new political order. Generals wish to continue their influence and veto power over issues of war and peace and foreign policy, and to retain full control over the defense budget without any civilian oversight.⁸⁵³ The transitional context has initially granted military extensive powers over political issues, but with electoral successes of the FJP and Al-Nour, control of the SCAF has been limited to some extent. Egypt's political future seems open to many questions:⁸⁵⁴ 1) How will the new constitution deal with the issues of civil-military relations and the role of Islam in politics? 2) What will be the central tenets of the political system? 3) Will the transfer of power from the military back to civilian government take place by June 2012? 4) Who will be the next president? Answers to these questions are highly critical for the future process of political reform in the post-Mubarak Egypt. To guarantee more influence over political system, relevant actors including the MB, military, secularists and the Salafis seek to affect drafting of the constitution and support a presidential candidate who is sympathetic to them. For now, it is hard to comment on the prospect of democratization in Egypt in the near future as the political context is fragile and may be subject to change with a difference in balance of powers among political actors. Still, it is safe to suggest that a favorable external environment, where the EU undertakes an active role in supporting Egypt in its transition to more democratic political system would surely help.

⁸⁵² Brown, Victory.

⁸⁵³ Yezid Sayigh, "Egypt's Unfinished Revolution", **Carnegie Endowment for International Peace**, 28.01.2012, (Unfinished Revolution), <http://carnegieendowment.org/2012/01/28/egypt-s-unfinished-revolution/97xh> (29.01.2012).

⁸⁵⁴ Dina Ezzat, "What's next for Egypt?", **Al Ahram Weekly**, 10-16 February 2011, <http://weekly.ahram.org.eg/2011/1034/fr108.htm> (20.02.2011). In her article, Ezzat highlights the uncertainty regarding Egypt's future political context.

In short, during the Mubarak's rule, the EU had downplayed the need to promote "deep democracy",⁸⁵⁵ seeming content with the superficial reforms adopted by the Mubarak regime. The uprisings in the MENA in general and in Egypt in particular revealed that cosmetic reforms would preserve stability only in the short-term and the long-term stability would be achieved through transition to genuine democracy in Egypt. The EU officials admitted that their democracy promotion policies towards Egypt proved wrong.⁸⁵⁶ The EU failed to respond in a speedy and outspoken manner when the protests broke out in Egypt. Only after the departure of Mubarak, the EU has acted in a more outspoken fashion about need for genuine political reforms in Egypt. However, while EU authorities have offered their full support to Egypt in its political transition and granted a number of funds to sponsor this transition, so far its status has remained short of a truly active actor. As Egypt is proceeding on the road to a very critical political transformation, it is time for the EU to show its sincerity without being too late.

⁸⁵⁵ In her article published in the Guardian, Catherine Ashton defines "deep democracy" as a system which accommodates principals including "respect for the rule of law, freedom of speech, an independent judiciary and impartial administration" and "it is not just about changing government but about building the right institutions and attitudes". See Catherine Ashton, "The EU wants 'deep democracy' to take root in Egypt and Tunisia", **The Guardian**, 04.02.2011, <http://www.guardian.co.uk/commentisfree/2011/feb/04/egypt-tunisia-eu-deep-democracy> (10.02.2011).

⁸⁵⁶ See Ashton 2011, "The EU wants 'deep democracy' to take root in Egypt and Tunisia".

Table 13: Results of 2011 Parliamentary Elections in Egypt

Name of the Party / Coalition	Number of seats gained
<i>Democratic Alliance</i>	225
• Freedom and Justice Party	216
• Al-Karama	6
• Al-Hadara	2
• Labor	1
<i>Islamist Alliance</i>	125
• Al-Nour	109
• Building and Development Party	13
• Al-Asala	3
Al Wafd	41
<i>Egyptian Bloc</i>	34
• Al-Tagammu Party	3
• Egyptian Social Democratic Party	16
• Free Egyptians Party	15
Other Parties	41
Independents	25

Source: The information figured out in this table is accessed from “Results of Egypt’s People’s Assembly Election”, **Carnegie Endowment for International Peace**, 25.01.2012, <http://egyptelections.carnegieendowment.org/2012/01/25/results-of-egypt%e2%80%90s-people%e2%80%90s-assembly-elections> (27.01.2012).

CHAPTER FOUR

EU DEMOCRACY PROMOTION AND POLITICAL CONSEQUENCES: THE CASE OF MOROCCO

4.1. BRIEF HISTORICAL BACKGROUND OF EU-MOROCCO RELATIONS

The first diplomatic relations among the European Community (EC) and Morocco was established in 1960 through a commercial agreement during the rule of King Mohammad V.⁸⁵⁷ In July 1969, during the rule of the Hassan II, a bilateral association agreement was signed between the European Commission and Morocco for a period of five years.⁸⁵⁸ This association agreement, along with a parallel agreement with Tunisia was the first Association Agreement signed between the European Commission and an Arab state.⁸⁵⁹ 1969 Accords maintained open access both for Moroccan industrial exports to the European markets and for industrial exports from EC member countries to Moroccan domestic market.⁸⁶⁰ While this agreement was advantageous for EC member countries, as they were able to export industrial products not already produced in Morocco, Morocco could not make use of it since “the largest percentage of Moroccan exports to Europe were primary products”.⁸⁶¹

By the early 1970’s, Morocco, together with Tunisia and Algeria pressed the EC for broader cooperation. As a result, a cooperation agreement was signed between the EC and Morocco on 31 March 1976 within the framework of the EEC Global Mediterranean Policy (GMP), initiated in 1972.⁸⁶² Encouraging trade,

⁸⁵⁷ European Union Official Web Site. “European Neighbourhood Policy Country Report: Morocco”, 12.05.2004, http://ec.europa.eu/world/enp/pdf/country/morocco_enp_country_report_2004_en.pdf (17.02.2010).

⁸⁵⁸ Elena Baracani, “From the EMP to the ENP: A New European Pressure for Democratization? The Case of Morocco”, **The Centre for the Study of European Politics and Society**, 2005, <http://hsf.bgu.ac.il/europe/uploadDocs/csepspeb.pdf> (16 May 2010), p.13 and Haddadi, Two Cheers, p.151.

⁸⁵⁹ Gregory White, **A Comparative Political Economy of Tunisia and Morocco: On the Outside of Europe Looking In**, State University of New York Press, New York, 2001, p.57.

⁸⁶⁰ White, pp.57-58.

⁸⁶¹ White, pp.57-58.

⁸⁶² Haddadi, Two Cheers, p.151 and Baracani, p.13.

financial and technical cooperation, the 1976 Accords deepened the relationship between the EC and Morocco.⁸⁶³ In July 1987, under the rule of the Hassan II, Morocco was the first Arab country to formally apply for membership in the EC, but was immediately rejected by Brussels.⁸⁶⁴ Relations between Morocco and the EU got strained in January 1992, when the European Parliament refused to approve Morocco's fourth financial protocol (1991-96) on the grounds of human rights violations in the Western Sahara and ill conditions of political prisoners.⁸⁶⁵

Moroccan relations with the EU began to be shaped within the framework of EMP with its launch at the Barcelona conference in 1995. Since then, the EU has engaged in formally promoting democracy in Morocco. During the Barcelona conference, Morocco along with the other Mediterranean partners signed up the declaration assuring their commitment to principles of political pluralism.⁸⁶⁶ Following the Barcelona conference, Morocco and the EU signed the Euro-Mediterranean Association Agreement (EMAA) in February 1996, which entered into force on 1 March 2000.⁸⁶⁷ Endorsing the Barcelona Process and constituting the legal basis of relations between Morocco and the EU, the EMAA intended to encourage bilateral cooperation on economic, political and socio-cultural matters.⁸⁶⁸ Through signing the EMAA, Morocco expressed its commitment to respecting democratic principles and fundamental human rights. Article 2 of the EMAA is as follows: "Respect for the democratic principles and fundamental human rights established by the Universal Declaration of Human Rights shall inspire the domestic and external policies of the Community and of Morocco and shall constitute an essential element of this Agreement".⁸⁶⁹ The EMAA also anticipated the gradual creation of free trade in industrial products.⁸⁷⁰

⁸⁶³ White, p.64.

⁸⁶⁴ Dillman, *The European Union*, p.174.

⁸⁶⁵ Haddadi, *The EMP*, p.80.

⁸⁶⁶ Youngs, *Disingenuous Strategy*, p.40.

⁸⁶⁷ Baracani, p.14 and Haddadi, *Two Cheers*, p.151.

⁸⁶⁸ Haddadi, *The EMP*, p.74.

⁸⁶⁹ For a full text of the EMAA view http://www.maec.gov.ma/en/accord_en.pdf

⁸⁷⁰ Sami Zemni and Koenraad Bogaert. "Trade, security and neoliberal politics: whither Arab reform? Evidence from the Moroccan case", *The Journal of North African Studies*, Vol:14, No:1, 2009, p.95.

With coming power of Mohammad VI in 1999, relations between Morocco and the EU took a noticeable step toward enhancement.⁸⁷¹ As it is pointed out, “in 2003 Morocco was the first ENP partner country to agree on the establishment of a ‘subcommittee on human rights, democratization and governance’ to the EU-Moroccan Association Council”.⁸⁷² Following the launch of ENP in 2003, a bilateral Action Plan was signed between Morocco and the EU in 2005.⁸⁷³ The Action Plan aimed at establishing a significant degree of economic integration and a deepening of political cooperation among Morocco and the EU.⁸⁷⁴ At the same time, it served the purpose of advancing “the approximation of Morocco’s legislation, norms and standards to those of the EU”.⁸⁷⁵

Through time, Morocco has become a privileged partner of the EU and the leading beneficiary of EU aid programmes.⁸⁷⁶ This privileged position was further reinforced by the ‘Advanced Status’ granted to Morocco by the EU in October 2008.⁸⁷⁷ On 13 October 2008, the EU and Morocco adopted a ‘Joint Document on Advanced Status’, which designated a road map for developing EU-Moroccan relations towards an advanced status.⁸⁷⁸ Accordingly, diplomatic and trade relations between the EU and Morocco were to be intensified including “enhanced political dialogue and cultural and human exchanges, a general rapprochement of the Moroccan economy to the standards of the EU’s internal market, Morocco’s participation in community programmes and ad hoc alignment with EU foreign policy statements”.⁸⁷⁹ It also foresaw closer parliamentary cooperation as well as

⁸⁷¹ Mohammad VI has repeated his desire to improve relations with the EU at every instance. See Jamal, p.107.

⁸⁷² Kausch, How serious, p.8.

⁸⁷³ Zemni and Bogaert, p.95.

⁸⁷⁴ European Union Official Web Site. “Commission Proposal for the Implementation of EU-Morocco Action Plan”, 09.12.2004, http://ec.europa.eu/world/enp/pdf/action_plans/morocco_com_proposal_enp_ap_2004_en.pdf (15.02.2010).

⁸⁷⁵ EU Official Web Site. “Commission Proposal for the Implementation of EU-Morocco Action Plan”, 2004.

⁸⁷⁶ For instance, between years 1995 and 2004 the EU granted €917 million to Morocco. For more details see EU Official Web Site. “European Neighbourhood Policy Country Report: Morocco”, 2004.

⁸⁷⁷ Kristina Kausch, “Morocco’s ‘Advanced Status’: Model or Muddle?”, **FRIDE: A European Think Tank for Global Action** (Policy Brief), No: 43, March 2010, (Advanced Status), <http://www.fride.org/publication/745/moroccos-advanced-status-model-or-muddle> (10.03.2010), p.1.

⁸⁷⁸ Ivan Martin, “EU-Morocco Relations: How Advanced is the ‘Advanced Status?’”, **Mediterranean Politics**, Vol:14, No:2, July 2009, (EU-Morocco Relations), p.239.

⁸⁷⁹ Kausch, Advanced Status, pp.1-2.

cooperation and technical assistance in security and judicial matters.⁸⁸⁰ Through the “Advanced Status”, the EU rewarded Morocco for its performance in materializing reforms within the framework of the ENP.⁸⁸¹ Since then, Morocco has become the closest partner of the EU in the Mediterranean and got access to additional EU funds.⁸⁸²

4.2. ASSESSMENT OF EU DEMOCRACY PROMOTION IN MOROCCO

4.2.1. Objectives behind EU Democracy Promotion in Morocco

The EU has long presented itself as a moral actor aimed at expanding democratic peace to its southern borders through the Barcelona Process. Yet, far from acting in line with moral considerations and promoting democracy for its own sake alone, the EU has also been a realist actor, which has utilized democracy promotion to achieve concrete realpolitik interests.⁸⁸³ Policy priorities such as security, migration, economics and energy have been influential on the commitment by the EU officials to promote democratization in the Arab Mediterranean states and Morocco was not an exception. With the Barcelona Process, promotion of democracy and human rights has, for the first time, become an integral component of EU policy-making towards Maghreb. Political chapter of the Barcelona Declaration pointed out that cooperation on democracy and human rights would contribute to a ‘zone of peace and stability’.⁸⁸⁴ Thus, the underlying rationale behind EU democracy promotion in the Arab Mediterranean is to ensure stability in the region, thereby preventing potential threats to its stability.⁸⁸⁵ Preservation of stability in its neighborhood is the keyword for the EU to safeguard its major policy priorities. Political failures of the regimes in the region would affect EU member states in a negative way, since there is an “inevitable environmental interdependence” arising

⁸⁸⁰ Martin, EU-Morocco Relations, p.240.

⁸⁸¹ Martin, EU-Morocco Relations, p.239.

⁸⁸² Kausch, Advanced Status, p.2.

⁸⁸³ Francesco Cavatorta and Vincent Durac, “Diverging or converging dynamics? EU and US policies in North Africa – an introduction”, *The Journal of North African Studies*, Vol:14, No:1, 2009, p.4.

⁸⁸⁴ Youngs, The European Union, p.55.

⁸⁸⁵ Youngs, The European Union, p.56.

from geographical proximity.⁸⁸⁶ At this point, cooperation with Morocco on political issues has gained greater significance from EU's perspective. Hazan summarizes relevance of Morocco for stability in Europe with these words:

*“Facing the Atlantic and Mediterranean, just nine miles from the Spanish coast, Morocco is essential for stability in Europe... The European Union fully Recognizes its strategic importance. Its proximity, large diaspora, and extensive trade with Europe place it at the top of the EU's Mediterranean strategy agenda.”*⁸⁸⁷

The EU perceives Morocco as one of the leading states to cooperate with in the Mediterranean and has placed Morocco “at the top of the list of countries with which partnership agreements were likely to be reached”.⁸⁸⁸ Prior to her visit to Morocco on 7 November 2007, Ms Benita Ferrero-Waldner, European Commissioner for External Relations and European Neighbourhood Policy then, stated: “Morocco is a key partner for the European Union. It has always been an enthusiastic supporter of the neighbourhood policy and has managed to make maximum use of the possibilities available.”⁸⁸⁹

EU commitment to democracy and human rights in Morocco is mainly based on the assumption that gradual political reform⁸⁹⁰ would contribute to stability in Morocco, which in return would address the key EU concerns with respect to security, migration, economy and energy cooperation. Firstly, based on security considerations, the EU perceives Morocco “as a sort of ‘buffer’ against the numerous security threats emanating from Sub-Saharan Africa,” largely due to its strategic location close to the straits of Gibraltar.⁸⁹¹ According to the European Security Strategy, one of the priorities is “the need to promote a ring of well governed

⁸⁸⁶ Holden, p.14.

⁸⁸⁷ Hazan, p.1.

⁸⁸⁸ Richard Gillespie, “Spanish Protagonismo and the Euro-Med Partnership Initiative”, **The Euro-Mediterranean Partnership: Political and Economic Perspectives**, (Ed. Richard Gillespie), Frank Cass Publishers, London, 1997, p.37.

⁸⁸⁹ “Commissioner Ferrero-Waldner visits Rabat”, **EU Press**, 05.11.2007, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/07/1647&format=HTML&aged=0&language=EN&guiLanguage=en> (13.05.2010).

⁸⁹⁰ The EU member states - particularly Southern Mediterranean member states such as France and Spain - have been in favor of promoting a gradual process of democratization under the control of existing ruling elites fearing that a rapid political change leading to instability would challenge their interests rooted in the region. For more details see Junemann, p.88 and Kausch, How serious, p.3.

⁸⁹¹ Kausch, Advanced Status, p.2.

countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations.”⁸⁹² In meeting this priority, the EU has attached great importance to Morocco’s “stabilising impact in the region” dominated by regional conflict and transnational terrorist networks.⁸⁹³ At the same time, the EU has valued cooperation with Morocco to cope with common security threats such as terrorism. EU Country Strategy Paper on Morocco for years 2011-2013 illustrates the point;

*In the context of the EU's growing cooperation with third countries in the fight against terrorism, Morocco is a key country and could become the 'pilot' country for actions with other partners in the region. With a view to greater Moroccan involvement in the European Security and Defense Policy (ESDP), contact points have been set up in Moroccan and Community institutions for the exchange of experiences on crisis management.*⁸⁹⁴

Particularly after September 11, the EU has perceived democracy promotion in Morocco as a means to enhance its security. It has been believed that root causes of terrorism were largely embedded in an authoritarian political context, which provided a fertile ground for extremism. The role of Moroccan Islamic terrorists⁸⁹⁵ in the Madrid bombings and growing evidence of fundamentalist cells located within the kingdom directed increased European attention toward Morocco.⁸⁹⁶ Questioning whether the country had evolved into a hub for Islamic radicalism, the EU officials realized urgency for enhanced cooperation with Morocco on democracy and human rights.⁸⁹⁷ Along with cooperation on political issues, the EU has sought to counter terrorism and radicalization through bilateral cooperation with Morocco on technical security issues. Statement by the EU at eighth meeting of the EU-Morocco Association Council is as follows:

⁸⁹² European Union Official Web Site. “European Neighbourhood and Partnership Instrument: Morocco Strategy Paper 2011-2013”, http://ec.europa.eu/world/enp/pdf/country/enpi_csp_morocco_en.pdf (15.02.2010).

⁸⁹³ Kausch, How serious, p.3.

⁸⁹⁴ EU Official Web Site. “European Neighbourhood and Partnership Instrument: Morocco Strategy Paper 2011-2013”.

⁸⁹⁵ Most of the terrorists responsible for bombings in Madrid’s Atocha Station in 2004 were Moroccan nationals. For more details see Miller and Bower, p.500.

⁸⁹⁶ Miller and Bower, pp.500-501.

⁸⁹⁷ Miller and Bower, pp.500-501.

*The EU considers that North Africa is a priority zone for action to counter Terrorism and radicalisation. The EU welcomes Morocco's efforts to combat radicalisation. It believes that cooperation with Morocco can be developed to prevent and to combat radicalisation in North Africa and in Europe. It considers that cooperation must be developed between the EU, Morocco and the Sahel Saharan region to combat terrorist networks more effectively.*⁸⁹⁸

Secondly, growing concern over migratory flows from the South has been influential in EU democracy promotion in Morocco. Undocumented migration from southern shores of the Mediterranean has become a priority issue in EU–Moroccan relations, as on the one hand there has been an illegal flow of Moroccans to EU member states, whereas on the other Morocco has commonly been used as a transit country for migrants from deeper Africa.⁸⁹⁹ The EU has perceived support for democratization in Morocco as an effective mechanism for reducing regional instability, and thus reducing the number of immigrants to EU member states both from Morocco and the region in general.⁹⁰⁰ Morocco has also been considered as a strategic state in combating undocumented migration. With respect to Morocco's contribution in dealing with illegal migratory flows, EU officials stated:

*“On the subject of migration, the EU welcomes Morocco's efforts to deal with illegal immigration, which have led to a substantial reduction in the flows from that country. The EU reaffirms the importance it attaches to the conclusion of a readmission agreement, which will make it possible to begin a dialogue on migration and on visa facilitation.”*⁹⁰¹

Thirdly, economic considerations are influential for the EU's support for political reform in Morocco. The total trade volume between the EU and Morocco amounted to €23,8 billion in 2011 (EU exports to Morocco: €15,1 billion and EU imports from Morocco: €8,1 billion).⁹⁰² According to statistical data, this volume makes Morocco EU's 28th trading partner with its 0.7% share in EU's total trade

⁸⁹⁸ European Union Official Web Site. “Statement by the EU at eighth meeting of the EU-Morocco Association Council”, 07.12.2009, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/112260.pdf (15.04.2010).

⁸⁹⁹ Dimitrova, p.12.

⁹⁰⁰ Kausch, How serious, p.3 and Youngs, The European Union, p.57.

⁹⁰¹ EU Official Web Site. “Statement by the EU at eighth meeting of the EU-Morocco Association Council”, 2009.

⁹⁰² EU Official Web Site. “Trade with Morocco”, <http://ec.europa.eu/trade/creating-opportunities/bilateral-relations/countries/morocco/> (11.10.2012).

volume.⁹⁰³ Morocco is also one of the leading countries for EU direct investment in the Mediterranean. Instability in Morocco constitutes a potential obstacle to European investment in the country, and thus a priority concern for EU interests. Dillman points out that European investment in Morocco has been quite significant in the last decade and is expected to expand further.⁹⁰⁴ French, Italian, Spanish⁹⁰⁵ and German companies have been the major European investors in Morocco while tourism, telecommunications⁹⁰⁶ and hydrocarbons have been the leading sectors of European investment in the country.⁹⁰⁷ The EU has encouraged political reform in Morocco to ensure a stable and secure environment, where European investments continue to exist and grow.

Lastly, concern over continuous energy flow to Europe has played a considerable role behind EU democracy promotion in Morocco. Europe has sought to diversify its energy supplies due to deteriorating relations with Russia, and MENA has become the leading region for energy supplies to Europe.⁹⁰⁸ European Security Strategy clearly indicates the importance the EU attaches to the security of transferring energy supplies to EU member states.⁹⁰⁹ In such a background, Morocco's significance as a transit country has increased, especially with respect to gas supplies from Algeria.⁹¹⁰ In July 2007, a joint declaration on energy cooperation was signed between the European Commission and Morocco with the aim of integrating MENA and EU energy markets through Morocco.⁹¹¹ On this issue, EU press dated back to 30 November 2007 writes:

⁹⁰³ European Union Official Web Site. "Trade Statistics: Morocco", http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc_113421.pdf (30.10.2012).

⁹⁰⁴ Dillman, *International Markets*, p.74.

⁹⁰⁵ There were 700 Spanish companies in Morocco by the year 2000. Dillman, *International Markets*, p.74.

⁹⁰⁶ For instance, in 1999 Spain's Telefonica along with Portugal Telecom bought Morocco's second GSM mobile telephone for \$880m, while in 2000 the French-Canadian media giant Vivendi bought 35 percent share of Morocco's Maroc Telecom for \$2.1bn. For more details view Dillman, *International Markets*, p.75-76.

⁹⁰⁷ Dillman, *International Markets*, pp.74-75.

⁹⁰⁸ Holden, p.14 and Kausch, *The European Union*, p.167.

⁹⁰⁹ EU Official Web Site. "European Neighbourhood and Partnership Instrument: Morocco Strategy Paper 2011-2013".

⁹¹⁰ Kausch, *The European Union*, p.167.

⁹¹¹ Kausch, *How serious*, p.4.

*In 2007, Joint declaration was signed on energy cooperation between the European Commission and Morocco with the objective to provide a Framework for reinforcing energy relations. As regards Morocco, the Cooperation will focus on strengthening its role as a transit country for gas supplies to the EU as well as an electricity exporter to the EU.*⁹¹²

In the light of EU's sensitivity regarding securing access to energy resources in the MENA, stability in Morocco - the key transit country- has become an imperative from the perspective of the EU. Here, a more democratic political context in Morocco is perceived as the password for a more stable partner for energy cooperation, and thus the EU has viewed promotion of political reform in Morocco as part of its energy considerations.

4.2.2. EU Strategies in Promoting Democracy in Moroccan Setting

Parallel to its democracy promotion policy in the Arab Mediterranean States, the EU has encouraged the process of democratization in Morocco through democracy assistance programmes and positive conditionality within the frameworks of EMP, ENP and the EIDHR. The EU has been reluctant to use negative conditionality to encourage political reform in Morocco because when compared with other states in the region, Morocco has exhibited a more positive outlook in terms of human rights and democracy.⁹¹³ ENPI Strategy Paper on Morocco for 2011-2013 reflects EU willingness to promote democratization in Morocco:

*Better governance and effective promotion of democracy and human rights are essential objectives of the EU's external policy. Morocco fully shares this overall political vision, a vision which poses new political, economic, social and even cultural challenges. Morocco is pursuing a process of democratization and consolidation of the rule of law, and is considered as the most advanced in the region.*⁹¹⁴

⁹¹² "Developing external energy policy for the EU", EU Press, 30.11.2007, <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/07/533&format=HTML&aged=0&language=EN&guiLanguage=en> (15.05.2010).

⁹¹³ Kausch, *The European Union*, p.173.

⁹¹⁴ EU Official Web Site. "European Neighbourhood and Partnership Instrument: Morocco Strategy Paper 2011-2013".

The EU began to promote democratization in Morocco through adoption of the EMP in 1995. Association agreement signed between the EU and Morocco in 1996 set out reform priorities in Morocco. Accordingly, ten subcommittees one of which was specialized on human rights, democratization and governance were set up.⁹¹⁵ The main financial instrument for encouraging political reform within the framework of the EMP was the MEDA programme. Morocco had highly benefitted from the MEDA programme, “with an allocation of total €1.64 billion for years 1995-2006”.⁹¹⁶ With the adoption of a complementary programme in 2004, the ENP, the EU has offered greater support for the implementation of political reform in Morocco through the European Neighbourhood and Partnership Instrument (ENPI).⁹¹⁷

EU democracy assistance in Morocco mainly has a top-down, state-centred character particularly apparent through the programmes of the EMP and the ENP, both of which include democracy related projects that have been negotiated with governmental bodies.⁹¹⁸ Financial instruments of these programmes, the MEDA⁹¹⁹ and the ENPI have channeled funds through Moroccan official structures intended to support state capacity building and reform of state institutions.

In contrast to top-down mentality apparent with the programmes of the EMP and the ENP, the EU, on a much lower scale, funded projects through the EIDHR. The EIDHR has a bottom-up nature as the aid is channeled through civil society organizations. Three types of democracy related projects have been employed by the EU in Morocco within the framework of the EIDHR including targeted projects⁹²⁰, macro-projects⁹²¹ and micro-projects.⁹²² Micro-project is the instrument, which has

⁹¹⁵ EU Official Web Site. “European Neighbourhood and Partnership Instrument: Morocco Strategy Paper 2011-2013”.

⁹¹⁶ EU Official Web Site. “European Neighbourhood and Partnership Instrument: Morocco Strategy Paper 2011-2013”.

⁹¹⁷ “Morocco: Commission proposes more than €650 million in support of reforms”, **EU Press**, 02.03.2007,

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/07/274&format=HTML&aged=0&language=EN&guiLanguage=en> (20.04.2010).

⁹¹⁸ Dimitrova, p.7 and Kausch, How serious, p.9.

⁹¹⁹ Through MEDA funds, the EU financed 46 projects aimed at promoting human rights and democratic principles in Morocco between years 1996-2000. For more details view Haddadi, Two Cheers, p.161.

⁹²⁰ Targeted projects intend to serve specific objectives defined by the Commission and funds are in general allocated to international or regional organizations. Mostly through targeted projects the EU has assisted election monitoring activities. See Bicchi, p.66.

⁹²¹ Macroprojects function through call for projects aimed at addressing reform priorities defined by the EU and are open to all types of NGOs. See Bicchi, p.66.

largely been used by the EU in the context of the EIDHR to support democracy and human rights in Morocco. Approximately €100.000 is allocated for the implementation of each micro-project in Morocco, and the EIDHR funded micro-projects in Morocco with a total amount of €2 million in the 2003-2006 period.⁹²³ When compared with the funds allocated through the MEDA and the ENPI, the EIDHR funding has remained low, constituting “only 2 per cent of the Commission’s funding to Morocco”.⁹²⁴ Thus, it is fair to maintain that the EU has assisted democracy in Morocco more in a top-down manner rather than a bottom-up manner, given the relatively lower financial share the EIDHR had through years.

In addition to democracy assistance programmes, the EU has employed a unique positive conditionality namely the grant of ‘advanced status’ to promote political reform in the Moroccan context. Here, the EU has made use of Morocco's determination to benefit from a closer association with the EU. Through a differentiated ENP approach, Morocco was offered an advanced relationship with the Union depending on progress with respect to reform in political, economic, and institutional realms.⁹²⁵ According to Kausch, positive conditionality in the form of “advanced status” is the most workable method for the EU to promote democratization in the case of Morocco. She explains the underlying reason through these words: “Morocco’s keen interest in greater integration with the EU, and the country’s efforts to push the EU towards granting it an ‘advanced status’ of partnership, provide particularly favourable conditions for the EU to use its leverage to encourage Morocco to commit to a deeper, systematic level of political reform.”⁹²⁶

With the grant of advanced status to Morocco on October 2008, the EU rewarded Morocco for its performance in implementing reforms with a privileged position, which brought political and economic incentives such as the establishment of a joint parliamentary committee and allocation of additional funds. Further

⁹²² Microprojects are completely run by the delegation in Morocco and are open to local civil society organizations which are smaller in size. The delegation has the entire responsibility in managing projects including call for projects, selection of the organizations and supervision of the projects. See Bicchi, pp.66-67.

⁹²³ Kausch, *How serious*, p.9.

⁹²⁴ Kausch, *How serious*, p.9.

⁹²⁵ Holden, pp.24-25.

⁹²⁶ Kausch, *How serious*, p.1.

expectations of the Union from Morocco regarding democracy and human rights were indicated in the joint document that established the advanced status. Advanced status has also become a tool for the EU to show its willingness to promote democratization in Morocco. EU statement at the eighth meeting of the EU-Morocco Association Council illustrates this point;

*13 October 2008 marked a new stage in the strengthening of relations between Morocco and the EU, thanks to the adoption of the joint document on establishing Morocco's advanced status in its relationship with the EU. The joint document forms an ambitious roadmap for the progressive and sustained development of bilateral relations in many fields. This stronger partnership between the EU and Morocco is evidence of the EU's readiness to respond positively to Morocco's expectations and specific needs, in order to support its courageous process of modernization and democratization, and deepens the existing framework constituted by the Association Agreement.*⁹²⁷

Establishment of a joint parliamentary committee between the EU and Morocco is a noticeable political incentive, which has aimed at stimulating Moroccan consciousness on political issues. Stefan Fule, European Commissioner for Enlargement and Neighbourhood Policy, underlined the significance of the EU-Morocco Joint Parliamentary Committee:

*"It is also the advanced status that provides for the setting-up of a joint parliamentary committee, which brings us together today. The EU has many expectations from the discussions of this joint parliamentary committee. The creation of this joint committee, the first in the Mediterranean region, represents real progress in our relationship by providing a forum for debates and exchanges on matters of common interest and strengthening the human, political and democratic dimension of EU-Morocco relations."*⁹²⁸

The EU has been generous in allocating funds to support political, economic and social reform in Morocco. Morocco has become the primary recipient of EU Commission aid in the Mediterranean⁹²⁹ and the third highest recipient of

⁹²⁷ EU Official Web Site. "Statement by the EU at eighth meeting of the EU-Morocco Association Council", 2009.

⁹²⁸ Stefan Fule. "EU-Morocco Joint Parliamentary Committee", 05.05.2010, <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/10/221&format=HTML&aged=0&language=EN&guiLanguage=en> (20.07.2010).

⁹²⁹ Kausch, The European Union, p.166.

Commission aid anywhere in the world.⁹³⁰ Benita Ferrero-Waldner, European Commissioner for External Relations and Neighbourhood Policy then, presented €654 million assistance package⁹³¹ for Morocco to cover the 2007–2010 period to support reform priorities identified by the EU-Morocco Action Plan, prepared within the framework of the ENP.⁹³² While presenting the financial package Commissioner Ferrero-Waldner stated:

*“Morocco is engaged in a process of very ambitious reform stemming from its own vision of modernization and development... But we are aware that reform is difficult and costly, and we fully appreciate the scope of the remaining challenges. For this reason, the EU will scale up its efforts to assist Morocco in its ongoing reform, and we intend to provide increased financial resources to support Morocco's implementation of our joint ENP Action Plan.”*⁹³³

The EU-Morocco Action Plan adopted in 2005 has constituted a roadmap for political, social and economic reforms to be implemented and it specified ‘legislative reform and international human rights standards’ as one of the priority areas.⁹³⁴ Out of €654 budget indicated in the 2007-2010 NIP for Morocco, €28 million was allocated for reform in the field of governance and human rights (€20 million for the support of ministry of justice and €8 for human rights), while €40 million was allocated for institutional support for government reform.⁹³⁵ The funding for 2011-2013 NIP⁹³⁶ for Morocco amounted to €580.5 million and €85-90 million of this amount is allocated to support human rights and good governance.⁹³⁷ The budget for the period 2011-2013 represented a noticeable increase in EU’s annual financial grant to support reform priorities in Morocco. In his speech in the inaugural meeting of the EU-Morocco joint parliamentary committee, Stefan Füle said:

⁹³⁰ Youngs, *Disingenuous Strategy*, p.48.

⁹³¹ Financial assistance package for the period of 2007-2010 displayed an increase of approximately 20% compared with the annual average for the period 1995-2006.

⁹³² “Morocco: Commission proposes more than €650 million in support of reforms”, **EU Press**, 2007.

⁹³³ “Morocco: Commission proposes more than €650 million in support of reforms”, **EU Press**, 2007.

⁹³⁴ Kausch, *The European Union*, pp.170-171.

⁹³⁵ European Union Official Web Site. “European Neighbourhood and Partnership Instrument: Morocco National Indicative Programme 2007-2010”, http://ec.europa.eu/world/enp/pdf/country/enpi_nip_morocco_en.pdf (15.02.2010).

⁹³⁶ European Union Official Web Site. “European Neighbourhood and Partnership Instrument: Morocco National Indicative Programme 2011-2013”, http://ec.europa.eu/world/enp/pdf/country/2011_enpi_csp_nip_morocco_en.pdf (10.03.2011).

⁹³⁷ See Table 14.

“We consider the objectives of the partnership with Morocco to be highly ambitious. The EU will continue to extend its full political and financial support to the Moroccan government's reform priorities, as it has been doing for many years. In this regard I wish to underline that, two months ago, the European Commission decided a substantial increase in its annual grants in favour of Morocco. The allocation of €580.5 million for the period 2011-2013 makes Morocco the first beneficiary of EU aid in the entire neighbourhood and represents a 20% increase of our yearly aid.”⁹³⁸

The projects which benefited from EU funds have reflected the priorities of EU democracy promotion in Morocco. Accordingly, EU focus areas in democracy promotion in the Moroccan context include ‘democratization and the rule of law’, ‘development of pluralist civil society’, and ‘initiatives for target groups’. In general, the greatest percent of the funds is allocated for the ‘development of a pluralist civil society’, the focus area of ‘democratization and the rule of law’ comes the second in terms of the volume of funds, while ‘initiatives for target groups’ benefit from the least amount of funds.⁹³⁹ EU support for the ‘development of a pluralist civil society’ mainly includes programmes related to human rights education and public awareness “through seminars and the dissemination of information via radio programmes and information centres.”⁹⁴⁰ Support for the focus area of ‘democratization and the rule of law’ include judicial reform programmes, electoral support⁹⁴¹ and the strengthening of political parties and parliament.⁹⁴² Programmes aimed at reforming judiciary system in Morocco focused on promoting “ethical standards, transparency, independence and efficient dispute settlement”.⁹⁴³ Judicial reform programme undertaken following the succession of Mohammad VI was a significant European project in Morocco with a €34 million financial assistance.⁹⁴⁴

⁹³⁸ Stefan Fule. “EU-Morocco Joint Parliamentary Committee”, 2010.

⁹³⁹ Haddadi, Two Cheers, p.163.

⁹⁴⁰ Haddadi, Two Cheers, p.163.

⁹⁴¹ Electoral support include training seminars for electoral observers and initiatives to promote citizenship and voter participation. For instance, prior to parliamentary elections of 2007 the first domestic NGO electoral observation commission was assisted through “the training of 3000 facilitators in electoral monitoring and reporting, and institutional support” within the framework of the EIDHR. For more details view Kausch, How serious, p.9.

⁹⁴² Khakee, p.3.

⁹⁴³ Huber, p.53.

⁹⁴⁴ Youngs, The European Union, p.89.

On the whole, the EU has exerted far firmer pressure on the Moroccan regime regarding human rights than democracy, as there has been a concentration of projects to promote human rights.⁹⁴⁵ When compared with EU assistance for human rights related programmes in Morocco, support for election related issues, which constitute the heart of democratic development has remained weak⁹⁴⁶, despite rhetorical emphasis by EU officials on “the need for in-depth political reform that makes elections meaningful”.⁹⁴⁷ The EU has been careful in implementing democracy-related projects in the Moroccan context. A softly approach to human rights and democracy has been adopted by the EU officials with an attempt to avoid any confrontation with the Moroccan government.⁹⁴⁸ Accordingly, EU funded projects have been harmonious with government projects and NGOs benefitting from EU financial assistance have generally been approved by the Moroccan government.⁹⁴⁹

Table 14: The EU Democracy Assistance in Morocco (2011-2013)

Total Amount	€ 580.5 million
Amount allocated to support human rights and good governance	€ 85-90 million

Source: The information figured out in this table is accessed from EU Official Web Site, “European Neighbourhood and Partnership Instrument: Morocco National Indicative Programme 2011-2013”, http://ec.europa.eu/world/enp/pdf/country/2011_enpi_csp_nip_morocco_en.pdf (10.03.2011).

⁹⁴⁵ Haddadi, *Two Cheers*, p.164 and Youngs, *Disingenuous Strategy*, p.48.

⁹⁴⁶ Haddadi, *Two Cheers*, pp.164-165.

⁹⁴⁷ For instance, EU officials underline the need for reform of the electoral system in various committees such as the EU-Morocco Association Committee and the Subcommittee on Human Rights, Democratisation and Governance. Kausch, *How serious*, p.8.

⁹⁴⁸ Haddadi, *The EMP*, p.87.

⁹⁴⁹ Haddadi, *The EMP*, p.87.

4.2.3. Impact of EU Democracy Promotion on Political Reform in Morocco

While it is a complicated task to assess the specific impact of EU democracy promotion on the process of domestic political reform in Morocco owing to difficulty of decomposing influence of other factors, this section tries to analyze the weight of EU democracy promotion over Moroccan political liberalization starting with the coming power of King Mohammad VI in 1999 until the initiation of Arab Spring in December 2011. It is argued that EU democracy promotion in Morocco have been relatively successful when it has coincided with growing internal pressure on the Moroccan ruling regime, particularly by civil society and opposition groups. Following ascension of Mohammad VI to throne, Moroccan political context has seen remarkable liberalizing changes. These liberalizing measures included expansion of civil society, improvement in materialization of electoral procedures, revision of the family code (mudawana), establishment of the Equity and Reconciliation Commission (Instance Equite et Reconciliation, IER), launch of National Human Development Initiative (INDH), increased freedom of press (a new press code in 2002); and a new political parties' law.⁹⁵⁰ Among these expansion of human rights and women's rights are perceived as major progressive achievements by the international community.⁹⁵¹ These reforms would be attributed to a combination of domestic and external pressures on the ruling regime.

First of all, on the internal front, there was a remarkable expansion of civil society under the rule of Mohammed VI leading to an increased engagement between nongovernmental organizations and the regime. As a result, domestic mobilization reached an adequate position to influence the political reform process. Particularly, human rights and women's rights organizations have become influential in prompting the ruling regime to consider the political reform. On the external front, EU support for political reform gained pace in the Arab Mediterranean region in the aftermath of September 11 2001 through the frameworks of the EMP and the ENP,

⁹⁵⁰ Michael J. Willis, "Conclusion: The Dynamics of Reform in Morocco", **Mediterranean Politics**, Vol:14, No:2, July 2009, p.232 and Kausch, An Islamist Government, p.4.

⁹⁵¹ Khakee, p.7.

and Morocco was no exception. In the meantime, EU-Morocco Association agreement had already entered into force by March 2000, which led to bilateral cooperation on political matters. As the signatory of Association Agreement with the EU, Morocco was expected to realize political reform along with economic and social reforms. Economic dependence⁹⁵² of Morocco on Europe has provided the EU with a significant potential leverage over Morocco.⁹⁵³ Besides, generous financial aid provided by the EU has created pressure on the monarch to adopt a number of reform measures associated with ‘good governance’.⁹⁵⁴

It would be fair to mention that ability of the EU and civil society organizations to influence reform agenda also increased with the character and priorities of the King Mohammad VI. King Mohammad VI has exhibited a more promising attitude regarding the political reform when compared with his father.⁹⁵⁵ In his initial years of rule, reformist gestures by the king had even “fascinated both domestic and international public opinion alike”.⁹⁵⁶ Dismissal of Driss Basri -interior minister and powerful political figure of King Hassan’s reign who had been accused of rigging elections-, “the introduction of a ‘new concept of authority’ based on respect for individual liberties and the rule of law”, and the release from house arrest of Sheikh Abdessalam Yassine, -the leader of Islamist Al Adl wal Ihsan- were among the promising moves that marked the first years of Mohamed VI’s reign.⁹⁵⁷

Responding to internal and external expectations from the new King, September 2002 parliamentary elections – the first elections to take place under the rule of Mohammed VI- took place in a reasonably free and fair electoral setting. The 2002 legislative elections were widely considered by election observers as the most competitive and transparent elections in Morocco’s electoral history.⁹⁵⁸ A significant

⁹⁵² Economic dependence of Morocco on the EU has three dimensions. First of all EU member states constitute major markets for Moroccan agricultural products. Secondly, remittances by Moroccans working in Europe constitute a significant input into Moroccan economy. Lastly, a remarkable number of tourists from the EU member states visit Morocco and again it constitutes a significant input into Moroccan economy. Reductions in these sources of income would have a seriously negative impact on Moroccan economy. See Willis, p.233.

⁹⁵³ Willis, p.233.

⁹⁵⁴ Dillman, *The European Union*, p.180.

⁹⁵⁵ Willis, p.233.

⁹⁵⁶ Haddadi, *the EMP*, p.77.

⁹⁵⁷ Haddadi, *The EMP*, p.77.

⁹⁵⁸ Yacoubian, *Arab Initiatives*, p.11, Jamal, p.104, Dillman, *The European Union*, p.178, Kausch, *An Islamist Government*, p.5 and Storm, *Democratization*, p.90.

move by King Mohammad VI to hold relatively fairer elections was introduction of a new electoral law. Prior to the parliamentary elections, on August 2002 – just one month before the elections- new election law was adopted which introduced a two-tiered proportional representation party list system.⁹⁵⁹ Proportional representation party list system is different from the previously used majoritarian system in the sense that, whereas in the majoritarian system “candidates who received the most votes in each single-member district were elected”, in the proportional system “voters vote for a party and parties receive seats in proportion to their overall share of the vote in the electoral district”.⁹⁶⁰ Through adoption of the proportional system, vote buying for individual candidates was prevented thereby limiting corruption to a certain extent.⁹⁶¹

The new election law was also positive for women’s rights as it remarkably improved the likelihood of women participation in parliament through reservation of 10 percent of the seats for women (30 seats).⁹⁶² Another positive move toward more competitive elections was that an Islamist party, the PJD, was allowed to contest the elections for the second time.⁹⁶³ The result of the 2002 elections was meaningful for a balanced political representation as the chairs were mainly shared between traditional opposition parties - the USFP and the Istiqlal - and the moderate PJD.⁹⁶⁴ When compared with the previous parliamentary election of 1997, the number of women representatives in parliament more than doubled⁹⁶⁵ thanks to the quota introduced by the new electoral code. Despite positive developments with respect to materialization of 2002 elections, a disappointing fact was that voter turnout was only 51.6 percent.⁹⁶⁶ In addition, irregularities were observed regarding counting of the votes.⁹⁶⁷ A report by the European Parliament Delegation for relations with the Maghreb countries and the Arab Maghreb Union makes an overall evaluation of 2002 Moroccan legislative elections: “As a result of the new electoral laws, applied

⁹⁵⁹ Barwig, p.294.

⁹⁶⁰ Barwig, p.294.

⁹⁶¹ Jamal, p.104.

⁹⁶² Storm, Democratization, p.85 and Dillman, The European Union, p.177.

⁹⁶³ Storm, Democratization, p.90.

⁹⁶⁴ The USFP and the Istiqlal won 50 and 48 seats respectively while the PJD won 42 seats tripling the number of seats it gained in 1997 legislative elections becoming the third largest party in the parliament. See Haddadi, The EMP, p.79 and Dillman, The European Union, p.177.

⁹⁶⁵ Storm, Democratization, p.85.

⁹⁶⁶ Dillman, The European Union, p.178.

⁹⁶⁷ Dillman, The European Union, p.178.

for the first time at the last parliamentary elections in September 2002, 10% of seats were now reserved for women...The election results also showed a high number of invalid votes and a low turnout.”⁹⁶⁸ An additional disappointing point related with the outcome of 2002 elections was that instead of selecting the prime minister from the victorious parties of the elections either from the USFP or the Istiqlal, Mohammad VI preferred to appoint a technocrat close to the Palace -Driss Jettou- as the new prime minister.⁹⁶⁹

Another reformist step by the king which marked 2002 was the revision of press code. Press code was amended to reduce imprisonment time for journalists who were charged with attacking the king, Islam, or Morocco’s territorial integrity.⁹⁷⁰ In addition, the law was amended to limit the power of security services to confiscate and shut down publications.⁹⁷¹ Yet, despite the fact that Mohammad VI allowed more freedom for press through the revision of press code, journalists continue to face pressure.⁹⁷²

Impact of EU democracy promotion has particularly been noticeable regarding the improvement of Morocco’s record on women’s rights and human rights. For most of the time, external pressure by the EU was combined with domestic pressure in directing attention of the ruling regime toward need for reform in these two fields. The reform of the Moroccan Personal Status Code (mudawana), introduction of a 10 percent quota in favor of women’s participation in parliament and appointment of women to high-level political posts were the main reform measures by the King, which contributed to improvement of women’s rights record in Morocco.⁹⁷³ Among them reform of the mudawana was the most noteworthy initiative materialized by the King. Certainly, combination of efforts by the EU and domestic civil society organizations played a critical role in pushing the ruling

⁹⁶⁸ “10th Interparliamentary Meeting between the European Parliament and Morocco”, Report by Gerardo Galeote Quecedo, Chairman of the European Parliament Delegation for relations with the Maghreb countries and the Arab Maghreb Union, 14-18 March 2003, <http://www.europarl.europa.eu/document/activities/cont/200905/20090518ATT56076/20090518ATT56076EN.pdf> (15.08.2011).

⁹⁶⁹ McFaul and Wittes, p.28 and Zeghal, pp.184-185.

⁹⁷⁰ Haim Malka and Jon. B. Alterman, **Arab Reform and Foreign Aid: Lessons from Morocco**, The Center for Strategic and International Studies (CSIS) Press, Washington D.C., 2006, p.56.

⁹⁷¹ Malka and Alterman, p.56.

⁹⁷² Hazan, p.2.

⁹⁷³ Haddadi, The EMP, p.78 and Shana Cohen and Larabi Jaidi, **Morocco: Globalization and Its Consequences**. Routledge, New York, 2006, p.89.

regime to initiate this reform. The mobilization of women's organizations in favor of legal revision of the mudawana occurred through demonstrations, campaigns and petitions to King Mohammad VI.⁹⁷⁴ In the meantime, the EU was putting pressure on the ruling regime through various reports criticizing the existing family code along with discrimination and violence against women in Moroccan society. For instance, a report by the EU delegation dated back to March 2003 wrote: "As long as the present law continued to be in force, women would not experience emancipation in society".⁹⁷⁵ The same report underlined a number of issues which needed urgent attention by Moroccan authorities as follows: "the possibility of divorce without disadvantaging women, the separation of goods, the abolition of polygamy, the fight against domestic violence, equal treatment for women in society."⁹⁷⁶ Against this background of growing internal and external demand for change in the family code to improve the position of women within the Moroccan society, Mohammad VI established a commission in charge of revision of the mudawana. In line with the recommendations of the commission, the king declared his intention to amend the family code.⁹⁷⁷ Then, in late 2003, parliament approved changes in the family code turning it into the most progressive family code on women's rights in the Arab world.⁹⁷⁸ The revised mudawana included an increase in the minimum age for marriage from fifteen to eighteen, limitation of polygamy, mutual responsibility for the family and household management, and greater rights for women in divorce proceedings and custody of their children.⁹⁷⁹

In the field of human rights, progressive moves by the regime included the establishment of a justice and reconciliation commission, release of political dissidents such as Abraham Serfaty and harmonization of Moroccan laws in line with

⁹⁷⁴ In fact, struggle for the reform of the Mudawana started in early 1990s during the reign of King Hassan II. Women activists organized a campaign in 1992 known as the 'One Million Signatures' to raise their voice in favor of a secular family law. In 1993, to meet the growing demand King Hassan II had to introduce minor changes to the family law but 1993 reform was far from meeting expectations of the women activists. See Katja Zvan Elliott, "Reforming the Moroccan Personal Status Code: A Revolution for Whom?", *Mediterranean Politics*, Vol:14, No:2, July 2009, pp.217-223.

⁹⁷⁵ Report by EU delegation, "10th Interparliamentary Meeting between the European Parliament and Morocco", 2003.

⁹⁷⁶ Report by EU delegation, "10th Interparliamentary Meeting between the European Parliament and Morocco", 2003.

⁹⁷⁷ Elliott, p.217.

⁹⁷⁸ Yacoubian, Arab Initiatives, p.11.

⁹⁷⁹ Cohen and Jaidi, p.91, McFaul and Wittes, p.27 and Elliott, p.218.

international conventions such as amendment of the penal code to abolish torture.⁹⁸⁰ Certainly, the most impressive initiative in the field of human rights was the creation of IER⁹⁸¹ in January 2004 to address, investigate and compensate past human rights abuses committed between 1956 and 1999.⁹⁸² It was largely the external pressure by the EU that persuaded the king to realize that a meaningful change was necessary on the issue. The EU began to exert pressure on monarchy with respect to human rights issues starting with the reign of King Hassan II. In 1987, the European Parliament vetoed funding for Morocco, due to its negative record of human rights.⁹⁸³ Likewise, in 1992 European Parliament denied Morocco an aid package on the grounds of human rights violations.⁹⁸⁴

As it was already mentioned earlier in Chapter 2, King Hassan II's response to this external pressure was through the creation of institutions including the Moroccan Organization of Human Rights (OMDH), the Consultative Council on Human Rights (CCDH) and the Ministry of Human Rights. When Mohammad VI ascended to the throne in 1999, he was aware that progress on human rights was a binding matter in relation to future cooperation with the EU. Thus, he came up with the idea of establishing a commission, the IRE, to improve Morocco's credibility in the eyes of the EU regarding human rights issues. The speech of King Mohammed VI, dated back to the day of IER's establishment, illustrates king's determination to improve Morocco's image on human rights issues: "As a further illustration of my determination to carry on with my effort to uphold human rights as a culture and as an attitude, I am setting up, today, the Justice and Reconciliation Commission, thus concluding the process of shelving a thorny issue once and for all".⁹⁸⁵ In this

⁹⁸⁰ Jamal, p.105 and Ottaway and Riley, p.167.

⁹⁸¹ The abbreviation comes from its French acronym as Instance Équité et Réconciliation.

⁹⁸² Hazan, p.1 and Yacoubian, Arab Initiatives, p.11. In fact, the IER had a predecessor. As the result of years of internal and external pressure on the ruling regime Mohammed VI initially established Independent Arbitration Commission (Instance d'Arbitrage Indépendante, IAI) in August 1999 which was in charge of addressing the claims and compensation of victims of disappearance and arbitrary detention. IAI actively functioned until its termination in July 2003. Then it was replaced with IER. For more details view Storm, Democratization, pp.102-103.

⁹⁸³ See Joffe, Wider Implications, p.151.

⁹⁸⁴ See Dillman, The European Union, p.186 and Ottaway and Riley, p.164.

⁹⁸⁵ Justice and Reconciliation Commission Official Web Site, "The Speech of his Majesty the King Mohamed VI", January 2004 http://www.ier.ma/article.php3?id_article=1297 (15.02.2011).

regard, as Youngs notes “improvements in Morocco’s human rights situation was seen as one of the most notable cases of successful European influence”.⁹⁸⁶

While creation of the IER can be seen as the outcome of successful external pressure by the EU, its impact would not be as great without the presence of internal pressure by the civil society. Insistent calls by human rights organizations both for an investigation of past human rights violations and for institutional reform to prevent the repetition of such violations led Mohammad VI to initiate negotiations with relevant groups in the civil society and human rights activists such as Driss Benzekri.⁹⁸⁷ It was through lengthy consultations between the monarch and civil society organizations, the idea for the creation of IER came.⁹⁸⁸ Since its establishment in early 2004, the IER has undertaken a major role in addressing human rights abuses. It is organized through three working groups as Investigations⁹⁸⁹, Research and Studies⁹⁹⁰ and Reparations.⁹⁹¹ In fall 2005, the IER organized a National Forum on Reparations, which was supported by the UNDP and the EU.⁹⁹² In early 2006, the IER published a comprehensive report titled “50 Years of Human Development in Morocco and Possibilities for 2025”⁹⁹³ which assessed public policies since Morocco’s independence in 1956. Establishment of the IER was welcomed both by domestic human rights organizations and the EU. An official EU statement illustrates this point: “The EU considers that implementation of all the recommendations made by the Justice and Reconciliation Commission (IER) will

⁹⁸⁶ Youngs, *The European Union*, p.77.

⁹⁸⁷ Driss Benzekri, “Human Rights, Reconciliation and Human Development in Morocco”, **FRIDE** (Democracy Activity Brief), January 2006, <http://www.fride.org/publication/215/human-rights,-reconciliation-and-human-development-in-morocco> (10.02.2010), p.2 and Hazan, p.3.

⁹⁸⁸ Entelis, p.36.

⁹⁸⁹ Investigations group searches for missing people and gathering information about human rights violations. See Frederic Vairel, “From Mobilizations to Reconciliation?”, **Mediterranean Politics**, Vol:13, No:2, July 2008, p.236.

⁹⁹⁰ Research and Studies group is in charge of preparing reports with respect to violations. See Vairel, p.236.

⁹⁹¹ Reparations group is in charge of granting compensation to victims and their eligible parties after examining relevant documents. Vairel, p.236.

⁹⁹² Vairel, p.239.

⁹⁹³ Report by the Justice and Reconciliation Commission, “50 Years of Human Development in Morocco and Possibilities for 2025”, January 2006, http://www.rdh50.ma/eng/Note_synthese_anglais.pdf (05.02.2011).

enable Morocco to consolidate the work accomplished and make progress in the introduction of a new culture of respect for and promotion of human rights.”⁹⁹⁴

In the meantime, in the aftermath of May 2004 Casablanca terrorist attacks, Mohammad VI focused his attention on human development and people’s living conditions. Admitting that social problems were the major challenge to be faced, he launched National Initiative for Human Development (INDH) in May 2005, a new social modernization programme aimed at promoting social development all over the country through a process of decentralization, empowering local human development committees.⁹⁹⁵ This programme offered a) “better access to basic infrastructure and social services”, b) promotion of “income-generating activities and employment” and c) “assistance to the most vulnerable social groups to help them emerge from their precarious conditions”.⁹⁹⁶

Against this background of promising reforms materialized by the ruling monarch, particularly in the field of human rights and women’s rights, the EU demonstrated its willingness to enhance relations with Morocco through adoption of the Action Plan in July 2005.⁹⁹⁷ In fact, the ruling regime was rewarded by the EU through political and economic advantages of the Action Plan. Action Plan underlined EU’s support for political reform in Morocco and set out a comprehensive list of reform priorities in line with priorities defined by the Association Agreement. In the area of democracy and rule of law, prioritized measures include: “1) Consolidate the administrative bodies responsible for reinforcing respect for democracy and the rule of law 2) Step up efforts to facilitate access to justice and the law.”⁹⁹⁸ In relation to the area of human rights and fundamental freedoms prioritized measures are indicated as: “(4) Ensure the protection of human rights and fundamental freedoms according to international standards (5) Freedoms of association and expression (6) Further promote and protect the rights of women and

⁹⁹⁴ European Union Official Web Site. “Statement by the EU at eighth meeting of the EU-Morocco Association Council”, 2009.

⁹⁹⁵ Ivan Martin, “Morocco Wakes up to Human Development”, **Mediterranean Politics**, Vol:11, No:3, November 2006, (Human Development), p.433 and Malka and Alterman, pp.50-51.

⁹⁹⁶ Martin, Human Development, pp.433-434.

⁹⁹⁷ For a full text of the Action Plan view EU Official Web Site, “Commission Proposal for the Implementation of EU-Morocco Action Plan”, 2004.

⁹⁹⁸ EU Official Web Site, “Commission Proposal for the Implementation of EU-Morocco Action Plan”, 2004.

children”⁹⁹⁹ Sub-committees established by the Association Agreement are in charge of monitoring Morocco’s progress in meeting these priorities and prepare progress reports to evaluate the implementation of the Action Plan.¹⁰⁰⁰

Following adoption of the Action Plan, a new political-party law was adopted in 2005. The most significant change in the new law was the transfer of authority from the Ministry of the Interior to the court system regarding approval of new political parties.¹⁰⁰¹ While, on the surface, this change seemed promising to provide a more independent authority to manage the party registration process, in reality no meaningful change occurred as the minister of justice continued to be appointed by the king.¹⁰⁰²

Documents and public statements by the EU, in general, have praised Morocco’s commitment to political reform process and its success in attaining the priorities defined in the Action Plan. The 2006 ENP Progress Report on Morocco wrote:

*“The King has launched numerous initiatives aimed at the modernization of the state, democratization and national reconciliation – in particular via the Fairness and Reconciliation Commission, the law on political parties, the law on the liberalization of the audiovisual sector, the law against torture - and the promotion of economic and social development, in particular the national human development initiative, the status of women, and the fight against poverty. These initiatives are already reflected as tangible commitments in the Action Plan and place Morocco firmly on the path to reform.”*¹⁰⁰³

Likewise, Ferrero Waldner, - the European Commissioner for External Relations and European Neighbourhood Policy then- expressed her satisfaction with respect to Morocco’s performance in realizing reforms after the meeting of the Association Council in July 2007. She said: "We are very satisfied with the progress being made in relations between the European Union and Morocco. We note that Morocco is striving to implement reforms and that rapid progress is also being made

⁹⁹⁹ EU Official Web Site, “Commission Proposal for the Implementation of EU-Morocco Action Plan”, 2004.

¹⁰⁰⁰ EU Official Web Site, “Commission Proposal for the Implementation of EU-Morocco Action Plan”, 2004.

¹⁰⁰¹ Entelis, p.35.

¹⁰⁰² Entelis, p.35.

¹⁰⁰³ European Union Official Web Site. “European Neighbourhood Policy Progress Report: Morocco”, 04.12.2006, http://ec.europa.eu/world/enp/pdf/sec06_1511-2_en.pdf (16.05.2010).

in attaining the goals of the EU-Morocco Action Plan."¹⁰⁰⁴ Notwithstanding this positive tone, the EU has also raised criticisms about democratic shortcomings. For instance, 2006 ENP report on Morocco included a critique of limitations in free associative life:

“The changes made to the legislative framework in the area of freedom of association and assembly have led to the emergence of a more active and dynamic civil society. However, the work of some non-governmental organizations (NGOs), in particular those involved in the defense of human rights in the Western Sahara, is hampered by the difficulties encountered when the NGOs attempt to register officially. There are also cases where the police use disproportionate force to disperse demonstrations or to bring people in for questioning.”¹⁰⁰⁵

Yet, such criticisms remained relatively minor when compared with overall applause for materialized reforms. The EU has also not used its potential in an effective way to support Morocco to improve its record on criticized issues.

Mohammad VI has also been successful at taking advantage of each single progressive development to raise Morocco’s profile in the international arena. For instance, September 2007 parliamentary elections had given the ruling monarch a significant opportunity to improve Morocco’s image in the international arena through a noticeable commitment to relatively free and fair electoral process. For the first time, international electoral observers were allowed to watch the elections along with a domestic electoral observer committee consisted of civil society organizations.¹⁰⁰⁶ The EU gave strong support to 2007 legislative elections within the framework of the EIDHR through financing of the domestic electoral observer committee which involved 3,000 observers.¹⁰⁰⁷ Domestic and international observers reported that the elections took place in an overall competitive and transparent

¹⁰⁰⁴ “EU-Morocco: Association Council decides to strengthen bilateral relations”, EU Press, 23.07.2007,

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/07/1155&format=HTML&aged=0&language=EN&language=en> (25.04.2010).

¹⁰⁰⁵ European Union Official Web Site. “European Neighbourhood Policy Progress Report: Morocco”, 2006.

¹⁰⁰⁶ Kausch, Elections 2007, p.83.

¹⁰⁰⁷ “EU Election Observation: Achievements and Challenges” European Parliament Briefing Paper, June 2008, http://www.democracy-reporting.org/files/european_parliament_-_study_on_eu_election_observation.pdf (09.07.2011).

political setting¹⁰⁰⁸ regardless of minor fraud and manipulation.¹⁰⁰⁹ According to the election results, traditional opposition party, the Istiqlal, gained 52 seats being the first, followed by the PJD with 47 seats being the second.¹⁰¹⁰ In addition to relative transparency of the electoral setting, 2007 elections had a progressive outcome as the king appointed Abbas al-Fasi, the leader of Istiqlal, as the prime minister respecting party's votes.¹⁰¹¹ Despite of its progressive aspects, 2007 elections was disappointing in democratic terms with respect to very low voter turnout. Only 37 percent of the eligible voters participated in elections, which was the all time lowest number.¹⁰¹² This low percentage suggested that Moroccan electorates refrained from political participation due to a combination of disenchantment with the political process, "distrust in political parties and government institutions" and "increasing alienation between the ruling elite and the people".¹⁰¹³ Yet, EU's reaction to September 2007 legislative elections was considerably positive. 2008 ENP Progress Report on Morocco points out that 2007 parliamentary elections were held in a transparent and well-organized electoral setting, results were declared rapidly and for the first time international electoral observers were accepted along with national observers from civil society organizations.¹⁰¹⁴ The same report mentioned very briefly about the low voter turnout, relating it with people's distrust in political parties and parliament.¹⁰¹⁵

On the whole, the EU seemed satisfied with the course of reform taking place in Morocco and rewarded the kingdom with an 'Advanced Status' in 2008 which meant deepening of bilateral relations. On granting 'Advanced Status' to Morocco, Benita Ferrero-Waldner said:

¹⁰⁰⁸ For instance, a fair electoral environment was guaranteed for progovernment and opposition parties to compete equally. All parties were given chance to use public television for their electoral campaign in line with their past performance. See McFaul and Wittes, p.28.

¹⁰⁰⁹ Kausch, *How serious*, p.2 and Khakee, pp.6-7.

¹⁰¹⁰ Entelis, p.35 and Zeghal, p.261.

¹⁰¹¹ Lise Storm, "Testing Morocco: the parliamentary elections of September 2007," **The Journal of North African Studies**, Vol:13, No:1, March 2008, (Testing Morocco), p.37 and Zeghal, p.262.

¹⁰¹² Entelis, p.35 and Hochman, p.70 and Kausch, *Whitewash*, p.1.

¹⁰¹³ Kausch, *Smart Authoritarianism*, p.145 and Zeghal, p.264 and Kausch, *Whitewash*, p.2.

¹⁰¹⁴ European Union Official Web Site. "European Neighbourhood Policy Progress Report: Morocco", 03.04.2008, http://ec.europa.eu/world/enp/pdf/progress2008/sec08_398_fr.pdf (16.05.2010).

¹⁰¹⁵ European Neighbourhood Policy Progress Report: Morocco, 2008.

*“The year 2008 has been a remarkable one in Morocco-EU relations. The reforms undertaken by the Moroccan government have made good progress, with the full political and financial support of the EU. What’s more, the Association Council adopted a joint document on advanced status, which represents a solid base for a subsequent deepening of relations. The Commission expresses its satisfaction at these very positive developments.”*¹⁰¹⁶

In fact, while grant of ‘Advanced Status’ provided the kingdom with political and economic privileges, it also increased European expectations from the ruling monarch with respect to the reform process. Accordingly, the kingdom was expected to take additional steps toward a concrete political reform. In this regard, June 2009 municipal elections were held with an awareness by the authorities to meet main expectations of the EU in line with the new upgraded status. Like in 2007 parliamentary elections, domestic and international election observers watched the elections, and regardless of minor irregularities they evaluated the process of voting as progressive.¹⁰¹⁷ Participation in elections (52.4%) was noticeably higher than that of 2007 parliamentary elections which signified an increasing trust of people in the political system and the institutions.¹⁰¹⁸ 2010 ENP Progress Report on Morocco described 52.4 percent voter turnout in the 2009 municipal elections as a progress when compared with the 37 percent turnout in the 2007 parliamentary elections.¹⁰¹⁹ EU’s appraisal of 2009 elections was further illustrated through these words:

*“The EU congratulates Morocco on the improved transparency arrangements and the sound organization of the communal elections held on 12 June 2009. Those elections were a marker of further progress in the democratization process. The EU also welcomes the remarkable increase in the number of women elected in those elections...”*¹⁰²⁰

¹⁰¹⁶ Statement by External Relations and ENP Commissioner Benita Ferrero-Waldner, **ENPI Info Centre**, 23.04.2009, http://www.liaa.gov.lv/uploaded_files/EKSPORTETAJIEM%20sadala/Morocco.pdf (09.07.2011).

¹⁰¹⁷ For instance, report by the Spanish election observer TEIM Election Watch classified 2009 municipal elections as democratic. See TEIM (Taller de Estudios Internacionales Mediterraneos) Election Watch Official Web Site, “Electoral Report: Morocco 12 June 2009 Local Elections” 15.07.2009, http://www.observatorioelectoral.es/en/ImgBase/ER-Morocco_local_2009.pdf, (23.08.2011).

¹⁰¹⁸ TEIM Election Watch 2009, “Electoral Report: Morocco 12 June 2009 Local Elections”.

¹⁰¹⁹ European Union Official Web Site. “European Neighbourhood Policy Progress Report: Morocco”, 12.05.2010, http://ec.europa.eu/world/enp/pdf/progress2010/sec10_521_fr.pdf (03.10.2010).

¹⁰²⁰ European Union Official Web Site. “Statement by the EU at eighth meeting of the EU-Morocco Association Council”, 2009.

In the light of above-mentioned reform measures that were adopted after ascension of Mohammed VI to throne, to what extent has the EU democracy promotion been influential on the course of political liberalization in Morocco? It is fair to maintain that under the rule of King Mohammad VI there have been significant achievements in the human and women's rights, and to less extent in the handling of electoral processes; and certainly EU democracy promotion has had a positive impact on them, particularly when combined with domestic pressure by local civil society organizations. These achievements are indicated in the EU strategy paper (2011-2013) for Morocco:

*In recent years Morocco has embarked on a proactive process of modernization and democratization. There has been undeniable progress in the areas of democratic reform and respect for human rights, in particular the adoption of the new family code, the law on political parties, the law outlawing torture, the strengthening of local democracy, the reform (under way but still very slow and problematic) of the justice and prison systems, and drafting of the new electoral code. The recommendations of the Fairness and Reconciliation Commission (IER), which was set up to set right the wrongs suffered by the victims of arbitrary detentions and forced disappearances, have paved the way for several new measures, including constitutional reform measures.*¹⁰²¹

Yet, it is difficult to suggest a parallel impact on other areas such as rule of law, judicial independence, balance of powers and corruption. Remarkable change has taken place to improve human rights and women's rights, but no genuine change has occurred on the fundamentals of the political system, as power continues to be vested with the king and other institutions have remained insufficient to counterbalance his power.¹⁰²² In this regard, the EU has been far from triggering systematic and structural move towards a more democratic political system in Morocco. The EU has prioritized reform in human and women's rights and thus seemed content with the overall progress in political liberalization. ENP progress reports on Morocco expressed satisfaction with the process of political reform in general, notwithstanding minor criticisms. Indeed, Morocco was singled out by the Union as a model for other states in the region through grant of the 'Advanced Status' in 2008. Creation of

¹⁰²¹ European Union Official Web Site. "European Neighbourhood and Partnership Instrument: Morocco Strategy Paper 2011-2013".

¹⁰²² Khakee, p.7.

democratic institutions such as the IER has also contributed to reinforce the kingdom's image as a pro-reform country and helped the ruling monarch "to accommodate international and national pressure for reform without threatening the regime".¹⁰²³

In short, while Morocco has experienced a noteworthy degree of political liberalization, it has remained quite short of transforming the kingdom into a democracy. The King has adopted a selective reform strategy, which appeased the EU, without threatening essence of his authority. This reform strategy has matched with the interests of the EU, which has preferred a gradual reform process that ensures a liberalized, but stable Morocco.¹⁰²⁴

4.2.4. Limitations of EU Democracy Promotion in Morocco

There are a number of shortcomings in the design and formulation of EU democracy promotion policies towards Morocco including an ineffective implementation of a bottom-up approach, divergence among EU member states, hesitancy between political reform and other concerns (security and economic), underemployed leverage capacity by the EU, unfulfilled potential of the 'Advanced Status' framework and prioritization of human rights over democratization.

First of all, it is essential to mention that the EU has adopted a predominantly top-down approach in its democracy promotion towards Morocco, as the funding is channeled through governmental bodies.¹⁰²⁵ While bottom-up democracy promotion is a more fruitful strategy to spread democratic principles, as the aid is channeled through civil society organizations, the weight of bottom-up programmes has remained modest within EU democracy assistance in Morocco like in the other Arab Mediterranean states. EU's bottom-up democracy assistance programmes in Morocco also suffered from two major shortcomings. Firstly, funding allocated via EIDHR instrument to support civil society organizations in Morocco has been low, which led to lack of sufficient projects.¹⁰²⁶ Secondly, an efficient bottom-up

¹⁰²³ Vairel, p.229.

¹⁰²⁴ Kausch, Smart Authoritarianism, p.140.

¹⁰²⁵ Dimitrovova, pp.7-8.

¹⁰²⁶ Kausch, The European Union, pp.174-175.

approach toward Morocco is constrained by lengthy and complicated application procedures for projects.¹⁰²⁷ Due to complexity of application procedures, Moroccan NGO's including leading ones have hesitated over applying for EU projects.¹⁰²⁸ Ironically, as Khakee points out some NGOs have had to pay to a consultant (mostly European) to help in filing application for EU funds.¹⁰²⁹ Still, some others do not benefit from EU funds owing to lack of knowledge about technicalities in preparing a proposal announced projects.¹⁰³⁰

Secondly, another limitation of EU democracy promotion in Morocco has been the divergent approaches among EU member states about democracy assistance. While northern European states have been more willing to push Morocco for political reform actively, southern European countries have been reluctant to engage in active democracy promotion in Morocco.¹⁰³¹ Particularly, southern EU member states like Spain and France have been more tolerant on the issue of political change due to their geographical proximity, and close political and economic ties with Morocco.¹⁰³² Thus, they are more concerned over critical issues such as migration, regional security, free trade and fisheries than democracy assistance.¹⁰³³ For instance, Spain has been cautious regarding democracy assistance in Morocco as Spanish officials have assumed that democracy promotion policies would, in the short run, bring instability to region, which in return would affect Spain in a negative way.¹⁰³⁴

Thirdly, hesitancy between political reform and other concerns (security and economic) has also limited EU democracy promotion in Morocco. While the Barcelona Declaration highlighted commitment to democratic principles, the EU has not adopted a consistent approach in invoking relevant clauses.¹⁰³⁵ Cooperation on security issues and promotion of economic reform have had higher priority in the

¹⁰²⁷ Michelle Pace, "Paradoxes and contradictions in EU democracy promotion in the Mediterranean: the limits of EU normative power", **Democratization**, Vol:16, No:1, 2009, p.45.

¹⁰²⁸ Khakee, pp.10-11.

¹⁰²⁹ Khakee, p.11.

¹⁰³⁰ Haddadi, *Two Cheers*, p.166.

¹⁰³¹ Dillman, *International Markets*, p.67 and Dillman, *The European Union*, p.186.

¹⁰³² Kausch, *How serious*, p.10.

¹⁰³³ Kausch, *The European Union*, p.167.

¹⁰³⁴ Richard Gillespie, "Spain and Morocco: Towards a Reform Agenda?", **FRIDE** (Working Paper), No:6, April 2005, (Reform Agenda), <http://www.fride.org/publication/218/spain-and-morocco:-towards-a-reform-agenda?> (13.02.2010), pp.1-2.

¹⁰³⁵ Pace et al., p.77.

EU's agenda when compared with the promotion of democracy, as through time they are thought to better address European concerns on stability.¹⁰³⁶ As a result, while economic reform is encouraged in a consistent fashion through employment of concrete measures and effective conditionality, the EU has failed to adopt a parallel manner regarding political reform.¹⁰³⁷

Fourthly, underemployed leverage capacity by the EU is another reason for the weaknesses of EU support for democracy in Morocco. While, the EU has in general been reluctant to employ negative means to encourage democratization in the Arab Mediterranean context, it has adopted a more cautious manner in a "comparatively positive setting such as in Morocco".¹⁰³⁸ Accordingly, EU member states have refrained from exerting meaningful pressure on the kingdom for political reforms. Particularly, following the coming power of Mohammad VI, European commission avoided serious criticisms regarding monarchy's commitment to political change.¹⁰³⁹ In line with the ENP tradition, no negative conditionality has been applied towards Morocco. Only positive forms of conditionality have been used, which meant rewarding achievements rather than punishing failures to meet expectations in the field of political reform.¹⁰⁴⁰ Yet, rewarding mechanism has lacked an organized linkage to clear and transparent conditions.¹⁰⁴¹ Distribution of incentives in an unsystematic manner has prevented the EU from fulfilling its leverage potential as a promoter of democracy in the case of Morocco. In addition to use of positive conditionality in a more organized way, use of negative conditionality in the form of threat of economic sanctions would have better pushed Morocco to commit political reform.

Fifthly, unfulfilled potential of the 'Advanced Status' framework is among limitations of EU democracy promotion in Morocco. With the grant of 'Advanced Status' in 2008, Morocco became the first country to be awarded a special status within the framework of the ENP. The EU pointed out Morocco as a 'role model'

¹⁰³⁶ Dillman, *International Markets*, pp.66-67.

¹⁰³⁷ Kausch, *The European Union*, pp.165, 178.

¹⁰³⁸ Kausch, *How Serious*, p.6.

¹⁰³⁹ Youngs, *The European Union*, p.73.

¹⁰⁴⁰ Gillespie, *Reform Agenda*, p.6.

¹⁰⁴¹ Kausch, *How serious*, p.6.

for other Arab Mediterranean states through this new special status.¹⁰⁴² Yet, the added value of the ‘Advanced Status’ framework to existing ENP has been unclear as EU–Morocco relations have continued to follow the same path.¹⁰⁴³ Morocco has neither been granted any noteworthy concessions, nor as an advanced partner, has it been expected to materialize advanced level of political reform. To put it differently, the EU has not differentiated its approach to Morocco in favor of encouraging further commitment to political reform. According to Kausch, in order for the EU to make use of ‘Advanced Status’ in relation to democracy assistance, it has to “tie the advanced level of partnership to deeper, systemic democratization” and to offer enhanced incentives in return for those enhanced demands.¹⁰⁴⁴ Indeed, the ‘Advanced Status’ framework has provided the EU with a favorable tool to push Moroccan political reform process further. However, unable to fulfill its potential, the ‘Advanced Status’ has fallen short of contributing to European support for political reform process in Morocco.

Lastly, EU democracy promotion in Morocco has been constrained by prioritization of human rights over democratization. Given that EIDHR funds are more often used to support human rights issues than rule of law and justice, EU promotion of human rights overshadowed that of democracy.¹⁰⁴⁵ Indeed, through EIDHR funds the EU has tended to support projects on human rights which involve “politically less relevant targets, such as women and children’s human rights”.¹⁰⁴⁶ At the same time, as Dillman points out, EU officials have perceived making references to human rights issues as a substitute to cover their reluctance in dealing with political reform.¹⁰⁴⁷

¹⁰⁴² Martin, *EU-Morocco Relations*, p.242.

¹⁰⁴³ Martin, *EU-Morocco Relations*, p.241.

¹⁰⁴⁴ Kausch, *Smart Authoritarianism*, p.147. See also Kausch, *Advanced Status*, p.1.

¹⁰⁴⁵ Bicchi, p.75.

¹⁰⁴⁶ Bicchi, p.76.

¹⁰⁴⁷ Dillman, *The European Union*, pp.186-187.

Table 15: Limitations of EU Democracy Promotion in Morocco

Limitations of EU Democracy Promotion in Morocco
• an ineffective implementation of a bottom-up approach
• divergence among EU member states
• hesitancy between political reform and other concerns (security and economic)
• underemployed leverage capacity by the EU
• unfulfilled potential of the ‘Advanced Status’ framework
• prioritization of human rights over democratization.

4.3. POLITICAL INTERPLAY BETWEEN CIVIL SOCIETY AND THE EU

4.3.1. Linking EU Democracy Promotion, Islamists and Political Reform in Morocco

In formulating a strategy for democracy promotion agenda towards Morocco, the EU has been influenced by the existence of Islamists as the major political opposition force in the kingdom. Encouraging political reform has generally been subordinate to its concern over regional stability, which is thought to be challenged by an establishment of an Islamist regime in the southern neighbourhood. Unfamiliarity in engaging with the Islamists has further complicated EU’s approach to democracy assistance in Morocco, similar to what happened in the other Arab Mediterranean states. As a result, the EU has refrained from pushing the king far enough to materialize true political reform, as this relatively liberalized monarchy has served the interests of the EU, contributing to stability in the region. This resulted in the continuation of an accountability deficit and a chronic delay in transition to genuine democracy in the kingdom. Growing popular dissatisfaction with the existing political system has exhibited itself in increasingly low voter turnout percentages in elections. This, in return, has contributed to popularity of the moderate Islamist movements like the PJD and the JC, due to their success in addressing frustration of Moroccans. Building on this problematic interaction between the EU, the Moroccan ruling regime and the Islamists, this section aims to

shed light on how this interaction has influenced the process of political liberalization in Morocco prior to the Arab Spring.

Increasing appeal for Islamist movements in Morocco is closely related with deteriorating socio-economic conditions including growing unemployment, social inequality, poverty and weak economic growth along with an erosion of trust with the governing political structures through years. Like their counterparts in the region, Islamist movements in the kingdom have been successful in expressing anxieties of Moroccans and offering practical solutions to their problems. For instance, northern regions of the kingdom with a predominantly Berber population have long been neglected by the ruling monarch and thus remained severely impoverished.¹⁰⁴⁸ Islamist organizations compensated the services not provided by the government in those regions through offering health care, food and education to those in need of. They have dealt with concrete problems and won hearts of the people through addressing their needs and grievances.¹⁰⁴⁹ The PJD and the JC are the major Islamist actors in Morocco both of which are moderate. The JC has openly rejected the monarchy and the political system it represented. Denial of king's legitimacy has placed the JC outside the political game as it has remained outlawed. The JC's exclusion from the political game has singled out the PJD as the leading acceptable Islamist force in the legal political scene. PJD's non-revolutionary and pro-monarchist stance paved the way for its inclusion in the Moroccan political system. Participating elections since 1997, the PJD has proved itself as a strong opposition party. PJD's emphasis on bringing more transparency and accountability to political system in addition to fighting corruption and unemployment has helped it to consolidate its electoral gains.¹⁰⁵⁰ The 2002 parliamentary elections earned the PJD an impressive success as the PJD became the third largest party in the parliament.

This rising profile of the PJD in 2002 legislative elections has led to concerns both among EU and Moroccan political figures, on the grounds that this would challenge both country's political balance and EU-Moroccan relations.¹⁰⁵¹ European

¹⁰⁴⁸ Stephen Erlanger and Souad Mekhennet, "Islamic Radicalism Slows Moroccan Reforms," **New York Times**, 26.08.2009, [<http://www.nytimes.com/2009/08/27/world/africa/27morocco.html>]. (22.09.2011).

¹⁰⁴⁹ Chourou, p.27.

¹⁰⁵⁰ Sharp, p.12.

¹⁰⁵¹ Barwig, pp.294-295 and Amghar, p.14.

fear of an Islamist government in Morocco reached to its peak prior to 2007 Moroccan legislative elections following the January 2006 electoral victory of Hamas in Palestinian legislative elections. Polls and forecasts foreseeing an electoral victory by the PJD had certainly contributed to those fears in northern side of the Strait of Gibraltar. Thus, when expectations were proven wrong and the PJD failed to become the strongest political party, gaining only second largest number of seats in the parliament, it “provoked a sigh of relief in Europe”.¹⁰⁵²

The prospect of an Islamist government in Morocco has been the cause of concern for the EU due to two main reasons. First of all, there is a general tendency in the Europe to perceive Islamists as a monolithic group irrespective of their moderate or radical nature. This un-nuanced view of Islamists is influential in an overall European inclination to equate Islamism with terrorism particularly in the aftermath of 9/11 terrorist attacks.¹⁰⁵³ EU’s consideration of Islamist movements “as having equivocal relations with terrorism” has led the EU to cooperate with ruling regimes in the region, which are “threatened by the rise of Islamic terrorism”, regardless of their un-democratic practices.¹⁰⁵⁴ The un-nuanced approach of the EU to Islamist movements in the region has bred reluctance by the EU to engage with these movements including even moderate ones such as the PJD in Morocco.¹⁰⁵⁵ Secondly, EU’s concern of an Islamist government in Morocco is closely related with a parallel concern to preserve its interests, which they thought would be negatively affected if Morocco is to be ruled by an Islamist regime. As mentioned earlier, there are a number of priorities which have driven EU’s foreign policy-making towards Morocco including security, migration, economics and energy. From the European perspective, the key to secure these priorities has rested in keeping Morocco’s stabilizing role in the volatile region. It is believed that ‘optimizing’ Moroccan democratic standards would contribute to Islamist rule in Morocco, which in return would risk cooperation on critical issues such as illegal migration and energy security.¹⁰⁵⁶ Thus, a full-hearted European commitment to democracy promotion has been subordinated to regional stability, in which Morocco undertakes

¹⁰⁵² Kausch, *Smart Authoritarianism*, p.146.

¹⁰⁵³ Kausch, *Smart Authoritarianism*, p.146.

¹⁰⁵⁴ Amghar, pp.24-25.

¹⁰⁵⁵ Kausch, *Smart Authoritarianism*, p.146.

¹⁰⁵⁶ Kausch, *The European Union*, p.166.

a central role. In this regard, the EU has preferred to encourage political reform in Morocco to such an extent that would allow political openings without leading to deep-seated political change to let Islamists to replace the existing friendly regime. At least, the ruling monarch has been predictable for the EU despite of its authoritarian practices when compared to Islamists, with whom the Europeans have been unfamiliar.

Relations with the Islamists have been a challenging issue for the EU in its democracy promotion in Morocco. EU officials have been reluctant to engage with Islamist political parties and NGOs, largely excluding them from their democracy promotion initiatives aimed at Morocco. There has been an effort to ignore or marginalize even moderate Islamists in EU political initiatives.¹⁰⁵⁷ Ironically, while Islamists are the most powerful domestic forces to put pressure on the ruling monarch for more transparency and accountability, their attempts have not been supported by the EU as major democracy promotion frameworks; the EMP, the ENP and the EIDHR, have excluded Islamists from participation in dialogue.¹⁰⁵⁸ Amghar mentions about the failure of the EU to integrate Moroccan Islamists into its democracy assistance policies: “Despite the importance of EU aid to Morocco, European policies have yet to conceive of a place for the Islamists in the EMP. Also, they have not considered their possible integration in the context of the ENP.”¹⁰⁵⁹ Why has the EU been reluctant to engage Islamists in the region in general and in Morocco in particular? One of the reasons is that Islamist movements “are among the very few actors in Morocco” to openly criticize and reject EU policies which they have viewed as forms of economic and cultural hegemony.¹⁰⁶⁰ For instance, Moroccan Islamists such as the PJD and the JC have been critical of the EU and its policy frameworks of the EMP / ENP / EIDHR due to both its support for the ruling regime and its reluctance to engage with Islamists.¹⁰⁶¹ Another reason is the concern that democratic elections would lead to Islamist rule in the kingdom, and thus excluding Islamists from democracy assistance projects would at least delay their victory. Besides, this delay would help to gain time for secularist parties to become

¹⁰⁵⁷ Dillman, *The European Union*, p.187.

¹⁰⁵⁸ Dillman, *International Markets*, pp.67-68.

¹⁰⁵⁹ Amghar, p.24.

¹⁰⁶⁰ Dimitrovova, p.12.

¹⁰⁶¹ Amghar, p.27.

strong enough to become competitors against Islamists thanks to European support.¹⁰⁶²

Since political Islam is an undeniable political reality of the region in general and of Morocco in particular, the EU has to consider the issue of engaging Moroccan Islamists more seriously. In engaging Moroccan Islamists, the EU needs to differentiate moderate Islamists from radicals and integrate moderate Islamist groups and NGOs into the frameworks of the EMP/ENP/EIDHR. Through integration of moderate Islamists into its democracy promotion policies, the EU would become more familiar with them and would change their critical stance against the EU and its support for democratization in Morocco. By including moderate Islamists in its major policy instruments of EMP/ENP/EIDHR, the EU would reinforce credibility of its democracy assistance agenda towards Morocco and have more meaningful impact on political reform process “since the Islamists represent a significant sector of public opinion and enjoy popular support”.¹⁰⁶³

The PJD, a rather moderate Islamist actor and a legal player in the Moroccan political scene, has had spent much effort to make Western officials take the party into consideration as an acceptable and trustworthy political force in Morocco.¹⁰⁶⁴ Kausch points out this effort as: “The party’s leadership, for its part, has been undertaking extensive lobbying across EU and US administrations to gain support, build confidence and present itself as an acceptable partner”.¹⁰⁶⁵ This effort bore fruit, as while the European governments have avoided any dialogue with members of the JC, they have adopted a “cautious but constant engagement” with the PJD, following 2007 Moroccan legislative elections when the PJD was predicted to become a part of the government.¹⁰⁶⁶ The underlying reason behind cautious European engagement with the PJD is that they have perceived the PJD a more acceptable alternative to other less moderate Islamist groups both in Morocco and in the region. Despite of the idea being unattractive, prospect of a PJD-participated government was tolerable from the European point of view, since a fairly moderate

¹⁰⁶² Dillman, *The European Union*, p.187.

¹⁰⁶³ Amghar, p.28.

¹⁰⁶⁴ Kausch, *Smart Authoritarianism*, p.146.

¹⁰⁶⁵ Kausch, *Elections 2007*, p.83.

¹⁰⁶⁶ Kausch, *How serious*, p.4.

and pro-democracy Islamist party such as the PJD “could prove the best safeguard against the rise of religious fundamentalist and extremist forces”.¹⁰⁶⁷

EU democracy promotion policies towards Morocco have been regime-friendly to large extent, which have not placed serious pressure on the regime for reform. Funds have been allocated to support projects which correspond to European priorities.¹⁰⁶⁸ The EU could play a significant role in encouraging democratization in Morocco since the ruling monarch has valued kingdom’s relations with the EU to a large extent. It has the capacity and necessary instruments to exert consistent pressure to persuade Moroccan regime to materialize genuine reforms in the political realm. For instance, granting ‘advanced status’ is a critical mechanism that could be employed in a more efficient way to facilitate democratization in Morocco. The EU could uncover its leverage potential through using ‘advanced status’ as an inducement tool by setting out concrete set of reform measures to be adopted by the Moroccan regime, relating this privileged status or the continuation of this status to fulfillment of defined measures. Commitment of the ruling monarch to meaningful level of democratization could further be reinforced by the EU through increasing the quality and quantity of incentives that are attractive to Morocco.

If there had not been a clash between European concerns on stability-related interests and democracy promotion mission, combined with sufficient internal pressure, the EU would be quite influential to provide a favorable setting in Morocco for transition to genuine democracy. Yet, EU democracy promotion efforts in Morocco has not gone beyond symbolic moves particularly regarding major democracy-related fields of rule of law and justice. So far, the EU has not provided strong incentives to facilitate reform in those fields. The picture was more promising in terms of EU encouragement of reform in the fields of human and women’s rights. The EU has exhibited a far more determined and coherent manner on human and women’s rights protection in Morocco. Consequently, Morocco had taken noticeable steps with respect to protection of human and women’s rights such as the revision of the family code, the establishment of the IER and the launch of INDH. In the light of Morocco’s progress scheme, it is fair to maintain that democracy assistance by the EU has contributed to reform in the fields of human rights and women rights, but not

¹⁰⁶⁷ Kausch, *An Islamist Government*, p.9.

¹⁰⁶⁸ Haddadi, *Two Cheers*, p.165.

much in the field of democratization. This may be due to the fact that reform in those fields would not cause rapid and deep-seated openings in the political system, which in return would constitute challenge to country's stability. In this regard, the EU has encouraged political reform in Morocco as long as its expected outcomes are not predicted to run counter to European overriding interests in Morocco.¹⁰⁶⁹

The ruling monarch has highly been successful in preserving its hegemony over the political system. Reflecting a pro-reformist leader profile, King Mohammad VI had initially caused an increase in international community's expectations in favor of kingdom's commitment to democratization. He enacted a number of significant reforms, which led to remarkable improvements in country's human and women's rights situation. Yet, reforms enacted have not contributed to any concrete change in the political system such as distribution of power.¹⁰⁷⁰ The ruling monarch has implemented political reforms in a selective way which has contributed Morocco to draw a progressive image in the international arena, whereas at the same time, ruling elites' control over executive, legislative and judiciary bodies has not been challenged. Through adoption of selective liberalization, the king has been able both to alleviate internal and external pressure for political reform and to consolidate Makhzen's position in the political realm.¹⁰⁷¹ Thus, while materialized reforms have led to liberalization in the political system, they are far from transforming the kingdom into democracy as extensive powers have remained to reside in the hands of the king, which are not subject to "constitutional provisions and institutional checks and balances".¹⁰⁷²

Success of the ruling monarch to retain most of its powers throughout the political reform process which began in the late 1990s largely owes to regime's instrumentalization of European interests, among which Morocco's stabilizing impact in the regime comes the first. European fear of an unstable Morocco, which may occur with the coming power of an Islamist regime has wisely been used by the regime to legitimize its authoritarian practices. For instance, the EU remained silent when a counter-terrorism law was adopted following 2003 terrorist attacks in

¹⁰⁶⁹ Khakee, p.13.

¹⁰⁷⁰ Ottaway and Riley, p.169.

¹⁰⁷¹ Kausch, Smart Authoritarianism, p.141.

¹⁰⁷² Ottaway and Riley, p.169.

Casablanca that granted the ruling monarch unlimited authority to freely place limits on human rights and basic civil liberties.¹⁰⁷³ Kausch describes the harmony between interests of the EU and Moroccan regime through these words: “While motivations may differ, at the end of the day the makhzen’s and the EU’s interests match. They are united by their common interest in economic reform and limited political liberalization, and their prioritization of a governmental status quo over genuine political representation”.¹⁰⁷⁴ In addition to synchronization among interests of the two sides, the makhzen’s ability to be set relatively free from European pressure to democratize was related with Morocco’s image as a fairly liberal state when compared with other states in the region. Being aware of its significance for the EU as the closest partner in the region, the makhzen has successfully projected a brilliant and “progressive image in Western countries”¹⁰⁷⁵ through adopting reformist measures in less sensitive fields without making concessions regarding its power domain.

In engaging with Islamists the ruling regime has adopted different approaches. Other than the PJD, Islamists movements have been excluded from the political system. The PJD has been allowed to participate into elections as the ruling regime viewed this non-revolutionary and pro-monarchist Islamists party as far less challenging when compared with other Islamist movements in Morocco. At least, the PJD representatives have recognized the king’s legitimacy and the monarchical order he represented. They have frequently underlined their willingness to accommodate the existing system. Thus, the ruling regime has viewed the PJD as the only Islamist party in the country to negotiate with on things through bargaining. Still, now and then, PJD’s aspirations are questioned and its activities have been closely followed by the authorities. Unlike its strategy of involving the PJD, the ruling monarch has employed a confrontational stance against the JC, an antagonist but non-violent Islamist movement, which publicly rejected the legitimacy of the monarchy and openly criticized Mohammad VI. A combination of limited toleration and repressive approach has marked regime’s approach to JC members and their activities. As far as radical Islamists groups are concerned, the makhzen has not only

¹⁰⁷³ Kausch, *Smart Authoritarianism*, p.144.

¹⁰⁷⁴ Kausch, *The European Union*, p.176.

¹⁰⁷⁵ Willis, p.229.

adopted brutal means to punish their members but also played off the threat these groups represented to reinforce its control over the system.¹⁰⁷⁶ Following the Casablanca bombings of May 2003, hundreds of suspected radical Islamists were arrested, many of whom were “convicted in unfair trials after being held in secret detention and subjected to mistreatment and sometimes torture.”¹⁰⁷⁷

4.3.2. Unfolding of the Arab Spring in the Moroccan Political Context and EU’s response

Having analyzed the problematic nature of interaction between the EU, Moroccan ruling regime and Islamists; now the focus will be on how the Arab Spring¹⁰⁷⁸ has so far influenced the process of political reform in Morocco and EU’s response. Inspired by the popular uprisings in Tunisia and other Arab states, public protests - organized by the youth movement called February 20 Movement for Change and supported by civil society forces including the Islamist JC- broke out in Morocco on 20 February 2011.¹⁰⁷⁹ Convened through social networking websites such as Facebook and Twitter, demonstrations brought thousands of Moroccans together in the square outside Rabat's El Had gate to demand an end to corruption and far reaching political reform.¹⁰⁸⁰ While demonstrators avoided criticizing the king, they targeted a number of king’s advisors including Fouad El Himma and Mounir Majidi.¹⁰⁸¹ Despite determined attitude of demonstrators for political change, they neither called for a revolution nor did they want to overthrow the king or to bring the monarchical order to an end.¹⁰⁸²

¹⁰⁷⁶ Howe, p.372.

¹⁰⁷⁷ “Human Rights Watch World Report 2012 (Events of 2011)”, **Human Rights Watch**, 22.01.2012, <http://www.hrw.org/sites/default/files/reports/wr2012.pdf> (23.01.2012), p.603.

¹⁰⁷⁸ Arab Spring is the wave of popular pro-democracy uprisings in the Arab World that began in Tunisia in December 2010 and then spread to other states in the region including Egypt, Algeria, Jordan, Yemen, Libya and Syria.

¹⁰⁷⁹ Human Rights Watch World Report 2012.

¹⁰⁸⁰ Lisa Abend, “Protests in Morocco: Just Don’t Call It a Revolution”, **TIME**, 22.02.2011, <http://www.time.com/time/printout/0,8816,2052901,00.html> (02.03.2011).

¹⁰⁸¹ Maati Monjib, “Will Morocco’s Elections Subdue Popular Protests?”, **SADA Journal**, 22.11.2011, <http://carnegieendowment.org/2011/11/22/will-morocco-s-elections-subdue-popular-protests/7ntj> (23.11.2011).

¹⁰⁸² Abend.

King Mohammed VI immediately responded to pro-reform demonstrations “by positioning himself at the forefront of reform”, as he announced a new political reform agenda on March 9 in a televised national address¹⁰⁸³ just two weeks after the start of protests.¹⁰⁸⁴ In an attempt to alleviate pressures for political change, king’s reform agenda included curbs on monarch’s administrative powers such as drafting a new constitution, expansion of individual and collective liberties, decentralization of power through regional administrations. Also, early parliamentary elections was scheduled for November 2011 instead of September 2012.¹⁰⁸⁵ Without loosing time, the king skillfully avoided a tremendous uprising by offering a controlled process of change as soon as uprisings broke out. In a sense, what the king did was to reinforce his position “by making himself an ally of the protesters rather than their target”.¹⁰⁸⁶

The most remarkable promise by the king was drafting of a new constitution. For this mission, he set up a commission of eighteen experts headed by Abdellatif Mennouni, a constitutional law expert and one of his advisors, and a supporting mechanism to act as a bridge between the commission and political parties, labor unions, associations of businessmen, human rights organizations, and other groups.¹⁰⁸⁷ While major political parties such as the Istiqlal, the USFP, and the PJD supported the process, February 20 Movement criticized composition of the commission in charge, for its members not representing them because they were appointed by the king rather than being elected.¹⁰⁸⁸ It is difficult to suggest that drafting of a new constitution took place through a democratic and transparent process. Handled by the commission composed of people loyal to and appointed by the king, this drafting process was conducted in strange secrecy, since heads of political parties were allowed to see the draft shortly before the referendum and were

¹⁰⁸³ For a full text of this speech, view Speech by King Mohammad VI, Televised National Address, 09.03.2011, http://www.al-bab.com/arab/docs/morocco/kings_speech_9_3_2011.htm (24.07.2011).

¹⁰⁸⁴ Marina Ottoway and Marwan Muasher, “Arab Monarchies: Chance for Reform, Yet Unmet”. **The Carnegie Papers**, December 2011, (Arab Monarchies), <http://carnegieendowment.org/2011/12/16/arab-monarchies-chance-for-reform-yet-unmet/8e7t> (02.01.2012), pp.3-4.

¹⁰⁸⁵ “Morocco’s King Mohammed pledges constitutional reform”, **BBC News**, 09.03.2011, <http://www.bbc.co.uk/news/world-africa-12695092?print=true>, (15.03.2011).

¹⁰⁸⁶ Intissar Fakir, “Will Morocco’s King Deliver on Reforms?”, **Arab Reform Bulletin**, 16.03.2011, <http://www.carnegieendowment.org/2011/03/16/will-morocco-s-king-deliver-on-reforms/1zo> (25.03.2011).

¹⁰⁸⁷ Ottoway and Muasher, Arab Monarchies, p.4 and Fakir.

¹⁰⁸⁸ Fakir.

given only 24 hours to present their recommendations.¹⁰⁸⁹ In addition, the new constitution was submitted to national referendum as a whole and not per article basis.¹⁰⁹⁰ The new constitution was approved by popular referendum on 1 July 2011 by 98.5 percent of the votes with a 73 percent turnout and ratified in September.¹⁰⁹¹

The new constitution introduced a number of noticeable improvements. One of the major progressive changes is about acknowledgement of ethnic diversity of the Moroccan society for the first time. Accordingly, Amazigh¹⁰⁹² is recognized as an official language along with Arabic.¹⁰⁹³ This move aimed at highlighting a reference to plurality of influences on Moroccan culture and to prove that Morocco is ready to embrace diversity.¹⁰⁹⁴ Another improvement is related with the introduction of extensive guarantees on human and women rights. The constitution outlaws “torture, inhuman, and degrading treatment; arbitrary detention; and enforced disappearances” and “requires any person who is arrested to be informed immediately of the reason for his arrest, and to enjoy the presumption of innocence and the right to a fair trial”.¹⁰⁹⁵ It acknowledges civil and social equality of women other than political equality that was recognized much earlier.¹⁰⁹⁶ It also guarantees a series of rights and freedoms including the right to life, freedom of speech and freedom of religious practices to all faiths.¹⁰⁹⁷

A number of new promising articles are introduced by the new constitution with respect to judicial independence and decentralized political administration. To ensure independency of judiciary, interference in the affairs of judges or any kind of

¹⁰⁸⁹ Larbi for the Arabist, “Why I reject Morocco’s new constitution”, **The Guardian**, 23.06.2011, <http://www.guardian.co.uk/commentisfree/2011/jun/23/morocco-new-constitution/print> (02.07.2011).

¹⁰⁹⁰ Larbi for the Arabist 2011.

¹⁰⁹¹ Younes Abouyoub, “Morocco: Reforming the Constitution, Fragmenting Identities,” **Arab Reform Bulletin**, 06.07.2011, http://www.carnegieendowment.org/arb/?fa=show&article=44947&utm_source=Arab (10.07.2011).

¹⁰⁹² Amazigh is the mother tongue of Berbers, who are indigenous inhabitants of the northern regions and make up 40% of the population.

¹⁰⁹³ Ahmed Charai, “Bahrain Could Learn From Morocco’s Model”, **The Wall Street Journal**, 16.03.2011, <http://online.wsj.com/article/SB10001424052748703908304576201000083096940.html> (26.03.2011).

¹⁰⁹⁴ Ottoway and Muasher, Arab Monarchies, p.4.

¹⁰⁹⁵ Human Rights Watch World Report 2012.

¹⁰⁹⁶ Human Rights Watch World Report 2012.

¹⁰⁹⁷ Larbi for the Arabist and Ottoway and Muasher, Arab Monarchies, p.4.

pressure is prohibited.¹⁰⁹⁸ Yet, while the new constitution seemed to adhere to principle of judicial independence and makes references to partiality of judges on the surface, in reality no meaningful progress is achieved in this field as judiciary has remained subject to executive influence.¹⁰⁹⁹ On the issue of decentralization, the new constitution grants regional administrations more self-determination along with limited degree of local financial independence.¹¹⁰⁰

Several limitations on monarch's powers are introduced by the new constitution as well. Accordingly, the king must appoint a prime minister from the party that has received the largest number of votes in elections instead of an arbitrary nomination process that existed before, and this independent prime minister is now granted power to dissolve parliament and to appoint senior civil servants, diplomats and cabinet members with the consent of the king.¹¹⁰¹ In addition, right to grant amnesty to prisoners passed from the king to parliament.¹¹⁰² Despite these limitations, curbs on king's powers are disappointing as the king retains control over three critical areas; religion, security and strategic policy¹¹⁰³ decisions.¹¹⁰⁴ When an issue is being discussed related with one of these fields, the king will preside over the cabinet and thus will have the final say on decisions.¹¹⁰⁵ The king also continues to appoint military personnel as the commander of armed forces and approves nomination of judges.¹¹⁰⁶ In the light of changes introduced by the new constitution, it is fair to suggest that while it has brought considerable improvements, in reality it has not changed the balance of power between actors in the political scene. Although

¹⁰⁹⁸ Joseph Khawam, "Interview of Ambassador Edward M. Gabriel, Former U.S. Ambassador to the Kingdom of Morocco", **Foreign Policy Digest**, 21.06.2011, <http://www.foreignpolicydigest.org/2011/06/21/interview-of-ambassador-edward-m-gabriel-former-u-s-ambassador-to-the-kingdom-of-morocco/> (18.07.2011).

¹⁰⁹⁹ Lachen Achy, "Morocco: Reform as a Path to a Genuine Constitutional Monarchy", **Los Angeles Times**, 07.06.2011, <http://www.carnegieendowment.org/2011/06/07/morocco-reform-as-path-to-genuine-constitutional-monarchy/f2> (10.07.2011).

¹¹⁰⁰ Paul Silverstein, "Weighing Morocco's New Constitution," **MERIP** (Middle East Research and Information Project), 05.07.2011, <http://www.merip.org/mero/mero070511> (10.07.2011).

¹¹⁰¹ "Morocco elections a foretaste for Egyptians", **Al-Ahram Weekly**, 1-7 December 2011, <http://weekly.ahram.org.eg/print/2011/1074/re4.htm> (25.12.2011).

¹¹⁰² Mohamed Ben-Madani, "Can elections ease the royal grip on Morocco?" **The Guardian**, 23.11.2011, <http://www.guardian.co.uk/commentisfree/2011/nov/23/morocco-elections-royal-grip> (25.11.2011).

¹¹⁰³ The king has the authority to declare a policy decision as strategic.

¹¹⁰⁴ Ben-Madani.

¹¹⁰⁵ Ottoway and Muasher, Arab Monarchies, p.5.

¹¹⁰⁶ Larbi for the Arabist.

prime minister and parliament are granted additional powers, this has not altered the political structure in which the king continues to occupy a prominent position.

Response of the EU to new Moroccan constitution was very positive. On 19 June 2011, Catherine Ashton - the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission - and Stefan Füle -EU Commissioner for Enlargement and European Neighbourhood Policy- expressed their satisfaction with King Mohammad VI's announcement of comprehensive political reform and the drafting of a new constitution in a joint statement:

*We welcome the King of Morocco's announcement of the main elements of the new Constitution that will be submitted to referendum on 1 July 2011. It is a significant step and signals a clear commitment to democracy and respect for human rights. The proposed constitution touches on key elements of reform and modernization, such as the separation of powers, the strengthening of the government's role, the independence of the judiciary, regionalisation and equality of rights between men and women... The European Union is ready to support Morocco's efforts to implement such far-reaching reforms.*¹¹⁰⁷

Following the approval of new constitution through national referendum on 1 July, Ashton and Füle welcomed the positive outcome and underlined EU's support for Morocco's efforts to implement these reforms. Following the ratification of the new constitution in September 2011, countdown for early parliamentary elections scheduled for 25 November 2011 began. Just a month after legislative elections in Tunisia, it was the second parliamentary elections in the Arab world since the start of the Arab Spring. It attracted much attention by the international community for it was seen as a test of king's commitment for democratizing the kingdom. In his speeches prior to elections, King Mohammad VI frequently highlighted his willingness to provide a fair and transparent electoral setting.¹¹⁰⁸ However, in practice, it is difficult to suggest that these elections are truly different from previous elections as the Interior Ministry was still in charge of organizing the elections and

¹¹⁰⁷ “Joint statement by High Representative Catherine Ashton and Commissioner Stefan Füle on the announcement of the new constitution of Morocco”, **EU Press**, 19.06.2011, |http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/122904.pdf (20.07.2011).

¹¹⁰⁸ Ben-Madani.

“a number of candidates who the security agencies consider to be regime opponents have been banned from the race”.¹¹⁰⁹

Feeling that materialized reforms fell short of their expectations, many demonstrators which joined protests of 20 February called for a boycott of elections.¹¹¹⁰ In fact, both national and international election observers were allowed to watch elections. On 9 November 2011, a delegation of the Council of Europe Parliamentary Assembly (PACE) organized a four-day visit to Morocco and reported that “the legislative elections of the 25th of November are set to be perfectly transparent”.¹¹¹¹ According to election results, the Islamist PJD won a success gaining 107 out of the 395 seats in the lower house of parliament, gaining the right to lead the government and making its leader Abdelilah Benkirane prime minister designate.¹¹¹² The PJD was followed by the Istiqlal Party with 60 seats, National rally of independents with 52 seats, Authenticity and Modernity Party with 47, USFP with 39 seats, Popular movement with 32 seats, Constitutional Union with 23 seats, Party of Progress and Socialism with 18 seats.¹¹¹³ While the PJD came the first party according to election results, the number of seats it gained was not enough to form a government alone. Therefore, the PJD joined forces with three other parties including Istiqlal, the USFP and the Party of Progress and Socialism which are known as former governing parties of the Koutla Alliance to establish a coalition government.¹¹¹⁴

The voter turnout in 2011 elections was 45 percent which marked an increase when compared with voter turnout of 37 percent - all time lowest number - in 2007 parliamentary elections.¹¹¹⁵ Yet, this percentage was less than the 51.6 percent in 2002 parliamentary elections which possibly meant that the electorate was not fully

¹¹⁰⁹ Monjib.

¹¹¹⁰ Aidan Lewis, “Why has Morocco’s king survived the Arab Spring?”, **BBC News**, 24.11.2011, <http://www.bbc.co.uk/news/world-middle-east-15856989?print=true> (29.11.2011).

¹¹¹¹ “National, international observers to oversee Morocco legislative elections”, **Morocco Tomorrow**, 20.11.2011, <http://moroccotomorrow.org/2011/11/20/national-international-observers-to-oversee-morocco-legislative-elections/> (23.11.2011).

¹¹¹² “Islamist PJD party wins Morocco poll”, **BBC News**, 27.11.2011, <http://www.bbc.co.uk/news/world-africa-15902703?print=true> (28.11.2011).

¹¹¹³ See Table 16. Morocco elections a foretaste for Egyptians.

¹¹¹⁴ “Morocco election: PJD declares victory after early counting”, **The Guardian**, 26.11.2011, <http://www.guardian.co.uk/world/2011/nov/26/morocco-election-pjd-declares-victory> (27.11.2011) and Morocco elections a foretaste for Egyptians.

¹¹¹⁵ “Morocco election: PJD declares victory after early counting”.

content with the ratified constitution. Similar to its response to proposed reforms and the new constitution, EU's response to Moroccan parliamentary elections was considerably positive. According to Ashton and Fule, these elections are "an important step in the on-going process of democratic reform in Morocco initiated by the King to respond to the demands and aspirations of the Moroccan people".¹¹¹⁶ Ashton and Fule expressed their satisfaction with the materialization of these elections and their support for the implementation of reforms through these words:

*We welcome the fact that they took place in a calm and peaceful atmosphere with an increased voter turn-out and on the basis of an improved electoral framework following recent constitutional reforms. The newly elected Parliament and future government now face the important challenge of taking forward political, economic and social reforms. We continue to encourage the swift and effective implementation of these comprehensive reforms...*¹¹¹⁷

The President of the European Parliament, Jerzy Buzek, also mentioned about significance of these elections for designating the new parliament which will undertake a critical role in ensuring continuation of political reforms.¹¹¹⁸ He said:

*A special responsibility in this regard has been placed on the Justice and Development Party. At a time of deep political economic changes, it must ensure that the new government has as wide a support as possible. Genuine dialogue with the whole society is crucial and the policies the government will introduce must properly take into account the will of the Moroccan people. The new parliament will also have to play a key role in ensuring that democratic reforms continue, at a pace which corresponds to the expectations of the people.*¹¹¹⁹

¹¹¹⁶ "Statement by EU High Representative, Catherine Ashton and Commissioner Stefan Fule on elections in Morocco", **EU Press**, 26.11.2011, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/126371.pdf. (08.12.2011).

¹¹¹⁷ Statement by EU High Representative, Catherine Ashton and Commissioner Stefan Fule on elections in Morocco.

¹¹¹⁸ "Statement by the President of the European Parliament, Jerzy Buzek on elections in Morocco", **EU Press**, 26.11.2011, http://www.europarl.europa.eu/president/en/press/press_release/2011/2011-November/press_release-2011-November-21.html (08.12.2011).

¹¹¹⁹ Statement by the President of the European Parliament, Jerzy Buzek on elections in Morocco.

In addition, Buzek indicated that the European Parliament was “ready to work with its new partners in the newly elected Moroccan assembly”.¹¹²⁰

To conclude, the Kingdom is one of the few states in the region which had less been exposed to shaking impact of the Arab Spring. Unlike what happened in other states such as Tunisia, Egypt and Libya, King Mohammad VI successfully managed to avoid protests to grow into an uncontrolled process. The ruling monarch and the makhzen survived the uprisings thanks to both significant degree of legitimacy the king has enjoyed in the eyes of the Moroccans¹¹²¹, and his rapid response to moderately-sized demonstrations by sponsoring a broad reform agenda.¹¹²² Thus, the crowd was persuaded neither resorting to violence nor demanding a revolution. Instead, they opted for political reform under the leadership of the king. For now, the king has alleviated demands for political change without losing his throne. Yet, whether king’s reform proposals and their political outcomes will continue to satisfy the masses remains to be seen. In fact, Morocco has long stood out as a relatively liberal state when compared with its counterparts in the region as there has been “a certain degree of openness in relation to freedom of expression and of association”.¹¹²³ Since the coming power of King Mohammad VI, the kingdom has adopted remarkable reforms in the fields of human and women’s rights. Yet, there has not been any concrete move towards distribution of political power in a balanced way, as it still remains to be concentrated in the hands of the ruling monarch. This reality has not changed with the ratification of the new constitution for while the parliament and the prime minister have more power, political system continues to lack an effective balance and separation of powers. Following the electoral success of the PJD in November 2011 parliamentary elections and becoming of it as the leading party in the current government, prospects for positive impetus over the course of democratization have risen. However, it would not be easy for the PJD to influence the reform agenda, as it has

¹¹²⁰ Statement by the President of the European Parliament, Jerzy Buzek on elections in Morocco.

¹¹²¹ The Moroccan ruling monarch owes its extraordinary legitimacy both to its claim of descent from Prophet Mohammad and its longevity of control over Morocco under the Alaoui dynasty since 1664. See; Ottoway and Muasher, *Arab Monarchies*, p.3 and Lewis.

¹¹²² Fakir.

¹¹²³ Alvaro De Vasconcelos, “The Arab Democratic wave: How the EU can seize the moment”, **ISS (EU Institute for Security Studies)**, Report No:9, March 2011, (Democratic Wave), http://www.iss.europa.eu/uploads/media/The_Arab_Democratic_Wave_-_how_the_EU_can_seize_the_moment.pdf (21.07.2011), p.7.

to act with three other parties (the Koutla Alliance) known for their closeness to the palace. Indeed, the King retains vast powers over the political system and seems unwilling to accept further limits on his power beyond his recent reform package.

In this paradox, the critical question is how ready the EU is to help Morocco in transition to more democratic political system. As a significant contribution the EU could make would be to uncover its leverage potential and convince the ruling monarch for a retreat of its overwhelming influence over executive, legislature and judiciary. To date the EU has refrained from pressing hard over the ruling regime to democratize. Prioritization of stability and stability-related concerns have been influential in shaping European approach to the kingdom. Besides, Morocco has resembled like a secure island in a volatile sea with its relatively reformist leadership and moderate outlook. Yet, it is difficult to tell that Morocco has complied with the ENP Action Plan, as still there are systematic violations on political rights and civil, the judiciary continues to be subject to executive influence, and limitation on the freedom of expression, assembly, and association exist.¹¹²⁴ As the Arab Spring has clearly demonstrated, genuine political change is needed in the region and Morocco is not an exception. The King seems to silence the internal demands for political reform for now but any future discontent among Moroccan people would result in an uncontrolled process, which in return would seriously challenge European interests in the long-run. To avoid an unpredictable political outcome, the EU has to support the continuation of political reform by not only applauding progressive moves, but also charging failure to comply with the Action Plan. The EU accommodates a critical instrument in its relations with Morocco that is the ‘Advanced Status’ and can seize this instrument in an effective way to exert meaningful pressure on the palace. The ruling regime has to be firmly reminded that “the privileged status that it currently enjoys in its relations with the EU may be challenged” if it does not materialize true political reform.¹¹²⁵ In the meantime, the EU needs to strengthen its bottom-up democracy promotion through encouraging civil society activities and engaging divergent segments of civil society including Islamists.

¹¹²⁴ Schumacher, p.113.

¹¹²⁵ De Vasconcelos, Democratic Wave, p.9.

Table 16: Results of 26 November 2011 Parliamentary Elections in Morocco

Name of the Party	Number of seats gained
Party of Justice and Development (PJD)	107
Istiqlal Party	60
National Rally of Independents	52
Authenticity and Modernity Party	47
Socialist Union of Popular Forces (USFP)	39
Popular Movement	32
Constitutional Union	23
Party of Progress and Socialism	18
Labour Party	4
Other parties	13

Source: The information figured out in this table is accessed from “Morocco elections a foretaste for Egyptians”, **Al-Ahram Weekly**, 1-7 December 2011, <http://weekly.ahram.org.eg/print/2011/1074/re4.htm> (25.12.2011).

CHAPTER FIVE

COMPARATIVE ANALYSIS OF EGYPT AND MOROCCO ALONG INTERNAL DYNAMICS AND THE EUROPEAN UNION AS AN EXTERNAL ACTOR

Building upon the theoretical perspectives and above given information about the political liberalization and transformation movements in Egypt and Morocco, a comparative analysis is conducted along the two analytical dimensions: internal and external.

5.1. EVALUATING INTERNAL DYNAMICS

Internal dynamics in Egypt and Morocco are compared and contrasted with a special emphasis on their political factors, civil society profiles and political movements of Islamists in an attempt to analyze how similarities and differences in internal dynamics have shaped peculiar paths of reform towards political liberalization in each state.

5.1.1. Political Factors

There are similarities as well as divergences between political factors in Egypt and Morocco including political institutions, political reform processes, political opposition and political leadership and credibility. These factors will be elaborated below.

Type of regime is the main institutional difference between the two countries. There is centralized political authority in both states; however, how and by whom the ruling process is shaped differs in each state. While Egypt is a republic, ruled by a presidential system¹¹²⁶ where political system is dominated by the president and the

¹¹²⁶ In this analysis, the focus will be on the domestic political context in Egypt prior to the outbreak of January 2011 uprisings, as at the time of this writing by May 2012, the country is still governed by the SCAF and uncertainties exist with respect to new constitutional design, which is expected to determine main components of the political context in post-Mubarak Egypt.

ruling party, the NDP¹¹²⁷; Morocco is a constitutional monarchy where political authority is hereditary and exercised by the monarch. In Egypt, president has a dual role of as the head of the state and head of the ruling party, the NDP; whereas in Morocco notwithstanding the fact that the King is the head of the state, he does not have a role as a head of any political party. The King in Morocco does not only have supreme political authority, but also has supreme religious authority as the 'Commander of the Faithful'. In this respect, possession of religious authority seems to grant the king more powers and more legitimacy when compared with the position occupied by the president in Egypt. Notwithstanding this fact, president held an extensive range of powers arising from personal authoritarian rule which characterized political system in Egypt under Mubarak's rule.

Secondly, there are both parallels and divergences among the two states with respect to distribution of powers within the political system. It is true that both countries accommodate some features of a democratic system, among which an elected parliament occupies a central position. Both states have bicameral legislative bodies, of which lower house in Morocco's parliament consists only directly elected members, whereas the lower house in Egypt consists mostly directly elected members along with a small number of appointed members by the president. Given unelected members in the composition of Egyptian parliament's lower house, Moroccan parliament seems to be more representative than that of Egypt's. Upper houses of parliaments in both states undertake advisory roles and thus they do not contribute much to the parliamentary politics. A remarkable distinction between Egyptian and Moroccan legislatures is that women participation is higher in Morocco through reservation of 10 percent of the seats (30 seats) for women for the lower house of the parliament. It is a significant number compared not only with women participation in Egypt, but also with other states in the region that is a strong point of the Moroccan parliament. Still, both parliaments' legislative powers are not impressive at all when compared with democratic Western parliaments. Their legislative powers have remained limited as they have been subordinated to the authority of either a president or a monarch.

¹¹²⁷ The party was dissolved in April 2011 by a court order as a consequence of the revolution.

There is unequal distribution of power in both countries' political systems as the ultimate power is in the hands of president in Egypt and king in Morocco. In the case of Egypt; powers of president included the right to appoint a prime minister and cabinet members, to convene and dissolve parliament at any time, to rule by decree in cases of emergency and to unilaterally declare laws when parliament is not in session. As these powers clearly demonstrate, there is a powerful executive branch in Egypt dominated by the president and legislative branch is subordinate to the executive branch. Like in Egypt, the King in Morocco dominates both the executive and legislative, as they are granted a subordinate role to king's authority. Similar to powers of president in Egypt, the king in Morocco has the right to appoint a prime minister and cabinet members, to approve and adopt legislation, dissolve parliament, veto any parliamentary decision, rule by decree during recess and declare state of emergency. Powers of parliament were expanded to a limited extent in both states through amendments in their constitutions. Through the adoption of 2007 amendment, Egyptian parliament was granted additional powers such as increased control over the budget and right to withdraw confidence from the prime minister. Through the adoption of 1992 and 1996 amendments, Moroccan parliament has been granted similar powers such as authority to approve a government appointed by the king and to reject a government through a vote of no confidence. Yet, these amendments remained short of leading to a greater diffusion of power in the political system as executive branch continue to occupy a strong place in political landscapes of both states. Legislation is not the only institution that is subordinate to executive in these states. It is also difficult to talk about an independent judicial branch in these two states as the judiciary has been subject to interference by the executive. In the case of Egypt; promotion, demotion and transfer of judges is decided by the Minister of Justice who is directly appointed by the president. In the case of Morocco, it is the king who appoints judges upon recommendation by a Supreme Council headed by himself. Overall, rulers in both states have noticeable influence over justice and legislative matters, which constitute a serious threat to balance of powers in the political system.

These two countries' experience with political reform is worth-mentioning in comparing their political contexts as well. In terms of general outlook, both countries

share similar routes in their experience with political reform that can be described as controlled / selective liberalization¹¹²⁸ as their record of political liberalization is a mixture of limited pluralism, partial freedoms and manipulated elections. Both ruling regimes adopted a path of top-down reform with selective reforms, which aimed at consolidating their rule. They perceived reform agenda as a 'survival strategy' to respond growing domestic and international pressures. Political liberalization took place in Egypt during 1980's with the Mubarak's rule. 1990s saw setbacks in political openings and restrictions on liberties. Following this de-liberalization period, Mubarak's commitment to political reform was inconsistent throughout the next two decades.

Moroccan experience with political liberalization began in the 1990s with King Hassan's reform measures and accelerated after accession of his son, Mohammad VI, to throne in 1999. Since the coming power of Mohammad VI, major progressive reforms were implemented including revision of the family code, establishment of the IER, launch of the INDH, expansion of civil society, improvement in materialization of electoral procedures and increased freedom of press. Mohammad VI's initiatives particularly aimed at improving human and women's rights in Morocco; and this attempt bore fruit as there was a genuine progress in these fields, which earned Morocco a relatively brilliant image in the eyes of the international community. In fact, while these measures contributed to both Morocco's record on human and women's rights; and its image as the pioneer of reform in the Arab world, they remained short of leading a democratic transformation, as they did not change the concentration of political powers in the hands of the monarch. Despite its shortcomings, political reform process has led to a comparably more pluralistic and representative political context in Morocco, establishing a relatively progressive reputation, unprecedented in the Arab world. In this regard, when compared with Egypt, Morocco has followed a gradual, progressive path of political liberalization though in selected specific fields. Conversely in Egypt, even selectively implemented initiatives met serious setbacks leading to a retreat of the reform process.

¹¹²⁸ There are a number of terms to describe this hybrid political situation in the Arab states including 'semi-authoritarianism', 'competitive authoritarianism', 'liberalized autocracy' and 'façade democracy'. See Bogaards, p.400 and Brumberg, p.56.

Ability of political opposition to influence decision-making process also varies among these states. Both states function through multiparty system, which was formally introduced in Egypt during Sadat's rule, whereas Morocco has had an official multiparty system since its independence. In this sense, Morocco has had a longer experience with multipartism. It was difficult to talk about a true multiparty system in Egypt as parliament was dominated by a powerful, privileged party, the NDP. NDP's hegemony over the political system was to such an extent that as if the state was ruled by a single party regime. Opposition parties were allowed to operate only after passing through difficult and lengthy registration procedures. While Islamist parties were rejected legal recognition at all, legalized opposition parties were closely followed and controlled by the ruling regime, facing a constant challenge of suspension during the Mubarak's rule. As a result, opposition parties remained weak with a marginal likelihood to influence political agenda. When compared with the political system in Egypt, Moroccan political system allowed relatively more pluralism through allowing more political parties to operate and to gain access to the parliament. Yet, it is again difficult to suggest that they operate freely as Moroccan monarchs have adopted various strategies such as cooption and manipulation to make sure that balance of powers is evenly distributed among them so that "it would never feel threatened by a single one."¹¹²⁹ For this reason, while the likelihood of opposition parties to exist and gain seats in parliament is clearly higher in Morocco than that of Egypt, they have so far been not powerful enough to have meaningful legislative influence, due to fragmented political party system.

Use of coercion is also among the issues that enable one to make comparison between Egypt and Morocco. While both ruling regimes committed various abuses, extent of them varied among the two states. The regular extension of emergency laws since Sadat's assassination in 1981, had granted Egyptian ruling regime enormous powers leading to serious violation of human rights and fundamental freedoms. The Mubarak regime openly resorted to coercion and repression to contain opposition. It had actively made use of police and other security organizations to keep any potential opposition in check. Antiterrorism laws adopted in the aftermath of the Casablanca attacks of 2003 also granted Moroccan authorities extensive powers at

¹¹²⁹ Zeghal, p.156.

the expense of liberties at all levels. However, when compared with their Egyptian counterparts, Moroccan ruling elites have made use of them to a clearly less extent and when they do, they make sure that “measures of coercion are either well covered-up or are accompanied by a powerful public diplomacy that provides an internationally acceptable justification (for example, countering terrorism).”¹¹³⁰ Remarkable improvement in human rights protections in Morocco in the last decade has also made it more difficult for authorities in Morocco to resort to open violence.

Lastly, credibility of the ruling elites in these two states can be compared. Credibility of the Moroccan ruling regime represented by the King Mohammad VI has far exceeded that of the Egyptian ruling regime represented by the former President Hosni Mubarak due to two main reasons. First of all, while both leaders developed various means to legitimize their rule, possession of a religious supreme authority has provided Mohammed VI with a unique legitimacy unparalleled to that of Mubarak. Secondly, Moroccan ruling elites have responded to demands of the people more effectively in comparison with the Egyptian ruling elites. While the king has allowed various forms of political expression, Mubarak often preferred to suppress even minor forms of political expression. For this reason, Moroccan people have felt less isolated from the political system when compared with the Egyptian people. Setbacks in political reforms had also led to an erosion of President Mubarak’s credibility among his people. Conversely in Morocco, concessions by the king in favor of greater political openings such as expansion of civil society and more transparent elections have consolidated his credibility. Differing attitude of Egyptian and Moroccan demonstrators during Arab Spring uprisings demonstrated the credibility gap between President Mubarak and King Mohammad VI. In the case of Egypt, demonstrators directly targeted Mubarak calling for an end to his three decades long rule and they waited in the Tahrir Square until the decline of Mubarak regime. Unlike their Egyptian counterparts, Moroccan demonstrators avoided criticizing the king and did not demand termination of the monarchical order. Instead they criticized government and its policies.

¹¹³⁰ Kausch, *Smart Authoritarianism*, p.141.

Table 17: Comparison of Political Factors in Egypt and Morocco

	Egypt*	Morocco
Political Institutions		
• Type of Regime	<ul style="list-style-type: none"> • republic, • presidential system, (political system is dominated by the president and the ruling party) 	<ul style="list-style-type: none"> • constitutional monarchy, • hereditary political authority by the monarch (the king has supreme political authority as well as supreme religious authority)
• Distribution of Powers	<ul style="list-style-type: none"> • legislative powers were subordinated to the authority of the executive (the president) • judiciary was subject to interference by the executive. 	<ul style="list-style-type: none"> • legislative powers have been subordinated to the authority of the executive (the monarch) • judiciary has been subject to interference by the executive.
Political Reform Process	<ul style="list-style-type: none"> • political liberalization started in 1980s • deliberalization took place in 1990s, liberalization in early 2000s & deliberalization after 2005. • commitment to political reform was inconsistent throughout the rule of Mubarak. 	<ul style="list-style-type: none"> • political liberalization began in the 1990s, accelerated political reform with the coming power of King Mohammad VI . • progressive path of political liberalization particularly in the fields of human & women rights.
Political Opposition	<ul style="list-style-type: none"> • multiparty system, but NDP's hegemony over the political system suggested as if the state was ruled by a single party regime • Islamist parties were rejected legal recognition 	<ul style="list-style-type: none"> • multiparty system • more political parties are allowed to operate and to gain access to the parliament including the moderate Islamist party, PJD.
Political Leadership and Credibility	<ul style="list-style-type: none"> • openly resorted to coercion and repression to a larger extent • weak credibility 	<ul style="list-style-type: none"> • resort to coercion and repression to a less extent, either covering-up or providing a justification • strong credibility

* Political Factors in Egypt prior to the Arab Spring are taken into account in this table

5.1.2. Civil Society Profiles

Civil society profiles of Egypt and Morocco exhibit parallels and differences at the same time. While associational life in both states is not very impressive when compared with that of Western states; civil society structures in these two cases differ in terms of their strength, freedom and leading components. Civil society in Morocco is more powerful and vibrant than not only that of Egypt but also that of other states in the region.¹¹³¹ In Egypt, associational life had been subject to various restrictive measures throughout Mubarak's rule. Whenever the Mubarak regime perceived any challenge to its rule by a civil society organization then it introduced new mechanisms of control mostly through amendments in the Associations Law.¹¹³² As a result, there was a permanent delay in the emergence of a truly free and functional civil society in Egypt. The Moroccan civil society landscape during Hassan II's reign was not different from that of Egypt under Mubarak. However, with the coming power of Mohammad VI promising improvements took place with respect to associational life in Morocco Political openings following Mohammad VI's succession contributed to pluralism and growth of Moroccan civil society. Mohammad VI encouraged intensified dialogue between civil society actors and the regime, contributing to an increased ability of civil society organizations to influence the reform agenda. In contrast to the situation in Morocco, Mubarak regime employed various tactics to prevent civil society actors to place pressure on the regime for reform. In this regard, Morocco has a relatively free civil society when compared with Egypt. However, notwithstanding improvements the Moroccan civil society has seen through time, a number of challenges to free associational life in Morocco remain.

Limitations to free associational life demonstrate similarities in these two states including process of registration, clientelization of civil society and restrictions on fundraising with differing intensities. In the case of Egypt, it is the Ministry of Social Affairs which closely watched and controlled associational activities, whereas in the case of Morocco, the counterpart is the Ministry of Interior. In order for an

¹¹³¹ Kausch, *Negotiating Change*, p.VII.

¹¹³² Al-Sayyid , *Civil Society*, p.144.

association to function, it needs to acquire the status of a legal entity through official registration by above mentioned ministries in both states. Approval for registration has not been an easy process in both states as it has followed lengthy and complicated procedures. Licenses for organizations which constituted challenges to ruling regimes were arbitrarily refused by the authorities in both states. Clientelization has also impeded associational life in both states. Various mechanisms of control were adopted against organizations that are critical of the ruling regimes. In Mubarak-ruled Egypt, laws and regulations were implemented in an arbitrary way to sponsor pro-regime organizations and to dissolve opponent ones. The organizations posing challenge to Mubarak regime such as human and women's rights NGOs faced greater legal difficulties than others. Like Mubarak regime, Moroccan state has discriminated against NGOs which are critical of the government such as Islamist and leftist associations. Non-conformist NGOs have been subject to more intensive state control than obedient organizations. Despite these similarities in obstacles to genuinely free associational life in both states, intensity of these limitations was remarkably greater in Mubarak-ruled Egypt when compared to Mohammad VI-ruled Morocco.

The issue of fundraising has also been problematic for civil society organizations in these two states. The Mubarak regime tried to control NGOs through financial resources available to them as state permission was required for civil society organizations to secure funds. Egyptian NGOs promoting issues including democratization, human rights and women's rights faced broad restrictions particularly on foreign funding as it required prior authorization from the government without any clear and transparent criteria. Like Mubarak regime, ruling monarch in Morocco has manipulated civil society through its allocation of financial resources as on the one hand pro-regime organizations have been provided financial support whereas on the other, activities of antagonist organizations have been hindered through prevention of any financial support.

A remarkable distinction between civil society profiles in Egypt and Morocco is about differing types of civil society organizations to constitute the most powerful segment of civil society in each state. In Egypt, professional associations and trade unions are more powerful than other segments of civil society, whereas in Morocco

civil society organizations focusing on human and women's rights constitute the most significant segment of civil society. Professional associations and trade unions in Egypt enjoyed relatively more independence from the government, particularly when compared with pro-democracy civil society groups which are known to play a significant role in their call for democratization. Pro-democracy civil society groups such as human and women's rights organizations constituted only a small percentage of the Egyptian civil society. Besides, they were the weakest segment of the Egyptian civil society, largely due to formal and informal limits imposed by the authorities including denial of registration, threat of closure and difficulties in fundraising. Thus, they had a very limited influence over the reform process in Egypt. Conversely, in Morocco human and women's rights organizations are the most significant segments of civil society which have succeeded in effecting reform process in a progressive way. They have enjoyed more autonomy than other groups and have become leading forces for putting pressure on the monarch for reform. Their strength is mainly reflected in the expansion of human and women's rights. In this regard, establishment of IER and reform of the Mudawana took place following lengthy negotiations between human and women's rights organizations respectively and the Palace. Yet, it would be misleading to relate impressive performance of Moroccan human and women's rights organizations in their respective areas merely with their strength. Ability of these organizations to effect change has been high thanks not only to their efforts but also to a clear match between their goals, and monarchical priorities and preferences.¹¹³³ Reform in human and women's rights have been supported by the King Mohammad VI and thus he has granted more independence to organizations operating in these fields. In contrast to Mohammad VI, Mubarak regime did not pay any attention to human and women's rights. Instead, through repressive measure he made sure that these pro-democracy organizations remain weak to press the regime for opening up of the political system.

Lastly, a similar trend is seen among approaches the two states adopted towards NGOs operating within the service provision sector. Both states encouraged service providing civil society organizations in the fields of health, education and other welfare sectors as long as their activities did not "reflect any political

¹¹³³ Entelis, p.36.

stance”.¹¹³⁴ This was largely due to decreasing capacity of both states to provide enough welfare services owing to fiscal crisis starting with the 1980s. Deteriorating socio-economic conditions and inability of these states to provide basic welfare services to their citizens have led to a number of civil society organizations to fill the vacuum left by both states in the service sector. Particularly, Islamic charity organizations were successful in addressing socio-economic issues and providing many basic services in both states. Overall, civil society organizations could make any meaningful contribution to democratization in Egypt under Mubarak’s rule. In the case of Morocco, promising contributions by human and women’s rights organizations have taken place in related fields. Yet, despite promising developments regarding associational life in Morocco it is difficult to talk about a real transformation of the Moroccan civil society.

Table 18: Comparison of Civil Society Profiles in Egypt and Morocco

	Egypt*	Morocco
Strength	<ul style="list-style-type: none"> ▪ less powerful and not a truly functional civil society ▪ heavier restrictive measures on associational life 	<ul style="list-style-type: none"> ▪ more powerful and vibrant ▪ increased ability of civil society organizations to influence political agenda under the rule of King Mohammad VI
Freedom	<ul style="list-style-type: none"> ▪ limitations to free associational life exist including process of registration, clientelization of civil society and restrictions on fundraising with greater intensity 	<ul style="list-style-type: none"> ▪ limitations to free associational life exist including process of registration, clientelization of civil society and restrictions on fundraising with lesser intensity
Leading Components	<ul style="list-style-type: none"> ▪ professional associations and trade unions are relatively more powerful than others ▪ pro-democracy groups are the weakest ▪ service providing civil society organizations run by Islamists are significant 	<ul style="list-style-type: none"> ▪ pro-democracy groups such as human and women’s rights organizations constitute the most significant segment of civil society ▪ service providing civil society organizations run by Islamists are significant

* Civil society profile in Egypt prior to the Arab Spring is taken into account in this table

¹¹³⁴ Gohar, p.178.

5.1.3. Moderate Islamists

The concentration of this section will be on moderate Islamists, more specifically on the MB in Egypt and the PJD in Morocco. While the MB and the PJD are not alone in constituting moderate Islamist camps in their own countries, their potential to influence reform agenda exceeded that of other moderate Islamist movements and thus comparison of these two groups deserves particular attention. Before proceeding with a comparative analysis of the MB and the PJD, a considerable difference between Morocco's Islamist spectrum and Egypt's Islamist spectrum under Mubarak regime will be briefly mentioned.

There is a contrast between moderate Islamism in Mubarak-ruled Egypt and Morocco in the sense that moderate Islamism is fragmented between the PJD and the JC in Morocco¹¹³⁵ whereas it is largely dominated by the MB in Egypt until the end of Mubarak regime. In the case of Egypt; the Wasat Party, founded by former members of the MB, joined moderate Islamist spectrum in 1995 as a political party, but was denied legal recognition by the authorities. It was not able to attract wide popular support as the MB did and given its insignificant influence over political agenda, it did not lead to any meaningful competition for the moderate Islamist constituency in Mubarak-ruled Egypt. This situation changed only after the collapse of the Mubarak regime and entry of Salafi parties to politics. As final results of the 2011 parliamentary elections clearly revealed, now the MB has to contest Salafi parties, particularly the Al-Nour Party, for the same constituency. Unlike the situation in Mubarak-ruled Egypt, in Morocco the PJD has had to compete with the JC whose popularity in the social domain exceeded that of the PJD, due to broad social welfare networks the JC has run. JC's activism in the charitable domain has contributed to its outreach to diverse segments of society. Despite toleration of its activities in the social domain by the authorities, it was denied legal recognition as a political party and has remained an outlawed organization due to its rejection of the legitimacy of the monarch and the political system it has represented. While PJD's popular appeal has remained limited¹¹³⁶ when compared with the JC, thanks to its

¹¹³⁵ Hamzawy, Party for Justice and Development, p.3.

¹¹³⁶ Hamzawy, Party for Justice and Development, p.20.

rival's remaining out of the political-electoral sphere, the PJD has managed to attract an outstanding percentage of the votes in parliamentary elections since the 2002.

To shift attention from general outlook of moderate Islamism in these two states to a specific comparison of the MB and the PJD, similarities and divergences exist among them with respect to their characters, backgrounds, agendas, penetration into respective civil societies, reasons behind their political success, extent of being subject to repression and electoral records. With respect to their characteristics, remarkable similarities exist as both Islamists are moderate and pragmatic players, who have demonstrated their willingness to work within their existing political systems. Notwithstanding these similarities, there are differences between their characters as while both are moderates, the PJD has been more moderate than the MB. The PJD members have always underlined their recognition of the existing monarchical political order and never questioned the legitimacy of the ruling monarch. It carefully avoided directly confronting the regime. In contrast to the PJD, the MB did not hesitate to openly confront the Mubarak regime and its policies in various instances. With its successes in elections for the leadership of a number of leading professional associations, the MB even presented itself as an alternative to Mubarak regime. In this regard, Moroccan PJD has been more patient and more cautious than the Egyptian MB. Peaceful character of the PJD has been so dominant that in order not to alarm the regime, it even agreed to present candidates in only a limited number of districts in the 2002 parliamentary elections.¹¹³⁷

The contrast between approaches of the Mubarak-regime and King Mohammad VI to the MB and the PJD, respectively, is striking as well. In Egypt, the Mubarak regime tried to exclude the MB from the political process; whereas in Morocco, Mohammad VI chose to integrate the PJD into political system. The MB was denied legal recognition and subject to various official restrictions by the regime leading to an ongoing confrontation between the Mubarak regime and the MB. As a result, the MB adopted alternative strategies to participate the political system through contesting elections either entering into coalitions with legalized parties or nominating independent candidates. Conversely, in Morocco King Mohammad VI has employed an accommodating approach towards the PJD, as for the first time, an

¹¹³⁷ Storm, *Democratization*, p.88.

Islamist party, the PJD, was allowed to contest the parliamentary elections in 2002. Willingness of the King to accept PJD's participation in the parliament was in fact a positive response to PJD's willingness both to accommodate the existing system and to compromise with the palace.

There are distinctions between the MB and the PJD with respect to their backgrounds. One of the distinctions is that the MB is an older formation than the PJD as the MB was established in 1928 and has been operating in Egypt more than 80 years, whereas establishment of the PJD dated back to only 1990s. Another distinction is that in its early years the MB can be categorized as a radical movement which evolved into a moderate one through time, the PJD has been a moderate party from the beginning. Inspired by the views of Sayyid Qutb, who advocated 'jihad' as the only way to establish an Islamic order, the MB was an extremist movement with its aggressive attitude towards the monarchical political order of the time. It was in early 1970s, that the MB renounced violence and it then became a political actor in 1980s. Unlike the MB, The PJD was established as a political party and has adopted an uninterrupted moderate position.

Parallels and differences also exist among agendas of the MB and the PJD. To start with similarities, both groups adhere to close agendas with an apparent Islamic tendency. They have both advocated the preservation of moral values within respective societies and denounced decline in their societies' Islamic identity. Criticisms against government policies, which they thought would lead to deviation from the Islamic faith, have been raised by both groups.¹¹³⁸ However, when compared with the MB, whose central slogan has remained to be 'Islam is the solution', the PJD has been relatively less preoccupied with religious issues, particularly since its success in 2002 parliamentary elections. As Hamzawy suggests, the main reason behind PJD's decreasing emphasis on religious issues was "not to alienate wide segments of its constituencies drawn to it because of its religious frame of reference".¹¹³⁹ Even, the PJD surprised many when it unexpectedly supported revision of the family code while other Islamist groups in the Kingdom stood against it. In the current post-Arab Spring political context, the two groups' approaches to whether or how the constitution should mention sharia distinguish them, as while in

¹¹³⁸ Bendourou, p.111.

¹¹³⁹ Hamzawy, Party for Justice and Development, p.20.

Egypt, the MB supported the idea of sharia being mentioned as a source of legislation in the constitution, in Morocco the PJD did not push for the inclusion of sharia in the new constitution.¹¹⁴⁰ During the process of drafting of the new constitution, the PJD seemed content with “the definition of Morocco as a Muslim state and Islam as the religion of the state”.¹¹⁴¹

On socio-economic issues both the MB and the PJD have exhibited active policies. Neither of them has avoided criticizing respective governments’ policies on leading socio-economic matters such as corruption, unemployment, and poverty. On the issue of political reform, both groups’ representatives have emphasized their commitment for democratic principles backing initiatives to promote more transparency and accountability.¹¹⁴² In 2004, the MB adopted a reform initiative which highlighted Brotherhood’s support for reform, elections, accountability, and non-violence. When compared with the MB, the PJD has adopted a more moderate position on political issues in order not to challenge the Palace. Finally, agendas of both groups converge with respect to economic issues. Economic programmes of both groups “are by and large pro-market, emphasizing the role of the private sector in economic growth and underlining the need to attract foreign capital”.¹¹⁴³ In Egypt, representatives of MB’s political party FJP have repeated that they will support economically significant tourism sector without allowing it to be effected by restrictions in Islamic law.¹¹⁴⁴ For instance, in a speech, Vice Chairman of the FJP, Dr. Essam El-Erian, stressed their support for the tourism sector and “called on the investors to work on developing the tourism industry hoping to double the figure of visitors to the country and in turn improve Egypt’s economy”.¹¹⁴⁵ In Morocco representatives of

¹¹⁴⁰ Marina Ottaway and Marwan Muasher, “Islamist Parties in Power: A Work in Progress”, **Carnegie Endowment for International Peace Comments**, 23.05.2012, (Islamist Parties), <http://carnegieendowment.org/2012/05/23/islamist-parties-in-power-work-in-progress/aw7x> (25.05.2012).

¹¹⁴¹ Ottaway and Muasher, *Islamist Parties*.

¹¹⁴² McFaul and Wittes, p.22.

¹¹⁴³ Sinan Ulgen, Nathan J. Brown, Marina Ottaway and Paul Salem, “Emerging Order in the Middle East”, **Carnegie Endowment for International Peace Policy Outlook**, May 2012, <http://carnegieendowment.org/2012/05/24/emerging-order-in-middle-east/awff> (16.05.2012), p.18.

¹¹⁴⁴ Ulgen et al., p.18.

¹¹⁴⁵ Essam El-Erian, “FJP Urges Businessmen to Invest in Egypt's Promising Tourism Industry”, **The Muslim Brotherhood’s Official English web site**, 20.09.2011, <http://www.ikhwanweb.com/article.php?id=29050&ref=search.php> (14.10.2011).

the PJD have underlined their willingness to participate in the World Economic Forum.¹¹⁴⁶

With respect to penetration into civil society, there is a sharp contrast between performances of the MB and the PJD. The MB has constituted the largest and most influential component of civil society in Egypt owing to its great capacity for mobilization and organization. It has reinforced its influence in the social domain through its management of an efficient network of welfare services such as health clinics for the treatment of the poor; and free food and education to those in need of. Added to its huge network of social services, the MB has outperformed in elections for leadership positions in professional associations and trade unions. Unlike MB's strength in the social domain, the PJD has not demonstrated a worth mentioning activism in the civil society related fields. Instead, the JC has been active in the provision of social services in the Kingdom. Widespread popularity of the JC in the social domain and its impressive performance in distributing social services have left a limited place for the PJD to operate in civil society related fields.

There are similar reasons behind the two groups' record of political success. One of the reasons behind both groups' success is their well-organized administrative structures with a relatively open and democratic internal governance, hard-working members and efficient grassroots campaigning. Secondly, political successes of both groups have largely depended on disappointment of people with existing governments in addressing socio-economic problems. In this regard, representatives of both groups addressed socio-economic problems in respective states offering solutions to socio-economic needs of the population. They both emphasized need for transparency and accountability. Other than expressing the frustration of people regarding socio-economic difficulties, moral messages of both groups have also been appealing to many in conservative societies like Egypt and Morocco. Lastly, a significant factor peculiar to the MB exists which has also contributed popularity of the MB. That is the ability of the MB to realize political mobilization through its broad social welfare network which filled the vacuum arising from Mubarak regime's inability to address people's socio-economic needs.

¹¹⁴⁶ Ulgen et al., p.18.

With respect to extent of being subject to repression, undoubtedly extent of repression the MB faced by the Mubarak regime far exceeded that of the PJD. Alarmed by increasing successes of the MB, the Mubarak regime adopted a number of governmental measures to prevent its growing influence. Repressive policies against the MB accelerated particularly following its electoral successes. For instance, following the 2005 parliamentary elections, hundreds of MB members were arbitrarily arrested. In some instances, leading political figures from the MB were arrested and detained without any trial. Unlike the situation in Egypt, in Morocco, members of PJD were not exposed to any repression by the ruling regime, due to both variance in ruling regime's policies and PJD's willingness to play the political game according to rules defined by the palace.

Lastly, parallels exist regarding political records of the MB and the PJD. Both parties have had impressive electoral successes since the 2000. In the case of Egypt, independent candidates from the MB won 17 seats in the 2000 parliamentary elections, forming the largest opposition bloc in the Egyptian parliament, whereas in the case of Morocco, the PJD won an impressive success in 2002 parliamentary election winning 46 seats and becoming the third largest party in the Moroccan parliament. In the following parliamentary elections; the MB won 88 seats, capturing 20 percent of the seats in the parliament in 2005, while the PJD won 46 seats becoming the second strongest party in the parliament in 2007. Added to these parallel successes, recent political records of them resemble as both of them won the largest number of seats in the parliamentary elections that took place in their countries in the aftermath of Arab Spring related demonstrations.

Table 19: Comparison of Moderate Islamists in Egypt and Morocco

	The MB in Egypt*	The PJD in Morocco
Character	<ul style="list-style-type: none"> • moderate and pragmatic • willing to work within existing political system. • did not hesitate to openly confront the regime. 	<ul style="list-style-type: none"> • more moderate and pragmatic • willing to work within existing political system • never questioned the legitimacy of the regime (more patient & cautious)
Background	<ul style="list-style-type: none"> • has been operating for more than 80 years. • was a radical movement in its early years 	<ul style="list-style-type: none"> • established in 1990s. • has been a moderate party from the beginning.
Agenda	<ul style="list-style-type: none"> • Islamic tendency (relatively more) • emphasis on socio-economic issues • commitment for democratic principles 	<ul style="list-style-type: none"> • Islamic tendency (relatively less) • emphasis on socio-economic issues • commitment for democratic principles
Penetration into civil society	<ul style="list-style-type: none"> • very active • impressive performance 	<ul style="list-style-type: none"> • not very active
Reasons behind political success	<ul style="list-style-type: none"> • well-organized administrative structure • good at addressing socio-economic needs of the people • emphasis on transparency and accountability • moral messages • broad social welfare network 	<ul style="list-style-type: none"> • well-organized administrative structure • good at addressing socio-economic needs of the people • emphasis on transparency and accountability • moral messages
Extent of being subject to repression	<ul style="list-style-type: none"> • to a large extent 	<ul style="list-style-type: none"> • not exposed to any repression
Electoral record	<ul style="list-style-type: none"> • impressive successes in the 2000s 	<ul style="list-style-type: none"> • impressive successes in the 2000s

* The MB in Egypt prior to the Arab Spring is taken into consideration in this table.

5.2. EVALUATING EXTERNAL DYNAMICS: RELATIONS WITH THE EUROPEAN UNION

Much of the comparative debate until now focused on internal dynamics of Egypt and Morocco including political factors, civil society profiles and moderate Islamists. In this section, the attention will shift to a comparative analysis of external dynamics, more specifically to parallels and divergences regarding the impact of EU relations on political reform processes in Egypt and Morocco. In this regard, the EU democracy promotion and its political consequences in Egypt and Morocco will be

compared and contrasted with a particular attention to a number of issues including bilateral relations, objectives behind support for political reform, strategies, approach to Islamists, impact on political reform and shortcomings.

5.2.1. Bilateral relations

To start with bilateral relations, first diplomatic relations among Morocco and the European Community was established in 1960, earlier than that of among Egypt and the European Community, which dated back to 1966. Both countries' relations with the EU began to be shaped within the framework of EMP, which was officially established during Barcelona conference in 1995. Following the Barcelona conference, in line with the EMP framework, negotiations between both states and the EU took place resulting in signing of association agreements. Association agreement, which set out a legal basis of relations between the EU and the given Mediterranean state within the EMP framework, was again signed earlier between the EU and Morocco than between the EU and Egypt. While association agreement between Morocco and the EU was signed in February 1996 and entered into force in March 2000; association agreement between the EU and Egypt was signed only in June 2001 and entered into force in June 2004.¹¹⁴⁷ As the earlier dates for establishing diplomatic contacts and signing bilateral association agreements hint, Morocco has had closer relations with the EU when compared with Egypt. Particularly, since the accession of Mohammad VI to throne in 1999, relations between Morocco and the EU has seen an enhancement through intensified diplomatic relations unparalleled that of between Egypt and the EU. Through time, Morocco has become a privileged partner of the EU and this privileged position was further reinforced by EU's granting of the 'Advanced Status' to Morocco in 2008.

Morocco has not only been a closer partner of the EU in comparison with Egypt, but it has also been the closest partner of the EU in the whole southern Mediterranean. The EU has always found it easier to promote democratization in Morocco¹¹⁴⁸ when compared with Egypt, as political constraints imposed by the ruling monarch in Morocco have been relatively fewer than those of Mubarak regime

¹¹⁴⁷ See Holden, p.22 and Youngs, *The European Union*, p.74.

¹¹⁴⁸ Ottaway and Riley, p.183.

in Egypt.¹¹⁴⁹ The EU has considered Morocco as the most advanced in the region regarding its handling of the political liberalization process.¹¹⁵⁰ This favorable political setting in Morocco has led to relatively less pressure by the EU on Moroccan authorities than that of Egyptian authorities. Political changes in Morocco have been viewed by the EU as more promising in comparison with Egypt.¹¹⁵¹ Morocco's outstanding performance in political liberalization was strongly applauded by the EU. EU documents and statements by the EU authorities have underlined Morocco's commitment to political reform and pointed out Morocco as an example of success. Such a positive tone was absent in EU documents and statements by the EU authorities aimed at Egypt's performance in political reform. Egypt was remarkably more criticized than Morocco in official statements and documents by the EU with respect to setbacks in political reform. Owing to its shining image as a reformist state in the southern Mediterranean, Morocco was the first country in the region to be granted an advanced status. Unlike Morocco, there has been no mentioning of such a privileged position in EU documents and statements aimed at Egypt.

¹¹⁴⁹ Khakee, p.13.

¹¹⁵⁰ European Neighbourhood and Partnership Instrument: Morocco Strategy Paper 2011-2013.

¹¹⁵¹ Haddadi, The EMP, p.80.

Table 20: Bilateral Relations

	Bilateral Relations EU-Egypt	Bilateral Relations EU-Morocco
Start of Relations	1966	1960
Framework	EMP (Association Agreement was signed in June 2001, entered into force in June 2004)	EMP (Association Agreement was signed in February 1996, entered into force in March 2000)
Closeness	Less intimate when compared with than that of between EU & Morocco.	Morocco is the closest partner of the EU in region. It was granted a privileged position by the EU through ‘Advanced Status’ in 2008.
Pressure by the EU	Relatively more pressure by the EU on Egyptian authorities.	Relatively less pressure by the EU on Moroccan authorities.

5.2.2. EU Objectives behind Support for Political Reform and Strategies

There are parallels between objectives behind EU democracy promotion in Egypt and Morocco. Since the launch of the Barcelona Process, the EU has presented itself as a moral actor aimed at sponsoring democratization in its southern borders. Yet, there has been a mismatch between its declared rhetoric as a normative power and its realist-oriented practices in the southern Mediterranean. The EU has perceived democracy promotion as a means to achieve its concrete real-politik interests. In this regard, the underlying rationale behind EU democracy promotion in both Egypt and Morocco is to ensure stability in the region, thereby preventing potential threats to its stability. The EU viewed both Egypt and Morocco as leading states for stability in the region. Thus, its commitment to political reform in both states has been based on the assumption that gradual political reform would contribute to stability in both states, which in return would assure EU considerations

regarding security, migration, and economic cooperation. Other than these considerations, energy cooperation has also been influential on EU's support for political reform in Morocco as Morocco's significance as a transit country has increased with respect to European gas supplies from the region.

EU strategies in promoting democracy in Egypt and Morocco exhibit both similarities and divergences. The EU has supported democratization in both states through the frameworks of the EMP, the ENP and the EIDHR; all of which are supervised by the European Commission. In order to sponsor political reform, through these frameworks the EU has employed positive conditionality and standard democracy assistance programmes such as technical support for reforming of various institutions, training for parliamentarians, journalists and representatives from civil society organizations, and cultural exchange programmes for students. Positive economic conditionality has been adopted through economic rewards in the form of funds to both states in return for satisfactory performance in political liberalization. The EU has been reluctant to use negative conditionality to encourage political reform in either Egypt or Morocco. A divergence regarding EU's democracy promotion policies between the two states is that the EU employed a unique positive political conditionality, namely, granting of an 'advanced status' only in the case of Morocco. Through 'advanced status' Morocco was rewarded an advanced relationship with the Union for its performance in implementing reform in political, economic, and institutional realms.

In sponsoring political reform in both states, the European Commission has adopted more top-down, state-centered approach than a bottom-up approach as it has mainly preferred to work with the ruling regimes, while relations with the civil society organizations have remained weak. As Dillman points out funds have been filtered through the hands of government elites and aid from Europe has become "potentially important resources that governing elites can access or channel" in both states.¹¹⁵² The top-down approach has been apparent particularly in the EMP and the ENP frameworks both of which include democracy related projects that have been negotiated with governmental bodies with the channeling of aid through official structures. Only through the EIDHR framework, the EU has employed a bottom-up

¹¹⁵² Dillman, *International Markets*, p.72.

approach in these two states, which include projects aimed at civil society organizations with the channeling of aid through NGOs. As the EIDHR framework consists of much smaller projects and modest funds when compared with those of EMP or ENP, overall democracy assistance of the EU in both states remain to have a top-down character.

The extent of funding by the EU for democracy assistance in Morocco has been considerably greater than that of Egypt. For years 2007–2010, only €39 million of the total amount of €558 million assistance (to support reform in political, economic and social priority areas) by the EU have been allocated for democracy-related issues in Egypt, whereas €68 million of the total amount of €654 million assistance (to support reform in political, economic and social priority areas) by the EU was allocated for democracy-related issues in Morocco.¹¹⁵³ For years 2011–2013, this time the amount allocated each country to sponsor political reform increases, but again Morocco is allocated greater amount of budget in comparison with Egypt. Out of €449.29 million budget (to support reform in political, economic and social priority areas) for Egypt, €50 million is allocated for reform in the field of good governance and human rights, while out of €580.5 million budget (to support reform in political, economic and social priority areas) for Morocco, €85-90 million is allocated for reform in the same fields.¹¹⁵⁴

Table 21: EU Objectives in Promoting Democracy

EU Objectives	Egypt	Morocco
1) Security/Counter-terrorism	X	X
2) Migration Management	X	X
3) Economic Cooperation	X	X
4) Energy Cooperation		X

¹¹⁵³ See National Indicative Programmes for Egypt and Morocco for years 2007–2010 and Table 8.

¹¹⁵⁴ See National Indicative Programmes for Egypt and Morocco for years 2011–2012 and Table 8.

Table 22: Comparison of Allocation of EU Funds

	2007-2010		2010-2013	
	Total Funding	Funding for democracy assistance	Total Funding	Funding for democracy assistance
Egypt	€ 558 million	€ 39 million	€449.29 million	€50 million
Morocco	€654 million	€68 million	€580.5 million	€85-90 million

* Numbers / figures are accessed from National Indicative Programmes by the EU for Egypt and Morocco at EU official web site.

5.2.3. Approach to Islamists

With respect to engaging moderate Islamists, there are differences between EU's approach to Islamists in Egypt and Morocco. In general, the EU has avoided establishing proactive relations with Islamists in the region fearing that status quo along with European interests would be negatively affected if Islamists come to power.¹¹⁵⁵ However, in countries where Islamist parties are legally recognized by their respective states, the EU has established cautious contact with representatives of those Islamist parties.¹¹⁵⁶ Thus, in the case of Morocco, the EU has established contact with representatives of the PJD which has been a legal political actor with a parliamentary representation whereas in the case of Egypt under the Mubarak's rule, the EU disinclined to engage with representatives of the MB which was not recognized as a legal political party during Mubarak's presidency.¹¹⁵⁷

One of the reasons behind this diverging approach towards Islamists in Egypt and Morocco is that EU democracy promotion frameworks have largely been state-centric which have limited engaging non-state political actors. For this reason, in

¹¹⁵⁵ Springborg, Re-Radicalization, p.18.

¹¹⁵⁶ Muriel Asseburg, "Conclusions: Dynamics in Political Islam and Challenges for European Policies," **Islamist Radicalization: The Challenge for Euro-Mediterranean Relations**, eds. Michael Emerson, Kristina Kausch and Richard Youngs, Centre for European Policy Studies, Brussels, 2009, p.175.

¹¹⁵⁷ Asseburg, p.175.

Morocco while European officials have offered training and capacity-building support to the PJD as part of its democracy assistance programmes, they have avoided with members of the JC which is not allowed to operate as a legal political actor.¹¹⁵⁸ Secondly, while the Mubarak regime adopted a firm position against the MB discouraging any EU contact with the group, the ruling monarch in Morocco has preferred an accommodating approach toward the PJD, not interfering in European dialogue with PJD representatives. Another reason behind differing European approach is that the EU has perceived the PJD as a more acceptable Islamist group when compared with the MB owing to PJD's more moderate and more pro-democracy structure. In this regard, prospect of a PJD-participated government has been more tolerable from the European point of view in comparison with a MB participated government.

5.2.4. Impact on Political Reform and Shortcomings

After having compared bilateral relations, objectives behind EU's support for political reform, EU's strategies and EU's approach to Islamists, this section seeks to answer this critical question: To what extent has the impact of EU democracy promotion on political reform varied between the cases of Egypt and Morocco? The most remarkable similarity between the two cases is that EU democracy promotion in both states have had the best results when it coincided with growing internal pressure on the ruling regimes, particularly by civil society and opposition groups. For instance; in the case of Egypt, by the early 2000s, growing internal pressure by civil society organizations, movements and opposition parties including the MB, the Al Ghad Party and Kefaya Movement on the one hand and external pressure by the EU on the Mubarak regime on the other hand, reached to a peak. For its part, following 9/11, EU commitment to supporting political reform in Egypt was on rise, as Egyptian government was offered a number of instruments and incentives to meet this aim including technical and financial assistance. The combination of growing demands for political reform by internal actors and the EU as an external actor was

¹¹⁵⁸ Mikhelidze and Tocci, p.164.

influential in persuading the Mubarak regime for the opening up of the political space. It was in that political setting, a number of significant measures were adopted leading to political liberalization in Egypt such as the establishment of the NCHR, initiation of a national dialogue between the ruling party, and civil society groups and opposition parties. A number of progressive constitutional amendments were adopted allowing direct popular election of the president, speeding up the process of getting license for newly established parties, expanding the membership in the Political Parties Committee and establishing an electoral commission to supervise parliamentary elections.

Like in Egypt, following the coming power of Mohammad VI, Moroccan political context has seen remarkable liberalizing changes in the early 2000s owing to a mixture of domestic and external pressures on the ruling monarch. On the internal front, with the expansion of civil society under the rule of Mohammed VI, particularly, human and women's rights organizations were influential in exerting pressure on the king. On the external front, similar to its policy towards Egypt, EU support for political reform in Morocco gained pace in the immediate post 9/11 context, mainly through the frameworks of the EMP and the ENP. As the fresh signatory of Association Agreement with the EU, Morocco was expected to realize political reforms along with economic and social reforms. In this regard, when parallel internal and external pressures combined with king's enthusiasm, a significant degree of political liberalization took place in Morocco including expansion of civil society, improvement in the materialization of electoral procedures, the revision of the family code, establishment of the IER, launch of the INDH, increased freedom of the press, and a new political parties' law.

While impact of EU democracy promotion on political reform in Egypt and Morocco exhibited similarities in the early 2000s, this situation changed after 2005. In Egypt, following the 2005 parliamentary elections, in which the MB candidates gained a considerable number of seats, there were a series of setbacks in reform measures leading to de-liberalization of the political space. Owing to MB's electoral success, not only a deep fragmentation occurred in the internal opposition bloc but also there was an apparent decline EU's pressure on the Mubarak regime for political reform. The EU recognized that even partial liberalization of the political space led

Islamists move closer to political power circles as the result of 2005 parliamentary elections clearly demonstrated. Thus, the EU gave up using its leverage potential effectively in the case of Egypt following the MB's electoral success, as from then on EU pressure on the Mubarak regime and its response to setbacks in the Egyptian political reform process remained weak.

EU commitment to political reform in Morocco has been relatively more consistent than that of Egypt. It has not seen any interruption as happened in Egypt following 2005 parliamentary elections. In consequence, EU democracy promotion has born fruit, particularly in the fields of human and women's rights. Various initiatives adopted by the king have contributed to improvement of human and women's rights record in Morocco. In these two fields, in general, external pressure by the EU was exerted parallel to domestic pressure by human and women's rights organizations in directing attention of the ruling regime toward need for reform. For instance; prior to reform of the family code, the EU underlined need for reforming the existing family code in a number of reports, criticizing discrimination and violence against women in Moroccan society. In fact, EU pressure on the kingdom with respect to human rights dated back to the rule of Hassan II, as Morocco was denied several aid packages due to its poor record of human rights. These denials of funding by the EU during his father's reign have always reminded Mohammad VI that reform on human rights was a binding matter in Moroccan relations with the EU. In addition, the EU had an additional leverage over the Moroccan government through the promise of an 'advanced status' in return for materializing reforms.¹¹⁵⁹ However, positive impact of EU democracy promotion on Moroccan progress in human and women's rights issues was unparalleled to other democracy related issues such as rule of law, judicial independence, balance of powers and corruption. Despite significant improvements in human and women's rights, there has been no genuine change in the fundamentals of the Moroccan political system.

On the whole, since the beginning of the ENP, while limited progress was observed regarding political reform in Egypt, Morocco had taken noticeable steps particularly with respect to protection of human and women's rights. Thus, it would be fair to suggest that EU democracy promotion did not contribute much to political

¹¹⁵⁹ Kausch, *Smart Authoritarianism*, p.146.

reform process in Egypt throughout the Mubarak regime, while it has been partly successful in the case of Morocco with respect to significant improvement in Morocco's record on human and women's rights. In fact, Morocco's relative success was not only the reflection of EU democracy promotion policies towards Morocco, but it was also the reflection of a blend between these policies and efficient functioning of human and women's rights organizations in Morocco. Ability of the EU and civil society organizations to influence Moroccan reform agenda also increased with the character and priorities of King Mohammad VI, who has been willing to carry out reforms in the fields of human and women's rights. Conversely, in post-2005 Egypt under Mubarak's rule, combination of an inconsistent EU commitment and fragmented domestic pro-reform voices hindered any meaningful contribution to political liberalization.

EU democracy promotion policies in Egypt under the Mubarak's rule and Morocco have suffered from a number of shortcomings which demonstrate similarities to large extent and differences to a lesser extent. To start with similarities, prioritization of stability over political reform was a weakness of EU democracy promotion policies in both states. Particularly, EU policies towards Egypt under post-2005 Mubarak's rule suffered from an overemphasis on stability. A second shortcoming is EU's adoption of a predominantly top-down approach in supporting political reform in both states. Frameworks like the EMP and the ENP neglected the need to integrate civil society organizations into EU democracy promotion policies.¹¹⁶⁰ State-centered concentration of EU policies complicated interaction with Islamists particularly in Mubarak-ruled Egypt.¹¹⁶¹ By excluding the MB from its democracy promotion initiatives aimed at Egypt, the EU missed an opportunity to engage a domestic actor which constituted the most powerful segment of the Egyptian society. Ineffective use of conditionality also complicated EU policies towards both states in sponsoring political reform. In the case of Egypt, EU commission failed to offer incentives attractive enough to strengthen its leverage over Egypt. In the case of Morocco, an appealing conditionality inducement was offered, that is an 'advanced status', but it has had an unfulfilled potential to back genuine democratization in Morocco. Divergence of approach among EU member

¹¹⁶⁰ Pace et al., p.79.

¹¹⁶¹ Springborg, Re-Radicalization, p.15.

states is a common limitation of EU democracy promotion in both states as well. Northern EU member states were willing to exert pressure on both ruling regimes to persuade them to commit political reform, whereas southern EU member states were reluctant to follow a proactive policy in democracy promotion.

Notwithstanding these similarities, differences exist between shortcomings of EU democracy promotion policies in Mubarak-ruled Egypt and Morocco. A leading difference is that the EU has followed a relatively consistent path in encouraging political reform in Morocco while its democracy promotion policies towards Egypt suffered from inconsistency. Following 2005 parliamentary elections where the MB won an electoral success, the EU had been reluctant to push the Mubarak regime for political reform in a consistent manner. Another divergence among weaknesses of EU democracy promotion policies in the two states is related with prioritization of certain issues at the expense of others. While prioritization of human and women’s rights issues over democracy related issues such as rule of law, judicial independence and balance of powers has marked EU democracy promotion in Morocco, there had not been any similar European emphasis on certain issues in encouraging political reform in Egypt.

Table 23: EU’s Impact on Political Reform

	Egypt	Morocco
Consistency	Inconsistent	Relatively more consistent
Contribution to Political Reform through time	<ul style="list-style-type: none"> • Positive impact in the early 2000s • Weak impact following the 2005 parliamentary elections 	<ul style="list-style-type: none"> • Positive impact in the early 2000s • Positive impact continued particularly in the fields of human and women’s rights
Shortcomings	<ul style="list-style-type: none"> •Prioritization of stability over political reform •A predominantly top-down approach •Ineffective use of conditionality •Divergence of approach among EU member states •Inconsistency 	<ul style="list-style-type: none"> •Prioritization of stability over political reform •A predominantly top-down approach •Ineffective use of conditionality •Divergence of approach among EU member states •Prioritization of human and women’s rights issues over democracy-related issues

5.3. EVALUATING PROSPECTS FOR AND CHALLENGES TO POLITICAL REFORM BEYOND THE ARAB SPRING

In light of the comparative analysis between Egypt and Morocco including political factors, civil society profiles and Islamists as internal dynamics and the EU impact as an external dynamic, this section will attempt to assess prospects for and challenges to democratization in both states. The emphasis will be on similarities and divergences among these two cases with respect to a number of critical issues including ruling regimes' handling of Arab Spring-related demonstrations, political developments taking place in these two states since the breakout of public protests and response of the EU to these political developments. Differing changes in each state's political context will certainly have peculiar repercussions for their forthcoming experiences with democratic reform. Thus, this section will also seek to calculate the likely outcome of political interplay between internal dynamics and the EU as an external dynamic for the future process of political reform.

5.3.1. Response of the Ruling Regimes

Egypt and Morocco passed along very different paths during the Arab Spring. Demonstrations in Egypt's Tahrir Square, which reached to its peak by the early February were far larger in scale and more intensive than those of Morocco, which only broke out by 20 February 2011 and were moderately-sized. There were massive clashes between demonstrators and security forces in Egypt, whereas in Morocco few clashes occurred between protesters and police, who was warned to avoid confrontation.¹¹⁶² Discontent among Egyptian protesters, who were highly determined to wait until the resignation of President Mubarak, was greater than that of their Moroccan counterparts. It is true that Moroccan demonstrators also demanded political change as in Egypt, yet they did not call for a revolution through ouster of the king. In this regard, contrary to anti-regime protests in Egypt, protests in Morocco were not against the existing monarchical order rather they were in favor of change initiated by the King.

¹¹⁶² "Morocco's King Mohammed pledges constitutional reform", **BBC News**, 2011.

Regime responses to protests sharply varied among Egypt and Morocco. In Egypt, Mubarak-led NDP tried to “quell the tide of protest” through “broad campaigns of police repression”.¹¹⁶³ Upon reluctance of the army to intervene and further failure of the ruling regime to suppress the uprising on its 18th day, Mubarak lost grip on power and had no other choice but to step down. Thus, in the case of Egypt mass protests succeeded with the overthrow of the Mubarak regime. In contrast to Egyptian experience, the picture in Morocco was rather different as the situation did not spiral out of control, thanks to immediate response of King Mohammed VI to pro-reform demonstrations.¹¹⁶⁴ In an attempt to pre-empt any challenge to his rule, in the early March, the King proposed a top-down political reform programme which included curbs on monarch’s administrative powers, drafting a new constitution, expansion of individual and collective liberties, decentralization of power through regional administrations and planning early parliamentary elections. His rapid move towards a promising reform agenda both succeeded in persuading demonstrators without being too late and ensured regime’s survival. In this regard, King Mohammed VI’s response to demonstrations distinguished him from not only Hosni Mubarak but also from the other leaders in the region “most of whom have offered too little in terms of reforms and offered them too late in the process of uprisings to make a difference”.¹¹⁶⁵ The differing outcomes of demonstrations in these two states also demonstrated the great degree of legitimacy the Moroccan monarch has enjoyed in the eyes of their people, contrary to highly worn out credibility of the Mubarak regime.¹¹⁶⁶

There were distinct consequences of unfolding of the Arab Spring in Egyptian and Moroccan political contexts. In coping with the impact of region-wide protests, Egypt has stood at one end of the spectrum, whereas Morocco has stood at the other end.¹¹⁶⁷ Changes in the Egyptian political context in the aftermath of public protests were far greater in comparison with Morocco. Writing of a new constitution was the

¹¹⁶³ Rasmus Alenius Boserup and Fabrizio Tassinari, “The Return of Arab Politics and Europe’s Chance to Engage Anew”, **Mediterranean Politics**, Vol:17, No:1, 2012, pp.98-99.

¹¹⁶⁴ Lise Storm, “Understanding Moroccan Politics: Tools for Assessing the Impact of the Arab Spring”, **Mediterranean Politics**, Vol:17, No:1, March 2012, (Arab Spring), p.119.

¹¹⁶⁵ Fakir.

¹¹⁶⁶ Ottoway and Muasher, Arab Monarchies, p.1.

¹¹⁶⁷ Simon Tisdall, “The Aftermath of the Arab spring”, **The Guardian**, 06.07.2011, <http://www.guardian.co.uk/commentisfree//2011/jul/06/arab-spring-aftermath/print> (21.07.2011).

most remarkable political development in Morocco. Drafted by a commission of eighteen experts appointed by the king, the new document was overwhelmingly approved by the popular referendum in July 2011.¹¹⁶⁸ The new constitution included a number of important progressive clauses such as recognition of Amazigh as an official language, introduction of extensive guarantees on human and women rights, enhancement of judicial independence, decentralization of political administration, several limitations on monarch's powers and granting of additional powers to prime minister and the parliament. However, while new constitution contributed to noticeable opening up of the political system, it has remained short of ensuring balanced distribution of powers in the political structure as the king continues to hold vast powers.

When it comes to Egypt, repercussions of the Arab Spring have been tremendous, unparalleled to that of Morocco. Political system has been dominated by military, as the SCAF took over the political administration after the ouster of Mubarak regime. The SCAF issued a constitutional declaration to set out rules to clarify how the country will be governed during the transition period until a new constitution is drafted. Accordingly, parliamentary elections was to be followed by selection of the constitutional committee and then presidential elections will take place. Unlike Morocco where the new constitution is ratified approximately six months after the eruption of demonstrations, in Egypt at the time of this writing, by late June 2012, new constitution has not yet been drafted and uncertainties exist about the nature of new constitution with respect to civil-military relations, the role of Islam in politics, and central tenets of the political system including powers of president and parliament. In fact, fragmentation among political forces in Egypt has led to this delay in drafting of a new constitution. Heated discussions marked parliamentary sessions in determining composition of the committee to write a new constitution. The first constitutional committee which was formed through a lengthy process was subject to accusations of being dominated by Islamists and was suspended in April 2012 by the Administrative Court ruling upon appeals by a number of lawyers and activists. A second constitutional committee was elected by parliament just prior to holding of presidential elections in late May 2012.

¹¹⁶⁸ Dalacoura, 73.

Parliamentary elections took place in both states in November 2011. In Morocco, parliamentary elections were held on November 25 2011, whereas in Egypt first round of voting for parliamentary elections began on November 28. Islamist parties were the winners of parliamentary elections in both states as Brotherhood's FJP won the largest number of seats in Egypt, whereas the PJD came the first party in Morocco. With these elections, for the first time in history, neither the PJD nor the MB was in the opposition. In Egypt, MB's capacity to influence political agenda increased with its success due to its dominance of the People's Assembly together with the Salafi Al-Nour Party. Likewise, electoral success of the PJD granted it the right to lead the government with its leader Abdelilah Benkirane becoming the prime minister. However, prospects for either party's influence on political agenda were handicapped since in Egypt, the FJP was to share power with the SCAF, whereas in Morocco the PJD had to establish a coalition government joining forces with three other parties as the number of seats it gained was not enough to form the government alone.¹¹⁶⁹

In the light of comparative analysis of political developments taking place in Egypt and Morocco in the second half of the 2011, it is fair to suggest that Morocco was far less been exposed to shaking impact of the Arab Spring when compared with Egypt. Unlike what happened in Egypt, King Mohammad VI successfully managed to avoid the protests by alleviating demands for political change through sponsoring a top-down reform agenda. Political developments taking place in Egypt and Morocco in the first half of the 2012, - after more than a year of demonstrations- have confirmed unparalleled impact the Arab Spring has had on them. In comparison to Egypt, not much has changed in the Morocco political context. King's reform offer in the form of a new constitution introduced remarkable reforms along with an increase in the powers of the parliament and the prime minister, but still the power has continued to be concentrated in the hands of the ruling monarch. A hope for change came with PJD's coming to power, an opposition party to lead the government instead of pro-palace parties. However, while the PJD is the leading

¹¹⁶⁹ According to Lise Storm, a specialist on Moroccan politics, PJD's electoral victory would not lead to any profound political change in Morocco because "the party's room for manoeuvre is simply too small" due to overwhelming control the King has been able to retain over the political system. Storm, Arab Spring, p.120.

party in the current coalition government it has had to act with three pro-palace parties. Added to that, the king has seemed reluctant to accept any further limits on his power. In that political setting, for now the PJD has seemed content with the limited constitutional reform introduced by the king.¹¹⁷⁰ However, while king's reform package contributed to an opening up of the political system, Morocco needs much more to become a truly democratic country. Above all the needed reforms comes urgency to limit powers of the king and to ensure a balanced distribution of powers among legislature, executive and judiciary.

Unlike the Moroccan experience, Egypt has entered into a more complicated transition process in the first half of the 2012 which is marked by uncertainties. The transitional roadmap set up by the SCAF-tailored constitutional declared has not worked as it was originally planned. The past year and a half has underlined the power struggle between the secular forces and Islamists. The military's unwillingness to abandon a wide range of powers granted by the constitutional declaration has contributed to uneasiness of the transition process as well. First round of presidential elections took place on 23-24 May in line with the original schedule. The outcome of elections with 24.3% of the votes for MB-backed Mohammad Morsi in the first place and 24.3% of the votes for military-backed Ahmed Shafiq in the second, suggested a tough competition among them in the second presidential runoff which took place the following month.¹¹⁷¹ In the immediate aftermath of the first round of presidential elections an encouraging development occurred. State of emergency, which had been in place for 31 years and granted security forces broad powers at the expense of civil rights and liberties, expired on the 1st of June.¹¹⁷²

Against this positive change, two annoying developments marked the eve of second round of presidential elections scheduled for mid-June. First of them was a ruling by the Supreme Constitutional Court dated back to 14 June which dissolved the parliament on the grounds that the parliamentary elections were

¹¹⁷⁰ Ulgen et al., p.3.

¹¹⁷¹ The voter turnout in the first round of presidential elections was 46%. See Ian Black, "Egypt confirms Mohammed Morsi and Ahmed Shafiq in election runoff", **The Guardian**, 29.05.2012, <http://www.guardian.co.uk/world/2012/may/28/egypt-presidential-election-morsi-shafiq> (29.05.2012).

¹¹⁷² "Egypt state of emergency lifted after 31 years", **BBC News**, 01.06.2012, <http://www.bbc.co.uk/news/world-middle-east-18283635> (01.06.2012).

unconstitutional.¹¹⁷³ Following the 14 June ruling, the SCAF made amendments in the constitutional declaration, which was to be the governing document of Egypt until drafting a new constitution. Published in the official newspaper on 17 June, nine articles were amended to increase powers of the SCAF.¹¹⁷⁴ Through these amendments the position of SCAF in Egypt was reinforced at the expense of powers of president and parliament. Accordingly; the SCAF will assume legislative role of parliament until a new parliament is elected, continue its political role even after the inauguration of president and be completely autonomous from civilian oversight along with an independent control over military affairs.¹¹⁷⁵ Added to these, if the constitutional committee fails “to complete its work on time for whatever reason”, the SCAF will appoint a new constitutional committee to draft a new constitution.¹¹⁷⁶ Clearly, these amendments have signaled a regression and delay in Egypt’s transition process to civilian democratic rule. According to original plan transfer of power from military to civil political structures would take place by the end of June with the inauguration of president. However, through strengthening the hand of SCAF, these amendments have blurred the process of handing over power to civil political administration.

It was in that confusing political setting that presidential run-off took place between Mohammed Mursi and Ahmed Shafik. Both candidates claimed their own victory soon after elections. Yet, announcement of official results by the Presidential Election Committee was delayed due to a series of election complaints filed by the two candidates.¹¹⁷⁷ Finally, after days of growing tension across the country, MB’s candidate Mursi was announced to win the presidential elections. In his speech following this announcement, Mursi called for unity and promised to build a civilian administration that would represent all people and “overcome deep political

¹¹⁷³ David Hearst and Abdel-Rahman Hussein, “Egypt’s supreme court dissolves parliament and ousting Islamists,” **The Guardian**, 14.06.2012, <http://www.guardian.co.uk/world/2012/jun/14/egypt-parliament-dissolved-supreme-court> (14.06.2012).

¹¹⁷⁴ Gamal Essam El-Din, “Consolidating power”, **Al-Ahram Weekly**, 21.06.2012-27.06.2012, (Consolidating Power), <http://weekly.ahram.org.eg/2012/1103/eg1.htm> (25.06.2012).

¹¹⁷⁵ Nathan J. Brown, “The Egyptian Political System in Disarray”, **Carnegie Endowment for International Peace Commentary**, 19.06.2012, (Disarray), <http://egyptelections.carnegieendowment.org/2012/06/19/the-egyptian-political-system-in-disarray> (20.06.2012).

¹¹⁷⁶ El-Din, Consolidating power.

¹¹⁷⁷ “Egypt presidential poll result delayed as tensions rise”, **BBC News**, 21.06.2012, <http://www.bbc.co.uk/news/world-africa-18528121> (21.06.2012).

divisions”.¹¹⁷⁸ As of June 2012, while Egypt finally has a president, -for the first time elected through free elections- questions remain over his authority because in order to exercise his authority, he has to negotiate with the SCAF in most areas in line with recent amendments in the constitutional declaration.¹¹⁷⁹ It is true that election of a new president in post-Mubarak Egypt is a significant step, process of transition to democratic rule would proceed only after the SCAF’s handing of power to civilian rule. Thus, prospect for democratization in Egypt seems dim for now as its transition process accommodates many challenges. A dissolved parliament plus a president to share power with the SCAF plus an ambiguous constitution makes an indefinite sum for a democratic Egypt. To make things worse, fragmentation among political forces has seemed deepened rather than diminished, leading to a fragile political context.

And all these developments are taking place at a time when economic concerns have reached to a peak across the region. Economic conditions have worsened both in Egypt and Morocco following the protests due to destabilizing impact that the Arab Spring had over economic systems around the MENA.¹¹⁸⁰ Particularly, the Egyptian economy has been experiencing a fiscal crisis with a budget deficit of \$22.5 billion.¹¹⁸¹ Elections in both states have brought Islamist actors to forefront in addressing current economic problems. Traditionally, the MB and the PJD had criticized economic policies and performances of the governments in power. Now that they are in power - the MB-backed president in Egypt and the PJD heading the government in Morocco- they are expected to tackle with the economic problems. Overcoming economic crisis is one of the toughest challenges, Islamists in both states face. Thus, in order to guarantee popular support behind them political reform should be accompanied by economic measures to lessen the economic burden on the shoulders of their people.

¹¹⁷⁸ “Egypt’s Morsi calls for unity after poll win”, **Al Jazeera**, 25.06.2012, http://me.aljazeera.net/?name=aj_standard_en&i=8784&guid=2012625605722974&showonly=1 (25.06.2012).

¹¹⁷⁹ Brown, Disarray.

¹¹⁸⁰ Ulgen et al., p.16.

¹¹⁸¹ Mohammed Samhuri, “Egypt’s Looming Fiscal Crisis”, **SADA Journal**, 05.06.2012, http://carnegieendowment.org/sada/index.cfm?fa=show&article=48337&solr_hilite=Egypt (06.06.2012).

5.3.2. Response of the EU

In these delicate times, it can be highly helpful for the EU, as one of the leading external actors in the region, to act in a responsible manner encouraging both states in their peculiar political reform processes. Based on the previous analyses of past EU democracy promotion practices towards Egypt and Morocco, there will be an attempt to put forward recommendations for the EU on how to contribute to transition to a more democratic political system by each state beyond the Arab Spring. Before proceeding with recommendations, EU's response to unfolding of the Arab Spring in the Egyptian and Moroccan political contexts is compared and contrasted. The EU was caught unprepared to blossoming widespread demonstrations in the MENA, which had led to toppling of a number of ruling regimes. The Spiegel rightfully described reaction of the EU to Arab Spring as "paralyzed".¹¹⁸² In fact, the Arab Spring was a worrisome occurrence from the perspective of the EU as it posed a great challenge to stability in the region, which the EU has cared the most. Specific response of the EU to repercussions of Arab Spring in each state was shaped in accordance with both the closeness of ties with the given ruling regime and how it handled protests. It was far more difficult for the EU to determine a response in the case of Egypt when compared with that of Morocco. When the uprising erupted in Egypt in late January 2011, for days the EU could not decide how to respond. Then, close relations with the Mubarak regime led adoption of a cautious approach by the Union. Concerns on police violence against demonstrators were expressed by the EU officials without voicing any serious criticism to the ruling regime.¹¹⁸³ It was expected that demonstrations would be suppressed through employment of a series of reform measures by the regime. Only after the EU realized that the protest would not be controlled through a regime-led reform programme, the EU distanced itself from the Mubarak regime. EU officials' reaction to Cairo Spring until the collapse of the Mubarak regime can best be described as half-hearted, as they refrained from acting in an active and outspoken fashion with respect to urgent need for political reform. Only after the departure of

¹¹⁸² "The EU Has Failed the Arab World", **SPIEGEL**, 28.02.2011, <http://www.spiegel.de/international/world/0,1518,druck-748074,00.html> (04.03.2011).

¹¹⁸³ Statement by Herman Van Rompuy, 2011.

Mubarak, there was an emphasis in official statements on the need for genuine political reform in Egypt.¹¹⁸⁴

In contrast to the case of Egypt, repercussions of the Arab Spring on the Moroccan political context was more preferable from Union's point of view, as this time protests were controlled by the ruling monarch through an offer of a reform package. Political reform was to be led by the existing friendly regime rather than an ambiguous political change, whose consequences are yet to be tested. An unpredictable political outcome was thought to challenge stability-related interests of European governments. In this regard, the king's reform agenda was very welcomed by the EU. In their statements, EU officials expressed their satisfaction with the drafting of a new constitution. Similar to its response to proposed reforms and the new constitution, holding of early parliamentary elections and its outcome was appreciated by the EU. Overall, the EU has seemed content with the political reform process in Morocco beyond the Arab Spring. In a visit to Rabat by January 2012, Stefan Fule, the Commissioner for Enlargement and ENP, expressed his satisfaction regarding Morocco's undertaking of reform process:

*"Morocco is doing well in the reform process and the EU appreciates this progress...I can express my satisfaction, that barely one year after my last visit to Rabat, several important changes occurred: a new constitution was approved in the July referendum, free and fair election took place and now the new government is taking the reform agenda forward."*¹¹⁸⁵

Dissimilar to a feeling of relief the EU lived through when the monarch succeeded in suppressing the demonstrations and pioneered political reform in Morocco, developments in Egypt have been followed usually with concern. For instance, with respect to recent Supreme Constitutional Court's decision dissolving the parliament, the spokesperson of high representative Catherine Ashton stated:

¹¹⁸⁴ Schumacher 2011.

¹¹⁸⁵ EU Official Web Site, "S. Fule in Morocco: We stand behind your reform efforts", 20.01.2012, <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/12/24&format=HTML&aged=0&language=EN&guiLanguage=en> (25.01.2012).

*“The High Representative is following very closely the situation in Egypt and takes note of the Supreme Constitutional Court’s rulings of 14 June. The exact consequences of declaring the legislative framework governing the parliamentary elections unconstitutional should be clarified as soon as possible.”*¹¹⁸⁶

In fact, the Arab Spring and its shaking political consequences on a number of countries in the region such as Egypt and Tunisia led the EU to realize the need to adopt a new approach towards its southern neighbors. For this purpose, ‘a partnership for democracy and shared prosperity with the Southern Mediterranean’ was put forward by early March 2011. This partnership highlighted “the need for the EU to support wholeheartedly the demand for political participation, dignity, freedom and employment opportunities.”¹¹⁸⁷ To this end, it adopted an approach which promises more incentives to partner countries which are most advanced in their commitment to reforms.¹¹⁸⁸ In line with the new partnership, EU offered support to Egyptian authorities in the form a number of funds to help its transition to a democratic order. However, until now the EU has not undertaken a truly active role in Egypt’s political reform process in the post-Arab Spring. Overall, not much has changed in EU policies towards either Egypt or Morocco in practical terms beyond the Arab Spring. While official statements and documents have stressed ‘the need for increase in democracy assistance to the region’, in practice, EU policies “does not seem to differ fundamentally” from what was adopted towards both states before the eruption of Arab Spring.¹¹⁸⁹

So, what can be done by the EU to help Egypt and Morocco in their processes of political reform in the post-Arab Spring? Past EU democracy promotion policies towards the region in general and towards Morocco and Egypt in particular had

¹¹⁸⁶ EU Official Web Site, “Statement by the Spokesperson of High Representative Catherine Ashton on the Egyptian Supreme Constitutional Court’s rulings of 14 June declaring the legislative framework governing the parliamentary elections unconstitutional”, 15.06.2012, http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/131011.pdf (16.06.2012).

¹¹⁸⁷ The EU’s response to the Arab Spring, 2011.

¹¹⁸⁸ The EU’s response to the Arab Spring, 2011.

¹¹⁸⁹ The financial crisis surrounding European governments one after another may have contributed to current mismatch between rhetoric and practice of EU democracy promotion policies towards the region as economic difficulties the EU has been facing should not be underestimated in assessing the outcome of EU policies. For more details see Boserup and Tassinari, pp.101-102.

remarkable shortcomings. Overcoming these shortcomings may help Egypt and Morocco in their transition to a more democratic political order. There are a number of recommendations for EU policy-makers to revise their democracy assistance approaches towards the region. First of all, the EU needs to implement a more bottom-up oriented approach in its democracy promotion. In the past, the EU adopted an overwhelmingly top-down approach which ignored the positive contribution a dynamic civil society could make in exerting pressure on the given ruling regime to democratize most probably due to relative weakness of civil society in the Middle East. However, the Arab Spring has demonstrated that civil society organizations could be powerful enough to mobilize people to cause political change. From now on the EU has to pay more attention to civil society assistance through dialogue with representatives from different components of civil society including Islamist organizations. More funds can be invested in projects targeting capacity-building and strengthening of NGOs. While doing this, the EU has to make sure that the process of selecting and funding of NGOs to be assisted takes place independently from the government in the target state.

Secondly, the past year and a half has illustrated that Islamist parties are on rise across the region and excluding Islamists from its democracy assistance programmes is no longer a valid option for EU policy-makers. For years, the EU viewed Islamists with suspicion and ignored the widespread popular they enjoyed. From now on, the EU has to differentiate between radical and moderate Islamists and should engage with the moderates in an active way. Dialogue and cooperation with moderate Islamists can better contribute to political reform in a given state. As De Vasconcelos points out, “there is an urgent need for European leaders to make an effort to familiarize themselves with political Islam” and “to formulate a strategy for dealing with new regimes”.¹¹⁹⁰ In this regard, the EU needs to readjust its relationship with the MB after years of exclusion and to deepen its relationship with the PJD if it truly wants to encourage political reform in Egypt and Morocco.

¹¹⁹⁰ Alvaro De Vasconcelos, “Introduction-Egypt: Dealing with Unfamiliar Voices”, Egyptian Democracy and the Muslim Brotherhood, ed. Esra Bulut Aymat, **EUISS (EU Institute for Security Studies) Report**, No:10, November 2011, (Unfamiliar Voices), http://www.iss.europa.eu/uploads/media/Egyptian_democracy_and_the_Muslim_Brotherhood.pdf (12.12.2012), p.3.

Thirdly, while there are various similarities among countries in the MENA, each has had a unique experience with political reform. Therefore, in its sponsoring of democracy, the EU needs to avoid a 'one size fits all' approach and to design specific policies and programmes taking into account political conditions and needs of the target state. For instance; projects bringing antagonistic political forces together namely Islamists and secularists can be a fruitful contribution to encourage Egypt's transition to democracy.¹¹⁹¹ On the other hand, in the case of Morocco, through an offer of attractive incentives the EU may push the monarch for an increase in the powers of the parliament and the government. Lastly, there has been a considerable gap between the rhetoric and practice of EU policy-makers in their democracy assistance policies towards the region. To put it differently, inconsistency has existed between official statements and documents on the one hand underlining democratic principles and actual democracy promotion policies of the EU on the other hand avoiding any full-hearted attempt to persuade friendly ruling regimes to democratize. This inconsistency and close ties with authoritarian regimes has led to a credibility deficit of the EU. In this regard, post-Arab Spring political landscape gives the EU a second chance to demonstrate the sincerity of its democracy assistance programmes aimed the region and "to repair its credibility by putting its soft power to work".¹¹⁹² In order to do that, the EU needs "to hold to pro-reform principles in a consistent way" and "to be ready to help across the region".¹¹⁹³

To conclude, prior to the Arab Spring, Morocco was not only more progressive in political liberalization than Egypt, but also than other states in the Arab Middle East. As Cohen and Jaidi points out "the gradual process of political liberalization initiated by the King has made Morocco distinct within the Arab world".¹¹⁹⁴ Expansion of political pluralism was real and many significant measures were adopted improving human and women's rights in Morocco. Yet, there were a number of deficits blurring this bright picture, among which came the concentration of power in the hands of the palace. It's true that King Mohammad VI adopted a

¹¹⁹¹ Ulgen et al., p.22.

¹¹⁹² Judy Dempsey, "The Failure of Soft Power", **Strategic Europe**, (Ed. Jan Techau), Carnegie Endowment for International Peace Press, Washington DC, 2012, p.61.

¹¹⁹³ Helene Michou and Richard Youngs, "And beyond Egypt?", **EU Observer**, 15.02.2011, <http://euobserver.com/7/31806> (20.02.2011).

¹¹⁹⁴ Cohen and Jaidi, p.51.

number of very significant political reforms but these reforms were introduced in a selective way from the top, contributing to opening up of the political space without reducing political authority of the ruling monarch. In contrast to Morocco, Egypt under Mubarak's authoritarian rule, suffered from lack of even basic liberties with an uninterrupted state of emergency in order. Measures aimed at political liberalization were followed by counter-measures de-liberalizing the political space. As a result, Egypt's political reform process saw very limited progress throughout Mubarak's rule.

In post Arab-Spring political context, additional reforms were introduced in Morocco as part of King's reform agenda in an attempt to respond public protests. For now, the ruling monarch and the political order it has represented seem to avoid a destructive challenge due to a combination of King's legitimacy in the eyes of his people and his rapid response to the Arab Spring. However, prospects for democratization in Morocco are not bright unless king's powers are curbed and a balance of powers among institutions is set. Egypt's prospects with respect to democratization are much more complicated compared to Morocco. There are many challenges ahead in Egypt's transition to democracy among which two serious ones are drafting of Egypt's new constitution and transfer of power from SCAF to civil political administration. Political transition is not an easy process as it may last long years with mixed outcomes. Thus, it is very difficult to predict whether the Arab Spring would contribute to transition to a more democratic order in Egypt and Morocco. The differing experiences of Egypt and Morocco suggest that Morocco, a monarchy, has been better at political liberalization than Egypt, a republic; but the same can not be said when talking about democratization as neither of them has had any remarkable record in democratization.¹¹⁹⁵ Given earlier indications, on the way to transition, parallel pressure on the ruling regimes by civil society actors from within and external actors from outside may help in both states. For its part, the EU can make sure that military does not spoil the transition process and follow transitional timetable in handing power to civil rule in Egypt. In the case of Morocco,

¹¹⁹⁵ According to Russell E. Lucas, monarchies are better at political liberalization than republics but not at democratization. For more details see Russell E. Lucas, "Is the King's Dilemma only for Presidents?", **Arab Reform Bulletin**, 06.04.2011, <http://carnegieendowment.org/arb/?fa=show&article=43333> (07.04.2011).

a remarkable contribution by the EU may be to persuade the king for a retreat of its overwhelming influence over the executive, the legislature and the judiciary.

CONCLUSION

This dissertation has analyzed political liberalization in Egypt and Morocco starting with the early 2000s with a particular emphasis on how divergences among ruling regimes, civil societies and the EU's approach have influenced peculiar political reform experiences in the Arab World. The preceding chapters have revealed that political reform in both states have had the best results when internal pressure by the civil society and external pressure by the EU are simultaneously exerted on the ruling regimes. To put it differently, a blend of internal and external demand for political reform seems to be the most efficient recipe to change the authoritarian ruling regimes. Observing the developments after the Arab Spring, the difficulties about democratization/political liberalization in the Arab World are likely to remain in the region for some more time. Worldwide communication and interdependence have highly influenced these states, but they have not totally changed the national identity, and moreover, stage of liberalization/democratization varies among them.

This dissertation reached the conclusion that democracy promotion by an external actor may contribute to political reform in a target state, only when there is a favorable domestic political context, where civil society actors are able to voice their demands for democratic values in an active way. To put it differently, strength of domestic pro-democracy actors directly influences the outcome of democracy assistance by an external actor. In this regard, EU democracy promotion in Egypt and Morocco succeeded, only when it coincided with growing internal pressure on their ruling regimes, particularly by civil society and opposition groups.

The impact of EU democracy promotion on political reform in Egypt and Morocco exhibited similarities in the early 2000s due to the strong demand for democratization by internal and external actors in both states. Thus, EU democracy promotion had a positive impact on the process of political liberalization in both states by the early 2000s. However, this situation changed after 2005 with a remarkable change in the Egyptian domestic political context. In Egypt, following 2005 parliamentary elections, in which the MB candidates gained a considerable number of seats, there were a series of setbacks in reform measures leading to the de-

liberalization of political space. MB's electoral success, not only led to deep fragmentation among internal actors, but also to an apparent decline in European pressure on the Mubarak regime for political reform. The EU recognized that even partial liberalization of political space led the Islamists to move closer to political power circles as demonstrated by the 2005 parliamentary elections. Thus, the EU gave up using its leverage potential in Egypt following the MB's electoral success; from then on, EU pressure on the Mubarak regime and its response to setbacks on the Egyptian political reform process remained weak.

EU commitment to political reform in Morocco has been relatively more consistent than that in Egypt. It has not seen any interruption as happened in Egypt following 2005 parliamentary elections. Various initiatives adopted by the king have contributed to the improvement of human and women's rights record in Morocco. In these two fields, in general, external pressure by the EU was exerted in parallel to domestic pressure by human and women's rights organizations to direct the attention of the ruling regime toward need for reform. The EU had an additional leverage over the Moroccan government through the promise of an 'advanced status' in return for materializing reforms. However, the positive impact of EU democracy promotion on the Moroccan progress in human and women's rights issues was unparalleled to other democracy related issues such as the rule of law, judicial independence and balance of powers. In consequence, despite significant improvements in human and women's rights, there has been no genuine change in the fundamentals of the Moroccan political system.

Secondly, the comparative analysis of Egyptian and Moroccan cases clearly reveals that paths to political liberalization across the Arab Middle East are not monolithic. Morocco has been noticeably more successful than Egypt with respect to the steps taken towards political liberalization. Political liberalization in Egypt took a serious blow after 2005, leading to a reversal in the political reform process. Moroccan political context has not seen any political de-liberalization as did Egypt in the past decade. Since the early 2000s, while limited progress was observed regarding political reform in Egypt, Morocco had taken noticeable steps particularly with respect to protection of human and women's rights. EU democracy promotion did not contribute much to political reform process in Egypt throughout the Mubarak

regime, while it has been partly successful in the case of Morocco with respect to significant improvement in Morocco's record on human and women's rights. In fact, Morocco's relative success was not only the reflection of EU democracy promotion policies towards Morocco, but it was also the reflection of a blend of these policies and efficient functioning of human and women's rights organizations in Morocco. Ability of the EU and civil society organizations to influence Moroccan reform agenda was also helped by the character and priorities of King Mohammad VI, who has been willing to carry out reforms in the fields of human and women's rights. Conversely, in the post-2005 Egypt under the Mubarak's rule, the combination of an inconsistent EU commitment and fragmented domestic pro-reform voices rendered any contribution to political liberalization meaningless.

Thirdly, the existence of Islamists as major political opposition forces in both states negatively influenced the democracy promotion agenda of the EU particularly in the case of Egypt. By the mid-2000s, the EU recognized that it was mainly the Islamists who benefitted from the political openings in its Southern neighborhood. From then on, it refrained from exerting a truly consistent and coherent pressure on both ruling regimes with the fear that Islamists' access to power would risk its stability-related interests including security, migration, economic cooperation and energy considerations. Without any meaningful external pressure, the ruling regimes felt themselves free to continue with cosmetic reforms which in return led to a chronic delay in the transition to democracy in both states. To put it differently, in both countries, more or less, controlled/limited political liberalization occurred without democratization. This led to a growing popular dissatisfaction with the existing political systems, which in return contributed to an increase in the popularity of moderate Islamist movements like the MB in Egypt, and the PJD and the JC in Morocco. These moderate Islamists have been successful in addressing the needs and grievances of people. They became active components of civil society by gaining critical positions in both professional associations and political opposition parties. Moderate Islamists' growing strength in their respective societies had been a cause for concern for the ruling regimes, especially in the case of Egypt under the rule of Mubarak. The Mubarak regime adopted severe repressive measures against the MB limiting its activities and referred to the 'Islamist threat' to prevent the EU's pressure

for political reform. The rise of the MB in the elections provided the regime with an excuse to continue with various measures deliberalizing the political space without being subject to any serious criticism by the EU. For instance, human rights violations against MB members were ignored by the EU. Overall, the interaction between the ruling regime, the Islamists and the EU can best be described as a ‘vicious circle’ with respect to its outcome on political liberalization/democratization as is demonstrated by the two case studies.

The problematic nature of interaction between the ruling regime, the Islamists and the EU in the past decade as analyzed in the two case studies presents a fourth conclusion. It is about the urgent need for European policy-makers to differentiate between radical and moderate Islamists, and to engage with the moderates in an active way. The past decade has illustrated the strength of Islamist actors in the political scene across the Arab Middle East. Especially, during the past year and a half, the post Arab-Spring political context in the region witnessed the rise of Islamist parties and thus excluding the Islamists can no longer be a valid option for the EU. If the EU is serious about encouraging political reform in Egypt and Morocco, it needs to show its sincerity through dialogue and cooperation with moderate Islamists and to integrate them to its democracy promotion agenda. In this regard, the EU needs to readjust its relationship with the MB in Egypt after years of exclusion and to deepen its relationship with the PJD in Morocco.

In the light of assessment of EU democracy promotion policies in Egypt and Morocco, can EU democracy promotion in these two cases be regarded as empirical evidences of ‘Normative Power Europe’ (NPE)? It can be concluded that while there are a number of empirical evidences verifying the credibility of the EU as a normative power, Manners’ term, ‘NPE’, has serious limits¹¹⁹⁶ with respect to encouraging democratization in the cases of Egypt and Morocco. Through the Barcelona Declaration of 1995, the EU presented itself as a normative power in its southern neighborhood committing signatories such as Egypt and Morocco to a

¹¹⁹⁶ The Middle East conflict in which the EU is involved is an example of limits of the NPE. The EU’s reaction to the victory of Hamas in the January 2006 Palestinian parliamentary elections contradicted with the discursive practices of the EU. The EU chose to ignore the result despite the conduct of elections in a free, fair and transparent setting weakening its credibility as a normative power (see Michelle Pace, “The Construction of EU Normative Power”, *JCMS*, Vol:45, No:5, 2007, pp.1041-1064).

number of democratic principles including the rule of law, democracy, pluralism, and human rights and liberties. Yet, despite the ideational construction of European identity within the framework of Euro-Mediterranean Partnership, there has been an inconsistency between what is being presented by the EU and its actual policies towards these two Arab Mediterranean states. Commitment to democratic values and principles have been frequently underlined in bilateral agreements, official documents and speeches by the European authorities involved in EU democracy assistance programmes aimed at Egypt and Morocco. However, the incompatibility between rhetoric and practice has marked the democracy promotion policies of the EU toward these states revealing that the EU failed to fulfill its role as a normative power in a credible manner.

EU policies in the Arab Middle East suffered from a dilemma between encouraging political reform and preserving stability in its neighborhood. The impasse of ethics versus self-interest led the EU to adopt an instrumental democracy promotion agenda towards Egypt and Morocco in the past decade. European Commission encouraged democratic norms and principles as long as they do not conflict with the EU's strategic interests. For instance, EU officials expressed their concern at every instance with respect to the detention of secular opposition figures, while they ignored the crackdown on Islamists. In the case of Egypt, EU authorities officially responded to the conviction and jailing of Ayman Nour, the leader of the secular al-Ghad party, expressing their disapproval of the Mubarak regime's repressive attitude towards that opposition figure. Yet, they remained silent regarding the doubtful arrest of Islamist MB members. Likewise, inconsistency marked the EU's assistance of civil society organizations as part of its support for political reform across the region. The EU merely funded pro-Western secular NGOs, disregarding Islamist ones, the most influential component of civil society in the Arab Middle East.

On the whole, it is impossible to define the EU as a genuinely normative power when its democracy promotion policies towards Egypt and Morocco are taken into account in the past decade. It is true that ethical emphasis finds its place in official documents including association agreements, country strategy papers, National Indicative Programmes, Action Plans and ENP progress reports. Added to

that, normative concerns are remarkable in the discourses of the EU authorities who are involved in the EU democracy assistance programmes in the region. The EU encouraged political reform in both cases and its target programmes bore fruit as long as political reform agenda in those states did not challenge European strategic concerns. However, EU democracy promotion in the region was largely overshadowed by European self-interests, which the EU thought would be better served by the existing authoritarian regimes rather than the Islamists.¹¹⁹⁷ Thus, commitment to assisting political reform was noticeable particularly in less status-quo-risky fields such as human rights and women rights. Even in that case, selective assistance was employed to strengthen only pro-western human rights groups. By adopting an overwhelmingly top-down approach toward the two states, the EU also refrained from alienating the ruling regimes, giving them a free hand to proceed with the political reform process as they wished, i.e. in a top-down and selective manner.

As it is demonstrated through the case studies of Egypt and Morocco, the past EU policies toward the region suffered from a tension between maintaining order and supporting political reform in the region. In rhetoric, democratic values and principles seemed to be prioritized, however, in reality, worries about the costs of democracy, including the rise of political Islam highly limited the EU's commitment to democracy promotion in the region. As a consequence, there was only modest progress with respect to achieving the objectives put forward by the Barcelona Declaration. Rosemary Hollis rightfully argued that the eruption of the Arab revolts signified the failure of EU policies towards the region.¹¹⁹⁸ In fact, what the EU did was an unaware contribution to a growing public discontent with the ruling regimes across the region which precipitated the outbreak of the Arab Spring.

The Arab Spring offers the EU a new chance to repair its credibility through an essential change in its democracy promotion policies towards the region. The

¹¹⁹⁷ Similar to the conclusion reached at in this analysis, in his speech at Northcote House Council Chamber, University of Exeter, on 18 February 2010, Dr. Kamal El-Helbawy, the former spokesman of Muslim Brotherhood in the West and the founder of the Muslim Association of Britain, told that he had doubts about the sincerity of major powers like the EU and the US in their democracy promotion attempts, since on the one hand they have relied on the rhetoric of democracy promotion, whereas on the other they supported dictators around the world. He also pointed out that these powers have adopted the rhetoric of democracy promotion only towards countries, where they can accomplish their strategic interests, while they remained ignorant to the issue democratization in other countries where they do not have such interests.

¹¹⁹⁸ Rosemary Hollis, "No friend of democratization: Europe's role in the genesis of the Arab Spring", *International Affairs*, Vol:88, No:1, 2012, p.81.

Arab uprisings demanding democratization clearly revealed that the years-long European ignorance of public discontent with the authoritarian rule had also played a role in setting the stage for a region-wide explosion of public frustration. Outbreak of the Arab Spring was an unexpected development for the European authorities, who were caught in the middle of a deep economic crisis, making it difficult for the Union to respond simultaneously. The EU can restore its credibility as a normative power in the southern Mediterranean only if it sincerely undertakes an active role in encouraging transition to a more democratic order in the region. While it cannot be denied that domestic variables will continue to play the decisive role in the regional countries' paths to political reform, the EU can still encourage this process in a meaningful way by pursuing a consistent and coherent foreign policy toward the region. A major revision by EU policy-makers over their democracy assistance toward the region should include a more bottom-up oriented and moderate Islamist inclusive approach to be tailored according to the specific needs of the country in question. In addition, the gap between the ethical rhetoric and self-interest in the practice of EU policies toward the region should be closed in favor of the former to overcome inconsistency.

Lastly, the diversification between the experiences of Egypt and Morocco during the Arab-Spring related public demonstrations presents peculiar repercussions for their forthcoming experiences with political reform. A leading question is whether the protests will lead to the democratization in Egypt and Morocco. It is very difficult to give a definite answer since the post-Arab Spring political context in each state is accompanied by a complicated mixture of prospects for and challenges to democratization. There was a remarkable variance of nuance between regime responses to protests in Egypt and Morocco. In the case of Egypt, the Mubarak regime harshly responded to mass protests, whereas in the case of Morocco the situation was skillfully kept under control thanks to the immediate response of King Mohammed VI to pro-reform demonstrations in the form of promising a top-down political reform agenda. Thus, there were distinct consequences of the Arab Spring in Egyptian and Moroccan political contexts. In Egypt, it led to the ouster of the three decades long authoritarian Mubarak regime, while in Morocco the king was able to pre-empt a potential challenge to his rule. As a consequence, in the aftermath of

public protests, the Egyptian political context witnessed far greater changes than the Moroccan one, which has been less exposed to the shaking impact of the Arab Spring.

Political developments taking place in Egypt and Morocco in the first half of the 2012, - after more than a year of demonstrations- have confirmed unparalleled impact the Arab Spring has had on them. Egypt has entered into a complicated transition process in the first half of the 2012, which is marked by uncertainties, whereas the Moroccan political context has not changed much when compared with that of Egypt. As part of King Mohammad VI's reform agenda, a new constitution was written and early parliamentary elections were held. The new constitution introduced a number of political openings to the Moroccan political system such as several limitations on monarch's powers, expansion of individual and collective liberties, enhancement of judicial independence and decentralization of political administration. Despite these moves towards political liberalization, prospects for democratization in Morocco have remained dim as the political structure still lacks balance of powers with a concentration of power in the hands of the ruling monarch. Prospects for democratization in Egypt are much more complicated than those for Morocco. Egypt's transition to democracy accommodates a number of serious challenges including drafting of Egypt's new constitution and transfer of power from SCAF to civil political administration. On the one hand, expiration of the state of emergency, which had been in place for 31 years, and election of Mohammad Mursi, member of the leading political bloc in the parliament (the MB), as the president rather than Ahmed Shafiq, a political figure identified with the Mubarak regime, incite hopes for democratization in Egypt. However, on the other hand, the Supreme Constitutional Court's ruling dissolving the post-revolutionary parliament, continuing tension among political forces, and additional amendments by the SCAF in the constitutional declaration reinforcing the military's position at the expense of the powers of the president and the parliament and granting SCAF the right to appoint a new constitutional committee (if the already appointed committee fails to draft a new constitution) darken the picture in Egypt.

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