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## The Muslim Brotherhood's Success in the Legislative Elections in Egypt 2005: Reasons and Implications

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## Executive Summary

In the context of an unprecedented opening of the political system in Egypt in 2004/2005, the Muslim Brotherhood (MB) scored an impressive success in the 2005 legislative elections that showed that the mainstream non-violent Islamist movement, despite the legal ban of the movement itself and of its political activities, is the only influential and organised political opposition in the face of the veteran National Democratic Party (NDP).

### Reasons for the Muslim Brotherhood's electoral success in 2005

The first set of reasons for the MB's success is related to the changes that occurred in the political context. Above all, the first presidential elections that took place in September 2005 had a direct impact on the legislative elections in November the same year: By opening up competition for the post of the president, the election signalled the unprecedented impasse of the regime seeking to patch up its legitimacy. In addition, civic protest movements had emerged that rejected the political system much more fundamentally and called for comprehensive reform. The most important of these has been the dynamic protest movement called the *Egyptian Movement for Change, Kifaya*. However, as a second set of factors, the regime itself can also be considered a factor in the MB's rising influence: The NDP and government officials have relied heavily on religious arguments; they have oppressed secular or liberal opponents; they have nourished obscurantist religious trends in Al-Azhar and among religious groups; and they have let the MB take charge of welfare services in order to save on the state budget. Also, the regime has allowed Islamist activists to enter trade unions, while reserving the leadership positions for the NDP. There is a third set of reasons for the MB's success which is related to the movement's long term strategy to build a societal base: The MB's strategic approach has been to invest in welfare services so as to build a large power base among the population that they are able to mobilize politically. And indeed, not only have many MB candidates gained credibility and respect through their daily contacts with the people, the movement has been investing in the social sphere for more than 30 years. In a society in which 40 percent of the population lives under the poverty line and the political participation rate is only 25 percent, providing services in all vital sectors – education, health, and employment – has proved to be the fastest and most successful way to gain supporters. Fourth, using the religious sphere as a place for political mobilisation has been a successful strategy of the MB. Those affiliated with the MB, members and sympathizers, often saw it as a religious duty to vote for a candidate of the movement. Despite the doubts the slogan "Islam is the solution" raised among many, the MB continued to use it because it wanted to focus on religion as the determining factor for the vote, and because it had gained the trust of the people as being *the* movement representing Islamic identity. On top of this, the movement was able to make use of the unprecedented coincidence of growing internal and external pressures on the regime, by starting open and direct political activity in the name of the movement. The MB has also understood the importance of rallying with other opposition forces, and it has sought coordination with these forces for creating more pressure on the regime. Related to this is another important factor for the MB's success: its organisational capacity.

### Has the MB changed its agenda and priorities?

While the MB has opted to participate peacefully in the political process in Egypt, it remains unclear as to whether it represents a genuine democratic force or if it will use the democratic opening to pursue an authoritarian agenda. Still, participation in the political system has already transformed the movement. During the 2005 election campaign the concepts of "democracy" and "political participation" found their way into the MB's rhetoric and, most importantly, into its political strategies of creating grassroots networks for popular support. The experience of elaborating a political programme for the legislative elections pushed the movement to publicly clarify its positions on concepts such as party pluralism – something that had previously been refused in some trends of Islamic thought as "*al-tahazzub*" (partisanship) with the argument that Islam calls for unity of the nation rather than its fragmentation. The MB can be considered to be part of Egypt's reform forces, but that is primarily so because it agrees with other political reformers on the tools for bringing about reforms: rule of law, good governance and free elections. The MB's activities in Parliament have so far demonstrated their devotion to serving their voters and retaining credibility. They have been more efficient in dealing with public needs, in revealing corruption cases and in rapidly interacting with victims of injustice than other deputies. As has been discussed above, political change in Egypt until now has not meant a significant move toward democracy. First, this has reflected on the MB's organisation, strategy and agenda. The "mutual fear reflex" as an outcome of the relationship between the illegal MB and the regime has required the movement to adopt a strategy of secrecy which prevents them from being transparent for security reasons. Also, maintaining ambiguous positions is a defence mechanism used by both Islamist and non-Islamist opposition forces in Egypt. Second, the MB is not solely a political actor; it is also a religious organisation committed

to spreading a body of beliefs and practices. For fear of undermining its credibility with either its religious followers or its political constituents, the movement maintains ambiguous positions on many issues. For example, this is the case with regards to the vision of democracy. Ambiguity remains mainly because there are no concrete statements on the meaning of the "Islamic reference", the framework on which the MB claims to base its political programme.

### **Regime stability dilemma**

There has been an uneasy, but mutually beneficial relationship between the regime and the MB in which the ruling party has maintained an "on-and-off" liberalisation policy accompanied by phases of tolerance and repression towards the MB's activities. But why has the regime, in spite of the legal ban, tolerated the MB's activities? First, because in the short run, the integration of the MB into the political system does have a stabilizing effect on the regime rather than lead to a further opening of the political system because the MB participates only in political bodies the activities of which are in the end controlled by the NDP. At the same time the regime benefits from the charitable activities provided by the MB to a large segment of the population because it can thereby maintain the illusion that the system is able to solve the problems. From the MB's side, despite their genuine social basis, their relatively strong representation in Parliament (20 percent of the seats), and their financial and organisational capacities, the movement has benefited from its status as an illegal organization. This has secured it wide sympathy among the population, while it was still allowed to pursue organised activities, and until now it was able to fend off infiltration by security forces. The MB's will to change the status quo therefore is not too great. Also, it seems that under the current circumstances, there is little hope for the MB to be legalized. To the contrary, with the strengthening of the MB's presence in Parliament since the last elections, the regime has become wary of their activities, and started to think of ways to hamper the MB's influence on decision-making, either legally or by force. In this, it seems, the Egyptian regime has gotten a "green light" from the USA to suppress reformers – the MB as well as the liberal reformers allied with it – in Egypt - not least against the background of Islamist election victories in the Palestinian territories, Iraq, etc. The MB explained the continuing arrests as a response to the movement's public rejection of Gamal Mubarak's inheritance of the Presidency. By any standards, recent anti-reform measures demonstrate a prioritization of stability over democracy. Chances are therefore high that Gamal will become the next President. Dynastic succession, however, cannot be considered a step of reform or of political opening.

### **Perspectives and Policy recommendations**

European strategies aiming at political reform in Egypt cannot avoid dealing with the existing regime, and at the same time cannot ignore the popular support for the Islamists. Europeans should engage in dialogue with the MB, but they should above all put pressure on the regime to adhere to the rule of law as well as to change the legal framework in order to allow for the formation of new political parties and political activity. Europeans should also support other civic movements in their struggle to open up the political system.

## Introduction<sup>1</sup>

In the context of an unprecedented opening of the political system in Egypt in 2004/2005, the Muslim Brotherhood (MB) scored an impressive success in the legislative elections in 2005 that received a lot of attention. It not only showed that the mainstream non-violent Islamist movement<sup>2</sup> represents by and large the only organised political opposition force in Egypt, it also makes it the only influential parliamentary opposition block in the face of the governing National Democratic Party (NDP). Despite the legal ban of the movement itself and of its political activities, the MB has established itself as a major political player in the political arena. In this, it has profited from its social basis and its political strategies.

The result of the 2005 legislative elections indicated that secular opposition parties' mobilisation capacities had been drastically reduced and they had become incapable of competing with the MB at the organizational and political level. As Dunne puts it: "What counted on election day was that the MB had mobilized its supporters, who showed up to vote in large numbers and gave MB candidates a success rate of 65 percent for the 150 seats which they had contested."<sup>3</sup> The Brotherhood won a total of 88 seats - versus 11 seats for all secular opposition groups combined. Currently, politics are polarized between a ruling party that uses a combination of patronage and intimidation to maintain support, and the MB that is barred by law from becoming a party but nonetheless represents the only politically elected major opposition force. In between these two main forces, there is an assortment of licensed secular parties that are either outdated and/or discredited (*Al-Wafd*, *Tagammu*, Nasserists), harassed by the regime (*Al-Ghad*), as well as a few newer groupings that have been denied licensing so far (*Al-Wassat* and *Karama*).<sup>4</sup>

There are of course underlying reasons for the Brotherhood's success: Egypt is suffering from a moribund economic situation, widespread corruption, and social crisis. People rely more and more on religious preaching as a remedy for their anxieties about their futures. Adding to what can be called an Islamic revival, marked by widespread frustration and anti-Western sentiments, is the abundance of information and talk shows transmitted through several Arabic satellite channels which focus on conflicts between the United States of America and actors of countries largely populated by Muslims (September 11<sup>th</sup>, invasions of Afghanistan and Iraq, Palestine). The huge university campus demonstrations all over Egypt in support of the Second Intifada during March-April 2002 have been exemplary for the general feeling of discontent and anger.<sup>5</sup>

The success of the MB also has to be seen in the context of the general political situation in Egypt. The MB is facing a political regime which tries to liberalize the political system within carefully controlled limits, aimed at preserving the NDP's dominance for the foreseeable future. Therefore, the political reforms adopted constitute only a marginal improvement in political and civil liberties. The situation is aggravated by weak public awareness of internal politics, a lack of confidence in the efficiency of political participation, and an electoral process dominated by a climate of fear.

The objective of this paper is two-fold: first to explain the MB's success and second to shed light on its possible implications. In the first part, we analyze the reasons for the MB's electoral success based on: a- recent changes in the Egyptian political system. We explore how reform measures as well as changes in the political landscape between 2000 and 2005, have helped the MB translate the public support they enjoy into seats in Parliament. We also try to b- evaluate the MB's political capacity of dealing with these changes and choosing its strategy accordingly. In the second part, we examine the implications of the MB's success in Egypt. Here, we aim at finding hints with regards to one of the most salient questions in the debate on political Islam, namely, does the integration of political Islam lead to moderation and further democratization? Has there been an ideological transformation within/of the movement? We will try to provide insights into this question by analyzing a- the MB's 2004 reform initiative as well as their 2005 electoral program. Plus, we will b- review their parliamentary performance between 2000 and 2005 in order to get an idea of their possible future behaviour. Their parliamentary performance can be evaluated according to specific criteria: use of oversight tools, attendance, disciplinary respect, reaction to national events, the types and importance of issues raised, and the quality of their inquiries as documented. Finally, in our conclusions, we will develop scenarios for the future of the Egyptian political system as well as the MB's role in Egyptian politics and, on this basis, give policy recommendations aimed particularly at the European Union and its member states.

A cautionary methodological note is in order at this point. As simple as the question about the causes for the MB's success and its implications seems to be, scientifically answering it is seriously hampered by the lack of reliable sources. This is so because the MB is a movement with a religious, a societal and a political agenda – identifying the intertwined agendas, activities and changes in and of the different organisations and networks is

<sup>1</sup> This paper was prepared during a six-months-stay at Stiftung Wissenschaft und Politik (SWP), the German Institute for International and Security Affairs (Berlin) in a joint project of SWP and Al-Ahram Center for Political and Strategic Studies in Cairo in the framework of the EuroMeSCo Exchange programme.

<sup>2</sup> We adopt the minimalist definition given in a Carnegie Endowment paper: "Islamist mainstream organisations are those who eschewed or formally renounced violence and are pursuing their goals through peaceful political activity." Nathan J. Brown, Amr Hamzawy, and Marina Ottaway (2006) "Islamist Movements and the Democratic Process in the Arab World: Exploring the Gray Zones," *Middle East Series, Carnegie Papers, Carnegie Endowment for International Peace*, no. 67: 3. The authors also note that "these organisations already have had a powerful impact on social customs, halting and reversing secularist trends and changing the way many Arabs dress and behave". Ibid.

<sup>3</sup> Michel Dunne (2006) "Evaluating Egyptian Reform," *Middle East Series, Carnegie Papers, Carnegie Endowment for International Peace*, no. 66, p. 7.

<sup>4</sup> A party submits a request of licensing to the Parties' Commission of the People Assembly. The commission's decision of accepting the request is decisive for providing a party license.

<sup>5</sup> See Noha Antar (2002) "La Palestine et l'Identité des Jeunes Egyptiens: L'Apport et les Limites des Manifestations de la Seconde Intifada Mars-Avril 2002," *unpublished Master's Thesis, Institut d'Etudes Politiques de Paris*.

extremely complicated. Also, till today the MB remains illegal, meaning that it can only field candidates as independents. This fact makes it extremely difficult to access information and to estimate the real power base of the MB in Egyptian society. Finally, and linked to this point, although the legislative elections have demonstrated the high organizational capacity of the movement, it is not possible to be absolutely sure in all cases about who is affiliated with the MB.

The Brotherhood idea was created by Hassan Al-Banna. Its reference to Islam was understood as way of liberalization and independence from British colonial power, but also as a source of social progress. Al-Banna during the 1920s mobilized 'Ulama': Sheikhs and religious notables. Gradually, a core group of supporters formed around him and developed the movement's ideas. In Ismailiyya in 1929, Al-Banna and six founders officially established the Muslim Brotherhood as a religious association meant to "promote good and forbid evil", and affiliated to the *Husaiyya Confrérie* for Charity. Since its creation, the movement has been financially independent from the regime and relied on member donations, with its activities mainly taking place in private properties. At the time of its establishment, the MB started out with four regional sections in different governorates, which increased to 15 by 1932 and eventually covered all of Egypt. It has always been active in publishing in order to spread its ideas, with 300 publications printed as early as 1938, climbing to 2000 publications by 1948. Between the 1930s and the 1950s, while the movement's scope of action was expanding, it continued to consolidate its organisational structure in order to secure a transmission of the General Guide's (Al-Banna's) ideas to the public. The MB's structure was fixed during its Third Congress in 1935, and revised in 1948 and 1951, when the position of Vice-Guide was introduced. Throughout this time, the movement started to gain in political influence, tried to get into Parliament and sent its armed group to fight in Palestine during the 1948 war. It distinguished itself from other political forces in Egypt at that time by claiming the monopoly on the provision of correct Islamic knowledge, thus enabling its supporters to spread the message of Islam. Al-Banna was also aware of the social and economic problems faced by ordinary Egyptians. He introduced ideas about an Islamic reform of the social and economic situation. The Islamic society as defined in Al-Banna's discourse is a society of justice based on good deeds and morals, but institutionalized by the state.<sup>6</sup>

## A short overview of the MB's history

<sup>6</sup> For more details on the movement's history between 1928 and 1982, see Olivier Carré and Michel Seurat (2001) *Les Frères Musulmans*, Paris: L' Harmattan.

# 1. Reasons for the Muslim Brotherhood's election success in 2005

## 1.1. Recent political reform and its limits

### 1.1.1. Changes in laws governing political activities

The first set of reasons for the MB's electoral success, or rather the precondition for their success, is related to reform measures adopted by the regime, as well as to changes in the political landscape that helped the MB to translate the public support they have enjoyed into seats in Parliament.

In response to growing internal and external criticism, President Hosni Mubarak and the National Democratic Party have introduced political reform measures. In order to maintain regime stability, the ruling party acknowledged the crucial need to carry out reforms under its own auspices. In 2005, changes in the laws governing political activities have allowed for a limited opening of the political system.

**According to Dunne, the reform measures enacted generally fall into three categories<sup>7</sup>:**

→ Abrogation of laws or regulations impinging on civil liberties: In May 2003 the government formally abolished state security courts. However, the state security emergency courts still work with rules similar to those of the abolished courts. Indeed, the laws pertaining to the state of emergency are the main impediments to civil liberties and political expression. They have therefore been protested against for a long time, and there is no possibility of genuine political reform while emergency laws persist. So far the most significant step regarding civil and human rights was the 2003 establishment of a National Council for Human Rights.

→ Amendment of constitutional articles or laws governing political activity: the constitutional amendment to Article 76, governing presidential elections, is the potentially most significant change for the political system. The amended article calls for direct popular election of the President. However, the Presidential Election Law 174 of 2005 stipulates criteria for eligible candidates which in effect impede challengers to the incumbent by various restrictive provisions. For example, any candidate nominated by a party should have sat on its executive committee for at least a year. Independent candidates have to secure a minimum of 250 signatures from elected central and local government officials, including at least fourteen percent of members of the upper and lower houses of Parliament. Only parties that have already been legalized for five years or more, and held 5 percent of seats in both the People's Assembly and the *Shura* Council (Upper House), have the right to put forward a presidential candidate.

In addition, the Egyptian Parliament passed a series of laws directly related to political participation. The Political Rights Law 172 of 2005 creates an electoral commission for parliamentary elections. The Political Parties Law 177 of 2005 was meant to speed up future party license procedures and expanded membership in the Political Parties Committee of the Shura Council (Upper house) by adding non-partisan figures.

→ Creation of new, semi-independent oversight bodies: the Presidential Election law and the Political Rights law each established a commission to monitor presidential and parliamentary elections respectively. The composition of the Presidential Electoral Commission provides for independence: it is a ten-member body headed by the chief of the Supreme Constitutional Court; other members include four senior sitting judges and five non-partisan public figures selected by the two houses of Parliament. In contrast, the eleven-member Parliamentary Electoral Commission contains two executive branch officials: the minister of justice, who chairs the commission, as well as a representative from the minister of interior. But at the same time, the new legislation confirms supervision of elections by members of the judicial establishment: among the other nine members are three sitting judges and six non-partisan public figures nominated by Parliament, among whom three should be retired judges.

The most significant legislative change was the constitutional amendment of Article 76 of 26 February 2005, stipulating the first presidential elections with several candidates running, which are discussed below.<sup>8</sup> However, the democratic spring did not last for long. On April 30, 2006, the renewal of the emergency law, under which Egypt had been ruled since 1950, and the suspension of many civil liberties provided for in the 1971 constitution went against the President's electoral promise to end the state of emergency. Violent clashes that took place in May 2006 between the police and protesters rallying in support of two senior judges who had spoken out against fraud in the 2005 elections, Hesham Bastawissi and Mahmoud Mekki<sup>9</sup>, give ample reason for scepticism about the future course of democracy in Egypt.

7 Michel Dunne (2006) "Evaluating Egyptian Reform", in *Middle East Series, Carnegie Papers, Carnegie Endowment for International Peace*, no. 66, p.8.

8 According to article 76 of the Egyptian constitution the "President of the Republic shall be elected by direct public secret ballot. For candidature for presidency of the republic to be acceptable, a candidate should be supported by at least 250 elected members of the People's Assembly, the Shura Council and Municipal Councils in governorates, provided that supporters be at least 65 members of the People's Assembly, 25 members of the Shura Council and 10 members of each of the Municipal Councils of at least 14 governorates. [...] The law shall organize the procedures of all that, and political parties that completed five continuous years before opening the door for candidature, practiced their activities ever since and won at least 5% of the seats of elected members in both the People's Assembly and the Shura Council may nominate one of the member of their supreme board in accordance with their standing orders, provided that a candidate is a member of that board for a least one year. As an exception of this paragraph, every political party may nominate for the first presidential election held after application of this article a candidate who is a member of his supreme board composed before 10 May, 2005, in accordance with its standing orders. Applications for candidature shall be submitted to an independent committee called the "Committee on Presidential Elections". This committee shall be presided by the chief justice of the Supreme Constitutional Court and comprise the head of the Cairo Court of Appeal, the first deputy chief justice of the Supreme Constitutional Court, the first deputy chairman of the Court of Cassation, the first deputy chairman of the State Council and five public figures known for their impartiality, three of whom selected for five years by the People's Assembly and two by the Shura Council upon proposal of the Bureau of each council. The law shall decide who replaces the committee chairman or any of its members in case of any hindering circumstances. [...] Election of the President is announced when the candidate wins absolute majority of valid votes. In case none of the candidates wins this absolute majority a second round of elections shall be held after at least seven days between the two candidates who won the highest number of votes. In case two candidates win equal valid votes they shall go for the second round in which the winner shall be the candidate who wins the greater number of votes. Elections for the post of President of the Republic shall be held even if only one candidate applied for candidature or in case all other candidates relinquished their candidature or no one applied to replace a candidate whose candidature become vacant. In such case the candidate who wins the absolute majority of valid votes shall be the winning candidate." See [http://www.cabinet.gov.eg/Constitution/Egyptian\\_Constitution.asp](http://www.cabinet.gov.eg/Constitution/Egyptian_Constitution.asp)

9 Violence mars Cairo court hearing, [http://news.bbc.co.uk/1/hi/middle\\_east/4992502.stm](http://news.bbc.co.uk/1/hi/middle_east/4992502.stm). (May 18, 2006)



The regime's persistent use of repressive methods against opponents makes the reforms that took place no more than a means to preserve an authoritarian order. They do not allow for a genuine political opening, nor do they tackle any of the long-term problems in Egyptian politics: the persistence of the state of emergency, weak political parties, voter lack of confidence, the ban of the Muslim Brothers, as well as the use of violence to repress demonstrators and political detainees. Nonetheless, the short and limited liberalization that took place between 2002 and 2005 played out in favour of the MB in several ways. Important factors in this development were the curtailing of the old guard, the reactivation of political opposition forces, and the presidential elections.

Just as an on-and-off liberalisation process was taking place in Egypt, it was usually a presidential initiative that promoted democratic procedures. For example, in response to a Supreme Constitutional Court ruling calling for judicial supervision of elections, President Mubarak, in 1999, supported the idea. As a result, the 2000 parliamentary elections were the first ones to be supervised by judges. Despite the relative credibility of the 2000 parliamentary elections, the regime systematically hampered the MB's electoral campaign through an arrest campaign of its candidates.

Mubarak's approach to reform has been closely linked to the thorny question of succession. Because of the perceived absence of any potential figure within the NDP to succeed Hosni Mubarak, aged 78, the ruling elite is preparing for the President's son, Gamal, to inherit his father's role. This became particularly clear when Gamal began taking on more responsibilities, first as non-partisan activist and later as the head of the Policy Secretariat, the most influential body in the NDP, heading reform within the party itself. Hence, speculation that Mubarak is creating a Syrian-style "republican monarchy" has arisen.

The 2000 election results – independent candidates won more than half of the 444 seats versus the NDP's 38 percent<sup>10</sup> – had been alarming for the National Democratic Party. The regime, facing a lack of legitimacy, had to seek ways of rejuvenating the party's image. Thus, Gamal Mubarak initiated the reshaping of the NDP by recruiting young, modern-minded businessmen, technocrats and university professors into the party. The new guard, led by Gamal himself, effectively started to take control of the ruling party and to erode the power of veteran party leaders. Two key members of the old guard were removed from the cabinet. NDP heavyweights Youssef Waly and Safwat-al-Sherif, Vice President and Secretary General of the party, lost their influential ministerial portfolios (deputy prime minister/minister of agriculture and minister of information, respectively) after having served in them for more than two decades.<sup>11</sup> Thereafter, Gamal's new guard has formed the majority of the cabinet led by Prime Minister Ahmad Nazif that was appointed in the summer of 2004.

Curtailing the power of the old guard and replacing some of its members with younger figures closer to Gamal Mubarak not only increased his influence. The move was also intended to signal the regime's sincere will to limit corruption by replacing key officials associated with it and bringing in replacements with clean records. At the same time, the curtailing of the power of the old guard crucially weakened the position of the NDP in comparison to veteran MB leaders. The NDP's young, western-educated academics and businessmen in the cabinet and in the party not only lack a common history with the MB and are therefore less accustomed to dealing with them. They are also new to politics, often more technocrats than politicians, or have lived abroad for long periods of time and run their own businesses alongside their political careers. They have been disconnected from political life and debate in Egypt and therefore have been underestimating the political capacity of the Muslim Brothers.

The political reform momentum coincided with the emergence of a new generation of actors not only in the ruling party, but also within opposition groups or splitting away from them – leading to a restructured political landscape in Egypt which is more competitive than before. The common feature of the new actors is the refusal of accepting the stagnation of political life. They have openly contested the patriarchal structure of their former or current organizations and have pushed for greater democracy within their organizations and in Egypt in general. This generational factor is shared by all parties and political forces. For example, since 1996, a group led by Abul Ila Madi, a dissident from the MB, has been struggling to obtain a license for the *al-Wassat* (Center) Party. Also, 'Issam Al-'Iryan, a young leader from the MB, has loudly declared his opposition to the patriarchal structure of the movement and has strongly criticized the MB's socio-political views, though he remains inside the movement.<sup>12</sup> After the death of two of the Brotherhood's Supreme Guides in 2002

### 1.1.2. Curtailing the power of the old guard

### 1.1.3. Reactivation of opposition forces

<sup>10</sup> Most of the independent candidates, once elected, joined the NDP, as has been a custom in Egypt, thereby providing it with an 87 percent majority.

<sup>11</sup> Khairi Abaza (2006) "Political Islam and Regime Survival in Egypt," *Policy Focus, The Washington Institute for Near East Policy*, no. 51, p. 2.

<sup>12</sup> Diaa Rashwan "The Muslim Brotherhood in Egypt," <http://www.ikhwanweb.com/images/ikhwan200.doc>.

and 2004, the new Guide chosen, Mahdi Akef, in his Seventies just like his predecessors, overtly embraced many of the younger generation's ideas in a new political program that highlighted democratic principles.<sup>13</sup> Muhammad Mursy, member of the MB's Executive Bureau – the top executive office of the movement – and in charge of Parliamentarians' Affairs, said that a new generation of the movement will run the legislative election in 2005. This new generation of candidates were among the movement members who had gained electoral experience by participating in syndicates or municipal assemblies.<sup>14</sup>

In addition, the leftist Nasserist Party had its own dissident, the parliamentarian Hamdeen Sabahi, who formed the *Karama* (Dignity) Party still struggling for legalization. After a power struggle in the *Wafd* party in 2001, Ayman Nour was ousted and founded a liberal secular party, *al-Ghad* (Tomorrow) Party, which was legalized in 2004 after a lengthy court battle.<sup>15</sup> This struggle was continued after his participation in the presidential elections, in which he was considered to be the only rival to Mubarak's re-election and won 8 percent of the total vote. It came to an end when Nour lost his parliamentary seat in the 2005 elections in November. In December of the same year, he was sentenced to five years in prison for falsifying membership records of his party.

In addition to the changes that have taken place within the secular opposition parties and the MB movement, in 2004 civic protest movements emerged that reject the political system much more fundamentally and call for its comprehensive reform. The most important of these has been the dynamic protest movement called the Egyptian Movement for Change, an informal association of leftist, Nasserite, liberal and Islamist dissidents who have gathered for the purpose of contesting Gamal Mubarak's succession to the Presidency and fighting for much more radical reform. Their slogan is "*Kifaya*", meaning "Enough", and they call for an end to corruption, authoritarianism, injustice, repression, humiliation, and impoverishment. As this movement is not a party and does not have an institutionalised membership, *Kifaya* calls for regular protests through forwarded messages on the internet. Since its first demonstration in December 2004, different types of civic protests have gradually increased and have continued to violate the emergency laws by ignoring the need to request police permits for such gatherings.

There were, however, still other pro-reform forces strongly critical of the regime. The Judges Club, a social institution that is the equivalent of a trade union of judges, challenged the government in May 2005 with a declaration threatening to boycott the supervision of upcoming presidential and legislative elections. The judges made clear that they were in a position of leverage to negotiate for their demands because the government could not hold elections without judicial supervision. They posed one main demand in order to withdraw their boycott: the government should approve a law guaranteeing judicial independence and giving judges greater authority over elections. In spring 2006, a decision by the ministry of justice to refer two senior judges to a disciplinary tribunal fanned the flames of protest. The Judges Club, the civic protest movements, MB activists and deputies in Parliament took to the streets to protest against the trial and its result, eventually pressuring the government into working on a new law.<sup>16</sup>

#### 1.1.4. The first multi-candidate presidential elections

<sup>13</sup> Dunne, *op.cit.* p.6.

<sup>14</sup> Jean-Noël Ferrié (2005) "La parlementarisation de l'Islam Politique: la dynamique des modérés", in *EuroMeSCo papers*, no. 41, <http://www.euromesco.org>.

<sup>15</sup> For more information on Ayman Nour see "Ayman Nour profile," [http://news.bbc.co.uk/2/hi/middle\\_east/4558054.stm](http://news.bbc.co.uk/2/hi/middle_east/4558054.stm).

<sup>16</sup> Recently, the judiciary has acquired credibility with the public because it has asserted its independence from the executive branch. The Judges Club's protest of May 2006 showed that there is much discontent with the regime among the population which can occasionally be mobilized for political action. The Judges Club has emerged as one of the most significant pro-reform forces in the country, pressing for real democratic change. During the period April to June 2006, the government tried to intimidate the Judges Club and especially the pro-reform judges by reverting to oppression, detention and isolation of the MB and the civic protest movement, especially *Kifaya*. Despite the relative success of the demonstrations organized by the MB deputies against the government to elaborate the judiciary law guaranteeing judiciary independence, the law was for months an issue of contest and manipulation by the government. In June 2006, the Judges Club was exhausted and finally disappointed because the new judiciary law ignores their key demand of placing all the affairs of the judiciary under the control of a council elected by judges. The Judges Club decided not to give up and to work on a second draft law.

In February 2005, the constitutional amendment of the article concerning presidential elections was a surprising move by President Mubarak. He had declared many times that making changes to the constitution is not an easy process, arguing that the nation's priorities lay elsewhere. All of the major Egyptian opposition groups as well as the judiciary were critical of the referendum on amending Article 76 of the constitution and called for a boycott of the vote on May 25. They claimed that this amendment did not guarantee free and fair elections. Although turnout in the referendum was low,<sup>17</sup> the amendment was approved.

The refusal of the regime to allow international observation of presidential elections, arguing that the Egyptian law prohibited such observation, did not prevent a coalition of local nongovernmental organisations from initiating a national observation campaign. They hoped to monitor the elections with the help of journalists, lawyers, volunteers and paid monitors. Permission to monitor the elections was denied to them until a few hours before the vote began and was hampered by complicated licensing procedures.<sup>18</sup>

Another measure of the regime aimed at preserving Hosni Mubarak's dominant position was the short duration of the electoral campaign. First, the official date for beginning the presidential campaign remained unclear until late July. Then, only nineteen days were allowed for the opposition challengers, unknown to the public, to tour Egypt's twenty-six provinces. As for the funding of the electoral campaign, despite the 500,000 Egyptian

pounds of state subsidies (approximately EUR 68,000) given to each of the candidates, the electoral law fixed a 10 million pound (approximately EUR 1,367,716) ceiling on campaign expenditures. Plus, candidates were not allowed to accept donations from Egyptians living abroad or from foreigners. Mubarak, of course, had access to state resources for his campaign. This imbalance was also obvious with regard to media access. Nonetheless, the opposition for the first time, enjoyed some access to state-controlled media. It also had the unprecedented opportunity to organize large-scale conferences in order to freely address large numbers of Egyptians.<sup>19</sup>

New rules for political participation did not replace old practices that were destined to give an unfair advantage to Mubarak:

- The electoral law remains silent on the participation of an estimated 3 million Egyptians living abroad that would be eligible to vote.
- Some provincial governors imposed a fee on any poster or banner placed in public spaces. However, this decision, clearly targeting opposition candidates, was cancelled and the situation was resolved in the beginning of the short campaign.
- Government agencies and state-owned companies started to put up pro-Mubarak banners and posters even before the official start of the campaign. According to electoral law, these agencies are not allowed to fund campaigns.
- On election day, the irregularities took place on a larger scale, proving the reluctance of the Mubarak regime to permit elections that meet real democratic criteria. An example of these irregularities: the state-owned buses which brought civil servants to the polls that were ordered to vote for the NDP candidate.
- Supporters of the NDP were able to vote more than once in several polling stations and without registration cards.
- Registration lists included deceased people and several polling stations did not have curtains to allow voters to mark their ballots in private.
- Several polling stations did not mark voters fingers with the phosphoric ink to prevent them from casting ballots at multiple polling stations
- In Port-Said, the secretary-general of the government assembled all his civil servants in the morning on the day of election and ordered them to vote for the NDP candidate.<sup>20</sup>

Still, while the results of the presidential elections were known in advance and despite the many irregularities that occurred, the presidential elections became an important step in political change in Egypt as it contributed to the reanimation of the political debate in the public space. Despite the fact that the result of the elections had been known in advance – Hosni Mubarak would remain the President – the electoral campaign provided for a liberalization of expression and created an unprecedented political momentum in Egypt. During the campaign, criticism and even mockery of the previously untouchable president and his family members were tolerated. Also, the presidential elections, and the parliamentary elections that followed were significantly fairer and more transparent than elections in the past, although they were still marred by violence and irregularities. Moreover, the presidential elections also had a direct impact on the legislative elections in November 2005 by revitalizing political participation and debate. The legislative elections are perceived by all political forces as a turning point that will shape the future of the Egyptian political system. This is because on one hand, under the amended Article 76, the current setup of Parliament will determine which parties will have the right to put forward candidates in the next presidential election in 2011. The importance is even more significant, as Mubarak could leave his chair vacant at any time before the next date for presidential election. On the other hand, by opening up competition for the Presidency, the election signalled an unprecedented impasse of the regime, which was seeking to patch up its legitimacy. In this context, the MB was able to make use of the unprecedented coincidence of growing internal and external pressures on the regime, by starting open and direct political activity in the name of the movement.

We can observe that the MB success was the result of the movement's empowerment by circumstantial change, where the new rules and actors were serving the electoral uprising of the Brotherhood. The generational factor is dominating Egyptian politics. The new

17 Voter turnout in the May 2005 referendum that allowed the presidential election was officially reported as 54 percent, but according to the Judges Club's report the real rate was 5 percent. See Chaymaa Hassabo, "Moubarak 'Sans Cravate': Un Moubarak 'Democratique'?" in: *Egypt in the Year 2005, CEDEI*, (Cairo, 2006), p. 43.

18 Abaza, *op.cit.* p. 7.

19 *Ibid.* p. 8

20 *Ibid.*

21 Hala Mustafa (2006) "A Policy for Promoting Liberal Democracy in Egypt," *White Paper Series, Foundation for Defense of Democracies*. For more details and examples of these coalitions see, Amr Al-Shobaky, "Les Frères Musulmans: Problématique d'Intégration dans le Processus Démocratique," *unpublished PhD thesis*, (Paris, 2001). The most flagrant and current example is the doctors' professional syndicate in Cairo, the head of which, Hamdi Al-Sayed, is a member of the ruling party, while 'Issam Al-Iryan of the MB is treasury secretary. In an interview with Amr Al-Shobaky, he mentioned that in 2000, however, MB members' support for NDP candidates in union or professional associations' elections started to fade.

22 *Gami'a Shari'a* was established in 1913, fifteen years before the Muslim Brotherhood, as a salafist, non-political organization. It does not belong to the Muslim Brotherhood, but has been infiltrated by MB members during the 1970s and 1980s.

23 Tangi Salatin "Egypte: le Pari Social des Frères Musulmans," *Le Figaro*, July 5, 2006.

generation among the ruling party and the opposition forces instigated a remarkable change in power relations between the regime and its opponents outside or inside the regime establishment. The judiciary appeared more determined to achieve further independence from the executive power. The ascendant curve of contest is reflecting the deterioration of the regime's legitimacy. Holding the presidential elections was the regime's response to this contestation of its rule, yet the consequences were disadvantageous for the ruling party. The MB was the only organized opposition group that was there, at the right place and moment, to control and use the curve of contest in its electoral favour.

### 1.1.5. The uneasy, but mutually beneficial relationship between the regime and the MB

The regime can be considered a partner in the MB's rising influence in Egypt because it maintained the authoritarian regime on the one hand and adopted a religious discourse on the other. The NDP and government representatives rely on religious justifications, they oppress secular or liberal opponents and they nourish obscurantist religious trends within *Al-Azhar*, the Sunni Muslim establishment in the country, and among religious groups. Moreover, they let the MB take charge of welfare services in order to save on the state budget, and, last but not least, they play politically with the West's fear of the Islamists – giving the impression that Egypt has only two options: Mubarak's authoritarian rule or Islamist rule, the latter being completely rejected by foreign actors. Also, the regime allowed Islamist activists to enter professional syndicates, while reserving the leadership positions for the NDP. Coalitions have been formed between the NDP and the Brotherhood at the top of all such institutions.<sup>21</sup>

In summary, the MB has "offered" to help the regime preserve its dominance in exchange for the government restraining the security services' actions against MB members, civic protest movements and the secular opposition. At the same time the regime benefits from the charitable activities provided by the MB to a large segment of the population because it maintains the illusion to the same large segment that their problems will be solved.

### 1.2. The Muslim Brotherhood's political capacity

The second set of reasons to explain the MB's success in the 2005 elections pertains to what can be called the MB's political capacity, namely, its long term approach in building a societal base and in profiting from this base in elections.

We have determined four categories of factors contributing to the success of the MB: building a societal basis by working in the welfare sector, political strategies and tactics, organisational capacity and the religious factor.

#### 1.2.1. Building a societal basis by working in the welfare sector

The MB's strategic approach has been to invest in welfare services so as to build a large power base among the population that can then be mobilized politically. And indeed, as one of the oldest religious and political groups in Egypt, the MB possesses big assets in Egyptian society. Not only do many MB candidates command credibility and respect through their daily contacts with the people; the movement has invested in the social sphere for more than 30 years. A wide network of NGOs are engaged in social and charitable activities in several segments of society, also investing in the rural areas. In a society where 40 percent of the population live under the poverty line and the political participation rate is only 25 percent, providing services in all vital sectors – education, health, and employment – was the fastest and most successful way to gain supporters. According to Sarah Ben Nefissa, a researcher at the CEDEJ-Cairo, the charitable association called *Gam'ia Shar'ia* possesses 450 branches as well as 6000 mosques and has two million members, effectively representing a "state within a state".<sup>22</sup> Through the *Gam'ia Shar'ia*, and other associations, the MB is managing dozens of hospitals, dispensaries, orphanages, literacy programs, training courses for unemployed people, is providing jobs as well as running dozens of schools and social centres. The movement itself estimates it is controlling 20% of active NGOs in Egypt.<sup>23</sup>

#### 1.2.2. Political strategies and tactics

The MB efficiently managed the electoral battle politically and tactically, in order to integrate itself "smoothly" in the political process. In early 2004, in reaction to the changes in the political landscape of Egypt mentioned above, as well as making use of the United States' pressure on the regime, it started to try to enlarge its political space. At that time, the MB's political wing concluded that the regime was undergoing a serious crisis of legitimacy, as it was pushed into the corner by an unprecedented coincidence of growing internal and external pressures. Thus, the movement aimed at benefiting from the regime's perceived weakness by starting open and direct political activity.

The MB first tried to test the reaction of the regime when, on 3 March 2004, the General Guide publicly declared a "Muslim Brotherhood reform initiative" in a press conference held at the premises of the journalists' syndicate, which is considered to be a governmental institution. The MB adjusted their discourse so as to give the impression that their own reform vision was a contribution to the NDP reform program, declared in September 2003 at the party's annual congress. In response, however, the regime reverted to an arrest campaign as a tool to send a deterrence signal to the movement.<sup>24</sup> The other opposition forces chose to exclude the MB from all meetings and talks on reform.

Earlier, the perceived weakness of the regime had become apparent when President Mubarak's health showed a deterioration in November 2003.<sup>25</sup> For the regime, this was a signal to speed up change in order to survive. After three weeks of treatment in Germany, Mubarak gave orders to form a new government led by Ahmed Nazif in 2004. In February 2005, the President's declaration of his intention to amend Article 76 of the constitution was interpreted by the MB as a real sign of regime crisis. Even if the movement believed that the reform effort initiated by the regime was insincere, it bet on the regime's need to secure legitimacy for the amendment through public support. The MB could have rallied that public support because of their influence in the Egyptian street, and it tried to profit from this situation and to strike a bargain with the rulers.<sup>26</sup> However, the regime ignored the MB completely. Therefore, the MB decided to shift tactics and to challenge the regime more directly.

During the constitutional amendment process, the MB was intent on demonstrating to the regime its ability to mobilise and channel the call for reform in the street. Therefore, they organized a number of demonstrations between March and end of May 2005 in order to show the popularity of the movement. Almost 128,000 people participated in these demonstrations, showing the movement's mobilisation capacity.<sup>27</sup> The Brotherhood at this time seemed convinced that the regime had understood that the MB is an unavoidable force, and would therefore seek their support in the presidential election. When this concession failed to materialize, the MB General Guide threatened the government with a declaration of civil disobedience,<sup>28</sup> provoking the security forces into arresting two of the leading figures in the movement.<sup>29</sup> However, as the presidential campaign was approaching, the situation calmed down somewhat, many detainees were released and the General Guide appealed<sup>30</sup> to the President to protect the remaining detainees and to stop torturing them in prison.

Tensions finally started to ease in the beginning of June 2005, helped by continuing U.S. pressure on the regime and a visit by Secretary of State Condoleezza Rice.<sup>31</sup> While the regime wanted the MB to stop supporting the opposition, the MB, first and foremost, wanted the release of its members from prison. Rumours about a possible deal between the regime and the MB spread, as Brotherhood supporters were released from prison and the movement continued to operate with a lower profile. During the presidential election, the movement did not object to the election process and did not declare its position in favour of any of the candidates.

The MB showed political cleverness in dealing with the new facts, forces and actors arising in the political scene in Egypt, and succeeded in realizing a remarkable shift in its relationship with the regime. It systematically avoided provoking the ruling party and worked to contain fears that the movement would threaten the NDP's grip on power. In this line, the MB submitted just 161 candidates in the elections, which meant it ran candidates for only one-third of Parliament's seats. It was clear that it would not endanger the NDP's two-thirds majority – the NDP's primary concern was to keep the two-thirds majority in Parliament needed to pass legislation it proposed.

The MB has also understood the importance of allying itself with other opposition forces and therefore has sought coordination with these forces for creating more pressure on the regime. To facilitate this, the MB has adapted its political rhetoric in an attempt to present the movement as a political force rather than a religious group. The new generation of the MB leadership (Abdul-Monem Abul-Futuh and 'Isam Al-'Iryan) uses a vocabulary similar to that employed by other opposition forces such as civil society, citizenship, and constitutional legitimacy. The change in their political rhetoric helped greatly in presenting the MB candidates as part of a collective opposition force against the regime. The MB was assured that the opposition parties felt that they won a heavyweight partner at their side, not a rival who would attempt to subvert them in their constituencies.<sup>32</sup>

The MB was acting in a coordinated and calculated manner *vis-à-vis* the other opposition forces. Candidates were ordered to leave certain constituencies to the opposition, while operating under the slogan "Partnership Not Dominance". At the same time, the MB

24 Muhammad Salah, "Masr Tatahim al-Ikhwan bil-'Amal 'ala Qalb al-Hukm wa Bi-irsal 'Anasir ila al-'Iraq wa al-Shishan Lil-tadrib", [Egypt Condemns the "Brothers" of Working for Regime Collapse and Sending Elements for Training in Iraq and Chechnya], *Al-Hayat*, May 18, 2004.

25 During a live TV broadcast, Mubarak collapsed onto the podium while he was addressing the parliament. After 45 minutes, he continued his speech and "told the deputies that he had not fully shaken off a bout of flu". "Mubarak Taken Ill in Parliament", BBC news, [http://news.bbc.co.uk/2/hi/middle\\_east/3283435.stm](http://news.bbc.co.uk/2/hi/middle_east/3283435.stm) (November 19, 2003).

26 The MB's Supreme Guide, Mohamed Mahdi Akef, declared President Mubarak to be "Wali Al-'Amr", declaring obedience to him obligatory, and the constitutional amendment to be a historical decision by Mubarak. Ahmad Al-Khatib, "Murshid al-Ikhwan: al-Ra'is Mubarak Wali al-'Amr wa Ta'tahu Wajeba", [The Brothers' Guide: President Mubarak is "Wali Al-'Amr" and his Obedience is Obligatory], *Al-Masry Al-Youm*, January 1, 2005. Also Ahmad Al-Khatib, "Al-Ikhwan: al-Tarshih Li-mansib al-Ra'is Mahal Dirasa", [The Brothers: Putting Forward Candidate for Presidency is under Study], *Al-Masry Al-Youm*, February 27, 2005. Akef continued flirting with the regime when he declared that the movement would not object to Mubarak's rule for another mandate or even to choosing Gamal Mubarak as president, as long as the regime continued its reform course. Ahmad Al-Khatib, "Al-Ikhwan: Sanakhtar Mubarak Law Qaddam 'Islahan kamilan" [The Brothers: we will chose Mubarak if he presents an Integral Reform], *Al-Masry Al-Youm*, March 25, 2005.

27 In response to these demonstrations, the regime intensified arrests of MB members. The largest demonstration took place on May 4, 2005, with between 50,000 and 70,000 participants and 1500 to 2000 arrests. Khalil Annani, "Al-Ikhwan al-Muslimun fi al-Intikhabat al-Tashri'iya 2005", [The Muslim Brotherhood in the Legislative Elections 2005], unpublished research paper presented at a conference organized by the Political Studies Centre at Political Science faculty of Cairo University, (Giza, May 2006). Prominent MB leader 'Issam Al-'Iryan and three of the MB's other leaders were arrested when they were meeting in an office.

28 Ahmad Al-Khatib, Allaa Al-Ghoutrifi, Hesham Shawki, "Al-Ikhwan al-Muslimun Yuhajimoun al-'Ann wa Yuhadidoun Bil-'Issyan al-Madany", [The Muslim Brothers Attack The Security and Threat with Civil Disobedience], *Al-Masry Al-Youm*, May 9, 2005.

29 Dr Mahmoud Ezzat, the Secretary of the Office of Guidance, and Dr Helmi Al-Gazar, the Head of the movement in Giza.

30 Ahmad Al-Khatib, "Al-Ikhwan al-Muslimun Yatleebun Himayat Mubarak", [The Muslim Brothers Ask Mubarak for Protection], *Al-Masry Al-Youm*, May 31, 2005.

31 "U.S. Encourages Egyptian Steps To Make Elections More Open," US State Department website, <http://usinfo.state.gov/mena/Archive/2005/jun/20-358424.html>. Rice argued that Islamists would become more moderate once they are in power as a result of reforms: "... reform has many aspects, not just holding elections but has these other aspects to it, developing civil society, developing institutions, developing dialogue. It's one reason that the national dialogue here is an important idea, developing dialogue. And then on that basis, with a press that is active and free, I am not so sure that extremists can survive in that environment." "Round Table with Saudi Media," US State Department website, <http://www.state.gov/secretary/rm/2005/48401.htm>.

32 Khalil Annani (2006) "Al-Ikhwan al-Muslimun fi al-Intikhabat al-Tashri'iya 2005", [The Muslim Brotherhood in the Legislative Elections 2005], unpublished research paper presented at a conference organized by the Political Studies Centre at Political Science faculty of Cairo University.

continued to emphasize its difference from the secular opposition. For example, the Brotherhood declined to form part of a gathering founded by former Prime Minister Aziz Sedki for fighting corruption and authoritarianism, and instead ran independently as the "Coalition for Reform and Change". The differences between the MB and the secular opposition are reflected in the following statement by Tagammu's Secretary General Hussein Abdel-Razek about the goals of the United National Front for Change, the gathering of secular opposition parties: "Reform, not elections, should be the Front's goal. For that, it must agree on a common platform, constitution and frame of reference that is civil (rather than Islamic). I don't know how it is going to happen".<sup>33</sup> While the MB proved willing to cooperate with other opposition forces for electoral purposes, it is not ready to sacrifice its Islamic framework and identity. Additionally, as the next section of this paper will argue, the MB was already much more prepared and organized for the election than other forces. It was therefore reluctant to waste this comparative advantage for the sake of an unidentified common platform with other opposition groups.

On top of a clever alliance strategy by the MB, the NDP performance and political image also contributed significantly to the Brotherhood's success. The new generation of NDP officials underestimated the extent of support commanded by the MB. Also, as in other authoritarian regimes, voters' experiences with the ruling party's involvement in corruption played out in favour of the Islamists. In this context, the MB is perceived as loyal to its voters, moderate, and an honest and efficient alternative to the NDP and other political parties. The NDP's harsh repression of MB candidates using security force violence against them did not result in increasing the NDP's popularity. On the contrary, it worsened the ruling party's image. The aggressive media campaign run by the NDP against the Brotherhood served only to confirm in the eyes of many Egyptians that the statements of the regime were not credible. Also, the NDP has not practiced a successful party discipline. During the 2005 legislative elections, former NDP candidates formed coalitions with MB candidates. Finally, independent candidates played a major role in the success of the MB, first by fragmenting votes amongst other candidates, second by forming coalitions with MB candidates.<sup>34</sup>

### 1.2.3. Organisational capacity

Two indicators show that the MB had prepared earlier for the elections than other political forces: the MB reform initiative was already declared in March 2004. An analysis of the political program published in view of the 2005 the legislative election shows that it is essentially a copy of the reform initiative. The MB's political moves during the constitutional amendment process and the presidential election added to its political assets as an organised force. They also confirmed the image of being close to the Egyptian street and to the larger part of informed public opinion.

The MB was able to mobilise its supporters through what 'Issam Al-'Iryan termed the "action plan"<sup>35</sup>: The plan put down the MB strategy to run the electoral campaign. The MB prepared its own electoral list and formed a "registration commission" to note all of the electorate affiliated or sympathising with the movement. Starting already in late 2004 and early 2005, they invited members and their families to register officially as well as to urge people close to them to do the same. In the governorates where the MB had a relative strong backing, MB candidates started their individual campaigns in the beginning of 2005.

The political bureau of the movement conducted a study on the state of the competition faced by their candidates in each of the constituencies, especially by NDP candidate's. They were thus assessing the potential number of seats that could be won by the MB. This study showed that the movement could have put forward 250 successful candidates. The assessment was reported to the Guidance Office, which gave orders to the Brotherhood's basis to start the nomination of candidates through the administrative offices of the movement in the different governorates. By way of this process, the names of 300 potential candidates were referred to the Central Elections Commission of the movement (CEC). The CEC had the task of coordinating between the movement and the candidates from other parties.<sup>36</sup> Finally, it provided the Guidance Office with input to decide the final number and names of MB candidates. The CEC assessment recommended 220 names. The Guidance Office then chose 161 members as candidates to run in the 2005 legislative elections. The CEC and the Guidance Office agreed on an additional list of alternative candidates (170 names), which included members of the Brotherhood who were on the security forces' black list. So the final total number of MB candidates – including active players and those waiting on the sidelines – was around 330. Some of the movement's activists complained about the Guidance Office's decision to exclude certain candidates.

<sup>33</sup> Amira Howeydi, "United They Stand?" *Al-Ahram Weekly*, October 13-19, 2005.

<sup>34</sup> The number of independent candidates reached 4243, i.e., around 80 percent of the total number of candidates, 2396 of whom were NDP dissidents; the rest had no partisan affiliation. Annani, "The Muslim Brotherhood in The Legislative Elections 2005", op.cit.

<sup>35</sup> Ibid.

<sup>36</sup> The head of the political office of the movement, 'Issam Al-'Iryan, announced that 20 to 30 MB candidates did not run in order to arrange the list in favor of candidates belonging to the United National Front for Change, which represented the coalition of opposition forces in the elections. Muhammad Abu-Zeid, "Tanazul Thalathun Murashah min al-Ikhwān", [Abdication of 30 MB Candidates], *Al-Masry Al-Youm*, November 9, 2005.

The MB organizational network was very efficient and active in providing support to its candidates:

- Candidates benefited from legal and communication support by working groups appointed or recommended by the movement.
- The movement used modern communication technologies<sup>37</sup> to conduct the electoral campaign including the launching of internet web sites for each candidate to inform about the candidate and the MB's program. Muslim Brothers in Alexandria launched an internet radio station that surveyed public opinion, conducted interviews with candidates and politicians, and presented the programs and plans of candidates.
- A particular campaign under the slogan "Together for reform. Free University. Free Homeland." targeted university campuses.
- The movement organised a campaign of the "Muslim Sisters" to encourage women to vote. The two main female figures in the elections were Makarem el-Diri, the MB candidate in Madinet Nasser/Masr Al-Gedida constituency in Cairo, and Jihane el-Halafawi, who had already run in the 2000 legislative elections.<sup>38</sup>
- Huge advertising spots were bought by the movement's candidates in private and state-owned journals.
- Although knowing the exact number of permanent members and sympathizers is very difficult,<sup>39</sup> the MB has an average monthly income of 11 million Egyptian Pounds from membership fees (23 Egyptian pounds per registered member per month).<sup>40</sup> Additionally, the MB could count on donations from businesses and charitable organisations.

Religion has long been the main component of Egyptian identity. Also, it has served time and again to help in mobilising society for progress and reform. Thus, even before the official American rhetoric changed after September 11, 2001 towards demanding political reform in Arab countries, the call for reform had appeared in the religious sphere, particularly in religious sermons, charitable organizations and religious *salons*.

The MB has contributed to an 'Islamization from below' by engaging in preaching and by advocating Islam to be a source of social and national progress. However, the Brotherhood is far from controlling all religious discourse, which is heavily influenced by ideas from Saudi Arabia imported with the return of migrants from the Gulf. Yet the regime's policy of depriving Egyptians of normal channels of political participation and freedom of expression, as well as the discredited image of *Al-Azhar* – as the centre for Islamic Fatwa at the service of a corrupted regime – has encouraged the emergence of diverse forms of religious expression. There is a new space for religious ideas in Egyptian society, encompassing a wide network of individual home gatherings, charitable associations and chat rooms, all linked to each other and working on a single objective, namely, preaching religion for people who are not familiar with it so as to prepare an Islamic renaissance. Another by-product has been a booming new market of religious ideas<sup>41</sup>, commercialized by cassettes, CDs and television shows on private satellite channels. Veiled female is considered the symbol of an "Islamized public space." This "Islamized public sphere" in Egypt does not reflect a general consensus on how to implement an Islamic frame of reference in politics, nor does it reflect unanimity on the usage of Islam in modern life. It has, however, benefited the MB, despite the fact that the Brotherhood does not exclusively control the dynamics of this new public sphere. As the oldest of Egyptian movements involved in "serving Islam", and as the most politically organized one, the MB was able to take credit for the process of Islamization. In turn, during the elections it was served by the mobilization of parts of society through the uncontrolled preaching activities on the black market of religious ideas.

In the context of a general political mobilization prior to the 2005 legislative elections, voters showed an unprecedented desire to participate in the ballot. Those affiliated with the MB, members and sympathizers, often saw it as a religious duty to vote for a candidate of the movement. This gave them the courage to challenge the regime's security forces<sup>42</sup> and to cast their vote within the authoritarian system – preachers reminded them that a good Muslim only need fear his creator, Allah. Some of them even risked their life to reach polling stations while being threatened by aggressive attacks from private bands of criminals hired by candidates.<sup>43</sup>

#### 1.2.4. Making use of the religious factor

<sup>37</sup> Such as CDs, text messages, e-mails and cassettes. Other political forces also used this technology, but the MB was more present and the quality of its material was higher.

<sup>38</sup> In 2000 the Interior Minister annulled election results in Alexandria's Al-Raml district, where Dr. Jihane Al-Halafawi was running. She and her team fought the state in the courts for two years, until a Supreme Administrative Court finally decided to hold a by-election. "On election day, security forces blocked roads leading to the polling stations, arrested al-Halafawi's legal team and 101 of her supporters, roughed up journalists, and stepped aside as public-sector workers were bussed in from outside the district to vote for her ruling party rival." Mona El-Ghobashy (2005) "The Metamorphosis of The Egyptian Muslim Brothers" in *International Journal of Middle East Studies* 37 (3), pp. 373-395. During the 2005 elections, Dr. Makarem Al-Diri was also exposed to violence and election rigging in the Madinet Nasser district of Cairo where the President of the Republic and many of the MB leadership live.

<sup>39</sup> The movement estimated the number of its supporters to be around two million, but only around 60,000-70,000 are classified as active members.

<sup>40</sup> Annani, op.cit.

<sup>41</sup> Bassma Kodmani (2005) "The Dangers of Political Exclusion: Egypt's Islamist Problem," *Middle East Series, Carnegie Papers, Carnegie Endowment for International Peace*, no. 63.

<sup>42</sup> According to "2005 Parliamentary Election Assessment in Egypt: November 15-21, 2005," published by the International Republican Institute in December 2005, "The most remarkable feature of this election was the level of intimidation and violence at polling sites especially during the second phase of the election where the NDP supporters were generally more aggressive." Voters were actually on the defensive, trying to enter polling stations blocked by riot police, for example in the Delta town of Talkha on December 1st, 2005. Jillian Schwedler and Larissa Chomiak (2006) "And the Winner is ... Authoritarian Elections in The Arab World", in *Middle East Report*, no. 238, (16), pp. 12-19. In another incident, locals in Damanhour attacked a bus carrying workers brought in from out of town to vote for the ruling party on November 20, 2005. Mona El-Ghobashy, op.cit.

<sup>43</sup> Many violations against voters and judges who supervised the elections were reported by domestic monitoring groups. One of these reports cites 2271 arrests, 819 people wounded and 14 dead during the course of the ballot. *Report on the Parliamentary Elections 2005* (2006) conducted by the monitoring groups of Sawasaya Center for Human Rights and Anti-Discrimination.

The MB was faced with a lot of criticism for using their slogan, "Islam is the Solution" during the 2005 elections. This raised suspicions about the movement's ideological rigidity. Indeed, one of the key questions concerning Egypt's future is whether the MB is going to be a democratic force, or whether it will use opportunities of political opening to pursue a more radical agenda. Despite the doubts the slogan raised, the MB continued to use it as a means of focussing on religion as *the* determining factor for the vote, and because it had gained the trust of the people as being the key movement representing Islamic identity in Egypt.



In this part we aim to answer one of the most salient questions in the debate on the integration of political Islam's moderate movement, namely the Muslim Brotherhood, into Egyptian politics. Has the integration into the political system already transformed the movement? Does the political integration of political Islam lead to moderation and further democratization?

Even if the MB continues to use the slogan "Islam is the Solution", we want to have a closer look at what their declared ideas are on issues of democracy – understood as the practice of good governance.

During the 2005 election campaign it became clear that advocating democracy and political participation has found its way into the MB's rhetoric and, most importantly, into their political strategies of creating grassroots networks to organise popular support. Otherwise, it could not have been politically successful in a closed authoritarian political system. However, the suspicion remains that the movement would revert to its former radical thoughts once it had gained power. When discussing suspicions of a hidden radical agenda and fears that it would be applied once the MB attained power through democratic means, it is worth mentioning that the entire Islamist spectrum in Egypt agrees on the general source and end of political Islamic activism and only differ when it comes to the degree of violence permitted. All Islamists claim to pursue the twin objectives of establishing an Islamic state and implementing the *sharia*.

As argued in the last section, a lot of Islamist voters are actually more radical than MB candidates. Therefore, Brotherhood candidates have to remain ambiguous on various religious topics in order to keep their credibility in their constituencies. In this respect, the MB has been both cause and consequence of an Islamic renaissance in Egypt: it has initiated a process of Islamization – which then developed its own dynamic –, and is in turn obliged to respond to its results.

Before providing answers to the question about the sincerity of the MB democracy and reform agenda, however, we should note two factors here that have an important impact on the MB's agenda and strategy. 1) The regime's position on democratizing Egypt and 2) the MB's engagement in missionary and in political activities.

First, we have already shown above that political change in Egypt until now has not resulted in a significant move toward democracy. The regime and the governing NDP act as a brake on genuine political reform.<sup>44</sup> This is reflected in the MB's organisation, strategy and agenda. The "mutual fear reflex" as an outcome of the relationship between the MB and the regime has required the movement to adopt a strategy of secrecy which prevents them from being transparent for security reasons. Furthermore, maintaining ambiguous positions is a defence mechanism used by both Islamist and non-Islamist opposition forces.<sup>45</sup>

This, of course, does not make it easy for any researcher to assess the MB's development, for example as regards the adoption of democratic values or the interaction within the movement. However, in the MB's organizational performance during the election campaign, as described above, we have seen the adoption of democratic procedures to determine the MB list of candidates. In the following we want to focus less on the internal structures of the MB, but on its position on democracy. In order to do so, we want to concentrate on two important areas to analyse this position:

- An analysis of MB documents, specifically the March 2004 Reform Initiative, followed by the electoral program for 2005.
- A look at the parliamentary activities of the MB comparing the period 2000-2005 to recent developments since the 2005 elections, particularly in light of the events of spring-summer 2006.

Second, the MB is not solely a political actor; it is also a religious organization committed to spreading a body of beliefs and practices. For fear of undermining its credibility with either its religious followers or its political constituents, the movement's adherents maintain ambiguous positions on many issues.

## 2. The Muslim Brotherhood in Parliament: Discourse and Performance

<sup>44</sup> Amr Hamzawy, Hamzawy, Amr (2006) "Arab States: Security Services and the Crisis of Democratic Change" in *Arab Reform Bulletin*.

<sup>45</sup> Nathan J. Brown, Amr Hamzawy and Marina Ottaway (2006) "Islamist Movements and the Democratic Process in the Arab World: Exploring the Gray Zones," *Middle East Series, Carnegie Papers, Carnegie Endowment for International Peace*, no. 67.

## 2.1. Ideological transformation?

### 2.1.1. The General Guide's Reform Initiative of 3 March 2004<sup>46</sup>

In early 2004, the MB used its influence in several semi-official institutions to advance its agenda. Thus, its participation in professional syndicates offered an excellent platform to declare its positions on reform. The MB's Reform Initiative was declared by the General Guide, Mahdi Akef, during a press conference at the journalists' syndicate in Cairo on 3 March 2004, an indication of how much the MB could rely on sympathisers in the press establishment. In the preface of the Reform Initiative's text, Mahdi Akef, in a patriotic tone, addressed all segments of the Egyptian nation to undertake comprehensive reform in order to overcome the problems of the country: political stagnation, corruption, social injustice as well as scientific and technological backwardness. Referring in the first line to foreign plans to impose change on Egypt from the outside, he stated that these plans would not help the interests of people in the Arab-Islamic region, but that its priorities were to guarantee American domination over the regional resources, to guard the supremacy of the "Zionist entity" and to establish governments that cooperate with the USA.

The General Guide justified the Reform Initiative as "a timely obligation" in response to the regime's reluctance to consider the national demands for reform that had been presented by the MB and other national forces since 1987.<sup>47</sup> The MB emphasizes its genuine right to take part in Egypt's political process, as it represents an important part of "the free and proud Egyptian people."

According to Akef, the MB sees its aim as contributing to a comprehensive reform with the cooperation of all and through constitutional and legal channels to establish *shar'a Allah*, God's Law<sup>48</sup>:

"We believe that the establishment of *Shar'a Allah* is the most efficient way out of all internal and external problems, political, economical, social and cultural, and will happen through the formation of the Muslim individual, the Muslim family, the Muslim government, the Islamic state that leads other Islamic states to address the Muslim diaspora, bring back to Muslims glory, their lost lands, their robbed countries, and carrying the flag of calling to Allah, so the whole world can enjoy the benefit of Islam and its precepts".

The 14 topics of the initiative then cover all aspects of life and governance: building a new Egyptian human being, demanding political, judiciary, electoral, economic reform as well as improvements in education and scientific research; addressing the role of *Al-Azhar*, poverty, social reform, women, the Copts, cultural questions, foreign policy, and finally, major Arab questions, above all Palestine and Iraq.

On the one hand, even though the text stresses the need for reform, this is clearly set in an Islamic framework: "The MB confirms the maintenance of a republican, parliamentary, constitutional, democratic political system in the framework of Islamic principles". It elaborates a concept of an Islamic state as one in which the "media should be cleansed of anything that contradicts the decrees of Islam and the necessity of a correct moral". On the economy, it states: "We believe in an economic system that is derived from Islam ... prohibiting usury."<sup>49</sup> It wants "to increase the number of *Kuttab*<sup>50</sup> and nurseries, and the focus should be on learning the *Quran* by heart". In social reform, "*Zakah*<sup>51</sup> institutions should be in charge of distributing wealth and income within an integral Islamic system". The movement aims at the "revival of a *Hesba*<sup>52</sup> system in accordance with legal provisions"; and to "distance itself from any sort of suspicious tourism". In judicial matters, it intends to "amend laws in accordance to the principles of Islamic Law, *sharia*".

On the other hand, the initiative stands for a democratic evolution in the thinking of the MB. It calls on other political forces and parties to support democracy, and it proposes a "*mithaq watani*" (National Covenant) containing 18 clauses that include: "the people as the source of the power, power rotation according to free and universal suffrage, freedom of personal conviction and religious rituals as well as of opinion and expression, freedom in forming political parties and public gatherings and demonstrations, representation of the people by a freely elected parliament, the guarantee of both male and female citizens' rights to participate in elections, hence, to be deputies in representative councils, the army's dissociation from political matters as well as the security forces' and police's, limited powers for the President, and the cancellation of laws that impede liberties and lead to political stagnation."

Interestingly, despite the reference to an economic system derived from Islam, the economic vision of the MB meets international economic standards on all accounts. For the Brotherhood, an economy derived from Islam would respect private property, free economic activity, privatization, preservation of workers' rights, and free trade by maximizing advantages and reducing disadvantages of the GATT agreement.

46 "The Supreme Guide's Reform Initiative of 3 March 2004," Muslim Brotherhood website, <http://www.ikhwanonline.com/Article.asp?ID=5172&SectionID=0>.

47 The main focus of these demands was to gain political liberties, especially the cancellation of the emergency law, and the judicial supervision of elections. They have also encompassed political, economic, media and educational reform. As few reforms have been implemented, reform demands have remained relatively constant and focused on the President's prerogatives, the formal legislative powers of parliament, the weakness of political parties, the illegal status of the biggest organised opposition force (the Muslim Brotherhood), the regime's use of violence against opponents, and voter apathy. Depending on the political climate, these demands can be more or less explicitly formulated. For example, in a recent declaration, 'Issam Al-'Iryan, "Taqlis Salahyat al-Ra'is 'ala Ra's Ajendat al-Ikhwan", [Downsizing the President's Prerogatives on the Head of the Brothers' Agenda], *Al-Hayat*, December 11, 2005.

48 *Shar'a Allah*: Legislation inspired and guided by the Koran.

49 *Riba*, (usury), accumulated interest on credited money when the capital is not paid at the time it fell due, in general any unjustified increase of capital for which no compensation is given. *Encyclopaedia of Islam*, CD-ROM Edition V.1.1, Leiden, 2001.

50 An elementary religious school.

51 Alms calculated annually on the capital owned by each individual. 2.5 per cent of wealth should be given yearly, representing one of the five pillars of Islam, i.e., the duties of a Muslim.

52 *Hisba*: "The function of the person who is effectively entrusted in a town with the application of the rule to "promote good and forbid evil" in the supervision of moral behaviour, and more particularly of the markets." *Encyclopaedia of Islam*, CD-ROM Edition V.1.1, Leiden, 2001.

While the main message of the movement has not changed, the rhetoric and strategy have matured and adapted to the socio-political realities in Egypt. We can determine that the MB has set the following priorities with regards to the reform agenda: to influence the People's Assembly's legislation by participating in Parliament and in all other elected bodies with the aims of fighting corruption and improving the education system. These priorities are not new, but have roots in the history of the movement's activities and strategies going back even to its founder Hassan Al-Banna, while allowing for a "cautious reinterpretation"<sup>53</sup> of his ideas. However, it is the first time that the movement has been able to free itself from the constraints related to its illegal status and publicly express its views, as well as participate in the political system on a significant scale. Notably, this ideological transformation was not a tactical step for electoral reasons but it has started developing<sup>54</sup> with the middle-aged Ikhwan professionals who have been politically socialized in a slightly more liberal environment than their elder leaders during the era of President Nasser. This new generation are more informed about socio-economic realities through their political experience in elections for unions, professional syndicates and municipal councils.

The MB had time and again been accused by other political parties and the Egyptian intellectual elite of using religious slogans but not presenting any specific political program. In an attempt to reduce ambiguity and doubt about its political goals and ideas, the movement elaborated and distributed an electoral political program, focusing on "the Islamic reference and the democratic mechanism in a modern state" and rejecting the idea of a "theocratic state". The program emphasized "possible pacific means" and "respect for the constitutional institutions" in order to achieve reform, change, and the application of *shar'a Allah*. The program itself is divided into three domains: renaissance, development, and reform.

The MB sees the "reform" of the individual as a precondition to moral politics and reduced corruption. The movement believes in encouraging human beings to freely choose their religion, as freedom is the basis of civilization in a society that offers justice and equity without discrimination. According to the MB, the *sharia* is not in contradiction to democracy, but shares its most important features such as the separation of powers, party pluralism, as well as peaceful rotation of power. Notably, despite several references to the *sharia*, the program does not assign a separate chapter to deal with the question of its actual implementation.

The renaissance part includes the MB's visions on freedom, human rights, citizenship rights, values and culture, media, youth, women, and children. The MB admits the deplorable state of human rights and freedom in the Muslim world. Therefore, it wants to build a value system characterized by justice without discrimination. On women's issues, the program does not refer to the position of the MB as to whether a woman should be allowed to be the head of state, *al-willaya al-kobra*, although the 2004 initiative explicitly excluded women from this post. However, the movement is letting women participate in *da' wa* and in political activities.<sup>56</sup> Concerning the media, they propose the dismantling of the Ministry of Information; instead, a state organization would be responsible for monitoring all privately owned media institutions.

The second part deals with development issues: agriculture, industry, urbanization, education, scientific research, health and environment. The program refers to general objectives of development and to achieving macro-economic goals: maximizing the gross national product, increasing growth rates and reducing inflation and unemployment, but it does not provide any specific plans or financial policies to reach these goals. Terms like "civil society" are new in the MB's rhetoric; they consider all members and institutions of a free civil society as a potential strategic partner for the state in realizing comprehensive development. A significant part of the text is focused on education and scientific research, meant to prove that the MB calls for *'ilim* (knowledge, science) and progress in order to promote creativity. Nevertheless, the content of this part is largely similar to what is mentioned in other political parties' programs, especially the promise to eradicate the phenomena of private lessons, draining families' budgets. However, calling for a national plan to Arabize education and sciences through translations distinguishes the MB program from other parties' programs.

The third and final part embraces reform proposals in political, economic and social domains. The MB embarks from the fact that Egypt has been suffering from the absence of democracy for a long time, as well as from wealth and power monopolies held by a minority, an ascendant curve of corruption, laws impeding liberties and human rights, and an increase in the numbers of political detainees as well as of torture. In order to rectify

### 2.1.2. The electoral program of 2005<sup>55</sup>

<sup>53</sup> El-Ghobashy, op.cit.

<sup>54</sup> During the 1980s a number of self-critical publications were compiled by Islamic scholars and activists. Despite all renovation attempts, the Muslim Brothers were reluctant to make a radical change in the movement's thought and methods. It is yet unclear which consequences various intra-movement reform initiatives will have. One of the most important ones is that driven by former parliamentarian 'Issam Al-'Iryan. He proposed four main areas of the MB's ideology for reconsideration: education, *al-da' wa* activities, political thought, and social reforms. He criticized the education methods inside the movement and the prevailing of *Salafi* thought during the 1970's and 1980's. He stressed the necessity of reconciliation with the ruling regime and of engaging with the existing political forces as a basic precondition for reform. Also, he revealed the absence of practical solutions for social problems in the MB strategy. He argues that it is unreasonable for the movement to prioritize its political success at the expense of a deteriorating society. Rashwan, "The Muslim Brotherhood in Egypt"

this, the MB suggests elaborating a law that allows ministers to be dismissed during their mandate in accordance with Article 159 of the constitution, minimizing the number of ministries by merging or eliminating offices, and providing local councils with more financial and administrative autonomy. With regards to foreign policy, the MB supports national resistance in Arab countries (Palestine, Golan, and Iraq), boycott movements, and takes a position against normalization with Israel. The MB's program stipulates the necessity of reviewing the strategy and the nature of "Egyptian-Zionist relations"<sup>57</sup> and calls for holding an annual conference of all political forces, parties and research centres to review Egyptian foreign policy based on its recommendations.

As mentioned above, the MB's economic reform vision does not differ significantly from international standards and other parties' electoral programs. However, in order to give an "Islamic touch" to its economic proposals, it calls for establishing a "National Association" in each governorate tasked with collecting and surveying the *Zakah* allocations. Regarding social reforms, the movement calls for unifying the social security systems under one law, and for paying more attention to ameliorating the individual, the family and the society.

Regarding the MB's vision of democracy, some ambiguity remains. This is mainly because there are no elaborations on the meaning of the proposed "Islamic reference" the political system should have according to the movement. The MB's political program emphasizes that the *sharia* is not in contradiction with democracy, but does not specify mechanisms for *sharia* application. Particularly, it does not provide concrete hints as to what the implementation of Islamic law means for the judicial, legislative, or economic system, or as to what the central body responsible for legislation would be. However, it seems that the MB is quite aware of these ambiguities. Thus, Abdul Monem Abul Futouh, a member of the Guidance Bureau of the movement, mentioned that the movement needs a clear vision distinguishing between its missionary and political activities – confusion being mainly a consequence of repressive state practices.<sup>58</sup>

MB deputies are relatively new to parliamentary politics in Egypt, having made their début some twenty years ago with the MB-*Wafd* coalition in the 1984 election. Then, during the 1987 elections, they formed the Islamic Alliance with two parties, *Al-Ahrar* (The Liberals) and *Al-'Amal* (Labour), under the slogan "Islam is the Solution." In the 1995 elections a MB candidate won one seat. However, in the 2000 elections, this time under judicial supervision, MB candidates won 17 seats.

When examining the MB movement's history in the Egyptian Parliament, we should distinguish between parliamentary practices of MB deputies on one hand, and the movement's influence on parliamentary activities on the other. The time frame of the analysis should go back to the MB's foundation. The movement's leader, Imam Hassan Al-Banna, got permission from the movement to run in the 1938 elections – though the British colonial authorities later negotiated that Al-Banna would not run in exchange for certain concessions, which the MB considered a success at the time. In 1941, during its sixth general congress, the movement decided once again to participate in the parliamentary elections. The British, however, again prevented the candidates from running. Finally, the MB participated with one candidate in the 1976 elections and two candidates in 1979. The election in 1976 was the first pluralist parliamentary election launched by President Al-Sadat and the movement was considered reborn after the era of torture the MB members had succumbed to under the Nasser regime. With only two MB candidates in Parliament in 1979, a project for "legislating Islamic *sharia*" was implemented by the formation of parliamentary commissions, which drafted seven laws in this respect.<sup>60</sup>

The 1984 elections represented a prominent marker in the political history of the movement. It decided to form an electoral coalition with the *Al-Wafd* party, and eight of its members were active in Parliament under the *Wafd* party's name.<sup>61</sup> The 1984 parliament, however, was dissolved in 1987 because the electoral law was judged to be unconstitutional.

The slogan "Islam is the Solution" was first used in the course of the 1987 elections when the MB formed the Islamic Alliance with the two parties, *Al-Ahrar* and *Al-'Amal*. The Islamic Alliance won 60 seats, 36 of them for the MB members. However, the Supreme Court judged the electoral law unconstitutional and the Parliament was yet again dismissed in 1990. In response, the MB and other political parties, except for the leftist party *Tagammu*, boycotted the 1990 election, arguing that there were no real guarantees for fair elections. The Islamic coalition participated in the 1995 elections with only two forces: the MB and 'Amal Party (Labour Party). Only one seat was won by the MB although it had run 150 candidates.<sup>62</sup> Despite the Supreme Court ruling invalidating the Parliament *faute de* judicial

## 2.2. Parliamentary Performance

### 2.2.1. History of the Muslim Brotherhood in Parliament<sup>59</sup>

<sup>55</sup> The electoral program of the Muslim Brotherhood is available online at the website of one of the two female candidates of the movement: <http://www.dr-makarem.com/link6.html>.

<sup>56</sup> Aziza Sanad was the movement's candidate for the Giza constituency in the parliamentary elections of 1987.

<sup>57</sup> Term used in the MB's text to refer to the state of Israel.

<sup>58</sup> He also added: "There is a debate within the movement about the possibility of transformation to a political party that carries out the movement's reform agenda. Another possibility is establishing a separate political party, with a delineation of responsibilities between party and movement". Abdul Monem Abul Futouh (2006) "Reformist Islam: How Gray are The Gray Zones?" in *Arab Reform Bulletin*.

<sup>59</sup> Al-Umma Center for Studies and Development and The International Center for Media (2005) *Al-Ikhwan fi Parlamen Alfein: Dirasa Tahliyya Li-'Ada' Nuwab al-Ikhwan al Muslimin fi Parlamen Alfein-Alfein wa Khamsa* [The Brothers in the Parliament of 2000: Analytical studies of the MB deputies' performance in Parliament 2000-2005], pp. 13-23.

<sup>60</sup> Mysteriously, these texts have since disappeared from the Egyptian parliamentary archives.

<sup>61</sup> At that time, the Muslim Brotherhood's Guide, Amr Al-Telmessani, met in prison with the head of the *Wafd* party, Fouad Serag Al-Dine. The leaders of the two parties decided to form an electoral coalition in order to cooperate against the regime, but it does not signify any ideological rapprochement between them.

<sup>62</sup> In this election, the regime's repression against the movement leaders and members was especially harsh. An arrest campaign lasted for several months (January-October 1995). 82 of the MB's leaders were transferred to military tribunals, which sentenced 54 Brothers for periods between 3 and 5 years. 'Issam Al-'Iryan was a former Parliamentarian in 1987. As one of the condemned members he was deprived of his political rights after his release for the same period he spent in prison, i.e. five years (politically incapacitating him for 10 years). He was not alone in this case. The 1995 Parliament had many names: the 'badly reputed council,' because it passed laws impeding liberties and political participation, while another name was the 'deputies credits council,' referring to deputies who obtained credits from banks with fake guarantees.

supervision of elections, the Parliament continued its term. Then, the President decreed to dissolve Parliament. The 2000 election was held as expected, but for the first time under judicial supervision. The MB won 17 seats out of 70 candidates it had run, again under the slogan “Islam is the solution”.

One of the main sources on the MB's parliamentary performance in the period 2000-2005 is a book published by the movement itself in November 2005 which had been written by two research centres.<sup>63</sup> The main idea in the General Guide's introduction was to demonstrate by this book that the slogan “Islam is the Solution” is neither just a flirt with the people's Islamic sentiment, nor is it an unrealistic slogan:

“The MB's aim in participating in the People's Assembly or other elected councils is to serve the establishment of the Islamic State from which the country and worshipers will benefit. Why not, as the establishment of an Islamic society is in the interest of Muslims and non-Muslims... So our *manhaj* is clear, our way is known, our objectives are specific, our finalities are real with no imagination, and our practices in every domain: civic, social, popular, political and parliamentary are appreciated by all [...]”<sup>64</sup>

The book analyses the activities of the 17 MB deputies in the 2000 assembly, and their positions on many issues. For example, Mohamed Mursy, head of the MB block in Parliament, responded to accusations of obscurantism and backwardness, arguing that the MB deputies did not exclusively present inquiries and other parliamentary tools to overview moral issues but also engaged in legislation and other activities. Most of the book's chapters present detailed arguments of MB deputies on issues other than culture, art and education. While the MB deputies put a strong emphasis on the Parliament's oversight prerogatives (particularly through inquiries on corruption cases, on policy and decision-making by the government, as well as the public debt), they also introduced amendments on governmental laws and proposed legislation themselves.<sup>65</sup>

In the five-year period under study, the MB deputies' first concern was to criticize any act or publication they considered offensive to Islam, good morals, Egyptian tradition, and the Arabic language. During the 2000-2005 Parliament, the Ministry of Culture responded positively to MB deputies' inquiries by confiscating a novel contested by the MB and authorizing *Al-Azhar* to give its opinion about whether the content of material was in accord with Islam precepts.<sup>66</sup> In another case an MB deputy asked the minister of culture to stop simultaneously publishing a series about Arab and Islamic cultural heritage and the publication of a book critical of the Arabic language. The MB's argument was not only based on religious reasons, they also believed that publishing such cultural products with public money raised from people suffering from poverty was not a rational decision. The MB usually protested when any cultural products – be it audio, video, or in print – contained “obvious sexual references” or nude photos. Along the same lines, the MB deputies questioned the ministry of information about the ban of 24 female TV presenters who decided to wear the veil, despite court resolutions giving them the right to appear with veil on TV screens.

The MB deputies in the 2000 Parliament represented only four percent of the total 454 seats. They therefore were not in a position to significantly influence the legislation in Parliament or force a debate on an issue. However, their performance can still be evaluated when looking at the use of oversight tools, attendance of MB deputies, disciplinary respect, the kind and importance of issues they raised, as well as the quality of their inquiries. From the Parliament's session transcripts we know that MB candidates used their oversight capabilities 6000 times during the legislative season – an annual average of 1200, or approximately 400 for each MB deputy over the five year period. Compared to deputies from other parties, this number is very high. The topics of the inquiries were varied and included public debt, corruption in the financial sector, mobile phone companies, expired food and wheat products, bread prices, secret laws, contradictions in ministries' decisions, waste of public money in Nasser's Navigation Company, the Abo Tartour phosphate project, the Egyptian prisoners of war (from 1956 and 1967), the Alamin mines, and torture of citizens in police stations.

It can be concluded that:

- The oversight performance of the MB in the 2000-2005 Parliament mainly focused on corruption cases reported to deputies through their constituencies, but they also revealed financial mismanagement caused by governmental policies and decisions.
- The accuracy and importance of the MB's inquiries nourished the public debate and press freedom even in the quasi-official newspaper, causing A'ibid's government discharge in 2004.

## 2.2.2. Performance of Muslim Brotherhood deputies 2000-2005

63 Al-Umma Center for Studies and Development and The International Center for Media (2005), op.cit.

64 Ibid., 6.

65 Some examples of issues that the MB law proposals deal with include integrating *Al-Azhar* students into the police academy, establishing an economic court specialized in foreign investment conflicts, ameliorating the financial situation of Imams so they can focus on their role in countering fanatic ideas, criminalizing dealing with or using alcohol and gambling, introducing sanctions for public employees who abuse their power against citizens and for police agents who torture their detainees.

66 The MB however was equally concerned about political and social issues they considered problematic. For more details about the relation between the high frequency of censorship cases and the increasing influence of the religious establishment on the cultural and artistic products, see Bassma Kodmani, op.cit. p16. She refers to the presence of members of the Islamic network within most government institutions, in ministries of culture, education, social affairs, and information, also in media and security agencies. Also, she advanced the idea that the religious establishment had more radical and traditional positions toward artistic and culture products than the Muslim Brothers.

- The inquiries' presentations exhibited professionalism and expertise. Obviously, MB deputies were supported by working groups and experts in different fields.
- Usually inquiries showed the rapid reaction of the MB's deputies in dealing with urgent events: the train accident in Upper Egypt and the collapse of a residential building in Madinet Nasser are but two examples.
- Despite the seriousness of some of their inquiries, the MB's deputies were aware that a vote of no confidence in the government would be useless in view of the NDP's majority. Therefore, they switched to methods such as the demand for the formation of commissions to verify the facts, studying commissions, or field visit commissions.
- The MB's inquiries usually included recommendations and proposals for remedying the problem and were not just aimed at criticising the government.
- The MB deputies were clever in carefully reading the People's Assembly's Statutes. They avoided the loopholes allowing the government to escape confrontations with deputies. For example, the deputy Mohammed Mursy addressed the Upper Egyptian train accident inquiry to the prime minister and not to the transportation minister, whose position is usually at risk in such a case. The People's Assembly's Status invalidates the inquiry in case of the resignation, death or discharge of the minister.

During the term of the 2000 assembly, the first elected under judicial supervision, the 17 MB deputies' performance was remarkable yet unable to influence legislation in view of the NDP's two-thirds majority in Parliament. The Brotherhood's integration into the political process helped to enlighten the public and create a debate, but was limited for fear of provoking the regime's security machine or endangering the structural supremacy and control of the regime over the economy, the public media and civil society. However, the new spaces for expression resulting from a controlled openness are beneficial for the MB and for a move towards democracy in Egypt. The regime's survival in power does not mean that its stability is not at stake, as the limited openness helped "anti-regime" actors – insiders or outsiders – to form, at least gradually, independent centres of counter power to the regime.<sup>67</sup>

Between 2000 and 2005, this manifested itself in a type of political opposition which gravely threatened the NDP's legitimacy, especially that of its prominent young politician Gamal Mubarak. The regime had no option but to speed up political opening and reform to contain the crisis, thereby in turn raising democratic expectations. The democratic trend unfolding during the presidential and legislative elections took much of the opposition by surprise. The only organized movement able to collect the limited gains of reform was the Muslim Brotherhood, as the only opposition force with a strong social base, a mobilized membership and a message in tune with social developments in Egypt.

### 2.2.3. Performance of Muslim Brotherhood deputies since the 2005 elections

The MB's challenge was to prove to their voters that their election would serve a larger purpose than just being a protest vote against the NDP. However, despite their relative lack of experience in Parliament, MB deputies were not shy of confronting their NDP counterparts. The People's Assembly, in its first session on 13 December 2005, witnessed an uneasy start between the two forces.<sup>68</sup> The MB "bombarded" the government with questions in quite an unusual parliamentary style. The first battle between the government and the MB deputies was about who would gain the presidency of parliamentary committees, in view of the committee's major role in decision-making. Akram Asha'ar was the only MB deputy who succeeded in overcoming NDP manipulations to influence the voting and gained the presidency of the health committee. Thereafter, the government tried to ignore proposals or simply has not attended sessions. However, the MB has taken an active role, attacking the government with questions, inquiries and declarations. At least partially, the MB thus succeeded in setting the agenda of Parliament committees' discussions and in adopting issues that they had raised in Parliament.<sup>69</sup>

The government attempted to suppress media coverage of discussions in parliamentary sessions. In order to overcome this, the MB used its connections with other institutions. It repeatedly held press conferences, for example in the lawyers' professional association on March 21, 2006 in order to present its comments on the government's annual statement. Normally, such a document would be discussed exclusively in a parliament session and the debate transmitted on TV.

<sup>67</sup> Eberhard Kienle, Kienle, Eberhard (2004) "Transformation Without Democratization? Egypt's Political Future", in *Internationale Politik und Gesellschaft*, p. 86.

<sup>68</sup> Omayma Abdel-Latif (2006) "Egypt: Brothers Trigger Debate but Cannot Pass Legislation", in *Arab Reform Bulletin, Carnegie Endowment for International Peace*.

<sup>69</sup> MB's activities in the first sessions are available on the movement's web site: <http://www.ikhwanonline.com/data/info/kotla.htm>. The MB deputies in the education and scientific research committee refused a European loan of 10 million Egyptian Pounds (approximately EUR 1.5 million) supposed to fund the technical-industrial education sector. The MB deputies argued that Egypt had received 30 million Egyptian Pounds five years ago for the same sector, but that a parliamentary visit to one of these school showed that 80% of machines were not working, while the state continues to pay interests for the loan. They requested an investigation on the money spent in this sector before accepting any new loans.

Also, for the first time an opposition block in Parliament has provided meticulous review of international and regional agreements signed by Egypt. By proposing amendments, the MB rejected the Arab Agreement on Fighting Terrorism, arguing that, according to Amnesty International, the agreement contradicted international human rights law. With regards to another international agreement, the foreign ministry had to admit that a linguistic mistake, discovered by a MB deputy, would have caused the loss of Egyptian artefacts.

In response to the Danish cartoon crisis, MB deputies called on Muslims all over the world to boycott Danish products, and one of their deputies presented a draft law to incriminate mockery acts against any prophets, messengers, or religions. The position of MB deputies toward the Clemenceau ship affair stimulated the patriotic sentiments of NDP deputies who accepted, for the first time, the discussion of a topic fixed by the opposition due to a minority presence of NDP.<sup>70</sup> With the bird flu crisis, the MB adopted new tactics aimed at obligating the government to attend parliamentary sessions for discussions. The deputies left the plenary waiting for the government representatives to show up, they ate chicken in the Parliament's garden entrance with media coverage, and they held extra-ordinary Parliament meetings with poultry farmers and traders to hear demands and suggestions for solutions.

Thus, during the first few months of its term, the MB has taken a very active role in Parliament with regards to domestic as well as foreign policy issues. In spring 2006, the government, exhausted from the MB's activity in Parliament, started to think of means to hamper the MB's influence on decision-making, either legally or by force.<sup>71</sup> The NDP deputies passed a presidential draft law delaying local elections due to be held in two years. The only motive of the government was to avoid another defeat in elections that would have shown the MB's prominent control on local levels.

In general, the regime had launched a wide repression campaign against the movement, targeting its members at all levels. In parallel, the government continues to slander the movement in public declarations. We can note four dates, each one of which represents one phase in the arrest campaign of MB members:

- March 31, 2006: Targeting of university professors, doctors, businessmen and other professionals at their homes, devastating their private businesses. The movement published a statement<sup>72</sup> claiming the reason for the arrests to be the movement's cooperation with "National Front for Change" – the secular opposition gathering – in a campaign for abolishing the emergency law.
- April 27, 2006<sup>73</sup>: MB members arrested during protests against the trial of two pro-reform judges. This coincides with the MB's clear expression of support for the newly elected Hamas government in Palestine.
- March 18, 2006: The second phase of arrests, characterized by more aggression against demonstrators all over Egypt and by arrests of MB senior leaders<sup>74</sup>, came a week after Gamal Mubarak's secret visit to Washington, D.C., made public by Al-Jazeera's White House correspondent. Local analysis spoke about a "green light"<sup>75</sup> given by the U.S. to Mubarak's regime to suppress the MB and other reformers because they do not recognize Israel and do not exclude violence as one of the possible and maybe the valid solution of the Palestinian Question. The Islamist victory in the Palestinian territories and Iraq was seen as an important factor generating this perceived U.S. support for the secular regime in Egypt.<sup>76</sup> The MB explained the continuing arrests as a response to the movement's public rejection of Gamal Mubarak's inheritance of the Presidency.<sup>77</sup>
- July 13, 2006: Launching of a fourth wave of arrest against two groups of MB members during their meetings, accusing them of founding a commission to collect funds for the movement and establishing contacts with charitable local and international organisations. Normally the arrest on the private level accompanies the close or the devastation of businesses of persons arrested. At the same time, a truce was expected between the regime and the movement because of the Israeli military offensives in Gaza and Lebanon.<sup>78</sup>

A few months after the legislative elections results, the regime crackdown on its opponents is continuing. "However, Brotherhood MP's are attempting to transform the Egyptian parliament into a real legislation body, as well as an institution that represents citizens and a mechanism that keeps government accountable".<sup>79</sup> Will the regime resort to a legal manoeuvre to dissolve the 2005 Parliament before the legislative elections due in 2010? The MB's electoral success has alerted the ruling party of the movement's expansion into elected bodies. Therefore, Mubarak's party is blocking the road to opposition

70 In January 2006, the French ship was considered by the Egyptian government to be a toxic waste ship. This then put into question the legality of the shipment under the terms of the Basle convention, which prohibits the transport of toxic waste to the developing world. Greenpeace website, <http://www.greenpeaceweb.org/shipbreak/news118.asp>.

71 In order to overcome the banned live coverage of parliamentary sessions, the movement published a compilation of MB deputies activities in Parliament, which is also available on the MB web site: <http://www.ikhwanonline.com/data/info/kotla.htm>. The MB publication mentioned that according to registered information in the general secretary of the People's Assembly, since the beginning of the parliament's session in 2005 and particularly from December to March (four months), the MB deputies used 2,000 oversight tools, accounting for 80 per cent of parliamentary activity.

72 Muhammad Mahdi Akef, "Bayan min al-Ikhwān Bi-Sha'an al-'Itiqalat al-Akhira Khelal Yawm 31 Maris, [A Brothers' Statement Regarding Recent Arrests on 31 March], <http://www.ikhwanonline.com/Article.asp?ID=19187&SectionID=212>, (April 1, 2006).

73 Even before this date and April 18, 2006, when the first demonstrations supporting the two judges started, random arrests of demonstrators had begun. The judges crisis was the occasion that justified the second and the third phases of arrests but other fundamental reasons were given by local analysis or revealed by MB declarations on their website. A public figure affiliated with the MB, Mohamed Abdel-Kodous, member of the Press Syndicate Council and the head of its Freedom Commission, was arrested on the morning of April 18 outside his office in order to keep him away from participating in a sit-in organized against the first hearing session held that day.

74 'Issam Al-'Iryan and Mohamed Mursy, two prominent heads of the movement, were arrested during their presence in the demonstration.

75 Saad Mhiu, "Dawu' Akhdar Amriki Li-'Isti'naf Musadarat Al-Hurriyat" [An American Green Light to Confiscate Liberties], <http://harakamasria.org/node/6274>, (April 5, 2006).

76 Abdeslam M. Maghraoui (2006) "American Foreign Policy and Islamic Renewal," *United States Institute for Peace, Special Report*, no.164, p.4.

77 Hassouna Hamad, "Khubara' wa Siyasiun: Mu'aradat al-Tawrih Sabab 'Istimar 'Itiqalat al-Ikhwān" [Experts and Politicians: Opposition to the Inheritance Reason of Continuing MB's Arrest], Muslim Brotherhood website, <http://www.ikhwanonline.com/Article.asp?ID=20951&SectionID=212>, (May 6, 2006).

78 "Al-Sultat al-Misriya Ta'taqel Tissa' min al-Ikhwān wa Tughliq Khams Sharikat", [The Egyptian Authorities Arrest Nine of The Brothers and Close 5 Companies], <http://www.ikhwanonline.com/Article.asp?ID=21936&LevelID=1&SectionID=0> (July 14, 2006).

79 Samer Shehata and Joshua Stacher, "The Brotherhood Goes to Parliament", in *Middle East Report*, no. 240.

forces in different elections all over the country: it postponed local council elections for two years, launched arrest campaigns, employed violence and fraud in the Chamber of Commerce election in Alexandria<sup>80</sup> and arrested and transferred MB-affiliated teachers in the education sector.<sup>81</sup> Recently, Mustafa Nayef, one of the founders of the “Workers for Change” movement, revealed the government’s plan to administratively eliminate potential candidates affiliated to the opposition forces by transferring them, in order to smooth the road for ruling party candidates in the upcoming worker syndicate elections due between 25 September and 27 November 2006.<sup>82</sup>

By any standards, these anti-reform measures demonstrate a prioritization of stability over democracy. A democratic political process is deemed “too much” if it substantially challenges regime stability. Despite the external pressure on Egypt to democratize, the regime “has turned the constraints of democratization into a resource to strengthen relations with its allies”.<sup>83</sup>

80 Munir Adyb and Ahmad Ali, “ ‘Amalyat Tazwir Wassi’a Li-’Isqat Morashahi al-Ikhwan Bi- Intikhabat al-Ghorfa al-Tujarya, [Large Fraud to Topple Brothers Candidates in The Chamber of Commerce Election], Muslim Brotherhood website, <http://www.ikhwanonline.com/Article.asp?ID=20744&SectionID=230>, (May 28, 2006).

81 Hany Salah Al-Dine, “Qararat Amniya Bi-Tahwil Mu’alimi Al-Ikhwan Bil-Daqahlya ila Waza’if ‘Idariya,” [Security Decisions to Transfer Brothers Teachers in Daqahlya to Administrative Post], <http://www.ikhwanonline.com/print.asp?ID=21848>, (July 11, 2006).

82 Muhammad Azouz, “Tahaluf Bayna al-Ikhwan wa al-Mu’arada wa ‘A’da’ Bil-Watani Li-Muwajahat Tazwir Intikhabat Al-Ummal,” [Alliance Between the Brothers, opposition and members of NDP to Fight Against Fraud in Workers Election], *Al-Masry al-Yowm*, August 25, 2006.

83 Florian Kohstall, “Reform Pirouettes: Foreign Democracy Promotion and the Politics of Adjustment in Egypt,” in: *Internationale Politik und Gesellschaft*, (3) (Bonn, 2006): 32-45 (40).



## Conclusions

While the 2005 parliamentary elections in Egypt in themselves neither represent a qualitative step forward on the path of reform nor function as an indicator of an opening in the political system, they shed some light on perspectives for change in Egyptian political life in the short and long run. The short opening of the political system preceding the elections led to an unprecedented political vivacity in Egyptian society, revealing a popular will for change and reform, and leading to changes among the political forces. In this context, it is important to note that the call for reform had its origin in the mosques and the charitable organisations run by groups with Islamic affiliations. Also, the popular will to reform was accompanied by a conservative-to-fundamentalist turn in the social sphere and a call for 'moral' politics to fight corruption. In Egypt today, democracy is widely perceived as being the adequate tool for achieving the aspired change, at the same time as an Islamic state is seen as the remedy and a moral system that will minimize corruption.

The experience of elaborating a political program for the legislative elections demonstrated that integrating the MB movement in limited political participation pushed the movement to publicly clarify its positions on concepts such as party pluralism, something that had previously been refused in Islamic thought as "*al tahazzub*" (partisanship) with the argument that Islam calls for unity of the nation rather than its fragmentation. Also, the MB declared its acceptance of the republican and parliamentary system. In the MB's interpretation, calling for democracy represents the people's will to be governed by *Shar'a Allah*, divine legislation. According to Habib, deputy Supreme Guide of the Muslim Brotherhood, "an Islamic state under the MB would be a civilian state with an Islamic frame of reference; meaning that legislation passed must be in accordance with Islam." He notes that, legally, this is theoretically possible already under the current system, pointing to Article 2 of the constitution, which identifies Islam as the fundamental source of legislation. In reality, however, "the regime doesn't wish to obey the constitution, or respect the laws or even implement judicial rulings".<sup>84</sup> Based on the analysis of the MB's discourse we conclude that being pragmatic is not in contradiction with the Islamic reference or framework.

On the one hand, the MB can be considered part of Egypt's reform forces because it agrees with other political reformers on the *tools* for bringing about reforms: rule of law, good governance and free elections. The current priority of the MB is to influence the legislation by participating in the People's Assembly as deputies and in all other elected bodies with the aim of fighting corruption and improving the education system. Their participation in Parliament has shown so far by all accounts their devotion to serving their voters and retaining credibility. They have been more efficient in dealing with public needs, in revealing corruption cases and in rapidly interacting with victims in cases of injustice than other deputies.

On the other hand, the limited integration of the MB might stabilise the authoritarian system rather than lead the way to meaningful political reform. Despite their genuine social basis, their relatively strong representation in Parliament (20 percent of seats), and their financial and organisational capacities, the MB still lack the legal status of a political party. Actually, the movement has benefited from its status as an illegal organization, as it received widespread sympathy among the population, it was still allowed to pursue organised activities, and until now has not been infiltrated by the regime's security forces. The MB's interest in changing the status quo therefore is not too strong. Also, it seems that under current circumstances, there is little hope for the MB to be legalized. The regime fears the movement's expansion. Therefore, there is a strong possibility the regime will revert to violence and repression to try to counter the MB's monopoly on the Egyptian street. The regime might allow the legalisation of some opposition parties, such as *Al-Wassat*, or it could conceivably let Kamal Abul-Magd, the current head of the National Council of Human Rights, found a new party, thereby splitting the social support base of the Islamists.

Also, the integration of the MB in the political system have a stabilizing effect rather than leading to a further opening of the political system as long as the MB is participating only in bodies whose activities are controlled by the NDP. On top of it, security imperatives impose themselves on the movement's activities and create a climate of fear and secrecy that hampers and distorts any ongoing transformation in their thinking.

Therefore, than arguing about the democratic credentials of political forces the focus of the debate should be on reform steps that would lead to a democratic order in Egypt which would then provide the space for a vital civil society and allow for a free public debate that would also reduce the MB's dominance over public discourse. This means that the ruling establishment would have to share power and open the system up to much more competition. It would require significant changes to the constitution and laws related to civic freedoms and the balance of power among the executive, legislative, and judicial branches. Amending Article 76 of the constitution has made the Egyptian President subject

to multi-candidate elections for the first time, but other elements of the constitution still leave the President with a great deal of power and little accountability. Article 77, for example, allows the President to rule for an unlimited number of six-year terms.

The MB, *Kifaya*, and other opposition groups have called for amending Article 77 to shorten the presidential term to four years and to establish a limit of two consecutive terms. In addition, opposition groups have called for reviewing the amended Article 76 to make it easier for registered parties with representation in Parliament to place a candidate on the ballot. A significant consensus has emerged among pro-reform activists from all segments of the political spectrum about steps needed in the coming years: limiting presidential power, strengthening the legislature as well as judiciary prerogatives, lifting the state of emergency and revising other laws that constrain civil liberties. Some opposition groups, notably the MB, have called for a parliamentary system with a much weaker presidency, one that would be principally symbolic and non-partisan, as well as detached from the executive authority.<sup>85</sup> Just as important as the project of making the President more accountable, however, is the aim of strengthening the legislature, which lacks budgetary authority and generally does not initiate legislation. While the constitution gives the power to initiate laws to both the Parliament and the President, in practice the executive branch generates nearly all legislation and the Parliament's role is purely reactive.

Lifting the state of emergency, which would abolish detention for years without charge and the state security court system, as well as end the trial of civilians before military courts, should be a priority. In addition to the emergency law, a series of de-liberalizing laws passed in the 1990s would need significant revision in order to restore civil liberties, for example: the 1993 trade unions law requiring unrealistically high quorums for elections, the 1995 press law, allowing incarceration of journalists convicted of libel, and the 2002 NGO law providing the Ministry of Social Affairs with intrusive licensing and regulatory powers.

Changes in law alone, however, will not be sufficient to move Egypt toward democracy. The pervasive influence of security forces in Egyptian life and the fact that the regime often uses the security establishment and the courts against political rivals is an important extra-legal factor.<sup>86</sup> The security services pose the most serious problem because they oppress political activity to an extent inconsistent with a democratic system.<sup>87</sup>

The legitimacy crisis of the political system has yielded Gamal Mubarak as the potential next President. According to an article by opposition figure Ayman Nour, in which he presented the seven steps taken by the current president Hosni Mubarak to transfer power to his son Gamal, the inheritance scenario could even take place soon, namely, by May 2007.<sup>88</sup> The MB as well as its parliamentary opposition bloc is opposed to the idea of Gamal taking over. Also, Gamal himself has repeatedly declared that he has neither the desire nor the intention to run for the post held by his father since 1981. However, not only is he one of the most influential figures in the ruling NDP, but also all indicators lead analysts to believe that the United States want him to be the NDP's presidential candidate. However, with each passing day the rejection of Gamal Mubarak's candidature as the next President is growing among the Egyptian elite as well as different segments of society.<sup>89</sup>

Local and regional analysis argue that the U.S. has given the regime a "green light" to suppress reformers – the MB as well as the liberal reformers allied with it – in Egypt, because they do not recognize the State of Israel, support the elected *Hamas* government in Palestine and do not exclude violence as one of the possible solution of the Palestinian Question. Chances are therefore high that Gamal will become the next President. Dynastic succession, however, cannot be considered a step of reform or of political opening.

84 Quoted in: Azizuddin A-Kaissouni and Dina Abdel-Mageed, "Waiting in the Wings. Egypt's Muslim Brotherhood," [www.islamonline.net/English/views/2005/10/article03a.SHTML](http://www.islamonline.net/English/views/2005/10/article03a.SHTML), (October 10, 2005).

85 Dunne, "Evaluating the Egyptian Reform" : 11.

86 Ibid.

87 For more details about security forces' violations and transgressions of electoral rules, see "Report on the Parliamentary Elections 2005," conducted by the monitoring groups of Sawasya Center for Human Rights and Anti-Discrimination, (Giza, 2006): 175-222.

88 "Egyptian Liberal Ayman Nour Attacks Mubarak's Intention to Nominate His Son Gamal as Next President," *Middle East Media Research Institute (MEMRI)*, Special Dispatch Series, (Washington, July 4, 2006), (translation of an article by Ayman Nour, "The Succession Scenario," April 4, 2006, from *Al-Ghad* party website).

89 Samer Shehata, "Egypt: The Gamal Mubarak Paradox," in: *Arab Reform Bulletin, Carnegie Endowment for International Peace*, (Washington, June 2006).

## Perspectives and policy recommendations

External strategies towards Egypt cannot avoid dealing with the existing regime, and at the same time cannot ignore the popular support for the Islamists. External actors will have to face three main challenges: 1. the nature and speed of change, 2. the importance of the legal framework and the rule of law, 3. the Islamists' strength and positions. While they should engage in dialogue with the MB, they should also support other civic movements in their struggle to open up the political system.

### The challenge of the nature and speed of change

We assume three possible scenarios with regards to change:

- Abrupt change in a chaotic atmosphere: such a scenario would probably lead to widespread violent confrontations and attempts at settling accounts between and within the security establishment and the opposition forces, including the MB, which would be a draining fight for all opposition forces.
- A take-over of the MB in a legal framework that guarantees the regime's dominance: such a scenario would undermine genuine change and would solely endorse an authoritarian regime dominated by the MB. As the ideological transformation of the MB till today has not led to clear-cut liberal-democratic features, we should not expect the MB to further democratise the system from a position of power.
- Refusing change: if the regime sticks to authoritarian rule we should expect massive problems in the mid-term: social rioting, confessional infighting, and economic bankruptcy. This might only be mitigated if a new President – regardless of whether the inheritance scenario is accurate – were to adopt and implement some of the reform demands of the MB and other opposition forces.

### The challenge of the rule of law

For an authoritarian regime in trouble, laws are not the supreme reference for its actions. Despite this, there is need for legislation to guarantee the rule of law, the independence of the judiciary and human rights – legislation against which the regime can be held accountable domestically and internationally. In this regards, external actors should pressure the regime at all levels in order to support the domestic forces battling for the rule of law and human rights. They should also take into consideration:

- The MB already possesses the political structure and expertise needed to work as a political party, but it has to be legalized in order to act legally and transparently. Currently, the MB itself is not ready for legalization and enjoys the advantages of its ambiguous status. With increasing repression, however, this might change. The legalization of the movement would then allow for the separation of the religious and political wings – making the latter one fully accountable to its constituency.
- In general, the regime should be advised to adjust legislation in order to allow for the formation of new political parties. This would allow for the reshaping of the landscape of political forces, rendering it more pluralistic and competitive and thereby also minimizing the dominance of the MB over the opposition.
- Europeans should particularly link their financial support to Egypt in the framework of the EMP and the ENP to the achievement of genuine and sustained progress in the field of human rights. Systematic human rights violations, such as torture in prisons, not only nourish the radical and fanatical trends within society, they also encourage emigration of the moderate secular intellectuals. The European approach towards human rights should therefore be much more consistent than just focusing on some well-known reform figures, such as the call for liberating Ayman Nour or cancelling the verdict against Ibrahim Issa.

### The challenge of the Islamists' strength and positions

While the process of Islamization of Egyptian society had been dominated by the MB for a long time, society has now become the target of different religious groups, with extremists becoming ever more active and popular.<sup>90</sup> The fanatic currents not only do not offer practical ways to solve Egypt's domestic problems, they also stir up hatred against the West – this influence is likely to lead to violent action sooner or later. At the same time, external actors should be aware that Islam as a dominant reference point in Egyptian politics cannot and should not be ignored:

- Grassroots programs should involve large segments of the population in order to counter the stereotypes about Europe propagated by the Islamists, and inject ideas of rationalism, modernity and technology.

<sup>90</sup> This was observed by the researcher during her stay in Egypt between 2000 and 2005. This same observation was the content of the Supreme Guide's accusation of the Egyptian regime in an interview with the weekly French magazine "Le Nouvel Observateur," excerpts of which were published on 16 May 2006 on the official Arabic web site of the MB in Egypt. See, Munir Aadyb, "Al-Murshid al-'am Youhazir min intishar al-tataruf bi-sabab muharabat fikr al-ikhwan," [The General Guide Alerts of Propagation of Extremism Against the Brothers 'Thought], <http://www.ikhwanonline.com/Article.asp?ID=20444&SectionID=101> (May 16, 2006).

- Here, the first target of EU programs should be the education establishment, namely, public and private schools, religious schools, as well as universities. The EU should help to increase knowledge (rather than beliefs) about health, the sciences, world environmental issues, global questions, the history of political ideas - for example by distributing subsidized software of encyclopaedias.
- Muslims residing in Europe should be integrated more systematically in projects targeting Egyptian society as they can act as valuable and often more credible spokespeople at non-government levels and inject new ideas. For example, working groups in such programs can include a contribution of European Muslim organisations or individuals during the elaboration of projects or in combination with a European foundation in the region.
- The credibility of European politics in Egyptian society, but also in general in the region will depend a lot on the European stance on the Israeli-Palestinian conflict – an issue that the MB considers particularly important, also against the backdrop of Muslim solidarity for the Palestinians. European policy makers should be aware of the importance of the fact that democracy in the Middle East is related to “justice” for Palestinians.

### Dialogue with the MB

Isolating the MB in Egypt is not an option. It would only demonstrate ignorance of the only force capable of translating the people's needs and anger into political action and organizing it politically. That does not mean that Europe should choose between blindly supporting either the MB or the regime, but it should maintain or establish channels with both. However, the regime rejects and therefore impedes any direct discussions between Islamists and foreign actors, making it hard to cooperate directly and publicly with the MB. Therefore the space for European-MB dialogue is extremely limited and restricted to contacts to MB deputies or to members of the civic protest movement or via informal channels, namely through media or in the form of cultural events. The MB is interested in establishing a bridge of communication and in enlisting foreign actors in order to pressure the regime into dealing with economic corruption, human rights issues, and freedom in Egypt.<sup>91</sup> At the same time, there is a lot of mistrust among MB members of the West which should be addressed in dialogue forums.

- In this, Europeans should be aware that there is nothing like a “dialogue with Islam”. Members of the MB in particular do not represent Islam, they are politicians and should be addressed as such rather than incorporating them in an interfaith dialogue.
- Some of the MB rhetoric will surely irritate secular or liberal foreign actors, be it with regards to democracy, liberty, the relation between religion and politics, individual civil rights or the good of the community. For external actors, there is little use to address the religious reference of the political long-term aspirations of the MB. Rather it is important to look for common interests, i.e. with regards to the reform agenda.

### The civic protest movements – a third way out?

The Egyptian civic protest movements will not be able to continue their work without external support. Such support should mainly come from the media as well as international human rights and civil society organisations, rather than from the EU or European governments in order not to discredit the movement as “foreign agents”. This support is not least needed because the presence of a civic movement will prevent the MB from monopolizing the opposition. The civic movement could also in the long run be in a position to lead “the third way out” for Egyptian politics by raising a new elite and building the basis for a political party representing the liberal trend, while respecting religion as a component of Egyptian identity.

<sup>91</sup> An indication of this interest is the fact that the MB launched the English version of its Arabic web site on 27 June 2006: <http://www.ikhwanweb.com>.  
<sup>1</sup> See: [http://ec.europa.eu/comm/external\\_relations/euromed/multilateral\\_relations.htm](http://ec.europa.eu/comm/external_relations/euromed/multilateral_relations.htm)

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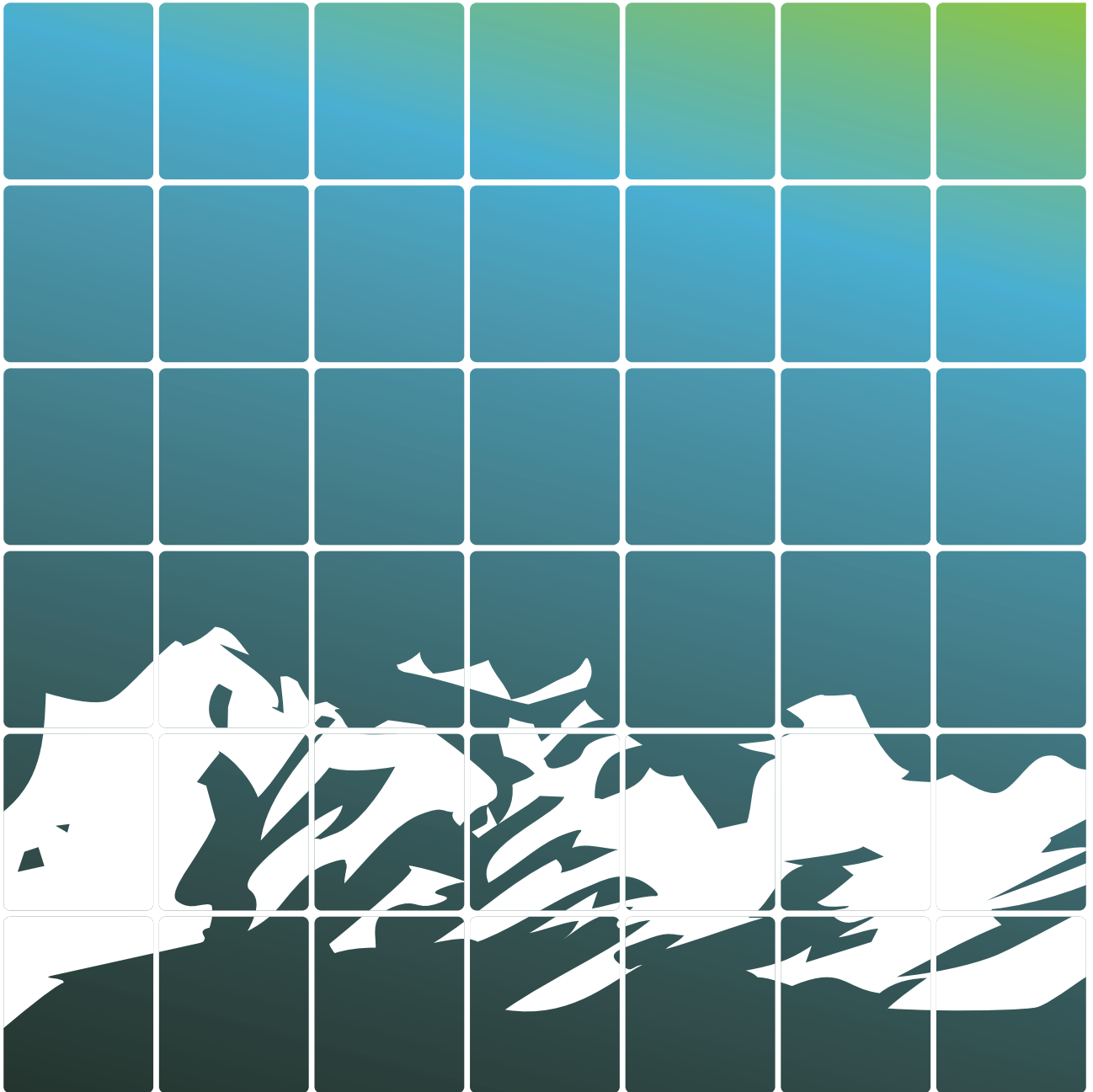
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