

Obstacles to presidential change in Egypt: what ElBaradei and others face

By Marina Ottaway

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The return to Egypt of Mohamed ElBaradei, the recently retired head of the International Atomic Energy Agency, on February 19 has injected new vitality and even a sense of hope in the Egyptian opposition, beleaguered by an increasingly repressive government and somewhat discouraged by its own ineffectiveness. Despite the fast approach of a political season dense with elections (for the Shura Council in June, the People's Assembly in November and the presidency in 2011), the Egyptian opposition is at a low point. Political parties are in shambles. Liberal and leftist-leaning parties have performed dismally through many election cycles and appear incapable of renewing themselves in leadership or ideas. The Muslim Brotherhood, which presented a serious challenge to the government in 2005, winning 20 percent of the seats in the People's Assembly although it is not recognized as a legal organization, has been much reduced by incessant arrests of its members and even top leaders and by its growing internal divisions.

Despite the new ferment engendered by the return of ElBaradei, there are serious obstacles to the emergence of a strong opposition able to compete seriously for parliamentary seats and for the presidency. The first obstacle is political. The opposition consists of three poorly connected segments: weak political parties; liberal civil society organizations which draw their constituency largely from the urban educated class and have so far not been reaching out to the mass of the population; and a growing labor protest movement which has been concentrating on wage increases and deliberately avoiding political demands and appears to lack overall organizations. The second obstacle is legal: the Constitution, particularly as amended in 2005 and 2007, and much legislation including emergency laws, laws on political parties and elections make it very difficult for the opposition to organize and for viable presidential candidates to emerge. This is clearly reflected in the dilemma faced by ElBaradei at present: for all the buzz his return has created and for all the efforts by civil society groups to gather signatures on a petition for him to run, it is virtually impossible for ElBaradei to become a candidate unless the Constitution is amended. Naturally the government has no incentive to introduce legal changes that could result in a stronger opposition. The opposition has so far proven too weak and divided to put real pressure on the government to enact the much needed legal reform. This vicious circle has put political reform on hold and is likely to make the forthcoming elections into a travesty of democracy.

Because of the collapse of the parties, the political opposition to the Mubarak regime centers at present on a rather motley array of civil society organizations and to some extent independent media. Civil society organizations that seek to keep a door open to democracy and political participation include human rights organizations, what is left of the "Kifaya" movement formed

to mobilize the opposition before the 2005 elections, youth groups that organize through Facebook and other social media, and other liberal NGOs. Independent media, although aware of the redlines they cannot cross without incurring government reprisal, have nevertheless contributed to a new climate in Egypt in which old taboos on freedom of speech are increasingly challenged and even the government realizes that attempts at tight control are counterproductive. The decision by the Egyptian government on March 6 to announce that President Hosni Mubarak had been taken to Germany for a gall bladder operation and that he had temporarily handed over power to Prime Minister Ahmad Nazif shows that the government realizes that control of information has become futile and counterproductive. It is the civil-society organizations that have seized on the possibility that ElBaradei will run for president, are collecting signatures on a petition demanding that he be allowed to run, and have been holding meetings with him since his return although he has not decided whether he will attempt to run.

A major demand of the liberal political opposition is constitutional and legal reforms. This is a long-standing demand, but its advocates have not been able to influence government policy in the past. Although the Mubarak regime did enact constitutional amendments in 2005 and 2007, claiming that they represented a step forward on the way to democracy, the changes were actually a set back. The 2005 amendment of Article 76, for example, introduced direct popular elections of the president, previously chosen by the People's Assembly and confirmed by a popular referendum. At the same time, the article established such strict requirements for presidential candidates to virtually eliminate the possibility of truly competitive presidential polls: candidates must be leaders of parties that have been represented in the People's Assembly for at least a year, which are few and discredited, or independents able to secure a large number of endorsements by members of the People's Assembly, the Shura Council, and the Municipal Councils, all of which are controlled by Mubarak's National Democratic Party. And the 2007 amendments made it easier for the government to control and manipulate the elections process by abolishing judicial supervision of the process and to limit political activity under the guise of maintaining security. Despite past failure to put pressure on the state to reform the Constitution so as to broaden democratic rights, the liberal opposition is again making constitutional reform into a central demand. ElBaradei himself initially declared he would not run unless the Constitution was amended, thus creating a disincentive for the government to do so.

Parallel to this openly political opposition but so far unconnected to it, another form of opposition that focuses on concrete economic grievances has been growing. Labor unrest has been spreading in Egypt for several years. Strikes not authorized by official labor unions and other forms of labor protest have been multiplying rapidly - estimates for 2009 suggest as many as one thousand such actions. While there is no sign that the protest is abating, there is no sign, either, that it is becoming more openly political. On the contrary, organizers have been very careful to keep demands strictly within the limits of classical labor revendications concerning wages and working conditions. Implicitly, however, this increase in labor protest has political implications. The government has tried to contain the problem by treating it strictly as a matter of economic grievances and often giving in to the strikers' demands in an attempt to stave off the politicization of the protest. The greatest danger for the government would be the possibility that the organizers of labor actions join forces with the openly political civil society organizations.

As long as the demands of the political opposition center on legal and constitutional reform and those of the strikers center on wages, the possibility that the two components of the protest movement will join forces appears extremely limited. The political opposition sets forth demands that are bound to appear abstract to those focusing on bread-and-butter economic issues. The narrow demands of the strikers are too limited for those with a broad political reform agenda.

But civil society groups as constituted now are unlikely to succeed by themselves. Thus their major challenge is not to muster arguments to explain why the constitution needs amending, but to craft a program that can appeal not only to the liberal educated elite, but also to the much larger number of deeply discontented people whose grievances are deep, but immediate and concrete. There appears to be no bridge between the two constituencies at present, as well as no bridge between either of them and the moribund political parties that will compete in the elections. Unless all the parts of the opposition come together in some fashion, the excitement stirred by ElBaradei's return is unlikely to have a lasting impact.

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