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Political Opposition and Authoritarian Rule in Egypt

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Note on Transliteration

In order to render the proceedings of this study more accessible to the non-Arabic speaking reader, I have used, throughout the text, the spellings of Arabic names (of persons, geographic locations, organizations) and terms (e.g. ulema, sunni, etc.) that are commonly found in the English-speaking media and publications.

List of Abbreviations

ACPSS	Al-Ahram Center for Political and Strategic Studies
ADNP	Arab Democratic Nasserist Party
APEO	Anti-Political Establishment Opposition
APHRA	Arab Program for Human Rights Activists
ASU	Arab Socialist Union
CC	Court of Cassation
CCR	Coordinating Committee for the Rights and Freedoms of the Syndicates and Labor
CEDEJ	Centre d'Études et de Documentation Économiques et Sociales
CIJLP	Center for the Independence of the Judiciary and Legal Profession
CLAC	Constitutional and Legislative Affairs Committee
CSPI	Committee in Solidarity with the Palestinian Intifada
CSS	Center for Socialist Studies
CTUWS	Center for Trade Union and Worker Studies
EOHR	Egyptian Organization for Human Rights
FSCP	Free Social Constitutional Party
GFTU	General Federation of Trade Unions
HMLC	Hisham Mubarak Law Center
IKC	Ibn Khaldoun Center
LCAC	Legislative and Constitutional Affairs Committee
LCHR	Land Center for Human Rights
LP	Liberal Party
MB	Muslim Brotherhood
MENA	Middle East and North Africa
MP	Member of Parliament
NCDWR	National Committee for the Defense of Workers Rights
NCHR	National Council on Human Rights
NFC	National Front for Change
NGO	Non-Governmental Organization
NDP	National Democratic Party
NPUP	National Progressive Unionist Party
PA	People's Assemply
PPC	Political Parties Committee
PVA	Private Voluntary Association
SAC	Supreme Administrative Court
SCC	Supreme Constitutional Court
SLP	Socialist Labor Party
SJC	Supreme Judicial Council
SMT	Social Movement Theory

Acknowledgements

Not long ago, I was invited to a topping-out ceremony. Listening to my friend's acknowledgment of people who supported him in his house-building adventure that took over two years to be accomplished, I was close to panic for three reasons: Firstly, I am still living in a rented flat; secondly, my own 'grand project,' the results of which have materialized in this study, spread over an embarrassingly long period of almost five years; and thirdly, so many people have supported this project that undue omissions are hardly avoidable.

What first comes to my mind is the place where I have lived in the past 14 years and where this project came into being. After having worked for many years in the Middle East Department at Tübingen's Political Science Institute, in several positions during my graduate and post-graduate studies, my first thoughts go to the guidance, trust, and patience that I was fortunate to receive from my PhD supervisor Peter Pawelka. I am deeply indebted to him for giving me ample freedoms to develop my personal ideas, as bizarre as they may have sounded once in a while.

Among the Tübingen people who can, due to their useful comments, critique, and encouragement, claim a major stake in this study, the collaboration with Oliver Schlumberger stands out as particularly useful and impressive. Other colleagues and students out of the Tübingen research seminar "Forschungsforum Moderner Orient" and the Political Science Institute include André Bank, Rolf Frankenberger, Patricia Graf, Roy Karadag, Markus Loewe, Debby Rice, Thomas Richter, Rolf Schwarz, Irmtraud Seebold, and Thomas Stehnken. Some students who attended the seminars that I had to teach deserve credit for having challenged me to the extent that I was forced to think over some of my arguments; I will keep in mind, representing many others, Julius Kirchenbauer, Kevin Köhler, Fritz Matthäus, Marion Siebold, and Jana Warkotsch who joined me on a two-months long research mission to Cairo in 2005. Kevin Köhler's support to this thesis as a research assistant is substantial and it will be hard in the future to get around without his dedication and competence. Accordingly, Kelly Neudorfer, by proof-reading the following chapters, spared me from the embarrassing concession that English remains still somewhat cumbrous a means of communication.

While Tübingen – and the above people who I will always associate with this nice little Swabian town – owns by far the greatest share in the genesis of this PhD project, I am grateful that I was given the chance to travel in order to learn more about my subject. Traveling has had two main purposes: acquiring empirical knowledge about the subject that I decided to write about; and spreading some ideas and hypotheses that came to my mind in the development of this PhD project with the aim of receiving criticism and support from what is nicely dubbed the 'academic community' (basically all those people who I met outside of Tübingen). As to the first purpose, several research missions led me to Cairo where I approached numerous people

with the intention of conducting interviews and lured them into conversations that proved immensely useful for my own understanding of the issue. Most of them are listed in the bibliography at the end of this manuscript. I am greatly indebted to them for sharing with me their knowledge about Egyptian politics. Among my 'Cairo connections,' I am especially grateful, for various reasons, to Alexander Haridi, Mohammed Farid Hassanein, Maye Kassem, Florian Kohstall, Emil Lieser, Ivesa Lübben, Iman Mandour, Vicky Reichl, Ahmed Saif al-Islam, Emad Shahin, Sabri Abdel-Mordy Zaki, and Walid.

The purposes of my travelling history are ambivalent in that, on the one hand, trips led me to Cairo to learn new things and, on the other hand, other journeys had the aim of attending a number of conferences where I had the chance to present some results of my work even though the whole project was still in the making. Some of these presentations – and the generous input spent by a number of people – are reflected in distinct parts of this study. In March 2003, I was invited, together with Oliver Schlumberger, to participate at the 4th Mediterranean Social and Political Research Meeting (MSPRM) at the European University Institute in Florence & Montecatini Terme. Our contribution "'Waiting for Godot:' Regime Change Without Democratization in the Middle East" was published in the *International Political Science Review* (2004) and influenced my reflections on the authoritarian state in the Middle East in chapter 1 of this study.

In the following year, I came back to Montecatini Terme to attend the 5th Meeting and presented a paper that was later published in *Democratization* (2005). This piece of research, titled "How Can Opposition Support Authoritarianism?" can be grasped as an early 'outline' of my PhD project and the core hypotheses developed in much greater depth in this study. In the same year, my collaboration with Eva Wegner on a joint project on Islamist movements in Egypt and Morocco brought us to Granada, Spain, where we attended the 33rd Joint Session of the European Consortium for Political Research (ECPR) in April 2005. The results of our collaboration were published in the *Journal of North African Studies* (2006) under the title "Autocrats and Islamists: Contenders and Containment in Egypt and Morocco;" they have helped me better understand social movement theories and the Egyptian Islamist movement reflected in chapters 2.3 and 4.4 respectively.

In 2005, I was invited by Joachim Betz and Wolfgang Hein to spend the summer of that year writing a chapter on civil society in the Middle East for their *Neues Jahrbuch Dritte Welt* (2005) – the title is "Zivilgesellschaft und der Vordere Orient: das Prinzip Hoffnung und die Grenzen eines sozialwissenschaftlichen Konzepts." While the civil society approach did not gain major prominence in the lines of argument followed in this PhD project, my efforts for that article helped me to critically examine the approach in chapter 2.3.

In March 2006, I came back to Montecatini Terme & Florence to present, at the 7th MSPRM, a paper on "Political Participation and Opposition under Authoritarian Rule: Lessons from the Middle East." A substantial part of chapter 2 emanates from this conference paper. Accordingly, chapter 3 draws on a paper that I had prepared to be presented at my own workshops on political opposition in the Middle East at the 2nd World Congress for Middle Eastern Studies in Amman, June 2006 (jointly

organized with Eva Wegner), and the 8th Mediterranean Research Meeting in March 2007, again in Montecatini Terme & Florence (jointly organized with Maye Kassem). Some mainly empirical results of my research are published under the title "Authoritarian Opposition and the Politics of Challenge in Egypt" in Oliver Schlumberger's edited volume *Debating Arab Authoritarianism* (Stanford University Press, 2007).

During these meetings and other occasions, I selfishly stole the time of a myriad of people – mostly political scientists and experts on the Middle East and North Africa – to have my ideas discussed and thoughts improved. While I will always have to bear responsibility for the results of my efforts, here is a – naturally incomplete – list of people who tried their best to put me on the right track: Paul Aarts, Lahouari Addi, Amin Allal, Michaelle Browers, Jason Brownlee, Peter Burnell, Delphine Cavallo, Francesco Cavatorta, Virginie Collombier, Katarina Dalacoura, Vincent Durac, Farid El-Khazen, John Entelis, Jörn Grävingholt, Steven Heydemann, Maye Kassem, Eberhard Kienle, Florian Kohstall, Hendrik Kraetzschmar, Mirjam Künkler, Fred Lawson, Kay Lawson, Timothy Lynch, Wolfgang Merkel, Beverley Milton-Edwards, Mehdi Mozzafari, Pete Moore, Katja Niethammer, Agnieszka Paczynska, Chris Parker, Nicola Pratt, Carola Richter, Friedbert Rüb, Bassel Salloukh, Mustapha K. Sayyid, Philippe Schmitter, Jillian Schwedler, Samer Shehata, Peter Sluglett, Josh Stacher, Murat Teczur, Frédéric Vairel, Frédéric Volpi, Douglas Webber, Mohamed Zahid, and Saloua Zerhouni. The greatest debt that I accumulated among the international 'academic community' is to Ellen Lust-Okar.

Money is always decisive and I am frank to acknowledge that this research would not have been possible without the financial assistance from various sources. In the initial years of my PhD studies, the state of Baden-Württemberg provided me with a generous fellowship from the Landesstiftung Baden-Württemberg. The German Academic Exchange Service financed three research missions to Egypt that enabled me to live in Cairo and conduct research for a total period of nine months. Several conference trips were supported by grants from the Hugo-Rupf Foundation and resources from Tübingen's Faculty of Social Sciences.

Lastly, I admit that I don't find any appropriate words – in whatever language – to thank my parents for everything they did for me; my debt and gratitude reaches far beyond any single research project or academic title.

Tübingen, October 2007

Introduction

Every piece of research has an individual genesis: in terms of the epistemic foundations of the proposed arguments and concerning the personal experience and interests that led the researcher to inquire into the issue under investigation. Looking back at and recapitulating the foundations and emergence of the arguments proposed on the following pages is not easy and it necessitates a glimpse at the arguments themselves as much as at their evolution. I will reflect on these introductory pages on four crucial questions: What is the subject of this analysis? What are the questions posed in the study? Where do these questions originate? What resources are used for the investigation?

This study inquires into the role of political opposition in an authoritarian regime. The issue, and the answers to further inquiries, contains a conceptual and an empirical dimension. Theoretically, the aim of this work is to have a concept – on political opposition – traveled from its 'intrinsic' grounds (democracy) to the alien world of authoritarianism. It is argued in the following chapters that 'political opposition,' in an understanding of the classical conceptual readings, has been almost exclusively applied to denote a phenomenon in democracies or democratizations, but not an integral part of a stable authoritarian situation or – more generally – irrespective of any specific political regime type. Empirically, Egypt has proved to be a particularly fruitful case to look at because authoritarianism as the type of political rule is present and pervasive, and so is political opposition that appears in various modes and has been present over roughly the past 30 years.

Students in academia often justify the relevance of their work by claiming that a 'research gap' had to be filled with the results of their own endeavors. Whether or not this holds true in this particular study is left to the judgment of the reader. Being aware that a number of other scholars have been working, and still work, on the subject of my investigations, I lost some confidence to shout the general validity of this claim from the rooftops all too forcefully. Rather, I was glad enough that I could rely on the works of other experts on Egypt as much as on an emerging literature on contentious politics in authoritarian settings. Yet, having invested a considerable amount of time, effort, and thinking into this piece of research, hopes are alive that my particular perspective on the theme may prove inspiring to one or another reader and in academic discussions.

After all, I am confident to claim that the proceedings of my research shed new light on the issue of political opposition under an authoritarian environment both in theoretical as well as in empirical terms. As to the conceptual value of this study, partisans of comparative politics will be quick to chip in that single case studies do not satisfactorily add value to theory building and testing. Indeed, theoretical claims remain modest in that the generalizations, that I was quick to draw from my empirical case and to formulate in the theoretical chapters of this study, may be better

grasped as mere hypotheses which have to be tested, and possibly falsified, in a larger comparative endeavor. Nevertheless, stating a number of generalizations on the basis of a 'thick' empirical description of the Egyptian case are worth the effort for two reasons: Firstly, the empirical findings from 'my' case are so insightful that Egypt may well serve as a model case supporting a more general argument; secondly, conceptual work on authoritarian regimes is, in general, still very much in its infancy so that serious works almost automatically tend to contain a conceptual dimension.

This is not to say that – to further reflect on methodological procedures in this research project – empirical research on this issue was an entirely simple venture. I associate myself with the lament of Dagobert D. Manteltasche and Otto I. Q. Besser-Wisser, saying that "the single most important complaint of social scientists is that information is inadequate for the task in hand. This is a source of agony to all empirical researchers" (Manteltasche & Besser-Wisser 2002: 130). In my particular case, I claim that the information that is now at my disposal is still somewhat inadequate – even after several months of empirical research – because doing empirical questioning on the working mechanisms of authoritarianism *in* the country under investigation is, without any single doubt, necessary and insightful but remains somewhat restricted by the fact that the activity of the research itself can become a politically sensitive adventure. Possible negative implications apply to the targets of the researcher more than the researcher himself, but they certainly affect the way how empirical research is conducted. In this case, I relied on information drawn from what is sometimes a bit deprecatorily dubbed 'anecdotal evidence,' gathered in informal interviews and meetings with people who I have identified as either part of the subject of investigation or as experts on distinct issues; large-scale polls, let alone quantitatively applicable data did not inspire the findings of this study the results of which , as a consequence, rely to a high degree on the intuition of the conductor.

In retrospect, it is not so easy to remember what initially made me aware of the fact that opposition politics in Egypt is a thrilling subject worth being focused on for an, after all, embarrassingly long period of almost five years. What is still in my mind is that, after having graduated in 2002, I felt that it was time to augment my previous political-economy perspective on politics in the Middle East and return to some other 'core' questions and issues in political science; admittedly, I started with the rather diffuse imagination that I should put terms such as 'power,' 'political rule,' 'state-society relations,' and 'transition' in the center of my endeavors. Some classical readings out of the thematic ambit of regime analysis and regime transition along with a journal article on anti-system opposition published by Giovanni Cappocia in the *Journal of Theoretical Politics* (Cappocia 2002) finally triggered the questions that came to guide the research from which this thesis emanates.

In an attempt to identify some core questions that guide the following analysis, it is again useful to distinguish between conceptual and empirical puzzles. Conceptually, one core interest is to learn why and under what circumstances political opposition emerges under an authoritarian framework. This puzzle is intriguing because authoritarianism involves a limited readiness of incumbents to accept opponents and, thus, structurally high degrees of statist coercion. Other generalizing

questions read: What is the difference between political opposition and other agents of contention? What specific type of authoritarian rule is particularly vulnerable to the emergence of political opposition and why? What are the different modes of opposition under authoritarian arrangements? What is the subject of contestation between government and opposition in an authoritarian framework compared to democracies?

Empirical puzzles originate from the attempt to transfer such general questions to a particular case and to understand the concrete interactions between different forms and expressions of political opposition and the authoritarian regime in Egypt. The most important single difference between democracies and autocracies is that, in the latter, the power to rule is not at stake in competitive relations between governments and oppositions. In Egypt, as much as in other authoritarian regime, this is a core trait of the political system triggering a number of crucial questions: What is the rationale for the regime to accept opposition actors or not? About what do regime and opposition struggle? How do changing structural situations of opportunities and constraints impact an opposition actor? What are the institutional channels of contentious interaction between the Egyptian regime and its challengers?

The design of this study includes three conceptual chapters (1-3) that raise the claim to make generalizing propositions about the state, its interaction with society, and regime-opposition relations under authoritarianism in the Middle East and North Africa (MENA). I abstain from adding a special chapter with the aim of reviewing the bodies of theoretical literature relevant for this study. Reflections on the state-of-the-art of relevant conceptual approaches and lines of arguments are included in these three initial theoretical chapters. The aims in these sections are, firstly, to contribute to the relevant general discussions under consideration and, secondly, to lead to a better understanding of the following empirical examination of government-opposition relations in Egypt (chapters 4 and 5). Those are concluded by a final chapter resuming the core arguments of this study (chapter 6).

Starting from a general perspective involves taking a closer look at the political systemic environment within which opposition has to operate: Chapter 1 focuses therefore on the authoritarian state in the MENA. While it is one of three chapters taking on a conceptual perspective, some empirical evidence is given to link the discussion to the Egyptian regime. Referring to the emerging body that focuses on the persistence of authoritarianism in the Middle East, the core argument in this part is that Egypt constitutes a relatively liberal authoritarian regime of a neo-patrimonial nature. I will argue that this regime type is particularly vulnerable to the advent of political opposition because, despite authoritarian control mechanisms in place, it opens space for political action and participation outside of the realm of decision-making.

Before taking a closer look at government-opposition relations, chapter 2 offers a more comprehensive perspective on political participation under authoritarianism. The first part in this chapter argues that a fair amount of concept travelling is necessary to apply this term to studies of authoritarian state-society relations. The central part reflects on the forms, expression, and content of political participation prevalent in the Middle East. There is no doubt that applying the concept of participation to

authoritarian grounds is not only possible but also necessary. The final sections of this chapter review the existing literature on contentious political participation and state-society relations in the authoritarian MENA. Here, the civil society approach and the social movement approach are critically examined.

This critique leads to the claim that another concept – political opposition as an integral institutionalized part in an authoritarian system – should be applied to studies of contentious politics in the region: Political opposition is defined as *an institution located within a political system but outside of the realm of governance that has decisive organizational capacities and engages in competitive interactions with the incumbents of a political regime based on a minimum degree of mutual acceptance*. Chapter 3 is the core part of this piece of research. It claims that political opposition is, on the one hand, an integral part of comparatively liberal and inclusive authoritarian regimes and, on the other hand, displays traits and functions entirely different from those in democracies. This part is especially important for the aims of this study because, heuristically, many ideas and claims emerged from my observations and interpretations of the Egyptian case that I have reinterpreted in chapter 3 on the basis of the assumptions of the existing theoretical understanding of opposition gained by Robert Dahl and other scholars.

Chapter 4 presents an empirical overview of the heterogeneous landscape of political opposition in Egypt. It observes that institutionalized political opposition has existed there for roughly 30 years without altering the overall political systemic settings. On the other hand, political opposition persists in different modes (regime-loyal opposition, tolerated opposition, anti-system opposition) and in different ideological and organizational expressions (political parties of different ideological colors, human rights organizations, street protest movements, and an Islamist mass movement). This chapter also reveals empirically the difference between political opposition and other forms of contention, for instance resistance in the form of militant Islamist movements.

While chapter 4 focuses on the agents of contention towards the Egyptian regime, the following chapter 5 takes on a more structuralist perspective and examines the institutionalized channels governing contentious relations between the regime and its oppositions. Some general arguments made in chapter 2 are recaptured to analyze political institutions at the intersection between the Egyptian state and society that have been established from above with the aim of controlling society but emerged into pillars and channels of societal political participation. Focusing on the electoral regime and parliaments, civil society organizations, the judiciary, and the religious institution of al-Azhar, this chapter reflects on the functions of such institutions between cooptation and control on the one hand, and contentious political participation performed by the opposition on the other hand.

The two empirical chapters take into account the existing literature on politics in Egypt without re-examining the well-known arguments in greater depth. Being probably the country in the Arab world that is best covered by social scientists, there is no imperative for a lengthy re-narrative of the insightful analyses of political structures and dynamics in the 1980s and 1990s by – to name only a few scholars – Robert Springborg, Peter Pawelka, Robert Bianchi, Salwa Ismail, Eberhard Kienle, Carry

Wickham, and Maye Kassem. The emergence and developments of specific forms of political opposition have been reviewed whenever that was deemed conducive to the arguments made in this study, but the major part in these sections focus on current affairs, more precisely on the period of the years 2002-2006. In so doing, two aims have inspired the empirical chapters: firstly, to offer a re-interpretation of the emergence and roles of opposition actors in Egyptian politics and, secondly, to contribute to an understanding of recent events and contemporary politics in Egypt at large. These empirical aims in conjunction with the aim to inspire a theoretical debate on the emergence of political opposition under stable authoritarianism constitute the heuristic interests of this study.

Chapter 1:

The Authoritarian State in the Middle East

A study on political opposition should start with a closer look at the political environment in which opposition operates. As Lisa Anderson has put it in her seminal article on political opposition in the Middle East, "examination of political opposition reveals a great deal not only about the society in which it develops but about the nature of the political authority it confronts" (Anderson 1987a: 219). This is all the more so when leaving behind the shores of the polyarchy. As we will see in more detail, activism within the context of political opposition is not *sui generis*, but one will necessarily wonder about the larger environment from two different perspectives: Firstly, what is the systemic setting in which political opposition operates? Secondly, what does political opposition challenge? A starting point is therefore to distinguish between political systems on the one hand, and political regimes and states, on the other.

It is not the aim of this study to solve the theoretical puzzle – prominent in comparative politics – of how to distinguish properly between 'political systems,' 'states,' 'regimes,' and 'governance.'[1] I grasp here a political system, in an Eastonian tradition, as the realm in which values are allocated towards society and in which demands and support from society and other surrounding systems are processed into outcomes and outputs. In comparative politics, the term maintains its particular meaning in a typological system of differentiation allowing us to identify the core principals of a polity. One will therefore inquire into 'systemic' diagnoses when asking: How is opposition shaped by a systemic setting, what does opposition do in this setting, and how does opposition influence the structures and processes in democracies vs. authoritarian or totalitarian systems?

Approaching the term 'political regime' is more difficult. Spelled out in the context of 'regime type,' it is often used as a synonym for 'system type.' On the other hand, political regimes also stand for a set of rules and procedures which govern political decision-making (Howard & Roessler 2006: 366). In this context, the term 'political regime' is often used interchangeably with 'state' and 'governance.' Boundaries are often blurred, not only theoretically but also in the empirical reality in the Arab Middle East, where states and regimes are often deeply intertwined (cf. Owen 2000: 5). For the purpose of this study, a rather simplistic approach and operationalization will have to suffice. When inquiring into political *systems*, I will refer to a scientific attempt at generalization. It is then an inquiry into the very general

1 For a more elaborate attempt to distinguish between 'state', 'regime', and 'government,' see Lawson (1993: 184-188).

divide between democracy and authoritarianism. In turn, *regimes* are the rules and procedures of a polity, among decision-makers and between decision-makers and society (Reich 2002: 2), while the term *state* refers – in a Weberian meaning – to an organizational establishment, that is an agency performing politics in a given regime and claiming the unlimited and legitimate use of force within a given territory and vis-à-vis the realm where the origins of political challenges and contention can be found, that is society.[2] In the following section, I will inquire into types of political regimes – thereby entering into a systemic analysis – and into some general questions of stability and change which are of prime importance when studying opposition under authoritarianism. The aim is twofold: firstly, to analyze the general political environment in which political opposition under authoritarianism operates (systems); and, secondly, to analyze the political structures (regimes) and the opponents (states) of opposition. Since the Egyptian case is the focus of further inquiries into state-opposition relations, some evidence on the development of the Egyptian case will be given.

1.1. Authoritarian vs. Patrimonial Regimes

When inquiring into types of political systems, definitions are essential but sometimes tricky. When it comes to democracy, those definitions which are based on the procedural minimum prerequisites of Robert Dahl's *polyarchy* concept are widely accepted (Dahl 1971).[3] In sharp contrast, attempts at conceptualizing the definitional content of authoritarianism are seriously unconvincing. The most commonly accepted and empirically adopted approach to defining authoritarianism is from Juan Linz. According to his definition, authoritarian systems are those "with limited, not responsible, political pluralism, without elaborate and guiding ideology, but with distinctive mentalities, without extensive nor intensive political mobilization, except at some points in their development, and in which a leader or occasionally a small group exercises power, within formally ill-defined limits but quite predictable ones" (Linz 1975: 264).

Its distinct merits notwithstanding, what remains unsatisfying about Linz's attempt is that its generalizations are drawn mainly from a single regime (Spain in the late 1960s and early 1970s) and thus rest upon limited empirical foundations. From a methodological perspective, Linz's approach remains conceptually a hypothesis, de-

2 For a definition and a modern conceptual approach, cf. Migdal (1988: 19); on the state and state-formation in the Middle East, cf. Ayubi (1995), Owen (2000), Lawson (2006), Anderson (1987b), Pawelka (2002), and Bank (2007).

3 Convincing minimum definitions are proposed in Schmitter & Karl (1991), Linz & Stepan (1996: 3-15), and Schlumberger (2000: 107). Certain small disparities and different nuances notwithstanding, these minimum definitions have identified as central core traits of democracy (1) meaningful competition about the power to rule, (2) the unrestricted and equitable participation of the populace in political processes, (3) a guarantee of political rights and liberties, and (4) the rule of law.

rived from a single-case study which has, as of yet, never been thoroughly tested comparatively to become a generally accepted – and acceptable – paradigm. As a consequence, core traits of the definition ('mentality', 'mobilization', 'formally ill-defined limits') lack explanatory power or do not match the empirical realities in modern authoritarian regimes (cf. also Cheibub & Gandhi 2004). Eberhard Kienle is quite outspoken in saying: "There is no reason why authoritarian rule today should present the same features as authoritarian rule in the past or in the days when the concept was forged by authors such as Juan Linz" (Kienle 2004: 77). This may well be one of the main reasons why scholars have increasingly sailed around such definitional cliffs altogether and assessed authoritarianism simply as the negation of democracy.[4]

The disadvantage of such a sloppy approach was indeed the decline of the term 'authoritarianism' to "little more than a residual category in most political science" (Anderson 2006: 201). As a conceptual consequence, regime categorization – and differentiation – was rendered largely impossible with 'democracy' becoming the sole remaining clearly identifiable regime type and 'non-democracy' a catch-all term used by helpless regime analysts to grasp a whole plethora of distinct political entities. Without any doubt, a profound and self-confident research agenda on Middle Eastern states, where authoritarianism is so pervasive and clearly identifiable, will encapsulate the potential to inspire a greater perspective in comparative politics and political regime typologies, as much as scholars with a perspective on Latin America and Post-Communist Eastern Europe did with respect to the intellectual development of the field in the 1980s and 1990s at large.

A good start to an analysis of authoritarianism in relation to democracy was carried out by Adam Przeworski in reference to Juan Linz's proposition that authoritarian systems are quite predictable, but policies originate "within formally ill-defined limits" (Linz 1975: 264). Przeworski states that democracies comprise a high degree of uncertainty with respect to the outcome of political processes, while relying on significant certainty concerning policy-making rules and procedures. In contrast, an authoritarian system embraces high uncertainty concerning rules and procedures, yet certainty and reliability about the outcomes of political processes (cf. Przeworski 1991: 10-14). In praising this simple equation, one should not deny that it remains quite limited as to the aim of identifying the working mechanisms of authoritarianism more in-depth.[5]

I offer a definition of authoritarian systems which is, on the one hand, quite eclectic in that it relies on prominent aspects which have been highlighted in previous theoretical accounts – especially by Juan Linz and Adam Przeworski – and, on the

4 Cf., for instance, Brooker (2000). Peter Burnell sees autocracies as "political regimes where competitive political participation is sharply restricted or suppressed and the power holders reserve a right to determine the rights and freedoms everyone else enjoys" (Burnell 2006: 546). Such attempts are conceptually unconvincing because they seriously lack a sufficient explanatory essence in terms of the real working mechanisms of authoritarian regimes.

5 For a critical account of Przeworski's theorem, cf. Alexander (2002).

other hand, embraces a phenomenological perspective which helps overcome problems of empirical applicability innate, for instance, in Juan Linz's approach: Authoritarian systems are characterized by (1) an excessive executivism, (2) exclusive responsiveness, (3) personalized legitimation, and (4) a flexible adaptation regime. While this approach, and discussions on authoritarianism in general, are certainly worth a more profound and substantial analysis, some short notes will have to suffice here.

Excessive executivism[6] is associated with one core trait in Linz's definition and refers to the fact that authoritarian regimes are usually characterized by a powerful leader, or – in fewer cases – by a small group, at the helm of the polity. In it, executive power is firmly established and usually uncontested; if the power to rule is contested the authoritarian regime is at the brink of breakdown and another regime type may be on the horizon, possibly democracy or a different type of authoritarian rule. Generally, there are no constitutional guarantees or informal mechanisms under authoritarianism which would allow for a separation of powers, let alone the emergence of an alternative power center within the polity.

The second aspect, *exclusive responsiveness*, is based on the Eastonian assumption that no political system can survive by ignoring inputs from other systems, most importantly society. More precisely, no single political regime can survive without a measure of support from the populace, irrespective of whether the system is democratic or authoritarian and notwithstanding different types of regime support (cf. Rose & Mishler 2002). While political power under authoritarianism is exclusively in the hands of one (or few) ruler(s), this ruler is never totally 'free' and 'autonomous' in the fundamental meaning of being able to ignore altogether the demands and interests of important parts of society. This holds particularly true for presidents in bureaucratic-authoritarian republics, even more so than in regimes based on more traditional forms of authority, such as monarchies. In the latter, political legitimacy is strengthened through emanation, the use of cultural and historical symbols, and often the backing of a larger family, sect, or tribe. In contrast, authoritarian presidents often find a well-established institutional structure in which their particular tenure of rule is embedded. Thus, presidents will always need to strive for control over the institutional apparatus – single parties, military and security apparatuses, the bureaucracies, economic and labor associations – which necessitates the formation of alliances with social groups and strata at a much greater extent than in monarchies (cf. Owen 2000: 37).

An authoritarian regime consists of a core elite which maintains the exclusive right to control the coercive mechanisms of the state – and uses them quite deliberately to influence the majority of the public – but it also creates exclusive opportunities for access to the political arena and the participation of social groups. Thus, authoritarian regimes are permeable and do respond towards their respective socie-

6 I borrow this term from Friedbert Rüb; in German: "exzessiver Exekutionalismus" (cf. Rüb 2002: 104). Michel Camau has identified an "excès d'autorité" as a prime attribute of authoritarian regimes (Camau 2005: 11).

ties; and this opens channels for political participation under authoritarianism (cf. in-depth the following chapter 2).

This vision is substantially underestimated and, at the same time, challenged by many scholars of authoritarianism. For instance, Sabine Carey has argued: "Autocratic regimes are inherently less prone to accommodate demands of their citizens since their institutions and procedures are set up to avoid popular accountability and responsiveness" (Carey 2001: 4); for the Middle East, cf. among many others Ghalioun (2004). Quite to the contrary, I contend that most political institutions in authoritarian regimes have been established exactly with two core aims in mind that do not at all rule out one another but rather complement each other: to exert control and, at the same time, to govern and accommodate societal demands; not deliberately, and thus not necessarily triggering a positive outcome to each demand, but still working to that very aim and, thus, not at all ineffective.

In contrast to democracies, these opportunities are not granted according to an equitable but on a highly selective rationale, the impetus of power maintenance being the ultimate functional logic for the selection process. Such exclusive channels of participation are created according to distinct social characteristics, for instance along socio-economic divides (i.e. land owners and private property holders in feudal settings; entrepreneurs, industrialists, and the bourgeoisie under bureaucratic authoritarianism; workers, farmers, and lower urban middle classes under populist and corporatist experiments), cultural and ideational repertoires (religions and ideologies), or anthropological characteristics (tribes, clans, social cleavages).

Thirdly, one needs to acknowledge that authoritarian regimes entail a structural legitimacy deficit compared to democracies because they do not rest on the inherent legitimizing property that the electoral-participatory process creates.[7] This holds true even though autocracies certainly feature a distinct measure of legitimacy particularly among those societal parts and strata which have been included and allowed to participate in the political process (Burnell 2006: 548). Accepting that, in order to endure, every political regime needs to create a measure of political legitimacy, authoritarian rule rests on *person*, not *office*, that is on *personalized political legitimacy*. In such regimes, the personal capacities and achievements, possibly (but not necessarily) also a charismatic picture, of the ruler(s) are the main legitimacy-creating claims. With respect to the Egyptian case, Maye Kassem identifies aptly a "government of men rather than laws" (Kassem 2001: 61). One can distinguish, then, between traditional, populist and merit-based legitimation. In the majority of empirical cases, authoritarian rule will rest on a combination of such types of political legitimacy.[8]

7 Moreover, autocratic rulers cannot resort to the substantial ideological foundations that totalitarian regimes have at their disposal.

8 With respect to the modern menu of legitimation in the Middle East, cf. Pawelka (2002: 437). He argues that the very fact that Middle Eastern regimes are authoritarian in nature does not necessarily render them illegitimate; rather, their rule rests upon a whole variety of modern and traditional forms of legitimation that are, more often than not, successfully employed by incumbents. André Bank distinguishes between allocative legitimacy, the "politics of

It is important to note that this general definitional trait of authoritarianism should not be equaled with a specific *sub-type* of authoritarian rule, that is personalized rule, addressed more in-depth below (chapter 1.1). The difference is that the latter involves a distinct regime structure at the helm of which is one person, while the former indicates that political legitimacy – and the question whether one does or does not have it – is inevitably and personally related to those people in office (and not the office itself), regardless of whether there is one or more people in power or how power is organized. Thus, in essence, this major tool of legitimacy creation is specific to personal rule regimes as well as to military juntas.

A fourth definitional trait that needs further investigation refers to the *adaptive capacities* of an authoritarian regime.[9] When – according to Przeworski – rules and procedures are uncertain, it means that authoritarian regimes avoid the creation of stable, formalized, and reliable mechanisms which organize and administer the access to political power and state-society relations. While the existence of such rules and procedures is a necessary precondition for every polity, authoritarian incumbents change these institutions, formal and informal, within extremely short intervals. In so doing, the institutional framework of the polity is subject to frequent changes; and the political incumbents show a particularly high degree of flexibility towards changing circumstances, constraints and opportunities. This holds true for the 'modern' political institutions which are subject to frequent changes concerning their institutional design and efficacy: written constitutions and laws, the regulations of elections, parliaments, and legislative procedures.[10]

Economic policy frameworks constitute yet another example of the adaptability of authoritarian regimes. In the Middle East, but also in other world regions, states have applied – within only a few decades – feudal systems, dependent capitalism under imperialist and colonial frameworks, state-led and import-substitutive industrialization, economic self-sufficiency programs, export-oriented rentier deve-

participation", and the "politics of symbolism" (Bank 2004: 159); for the discussion on political legitimacy of Middle Eastern regimes, cf. also Albrecht & Schlumberger (2004: 376-378) and Hudson (1977).

9 As to this point, I owe much understanding to the work of Eberhard Sandschneider (1994 and 1995) who has highlighted – in the intellectual tradition of David Easton, Gabriel Almond, Sidney Verba, and Niklas Luhman – most poignantly the significance of adaptive capacities with respect to the stability of political systems. Sandschneider coined the term *Fließgleichgewicht* – that I have earlier interpreted as "dynamic equilibrium" (Albrecht 2005a: 388) – in order to denote a flexible and dynamic, systemically embedded responsiveness by which regimes correspond to, accommodate, and convert inputs from other corresponding systems, particularly society and the international political system.

10 Lucan Way, focusing on authoritarian re-equilibration in Eastern Europe, has identified three dimensions in which incumbent capacities in authoritarian regimes are tested: control, scope, and size. The *control* dimension "refers to the extent to which top-level state officials can rely on their subordinates to obey orders," while the "capacity of leaders to impose and maintain autocratic rule also depends on the *scope* of issues over which state leaders have discretionary control." And: "Finally, the *size* of the state and the economy it controls affects the degree of incumbent exposure in the post-cold war era" (Way 2005: 235).

lopment, and liberal *Washington Consensus* projects. However, autocrats are also often quite flexible in the use of repressive means of power maintenance. It can be shown that repressive and more liberal phases often alternate at short intervals. Often we even find a concurrent, though interchangeable, interplay of highly repressive means in distinct policy issues or towards certain social actors and remarkably liberal stances towards others. In short, authoritarian systems are particularly vulnerable to internal demands and external shocks; therefore, the political regimes rely upon a high degree of reactive and adaptive capacities. As a consequence, there are neither any strong ideological references nor any 'mentalities' of a prominent meaning which Juan Linz claimed to have discovered, usually short-lived populist adventures notwithstanding. Authoritarian regimes identify themselves exclusively with political power.

A very serious weakness of studies on authoritarianism is that comparativists have not inquired systemically into the characteristics of different sub-types of authoritarian regimes (Geddes 1999: 121). Concerning the states in the Middle East and North Africa, a whole variety of different concepts and approaches have been employed to account for the working mechanisms and changes of political rule (cf. Pawelka 2000).

Concepts of personal rule have come to be seen – and used – from a decidedly critical perspective. Firstly, a variety of scholars have criticized the very concepts and their usage as overtly culturalist and orientalist. Others have highlighted core traits of personal rule in normatively biased examinations of what they perceive as underdevelopment, weakness, and backwardness in Middle Eastern states and societies (cf., for instance, Jreisat 2006). I use the described concepts of personal rule as analytical tools which are illuminative in the aim of explaining the core working mechanisms of political rule in the Middle East and North Africa (and possibly elsewhere), dissociated from any normative connotations and evaluations.

I argue that concepts which highlight the nature of personal rule fit particularly well for accounting for authoritarian regimes in the Arab Middle East.[11] In the body of literature on personalized authoritarian rule, *sultanism* and *(neo)-patrimonialism*

11 Exceptions are Algeria, Iran, and Lebanon. In Iran, since the death of the revolutionary leader Ayatollah Khomeini, political power is not organized in a hierarchical structure; rather, distinct power centers within the political elite – the presidency, the council of guardians, the supreme revolutionary leadership, and revolutionary military forces and foundations – struggle with one another allowing for a remarkable degree of open and uncertain competition within the political elite (Buchta 2000). In Lebanon, if at all qualified as a sovereign state, consociational agreements of power sharing among the sectarian social strata prevent the emergence of a strong patrimonial leader, even under Syrian tutelage during the 1990s (cf. Salloukh 2007). In Algeria since 1991, a military junta has led the country and is referred to as 'le pouvoir' despite the formal existence of the presidential system. Things seem to have changed there since the presidential elections of April 2004 with President Bouteflika being able to re-negotiate power structures in his favor and to the detriment of the military establishment (cf. Entelis 2007). Future prospects may well see their 'return to the barracks' and a substantial re-organization, and possible 'personalization' of authoritarian rule in Algeria.

are the most prominent terms.[12] Basically, both terms refer, in a Weberian context, to relations between a powerful political ruler and the ruled based on personal relations instead of a legal-rational institutional framework. There are (at least) two different approaches of adaptation of such terms (cf. Erdmann & Engel 2006). Firstly, they have been used to describe very generally the relations between individuals within a hierarchical structure, but not necessarily within a distinct political regime type (cf. Eisenstadt 1973). In this context, *patrimonialism* and *sultanism* have been applied almost synonymously with other terms, such as 'patronage,' 'patriarchy,' 'clientelism,' or 'corruption.' Most important about this perspective is that the described phenomena refer to a general social attitude which may occur in any type of polity.

A second approach is more important for this study in that it uses the terms in order to denote a *specific type* of political regimes. In his seminal article on authoritarian and totalitarian regimes, Juan Linz already referred to sultanistic regimes as regime types *sui generis* distinct from democracy, authoritarianism, and totalitarianism (cf. Linz 1975: 259-263). I will not, in this piece of research, engage in a discussion of whether personal rule regimes comprise – or should be analyzed as – an analytical category distinct from authoritarian regimes. Chehabi and Linz have postulated such an approach poignantly in order to avoid leaving 'authoritarianism' as a mere catch-all term and residual analytical category (Chehabi & Linz 1998: 3). While Linz's original idea has great merits, a thorough discussion would reach far beyond the scope and theoretical framing of this study. Rather, I follow an approach similar to the one employed by Barbara Geddes who has distinguished between personalist, military, and single-party regimes as mutually exclusive sub-types of authoritarian rule (Geddes 1999; cf. also Brooker 2000; for a critique, see Lai & Slater 2006: 115).

Irrespective of the typological difficulties associated with the term, personal-rule regimes are primarily characterized by a powerful ruler who exercises power arbitrarily and on the basis of traditional legitimacy and, often, charismatic leadership (Chehabi & Linz 1998: 7). While Chehabi and Linz prefer the term *sultanism*, I will refer to the term *neo-patrimonialism* in order to account for the specific type of authoritarianism that is prevalent in the Middle East.[13] There are certainly prominent variations among the different political regimes in the Arab world, especially bet-

12 Much of the conceptual literature on the forms of personal rule has been inspired by academic works on sub-Saharan Africa; cf., besides many case studies, Bratton & van de Walle (1994), Jackson & Rosberg (1994), and Erdmann & Engel (2006). On the Middle East, and Egypt in particular, see most importantly Bill & Springborg (1994), Pawelka (1985), and Kassem (2004).

13 According to Max Weber, *sultanism* carries connotations of an "extreme case" of patrimonialism (Chehabi & Linz 1998: 4). This indicates that a specific regime type described as sultanistic will be of a particularly coercive and cruel nature which is detrimental to my understanding of personal rule regimes. True, they can be repressive and harsh, but this is not a necessary precondition; neither is there any reason nor clear empirical evidence to believe that personal rule regimes are harsher than other autocracies.

ween the traditional family-based monarchies (Saudi Arabia, the smaller Gulf states and Emirates, Jordan, and Morocco) and the republics inherited from revolutionary movements (Egypt, Syria, Iraq, Yemen, Libya, Tunisia, Algeria, Sudan). Such differences notwithstanding, some of which will be addressed below, a number of core traits are universal to the personalist-authoritarian political order in the region (cf. Pawelka 1985 and 2002).

Most importantly, the structures of rule and domination in the authoritarian political system are primarily characterized by personal interactions between individuals instead of legal-bureaucratic institutional landscapes, formalized rule, and the rule of law (Bill & Springborg 1994: 160, Pawelka 1985: 24, Schlumberger 2000: 115, Dorraj 1995: 121). In essence, informal mechanisms rule over formal procedures of policy making. Elite interactions are dominated by hierarchical structures enforced through a system of personal loyalty; clientelism and patronage politics are the core fabrics of state-society relations (cf. Eisenstadt 1973, Karadag 2007, Erdmann & Engel 2006: 20). In the Middle East and North Africa, *wasta* – 'intermediation' – is still the "hidden force of society" (Cunningham & Sarayrah 1993, cf. also Sharabi 1988). Primordial ties – along familial, peer group, ethnic, religious, or tribal cleavages – are key structures, while ideological orientations, class membership, or education and expertise play a subordinate role.[14]

This has palpable implications for the understanding of the political elites of such regimes.[15] In general, personal proximity to the ruler – or, more generally, the one who is one step above in the hierarchical political ranking – is decisive and determines the standing of the individual within the political elite, often irrespective of the formal office which one holds. "The nearer individuals are to the patrimonial leader, the more likely they are to have their ideas accepted and implemented by the leader" (Bill & Springborg 1994: 154). As a consequence, one will identify family members along with the close aides and advisers of a ruler (who often do not hold a prominent formal political office) as the most powerful people in the political incumbency.

In the Arab world, the "politics of family rule" (Owen 2000) can be identified as a key component not only in the traditional monarchies, but also in the established and consolidated revolutionary republics: In Saddam's Iraq, Syria, Egypt, Yemen,

14 A political sociology of the Middle East will necessarily take into consideration that primordial structures of social organization – family, kinship, tribe, and *shilla* – are entirely dominant over what is perceived in Western societies as the 'modern' structures of society, the manifestation of which are classes and interest groups. Class-based analyses will therefore be restricted to those countries in the region where a substantial industrialization project has been materialized and social conflicts take place within a divide between capital and labor, for instance in Syria, Egypt, and the states in North Africa (cf. Owen 2000: 38). For a class-based analysis of the political sociology of the Middle East and a fascinating critique of what is perceived as 'culturalist' approaches, cf. Ayubi (1995: chap. 5).

15 For elite studies which are based on an understanding of Middle Eastern neo-patrimonial politics, cf. the contributions in the edited volumes by Zartman (1980) and Perthes (2004); on Egypt, cf. Pawelka (1985: 28-40), Akhavi (1975); the more recent events of changes within the Egyptian political incumbency have been assessed in Collombier (2007), Abdelnasser (2004), and Hassabo (2006).

and Libya, family members of the political leaders have always belonged to the inner circles of the political elite. This has become manifest in recent years through the invention of dynastic forms of succession from father to son in Syria and possibly in Egypt and Yemen.

Examples abound in the Middle Eastern regimes showing that the members of the 'government' – the prime minister and the ministers – are often subordinate in political weight to the people who occupy key positions in cooptation networks – a good example are the speakers of parliaments – or in those institutions of paramount importance for the maintenance of political power, such as, for instance, the heads of business associations or religious authorities.

In Egypt, the prime minister and his group of ministers form 'the government' only on formal terms, while 'real' governance is firmly established among a small group of members of the Mubarak family and close aides. Persistent rumors suggest that, in recent years, the president's wife, Suzanne Mubarak, and his son Gamal seem to have taken over more and more tasks in day-to-day work concerning internal affairs whereas the president himself concentrates on external diplomacy. Close advisors of the president and long-time companions, and thus powerful elite members in the background, include Usama al-Baz (advisor), Zakariya Azmi (head of the president's office), Omar Suleiman (chief of the secret security forces), Safwat Sherif and Kamal el-Shazli. Except for the latter two, who have held ministerial posts and have played key roles in the ruling party, none of these individuals hold a prominent formal political office, but they belong without any doubt to the core elite of the country. The same holds true for a number of close cronies of Gamal Mubarak, the president's heir who has risen to political prominence and is a likely candidate for the succession of his father.[16] Top 'Gamalists' include steel magnate Ahmed Ezz and Hossam Badrawi – both members of a large business faction – and Muhammad Kamal, another rising star in politics who has gained particular prominence as one of the masterminds behind the latest presidential election campaign in 2005.

Political regimes of personal rule display a high concentration of political power in the hands of the ruler.[17] The republican presidents and monarchs in the Middle East are heads of their respective states, the commanders of the military forces, and chiefs of those parties which can be identified as the main political pillars of the respective regimes. State organizations and institutions – such as bureaucracies, elections, political parties, etc. – are crafted with the aim of stabilizing the political system, but not to provide a vehicle for indiscriminate societal interest formation. Throughout most countries in the Middle East,[18] the rulers' own political parties are best described as 'personalistic parties' in that their "only rationale is to provide a vehicle for the leader to win an election and exercise power" (Gunther & Diamond 2003: 187). While the written laws, judicial systems, and constitutions in such

16 For the rise of Gamal Mubarak in Egyptian politics, cf. Auda (2004).

17 It has been found that personalist rulers take states and regimes as hostages to materialize their private interests (Chehabi & Linz 1998: 22).

18 Morocco and Iran could be mentioned as prominent exceptions.

regimes are often ineffective and eroded by informal mechanisms, they do receive their particular importance in that they disclose the dominant role of the political leaders: The Egyptian president, for instance, exerts executive and legislative rights, has the almost unlimited right to rule by decree, and appoints the members of the government, the judges in the highest courts, a considerable proportion of the members of the *shura* council (one-third), and the *sheikh* of *al-Azhar*, the most influential institution of Islamic jurisprudence and higher education in the Muslim world.

While some authors emphasize, in a Weberian tradition, the personal charisma of rulers and traditional legitimation (legitimacy through emanation) as a core trait (cf. Bill & Springborg 1994), such properties can be reasonably ascribed only to a small number of leaders but do not seem to have become a necessary precondition for the establishment of personal-authoritarian rule in general. "By definition it is exceptional and therefore it should not surprise that most of the leaders of non-democratic regimes were not charismatic" (Linz 2002: 71). Political leaders who one may have in mind as charismatic personalities include Egypt's Gamal Abdel Nasser, the leader of the Iranian revolution Ayatollah Khomeini, the late King Hussain of Jordan, and possibly the late Ibrahim Muhammad al-Hamdi who ruled over the Yemen Arab Republic for a short period in the 1970s. On the other hand, charisma is a weak analytical category and particularly hard to measure.[19]

In some discussions, rulers seem to qualify as 'charismatic' only by having reached a certain age and by having proven the ability to stay in power over a longer period of time. However, one should not mistake the familiarization with a face in politics for a personal quality of the man behind it. While Middle Eastern rulers usually remain in power for a decidedly long period of time, one would hardly call Hosni Mubarak a particularly charismatic personality, nor were Ali Abdallah Saleh of Yemen, the late Saddam Hussain of Iraq, the Sa'udi King Abdallah, the late Hafiz al-Asad of Syria, or Mu'ammar Qaddhafi charismatic in this particular sense. Therefore, Chehabi and Linz have stated quite convincingly: "Sultanistic leaders crave charisma and surround themselves with the trappings of charismatic leadership precisely because they know they lack it" (Chehabi & Linz 1998: 13). In sum, leadership styles in patrimonial-authoritarian regimes can differ tremendously and this becomes particularly evident when comparing the leadership styles of Egyptian presidents from Nasser to Mubarak (cf. Davidson 2000).

Of much greater analytical and empirical relevance is the central task of the patrimonial ruler: the function of arbiter between competing groups and interests of the political elites bound to the power center through cooptation and patronage (cf. Pawelka 2002: 432-437). "Intra-elite bargaining dominates the politics of personalistic regimes" (Ulfelder 2005: 315). Patrimonial rulers juggle between such different and competing elite agents, play one group off another, and engage in a balan-

19 For an early attempt to conceptualize the term to the analysis of political leadership, cf. Tucker (1968). I argue to keep a critical distance towards the term and its conceptual applicability.

cing act amongst societal forces that have been judged desirable and incorporated into the political realm (cf. Brumberg 2002, Bianchi 1989, Pawelka 1985: 25). President Mubarak has always proven to be a prime example of such a ruler pitting workers against industrialists and property holders, the rich against the poor, left against right, and Muslims against Copts. The aim of such a strategy is two-fold: firstly, to generate political legitimacy and public support in order to draw a picture of the president as the 'father of the whole nation' and, secondly, to control the elite factions which represent such conflicting interests by maintaining a counter-weight to each one of the factions.

The fabric of such a polity consists of corporatism, cooptation, and patronage; but this costs money. Therefore, it is a prime aim of patrimonial leaders to control a large part of the financial resources and the procedures and working mechanisms of the national economy. The 'free market' ideal is detrimental to the functioning of the political system of neo-patrimonialism. Economic structures thus usually involve a state-led and state-controlled economic development along with endemic corruption, rent-seeking behavior, and 'crony capitalism' (cf. Richards & Waterbury 1998, Henry & Springborg 2001). As Giacomo Luciani put it, "the patrimonial non-national state is (…) best adapted to being an allocation state, because its origin naturally restricts the number of people who have a say" (Luciani 1987: 75).

Such a form of leadership necessitates pragmatism on the side of the person at the helm of the hierarchy along with a great degree of flexibility in order to react to the dynamic processes which reflect the conflicting interests among elite pillars. Contrary to the overwhelming judgment in the Western public of politics – and decision-making processes – in the Middle East as rather inconsistent, erratic, and unsound, patrimonial rulers are perfectly rational actors when judged under the assumption that their core aim is the preservation of power. They simply do not accept a confinement to their opportunity structures by keeping determined to ideational visions and programs, but the maintenance of their personal hold on power is the one-and-only engine of decision-making. Therefore, Robert Bianchi has observed that "eclecticism in economy, polity, and culture can serve some very useful purposes and this may be precisely why it is so prevalent and persistent" (Bianchi 1989: 8). The unconditional adherence to ideas and political programs is inefficient in this system of *pragmatic authoritarian rule* both on the side of the ruler as well as on the side of elitist groups and factions. With respect to the ruling *National Democratic Party* (NDP) in Egypt, Virginie Collombier stated most recently that it consists more of "a mere grouping of individuals willing to be linked to the state in order to get privileges from it than a group really founded on clear principles and a clearly defined ideology" (Collombier 2007: 97).

President Mubarak – lacking the charisma that Gamal Abdel Nasser had at his disposal – has learned the lesson of his predecessor's failure: Anwar Sadat had positioned himself too starkly through his one-dimensional foreign policy (Western orientation, peace accord with Israel at Camp David) which earned him a number of fierce enemies both in Egypt and in several other countries in the region. Mubarak, by contrast, cannot be considered to stick consequently to a certain idea or policy framework. Rather, in his long tenure he has proven to be rather eclectic and prag-

matic in that he presented himself as a great defender of the Arab nation (towards Israel) and Egypt (towards its neighbors); he has coped with the economic challenges of modern life by initiating reforms, but not too many and far-reaching; he has always taken into consideration the interests of the military and security apparatuses as the decisive backbones and potential saviors of the regime, but he has also made it absolutely clear that his regime has a reliably civil(ized) design.[20] Mubarak has portrayed himself as a devoted Muslim – thereby referring to the growing Islamicization in the country – and at the same time a modern, open-minded, and dynamic political leader.[21]

There is a marked disincentive for patrimonial rulers – even compared to other forms of authoritarian rule – to give up political power voluntarily because the one who will succeed him will always strive to tear down the regime of his predecessor and crush those people closely associated to him. This is done in order to destroy the political hierarchical framework that has proven to function as a viable autonomous power center.[22] This could not be better exemplified than by the phases of regime change in modern Egypt, that is in the periods of the shift of power from Nasser to Sadat and from Sadat to Mubarak. As a consequence, patrimonial leaders in the Middle East can rarely be negotiated out of power. Rather, they usually die in office or are removed forcefully, by coups d'états or revolutions. This, in turn, renders contention between political elites in power and their opponents in society or other states rather conflictive and also aggravates conflicts between different factions within a political elite structure.

What is 'neo' about neo-patrimonial rule? Patrimonial incumbencies have gotten involved in a process of modernization with the aim of building up an organizational framework for the state in the modern world through the creation of large bureaucratic apparatuses along with law and judicial frameworks and modern, formal political institutions such as governments, political parties, elections, parliaments, committees, trade unions, and business associations. Looking back on a long history of statehood, Egypt has played a model role for the whole region in this development and witnessed several phases of such processes of modernization and institutionalization. Under Nasser, the post-revolutionary period was accompanied by state- and regime-

20 Rashid Khalidi, among other scholars, has observed that many leaders of revolutionary movements have stripped off the military credentials that brought them to power: "The men at the top of the government bureaucracy, the officer corps, the security services, and the state and private sectors are quite different from the leaders of the 1950s and 1960s. This remains true, even when, as is often the case, they are the same individuals" (Khalidi 1988: 204).

21 Ivesa Lübben has described this phenomenon as the "dual discourse of legitimacy" (Lübben 2003: 70).

22 One dilemma patrimonial rulers face is that, on the one side, they need to relegate much influence to a small clique of close and loyal core-elite members; on the flip-side, these personnel will constitute a potentially powerful threat to the ruler himself. A common strategy to avoid the emergence of challengers from within the political elite is the frequent reshuffling and rotation of political elites, from one post, position, and assignment to another, thus inhibiting the configuration of a separate power base (Albrecht & Schlumberger 2004: 378).

building and witnessed the formation of large bureaucratic apparatuses, centralized military and security forces, and a corporatist structure for economic development and planning consisting of organizations for workers and entrepreneurs. Anwar Sadat has contributed the break-up of a unitary political mass movement and the development of a multi-party system, while Hosni Mubarak invented, in his early years, a system of controlled parliamentary elections and representation, adding 'civil society' to Egyptian politics in the 1990s.

Notwithstanding the core working principles of personal rule and elite interactions, these formal institutions have come to influence politics considerably. Originally designed as a mere institutional framing of personalist politics, the institutions themselves do matter. Such institutions have become important for the legitimacy claims of the polity, and they have been converted – contrary to corresponding institutions in the world of the polyarchy – into loci and channels of cooptation and control. Thus, there is a meaning and efficacy to what has been perceived as a mere "constitutional façade" (Chehabi & Linz 1998: 18). Among the 'institutions-matter literature' on authoritarian regimes,[23] Brian Lai and Dan Slater have argued most convincingly: "Authoritarian regimes with stronger party institutions are more effective purveyors and organizers of elite patronage than regimes that lack them" (Lai & Slater 2006: 116).

In a systemic view, one can maintain: "Neopatrimonialism is a mixture of two, partly interwoven, types of domination that co-exist: namely, patrimonial and legal-rational bureaucratic domination. Under patrimonialism, all power relations between ruler and ruled, political as well as administrative relations, are personal relations; there is no differentiation between the private and the public realm. However, under neopatrimonialism the distinction between the private and the public, at least formally, exists and is accepted (…). Neopatrimonial rule takes place within the framework of, and with the claim to, legal-rational bureaucracy or 'modern' stateness" (Erdmann & Engel 2006: 18).

In developing such 'modern' institutions, the outside picture of neo-patrimonial regimes have come close to other sub-types of authoritarian rule, for instance bureaucratic authoritarianism, military rule, or one-party regimes. However, it is important to identify and pronounce the core working mechanisms of regimes of personal rule which remain intact despite clearly observable processes of institutionalization, bureaucratization, and civilianization: "The leader may be an officer and may have created a party to support himself, but neither the military nor the party exercises independent decision-making power insulated from the whims of the ruler" (Geddes 1999: 121).

23 The core question under inquiry in this debate is whether institutions matter in that they influence beliefs and actions or whether their operation ultimately depends on the conditions under which they are established and work (cf. Przeworski 2004, Lust-Okar 2005).

1.2. 'Liberalized Authoritarianism' Reconsidered

If one follows the arguments of Shehabi and Linz (1998), Brooker (2000), and a number of other scholars, one could gain the impression that personalist regimes are less liberal and more repressive than other authoritarian regimes. For instance, in his study on regime-opposition relations in Suharto's Indonesia, Edward Aspinall recalls the mainstream view on sultanistic regimes in saying that such regimes "lack significant pockets of pluralism in official structures and do not tolerate even the most temperate of detractors" (Aspinall 2005: 2). This is entirely detrimental to my understanding of the functioning of states and the design of state-society relations in Middle Eastern regimes.

While the measurement of coercion is rather difficult and a large-scale, quantitative comparison among different authoritarian regimes is missing as of yet, a closer look at the functioning of modern personalist regimes dismisses this general claim. Rather, only a quick look at political regimes in the Middle East conveys a decidedly non-uniform picture including very repressive regimes (Iraq under Saddam Hussain, Syria under Hafiz al-Assad, Saudi Arabia, Iran, and contemporary Tunisia) vis-à-vis decidedly liberal states (Jordan, Morocco, Kuwait, United Arab Emirates, and Oman) and a third group of regimes which could be located in the middle of the extremes (Egypt, Yemen, Bahrain, contemporary Syria and Libya).[24] One very broad lesson is that patterns of the degree of liberty are far from uniform across the region, and neither are patterns of changes of that degree (Albrecht & Schlumberger 2004: 374).[25]

To make this very clear, patrimonial-authoritarian leaders do not have any principal reservations to using coercive and repressive means whenever judged necessary; and this holds true not only for the particularly cruel regime of Saddam Hussain and for other illiberal states in the Middle East, but also for all other regimes perceived as more liberal (cf. Bellin 2004). Egypt, where a relatively prominent degree of pluralism has materialized, maintains a sophisticated security apparatus consisting of the military, security services, the omnipresent military police, and the private security personnel of powerful elite members. An important pact of the bureaucratic apparatus forms the political backbone of repression and control, most importantly the Ministry of Interior and the Ministry of Social Affairs. Accordingly, the Ministry of

24 Daniel Brumberg puts Middle Eastern regimes on a continuum according to the degree of pluralism granted by the state which is more nuanced but largely congruent with my assessment (cf. Brumberg 2005: 20).

25 Throughout the 1990s, the political-liberalization perspective – often associated with expectations concerning the advent of democracy – have largely dominated comparative and single-case studies on political systems and development in the Arab world; cf. the classical readings in Salamé (1994), Brynen, Korany & Noble (1995), Baaklini, Denoeux & Springborg (1999), and the contributions in the *Journal of Democracy*, Vol. 13, No. 4 from 2002. Mehran Kamrava has argued that differences in regime types across the Middle East account for the differences in the degree of political liberalization processes (cf. Kamrava 1998).

Information is better referred to as the 'Ministry of Misinformation' in that it orchestrates, in cooperation with other statist or state-controlled institutions, the confinement of central freedoms and rights through a well-established system of media censorship and intimidation of the people.[26] Most important for the coercive system in Egypt is that the country has been ruled since 1981 through an emergency law and associated security and military courts that restrain the most well-established institutional realm of liberty, that is, the independent judiciary (cf. Singerman 2002).

This coercive authoritarian structure notwithstanding, as a rule of thumb, the rulers of Egypt as well as those in the majority of the Middle Eastern states have proven that they use coercion and repression[27] not arbitrarily, that is when deemed *possible*, but only whenever judged *absolutely necessary*, that is primarily as a back-up option which comes into play when other forms of containment have failed, threatened to fail, or if they have been perceived by the rulers as being in the process of failure.[28] As Peter Pawelka put it, "the patrimonial state is elitist but soft" (Pawelka 1985: 25). This is not to draw a positive picture from a normative perspective. Rather, the patrimonial-authoritarian regimes of the Middle East are based on the substantial restrictions of liberalism and pluralism, and a large part of the populace in the countries is directly affected by this. However, the core argument here maintains that the states under consideration are no less liberal than other authoritarian regimes, but – by contrast – the specific kind of rule described here requires a great measure and potential on the side of the rulers to maintain policies "beyond coercion" (Dawisha & Zartman 1988).[29]

This view on Egypt as a 'liberalized autocracy' is of fundamental importance for the further discussions in this study on political participation and the prevalence of political opposition in such a regime type. As we can see from the recent history in the region, processes of political liberalization belong to an intrinsic menu of personalist-authoritarian regimes along with a principle readiness among many rulers to include important agents of society and to coopt even some of those who have been

26 Quite understandably, not much has been published on the working mechanisms, practices, and empirical evidences of political censorship in Egypt; a noteworthy exception can be found in CEDEJ (2001).

27 Throughout this book, the terms 'coercion' and 'repression' are used interchangeably to denote statist actions to influence societal agents directly, often involving physical violence. More precisely, one can distinguish between *coercion* as an action whereby "behaviour is being controlled by shaping the circumstances/opportunities faced by an agent" in contrast to *repression* "where behaviour is controlled by direct intervention on preferences and/or beliefs" (Bavetta & Guala 2003: 432).

28 Examples abound showing that authoritarian incumbents use whatever means of brutal repression they think are necessary whenever they perceive that a crisis is eminent and their hold on power must be re-stabilized (cf. Brownlee 2005).

29 I challenge here in particular accounts that highlight high degrees of repression as the most important single aspect to explain the persistence of authoritarian regimes in the Middle East; cf. for this perspective Bellin (2004), Brownlee (2005), and Ghalioun (2004); for the perceived 'weaknesses' and 'underdevelopment' of patrimonial regimes compared to other forms of authoritarianism, cf. more generally Leftwich (1993: 66) and Brooker (2000).

identified – and who have identified and continue to identify themselves – as political opponents and challengers. With respect to Egypt, Robert Springborg said that, "no sector of the population is absolutely and systemically excluded from political participation" (Springborg 2003: 192). Political liberalization embraces, most importantly, the abolition of restrictions – though carefully orchestrated from above and persistently subject to potential coercive countermeasures – on individual rights and liberties along with the removal of limitations on the freedom of the press, open speech, and the right to gather in public.[30] Meaningful indicators of the degree of liberty – and of the degree of liberalization measures – are institutional reforms, most visible in electoral processes and associated bodies of representation, along with legal and constitutional changes and the proliferation of organizations of societal representation such as political parties, advocacy groups, and non-governmental organizations.

Egypt has come to be seen as a prime example – and a widely analyzed case among the Middle East – for an authoritarian regime that has embarked on processes of liberalization and de-liberalization.[31] There they have never been uniform but, instead, distinct phases of liberalization and de-liberalization have alternated, at times at rather short intervals. A recent example is the election year 2005 which can be assessed as a remarkably liberal window of opportunity that, however, was quickly closed in the post-election period from early 2006 onwards (cf. Albrecht 2007). Moreover, politics of liberalization and de-liberalization are often crafted in a rather exclusive fashion and thus apply to some political institutions, societal groups, and political agents while remaining, at the same time, foreclosed to others.

Examples in Egypt abound. For instance, in the mid-1970s, Anwar Sadat introduced a rather inclusive approach towards Islamists, in particular at university campuses, while crushing the leftist followers of his predecessor. In the second half of the 1980s, the emerging opposition parties were on the sunny side of political liberalization whereas organizations that had come into being within statist-corporatist structures, such as labor unions, significantly lost room for maneuver in the dawn of economic reforms. In turn, the 1990s witnessed a severe crack-down on Islamists – and also on other opposition forces (Kienle 1998) – but some scholars continue to refer to this decade as a period of political liberalization, pointing to the emergence of what seemed to be a lively and multifaceted landscape of civil society organizations (cf. more in-depth chapter 2.3).

30 The conceptualization of the terms – and even more so the measurement – of 'political rights' and 'individual freedoms' remain quite diffuse and largely dependent on the respective empirical context (Rüb 2002: 98). Eberhard Kienle has differentiated 'positive liberties' – the right to do something – from 'negative liberties,' that is, the right to receive protection from interference into personal affairs and individual integrity (Kienle 2001: 11). Giovanni Sartori distinguishes between political freedom as *permission*, as *ability*, and as a *substantive condition* (Sartori 1962: 281).

31 On the patterns and processes of political liberalization and de-liberalization in Egypt, see Kienle (1998 and 2001), Brownlee (2002), Kassem (1999), Korany (1998), and Fahmy (2002); on the 1980s, cf. Springborg (1989) and Bianchi (1989).

From a broader and more conceptual perspective, political liberalization has been assessed in quite different ways. One line of argument emphasizes that, throughout the Middle East, phases of political liberalization have been introduced as a consequence of pressure 'from below' – often triggered by phases of economic crises which turned into subsequent crises of political legitimacy (cf. Luciani 1994, Sadiki 1997 and 2000, Ehteshami & Murphy 1996, Owen 1994) – or from changing circumstances in the international political arena, e.g. the pressure of democracy-promoters from single states, international institutions, or cross-national civil society organizations.[32] In this context, political liberalization has overwhelmingly come to be seen as a potential or real harbinger of democracy. Even more broadly, from a social movement theory perspective, political liberalization is identified as a political opportunity period (cf. Tarrow 1998, Jenkins & Klandermans 1995, McAdam, Tarrow & Tilly 2001; see in greater depth below, chapter 2.3); and in the mainstream body of literature which has been labeled the "transitology paradigm" (Carothers 2002), liberalization is seen as the first phase in democratization processes (cf. O'Donnell & Schmitter 1986).

Other scholars have argued instead that political liberalization did not change the systemic structure of the polity dramatically and in a way that one would be able to identify the advent of a democratic polity. However, they have hinted at the fact that changes within the regimes were substantial enough to alter some very important mechanisms and procedures. For instance, it has been argued that such processes can change the institutional landscape of authoritarian regimes which were subsequently dubbed 'electoral authoritarian' (Diamond 2002, Schedler 2002); a slightly different perspective highlights the fact that the degree of political competition has increased as a consequence of liberalization identifying a distinct regime-type called 'competitive authoritarian' (Levitsky & Way 2002, Howard & Roessler 2006); yet another approach argues that liberalization measures are so profound that a path towards democratization was clearly identifiable, accepting the reservation that the concerned regimes – then called 'semi-authoritarian' (Ottaway 2003) – stopped short before half-way on that very process.[33]

More recently, scholars have engaged in studies of authoritarianism which differ remarkably from the mainstream perspective held in the previous two decades. One can criticize that Fukuyama's end-of-history dictum has been applied, at least implicitly, as an unrivaled and irrevocable paradigm for the majority of political science

32 Martin Beck has argued that limited political liberalization from above was a strategy to counter a general pressure of globalization (Beck 2003); cf. also Henry & Springborg (2001).

33 In comparative politics, both empirical and conceptual analyses of such 'gray zone,' 'foggy zone,' or 'hybrid' regimes have gained particular prominence in recent years; cf. Collier & Levitsky (1997), Diamond (2002), Rüb (2002), Howard & Roessler (2006), Merkel (2004); for a critical account, cf. Armony & Schamis (2005). The MENA region has been largely ignored in this body of literature (cf. Paczynska 2007 for a critique of that matter), though this seems quite understandable considering that there is not much to be called 'hybrid' about the overtly authoritarian nature of political systems in the region. Possible exceptions of regimes which could be assessed from a hybrid-regime angle may include Lebanon and Iran.

research on non-democratic political systems (cf. Anderson 2006). An often unquestioned democratization focus in studies of authoritarianism includes substantial teleological and normatively biased prejudices which are detrimental to an analytical understanding of authoritarianism *as is*, that is, in such cases where democratization has not (yet) occurred. It is hardly imaginable in our times that scholars would be able to secure funding for research projects which attempted to explain why and how liberal democratic regimes in Europe, North America, or elsewhere would be transformed – or not transformed – into authoritarian, totalitarian, or whatever form of non-democratic regimes. In turn, analogous questions have long dominated the mainstream of research projects on authoritarian regimes, at least within implicitly held assumptions. In the end, questions have been raised about what political regimes could or should become, instead of inquiring what they are and how they work. It is my impression that studies on authoritarianism are only at the very beginning of being integrated properly as an independent and *sui generis* field of examination in comparative politics, even 30 years after Linz.

When analyzing political liberalization within such an emerging line of thinking, which considers authoritarianism to be an empirical reality worth being analyzed as it is, one will quickly come to argue that the distinct path of liberalization indicates that we are dealing in the majority of Middle Eastern countries with processes initiated and entirely controlled 'from above.' In this context, political liberalization can be seen as an "opening that results in the broadening of the social base of the regime without changing its structure" (Pridham 1995: 66). More precisely, from this perspective, political liberalization has to be distinguished as a process of change *within* a given political regime in contrast to change *of* the regime under consideration. Political liberalization is then an entirely authoritarian package of policies – executed with the aim of crisis management and better regime performance – and has nothing to do, at least not necessarily, with democratization processes (cf. Albrecht & Schlumberger 2004, Schlumberger 2000).[34]

Daniel Brumberg (2005 and 2002; cf. also Dodge 2002, Lust-Okar & Jamal 2002) has coined the term 'liberalized autocracy' to denote a specific sub-type of authoritarianism which is determined and measured, and where regimes are distinguished from one another by the degree of pluralism that is granted by the incumbents. The merit of Brumberg's approach is the observation that liberalizing policies have been institutionalized and reinforced, yet without transforming the polity into a democratic one. In this argument, political liberalization comes as a survival strategy in that authoritarian incumbents successfully generate political legitimacy and enlarge (or change) the social basis of the political elite and those societal actors coopted by the elite. In so doing, authoritarian incumbents have widened the space for the emergence of what is perceived as a civil society, engaged in judicial and constitutional re-

34 Oliver Schlumberger and I (2004: 374) have argued that "(de)liberalization does not render the regime's character 'more authoritarian' or 'less democratic' (…). The relevant variable for classifying a polity as authoritarian is not its level of pluralism, but whether pluralism is restricted or not, which is a simple yes-or-no question".

forms and reformed economic procedures, enhancing the opportunities of private capital holders. Reforms within the ambit of parliaments, political parties and elections have come to be seen as the most important expressions of such liberalization projects. A general feature of such policies, and of what has come to be seen as a 'liberalized autocracy,' is that the concerned political regimes prefer cooptation and inclusion to purely coercive mechanisms of societal control.

While research on what 'liberalism' means under authoritarianism and how it can be measured is underdeveloped – and this problem cannot be solved here satisfactorily – some very broad ideas reflect on a core trait of political systems under consideration here, that is the interplay between formal rules and informal mechanisms:[35] I hold that, as a rule of thumb, liberal rights and freedoms are granted by authoritarian incumbents almost exclusively within formal rules and mechanisms. Political liberalization would then be primarily a subject in the mechanisms ruling laws and constitutions, elections, the work in parliaments, the permission of political parties and politically relevant societal organizations and self-help associations. In turn, informal mechanisms that govern the access to political power, the communication and interrelation among elite members, cooptation, and corporatist and clientelist arrangements are omitted from changes which would be assessed from a (de-) liberalization angle. The reason for a greater propensity of change within formal procedures and institutions in the (de-)liberalization context is that, firstly, in personalist regimes they are not as decisive for the organization and maintenance of political rule than informal procedures and institutions. Secondly, changes within formal structures can be reversed more easily than changes within informal structures.

A second point that needs to be mentioned is that, while liberalization can be – and is often designed as – a purely authoritarian policy package, one cannot exclude that it may lead to systemic changes, that is, democratization. The 'liberalization trap' makes us wonder: How do authoritarian incumbents stop liberalization from turning into democratization? One aspect is paramount: a liberalized authoritarian regime must – in its quest for rule maintenance – avoid the emergence of *autonomous* societal actors with a political agenda. Among the 'transitology literature,' Geoffrey Pridham argues convincingly that the emergence of autonomous societal organizations is the most crucial factor for liberalization and – possibly – democratization processes: "What is threatening to authoritarian regimes is not the breakdown of legitimacy but the organization of counterhegemony: collective projects for an

35 There is not much conceptual work about the nexus between formal and informal institutions and mechanisms. Some, like Meyer (2006) and Lauth (2000), reconsider normative prejudices in that they focus on informality as a political fabric that envelopes corruption, under-development, and 'bad' governance. It is the merit of Gretchen Helmke & Steven Levitsky (2004 and 2006) to focus on informal institutions as an integral part and parcel of core working mechanisms of a polity, irrespective of whether that is good or bad. Helmke and Levitsky (2004: 727) define informal institutions as "socially shared rules, usually unwritten, that are created, communicated, and enforced outside of officially sanctioned channels."

alternative future. Only when collective alternatives are available does political choice become available to isolated individuals" (Pridham 1995: 54-55).[36]

Societal autonomy is the fiercest enemy of authoritarian control and its well-known working mechanisms: Financial autonomy disrupts cooptative and clientelist arrangements, while organizational autonomy on the part of social groups and strata contradicts state-corporatism. This aspect is of paramount relevance when analyzing – in the empirical chapters of this study (chaps. 4 and 5) – the differences in state-opposition relations between, on the one hand, the Islamist opposition (in particular the Muslim Brotherhood) which has achieved autonomy from state control and, on the other hand, the secular opposition organized in political parties and civil society associations which ultimately failed to reach independence from the regime's interference.

Out of the authoritarian regime's sight, it is particularly important to obstruct the materialization of "coordination goods" (Bueno de Mesquita & Downs 2005: 84) on the part of challengers and, thus, to watch over groups and players with a notable potential to induce organizational capacities to form societal dissent: Within an institutionalized political framework, political parties are important organizations. Whenever societal pressure is paramount, we talk about a liberalization pressure 'from below' and look in particular at civil society organizations (human rights organizations, 'round tables,' organizations of 'disappeared people') and protest movements. Also, institutions and organizations which have been created for totally different purposes can turn out to become a harbor for contentious political action. We will see in more detail below that, in the Egyptian case, the judiciary, originally an institution discretely incorporated into the authoritarian structure, has become an independent source of conflict for the incumbents.

To state this very clearly – and this is paramount for my further argument – the very *existence* of all such agents and organizations is not a necessary condition to expect democratization, or even liberalization processes. Rather two equally important conditions must be fulfilled to turn a liberalization process under stable authoritarian settings into, firstly, a profound challenge of authoritarian rule and, secondly (but not automatically), into democratization processes:

1) Contentious societal action must be organized and voiced
2) These organization and voice channels must be autonomous from state control

The issue of political liberalization and associated questions about whether liberalization may turn out to become a threat towards authoritarian incumbents lead us into discussions that figured prominently in recent years on the stability of authoritarian rule and its means of power maintenance.

36 The term 'autonomy' is defined here as the freedom of an agent to make decisions deliberately and on the basis of self-determined preferences: "In the ideal autonomous life, what is achieved must have been chosen, what is chosen must have been preferred and preferences must be 'of one's own' (not borrowed, for example, or not hetero-directed)" (Bavetta & Guala 2003: 428).

1.3. Regime Stability and the Dynamics of Authoritarian Power Maintenance

Two puzzles have gained prominence in recent years in studies on authoritarianism. In comparative politics, and particularly within the context of large-n studies, scholars ask: Why do (some) authoritarian regimes not democratize? From a more narrow, regional perspective – often based on qualitative accounts in both single-case and comparative studies – students of Middle Eastern politics have come to inquire into the region's 'exceptionalism' with respect to the resilience of authoritarianism as the dominant type of political rule while other world regions have substantially democratized.[37]

One important insertion has to be made here: I hold that the MENA region is not necessarily more stable than other world areas when we count the breakdown, vs. persistence, of singular regimes and compare the results with other world regions. Irrespective of the fact that several incumbents feature a long time-span of power maintenance, examples of regime breakdown or near-breakdowns since the second World War abound, such as the takeover of power by military-backed revolutions in the 1950s and 1960s (in Egypt, Algeria, Tunisia, Syria, Iraq, Libya and Yemen), the Iranian revolution of 1979/80, more recent 'correction movements' within authoritarian regimes (Sudan), a democratization process in Algeria halted by military intervention (1990), externally-induced regime breakdown (e.g. the current adventure in Iraq led by the Bush administration), internal unrest – often involving Islamist contenders (Algeria, Egypt) – and even full-scale civil wars (Lebanon, Yemen, Sudan).

Clearly, empirical evidence does not support the assumption that authoritarian regimes in the MENA region are generally more stable than those in other world areas. However, what is common to the region is that, in those cases where regimes experience political destabilization or break down, they are replaced by other political regimes resembling the respective previous ones, or very similar working mechanisms of it. In short, not the *regimes* are durable, but the specific *type* of authoritarian *systems* prevalent in the region. This distinction is often overlooked by the recent discussions on authoritarian stability in the Middle East, but it should be incorporated more prominently into these discussions because it will almost certainly influence the search for the reasons for systemic stability in the region. Accordingly, the *stability* of a political regime should not be equated with its *durability*. One may well imagine a crisis-ridden and unstable political regime being able to survive for a long period of time.

Without any doubt, questions inquiring into authoritarian (in-)stability and regime maintenance / breakdown are of prime importance for studies on political oppositions in such systemic settings. Accordingly, the relevant body of literature is important, because one will necessarily come to ask very soon about the role of social contention – and thus political opposition and resistance – in such processes. Roughly, one can distinguish between three different types of arguments which explain autho-

37 The most prominent recent works inquiring into the authoritarian-stability theme are the two edited volumes of Pripstein Posusney & Penner Angrist (2005) and Schlumberger (2007).

ritarian stability in the MENA region: 1) the 'cultural' argument, 2) the 'economic' argument, and 3) the 'regime type' argument.[38] One conceptual problem remains that the emerging bodies of literature on the two questions raised above – authoritarian regime maintenance in general and Middle Eastern 'exceptionalism' – are, surprisingly, often only marginally intertwined. This problem cannot be solved here, and a short overview will have to suffice.[39]

Roughly stated, the 'cultural argument' maintains that primordial societal structures and particularly the religion of Islam are responsible for the lack of democracy in the region.[40] Often implicitly referring to a Huntingtonian clash-of-civilization hypothesis, the argument basically maintains that Muslim societies are generally more prone to violent conflict which renders the countries undemocratic. This view is prominently accepted and echoed in Western publics, but discredited among social and political scientists. In criticizing such approaches, it has been argued that they are orientalist in nature and suffer from weak causal connections; moreover, large-n studies have shown that empirical evidence fails to support the argument altogether (Fish 2002).

The 'economic argument' – or 'fiscal sociology argument' (cf. Moore 2004) – has more credit with respect to its power of explanation. The argument is basically a 'rentier argument.'[41] It maintains, in a nutshell, that political stability among the authoritarian regimes in the MENA region can be explained by the fact that a specific type of income – rents: income which does not accrue from labor or investment – makes up an exceptionally high share of the state income (cf. Beblawi & Luciani 1987, Luciani 1994, Schmid & Pawelka 1990, Gasiorowski 1995, Chaudhry 1994). Such rents – main sources are the oil rent and political rents – accrue directly to the states and do not have to be reinvested along economic terms and rationales. Rather,

38 Another argument addresses the peoples' perceptions of the likelihood of whether contenders of authoritarian incumbents succeed or not. Ravi Bhavnani and Michael Ross argue that "the public's beliefs about the durability of an unpopular regime have self-fulfilling qualities: if they believe the government will fall, they will voice their dissent and help cause its fall; if they believe it will endure, they will stay home and thus help it to endure" (Bhavani & Ross 2003: 341). A disadvantage of such a hypothesis, which can also be understood as a 'cultural argument', is that it is particularly difficult to test.

39 For different conceptual approaches of political stability referring to the authoritarian Middle East, cf. Schmidt (2003).

40 For such a perspective, cf. Karatnycky (2002). Using regression analysis, Brigitte Weiffen has argued that it is the combination of cultural and economic variables which renders the advent of democracy unlikely (Weiffen 2004).

41 Recently, Bruce Bueno de Mesquita and George Downs refer to arguments that have been brought into the debate by Seymour Martin Lipset and other scholars, that economic growth and development in general may endorse negative effects on autocrats' quest for power maintenance; they say: "In the long term (…), economic growth can threaten the political survival of repressive governments (…). This happens for two reasons: economic growth raises the stakes of the political game by increasing the spoils available to the winner, and it leads to an increase in the number of individuals with sufficient time, education, and money to get involved in politics" (Bueno de Mesquita & Downs 2005: 79). There is no empirical evidence, for instance among the oil-rich Gulf States, to support such assumptions.

they are allocated using political, not economic, considerations. In turn, states abstain from the taxation of the populace, and thus defy political responsibility. Thus, it is held, political legitimacy and public support is based on merit – bought off through the allocation of material resources within society – rather than on democratic pluralism and accountability.

This resource-curse argument reflects prominently on the perceived underdevelopment in economic and social terms. While Ross's outright puzzle "Does Oil Hinder Democracy?" (Ross 2001) has become quite en vogue again in recent years,[42] it is not an entirely convincing and sufficient variable to explain authoritarian stability in the MENA region. One could critically object that the dependency on external sources of income may be as much a harbinger of political crisis – as a consequence of economic crisis – than as a source of stability. Secondly, it is a widely held misconception that the entire flow of rent income in the Middle East accrues to the states. Rather, what has been labeled the system of "political petrolism" (Korany 1986) – the flow of rents across the countries in the region and its political implications – implies that a large portion of rents are not channeled to the states, but rather to societies, and sometimes even to the strongest opponents of authoritarian incumbents as has become manifest in the region-wide financial networks of Islamist movements.[43]

Moreover, a comparative look at several cases in the Middle East shows that other factors must be important to explaining political stability: Tunisia, for instance, does not receive any significant rents and generates political stability through high amounts of repression.[44] In stark contrast, neighboring Algeria has been entirely vulnerable to political instability since the mid-1980s despite substantial hydrocarbon resources; here, political and economic crises triggered an almost-takeover of political power by Islamists, military intervention, and civil war. A third North African state, Morocco, does not have any significant rent income at its disposal and remains largely stable even though the level of statist coercion is far less incisive than in Tunisia.

More generally, Benjamin Smith has shown in a quantitative analysis that "oil boom and busts rarely lead to authoritarian breakdown" (Smith 2006). Thomas Richter – referring to the earlier works of Giacomo Luciani on the "allocation state" – argues that it is not primarily the rent income itself that accounts for Egypt's stabi-

42 Cf. generally Smith 2004, Dunning 2005, Dauderstädt & Schildberg 2006; on the Middle East: Rivlin & Even 2004, Beck 2007; on Egypt: Richter 2007.

43 A good example is Yemen where, until the early 1990s, the overwhelming part of external income was flown into the country in the form of remittances of migrant workers which contributed to the consolidation of the autonomy of tribal entities and weakened national governance. In chapter 4.4, I will argue that the strength of the Egyptian Muslim Brotherhood is ultimately based on its financial autonomy which is fuelled to a great degree on labor remittances.

44 Eva Bellin argues that rent income is a prerequisite for the financial autonomy of authoritarian states which, as a consequence, secures the maintenance of large coercive apparatuses necessary for power maintenance (Bellin 2004).

lity and regime survival, but the allocative capacities and mechanisms, that is, the rent-specific configuration of economized state-society relations (Richter 2007). Consequently, one should keep in mind external, rentier income as a positive asset in an authoritarian regime's quest for political stability, but, in order to draw a more insightful picture on the complex processes of regime maintenance, one would need to look beyond the economy and concentrate on political capacities of authoritarian rulers in order to explain their political survival. It is therefore necessary to adopt "conditional theories of the resource curse" (Dunning 2005: 452) in order to substantiate the explanatory power of rentier theories.

I argue that the power of rent income, as much as other potential assets for the quest to secure political stability, is highly dependent on the political resources and capacities of regimes to transform such assets into real mechanisms of political stability. In order to find out which incumbencies seem to be more capable than others, the question of distinct authoritarian regime types is important. Simply speaking, not the amount of rents is decisive, but the way in which rents, or other political and economic assets, are used and managed to secure regime survival. An explanation will need to take such capacities into prominent account.

I follow in this study the general argument that "different types of authoritarianism have different propensities for survival and for democratization" (Hadenius & Teorell: 143, cf. also Geddes 1999: 121). Jay Ulfelder argued that the respective type of authoritarian regime affects the likelihood of breakdown in the case that a given regime is contested. Of prime importance for the further argument in this study is that Ulfelder found that opponents to incumbents in personalist regimes are less likely to succeed than in other authoritarian settings. Using extensive empirical data, he found that "contentious collective action appears to have no systematic effect on the survival of personalist regimes," but that the risk of breakdown substantially increases only in single-party and military regimes (Ulfelder 2005: 323). A similar argument is found in Geddes (1999: 125). Why is this so? My hypothesis is that the type of authoritarian system found in the Arab world – including the specific working mechanisms described above – is particularly supportive for the survival and, more importantly, for the reconfiguration and perpetuation of authoritarian rule.

From this perspective, some scholars offer a solution, at first sight rather simplistic, in saying that the prevailing state-society relations in the Middle East do not fulfill the necessary preconditions for democratization. For instance, Karen Kramer said that the bed is not made for political pacts between incumbents and opponents which may lead – in a Przeworskian sense – to democracy (cf. Kramer 2006; also Paczynska 2007). From a Przeworskian perspective, one may easily discover 'fissures within the ruling block' in any political regime in the MENA region, but one should also keep in mind that such fissures and intra-elite bargaining are a structural component of every patrimonial-authoritarian regime. Thus, struggles within political elite do not necessarily indicate a weakness or break-up of such

regimes but rather hints at stable working mechanisms of patrimonial-authoritarian rule.[45] It is in this context again helpful to inquire into different types of authoritarian regimes: Barbara Geddes has argued convincingly that military regimes are particularly affected by splits within the ruling elites, while "rival factions within single-party and personalist regimes have stronger incentives to cooperate with each other" (Geddes 1999: 122).

Apart from such negative explanations – democratization is absent because of the lack of the necessary prerequisites – a number of structural factors contribute actively to the prevalence of authoritarian rule in the MENA region. Richard Snyder (1992) proposed three factors to be decisive for the stability of neo-patrimonial rule: the lack of autonomy on the side of the military, the role of foreign powers, and the degree of inclusiveness when it comes to the cooptation of societal elites. The authoritarian regimes in the Arab world match these factors particularly well. Firstly, militaries have 'returned to the barracks' and have been smoothly incorporated into autocratic apparatuses as the ultimate repressive backbone of the regimes. Secondly, while international rhetoric to advance democratization has increased over recent years, the sincerity of such calls remains doubtful because one can assume with a fair amount of certainty that, for the decisive international actors such as the USA and the European Union, stability comes before democratization, a process which would necessarily bring about phases of political instability. As Sheila Carapico has said, there are a fair number of vital interests on the side of US and European governments that rule out, in essence, the de-stabilizing effects of democratization processes, such as oil, stability in Israel and in the Gulf monarchies, and the opening of economic marketplaces (Carapico 2002: 380; cf. also Kienle 2007 and Sayyid 2007).

The third aspect is of prime importance because it highlights the core working mechanisms of Middle Eastern regimes: the partial inclusion and cooptation of societal groups, and even contenders, into the political institutions as it is described above and in the following empirical sections on Egypt (4 and 5) is the nucleus of liberalized authoritarianism. In a nutshell, this argument reads: The more inclusive the authoritarian polity, thereby relying on its repressive means to confine dangerous challenges, the more stable it is. Robert Bianchi stressed this argument in saying that "pluralist policies can operate not as catalysts for disruptive participation and demand-making but as valuable instruments of social control;" and: "Pluralism can help to support stable authoritarianism in several ways" (Bianchi 1989: 23-24).

It does not come as a surprise that such a perspective as that held by Robert Bianchi was elaborated in an analysis of the Egyptian regime of the 1980s. Egypt is a prime example for a personalist-authoritarian regime which has managed to uphold

45 The proposition – in the minds of experts on neo-patrimonialism – that splits within a ruling authoritarian block may stabilize rather than weaken the respective political system may well become a fruitful point of departure to critically re-examine Przeworskian assumptions about the prerequisites for democratization which have reached an almost paradigmatic status in the context of the 'transitology paradigm.'

regime maintenance and re-equilibrium despite several political and economic crises. It is one aim of this study to show that, despite substantial changes that happened in Egypt, these mechanisms have remained largely unaltered to date. To state this very clearly: The political regimes from Nasser to Mubarak have experienced remarkable changes ever since the revolution of 1953. This holds true in particular for those delicate periods in times when a shift of power occurred from one president to another, but one should also not neglect profound changes during the tenure of the respective rulers. Yet, the overall authoritarian nature of the polity remained in place.[46] Maye Kassem made a decidedly convincing observation on Egypt: "In fact, personalized authoritarian rule can prove to be so overtly flexible and resilient that it can function over a long period of time, with successive rulers, and under the guise of various political structures and policies" (Kassem 2004: 167). Her forceful argument – quite in line with assumptions made in the literature on neo-patrimonial rule – is that it is the institutionalization of personal rule which has contributed prominently to its resilience.[47]

While Egypt is certainly not a single, let alone an exceptional case in the Middle East, the systemic structures of authoritarian regimes described above – including their personalist and liberalized features – are most prominent and visible. Accordingly, this is the context in which contentious politics takes place: struggles between different elite segments and, most importantly for the further arguments in this study, between the authoritarian state and its opponents. Personalist inclusive authoritarian regimes set the rules and provide the framework for political participation which has taken on channels and expressions quite different from those in democracies. Moreover, contentious politics and, more narrowly, the contentious relationship between authoritarian rulers and their counterparts are shaped by these political structures. The following chapters (2 and 3) will inquire into this realm of political participation and contentious politics in a stable authoritarian regime.

46 Friedmann Büttner has argued rather early that, in Egypt, institutional landscapes had been subject to frequent changes while the core trait of the polity, personal authoritarian rule, has remained in place (Büttner 1979).

47 Kassem's argument that authoritarian regimes, including those of a personalist nature, need an institutional infrastructure for survival is echoed by Brian Lai and Dan Slater (2006). Accordingly, Gates et al. argue that the "consistency" of institutions play a dominant role; in effect, they say that those authoritarian regimes which have integrated democratic institutions – one may possibly make a connection between this hypothesis and the debate about 'hybrid regimes' – are less stable than both purely democratic and purely authoritarian regimes (cf. Gates et al. 2006).

Chapter 2:

Political Participation in the Middle East: Authoritarianism from Below

From the previous chapter on the state, political order, and stability in the Middle East, two hypotheses should be kept in mind when going on to inquire into the nature of political participation and opposition in the country under consideration. Firstly, Egypt qualifies for the dominant form of political rule, that is authoritarianism of a neo-patrimonial order, and political participation and contentious activism operate under such confinements. Secondly, this type of rule is as durable in Egypt as in most other regimes in the region. The aim of this chapter is to inquire into the nature of political participation in the Middle East and North Africa and, at the same time, offer a critical general assessment of the politics of participation under authoritarianism.

Many will argue that one moves on slippery grounds when searching for political participation in an authoritarian environment because it has been, as a concept to explain societal activism, primarily employed in analyses of democracies. For most of those who focus on political participation under authoritarian rule, the issue is particularly important from the perspective of real or supposed democratization processes. I argue that this focus is too narrow. Instead, political participation does exists in every political system, irrespective of whether it is democratic or authoritarian or whether it is subject to fundamental changes or not. Moreover, I hold that the concept of participation is not only *applicable* in the authoritarian Middle East, but even *critical* to an understanding of state-society relations and, for that matter, state-opposition relationships in the region.

2.1. Concept Traveling: Political Participation under Authoritarianism

Taking into consideration the often emphasized link between participation and democratic rule, much of this chapter is about concept traveling and some problems associated with it. Clearly, the idea of political participation does not travel easily to authoritarian grounds. While the difficulty of concept traveling is routinely emphasized, in particular by area and country specialists, it is in the case of political participation echoed even by those who have developed the concept.

In most classical readings, the concept of political participation is somehow 'naturally' linked to the notion of democratic rule.[48] While political participation comes as a sine-qua-non condition for the existence and the persistence of democracy, this does not hold true for authoritarian rule. Here, the power to rule is not put at stake at regular intervals, and incumbents cannot be held universally accountable by the populace for their political decision-making. Thus, one may well imagine that authoritarian rulers would need to confine the active involvement of their populace in politics in order to secure their grip on power. In short, the argument goes, autocrats do not want to be held accountable by the people; therefore, they do not like political participation autonomous from their own control mechanisms. Having this in mind, most of the early works on political participation in non-democracies focus on the degree of political participation and the potential that it might entail to challenge authoritarianism and trigger democratization processes.[49]

My general assumption is that it would be naïve to assume that incumbents would be able to develop means to forestall meaningful political action of their citizens altogether, even presuming that they wish to do so. Simply speaking, the (assumed) fact that authoritarian incumbents do not like political participation does not entail its absence. I propose that the active involvement in politics, at least of a substantial portion of the populace, is a phenomenon that every political ruler in any political system, democratic or authoritarian, has to cope with. That autocrats perceive this to be a potential constraint to their hold on power seems clear. However, we should bear in mind that decision-makers in democracies will not always praise political participation either because, in the end, the outcome of democratic participation more often than not triggers their departure from the decision-making circles. Thus, political participation entails a potential challenge for every man / woman in office, irrespective of the systemic setting in which he / she operates. These general common grounds notwithstanding, it is important to note that there are differences in political participation in different political systems: "The attitude of the political elites towards political participation is, in any society, probably the single most decisive factor influencing the nature of participation in that society." (Huntington & Nelson 1976: 28). Thus, the notion of political participation is very much dependent on the notion of authority. Generally speaking, different types of political regimes shape

48 Among many books and articles on democracy and democratization, Robert Dahl's *Polyarchy* (1971) stands out as a modern classic. Its subtitle, "Participation and Opposition," hints at the importance of the concept of political participation for theories of democracy. Among those students of democracy who have identified participation at the very center of their studies, see Sidney Verba's and Norman Nie's *Participation in America* (1972). Analyses of political participation in non-democratic settings date back to the 1970s and have been particularly inspired by modernization theories; cf. Huntington & Nelson (1976) and Weiner (1971). For an overview of the early works on the concept, see Conge (1988).

49 See, for instance, Huntington (1968), Bienen & Morell (1976), Schulz & Adams (1981) and the work on *Political Participation in Latin America* by Booth & Seligson (1978b); in the latter volume, the articles of Booth & Seligson, Baylis, and Scaff & Williams contributed to an early effort at conceptualizing political participation under authoritarianism.

the attitudes of rulers towards political participation – and therefore forms, channels, and outcome of this participation.

Whether political participation exists or not is not the question; rather, we should focus on its nature, form, and implication for state-society relations when analyzing political participation in authoritarian settings. I draw on a very broad and simple definition by Huntington and Nelson. In their view, political participation is an "activity by private citizens designed to influence governmental decision-making" (Huntington & Nelson 1976: 4).[50] This approach involves some implications worth being mentioned more in depth.

First, the term 'activity' implies that personal attitudes and orientations, be they political or not, do not suffice to be counted for political participation. Rather, participation implies either direct political action (to cast a vote at elections, membership in a politically relevant organization, attendance at a political demonstration, etc.) or, at least, the *public formulation* of political opinions. In terms of the Middle East, Nazih Ayubi made an important observation, stating that activism often takes on a decisively 'defensive' nature: "Urban collective action in the traditional Middle East was usually distinctively reactive. Its purpose was not to advance new claims, but to resist the perceived or real new claims of others: the state, foreign powers, or members of the religious minority" (Ayubi 1995: 165). This 'reactive activism,' however, should not be equated with political apathy. True, apathy might contain a potential political impact: Low turn-outs at elections can have strong political implications in both democratic and authoritarian elections.[51] However, while political apathy can be (and often is) politically relevant, it cannot be perceived as a participatory act of a 'silent majority.' In other words, the 'political relevance' of an action is not a necessary condition to name it 'political participation.'

Asef Bayat has observed six types of activism in the Middle East: "urban mass protest, trade unionism, community activism, social Islamism, nongovernmental organizations (NGOs), and quiet encroachment" (Bayat 2002: 3). I will show in the empirical sections of this study that most of these forms of activism can be identified in the context of contentious political participation in Egypt: Urban mass protest is a recent phenomenon carried out by the Kifaya movement and the Muslim Brotherhood; the latter carries out social Islamism; trade unions have been established in the early years of the Nasser years; and the number of NGOs has risen during the 1990s to portray a picture of an emerging civil society in Egypt (cf. chapters 4 and 5).

50 This understanding of political participation comes very close to what Albert Hirschman (1970) called the "voice option" of individuals in a society, that is, the direct expression of dissatisfaction with the authorities. John Booth and Mitchell Seligson (1978a) replace 'governmental decision making' with the notion of 'public goods.'

51 A recent example for the relevance of voter numbers is the referendum on the amendment of the constitution in Egypt, on 25 May 2005. In an attempt to draw some 'democratic' legitimacy from these reform measures, the Egyptian authorities tried hard to secure a high voter turnout. The officially claimed figure of 53.6 % was severely challenged by numerous opposition groups; cf. chapter 5.1.

Another conceptual point that should be addressed here is that the *quality* of a participatory activity may vary from one case to another. One good example is the membership in labor unions: In Egypt, labor unions are important organizations in a system of top-down state corporatism. By contrast, labor unions in Morocco are associated with different political parties, both in government and opposition. Consequently, unionism is embedded in the competitive *alternance* system which ascribes a completely different quality to activism in this field than in Egypt (cf. El-Mikawy & Pripstein Posusney 2000). To confuse the picture even more, labor unions in Tunisia and Algeria have been, since the 1980s, subject to Islamist penetration. While these two cases differ in certain points, the common denominator for the argument here is that political participation in these cases of Islamist mobilization can vary tremendously and embodies yet another implication compared to Egypt and Morocco (cf. Alexander 2000).

When highlighting the quality of activism, it is only a minor step to inquire about the very nature of political participation; in other words, the question should be what renders participation 'political.' Myron Weiner held that this question does not trigger an easy answer: "What constitutes a political act in one society may be nonpolitical in another; similarly an identical action may be defined by most people in a society as nonpolitical at one point in time, but as political at another" (Weiner 1971: 163). In the empirical reality, the distinction between the 'political' and the 'nonpolitical' can be difficult to measure, but this remains an important task in order to avoid a conceptual stretching of the notion of political participation. I argue in particular against the adoption of a 'chaos theory' of political participation in a way that any word or action of a private individual, or any form of social interaction, might – in a long chain of reactions – have political implications. Put differently, in order to identify an act of political participation, one will need to identify the *intention* on the part of the activist to influence governmental decision-making.[52]

In search of the 'political,' we should also note that it is private individuals that venture into political participation, but not political professionals. In this sense, neither acts which can be associated with political decision-making, nor campaigning, recruitment activities, or political outreach in general are acts of political participation. This point sounds evident for democracies where the distinction between the 'political man,' on the one hand, and the citizen, on the other hand, will be easier to make than in authoritarian settings. In the latter, a clearer picture can be drawn only with respect to the state incumbents; however, even here can we encounter some difficulties. Take, for instance, militaries in many Arab countries, in particular in those with a socio-revolutionary history, such as Syria, Egypt, Tunisia, and Algeria – and one will not deny that they exert a strong impact

52 There is no agreement on this point. Among those who dismiss the notion of *intention* (to influence politics) as a necessary precondition to grasp activism as political participation are Booth and Seligson (cf. Booth & Seligson 1978a: 8).

on politics proper.[53] On the other hand, one may not easily grasp the militaries, not to mention the *mukhabarat* and security apparatuses, as political professionals.

It is an even more difficult task to distinguish the 'political man' from the citizen when we attempt to grasp the role of political activists outside of authoritarian states. As a rule of thumb, opposition in the Middle Eastern political systems is not institutionalized to a similar extent as in democracies where opposition politicians are potential power-(stake)holders. In the Middle Eastern authoritarian regimes, where opposition politics is considerably restricted and a shift of political power foreclosed, one may reasonably speak of opposition members as citizens in politics: The members of Islamist, liberal, and socialist movements will in many cases refer to themselves as doctors, engineers, and university professors rather than as politicians. Therefore, their self-image – and that of many outside observers, too – will hold that they (attempt to) *influence* politics, but not *make* politics.

In order to distinguish between political *professionals* and political *participators*, I propose a rather inclusivist approach: We shall identify the inner circle of political decision-makers (including political advisors and the top ranks of the military, security, and bureaucratic apparatuses)[54] as political practitioners and professionals; the rest forms the bulk of those who participate in political processes, including both intra-regime circles and societal forces and counter-elites.

In classical readings, a second notion of the 'political' in participation is that political participation will be necessarily directed towards influencing governmental decision-making, but not decision-making in other spheres of society, for instance in the economic realm. Here, as well, boundaries are often blurred. Firstly, it has been shown that, in the Middle East, economic structures resemble political ones to a high degree, and so do the means of activism in the respective fields.[55]

Secondly, and more importantly, economic activism can have – and often does have in the Middle East – strong political implications: In the rentier economies of the Arab Gulf states, and also in the (neo-)liberalizing systems of 'crony capitalism,' the control over economic resources is relevant for the control over political resources and power (cf. Henry & Springborg 2001, Richards & Waterbury 1998). Thus, economic activism does have, in a multitude of cases and circumstances, strong political implications, even to a greater extent – I hold – than in democracies. Some implications that are relevant for this study include the question of (financial) autonomy of opposition actors vis-à-vis the state or the question why people vote. One

53 This is confirmed both by those who highlight the active role of the militaries in revolutionary movements (Trimberger 1978) as well as those who observe a disengagement of the militaries from Middle Eastern politics (Harb 2003).

54 A good point of departure is Volker Perthes' work on political elites; cf. Perthes (2004).

55 Samer Shehata's wonderful piece of research shows that authoritarian structures are well-developed in Egyptian firms and enterprises (Shehata 2003). Béatrice Hibou argues that the regimes' capacities and techniques of domination and control in the economic realm are not at all less effective than standard repression mechanisms (Hibou 2006). Oliver Schlumberger coined the term 'patrimonial capitalism' to hint at the analogy of socio-political and economic structures in the Middle East (Schlumberger 2005).

possible solution to the conceptual problem of grasping the 'political' in the different fields of participation could be as follows: Economic (or social) activism becomes political participation 1.) if activism is intended to reach beyond the pure economic self-interest of an individual, and 2.) if activism has palpable implications (demanding or supportive) for the choices of political decision-makers, irrespective of whether these implications are transformed into an observable and relevant action on the side of political decision makers (output).[56] Someone's struggle for a higher personal salary can therefore not be grasped as an act of political participation, in contrast to strikes or the membership in labor unions and professional associations.[57]

A last general point that needs to be addressed touches on the sources of political participation: That can be *mobilized* or *autonomous*. Usually, autonomous forms of political participation will quickly come to our minds, because many consider this a decisive political-cultural prerequisite for the establishment of democracy.[58] Concerning the forms of political participation on authoritarian grounds, scholars have predominantly focused on state-mobilized participation. As Huntington and Nelson put it, "mobilized participation occurs only when political elites make efforts to involve masses of the population in politics. Autonomous participation can occur at reasonable costs only if political elites encourage it, permit it, or are unable or unwilling to suppress it" (Huntington & Nelson 1976: 28). The early works on corporatism and populism are prominent examples (cf. Ayubi 1995: 183-223). When authoritarian incumbents launch corporatist or populist projects, they usually strive to originate diffuse support from the populace that can come about either in the form of *trust*, defined as "a feeling that a system can be counted on to provide equitable outcomes," or *legitimacy*, that is, "a person's conviction that the system conforms to his/her moral or ethical principles about what is right in the political sphere" (Muller, Jukam & Seligson 1982: 241).

Populism has been a wide-spread phenomenon particularly in newly established authoritarian regimes during post-revolutionary, nation-building adventures. Therefore, on the one hand, it entails the vision to control society and prop up authoritari-

56 The question of the efficacy of acts of political participation is also critical (Weiner 1971: 161). I follow Booth and Seligson (1978a: 8) arguing that "whether an effort to influence the distribution of a particular public good succeeds is immaterial. (…) If one votes for a candidate but he loses, voting participation has nevertheless occurred." While the efficacy of political participation certainly remains an interesting topic on its own, I will – in the interest of the conciseness of the arguments presented here – not focus on it.

57 To distinguish between individual self-interest and collective action is often difficult. Among current research on political participation in the Middle East, it may become critical when looking at voting behavior. In a forthcoming volume on *Political Participation Under Authoritarianism in the Middle East and North Africa* (eds. Ellen Lust-Okar and Salwa Zerhouni, Lynne Rienner Publ. 2008), Ellen Lust-Okar and Samer Shehata stress in their respective contributions on Jordan and Egypt that access to state resources – or at least the proximity to the distributors of state resources – comes as an ultimate variable to explain the behavior of voters as well as the rationale behind the decision to run for office.

58 This is the point of departure for theories of democracy focusing on the role of civil society and social capital.

an rule. On the other hand, populism implies the mobilization – and politicization – of larger parts of society than only a small politicized revolutionary elite and thus contains a strong, naturally embedded substance of political participation: From this viewpoint, a populist acts in a rather passive way in that he or she merely adapts his or her action and discourses to given socio-political environments. Simply speaking, it is not the populist who tells people how to act and speak, but the other way around (cf. Soeffner 1992: 177-202). Thus, the channels that populists use how to find out about the 'public soul' are channels of political participation, admittedly quite hidden but not necessarily ineffective.[59]

Accordingly, corporatism under authoritarian auspices is usually seen as a prominent strategy of authoritarian incumbents to build up modern institutions with the aim of controlling society.[60] However – recalling a classical definition of corporatism as a 'system of organized interest representation'[61] – it would be rather short-sighted to assume that corporatist institutions would remain one-way, one-dimensional channels of statist control. Rather, the very term implies that usually only parts of society are *incorporated* into the realm of authoritarian regimes which necessarily implies that those who are incorporated will be empowered as political participators. The major difference between these mobilized and state-controlled forms of political participation vs. autonomous participation in a pluralist-democratic setting is that, for society, the latter is an integrative, all-encompassing model while the former is highly discriminative and – in a normative perspective – unjust or 'unruly' (Bianchi 1989).

The distinction between *mobilized* and *autonomous* forms of participation is – often implicitly – equaled with a distinction between *state-driven* (corporatist, populist) vs. *society-driven* (contention, opposition) participation respectively.[62]

59 Raymond Hinnebusch (1985) has shown that populist experiments are often short-lived and particularly vulnerable to transformations, in the case of post-Nasser Egypt *within* an authoritarian regime.

60 This is certainly a "conflict perspective" on state-society relations which is dominant in comparative politics and prominently influenced by Joel Migdal's work (Migdal 1988 and 1994). In his elaborate critique of the Migdalean approach, Kenneth Foster argues that "this 'conflict perspective' on associations obscures the variety of forms and meanings that incorporated associations assume as they operate in the heart of the region where state and society engage and interpenetrate" (Foster 2001: 85).

61 It is interesting that corporatism stands out among a very few concepts that have been developed concurrently in studies on democracies and authoritarianism. Important distinctions between the political systems notwithstanding, Philippe Schmitter provides a largely accepted definition that includes authoritarian state corporatism and democratic understanding of organized (in contrast to 'pluralist') interest representation: "Corporatism can be defined as a system of interest representation in which the constituent units are organized into a limited number of singular, compulsory, noncompetitive, hierarchically ordered and functionally differentiated categories, recognized or licensed (if not created) by the state" (Schmitter 1979: 13); for the development of the concept of corporatism, see Williamson (1989).

62 Thomas Baylis distinguishes between "manipulated" and "influential" participation (Baylis 1978: 37).

This is indeed interesting when we look at the potential outcome of political participation for the shaping of state-society relations and for struggles between authoritarian states and their counterparts. From this perspective, autonomous political participation reads *autonomous from state control*. With respect to the relationship between incumbents and opposition actors, this can become the point of departure for the distinction between 'regime-loyal' or 'tolerated' opposition on the one hand and 'independent' or 'anti-system' opposition on the other hand (addressed in-depth in chapter 3.2). From the perspective of the relationship between a political organization and individuals in society, the distinction between autonomous and mobilized participation can take on a different meaning: Clearly, an individual's activity can be mobilized both by statist and societal organizations. From a third perspective, a micro-perspective (looking at the background of an individual's decision to participate or not), the question of whether political participation is triggered by a political actor or whether it is the result of an individual decision of the concerned person is extremely hard to solve.[63]

This has palpable implications for the analysis of political participation in the Middle East. Let us take, for instance, the demonstrations against the Muhammad-cartoons, published in late 2005 and early 2006 in several European newspapers. The participation of people at a demonstration organized by an Islamist organization can be viewed from different perspectives: firstly, an expression of an Islamist group's ability to gather support – that is to mobilize – which will in turn become an asset in its relation with the respective political regime. However, this view can be misleading when looking at the micro-perspective. That a demonstration has been organized by a Middle Eastern regime or its (Islamist) counterpart does not necessarily affect the decision of an individual to participate; the decision is – the individual may hold – made in a response to the Muhammad-cartoons, irrespective of whether it was mobilized by a state or an Islamist group, and irrespective of whether the individual act of participation might be instrumentalized in the political struggle between an authoritarian state and an (Islamist) opposition.

On the other hand, one can also imagine a 'two-level game' of the political activism of an individual: here the intention to express both criticism of the Muhammad cartoons *and* support for an Islamist opposition organization. The same logic may hold true for the participation in (or the support of) an independent labor union, political party, or a rural self-help organization. Accordingly, the participation in a state-organized venture may also embrace an expression of support of the state.

Thus, to stay with this example, political participation within the realm of Islamic activism can be grasped as 'autonomous' only when we keep in mind authoritarian, statist capabilities to control society (and participation) – and therefore in a rather narrow view of incumbent-opposition relations. To recapitulate, when distinguishing

63 For a behaviorist approach on political participation, cf. Milbrath (1971).

between autonomous and mobilized participation, one will necessarily have to distinguish between group action and individual action.[64]

2.2. Channels of Political Participation in the Middle East

By highlighting some conceptual implications, I have arrived a little closer to what political participation means on authoritarian grounds. A good point of departure is to inquire about the *channels* of political participation. Hereby, we shall distinguish between the *means* and the *content* of political participation. While the latter leads us into studies on support and opposition in authoritarian regimes – the latter being in the focus of following discussions in this study – the notion of the *means* of political participation leads us to inquire about the *actors* through which political participation can be organized, performed, and voiced.

Some political institutions and actors are routinely employed as the 'natural' carriers of political participation: political parties and all those societal institutions that can be subsumed under the 'civil society' label: non-governmental organizations (NGOs), private voluntary associations (PVAs), rural self-help organizations, etc. In recent history in many Middle Eastern countries, we have witnessed phases of institution building during which such organizational structures have developed. In Egypt, a multi-party system has developed since the late-1970s, followed by the rise of 'civil society' from the late 1980s onwards and the establishment of civil society's 'natural' institutions, such as NGOs and PVAs. This is a region-wide phenomenon. Similar developments happened, though not necessarily simultaneously, in the other states of North Africa (except Libya), in the Levant (with considerably higher restrictions in Syria), and in Yemen. Kuwait is considered the most liberal of the oil-rich Gulf monarchies (cf. Tétreault 2000).

In democracies, it is held, these organizations constitute the nucleus of political participation and are as such built very much toward that aim.[65] In the authoritarian Middle East, these institutions exist, too – often part and expression of a larger landscape of societal challenge and opposition (Langohr 2004); whatever their effi-

64 I am grateful to Ellen Lust-Okar for helping me see this point more clearly.

65 From Giovanni Sartori's classical *Parties and Party Systems* (1976), political parties in the Middle East could better be grasped as 'factions.' He states that parties are the main channels of societal expression towards government and "are instrumental to collective benefits to an end that is not merely the private benefit of the contestants. Parties link people to a government, while factions do not. Parties enhance a set of system capabilities, while factions do not. In short, parties are *functional* agencies – they serve purposes and fulfill roles – while factions are not" (Sartori 1976: 25). One may well argue out of this perspective that political parties in the Middle East and North Africa often resemble factions in a Sartorian meaning. At the least, some facets of the Egyptian opposition party system hint in this direction (cf. chapter 4.1) and it would be worthwhile to inquire more in-depth into the roles, functions, and organizational expressions of political parties both from a conceptual and an empirical perspective.

cacy concerning that latter aspect, those institutions do not match the functions with respect to political participation compared to their expressions in democracies. In the Middle East, political parties and civil society organizations play only a very limited role as channels of mass participation compared to informal channels and even state-sponsored participation. These institutions of political participation can be grasped as "imitative institutions" (Albrecht & Schlumberger 2004) in that they resemble the picture of a democratic archetype but do not exert the same functions in an authoritarian environment.

In this context, it is my conviction that the notion of 'informality' is key to a profound understanding of politics in the Middle East.[66] Gretchen Helmke and Steven Levitsky may have thought about the Arab world when stating that "informal rules shape formal institutional outcomes in areas such as legislative politics, judicial politics, party organization, campaign financing, regime change, federalism, public administration, and state building" (Helmke & Levitsky 2004: 726).[67]

Political parties, for instance, are used in several Middle Eastern regimes as instruments of authoritarian control while formally resembling oppositional organizations (Pawelka 2004). Weak compared to their counterparts in Western democracies in terms of organizational, financial and programmatic capacities, political parties in the Middle East could best be described as "leadership organizations with low levels of internal differentiation where solitary bosses command diffuse followings" (Schedler 1996: 301).

Much of the literature on political parties in the Arab world emphasizes their perceived weakness; however this view often refers to the organizational structures and the functions that parties are usually ascribed in democratic polities and does not reflect the different role and functions in authoritarian settings. Being perceived as a 'natural' democratic institution, the work on political parties as an integral part of non-democratic rule has still to bear fruit.[68] Apart from several Islamist organizations that have been allowed to run legalized political parties (in particular in Morocco and Jordan), parties in the Middle East fit neatly in Gunther & Diamonds's classification as "elite-based parties" which are described as "those whose principal organizational structures are minimal and based upon established elites and related interpersonal networks" (Gunther & Diamond 2003: 175).

66 A standard definition of informal institutions describes them as "socially shared rules, usually unwritten, that are created, communicated, and enforced outside of officially sanctioned channels" (Helmke & Levitsky 2004: 727).

67 While the importance of informal rules and mechanisms is routinely emphasized, a concise body of literature that inquires into the relationship between formal rules and informal mechanisms in Middle Eastern politics is as of yet missing. For a general account, cf. Helmke & Levitsky (2004), Lauth (2000).

68 For the Egyptian case, cf. Stacher (2004); for a comparative view on Middle Eastern party systems, see Penner Angrist (2004) and Pawelka (2004). A more general perspective is provided by Lawson & Merkl (1988). For an alternative focus on political parties' potential to play an active role in possible future processes of democratization, cf. Abukhalil (1997).

Generally speaking, large parts of the populace in the Middle East do not express themselves politically via these imitative institutions of political participation – parties and 'civil society' organizations. As a rule of thumb, these organizations are limited to certain strata of society, in particular the urban politicized, and educated middle classes and upper-middle classes.[69] Thus, they are restricted to playing a very limited role in political participation compared to democratic countries even though they are important channels for the *politicized* parts of society, which is admittedly a stratum not to underestimate when it comes to political participation.[70] Exceptions from this general rule are the labor unions: Wherever they exist, and irrespective of the strength and political impact they might or might not have in a country, they do represent urban, lower income strata of society. Therefore, labor unions are an important institution and channel for contentious political participation, combining the organizational capacities of middle- and upper middle-class counter-elites with a potential for strong societal backing (cf. on labor unions: Alexander 2000, Pripstein Posusney 1993, El-Mikawy & Pripstein Posusney 2000).

The middle class and upper-middle class offer 'high-intensity' political participation in that they add a particularly high "amount of time, effort, and emotional involvement" (Baylis 1978: 35) to politically relevant activism. According to the impact of these institutions on the overall political landscape in a given country, this means: The importance of these institutions increases when the *intensity* of political participation is important at any given time in a country's history (e.g. in revolutions 'from above'); it decreases when the *quantity* of political participation is important. For instance, populist phases have seen the decrease in importance of such institutions, while eras that have witnessed a 'de-politicization' of larger society saw the rise of such institutional landscapes. An interesting case to test this hypothesis would be to compare the populist project of Gamal Abdel Nasser with the regime-controlled institution-building endeavors under Mubarak in the 1990s.

The impact of such organizations certainly depends on the historical situation in any given country. However, it does not mean that other groups of society – in particular the urban and rural poor – who are not represented by these institutions, would be excluded from political participation altogether. Instead, they have other channels at their disposal. Diane Singerman showed in her study on the urban poor in Cairo that informality is the key to understanding the networks of societal organization used by the urban poor and lower income classes – based on kinship rather than class, and informal networks rather than formal organizations (Singerman 1997).[71]

69 Political parties may come about as effective and 'genuine' channels of political participation mainly when they represent specific social formations (e.g. tribes, religions) (Abukhalil 1997: 152). This can be seen in the political parties in Lebanon and Morocco, and with the legalized Islamist parties in Yemen (*Hizb al-Islah*) and Jordan (*Islamic Action Front*).

70 It has been argued repeatedly that the middle class – or the 'bourgeoisie' for that matter – plays a dominant role in the configuration of the political elites and processes of economic and political liberalization (cf. for a recent account, Luciani 2007).

71 Singerman's work is a brilliant account of informal societal organization; cf. also Elyachar (2005). For a similar account on Iran, see Asef Bayat's work on *Street Politics* (Bayat 1997).

Another fruitful approach that explains informal mechanisms of societal organization is the *wasta* approach that focuses on the mechanisms of intermediation in clientelist arrangements in the Middle East (cf. Cunningham & Sarayrah 1993). *Wasta* (arab.: 'intermediation,' 'go-between') finds its expression in other societies that are also heavily affected by clientelism: compare the approaches of *blat* (Russian) or *guanxi* (Chinese). Olivier Roy highlights the Arabic expression *asabiya* ('solidarity group') to describe the social fabrics of "patronage as the usual mode of operation in political life in the Middle East" (Roy 1994: 270).[72]

In heterogeneous and fragmented societies, the primordial cleavages along which political participation occurs – along religious lines, such as in Lebanon or Iraq, and along tribal lines, such as in Yemen – are particularly obvious. From the two former cases, we can observe that consociational arrangements of power sharing – or struggle – among ethnic and religious (or whatever else) strata increase the probability of mobilization of political participation along the respective channels. The cases of the particularly crisis-ridden Lebanon and Iraq also show that political participation is not always good. Rather, mobilized political participation can fuel political crises to an extent triggering civil wars.

Apart from the 'hidden' networks of families, tribes, and ethnic cleavages, there are more 'visible' manifestations of political participation that are still informal in that they operate underground because they are not recognized by the authoritarian regimes. Throughout the region, Islamist groups haven taken over social, charitable, and cultural tasks that many states in the Middle East could not maintain any longer in times of economic crises (cf. Clark 2003). The high appeal among the populace originating from these social activities constitutes the basis for the public mass support of political organizations of the Islamist movement. Not only since the electoral victory of *Hamas* in the occupied Palestinian Territories and of the Muslim Brotherhood in the Egyptian 2006 elections did many observers agree that the Islamist movement was the most powerful and vivid expression of political participation in the region. This is the reason why Islamist social movement organizations which, more often than not, do rely on a social mass basis, are oppressed by many Middle Eastern regimes to a higher extent than legalized political parties and civil society organizations. Thus, political activism and participation within the Islamist movement often entails the danger of becoming the subject of statist repression.

Until now, I can formulate two assumptions on political participation in the Middle East:

However, I challenge Singerman's understanding of *political* participation (cf. Singerman 1997: 6-10). By highlighting the economic self-interest of the people as the ultimate impetus, Singerman may have stretched the idea (what is *political* or not) and employed a notion of political participation far too broad to guarantee its general explanatory power. Admittedly, it is an interesting hypothesis – and certainly worth further testing for non-democratic cases – that the intensity of interactions in social networks impact positively on the degree of political participation of individual members of the respective networks (cf. McClurg 2003).

72 For a theoretical background on clientelism, see Günes-Ayata (1994), Eisenstadt & Roniger (1984), Gellner & Waterbury (1977), Karadag (2007).

1) Imitative channels of political participation that employ formal institutions (political parties, NGOs, PVAs), lack a social mass basis but encapsulate 'high-intensity' political participation from the politicized, urban-based social strata of society.

2) The more political participation takes on an informal nature, the more it is rooted within society. Due to statist repression, however, more inclusiveness does not necessarily guarantee a greater political impact.

Simply speaking, a formal system of electoral representation, NGOs, and media discourses may look rather sophisticated and well-developed (according to the Western image of these organizations), but concerning its viability for political participation, it will remain the realm of the very few who occupy these organizations. The lack of societal mass support for these organizations – and the lack of meaningful participation within the corresponding institutional arrangements (elections, parliaments) – is, for instance, reflected in the low numbers of voter-turnout that often plague elections in Middle Eastern states.[73] This does not mean that these institutions do not matter in politics.[74] However, given that they are tightly controlled and contained by the states, these formal institutions can not perform as channels of meaningful mass participation but remain the playing field of those few who are involved in them. Therefore, they will not come any closer to having the *potential* for political participation – be it materialized or not as support or demand

73 There are exceptions to this rule. People do matter about formal and electoral politics in particular on those few occasions when elections are indeed meaningful concerning the access to, and composition of, political power; examples include the first Yemeni parliamentary elections after unification in 1993 that prompted 85 % of registered voters to turn out to the polls (Glosemeyer 1993: 447) or the 2006 parliamentary elections in the Palestinian Territories, where 78 % went to the polls (cf. Baumgarten 2006: 178). In general, however, voter apathy is not surprising given the tight restrictions that 'authoritarian elections' in the Middle East are usually subject to (cf. Schwedler & Chomiak 2006). For a more positive perspective on elections' potential to induce opportunities of political liberalization and democratization, see Sadiki (1997).

74 Much of the current work on political participation in the Middle East concentrates on formal politics, in particular elections and parliaments. At the core of most research are questions concerning statist capabilities to manage, manipulate, and control societal and opposition's quest for participation in the attempt to keep the incumbents' control over political power and the distribution of economic resources alive; among many recent works on electoral politics in the region cf. Pripstein Posusney (1998 and 2005), Lust-Okar (2006), Lust-Okar & Jamal (2002), Schwedler & Chomiak (2006), Hamdy (2004), Dillman (2000), Landau, Özbudun & Tachau (1980), and Rustow (1985). For a more general discussion on elections under authoritarianism, cf. Schedler (2006), Ghandi & Przeworski (2001), Howard & Roessler (2006), Hermet, Rose & Rouquié (1978).

vis-à-vis incumbents – than, for instance, the socially deeply-rooted *qat*-sessions in the Yemeni *mafraj*[75] or the Bahraini *majalis* (cf. Niethammer 2006) embody.

More often than not, even the politicized urban middle-classes find informal channels of communication and participation more apt than the formal institutions. Despite political aversions and struggles between singular members, informal solidarity groups find an expression, for instance, in the *duf'a* (university graduate class) or *shilla* (peer group from university faculty). Within such hidden networks and unwritten codes, one will find members of ruling circles communicating with leftist and liberal opposition figures and even Islamists rather peacefully while, at the same time, fighting one another on an open agenda using the established institutions of formal politics.[76]

These propositions have implications that lead us, in a wider context of potential political processes, to another assumption:

3) Phases of political liberalization in the Middle East do not necessarily lead to an expansion of political participation among the larger public of a society.

Phases of political liberalization efforts have been observed in almost every country in the MENA region during roughly the last 30 years, even though they have neither been uniform nor parallel. What is common to all liberalization efforts in post-Khomeini Iran, in reunified Yemen (1991-1995), in Egypt during the 1980s, in Bahrain since 2001, and in the recent 'Springs' in Damascus, Beirut, and Cairo – to indicate only a few liberal moments in the recent history of the Middle East[77] – is that they resulted in the lifting of restrictions on the media, in legal reforms, the proliferation of NGOs and PVAs, and heydays of election politics, though without altering the authoritarian nature of the regimes concerned (Albrecht & Schlumberger 2004: 373-375).

The common denominator of all these measures is that they did not so much affect the political, economic, and social life of the ordinary citizen. Rather, they have widened the space – or contracted it during times of de-liberalization – for those institutions regarded here as imitative channels of political participation which are, however, limited to a very small portion of the populace in the region. Thus, they may not even change the incentive structure concerning political participation of the

75 Yemen is an interesting case where state-building (and statist control over society) is relatively underdeveloped. This, in turn, has opened the space for an unparalleled degree of popular activism (cf. Carapico 1998a; Wedeen 2003); on the political role of Yemeni *qat* sessions, see in detail Lisa Wedeen's forthcoming *Peripheral Visions: Political Identifications in Unified Yemen*.

76 I am indebted to Sa'ad Eddin Ibrahim for making me aware of this aspect (personal communication); cf. also Piro (2001: 200-204).

77 Even the oil-rich Gulf States have embarked on political liberalization efforts, albeit carefully controlled (cf. Herb 2004, Ehteshami 2003). Among the literature that focuses on political liberalization in the context of assumed democratization processes, see the edited volumes – meanwhile 'modern classics' – of Salamé (1994) and Brynen, Korany & Noble (1995).

mass public in the countries. From this perspective, one should not dismiss the possibility of higher degrees of mass participation in a country in times that are perceived by outside observers as phases of political de-liberalization.

To make this very clear, I hold that life for the people in the Middle East did change tremendously during the last 30 years, but not so much as an effect of the politics of liberalization described above. Rather, I hold that cultural changes, questions of war and peace, or changes in the politics of economic distribution have been perceived as much more influential by the citizens in the Arab countries than changes in the institutional political landscapes in their countries.[78] However, we should not be tempted to assume that people are de-politicized simply because they do not care very much about formal political-institutional arrangements. A decision not to vote in elections or not to engage in the Middle Eastern 'civil society' (and the organizations associated with this label) does not at all rule out an individual's deep concern for politics.

What about the Middle Eastern authoritarian regimes in the game of political participation? It will not come as a surprise that the authoritarian governments in the Middle East are usually not very motivated to establish or support channels of political participation that bring about autonomous societal demands. On the other hand, states in the Middle East have developed institutions that turned out to become channels for political participation even though they have been crafted for totally different purposes: the militaries, security apparatuses, but also the judicial systems and – at least in some countries, such as in Saudi Arabia and Egypt – the official clerical institutions. From a first quick look, we would not expect these institutions to play a major role as channels of political participation. Rather, one would assume, militaries should defend the nation from external threats; the judiciary' s task is to administer law and order while the security apparatuses are to implement it.

However, the history of the Middle East, and of Egypt in particular, shows that such a view of state institutions would be far too narrow and one would underestimate their potential or real impact on politics. As to the militaries in the region, they were – in the revolutionary movements during the 1950s-1970s – the harbinger of political participation for the urban middle classes of society while, at the same time, undergoing a process of 'civilianization' shortly after their takeover of power (cf. Droz-Vincent 2007, Halpern 1962, Ben-Dor 1975, Bill 1969). Until today, we can observe a general de-politicization and 'return to the barracks' mentality in the militaries, but one should not underestimate the strong potential that militaries still have to influence politics (Rubin 2001) and the economy (Droz-Vincent 2007).

Whereas militaries have always been rather closed circles, judicial systems can play a completely different role in the political participation game. In countries where judiciary systems are well-developed and enjoy some degree of independence, people can use the courts in an attempt to hold state incumbents accountable (if they accept court rulings) or detect the illegitimacy on the part of incumbents (if they cir-

78 The reader will find an insightful account on what kind of changes in daily life Arab people care about in Amin (2001).

cumvent court rulings). Thus, the judiciary in a given country can turn into a platform for contentious action against the regime and become a voice channel for political participation.[79] This is exactly what happened in Egypt since the parliamentary elections of 2000 when the judiciary was, for the first time in the Egyptian history, declared responsible to supervise the polls in order to increase the electoral procedure's legitimacy (cf. chapter 5.3). Not to underestimate is the role that religious institutions can play in political participation. I will take *al-Azhar* as an example, the most recognized institution of religious (*Sunni*) guidance and higher education in the Muslim world. *Al-Azhar* has been co-opted by the authoritarian regime in Egypt since Nasser took over power: While *al-Azhar* has always been an important source of legitimacy for the regime, it has also become a harbinger of Islamism – at times in a rather radical voice – and thus of the most outspoken social movement autonomous from state control (cf. chapter 5.4).[80]

Other organizations that have become important channels of political participation today are labor unions and professional syndicates. They were originally created in an attempt to control society via corporatist means but have since become important institutions for societal contention. For labor unions, this is the case in Morocco (El-Mikawy & Posusney 2000), Tunisia (cf. Alexander 2000), or in the revolutionary movements of South Yemen (1958-1967; cf. Carapico 1998a: 84-106) and in the Iraqi communist movement (cf. Farouk-Sluglett & Sluglett 1987: 38-45); professional syndicates turned out to become a scourge particularly for the authoritarian regime in Egypt (cf. Bianchi 1989 and chapter 5.2).

Concerning (former) statist institutions, we should therefore bear in mind:

4) In authoritarian regimes where political participation is restricted and controlled, statist institutions, designed for different purposes, are vulnerable to being seized as platforms for political participation both elitist and societal.

Clearly, this form of political participation via statist channels is some kind of 'participation by default' in that it is not intended by those who created, or took over, the institutions. However, there are also genuine forms of state-induced political participation: state-corporatism and populist experiments. Middle Eastern populism has been limited to certain historical moments, in particular in the immediate aftermath of socio-revolutionary changes. The early period of Gamal Abdel Nasser reminds us of the fact that populist experiments are a strategy of limited avail because one needs sufficient charisma to deploy it successfully as a strategy of power maintenance. Moreover, authoritarian leaders will find populism a double-edged

79 Under other conditions, judiciaries can be an important source of support for an authoritarian regime, for instance in Turkey, where the judiciary played a crucial role in preserving Kemalist principles before the advent of a more liberal political realm (Peter Pawelka; author's personal communication).

80 In countries where theocratic arrangements play an even more prominent role for the fundamental modes of the political systems (such as in Saudi Arabia and Iran), religious institutions are even more important channels of political participation than in Egypt.

sword in that it activates and politicizes a mass public that may turn, under changing circumstances, against the one who triggered their activism. Thus, with the demise of *Nasserism* and other 'indigenous' ideologies (Pan-Arabism, *Ba'thism*), larger populist projects have been almost entirely renounced in Egyptian politics (Hinnebusch 1985).

Corporatism, in turn, has been the rule of the game in the etatist economic structures in the Middle East, and it is the basis of state-sponsored and state-controlled political participation in professional syndicates, labor unions, and also political parties. Similar to populist experiments, the impact of corporatism as a channel of political participation has declined since the 1980s (Ehteshami & Murphy 1996), except in the oil-rich Gulf States that can still 'afford' corporatist arrangements at a high degree.[81] This is mainly due to the deep financial crisis of the etatist economic structures that have been broken up by economic liberalization strategies under neoliberal auspices. Toby Dodge has argued more generally that the economic pressure of globalization and subsequent financial crises led to a profound societal reconfiguration in that the Middle Eastern regimes 'brought back the bourgeoisie' as a political survival strategy: "the state has retreated from the economic sphere in order to guarantee its dominance of the political sphere" (Dodge 2002: 170). For an empirical account of such 'regime change' in Egypt, see Albrecht, Pawelka & Schlumberger (1997).

We witness today a general demise of state-mobilized political participation, even though there are still some pockets left in several Middle Eastern countries where political participation is espoused by state authorities: Iran comes to mind, where the employment of Islam as a state ideology increases the appearance of state-sponsored political mobilization. A recent example is the anti-Western discourses that have been launched by the new Ahmadinejad-government and that can be understood as a populist endeavor. Libya is another example in which the ideological foundations of the state encourage political participation. Based on a rather bizarre mixture of socialist and Islamic principles, Mu'ammar Qhadhafi implemented his ideas of a People's Republic (*Jamahiriyya*) that claim to encourage the participation of its citizens in so-called General People's Congresses and Committees – at least in principle (cf. Vandewalle 1998).[82]

To sum up, here is a proposition on state-mobilized participation:

5) Authoritarian regimes do not actively encourage political participation except for populist experiments and corporatist arrangements that are both mostly of a limited duration. Instead, political participation more often characterizes societal contention towards the state.

81 Steffen Hertog has used the concept of corporatism to explain the recent reshaping of political institutions and debates in Saudi Arabia from above (cf. Hertog 2006).

82 In reality, the vast majority of the people are deprived of the right and ability to affect political decision-making directly that remains solidly in the hands of Qhadhafi and a small clique of relatives and close aides (Vandewalle 2006).

Corporatism and populism attempt to exclude political participation autonomous from state control. The latter is the province of society, and it is carried out more often than not in an oppositional meaning. Corporatism and populism constitute one form of political participation that is distinct from contentious political participation embedded in state-opposition relations. Keeping in mind that the latter can never be totally avoided by power-holders, authoritarian rulers find themselves in a defensive position towards the phenomenon of political participation: They like it 1.) if it is state-sponsored, 2.) only at certain points or during limited periods of time, and 3.) if they can control and possibly reverse it. This conditionality puts heavy constraints on a frequent active evolvement of mobilized political participation compared to democratic settings. One can say that, while political participation is unavoidable for authoritarian incumbents, they put it under 'siege,' in particular when they realize that the content of political participation is one of opposition and resistance.

To sum up this chapter, apart from the middle classes and upper-middle classes of Middle Eastern societies that have ample means at their disposal (particularly those within the realm of formal institutions described here as 'imitative'), there are three ways to express effective and meaningful political participation open to larger parts of societies: firstly, political participation can be expressed within the confinements of the authoritarian state, usually through populist or corporatist endeavors. This form of political participation contains an open, 'visible' political agenda; it is, in its societal outreach, far-reaching but not all-inclusive and remains subject to an authoritarian regime's claim to keep society under control and, ultimately, its hold on power alive. If it does not contribute to that very aim, state-sponsored participation will be revoked. Political participation under such circumstances can be quite 'rewarding' for an individual participant in that he / she will have the impression that participation will be meaningful without bearing the consequences of repressive responses.

Secondly, political participation can be expressed along informal social networks. This is the means of political participation that will be assessed by large parts of society as the most efficient with respect to realizing their aims. In contrast to the first form of political participation, informality incorporates often only a 'hidden' political agenda, and sometimes it is difficult to distinguish political participation from an action pursuing purely individual self-interest. The latter holds particularly true when primordial social bonds of kinship, family, tribe, or *shilla* (peer group) are involved. Concerning the content of informal social networking, it can be supportive of or challenging towards political decision-makers.

Thirdly, political participation can be expressed via oppositional political institutions autonomous from state control. Participation under such circumstances has an outright political meaning. It is performed by larger parts of society primarily within channels of political participation perceived as 'autochthonous'– such as Islamist movements – rather than those perceived as 'alien' (political parties, 'civil society' organizations, etc.). The latter are – as channels of political participation – the exclusive province of the middle- and upper-middle classes of society. Compared to the two other forms of political participation described above, the potential for frustrati-

on for the 'ordinary' participator is high given the authoritarian regimes' readiness to use repression at a substantial level in order to contain autonomous opposition. 'Successful,' that is efficient, participation under this domain triggers repression which, in turn, increases the likelihood that opposition based on mass participation will be crushed or turn into resistance.

2.3. Contentious Political Participation: The Civil Society Argument and Social Movement Theory

In the previous section, I have mainly inquired into the channels of participation focusing on institutions governing distinct forms of political participation. When wondering about the content of political participation, it is only a minor step to inquire about contentious political activism. I hinted at the fact that participation can come about as an enterprise organized and channeled by authoritarian incumbents. However, the very substance of political participation is usually closely associated with an act of societal interest representation, more often than not in opposition to authoritarian incumbents. Contentious political activism can be broadly defined as "collective unconventional acts taken by inhabitants of a country against their government, its policies or personnel, or the political regime itself" (Franklin 2002: 524).

There are two established conceptual points of departure for students of Middle Eastern contentious political participation: the 'civil society approach' and analysis on the basis of social movement theory (SMT). These concepts have been employed overwhelmingly in recent years in studies of societal organizations, state-society relations and incumbent-opposition relations. The following sections will help to understanding the approach followed in the empirical analysis of this study. While the civil society approach remains to narrow as a model of explaining state-opposition relations, social movement theories – integrating opportunity structure, mobilization, and framing models – are particularly useful to facilitate an understanding of contentious politics under authoritarianism.

Social Movement Theory

It is a relatively recent phenomenon that social movement theory (SMT) has been applied – in particular by US political scientists – to the analysis of societal groups and movements in the Middle East and North Africa.[83] Based on the work of political sociologists such as Charles Tilly, Sidney Tarrow, and David Snow, SMT has been developed primarily in studies of collective action and revolutions, and

83 My understanding of social movements is thoroughly inspired by discussions with Eva Wegner.

thus has become a primary analytical tool for inquiries into contentious societal activism (cf. prominently Tarrow 1998, McAdam, Tarrow & Tilly 2001, Jenkins & Klandermans 1995). A rather minimal and therefore consensual definition of social movements captures them as "informal networks based on shared beliefs and solidarity, which mobilize about conflictual issues, through the frequent use of various forms of protest" (Della Porta & Diani 1999: 16).[84] It is particularly fruitful to study Islamist opposition movements on the basis of SMT.

In fact, social movement theory would better be assessed as a whole variety of social movement *theories*, comprising different concepts that explain organizational structures, mobilization capacities, strategies of activism, and development of intellectual foundations and discourses of social groups. One can distinguish between three distinct conceptual bodies: approaches on political opportunity structures, mobilization processes, and framing processes.[85] In a nutshell, political opportunity approaches focus on the political environment that surrounds social movements and structure constraints and opportunities of their activism. Mobilizing structure approaches grasp the effectiveness and efficacy of group organizations and networks, while analyses of framing processes attempt to capture the discourses and ideational dimensions of social movements. In recent years, the focus on political opportunity structures – coined as the 'process model' – has become paradigmatic in studies on social movements, in particular with respect to contentious groups and protest movements and when it comes to explaining the organizational configurations, the efficacy, and the institutional embeddedness of movement organizations (Almeida 2003). In authoritarian environments, the statist coercive capacities to infringe upon the social and political activities of movements have been at the core of research (Goldstone & Tilly 2001, Francisco 1995).

SMT approaches have recently traveled from analyses on Europe and Northern America to the Middle East, or, more precisely: the Islamic world. In particular, they deserve the credit for having identified the power of mobilization that Islamist groups have at their disposal in many countries of the Middle East (cf., most prominently, Wiktorowicz 2004; Wickham 2002; Hafez 2003, Clark 2004). Most studies of Islamic activism have been inspired – explicitly or implicitly – by assumptions

84 It is important to differentiate between social movements which comprise, in the vast majority of cases, transnational networks and singular – often national – social movement organizations. Hans-Peter Kriesi has identified four different movement organizations: 'service,' 'self-help,' 'political mobilization,' and 'political representation organizations' (Kriesi 1996: 152-154). Most works focus on national groups and movement organizations. Only recently, mainly under the umbrella of studies on globalization, did transnational and cross-national movements come back into focus (cf. Della Porta, Kriesi & Rucht 1999, Della Porta & Tarrow 2005).

85 'Political opportunities' are defined as "institutional structure or informal power relations of a given national political system;" 'mobilizing structures' are "those collective vehicles, informal as well as formal, through which people mobilize and engage in collective action;" and 'framing' is defined as the "conscious strategic efforts by groups of people to fashion shared understandings of the world and of themselves that legitimate and motivate collective action" (McAdam, McCarthy & Zald 1996: 3-6).

and research questions deriving from the political process and opportunity structure models. By looking at political opportunities mainly structured by authoritarian incumbents, social scientists have put their eyes in particular at the repressive mechanisms of incumbencies and the institutional environments in which Islamic activism is embedded.[86] A second line of SMT-inspired literature, less prominent than opportunity-structure approaches, has investigated the resources of social outreach at the disposal of social movements. Few exceptions notwithstanding, the vast majority of these discussions focus on Islamist outreach and mobilization capabilities in several Middle Eastern countries.[87] Among those who set up a 'framing-perspective' on Islamist movements, the ideological roots, the Islamist discourse, and questions of whether Islamists comply with 'modernity' and 'democracy' are at the core of research questions, with particular reference to Egypt. However, most of those latter works do not put a special reference to an SMT-conceptual basis.[88]

In contrast to a great part of the latter line of research on Islamist movements, the body of literature which did take SMT as a conceptual point of departure brought an important achievement into the research agenda: SMT-inspired analyses perceive Islamist movements as political actors who make their decisions along rational considerations. Those actors, the underlying core assumption claims, identify their aims along perceived constraints, incentives, and opportunities. One important trait of this literature is that Islamist aims and rationales may not necessarily be detected by listening to their discourses: Discourses – or specific statements – are perceived here as strategic actions of groups or individuals at given points in time and under certain circumstances. Discourse analysis from such a perspective focuses on discourses as an indicator of a strategy to achieve a goal, but not as an indicator of the goal itself. Islamist discourses on democracy may serve as an example: While, under a given authoritarian structure, it is not possible to determine whether or not Islamists are democrats (because a test of this hypothesis is possible only under democratic arrangements), it can be intriguing to inquire into the underlying aims and strategies

86 See particularly the contributions of Hafez, Hafez & Wiktorowicz, Lawson, Robinson, Schwedler, and Yavuz in Wiktorowicz (2004). For a case study of the West Bank, see Khawaja (1993); for a comparative perspective on statist containment of radical Islamism in Egypt and Algeria, cf. Hafez (2003); on the relations between the states and moderate Islamists in Egypt and Morocco, cf. Albrecht & Wegner (2006). On Jordan, cf. Wiktorowicz (2001). A comparative perspective on coercive capacities of authoritarian power maintenance is provided by Eva Bellin (2004).

87 Cf. the contributions of Singerman, Clark, Smith, Wickham, and Okruhlik in Wiktorowicz (2004), along with Clark (2004). On Islamist outreach in Egypt, analyzed from an SMT-angle, see Wickham (2002), Ismail (2000), Munson (2001), Brynjar (1998), and Toth (2003).

88 Cf. on Egypt: Baker (2003 and 1997), Zahid & Medley (2006), Wickham (2002), Auda (1994), Ismail (1999), Ayubi (1980), Kepel (1985), Najjar (2000), Krämer (1999). For a general perspective on Islamic 'identity politics,' cf. Ismail (2004).

explaining why, and under what circumstances, Islamists engage in democracy-discourses.[89]

In concentrating on organizational capacities, strategies of societal mobilization and inclusion into political institutions, SMT-based work helps overcome a deeply-rooted normative and moral bias which infringes upon many supposedly objective studies of Islamist movements. In short, looking at Islamist groups as social movements permits comparison and precludes Middle Eastern exceptionalism.[90] Therefore, social movement theory offers an exit option from a culturalist, Huntingtonian clash-of-civilization perspective on Islamism. I agree with Quintan Wiktorowicz – and this is maybe the most important single accomplishment of the SMT-debate – when he stated that "the *dynamics, process, and organization* of Islamic activism can be understood as important elements of contention that transcend the specifity of 'Islam' as a system of meaning, identity, and basis of collective action;" and, "In other words, Islamic activism is not *sui generis*" (Wiktorowicz 2004: 3).

This is certainly important for an understanding of Islamist groups and organizations that necessitates, from an SMT angle, the ignorance of normative prejudices. However, and this may seem less obvious, the same holds true for inquiries into other forms of political opposition in the MENA: While Islamists are perceived in the Western public realm as the 'bad guys' in Middle Eastern politics, a positive view on the 'democracy promoters' among political parties and civil society organizations also puts normative hurdles on a thorough understanding of their aims, tactics, and relationship with incumbents. As much as Islamists, the 'liberal,' 'progressive,' and 'democratic' oppositions also identify their aims along perceived constraints, incentives, and opportunities – and that process may not be less Machiavellian in nature.

These accomplishments notwithstanding, the application of social movement theories to the analysis of contentious politics in the Middle East suffers from a number of weaknesses. Firstly, and foremost, SMT-based analyses tend to be applied exclusively to those groups and organizations that form a rather visible and meaningful social movement, and there is – in turn – a high propensity toward ignorance with respect to those societal organizations and groups that come about as single-issue groups or that are not imbedded into a manifest 'network of shared beliefs' – as mentioned above in the definition of social movements. The fact that Islamism has swept the Middle East since roughly the 1970s is clearly the main reason why Islamist groups, parties, and organizations have been analyzed from an SMT angle, while those actors embracing leftist, liberal, or other identifications are not captured. The simple reason for this exclusive application is that – in our times – one can hardly speak of a distinguished region-wide leftist, liberal, environmentalist, or peace movement. While it is the most important single subject and phenomenon, Isla-

89 I am grateful to Kelly Neudorfer who made me aware of this aspect (author's personal communication).

90 Unfortunately, the comparative and the conceptual body of social movement theory has, as of yet, largely ignored contentious Islamist movements.

mic activism is certainly not the sole form of societal contentious politics in the Middle East.[91]

A second shortcoming is that, while the application of SMT is conducted in a rather narrow and exclusive way (on Islamists), the distinct conceptual bodies of SMT – political opportunities, mobilizing structures, framing processes – in their usage do not reach very far beyond the application of catch-all terms. In their generality, they lack explanatory power and suffer from a profound definitional fuzziness. As McAdam noted, with respect to the term 'political opportunity': "Scholars have defined or interpreted the term differently, applied it to a variety of empirical phenomena, and used it to address an equally wide range of questions in the study of social movements" (McAdam 1996: 24-25). Simply speaking, to keep with this example, the study of 'constraints' and 'opportunities' may be applied usefully to *any* political actor, irrespective of whether it is part of state, society, opposition – or a social movement. Thus, while acknowledging the merits of SMT-based approaches, one will necessarily wish to develop more *inclusive* approaches concerning *actors* of societal contention and, at the same time, more *concise* models for inquiries into the *manifestations and functions* of contentious groups and organizations within state and society.

The Civil Society Argument

Without any doubt, the civil society approach is a serious conceptual attempt to grasp contentious socio-political activism. This holds true both for democratic as well as authoritarian settings. Indeed, there was hardly any other empirical puzzle that struck sociologist and political scientists alike than the search for civil society in the Middle East and North Africa. This research agenda – rising to a peak in the mid-1990s – went hand in hand with the assumption that the regimes in the region would not escape the 'Third Wave' of democratization. These two strands of research – the search for and analysis of societal participation from a civil-society angle and the assumption of systemic political change (democratic transitions) – have been closely interconnected. Both this connection as well as the unresolved (and probably irresolvable) definitional fuzziness of the term 'civil society' renders its application to analyses of contentious politics highly questionable.

The term 'civil society' is used in two different meanings: It describes a philosophical idea and ideal and is, at the same time, used as a sociological concept to

91 Interestingly, a few exceptions notwithstanding, the SMT-based literature on the region has exclusively focused on challenges towards authoritarian incumbents and falls short of providing any answers – or even convincing hypotheses – about potential processes which may be triggered by this challenge, e.g. revolutions or democratization processes. This is all the more remarkable when keeping in mind that a great part of the social movement theory has its roots in studies on revolutions. For a recent general account on the nexus between contentious social movements and the stability of different types of authoritarian regimes, cf. Ulfelder (2005).

analyze empirical realities.[92] A minimum definition grasps civil society as a sphere between, and independent of, state and market, on the one hand, and between state and individual, on the other hand. "The label of 'Civil Society' can be applied to all those social relationships which involve the voluntary association and participation of individuals acting in their private capacities. In a simple and perhaps even simplistic formula, civil society can be said to equal the milieu of private contractual relationships" (Tester 1992: 8).

Therefore, one can distinguish civil society from a *political sphere*, embracing institutions such as elections, parliaments, and governance, and an *economic sphere*, comprising market mechanisms and institutions such as business associations, corporations and labor unions (Cohen & Arato 1992: IX). In short, the civil society sociological concept attempts to grasp the formation, organization, and formulation of interest of society and individuals outside of state institutions. One core imagination is that this societal organization is carried out by individuals *voluntarily* and *autonomous* from the control of states or markets. Another decisive trait of the concept is that one needs to focus on groups and organizations with a substantial degree of organizational capacities in order to distinguish civil society actors from individual interrelations, on the one hand, and purely clientelistic and lobby networks, on the other hand.[93]

Apart from the problems associated with the application of the civil society concept to politics and society in the Arab world, the concept itself "and the sectoral modes to which it is attached suffer from acute definitional fuzziness" (Edwards & Foley 1998: 126). Firstly, depending on the ideational background of those who use the concept, the term 'civil society' has entirely different meanings which can be drawn back to leftist, (neo-)liberal, conservative, or Marxist leanings. These distinct understandings are based on dependency, modernization, or revolution theories (White 1994). Secondly, and this is a more serious conceptual objection, the ideal-type fission of social, political, and economic fields does not correspond with empirical realities. Rather, the concept of civil society describes something which is to a high degree, and at all times, dependent on states and state incumbents' policies – contradicting the assumed division between the political and the social (Edwards & Foley 1998: 126, Chandhoke 2001). States create the legal and institutional frameworks within which societal organizations operate. The state sets the rules of the game and decides, most importantly, about the juridical legality and illegality of societal activism (Walzer 1995: 23). Consequently, it is mainly the state that decides which groups, interests, organizations, and individuals are allowed to perform social

92 The historical, philosophical background of the idea of civil society goes back to the writings of Thomas Hobbes, John Locke, David Hume, Karl Marx, Jean Jacques Rousseau, and Alexis de Tocqueville (cf. Tester 1992).

93 From a structuralist perspective, Croissant, Lauth and Merkel distinguish between five core functions of civil society: the protection of individuals from the state, the intermediation between the political and the social field, a political socialization function, the formation of social communities, and a communication function (Croissant, Lauth & Merkel 2000: 11-14).

activism and what remains part of what is falsely grasped as a 'civil' society autonomous from that very state.

This has palpable implications for the analysis of, and also for the search for, civil society because in it one needs to include the expressions of that very state and the political framework in the analysis of society. True, the search for civil society is an easy adventure in liberal democracies, for the latter could hardly exist without the former (Walzer 1995: 24, Linz & Stepan 1996);[94] but the concept does not at all travel easily to non-democratic, authoritarian grounds. The very fact that autonomy is stated as a definitional principle renders the search for civil society in non-democratic settings rather difficult because it is an integral property of any authoritarian regime that its incumbents preclude autonomous societal formations.[95]

Secondly, it is often held that civil society necessarily reflects basic democratic norms and that, in turn, the existence of democratic norms and procedures within a social formation constitutes a necessary precondition for the integration of that formation as part of civil society: "If religious authorities establish theocratic rule; if ethnic or religious groups hold sway and deny civil and political rights to members of other groups; if government is captured by (or is itself) a dominant economic interest; if the common good is conflated with, and understood to be conflated with, particularist goods, government ceases to sustain civil society" (Post & Rosenblum 2002: 11). Clearly, the correlation of social and political structures, assumed in liberal democracies, does not exist under authoritarianism, neither on the side of the political regimes nor for societies.[96] Therefore, only a wide and inclusive view of civil society – that disengages the term from its 'democratic' functions – allows for the application of the concept in autocracies. In turn, a narrow conceptual understanding of civil society excludes traditional, primordial, and illegal groups and thus its application for societal activism under authoritarian conditions. According to an inclusive approach, not only 'modern,' democratic interest groups perform as civil society, but also traditional, ethnic, religious, and – in a Western understanding – 'illiberal' actors. Only then can civil society take on a formal and informal picture, and it can cultivate legal along with illegal organizations (White 1994: 379).

From the latter perspective, civil society does not necessarily embody a system-constitutive character, as is the case in democracies. Rather, civil society comes about under authoritarianism as an opposition and sometimes an anti-systemic threat

94 Democracy and civil society, the argument goes, are interdependent and imply one another; civil society organizes the autonomous aggregation of societal interests and allows for the unrestricted and equal participation in political processes. This understanding of democracy draws heavily on Robert Putnam's work on 'social capital'; for a recent discussion, see Edwards & Fowley (1998).

95 This rationale holds true even though authoritarian regimes, according to the widely accepted definition of Juan Linz (1975: 264), allow for a limited degree of pluralism within society.

96 For instance, Croissant, Lauth and Merkel hold that there is a whole variety of civil society groups in authoritarian countries in which those who have a say deny equal participation to their members, inhibit liberal discourses, and have developed rigorous hierarchical and patrimonial structures (Croissant, Lauth & Merkel 2000: 20).

to incumbents. This is the point of departure for those works that use the concept of civil society in the developing world and in autocracies (Stepan 1997). The civil society concept has gained significant prominence in particular within theories of political transformation, or the "transition paradigm" (Carothers 2002). Civil society can only develop as a powerful force in relatively liberal authoritarian environments, that is, when incumbents do not use their coercive capacities to an unlimited degree but rather grant a measure of political rights and freedoms. Civil society will flourish in phases of political liberalization – usually introduced as a regime's response to economic or legitimation crisis – and thus contribute prominently to triggering a first phase of transition processes (cf. O'Donnell & Schmitter 1986: 48-56). It is assumed that voluntary and non-profit societal associations, such as self-help organizations, professional associations, and non-governmental organizations, invade the new space opened by the authoritarian regimes.[97] More precisely, "NGOs in less developed countries are the closest approximation to a European or North American idea of voluntary sector or civil society organizations" (Stewart 1997: 26). The argument then goes that, in a context of political liberalization, these organizations will avail themselves from the revocation of restrictions on the freedom of expression and assembly.

It is also widely held that civil society "challenges state power, most importantly when associations have resources or supporters abroad: world religions, pan-national movements, the new environmental groups, multinational corporations" (Walzer 1995: 23). As a consequence, since 1990 many administrations and donor agencies in Western states have put an increasing weight in the external promotion of such national 'civil society' organizations, perceived as partners in the attempt to export democracy. One problem associated with this core trait of donor policies is that associations have mushroomed in several Arab states that embrace a picture of 'civil society,' but remain in practice government-controlled or even –initiated institutions with the mere aim of attracting funds from the international donor community (cf. Schlumberger 2006a; Carapico 2002 and 2000, Kienle 2007). On the side of the political regimes, the very existence of national groups and organizations that look like civil society brings about a considerable degree of political legitimacy in that the regimes are perceived by many as less coercive – and thus 'more' democratic – than those regimes perceived as more illiberal for denying the emergence of such associations. While this poses considerable practical problems for donor agencies in their search for 'partners in development,' for the outside observer – and social scientist – it has become increasingly difficult to detect the 'real' civil society.

The debate on civil society in the Middle East has gained prominence since the early 1990s and was thoroughly inspired by a 'transitology' perspective described

97 The agenda of these associations need not necessarily be of an outspoken political nature, such as the advocacy for human rights in general and the rights of women, minorities, and other underrepresented strata of society, but can include non-political agenda setting in sports, culture, or environmental issues.

above.[98] In retrospect, this seems quite astonishing given that we did not witness one single instance of a successful establishment of democracy in any Arab country. However, some empirical findings in the early 1990s gave rise to the hopes that were associated with the advent of civil society: While authoritarian regimes did not break down all of a sudden, it has been observed that economic crises led to processes of political liberalization in particular in those countries that did not have massive quantities of oil wealth at their disposal. Examples include Egypt, Jordan, Morocco, and Tunisia, but also some traditional societies in the Gulf located in the periphery of the oil bonanza, such as Yemen and Bahrain. A new plethora of political parties, NGOs, professional syndicates and associations, political clubs and gatherings, and social self-help organizations were identified as the actors of civil society. Mustapha al-Sayyid has identified some aspects which helped bring about civil society in the Arab world: an increasing class consciousness within Arab societies, societal organization along common interests (rather than on primordial bonds), the acceptance of autonomous social actors among incumbents, and the loosening of restrictions on the freedom of opinion and expression (Al-Sayyid 1995: 139).

The civil society concept, along with its application to the Middle East, suffers from serious and irresolvable shortcomings which make it inappropriate to explain contentious activism in Middle Eastern societies. Firstly, in most works on Middle Eastern states and society, the concept has not been applied convincingly. The term has been loosely used to identify both an analytical *tool of explanation*, and, at the same time, *actors* in analyses of state-society relations. This has been observed as a general weakness of the concept which is "often used loosely to mean either society opposed to the state or more precisely, as an intermediate sphere of social organization or association between the basic units of society (…) and the state" (White 1994: 377).

While many works move around a proper definition of what is meant by 'civil society' one gains the impression that social scientists feel that it sounds simply nicer to call a social sphere 'civil' than 'society.'[99] Taking the term seriously, however, it remains extremely difficult to grasp what could then be an 'uncivil' society.[100] Indeed, social scientists have naturally recognized the basic definitional fuzziness of the civil society concept. Mustapha al-Sayyid is right to claim that "one should not blame Arab intellectuals for this lack of agreement on a commonly ac-

98 Among a great many single case studies in monographs, journal articles, and edited volumes, Augustus Norton's early volumes stand out as modern classics of the Middle Eastern civil society literature (Norton 1995).

99 Take, for instance, Tareq Ismael's textbook for students of Arab politics and history in which society is rendered 'civil' since the 8th century without discussing the term or its ideational and conceptual essence (Ismael 2001).

100 In this context, it is, for instance, not very useful to declare that "to talk about civil society is (…) to suggest a division between a state of civilization and a state of nature" (Tester 1992: 9). Following this argument, one would necessarily come to the conclusion that a society for which a weak civil society is diagnosed will be 'uncivilized' and this is certainly a line of argument which not many social and political scientists will be open to follow.

cepted definition of the concept" (Al-Sayyid 1995: 135). However, from a social science perspective, it is still not permissible to abandon any theoretical and definitional context arguing that "the lineage of the concept is largely irrelevant. The idea of civil society is potent and analytically insofar as it exposes an important array of research questions (Norton 1995: 10).

A second and more serious shortcoming is that the concept is heavily normatively biased; this bias was amplified in Middle Eastern studies. To actors of civil society are often – implicitly or explicitly – attributed democratic principles, liberal norms of a Western provenance, and 'good' behavior. It is held that civil society actively promotes democracy and social equality. With this background in mind, it does not make much sense to search for 'civil society' in the Arab world because one will not find many cases to look at: This normative bias necessarily excludes Islamist movements[101] and those forms of societal organization which are perceived as 'parochial' and 'patriarchal.'[102] An exclusive focus on societal organizations that are perceived as 'civil' narrows our view on a whole variety of forms and expressions of societal organization and participation. Therefore, Neera Chandhoke has postulated that "we cannot allow our political passions and normative concerns to obfuscate our understanding of this sphere, for that may lead into tediously repetitive dead ends" (Chandhoke 2001: 5). On the other hand, if we disengage the term 'civil society' from its normative context, the essence of what makes society 'civil' will remain entirely dubious.

A third objection against the application of civil society to Middle Eastern politics is that the debate has led into a *cul-de-sac* in that it circles around the question of whether civil society exists or not, instead of inquiring into how society works, how it organizes, and where societal action originates from. While the former puzzle has gained significant prominence, it will not lead to any convincing results on the latter

101 Much has been written about whether Islamists are part of civil society or not, without producing convincing answers which would positively impact our knowledge about either the Islamists or civil society in the Middle East. From a narrow view on civil society, Islamists – who organize in oppositional movements but also in apolitical social networks, such as the *Sufi*-orders, in religious endowments (*awqaf*), and in the more radical *salafiya*-movement – cannot be part of it because their religious-ideational basis cannot be comfortably aligned with the normative consensus associated with it. On the other side of the debate, it is argued that "Islamists are (…) one component in an array of organizations that populate civil societies in the Middle East" (Norton 1993: 209); cf. also Sullivan & Abed-Kotob (1999) for a similar line of argument. In the end, the debate on whether Islamists are (or can become) part of civil society reflects the larger discussions on the proposed (or doubted) compatibility of Islam(ists) and democracy, which remains similarly unedifying with respect to learning more about the Islamists.

102 Oliver Schlumberger, among others, has argued that parochial bonds, clientelist networks, and patrimonial social organization in Arab society impede the emergence and development of civil society in its Western appearance (Schlumberger 2000: 113-118). Indeed, collective action along these traits of traditional societies seems to contradict expectations on the philosophy of action of individuals in a civil society according to a common denominator that "the aim is not for an individual to earn money or gain power but to contribute to the general good or the good of the group who have joined together" (Jorgensen 1996: 37).

questions. Fourthly, even taking the general objections formulated above aside, the civil society concept does not embody the explanatory power which has been ascribed to it: It is far too overvalued in explaining the challenge of authoritarian incumbents and triggering transitions to democracy.

Even if we concede that, firstly, something exists in the Arab world which can be described as 'civil society' and, secondly, autonomous organizations emerge from this realm, this is still not a necessary condition to assume democratization processes. It has been argued, even among the 'transitology' literature, that civil society organizations are not necessarily viable vehicles for democratization processes because "the regime has centralized, noncompetitive institutions that incorporate only those groups that accept its direction and that control the outcome of any political process ex post. Thus, on the one hand, autonomous organizations emerge in the civil society; on the other hand there are no institutions where these organizations can present their views and negotiate their interests" (Pridham 1995: 59). Moreover, classical readings of transformation theories hold that civil society will have a positive impact mainly in the final stage of transition processes, that is in the consolidation of a newly established democracy (Croissant, Lauth & Merkel 2000: 16).

In sum, 'civil society' is a weak term as concerns conceptual matters which has led scholars to investigate futile questions on a vicious-circle puzzle about the existence of civil society and processes that did not happen (democratization).

Chapter 3:

Political Opposition under Authoritarianism

I will begin this chapter by stating two broad conclusions from the previous section: Firstly, a great deal of concept traveling is necessary when looking at state-society relations and, in particular, at contentious activism under authoritarian settings. Secondly, those approaches which have been developed to grasp contentious activism in the region suffer from several shortcomings. This holds true in the case of the civil society argument which is conceptually flawed, normatively biased, and remains too broad – a catch-all term with insufficient explanatory power. Accordingly, social movement theory remains too narrow a concept, focusing almost exclusively on one specific – albeit important – array of contentious activism in the Middle East (political Islam).

I will introduce, in the following chapter, a term which is established as concerns its *every-day meaning*, but remains seriously unexplored as an *analytical category* for the puzzle of contentious politics under authoritarianism: political opposition.[103] The advantage is that one is able to identify contentious state-society relations within a systemic political framework: opposition as an antipode to government within any kind of political system. Studies on opposition, and subsequent analyses of the political institutions framing government-opposition relations, can thus add a valuable contribution to the body of literature on social movements. The latter has, so far, not put much emphasis on the political-systemic context.

103 It has been convincingly argued that political opposition is understudied: "There have not been many recent attempts to theorize about political opposition. On the contrary, the term seems to be not too much in vogue with political scientists" (Neunreither 1998: 423). Prominent exceptions are Luhmann (1989), Southall (2001), and a special issue in *Government and Opposition*, Vol. 32, No. 4, 1997; on the Middle East, see mainly Lust-Okar (2005) and Mattes (1999: 13-24).
This is quite astonishing because the classical theoretical accounts on the issue leave several important questions and problems unresolved (Southall 2001: 5-6). Opposition studies had their heyday in the second half of the 1960s and the first half of the 1970s. Robert Dahl, the 'grandmaster' of political science studies on opposition, developed the early research agenda as the most important single aspect of his larger contribution to theories of democracy; a clear signal is the agenda-setting subtitle of his *Polyarchy*: "Participation and Opposition" (cf. Dahl 1975, 1973, 1971 and 1966b). Other important works of this early period include Ionescu & Madariaga (1971), Barker (1971), and McLennan (1973). The special importance that political opposition has drawn from political science in this period is reflected by the foundation (by Ghita Ionescu) of the journal *Government and Opposition* which has quickly developed into one of the leading academic sources in Comparative Politics; cf. also the special issue on opposition in the very first volume of that journal (1966) including contributions by Giovanni Sartori, Bertrand de Jouvenel, Edward Shils, and Hans Daalder.

Moreover, the term opposition contains decisive explanatory power in that it facilitates the demarcation vis-à-vis other distinguished forms of contentious activism. I will in the following section present a definition of political opposition and discuss some general aspects, conceptual problems, and opportunities associated with an analysis of political opposition in the authoritarian realm. This will be done in three steps: In a first section, I will focus on the term 'opposition' and offer a procedural minimum definition in order to find out what opposition *is*, and subsequently, what it is not. A second part addresses some core issues which will come up inevitably when inquiring more in-depth into the roles, functions, and institutional frameworks of oppositions. Those differ from one regime type to the other. This part is mainly about conceptual traveling between democracy and authoritarianism. In a last section, I will refer in particular to functions that can be applied to opposition under authoritarianism in the Middle East; the question here is what opposition *does*.

3.1. Towards a Concept of Political Opposition

Opposition – to start with an omission of the 'political' in the term under further investigation – contains an everyday meaning and usage which everyone is commonly acquainted with.[104] Giovanni Sartori noted: "The dialectics of life – not only of politics – is that any *position* engenders an *opposition*, i.e., a counterposition" (Sartori 1976: 48). While this sounds, at first, rather trivial it entails an aspect that is paramount for the study of opposition from a political science perspective. Political opposition is one part of a binary referential system. One needs a *position* in order to engender a counter-position; and, in order to bring the 'political' back in, one needs a political *government* in order to speak of a political opposition. In the words of Niklas Luhmann, "(t)he term opposition entails its meaning only as a momentum of a differentiation between government and opposition. It does not denote an autonomous phenomenon" (Luhmann 1989: 13).[105]

In turn, when a government is missing, we will not find a political opposition. Take the European Union as an example which represents a body politic but not a state and a government, thus "governance without opposition" (Neunreither 1998). Here, we will find many counterpositions towards EU policies and bodies from different sources – the European parliament, the bureaucratic apparatus, or national governments – but not an established political institution. Therefore, we detect many

104 For a philosophical history of the development of the term and its meaning, cf. McLennan (1973a) and Sadoun (2004).

105 Original citation in German: "Der Begriff Opposition hat nur als Moment der Unterscheidung von Regierung und Opposition Sinn. Er bezeichnet kein selbständiges Phänomen" [translation by author]. Taking a top-down perspective, Luhmann hints at the two-dimensional system of differentiation of 'government' that can be distinguished from the 'governed' – political science has referred to this as state-society relations – and from 'opposition.' The latter is not necessarily the same as the former but represents an integral part of the political system (cf. Luhmann 1989: 17-18).

oppositions – in the Sartorian, and common, sense of counterpositions – but not *the* opposition "with a capital 'O'" (cf. Potter 1966, Ionescu & Madariaga 1971). Since there are no firmly established, but rather heterogeneous, structures of conflict, the European Union does not possess an *institutionalized* political opposition.[106]

Yet, it is this institutionalized opposition – an opposition with a capital 'O' – which has made it into the focus of political science studies. This reaches beyond a general everyday meaning of political opposition as a counterposition that a son poses to the words of a father or a defender towards a striker in a football match; also, back in the social and political arena, what have been described by James C. Scott as the "hidden transcripts" of social resistance (Scott 1990) – rumors, gossip, jokes, songs, social rituals, and codes – do not fit into this political science category. Rather, they are part of a potentially ample *menu of political action* by which an opposition challenges and agitates against a state.

One can derive some important assumptions from these very general observations: Firstly, the meaning of political opposition from a political science perspective involves that we look at it as an institution within a given systemic setting the most simple of which is the divide between government and opposition. I employ a standard definition of 'institutions' and grasp them as "rules and procedures (formal and informal) that structure social interaction by constraining and enabling actors' behavior" (Helmke & Levitsky 2004: 727). Secondly, government and the governing system on the one hand and opposition on the other hand shape one another; more precisely, the form of the governing system – among other important factors[107] – designates the form, characteristics, and functions of political opposition in it and towards the incumbents that occupy the realm of governance. Jean Blondel stated most poignantly that "the only way to discover the true character of opposition is by examining first government, rule, authority, or state" (Blondel 1997: 463). As Ellen Lust-Okar recently put it, "incumbents cannot dictate their opponents' actions, but they can influence them. Through the rules they make and the institutions they establish, governments help determine which opposition groups exist and how these groups interact with each other" (Lust-Okar 2005: 34-35). [108] Lisa Anderson said

106 In their classical volume, Ionescu and Madariaga argue that the development and institutionalization of political conflicts helped bring about and shape the evolution of opposition as a political institution (Ionescu & Madariaga 1971: 11-78). Ernst Fraenkel coined the term "Verfassungsinstitution der Opposition" [opposition as a constitutional institution].

107 Robert Dahl proposes five core conditions which basically shape the patterns of oppositions: "constitutional structures and electoral systems; widely shared cultural premises; specific subcultures; the record of grievances against the government; and social and economic differences" (Dahl 1966c: 348). William Foltz (on sub-Sahara Africa) and Bassam Tibi (on the Middle East) address tribal, ethnic, and religious cleavages as ultimate factors for the formation of political opposition in the developing world (Foltz 1973; Tibi 1993).

108 Lust-Okar has coined the term 'Structures of Contestation' in order to account for the political environment and institutional framework which determine the action of political oppositions and which is ultimately designed by the regimes of the respective political system (cf. Lust-Okar 2005: chap. 2).

that "the nature of political opposition reflects the nature of political authority" (Anderson 1987a: 220). Therefore, we must not analyze political opposition without analyzing the government of a polity; and, fourthly, accepting that 1.) contention and dissent are crucial for state-society relations and 2.) opposition is a term and concept of prime importance to account for contention, the relationship between government and opposition is decisive for our understanding of the relations between states and societies.

To highlight another facet for the study of political opposition, Giovanni Sartori notes that "any means of 'opposing' is not what we usually call 'opposition'" (Sartori 1966: 150). This is, again, not a merely linguistic practice. Rather, in an attempt to develop a concept of political opposition, it is necessary to denote what it is – and, in turn, what it is not. Surprisingly or not, the classical readings on political opposition – spearheaded by the works of Robert Dahl – are in lack of a definition of political opposition, but remain informative on organizational characteristics, ideational predicaments, and the patterns of contestation between governments and oppositions (cf., most prominently, Dahl 1966a and 1973, Ionescu & Madariaga 1971).[109] In essence, the early Dahlian conceptual body of opposition studies offers a typology, using a number of 'patterns,' which is informative on the question of what opposition *does* – how it behaves and is organized in different institutional frameworks – which should come as a second step after having determined what opposition *is*, and is not, in contrast to other forms of contention.[110] Therefore, early conceptual works along with the more recent accounts on political opposition fail to offer a procedural minimum which would ground the term similar to the advancement of democratic theories.[111]

The task to develop a procedural minimum definition of political opposition seems necessary for two reasons: Firstly, it is a necessary precondition for the traveling of the concept – rooted within the ambit of democratic theories – to studies on authoritarianism. Secondly, it should go without any further notice that 'opposition' is not the same as, for instance, 'dissent,' 'resistance,' 'terrorism,' or 'factions' – all terms which describe other forms of contentious activism. Therefore, in an attempt

109 Rodney Barker has argued that the term 'opposition' contains a whole variety of different meanings and identified six different uses: opposition as (1) total resistance to the state, (2) resistance to the execution of power of a coercive state, (3) resistance to the incumbents of a state and their legitimate occupation of power, (4) loyal opposition, (5) a system of checks and balances, and (6) a description of the mechanisms by which the people check and control the exercise of political power (Barker 1971: introduction).

110 Robert Dahl has proposed six core traits for the distinction of opposition types: organizational cohesion, the competitiveness of opposition, the site of competition between government and opposition, the distinctiveness of opposition, goals, and strategies (Dahl 1966a).

111 Barbara McLennan is correct in criticizing Dahl's approach on opposition because of its lack of analytical depth and the fact that it is "basically descriptive" (McLennan 1973b: 382); cf. similarly Kramm (1986). Unfortunately, not much has changed since, so there is still much to add to the study of political opposition notwithstanding Peter Pulzer's poignant question "Is There Life After Dahl" (Pulzer 1987) some 20 years after the publication of Dahl's seminal volume.

to distinguish political opposition from them (and potentially other terms and concepts), I propose a *procedural minimum definition of political opposition* taking two core aspects into account. Firstly, for being a political science category, opposition is an institution and has a capital 'O'; and secondly, the need to form a term inclusive enough to be applied to every kind of political system.[112]

> Political opposition is an institution located within a political system but outside of the realm of governance that has decisive organizational capacities and engages in competitive interactions with the incumbents of a political regime based on a minimum degree of mutual acceptance.[113]

Some core elements of this definition need further investigation. Firstly, a political opposition must have a distinguished *organizational body*.[114] It is home to political professionals, has some financial capacities at its disposal, and has developed, in the vast majority of cases, some form of hierarchical structure occupied by a few who have a say and a lot of rank-and-file members. This includes also the power of the oppositional organizations to mobilize a measure of political support. In this context, political opposition as an institution is clearly discernible from single individuals on the one side and from sudden outbursts of protest, violent or not, on the other side. Neither can represent opposition, though they may be a part of it.

Secondly, opposition is an institution *outside of government*. While, at first sight, this sounds self-evident, it has in fact become a highly critical issue in studies of opposition even though it has not been prominently addressed in the relevant body of literature. In many works, terms like 'intra-party opposition' or 'intra-elite opposition' have found a way into the discussions of political opposition.[115] This is absolutely detrimental to an understanding of the core definitional essence of opposition proposed here and developed on the basis of the classical readings of Robert Dahl and others. In order to clarify the picture about what opposition is, and what it is not, I offer a simple figure which identifies 'dissent' as an overarching variable to inclu-

112 It will be shown in the following section that the latter point is not self-evident because conceptual research on political opposition was overwhelmingly inspired by advocates of democracy and democratization theories (see more in-depth below).

113 I have used this definition for the first time in Albrecht (2005a: 379).

114 This argument is in line with social movement theories saying that collective action is short-lived without organizational capacities (Oberschall 1973, Almeida 2003: 348).

115 Most prominently, Juan Linz in his widely acknowledged article on political opposition in authoritarian Spain (Linz 1973) has set the stage for the disorientation in that matter because he (1) did not offer a comprehensive definition of what he meant of the term 'opposition,' (2) juggles amongst rather sloppy variables, such as 'pseudo-' and 'semi-opposition,' and (3) does not distinguish properly between activism inside and outside of states, systems, or political regimes. In clear contrast to Linz's approach, I hold that only activism outside of the realm of governance (democratic or authoritarian) can be grasped as political opposition. While it is admittedly in the empirical reality "never easy to distinguish 'opposition' from 'government'" (Dahl 1966a: 341), this is exactly one of the most basic missions of students of political opposition.

de several forms of contentious political activism as mutually exclusive sub-categories:[116]

Figure 1: Forms of Contentious Political Activism

POLITICAL DISSENT

FACTIONALISM OPPOSITION RESISTANCE

As it is not the ambition of this piece of research to offer an in-depth analysis of analytical categories other than political opposition, such as (intra-elitist) factionalism and political resistance, I will restrict myself to those aspects within the definitional traits of political opposition which distinguish it from the three other categories of contentious activism presented here. Firstly, 'dissent' denotes an overarching analytical category and is, in my understanding, not restricted to politics proper. Rather, dissent appears between father and son, husband and wife, between colleagues at political science institutes – to name only a very few occasions from 'life' – and certainly in the political arena too: for instance, between parts of the government (factions) and between government and its counterpart (opposition). Thus, while contentious activism in the form of political opposition is always a form of political dissent, the inverse does not hold true. Dissent can be observed *within* an institutionalized opposition as much as *within* the governing realm – 'factionalism' seems the most apt term to describe this phenomenon.

Resistance, in turn, comprises a third category and explains dissent between two opponents – in the majority of cases between a government and its counterpart(s) – culminating in political action to combat a political regime more often than not with violence. In contrast to any other form of contentious activism discussed so far, resistance can originate from sources outside of the political system under consideration, such as opponents in wars or representatives of international political or financial institutions who *resist* national policies (then usually with non-violent means). For identifying the boundaries between resistance and political opposition, the origin of the respective form of contentious activism is important: While the former may emanate from a source outside of the political system, political opposition is always an integral part of it.

Another paramount element of the definition of political opposition is competition. The issue, too, is not as self-evident as it may appear at first instance. Otto

116 To the best of my knowledge, Geraint Parry was the first to hint at the necessity to ask "whether an investigator considers the various forms of resistance to government to be instances of a common phenomenon, perhaps to be placed on a continuum, or whether less institutionalized types belong to another category, such as dissent or protest" (Parry 1997: 459).

Kirchheimer stated quite perspicuously: "Any form of political opposition necessarily involves some kind of competition. The reverse does not hold true: Political competition does not necessarily involve opposition." (Kirchheimer 1966: 237).[117] Thus, what does political opposition struggle for? Government and opposition are political categories; therefore, the competition they are involved and mutually embedded in is about *political power*. In most classical readings, government-opposition struggles are seen as contestation for power in the name of 'rule,' that is in the Weberian meaning of *herrschaft* or in the Latin meaning of *potestas* (cf. Ionescu & Madariaga 1971: 17). In this context – based on Montesquieu's famous dictum of the opposition to be 'the power to check power' – it has been widely argued that opposition has the meaning to control and confine the use and magnitude of political power (Sartori 1966, Jouvenel 1966, Ionescu & Madariaga 1971); and the meaning of opposition is one of an institutionalized guarantee of liberties. In the words of Bertrand de Jouvenel, "(t)he means of opposition are the infrastructure of a system of political liberty: the party of opposition is simply an element of superstructure" (Jouvenel 1966: 157).

Without any doubt, the view on political opposition primarily as an institution to check and control political power (rule) is rooted in the fact that those who have developed the concept of opposition in the classical readings have explored, at the same time, the working mechanisms of democratic rule. In order to ensure the applicability to other forms of political rule – and thus enlarge the concept to a degree sufficient to guarantee for the explanatory power of the term – a more inclusive approach to political power seems necessary. From this perspective, I include the notion of political power in the name of 'influence,' that is in the Latin meaning of *potestas*. Opposition then may also struggle for opportunities, below the level of rule making, to influence, for instance, the diffusion of ideological orientations within society, the social implications of certain government policies, or the distribution of financial resources. Opposition can oppose three subjects: the *incumbents* of a political regime, singular *policies*, or the basic *rules and structures* of the regime.[118] In the first two cases – anti-incumbent and anti-policy opposition – groups and movements are often referred to as parts of a 'loyal,' 'legal,' and (particularly under authoritarian settings) as 'tolerated' opposition.[119] Opposition against basic political

117 Kirchheimer's own definition of political competition says that it is present "if political jobs are filled by selection from candidates whose number is in excess of the places to be filled" (Kirchheimer 1966: 237). This account is very narrow in that it restricts the object of political competition to political offices and ignores the fact that other political or financial gains may be at stake instead.

118 Lisa Anderson has distinguished amongst opposition against (1) rulers, (2) policies, (3) regimes, and (4) states (Anderson 1987a: 223-231); though the core difference between regime, state and the ruler's realm remain unclear.

119 In many classical readings, loyal opposition – in contrast to anti-system opposition – is equated with formal legality. Giovanni Sartori and others have subsequently chosen the term 'constitutional opposition' (cf. Sartori 1966: 151). According to Kirchheimer, a loyal opposition has been established "if the political competition involves some form of goal

rules and structures comes about as 'anti-system,' 'anti-political,' or 'illegal' opposition.

A last core trait of the definition of political opposition proposed here is that, for the relationship between government and opposition, a minimum degree of *mutual acceptance* of one another (both government and opposition) is a necessary precondition. Consequently, this excludes a high degree of violence in interrelations; opponents in a war or a war-like scenario cannot be grasped as political opposition. A strike is a strike – and constitutes a voice option for a political opposition – as long as it is structurally accepted by the government. The indicator is that government does not prohibit strikes altogether, by whatever formal rules or informal mechanisms. If government interferes violently and dissolves strikes on a regular basis and, at the same time, a political opponent to the government continues with contentious political activism, mutual acceptance is abolished and the latter turns from opposition to resistance.[120]

On the other hand, mutual acceptance does not exclude 'foul play,' that is, the limited use of coercion by – in most venues – the government. A strike may be resolved at certain moments in time by the government, or protesters may turn a strike into violent clashes, but the rules of the game of contestation between government and opposition remain structurally unaltered. Government and opposition are like two teams in a football match: struggling with one another in a game about political power (in the multiple meanings described above), yet abiding to certain rules of that very game that are set out, and overlooked, by political rules and institutions, like constitutions, the judiciary, or – more generally – political culture. Back to the game, the acceptance of rules does not exclude foul play on some occasions, and the fairest team does not necessarily increase its chances to win a match. In this context, Robert Dahl has proposed a simple axiom in order to explain the conditions under which opposition can emerge: "Opposition is likely to be permitted in a political system if (1) the government believes that an attempt to coerce the opposition is likely to fail, or (2) even if the attempt were to succeed, the costs of coercion would exceed the gains" (Dahl 1966b: xii, preface).[121] In other words, if the opposite became true – that government finds it apt and possible to crush its counterpart by pure coercion – opposition will cease to exist and turn into something else, possibly resistance.

Moreover, mutual acceptance does not disqualify the existence of *anti-system opposition*. The latter is an "opposition of principal" (Kirchheimer 1966: 237) and refers to a profound ideological distance of the concerned opposition towards both the

differentiation between available candidates in harmony with the constitutional requirements of a given system" (Kirchheimer 1966: 237).

120 The term 'resistance' has been applied prominently in studies of revolutions and revolts as well as with social movement theories. Similar to my argument that one needs to highlight the dependency between opposition and government, it has been proposed that resistance was to study in connection with the notion of 'authority' (cf. Bell 1973).

121 Cf. Shils (1966: 177) for a more elaborate account of the conditions under which dominant regimes tolerate the establishment of political opposition.

government *and* the systemic margins within which the concerned political regime operates (Sartori 1976: 133), for instance: fascist and communist parties in liberal democracies, secessionist movements, or those groups and organizations that challenge at least one core principal of a polity (i.e. federalism, a welfare state, the separation of powers, etc.). Also, it is important to add that "the content of its ideology does not render a party anti-system; what matters instead is when such content is considered in relation to the basic values of the regime within which the party operates" (Capoccia 2002: 14).

What remains important from the discussions on the anti-systemness of an opposition is that this does not necessarily disqualify the existence of a minimum degree of mutual acceptance. In general, a government will tolerate an anti-system oppositional actor if (1) it perceives that the opposition has marginal power and influence to realize its aims and ideology, and/or (2) if a government perceives a qualitative difference between the anti-system opposition's ideology and the expected outcome of policies, that is a fundamental difference between political *discourses* and political *action* on the side of the opposition.[122]

3.2. The Systemic Context: Opposition under Democracy vs. Authoritarianism

What does political opposition do in democracies? In a nutshell, opposition in a *polyarchy* has three main functions (cf. Dahl 1971 and 1966b, Sartori 1966): (1) the control of the incumbents' power and its execution, (2) the representation of the interests and preferences of political minorities and social actors which are not represented in government, and (3) the identification of an institutionalized alternative in a competitive political system. In turn, "where there is no possibility of alternation in power between governing elements and oppositional elements through a peaceful process of fair and free elections, there is no constitutional opposition, and therefore no genuine democracy" (Lawson 1993: 194). Without referring in-depth to democratic theory – and the conceptual problems associated with the definition of the term – it goes without further mention that the existence of political opposition, and the core functions described above, is a necessary precondition for democracy. Accordingly, one could be tempted to argue that opposition was an inherently 'democratic institution,' or – more forcefully – democracy was the only type of political system in which opposition as a political institution could ever develop.

This contrasts markedly with the working mechanisms of authoritarianism. Here one will quickly come to argue that incumbents do not allow opposition, protest movements, or societal contenders to control their exercise of power and participate in the competition about political office. Democratic alternance is not at stake in the

122 Indeed, in many empirical cases, anti-system groups are not taken seriously to the extent that one would expect from the fundamentality of discourses because of the groups' marginal influence. In turn, "anti-system parties feel they can promise anything in the knowledge that they will never be called upon to make good on their pledges" (Capoccia 2002: 16).

polity. Moreover, regimes restrict the equitable representation of society, often employing a high degree of repression and coercion. On the other hand, even a very tentative look at non-democratic regimes reveals that opposition does exist there, not only at certain points in time but as a sustained phenomenon. Thus, in a very simplistic formula, there is ample empirical and historical evidence to believe that non-competitive political regimes are unable (or perhaps unwilling) to prevent the emergence – and the protracted existence – of challengers from society employing different means of contentious political activism (cf. Franklin 2002). Acknowledging that (1) opposition has been analyzed almost exclusively from a democracy angle and (2) opposition does exist in non-democracies, I agree with Barbara McLennan, who stated in an early critical assessment that Robert Dahl – and the associated academic tradition – "has avoided the difficulty of comparing competitive systems to noncompetitive ones, where repression is either very real or threatened" and his "approach, so dependent on the descriptive analysis of particular Western states, offers no clue as to how to proceed to broaden the realm of comparison" (McLennan 1973b: 383).[123]

There are a number of omissions and open questions from the theoretical body of literature on political opposition which become virulent in particular when looking at authoritarian systems: For instance, the variable 'statist coercion' has been largely neglected in comparative studies on political opposition. Secondly, competition has been viewed primarily as a zero-sum game about political power and the struggle for office, but not as an enterprise to realize relative gains. Thirdly, a focus on the process of the institutionalization of political opposition – as was held prominently by Ionescu and Madariaga (1971) – puts special emphasis on *formal political institutions*, such as constitutions, legal political parties, and parliaments; but what are the roles of *informal* loci of competitive interactions, of informal legal arrangements, and opposition actors other than political parties?

To start with a comparison between opposition in democracy vs. authoritarianism, I highlight some very broad disparities. Firstly, and foremost, the *subject of contestation* is different: In democracies, oppositions compete with incumbents about political power in the meaning of *imperium*, in autocracies about *potestas*. In an authoritarian setting, irrespective of the degree of pluralism inherent in it, the contestation of *herrschaft* is foreclosed to political opposition which has secured acceptance by the incumbents. If an authoritarian opposition changes the rule of the game to the end that it competes with the government for the power to rule, it involves a *systemic breakdown* (of authoritarianism), irrespective of whether the opposition succeeds in taking over office or not. A democratic breakdown occurs when there is *no* opposition competing for *herrschaft*.

123 There are a few prominent exceptions. Studies that highlight political opposition as an analytical category to explain authoritarian regimes include Juan Linz' classical article *Opposition in an under an Authoritarian Regime* (1973) and, more recently, Edward Aspinall's work on Suharto's Indonesia (2005).

A second point is that the *codes of contestation* are different in democracies compared to autocratic systems. In democracies, political actors differ from one another in historically established ideational and ideological attributes: left vs. right; communists vs. capitalists, republicans vs. democrats; environmentalists vs. industrialists; etc. Those are firmly associated with parties and movements that cannot strip off their leanings easily without seriously losing credibility in the eyes of the public. Under authoritarianism, incumbents usually do not like to emphasize distinct programs (except under populist experiments). Since they do not exhibit a clear, unmistakable ideological picture, opposition actors develop their own programmatic preferences not essentially in relation to the political incumbents but in a rather eclectic manner, mainly according to the perceived chances to gather public support. As the latter are subject to frequent changes, oppositions under authoritarianism can adapt more easily and even fundamentally change their ideological credentials at relatively short intervals. There is, for instance, ample empirical evidence that many opposition figures and parties in several Middle Eastern states have changed their ideological foundations, i.e. from leftist to liberal and even to Islamist ideas, often within relatively short periods of time.

A third difference is that, not surprisingly, the *degree of coercion* towards opposition is substantially higher in autocracies than in democracies. Legal restrictions impair the access to the political institutions and procedures in which political opposition usually operates, most prominently in elections and parliaments. Such restrictions include distinctive 'authoritarian pockets' within a formal legal framework, the existence of legal pluralism (i.e. the coexistence of a civil judiciary and military courts along with informal mechanisms of legal arbitration), and the overall lack of the rule of law. The circumvention of the law by political power holders belongs to a regular authoritarian agenda that impacts negatively on oppositional activities, especially in the form of electoral fraud. As an observer of Egyptian politics put it quite poignantly, "becoming 'legal' or 'illegal' is not a matter of law."[124] Coercion also includes the blunt use of repressive means to contain opposition, such as the detention, physical harassment, torture, expatriation, and even the 'disappearance' and liquidation of political activists. There is also an abundant array of means of 'soft repression' including mechanisms to restrict the freedom of speech and assembly, censorship, pressure from police and security apparatuses, or the dismissal from posts in bureaucracies and state enterprises – to name only a few possible nuisances and troubles to the detriment of oppositions to authoritarian elites.[125]

While opposition in an authoritarian context is accustomed to such repressive authoritarian methods, this does not mean that repression of opposition is absent in

124 Author's personal communication with Hazem Mounir.

125 In this context, it is important to note that the 'language of opposition' can differ quite prominently from democracy to authoritarianism; as Edward Shils has found with respect to the opposition in the newly emerged states in Africa, "African political language is very rough – those who use it may not mean it as aggressively as it must sound to those who listen to it. (…) As a result, the opposition party appears to be more inimical to the incumbent government and to public order than in fact it is" (Shils 1966: 183).

democracies. However, coercion in democracies remains limited to those perceived as anti-system opposition. Under authoritarianism, anti-system opposition is a more frequent phenomenon, but even in democracies, the existence of anti-system movements and parties can not be forestalled altogether: "(S)ince democratic systems are based on the institutionalization of political dissent, which is an essential part of the political process (…), there can be, in abstract, no a priori limitation on the degree of dissent that an opposition can voice" (Capoccia 2002: 13). Yet, only a quick look at authoritarian regimes will prove that they are likewise unable to prevent anti-system opposition: Under authoritarianism, the 'most principal' opposition are democracy promoters, and a democratic opposition in authoritarian systems is necessarily anti-system in nature.

This does not correspond with the view that Western observers often have with respect to opposition under authoritarianism. Take, for instance, the prevalent outside view of Islamist movements. With negative connotations in mind concerning the term 'anti-systemness' (and equating 'anti-system' with 'anti-democratic'!),[126] it comes as an ironic twist that – more often than not – those Islamist movements are perceived as the 'most anti-systemic' of oppositions in the Middle East. In this lies a fatal misconception in that it ignores that there must necessarily be a relational connection between the anti-systemic oppositional actor and the concerned governing system. Since Islamists are not an opposition in Western democracies, those democracies disqualify as a point of reference to test whether a respective Islamist movement in the Middle East is anti-systemic or not. Only the relationship between authoritarian regimes in the Middle East and the respective Islamist opposition can shed light on the latter's anti-systemness. Clearly, in states where Islam is employed by the incumbents in order to originate political legitimacy, an Islamist opposition is not necessarily of an anti-system nature. Two basic propositions can thus be formulated: (1) an opposition under authoritarianism is not necessarily democratic only because it opposes authoritarian incumbents, and (2) an opposition is not necessarily anti-systemic only because it formulates an anti-democratic ideology.

A fourth difference between democratic and authoritarian realms concerns the *institutional framework* of government-opposition relations. In democracies, Przeworski's dictum of the 'certainty' of political rules and procedures (cf. chapter 1.1) is reflected in the fact that opposition politics – actors and institutional framework – are highly formalized. Concerning actors, political parties are by far the most important agents of political opposition. Competitive interactions occur in the 'classic' political arena, i.e. in elections, the halls and corridors of parliaments, ministries, and bureaucracies, or in firmly established – and legally enforced - modes of contestation, i.e. strikes, petitions with ombudsmen, references to constitutional courts, etc. A more nebulous picture is found in authoritarian systems. Here, we also find these

126 Discussions on the term 'anti-system' are normatively biased in a way that it is equaled with the term 'anti-democratic' (cf. Capoccia 2002: 18). Needless to say, the term is burdened with negative connotations. "We say: an opposition must oppose, but not obstruct; it must be constructive, not disruptive" (Sartori 1966: 151).

modern, formalized institutions, but informality plays a much more prominent role in politics. Thus, oppositional actors may chose to organize in other, more dubious forms than political parties, and elections may not necessarily reflect the struggles and balance of power between authoritarian incumbents and their oppositions. A good example will be given by focusing on the relationship between the Egyptian regime and the Muslim Brotherhood (chapter 4.4).

In this context, another crucial aspect is the legality of opposition actors. In democracies, legality is a necessary precondition for mutual acceptance; if an actor is found to be illegal, it ceases to participate in politics as an opposition. Under authoritarianism, judicial legality certainly does have a meaning but does not come as a necessary precondition as in democracies. Rather, opposition movements may well be illegal in a way that it is not granted formal judicial authorization but informally 'tolerated' and 'recognized.' Such an 'illegal' status will not necessarily allow for assuming a lack of minimum consent by the authorities, but is often an indicator that the authorities have chosen one possible strategy of (legal) containment from a variety of others ranging from soft repression to heavy coercion. In contrast, we will find cases in the Middle East in which opposition parties and groups are legally authorized but subject to other forms of serious containment ranging from coercion to the limited 'freezing' of the activities of the respective group. In Egypt, a number of opposition actors such as the Kifaya movement, the Wasat Party, and the Labor Party are instructive examples (cf., respectively, chapters 4.1, 4.3, and 4.4).

Getting back to democracies, one can distinguish three types, or modes, of opposition: (1) anti-incumbent opposition, (2) anti-political establishment opposition, and (3) anti-system opposition. In contrast to the first category, anti-political establishment opposition (APEO) does not refer to those people in office at a given point in time, but to the *political class* in general (cf. Schedler 1996).

Figure 2: Modes of Opposition in Democracies[127]

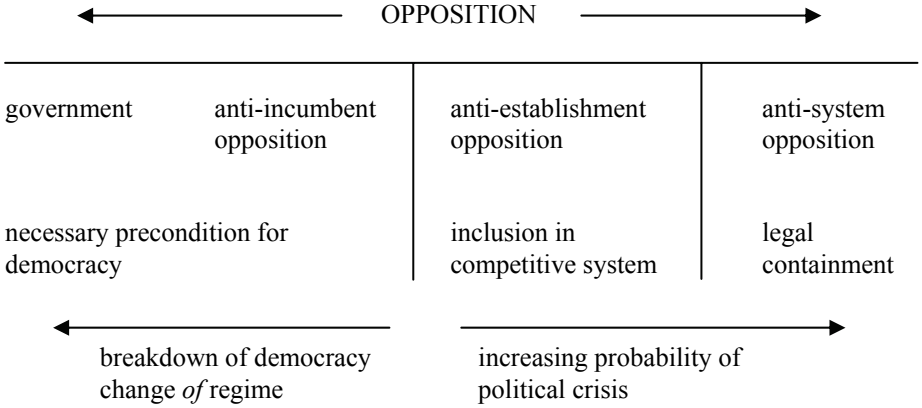

Figure 2 shows that oppositions in democracies appear in different modes, but can also reach into the realm of government (when they win elections and take over office). Anti-incumbent opposition is a necessary precondition for the survival of a democratic kind of polity because it guarantees an institutionalized – and thus certain – process of political competition. On the other hand, the emergence of APEO and anti-system opposition is both a harbinger of and an indicator for a political crisis in democracies. The difference is that APEO is legally included into the political system, while anti-system opposition is subject to legal containment.

When inquiring into the modes of opposition under authoritarianism and the kind of relationship between incumbents and respective oppositions, one will necessarily start with a look at the degree of liberties and opportunities at the disposal of the opposition. Naturally, opposition under authoritarianism flourishes best in relatively 'inclusive' regimes, that is, in those that permit a comparatively high degree of access to political institutions.[128] While suppression will always remain the most important tool and last resort for the regime to contain political contenders and society at large, this does not mean that degrees of inclusiveness – and, in turn, repression

127 The figure has been inspired by a more basic figure in Schedler (1996: 303).

128 As analyzed in the first chapter (1.1) of this book in more depth, Daniel Brumberg coined the term "liberalized autocracy" to account for those regimes that initiate processes of political liberalization from above not as a first phase of democratization, but as a mere attempt to stabilize their hold on power (Brumberg 2002). Other scholars analyze such 'liberal' or 'inclusive' authoritarian regimes within more conceptual studies on 'hybrid' or 'defective' regimes; compare the approaches of 'competitive authoritarianism' (Levitsky & Way 2002, Howard & Roessler 2006), 'electoral authoritarianism' (Diamond 2002, Schedler 2006), or 'semi-authoritarianism' (Ottaway 2003).

and exclusion – will remain stable and unaltered in such regimes. Rather, they often display alternating phases of political liberalization and deliberalization which impact the degree of inclusiveness at any one time.

One can say that the more inclusive an authoritarian regime, the more sophisticated the modes of political opposition in it. While it may be, at times and in the empirical reality, difficult to draw adequate boundaries, I distinguish between three main modes of opposition under authoritarianism: (1) regime-loyal opposition that works within the confinements of the authoritarian regime, (2) tolerated opposition that comes close to what Andreas Schedler has labeled 'anti-political-establishment opposition,' and (3) anti-system opposition. Regime-loyal opposition comprises many legalized political parties, for instance in Egypt and Morocco, and the political organs of workers movements which, more often than not, turned to the opposition benches in times of liberal economic reforms. Often these parties have come into being under the auspices and tight control of the respective authoritarian regime.[129]

Tolerated opposition emerges in society and independently from the state that, however, keeps them under control by a mix of cooptation and coercion and thus impedes the emergence of an autonomous contender. In many countries in the Middle East, democracy and human rights promoters from the ambit of politicized civil society organizations fall into this category, but also some groups from the realm of moderate Islamism that turned political and have been allowed to form political parties (such as in Morocco, Jordan, Yemen, and Kuwait). Anti-system opposition comprises large parts of the Islamist movement in countries other than those stated above. This holds true not only for radical but also moderate groups, for instance in Syria, Egypt, Tunisia, or the Shi'a movement in Bahrain. Also, groups among civil society that are serious about their political activism and discourse, i.e. those groups which, firstly, are highly politicized in that they do stand up for human rights and democracy, and, secondly, disclaim the discrete forms of cooptation by the regime, belong to this category of anti-system opposition.[130]

129 One may also speak of an 'integrated opposition' in the case of Iran, where a liberal, student-based opposition has emerged in particular at university campuses.

130 I have referred to such actors as "individual trouble-makers" (Albrecht 2005a: 385).

Figure 3: Modes of Opposition in Inclusive Authoritarian Regimes

Figure 3 locates these modes of opposition in inclusive authoritarian regimes with respect to their relationship to government. It is clear that opposition under authoritarianism ranges from regime-loyal opposition, which indicates a rather narrow distance to incumbents and – on the other end of the scale – anti-system opposition; but opposition does not reach the realm of governance. Analytically, in a number of empirical cases the problem may arise of distinguishing, on the one hand, regime-loyal opposition from factions of government and, on the other hand, anti-system opposition from resistance. From a political system perspective, the existence of actors that fit into the realm of regime-loyal and tolerated opposition is a necessary precondition for an inclusivist-liberal type of authoritarianism. The forms, scope, and capacities of opposition from this realm may, at the same time, become a useful *indicator* of the degree of inclusiveness of an authoritarian polity. From this perspective, studies of opposition are an integral part of studies on the working mechanisms of authoritarianism. If regime-loyal and tolerated opposition recedes or disappears altogether, it indicates a substantial increase in repression and confinement for societal activism and possibly a sub-systemic change *within* an authoritarian regime.

How do authoritarian incumbents cope with anti-system opposition? In the Arab Middle East, there is a comparatively high probability that opposition actors will become anti-systemic. In general – and this holds true for democracies as well as authoritarian regimes – political opposition represents the interests of those parts, groups, and individuals of society that do not feel represented in their governments. While I have argued in the previous discussion on political participation (cf. chapter 2.2) that, in Middle Eastern states, many oppositional organizations as we know them from the Western liberal democratic systems – political parties and NGOs – do not represent many more people than those active in the respective organizations,

there are opposition forces and movements that do represent substantial parts of society. Often they face one particular problem: the *radicalization trap*.

Opposition parties and movements that are carriers of autonomous political participation face a dilemma in authoritarian settings because states usually attempt to mobilize all relevant political, financial, and ideational resources that an opposition would need in order to garner popular support. "As a result, challengers to dominant parties must focus heavily on activist recruitment by providing comparatively radical programmatic incentives while remaining mindful of the moderate programs preferred by the median voter" (Greene 2002: 756). I assume that this holds true not only for the recruitment of activists, but also for the gathering of popular support. The *radicalization trap* is provoked by the fact that, on the one hand, opposition movements are forced to assemble mass support that presupposes the provision of radical programmatic incentives; on the other hand, they must not challenge the authoritarian regimes to the extent that they would be perceived as potentially dangerous. This would in many cases trigger high degrees of statist repression and possibly exclusion from the political realm. In turn, people will think twice before associating with political groups that are known to be subject to fierce state repression.

To give but a few examples from the Middle East: As concerns the discourses of challengers, Islamists are widely perceived as anti-systemic, not only by the authoritarian regimes in the region but also by outside observers. As has been argued above, it is largely ignored that the promotion of liberal democracy is also, and without any doubt, a highly anti-systemic enterprise in an authoritarian context. What holds true for Islamists as well as for other opposition forces is that, concerning the means of action, they will often be forced to employ radical means to be heard and to be taken seriously as channels of political participation: Social outbursts, such as food riots or the protest of workers, have shaken various countries in the Middle East – in particular Jordan, Egypt, Bahrain, and Tunisia – in times of neo-liberal economic reforms on an irregular basis. While the containment strategies of Middle Eastern regimes differ tremendously, ranging from brutal repression to hasty concessions and the reversal of those measures that led to the riots, this is a good example to show that the perception – not to mention the enforcement – of respective societal interests is often dependent on the degree of radicalization of those who claim them.

It is obvious that circumventing the radicalization trap is decidedly difficult. To overcome it, opposition forces have three options at their disposal: They can either turn opposition into resistance as the cases of social riots mentioned above or of militant Islamist groups exemplify. Then the contentious relationship between them and the regime ceases to be based on a minimum degree of mutual acceptance, and they will almost certainly have to cope with extremely high degrees of repression. This is thus due to the means of activism employed, but not necessarily to the anti-systemic nature of the opposition's discourse. Secondly, opposition groups could play by the rules of the regime and enter a stage of 'loyal' or 'tolerated' opposition. This will certainly avoid the radicalization trap; on the other hand, it will impact negatively on the venture of mass mobilization because those opposition groups that move too close to the state will almost certainly face a tangible credibility problem among those within the populace who are not represented in the regime. In some ca-

ses, people may feel that such opposition groups will be hardly distinguishable from the state.[131]

As a third possible option to avoid the radicalization trap, opposition can try to float in the 'gray zone of systemic loyalty,' that is, to behave either loyal or anti-systemic according to changing circumstances. In so doing, opposition groups can try to benefit from the fact that, in authoritarian regimes, the gap between loyal and anti-systemic political behavior is often narrower and harder to depict than in democracies. In the latter, groups that are identified as anti-systemic will be barred from the formal political realm and often legally prosecuted. All these mechanisms are not seriously awe-inspiring and can not alienate opposition groups in the Middle Eastern authoritarian environment because they face an everyday, structural authoritarian repertoire of repression regardless of whether the group is legalized or not. While opposition is used to coping with structurally higher degrees of repression than in democracies, authoritarian incumbents are very much used to dealing with anti-systemic political discourses and behavior. Take, again, democratization discourses as an example: It shows that authoritarian incumbents may even actively participate in anti-systemic discourses. Thus, in short, anti-systemness is an important but not a sufficient explanation for repression. Opposition groups, in turn, know this and formulate their strategies according to these circumstances. A good example is the case of Islamist movement organizations: They tend to stress anti-systemic sentiments in covert conversations and in the mosques, but keep a far more moderate stance in front of a wider public. Islamists, radical or moderate, who are subject to fierce statist coercion often take cover among fellow opposition groups that are tolerated by the regimes, or they hide away in established organizations and institutions whenever granted access.[132] Parties and movements often carefully distinguish between members representing 'official' standpoints and those speaking or acting as 'private individuals.' Decisions to place statements on various media platforms always depend on careful timing as well as on the outreach, scope, and the target group of the publication.[133] In the end, it is difficult both for the regime as well as for outside observers to grasp many opposition groups in that gray zone of systemic loyalty and to detect whether one has to cope with wolves in sheep's clothing or the reverse. Studies on opposition in an authoritarian context will therefore necessarily

131 This might well be one of the main reasons why political parties and civil society organizations that play by the rules have so many difficulties to perform their task to represent large parts of society and channel mass political participation; cf. on political parties in the Middle East the discussion in chapter 2.2 on the formal channels of political participation.

132 Ellen Lust Okar states: "Unlike included opponents, illegal groups prefer to mobilize in conjunction with legal opposition groups rather than to mobilize independently" (Lust-Okar 2005: 68).

133 The ability to establish social and spatial opportunities to formulate dissent has been coined by James Scott as the "Arts of Resistance"; Scott used the term "*hidden transcripts* to characterize discourse that takes place 'offstage,' beyond direct observation of powerholders" (Scott 1990: 4).

take into account that there is a façade vs. reality, discourses vs. behavior, official vs. clandestine programs, and ideology vs. *realpolitik*.

3.3. Patterns of Opposition under Authoritarianism in the Middle East

More recently, scholars have been looking at political opposition under authoritarian realms overwhelmingly from two different, though somehow interrelated angles: Firstly, in studies on political transition from authoritarianism to democracy, actor-oriented and Przeworski-type approaches have been analyzing the potential of opposition to become a counterpart in 'pacted transitions' (cf., among many others, Stepan 1997, Przeworski 1993, Linz & Stepan 1996, Pridham 1995, Bermeo 1997).[134] This perspective was paramount in comparative and single-case studies focusing on those world areas and countries that have indeed experienced democratization processes, particularly in Latin America and Eastern Europe. One problem is that, when the democratizing potential of opposition seems low – or when an opposition was under suspicion of not favoring democracy at all (such as Islamists) – scholars of this body of literature quickly lost interest in the issue, ignoring that the opposition was still there.

Robert Dahl formulated early on that "the two processes – democratization and the development of public opposition – are not, in my view, identical" (Dahl 1971: 1). Therefore, a slightly different perspective was put up by scholars who looked at opposition in regions where democratic transitions remained the exception to the rule of authoritarian resilience, or were missing altogether. Here, studies of opposition have been largely taken as an *indicator* of the regimes' potential and readiness to control society – both by repressive and cooptative mechanisms – and to keep their hold on the power to rule firm. The question here, if ever implicitly assumed or explicitly formulated, is in essence a negation of the inquiry within the 'pacted-transition paradigm'; one will then ask: Why does opposition fail to force authoritarian incumbents to accept democratization?

Only a mere handful of scholars have inquired into an 'authoritarian logic' of opposition politics. Some 40 years ago, Giovanni Sartori speculated that political opposition may fulfill roles and functions other than those usually ascribed to it, i.e. the representation of minorities, balancing power, and controlling the government. According to Sartori, "opposition may also take part in the political communication function, that is, its primary role may be confined to providing a channel of information (…); or it may only be a safety valve, a merely verbal outlet, in the sense that opposition is tolerated only to placate opposition" (Sartori 1966: 159). He then infers that "these random observations surely show the need of a more analytical classification of the conceivable roles and functions of opposition" (ibid.). Surprisingly

134 On the potential of the opposition in Egypt to trigger democratization, cf. Wille (1993).

or not, such an analytical classification is missing as of yet, let alone a theoretical interpretation of the functions of opposition in authoritarian systems.

The Arab Middle East is a region that seems particularly apt to engage in questions of opposition under authoritarianism: Firstly, authoritarianism is pervasive; the reasons and concepts to explain this phenomenon have been discussed in the first chapter of this study. This does not mean that regimes have not changed; and this also does not mean that oppositions have not, in certain instances, contributed to fundamental changes. The Iranian revolution is a case in point where opposition has developed into a revolutionary movement. Similarly, the Islamist opposition in Algeria has, at the outset of the 1990s, brought the regime to the brink of breakdown which was avoided only by a massive military intervention triggering a bloody civil war. While these are probably the most prominent and often cited events showing the power of opposition in the Middle East to bring down incumbencies, it is also worth inquiring more in-depth than has been done so far in academic works into the efficacy of political oppositions to influence singular regime policies, that is changes below the level of regime type – changes within regime. Possible examples abound. It would certainly be naïve to expect that leftist, Marxist, and workers movements' demands would not have an effect on socio-economic policies in several countries even though the respective government has committed itself to neo-liberal reforms. Moreover, Islamist parties, such as the Muslim Brotherhood in Egypt, Jordan, and Morocco or the *Islah* Party in Yemen have, without any doubt, influenced the degree to which religion plays a role in politics proper.

Such changes and dynamic processes *within* regimes notwithstanding, what is unquestionable is that authoritarian rule remains the absolutely dominant regime type in the Arab world. Thus, irrespective of the question of whether singular authoritarian regimes are stable or not, studies on the political systems in the region qualify particularly well for inspiring a larger debate on authoritarianism in general, which would then, in turn, have the potential to influence comparative politics at large.

Apart from authoritarian resilience in the Middle East, a second observation is that opposition has emerged and been institutionalized in many countries in the region and developed over time, within various organizational settings, ideational frameworks – most importantly – without contributing to systemic changes, i.e. democratization. This holds true for the more liberal, inclusive regimes in the region, such as – noteworthy exceptions notwithstanding – in Jordan, Morocco, Egypt, Yemen, Kuwait, Oman, Algeria (except during the civil war), and Bahrain – but it is also true for the more repressive regimes in Saudi Arabia, Syria, Tunisia, and Sudan.[135]

135 There was no political opposition in the meaning described above in Iraq under Saddam Hussain because the degree of statist repression did not allow for the existence of opposition. In Qadhafi's Libya, political legitimation within the *Jamahiriyya* concept included a successful attempt at depoliticization of the larger public and, thus, the prevention of political opposition (Vandewalle 2006: 130, 174). Moreover, the Palestinian Territories do not have an opposition in the strict sense because there is no opposition without a state; while we may grasp the entity as a quasi-state or a proto-state – and the Palestinian Authority as a realm of

Opposition is organized in political parties (Jordan, Yemen, Egypt, Morocco, Algeria) and in quasi-parties in countries where political parties are not legally recognized but similar organizations are informally accepted (Kuwait, Bahrain).

This example of political parties shows that formal legality is often not a sufficient indicator to account for the degree of acceptance by a political regime under authoritarianism. Therefore, conceptual categories such as 'legal opposition' or 'constitutional opposition' – proposed by Giovanni Sartori and in other classical readings – are misleading and should be avoided in studies of authoritarian frameworks. In Bahrain and Kuwait, for instance, the political regimes have established structures of contestation that exclude the establishment of parties in parliament in general, irrespective of moments in time in (de)liberalization processes, and irrespective of the fact that some opposition actors are closer to the concerned regimes than others. Also, comparisons with other inclusive regimes will show that illegality of parties is not a sufficient indicator to propose that in Bahrain and Kuwait regimes are necessarily more illiberal and exclusive than, say, in Egypt, Jordan, and Yemen.

Other forms of political expression include student and labor unions along with professional associations. Political opposition has emerged during the 1990s as a politicized part of what is perceived as a 'civil society realm' that saw the establishment of human rights organizations, advocacy groups, and democracy promoters. As has been addressed previously (chapter 2.3), this phenomenon can be witnessed in all countries in the region including the more repressive ones such as Saudi Arabia, Syria, and Tunisia. Similarly, we can detect in the entire region a powerful Islamist movement. However, one has to be careful in distinguishing between some organizations which are anti-system opposition and other parts of the Islamist movement which should better be grasped as resistance.

Taking up the previously stated general proposition that states and oppositions influence and shape one another, one would then ask: What does political opposition do under authoritarianism? What do opponents do to autocrats apart from the question of whether they struggle for regime change or not? Apart from a few exceptions (cf. for instance: Aspinall 2005 on Indonesia; Lyall 2006 on Putin's Russia; Grodsky 2007 on Uzbekistan, Hagberg 2002 on Burkina Faso), these questions have not been posed prominently in studies on authoritarianism. With respect to the Middle East, Ellen Lust-Okar has spearheaded recent studies on political opposition. Her seminal volume "Structuring Conflict in the Arab World" (Lust-Okar 2005) is, to my knowledge, the first attempt to put special emphasis on the political-systemic context and

governance – we may take HAMAS as a quasi-opposition movement. In general, there is no opposition in times of war, civil war, or occupation; in the vast majority of these cases, contentious activism comes about as resistance. Iran has a highly inclusive authoritarian system meaning that dissent – for instance towards the theocratic mainstream within the regime – is discretely embedded as factions of the regime, which itself displays a comparatively high degree of competition among political elite factions (cf. Keshavarzian 2005); only at the time being can we witness the emergence of an opposition (outside of the regime) at university campuses (author's personal communication with Mirjam Künkler).

examine relations between, on the one hand, authoritarian incumbents and opposition and, on the other hand, distinct opposition actors. As it ignores speculative questions on the democratizing potential of oppositions, Lust-Okar's work is a valuable contribution to the growing body of literature that takes authoritarianism in the Middle East *as is*, and not as something which could, or should, be something else.[136]

Similarly, in 1988 William Zartman offered an explanation of the existence of opposition – and relations with regimes – which unfortunately did not trigger a larger debate: Zartman analyzed political opposition, even under Arab authoritarianism, "as support of the state" (Zartman 1988). In a nutshell, Zartman argued that the interplay between government and oppositions under Arab authoritarian states contributes as much to the stability of the concerned political system as is the case with democracies; one could add that only the modes of contestation are different. Zartman assumes that "government and oppositions have interests to pursue within the political system, and this complementarity of pursuit reinforces the state. Neither uses the other, but each serves the other's interests in performing its own role. Thus, stability in the contemporary Arab state can be explained not only by the government's handling of opposition but also by the opposition's handling of itself and of government" (Zartman 1988: 62).

I take these approaches of Zartman and Lust-Okar as a conceptual point of departure to account for an 'authoritarian opposition' in the Arab world. Such oppositions are established political institutions as described and defined above; I assume that hardly any authoritarian regime can, in the long run, avoid the emergence of such oppositions without employing a degree of coercion which may well, in the end, seal its fate and lead to the breakdown of the respective regime.[137] This account of an authoritarian opposition is rather structural because it focuses on the roles and functions of the opposition within the said political-systemic setting. The question of where this all may lead is of secondary import. The possibility of democratization processes can, and should, never be totally excluded from analyses; but, given the strong empirical evidence of the resilience of both authoritarian systems and opposition, such questions are subordinated in favor of investigating opposition *as is* under authoritarianism.

A core hypothesis is that political opposition under authoritarianism challenges *incumbents*, but, at the same time, its existence ultimately contributes to the stability of the political *system*; opposition may challenge incumbents – or, more often, parts and factions of the incumbents – but, if the political system under consideration breaks down, the respective political opposition will do so also. As a consequence, one should ask: What does an authoritarian opposition do? I distinguish between

136 Other comparative works on opposition in the Middle East include Anderson (1987a), Leca (1997), Gause (2000), and Mattes (1999).

137 Iraq under Saddam Hussain may serve as an exemplary case, while Libya may be a noteworthy exception because an institutionalized opposition does not exist even though degrees of repression are high, but not extraordinary.

four core functions: (1) a representation function, (2) a legitimation function, (3) a channeling function, and (4) a moderation function (cf. similarly Albrecht 2005a: 390-392).

The Representation Function

Irrespective of any discussions of systemic change or authoritarian stability in the Middle East, it is clear that one core function of political opposition here is the same as in any other political system: the representation of societal interests that are not represented in government. Simply speaking, there is no government in which all possible interests of the respective society could be represented; thus, if an authoritarian regime allows the framing and articulation of societal interests – to whatever extent – it subsequently allows for the emergence of opposition. Political opposition is thus the institutionalized channel for the formulation of contentious political participation as described in the previous chapter 2.

The Legitimacy Function

A second function of political opposition concerns the *legitimacy* of the polity. The existence of political opposition is, among other potential factors, an important tool to increase the legitimacy of an authoritarian polity. By creating a relatively liberal and inclusive political climate – and by the subsequent toleration of political opposition – the search for legitimacy is directly addressed towards the domestic public. Political discourses in the media circulate about political reforms and about the quest for 'more' democracy; however, the materialization of those discourses, that is, the advent of democracy, is no option. On the other hand, people in such inclusive, liberalized authoritarian regimes will acknowledge a gradual increase in political freedoms compared to what Robert Dahl has called 'closed hegemonies' (Dahl 1971).

A second dimension of political legitimacy is external. By tolerating opposition and creating an image of democracy – at least democratization – inclusive authoritarian regimes respond to respective expectations and demands of Western governments and international institutions. This helps in two ways: Firstly, regimes can feel more secure in the face of the threat of becoming subject to massive, possibly military interventions in attempts to 'export' democracy to the Arab region. This aspect has become particularly eminent following the paradigmatic change of foreign policy rationales in the US after the suicide attacks on 11 September 2001. Secondly, a mirage of democracy and democratization helps attract political rents, mainly development funds, distributed not only according to strategic or military considerations but also ideational sentiments. According to the latter, opposition parties and especi-

ally NGOs fit perfectly into Western expectations and have thus emerged as important societal rent-seeking institutions (cf. Carapico 2000).[138]

The Channeling Function

As I have mentioned earlier in this chapter, political opposition organizes contention from society but is not capable of directly influencing policy making if the regimes do not accept this. However, an opposition is, in turn, useful for the regimes in that they can assess the degree, form, and intensity of societal anger that is organized through the opposition. To become aware of openly formulated dissent is often better for the political regimes than having to cope with subliminal discontent among the populace, as this can be very difficult to evaluate and may turn out to become a basis for social unrest, heavy protests, and even rebellions. Political opposition is, then, an organized expression of a comparatively liberal political landscape and, in turn, can be used by the regime to feel the people's pulse. Cooptation as a mechanism of societal control can be easier implemented within a clear, institutionalized target. More often than not, opposition parties and NGOs constitute the main 'transmission belt' for the cooptation of social groups that are not represented in elitist circles. This holds true for many such organizations throughout the region with the notable exception of Islamist social movement organizations. The personalist, patrimonial organizational structure of such organizations is conducive to this aim: Party leaders are mighty patrons of their organizations and 'strongmen' at the helm of a clear hierarchy who meet in exclusive circles, more often than not attended by incumbent bigwigs as well.

The Moderation Function

Opposition in an authoritarian context has the potential to de-radicalize domestic resistance towards incumbents. Mohammed Hafez and Quintan Wiktorowicz have ar-

138 True, these 'privatized' rents are not directly controlled by the authoritarian state and they cannot be, in classic rentier-state logic, short-handedly distributed according to political considerations and thus be used as a tool of power maintenance. Rather, such rents accrue to societal actors. However, as mechanisms of coercion and cooptation remain in place and are used whenever necessary, the state has, by tolerating such societal rent-seeking institutions, created a framework for social actors that is highly restricted and controlled from above and thus contributes to its struggle for power maintenance: "A state that has access to a rent accruing from the rest of the world (...) may experience power struggles and factionalism, but is unlikely to experience a popular demand for democracy. While individuals, groups and factions, both within and outside the ruling elite, will constantly fight to enlarge their share of the rent, they will seldom advocate the adoption of democratic norms or an enlargement in political participation. In such a state, there is always an opposition, but the opposition will not be any more democratic than the ruler" Luciani (1994: 132).

gued that "the more accessible the state, even an authoritarian state, the less likely it is to unify opposition behind a violent strategy" (Hafez & Wiktorowocz 2004: 66). Turning resistance into controlled and moderate opposition is the name of this game that has been labeled by Samuel Huntington the "trade-off between participation and moderation" (Huntington 1991: 169). In many countries throughout the region, Marxist, leftist, and nationalist leanings have become the ideological footing for a great part of the intellectual elite and among the politicized urban middle classes and upper-middle classes. However, except for parts of the Islamist current, no considerable resistance has ever emerged from this direction, which is quite astonishing when considering the economic hardship and unjust distribution of capital brought about by projects of neo-liberal economic liberalization pursued by many regimes in the last two decades.

A last point one will come to discuss is the question of why political oppositions play by the rules of politics under authoritarianism even if they do not see any chance – as the opposition in democracies – to take over power in the foreseeable future and subsequently realize their political goals and programs. The most convincing explanation is a 'sitting-on-the-table' rationale described by Jennifer Gandhi and Adam Przeworski which explains the existence of opposition under systemic settings where competition about the power to rule is not at regular stake: "For the opposition, participation in legislatures provides an opportunity to pursue its interests and values within the framework of a dictatorship, to transform the dictatorship from within. When the opposition sees no chance to overthrow a dictator in the foreseeable future, it may prefer limited influence to interminable waiting" (Gandhi & Przeworski 2006: 14).

In short, oppositions do have advantages from being opposition. Examples in the Middle East abound. Take, for instance, the human rights NGOs in several Middle Eastern countries. While the regimes founded 'National Human Rights Organizations' as a means of cooptative control, many NGOs nevertheless felt they had acquired more political space and room for maneuver, at least recognizing that the regimes seemed to listen more closely to their demands (cf. Cardenas & Flibbert 2006). The Islamist-tribalist *Islah Party* in Yemen is discretely included by the Saleh-regime whenever it finds it necessary to broaden its base of support, for instance during the civil war of 1994 when the political elite of the former North Yemen defeated their contenders from the former South Yemen. Political parties in Morocco are embedded in the highly competitive *alternance*-system including regime-leanings and opposition alike. The Muslim Brotherhood in Egypt seems to be quite patient about taking over political power; while the movement has undergone a remarkable process of politicization, at the core of its ideas and concepts still seems to be the thorough transformation of society. In Bahrain, the Shi'a movement, while barred from formal political participation and at times subject to severe repression, has refrained from engaging in violent resistance and upheaval as an ultimate resort because the leaders of the movement likely perceived that some channels were still open to represent their people.

To summarize the discussions of functions of an 'authoritarian opposition,' there is more to the explanation of the existence of political opposition than a mere reference to Dahl's axiom stating a negative explanation that a government will tolerate opposition if the expected costs of toleration decrease and the costs of suppression increase (Dahl 1971: 15). Rather, while every authoritarian regime which does not rest exclusively on repression will have to cope with this core mission of opposition, there are a number of functions that yield *positive incentives* for the regime to tolerate the emergence of opposition. A strong and lively opposition will – in pursuing its 'authoritarian' functions – contribute to authoritarian stability and, at the same time, constitute a Pandora's box in which dissent is enclosed as a potential challenge to the regime. Especially in times of economic or political crisis, opposition groups can hence exploit authoritarian leaders' readiness to concede to societal demands by intensifying their efforts of social mobilization. In the resulting more liberal political climate, the state would then have to carefully reinvent its strategies of containment.

Chapter 4:

Mapping the Landscape of Contentious Politics in Egypt

Based on the theoretical considerations in the previous sections, this chapter presents an empirical overview of the heterogeneous landscape of political opposition in Egypt. It is analyzed that institutionalized political opposition exists there for roughly 30 years without altering the overall political systemic settings. On the other hand, political opposition persists in different modes: regime-loyal opposition is represented by small opposition parties that came into being in the late 1970s; tolerated opposition is mirrored by a small politicized part of a whole plethora of 'civil society' organizations that mushroomed during the course of the 1990s; and anti-system opposition is represented by a current phenomenon featuring street protests (the *Kifaya* movement) and a moderate Islamist mass movement, the Muslim Brotherhood, that re-emerged on the political scene since the mid-1970s. This chapter also reveals the difference between political opposition and other forms of contention, for instance resistance in the form of militant Islamist movements.

In the analytical focus on the following pages are the different developments and careers pursued by the distinct opposition formations. It is shown that the degree of opportunities and constraints for oppositional activism are basically determined by the framework orchestrated by the political regime. Not surprisingly, the changes in the overall political framework in the country, most importantly changes of the degree of liberties and political inclusiveness, impact on the overall development and performance of opposition actors compared to one another; but they also determine the internal personal and organizational structures of the opposition actors. These changes are traced back over longer periods of time in order to account for the role and significance of the respective opposition actor in Egyptian politics. A narrower empirical focus will be put on the more recent developments and contentious relations between the Egyptian regime and its oppositions since around 2002.

4.1. Challengers in Elections: The Opposition Party Cartel

Party politics in Egypt is a rather new phenomenon compared to other political systems in the region.[139] Egypt has a non-competitive multi-party system which has emanated from a process of political liberalization initiated by Anwar al-Sadat in the

139 Neighboring Jordan, for instance, had a multi-party system already in the 1950s, with political parties having a large basis of popular support (cf. Lust-Okar 2001).

second half of the 1970s. This process has followed similar developments of liberalization in the economic sphere that have come to be remembered as the *infitah* era (arab.: 'opening') (cf. Waterbury 1983). In the center of political liberalization stood the break-up of the former single party, the *Arab Socialist Union* (ASU). A rather monolithic block, the ASU has proven itself increasingly unable of fulfilling the tasks of and representing important parts of society and, at the same time, coopting them into the political realm, a function that was at the very heart of the party's *raison d'etre* ever since its inception under Gamal Abdel Nasser (Baker 1978, Waterbury 1983).

The reason was that the political elite in the early days of Sadat's tenure experienced a remarkable transformation and re-configuration both in social and ideological terms (cf. Hinnebusch 1985: 109-121). As to the social configuration of the political elite, new entrants with a technocratic and professional background – economists, engineers, doctors, etc. who have been referred to as the "liberal professionals" (Piro 2001) – formed a new stratum of the 'state bourgeoisie' complementing a former more homogenous political elite, consisting primarily of middle-class people with a military background. Even more decisive was an ideological differentiation. The rather homogenous political program of Gamal Abdel Nasser (Arab nationalism, socio-economic revolution, state-led development) did not disappear from the Egyptian political elite even though Sadat had taken action against its representatives in an attempt to distinguish himself from his predecessor and, more blatantly, outplay his internal rivals. This differentiation from Nasser's legacy was complemented by the introduction of other ideas, programmatic proposals, and ideologies that found their way into the political elite. As a consequence, conservative-Islamist, liberal-Western, Marxist, pan-Arabic, populist-etatist, and capitalist views stood in opposition to another within a political elite which had come to be a 'melting pot' of competing views, ideas, and programs.

Stretched to its very limits, the ASU was no longer capable of containing, as a single political entity of the state, an ever-growing number of factions and ideas. What would later come to be seen as a potential harbinger of democratization was, in fact, the strategy of a political regime to adapt to changing socio-political and economic circumstances (Pawelka 1985: 76). In order to guarantee its mission as the regime's most important political mass organization, a 'political outsourcing' of segments of this heterogeneous elite became increasingly necessary. Recent research sheds light on the logic behind the break-up of the single-party system in Egypt. In order to explain it, the hint at an authoritarian regime's willingness to embark on a distinct path of political liberalization does not draw a fully comprehensive picture. Rather, out of an authoritarian logic, a multi-party system under an authoritarian framework and control can be established with the aim of broadening cooptation strategies. As Gandhi and Przeworski noted, "a single party may not suffice to coopt a sufficient range of the opposition. Multiple parties can be an effective instrument of dictatorial rule if they can be tightly controlled by the dictatorship" (Gandhi & Przeworski 2006: 15). And (with respect to the Polish opposition under communist rule): "One way to think of this 'multipartism' is that it represented a menu of contracts, allowing people characterized by different political attitudes (and defer-

ring degrees of opportunism) to sort themselves out. Membership in each party entailed a different degree of identification with the regime (…). In exchange, these memberships offered varying amounts of perks and privileges, in the same order" (ibid.).

The Egyptian regime followed this menu and created, in 1978, the *National Democratic Party* (NDP) – since then the government party – along with the *Liberal Party* (LP, *Hizb al-Ahrar*) on the right wing and the *National Progressive Unionist Party* (NPUP, *Tagammu*) on the left wing of the formerly monolithic block of the Arab Socialist Union (Hinnebusch 1985: 160-170).[140] The NDP quickly rose to be the successor organization of the ASU in the sense that it became the most important political arena for the Egyptian ruling circles. The two latter fractions soon seemed to have broken away from direct government control and forged a block of loyal opposition parties complemented by the newly established *Socialist Labor Party* (SLP). Following this, in 1983 the pre-revolutionary *Wafd Party* was re-established as the *Neo-Wafd Party;* the *Arab Democratic Nasserist Party* (ADNP) came into being in 1992.[141]

These five parties formed the nucleus of opposition party politics in Egypt until the early years of the new millennium. From a more general perspective, Sadat's break-up of the single-party system can be seen as the hour of birth of the institutionalized political opposition in the country. Some noteworthy differences among these parties notwithstanding, a number of common features and properties deserve further mentioning: First and foremost, all of these parties are part and parcel of a clearly identifiable landscape of tolerated opposition, as described in the previous section (cf. chapter 3.2); they have also been described as a 'loyal' opposition which "played a role in helping to define the terms of political debate and in raising the big issues of public policy. But influencing this policy was something else" (Hinnebusch 1985: 170).

The political opposition parties suffer, even today, from a dark, historically inherited shadow of the past that effects their self-image – and self-consciousness: The foundation of the Egyptian party system – and thus of the main opposition parties – was not caused by societal pressure from below, but from an initiative from above. Being the result of a disintegration of a formerly monolithic, etatist mass party, the opposition parties were creatures of toleration, rather than of autonomous societal demands. From the very beginning of their existence, their role was not one of challenging and confronting the Egyptian rulers, but rather to compliment the president's ruling party NDP. This has had palpable consequences for the self-image of the op-

140 These parties were first established in 1977 as 'platforms' within the ASU, and they participated as such in the first parliamentary elections in that same year. In addition to these three 'platform-parties,' the *Umma* Party gained legal recognition by court ruling in 1978; however, it did not significantly influence Egyptian politics in the years to come. On the early years of Egyptian opposition party politics, see Wille (1993: 52-82), Fahmy (2002: 56-98), Springborg (1989: 187-215), and Makram Ebeid (1989b).

141 On the Tagammu Party, cf. Hinnebusch (1985: 187-198) and Karawan (2001: 161-174); on the re-emergent Wafd Party, cf. Hinnebusch (1984) and Springborg (1989: 202-207).

position parties' rulers. Having been 'politically socialized' within the regime in the 1970s, the leaders of opposition parties had seen their task as a 'duty' by which they were to serve their country.

If we look at the biographies of the founders or elder party leaders of the opposition parties, one will recognize that they had played important roles in the regimes of Gamal Abdel Nasser and/or Anwar al-Sadat. For instance, Mustafa Kamil Murad, founding party leader of the Liberal Party, was a military officer and former chairman of a public sector enterprise; the Labor Party's Ibrahim Shukri had been a former minister in Sadat's cabinet (cf. Hinnebusch 1985: 165-167). The party's associate leader in the first years, Mahmoud Abou Wafia, was a brother-in-law of Anwar al-Sadat (Makram Ebeid 1989b: 33). The Tagammu's first party leader, Khaled Mohey Eddin, was a well-respected former member of the Free Officers and the Revolutionary Command Council under Nasser (Koszinowski 1999: 102); the Nasserists' Diaa Eddin Dawoud – still president of the party at the time of writing this study –was a state minister under Nasser (cf. Stacher 2002: 226).

Clearly, when they had the chance to establish their party organizations, these people did not come to ask: How can we remove Sadat or, later, Mubarak from political power? Rather, one may imagine an unwritten code among them that their political struggle was about relative gains – in opposition to fellow political leaders and intellectuals who have remained under the umbrella of what would become the new leading force in the political realm: the National Democratic Party. Therefore, opposition party leaders found it apt to ask: "How significant was the margin of action permitted by the regime? How much of the state's monolithic and repressive power could realistically be expected to wither away as the new political experiment evolved?" (Karawan 2001: 162).

On the other hand, soon after the establishment of the Egyptian party system, the small opposition parties shifted away from direct government control and turned from 'regime-loyal' to 'tolerated' opposition (cf. chapter 3.2). The term 'toleration' implies that in the early 1980s the political regime put something at stake and opened up a measure of space for political action outside of the direct intervention of that very regime. During this decade, the opposition parties – and the leaders and rank-and-file associated with them – gained particular prominence in the context of a distinct phase of institution building that saw the establishment of a system of multi-party elections and parliamentary representation. Among outside observers as well as parts of the political establishment in Egypt, much hope was put into the break-up of the single-party system as a catalyst for democratization, and research on opposition has focused primarily on its assumed role in that very process (cf., for instance, Wille 1993, Makram-Ebeid 1989a).

In the process of political liberalization during the first decade of Mubarak's rule, the small opposition parties hoped to play at eye level with the ruling NDP. The Neo-Wafd was identified as the organization embracing the most comprehensive organizational capacities and this party was designated to lead the legalized opposi-

tion camp.[142] In contrast to the opposition parties that have emerged as distinct platforms of the former one-party system, the Wafd party, re-vitalized in 1983, is an older party that led the nationalist struggle in the pre-Nasserist period. Accordingly, the Neo-Wafd Party is associated among the Egyptian public with the famous leader in the country's nationalist struggle against foreign domination, Saad Zaghloul, with a liberal political program, and with "men of substance" (Hinnebusch 1984: 105), that is a political force comprised of wealthy, bourgeois, and well-respected people who, on the one hand, were sidelined from the inner circles of the political regime during Nasser's reign and, on the other hand, chose not to follow Sadat's *Infitah* project politically by joining the relevant organizations of political cooptation, most importantly the ASU and later the NDP.

The expectations that the opposition parties would form a vehicle for democratization, however, have proven unfounded ever since the inception of the multi-party system because the regime has made it very clear that it is not at all interested in loosening its grip on political power: Parliamentary elections remain subject to massive engineering and fraud (cf. chapter 5.1), unfair legislation and observation by the security forces further have restricted the activities of opposition parties (see more in-depth below). Accordingly, the opposition parties had – and still have – to work under clear rules and confinements set by the regime. One can identify a plethora of restrictive measures originated to confine the activities of political parties, formal and informal (Kienle 2001). Apart from the restrictions posed to party activism from the vast apparatus of military and security services that is part of the standard repertoire of authoritarian control, the legal framework governing party activism is primarily regulated – among other laws – by Law No. 40, of 1977, on Political Parties.

In particular, the more restrictive regulations imply that political parties can only obtain legal recognition when their programs vary from programs of already existing parties and offer 'something new' to party life. It does not need much imagination to understand that such a fuzzy formulation can always be used to whatever outcome the decision-makers in the PPC desire. A second prominent aspect in the law is that it prohibits the recognition of a party 'based on religion,' an aspect primarily used to bar the legalization of the Muslim Brotherhood and other political forces out of the ambit of a growing Islamist movement (see below). In an ironic twist, this restriction against religious parties seems to contrast remarkably with article No. 2 of the Egyptian constitution which says that legislation in Egypt must be based on the *sharia'a* (Islamic Law).

The law was not created with the aim of actively inspiring a flourishing party life, but rather of controlling activism through several restrictive regulations which are overseen by a state body, the Political Parties Committee (*Lagna Shu'un al-Ahzab*, PPC) which reports to parliament's second chamber, the Shura Council (*Maglis al-*

142 The leader of the Wafdist re-emergence movement, Serag Eddin, was, in his inaugural speech in front of the lawyer's syndicate, quite outspoken in his criticism of Sadat and the 1952 revolution in general, even to an extent that observers were not sure as to why the party had been tolerated (cf. Hinnebusch 1984: 99, 115).

Shura) and comprises key regime figures such as the head of the Consultative Council, the three respective ministers of justice, the interior, and the People's Assembly (PA), and three judges hand-picked by the president (Stacher 2004: 220, Fahmy 2002: 67-68).[143]

Money is also decisive: Several measures adopted by the regime since the emergence of opposition parties have ensured that the financial capacities of the parties are very constrained. Such measures include, for instance, the proscription to accept funds from foreign sources. While this forms a much more severe constraint to the 'poor' opposition parties – such as the Tagammu, the Nasserists, or the Labor Party – compared to the 'rich' – such as the New Wafd Party or the Ghad Party, these relative differences are marginal when compared to the funds which members of the government party NDP can access (Kassem 1999: 93).

Apart from a delicate system of confinement imposed on the opposition parties by the political regime, there are a number of internal problems that render the parties in the eyes of many weak and inefficient (cf. Stacher 2004, Langohr 2005: 202-207). In general, the small opposition parties lack popular support, internal democratic structures, and coherent programmatic incentives. Concerning programs and ideological footings, political parties in Egypt are very difficult to detect, let alone to classify.[144] Their political, social, and economic programs are often unclear and subject to frequent changes. Moreover, several political parties are rather heterogeneous ideologically in that they harbor people of differing orientations who, more often than not, fight with one another. The reason for this is that the parties – irrespective of the programmatic ideal at the time of their inception – compete, more or less, in their social and electoral outreach for the same constituency (Yadlin 1989: 19): the urban, professional middle and upper-middle classes of society. This, in turn, imposes a decisive structural constraint on the parties. A consequence of the limited constituency of the opposition parties – compared to both the regime and the Islamists – is that competition among the parties is at least as important and fierce as competition between the parties and the regime.

Power struggles within the organizations led to internal fragmentation and paralyzation in most parties. These power struggles seem inevitable in times of leadership change, but there is also often a subliminal conflict between an ageing leadership and a younger generation of activists. The party organizations have adopted a clear hierarchy only with respect to the helm of the body, which is occupied by a mighty chairman who rules the party either until death or until he is more or less involuntarily replaced by internal contenders. While there is a formal hierarchy within the parties – putting a secretary-general, a deputy chairman (sometimes more than one), and the editor of the party's mouthpiece into the second strata accompanied by a few other personnel in a political bureau or similar commission – the configuration of

143 The law was amended in 1992 in a larger context of political de-liberalization, thus posing further restrictions to party activism (cf. Kienle2001: 68).

144 For an early attempt at analyzing parties in a framework of secular, social-revolutionary, religious, and conservative alignments, cf. Pawelka (1985: 87-90).

the influence of singular party members is often subject to informal negotiations and constant quarrels.

Personal disputes and competition between the opposition parties – and particularly between their leaders – prevent them from forming alliances that could become an effective force in parliamentary elections and other competitive arrangements. Both internal weakness and external pressure from the regime led to the "demise of Egypt's opposition parties" (Stacher 2004). After over a decade of political deliberalization in the 1990s, causing ever more pressure and restrictions on political parties, these are either politically marginalized or virtually defunct. When drawing a contemporary picture, the opposition parties can be grouped into four categories: 1) 'weak-but-working parties,' 2) 'legal-limbo parties,' 3) 'internally divided parties,' and 4) 'empty-shelf parties.'[145]

The most prominent party of the first category is the National Progressive Unionist Party (NPUP), generally referred to as Tagammu (arab.: 'Alliance'). In a nutshell, the party is weak with respect to electoral effectiveness, but its party organization works quite well compared to most other opposition parties.

Generally speaking, the Tagammu Party seems to be – compared to fellow opposition parties – more self-conscious about its ideological foundations and programs. Therefore, the Tagammu seems not to be particularly ready to trade in their ideological convictions for tactical concessions that are ultimately necessary for the establishment of coordination among the parties. Most importantly, the Tagammu has always declined, under any circumstances, to cooperate effectively with organizations from the Islamist ambit, in particular the Muslim Brotherhood. The party's 'history of defection' started with 'boycotting the boycott' that all other opposition parties put on the participation in the 1990 parliamentary elections as a response to what the mainstream opposition establishment perceived as an unacceptable degree of restrictive measures imposed by the regime (cf. Kienle 2001: 52-56). Ever since this incident, fellow opposition forces have insisted that the Tagammu is particularly open to forging 'special deals' with the regime and the security forces – speculations which were not even denied explicitly by Tagammu party officials.[146] More recently, however, the Tagammu declined the regime's invitation to participate in what has come to be known as the first ever 'pluralistic' presidential elections in Egyptian history (cf., on the elections, Hassabo 2006, Kassem 2006, and chapter 5.1).[147]

Due to this refusal to trade in its ideological foundations for success in elections and parliamentary representation, the party remains weak in terms of political effec-

145 On the recent developments of political opposition parties, cf. Stacher (2004), Rey (2006), and Kraetzschmar (2007).

146 Author's personal communication with Farida Naqqash, member of the political bureau of the NPUP.

147 Party leader Rif'at Sa'id was very outspoken in arguing that the presidential 'elections' had been designed to be a mere window-dressing adventure of the regime, seeking more legitimacy and thereby exploiting the participating opposition figures for the purpose of legitimacy-seeking in times of increasing pressure from abroad, particularly from the US administration (author's personal communication with Rif'at Sa'id).

tiveness, at least when the latter is measured through electoral success: Given the fact that the party's organization is probably the most coherent and effective among Egyptian opposition parties, it is striking to see that only one Tagammu representative, Muhammad Abdel Aziz Shaaban, was elected to the PA in 2005. However, the party functions relatively well and does not suffer from internal frictions as much as all other opposition parties do. For instance, the change in leadership from party founder Khaled Mohey Eddin to his successor at the helm of the party, Rif'at Sa'id, in December 2003 differs remarkably from the same processes in other parties which are generally characterized by substantial infighting and, more often than not, brought the respective party to the brink of breakdown – and sometimes also beyond that brink.[148] This holds true also in the aftermath of the 2005 elections when the party leadership around Rif'at Sa'id and Hussain Abdel Razeq came under pressure from party ranks because of the party's dismal performance in the 2005 parliamentary elections. An additional aspect pointing to the relative coherence of the Tagammu Party is that it has maintained, despite the notorious lack of money, an organizational structure which is well-developed, at least, again, compared to many fellow opposition parties.

We find a second category of opposition parties operating in a legal limbo, most prominently the Socialist Labor Party (*Hizb al-Amal al-Ishtiraki*, cf. Shubki 2005) and the Liberal Party (*Hizb al-Ahrar*). The SLP has been internally divided ever since it entered into an electoral alliance with the Muslim Brotherhood in the 1987 parliamentary elections and traded in its leftist leanings to offer a rather bizarre ideological mixture of Islamism and socialism. Protracted internal power struggles during the 1990s saw the aging party founder Ibrahim Shukri virtually sidelined by younger fire-brands under the leadership of socialist-turned-Islamist Magdi Hussain. Magdi Hussain gained some prominence among political observers when he came to be one of the most outspoken critics of government members and policies during the 1990s.[149] Obviously, the political regime was angered by this activism and 'froze' the party in summer 2000 (cf. Abd al-Al 2004: 7-26).

This strategy of 'party freezing' is quite unique in that it establishes a protracted situation of uncertainty about the legality of the party. It is a good indicator of an authoritarian regime's opportunities of 'fine tuning' with respect to soft-repression strategies towards opposition; and it shows that legality can not necessarily be

148 Rif'at Sa'id is a staunch leftist who was behind the protracted refusal to collaborate with the Muslim Brotherhood. After his takeover of the party's chairmanship, he was accompanied by the party's secretary general Hussain Abdel Razeq, Farida Naqqash (member of the party's political bureau and wife of Abdel Razeq), and Medhat al-Zahet, editor-in-chief of the party's mouthpiece *al-Ahali*; Khaled Mohey Eddin, now in his mid-80s, still represents the party as a well-respected 'elder statesman.'

149 Hussain rose to prominence as the editor-in-chief of the party's newspaper *al-Sha'b* which was closed down in the wake of the party's freezing. He and opposition peers had launched public campaigns, among others, against the state ministers of interior and agriculture (author's personal communications with Magdi Hussain and the party's deputy Magdi Qorqor; cf. also Kienle 2001: 99, 103-104).

addressed as a yes-or-no question (cf. the discussion in chapter 3.2). On the one hand, the party does not perform political activism on legal footings any more. This impacts negatively, in particular, on the financial capacities of the party and therefore on its capabilities in campaigning and societal outreach.[150] On the other hand, the regime refrained from dissolving the party altogether. The SLP has never been judged 'illegal,' and the party members have not been legally prosecuted simply for their membership; Magdi Hussain maintains an office on Roda Island in the heart of Cairo where party activism is coordinated; and there is no doubt that the Egyptian security forces are well-informed about his activities.

While the party is virtually defunct when it comes to electoral and parliamentary participation, public activism is sustained in two ways: Firstly, whereas open campaigning is not tolerated by the regime, since 2002 party members have met in al-Azhar mosque every Friday noon following religious prayers in order to listen to political speeches from Magdi Hussain, other party members, or fellow Islamists. While supporters and listeners seldom exceed a few dozens in numbers, the very fact that the gatherings of the Socialist Labor Party can take place in al-Azhar is noteworthy because that institution is smoothly controlled by the state and has, in many instances, shown its readiness to placate and even support the regime rather than providing a platform for 'illegal opponents' (cf. chapter 5.4).[151]

A second form of activism was launched by Magdi Hussain and fellow party members following the emergence of the Kifaya movement of street protest (see below). Whereas public rallies under the Labor Party banner remain inhibited by the security services, Hussain capitalized on the Kifaya movement by hiding under its banner to raise his voice. This free-rider tactic was tolerated by the security services which, however, made it clear that a return to the political arena as an official and legalized party remained prohibited: Between May 2000 and November 2001 alone, the party has received 11 rulings from different courts in Cairo judging that the ban on the party had to be lifted. However, the rulings have simply not been implemented by the regime. Rather, a meeting took place in November 2004 between SLP members and the regime's NDP big-wig Safwat Sherif, who made it very clear that the Labor Party freezing was a political case rather than a legal case, and therefore a

150 In personal communications, party representatives have identified the lack of financial resources as the most severe consequence of the party freezing. My impression is that the member structure of the Labor Party differs remarkably from the 'rich,' centrist opposition parties Wafd and al-Ghad which on their part host a whole number of wealthy business people. In general, the leftist parties Tagammu, SLP, and the Nasserists do not contain many such affluent patrons who can channel substantial funds to the party organizations.

151 The fact that the regime allowed the Socialist Labor Party to hold their meetings in the mosque does not mean that it does not care about them. Rather, I have witnessed a massive presence of security personnel both outside and inside of the mosque, the latter being plain-clothed but easily discernible (author's observations).

re-establishment was neither at stake at that time nor achievable through legal means.[152]

The story of the Liberal Party is similar to that of the SLP with respect to the causes of internal fragmentation that ultimately led to its freezing by the authorities, too. The LP also participated in the 1987 electoral alliance with the Muslim Brotherhood only to escape this adventure in ideological tatters: Originally starting as a centrist movement, Islamist sentiments are also widespread among its members. The LP is a good example for the high degree of 'ideological flexibility' that is innate to political parties in authoritarian settings. Ever since the party's founder and first chairman Mustafa Kamel Murad passed away in 1998, internal struggles between competitors over the leadership have literally torn the party in pieces. Reports claim that 13 party affiliates struggle with one another over the vacant post, holding their own party congresses and submitting independent bids to the PPC to be recognized as party chairman. In 2005, the authorities accepted the request of one of the contenders, Helmi Salem, and recognized him as party chairman only to revoke this decision in April 2006.[153] Whereas the party's organizational body basically ceased to exist, it kept a measure of presence on the political scene with irregular appearances and announcements of one of the more prominent party affiliates, the late Anwar al-Sadat's nephew Tal'at al-Sadat.[154]

A third category describing the stage of opposition parties in Egypt highlights the deep internal ruptures and divisions that affected a number of opposition parties. These parties, however, have remained formally accepted other than those mentioned above which have received a freezing-judgment by the authorities. Most importantly, the Neo-Wafd Party has suffered from internal frictions and power struggles ever since its resurrection in 1983. As Robert Springborg (1989: 203) aptly put it, it had become a necessary precondition to be a "masterful political infighter" to accede to the post of Wafd leader and to keep on top of the organization. This was obvious in the mid-1980s, in particular following the parliamentary elections in 1984, when Fuad Serag Eddin struggled hard to consolidate his grip on the party's leadership (cf. Springborg 1989: 202-207). The same story was re-written when Serag Eddin passed away in 2000 and his post went to Noman Gomaa, who had been a close associ-

152 Author's personal communication with an SLP representative who asked to remain anonymous.

153 Cf. Al-Ahram Weekly, No. 748, 23-29 June 2005, and No. 784, 02-08 March 2006. One of the most prominent members of the LP is Ragab Helal Hemeida. Having been dubbed an Islamist (and even former member of the militant group *Takfir wa al-Hijra*), Hemeida was one of the most active opposition figures in parliament following the 2000 elections. He was ousted from parliament in March 2003 – officially for voting irregularities in his Abdeen constituency – and entered the Ghad Party when it was established in late 2004 (Cairo Times, 20-26 February 2003). As one of the very few party candidates who made it successfully into the People's Assembly after the 2005 elections, Hemeida stripped off his Islamist credentials and now represents the 'liberal' Ghad Party in parliament.

154 Sadat has publicly communicated his ambitions to run in the 2005 presidential elections, but his initiative was dismissed by the 'official' party chairman Salem (*Al-Ahram Weekly*, No. 748).

ate of Serag Eddin. Obviously, Gomaa's role in the party's infighting in the mid-1980s had acted as a 'training course' preparing him well for the struggles over the leadership (cf. Springborg 1989: 202-207). At that time, prominent members such as the Wafd's representatives in parliament Ayman Nour[155] and Muhammad Farid Hassanein[156] defected from the Wafd Party in 2001 because they realized that their own ambitions have been crushed by Gomaa's take-over of power.[157] More recently, though, the unhappiness with Gomaa's leadership style culminated in a successful effort of second-rank party members to oust Gomaa in January 2006. He was followed by his former deputy chairman, Mahmoud Abaza, who became the party's leader in June 2006. Abaza was accompanied by Mounir Fakhry Abdel Nour, a prominent Coptic businessman and secretary general who became the party's second man.[158]

A third type of opposition parties in Egypt comes about virtually as an empty shelf. A good example is the Arab Democratic Nasserist Party (cf. Abd al-Hafiz 2005). Being established in 1992 and led by the former minister Diaa Eddin Dawoud, the programmatic incentives of this leftist-nationalist party basically appeal to those who commemorate the intellectual legacy of the 1952 revolution's leader Gamal Abdel Nasser. Dawoud is at the time of the writing of this study in his early 80s, but has repeatedly hindered younger cadres from rising within the party which led in 1996 to the walkout of prominent younger activists and, in 1999, to the formation of the *Karama* (arab.: 'Dignity') movement.[159] Karama is led by Hamdeen Sabahi – a colorful opposition figure in the 2000 parliament – who represents, in the eyes of many Egyptians, the modern Nasserist movement even though it is not officially recognized as a political party.[160] Apart from Karama, there are a number of indepen-

155 Ayman Nour later became famous both in Egypt and abroad as the founder of the Ghad Party; see in more detail below.

156 Muhammad Farid Hassanein is a businessman and prominent opposition figure in Egypt. Having been a student leader in the late years of Nasser's reign, Hassanein split with the regime when Sadat came to power and went to the opposition benches. Ever since, he has been a colorful figure in the Egyptian political establishment. In the 2000 parliament he became one of the fiercest critics of President Mubarak and participated in street protests in the pre-Kifaya period (on the Kifaya movement, see below chapter 4.3). The fact that he was a member in the Nasserist Party, the SLP, and the Wafd Party during his political career is an indicator showing the ideological incoherence – some would say 'flexibility' – of the opposition parties (author's personal communication with Hassanein).

157 Author's personal communication with Ayman Nour and Muhammad Farid Hassanein. Along with Nour and Hassanein, Saif Eddin Mahmoud and Mahmoud al-Shazli are other Wafdist MPs who resigned from the party minimizing the Wafd's representation in the 2000 parliament from initially seven to a mere four members (Cairo Times, 22-28 May 2003).

158 Since his ousting, Gomaa – in his late 70s – has repeatedly tried to regain his post. In a wild-west-like coup attempt, he struggled on 01 April 2006 to recapture the party leadership when he tried to enter the Wafd's headquarter in Cairo's quarter Doqqi by force accompanied by a group of armed followers. Gomaa's 'troups' were fought off, leaving a total of 28 people wounded (cf. Al-Ahram Weekly, No. 798, 08-14 June 2006).

159 Author's personal communication with Hamdeen Sabahi.

160 Still, Karama members compete in elections as independent candidates.

dent intellectuals and opposition figures who reportedly have 'Nasserist leanings' such as, for instance, Mohammed al-Badrashini (member of the 2000 parliament), Bar Association chairman Sameh Ashour (returned to the Nasserist Party in early 2007), and Mustafa Bakri (independent member of the 2005 parliament and editor-in-chief of the oppositional *al-Usbou* newspaper); but the Nasserist Party under the current leadership of Diaa Eddin Dawoud is seldom referred to as the organization representing these people in the political realm.

It is striking to witness that the party's headquarter in downtown Cairo seems to be re-animated only at certain occasions, for instance when a press conference is announced, which usually features the chairman's statements upon recent political developments. Other forms of party activism will hardly be observable, let alone a substantial outreach to the Egyptian public. Only very recently did some movement come into the dormant party organization: Following the dismal appearance during the 2005 parliamentary elections and given the chairman's advanced age, the party cadres felt that Dawoud would not keep to the post of chairman for much longer. Anticipating a succession question, the battle lines between competing would-be chairmen were drawn between Sameh Ashour, the prominent chairman of the Bar Association; Ahmed Hassan, Dawoud's man and the party's secretary general; and Farouk al-Ashri, a member of the party's political bureau (Al-Ahram Weekly, No. 837, 22-28 March 2007).

To sum up, many problems of the Egyptian opposition parties today are home-made and inherited from their weak institutionalization. What seems most important is that the party organizations appear to have adapted comfortably to the prevalent patrimonial structures of organizations, which implies a distinct hierarchy at the helm of which is a mighty party leader who rules out intra-party democratic procedures in order to stay on top. It is intriguing that the occurrence of internal crises within the parties generally corresponds with leadership crises, triggered by the death or the aging of the respective party founders and leaders and these leaders being confronted with a younger generation of aspiring political activists. The degree of such internal infightings in all opposition parties has obviously increased substantially due to their embarrassing performances in the 2005 parliamentary elections.[161]

However, the current miserable state of the opposition parties can be only partly explained by their internal weaknesses. As mentioned earlier, statist restrictions hindered party life considerably during the 1990s. Only recently did the political regime take a more liberal stance towards the political parties and eased restrictions on party activism. In a surprising move in late 2004, the authorities legalized two new parties in less than a month: the *Free Social Constitutional Party* (FSCP) and the *Hizb al-Ghad* ('Tomorrow Party'). After a long period of political stagnation and having turned down 63 requests including previous ones from the FSCP and al-Ghad, the

161 Not even 20 members of the 2005 parliament are affiliates of one of the opposition parties (cf. chapter 5.1).

Political Parties Committee (PPC) responded positively to their applications.[162] This move was surprising for two reasons: Firstly, the PPC had not accepted any requests for legal recognition since 1992; secondly, it was clear that the toleration of the Ghad Party would mark the first entrance of a new serious player into opposition party politics since the re-configuration of the Neo-Wafd Party in 1983.[163] While the FSCP, founded by the lawyer Mamdouh Qenawi, does not have any major impact on contemporary Egyptian politics, the formal toleration of al-Ghad came as a minor earthquake to many observers. This new party plays – at least – at eye level with the well-established parties, i.e. the National Progressive Unionist Party, the Wafd Party, and the Nasserists.

Al-Ghad was established by Ayman Nour, a dynamic lawyer in his mid-40s who rose quickly in the Egyptian political establishment to become one of the most active opposition figures in the 2000-2005 parliament.[164] Until 2001, he was a member of the Wafd Party, which he left after Noman Gomaa outplayed his internal rivals and took over the party's leadership. Thus, the Ghad-initiative came primarily as a response to quarrels within the Wafd Party, and the driving force of the initiative was made up of those people who had seen their own expectations and political ambitions vanish with Noman Gomaa's consolidation as Wafd leader.[165] It is nevertheless remarkable that, despite Ayman Nour's outstanding role and contrary to many other parties, al-Ghad was not a one-man show at the time of its inception, but has rather attracted a number of other prominent opposition figures, such as its secretary general, university professor and former MP Mona Makram-Ebeid, or the former bigwig of the Liberal Party, Ragab Helal Hemeida. Almost overnight, the party became a leading opposition group in parliament, with six members of parliament affiliated with the group.

More recently, however, the Ghad Party has shared similar experiences with the older opposition parties in Egypt. A serious internal crisis erupted after the regime – obviously disturbed by the party's activism and Ayman Nour's personal ambitions – put a sudden halt to the honeymoon-period of party politics and took severe action against al-Ghad. Nour is perceived in Egypt as well as in the West – and in particular in the US media – as a young, dynamic, and charismatic 'new' leader having the potential to challenge the authoritarian regime of Hosni Mubarak. Nour

162 According to al-Ghad founder Ayman Nour, the authorities had turned down three attempts of the party to be legalized (personal communication with author). Restrictive passages in the Egyptian Constitution serve as a legal tool, widely used by the authorities, to bar the formation of new parties.

163 Since the date of the Wafd's reintegration in formal politics, only minor fractions have gained legal recognition. With the Nasserist Party as a possible exemption, groups such as the Future Party, the Green Party, or the Social Equality Party have not come to exert any significant impact in Egyptian party politics; for a complete list of legalized political parties, cf. Fahmy (2002: 71).

164 Ayman Nour was a member of parliament since 1995. He became a prominent opposition member by initiating a number of hearings on corruption economic mismanagement (author's personal communication with Ayman Nour).

165 Author's personal communication with Ayman Nour and Mohammed Farid Hassanein.

has frequently attempted to fuel and confirm these expectations, for instance in the run-up to the presidential elections in 2005. In his campaign, he bluntly capitalized on associations with the Ukrainian 'Orange Revolution' by using orange banners and posters at demonstrations and public speeches. While a larger Egyptian public did not seem very impressed, the political regime obviously felt that Nour had crossed a red line which was unacceptable and triggered a harsh answer.

On 29 January 2005, Nour was arrested on charges of forging signatures in the party's registration procedures. Moreover, the party's mouthpiece, *al-Ghad* newspaper, was closed down and Nour himself was stripped of his parliamentary immunity. On 24 December 2005, Nour received a prison sentence of five years. At the time of the writing of this study, he still remained incarcerated despite substantial media coverage and international protests. Apart from the question of whether the action against Nour was justified or not, it caused serious rifts within the party itself and the dismissal of 40 members shortly after Nour's arrest. In addition, conflict broke out between the party's deputy chairman, Mustafa Moussa, and the editor of its mouthpiece, Ibrahim Eissa. Secretary general Mona Makram-Ebeid declared her resignation on 25 May 2005, stating personal issues and internal party struggles as reasons. Ayman Nour's wife, Gamila Ismail, was also involved in what became a rather complicated situation within the Ghad Party.

The realm of centrist groups is a good indicator showing the high degree of fragmentation that plagues Egyptian party politics. At the time of the writing of this study, four distinct groups – whether represented in parliament or not – could be identified as opposition movements competing with one another in similar ideological fields and about the same constituency: the Neo-Wafd's 'official' section, the Wafdist Gomaa-group, al-Ghad, and a new party that was licensed by the authorities on 24 May 2007: The *Democratic Front* is led by veteran politician Yahia al-Gamal and prominent political columnist Osama al-Ghazali Harb. Harb was a former member of the NDP's Policies Committee, which had come to be referred to as the ruling party's 'reform faction' led by the president's heir Gamal Mubarak. The Democratic Front has attracted business people and members of the Coptic minority. There is room for speculation that the regime's rationale for the party's legal approval is to counter the Muslim Brotherhood (cf. Al-Ahram Weekly No. 847, 31 May – 06 June 2007).

To sum up this glimpse of political opposition parties in Egypt, the political opposition parties in Egypt can be described well as *cartel parties*, "in which public financing of parties and the expanding role of the state induce party leaders to restrain competition and seek primarily to perpetuate themselves in power to avail themselves of these new resources" (Gunther & Diamond 2003: 169). They are also *elite-based parties* "whose principal organizational structures are minimal and based upon established elites and related interpersonal networks within a specific geographic area" (Gunther & Diamond 2003: 175).

Needless to say, they are different compared to such organizations in democracies concerning their capabilities and their role within the political system. Statist repression and intervention prevent them from constituting serious contenders in a competitive game for political power. Rather, they are players utilized to draw the picture

of a multi-party system which, however, exists only on formal grounds to hide a dominant-party regime controlled by the National Democratic Party. As to their self-image, the opposition parties are perfectly aware of their own status. They are not so naïve as to believe that they are players in a democratic game, nor do they push for the rapid advent of democracy. By contrast, the opposition parties adopted their actions comfortably to clientelist authoritarian structures and came to the tacit agreement that Egypt was not yet 'ripe' for democracy. This is the formula that has long been shared by the opposition parties, actors of civil society, and the so-called 'reform faction' within the government. The 'Islamist threat' is the common denominator for the Egyptian 'democracy-business' to perceive the sudden advent of democracy as the second-best option compared to a step-by-step development.

4.2. The 'Civil Society Business'

While the 1980s saw the advent of an electoral system in which the previously established political opposition parties worked (cf. more in-depth in chapter 4.1), the 1990s were the decade of politically relevant NGOs and *civil society* – a phenomenon whose existence in the Arab world has been subject to heated academic debates (cf. chapter 2.3). In Egypt, estimates claim that 16.000 associations had come into existence by the early years of the new millennium.[166] This number sounds impressive at first; but after a closer look at the organizations it is obvious that the vast majority of them exist only on paper: Around 1.000 are active, and of those, only about 200 have a working agenda that could be held – at least in a wider sense – as politically relevant.[167] The bulk of the civil society organizations is made up primarily of social self-help organizations and, in particular, Islamist associations. Also, one should keep in mind that NGOs and PVAs do not constitute a new phenomenon in the 1990s. Rather, Egypt looks back at a long history of the establishment of voluntary groups and movements, both of a religious origin – Coptic and Islamic, the latter often based on the principle of *zakat* – and also of a secular nature (cf. Hussein 2003: 200-202, Abdelrahman 2004: 123-129).

In a narrower sense, the number of NGOs that are relevant for the perspective in this study is particularly small: Civil society organizations as a form of political opposition comprise a limited number of NGOs and PVAs out of the ambit of a 'human-rights agenda.' They are advocacy groups that formulate the aim to protect the universal rights of individuals of society – and the general socio-political

166 This is close to the number of registered NGOs and PVAs. When considering that many minuscule groups and initiatives exist that work only on an informal basis, the number of these 'civil society' organizations may be substantially higher. Different estimates put the possible number at between 20.000 and 30.000 (Abdelrahman 2004: 121).

167 Estimates are by Haggag Ahmed Na'il, executive director of the *Arab Program for Human Rights Activists* (APHRA); author's personal communication. Maha Abdelrahman cites estimates according to which one-third or half of the registered NGOs are actively working (Abdelrahman 2004: 121-122).

framework governing such rights in the ambit of an authoritarian regime. These organizations are rather distinct within the overall landscape of Egyptian NGOs and PVAs. They are urban-based, situated in Cairo, and run by educated middle-class people with a liberal-leftist ideational background.[168] The oldest NGOs of this kind are the *Ibn Khaldoun Center* (IKC), founded by famous Egyptian sociologist and human rights activist Sa'd Eddin Ibrahim, and the *Egyptian Organization for Human Rights* (EOHR). Both organizations are among the most acknowledged human rights groups in Egypt, active primarily in minority affairs, the denunciation of the practices of the Egyptian security services, and the supervision of elections.

Sa'd Eddin Ibrahim, who is a renowned social scientist and carries an Egyptian and a US passport, appeared at the center of international attention when he was sentenced to seven years in prison by a state security court on 29 July 2002. Whereas the real background of this harsh treatment remains obscure, rumors among the political establishment claim that he overstepped a red line when criticizing the sons of President Mubarak, which provoked the lifting of the protective hand of the president's wife, Suzanne Mubarak, that Ibrahim had enjoyed for many years. However, there is also some credit to Ibrahim's claim that the IKC's performance in supervising the 2000 elections had aroused serious concerns among the authorities and triggered this coercive reaction.[169] Pending substantial international pressure, Sa'd Eddin Ibrahim was released from prison on a final judgment of the Court of Cassation on 18 March 2003.

The EOHR was founded in 1985 and is the oldest independent human rights group in the country. It has a history, during the rather illiberal period in the 1990s, of criticizing the government, but not too harshly. Hafez Abu Sa'da followed the prominent human rights lawyer Negad al-Bore'i as secretary general of the EOHR in 1996. Abu Sa'da claims to have turned to the benches of the 'dissidents' when he was imprisoned for one week in 1998 on charges that the EOHR had accepted foreign funding. The real reason behind it was obviously that Abu Sa'da had reported, in spite of explicit warnings of the security services, on bloody incidents of sectarian strife in Upper Egypt in January 2000 that have become infamous as the 'Kosheh-affair.'[170]

Other Cairo-based human rights groups are the *Cairo Institute for Human Rights* and the *Arab Program for Human Rights Activists*. Some NGOs have specialized in providing legal assistance to those people haunted by the authorities in one way or another. They have gained prominence in recent years because the opposition has increasingly, and quite successfully, made use of the opportunity to challenge the political regime through the means of the judicial system (see below, chapter 5.3). The most established of these NGOs are the *Center for the Independence of the Ju-*

168 In contrast, the majority of PVAs and NGOs spread over the country and in more rural areas consists primarily of members of wealthy, upper class families (cf. Abdelrahman 2004: 154).

169 Author's personal communication with Sa'd Eddin Ibrahim.

170 Author's personal communication with Hafez Abu Sa'da; cf. also Kassem (2004: 119-124) and Cairo Times, 6-12 March 2003.

diciary and the Legal Profession (CIJLP) and the *Hisham Mubarak Law Center* (HMLC). Other, more specialized NGOs include the *Human Rights Center for the Assistance of Prisoners*, the *New Women Research Center*, and the *Nadeem Center for the Rehabilitation of Victims of Violence*. When considering that some prominent Egyptian human rights activists have established more than one NGO, I estimate that the total of such human rights organizations does not exceed 20-25 independent bodies (cf. also Langohr 2005: 201). On the other hand, these organizations form the nucleus of a realm of contentious activism that has come to the center of attention. Western governments and observers alike have often referred to exactly this minuscule part of the Egyptian landscape of PVAs and NGOs when reflecting on 'civil society.'

There are marked differences among NGOs with respect to their relationship to the political regime. My personal impression is that, for instance, the CIJLP belongs to a majority of human rights organizations which are 'officially sanctioned' by the authorities and, in turn, refrain from challenging the regime to the extent that they would trigger a severe reaction. The *Egyptian Organization for Human Rights* (EOHR) and the *Arab Program for Human Rights Activists* (APHRA) may also fit into this category of 'coopted' organizations.[171] The Ibn Khaldoun Center may have switched from a coopted group, representing the 'loyal' opposition until the late 1990s, to an opposition of principle in the wake of Sa'd Eddin Ibrahim's prosecution. Accordingly, the HMLC – and possibly the *Land Center for Human Rights* (LCHR) as well – are among the 'trouble-makers' which defy, more often than not, the unwritten rules and guidelines set by the regime and its security services (Albrecht 2005: 387).

There can be no doubt, for instance, that the Hisham Mubarak Law Center is one of the most outspoken and stubborn human rights groups among Egyptian NGOs. Established as a law firm and led by the lawyer Ahmed Saif al-Islam, the HMLC has repeatedly entered politically sensitive no-go areas, for instance when it coordinated a court file openly accusing interior minister Habib al-Adli and even President Mubarak to be responsible for human rights violations in the wake of the anti-Iraq war demonstrations in 2003. More recently, the HMLC has put much energy into the observation of the security and military raids in al-Arish on Sinai Peninsula. They came as the state's response to the bomb attacks in Taba (October 2004), Sharm al-Shaykh (July 2005), and Dahab (April 2006) carried out by a group with an Islamist

171 The APHRA was established in 1997, like many other political NGOS, as a non-profit company ('sharika madani'), based on Law No. 32 of 1964. According to its chairman, Haggag Ahmed Na'il, several special departments within the regime's bureaucratic body are responsible to keep up the dialogue with human rights groups: in the Ministry of Interior, the Ministry of Justice, and – interestingly – in the Ministry of Foreign Affairs (author's personal communication with Haggag Ahmed Na'il. The fact that the latter ministry is involved in such a domestic matter hints at the importance of an external perspective (particularly from the West) and the issue of external funding.

background.[172] Whereas such an assessment is certainly highly intuitive – and possibly subject to changes, as the Ibn Khaldoun case indicates – the membership of an organization's chairperson at the *National Council for Human Rights* may serve as a viable indicator for assessing the readiness for cooptation.[173] Other signals include the organizational and financial equipment that individual organizations have at their disposal. Given that the control over financial resources is key to the regime's strategy of confining and, if necessary, disciplining human rights NGOs, a 'poor' organization may hint at the regime's readiness to hinder its activities – and, in turn, at the respective human rights group's determination to take its mission seriously and challenge the authorities (cf. Abdelrahman 2004: 177).

How can we explain this development of the adoption of a human rights agenda in Egypt? Contrary to the assumption that a global wave of civil society had reached the Arab world in general – and Egypt as one of the most important countries in the region in particular – as a harbinger of democracy, other explanations sound more plausible in retrospect. Brian Grodsky has found, by looking at post-communist developments in Uzbekistan, that opposition parties under authoritarian regimes adapt their organizational structures according to changing opportunity structures (Grodsky 2007). Indeed, in Egypt, the proliferation of 'civil society' institutions as a mass development (in terms of the sheer number of organizations) was encouraged by a fundamental change in the opportunity structure for opposition politics. As has been mentioned in the previous section, oppositional activism within the party system had become increasingly difficult by the early 1990s because the political parties had moved to the center of statist contention strategies. The fact that the degree of exclusion and coercion towards the political opposition parties increased became a decisive push-factor for the involved opposition actors to search for other organizational forms of contentious politics.

Western expectations and ideals acted as a pull-factor, that is, a positive incentive to engage in the form of the emerging NGO-business. Caught in the Huntingtonian dictum of 'third-wave' global democratization, Western governments found it increasingly apt to connect expectations of 'development' – both in political and socio-economic terms – to the existence of civil society. For a variety of reasons, they found it very attractive to channel funds dedicated to 'democratization' and 'good governance' to civil society organizations (Brouwer 2000). In Egypt, the regime as well as societal actors responded quickly to such demands and opportunities and met respective expectations (cf. Carapico 2002, Albrecht & Schlumberger 2004): If the West needed a civil society in order to sustain its development assistance – and keep a generally positive assessment about socio-political developments in the respective

172 Author's personal communication with Ahmed Saif al-Islam. On the incidents on Sinai Peninsula, cf. also International Crisis Group (2007) and Human Rights Watch (2005).

173 In this regard, the EOHR has come to be repeatedly criticized because its chairman, Hafez Abu Saada, has remained a member of this institution which is perceived as one of the main tools of statist cooptation (Stacher 2005: 4).

country – it should have exactly that.[174] Thus, the opposition found a new playing ground, whereas the regime smoothly adopted its containment strategies of that activism which had been developed and worked well with respect to 'partyism' in the 1980s (cf. Ismail 1995: 43).

Similar to the political parties, the NGO-related 'human rights business' is controlled by a mixture of cooptation, legal restrictions, and repression (cf. Abdelrahman 2004: 120-150).[175] Until law No. 84 of 2002 replaced all previous legal opportunities for the registration of NGOs, many of those perceived as politically sensitive by the regime operated in a legal limbo as they were denied legal recognition as private voluntary associations. Previously, NGOs had to register with the Ministry of Social Affairs on the basis of Law No. 32 of 1964 which was designed to exert tight control over PVAs. Many political NGOs thus registered as non-profit companies; those active in a politically relevant framework often registered as law firms. In May 1999, Law No. 32 was replaced by a new Association Law (No. 153) that was found unconstitutional by the Supreme Constitutional Court in 2000 and replaced again by Law No. 84 of 2002. According to this new law, all NGOs had to register by 04 June 2003. Indeed, this latest legal framing secured a settlement of legal affairs of NGOs: All but two applications for registration under the new law were accepted by the authorities: The applications of the *New Woman Research Center* and the *Land Center for Human Rights* (LCHR) have been turned down, reportedly 'for security reasons.' According to Karam Saber, executive director of the LCHR, the Ministry of Social Affairs was entrusted with registration procedures and complied with orders from state security forces.[176]

However, the law is still criticized for its restrictive nature and for being a mere "carbon copy" of the previous legislation (Kassem 2004: 122). Some NGO-representatives warned that their organizations would come under even more direct control from the Ministries of Social Affairs and Interior. A small number of NGOs

174 In an instructive ethnographic piece of research, Julia Elyachar has shown how a group of craftsmen in a specific neighborhood in Cairo organized and, in this process, adapted to changing national and international circumstances: When, in a specific matter, the interests of the craftsmen involved the necessity to address the Egyptian authorities, the craftsmen's association was referred to as a *rabta* (arab.: 'association'). However, when things changed and the international arena became increasingly important, e.g. for such a group's fund-seeking endeavors, the "dominant mode of discourse to refer to civic associations had changed to one in which notions of development organized around NGOs were paramount" (Elyachar 2003: 572). More generally, one can sum up that societal organization is not a new phenomenon in Egypt. This contradicts assumptions about the novelty of 'civil society' in Egypt that one could easily hold when reading the mainstream literature on the emergence on Western-style 'civil society' organizations during the 1990s. Rather – irrespective of the question of whether it is helpful to adopt the term 'civil society' at all (cf., for a critique, chapter 2.3) – the phenomenon of societal organization itself is deeply rooted within Egyptian society (cf. Abdelrahman 2004).

175 Accordingly, Maha Abdel Rahman has found substantial empirical evidence to argue that, similar to the intra- and inter-party quarrels, Egyptian 'civil society' organizations more often than not struggle with one another rather than challenging the regime (Abdel Rahman 2002).

176 Author's personal communication with Karam Saber.

did not even apply for registration.[177] Apart from this legal framework, NGOs and PVAs are subject to the standard 'authoritarian repertoire' of control as much as the political parties. The security apparatuses communicate to them quite openly what is tolerated and what it is not.[178] This holds particularly true in those cases when the regime perceives that the PVAs and NGOs have an Islamist background. To cite only one example, Gamal Heshmat – a former MP for the Muslim Brotherhood – has claimed that his failed attempt to found an apolitical NGO was caused by the security apparatus's exertion of pressure on his fellow would-be founders who subsequently dropped out of the project.[179] The emergency law, in effect since 1981, and the affiliated judicial framework of state security and military courts – a judicial structure paralleling the more 'independent' regular court system – serve as another effective tool of intimidation and prosecution (cf. Singerman 2002, chapter 5.3); these authoritarian institutions – better: their removal – are, not very surprisingly, a subject on top of the agenda of many human rights organizations.[180]

The regime's stance towards the political NGOs, however, is based on dialogue and cooptation much more than on such actions of direct intervention and hindrance: The establishment of the *National Council for Human Rights* (NCHR) on 16 June 2003 as a consultative committee does not indicate the regime's practical adoption of human rights principles but a mere window-dressing and blatant attempt to institutionalize cooptation (cf. more in-depth below, chapter 5.2). "Virtually all participants in and observers of NGO activity in Egypt recognize that these organizations are far from being independent of the government and many in fact are creations of that government" (Sullivan 2000: 12).

Sheila Carapico has convincingly argued that NGOs and PVAs are, more often than not, closely observed and sometimes even established by the states (Carapico 2000). According to Haggag Ahmed Na'il, director of the APHRA, in three Ministries (Interior, Justice, and Foreign Affairs), offices have been established to deal with human rights issues and keep up the dialogue with the respective NGOs.[181] Those also communicate constantly with the state security forces (*amn al-dawla*) which set the limits for the NGOs' engagement: Sensitive areas are the President of the Republic and his family, the military, national unity and minority affairs (Copts), relations with Saudi Arabia, and religious issues. NGOs generally know and accept

177 One prominent example is the HMLC. According to its chairman Ahmed Saif al-Islam, the HMLC chose to remain a law firm because the group determined its chances to be registered to be remote and because it refused to comply with the law's legal framework and control exerted by the authorities (author's personal communication).

178 This was affirmed in several personal interviews with representatives from Egyptian human rights and advocacy groups.

179 Author's personal communication with Gamal Heshmat.

180 The 'state of emergency' was proclaimed in 1981 in an immediate response to the assassination of Anwar al-Sadat. It was initially designed for temporarily suspending civil and human rights, but proved to become a useful tool in the hands of the Mubarak regime to deal with opposition forces and maintain political power (Allain 2003).

181 Author's personal communication with Haggag Ahmed Na'il.

the margins of political expression: They criticize – to a certain degree – human rights violations and may also attack government representatives. In the first half of 2003, for instance, some NGOs increasingly criticized the emergency law and the affiliated legal procedures (state security and military courts). These issues constitute the necessary political playground for the NGOs making them heard among the Western community. They are the 'natural' partners for development assistance and have, thus, emerged as an important national rent-seeking institution carefully controlled through cooptation and, whenever necessary, by repression.

The NGO-business does not pose a political threat to the regime since it never gained much support from the Egyptian public. 'Democracy,' 'political reforms,' and 'human rights' are key words which sound appealing in the ears of secular parts of the intellectual elite. However, the NGOs' discourses did not fall on fertile soil in Egyptian society at large but remain beyond the perceptions and considerations of the people's majority. This is not to say that Egyptians do not care about politics or about the issues and problems behind those catch-words. Rather, as has been addressed more generally in chapter 2.2, the 'avenues of participation' for the populace – and the means of achieving the aims in such issues – are based on informal personal relations and clientelist networks; and, more often than not, the populace aims at securing economic goods instead of political participation all the more so in times of economic crisis: "In essence, the state has reduced formal politics to the issue of distribution, and participation to the realm of consumption" (Singerman 1997: 245).

The most active support for political NGOs originates from Western governments and international organizations emphasizing their perceived importance in a hoped-for democratization process. However, this support is also limited for two reasons: Firstly, the regime has repeatedly seized the opportunity to discredit Egyptian human rights groups in the eyes of the Egyptian public by stating the accusation that the groups 'sell out' Egyptian interests when they accept Western funding; and the fact that NGOs are often financially dependent on foreign funding has become a constant occasion for the authorities to suit them legally (Carapico 2002: 391-394). Secondly, Western organizations are very cautious in this regard because they do not want to be held accountable to have intervened directly into Egyptian 'internal affairs.' While Western support is a double-edged sword for Egyptian human rights groups, it brings about some protection from harsh repression by the regime – at least in prominent instances like the Sa'd Eddin Ibrahim case.

4.3. Street Politics: The "Pocket Protest" of Kifaya and the Workers' Movement

Opposition parties and human rights advocacy groups, as they were described in the two previous sections, constitute the landscape of established and regime-tolerated opposition activism in Egypt. There is a clear *modus vivendi* of inter-relationship between the regime and the respective opposition actors, and the rules, both formal and informal, of that activism are also quite established, though subject to adaptation and change from above. In general, authoritarian regimes like these forms of politi-

cal opposition because they can observe and control them well. One observer of Egyptian politics said: "The government is not principally against the opposition; they are all part of the family."[182]

The Egyptian regime likes opposition – and perceives it as part and parcel 'of the family' – when it is performed 1) in the back-rooms of formal institutions (parties, associations, committees), 2) in the print media, and 3) in the chambers of parliament. The main denominator for the regime's readiness to accept these forms of activism is that they do not imply an outreach towards larger parts of society: Parties, parliaments, associations, committees and unions – in short: the formal landscape of politics – are the realm of the politicized parts of society, that is urban-based and of middle- to upper-class origin, and thus not accessible to a large proportion of the populace that is poor, illiterate, and under-educated. Speculative estimates want it that hardly 5 % of the Egyptian population read newspapers on a regular basis which explains the relative openness of the regime towards dissonant voices in the print media. As mentioned in chapter 2.2, the landscape of formal politics is the realm of 'high-intensity' political participation but it remains very limited when it comes to mass participation and social outreach.

It is well-known that authoritarian regimes do not favor oppositional street politics, and – if it occurs – expectations increase that the respective regime may lose control over the power to rule: "Street demonstrations are the demonstration that the most sacrosanct of authoritarian values, order itself, has been violated" (Pridham 1995: 60). However, some forms of contentious activism have emerged in Egypt with which – one should expect – the regime is not so comfortable, for example the expression of dissent and dissatisfaction on public streets and squares. In the following chapter, I will inquire into two distinct forms of street politics: a recent elitist initiative of street demonstrations and an emerging workers' movement. Whereas the form of contentious activism is similar, these movements differ from one another considerably in terms of aims and discourses, their constituencies, and the degree of the political challenge they pose to the incumbents.

'Kifaya' – Enough of Mubarak!

On 12 December 2004, a group of around 300 political activists squeezed together at the main entrance of the Supreme Court in downtown Cairo, surrounded by hundreds of security personnel. Two aspects raised particular attention: firstly, the very fact that an unauthorized demonstration happened in Cairo, under close scrutiny but without being dissolved by the security forces. Secondly, the demonstrators' message – in short: *Kifaya* (arab.: 'enough') – which expressed the outright demand to put an end to President Mubarak's rule. This included opposition to a possible

182 Hazem Mounir, journalist (author's personal communication).

shift of power to his son Gamal.[183] A new movement of street politics was born, and 'Kifaya' is the term under which it became familiar to observers. Kifaya's activities increased rapidly over the year 2005: Since January 2005, more demonstrations have been launched at strategic locations in order to attract widespread public attention, e.g. at the Cairo Book Fair, on university campuses, and at Tahrir Square in the center of the capital. Moreover, a new quality of street politics in Egypt was reached when Kifaya demonstrations spread out from the capital. One instance is striking: On 27 April 2005, anti-Mubarak demonstrations were launched in 14 cities simultaneously (cf. Al-Ahram Weekly, No. 742, 12-18 May 2005). The declared aims of Kifaya are in line – beyond the withdrawal of Mubarak and his son Gamal – with the usual oppositional claims to end the state of emergency, introduce free elections, and pass constitutional reforms that guarantee a 'real' democracy.

Egyptian street politics as represented by Kifaya is unique in two ways: Firstly, it has become a new dimension of oppositional activism; and, secondly, it is – as a form of social protest – distinct from any form observable in the recent history of the Middle East. As to the first matter, Kifaya's appearance is remarkable because it has involved the protracted crossing of former limits firmly established by the regime: Firstly, the politics of toleration was always severely limited when contentious activism took to the streets; more often than not, street politics had triggered massive repressive actions by the regime.[184] Secondly, it was always clearly communicated to the opposition – informally or through warnings of the security services that had to be taken seriously – that the man at the helm of the polity was not to become the subject of any criticism.[185] The rather sudden 'change of rules' materialized in the non-intervention of the security forces that were present on the spot but remained observers to the happenings.

Kifaya is also unique concerning its form of protest compared to those seen previously in the Middle East. Asef Bayat distinguishes between six forms of social activism: urban mass protests, trade unionism, community activism, social Islamism, NGOs, and 'quiet encroachment' (Bayat 2002: 3). Kifaya does not fully match any of these expressions.[186] Similar to urban protest movements, their expression of discontent focuses primarily on a single issue: the end of Mubarak's hold on power. Thus, Egypt's street politics lack an elaborated programmatic profile, quite like

183 At the time of writing this study, not much has been published yet on Kifaya. For a first account, see Vairel (2006), Meital (2006: 267-269), and Albrecht (2007).

184 Kifaya contests the widely held claim that opposition politics in Egypt was primarily performed in the comparatively liberal press; as one intellectual said before the advent of Kifaya, "there is opposition, no action" (author's personal communication with Gamal al-Banna).

185 Even among the independent foreign-language press in Egypt, that have benefited from a relatively liberal stance compared to the Arabic media, two issues had to be accepted as red lines the crossing of which would trigger negative consequences: firstly, the president and his family and, secondly, the military (author's personal communication with Paul Schemm).

186 For comparisons with cases outside the Arab world, look at the *Trop-C'est-Trop*-movement in Burkina Faso or the *Kmara!* in Georgia's 'Rose Revolution' (Hagberg 2002; Karumidze & Wertsch 2005).

bread riots or other mostly economically-induced upsurges. They are a widespread phenomenon throughout the Middle East but lack the organizational capacities that are at the disposal of Kifaya and helped the latter endure in contrast to such outbursts (cf. Sadiki 2000). Concerning their discourse and member structure, Kifaya displays – far from a 'grass roots phenomenon' – a decidedly elitist character, contrary to their claim to reach out to the popular masses. Kifaya is an informal movement in a way that it is not legalized by the state. On the other hand, it does possess decisive organizational capacities in that it relies on other formal institutions traditionally used by the opposition: NGOs, professional syndicates (in particular the Press Syndicate and the Bar Association), and student groups at universities.

While the majority of Kifaya members are liberal and leftist human rights activists, Kifaya was – at least at the beginning – remarkably open towards different ideational positions. One will find in the movement's first 'coordinator,' George Ishaq, a Coptic human rights activist next to a great number of people with leftist leanings such as Nabil al-Hilali (an independent communist), the journalist Ibrahim al-Sahhari, Muhammad al-Alim (an independent leftist with Tagammu leanings), and university professor Aida Seid al-Dawla. In an unusual display of unity among opposition forces, Kifaya has also attracted some prominent representatives of the Islamist current, such as Abu al-Ela Maadi (Wasat platform) – who was also one of the main initiators of Kifaya – and Magdi Hussain (secretary general of the SLP). Even Abd al-Mun'eim Abul Futouh, a Muslim Brotherhood bigwig and potential future leader, has referred to himself as affiliated with Kifaya.[187]

Kifaya is not only incoherent with respect to the ideational profile of its members, but also with respect to their degree of dedication and strategic interests. From this perspective, one can distinguish between four different Kifaya-members: 1) the 'protest pro,' 2) the 'rising star,' 3) the 'free rider,' and 4) the 'young gun.' As to the first category, it is obvious that the spearheads of the Kifaya demonstrations are veteran street activists such as Kamal Khalil, Abdel Halim Qandil, and Ashraf Ibrahim. The second category – the 'rising star' – refers to those Kifaya members who have not yet played a prominent role within the overall landscape of opposition, for whatever reason. For intellectuals such as George Ishaq and al-Ahram journalist Mohammed Sayyed Sa'id, Kifaya was an opportunity to enter politics outside of the realm of the regime, yet on a prominent stage well-covered by the media both in Egypt and abroad. The 'free rider' category refers to those Kifaya members who have perceived the movement as a special opportunity of activism given that – to them – other forms of activism have been forestalled. Magdi Hussain, the head of the dormant SLP, is a good example. With his party and its mouthpiece *al-Sha'ab* frozen by

187 It is not surprising that the Islamists aim to be part of Kifaya: "Sympathizers and members of illegal opposition groups prefer to join in already existing strikes and demonstrations," because "they expect the authorities to use less repression when putting down a legal demonstration" (Lust-Okar 2005: 89). However, the Islamists obviously do not actively support Kifaya's mobilization efforts.

the authorities, an appearance at Kifaya demonstrations is certainly a better-than-nothing option to make him heard among the public.[188]

The fourth category of Kifaya member, the 'young gun,' refers to those younger activists – called the 'Youth for Change' – that have formed the bulk of demonstrators in the developments of 2005. Muhammad al-Sharqawi is among the most outspoken younger fire-brands who have attracted massive repressive responses by the security services, in particular since early 2006. For them, Kifaya as a street movement is a matter of heart, possibly to a greater degree than it is for other members, because it is perceived by them as a chance to become active in politics at an occasion where the pervasive hierarchical structures that characterize political parties, NGOs, and other formalized organizations do not apply. From this perspective, one possible future impact of the Kifaya movement – irrespective of its endurance – is that it may contribute to the politicization of a younger generation of political activists which would not have happened without these street demonstrations.

How can we explain the emergence of this movement? There are two bases of Kifaya: some – from the political regime's perspective – notorious oppositional 'troublemakers' and a number of intellectuals who have provided the necessary organizational background. In general, the form of political activism that is offered by Kifaya suits many figures in Egyptian opposition politics well. Often, activism in formal organizations is not perceived as very attractive – all the more so when the respective activist did not make it to the top in the hierarchy of a respective formal organization. As a consequence, 'individualism' is highly esteemed among the politicized, urban parts of society. When it comes to contentious activism – and opposition towards the regime – there is a network of individual 'troublemakers.'[189] These 'troublemakers' do not share a common programmatic footing and organizational platform. Most of them are middle-class intellectuals politicized in the late Nasserist years or during the 1970s. As a rule of thumb, they work individually and struggle with the regime as much as with fellow opposition figures, prefer street politics to engagement in political institutions, stress sensitive issues, and cross the red lines set by the regime at irregular intervals; they are financially independent and quite familiar with the conditions in Egyptian jails. Their political impact, however, is extremely limited due to their lack of popular support.

To give but a few examples of individuals who may fit into this category: Abdel Mohsen Hammouda is a veteran political activist with Wafdist leanings who uses the judicial system to confront the regime on a regular basis. In June 2001, he received a ruling from the Court of Cassation proving that his son's death in custody was caused by torture; following a court file by Hammouda, on 02 April 2003, the

188 Magdi Hussain and six fellow Kifaya members with Islamist leanings clashed in December 2006 with the majority of liberal and a-religious members over the movement's 'official' stance – communicated on its website – to support an anti-veil initiative of Minister of Culture Farouk Husni (cf. Al-Ahram Weekly, No. 825, 21-27 December 2006). The quarrels reportedly led to the withdrawal of Kifaya's coordinator – Copt George Ishaq – only a few weeks later.

189 I have used this term for the first time in Albrecht (2005).

Supreme Administrative Court (SAC) reaffirmed the constitutional right of holding demonstrations (cf. Cairo Times, 5-11 June 2003). Muhammad Farid Hassanein, parliamentarian for the Neo-Wafd party, broke the rules by carrying politics to the streets when participating at the anti-war demonstrations on 20-21 March 2003 which slipped out of government control and triggered massive interventions by the security forces. He is, like Kamal Khalil, a veteran leftist 'troublemaker' and has never awarded great merits to his party affiliations.[190]

Clearly, Kifaya did not appear out of the blue. Rather, the initiators of Kifaya appeared on the scene of street politics as the organizers of the *Committee in Solidarity with the Palestinian Intifada* (CSPI) founded on 13 October 2000, in support of the *Al-Aqsa Intifada* in the occupied Palestinian Territories. The CSPI was quite similar to the later Kifaya initiative in that it attracted a number of 'troublemakers' of quite different political colors: Next to Nasserist Hamdine Sabahi (Karama movement) stood Islamist Magdi Qorqor (SLP) and the usual suspects with leftist leanings such as Kamal Khalil and Farid Zahran (cf. Cairo Times, 06-19 February 2003). Apart from smaller demonstrations staged by the CSPI – for instance on 01 April 2002, leading to fierce street battles with security personnel – a real test-run of Kifaya-like demonstrations was staged in 2003: Triggered by the US-led military intervention to replace Saddam Hussain in Iraq, massive anti-war demonstrations took place in Cairo in February and March 2003.

During these demonstrations, the regime faced a highly politicized populace mainly because the events in Iraq coincided with a devaluation of the Egyptian currency, the cutting of subsidies, and subsequent price rises of consumer goods only three weeks before the US military campaign. Interestingly, some slogans heard at these demonstrations moved from international to domestic political affairs. Reports want it that demonstrators shouted: "We are not a kingdom, we are a republic!," which can only be understood as a critical call against a possible shift of power from Hosni Mubarak to his son Gamal.[191]

There are, however, major differences between these early instances of street politics and the Kifaya initiative concerning the subject of demonstrations and the regime's reaction. As to the latter aspect, the regime handed down a massive repressive reaction on the anti-war demonstrations in 2003. The security forces dispersed the crowds using excessive violence and incarcerated a number of demonstrators and organizers both during and after the demonstrations; among them were Hamdeen Sabahi and Muhammad Farid Hassanein. The forces did not even step back from physically assaulting opposition members of parliament. Only two years later, Kifaya demonstrations were, by and large, unharmed by such direct coercive

190 During his political career, Hassanein had been member of the Nasserist Party, the SLP, and the Neo-Wafd respectively and broke with each organization mainly for their lack of democratic principles (author's personal communication with Muhammad Farid Hassanein).

191 Author's personal communication with Farida Naqqash.

interventions.[192] A second difference – and this may well explain the difference in the regime's reactions – is that the anti-war movement was able to attract a larger crowd of demonstrators whereas numbers at Kifaya gatherings remained poor. A third difference is that the CSPI and the anti-Iraq-war movement staged their protest against foreign issues, while Kifaya's discourse was entirely directed at domestic matters.[193]

While the 'troublemakers' – quite naturally – formed the core of Kifaya's street appearance, they needed a second group of political activists to assume responsibility for establishing the necessary organizational background. In the course of 2003 and 2004, several gatherings took place between oppositional intellectuals of different political leanings; in the subsequent political calls and communiqués, discourses turned increasingly from foreign to domestic affairs and the Egyptian presidency moved to the center of criticism. At these gatherings, the Hisham Mubarak Law Center, moderate Islamist Abu al-Ela Maadi (Wasat movement; cf. chapter 4.4), and Nasserist Abdel Halim Qandil, among others, were the driving forces.[194] In a communiqué following a meeting of opposition figures on 07 August 2004, the catchword 'Kifaya' appeared for the first time, as well as the name under which the movement also became commonly known, 'Egyptian Movement for Change' (*Haraka al-Misriyya min agl al-Taghir*) (cf. Vairel 2006: 113). Thus, behind the street demonstrations featuring the notorious Egyptian 'troublemakers' stands an organizational structure of 'back door activists' consisting of a forty-member coordinating committee, a seven-member 'steering committee' responsible for day-to-day actions, a 'spokesman,' and a 'coordinator.'[195] While the sources of financial capacities re-

192 There are exceptions indicating that the regime had drawn new red lines, the crossing of which would trigger a repressive reaction: Firstly, the regime did not allow the holding of street demonstrations outside of the capital, where they were perceived as easily controllable. Consequently, the security forces stepped in when Kifaya launched demonstrations in 14 cities all over the country on 27 April 2005. Secondly, the regime is obviously nervous on election days and, for instance, used a more coercive tactic against Kifaya demonstrations on 27 May 2005, the day when the constitutional referendum allowing for multi-candidate presidential elections was passed. In general, Kifaya suffered, since early 2006, from a more restrictive and de-liberalized political environment as much as other opposition forces did, in particular the Muslim Brotherhood.

193 Already during some of the anti-Iraq war demonstrations singular voices were heard that turned from an anti-American revolt to criticism of the Egyptian government. Yet, there had not been any effort from the political opposition to focus on domestic issues (author's personal communication with Ahmed Saif al-Islam).

194 George Ishaq asserts that the foundation stone for Kifaya was laid as early as in November 2003, at a meeting of several opposition figures in the home of moderate Islamist and the would-be party al-Wasat, Abu Ela Maadi (author's personal communication with Ishaq).

195 Spokesman is Abdel Halim Qandil, an independent Nasserist and editor-in-chief of the oppositional *al-Karama* newspaper. The movement's first coordinator, Coptic human rights activist George Ishaq, stepped down on 27 January 2007 and was followed by the liberal intellectual Abdel Wahab al-Messiri (Al Ahram Weekly, No. 830, 1-7 February 2007). The eminent people within the organizational branch of Kifaya convene in the 7-man steering committee,

main obscure, reports claim that publisher and businessman Hisham Qassem provides substantial funding for Kifaya activities.

Without any doubt, it became en vogue in Egypt in 2005 to be part of Kifaya, which has essentially turned into a catch-all term to denote the activities of individual factions like the 'Egyptian Movement for Change,' the 'Popular Campaign for Change,' or the 'National Front for Change.' The 'winds of change' also seem to blow in several professional syndicates where, for instance, 'Engineers' or 'Doctors for Change' have seen the light of day.

While the term 'Kifaya' is routinely employed in the media and implies a homogenous movement, it is plausible to assume that its protest politics will end up in the dead end of fragmentation. Moreover, it is still unclear where – if anywhere – that 'change' will lead, given the lack of programmatic coherence and common interest among the different opposition groups beyond the very term that unites them. Concerning Kifaya's impact on Egyptian politics, however, the crossing of several red lines previously upheld by the regime is noteworthy, although the claim to reach the popular masses has not yet materialized. Rather, Kifaya activities are still limited to a few hundred participants. A third future challenge concerns the identification process of the movement's very nature: It will be necessary to find out whether the movement will become a 'Kifaya of the back-door committees' or whether it will remain an influence on Egyptian politics as a street protest movement.

Following Kifaya's hey-days in 2005, no convincing indicator can be identified to assume that the movement will solve these challenges for good. Kifaya can be described as a "charismatic coterie-movement" (Tucker 1968: 738) or a movement of "pocket protest;" that description, by Jason Lyall, of the anti-war movement in Putin's Russia fits neatly to describe the activism of the Egyptian Kifaya. He says that "the movement's own culture (…) dictates the use of tactics and slogans that have little mass appeal. Preferring symbolism to practical politics, and emphasizing strong face-to-face contacts rather than weak ties among potential supporters, the antiwar movement has undercut its own ability to 'scale-up' and pressure the regime" (Lyall 2006: 379-380). From a broader perspective, we must therefore not equate Kifaya with those movements that triggered fundamental change in Eastern Europe or Lebanon. "The Western media may love Egypt's Kifayah movement, but a hundred or so protesters in a country of 79 million is hardly a revolution in the making" (Kramer 2006: 160). Kifaya should be seen more as a political happening than a movement of serious contention. This is exactly why it was able to push the limits set by the regime to an extent unprecedented in Egyptian state-society relations and fairly unexpected by observers.

which is reportedly dominated by opposition figures of leftist and Nasserist leanings (cf. International Crisis Group 2005: 11, footnote 75).

In essence, the Kifaya movement is a good indicator for assessing changes in regime-opposition relations in Egypt during a limited period of time witnessing political liberalization. On the other hand, there has been another movement of street protests which has gone largely unnoticed by Egyptian, let alone foreign, media until very recently, even though it has increased dramatically over recent years and contains the potential to impact Egyptian politics and state-society relations to a substantial extent: a movement of workers' street protest.[196]

In December 2006, up to 20.000 workers and sympathizers participated in a wildcat strike blocking the *Misr Spinnning and Weaving* factory in Mahalla al-Kubra demanding higher annual bonuses that had been promised to be allocated at the end of that year. In the following months, protests endured in the textile sector and saw a total of around 30.000 workers on the streets in several factories in the Nile Delta and in Alexandria (Beinin & el-Hamalawy 2007).[197] In the first half of 2007, the protests in Mahalla al-Kubra acted as a flying goose and spread to other sectors in the economy; strikes shook the automobile industry, cement factories, and the food industry (Lübben 2007). The catalyst of the unrest was, in the majority of cases, the plan or announcement to privatize the respective establishment.

Labor protest is not a new phenomenon in Egypt. Compared to other countries in the Middle East, in particular most of the traditional oil-rich monarchies in the Gulf, Egypt has seen in its history several phases of industrialization starting in the first half of the 19th century during the reign of Mehmed Ali Pasha. Industrialization witnessed a boost in the wake of the modernization and development project of Gamal Abdel Nasser.[198] Therefore, labor is a core trait of modern Egyptian society and the political incumbents have always had to deal with the political impact of that matter. For authoritarian incumbents, labor is a double-edged sword: "The extent to which the economic life of a country requires the use of domestic labor indicates not only the extent to which workers constitute a potential threat, but also the extent to which regimes must solicit cooperation to govern" (Gandhi & Kim 2005: 6). Whereas Nasser received a great measure of labor support for his etatist adventure, his successors had to deal with labor as a potential or manifest source of contention that – from an authoritarian logic of power maintenance – needed to be carefully

196 For a first account on the recent wave of workers' protest, cf. Beinin & el-Hamalawy (2007) and Lübben (2007).

197 A fair amount of caution is advisable concerning the real numbers of participants at such demonstrations. The Egyptian media, from where these numbers are taken, and observers alike – let alone participants – tend to overestimate numbers at demonstrations. Nonetheless, there seems little doubt that numbers of participants at labor protests exceed by far the numbers of, for instance, Kifaya gatherings or any other politically motivated demonstration in recent years.

198 For a history of industrialization and state-labor relations in Egypt, see Joel Beinin's and Zachary Lockman's seminal volume *Workers on the Nile* (1988).

controlled.[199] The Egyptian case – and the marked differences between the Nasser regime and the regimes of his successors – exemplifies well the assumption made in chapter 2.2: that populist outreach at mass participation can be a double-edged sword for authoritarian regimes.

In the Nasser-era, several measures have been introduced to control the workers, the most important of which was the reconfiguration of a system of corporatist participation into a system of corporatist control. This is the common denominator of changes in labor-state relations within the network of official labor unions – at the top of which is the *General Federation of Trade Unions* (GFTU) – founded by Nasser (cf. Pripstein Posusney 1997: 94-113; chapter 5.2). However, Sadat's liberal, capital-oriented socio-economic *infitah* project – which was sustained and reinforced by Mubarak from 1989 onwards – led to the worsening of labor-state relations which have been characterized more through conflict than cooperation and support ever since.

Roger Owen has observed that "in Egypt, as elsewhere, groups of workers were often able to obtain sufficient independence from official control to organize strikes and sit-ins or to develop a local leadership which was independent of the official union structure" (Owen 2000: 39). This became manifest, for instance, in the late Sadat years when labor and the GFTU sided with the newly established, leftist wing of the opposition party structure, in particular the Tagammu Party. Food riots in 1977 were also seen as part of laborers' protests against the economic policies of the state. As a consequence, labor and its leaders became subject to fierce repression especially in 1979 and 1980. But Mubarak also had to face a challenge from the labor movement in the first decade of his tenure. Particularly in the textile sector and in heavy industries, massive strikes which came to be known as the 'Kafr al-Dawaar Uprising,' the 'ESCO Strike,' and the 'Mahalla Strike' impaired state-labor relations.[200] Faced with the challenge of thousands of workers on the streets, the regime responded, more often than not, with little compromise (El Shafei 1995: 22-36).

Not much was heard from the workers in the 1990s. This is, at a first glance, quite astonishing when we keep in mind that the neo-liberal economic reform project under the auspices of the *International Monetary Fund*, the *Worldbank* and the *Paris Club* was to materialize to the detriment of labor, and in particular of the workers employed in the public sector (Albrecht, Pawelka & Schlumberger 1997). One would have expected that reforms involving large-scale privatization efforts and economic hardship especially for the lower middle classes would have the potential to trigger massive protests from the workers.

199 I admit that this is a simplification of a far more complex phenomenon. Indeed, Nasser had some difficult times with workers' demands and protests, particularly in the last years of his reign (cf. Pripstein Posusney 1997: 80-93).

200 Textile workers are said to be among the most militant in Egypt. Their propensity to protest is due to the fact that they have suffered tremendously from socio-economic reordering under neo-liberal auspices under Sadat and Mubarak (Beinin 2006).

There were several reasons that the protests did not take off during the 1990s. Firstly, potential labor protests were deterred by the memory of coercive measures by the regime during the 1980s and by a general climate of political de-liberalization at large. While the right to organize a strike is granted in the Egyptian constitution, it is de facto impeded by the security forces. According to the Unified Labor Law of 2003, strikes must be approved by the GFTU. However, as Joel Beinin and Hossam el-Hamalawy put it, "since the federation, along with the sectoral general unions and most enterprise-level union committees, are firmly in the grip of the ruling National Democratic Party (NDP), all actual strikes since 2003 have been 'illegal'" (Beinin & al-Hamalawy 2007: 2). Secondly, the term 'economic liberalization' is misleading with respect to what really happened in Egypt. During the 1990s, the situation did not deteriorate for workers as much as one may have expected, at least not compared to the majority of the populace. Contrary to the assumption that labor was entirely on the losing side of labor-capital conflicts in times of neo-liberal economic reforms, Agnieszka Paczynska has found that Egyptian workers have been indeed able to – at least partly – influence these very reforms by means of the formal organizations, the labor unions (Paczynska 2006).[201]

After all, recent economic policy analyses have shown that the logic of authoritarian regime maintenance has prevented the Egyptian regime from embarking on a clear path towards establishing a liberal market economy (cf. Wurzel 2004, Schlumberger 2005). What did happen was indeed a dismantling of the public sector. While not being liberalized in a strict economic sense, the selling of public sector enterprises and assets to the regime's political 'cronies' entailed similar effects for the employees as 'real' market reforms: increasing unemployment, dropping real wages, and cutting privileges that public sector employees and workers had enjoyed for many decades. In this context of liberalization under 'crony capitalism,' the privatization of public enterprises has become a meaningful part of the economic reforms only since 1996, which marked the starting point for a substantial change of state-labor relations.[202] Most importantly, an independent workers' movement reemerged outside of the official corporatist organizations. It was sustained by an 'older' (in terms of the age of activists) politicized generation of workers in the public sector enterprises who looked back at a history of strikes, protests and sit-ins until the late 1980s.[203]

It is important to note that the recent wave of labor protests, which were increasingly covered by the media, did not appear out of the blue. Asef Bayat cited Egyptian press reports indicating that around five strikes or sit-ins per week occurred on average during 1999 (Bayat 2002: 6). Workers' activism has increased dramatically at the very latest since 2002.[204] The Land Center for Human Rights reported that 202

201 Cf. also Pripstein Posusney (1997: 10-11), Bayat (2002: 6), and chapter 5.2.

202 Author's personal communication with Saber Barakat (CCR), Ahmed Saif al Islam, and Ali Khaled (both HMLC).

203 Author's personal communication with Saber Barakat (CCR).

204 Author's personal communication with Ahmed Saif al-Islam (HMLC).

incidents of protest happened in 2005, recording 90 'gatherings,' 53 'sit-ins,' 43 'strikes,' and 16 'demonstrations.'[205] In the first half of 2006, the LCHR reported 18 'strikes,' 15 'demonstrations,' 31 'gatherings,' and 43 'sit-ins' throughout the country and across all sectors of the economy.[206] It is fair to say that these numbers are representative to draw a picture of a 'culture of protest' among workers in the early years of the new millennium.

What is the dimension of the recent wave of labor protest in Egypt? In general, it is not the overall number of protests throughout the country that has increased remarkably compared to previous years.[207] Rather, what came to the attention of observers recently was that the numbers of participants increased at recent protests. One important aspect was raised by Saber Barakat: He indicated that a critical mass of ready-to-protest workers was reached only very recently. As a consequence of the deteriorating conditions for the workers – in particular concerning payment and the threat of unemployment – a point of no return was reached and, subsequently, those workers were moved to turn to protest who had remained silent for a long time out of fear for their jobs. According to Barakat, this "new working class" – employed during the 1990s under unfavorable contracts and entirely de-politicized – joined the "old workers," who were experienced in the protest wave during the 1980s, to trigger the recent wave of labor strife.[208]

A second aspect that explains the movement is the increase in organizational capacities of the independent, contentious labor movement. During the first half of the 1990s – the 'dark period' of labor representation – an independent workers' movement was crushed as a consequence of the severe repressive state responses to mass protests in the 1980s. Secondly, those political parties that were actually expected to stand up for the workers' interests, such as the Tagammu, the SLP, and the Nasserists, have, since the mid-1980s, increasingly abandoned the representation of workers und turned party activism basically into 'back-room,' intellectual discussion

205 LCHR, Press Release, 26 January 2006. One of the incidents that came to the attention of the media was the rally of former workers from the *Aura-Misr Asbestos* factory in Cairo's satellite industrial city 10th of Ramadan. Having been closed by the authorities, the factory's workers demanded owed wages and compensations for health problems in front of the GFTU headquarter in Cairo.

206 LCHR, Press Release, 17 July 2006.

207 According to a press release of the Land Center for Human Rights (of 07 February 2007), 115 protests occurred in the second half of 2006 compared to a total of 202 in the year 2005. Of these 115 incidents, 41 were 'gatherings,' 26 'sit-ins,' 29 'strikes,' and 9 'demonstrations.' In sheer numbers, this is not an increase compared to the what the LCHR reported in the previous years.

208 Author's personal communication with Saber Barakat (CCR). The background is that the Egyptian government had stopped issuing permanent contracts to state employees and workers starting in 1985 (Kassem 2001: 64); as a consequence, job insecurity had so far constituted a major disincentive for the concerned individuals to engage in open protest against the state.

circles.[209] Since around 1996, the number of labor-related protests has increased in the country, but these protests have not been brought to a broader attention because they were largely seen as singular instances without a common strategy, aim, or ideological background. However, in the course of this smoldering labor unrest a small number of organizations saw the light of day. On the one hand, such organizations became an independent source of coordination and information but they have, on the other hand, not been in the focus of civil society observers. This is probably so because their discourses did not circulate around the catchy terms of 'democracy,' 'reform,' and 'human rights' and were thus not designed with the aim and strategy to serve respective expectations.

Examples of independent organizations representing discontent labor include the Coordinating Committee for the Rights and Freedoms of the Syndicates and Labor (CCR, *al-Lagna al-Tansiqiya li al-Huquq wa al-Hurriya al-Niqabat wa al-Amaliya*), the Center for Trade Union and Worker Studies (CTUWS), the National Committee for the Defense of Workers Rights (NCDWR), or the Center for Socialist Studies (CSS).[210] In accordance with the recent wave of Kifaya movements, a 'Workers for Change' group is not missing. Another, though virtually defunct, organization operates under the banner Workers Committee for Political Parties (*Lagna al-Amal bi al-Ahzab al-Siasiya*).[211] The Coordinating Committee has long been the most active and effective independent organization representing labor interests and can rely on the organizational capacities of two of the more troubling NGOs: the Land Center for Human Rights gathers information on workers' affairs, and the Hisham Mubarak Law Center provides space in its Cairo headquarters for the Committee's meetings. The CTUWS is led by Kamal Abbas and Adel Zakariya and was closed down by the security forces in April 2007, presumably because they had started to build up offices in those enterprises and industrial cities most affected by the protest waves (cf. Middle East Times, 26 April 2007, and Al-Ahram Weekly, No. 843, 3-9 May 2007).

These organizations offer help in legal cases, provide information on labor issues, and report on labor conflicts. The leaders of these movements have a common biographical background: They all belong to the 'old working class;' they were, by and large, politicized within the workers' movement in the late Nasser and early Sadat years and suffered from statist repression when Sadat split with his predecessor's political program. Contrary to fellow worker leaders who have accepted being integrated in the state-organized system of labor corporatism – at the head of which is the GFTU – those people became the initiators of an independent protest movement in the late-1970s and during the 1980s (cf. Pripstein Posusney 1997).

209 Author's personal communication with Abdel Rahman Khair (member of Shura Council and head of the Tagammu Party's Labor Office).

210 The CCR is led by Saber Barakat and Muhammad Abdel Sallam; the founder and head of the NCDWR – now virtually defunct – is Ahmad Sharif who had been active in the independent workers' movement in the 1980s. The CSS is directed by leftist oppositional troublemaker Kamal Khalil.

211 Author's personal communication with Karam Saber (LCHR).

The GFTU and the affiliated structure of corporatist labor unions came under increasing pressure in the wake of the recent wave of protests. Concrete demands of the workers – e.g. for higher salary – shifted on several occasions to an outspoken criticism of the unions for their negligence and inability to represent the workers' interests and support their demands in front of the political decision makers.[212] It was also criticized that union elections were generally rigged in favor of pro-government candidates. For example, during the Mahalla al-Kubra strike addressed above that served as a flying goose for the following protest wave, workers demanded the removal of 'their' representatives in the union (Beinin & el-Hamalawy 2007). These attacks even led to frictions within the corporatist union structure because a number of factory-based representations of labor unions gave in to the workers' pressure and commenced to support their demands, putting them at odds with the upper echelons of the GFTU. This happened on several occasions, for instance in the wake of a strike that erupted in the Helwan-based *Portland Cement* factory over the factory's privatization plans, during the strike of workers in the *Aura-Misr Asbestos* factory in summer 2005, and at *Samuli Company*, one of the few private companies that allowed the emergence of a workers' union in 2003.[213]

Whereas it is certainly too early to assess fully the recent labor activities, there are indicators suggesting that the recent wave of protests since late 2006 resemble in many respects the hey-day labor activism of the 1980s. Four aspects can be identified: Firstly, protests were picked up in exactly those economic sectors and singular enterprises that have a history of trouble: the textile sector and, for instance, the enterprises in Kafr al-Dawwar and Mahalla al-Kubra. Secondly, regular strikes and sit-ins in recent years have turned into mass protests, and participants match those numbers witnessed in the 1980s. Thirdly, paralleling contentious mass participation, a clandestine network of organizations is being built independent from the official GFTU. The CCR and the NTUWS are the successor organizations, for instance, of the *Committee for Defending Public Sector Workers*, established in 1983, or the *Popular Committee for Combating the Sale of the Public Sector*; the recently founded mouthpiece *Awraq al-Amalya* (arab.: "Worker's Papers") had a parent in 1986-1989, the *Sawt al-Amal* (arab.: 'Worker's Voice').[214]

Fourthly, in order to contain the workers' uprising, the regime seems to have reinvigorated its scare-and-promise tactics successfully employed during the 1980s (cf. El Shafei 1995). When attempts fail to suppress an uprising at the very beginning, three statist organizations come into play: the security forces, which continue to be a constant threat to the workers causing problems, the Ministry of Manpower as the official representation of the state, and the respective labor union, officially

212 Political observers such as Mohammed Sayyid Sa'id hold that the political regime's interference in labor union elections had increased dramatically in recent years which profoundly discredited these organizations in the eyes of the workers (author's personal communication with Sa'id).

213 Author's personal communication with Ali Khaled (HMLC).

214 Author's personal communication with Saber Barakat (CCR); on the older organizations, cf. Pripstein Posusney (1997: 225-230).

representing workers' rights and interests but de facto an organization that comes into play with the aim of negotiating in the conflict.[215] Despite these similarities, there are also differences to labor activism in the 1980s. The most prominent concerns the general future prospect of labor contention. In the aftermath of the protest wave in the 1980s, labor unrest remained a constant potential threat for the incumbents – despite its actual containment – because protests emerged almost exclusively in the public sector and the latter remained the dominant feature in the national economy. This has changed tremendously since the late 1990s, and so has the labor force, which is now increasingly dominated by private sector employees and laborers.[216] Since the latter show a structurally lower propensity to fight openly for their rights and interests, it is unclear whether the current wave of labor protest will endure and reach a scale similar to previous decades.

It is worth comparing the two protest movements discussed above, Kifaya and the independent labor movement. Contrary to elitist movements like Kifaya, workers do have inherent political capital because they represent a mass constituency. Therefore, and because worker strikes can hurt the country's economic performance, labor protests contain an imminent political threat for the incumbents while Kifaya does not. On the other hand, one problem occurs in labor protests when it comes to sustaining organizational capacities; such protests tend to come to the fore as singular upsurges instead of an institutionalized opposition; a lack of organizational capacities is not the main problem of the 'back-door' elitist troublemakers of Kifaya.

With respect to the materialization of the aims of the two types of protest movements, the workers are far more successful than Kifaya. In an ironic twist, one could hold that the inherently apolitical nature of the workers' claims renders the movement more threatening to the political incumbents. The labor movement comprises singular upsurges that raise *petty demands* – higher wages, the workers' stake in a process of privatization, compensation in the course of an enterprise's liquidation, etc. – which will be usually addressed positively by the regime during negotiations.[217] This is very certainly not at stake with the *universal demands* of Kifaya – democratization, Mubarak's removal from political power – leaving the latter as a crying voice in the wilderness.

215 Author's personal communication with Mohammed Sayyed Sa'id (ACPSS).

216 Author's personal communication with Khalid Ali (HMLC) and Saber Barakat (CCR). Ali Khaled also held that the solidarity of workers was more distinctive in the 1980s. Singular strikes and actions had then, more often than not, triggered sympathy and the participation of workers from other factories.

217 Scholars and observers tend to over-emphasize the workers' dedication in pressing for general demands. While they are routinely employed during strikes and upsurges – ranging from the cry for institutional reforms and a substantial shift in the state's economic policies, and of course the call for 'more democracy' which has become a reflex action in Egyptian contentious activism – thirty years of experience in contentious state-labor relations indicates that workers can be usually appeased and accommodated by economic concessions.

4.4. The Islamist Movement

The Islamist movement is without any doubt the strongest opposition force in Egyptian politics. Political Islam in Egypt comprises three types of movement organizations: A moderate Islamist mass movement based on strong popular backing, a number of clandestine groups and would-be parties that are associated with the Brotherhood-dominated mainstream political Islam, and a number of radical groups that engaged in militant activism between the mid-1970s and 1997. While the Muslim Brotherhood and the smaller mainstream organizations comprise an anti-system opposition, the latter movements comprise political resistance.

Some informed observers hold that the core organization of politically relevant Islamic activism – the Muslim Brotherhood – is the only 'real' opposition in the country. The Muslim Brotherhood (*al-Ikhwan al-Muslimun*, MB) was founded in 1928 by Hassan al-Banna, and was, at that time, the first organized form of Islamic contentious activism not only in Egypt, but in the whole Muslim world. The MB quickly emerged into a powerful movement in pre-revolutionary Egypt. Most groups and movements in other countries from the ambit of political Islam trace their roots back – in one way or another – to the Brotherhood (cf. Lia 1998).

The Muslim Brotherhood has, since its very inception, always been the main source of trouble for those who controlled the state in Egypt – the British until 1952 and the different Egyptian authoritarian regimes afterwards. In order to account for the rapid rise of the movement, it is important to reconsider that two ideological traits highlighted by the Brotherhood happened to be particularly appealing to the populace in Egypt: firstly, the movement's call to apply Islamic principles for the transformation of society, culture, politics, and the economy and, secondly, its struggle against the British occupation of the country (cf. Munson 2001).

The revolution in 1952 marked a first decisive turning point for the Brothers: They initially welcomed the end of the British occupation, but quickly found themselves caught in a fierce power struggle with the new regime of the *Free Officers* headed by Gamal Abdel Nasser (cf. Aclimandos 2002). Nasser won this fight by resorting to blunt repression and by incarcerating thousands of Islamists. This, in turn, led to the radicalization of parts of the Islamist social movement in Egypt. Inspired by radical thinkers, of whom the most influential was Sayyid Qutb, Islamist radicalization triggered the emergence of militant groups and splinter factions of the Muslim Brotherhood. Such underground extremist movements included the *Islamic Jihad* (arab.: 'Struggle'), the *Jama'a Islamiya* (arab.: 'Islamic Group'), and the *Takfir wa al-Hijra* (arab.: 'Excommunication and Flight') which quickly turned away from the Brotherhood and resorted to a militant struggle to overthrow the Egyptian regime lasting from the late 1970s to 1997 (cf. Ansari 1984b; Gerges 2000; more in-depth below).

The Muslim Brotherhood, however, denounced violence as a means of political action already in the early 1970s and entered the political scene again when Nasser's

successor, Anwar al-Sadat, discretely encouraged the Islamists in an attempt to counterbalance secular opposition from Nasserist, Marxist, and Nationalist circles.[218] With this political move, Sadat laid down the origins for the demise of those latter opposition forces and, at the same time, for the strengthening of political Islam in Egypt. The country's universities became the harbor for the resurgence of political Islamist activism and the birthplace of a new generation of activists. Those members of the MB that joined the organization as university students in the 1970s form today the so-called 'middle generation' of activists (*gil al-wasat*) or the 'generation of the 1970s' (*gil al-saba'inat*).

Interestingly, this new generation of activists appeared on the scene in the 1970s as members of those student organizations that formed the nucleus of the *Jama'a Islamiya*. Before it radicalized and its activists went underground, some of its members decided to join the mainstream organization of political Islam, the Muslim Brotherhood. While this new generation contributed to a profound reorientation and politicization of the Brotherhood, the organization – and the processes and experiences associated with the necessary bargaining and compromise within it – led to the moderation of these younger fellows. Some prominent members of this strata include Abdel Mun'eim Abul Futouh, Essam al-Irian, Mahmoud Ezzat, Muhammad Habib, as well as the Wasat Party founder Abu al-Ela Maadi. Many internal struggles within the Muslim Brotherhood are best understood as struggles between different generations of activists. As one informed observer maintains, the struggles within the Muslim Brotherhood are not between radicals and moderates, but between the older and the younger (*gil al-wasat*) generation.[219]

Often referred to as the 'younger' generation, their representatives are today in their late 50s and early 60s and are responsible for the politicization of the Muslim Brotherhood which embraces the demand to participate in the formal political institutions (cf. El-Ghobashy 2005, Al-Awadi 2004, Utvik 2005). A deep social transformation under Sadat included the marginalization of parts of the middle classes – the so-called 'lumpen intelligentsia' – which proved to become a constant source of societal support. As Carry Wickham has shown in her seminal study on *Mobilizing Islam* (2002), Islamist outreach fell on fertile soil within Egyptian society at large. While diffuse support among the rural and urban poor is still difficult to evaluate, the Brotherhood can certainly count on large popular support particularly from the lower urban middle classes of society.

The MB stands out, compared to other political forces in the country, as concerns the quality of its organizational capacities.[220] The movement is tightly organized along hierarchical arrangements at the top of which stands the *Supreme Guide* (*al-*

218 In an almost ironic twist, the Islamist resurgence encouraged by Sadat in the 1970s proved to become a genie that escaped the bottle in 1981 when Sadat was assassinated by the Islamic Jihad.

219 Author's personal communication with Diaa Rashwan.

220 The reader will find a very insightful empirical account on the Muslim Brotherhood's organization and social outreach in Munson (2001).

Murshid al-Amm) and his two deputies. At the time of writing this study, the leadership of the MB was occupied by Muhammad Mahdi Akef. Being already in his late 70s, there is enough evidence to believe that Akef might be the last *Murshid* out of the older generation of MB leaders who experienced the repressive period under Nasser.[221] Contrary to his predecessors, such as Ma'mun al-Hodaybi and Mustafa Mashour, Akef has adopted a more open, politicized, and confrontational course that has long been advocated by the middle generation of activists who, in the meantime, occupy most of the posts in the *Maktab al-Irshad*. The two deputy heads of the organization, Muhammad Habib and Khayrat al-Shater, have been chosen from the younger cadres of the organization. Habib and the 'Secretary General' of the Brotherhood, Mahmoud Ezzat, are in charge of coordinating day-to-day work in the organization's small headquarter in Cairo.

The *Guidance Bureau* (*Maktab al-Irshad*), which is composed of 16 high-profile members of the older and middle generations from whom the organization's leadership is elected, functions as an executive board. At the lower organizational strata, the Muslim Brotherhood maintains offices and representatives not only in every governorate of the country, but also in all bigger cities and even in smaller villages and settlements. The organization's working agenda is reflected in special departments in which day-to-day work on specific issues is coordinated. For instance, there is a 'political section' subdivided into the 'political,' 'economic,' and 'information unit.' The 'technical section' supervises activities in the professional syndicates and comprises several subdivisions, like the 'labor unit,' the 'women section,' and the 'social section.'[222]

Clearly, the Brotherhood's organizational structures and capacities stand out among political forces in Egypt and impact positively on its political performance. In contrast to other Islamist groups which are based on a loose network of singular factions, the concept of a viable organizational body (*tanzim*) is central in the thinking of the Muslim Brotherhood (cf. Al-Awadi 2005: 67-71).[223] Without any doubt, the spectacular performance in the 2005 parliamentary elections would not have been possible without this well-developed and efficient organizational body and the high degree of personal dedication on the part of the MB activists. These capacities guarantee high degrees of stability and homogeneity among the MB ranks.

This is not to say that the MB would never suffer from internal struggles between competing factions. Indeed, fissures within the organization came to the fore between moderate and more radical proponents and, most notably, between different generations of activists, for instance between the organization's old-guard leadership and the 'middle generation' (*gil al-wasat*). Competing perceptions between factions

221 Akef is a MB member since 1950 and was sentenced to death and later to a 20-year prison term for the alleged involvement in an attempt on Nasser's life; for a short bibliographical note, cf. Klaus (2004: 48).

222 Author's personal communication with Abdel-Hamid al-Ghizali, university professor and Brotherhood member, and Muhammad Habib, the organization's second man.

223 The most in-depth account on the organizational body of the MB is by Mitchell (1969: 163-180).

and proponents rose between generations and about important issues, such as the internal discourses on Islam vs. democracy and modernity, or the very nature of the organization which is either perceived as a social or a political movement (cf. El-Ghobashy 2005: 385-387). However, internal struggles and fissures never turned into open conflict among the Muslim Brothers' ranks that have successfully drawn a disciplined and homogenous picture. Rather, open dissent emanated in the split of factions as the case of the Wasat Party exemplifies.

Despite the legal restrictions set upon the movement by the Egyptian regime, outreach towards the public is institutionally manifested through this organizational network that literally reaches every corner in the country and facilitates the coordination of the Brothers' work in the professional syndicates, schools, universities and student unions, clubs, and charity organizations. As concerns active support, the Muslim Brotherhood – along with other groups of Islamist nature – built up its basis during the 1970s in the universities in the country. From the end of the 1980s onwards, the Brothers controlled the student unions in all major universities including those in Cairo, Alexandria, Mansura, and also al-Azhar university (Al-Awadi 2005: 64).

In addition to the well-developed organizational structure, two other intertwined dimensions determine the success of the Muslim Brotherhood's quest for popular support: the provision of ideational and material incentives. Concerning the content of the Brotherhood's ideology, it should be noted that its political program remains rather vague. Using the Islamic concept of *da'wa* (arab.: 'call'), the Brotherhood fell short of offering a comprehensive political program, but called – in very general terms – for the re-Islamicization of Egyptian society and the application of the Islamic rule, *shari'a*, to law and politics. Other Islamic concepts that are brought up by the Muslim Brotherhood include the call for the payment of religious alms, *zakat*, which has been developed as an important source for financing a parallel Islamic economic sector. The principal of the *umma* (arab.: 'Muslim community') is held up to pronounce the quest for an outreach transcending national borders. Since the early 1990s, internal discussions on the relationship between Islam and democracy – often referring to the Islamic principle of *shura* (mutual consultations in the realm of authority) – intensified, and so did the politicization of discourses among the Brothers.

That the movement's political ideology remains very vague is certainly furthered by the fact that there never was a chance – and, in turn, the imperative – to have these ideas materialized in the real political world. Therefore, any discussions on the applicability of the programs – or their compatibility with democracy – are, at best, entirely hypothetical. Undoubtedly, however, the Brotherhood's political and social agenda would systemically alter public life in Egypt if they ever came to power.

Surprisingly or not, the Brotherhood's programmatic fuzziness did not harm its appeal towards the populace. One decisive reason for the popularity of political Islam – not only in Egypt, but also in many other Arab countries – is that rival ideologies of Western origin, such as socialism, Marxism, capitalism, or nationalism, were severely discredited in the 1980s and gave way to an ideology that is perceived as autochthonous and based on 'Arab-Islamic roots.' Islamic ideology was also accom-

panied by the Islamist movement's provision of social security services that the Egyptian regime had set up in its popular era under Nasser and during the early Sadat-years but could not maintain any longer in times of economic crisis. Financed by a parallel Islamic economic sector, the Muslim Brotherhood capitalized politically on the proliferation of services, jobs, and material benefits through private mosques and Islamic voluntary associations; the organization provided jobs, education, and health care and helped out with hardship funds and other charitable services.

The extent of financial flows through Islamic channels is unknown. However, we may reasonably speak of a 'parallel economic sector' as it is largely uncontrolled by the state. Sources to finance charitable services include Islamic banks and investment companies, donations from wealthy individuals in Egypt and particularly from Egyptian residents in the Gulf countries, and the profit-making activities of Islamic associations (Wickham 2002: 100). As Emad Shahin maintains, the central source of power for the older generation within the Muslim Brotherhood, that has captured the organization's leadership until today, is the fact that they are the recipients of the bulk of donations from private individuals, mostly economically successful, semi-educated middle-class people.[224]

The numerous private mosques and religious endowments (*awqaf)* function as the main transmission belt for the provision of social services. Estimates claim that, in 1993, 170.000 mosques existed in Egypt of which only around 30.000 were sanctioned and controlled by the state; roughly half of all PVAs are supposed to have religious foundations (Wickham 2002: 98-99). While we cannot equate the entirety of the parallel Islamic sector with the Muslim Brotherhood, the latter is by far the largest and most important single organization of Islamist social outreach, bringing it to the center of statist countermeasures.[225]

The regime has been on high alert with the growth of this parallel Islamic sector since it lost credibility and, as a consequence, political legitimacy to the Islamists (cf. Al-Awadi 2004). On the other hand, the universal demands and substantial social outreach notwithstanding, the Brotherhood is particularly moderate as concerns its means of political action. Ever since the devastating experience under Gamal Abdel Nasser, the Muslim Brothers have tried to escape harsh repression and have been extremely cautious not to provoke the regime.[226] They have refrained from confronting the regime openly and, instead, have employed a more gradual agenda. Most importantly, they have not primarily concentrated on making use of their social mass support to challenge the government openly, for instance through the organization of mass rallies. Instead, they have followed a more discrete strategy of infiltrating poli-

224 Author's personal communication with Emad Shahin.

225 Many organizations and associations are of an apolitical nature, and militant groups provided social services, too, as a case study in southern Egypt showed (Toth 2003).

226 Nabil Abdel Fattah, Al-Ahram Centre for Political and Strategic Studies (ACPSS), observes a general "transformation of the Islamist phenomena from the political field to social, cultural, and symbolic markets." Popular Islamists would use the education system and the media to occupy the social field which, at the same time, marks a retreat from politics proper (author's personal communication with Nabil Abdel Fattah).

tical institutions over which the regime had lost control, at least temporarily (El-Ghobashy 2005: 380). Examples here are the Brothers' successful engagement in student unions and the professional syndicates (cf. Fahmy 1998, Wickham 1997). The Brothers have also taken control over tens of thousands of private mosques and replaced statist tasks in social security and welfare through which they have strengthened their public support particularly among lower social strata.

Clearly, when Hosni Mubarak came to power in 1981, he did not face an easy task in trying to handle the Islamist movement awakened under his predecessor. His regime was confronted with the challenge of both radical underground groups and a moderate Islamist mass movement which was independent from government control and deeply rooted within society. It does not come as a surprise that the regime's repressive reflexes against the Muslim Brotherhood are more intense compared to secular opposition groups. This 'siege' by the state security forces is not caused by radical Islamist views expressed by the Muslim Brotherhood but by the regime's perception that this organization is the only potent, autonomous social force outside of regime control. In the words of Eberhard Kienle, "the conflict was less about ideology than about power and the spoils associated with it" (Kienle 2004: 74).[227] The reason for the regime's harsh reaction towards the Muslim Brotherhood is simple: Not only by the regime but also in the eyes of the majority of the secular opposition and intellectuals are the Brothers perceived as a dangerous threat because the movement appears highly appealing to great parts of the populace, equipping it with a solid base of popular support ever since its founding years.

In order to contain the Islamist movement in Egypt, Mubarak's regime employed a two-sided strategy. While the radical Jihad and Jama'a Islamiyya were put under heavy-handed pressure from the security and military apparatuses, the moderate Muslim Brotherhood was given some opportunity to become a player in the formal political institutions: As mentioned above, political liberalization during the 1980s led to the emergence of a multi-party system and elections, the creation of 'civil society' organizations, and the politicization of professional syndicates. Thus, a playground emerged for those among the Muslim Brotherhood who advocated activism in these political institutions. In the first decade of his rule, Mubarak conceded to the Islamists' demands for political inclusion to some degree. However, the Brothers' activities have been closely observed and restricted from the very first minute they entered the political arena. Most importantly, the regime did not tolerate the creation of a political party. Rather, the Brothers were allowed to participate in the elections of the parliament and professional syndicates only as independent candidates.

227 The conflict between the regime and the Muslim Brotherhood is not a struggle between a *secular* state and *Islamic* fundamentalism. True, the Brothers express fundamentalist views, but so do parts of the regime. It is striking that, during the 1990s, most Islamist campaigns against liberal intellectuals were launched by pillars of the state (al-Azhar) or by established political parties (Neo-Wafd, Socialist Labor Party), but not by the Muslim Brotherhood (cf. also chapter 5.4).

In the 1984 and 1987 parliamentary elections, the Brotherhood made use of this opportunity by forming alliances with other, secular opposition parties. Cooperation among opposition groups in the 1984 and 1987 elections was bolstered through the need to obtain at least 8 % of the votes to be represented in parliaments. In 1984, the Brotherhood formed an alliance with the Neo-Wafd Party as a junior partner; in 1987, members of the Muslim Brotherhood and other Islamist associations joined with the Labor Party and the Liberal Party to form the 'Islamic Alliance.' From 1984 to 1987, they increased their seats in parliament – depending on the source of information – from 8-12 seats to approximately 36 (cf. Abed-Kotob 1995: 328; Ghadbian 1997: 91).

The Brothers' activities in the professional syndicates had an even greater impact on their new activism in the formal political institutions: Between 1987 and 1992, Islamists took over the majority in the boards of the engineers', the doctors', and the lawyers' syndicates. Concerning the Muslim Brotherhood's success in Egypt's political life, the regime's fears could no longer be ignored after the Brothers' sweeping victory in the board elections of the Bar Association in September 1992. This syndicate had always been a traditional stronghold of liberal forces (cf. Fahmy 1998, Wickham 1997). The parliamentary elections in the early 1990s marked a decisive turning point in the regime-Brotherhood relationship. Since then, the "political honeymoon" (Al-Awadi 2005) of the 1980s is over and the Muslim Brotherhood has come under siege from coercive, statist containment emanating in a policy towards the Muslim Brotherhood which can be subsumed under the terms 'minimal toleration and formal restriction' (cf. Albrecht & Wegner 2006).[228]

Neither the organization nor the Brotherhood's mouthpiece *al-Da'wa* has been legally recognized by Mubarak's regime on the formal grounds that the Egyptian constitution prohibits political parties based on religion. MB members are subject to regular observation and harassment by the security forces; coercive measures of the state included the arbitrary arrest of the Brotherhood's rank and file and also prominent activists particularly in the run-up to the parliamentary elections in 1995 and 2000.[229] Prominent members of the *gil al-wasat* who went to jail between 1995 and 2000 included Abdel Mun'eim Abul Futouh, Essam al-Iryan, Mahmoud Ezzat, and Muhammad Habib. In total, the security round-up led to the sentencing by a military court of 38 Brothers to five years and 57 to two years in prison.

228 In the early 1990s, the Egyptian regime was alarmed by the Algerian experience where Islamists challenged the military-backed government in elections to an unprecedented extent, later triggering fierce state reactions, a military coup d'état, and a following decade of chaos and civil war. While the Egyptian regime has always differentiated between the moderate Muslim Brotherhood and the more radical groups, such as the Jama'a Islamiya and Jihad, the latter's militant initiative during the 1990s has almost certainly impaired opportunities for the Brothers since it has increased diffuse fears on the part of the regime of an Islamist revolution.

229 Representatives of the Brotherhood feel "besieged" by the regime, according to Essam al-Iryan, one of the prominent members of the organization's middle generation held in custody between 1995 and 2000 (author's personal communication with Essam al-Iryan).

Islamist candidates have been severely hampered during election campaigns and also in the course of parliamentary sessions. Moreover, among those who succeeded in winning a seat, some Islamists have been removed because they have been perceived by the regime as all too active and critical. One of the more prominent recent examples here is the case of Gamal Heshmat. An active member of the medical syndicate and Brotherhood bigwig in Alexandria, Heshmat was ousted from parliament in January 2003. Heshmat claimed to be among the most active opposition figures in the 2000 parliament but emphasized that he had not deliberately crossed a red line.[230]

Most importantly, the Muslim Brotherhood has been excluded from the political dialogue with other opposition forces in the country (i.e. legalized political parties and the human rights NGOs). A liaison between the Muslim Brotherhood and another opposition force – if this was ever considered by the respective actors – was, since the late 1980s, severely hampered by the regime.[231] The communication between the regime and the Brothers has been, until very recently, maintained exclusively via security channels (*amn al-dawla*). This constitutes a good indicator for the judgment that the regime perceives the MB as its one and only serious political rival.[232]

While the Muslim Brotherhood formally remains an illegal organization and is subject to decidedly higher degrees of coercion than the secular opposition, there are some signs that repression has never been the regime's sole answer towards the movement. On the toleration side of the game, it should be noted that the regime never made the attempt to destroy the organizational capacities of the movement: Despite massive restrictions throughout the 1990s, the MB formed the largest opposition block in the 2000 parliament with 17 members, all formally independent but affiliated with the Muslim Brotherhood. It is also allowed, as an officially 'illegal organization,' to maintain two Cairo offices on Roda Island – one main office and another one regulating the activities of the movement's parliamentary representation – along with dependencies in other cities around the country; the coordination of activities is openly organized in the professional syndicates. The organization still holds the majority on the boards of some professional syndicates, and it occupies some public

230 Author's personal communication with Gamal Heshmat. Azab Mustafa, from Giza governorate, is another Muslim Brother who was removed from parliament.

231 Author's personal communication with Muhammad Habib.

232 Until very recently, there was no open political communication between the regime and the Brotherhood. Unofficial communication channels between single Brotherhood and regime members are restricted to the corridors of parliament, some professional syndicates (particularly the press syndicate), and universities (mainly Cairo University) (author's personal communication with several MB members). This is noteworthy because the regime did communicate with other opposition forces via political channels. One striking example is a meeting between Safwat Sherif and members of the socialist-turned-Islamist Socialist Labor Party in November 2004 during which the re-legalization of the party was discussed (author's personal communication with SLP representatives). The Socialist Labor Party has an Islamist background, too, but is obviously not perceived by the regime as terribly dangerous.

space in the media – in particular in the electronic, web-based media[233] – although its own print-organ, *al-Da'wa*, has been banned from being published. On some very rare occasions, the regime has even cooperated actively with the Muslim Brotherhood, for example when they jointly organized a public rally against the US-led military campaign against Saddam Hussain's regime in Iraq on 27 and 28 March 2003 (cf. Cairo Times, 03-09 April 2003).

As mentioned above, the Brotherhood has always been very careful not to use this relative freedom in order to make use of its capacities and challenge the regime openly. More recently, however, this low-key policy was replaced by a more confrontational stance: In the course of 2005, which came to be known as the year of the 'Cairo spring' due to a more liberal window of opportunity offered by the regime, the Brotherhood's leadership decided to join in the street politics invented by the Kifaya movement, mobilizing its supporters to launch demonstrations of their own.[234] Clearly, the decision to take to the streets marked a fundamental change in the Brotherhood's stance toward the regime. The latter had always communicated to the Brotherhood that it would not accept any public demonstrations by the Islamists on domestic issues. The movement had given in to these demands, making no use of its large societal backing. The Brothers have previously organized mass demonstrations, but they were either of an apolitical nature (e.g. at the funerals of late leaders) or sanctioned by the state, such as the aforementioned anti-Iraq-war rally of April 2003. Things can change: A first rally was held in downtown Cairo on 27 March 2005 and cordoned by a massive security presence. In the following weeks, demonstrations took place in the capital and other governorates of the country. Contrary to the *Kifaya* demonstrations, the Brotherhood was able to mobilize larger crowds of up to several thousand participants.

Concurrent with the movement's appearance on the Egyptian street, the Muslim Brotherhood joined in the debate on political reforms. In late April 2005, MB representatives in parliament raised their voices against the planned constitutional amendments to article 76. Soon thereafter, the organization announced its boycott of both the electoral referendum on the amendments and the presidential elections of September 2005. It is striking to observe that the moderate Islamist current – and its most important single organization – seems to have smoothly adapted to the current reform debate centered around more civil rights and freedoms, the abolition of emergency law and human rights abuses, and free elections.

Already in the 1990s, the reformist discourse figured prominently within the Islamist current, particularly among a growing moderate-centrist faction of the movement called *wasatiya* (Baker 2003). More recently, the Muslim Brothers seem

233 The organization's own website is on www.ikhwanweb.com; another prominent source is www.islamonline.net.

234 Given the Brotherhood's exclusion from the formal political realm, one should indeed expect that the Brothers would join in the opposition's new wave of activism in 2005 because, as Ellen Lust-Okar put it, "excluded opponents benefit from challenging the regime" (Lust-Okar 2005: 85).

to have smoothly adapted their discourses on central political-programmatic traits – such as the source of law and rule making, the exertion of state power, the protection of civil rights and liberties, and popular participation in politics – to the thinking of moderate Islamist intellectuals, the most important of whom are Yusuf al-Qaradawi (based in Qatar), Tareq al-Bishri (a well-respected former judge), Muhammad Salim al-Awwa (a prominent Wasat Party intellectual), and Kamal Abul Magd (cf. Rutherford 2006). A new dynamic seems to have taken root among the younger generation of Islamist activists, in particular at the country's universities. Islamist thinking is here increasingly associated and combined with Western ideas of modernity, efficiency, and management. While this ideological re-orientation among the younger Islamists is still in flux, it has gained particular momentum by the appearance of the celebrated 'secular' preachers, such as Amr Khaled.[235]

One may reasonably speculate that these new tones do not only reflect serious intellectual revisions within the Muslim Brotherhood, but also more political-strategic considerations: It is one aim of the MB to strive for a revision of the Western – and specifically the US-American – perspective on Islamist movements in general and the Egyptian Brotherhood in particular. Indeed, recent developments indicate that a rethinking may have commenced on the side of US foreign policy makers who are increasingly open to engage into an, albeit hidden, dialogue with the moderate Islamists.[236] In turn, this contains a substantial challenge to the Egyptian regime's strategy to legitimize repressive counter-measures towards the Brotherhood by referring to its 'illegal' and 'fundamentalist' stature.

In late 2005, the Brotherhood scored its biggest success so far in formal politics: In the parliamentary elections, the Islamists won 88 out of 444 seats, although they had contested in only around 150 constituencies. Two main factors account for this astonishing success of a movement that was always subject to a high degree of statist repression. Firstly, the MB took the elections – in contrast to the presidential referendum of the same year – extremely seriously; thus, its performance reflected careful planning, ample organizational and financial capacities, and the decision to trade in its history as a social movement for a new identity as a serious political player.[237]

235 Khaled's outreach represents a new form of, so to speak, 'Islamic televangelism.' Apart from spreading the new tones via satellite TV, the internet is the prime source of outreach; for instance, the web-portal www.islamonline.net. In the political arena, the Wasat Party is, according to CEDEJ researcher Patrick Haenni, "the clearest political manifestation of the new thinking" (author's personal communication with Patrick Haenni).

236 In 2007, press reports indicate that several meetings have been set up between US government officials and MB representatives. While the Egyptian regime is obviously not amused about these meetings and continues to emphasize that the Brotherhood is an 'illegal' and 'terrorist' organization, a modus vivendi was reached by pronouncing that meetings were held with independent parliamentarians (cf. Al-Ahram Weekly, No. 847, 31 May – 06 June 2007).

237 In personal interviews with the author, Muhammad Mahdi Akef and Muhammad Habib made it very clear in December 2004 that they had no interest in participating in the presidential elections in mid-2005. The focus was entirely on the parliamentary elections. While, at the time preceding the elections, other opposition forces – and even the NDP – were still engaged

Secondly, the Brothers benefited from a political window of opportunity: driven by external pressure from the West and internal rifts within the NDP, the regime was initially ready to grant a degree of openness in the elections unprecedented in modern Egyptian history. Consequently, after the first two electoral rounds (on 09 and 20 November 2005), the authorities established counter-measures against the Brotherhood in order to make sure that its presence in parliament would not grow any larger. Out of their total share of 88 seats, the Brotherhood managed to win only 12 seats in the last electoral round held on 08 December. This third round was marked by the 'usual' degree of violence and ballot-rigging and left several people dead and wounded along with an alleged 1.300 Brotherhood supporters in custody.[238] This was followed, in the years 2006 and 2007, by a substantial shift in regime policies towards the MB that witnessed an increasingly coercive stance hitherto unseen in Egypt since the second half of the 1990s: During several campaigns of security round-ups, thousands of MB activists and supporters were arrested, the most prominent of whom were Essam al-Iryan, Mahmoud Ezzat, and Khairat al-Shater. However, they have only spent a limited tenure in prison which marks a substantial difference to the coercive period in the second half of the 1990s.

To return to the internal developments of the MB organization, the prominent representation of the Muslim Brotherhood in parliament since the 2005 elections reveals that the Brotherhood has, in the months preceding the elections, established what one could call a "proto-movement party" (Gunther & Diamond 2003: 188). While not formally recognized and legally tolerated, the Brotherhood has established organizational structures of the political representation of a mass-based political movement which shows in essence every sign of a political party.[239] As Emad Shahin and others maintain, the Brotherhood has the most efficient and well-performing political apparatus in the country.[240]

An interesting recent development is the creation of parallel proto-party structures within the Muslim Brotherhood organization. This process started with the representation of the MB in the 2000 parliament which hosted 17 'independent' members of parliament who were in essence MB members – the largest opposition block in that parliament. While this fact was not legally recognized, the Brotherhood was quick to establish a parliamentary group within its own organization. The parliamentary group's speaker Muhammad Mursi became a second, unofficial spokesperson of the Muslim Brotherhood mainly in political affairs.[241] One should, however, not

in intense discussions on the opportunities and legal framework as well as on the appropriate strategy, the Brotherhood had already developed different agendas and scenarios that could be applied according to the legal framework and political circumstances ruling the electoral process.

238 For a first account of the 2005 elections, cf. Meital (2006) and El-Ghobashy (2006).

239 This assessment is also supported by Ivesa Lübben, one of the most knowledgeable experts on the Muslim Brotherhood (author's personal communication with Ivesa Lübben).

240 Author's personal communication with Emad Shahin; see also Shehata & Stacher (2006) for a first account of the Brotherhood's performance in the new parliament.

241 Mursi was succeeded after the 2005 elections by Hamdi Hassan and, later, Saad al-Katatni.

overestimate the overall impact of this parliamentary faction on the organization itself because, usually, the more powerful Brotherhood figures refrain from campaigning for a seat in parliament. This is a consequence of the experience in the 1990s: In the run-up to the 1995 and 2000 elections, many MB members were detained. This rendered the decision to campaign for a seat a rather sacrificial adventure. On the other hand, this may well change in the future: The fact that the MB has had, since 2005, 88 members in parliament may trigger a subliminal shift of power from the 'mother organization' to a political-parliamentary center in the making.

Without any doubt, other groups out of the ambit of political Islam do not match the potential for political challengers that is a characteristic of the Muslim Brotherhood. However, there are a number of small groups and movements which are either break-away factions of the MB or independent political groups with an Islamist background. Another important point of distinction can be made with respect to the degree of militancy that characterizes political action: On the one hand, there is a number of groups that complement the realm of moderate mainstream Islamism dominated by the Muslim Brotherhood; on the other hand, a number of small radical groups have come into being that have engaged into a civil-war like scenario with the Egyptian regime.

Examples for smaller groups of mainstream Islamism are the Socialist Labor Party and the *Wasat* Party. As mentioned in a previous section (chapter 4.1), the Socialist Labor Party began as a party with leftist and Marxist credentials but picked up decidedly Islamist leanings when they engaged in a strategic coalition with the Muslim Brotherhood in the parliamentary elections of 1987. While even the Muslim Brotherhood seems to acknowledge that the SLP is part of the Islamic sector,[242] the party has been internally divided broadly between a 'secular' faction and a stronger Islamist faction led by its Secretary General Magdi Hussain. Hussain emerged as one of the most outspoken critics of the government and launched several press campaigns against government ministers during the 1990s. As mentioned above, the SLP and its mouthpiece *al-Sha'ab* were 'frozen' by the government in May 2000, but the party organization has remained working ever since.

The Wasat Party (*Hizb al-Wasat*) came into being in January 1996 as a break-away faction of the Muslim Brotherhood. Initially, some prominent, middle-aged activists attempted to gain official party status and enter legal politics. It has been one of the most well-known attempts of the politicized parts of the Muslim Brotherhood to establish a decidedly political agenda and organizational framework. As Utvik put it, the Wasat initiative "marked the first distinct crystallization of the religious-political outlook of the 1970s generation" (Utvik 2005: 294). This initiative was understood by the regime as an attempt to create a party under the control of

242 In retrospect, the MB evaluates the alliance with the Wafd in the 1984 elections as a purely tactical move triggered by the effective electoral rules which have favored party alliances. On the other hand, the coordination with the Liberal Party and the Socialist Labor Party in 1987 is seen as a "real alliance" among Islamist forces (author's personal communication with Muhammad Habib).

the MB and was therefore impeded. The regime acted quite uncompromisingly even though the movement did not necessarily look like a mere MB outlet: Only 40 out of 74 founding members were from the Brotherhood (Hatina 2005: 173). After two attempts to be officially recognized had failed, most of the founding members returned to the Muslim Brotherhood, including Abdel Mun'eim Abul Futouh and Essam al-Iryan. The movement appears today as an independent group headed by Abu al-Ela Maadi, a moderate Islamist intellectual and former MB bigwig from the middle-generation activists. A second prominent Wasat figure is Salim al-Awwa. Other intellectuals from the ambit of moderate '*Wasatiyya* Islam' who are, however, not closely associated with the party itself, are Qatar-based Yusuf al-Qaradawi or Tareq al-Bishri, a former judge and highly respected intellectual in Egypt.

The Wasat Party has gained prominence particularly among observers in the West because it is seen as a platform for discourses about the modernization of Islam, its compatibility with democracy, and dialogue with the West.[243] Accordingly, representatives from the secular opposition landscape in Egypt have been open to establishing contacts with the Wasat. As Mona El-Ghobashy put it, "Madi and his associates became darlings of the secular intelligentsia" (El-Ghobashy 2005: 387). One aspect that is consistently raised in appraisals of the Wasat's liberal nature is the fact that the organization also hosts Coptic members such as writer and sociologist Rafiq Habib (cf. Hatina 2005: 173). On the one hand, the Wasat is not taken very seriously by the regime because it is an entirely elitist and intellectual movement that does not pose any political threat to the incumbents.

What is more, relations with the Muslim Brotherhood have become conflictive, mainly over the representation and interpretation of Islam and religious principles in politics and society.[244] On the other hand, the regime refused to grant the Wasat formal status as a political party because it feared the take-over of the Wasat through the Muslim Brotherhood once the Wasat would be legally recognized. The Wasat's future prospects as a political player will not necessarily rely on whether they obtain an official party license or not.[245] Rather, it will remain a platform for discussions among moderate Islamists and secular intellectuals. In this respect, its importance may even increase in the years to come with an increasing interest of Western policy makers to advocate a dialogue with what is perceived as a moderate political Islam.

243 In the meantime, much has been published on the Wasat Party, often with particular reference to the question of whether or not political Islam might be compatible with democratic rule; cf. Stacher (2002), Wickham (2004), Hatina (2005), Utvik (2005), and Lübben & Fawzi (2000: 267-281).

244 The MB leader Muhammad Mahdi Akef downplays the conflict and has pointed out that he had himself masterminded the creation of the Wasat (author's personal communication with Akef).

245 Since 1996, three attempts have been made to achieve legal recognition as a political party. While, according to Abu al-Ela Maadi, the Wasat members will keep going tirelessly in striving for party recognition, Maadi has meanwhile comfortably adopted to the 'civil society business' and created the two NGOs, *Egypt for Culture and Dialogue* (founded in 2000) and the *International Center for Studies* (founded in 2003) (author's personal communication with Abu al-Ela Maadi).

Apart from these moderate groups, underground Islamist groups – the most prominent of which are *Jihad* (arab.: 'Struggle'), *Jama'a Islamiya* (arab.: 'Islamic Group'), and *Takfir wa al-Hijra* (arab.: 'Excommunication and Flight') – comprise loose, more or less cohesive bonds of single action groups founded during the 1970s. The Jama'a Islamiya has its roots in Islamist student groups whereas Jihad was formed as a formation of radical splinter groups of the Muslim Brotherhood. In a nutshell, their ideological doctrine is based on the thinking of Islamic philosophers like Sayyid Qutb and Ibn Taimiya, a 14th century philosopher. It is centered around the claim to establish an Islamic state based on the *shari'a* (Islamic law) and *jihad*. They have therefore employed militant means of action with the aim of overthrowing the Egyptian political regime. This is justified by the description of the Egyptian state and society as *jahiliya* (arab.: 'state of ignorance' in the pre-Islamic period). Their militant agenda – both in terms of political ideology and the employed means of political activism – constitutes the main difference to popular-centrist Islamist movements, like the Muslim Brothers; thus, we shall refer to the militant Islamist movements as the main form of resistance to the Egyptian regime rather than a form of institutionalized political opposition whose relations with the regime is based on a minimum degree of mutual acceptance.

In the early years of Islamist radicalization, Anwar al-Sadat encouraged the emergence of Islamist movements in an attempt to counterbalance leftist groups which upheld the memory of his predecessor. This genie in a bottle escaped in October 1981 when a Jihadi group carried out the assassination of Sadat. During the following decade, Jihad and Jama'a Islamiya challenged the state violently and called bluntly for the overthrow of the Mubarak government (cf. Hafez & Wiktorowicz 2004). Subsequently, the 1990s were a decade of violent confrontation between the regime and these radical opponents. The Egyptian regime under Mubarak gave up its two-sided strategy of accommodation and repression to stem the militant Islamists, and the country witnessed its own 'war on terror' resulting in about 1.300 casualties on both sides by 1997. The Egyptian regime won this conflict by destroying the military capacities of the militants and executing or incarcerating their leaders and activists (cf. Gerges 2000). A prime reason for the militant groups' defeat in the armed struggle with the regime is the fact that they had, due to their emploament of radical means of action, lost credibility and support among the Egyptian populace even though they had, like the Muslim Brotherhood, engaged in social services (cf. Toth 2003, Ismail 2000).

In 1997, the Jama'a Islamiya launched a cease-fire initiative and denounced violent means of action.[246] The fact that the most important militant Islamist movement

246 Their new political visions are formulated in four booklets written by veteran leaders and prominent activists of the movement: *Silsila Tashih al-Mafahim* ('The Revised Concept's Series'), published by Maktaba al-Turath al-Salami, Cairo 2002. The authors of the booklets are Karam Zohdi, Nageh Ibrahim, Usama Hafez, Asim Abdel Maguid, Issam Eddin Derbalah, Ali al-Sharif, Fouad al-Dawabili, and Hamdi Abdel Rahman. The issue remains hotly debated among radical Islamists to date; for instance, Muntassir al-Zayat, a lawyer and spokesman of the Jama'a Islamiya, still advocates an 'Islamic revolution' (author's personal communicati-

whose organizational structure survived the harsh conditions of Egyptian prisons had taken this stance is seen as the starting point of a general renunciation of violence on the side of the militant Islamists. It took some years for the regime to accept the Jama'a's new stance. A first sign of the regime's readiness to at least listen to the new tones was to permit the journalist Makram Muhammad Ahmad to visit and interview several Jama'a leaders in custody.[247] From 2003 onwards, the regime started to release members of the militant groups, including Karam Zohdy, one of the Jama'a Islamiya's most prominent leaders.

A somewhat different picture is presented by Jihad, which is less cohesive than the Jama'a and internally divided ever since its former leader Ayman al-Zawahiri left Egypt for Afghanistan and rose to the second man in the al-Qa'eda organization of Usama Bin Laden. Particularly the exiled leaders of Jihad want to resume violence and it remains to be seen whether the movement will join in the "great transformation" of the Jama'a Islamiya (cf. Rashwan 2000: 48). The journalist Kamal Habib, a member of the historical leadership and an intellectual pioneer of Jihad during the 1980s, encourages the transformation into a legal movement. According to him, the Egyptian state was never the main target of Jihad, coming only third behind the United States and Israel.[248]

It seems today as if the former militant groups are neither willing (Jama'a Islamiya) nor capable (Jihad) to uphold resistance on violent terms and are currently at a transitional stage. This means, most importantly, that anti-regime resistance from Islamist groups is absent in Egypt, and the groups that had performed such resistance were not able to uphold their organizational capacities.[249] While Jihad is internally divided, Jama'a Islamiya is on a path "from an Islamic religious group to a social and political group with an Islamic ideology" (Rashwan 2000: 48). This would mean, in consequence, adopting an approach similar to the Muslim Brotherhood. Two party projects also hint in this direction: *Hizb al-Shari'a* (arab.: 'Shari'a Party') and *Hizb al-Islah* (arab.: 'Reform Party') which are both initiatives of former Jama'a- and Jihad-members (cf. Lübben & Fawzi 2000, Rashwan 2000). Among the initiators are those members of the militant groups who have spent limited prison terms and been freed by the Egyptian authorities already in the 1990s. The parties are individual initiatives and do not represent either the Jama'a Islamiya

on). However, there are convincing signals to assume that the Jama'a's denouncement of violence is genuine.

247 Ahmad himself, a leftist journalist from the state-owned *Musawwar* newspaper, had been a target of the Islamists. He published his findings in Ahmad (2003). There is hardly any doubt that the regime's more lenient stance towards the radical Islamists was preceded by intensive discussions between the incarcerated members of radical groups and the security services (author's communication with Kamal Habib).

248 Author's personal communication with Kamal Habib.

249 This assessment is approved by representatives of the groups, such as Kamal Habib (Jihad) and Gamal Sultan who is associated with the Jama'a Islamiya (author's personal communication). For an 'inside view' on the historical development of the militant groups since the assassination of Anwar al-Sadat, cf. Al-Zayat (2005).

or Jihad. Rather, one can find among both initiatives members of each militant group (Rashwan 2000: 38).[250] Although the regime has made it very clear that it would not legally recognize them, the initiatives represent a clear signal for these movements' readiness to abstain from militancy and for the attempt to integrate into the political system. However, some years after the launching of the party initiatives, the projects seem to have considerably lost momentum and there seems not to be a realistic perspective that such groups could enter formal politics and enrich Egyptian party life.[251]

250 Mamdouh Ismail, for instance, is a lawyer and member of the defense team of the militants; he was himself associated with the Jama'a Islamiya and appeared on the political scene as the initiator of the Hizb al-Shari'a (Rashwan 2000: 37). Gamal Sultan, a journalist and member of Jama'a Islamiya, and Kamal Habib, a chief ideologue of the Jihad in the 1980s, are the masterminds behind the creation of Hizb al-Islah (author's personal communication with Gamal Sultan and Kamal Habib).

251 This assessment is echoed also by the party initiators who have themselves expressed pessimism about the materialization of their projects (author's personal communication with Gamal Sultan). Indeed, many prominent figures of the militant groups – an example is the lawyer Muntassir al-Zayat – joined these party projects at the time of their very announcement but stepped back from a protracted engagement when they realized that the projects were both immature in terms of ideological footing and dead-end initiatives when it came to the chances of legal materialization (author's personal communication with Muntassir al-Zayat).

Chapter 5:

Political Institutions in Egypt: Between Contention and Control

While chapter 4 focuses on the agents of contention towards the Egyptian regime, this section adopts a more structuralist perspective and examines the institutionalized channels governing contentious relations between the regime and its oppositions. It captures political institutions at the intersection between the Egyptian state and society that have been established – or taken over – from above with the aim to control society but that emerged into channels of societal political participation. Focusing on the electoral regime and parliaments, civil society organizations, the judiciary, and the religious institution of al-Azhar, this chapter reflects on the functions of such institutions between cooptation and control on the one hand, and contentious political participation performed by the opposition on the other hand.

Formal political institutions in Egypt are crafted along an authoritarian logic and framing. This means, in very general terms, that elections, parliaments, the judiciary, and professional organizations do not necessarily perform the same functions as in democracies (cf. Albrecht & Schlumberger 2004). The principal and 'natural' aim of authoritarian incumbents' institution building endeavors is the cooptation of important groups and individuals and the control of society at large. According to an authoritarian logic of institution building, they will constitute channels of state-society relations "which can be controlled, where demands can be revealed without appearing as acts of resistance, where compromises can be hammered out without undue public scrutiny, and where the resulting agreements can be dressed in a legalistic form and publicized as such" (Gandhi & Przeworski 2006: 14).

As a general rule, institutions are not crafted with the aim of accepting a threat to incumbents' power maintenance or as a harbor for rebellious groups. If this happens, something went wrong from the incumbents' perspective, and they will be quick in repressing the relevant contentious actor and changing the institutional arrangement. On the flip-side, as has been addressed more generally in chapter 2, cooptation means also inclusion and – possibly contentious – political participation; the former is not possible without accepting the latter. Authoritarian institution building always implies that actors are included and participate in the respective institutions. These actors, firstly, preserve and perpetuate some degree of autonomy from statist control and, secondly, formulate dissent towards government policies. While open systemic rebellion and the quest to overthrow an authoritarian regime is foreclosed – and any attempt into this direction (or even the threat of it) will trigger the removal of the opponent from that very institution – such realms can be used by opposition forces to increase their influence in the political game, to secure relative gains with respect to realizing their aims and political programs, and to challenge singular regime poli-

cies and representatives to a degree which may, at times, even lead to the revocation of the respective policy or the expulsion of singular regime members. Opponents can therefore use authoritarian institutions for an *entrapment* of incumbents: "Strategically minded activists can wield a form of rhetorical coercion by exploiting contradictions within official rhetoric to inflict costs on a regime and its leaders for failing to uphold prior rhetorical commitments" (Lyall 2006: 383).

On the following pages, I will explore more in-depth into the dual virtue of Egyptian political institutions between contention and control. In the focus are parliaments and elections, professional syndicates and labor unions, the judiciary, and the religious institution of al-Azhar. Several questions guide the inquiry: What is the reason for the inception of institutions? What is their impact on government-opposition relations? How and to what extent can opponents challenge incumbents in the respective institutions? How does contentious politics affect the political institutions where contention happens?

5.1. Parliament and Elections

In most polities, parliaments and elections are central to government-opposition relations. This holds true for democracies as much as for authoritarian regimes, even though one needs to stress again the difference that the access to the power to rule is not necessarily regulated in authoritarian elections.[252] In Egypt, elections and parliaments are an important tool of authoritarian control of society (cf. Kassem 1999) but they have also become the core institutions for the struggle between incumbents and opponents since the early 1980s.

The Egyptian parliament consists of two chambers: the *Majlis al-Sha'ab* ('People's Council,' lower house) and the *Majlis al-Shura* ('Consultative Council,' upper house). The members of each house are elected for a period of five years; the *Majlis al-Sha'ab* in a central vote and the *Majlis al-Shura* in three electoral rounds within one term during each of which roughly one-third is elected. The *Majlis al-Sha'ab* hosts 444 elected members plus an additional ten appointed by the president. According to the Egyptian constitution, the *Majlis al-Sha'ab* is by far the more powerful chamber compared to the *Majlis al-Shura* (cf. Kassem 1999: 35-39). While the *Shura Council* has been depreciatingly described as a "retirement haven for burned-out top-level bureaucrats, ministers, and politicians" (Springborg 1989: 137), it remains an important arena for cooptation.

In the meantime, the importance of these agencies is accepted both by the incumbents and by the opposition forces. It is quite striking to see that political struggles are mostly about representation in parliament; the latter is the main destination of activities of most opposition actors in the country. This is not surprising in the case of the political parties because their fate is closely associated with these in-

252 There is an emerging body of literature on authoritarian institutions; cf. Schedler (2006), Gandhi & Przeworski (2006), Lai & Slater (2006), Way (2005).

stitutions: A good performance in the elections and a prominent representation is the *raison d'etre* for the small political opposition parties described previously (chap. 4.1).

The Muslim Brotherhood has also, during the course of its development from a social movement to a much more politicized actor, put the quest for participation in elections and parliament at the center of its activism. This is more in need of an explanation than with the political parties: Firstly, the hindrances put in the way of the MB are much greater than with other opposition forces. Secondly, the Brotherhood possesses a property – apart from activism in the formal political institutions – that the other opposition forces do not have at their disposal: popular mass support. However, one may contend that the participation in elections does not increase the Brotherhood's popularity because elections and the parliament are considerably discredited among the wider public. Jennifer Gandhi and Adam Przeworski have argued that elections under authoritarianism are prone to intimidate the populace and remain a tool to show to the own people the power and control mechanisms of authoritarian incumbents: "Elections are intended to show that the dictatorship can make the dog perform tricks, that it can intimidate a substantial part of the population, so that any opposition is futile. Under dictatorship, everyone knows that their rulers are not selected through elections" (Gandhi & Przeworski 2006: 21). Why, then, should the Muslim Brotherhood – and other opposition forces – participate in elections and, as a consequence, provide some credit in the form of political legitimacy to these institutions?

While it is rather speculative to impute to opposition actors the personal, rational reflection to be coopted by the regime, one may rather contend that they perceive elections as a good opportunity to hurt the regime and challenge singular policies at relatively little costs and risks. In a nutshell, the logic goes as follows: On the one hand, elections and parliaments constitute an important component of the regime's outside-oriented legitimation strategy at the core of which is the attempt to portray the picture of a relatively liberal authoritarian regime which is on its way towards establishing democracy (cf. chapter 1.2).[253] On the other hand, this legitimation strategy involves restricting repressive counter-measures towards oppositional activism in the electoral and parliamentary arena. As a consequence, this activism is a good opportunity for 'regime entrapment' in the hands of the opposition.

The participation of opponents in the electoral arena is a delicate issue for the Egyptian incumbency for another reason: Challenges within parliaments and elections have a greater quality and more dangerous political implications than in other authoritarian regimes in the MENA. The Egyptian regime is more vulnerable than, for instance, the traditional monarchies because it suffers from a structural legitimacy deficit. The monarchs in Jordan, Morocco, and Saudi Arabia along with the

253 Sheila Carapico has uncovered the 'election trick' quite precisely: "Incumbent national leaders invite foreign monitors only when it is in their interest to do so," and: "Under these circumstances, electoral festivities are choreographed by and for visiting dignitaries" (Carapico 1998b: 20).

emirs in the small Gulf states can rest on traditional personalized legitimacy. An inherently embedded, automatic right to rule including the hereditary shift of power within the ruling family is not at stake for the republican presidents in Egypt. Rather, their stress on public support is based to a greater degree on the perception of their personal qualities and individual efficacy, that is, on what they do rather on who they are. As a consequence, and quite in line with the logic of the core working mechanisms of a liberalized authoritarian regime, strategies of cooptation and control are of central importance for the Egyptian incumbency; and, in comparison, those regime pillars which have been established to this aim are of an even greater importance than in the monarchies. Even a quick comparison of Egypt with Morocco and Jordan reveals that the Egyptian NDP as a mass party is central to the regime's quest for societal cooptation and control, whereas the Moroccan and Jordanian regimes lack such an authoritarian organization. The reason is that the Moroccan and Jordanian kings do not necessarily need a powerful state party to secure their power maintenance; the Egyptian regime does need such a body.

This has palpable implications for the political realms where such state organizations perform: parliaments and elections. In short, the Egyptian president will always have to restrict the degree of competition to which the NDP is exposed, whereas the Jordanian, Moroccan, and Saudi kings can observe, relatively unworried, the struggles within their respective parliamentary bodies. Within parliaments, we can therefore distinguish between more "competitive" (monarchies) and "hegemonic" (republics) arenas for regime-opposition relations (Albrecht & Wegner 2006: 128).[254]

Baaklini, Denoeux, and Springborg (1999: 229) identify three characteristics of contentious relations between regime and opposition in Egypt: "The first is that access to parliament is the principal point of contention between government and opposition. The second is that the centrality of parliament varies inversely with the degree to which the executive has consolidated power. The final characteristic is that presidential legitimacy is largely a function of the representation of the opposition within the legislature: the fewer opposition MPs in parliament, the lower the level of presidential legitimacy."

This is the general background of opposition activism in elections and parliaments. It implies that it is rational for opponents to engage in formal activism in this realm because they know that they can attempt to hurt the regime with relatively little risk. This also explains the great effort that opposition groups invest in the attempt to be legally recognized as political parties, and of individual politicians to strive for a seat in parliament. Such a strong motivation and dedication can be observed throughout the oppositional groups described in the previous chapter 4: the established political parties, the 'frozen' parties which struggle to be reintegrated in formal politics, the Muslim Brotherhood, and even the Kifaya movement which

254 For such "structures of contestation," see prominently Ellen Lust-Okar's work on political opposition and its relationship with incumbents in the MENA (Lust-Okar 2005 and 2007).

seems to be on the path to trade in its credentials as a street protest movement in order to enter the formal political arena of parliament and elections.

To return to the institutions, the logic described above also explains the changes and development of the structural design and the impact of this political arena. Parliamentary and electoral politics in Egypt have a history of alternating contractions and expansions of the opportunities of activism in this realm. Being such a delicate issue, the regime changes the rules of the game and the "structures of contestation" (Lust-Okar 2005) in frequent intervals, most importantly by adapting the legal rules of the electoral process each time during the run-up of electoral rounds. Moreover, the degree of coercion to which opponents are exposed changes from one parliamentary rally to the next. Both the formal rules of elections and the degree at which coercion is used depend upon the general situation in which elections take place – including the national and the international political environment – as well as on the political challenger in the process. Simply speaking: While formal rules and regulations are meaningful – and therefore subject to regular changes – their application still depends very much on the performance and the threat potential of different opposition actors.

In the Egyptian history of multi-party electoral politics, one can identify six rounds of parliamentary elections which took place during more liberal compared to more illiberal phases. Very roughly, one can distinguish between three phases: 1) a protracted phase of electoral institution building under a liberal framework (1984-1987), 2) illiberal elections (1990-2000), and 3) an 'authoritarian failure' in 2005.

The parliamentary elections of 1984 and 1987 took place in a relatively liberal political framework.[255] The regime's strategies of confinement were largely limited to an intimidation of the opposition press and individual opposition figures (cf. Springborg 1989: 191-197). Thus, the opportunity structure for opposition groups was relatively promising. Two reasons are responsible for this development: Firstly, the mid-1980s proved to be a 'honeymoon period' for the opposition, with President Mubarak still having to consolidate his grip on power. Secondly, the whole system of party and parliamentary life was still in the making. The two elections of 1984 and 1987 were the first elections during which the authoritarian post-1952 regime clashed with a formally independent political opposition: The new state party NDP was set against some infant opposition parties – the Tagammu, the Liberal Party, and the SLP – and the Neo-Wafd Party along with an informal participation of the Muslim Brotherhood which was not granted legal party status.

255 The first multi-party elections in modern Egyptian history took place in 1978, shortly after the issuance of Law No. 40 of 1977 that regulates elections until today and was amended only very recently in 2005. The 1978 elections took place in a political environment that became decidedly illiberal after Sadat had pushed through the Camp David peace accord with Israel and faced fierce opposition within his own country and also among the political elite. While, at first sight, more than one party participated, the elections were entirely orchestrated and the running 'opposition' parties (Liberal Party, SLP, Tagammu) were still seen as platforms and an integral part of the regime. In the end, the NDP won 347 seats, the SLP 29, and independent candidates 10 seats (cf. Baaklini, Denoeux & Springborg 1999: 226-228).

The elections should thus be seen as test cases both for the regime, which needed to learn how to deal with an emerging opposition landscape, and the opposition, which had to find its place in the Egyptian political system. One good indicator for this account can be seen in the changes of electoral laws and amendments in the run-up to the elections: Never again have they been so significant than in these early years of electoral politics (cf. Kassem 1999: 94-101).[256] To put it briefly, the 1984 round was designed to contain the recently re-established Wafd Party which was deemed the leading opposition force. However, the regime realized that the established party-list system and the high entrance hurdle of eight percent of the votes only encouraged cohesiveness within the opposition parties and alliances among different opposition groups. The opposition made use of this opportunity and scored some successes at the polls. The numbers of opposition representatives rose remarkably during the 1980s: from 33 in 1979 to 64 in 1984 and finally to 100 opposition members in parliament after the 1987 elections (cf. Alam 2006: 140).

The rules of the game became subject to profound changes again after the 1987 elections. The most important modifications pertained to the change from a party-list system to an individual-candidacy system which has become the core mechanism of further elections ever since. This is one of the prime reasons for an 'individualization' of Egyptian politics in general and of the organizational incoherence of political parties in particular. Moreover, the 1990 parliamentary elections marked a decisive shift towards a more illiberal electoral framework. The regime was obviously not very enthusiastic about the opportunities for the opposition that it had put at stake in the 1980s. Indeed, observers witnessed the starting point for a decade of political deliberalization embracing higher degrees of repression not only towards the Islamist challenge but political opposition and society at large (Kienle 1998; Brownlee 2002).

As a consequence of an entirely less liberal electoral framework, all opposition parties, including the Muslim Brotherhood but with the Tagammu Party as a prominent exception, boycotted the 1990 elections (cf. Kassem 1999: 101-107). Therefore, the elections witnessed a sharp drop of opposition representation in parliament from 100 (1987) to a mere seven successful candidates. While the smaller opposition parties resumed participation in the 1995 and 2000 electoral rounds, they were clearly under the impetus of the struggle between the regime on the one hand and the Islamist current on the other. With respect to electoral politics, it meant that the containment of the moderate Muslim Brotherhood rendered these elections a farce, even compared to other elections under authoritarian settings (cf. Kassem 1999: 108-121, Kienle 2001: 51-62).[257]

256 What is more, all electoral rounds in the 1990s were contested by the opposition in front of the courts, and the amendments regulating the elections have been judged unconstitutional by the Supreme Constitutional Court. This is the reason why the parliamentary sessions of five years have not been completed.

257 The opposition parties were able to take 12 (1995), 16 (2000), and 14 seats (2005). It should be noticed in this context that it is misleading to take representation numbers in parliament as a viable indicator to assess the strength or weakness of opposition parties in general. While

In retrospect, the 2000 parliamentary elections proved to be another turning point in electoral politics (cf. Kassem 2004: 63-81, Abdel-Latif 2001). This is not so because the opposition was able to secure a substantially higher stake in the vote.[258] While still subject to a high degree of violence, vote rigging, and repression preceding the polls, three aspects are worth special consideration: Firstly, the elections were placed under the judicial observance by the Supreme Constitutional Court. While this did not have the effect of the establishment of an independent electoral supervision, it bolstered the role of the judiciary as the institution designed to perform this task. This explains why the independent courts, at the helm of which are the SCC and the Court of Cassation, emerged into a prominent source of opposition to the regime in the 2005 elections (cf. chapter 5.3 below).

Secondly, struggles within the regime party NDP intensified, which induced an increasing measure of political competition in the electoral process. While competition did not increase between regime and opposition, but within the NDP, the very fact itself boosted the overall significance of the electoral process. This process also aggravated in the 2005 elections. Thirdly, even though the Muslim Brotherhood experienced, in the second half of the 1990s, the most repressive period since the Nasser era, it was able to secure 17 seats in the 2000 parliament which can only be understood as a clear signal of the increasing importance of the movement.

These aspects became even more prominent in the following elections in 2005. This year witnessed a stunning success of the Muslim Brotherhood at parliamentary elections (cf. Meital 2006, Shehata & Stacher 2006), an increasing intra-regime competition among NDP cadres (cf. Collombier 2007), and a struggle between the regime and the judiciary (cf. more in-depth below). Referred to, by some observers, as the 'Cairo spring,' this year saw a liberal window of opportunity for the opposition which affected the electoral process considerably.

It all started with a little political earthquake in April 2005 when the regime announced it would amend the constitution for the first time since 1980.[259] At the center of the changes stood article 76 which governs presidential elections (cf. Hassabo 2006). Until then, a single candidate had been chosen by a two-thirds majority vote in parliament, with the vote being reduced to a mere yes-or-no referendum. The amended article stipulated that, in the 2005 presidential election, every member of a

we may contend with a fair degree of certainty that the importance of political parties has declined during the 1990s (cf. chap. 4.1), their performance in elections does not primarily depend on their own strength or weakness, but on the degree of openness of the elections which is subject to considerable changes from one rally to the other.

258 From a total of 444 seats, the Neo-Wafd received 7, Tagammu 6, the Nasserists 2 (plus 5 independent Nasserists), and the Liberal Party 1. Unaffiliated independents won 14 seats (Makram-Ebeid 2001).

259 The amendments were subjected to a popular referendum on 25 May 2005. According to government sources, 82.9 % voted in favor of the amendments. Official voter turnout was high at 53.6 %, a figure heavily disputed by the opposition.

legal party's board could run for president.[260] Although the regime's concessions still contained fundamental restrictions which foreclosed any real competition for the power to rule, they fuelled a rising awareness among the opposition to tackle the regime at its very core: the presidency. Consequently, several opposition figures announced their intention to run in the presidential elections. In addition to some independent opposition figures (Sa'd Eddin Ibrahim, Muhammad Farid Hassanein, and Nawal Saadawi), some parties quickly filed their own candidates as well. In the end, Ayman Nour (Ghad Party) and Noman Gomaa (then still with the Wafd Party) were the most prominent contestants from the opposition forces.[261]

Driven by their enthusiasm about the regime's having met some of their most prominent demands – and allowing 'more' competition in the presidential elections – the opposition parties went one step further in their preparation for the parliamentary elections which took place in a three-round rally between November and December 2005. While the presidential elections had once again revealed substantial disagreement among the opposition parties – with some parties participating and filing candidates and others (like Tagammu) defecting – an attempt to unify the opposition took many observers by surprise: On 08 October 2005, the *National Front for Change* (NFC) saw the light of day under the leadership of the well-respected former prime minister Aziz Sidqi, the leading figures of the main opposition parties (except the Ghad Party of Ayman Nour), prominent representatives of the 'civil society business,' Kifaya, and – most remarkably – the Muslim Brotherhood. The aim of the NFC was to unite the opposition forces and coordinate a common strategy in the parliamentary elections. While those aims did not materialize, and the NFC initiative was rather short-lived, it is noteworthy that opposition forces of all colors gathered at the Brotherhood's traditional, highly politicized *Iftar*-feast at a five-star hotel in suburban Cairo in a stunning show of unity.

During the course of the year 2005, it seemed that the parties had been capable of successfully challenging the boundaries established by the authorities and widened their space for political action to an unprecedented extent. The NFC indeed filed a common list of candidates, though without the Muslim Brotherhood that, in the end, chose to present its own list of candidates. The parliamentary elections in November and December 2005, however, came about as a terrible blow to the rejuvenated hopes of the opposition parties. Their results were miserable: Only around 12-15 successful candidates (of 222 running) were associated with the NFC (eight Wafd; two Tagammu; one Liberal Party; some independent candidates). At the same time, the MB scored a thrilling success at the polls that triggered a rapid shift in the regime's

260 In the next presidential elections in 2011, candidates from political parties securing five percent in both chambers of parliament will be eligible. Though, looking back at the history of Egyptian elections, it is hardly imaginable that this legal framework will remain unaltered over the interim period.

261 Needless to say, the presidential election of 07 September 2005 was not designed to pose a real challenge to the president. The official result was 'designed' to see Mubarak (88.5 % of the votes) ahead of Ayman Nour (7.6 %) and Noman Gomaa (2.9 %); official voter turnout was 23 % (Hassabo 2006: 49).

engineering of electoral politics and a new quality of repressive containment that did not only target the Muslim Brothers but the opposition at large (cf. chapter 4.4).

Elections provide the opportunity for a 'learning curve' for the political regime: Different electoral designs can be tested along with different degrees of openness concerning the inclusion of opponents in the formal political realm. On the other hand, the incumbents can not always and completely avoid a misperception in authoritarian strategies of limited inclusion: In the 2005 elections, the regime obviously underestimated the capacities of the Muslim Brotherhood and was therefore forced to terminate a liberal experiment and introduce a more repressive containment strategy. This shows, in turn, that elections can become a viable arena of contention; at least, they are a 'show-room' for opposition forces where they can sharpen their programmatic distinctiveness and mobilization capacities both in front of their own constituency and towards outside actors, such as the US administration, that have consistently played a prominent role in Egyptian politics.

5.2. Labor Unions, Professional Syndicates, and the 'Dialogue Organizations'

As we have seen above, participation within electoral politics is deemed the main option of activism among the opposition forces, but it is also subject to substantial government interference. This explains why the Egyptian opposition has always searched for other opportunities to stage political activism. Other institutions at the intersection between state and society include the lobby and interest groups of labor and professional guilds as well as a number of state committees which have been established to address distinct policy issues. Different opposition forces have staged several attempts at entering these institutions and increasing their influence in them. The aims were manifold: Some organizations have proven useful to increase organizational capacities and communication channels; others could be used to increase popular support; and yet another motivation is to enter into a dialogue with the regime.

Like in other countries in the MENA, the post-1952 revolutionary regime in Egypt has established a large body of state bureaucracy that included the establishment of labor unions and professional associations. Quite naturally from an authoritarian logic, they have not been designed with the aim to orchestrate, at least not as autonomous organizations, the organization and representation of the interests of the relevant parts of society. In that latter respect, Egyptian society has remained rather "unincorporated" until the time being (Moore 1974). Rather, these organizations were crafted solely for cooptation purposes (cf. Bianchi 1989); therefore, they reveal a common form of political participation orchestrated from above as it was described in chapter 2.2.

However, in some of these organizations, a dynamic set in over time at the center of which was the inclusion of opposition forces into these organizations. As a consequence, they have shifted away from mere cooptative instruments of statist control and developed into institutionalized harbors for contentious activism. This process

set in, and experienced a new dynamic, when the state lost control over some of these organizations.[262]

Firstly, it should be said that the Egyptian corporatist structure did not share the fate of other regimes in the region with respect to the labor organizations. For instance, Islamists have taken over large parts of the statist structure of labor unions in Tunisia and Algeria; and, as a consequence, these organizations have changed sides and became part and parcel of the Islamist challenge towards the state (cf. Alexander 2000). In general, labor unions have often been become an important harbor for contentious political participation described in chapter 2.2. This did not happen in Egypt, at least not in the post-1952 regime.[263] Rather, ever since the foundation of labor unions under Nasser, the organizations have remained under the tight control of the state and embedded into a hierarchical, unified organizational structure at the top of which is the *General Federation of Trade Unions* (GFTU) (cf. Pripstein Posusney 1997).[264] One consequence of the cooptation of union leaders is that "it is not unusual to find individuals who simultaneously represent workers and government" (Kassem 2001: 65). This is quite important for the Egyptian regime given the vast potential of labor protest in a country which belongs to the comparatively well-industrialized in the region and therefore has a large labor force among its populace. It was indeed found that, in wider perspective, "the cooptation of labor is especially important for dictatorships when workers constitute a large segment of the population and an important input to production" (Gandhi & Kim 2005: 6).

A corporatist development does not mean that the labor unions were always in line with central regime policies. As Agnieszka Paczynska has observed, "corporatist labor institutions, established by the post-revolutionary Egyptian regime with the goal of politically controlling unions, over time became more autonomous from the state and provided organized labor with the institutional tools to challenge the state" (Paczynska 2006: 47). One remarkable difference to other countries, however, is that opposition forces in Egypt were never able to 'take over' single labor unions. The latter have, in some instances, indeed lobbied for autochthonous labor interests, but they have not opened up any space for oppositional activism.

262 For a first recent very insightful, comparative discussion on professional associations between contention and control, cf. Moore & Salloukh (2007).

263 In the 1940s, the Muslim Brotherhood was quite determined to include labor into its efforts of societal outreach and mobilization, despite the ideological reservations which were unavoidable due to the class-based nature of labor consciousness. For instance, and quite ironically from a contemporary viewpoint, the Brotherhood "thought of strikes and other expressions of working class struggle simply as plots of atheistic communism which must be combated" (Beinin 1988: 219).

264 Two statist organizational bodies are responsible for labor affairs: the *General Federation of Trade Unions* (GFTU) – including a whole network of subdued labor unions – and the *Ministry of Manpower* (cf. Kassem 2001). Contrary to other countries in the region – such as Morocco and Algeria – Egypt has a unified system of labor unions that is organized strictly along hierarchical top-down arrangements and does not allow for the emergence of competing unions (El-Mikawy & Pripstein Posusney 2000, Pripstein Posusney 1997: 86-91).

What is more, in times of neo-liberal reforms and the advent of 'crony capitalism,' lobbying on behalf of labor is much more difficult than on behalf of the interests of capital holders. The latter can count on excellent personal connections with the political incumbency and – if at all necessary – on potent lobby associations, such as the *Egyptian Businessmen's Association* or the *American Chamber of Commerce* (cf. Kassem 2001: 71-76). While some members of the opposition parties – in particular the Tagammu Party – are active in the labor union structure, the boards of the labor unions, and of course also the headquarters, have remained under tight control of the state. Therefore, labor unions are organizations in which intra-elitist dissent has risen – especially in times of economic liberalization – but no political opposition.[265]

An entirely different picture can be drawn with respect to the organizations that represent the professional groups: the professional syndicates for physicians, engineers, journalists, teachers, and lawyers. In essence being a third realm of institutions between labor and capital, the organized representation of such professions is deeply rooted within Egyptian society. The first clubs and syndicates of the above mentioned professional groups were founded in the late 19th and the early 20th century (cf. Fahmy 2002: 100). Since the 1952 revolution, these professional syndicates have been designed to represent parts of society that have always been of imminent importance for the regime: the urban-based, well-educated middle classes. They were always central to the authoritarian regime's corporatist penetration of society (Bianchi 1989: 90-123).

Those professional middle classes are quite distinct from other strata of the Egyptian society such as the masses of blue-collar worker and farmers, but also the traditional bazaar, big business, and landowners. Their importance – and numbers – increased with Nasser's project of national modernization that included the composition of a modern institutional body which could only be run by such educated people. With the politicization of such institutions, the people did so as well – either in support of the regime or, with the demise of Nasserism, increasingly as a persistent source of opposition (cf. Piro 2001). That the middle classes and, for that matter, the bourgeoisie and the private sector, have been both a social source of support for and opposition towards the regime has been duly explained by Robert Bianchi, who coined the term "hyperfragmentation" in order to account for the distinct strata, generations, and interests among the Egyptian bourgeoisie (Bianchi 1985: 154).

The syndicates have continuously been a stronghold of circles that were not completely in line with the regime. With the ongoing fragmentation of the political elite under Sadat, dissent became a constant and virulent phenomenon within the

265 Reports claim that, in recent years, the Muslim Brotherhood staged an attempt to increase its influence in the labor unions by filing candidates in the unions' board elections. However, these attempts have been met by substantial counter-measures from the regime that was quite successful in keeping the MB out of the labor representing institutions (author's personal communication with Mohammed Sayyed Sa'id).

syndicates. Therefore, the Mubarak government was well aware of the fact that the syndicates would form a platform for leftist and nationalist opposition complementing the realm of political parties. What took the regime by surprise, however, was that the Islamists were astonishingly successful in several elections of the syndicate boards and integrated smoothly and quickly into these organizations. By the early 1990s, some of the most important professional syndicates had completely shifted away from government control and became important harbors for the organization and expression of political opposition.

Political activism among the professional syndicates happened to become particularly attractive for both the Islamist and the secular opposition: Firstly, access was facilitated by the fact that most active members of the opposition forces were of a professional background that led them quite naturally into the syndicates. Secondly, the regime, at times, did not closely observe the developments within the syndicates. As long as the respective association's presidency seemed to remain safely in the hand of a figure close to the regime, the latter refrained from observing board elections all too closely. Thirdly, in the 1980s the opposition was searching for an opportunity to develop their organizational capacities and a formal political realm within which the coordination of their activities and communication among each other could be performed.

This aspect became particularly important for the Muslim Brotherhood: The then younger generation of activists who were recruited from the universities in the 1970s realized that their bid for the politicization of the movement would not be achieved within the ambit of political parties, elections, and parliament. It was clear that the regime was ready to put substantial obstacles in the way of the MB's participation in this realm. In lack of other viable options, the syndicates came about as a perfect opportunity to develop the politicization project of the *gil al-wasat*. It is striking to see, for instance, that the top cadres of the Muslim Brotherhood's middle generation usually do not strive for a seat in parliament today. This ceased to be an option for them ever since the run-up to the 1995 elections during which many MB candidates were detained and subsequently sentenced to multiple years in prison. Since the doors of parliament seemed to be closed for the MB, the importance of the syndicates even rose as substitute organizations for political activism and participation.

In entering the syndicates, "Muslim Brother activists gained an opportunity to hone their leadership skills, broaden their base of support, and present an alternative model of political life" (Wickham 1997: 131). The syndicates' board elections – in which, in essence, the MB scored their first remarkable successes in the formal political arena – were conducted in a comparatively open, just, and liberal fashion and developed into remarkable islands of democratic practice. Therefore Robert Springborg states: "Professional Syndicates (…) provide through their elections a good indication of the balance of power between government and the secular and religious oppositions" (Springborg 1989: 188).

To create an alternative model of political life was certainly not in the minds of Egypt's rulers, and they must have been on high alert concerning the takeover of the syndicates by the Muslim Brotherhood. By September 1992, the Islamists had occupied the majority in the boards of the engineers', the doctors', the pharmacists', and

the lawyers' syndicates respectively (Kienle 2001: 85). What is more, their activities and performance in these organizations were perceived, from the very beginning, as well-thought out, effective, and professional, not only among their own followers but also among others concerned with the relevant professional field and among political commentators (cf. Wickham 1997, Fahmy 1998). The political incumbency reacted to these developments shortly after the Islamists had taken over the majority in the board of the Bar association in September 1992. This came as a minor earthquake because the lawyers' syndicate had always been a stronghold of liberal and national tendencies. Secondly, the effect that this might have on the judicial system was seen as particularly critical. Consequently, the regime pushed through, among other restrictive counter-measures, Law No. 100 of 1993 which since governs syndicate board elections.[266]

The regime has put several impediments in place, however, it did not succeed in foreclosing oppositional activism within the syndicates and bring them back under statist control. Rather, they have remained strongholds of the opposition until today: The doctors' syndicate is firmly in the hands of the Muslim Brotherhood and hosts important figures of its younger leading cadres such as Essam al-Iryan, Abdel Mun'eim Abul Futouh, and the Alexandria-based Gamal Heshmat. Within this syndicate, the MB regularly organizes meetings and activities. Similarly, the engineer's syndicate is another stronghold of the Brotherhood leading to the virtual freezing of the syndicate's activities since 1995 on the grounds of the restrictive Law No. 100. The trick here is the protracted impediment – by the law – of holding board elections which would almost certainly witness a sweeping victory of the Islamists.

Within the press syndicates, many independent liberal, leftist, and nationalist intellectuals have found a base to exchange political views and communicate with one another in lack of a viable common political platform. This syndicate is particularly politicized because many journalists are among the most active opposition figures. Examples include Nasserist and *Karama*-founder Hamdeen Sabahi, one of the most outspoken opposition members of parliament between 1995 and 2005, his *Karama* fellow Abdel Halim Qandeel (editor-in-chief of the movement's mouthpiece *al-Karama*, newly established in September 2005), Rif'at Sa'id (Tagammu party chairman), Magdi Hussain (leader of the SLP), Mohamed Abdel Alim (another member of the 2000-2005 parliament), and the two outspoken independent journalists Mustafa Bakri (editor-in-chief of the oppositional weekly *al-Usbou*) and Ibrahim Eissa (editor-in-chief of *al-Dustour*; he received a one-year prison sentence for attacking President Mubarak in July 2006). A journalist associated with the Muslim Brotherhood is Mohamed Abdel Quddous. The syndicate's chairman is Galal Arif of the Nasserist Party's *al-Arabi* newspaper.

266 In reality, the new formal rules complicated such board elections considerably by the requirement that 50 % of all syndicate members had to participate in the elections in order to render the results valid. As a consequence, future board elections often ended in a legal limbo because the necessary margin could not be obtained and the syndicates were put under external judicial supervision (cf. Kienle 2001: 85, Fahmy 2002: 107).

The syndicate fell somewhat out of regime control when its long-time chairman Ibrahim Nafie, then editor-in-chief of the statist al-Ahram newspaper and known to have been Mubarak's man in the national press, failed to be re-elected.[267] Journalists were united, for instance, in their appeal for a new press law in summer 2006 (cf. Al-Ahram Weekly, No. 803, 13-19 July 2006). However, they were not able to prevent the return of a more restrictive stance of the authorities toward critical voices in the press after the 2005 parliamentary elections.

Another organizational body to represent a professional guild is the Bar association. This syndicate for lawyers and judicial personnel became an organization divided between roughly equal factions of secular and Islamist opposition forces. 10 out of 24 board members are affiliated with the Muslim Brotherhood. One of the more prominent MB representatives is Ahmed Saif al-Islam al-Banna, son of the movement's founder Hassan al-Banna and member of the Brotherhood's *Maktab al-Irshad* ('Guidance Bureau'). The former Wafd Party's chairman Noman Gomaa has also been active in the Bar association. The chairman of the Bar association (since 2001), Sameh Ashour, is a Nasserist who has put down his party membership in order to appear as a candidate of compromise between the different political currents. He scored a sweeping victory at the syndicate's board elections in February 2005.

The association is today of particular importance for the communication between these opposition camps; this facet is not to underestimate bearing in mind that the regime has always tried to hinder exactly that. The Bar association – together with the adjacent Supreme Judicial Court building and the nearby press syndicate – forms what one could coin the 'protest corner' in downtown Cairo where the geographical point of origin for Kifaya demonstrations and many other protest activities can be located.

In sum, the professional syndicates remain an important scene of contention between the regime, on the one hand, and various forms of tolerated opposition, including the Muslim Brotherhood, on the other hand. The political relevance of these organizations rises when opposition actors perceive their opportunities to be restricted in other areas of contention, in particular elections and parliament. This was the case at the outset of the 1990s (cf. Ismail 1995). The regime has remained reluctant to intervene all too strongly into the syndicates' affairs even though it has assured through various legal and informal means that Islamist outreach was contained at a level that was reached in the early 1990s. In the end (and this may well explain the relatively moderate stance of the regime), the effectiveness of activism in the syndicates is somewhat restricted to an expansion of organizational skills and structures as well as on communication and cooperation among opposition forces; the degree of challenge in politics proper is limited.

This also holds true for another kind of institution regulating state-opposition relations: the 'dialogue organizations.' I denote with this term a number of committees

267 Nafie later fell into disgrace and faced charges of corruption for the alleged misappropriation of public funds.

and organizations that have been – and still are – invented by the regime at irregular intervals with the aim to provide a forum for discussions on thriving current affairs which have been identified by the opposition to be issues of contention. Such issues include foreign policy and economic policy issues as much as, most prominently, discourses about political reforms, more freedom, and democracy.

Starting in the early 1990s, there have been several waves of national dialogue (arab: 'al-Hiwar al-Watani') initiatives. They were initiated with the aim of communication between the regime on the one hand and the secular opposition forces on the other hand. While Islamists, both the radicals as much as the moderate mainstream political Islam, have usually been excluded, it is again important to note that the regime neither has any principal objections towards Islamist discourses and ideologies nor does it favor liberal, leftist, and nationalist thinking. Rather, it is the strength and autonomy of the Islamist opposition – in particular the Muslim Brotherhood – and the weakness of political parties and the civil society business that renders the regime much more open to coopt the latter and exclude the former.

The politics of 'national dialogue' have always been part and parcel of the "maneuvers and efforts carried out by the holders of power to maintain the existing structure" (Ismail 1995: 37). From the regime's perspective, two – often intertwined – reasons account for the establishment of dialogue organizations: They can serve as a security valve in times of political crisis, to placate challengers, and as an option to feed opposition demands some carrots. Secondly, political dialogue initiatives have been introduced particularly at times when the regime found it inevitable to introduce coercive measures to another challenger, usually Islamists. The motivation is then to counter illiberal and exclusionary policies by opening other channels of inclusion towards those parts of society and the opposition that are not at the center of coercion.[268]

The recent years have witnessed a new dynamic in 'dialogue politics.' In April 2003, the regime announced the establishment of the *National Council on Human Rights* (NCHR) as a committee in which members of the tolerated human rights groups were invited to participate.[269] It was, according to Law 93 of 2003, officially designed to become an advisory committee fostering human rights affairs and fairness in the political and legal processes, but it does not have any legislative power; its around 25 members are appointed by the president even though it reports to the parliament's upper chamber, the Shura Council (cf. Stacher 2005).[270] At first sight,

268 The strategy to establish such national dialogue institutions has been analyzed by Salwa Ismail in the context of a "politics of stabilization" in the early 1990s when the regime started to engage into a fierce military battle with militant Islamists (Ismail 1995: 39).

269 Throughout the Middle East, one can detect a whole wave of newly established human rights institutions that came into being in eight states other than Egypt: in Morocco (1990), Tunisia (1991), Algeria (1992), Palestinian Territories (1993), Yemen (1997), Jordan (2000), and Qatar (2003) (cf. Cardenas & Flibbert 2005).

270 The National Council on Human Rights came effectively into being only in February 2004. Since 2005, it has issued annual reports in which human rights violations, police torture, and the effects of the emergency law were on top of the agenda.

the establishment of the NCHR seemed to prove the regime's dedication to listen to the demands of politically relevant civil society organizations and political opposition out of the NGO business. 'Human rights,' 'civil liberties,' and 'more democracy' have been the terms of these days – and the regime has learned quickly how to participate in these discourses without offering any reason to believe that demands were to be materialized. Rather, the establishment of the NCHR followed the logic of controlling and better observing those groups, individuals, and NGOs that figured prominently in such public discussions.

The timing of the installation of the NCHR is particularly intriguing: While discussions about the establishment of such a forum have spread around political circles in Cairo since around 2000, it should not come as a mere coincidence that the plans materialized shortly after the US-led military invasion of Iraq. In the latter's immediate aftermath, the Egyptian regime came under pressure from opposition forces that organized demonstrations and demanded a clear condemnation of the attacks which, however, the regime remained reluctant to issue due to the strategic partnership with the USA.

On the other hand, the new organization indeed provided an institutionalized channel for human rights groups to engage into discussions with the power holders. In particular, the NCHR serves as an important institutionalized scene of cooperation between the tolerated opposition and an increasingly prominent faction of the political elite that has initiated, under the auspices of the president's son Gamal Mubarak, a reform discourse that emerged into a, so to say, state-sanctioned democracy talk and primarily serves the purpose of granting Gamal Mubarak and a new elite some space to establish themselves in the political arena. Gamal Mubarak has risen in the ranks of the political incumbency ever since he entered the National Democratic Party (NDP) as head of the influential Policies Secretariat. Observers of Egyptian politics have since speculated that Gamal Mubarak would be built up as the coming president. Moreover, an ostensible split within the political elite was identified pitting an 'old guard' of close, long-time political advisors of the incumbent president and the new guard of young, dynamic, business-oriented 'Gamalists' (cf. Collombier 2007, Hassabo 2006).

Members of the NCHR who belong to the regime's reform faction include former UN Secretary General Boutros Ghali, Hossam Badrawi, the NDP-parliamentarian Mustafa al-Fiqqi, and journalist Osama al-Ghazali Harb. Some people from the realm of the tolerated opposition include the Wafd Party's Munir Fakhri Abdel Nour, Nasserist (and head of the press syndicate) Galal Arif, head of the Egyptian Organization for Human Rights Hafez Abu Sa'da, and another human rights activist Bahey Eddin Hassan (Stacher 2005: 3). The lawyer and moderate Islamist intellectual Ahmad Kamil Abul Magd serves as the organization's Secretary General and deputy chairman. Other human rights groups and oppositional NGOs have distanced themselves from both the NCHR and those fellow activists who decided to participate in it. Critics point out that the committee had been established for a mere window

dressing rationale; and those human rights activists who participate in it would only serve that very purpose.[271]

While the National Council on Human Rights is probably the most prominent among the dialogue institutions in recent years, it is not the only one. Other committees are less visible because they focus on less catchy terms and debates. They include the *Foreign National Defense Committee*, the *Industry and Energy Committee*, the *Human Resources Development Committee*, the *Higher Press Council*, the *Political Parties Committee* (PPC), and the *Legislative and Constitutional Affairs Committee* (LCAC). As mentioned above, the PPC is in charge of the legalization of political parties. The LCAC rose to prominence in the course of the preparation of the constitutional amendments in May 2005 and again in March 2007. In contrast to the NCHR, these two committees (and most other Shura committees) are firmly in the hands of NDP members or other people closely tied to the regime because the issues and decisions that the respective committees deal with, are much more vital and sensitive for the regime than the hollow discussions within the NCHR. An organ similar to the regime-dominated Shura committees came into being in July 2005: The *Presidential Election Commission* was established to prepare and supervise the 2005 presidential elections. The 10 man council consisted of a number of judges from the higher courts along with a number or regime-affiliated people.

In this context, it is important to highlight the efficacy and importance of the Shura Council in Egypt's political structure. While often referred to as a rather futile second chamber of parliament that has no formal power, it remains – as the government institution in which all these committees are embedded – an important channel of cooptation and control (from above), but also a channel of participation for those who are included in the committees or the Shura Council itself.

Not institutionalized as such, but not less telling, is the call of the regime upon the (legal) political parties for a 'national dialogue' in early 2005 (cf. Al-Ahram Weekly, No. 728, 03-09 February 2005, and Al-Ahram Weekly, No. 737, 07-13 April 2005). With Kifaya demonstrations having broken out in the preceding months, the regime was ready to herald a year which can be assessed in retrospect as a liberal window of opportunity. With that new round of national dialogue talks, a process of political liberalization was initiated that triggered the amendment of the Egyptian constitution, the first multi-party presidential elections, and relatively competitive parliamentary elections in the same year. Again, a quite familiar rationale seems to apply: Invited to the 'national dialogue' were the legalized political parties which were, during that phase, in the defensive in front of the Kifaya initiative and the

271 Author's personal communication with Ahmed Saif al-Islam (HMLC). Indeed, government officials have repeatedly referred to the NCHR when the regime was criticized for human rights violations. It comes as an ironic twist that, in May 2007, Egypt was awarded a seat in the UN Human Rights Council (established in March 2006 out of the former UN Human Rights Commission) despite criticism from Egyptian and international human rights organizations.

Muslim Brotherhood as the not-so-hidden strongest force among the opposition. Representatives of the latter two actors were not included in these talks.

After all, these 'dialogue institutions' are the most ineffective channels for the opposition, at least compared to other 'civil society' institutions discussed above, such as the professional syndicates. This has two reasons: Firstly, the fact that the established organizations are tied to the Shura Council entails the guarantee that they do not slip away from statist control. Secondly, in these dialogue institutions, more universal demands ('more democracy') are at the center of discussions the materialization of which is entirely foreclosed. This renders the room for maneuver for the regime with respect to possible concessions rather limited. Thirdly, and this correlates with the second point, usually only the weaker parts of the Egyptian opposition landscape – in particular the representatives of the political parties – are invited and tolerated to participate. In essence, this renders the respective organizations a mere show-room for 'democracy talks.' In turn, for the political parties, these national dialogue rounds have become more and more vital over the recent years with the decreasing success in its intrinsic arena, that is, elections and parliament.

5.3. The Judiciary

The Egyptian judiciary has become, since the late 1980s, of paramount importance as the realm where contentious politics and opposition to the regime can be crafted and voiced. One assessment is telling: "To date, the judiciary – with the obvious exception of special and military tribunals – remains the most active and effective countervailing power in relation to the regime. Though ultimately part of the state, the courts have, to varying degrees, escaped regime control" (Kienle 2004: 77).

In contrast to most other states in the Middle East, Egypt looks back at a history of a comparatively well-established judiciary system that has its roots in the Ottoman legal system of the early 19th century and the European influence since the second half of that century (cf. Brown 1997: 23-60). Accordingly, Egyptian laws and the judicial system are heavily influenced both by Islamic and liberal European, particularly French, principles.[272] After 1952, Gamal Abdel Nasser brought the judges under his control and included the legal system in the new authoritarian-populist state structure. With greater freedom embedded in the 1971 constitution, the judges regained some liberal space because it "guaranteed in principle the independence of the judiciary, the irremovability of judges and the non-interference of the executive in trials" (Kienle 2001: 42).

It should be said, however, that the judiciary did not become an institution autonomous from state control; rather, it is part of the latter. Particularly the Ministry of Justice exercises control over the judiciary. Moreover, when Mubarak came to po-

272 Scholars connected to the Cairo-based *Centre d'Études et de Documentation Économique, Juridique et Sociale* have put much effort in the study of Egyptian 'legal pluralism' (cf., in detail, Dupret, Berger & al-Zwaini 1999, Dupret 2000).

wer in 1981 and as a response to his predecessor's assassination, the regime invented a parallel system of jurisdiction by applying a 'state of emergency' to establish State Security Courts and Military Courts.[273] These latter courts are entirely under the auspices of the regime and instrumental for using a legal framework to orchestrate the control over politically sensitive cases. For instance, the legal prosecution of Islamists and other opposition figures during the 1990s was enforced through these State Security Courts and Military Courts whose importance for the power-holders rose in the course of the 1990s with an increasing self-consciousness of the civil courts.[274] In sum, the subsequent regimes of Nasser, Sadat, and Mubarak made careful attempts to integrate the judicial system into their state-building endeavors and, at the same time, established measures to guarantee that the courts could be used as another tool to control society. As Robert Springborg aptly put it, "Egypt has rule *by* law but not rule *of* law. Far from being lawless, the state is careful to cloak its actions in both constitutional and legal legitimacy" (Springborg 2003: 186).

The development of the Egyptian legal system in the second half of the 20th century may thus be seen in the context of the professionalization and modernization process that was initiated by Anwar al-Sadat and sustained by Hosni Mubarak. Interestingly – and that was certainly not in the minds of the political elite – the importance in politics and society of the 'independent' judiciary (in contrast to the 'emergency-law' judiciary) increased in response to the increase of the importance of other formal political institutions: laws and regulations, the constitution of the state, political procedures in elections and parliaments. This fact and the fact that the Egyptian legal system, along with al-Azhar, was already present before the 1952 revolution may well explain why exactly these two institutions – since then part of the Nasser regime and discretely embedded in authoritarian control mechanisms – encapsulate a higher degree of dissent *within* the authoritarian realm than other institutions established as 'autochthonous' pillars of the 1952 regime and successor governments, such as the labor unions, the political parties, and the electoral-parliamentary realm.

Given substantial formal and informal constraints upon the freedom of the courts, it is striking to witness numerous court rulings opposing regime policies and regulations. Especially the three highest courts – the Court of Cassation (CC), the Supreme Administrative Court (SAC), and the Supreme Constitutional Court (SCC) – regu-

273 The emergency law is still applied in Egypt until the time of the writing of this study and has remained in the center of opposition's criticism (cf. Singerman 2002). In the course of the year 2007, discussions within the National Democratic Party – in particular among the 'reform-oriented' people around Gamal Mubarak – have intensified about the replacement of the emergency law through an 'anti-terrorist law.'

274 These special courts are usually employed in politically sensitive cases. A spectacular example is the legal case of Sa'd Eddin Ibrahim, human rights activist and director of the Ibn Khaldoun Center, who was convicted to seven years in prison by a State Security Court in 2002 (cf. chapter 4.2).

larly stretch the limits posed to legal rights and freedoms.[275] The Supreme Constitutional Court is perceived by observers as the "guardian of public liberties" (Bernard-Maugiron 1999). Numerous decisions of the SCC since the 1980s called electoral laws and other legislative procedures unconstitutional while other court rulings have repeatedly denounced human rights violations.[276]

Obviously, many judges – particularly at the superior level – feel obliged to the constitution as well as a "spirit of independence" (Kienle 2001: 45). This is all the more remarkable when we keep in mind that the superior judges are appointed by the president of the republic. One assessment of the Egyptian judicial system is telling: "We have independent judges but no independent judiciary."[277] This is not to say that the judges constitute a power center in its own right. Neither can these 'independent judges' be necessarily perceived as part and parcel of the political opposition in the country. Rather, "only a small minority of judges might truly be considered sympathetic to the political opposition, with the vast majority anxious to preserve a non-partisan reputation" (Brown & Nasr 2005: 4). However, as a state institution that owns a distinct measure of independence, the judiciary is often used by the opposition as a *means* to confront the regime and a "judicial support structure" (Moustafa 2003: 895).

Why does the regime allow for such a challenge? Firstly, the relative freedom of the judiciary along with some spectacular court rulings engenders a high degree of political legitimacy for the regime. For instance, since the 2000 parliamentary elections, judicial supervision has become a major asset in the regime's attempt to create political legitimacy. Secondly, the independent judiciary often comes as a toothless tiger because other state institutions (ministries, security forces) do not hesitate to ignore court rulings whenever results are judged unacceptable by the power-holders.[278] A third rationale maintains that the judges of the superior courts strive to have the text and spirit of the Egyptian constitution enforced but the latter is, on the flip side, ultimately designed to strengthen executive powers: With the overwhelming NDP majority in parliament, the regime can alter the constitution whenever it

275 According to Nasser Amin, Director at the *Arab Centre for the Independence of the Judiciary and the Legal Profession*, the CC and the SAC are the most independent legal units while the lower courts are much more subject to regime control. The SCC lost some credibility after the appointment of Fathi Naguib in August 2001. A former assistant to the Minister of Justice, Naguib was the first ever chief justice appointed from outside of the court (author's personal communication with Amin).

276 Since 1995, there has been a significant increase in the number of cases in which the SCC judged laws and regulations unconstitutional; cf. the in-depth analysis of Tamir Moustafa (2003: 884).

277 Author's personal communication with Nasser Amin.

278 One instance serves as a striking example: According to Magdi Qorqor, Deputy Secretary of the Socialist Labor Party (SLP), the party received 11 rulings from the courts – between May 2000 and November 2001 alone – which called to lift the ban on the party and its mouthpiece *al-Sha'ab*. However, the verdicts have not been implemented by the authorities (author's personal communication with Qorqor).

deem necessary. The state of emergency is another legislative tool to circumvent the constitution.

That the judiciary system remains a double-edged sword for the Egyptian incumbents became particularly apparent in the course of the year 2005 that – apart from the Kifaya movement and a new initiative of opposition parties during election campaigns – witnessed a 'revolution of the judges,' that is the revolt of a majority of judges organized in the Judges' Club in Cairo and supported particularly by the judges of the Court of Cassation.[279] Spearheaded by the CC and the SCC, higher judges had, over the recent years, repeatedly demanded a free hand in the supervision of elections as well as independence from the Ministry of Justice. This claim received a new dynamic in the context of the government's announcement to amend the country's constitution in May 2005. With an enhanced attention to legal affairs and presidential and parliamentary elections on the horizon, the role of the judiciary in political affairs became an increasingly prominent issue and judges perceived that the time was right to confirm long-held postulations. In particular, the judges' claims of 'dual independence' – *of* the supervision of elections and *from* government control – became louder (cf. El-Ghobashy 2006).[280]

In a move that fuelled the confrontation, the threat of a majority of judges on 13 May 2005, to boycott the supervision of the forthcoming elections was indeed taken seriously by the regime because, since the 2000 parliamentary elections, judicial supervision had become a major asset in the regime's attempt to secure political legitimacy. Following the boycott threat, the regime tried to split the judges' ranks, for instance by offering financial rewards to regime-loyal judges (cf. Al-Ahram Weekly, No. 744, 26 May – 1 June 2005; Brown & Nasr 2005). Most prominent among the 'rebellious judges' are the Cairo Judges' Club's president Zakariyya Abdel Aziz and his deputy Hesham Geneina, the Judges' Club representative in Alexandria Mahmoud al-Khudayri, Alexandria-based Mahmoud Makki, the deputy chief justice of the Court of Cassation Hesham Bastawisi, and judge Hossam al-Ghiryani. On the regime's side are the judges of the Courts of Appeal, the chair of the Supreme Judicial Council Fathi Khalifa, and the former president of the SCC Mamdouh Mar'ei, (El-Ghobashy 2006: 23-24).[281]

279 The Judges' Club was founded in 1939 with the aim of representing the interests of Egyptian judges. Today, it represents around 8.000 judges and serves as the only independent body within the judicial system quite similar to the professional syndicates discussed in chapter 5.2.

280 The amendments to article 76 of the Egyptian constitution stipulate electoral supervision by the Supreme Judicial Council (SJC), a body at the intersection of state and judiciary that was created in 1984 to balance interests between the judges and Ministry of Justice, and the Presidential Election Commission. Both committees are discredited in the eyes of the rebellious judges organized in the Judges' Club for their alleged readiness to serve the interests of the political power-holders. Contrary to the Judges' Club majority, the SJC announced that it will be ready to supervise elections without any preconditions (cf. Cairo Magazine, 18 May 2005).

281 In the course of a limited cabinet reshuffle endorsed in August 2006, Mar'ei replaced Mahmoud Abu al-Leil as the Minister of Justice.

However, struggles between the regime and the 'revolutionary judges' of the Judges' Club were not over after the elections, but escalated again after April 2006 and led to the prosecution of two of the most outspoken rebellious judges, Mahmoud Makki and Hesham Bastawisi, both deputy chairmen of the Court of Cassation.[282] Since early 2007, critical discussions have intensified about the regime's alleged plan to amend article 88 of the constitution that governs the supervision of elections. The Judges' Club claims that it is suspicious that the regime may attempt to restrict the role of independent judges in the supervision process further. Indeed, in March 2007, the regime endorsed the amendment of 34 articles of the constitution triggering a wave of criticism from opposition forces and the 'rebellious judges' (cf. Al-Ahram Weekl, Nos. 837-839, March and April 2007).

Quite interestingly, one story shows that the 'rebellious judges' cannot be smoothly equaled with the opposition forces in the country: In the very same month when Makki and Bastawisi faced charges of tarnishing the image of the judiciary, their Court of Cassation rejected an appeal of al-Ghad party leader Ayman Nour to abolish his five-year prison sentence received in December 2005 (cf. Al-Ahram Weekly, Nos. 791-796, April and May 2006). Then, in October 2006, the Court of Cassation ruled that the parliamentary elections of late 2005 had been subject to electoral fraud in several constituencies.

These rulings support the assessment that there are clearly discernible pockets within the Egyptian legal system that are not necessarily part and parcel of the opposition landscape but unique in the Egyptian political framework in that they constitute a formally institutionalized, independent body that adheres to law and formal procedures irrespective of power politics and informal arrangements. It is a lone example, not only in Egypt but in the whole Arab world, of the application of the rule of law – and as such problematic for the political regime, but not necessarily an easily exploitable tool for the political opposition that serves to challenge the incumbents.

5.4. Al-Azhar

A last institution that is at the intersection of state and society, government and opposition, and cooptation and participation, is al-Azhar. It is in the center of the struggles about the interpretation of Islam, in particular with respect to its meaning in politics and society. In times of a protracted Islamicization of society at large, the significance of al-Azhar in the political system as well as, in particular, in contentious politics between the regime and the oppositional Islamists cannot be overvalued.

Al-Azhar is the oldest and most important institution of (*Sunni*) Islamic teaching and jurisdiction. Due to its reputation among Muslims worldwide – and naturally in

282 Other measures of the regime to stem the Judges' Club were the suspension of the allocation of funds to the Club in October 2006 (cf. Al-Ahram Weekly, No. 818, 01-07 November 2006).

Egypt as well – al-Azhar was coopted as soon as Gamal Abdel Nasser took over power in an attempt to draw on Islamic legitimacy despite the regime's modern, revolutionary, and nationalist discourse (cf. Hudson 1977: 237, Ansari 1984a). Most importantly, the regime reserves the right to choose the Grand Imam of al-Azhar, creating a personal dependence of the helm of the institution to the president of the republic. Moreover, al-Azhar's budget – which has increased dramatically since the early 1960s (cf. Moustafa 2000: 6) – is controlled by the state. While Nasser's move transformed the traditional *ulema* of al-Azhar so that it was forced to deal with modern aspects of politics and society, the inclusion of al-Azhar as an integral part of the regime has, in turn, influenced the latter especially since the 1970s (cf. Zeghal 1999). As a consequence, it is an entire misunderstanding to assume that the political regime is entirely secular. Harbors of Islamist thinking within the political regime include (apart from al-Azhar) the ministries of Awqaf (Religious Endowments), Education, and Interior.

Religion has come to play an ever increasing role in the legitimacy creating endeavors of the Mubarak regime. This is reflected in public discourses as well as in the fact that the Islamic law, *shari'a*, is laid down in the Egyptian constitution of 1971 as the principal source of the law (cf. Bernard-Maugiron & Dupret 1999). Apart from al-Azhar, the Ministry of Awqaf is a particularly important organization for the regime because it performs, by way of the institutionalized control of thousands of religious endowments, an eminent counter-measure to the Muslim Brotherhood's attempts at social outreach through such charity endowments (cf. Pioppi 2007, Moustafa 2000, chapter 4.4).

Al-Azhar's importance for politics and society rose when the government, "in its long struggle with Islamist groups, and in particular with the Muslim Brotherhood, repeatedly called upon the services of al-Azhar to issue statements justifying campaigns against Islamists, and supporting the introduction of legislation that might otherwise have aroused religious opposition" (Barraclough 1998: 237; cf. also Moustafa 2000). Since the early 1980s, al-Azhar has been directly involved in the censorship of the media and figured as one of the leading forces of the Islamicization of Egyptian society. The *Islamic Research Center* of al-Azhar has censorship responsibilities limited to 'Islamic issues' only; however, the Center's 'recommendations' are hardly ever left unimplemented and, more often than not, al-Azhar determines what constitutes 'Islamic issues' and what not (cf. Barraclough 1998: 242).

Well-remembered are violent attacks on liberal intellectuals like Naguib Mahfuz and Faraj Fuda, the apostasy cases of Nasr Hamid Abu Zayd and Hassan Hanafi, or the removal of books from shelves and articles from newspapers, all of which was either directly initiated or quietly, and sometimes openly, approved by al-Azhar. One instance illuminates clearly how al-Azhar has contributed to the imprint of public morality by orthodox religious discourses (cf. Ismail 1999): The extremist group that claimed responsibility for the murder of Faraj Fuda in 1992 referred to an al-Azhar judgment calling Fuda an apostate (Barraclough 1998: 241).

Al-Azhar comes as a double-edged sword for the regime. On the one hand, it is without any doubt one of the most important "legitimacy creating institutions" of the

state (cf. Fawzy & Lübben 2000). Empirical examples abound to support the claim that al-Azhar serves as an integral part of the political regime. The Grand Imam of al-Azhar, *sheikh* Mohammed Sayyed Tantawi, has repeatedly issued *fatwas* (arab.: 'religious verdicts') that support government policies and are thus in the immediate interest of the political incumbents.[283] For instance, numerous *fatwas* have been issued that discredit the thinking and actions of moderate and militant Islamist opposition groups. Another recent incident exemplifies the great influence that the political incumbency exerts on al-Azhar: In the wake of pushing through the constitutional amendments in early 2007 an al-Azhar *fatwa* was issued saying that voting would be "a duty before God" (cf. Al-Ahram Weekly, No. 840, 12-18 April 2007).

Al-Azhar's role within the Egyptian state notwithstanding, it is often at odds not only with a liberal morality proposed by the West, but also with the secular parts and pillars of the regime. This conflict has both an ideological and a competence dimension: The main task of al-Azhar is censorship which is, however, formally given to the Ministry of Information. Secondly, al-Azhar competes with the Ministry of Religious Endowments (*awqaf*) for the control of private mosques. A subliminal conflict about competencies exists between al-Azhar and the Ministry of Culture. The Egyptian judicial system is another arena in which al-Azhar exerts eminent influence. By monitoring the application of the *shari'a* as the main source of legislation in the Egyptian constitution, al-Azhar exerts – at least indirectly and much to the dislike of the judicial system – great impact on specific court rulings. In more general terms, al-Azhar has avoided being identified too closely with the regime because this has, over time, tarnished the institution's image in the Egyptian public. As a consequence, it can be shown that, during the 1990s, "al-Azhar increasingly opposed government policy on a number of sensitive issues" (Moustafa 2000: 13).

What does that mean for the opposition from the ambit of political Islam? On the one hand, al-Azhar is the most visible contender in the struggle for the representation and interpretation of Islamic values. On the other hand, it can be a natural ally when it comes to advocating programmatic ideals against secular ideological currents. One instance comes as a striking example to show that the oppositional Islamist can attempt to make use of al-Azhar as a statist institution: In June 1998, the *Front of the Ulema of al-Azhar*, a bastion of radical Islamist thinking, was dissolved by the newly appointed *sheikh* Muhammad Sayyid Tantawi after candidates close to the Muslim Brotherhood had allegedly won a majority in the Front's board (Kienle 2001: 113).

There is reason to believe that the relations between the Muslim Brotherhood and al-Azhar have historically been – and probably still are – closer than one would expect from a relationship between the pillar of an authoritarian regime and the regime's most determined contender. Barbara Zollner speculates that al-Azhar was actively involved – and with the consent of the Nasser regime – in the moderation and programmatic reinterpretation of the Muslim Brotherhood in the course of the

283 Tantawi, a former Grand Mufti of Egypt, was chosen as head of al-Azhar by Mubarak in March 1996 (Moustafa 2000: 16). He is considered to be a staunch 'Mubarakist.'

1960s by influencing the book *du'at la qudat* (arab.: 'preachers not judges') which was written by the organization's leadership in prison and is widely seen as an internal move of the MB to distance itself from Sayyid Qutb (cf. Zollner 2007: 424).

The education system provides a good example for a possible entrapment strategy by which an opposition can rely on an unspoken alliance with one statist or state-controlled institution – in this particular case al-Azhar – to challenge other such state pillars or policies. For instance, in June 2003, then Minister of Education Hussain Bahaa Eddin was criticized by MB parliamentarians for the alleged bending to an attempt of the US administration to influence the reformation of school curricula in Egypt that were perceived as containing backward and anti-Western views. The risks and possible costs (of repression) that Muslim Brothers face in proposing such a challenge are substantially lower than with other policy issues, which may well explain why the discussions on the education system have been broadened into a constant critical debate – often fuelled by the MB – in recent years.[284]

On 10 March 2003, a statement of al-Azhar's *Islamic Research Academy* revealed the whole malaise for the regime that is associated with the institution's position and role within the state apparatus: In criticizing the US-led military campaign against Saddam Hussain, the statement employed the term *jihad*, thereby indicating a call of militant resistance against Western engagement in the region (cf. Al-Ahram Weekly, No. 631, 27 March – 02 April 2003). This was clearly in disaccord with the regime's policy of avoiding confrontation with its most important ally, the USA. Whereas the *sheikh* of al-Azhar, Mohamed Sayyed Tantawi, did not sign the religious verdict, it reflected the ambiguous position of the institution within politics: *institutionally* part of the regime, but fueling the *discourse* of the regime's most ardent challenger, that is, the independent Islamist movement.

284 I am grateful to Florian Kohstall and Ivesa Lübben for making me aware of this aspect.

Chapter 6:

The Dynamics of Contentious Politics in Egypt

One major lesson that we can draw from the two previous empirical sections on Egyptian politics is that there is a large, colorful, and heterogeneous landscape of political opposition: Since the late 1970s, an opposition party system has emerged that has become increasingly fragmented over the last 25 years; the 1990s saw the rise of private voluntary associations part of which politicized to emerge into an outspoken human rights business. The strongest opposition force in the country is composed of a politicized Islamist national movement, the Muslim Brotherhood and a number of break-away factions that have grown ever since Anwar Sadat released the Islamists from prison. Different modes of political opposition include a regime-loyal opposition that is best represented by the political opposition parties, tolerated opposition represented by the mainstream of human rights groups, and even anti-system opposition that is represented by the Islamist current.

These developments are, again, noteworthy for two reasons: Firstly, opposition groups and movements have emerged and developed under an entirely authoritarian political framework; secondly, the situation – that opposition exists under authoritarianism – is a *continuous* phenomenon; that is, neither did the Egyptian opposition (or a part of it) trigger the ousting of incumbents or systemic changes – democratization or revolution – nor have these authoritarian incumbents attempted to overcome and eliminate the opposition, despite a more prominent degree of coercion to which the opposition was – quite naturally – subject than in democracies. This empirical observation holds true irrespective of the question whether the respective actors (regime or opposition) had wanted to oust the relevant opponent or not. While an attempt to answer this question will remain an entirely hypothetical endeavor, what can be said with a sufficient degree of certainty is that the advent and development of opposition triggered the establishment of a stable and well-developed system of contentious relations between authoritarian incumbents and their opposition.

This system of contentious relations is, on the one hand, stable in that, as mentioned above, both sides persist in refraining from calling into question the existence of one another. On the other hand, this contentious system is highly dynamic in many respects: Firstly, the degree of constraints and opportunities for opposition actors changes from one point to the other, more often than not in short intervals; this explains the changes in the *performance* of different opposition actors according to the timing of the activism, the degree of the challenge, the strength/weakness of the opposition actor, and the strength/weakness of the incumbency (or part of the incumbency) that is subject to the oppositional challenge. These changes have been primarily addressed in the study of opposition actors in chapter 4. Secondly, the challenges and provocations to which the authoritarian incumbents are exposed are

also subject to dynamic developments and turn-arounds. This can best be understood when looking at political institutions that govern contentious politics, as in chapter 5.

I will, on the last pages of this study, inquire into two sets of more general questions surrounding the addressed theme: The first set refers to a more in-depth assessment of the delicate relations between authoritarian incumbents and authoritarian oppositions; the second issue pertains to an *explanation* of this very system described in empirical detail in the previous chapters. Starting with the latter issue, a natural question is to ask *why* opposition has emerged and prevailed over time under an authoritarian environment, as we find it in Egypt. An answer to this puzzle seems to be in dire need in particular when reviewing the literature from the ambit of comparative democratization and the 'transition paradigm' that has overwhelmed comparative politics and comparative regime analysis ever since the expectation of a 'third wave' of democratization has become paradigmatic not only in studies of actual cases of democratization, but also in studies of non-democratic regimes. In sum, expectations associated with the discovery of opposition under authoritarianism are such that this empirical phenomenon had to be a harbinger of the democratization of the concerned polity. Many studies on political opposition in Egypt, and elsewhere in the Arab world, are based on such assumptions, but this study on Egyptian politics has revealed that they are misleading.

In order to explain the phenomenon of political opposition in Egypt, two strands of theoretical literature have to be linked. In conceptual terms, Dahl needs to 'meet' Zartman in order to understand opposition politics in Egypt. Recalling Robert Dahl's argument means to offer a *negative* explanation for the existence of opposition under authoritarianism. As mentioned earlier in chapter 3, Robert Dahl says: "Opposition is likely to be permitted in a political system if (1) the government believes that an attempt to coerce the opposition is likely to fail, or (2) even if the attempt were to succeed, the costs of coercion would exceed the gains" (Dahl 1966b: xii, preface). This is a negative explanation in that it primarily highlights the *absence of coercion* of the state as a decisive variable to explain the emergence of opposition.

This explanation deserves credit in that it can by smoothly linked to the notion of Egypt as a 'liberalized authoritarian regime' (cf. chapter 1.2). Conceived of as a polity that features an excessive executivism, exclusive responsiveness of the incumbents towards society, legitimacy by person rather than office, and a flexible adaptation regime – such regimes grant political rights and freedoms to society to a much higher extent than in more hegemonic and repressive systems of authoritarian rule. However, rights and freedoms are granted in an unjust and discriminate way, to the benefit of some and the disadvantage of other groups of society or opposition. Moreover, the overall political framework can change from more liberal to more illiberal phases. Such regimes use coercion as a last resort in the struggle for power maintenance, that is, when coercion is perceived as *necessary* rather than *possible* (cf. chapter 1.1).

Egypt is a good example to test this approach and its viability for the explanation of the existence and performance of opposition. Concerning the overall degree of liberty structuring the space for activism for the political opposition, the 1990s can

be seen as a decade of indiscriminate political deliberalization. In turn, the empirical parts of this study have shown that the year 2005 marked a short, but remarkably open, window of opportunity for all opposition actors that was, however, quickly closed when new opportunities have been used by the opposition – in particular by the Muslim Brotherhood in the 2005 parliamentary elections – to the detriment of incumbents. Taking into account a historically larger perspective makes us understand that Egypt neither has a particularly oppressive-dictatorial polity (as one could assume in the 1990s), nor is it on a path towards democracy (as observers hoped in 2005). However, such changes indicate a repertoire used by authoritarian incumbents to expand vs. retract rights and freedoms according to changing circumstances and their adaptive capacities.

Concerning the opportunity structures of single opposition actors, a more complex picture emerges with respect to liberal opportunities and illiberal containment. Take the Muslim Brotherhood, political parties, human rights organizations, and the Kifaya movement as examples. While the Muslim Brotherhood benefited from a liberal stance of the regime particularly in the second half of the 1970s, the most liberal decade of state-society relationships in the period under investigation – the 1980s – saw the rise of political parties within the overall opposition landscape rather than an increasing political importance of the Brotherhood. Therefore, the organization as a whole did not benefit as much as one might have expected in this liberal phase; but it was a specific strata within the organization – the then younger generation of politicized activists (today referred to as the *gil al-wasat*) – that were enabled to train their political skills within those institutions that were on the winning side of political liberalization (parliaments, professional syndicates).

In retrospect, in the 1990s – widely judged as the most illiberal phase in modern Egyptian history – the statist treatment of society had quite different effects on different opposition groups. The activities of the opposition parties and their performance in elections stagnated in the electoral rounds of 1990, 1995, and 2000, and the 1990s were the heydays of what has come to be seen as the 'civil society business.' Deliberalization measures targeted primarily the Islamist current, but effects here are also ambivalent: Within the Muslim Brotherhood, for instance, those strata that were on the sunny side of political liberalization during the 1980s were hit hardest by the persecution through security forces and the incarceration of the *gil al-wasat* in the second half of the 1990s. On the other side, the older leadership generation within the Brotherhood was able, in this period, to consolidate its position in front of a new dynamic generation.

Turning to the 'spring' year of 2005, the major beneficiary of the liberal opening were the political parties – as the natural winner of liberalization measures in the realm of electoral politics – and a new mode of political opposition, the Kifaya movement. Then, the Muslim Brotherhood started to free-ride on political liberalization and cashed in its mass constituency in electoral politics. Thus, when it was foreseeable that unintended results would overturn the positive incentives for the regime to grant more liberties, this project was quickly reversed leaving behind the identified target of liberalization measures – the political parties – as casualties.

Two lessons can be learned from these examples: Firstly, politics of liberalization and deliberalization do not necessarily address all opposition forces to the same degree and may yield different impacts on different opposition actors. Some examples will be given on the following pages. Secondly, the specific timing of (de)liberalization policies and the way in which they are performed affects not only an opposition organization or movement as a whole but also relationships among different factions, strata, and generations within the organizational body of the opposition actor. More generally, the liberal-autocracy argument has its merits in explaining the strength and weakness of an opposition actor at a certain point in time. In turn, the forms and capacities of opposition actors can become a useful *indicator* of the degree of inclusiveness of an authoritarian polity. From this perspective, studies of opposition are an integral part of studies on the working mechanisms of authoritarianism.

As mentioned above, Robert Dahl's simple and plausible axiom provides a negative explanation (absence of coercion) for the existence of opposition under any type of political rule. However, it fails to provide satisfactory insights when assuming that there might arise a point in time when authoritarian incumbents perceive that an attempt to crush opposition altogether is likely to succeed and the gains of such action would exceed possible negative implications. It is, in the case under consideration, more than appropriate to ask: Why, after all, did the Egyptian authorities not attempt to crush the organizational capacities of the Muslim Brotherhood in the 1990s? Why did it not dissolve the dormant opposition parties that have proven, at the latest in the wake of the 2005 parliamentary elections, entirely ineffective and unable to perform their role as regime-loyal opposition? Why did the regime not crush the Kifaya movement in late 2004 when it was clear from the very beginning that the core of the polity, its leadership, had become a target in the opposition's discourses?

It remains therefore very fruitful to search, in the Egyptian case and possibly also in other cases of authoritarianism, for a *positive explanation* of the existence of political opposition. To search for structurally positive incentives for an authoritarian regime to tolerate political opposition in various forms – and therefore specific challengers and challenges towards the own grip on power and control over society that is so necessary – is therefore an important amendment to the Dahlian dictum. I will, on the following pages, explore more in-depth into a rationale initially introduced by William Zartman who was looking 'beyond coercion' to explain how the existence of opposition can even support authoritarian rule. In a first step, it is important to highlight the forms and modes of challenges that the opposition in Egypt is allowed and able to perform, before addressing structural functions of the opposition that render its existence positive in the eyes of the authoritarian incumbents.

6.1. The Challenge towards the Egyptian Regime

A group cannot be called opposition if it does not pose a challenge to incumbents. This holds true for opposition in democracies as much as in autocracies. I have analyzed in chapter 3.2 that, not surprisingly, life is easier for opposition in a democracy compared to opposition under authoritarianism primarily because the form, degree, and dimension of challenge is limited for the latter compared to the former. Most importantly, the power to rule (*imperium*) is foreclosed to oppositions under authoritarianism as a subject of contestation. They will have to content themselves with challenging the subject of influence (*potestas*). Thus, one will come to ask: What can become the subject of challenge for an authoritarian opposition? The Egyptian case reveals interesting results to this inquiry.

The different forms and actors of political opposition in Egypt have posed challenges to state *incumbents*, state *institutions*, and state *policies* (cf. chapter 3.1). Not every single one of these subjects of contestation is likewise at stake for the contentious adventures of any one of Egypt's opposition actors. The empirical observations in chapters 4 and 5 reveal that the regime-loyal and the tolerated opposition, represented by the political parties and the politicized NGOs, engage primarily in challenging some of the *institutions of the state* and, to a lesser extent, parts of the *incumbency*. Interestingly, single statist policies and associated programmatic discussions are not so prominent in these oppositions' contentious discourses. Some examples shall be highlighted here: The political parties and human rights NGOs have increasingly come to engage into struggles about formal rules and institutions, such as the representation in parliament and what was dubbed in this study the 'dialogue institutions,' and, moreover, the electoral rules as well as the formal laws and regulations governing state-society relations such as, most prominently, the emergency law. Formal institutions and regulations are the core field of struggle for these modes of opposition.

Under certain conditions, parts of the incumbency have also come into the focus of these oppositions' challenges. As a rule of thumb, only those regime figures have become the subjects of criticism who are members of the formal-political part of the Egyptian regime: the state party NDP, its representatives in the two chambers of parliament, and the members of the executive in the state ministries. The patterns of contention are obvious: Members of opposition parties struggle with NDP members about the seats in parliament; they struggle with the NDP-leadership about the laws regulating elections and the conditions of communication and cooperation in the dialogue institutions. Human rights groups have constantly challenged the manifestations of the coercive regime in the emergency law and the regime personnel responsible for its application, primarily the Ministry of Interior and the special security and military courts.

In turn, other important parts of the political regime have been largely spared from challenges by the opposition: the military and secret security forces of *muhabarrat* and *amn al-dawla*, al-Azhar, and – not surprisingly – the man at the helm of the polity including his close aides and advisors. Accordingly, a number of core me-

chanisms and pillars of the regime are not at stake in these oppositions' activism. A notable exception is the Kifaya movement. The fact that it has put the country's presidency in the focus of its challenge is noteworthy but should be interpreted as an exceptional phenomenon. It sheds light on a decisive rationale followed by the Egyptian power holders: The weaker an opposition in terms of public support, the more tolerant is the regime with respect to opposition challenges. The Kifaya movement has even less potential compared to the opposition parties in generating autonomous mass participation as it was described in chapter 2. This explains why Kifaya was allowed, in a distinct liberal window of opportunity, to step over an established red-line that will most probably be re-established as soon as the present situation of coming leadership change is over, that is at the very latest when the successor of Hosni Mubarak will have consolidated his hold on power.

From this rationale, it is understandable that challenges of the Muslim Brotherhood follow a totally different characteristic. To the Brothers – posing strong opposition based on popular mass support – challenges to the institutional and formal-regulatory framework of the authoritarian polity are foreclosed, let alone a challenge to the political incumbency. Rather, the Muslim Brotherhood deals primarily with distinct policy directions formulated by the regime. The Brothers attempt to have an Islamist program materialized in society, for instance in the educational system, in the media, and in public life. One aspect supporting this claim (that the Muslim Brotherhood engages into struggles about policies rather than the institutional framework or opponents) is the political program that was presented by the MB's parliamentary group in the aftermath of the 2005 elections. In its coverage of distinct policy fields it is much more detailed and elaborate than the programmatic proposals of other opposition actors. In sum, one can say: The stronger an opposition actor in terms of public mass support, the more it engages into challenges of policy issues rather than regime personnel or institutional frameworks.

In order to explain this phenomenon, it is worth recalling the logic of the 'radicalization trap' addressed more in-depth in chapter 3.2. It says that opposition actors face a possible entrapment because they are forced to communicate radical programmatic incentives in order to garner public support which, as a consequence, increases the probability of becoming the subject of statist repression. The question then reads: How can an opposition represent the interests of its constituency without triggering coercive counter-measures by authoritarian incumbents? The Egyptian case offers interesting insights into this puzzle. Here, political parties and 'civil society opposition' react on the radicalization trap by offering relatively radical incentives, such as the call for democracy, the challenge to institutional structures, and at times even the challenge to parts of the authoritarian incumbency; however, they restrict, at the same time, the outreach of their discourses to a relatively small clientele of urban, politicized middle and upper-middle classes.

In other words: What is perceived by many observers as a *weakness* of such formal channels of political participation, brings about, in turn, the opportunity to advance considerably the degree and intensity of challenges posed to the authoritarian incumbents. Simply speaking, since mass support is 'avoided' by the

opposition parties and human rights organizations, they can raise their voices louder before triggering coercive counter-measures.

Quite to the contrary, the radicalization trap applies much more prominently to the Muslim Brotherhood because of the need to serve the expectations – in terms of the representation of interest – of a mass constituency. Therefore, the Muslim Brotherhood poses a less profiled challenge to the regime; but, at the same time, it has developed programmatic incentives in policy issues – such as in cultural affairs, the economy, and social affairs and services – that address well the interests of its mass constituency. After all, the Egyptian regime has proved capable of living well with both of these contentious structures.

6.2. The Support of Authoritarianism in Egypt

One does not need much imagination to assume that the authoritarian incumbents in Egypt do not invite opposition groups to participate in politics simply because challenges are tolerable and do not necessarily call their hold on power into question. One will then inevitably come to ask why challenges are accepted at all. In order to account for the existence and persistence of opposition, it is fruitful to recall positive incentives for authoritarian incumbents to accept opposition. Based on the arguments of William Zartman as discussed in chapter 3.3, the following functional traits of political opposition can be identified in the Egyptian case: the *legitimacy* function, the *channeling* function, and the *moderation* function.

Out of a perspective that grasps Egypt's state-society relations from a 'liberalized-autocracy' point of view, it is plausible to argue that the very existence of political opposition supports this particular regime type. In short, the argument goes, a liberal authoritarian regime draws *political legitimacy* from granting space and opportunities for the activism of political opposition. This hypothesis – as reasonable as it sounds – is admittedly hard to test and measure empirically. In Egypt, the execution of public opinion polls is a politically highly sensitive adventure even more so when crucial questions are at stake, such as the degree of popular support for the power-holders. While no reliable quantitative data is available that addresses the population's assessment of the degree of liberties granted by the Egyptian regime, the comparatively low propensity to protest on the side of the populace may serve as an indicator to support the hypothesis that Egyptians accept that things could be worse – meaning more illiberal – as, for instance, in Saddam Hussain's Iraq, Ba'thist Syria, Saudi Arabia, and Tunisia.

Referring to the external dimension of legitimation, an empirical verification of the hypothesis is also difficult. Without any doubt, it sounds very plausible to argue that the invention of liberal measures – and the toleration of opposition and dissent is deemed a core trait of liberal policies – constitutes an important stimulus for the regime's relations with Western governments, particularly the US administration. Relations with the USA are of prime importance for the regime, both economically and concerning security affairs; and the George W. Bush administration's demands

for democratization and political and economic opening cannot simply be ignored by the Egyptian incumbents.

While the correlation of such demands with the regime's readiness to grant some space to societal opposition seems plausible, the *real influence* of Western demands and expectations on decision-making in Cairo is unclear and might be somewhat overestimated among the Egyptian public as much as among many outside observers. Western foreign policy interests in the MENA region are inconsistent, and the real commitment of the US administration towards demanding the establishment of more open and inclusive polities in that region is questionable. One example is striking: Those countries in the region that qualify to be included in the 'axis of evil' differ remarkably concerning the degree of competitiveness and permeability, featuring Syria at the one end of particularly closed hegemonic regimes compared to Iran at the other end displaying a comparatively high degree of meaningful intra-elitist competitiveness. In sum, the crucial factor for the Egyptian regime in its relations with the West is still the question of whether American strategic interests (Israel, regional stability, containment of political Islamism, security of oil resources) are supported or not, but not the changing degree of openness of the polity. Therefore, the Egyptian regime has – as long as it does not run counter to such vital US interests – ample room of maneuver for introducing deliberalizing measures. Nevertheless, the very existence of an institutional political opposition and dissent within society is certainly a plus for the image of the Egyptian regime in the Western world; and it would be interesting to inquire more in-depth into the legitimizing effects of contentious state-society relations both within Egyptian society and among international actors.

While legitimacy is difficult to measure empirically, examples abound showing how political opposition actors in Egypt perform functions of *channeling* and *moderating* societal dissent. The Islamist movement serves as a good example to show how the prospect of the toleration of political opposition contributes to the moderation of militant resistance. Here, the former militant groups such as Jama'a Islamiyya and Jihad, have renounced violent means of political action after having triggered a civil war with the Mubarak regime in the 1990s. The argument that state repression was entirely sufficient to eliminate this outbreak of resistance is unconvincing when we compare the Egyptian case in the 1990s, for instance, with the current situation in Iraq where hundreds of thousands of military troops are unable to put an end to the insurgency. Rather, recent attempts of the Egyptian Islamist militants to found political parties – and thus turn to formal politics accepting the rules of the authoritarian game – allow for a different interpretation. It is therefore plausible to claim that the persistence and tacit toleration of the popular moderate movement of the Muslim Brotherhood constitute a major incentive for the Jama'a Islamiyya and Jihad to think over their own strategy of militant resistance. Several attempts of the militants to found political parties – and therewith accept the rules of the political game – are clear signals supporting this argument. Turning militant resistance into moderate opposition is the name of this process from the perspective of the Egyptian regime.

Moreover, the moderation of the Muslim Brotherhood itself was enhanced by the opportunities of activism that are granted to opposition actors at large. The group's astonishing performance in the 2005 elections certainly alarmed the Egyptian power-holders who were quick and successful in introducing repressive countermeasures. However, such an opportunity – however irregularly it may come about – contributes positively to the group's principal willingness to keep a moderate stance in politics.

This function of moderation, I contend, pertains not only to opposition groups but also to the behavior of individual activists. Apart from the recent Kifaya phenomenon, activists in Egypt principally prefer the establishment of organizations, such as political parties and human rights NGOs, over street activism. This can now be witnessed again in the present post-Kifaya period when most activists associated with that movement have turned away from street politics and back towards 'back-room politics.' It is obviously perceived as more appealing by the majority of individual opposition figures to found a political party or NGO – and subsequently dominate the respective organization's body by patrimonial means – than accept the risk of physical harassment often associated with street activism. Accordingly, the Egyptian regime will also prefer to deal with an opposition of 'back-room activists' rather than public protest; therefore, it will remain open to provide opportunities in this realm of oppositional activism in order to inhibit the radicalization of societal dissent in public outbursts.

Channeling societal dissent in the form of an institutionalized opposition entails the advantage of being able to observe opponents better than if they were to be pushed underground. This rationale holds true for the political opposition parties, not only at the time of their inception but today as well. It is advantageous for the regime to have political activists from the liberal-nationalist-leftist spectrum concentrated in these organizations in order to better assess the changing degree of discontent among these politicized strata of society, the changing subjects of criticism, and the changing readiness to voice this criticism. Such opposition parties – too weak to pose a real threat – have become a useful political 'Geiger counter' in order to measure patterns of societal dissent.

The term *channeling* also refers to the task of being a 'security valve' that an opposition can play in times of increasing discontent among strata of society or society at large. The Kifaya movement can be seen as such a security valve in that it has provided the opportunity for the secular opposition to let off steam in times when it was severely disappointed about its limited political significance in a situation that is largely seen as a showdown between the regime and the only forceful opposition actor, the Muslim Brotherhood. A limited explosion of anger is probably perceived by the regime as a better option than accepting a continuously smoldering discontent among the relevant circles.

In sum, the existence of political opposition does not only have 'negative' but also 'positive' implications for the authoritarian regime in Egypt. Even though the regime has the necessary coercive capabilities at its disposal, it has never attempted to eliminate single opposition groups altogether even in comparatively repressive periods. While there is no doubt that the empirical measurement of these effects – of the

constraints vs. opportunities that opposition poses towards authoritarian incumbents' decision-making – is difficult, the Egyptian example shows that the regime has obviously learned to live well with its opposition and appreciate its existence. In turn, a similar 'learning curve' can be identified with the actors out of the realm of political opposition.

6.3. Struggles about Public Space

Turning back to the opposition actors, it is fair to wonder about their rationale for engaging into political activism. Most opposition activists know well about the framework within which they operate and about the limits that are in place concerning their hopes, aims, and demands. They are not so naïve as to believe that democratization was an aim that would realistically be materialized – even though they put relevant claims in the center of their discourses (rather, when speaking frankly, they tend to judge political scientists posing such questions as naïve).

If they are aware of the fact that they cannot reach what they demand, why do opposition activists engage at all and what do they want? In essence, one should ask about the rationale for engaging into political activism outside of the realm of the regime. I argue that – again – it is useful to look at the latter in order to provide an answer. One crucial development of the Egyptian regime is that the discourses among its political pillars have de-politicized considerably since the years of the populist experiment under Gamal Abdel Nasser. In essence, politics within the NDP, the members in parliament, and in the official media is narrowed down to the approval of decisions that have not been thoroughly discussed, let alone made, within these very circles, but on a superior level within the ruling circles surrounding the Egyptian presidency. While activism within the regime entails a political dimension with respect to the proximity to the power-center of the polity, such activism is almost void of any ideological substance. Ideological credentials are employed from above and in a rather eclectic way to legitimize single policies that, however, do not have a programmatic substance.

'Real' political activism – in terms of an ideological and programmatic foundation – is *outsourced* from the political regime; and those who want to engage in it – for whatever personal reason – will find themselves, sooner or later, within the realm of the opposition. Activism within this realm serves the ambitions of those who believe in norms, values, and ideas; for them, it is possible to gain a certain standing and reward in public life that is foreclosed to the NDP-herd of 'political sheep' nodding through the decisions of the power brokers, more often than not against personal convictions. The flip-side for an opposition member is the tangible likelihood to becoming the target of statist repression in whatever 'harder' or 'softer' expression.

An unspoken deal exists within Egyptian politics determining that the regime develops and oversees the rules of this activism. Those rules are subject to constant changes, but the regime grants enough space for activism to endure. This space for

political activism outside of the regime is highly contested: among forms of organization of political opposition (legalized parties, human rights NGOs, street protest movements, mass-based movements) and among different strata and generations within any of these organizational forms of opposition (cf. for a similar argument, Langohr 2004; Ismail 1995). Not only are these modes of opposition in constant flux, but also the institutions – the channels – governing state-opposition and opposition-opposition relations. After all, it is obvious that the opposition groups in Egypt struggle with one another at least as much as they struggle with the authoritarian incumbents.

This study has exclusively focused on political opposition working within an authoritarian political setting. It is argued that a view on opposition from a can-it-build-democracy inquiry is futile in cases where democratization did not happen. But can we rule out such a process altogether for the Egyptian case? At least one has to take into consideration that processes of democratization are of major prominence in the *discourses* among the opposition; and these discourses have increasingly come to dominate the ideological playing ground for struggles between the Egyptian regime and the opposition, including the Islamists.

Geoffrey Pridham has observed this phenomenon with respect to his analysis of political transformations: "The image of the campaign of democracy as a struggle of the society against the state is a useful fiction during the first period of transition, as a unifying slogan of the forces opposed to the current authoritarian regime. But societies are divided in many ways, and the very essence of democracy is the competition among political forces with conflicting interests. This situation creates a dilemma: to bring about democracy, anti-authoritarian forces must unite against authoritarianism, but to be victorious under democracy, they must compete with each other" (Pridham 1995: 66).

What unifies the opposition is their 'official' discourse about democracy and democratization; however, these debates are artificial, or a 'useful fiction' in Pridham's words, insofar as they do not have anything to do with power politics, nor with the interests of political forces in the country. This holds true for the incumbents who certainly do not have an interest in the materialization of democracy, but also for opposition movements who know very well that they do not have the means and power at their disposal to change the political environment leaving them, more often than not, in a struggle with one another rather than a real challenge to the authoritarian incumbents. We therefore witness, in analyzing contentious politics in Egypt, the struggle about public spaces of activism between distinct modes of oppositions, including political parties, human rights associations interest groups, protest movements, and an Islamist current.

From an analytical perspective, the question remains under which circumstances authoritarianism may break down and give way to systemic change? While this question cannot be answered convincingly in the Egyptian case, speculations may recall the conditions discovered to be decisive for the turn-over from liberalization to democratization processes: (1) the existence of organized contentious politics and (2) the existence of autonomy of opposition actors performing such contention to-

wards incumbents (cf. chapter 1.2). Without any doubt, the Muslim Brotherhood is the only agent in Egyptian politics that fulfills these two conditions.

A question arises from this observation; not posing it is – finally – hard to resist: Is democratization possible in Egypt given that the necessary precondition seems to be in place? Yes, it is, in principle and accepting that the Muslim Brotherhood is a possible driving force in such a process. Out of this perspective, the currently widely held discussions about the compatibility of the Islamists with democracy in general, and the Muslim Brotherhood in particular, are entirely futile because they ignore the structural conditional framework of democratization processes addressed above. In effect, the Muslim Brotherhood is the *only* force within Egyptian politics that has the potential to trigger democratization irrespective of whether their discourses are compatible with democratic norms or not. Simply, speaking, if the Muslim Brotherhood of all the Egyptian opposition landscape is found 'undemocratic,' speculations about Egyptian democracy are entirely absurd.

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