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Egypt: The Anatomy of Succession

Joshua Stacher

This article examines how the procedural aspects of Egypt's first presidential elections permitted the ruling regime to persist without a serious challenge. By taking stock of how the procedural rules of the game were manipulated to favour the incumbent, and the creation of an administrative body with extra-judicial powers guaranteeing the known result, this article will argue that the character of Constitutional Amendment 76 set a precedent that will likely favour the succession in 2011 of Hosni Mubarak's son, Gamal.

Introduction & Background

On 7 September 2005, Egypt held its first direct multi-candidacy presidential election. Ten candidates from Egypt's existing 21 political parties competed but the ruling National Democratic Party's candidate and 24 year presidential incumbent, Hosni Mubarak, cruised to victory carrying 88.57 per cent of the valid votes cast during the one-day poll.¹

The Egyptian government wanted the world to see the amendment of constitutional article 76, which facilitated the presidential election, as the central political reform of 2005. The election has since been overshadowed by the more competitive parliamentary elections and the regime-led security and legal backlash against the Kifaya movement, journalists, and judges. Similarly, the imprisonment of Ayman Nour, the two-year postponement of the municipal elections, continuing Muslim Brother arrests, and extension of the emergency laws indicate that the president's expansive campaign promises were empty.

Changing how the president is chosen² is arguably the most significant change to Egypt's political system since president Anwar Sadat introduced party pluralism in 1976. Yet, the constitutional amendment and the election had more to do with adapting Egypt's existing authoritarian system than engaging in system reform. As such, the presidential election was neither understood as a real contest nor was the result ever in question. Near unanimously, Egyptian citizens knew that Hosni Mubarak would win regardless of their vote, opposition, or non-participation.

This purpose of this article is to explain the political significance of Egypt's first presidential election by examining the Presidential Election Commission (PEC), the three main candidates' campaign approaches, and the outcomes for the country's key political forces. This analysis contributes theoretically by examining the adoption of non-competitive presidential elections as a means of rearranging a domestic political arena to ensure a ruling regime's dominance and pre-empt opposition challenges.

This article argues that the amendment, campaign, and election failed to enliven or level deep structural imbalances between the ruling party and the opposition forces. Secondly, the amendment, and electoral commission that oversaw the election legally ensured that the ruling party controlled the contest. Lastly, I argue that the amendment and election creates the legal and future legitimising vehicle to ensure that the next president neither comes from legal or illegal opposition forces nor hails from the military/security services complex. The election revealed its purpose was to create a precedent so that a senior NDP member is Egypt's next president. It is in this respect that Egypt's move to hold presidential elections spoke to resolving the succession issue rather than moving towards greater pluralism.

The Presidential Election Commission

The Prelude

The first direct multi-candidate elections occurred because of a constitutional amendment, which the president proposed in February 2005. In May, parliament passed the amendment of article 76, which was subsequently approved in a national referendum. The amendment creates a constitutionally enshrined vehicle for Egypt's future presidential transition. It explicitly notes that the next president must be a member of an active political party, which excludes military and security officers.

The opposition's concern quickly focused on the objectivity of the PEC.³ The ten candidates that the PEC accepted comprised members of three active political parties and another seven individuals from insignificant parties. While the election victory for Mubarak was never in doubt, the presidential race quickly became a two-person contest between Al-Ghad's Ayman Nour, and Al-Wafd's No'man Goma'a for second place.

Many of the participating opposition campaigns cited that the PEC favoured the ruling party and government. The Al-Wafd party stated that the PEC was pro-government while acting as if it were neutral (Abdel-Latif, 2005). Others argued that the campaign period was too short for an opposition figure to penetrate the electorate. As Hisham Kassem, vice-president of Al-Ghad argued, the campaign period did not allow time to create Nour's 'image as a hopeful statesman' (2005). The boycotting opposition parties felt their decision to not participate was vindicated. As the Tugamm'u party's secretary-general said:

We decided to boycott because we did not think the election would be fair or free. In a country that has been ruled by emergency law for 24 years, does not permit meetings outside of the party headquarters, refuses to allow the parties direct access to the people, and holds 20,000 political prisoners, are we supposed to be happy to pass out pamphlets for three weeks? The other parties are free to participate but our party decided against legitimising this affair (Abd al-Razik, H., 2005).

While these concerns related directly to the rules of the electoral process, the PEC's expansive powers and personalities underscored a larger legitimacy problem. The independent and opposition press quickly became disillusioned with the PEC's seeming bias. Particularly, the press targeted the PEC's president, Mamduh Mare'i,⁴ who became the chief representative of the commission's pro-government leanings. The press argued his background, as an assistant justice minister, made him susceptible to state influence (*Destour*, 2005). Also, the press stated his appointment

to the Supreme Constitutional Court's Chief Justice from being an obscure judge in one of Egypt's 500 lower appellate courts suggested unwavering allegiance to Mubarak.

While the personality critiques had a limited effect, the PEC's absolute authority drew criticism from members of civil society. As one board member of the Egyptian Organization for Human Rights remarked, '[The PEC] is an administrative body with extra-judicial powers. Although it is enshrined in article 76 of the constitution, this body contradicts constitutional article 68' (Abd al-Razik, G., 2005). This legal concern, while valid, was moot when discussing the PEC's reach.

The ruling party brushed away criticism of the PEC by arguing that it was strongly legislated to prevent a political gridlock. As Ahmed Ezz, a senior figure in the NDP, argued:

The parties are not mature here. When we developed a parliamentary consensus over the PEC's authorities, we decided that it should not be able to be overruled because a candidate could contest an election in an irresponsible way. Al Gore faced election irregularities in Florida and did not take the nation through a contested election. We did not have the same guarantees because some candidates may not respect the system (2005).

Other NDP leaders, such as Mohamed Kamal, argued that criticism of the PEC was a ploy for opposition candidates to attract attention. As he argued:

It's a good thing the PEC was strong. The opposition parties demanded a strong body so there would be no bureaucracy in the process. Besides, the Chief Justice of Egypt's highest court was the PEC's head (2005).

The Campaigns

The candidate's campaigns illustrated the existing political imbalance between the ruling and opposition parties in Egypt. The candidates' campaigns and styles could not have been more different. Some, such as Ayman Nour, opted to tour the country to appeal directly to the people. Al-Wafd's candidate chose to conduct an expensive media campaign through advertisements in print and on TV. The NDP candidate, however, ran a balanced campaign that included a mixture of media advertising and touring the country.

Hosni Mubarak: The ruling NDP ran the most impressive campaign. With their headquarters based in the Center for National Studies in Cairo's Heliopolis district, the NDP headhunted and employed around 200 full-time people for the 19 days of campaigning. The campaign machine included legal, political, economic, advertising, party communication, research, and media sections to organise a campaign offensive unlike any ever undertaken by a candidate in the country's history.

Media experts, such as Lamis Hadidi, oversaw young staffers who contacted local and international media to keep them updated on Mubarak's campaign. They arranged interviews, e-mailed the president's speeches and press releases, answered questions, and arranged press conferences with prominent NDP members such as Minister of Investment Mahmud Mohy Al-Din. A website dedicated to the president's campaign was also available in Arabic and English with information and his platform. In a change from a previous era when the ruling party members were inaccessible, the campaign team changed the appearance of conducting electoral campaigns in Egypt.

The NDP campaign team went to extensive lengths to develop the image of Mubarak as an ordinary citizen and patriot. Rather than portray the presidency as above society, his campaign team crafted Mubarak's image as a servant reaching out for an electoral mandate; an example of this was the official campaign poster. With a dark green background with the phrase, 'Mubarak 2005: The Leader and Bridge to the Future' (*Al-Qa'id wa `Abor lil-mustaqbil*), Mubarak was pictured in a white shirt and checkered tie looking reflective and seeking to serve the nation. Yet, while the NDP succeeded in shedding light on a side of the president previously under-utilised, the campaign did little to alter the commonly held view that the Egyptian president is the unchallengeable source of authority.

Mubarak's campaign promises were the strength of his campaign. Yet, people ridiculed the promises by asking why Mubarak had failed to attend to these problems in his previous 24 years as president. In his candidacy speech, Mubarak made several promises that he repeated throughout the campaign. Some of the key reforms he pledged included:

- Constitutional amendments that enshrine individual liberties, reinvigorate political parties, develop the institutional framework for the decision making processes, and placing restrictions on executive authority;
- Enhance parliament's institutional role by allowing it to keep the government accountable;
- Enhance the quality of the state-owned newspapers;
- Create 4.5 million jobs in the next six-years;
- Initiate better micro-finance loan programmes;
- Provide nationwide health insurance for all citizens;
- Complete a new metro line and better transportation for residents in Upper and Lower Egypt;
- Raise wages of civil servants by 100 per cent;
- Create 3,500 schools in the next six-years;
- Legislate an anti-terrorism bill so emergency law can be repealed.

While his promises were unlike any previous policy offensive, critics noted that the pledges were not time-specific. As a leading intellectual argued:

The president did not commit himself to a timetable. We need to get him talking more [about his promises]. Once the president makes a statement, the other candidates should have engaged with his agenda rather than dismiss it (Al-Sayid Said, 2005).

Mubarak's promises also provide insight into the priorities of reform. In the venues the NDP candidate visited during his campaign, a distinct pattern of emphasising political topics and reforms in major urban areas and economic issues in more rural governorates was apparent.⁵ For example, in the Delta's coastal city of Dumeita, Mubarak's speech focused on economic reforms before barely mentioning political reforms. The significance of this is that in areas disconnected from the capital, the economy is a more substantial concern for citizens. Conversely, in major urban

centres such as Alexandria and Cairo, the political side of his campaign featured more prominently.

The Mubarak campaign machine developed its message through extensive opinion polling. Eight major opinion polls were conducted. The polling covered all substantial issues such as views about the economy, standard of living, and politics. No less than 21 of Egypt's 26 governorates were covered and the minimum sample of 5,500 individuals was selected in each individual survey (Ezz, 2005). Additionally, no pollster was sent to the same place twice. The campaign team even calculated a margin of error to include potential respondents that may have answered favourably but were not sincere (Ibid.). The significance of this is that the NDP had researched and knew its political promises would not be a major concern outside of Egypt's two largest cities. This is not as much a surprise as is the weak impulse for political reform throughout the country. Tailoring economic and political issues to suit rural and urban areas was also a tactic used by the other two top candidates in the presidential election campaign.

The election's real unknown was the race for second place between Ayman Nour and No'man Goma'a. The obvious differences between the two candidates were that Nour is younger and anti-establishment while Goma'a is 71 years old and is close to NDP's circle of power. Observers summed this up as 'Nour is a candidate without a party and Goma'a has a party but is not the suitable candidate' (Egyptian journalist). In a political system supposedly being managed to inspire opposition parties, the individual candidate with a nascent party proved to be the more formidable candidate. Yet, despite this caveat, the number two and three candidates' campaign styles and approaches differed vastly from that of the NDP's candidate.

Ayman Nour: Al-Ghad's Ayman Nour, 40, was the youngest of the presidential candidates.⁶ Nour is known in political circles for his political timing. Organised group political activity is not Nour's strong suit as his individualism tends to overtake group political projects.

The lack of a party infrastructure affected Nour's campaign. For example, Nour faced an obstacle in fund raising. According to one of the party's vice-presidents, the budget for the campaign was 'less than 1 million LE; it was more like 800,000 LE' (Kassem, 2005). While Nour's wife and party spokesperson, Gamila Ismail, acknowledged that the donations had been limited, Kassem was more exacting in explaining the low donations collected by the party. As he noted, 'No serious businessman outside of the party donated towards Ayman's campaign. They were too afraid of offending the government and Mubarak' (2005). Funding was not the only problem for Nour's campaign.

The weakness of al-Ghad as a party forced Nour to tour the country to meet the electorate. Nour was the most active in the campaign rallies. As he told supporters in Cairo's Tahrir Square on 3 September, 'In 18 days, I did 22 rallies in 19 governorates' (Nour Rally, Cairo). Yet, the party's weak infrastructure hindered the flow of information to supporters and observers. For example, their press office consisted of one person with a mobile phone. If he was unavailable, Al-Ghad's message and campaign plans were impossible to ascertain. While the campaign's infrastructure was lacking, its strategy in selecting venues was tactical. The campaign team selected areas deemed to be against the president. For example, Nour went to Port Said twice, Al-Mahala, and Northern Sinai's Al-'Arish.⁷ Despite the careful selection and frantic schedule for convening campaign rallies, the short 19 day

campaign period never afforded Nour's campaign team sufficient time to promote his candidacy. Nour was the lone candidate to put forth a platform with a detailed timetable. For example, during his campaign speech in Al-Minya, if elected, Nour pledged:

- To repeal emergency laws and release all political prisoners by October 2005;
- That parliamentary elections would be held in November as scheduled;
- To restructure the state media apparatus by January 2006;
- By March 2006, an elected committee would write a new constitution, which would be subject to national referendum;
- In September 2007, he promised new presidential elections in which he would stand down from the post.

This timetable was a positive element of the campaign, but Nour did not develop or use his timetable or platform effectively. Instead, Nour preferred to attack ruling party elites. Nour pursued expressive political attacks rather than engaging with Mubarak's platform during his campaign speeches. As Nour argued, 'We don't go to conferences in helicopters or covered in security. If you are afraid of the people then you don't deserve to be elected by the people' (Nour, Cairo). While this type of campaigning may have resonance among marginalised citizens in Egypt, it failed to provide constructive political alternatives to the status quo.

Nour also diverged away from his platform and timetable to focus on socio-economic problems such as corruption – a theme in each campaign rally providing continuous individual stories of government-linked rampant corruption. He attacked the minister of finance, Yosuf Butros-Ghali, over property he owns as well as the corruption within the public health and education systems (Nour, Cairo). This type of campaign strategy relies on agitating sentiment against the ruling political establishment without advancing alternatives and awarded Nour the protest vote but was unable, in drawing those who sceptically viewed the process, to participate by voting for him. By focusing on issues such as corruption and a lack of social services, Nour did not campaign on solutions. Opposition victories were structurally precluded from the outset. Although negative campaigning does work in attracting the disaffected and marginalised for a protest vote, the lack of structured alternatives did not serve as an incentive for participation for those that want continuity with reform. Relying on moralistic arguments to excite an electoral base was a doomed strategy for getting more of Mubarak's vote because it failed to mobilise support against the rule of a 24 year incumbent.

The emphasis on socio-economic issues such as corruption demonstrates Nour does understand it is economic rather than political issues (particularly outside of Cairo and Alexandria) that dictate responses from Egyptians. Hence, while Nour seems to understand the country's potential electorate, the style of the campaign could never gain the support of more than the margins of disaffected citizens seeking system change. Nour would never have won but he could have gnawed away more of Mubarak's votes. While there is nothing Nour could have done to win the election, his campaign demonstrated the lack of coordination or solution-based thinking within Egypt's secular opposition circles. Even if Nour had engaged more with Mubarak, it would not have made an impact on the election's result. But, it could have potentially set the foundation for future opposition.

No'man Goma'a: Al-Wafd's No'man Goma'a was the remaining significant candidate.⁸ Goma'a maintained uncharismatic control over the historic Al-Wafd party between 2000-2006. In recent years, Al-Wafd's influence declined and the party leadership took a decision to run in the elections in hopes of raising the party's profile before the scheduled November 2005 legislative elections. As party vice-president explained, 'Because of the timing of the presidential and parliamentary elections, these two elections are actually one. If we don't participate we will suffer in parliament' (Abaza, 2005). With the impetus of participating in the legislative elections closely connected to its presidential election campaign, the party chose Goma'a as its candidate.

Al-Wafd's campaign style differed from Al-Ghad's approach. With a base of wealthy party members, Al-Wafd was able to collect finances from its members that met the 10 million LE campaign limit (Al-Kouly, 2005). The campaign team relied heavily on TV and newspaper advertisements rather than going out and meeting the electorate. What advantage Al-Wafd had in media strategy was sacrificed by their candidate's unwillingness to conduct an aggressive campaign rally schedule.

The Wafd candidate held only six election rallies during the 19 day campaign period.⁹ The rallies excluded important urban centres such as Egypt's second largest city, Alexandria.¹⁰ Hence, the party relied on campaigning where they were already established and have strong support. For example, the Bilbis rally had approximately 10,000 supporters under an expansive Ramadan-style tent.¹¹ Combined with his lack of charisma and half-hearted campaigning, the 71 year old Goma'a seemed to go through the motions with crowds rather than appear committed to the campaign. A prominent Al-Wafdist member remarked after the elections that:

There were several problems with our campaign. Unfortunately, one of the problems was our candidate. He is neither a charming figure nor did he act convinced of his candidacy (Fakhry Abd al-Nour, 2005).

Yet, if the Wafd's media campaign was regarded as negative, the campaign speeches reflected a strategy of discussing socio-economic problems such as unemployment and corruption. For example, in Bilbis, he mentioned a corruption scandal allegedly involving the former editor-in-chief of *Al-Ahram* and linked it to national debt. As Goma'a stated, 'Ibrahim Nafa'a's salary was 3 million LE per month. No wonder the country is in debt' (2005). Goma'a pointed to the government's socialist oriented five-year plans and attempts to irrigate desert land into fertile agriculture land as another failed strategy. Similarly, he argued that an import-based economy had made Egypt industrially dependent. As he said, 'All *they* care about is importing expensive equipment and making a commission from their sales' (Ibid.). As with Nour's campaign style, Goma'a proved apt at exposing the government's shortcomings and inconsistencies without advancing alternative focused plans of action. His political platform was underdeveloped relying on calls for 'real democracy' without detailing a plan beyond cancelling emergency laws and getting rid of the 'military government'.

Goma'a had the advantages of an experienced party infrastructure. Yet, the lack of a platform, his lack of charisma, and short-temper with supporters¹² had an impact on his campaign. Given the Wafd's poor performance in legislative elections when they won only six seats in 2005, the media campaign was not enough to salvage Al-Wafd's viability as an opposition party.

The Outcome

While the brief 19 day campaign period was active, the election's result was predetermined in Mubarak's favour. With the perceived bias of the state media and the PEC, mobilising the vote was the key to electoral success. Arguably, the election's low 23.9 per cent turnout was more favourable to the opposition parties with their limited bases. Yet of those participating, only the NDP campaign team possessed the resource capacity to mobilise the vote throughout the country.

The National Democratic Party (NDP): It is not surprising that the NDP's candidate, Hosni Mubarak, won by a dominant margin. Besides ruling Egypt since Sadat was assassinated in 1981, Mubarak is widely viewed as a leader that maintains peace and stability. Similarly, given the weak state of the opposition parties, the NDP has enjoyed a political monopoly over Egypt since Sadat created the party in 1978.

Unsurprisingly, the NDP proved the best mobilised to get out the vote. According to a senior NDP figure, the NDP had organised '50,000 people throughout the country,' to help facilitate getting voters to the polling stations (*Financial Times*). Additionally, in the campaign's headquarters, 400 volunteers staffed telephones while 7,400 mobile phones were distributed to supporters in the field to report hourly on voter turnout levels at nearly 10,000 polling stations throughout the country (Ezz). The ruling party's research gave them prognosticated turnout figures for each hour. NDP members in some districts organised guidance booths where volunteers helped organise citizens' paperwork to speed up the voting for the president.

Getting Mubarak elected in Egypt's first presidential election happened in a controlled environment. The campaign period proved to be largely a training ground for the ruling party's campaign strategy for future parliamentary, Shura council, municipal, and presidential elections. The ruling party's experience in this presidential campaign could help perpetuate continued NDP dominance in such presidential elections. Even if a scenario resulted in which the next presidential elections are held within a fully democratic context, the NDP's experience of conducting a professional campaign will give it an advantage it over its competitors. While Mohamed Kamal agreed the party learned lessons from the campaign's style, he felt that regardless of this experience, the electoral process was not relegated to NDP dominance. As he explains, 'You can always buy talent. We were organised and it showed. Besides, there is no turning back. Egypt will never go back to a system where there is only one candidate' (Kamal).

Many observers anticipate that Gamal Mubarak will be Egypt's next president. With the amendment of article 76 and the legal precedent of his father having gone through the process, what type of leader is Egypt preparing for should Gamal succeed his father? His economic team has been expressly focused on neo-liberal economic reform. These types of policies – particularly cutting subsidies, selling Egypt's public sector industries, and reducing domestic protectionism – is producing high levels of inflation and increasing costs for basic food supplies. As salaries have not increased in relative terms, Egypt has seen waves of collective industrial action since 2004 in virtually every profession and industry connected to the state. Most recently, a nationwide strike on 6 April 2008 was aborted because of pressure from the security services. As a consequence, resistance erupted into intifada-like revolts by the population in places such as Mahala al-Kubra. While

some allies close to Gamal Mubarak, such as Yosif Botros-Ghali and Mahmud Mohy al-Din, have argued for more aggressive privatisation to continue undeterred, there are growing signs that Gamal is willing to resort to targeted populism to resolve economic demonstrations. Yet, rather than one side or the other winning, it results in a mixed system that advantages the state's neo-liberal bend.

Al-Ghad: For Al-Ghad, the electoral results showed Ayman Nour winning 7.57 per cent of the vote but also demonstrated the strength of Nour individually. Al-Ghad has a weak party infrastructure, limited campaign funds, and Nour's platform was not developed. Al-Ghad simply did not have the organisational ability to make sure its voters were mobilised and got to the polls. While some journalists reported that Al-Ghad representatives were not allowed into the polling stations, the party did not have the capacity to have a representative in all of the polling stations (Kassem). Therefore, in this context, Nour's vote count is an achievement.

Nour's convincing defeat of No'man Goma'a suggests that he is capable of drawing on the Wafd's liberal base. Although Nour left Al-Wafd in 2001, one senior party member noted, 'In my parliamentary district, many voters chose Nour because they still consider him a Wafdist' (Fakhry Abd al-Nour). Nour championed himself as the leader of the opposition because of the results. In *Al-Masry Al-Youm*, Egypt's most independent daily, Nour proclaimed that in the next presidential election in 2011, a showdown between him and Gamal Mubarak was inevitable (11 September 2005).

It is fair to argue that Nour and Goma'a probably had similar electoral bases. Yet, Nour's populist style and anti-establishment profile awarded him the protest vote. Hence, people who wished to participate and not intentionally spoil their ballots voted for Nour because he appealed to their negative views of the system. Yet, his strategy was always limited in terms of getting a bigger percentage of the voters because most voters will not vote for political change based on a platform of rejection of the accepted political framework, which the NDP unilaterally determines.

Since Ayman Nour's imprisonment, Al-Ghad's party activities remain grounded as internal fights between pro- and anti-government activists plague the group. The stalemated situation has led to the resignation of many of the group's pro-Nour leadership. Currently, Nour's wife, Gamila Ismail, is the president of the isolated party. With the departure of Nour, the party never recovered. This is but one by-product of Ayman Nour weaving the party into his own personality so tightly. It cannot be expected to be a future political participant – be it in elections or in a regular political atmosphere.

Al-Wafd: The Al-Wafd's electoral results were disastrous. While the Al-Wafd won the most seats of any opposition party in the 2000 parliamentary elections, the presidency of No'man Goma'a strained the historic party's national electoral base. By expelling popular MPs for personal reasons, keeping the party inactive as an opposition force, and running a campaign in a half-hearted manner, Al-Wafd now faces the challenge of rebuilding itself before it can seriously compete in future elections. There are internal problems with the party nationally. By only campaigning in areas that were perceived friendly to the Al-Wafd, the party failed to attract potential voters. Hence, the media campaign proved less effective than working the campaign trail.

Al-Wafd maintains a wealthy membership but its party status as a viable opposition force is being threatened in practice given Nour's second-place finish. Despite an

approach of positioning itself as the regime's most favoured opposition party, its electoral defeat showed that it was competitively ineffective in offsetting Nour. If the party is unable to attract non-members by reaching beyond traditional bases of support, the party will continue its slow decline towards irrelevance.

The Other Candidates: The remaining seven candidates in Egypt's presidential election won a mere 0.9 per cent of the national vote.¹³ The candidates represent minor parties most Egyptians neither can name nor know exist. These candidates represent parties that have never won parliamentary seats nor will likely ever have a chance to compete for the presidency again. While their platforms served as comic relief for observers of Egypt's first presidential elections,¹⁴ none of these individuals or parties deserved the national attention awarded to them in the 19 day campaign period.

The Muslim Brothers: The Society of Muslim Brothers is Egypt's largest opposition movement. Illegal but tolerated, the Brotherhood has uneasy relations with the government. It was clear that the government had no interest in permitting a Brotherhood candidate to compete as an independent presidential candidate. The president and NDP officials had stated publicly in the months leading to the presidential elections that the Brotherhood would not receive a party license (Mubarak, 2005). The elections, as a result, presented an opportunity and a test for the Muslim Brothers. If they chose to boycott, they could be blamed for a low turnout figure. Similarly, if they participated by mobilising for an opposition candidate, the strategy could have backfired ahead of the parliamentary elections while incurring the repressive wrath of the regime.

To combat the dilemma, the Brothers' General Guide, Mohamed Mahdi Akef, issued a statement calling on members to vote in the presidential elections (*Al-Masry Al-Youm*, 21 August 2005). He said, however, that the movement would not organisationally vote for a particular candidate and cautioned members against voting for 'a tyrant' in what could be interpreted to be Mubarak.¹⁵

The Brothers remained on the safe side of the regime by publicly asking its members to participate by voting. Yet, despite its call to participate, it seems that most Brothers stayed away from the polls. There is no evidence to suggest that the Brothers mobilised in support of one candidate or another. While it is speculation to guess what the Brothers are capable of mustering in a national election, the low turnout that characterised these polls suggests their impact was minimal because they did not mobilise. In this respect, the Muslim Brothers merely reflected Egyptian society by not going the polls.

The aftermath of the election has been anything but calm for the Muslim Brotherhood. This has less to do with the group's stance during that election and more to do with their performance in subsequent national elections. In the 2005 parliamentary elections, 88 out of 150 Brotherhood candidates prevailed giving them twenty per cent. The group's parliamentary bloc has elevated the seriousness and institutional capacity of the People's Assembly despite not possessing the ability to pass or reject the government's legislation.¹⁶

The Brotherhood's parliamentary effectiveness has produced a repressive response by the ruling regime. Over 1,000 people were arrested and released over the course of 2006. Most notably was the arrest of Khariat al-Shater and other prominent Muslim Brothers in December 2006. Since then, the group has seen some arrested Brothers'

personal financial assets frozen as well as the resumption of military trials against civilians, which is a tactic that the Egyptian government had abandoned in 2000. Despite the increasing repression that the group has confronted since 2005, it has not wavered from contesting elections or attempting to revive legal and constitutional avenues of participation.

In addition to contesting repressive Shura Council elections in June 2007, the group announced that it would boycott the 2008 Local Council elections. While the group tried to run as many as 5,700 candidates, and despite acquiring over 2,000 judicial ruling to allow them to run, the regime ignored the ruling and only permitted 20 Brotherhood candidates to appear on ballots. Additionally, over 800 of its members were arrested in the two months prior to the local elections. Faced with such grotesque and pre-emptive electoral manipulation and rigging, the group announced a boycott two days before polling. The Brotherhood can expect the arrests of its members to ebb and flow depending on how the government perceives a political situation.

The Boycotters: Two operating and legalised opposition parties, Al-Tugamm'u and the Nasserist, boycotted the polls by arguing that their participation in the polls would legitimise the 'theatre' of elections (Al-Sinawi, 2005).

Al-Tugamm'u's secretary-general, Hussein Abd Al-Razik, said they did not consult with the other opposition parties over their decision. He said they provided a list of demands to the government which were ignored.¹⁷ He said some of the party's general-secretariat voted to participate by arguing, 'We need to participate in the elections. The government will minimise our seats in the legislative elections' (2005). Yet, there is no evidence that the government contacted the party and threatened such exclusion. Indeed, 'The government does not have to contact you if the highest committee in the party thinks this is the case' (Ibid.). Al-Tugamm'u has a limited membership base nationally comprising only 30,000 people.¹⁸ Had they participated in the presidential elections, this would not have changed the outcome. Rather than risk an embarrassing result, the party opted to take their chances in the more individually driven parliamentary elections.

Another movement that chose to boycott the presidential elections was the extra-parliamentary protest movements known as Kifaya. Kifaya representatives issued several statements prior to the election. For example, Kifaya leader and *Al-'Araby* journalist, Abd Al-Halim Qandil claimed that any parties participating in the presidential race were 'treasonous' (*Al-Masry Al-Youm*, 26 August 2005). The Kifaya movements held demonstration on the day of the election but this was of limited added value because of the group's obsession with personalised and rejectionist politics. While the movement mobilised and marched through the streets on election day, boycotting the election proved a wasted opportunity as it failed to transmit an alternative, realistic, or constructive message.

Kifaya argued they boycotted the elections because they did not believe the process would be fair (Ishaq, 2005). Yet, by remaining a protest movement founded on a programme that rejects ruling elite personalities, Kifaya ignores the more important structural deficiencies of the system and reinforces the lack of constructive political interaction between the opposition and the government.

Since the presidential elections in 2005, Kifaya has *not* evolved into a wider social movement. If anything, Kifaya have experienced more fragmentation among the

groups that comprise it such as the Popular Campaign, Revolutionary Socialists, and the various groups 'For Change'. Rift with internal disagreements and unable to produce documents that show any semblance of a political way forward, the movement has been forced to attach itself to the nationalist issue of the day rather than serving as an engine that places issues on the agenda. Examples of this can be seen in the movement's bandwagoning to be included in the judges' revolt in 2006 when they failed to persuade parliament to support a judicial independence bill.

Conclusions

Substantial modifications to a political system place as many constraints as opportunities for a polity. Such a modification needs to be formulated by consensus among all the country's political forces to ensure that citizens' feel fairness and competition mark the process. In this sense, it is an opportunity to redefine how an authoritarian regime operates. But if the process is heavily controlled, the experiment will be stillborn. Then, like multi-party parliamentary elections over the past 30 years in Egypt, further disillusionment will be encouraged in society where voting is already the least favoured option for political participation.

The legal opposition forces that may participate in the future presidential elections are not conditioned to engage or debate with the ruling party's imbalanced implementation of its political agenda. This will continue to exacerbate the government-opposition relations without even addressing Egypt's largest opposition (The Muslim Brothers), who are excluded because of legal technicalities as opposed to political reality. The constitutional amendment and the presidential election proved ineffective for enlivening political or opposition competition. Indeed, it continues to contribute to the vicious circle of opposition underdevelopment. Hence, the amendment and elections failed to achieve the objective of inspiring opposition participation. It is within this context that holding presidential elections is unlikely to change the ongoing legal opposition's political crisis.

The amendment and non-competitive presidential elections is a constitutionally enshrined empty formality rather than a legitimising mechanism for selecting a head of state. Instead, the election's purpose was to adapt the system's authoritarian character and facilitate Egypt's future presidential succession. Adaptation, in this sense, had two implicit aims. The amendment and election rearranges the domestic political arena to ensure the ruling regime's dominance while pre-emptively checking potential opposition challenges. While the amendment and the election was uninspiring for a demobilised electorate, it also establishes a legal and normative precedent that Egypt's next president will hail from the ruling party rather than another part of the regime apparatus. Given this is the emerging scenario, it is reasonable to speculate that Gamal Mubarak will succeed his father. As it stands now, a great deal of political capital and overt (and technically) illegal interference by the security apparatus will be required to *prevent* the inheritance of Egypt's presidency under the guise of an election.

The question that remains is, despite the NDP acting as if the election is a competitive and representative process, can it provide the necessary governing legitimacy to Egypt's next president? This is particularly pertinent considering that Gamal Mubarak and his neo-liberal economic team seemed poised to redesign the Egyptian economy. Taking over presidential power is the easy part, but the functional governance afterwards will prove to be the challenge for Egypt's first post-Hosni Mubarak president.

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Endnotes

1. According to the PEC's figures, the former air force general won 6,316,784 of the 7,131,851 valid votes cast. Runner-up, Ayman Nour, had 540,405 votes (7.57 per cent) while in third place, Noma'n Goma'a, won 208,891 votes (2.93 per cent). The remaining seven candidates won 0.9 per cent of the vote.

2. Prior to September's presidential election, Egypt's president was selected by a two-thirds endorsement by the People's Assembly and then subjected the single candidate to a national referendum.

3. The amendment of Article 76 details the PEC's various duties such as candidate selection, supervision of procedures, and announcing the results. Also, the PEC maintains 'full judicial competence to rule on any contestation or challenge submitted in relation to the presidential elections, and its decisions will be final and subject to no appeal.' A number of Arab countries such as Tunisia, Algeria, and Morocco have adopted election commissions.

4. The president appointed Mamduh Mare'i as the Supreme Constitutional Court's chief justice in August 2003.

5. The president made campaign speeches in Cairo's Al-Azhar Park, 10th Ramadan City, Beheria, Malaha Al-Kubra, Al-Minya, Mansourah, Assuit, Dumeita, Zagazig, Alexandria, and Cairo's Abdeen Square.

6. Nour's political star exploded when he was arrested for forging membership documents in the party application process. The case was highly politicised and drew disproportionate attention from the US government. Several editorials were penned in major US dailies, such as the *Washington Post*, during his 42 days of detention between 27 January and 13 March 2005. After he was released on bail, Nour's trial began on 28 June 2005 and on 24 December 2005, Nour was sentenced to 5 years for forgery. The Court of Cassation rejected his last possible legal appeal on 18 May 2006.

7. Port Said is unfriendly to Mubarak because the president withdrew its duty free status in January 2001. The Port Said business community interpreted this move, which hurt the economic viability of the city, as retribution for the assassination attempt on Mubarak in Port Said on 6 September 1999. Al-Mahala al-Kubra is the town that hosted textile companies that used to export to the US before the Egyptian-Israeli governments signed a Qualified Industrial Zone (QIZ) agreement excluding Al-Mahala's factories. Al-'Arish is a current place of tension since the Hilton Taba bombing on 7 October 2004 where 34 mostly Egyptian and Israeli citizens died. The Egyptian authorities believed that Al-'Arish was the mastermind and conducted a crackdown on the city arresting close to 2,500 people in November and December 2004.

8. Goma'a served as Al-Wafd deputy-chairman between 1989 and 2000. After longtime party president, Fouad Sarag Al-Din, died at the age of 90 in August 2000, Goma'a was elected as president in October 2000. Following the presidential election and the party's poor parliamentary election showing, an internal power struggle erupted. Reformers within the Wafd, such as Mahmud Abaza, Al-Sayid Al-Badawi, and Monir Fakhry Abd Al-Nour, ousted Goma'a as party president in January 2006. An ambivalent response from the NDP-chaired Political Parties Committee allowed the party's situation to deteriorate until 1 April when Goma'a and gun-wielding thugs invaded the party's headquarters and shot 6 people and wounded dozens others. Documents and portions of the Wafd villa were also burned. Goma'a was arrested but was released without charge.

9. Rallies were held in Qena, Port Said, Rod Al-Farag, Helwan, Bilbis, and Tanta.

10. When I asked why they chose not to hold an Alexandrian conference, vice-president Mahmud Abaza explained, 'The elite in Alexandria are snobs. They are very fickle and we did not think it would win us much support if we campaigned there' (2005).

11. Bilbis in the Delta's Sharqiya governorate is a particular Al-Wafd stronghold. In addition to Goma'a's distant relatives in the governorate, most of the steering committee members, such as Abaza, Mohamed Sarhan, and Al-Sayid Al-Badawi hail from Sharqiya.

12. As Goma'a spoke in Bilbis, supporters interrupted him frequently. This irritated Goma'a, who tried to stop people from whistling. When the crowd quieted, one person let out another whistle. Increasingly impatient, Goma'a shouted, 'Whoever just whistled is a child and a coward.'

13. The fourth place candidate won just over 29,000 votes while the last had about 4,100 votes.

14. Ahmad Al-Sabahy, Al-Umma's candidate, promised to reinstate the Fez as the national headdress of Egyptian males if elected. Al-Sabahy also famously said that 'God forbid, if I win, I will give the presidency to Mubarak.' During one of his press conferences he said that he was voting for Mubarak (*Al-Ahram*, 29 August 2005).

15. Ayman Nour courted the Muslim Brotherhood vote by promising to grant them a party license if they supported his bid. Some prominent Brotherhood members then publicly endorsed Nour.

16. See Samer Shehata & Joshua Stacher, 'The Brotherhood Goes to Parliament', *Middle East Report*, Fall 2006.

17. The demands included cancelling emergency law, abolishing the political parties committee, allowing parties to meet and demonstrate, cancelling the profession syndicate law, and providing access to state media.

18. Abd Al-Razik blamed the low membership on Sadat's crackdown after the January 1977 'bread riots' when many of its members were arrested or simply resigned.

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