



Reneging on Reform: Egypt and Tunisia

By Jeffrey Azarva

On November 6, 2003, President George W. Bush proclaimed, “Sixty years of Western nations excusing and accommodating the lack of freedom in the Middle East did nothing to make us safe—because in the long run, stability cannot be purchased at the expense of liberty.” This strategic shift, coupled with the invasions of Iraq and Afghanistan, put regional governments on notice. The following spring, Tunisia’s president, Zine El Abidine Bin Ali, and Egypt’s president, Hosni Mubarak—stalwart allies in the U.S.-led war on terrorism and two of North Africa’s most pro-American rulers—were among the first Arab leaders to visit Washington and discuss reform. But with this “Arab spring” has come the inadvertent rise of Islamist movements throughout the region. Now, as U.S. policymakers ratchet down pressure, Egypt and Tunisia see a green light to backtrack on reform.

More than a half-century after North Africa’s emergence from European colonialism, democracy in the Maghreb remains stillborn. The nationalist movements which swept across the region’s political landscape in the 1950s and 1960s ushered in an era of entrenched authoritarianism. Post-independence governments in Egypt and Tunisia—eager to assert their legitimacy, engineer state-led economic growth, and plug the security void left by British and French authorities—eschewed pluralism in favor of single-party rule.¹ When the regimes of Gamal Abdul Nasser and Habib Bourguiba stepped into the breach, they extended their reach to most corners of their societies, from the security apparatus to organized labor and even private enterprise.

Throughout the 1970s and 1980s, the political systems in Cairo and Tunis hardened as Cold War exigencies trumped calls for democracy. While U.S. and European Union (EU) prodding encouraged greater economic privatization, meaningful political change did not accompany the cautious transition toward free-market reforms. There was little sustained pressure to reform. U.S. diplomats

believed democracy promotion would destabilize the Middle East, threaten access to crude oil, strain bilateral military cooperation, and undercut the Arab-Israeli peace process. The 1991 crisis in Algeria, where an imminent Islamist victory in national elections prompted a military intervention and triggered a six-year civil war, reaffirmed doubts about “Arab democracy.” In the decade that followed, the U.S. State Department spent just \$250 million on democracy assistance programs throughout the Middle East.²

The 9/11 terrorist attacks changed this strategic calculus. The Bush administration jettisoned six decades of stability-first foreign policy and staked U.S. national security to the spread of democracy. But no sooner did elections occur in Ramallah and Baghdad did Washington begin to reverse course. Frightened by the rise of Islamist groups endorsing terrorism, the White House began to retreat to a realist, pre-9/11 mentality.

Egypt: Better the Devil You Know?

The case of Egypt is instructive. On October 30, 2004, after three years of legal wrangling, the Egyptian government licensed *Hizb al-Ghad*

Jeffrey Azarva (jazarva@aei.org) is a research assistant at AEI.

(Tomorrow Party), one of the few liberal opposition parties to receive recognition in Egypt since 1952.³ Al-Ghad's jubilation was short-lived. Three months later, on January 29, 2005, Egyptian security forces apprehended Ayman Nour, the party's chairman and a leading figure in Egypt's embattled opposition, on trumped-up charges of forgery.⁴

Throughout Hosni Mubarak's quarter-century in power, he has spoon-fed the same argument to every U.S. administration since Ronald Reagan: if the Egyptian government holds free and fair elections, extremists will seize power, void the Egypt-Israel peace treaty, and cease military and intelligence cooperation with the United States.

The move did not go unnoticed in Washington. On January 31, the State Department condemned his arrest.⁵ Two days later, President Bush used his State of the Union address to implore Egypt to "show the way toward democracy in the Middle East."⁶ On February 26, with Nour's case still in limbo, Secretary of State Condoleezza Rice postponed a visit to Egypt.⁷ Washington's arm-twisting worked. That same day, Mubarak acquiesced to demands that he amend Article 76 of the Egyptian constitution to permit the country's first contested presidential elections. The government released Nour on March 12.⁸

Emboldened by the regime's concessions and spurred on in part by anti-Americanism, Egyptian dissidents redoubled their efforts. The Egyptian Movement for Change (*Kifaya*, which translates to "Enough") was the most prominent group to arise. A disparate coalition of Islamist, liberal, and leftist activists, *Kifaya* injected a new dynamic into the political arena when it staged a series of anti-Mubarak demonstrations in 2005 in defiance of Egypt's Emergency Law prohibition on unauthorized street protests of more than five people. Nevertheless, *Kifaya* could not prevent Mubarak from winning a fifth six-year term in the September 2005 election.

Still, there was a silver lining to his victory. Though irregularities plagued the voting, the electoral process was largely peaceful. Civil society and judicial oversight were unprecedented. On the day of the election, more than 2,000 independent monitors fanned out across Egypt to

supervise polling stations.⁹ And while Mubarak trounced his second-closest competitor, Nour, in the polls, the taboo of criticizing the regime had been broken. George Ishaq, the former general coordinator of *Kifaya*, commented that the elections had succeeded "in changing the culture of fear. Before, the president was half-god, half-president. Now he's just a man."¹⁰ The elections earned plaudits in Washington. Rice promised to stand with Egypt as it embarked on the path to democracy.¹¹

Her support did not last. Vote-rigging, fraudulent electoral lists, bribery, and bloodshed marred subsequent parliamentary elections.¹² While the ruling National Democratic Party (NDP) claimed 311 seats in the 454-seat parliament, it achieved this number only after reabsorbing 166 independent candidates back into its fold.¹³ Despite eleven deaths and more than a thousand wounded, the State Department spokesman said that Washington had received no "indication that the Egyptian government is not interested in having peaceful, free, and fair elections."¹⁴

But at the presidential palace in Heliopolis, U.S. endorsement was of secondary importance to Muslim Brotherhood gains. Mubarak perceived the eighty-eight seats won by independent candidates affiliated with the Islamist organization—what became the largest opposition bloc in parliament—as a direct challenge to his rule. When Palestinian Authority elections catapulted Hamas, a Muslim Brotherhood offshoot, into power, Mubarak cracked down. He targeted not Islamists, but rather the liberal opposition. First, his regime rearrested Nour.¹⁵ With Western governments preoccupied with the Hamas win in the West Bank and Gaza, Mubarak abrogated scheduled municipal elections.¹⁶ While the Bush administration expressed concern, its criticism was perfunctory.¹⁷ Although Rice had spoken just eight months earlier at the American University in Cairo about the need for reform, her statement following her February 21, 2006, meeting with her Egyptian counterpart, Ahmed Aboul Gheit, was muted. She cast the democracy agenda aside and said Egyptian civil society should "organize itself" and "present a case [for reform] to the Egyptian people."¹⁸

Facing no diplomatic consequence for backtracking on reform, Mubarak continued his crackdown. On April 30, under the guise of counterterrorism, he renewed Egypt's twenty-five-year-old state of emergency, despite a campaign pledge to repeal the restrictive laws.¹⁹ Bush administration officials helped to reinforce his impression the following month when they opposed Congressional proposals to slash the \$1.8 billion in annual aid to

Egypt—which has received more than \$60 billion from the United States since 1979, second only to Israel—as a means to push reform.²⁰ Citing the benefits of a U.S.-Egypt partnership, Assistant Secretary of State for Near Eastern Affairs C. David Welch warned that aid cuts “would be damaging to national interests.”²¹

Mubarak called Washington’s bluff and won. This comes as no surprise. Throughout his quarter-century in power, he has spoon-fed the same argument to every U.S. administration since Ronald Reagan: if the Egyptian government holds free and fair elections, extremists will seize power, void the Egypt-Israel peace treaty, and cease military and intelligence cooperation with the United States. But for Mubarak, raising the Islamist bogeyman alone would not convince Washington of his utility; to present his regime as the only buttress against militant Islam and terrorist resurgence, he would have to squelch any liberal alternative. Except for a brief period in 2004–05, he has done so with impunity.

Thus, when U.S. pressure abated in spring 2006, the Mubarak regime resorted to the bread-and-butter of autocracy: it crushed dissent without abandon. After pro-reform magistrates Hesham Bastawisi and Mahmoud Mekki questioned government meddling in the 2005 parliamentary elections, then–minister of justice Mahmoud Abul-Leil referred them to the state-controlled Supreme Judiciary Council (SJC) for disciplinary action.²² Viewed as a larger attack on the judiciary’s independence and supervision of elections, the government’s response prompted a sit-in at the headquarters of the Cairo Judges’ Club. As pro-democracy activists flooded central Cairo in May to express their solidarity, Mubarak’s *mukhabarat* state kicked into high gear. Security forces and plainclothes police beat and arrested hundreds of peaceful demonstrators.

U.S. dithering only exacerbated the problem. On May 12, a day after security forces detained 255 protestors,²³ Gamal Mubarak, the president’s son and heir apparent, met privately with Rice, Vice President Dick Cheney, and national security advisor Stephen Hadley at the White House.²⁴ This discussion may have seemed benign to U.S. officials, but symbolism matters. Egyptians interpreted the meeting—and Bush’s handshake with Gamal—as tacit acquiescence for the crackdown and the latter’s succession. So too did the Egyptian government. Six days later, as the SJC reprimanded Bastawisi and an appeals court rejected Nour’s final petition for a retrial, more than 200 protestors were arrested.²⁵

Then, on May 25, 2006, Egyptian security forces arrested twenty-four-year-old blogger Muhammad

al-Sharqawi at a peaceful demonstration after he held a sign displaying the words “I want my rights.” While in detention, policeman tortured and sodomized him.²⁶ Sharqawi has not been the only blogger to face government harassment. On November 6, 2006, Egyptian police detained Abdul Karim Nabil Sulayman (also known by his pseudonym Karim Amer), a twenty-two-year-old blogger, because his secular blog “insulted Islam, incited sectarian strife, and defamed the president.”²⁷ When a criminal court sentenced Sulayman to four years in prison on February 22, 2007, he became the first member of Egypt’s blogosphere—a growing outlet for dissent in lieu of Egypt’s state-dominated media—to be convicted for the content of his writing. Mubarak’s Islamist opponents have endured a similar fate.²⁸

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Against this backdrop of repression comes the parliament’s passage of thirty-four constitutional amendments. While parliamentary speaker and NDP official Fathi Sorour said the legislation will “support democracy and encourage the political participation of parties,”²⁹ it is actually doing the opposite. That the NDP steamrolled the amendments through parliament and passed a national referendum on March 26—just a week after the People’s Assembly approved the final draft laws—is telling. The reforms consolidate government power, emasculate civil society, and cripple opposition political influence. But rather than admonish Mubarak’s backpedaling, U.S. officials have condoned it. On February 8, U.S. ambassador to Egypt Francis J. Ricciardone stated that “the debate over the constitutional amendments indicates the great level of freedom . . . in the Mubarak era.”³⁰ Such “debate” extended to include the arrest of twenty-nine Kifaya activists during a peaceful, anti-amendment protest on March 15.³¹

The backlash by civil society is warranted. While Mubarak plans to annul the state of emergency, his new antiterrorism law simply restores its substance in a new guise. Mahmoud Abaza, chairman of the liberal *al-Wafd* newspaper, called it “constitutionalizing the [Egyptian] police state.”³² Other key amendments undercut the ability to field independent candidates, eliminate the full

judicial supervision of elections, and reinforce the high threshold needed for presidential candidacy. The re-amendment of Article 76 will continue to require that, as a prerequisite for nomination, presidential candidates serve on their parties' senior committee for a minimum of one year and represent a party that has existed for five continuous years.³³ By placing unregistered parties at the mercy of their legal and defanged counterparts, the NDP's divide-and-conquer strategy would further splinter an opposition under duress.

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Mubarak is shrewd; that he has presided atop the Arab world's most populous country for twenty-five years is no accident. By passing the amendments now, he will preempt pressure for genuine reform and deflect attention away from more important issues that need redress: the regime's extraordinary counterterrorism powers; the vacant position of vice president; the 1977 Political Parties Law, which has stunted party growth; the lack of presidential term limits; the military's opacity; and the executive branch's disproportionate power. Mubarak's initiative assumes an added significance when one considers that his amendments will ossify the political system for the next generation of Egyptians and pave the way for his son Gamal's succession.

Tunisia: The Façade of Democracy

Thirteen hundred miles to the west of Egypt, Tunisia is in the midst of a similar backlash. But unlike Egypt, the quiet North African republic projects a different image to Western diplomats. Wedged between Algeria and Libya and a stone's throw from Italy and France, Tunisia's reputation as a progressive Arab oasis has always been easy to cultivate.

But looks are deceiving. While Tunisia's social and economic development dwarfs those of its oil-endowed neighbors—a phenomenon outgoing French president Jacques Chirac once referred to as the “real Tunisian miracle”³⁴—its political system remains sclerotic. Since a palace coup ousted “president-for-life” Habib Bourguiba in 1987, President Zine El Abidine Bin Ali has reigned

supreme. The former interior minister and national security chief has constructed one of the world's most efficient police states. A sweeping antiterrorism law stifles dissent, and legal opposition parties are co-opted or suborned by the state. The only political party of consequence, the ruling Democratic Constitutional Rally (*Rassemblement Constitutionnel Démocratique*, or RCD), retains a suffocating grip on power. Coupled with a zero-tolerance policy toward *Hizb an-Nahda* (Renaissance Party)—Tunisia's outlawed Islamist movement—Bin Ali's neutralization of the media, trade unions, and professional syndicates has brought secular and Islamist forces to heel.

Yet the Bin Ali regime's antipathy for democracy has not always been discernible. Most Tunisians, dismayed by the nepotism, political infighting, and economic recession which prompted Bourguiba's removal, welcomed the rhetoric of Bin Ali's “Historic Change.” In his inaugural address, Bin Ali proclaimed, “Our people deserve . . . an advanced and institutionalized political life, truly based on the plurality of parties and mass organizations.”³⁵ When he reinstated presidential term limits, extended an olive branch to regime opponents living abroad, and pardoned thousands of political prisoners, including an-Nahda leader Rashid Ghannushi, his words appeared to ring true.³⁶

But any illusion that Bin Ali would eschew single-party rule for greater pluralism ended when, in 1989, he ran unopposed and RCD members swept every seat in parliament. Embarrassed by the absence of a democratic veneer, Bin Ali introduced a provision to guarantee opposition parties 19 out of 163 parliamentary seats before the 1994 elections.³⁷ But this token gesture, coupled with his winning a Stalinesque 99 percent of the vote, epitomized the regime's effort to seek democracy's patina, not its substance.

The RCD's consolidation of power in the 1990s coincided with Bin Ali's implementation of the structural adjustment reforms prescribed by the World Bank and International Monetary Fund. Tax simplification, trade liberalization, government deregulation, and devaluation of the Tunisian currency topped the list of recommendations. But while international agencies pushed Bin Ali to globalize an economy that would attract sustainable foreign investment, Tunisia's 1995 entrance into the Euro-Mediterranean Partnership Initiative (EMPI) jeopardized its short-term stability. Though EMPI established a free-trade zone with countries along the Mediterranean's southern rim, many Tunisian businesses, long accustomed to state protection, stood to lose in a free competition with European firms. Despite the potential for domestic

unrest, Bin Ali moved ahead with the reforms, given his belief that Western governments, poised to profit from an open Tunisian market, would pay lip service to reform and excuse his excesses at home.

His calculation was correct. During a 1997 visit to Tunisia, former U.S. ambassador to Tunisia and then–assistant secretary of state for Near Eastern affairs Robert Pelletreau stated that he was “convinced of President Bin Ali’s commitment to opening [the political system].”³⁸ Pelletreau’s optimism was misplaced. In 1999, Bin Ali permitted a multicandidate presidential election but deprived his opponents of access to the media. His two opponents garnered less than one percent of the vote. In 2002, he passed a referendum not only to obtain lifelong immunity from prosecution, but also to abolish the cap on presidential mandates.³⁹ For a country still recovering from the rule of one president-for-life, Bin Ali’s decision to become its second was a setback.

After 9/11, international leaders, keen to find allies in the War on Terror, continued to shower unqualified praise on Tunis. On April 19, 2003, Tunisia’s foreign minister Habib Ben Yahia met then–secretary of state Colin Powell in Washington. As the State Department swept Tunisia’s human rights record under the rug, it reaffirmed Bin Ali’s role as “a strong supporter of our campaign against terrorism.”⁴⁰ In December 2003, Chirac, representing France as Tunisia’s closest trading partner and top investor, claimed that Bin Ali’s human rights record was “very advanced” because “the most important human rights are the rights to be fed, to have health, to be educated, and to be housed.”⁴¹

When, in February 2004, Bin Ali became the first Arab leader to visit Washington after President Bush’s forward strategy of freedom speech,⁴² it appeared he had finally been called to account. Bush urged the self-proclaimed “citizen president” to open the political system and allow for a free and vibrant press. Though Bin Ali professed his commitment to a state based on democracy and human rights, his promise was hollow: he continued to muzzle the media and wage war on the Internet. On April 29, 2005, Tunisian authorities sentenced lawyer Mohamed Abou to three-and-a-half years in prison for “disturbing public order.” Abou, a cyber-activist, had posted an article comparing Tunisia’s prison conditions to the Abu Ghraib penitentiary in Iraq and likened Bin Ali to former Israeli prime minister Ariel Sharon.

In November 2005, despite the detention of Abou and other prisoners of conscience, Tunis played host to the World Summit on the Information Society (WSIS), a

United Nations (UN)–sponsored conference to bridge the digital divide between developing countries and the West. No doubt a coup for his regime, Bin Ali hailed the summit’s location as “the international community’s vote of confidence in Tunisia’s clear-sighted policies.”⁴³ That the UN provided him with this forum was both ironic and unfortunate. Under Bin Ali, Tunisia’s record of press freedom violations has ranked among the world’s worst.⁴⁴ Interior Ministry agents routinely monitor personal e-mail accounts, block sensitive websites, and supervise Internet cafes to snuff out criticism.⁴⁵ Much like the state-run media, Tunisian Internet service providers engage in self-censorship because they are held liable for their content. But even under the WSIS’s spotlight, Bin Ali did not alter his behavior. After his government learned that uncensored civil society groups planned to hold a parallel Internet summit at a local hotel, plainclothes police surrounded the premises and dispersed the delegates with force. When then–Swiss federal president Samuel Schmid opened the WSIS summit by declaring it “unacceptable for the United Nations to continue to include among its members states which imprison citizens” for government criticism, Tunisian state television cut off its broadcast for the remainder of his speech.⁴⁶

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Bin Ali has cracked down on dissent in others ways, too. Since coming to power, he has seized upon the Islamist threat to suppress any who question his authority. Throughout the 1990s, the tactic worked: Algeria’s civil war enabled him to justify his no-holds-barred strategy against Islamists to both the U.S. government and Tunisia’s secular mainstream. With the end of that conflict and Libya’s rehabilitation, however, his authoritarian ways are counterproductive. Human rights abuses are commonplace. Citizens who visit prohibited websites can be accused of plotting terrorist acts or collaborating with religious extremists. The 2002 al Qaeda attack on the Tunisian island of Djerba, and renewed fears of an Islamist resurgence in the Maghreb, have allowed Bin Ali

to use this sword of Damocles to win over U.S. officials once again. During a North African tour in February 2006, former U.S. secretary of defense Donald Rumsfeld made little mention of Tunisia's democracy deficit, even as a groundswell of resentment threatened—and continues threatening—to radicalize Tunisian youth. After discussing the expansion of U.S.-Tunisian military coordination with his Tunisian counterpart Kamel Morjane, Rumsfeld remarked, "They [Tunisian leaders] have demonstrated, if one looks at this successful country, the ability to create an environment that's hospitable to investment, enterprise, and to opportunity for their people."⁴⁷ For the White House, democracy is no longer an issue; the U.S.-Tunisian strategic alliance triumphs over all other considerations.

Planting Seeds of Change—and Fast

More than three-and-a-half years after President Bush declared his vision for a free Middle East, prospects for reform remain bleak. The "Arab spring" which blossomed in 2004–05 and jolted regional autocracies has withered. The end of White House and State Department pressures has enabled Arab dictatorships to consolidate. Mubarak and Bin Ali, two of Washington's closest strategic allies in the greater Middle East, have displayed an aversion to pluralism and the rule of law that renders the introduction of democratic reforms most difficult. As a growing Islamist tinge colors the region, many U.S. policymakers second-guess the wisdom of pushing for democratic reform.

Rather than abandon democracy promotion, Washington should pursue it with urgency. Autocrats and theocrats thrive off each other, both seeking to monopolize the stage and to prevent the emergence of more liberal activists.⁴⁸ Credibility matters. Arab reformers—who ventured into uncharted territory when they heeded Bush's call in his second inaugural address⁴⁹—now place little faith in Washington's promises. As Ishaq, the former Kifaya leader, recently said of the United States, "I will never trust them again."⁵⁰

While short-term partnership with dictatorships might seem wise, in the long-run they will undercut U.S. national security. Popular animosity feeds off images of U.S. diplomats feting dictators while liberal and civil society activists languish in prison. If there is not a liberal outlet for dissent, then the mosque becomes the only mechanism for opposition. If U.S. policymakers relax pressure for reform and fall back on an artificial sense of

security, the authoritarian culture of the Middle East will perpetuate itself. Future attacks like 9/11 will only be a matter of time. The time for reform is now. As both Mubarak and Bin Ali enter old age, ensuring a stable, secular system becomes more important than embracing a single personality.

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