

The Arab World and Democratisation

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In recent decades Arab countries have seen several periods in which liberal political reform has occupied a central position in public debate and governmental proceedings. In all cases, there has been a strong overlapping between internal and external factors. At the end of the eighties, reform dynamics were initiated that led countries such as Tunisia, Algeria, Egypt and Jordan to advance towards the threshold of democratisation boosted by the feeling of growing vulnerability experienced by their governmental elite. Faced with important social opposition movements and a large deficit of legitimacy due to its authoritarianism and failure in the social-economic management of its States, they also observed how in the international framework a period of great uncertainty was opening up, as a consequence of the collapse of bipolar order. The combination of both factors favoured the reformist option for a short but very intense period. These liberalising dynamics, which could have evolved towards democratisation, were left shattered by the Gulf War and its subsequent consequences.

The new monopolar order, which will allow the USA to develop a hegemonic policy in the Middle East, marked an involutionist tendency in which the advances that had been made a few years earlier were either held back or stopped completely. Washington went on to guarantee the governmental Arab elite their authoritarian survival in ex-

change for them adopting the new American strategic project (military agreements, accepting the situation of ostracism and embargo which Iraq was subjected to and supporting the Palestinian – Israeli peace negotiations in accordance with the rules established by the superpower). The new *Pax Americana* was limited to presenting the minimalist reform as a democratising achievement that Saudi Arabia carried out in 1992, through which the duties of the Saudi Consultative Council (*Madjlis al-Shura*) were increased.

The irruption of the 11th September 2001 attacks will strengthen the authoritarianism of the Arab States to re-evaluate itself as a strategic weapon for the “war on terror” that Washington started. Far from joining the promotion of democracy and the rule of law with the fight against terrorism, it has strengthened abusive and arbitrary legislation that, in exchange for yielding to all the criteria of Washington regarding terrorism and the sometimes illegal means used to combat it, is also used as an instrument of political repression and an obstacle for civil and individual liberties.

However, since 2004, promotion of democracy in the countries of North Africa and the Middle East has been acquiring growing relevance in international diplomacy. This issue centred the agenda of the G-8 summit on 9th June by means of the initiative presented by the USA under the name of '*Partnership for Progress and a Common Future with the Region of the Broader Middle East and North Africa*', as well as in the European Council 17th – 18th June which saw the approval of the latest version of the European Neighbourhood Policy and the Strategic Part-

nership with the Mediterranean and the Middle East. In both cases, while not always sharing the same views, the need to promote democracy started to occupy a prominent position. However, these initiatives present serious lacunae. Both the USA and Europe, assert that the promotion of democracy is a crucial factor for their security and the stability of the region but have not formulated a clear strategy of application. They place the need for reform in the tendency of governments to promote change, given that they do not show a sustained commitment in the use of conditionality as an instrument of reform. Given the voluntary aspect of the proposed plan, it is difficult to see how governments will be encouraged to apply the said reform.

In actual fact, the discourse on the need for democratisation, attempts to respond, especially on the part of Washington, to an enormous challenge: that of the growing anti-North American feeling in the Arab and Muslim region, as well as compensation for the unsettling situation of insecurity and anarchy that has arisen from the military intervention in Iraq. That is to say, the initiative lies more in its function than in its content. Nevertheless, the public presentation of the North American proposal has had a positive effect in opening up debate and discussion on democratisation in the countries concerned and numerous declarations and opinions regarding the need for reform have arisen in the Arab public sphere, both on the part of governments and non-governmental entities, as well as in the media. Furthermore, this action has also managed to raise two important issues. Firstly, the great importance of building a credible political process that satisfies the

great aspirations of democracy and the rule of law that exist in the populations of the Middle East; and secondly, having to take on the participation of the Islamist parties in the above mentioned process. The inevitable reality happens to be that at present democratisation is combining with Islamism in this part of the world. The Islamist reformist parties must be interpreted as political actors called on to participate together with the other parties in the process of democratic transition, among other reasons because they carry important credibility and social weight, to such an extent that without their participation the democratic process would not be credible. The really important issue is the process and not the actors. That is to say, to reinforce the smooth running of the structures and institutions instead of selecting *a priori* the actors or leaders. The issue is not about trying to form the perfect, pro-Western and secular Arab man that, in an almost caricatural way, often prevails in the wishes of political proceedings. This is an interference that has always brought disastrous and counterproductive results. The real issue is about promoting transparent and competitive government mechanisms and administration subject to democratic laws, regardless of whether the representing actors belong to secular or Islamist groups. It is the citizens of these countries who have to trace out their own destiny by choosing their own representatives.

“Liberal Authoritarianism”

The Arab regimes reacted against the external initiatives labelling them as an imposition of Western values and perspectives. However, aware that certain changes were being asked of them that would be adapted to the reform discourse that Washington defended, in the summit of the League of Arab States, 22nd-23rd May 2004, the matter was considered and the beginning of the reform was assumed but using, in a very instrumental way, the argument of the “home grown democracy”. Consequently, the ruling elite did not reject the start of the reform as long as it was applied in a limited, gradual and con-

trollable way that widened the view of civil society, allowed margins of press freedom, extended the multiparty system and improved their image in other countries but without incorporating power sharing mechanisms. Thus, throughout 2005, a year of great electoral intensity, political reforms took place that advanced towards a “liberal authoritarianism” with signs of representation but not of competence.

Saudi Arabia took a step forward in accepting for the first time the electoral event on a local level, even though the powers of these elected posts are very restricted. Furthermore, it is a process that, as occurred in 1992 with the enlargement of the Consultative Assembly, combines the institutional opening-up with a tightening of the control of movements and political groups that call for democratisation. It was very significant that the day after announcement of electoral reform, a peaceful march of demonstrators who were protesting about the slowness and limitation of the reform was violently suppressed with hundreds of arrests.

Egypt has tried to soften its authoritarian image by developing a process of political reforms throughout 2005. Thus, in September the first presidential elections took place thanks to a constitutional reform that modified its article 76 establishing universal suffrage in the presidential election, but imposing strict conditions that hinder the possibilities of the opposition parties (they must have at least 5% of the parliamentary seats to be able to present a candidate) and practically close the doors to independent candidates. However, the process did allow for a political dynamism that was expressed in a completely new way. Later on, in November, legislative elections took place with a greater margin of transparency than usual, particularly everything related to the judicial supervision of the process. In spite of being a declared illegal organisation, the Muslim Brothers presented themselves as independent candidates and the fact that on this occasion there was no resorting to mass detention of their candidates and representatives before the elections, as was habitual in previous elections, also gave a certain margin of credibility to the process. The first electoral

round announced the significant success that the Muslim Brothers would achieve, higher than predicted by the governmental authorities (no more than 40 seats), so that in the successive rounds mass interference of the security forces took place resulting in 11 deaths and many injured, highlighting the intolerance of the symbolic success of the Muslim Brothers. At the end of the process approximately 1,300 militants and followers of the Islamist party had been arrested. Although the governmental party (National Democratic Party) retained a great absolute majority of seats (316, 73% of the total) these came from only 38% of the official party candidates, the rest being “independents” that were added to the seats of the governmental party. That is to say, although this great majority of representatives guaranteed the government the Egyptian legislative monopoly, technically it was not an electoral triumph.

The electoral success of the Muslim Brothers (88 seats) does not reflect their true popularity, but rather the reinforcement of their position by assuming active political participation and the growing weight of their youngest and pragmatic generation, in favour of democratising the election of the leader and of creating a political party that leaves the Association with its characteristic function of social work. After the elections, they launched a national and international campaign to transmit their commitment to democratic processes and their interest in focusing on political reform and not on the islamisation of Egypt.

The resistance of the governmental authorities to continue with this political process was revealed when it was announced that the local elections expected for 2006 were cancelled until 2008. From this it can be concluded that the “controlled reform” of Egypt can be scarcely reformist as the regime has proved that it has been insufficiently controlled.

Lebanon without Syria

The wave of peaceful protests that resulted from the assassination of Rafiq Hariri in Lebanon on 14th February

POGAR: PROGRAMME ON GOVERNANCE IN THE ARAB REGION

The POGAR programme was launched in 2000 by the Regional Bureau for the Arab States (RBAS) of the UNDP – whose headquarters is in New York – in collaboration with several institutions, at both a regional level (government ministries, research institutes, human rights groups, civil associations and business organizations) and an international level (such as the World Bank or the OECD, among others). Two years later, in 2002, the offices of POGAR were transferred to Beirut to enable work to be carried out directly in the field.

On its official website, it states that POGAR “was developed at the request of Arab governments and therefore specifically addresses national needs and concerns”. The programme is devoted to the promotion and development of good governmental practices and reform in the Arab states*, always from the viewpoint of sustainability. The approach adopted by POGAR in its activities is that of always working in partnership with local participants and not one which imposes unilateral and obligatory directions. Its objective is therefore to support the internal efforts of each Arab country and society, to achieve social, political and economic reforms through the acquisition of knowledge, whilst simultaneously encouraging good practice at state level, in civil society and in the private sector. Areas of activity revolve around three central concepts:

- **Participation** (with special focus on issues of gender and citizenship, civil society and the media, elections and decentralisation);
- **Rule of Law** (laws and constitutions, the judiciary);
- **Transparency and Accountability** (parliaments and other public sector regulatory and management organisations).

The POGAR programme also represents a point of reference and consultation, thanks to the constantly updated database which has been made available by its experts, in collaboration with the partner organisations: on the website there is also a judicial database (concerning Arab banking legislation, judiciary systems and financial control and regulation), a section dedicated to statistics and indicators, the texts of constitutions and basic laws of government, as well as numerous publications on the programme’s areas of involvement (civil society, gender, corruption, etc) which are explored during seminars, meetings and conferences.

During 2005, in collaboration with the network’s institutions, in particular the OECD and the UNDP, POGAR organised numerous seminars and meetings at a regional level. The following are some of the most interesting and memorable:

- First Conference on National Human Rights Institutions in the Arab Regions, Cairo, March 2005;

- Regional Forum on Restructuring Government in the Arab States; Integrity, Transparency and Accountability in the Public Sector. Dubai, March 2005;
- Arab Parliamentary Conference on the UN Convention Against Corruption, Cairo, June 2005;
- Regional Parliamentary Conference on Empowering Arab Members of Parliaments. Algiers, September 2005;
- Towards a Platform for Action on Media Reforms in the Arab States. Geneva, September 2005.

Besides the above, also notable is the launch in May 2005 of the project “Strengthening the Rule of Law in Arab States: Modernization of Prosecutors’ Offices” (Cairo) and the operation to translate into Arabic the “Human Rights Manual for Prosecutors”.

For further information:

- POGAR’s website: www.pogar.org
- Partner Institutions: www.pogar.org/about/partners.asp
- Database: www.pogar.org/databases
- Activities: www.pogar.org/activities

* Arab States participating in the project: Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, UAE, Yemen.

2005 and provoked the resignation of the government on 28th February seemed to convince the world that this country was facing up to a new era in which the terrible legacy of the long civil war between 1975 and 1990 was left behind. This impression was strengthened by the orderly and peaceful way in which the Syrian troops permanently abandoned the country assuming resolution 1559 of the UN Security Council, an initiative of the USA and France. The opposition constituted by well-known old Christian-Maronite, Druze and Sunni Muslim leaders and protected by the USA and France, aspired to pass the message that the Syrian “presence” had been the root of all the Lebanese problems.

It is an important fact that everyone in the country has accepted that the period of Syrian presence in Lebanon has finished, even the social sectors and pro-Syrian politicians, who are also representative. The mass demonstration that Hezbollah held in parallel with the anti-Syrian demonstrations, was an act to show its recognition to Syria for having helped Lebanon in holding back the Israeli aggression against the country and for guaranteeing the country the relative calm it has enjoyed since 1990, but it also called for national Lebanese unity.

Nevertheless, the Syrian interference was a symptom and not the cause of the deep crises that the Lebanese political system suffered. The legislative elec-

tions held after 29th May 2005, immediately after the Syrian withdrawal, showed the implications of the internal Lebanese challenge. The opposition, united in its demands for expelling the Syrians, fragmented and divided into opportunist alliances with the so called pro-Syrians in order to defend their inalterable interests. The elections called to start a new democratic process were a reproduction of the strength of sectarianism and the traditional status quo, demonstrating that Lebanon as a State has not resolved key issues relating to international identity, inter-communitarian conflict, accountability for the atrocities committed during the civil war and the construction of the nation.

Combined with this, the politics of the international actors has contributed to a worsening of the situation. The increase of sectarian rivalries offers an excellent opportunity for intervention at the same time as inciting the worst fears and instincts of rival groups. And in this sense Lebanon is once again given an explosive combination of renewed sectarian anxiety, regional competition and the involvement of foreign actors (USA, France, Syria, Iran) whose visions for Lebanon are all different, converting this small country into a laboratory where the interests and rivalries in the Middle East are played out through the Lebanese groups.

Consequently, *ta'ifiyya* (communitarian sectarianism) returns as the key word in Lebanon. Therefore, the basic elements that a stable democratisation of Lebanon is presented with concern questions such as how to continue governing without a new national pact, how to democratise the electoral processes so that parliamentary seats are distributed denominationally, in favour of Christians and Sunni Muslims, when this is not a reflection of demographic reality, and how can democratisation advance when the greater part of the Lebanese political class, in spite of its modern discourse, is anchored in a feudal culture of power distribution. The broad movement for sovereignty in Lebanon has not lifted this country out of its fundamental problems because these did not emanate from the Syrian occupant but rather from the chronic imbalances of its internal structure that remain intact.

Processes under Occupation: Iraq and Palestine

The Iraqi case is very exceptional given that the political process is being led and established by a foreign occupying force against the 1907 Hague Convention, signed by the USA, which prohibits that the occupying power make any permanent changes in the government of the occupied territory. Nevertheless, on 30th January 2005 the Iraqis chose 275 representatives to form a National Assembly that chose a president and two vice-presidents, who in turn, chose a prime minister who ap-

pointed a new government. The Assembly had the fundamental task of drawing up a Constitution for Iraq that after being passed in a referendum, opened up a new electoral process for choosing a new Assembly in December of the same year. The way in which this process has been organised and developed has given rise to a deep sectarian division and has encouraged communitarian feelings against the citizens. The problem originated from the identification that the Americans made from the beginning between Arab Sunnis and Baathism/Saddamism, collectively classing them as their number one enemy in Iraq. Consequently, they took the brunt of the military repression and marginalization in the political process. Firstly, with an electoral system in the 2005 January elections in which they were the worst affected in favour of the Kurds – to which they responded by boycotting the elections – and afterwards when the drawing up of the Constitution turned into a process in which the Kurd and Shiite parties in the government openly looked out for their own interests, transmitting to the Sunnis that they were going to be the great losers in the new recomposition of the Iraqi State.

Faced with the lack of consensus in all these basic issues, fulfilling the agenda became the greatest sign of success from an American perspective. Consequently, the process itself prevailed over the results, in such a way that the most significant of the new constitutional text is the omissions and not its content. To evade the manifest reality that no agreement was reached concerning the key issues in dispute it was decided to transfer the decision concerning the same to the Parliament that was going to be chosen on 15th December. In actual fact, if one considers the difficult situation of Iraq, that of developing a constitutional draft in just two months leaving aside the required need for consensus, the only way of beginning to settle the national stability of the country, and abandoning the idea that it was the Constitution that established the level of decentralization of the State instead of subsequent laws, made more vulnerable as a result of amendments by different governments, it shows the irresponsibility and im-

provisation in which a process is being carried out whose consequences are determinants not only for Iraq and the whole region of the Middle East but also for the world in general.

At the beginning of 2006, the Palestinians voted democratically for an historic change in their political leadership. The PLO, and its main party Al-Fatah, were losing the monopoly of the Palestinian representation that they had held since the seventies. The origin of this alternation is found in the change experienced by Hamas that in recent years has been giving priority to its political action over its armed strategy. Firstly, it has assumed a cease-fire since January 2005, keeping out of the suicide attacks against Israel; it then decided to present itself in the local elections held in several stages in 2005, with notable electoral success, and finally, it participated for the first time in the second legislative elections that the National Palestine Authority was able to organise on 25th January 2006. For his part, Mahmud Abbas needed Hamas in the political game so as to succeed in the imposition of order, both for holding back the attacks and for gaining credibility through a democratic electoral process in which the Palestinian society would not admit the marginalization of the Islamist party. The international community found itself imprisoned between his discourse in favour of democracy and his intolerance towards Hamas. Consequently it fell into a position that made no sense: accept and facilitate his participation but threaten against his electoral success.

The elections, with a very high level of participation, showed the energy and democratic adhesion of the Palestinians in spite of the toughness of the occupation since 2000. And Hamas won 74 of the total 132 seats that composed the Legislative Council. For the corruption and clan fragmentation of Fatah, combined with its incapacity to improve in any way the draconian situation of occupation (to which Israel has contributed in a determining way by refusing to negotiate and maintaining the unilateralism of the consummate events), they made him pay. The success of Hamas comes from having known how to link nationalism with Is-

lam, as well as national liberation with social justice. United to this, it benefited from many votes that were a 'punishment' for Al-Fatah.

The integration of Hamas in the Palestinian political system can be a positive factor. It is the best way of shunning the violent route because the Hamas leaders are looking for conso-

lidation as political actors and for this they need international recognition. With this in mind, its discourse has been becoming pragmatic, leaving aside the most radical aspects of its constitutional charter. Cutting off dialogue with them, and not accepting the democratic results of the elections, could lead to losing the opportunity to con-

dition and encourage a reformation of Hamas that would gradually leave behind its military strategy and accept negotiation with Israel. Obviously this would also mean firmly putting pressure on Israel to negotiate, and at the moment there is nothing to indicate that this could happen.