In a provocative article, Thomas Carothers offered a corrective to common ways of thinking about liberalizing authoritarian regimes. At the height of a worldwide wave of liberalizations in the early 1990s, optimistic assumptions that any liberalizing regime was in transition to democracy led observers to count as many as one hundred countries that were expected to become democratic. By 2002 no more than twenty had moved beyond tentative liberalizations to institute meaningful political competition. The other four-fifths, including countries in Central America, Africa, and the former Soviet Union, "have not achieved relatively well-functioning democracy or do not seem to be deepening or advancing whatever democratic progress they have made."¹

Carothers' argument is important not only for democratization studies but also as an invitation to rethink the role of Arab liberalizations within them. Discussions of the global "waves" of democratization routinely single out the Arab world as impervious to democratization, and Arab cases are generally ignored in scholarly research. It is often forgotten that in or before the optimistic early 1990s several Arab regimes, like their counterparts in eastern Europe, Africa, and Asia, engaged in serious liberalization. That their efforts did not lead to meaningful democratization does not make the Arab world a democratic outlier; rather, it is part of a larger trend in which most recent moves away from authoritarianism have faltered. The Arab world may have specific conditions, from the role of Islam in politics to exceedingly high levels of exogenous rents, that have hampered its progress; the existence of only one Arab democracy, Lebanon, supports this possibility. However, the faltering of most transitions worldwide in this period suggests that more widely generalizable factors, such as the weakness of opposition parties and specific electoral arrangements, may also be at work.

A key trend in many Arab liberalizing regimes over the past decade has been the rise of advocacy nongovernmental organizations to the position of primary opposition to authoritarianism against the almost complete marginalization of opposition parties. While insufficient or reversed liberalization measures have minimized the position of opposition parties, liberalization also created the conditions for Arab par-
ticipation in a larger trend: the proliferation of human rights, women's, and environmental groups. With effective opposition parties all but nonexistent, advocacy nongovernmental organizations have become the most vocal secular opposition in several Arab countries. They are also assuming roles, from defending the economic interests of workers and farmers to calling for the replacement of incumbent regimes, that typically are played by opposition parties. Studies of the role of civil society and nongovernmental organizations in democratization have generally treated nongovernmental organizations as entities completely distinct from parties. They have attributed different functional roles to the two types of groups and assumed that they attract different types of activists. These Arab cases suggest that both nongovernmental organizations and parties should be seen as part of a larger topography of opposition. In this approach opposition is perceived as being somewhat free-floating. The presence or absence of political and financial opportunities—for example, greater restrictions on one type of associational activity than on another or the availability of funds for nongovernmental organizations but not for parties—significantly influences what organizational form opposition takes. However, all forms are not created equal. The assumption of the leading opposition role in several liberalizing Arab regimes by advocacy nongovernmental organizations decreases chances for democratization. These organizations generally advocate the interests of a specific group or the importance of a particular principle, such as respect for human rights, making them ill-equipped to mobilize a much broader set of constituencies around the larger goal of regime change. Perhaps most important, as groups almost entirely dependent on foreign funding, they often have strong support abroad but shallow roots at home, allowing them to be more easily discredited by hostile governments than parties would be, particularly in the environment of profound Arab suspicion of western interests in the region after September 11, 2001. In this climate, it is time for scholarly and policy analysis of Arab democratization to focus less on nongovernmental organizations and more on the importance of developing viable political parties.

Increasing centrality of advocacy nongovernmental organizations and decreasing relevance of parties in the opposition to liberalizing Arab presidential systems is most pronounced in Egypt, Tunisia, and the Palestinian Authority. Opposition parties would need to become the key locus of democratization efforts for democratization to be successful because advocacy nongovernmental organizations, even at their strongest, are not equipped to carry out successful campaigns for democratization. The mobilization of nongovernmental organizations against restrictive association laws in Egypt in 1999 is a particularly useful case to demonstrate the weakness of advocacy group campaigns for democratization. Egyptian nongovernmental organizations were better positioned to succeed in such a campaign than many of their Arab counterparts. Egypt has one of the longest histories in the Arab world of formally organized voluntary associational activity, beginning in the first decades of the
twentieth century. It has also had the longest period of liberalization; voluntary associations, choked off by authoritarian rule in the 1950s and 1960s, once again became active in the late 1970s, a full decade before most other liberalizing Arab countries. Finally, the campaign of Egyptian nongovernmental organizations in 1999 against the restrictive association law had high profile support from western donors and governments. Such support can be crucial in maintaining the freedom of nongovernmental organizations to operate in authoritarian contexts.\textsuperscript{5} It has not been as pronounced in many other liberalizing Arab regimes. Despite these facilitating conditions, Egyptian nongovernmental organizations' attempts to mobilize for associative freedom and to expand their campaign to encompass more fundamental regime change failed, powerfully demonstrating the limits on what Arab advocacy nongovernmental organizations can be expected to achieve in the battle for democratization.

\textbf{Nongovernmental Organizations as Opposition: Tunisia, the Palestinian Authority, and Egypt}

Blessed with two attributes commonly cited as key facilitators of democracy, high literacy rates and a large middle class, Tunisia appeared poised to democratize successfully when interior minister Zein al-Abdin Ben Ali overthrew president Habib Bourguiba in 1987 and announced plans for a more democratic Tunisia.\textsuperscript{6} Amnesties of political prisoners and abolition of the lifetime presidency soon followed.\textsuperscript{7} Opposition parties, which began to break away from the ruling party in the late 1970s but had not been allowed seats in the parliament, became more prominent, as new parties were founded and government subsidies defrayed campaign costs.\textsuperscript{8} At Ben Ali's invitation, the government, representatives of the eight recognized opposition parties, and national labor, human rights, and women's organizations engaged in spirited negotiations and eventually signed a national pact outlining a general consensus on Tunisia's national identity and commitment to democracy.

That commitment has not been realized. In the first elections under the new regime, the Islamist Renaissance Party (MTI) was denied recognition. When members ran as independents, they won 14.5 percent of the vote, more than three times as much as the next largest opposition party, but the ruling Rassemblement Constitutionnel Démocratique (RCD) was awarded all of the seats.\textsuperscript{10} The MTI was subsequently forbidden to contest elections, and its members have been subjected to continued police repression.\textsuperscript{11} With the MTI out of the way, the RCD chose to ensure a minimum of opposition party representation by not contesting a certain number of seats in the 1994 and 1999 elections. In both of these tightly controlled contests the opposition parties won the exact number of seats left uncontested; the RCD won 88 and 81 percent of the seats, respectively.\textsuperscript{12}
While political parties were rendered all but irrelevant to opposition politics, human rights groups became some of the loudest opposition voices. The Tunisian League for the Defense of Human Rights (LTDH in French), founded in 1977, was the first human rights group in the Arab world. When the regime jailed and tried Islamist activists in military tribunals in 1991 and 1992, LTDH was its most outspoken critic. The regime attempted to silence LTDH by forbidding associations to have party leaders on their boards, as LTDH had, and mandating that they accept all interested parties as members, which LTDH feared would lead the government to weaken its message by flooding it with ruling party supporters. LTDH assumed a lower profile until October 2000, when it elected a much more outspoken leadership, including a board of directors without a single member of the ruling party and a secretary general fresh from several years’ imprisonment on political charges. The “new,” more oppositional LTDH joined the National Council on Liberties in Tunisia (CNLT), founded in 1998 by LTDH defectors dissatisfied with its earlier conciliatory approach, in speaking out against violations of the rights of nonviolent Islamists, particularly the MTI. The regime responded with a court ruling suspending LTDH’s newly elected board, the ransacking of the office of a CNLT founder, and denial of permission to travel abroad to several CNLT members.

Like Tunisia, the Palestinian Authority since its inception in 1994 has had ineffective secular opposition parties, and nongovernmental organizations have become the main secular opposition to Yasser Arafat’s regime. The decision of several secular opposition factions in the Palestine Liberation Organization (PLO) to boycott the 1996 legislative elections, combined with their long experience in operating voluntary associations, led secular opposition to be channeled through nongovernmental organizations rather than parties. The Israeli occupation of the West Bank and Gaza in 1967 fostered intense associational activity. Associations were created to resist the occupation and compensate for Israeli neglect of social services, first by leftist PLO factions like the Popular Front for the Liberation of Palestine (PFLP), the Democratic Front for the Liberation of Palestine (DFLP), and the Palestinian Communist Party, and subsequently by Fatah, the largest PLO faction, after the PLO’s defeat in Lebanon in 1982. The close link between voluntary associations and PLO factions led to a semicorporatist form of associational organization in which almost every West Bank and Gaza grass-roots organization was affiliated with a PLO faction and each faction had its own women’s, labor, and other federations. This dense network of associations gained great domestic legitimacy by providing for Palestinian society during the intifada that began in December 1987.

The signing of the Oslo Accords in 1993 and the creation of the Palestinian Authority in 1994 created a dramatically new political environment. Associations that had assumed many state functions in a stateless environment would now operate within an emerging state run by an elected president and Palestinian Legislative
Council (PLC). Given the distinct ideological platforms of each of the factions, the high degrees of factional identification among Palestinians, and the ease with which faction-identified voluntary associations could be used to mobilize voters, each of the main factions was in an ideal position to transform itself into a political party and contest legislative elections in 1996. The Popular and Democratic Fronts for Palestine and Hamas, however, boycotted these elections on the grounds that they legitimated the Oslo Accords. Election day polls suggest that the boycotting factions could have made a respectable showing in the parliament had they run; since PFLP members largely ignored the boycott call, the party could have won at least their votes. Fatah and Fatah members who rejoined the party after running as independents won 75 percent of the seats, while Islamist-identified candidates won seven seats and independents, including two affiliated with the PFLP, won eleven.

While secular left factions opted out of the legislative process, many of their activists chose to use nongovernmental organizations to oppose the Fatah-dominated Palestinian Authority. One long-time leftist women’s activist critical of this trend observed that

nongovernmental organizations provided in the past, and can provide in the future, useful complements to (left) movements. However, the Left is not mobilizing in and around nongovernmental organizations simply to defend the potential of these institutions to complement political parties. Instead, nongovernmental organizations have become the last bastion of a Left which no longer seems willing or capable of reforming itself to address the political world, as a political movement in the changed realities that Oslo has brought to light.

By the mid 1990s several leftist intellectuals and activists were criticizing the belief that nongovernmental organizations, not parties, were the best vehicle for forcing democracy on the Palestinian Authority. Muwatin, the Palestinian Institute for the Study of Democracy, a key forum for left intellectuals and academics founded in 1992, made its feelings clear when it chose “Pluralism and Democracy: The Crisis of the Palestinian Political Party” as the topic of its first annual conference in 1995. Muwatin director George Giacaman “reject[ed] nongovernmental organizations’ claims that they are in the front line of preserving civil society and thus a democratic culture. . .[and] posited the absence of strong oppositional parties as the real Achilles heel of Palestinian political culture.” In 1998 the leftist women’s activist quoted above noted that three years earlier few leftist activists believed that nongovernmental organizations were no substitute for political parties. By 1998, however, this had become the majority position. It is now obvious that nongovernmental organizations have not been able to organize a challenge to the continued “Arafatization” of Palestinian political life. . .the crisis is now viewed fundamentally as one of political democratization and the absence of the independent political movements necessary to achieve it.
The liberalization process has been much more prolonged in Egypt than in Tunisia and Palestine. In its early years opposition parties blossomed, suggesting timely movement toward democratization. Twenty-four years of single party rule ended in the late 1970s with the creation of a handful of opposition parties. Despite significant obstacles to party formation, a more pluralist political framework began to emerge, as parties successfully challenged denial of legal recognition in court and the Muslim Brothers, forbidden to form their own party, ran as independents. In the 1980s opposition coalitions based on the Brotherhood won increasing numbers of seats and had a growing impact on lawmaking; in 1984 a Brotherhood-Wafd coalition with 13 percent of the seats proposed 22 percent of all parliamentary bills.23 In 1987 the opposition almost doubled its votes, dealing the ruling National Democratic Party (NDP) its worst showing since 1950.24 Had several independents not subsequently joined the ruling party, it would not have retained the two-thirds majority necessary to nominate the presidential candidate (who runs unchallenged in a plebiscite) or to alter the constitution.25

Hopes that the improvements of the 1980s might lead to a more competitive political system faded in the 1990s. In a violent Islamist insurgency from the late 1980s until the mid 1990s radical Islamist groups became the de facto government in many parts of the south. Political and cultural figures were assassinated, and the tourist industry, whose revenues are central to the Egyptian economy, was decimated. Further instability was caused by the quickening pace of the government’s implementation of an IMF structural adjustment program begun in the 1980s. Between 1993 and 1999 over one-third of state-owned enterprises were partly or entirely privatized, raising the prospect of massive layoffs in an economy with unemployment rates already between 10 and 22 percent, while the repeal of Nasser-era land reforms required that land distributed to peasants in the 1950s and 1960s be returned to its original owners.26 These policies severely depressed living standards. Between 1986 and 1996 the countryside experienced “growing unemployment, falling real wages, [and] higher prices for basic goods and services,” while the percentage of the population in poverty nationwide doubled from 21 percent in 1990 to 44 percent in 1996.27

Because of rising Islamist violence and potential social instability generated by structural adjustment, the ruling NDP insisted on maintaining at least the two-thirds majority in parliament necessary to change the constitution and nominate the president. It turned its attention first to its most potent competitor, the Muslim Brotherhood. Although the Brotherhood had helped the government turn jailed Islamist militants towards nonviolence, in the months leading up to the 1995 elections the NDP imprisoned the most popular Brotherhood candidates and engineered their convictions in military court. In 1995 such high levels of pro-NDP fraud ensued that the court of cassation called, unsuccessfully, for the nullification of the
election of more than 200 of the 444 deputies. These and similar strategies have resulted in NDP majorities of at least 85 percent in the last three parliaments, including an unprecedented 94 percent of the seats in 1995.

While moving to limit the power of opposition parties, the government also clamped down on two other historically oppositional sectors of civil society, the professional associations and the trade unions. While the Engineers’ Syndicate had unsuccessfully fought Nasser’s Aswan Dam project and the lawyers had battled state of emergency laws in the 1980s, the associations reached the peak of their oppositional potential in the late 1980s and 1990s when Muslim Brothers won the leadership of several associations. Brotherhood leadership councils denounced police torture and defended the legal rights of Islamist prisoners, but their success at more mundane matters like providing cheap consumer goods to their members was equally threatening, as every success seemed to bear out the Brothers’ electoral slogan, “Islam Is the Solution.” Assuming that Brotherhood victory in association elections had been the result of low turnout, the government responded with a law requiring that associations be put under government administration if their elections did not achieve high turnouts. When this tactic failed to halt Brotherhood victories, the government used other pretexts to put the syndicates under receivership. Trade unions were crippled by amendments to the trade union law depriving workers most at risk of termination under structural adjustment of the right to vote in union elections while significantly easing the reelection of incumbent (largely ruling party) leaders. Under these conditions, the 1996 union elections easily returned a solid ruling party majority.

While parties and other oppositional groups in civil society were silenced, advocacy nongovernmental organizations increased in number and strength. The decimation of voluntary associations under Nasser’s regime gave way to a new generation of advocacy organizations in the 1970s and early 1980s. While feminist groups had long been active in Egypt, new women’s groups now appeared, pioneered in 1982 by Nawal al Saadawi’s Arab Women’s Solidarity Association. In 1983 the Arab Organization of Human Rights, based in Cairo but focused on the entire region, became the first human rights group in Egypt; there are currently over twenty such groups, including associations specializing in prisoner advocacy and rehabilitation of torture victims. Several environmental groups were also created, including one that has waged several successful and well-publicized battles against government attempts to privatize public space in Alexandria.

The new advocacy nongovernmental organizations, particularly human rights groups, quickly took on the most sensitive issues of the day. While unambiguously rejecting Islamist militants’ use of violence, human rights groups called for due process and an end to torture. They played an equally pronounced role in defending the interests of those hurt by structural adjustment. The National Progressive Unionist Party (NPUP), the closest thing Egypt has to a workers’ and peasants’ party,
could not meaningfully resist the reversal of land reform, which stipulated that plots distributed to peasants in the 1950s and early 1960s would be returned to their original owners within five years unless the original owners agreed to sell or rent to the current owners. With few seats in parliament, the NPUP and allied parties could not have stopped the law’s passage. But as the Arab Strategic Report, produced by Egypt’s most well-regarded think-tank, points out, the NPUP and others could have used the five-year interim period to seek the law’s amendment or to provide direct services to their peasant members. They did neither; the head of the NPUP peasants’ section admitted that the party did not start work on the question until shortly before the law’s final stages were to go into effect.32 A relatively new nongovernmental organization, the Land Center for Human Rights, instead provided key services to these peasants, documenting abuses of the law and seeking redress, particularly compensation for permanent structures that peasants had built. The Strategic Report argues that the NPUP could have provided precisely this type of service to ameliorate its members’ plight.

As nongovernmental associations strove to protect the interests of peasants, other new organizations sought to strengthen the ability of workers to mobilize against structural adjustment. A leading former trade unionist founded the Center for Trade Union and Workers Services in 1995, and the following year 135 workers resorted to the Center for Human Rights Legal Aid (CHRLA) when the government prevented them from running in union elections.33 CHRLA has defended entire classes of workers who contend they were illegally fired from their jobs.34 This type of work brought human rights groups very close to assuming the role that leftist political parties normally played. Programmatically, some of this work is designed to bolster workers’ attempts to overturn structural adjustment laws. These groups also function clientelistically through their work, as workers and farmers who might be expected to seek the help of a left or populist party turn to human rights groups to defend their interests.

Why Are Opposition Parties So Weak? The weakness of opposition parties in liberalizing Arab regimes is most pronounced in Egypt, Tunisia, and Palestine, where they win very few seats in parliament. However, though opposition parties in Jordan, Morocco, Yemen, and Algeria won at least 30 percent of the seats in parliament during the 1990s, they too have had little legislative influence. There is no question that electoral fraud and outright repression of viable opposition candidates, as in Tunisia’s ban of the MTI, have commonly undermined opposition parties. Limited access to the public compounds the problem. Large opposition gatherings are often obtrusively monitored by police, if allowed at all. Most opposition groups receive no television or radio coverage; party newspapers are their only method of communication. While these factors significantly weaken opposition parties, they do not tell the whole story. At least three other factors systematically undermine opposition
strength. The first could be called incomplete parliamentarization. Significant deviations from general parliamentary procedure, such as allowing unelected upper houses to censure governments, obstruct elected representatives. Where opposition parties have won significant numbers of seats, incomplete parliamentarization has repeatedly undermined their influence. The second problem is the prevalence of independent candidacy among nonruling party candidates. It is often argued that in liberalizing Arab regimes Islamists win almost all opposition seats, while secular parties perform dismally. In fact, more generally independents win either the largest number of seats or as many as the largest opposition party, an Islamist party, and secular opposition parties win very few. The prevalence of independent candidacy weakens opposition by preventing the development of party programs that offer a clear alternative to ruling parties and can win support away from them. A final reason for opposition party weakness is financial fragility.

Why are opposition parties in some liberalizing Arab regimes able to win significant numbers of seats, while others are all but shut out of their legislatures? In Egypt, Tunisia, and Palestine ruling parties have won as many as 80 or 90 percent of the seats, while opposition parties polled in the single digits, but in Morocco, which has no ruling party, the three largest parties received fifty, forty-eight, and forty-two seats in a 328 seat parliament in the 2002 elections, while in Algeria’s latest election three nonruling parties each won at least ten percent of the seats. In Jordan’s Islamic Action Front won 30 percent of the seats in 1989 and 20 percent in 1993, while in Yemen’s 1993 founding elections three parties each gained significant numbers of seats. Lust-Okar and Jamal argue that the level of opposition representation in liberalizing Arab regimes is a result of the subtype of authoritarian regime; liberalizing monarchies are more likely than presidential systems to produce significant representation of opposition parties. Because presidents are the products of ruling parties, their interests are best served by electoral arrangements, including party lists and high thresholds, that favor a single large party. The legitimacy of monarchs, in contrast, stems in large part from the perception that they are above politics and responsible for the well-being of the nation as a whole. They are precluded from forming a ruling party and prefer the distribution of seats among a (limited) number of parties whose competition they can then manage. As a result, liberalizing monarchs tend to adopt mechanisms, such as small districts and no or low thresholds, that favor smaller parties.

Lust-Okar and Jamal’s argument explains the presence of opposition parties with significant numbers of seats in Morocco and Jordan, but not in Yemen and Algeria. However, significant opposition party representation in these countries may well be the result of unusual constraints that forced presidents to allow at least temporarily a reasonable showing of nonruling parties. Significant opposition party representation in Algeria was the result of the adoption of proportional representation, which, as Posusney notes, is a long-term demand of most Arab oppositions that is almost never
granted. Algeria’s ruling party, however, adopted it in order to convince opposition parties scared by the military suppression of the electoral process in 1991 to participate in elections. The Yemeni transition was part of the unification of North and South Yemen, during which the leading groups in both countries, the Yemeni Socialist Party (YSP) in the South and the General People’s Congress (GPC) in the North, reemerged as parties in the unified Yemen. This existence of two parties with significant independent support bases distinguished Yemen from other liberalizing Arab presidential systems from the outset, as the other transitions began with only a single all-powerful party. Yemen’s third large party, the Islamist Islah, was founded with GPC support on the understanding that it would serve as a GPC ally. The founding 1993 elections thus produced high numbers of votes for all three parties. Once the YSP was decimated in the 1994 civil war between the north and the south, however, the GPC no longer needed Islah to counterbalance what had been its major opponent. Yemen came into line with other liberalizing presidential regimes, and the ruling GPC and aligned independents captured 75 percent of the seats.

Thus, significant opposition party representation is more common in liberalizing monarchies. Algeria is the only presidential system in which opposition parties are currently well represented. Even in the monarchies, however, incomplete parliamentarization—the adoption of the trappings of parliamentarism with the persistence of practices that run counter to common parliamentary procedure—has severely limited opposition power. In Jordan the king, not the parliament, selects the prime minister. When Jordan’s Islamist Action Front was the largest party in parliament, “a pattern was... established by which the Islamist parliamentarians would raise an issue only to be turned back by the king or by the successive prime ministers appointed by the king.” While the ruling coalition picks the prime minister in Morocco, the king can significantly dilute voter preferences through the upper house. This fully empowered body is elected indirectly through institutions loyal to the king. The king thus permitted a left opposition government to take power in 1998 but prevented substantive change. The loyalist upper house diluted the opposition majority in the directly elected lower house and forced the opposition government into a coalition with loyalist parties that weakened its agenda.

This type of outcome not only handicaps the opposition government; it delegitimizes opposition parties more generally by convincing the public they are incapable of bringing about change. As Sweet notes, “rather than blame the regime for engineering the gridlock, most Moroccans fault the... government for its impotence.”

The second major reason for opposition party weakness is the prevalence of independent candidates. In Jordan, Yemen, and Egypt independents have won the largest number of nonruling party seats, as many as the Islamist party, while secular opposition parties trailed far behind. For example, in 1993 Jordanian independents won 61 percent of the seats, a full 40 percent more than the Islamist party. In Egypt’s 2000 elections independents and the largest opposition force, the Muslim
Brotherhood, each won seventeen seats, while the four main secular opposition parties won sixteen seats combined. In the current Yemeni parliament independents and the largest party nearly tied with fifty-four and fifty-three seats, respectively, while the next largest party won three seats.

Independent candidacy is both a cause and a result of opposition party weakness. Some independents are simply popular or wealthy people who want a parliamentary seat and are uninterested in opposition politics. Others are committed opponents of authoritarian regimes who are nonetheless uninspired by the opposition parties in their country. High barriers to party formation keep these candidates in some liberalizing Arab regimes from forming their own parties. Almost all of Egypt's recognized parties were initially denied recognition by the regime's political parties committee and won recognition only through costly court battles; thus, activists who share a common platform run as independents rather than fight for party recognition. Whatever the reason, the prevalence of independent candidacy among nonruling party candidates weakens the chances for effective opposition to authoritarian regimes by preventing the formation of well-defined alternatives that can win popular support.

The final source of opposition party weakness is the financial fragility of almost all secular opposition and some Islamist parties, many of whom rely on the very governments they oppose for crucial funds and services. When Egypt's Nasserist party found itself hundreds of thousands of dollars in the red, members "staged protests imploring the government itself to intervene and save the party from bankruptcy." When the Egyptian government froze the activities of the Islamist-identified Labour Party, closing down its biweekly paper, paper employees went on strike to get the government-funded Supreme Press Council to pay their salaries. The council's refusal, on the grounds that the party should be responsible for the costs of its own newspaper, carried little weight with the striking employees, and "an official party" eventually paid the salaries. An important reason for the financial weakness of opposition parties is the separation of parties from upper class interests. Arab business elites have tended to express their interests through sectoral groups such as chambers of commerce rather than parties, largely because authoritarian regimes still control most business opportunities and the formation of parties that might be perceived as oppositional could jeopardize access to those opportunities.

The poverty of many opposition parties contrasts sharply with the propitious financial environment for Arab nongovernmental organizations, particularly advocacy organizations, in the 1990s. The conviction in western policy circles that advocacy nongovernmental organizations can play central roles in democratization has made associations such as human rights and environmental groups "the single most favoured area of US civil society assistance," and European and Canadian governments and nonprofit organization are also generous funders. The clearest example of how this funding facilitates the proliferation of nongovernmental organizations is
found in the Palestinian Authority. While many voluntary associations existed well before establishment of the Palestinian Authority, the trend toward the creation of nongovernmental organizations was significantly strengthened by the post-Oslo deluge of donor funds. By 1996 the amount of per capita aid for Palestine exceeded all other war-to-peace transitions, including Bosnia, Rwanda, and El Salvador. Aid for democratization, much of which went to nongovernmental organizations, was particularly popular; donor officials in a 1997 survey argued that democracy and human rights had been comparatively overfunded in contrast to such areas as economic development. By 1995 the West Bank and Gaza, with a population of two million, had 1,200 to 1,500 nongovernmental organizations employing 20–30,000 people, while Egypt, a country of 68 million, had approximately 1,400 such organizations.

This financial context helps to explain why some Palestinian secular opposition groups have acted largely through nongovernmental organizations rather than parties. Palestinian leftist factions developed associations and sought foreign funding for them because of Fatah’s refusal to support them. Opportunities for associational activity abounded, but it was deemed ideologically unacceptable to run for parliament. Thus, these groups turned factional nongovernmental organizations into vehicles for secular left opposition, as in the case of a prominent West Bank refugee rights association. This group started out as part of a larger Israeli-Palestinian documentation center staffed largely by PFLP members. Because of factional strife within the center, its refugee rights work was broken off in a separate unit, headed by a PFLP board of trustees that had not previously worked on refugee issues. While the center’s staff insisted on its nonpartisan nature and refused to become a PFLP satellite, the board perceived the new refugee rights center as an arm of the PFLP and tried to divert some of the group’s $175,000 budget, donated largely by European nongovernmental associations. Only after the association’s staff resorted to the Palestinian ministry of the interior and the high court was it able to establish itself as a nonpartisan refugee advocacy group.

Opposition parties’ political and financial weakness is not the only reason many activists work through advocacy organizations rather than parties. Some human rights activists are former members of leftist parties whose persecution by authoritarian regimes convinced them that working to establish the rule of law is more pressing than advancing a party agenda. Similarly, several of the leaders of the new generation of women’s advocacy associations are former members of leftist parties who experienced enough sexism within the parties that they decided that women’s liberation could best be sought through groups focusing primarily on women’s issues. The result of these choices, however, has been the location of key battles for democratization in the nongovernmental association sector rather than in political parties. The unsuitability of advocacy nongovernmental organizations for this job became particularly clear in the campaign in Egypt to prevent passage of Law 153 of
1998, which severely restricted advocacy nongovernmental organizations. Egypt had a long history of nongovernmental organizations prior to the imposition of authoritarian rule in the 1950s, and Egyptian liberalization began a decade earlier than in most other Arab countries. Thus, Egyptian nongovernmental organizations are often older and more established than their peers in other countries. The campaign was strengthened by the vocal support of international organizations and the American government for nongovernmental associations. The campaign against Law 153 scored some surprising early successes, prompting parliament, which generally functions as a rubber stamp for the executive, to delay passage of the law and place activists on the law's drafting committee. Efforts to forestall the law's passage ultimately failed, however. Advocacy associations even in the most propitious of circumstances are fundamentally unable to lead campaigns for democratization in liberalizing Arab regimes.

Egypt: Party Paralysis and Associational Activism  Voluntary associations flourished in Egypt between 1920 and the free officer coup in 1952. Under Nasser's regime many associations were either closed, incorporated into regime organizations, or forced underground, and in 1964 the regime formulated Law 32 to regulate the remaining associations. Although the law was a crippling hindrance to many associations, others were able to function relatively freely, either because they fell into categories relatively privileged under the law or because they were able to escape it entirely by registering their activities under other legal headings.

Law 32 required citizens wishing to form voluntary organizations (subsequently referred to as nongovernmental organizations) to obtain permission from the ministry of social affairs. Permission was often denied on vague grounds including determinations that the nongovernmental organization was not needed or was redundant. Once approved, nongovernmental organizations had to inform the ministry of all activities. They had to notify three government offices of the agenda and location of meetings and promptly file records of their proceedings. The law also closely regulated fundraising. Only membership dues and offerings given during religious services could be collected without ministry permission, and permits for other types of fundraising, including the foreign funds so central to nongovernmental advocacy organizations were frequently denied or significantly delayed.

While Law 32 could seriously hinder nongovernmental organizations, major sections of the voluntary sector nonetheless managed to function. Islamic voluntary associations, by far the largest category of nongovernmental organizations in Egypt, mostly escaped serious ministry harassment. The most extensive study of Egyptian nongovernmental organizations found that they were the least likely of all associations to be dissolved for Law 32 violations. Because these associations provide desperately needed social services, the government was unlikely to hamper their activities seriously, and because many of them were at least partially funded by
mosque collections, much of their fundraising was exempted from government oversight. Although advocacy associations were precisely the kind of association Law 32 was designed to stifle, they have also generally been able to function. Business associations, which support the current climate of liberalization and are wealthy enough to fund themselves through dues, find their activities unhindered by Law 32. More oppositional advocacy organizations such as human rights groups often avoided Law 32 entirely by registering themselves as civil companies, rendering them liable to taxation but granting them more freedom of operation.

Perhaps the two categories most obstructed by Law 32 were the handful of advocacy nongovernmental organizations that had registered as voluntary associations, including the two leading environmental associations, and nonreligious social service and development associations. Lack of government sympathy for the goals of some of these groups was sometimes the problem, but a more frequent obstacle was the glacial rate at which the ministry processed the foreign funding on which they depend, even when there is no political intent to hamper the association’s activities.56

The government’s decision in early 1998 to replace Law 32 with Law 153 was motivated by a desire to lessen restrictions on “good” (apolitical) nongovernmental organizations while severely limiting the activities of oppositional advocacy organizations. International donor discourse about the centrality of social service organizations in compensating for government service cutbacks during structural adjustment appealed to the government, and international donors had long called for a less restrictive law. The American Agency for International Development, which donated $410 million to Egyptian nongovernmental organizations between 1976 and 2001, recommended less restrictive legislation and in the late 1990s offered the government several million dollars, which it declined, as technical assistance in revamping the law.57 Other foreign donors, particularly the Netherland Organization for International Development Cooperation, were equally outspoken. Law 153 responded to these concerns somewhat by reducing reporting requirements and increasing nongovernmental organizations’ freedom to raise money domestically.

While the government sought to simplify regulation of apolitical nongovernmental organizations, it also clearly intended to use the new law to stifle oppositional advocacy groups, particularly those that had previously escaped the ministry’s purview by registering as civil companies. Law 153 retained many of its predecessor’s most regressive aspects; it allowed the ministry to dissolve associations and required ministry permission before accepting foreign funds. It added an article requiring advocacy groups registered as civil companies to register as nongovernmental organizations or face dissolution, while maintaining the Law 32 article forbidding recognition of nongovernmental organizations engaged in “political” or syndicate activity, a combination that convinced many advocacy organizations that the government intended to forbid them outright.

Leaders of nongovernmental organizations became aware in May 1998 of the pro-
posed new law on associations and of the government's intention, as with many controversial bills, to rush it through parliament before the legislature's summer recess began at the end of June. More than twenty-five organizations signed and distributed a protest, soon followed by a second statement presented in the name of sixty-seven associations to Minister of Social Affairs Mervat Tellawi. These protests won an early victory. Tellawi announced that the law would not be passed before the summer recess and agreed to meet nongovernmental organizations to get their input. Two meetings were held, the first an invitation-only affair attended by approximately 300 representatives of eighty nongovernmental organizations. Before the meeting representatives of about forty left-leaning nongovernmental organizations gathered to coordinate positions and decided to demand that representatives from nongovernmental organizations be included on the law's drafting committee. Not expecting the minister to acquiesce quickly, they went to the Tellawi meeting without a list of representatives they would support and found the rug pulled out from under them when Tellawi immediately agreed. Meeting attendees then responded to Tellawi's agreement by shouting out the names of activists they knew personally as potential representatives; the four with the loudest support won. Two, a doctor and a former attorney general, were respected liberal figures not associated with nongovernmental organization activism; the third was the head of a high profile environmental association in Alexandria; and the fourth was the director of a Cairo human rights institute who had helped found Egypt's first human rights group in the 1980s.

For the next several months the campaign proceeded quietly. Nongovernmental organizations from twelve of Egypt's twenty-seven governorates came together to form the Civic Forum, which joined the two key groups threatened by the law—apolitical, nonreligious social service and development associations that had suffered from Law 32 and feared Law 153 and advocacy organizations. Large Civic Forum meetings were held to air grievances, and four members of parliament attended a meeting in October 1998 and promised that open hearings on the law would be held before it was submitted for a vote. The Civic Forum and human rights organizations produced several studies detailing the flaws of the new law and distributed them to lawmakers. In January 1999 a new version of Law 153, which the advocacy organization representatives on the committee deemed a real improvement, emerged from the drafting committee. Further steam was added to the reform campaign when the state council, a judicial body charged with reviewing the bill's constitutionality before it went to parliament, explicitly argued that refusal to register nongovernmental organizations on the grounds that they were politically active was illegitimate.

The early successes of the campaign—in an authoritarian regime that strictly controlled the opposition—were impressive. It was highly unusual to delay submission of the law to parliament to allow more discussion and to agree to include representatives of nongovernmental organizations on the drafting committee. There was at least
the possibility that a parliament dominated by the ruling majority might actually respond to nonelite constituents. These early successes strongly suggested a split within the government on associational freedom issues. Tellawi had been appointed minister of social affairs shortly before Law 153 was announced, and some advocacy organizations saw her appointment as a sign of government flexibility toward nongovernmental organizations, because of her experience as ambassador to Italy and Japan and extensive work with the UN and other international organizations. Further hints of support in some parts of the regime came from the regular appearance in government newspapers of articles critical of Law 153, including several contributions by one of the nongovernmental organization representatives on the drafting committee.

However, the hardliners soon made their entrance. Before Law 153 was submitted to the parliament for final passage, most of the changes introduced by the nongovernmental organizations' delegates in the drafting committee were deleted, and the state council's rejection of engagement in political activity as grounds for nonrecognition was ignored. The government paved the way for speedy passage of the new law with a full-scale media barrage designed to discredit nongovernmental organizations as traitors and thieves out to milk foreign donors. Several months earlier the secretary-general of the Egyptian Organization for Human Rights (EOHR) had been briefly jailed after the organization released a report critical of police abuses in a massacre of Christians in the village of Kosheh. The government charged at the time that the $25,000 that EOHR had accepted from the British parliament for an entirely unrelated project on women's legal aid was in fact payment for producing the Kosheh report and that human rights groups were hired guns for donors seeking to discredit Egypt internationally. As the regime geared up to pass Law 153, government-affiliated publications resumed the offensive with articles depicting the spread of nongovernmental organizations in the 1990s as a massive scam; in one cartoon a poor man suggested to his friend that they form a nongovernmental organization to increase their income. Some opposition party newspapers picked up the charge, referring to human rights organizations as "mercenaries."

When the more restrictive version of Law 153 was sent to the parliament on May 14, women's and human rights groups assumed leadership of the campaign, steering the battle from associational freedom to fundamental regime change. On May 18 eight of these groups issued a statement that they were "studying" the idea of opening an office in Geneva to pursue human rights work in Egypt if Law 153 made such work impossible domestically. The statement demanded a meeting between human rights groups and President Mubarak and a second meeting between these groups and UN High Commissioner for Human Rights, Mary Robinson, who was scheduled to visit Egypt in June. It also demanded that Robinson institute a moratorium on all UN human rights conferences in Egypt until issues of associational freedom had been resolved.
While it was provocative enough to call on international organizations to blacklist the Egyptian regime, the statement went well beyond attacking Law 153 by calling on nongovernmental organizations to spearhead fundamental political change. Noting the inability of parties, syndicates, and unions to work for change due to government restrictions, the Geneva statement said that its signatories would initiate dialogue with other civil society actors to draw up a plan for complete political reform in Egypt which they would present to the president. It concluded with the following memorable lines: “the day that the executioners...congratulate themselves, imagining that their horrible deeds against the Egyptian citizen have gone unseen, that day will never come. It may take a long time, but there is no doubt that the day is coming when they will be held accountable...let them remember well what happened to the executioner Pinochet.”

At this point dissension began to break out openly among the human rights groups. Several of them issued a statement dissociating their groups from plans to open offices in Geneva on the grounds that the real fight for human rights had to be waged within Egypt. In the days between the two statements, some maneuvering within individual human rights groups had apparently gone on, as two of the groups that had signed the earlier statement now signed the counterstatement. The stakes continued to be raised, as four women from two human rights groups began a hunger strike demanding that the parliament honor its promise to hold public hearings before the law was passed. On May 25, with protesters demonstrating outside the parliament, Law 153 passed and was signed by Mubarak the next day.

At this point human rights groups anticipated the arrival of UN High Commissioner for Human Rights Mary Robinson. During the campaign some advocacy groups had taken the position that, if Law 153 passed, they would not register under it. Others said that they would continue fighting it but would be forced to register, lest they be forcibly closed. No decision had to be made immediately, as the deadline for registration was twelve months later. In the days immediately before Robinson’s arrival in early June, however, eight women’s and human rights organizations submitted notice of their intent to register. When Robinson arrived, she met with Mubarak to express her concern about the broad language of the law and promised to continue to follow the law’s implementation closely. However, she also noted her satisfaction that nongovernmental organizations had been consulted and that the government had promised to continue such consultation in formulating the law’s administrative regulations. Outraged, groups that had not registered charged that the registered groups played into the government’s hands; their agreement to register, it was alleged, was read by Robinson as a sign that the law could not have been all that bad since the nongovernmental organizations had not taken a united stand against it. Robinson’s departure signaled that the last card in the human rights groups’ hand had been played. The game was lost.
What Went Wrong? Disagreement on the Limits of Nongovernmental Organizations

It is not surprising that a government that silenced political parties, professional syndicates, and trade unions also attacked nongovernmental advocacy organizations. Given the grossly uneven balance of forces, it is also not surprising that the government won. The anti-153 campaign, however, demonstrates some of the weaknesses of nongovernmental advocacy organizations as agents for fundamental democratic change. A key reason for their collapse was a pronounced lack of democracy and consultation both within individual human rights groups and among them. One of the most active human rights organizations split into two groups, with both sides arguing that the split was caused by the refusal of the other side to consult it about participation in the campaign. A founder of this organization filed papers signaling its intent to register under Law 153 in the days prior to Robinson's arrival without consulting his colleagues. This founder raised his own charges of undemocratic behavior within the organization. He contended that the Geneva statement was formulated by officials of one group and faxed to others with instructions that it be signed and returned immediately, leaving little time to discuss its implications or inflammatory language. When he insisted that the board as a whole discuss the wisdom of signing the statement, the director said that his position authorized him to sign on behalf of the organization and promptly did so. At least two other groups also charged that there was a lack of democratic consultation on the statement and that the names of their organizations had been signed without their permission.

The coalition also fractured over disagreement on the role that nongovernmental organizations, as opposed to parties, should play in opposing the government. Several heads of nongovernmental organizations that had shied away from the campaign's most controversial stances, refusing to endorse the Geneva statement and filing intent-to-register papers in the days preceding Robinson's arrival, contended that nongovernmental organizations were not strong enough to instigate a wider movement for regime change. One leader who had been involved in left party politics since the 1970s argued that human rights groups had not sufficiently realized the structural weakness of their position as they determined how to express their opposition to the regime. "We are not political parties. We haven't even finished building ourselves up yet." To his mind, human rights groups were not in position to bring the government down, nor should they be attempting to do so. There would be many other battles with the regime, and severely weakening the movement through an all-out escalation over Law 153 was not a wise long-term strategy. The leader of another large human rights group shared this assessment, contending that the Geneva statement was inappropriately inflammatory. "Look at the (weak) position we are in. Are we in any position to be referring to Mubarak as Pinochet and threatening him with retribution? What power do we have to back this up with?" The question of
whether human rights groups were right to frame their opposition to Law 153 in terms of regime reform rather than associational freedoms was raised at an October 2000 workshop designed to analyze the 1999 campaign. A director of a youth and social services group suggested that the advocacy organizations had been wrong to try to mobilize social service groups in the Civic Forum around a wider discourse of confrontation with the state rather than focus on the need to change Law 153. Charity organizations “are entirely outside the discourse of the state and of politics, and their issue is only MOSA” (that is, how to get what they need to operate without undue interference from the ministry of social affairs). Since these charity organizations had been the bulk of the Forum’s membership, the implication was that the Forum’s decision to place associational freedom in the wider context of democratization had been a mistake.

A third and fundamental reason for the weakness of the anti-153 coalition was the almost total dependence of its members on foreign funding. Aside from an early and quickly aborted attempt by the Egyptian Organization for Human Rights to become a mass membership organization and fund itself through dues, most advocacy organizations have made little attempt to raise funds locally. Some activists argue that ministry regulations prevent them from doing so. Others share the fundamental conviction, expressed in a book issued by the Civic Forum during the campaign, that in a society as poor as Egypt’s nongovernmental organizations will never be able to fund themselves. By not relying on local funding, however, advocacy organizations have no constituency to which they are accountable in Egypt and only a limited number of people there who are personally invested in their success. When the government attempts to shut them down, these advocacy nongovernmental organizations find few supporters. This problem is compounded by strong public feelings that foreign funding for advocacy organizations is illegitimate. These feelings arise partially from a concerted government barrage of arguments that these groups are selling Egypt out for personal benefit, a charge that carries weight when many nongovernmental associational leaders have enjoyed a significant improvement in their standard of living through nongovernmental work. In this environment, an anti-153 campaign that focused heavily on limiting ministry restrictions on foreign funds was guaranteed a narrow audience. As one activist in the campaign admitted, “most people see that we receive money from abroad and they think that when we oppose government restrictions on this funding we do this because we have something to hide.”

Four years after the defeat of the anti-153 coalition, Egyptian advocacy organizations’ freedom of operation is still severely curtailed. A year after its passage Law 153 was declared unconstitutional, primarily on the technical ground that it had not been approved by the necessary bodies prior to passage. In 2001 the regime responded with Law 84, which on some levels represented an improvement by narrowly defining the political activity in which nongovernmental organizations were forbid-
den to engage and mandating representation of nongovernmental organizations on committees arbitrating conflicts between these organizations and the ministry of social affairs. In many other ways, however, Law 84 was worse. Access to foreign funding was further restricted. In previous laws nongovernmental organizations had been allowed to accept money from foreign agencies already in the country without prior ministry permission, but now all such funding required permission. The new law also continued its predecessors’ insistence that the ministry, not the courts, had the right to dissolve nongovernmental organizations, and it allowed the ministry to freeze the funds of nongovernmental organizations that joined nongovernmental association networks, including international networks, without its permission.

Law 84 was passed in much the same way as its predecessor, although with much less formal input from the nongovernmental associations. Two brief meetings were held between the new minister of social affairs and associational representatives, but the latter complained that, as with Law 153, all of their suggestions were ignored. The protests of several opposition party members of parliament that the law was unacceptable went unnoticed, and the law was passed over a single weekend.

Conclusion

Many students of politics in the global south have argued that civil society generally and nongovernmental advocacy organizations in particular can play central roles in fostering democratization. It is certainly true that these organizations can call attention to and sometimes limit the depredations of authoritarian rule by publicizing abuses such as the torture of political prisoners and limitations on free speech. They can also help lay the foundations of a democratic culture by disseminating values essential to democracy, including respect for human rights and the rule of law. Beyond these contributions, however, lies the Herculean task of replacing current authoritarian regimes with democratic ones. Groups seeking to challenge authoritarian rule require widespread popular support, and nongovernmental advocacy organizations, which are typically single issue groups with small local constituencies dependent entirely on foreign largesse, are ill-equipped to lead the charge.

While most political scientists would find the argument that parties are better suited to challenge authoritarian regimes than nongovernmental organizations unexceptionable, they have paid little attention to the conditions under which opposition is routed through these organizations rather than parties. As Egypt and the Palestinian Authority demonstrate particularly clearly, often the same people, particularly leftist activists, move back and forth between party and nongovernmental activity in response to increasing or decreasing constraints on one or the other. While the effects of the availability of foreign funding on the proliferation of nongovernmental associations have been widely recognized by scholars and practitioners, the
contrast between readily available funds for associations and the poverty of many parties and the implications of this contrast for the forms that opposition takes have rarely been studied. Similarly, the laws accompanying liberalization need to be scrutinized to determine the relative degrees of freedom they afford both nongovernmental organizations and political parties. Applying general principles of institutional analysis to the question of opposition weakness by examining the way in which institutions, political and financial, structure choices to oppose authoritarianism through nongovernmental organizations or parties would be an important first step in understanding the weakness of oppositions in the Arab world and elsewhere.

NOTES


5. Keck and Sikkink.


15. The Islamist movement Hamas has been and remains the Palestinian Authority's strongest challenger.
17. Fatah's insistence on adopting a winner-take-all electoral system also contributed to the factions' decision to boycott.
21. Ibid.
24. Ibid.
25. According to Eberhard Kienle, "More Than a Response to Islamism: The Political Deliberalization of Egypt in the 1990s," Middle East Journal, 52 (Spring 1998), much of the electoral fraud and increased repression of Egyptian opposition in the 1990s has been motivated by the regime's desire to ensure that in each election the number of NDP deputies easily clears the two-thirds mark.
33. Kienle, A Grand Delusion, p. 82.
34. Interview, Cairo, April 10, 2001.
37. Marsha Pripstein Posusney, "Multi-Party Elections in the Arab World: Institutional Engineering and Oppositional Strategies," Studies in Comparative International Development, 36 (Winter 2002), 40. The rare liberalizer that experimented with proportional representation for the entire electorate was Egypt...
in 1984 and 1987; it returned to a winner-take-all system after the constitutional court ruled that the proportional representation system's requirement of party lists discriminated against independent candidates.

38. Schwedler, p. 51.
41. Sweet, p. 25.
42. It is important to distinguish between candidates who ran as independents in the elections only to join ruling parties after the election and candidates who remained independents. In both Egypt and the Palestinian Authority substantial numbers of ruling party candidates who did not get their party's nomination ran as independents and rejoined the party upon election; I do not count these candidates as independents.
44. Gamal Essam el Din, “Rank-and-File Dissenters,” *Al-Ahram Weekly*, Nov. 23–29, 2000. There were 256 independent candidates in the 2000 elections, but 218 subsequently joined the NDP, leaving thirty-eight members of parliament who remained independents. Seventeen of them were Muslim Brothers who had to run as independents because religious parties are prohibited. By this calculation, there were seventeen true independents, the same number as successful Muslim Brotherhood candidates.
49. Brynen, p. 79.
50. Ibid., p. 162.
51. Ibid., p. 49
52. Interview with leader of the organization, West Bank, August 28, 2000.
54. Sara Ben Nafisa and Amani Qandil, *Voluntary Associations in Egypt* [in Arabic] (Cairo: Center for Political and Strategic Studies, 1994), note that Islamic nongovernmental organizations are tied with community development associations as the largest category of nongovernmental organizations but that the latter are not really nongovernmental organizations since they are almost entirely state-run.
55. Ibid., p. 63.
56. When foreign checks of one of the most vocal nongovernmental organizations in the anti-153 campaign were delayed, one AID official noted that the delay might be nothing more than the typical slow functioning of the law. Interview, Cairo, April 11, 2001. The director of a women's literacy and skills training organization in a poor neighborhood of Cairo noted that she had been waiting six months for the ministry to process a $400 German grant for a handicraft production machine. Interview, Cairo, April 3, 2001.
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63. “Human Rights Groups Call for an Immediate Meeting with the President, Begin Consultations on Creating a Political Reform Program, Demand a Meeting with the UN Human Rights Commissioner, Decide to Open an Office in Geneva, and to Place the Situation of Civil Society before the UN” [in Arabic], May 18, 1999.

64. Interview, April 18, 2001.


67. One human rights activist told the author: “let the government take off the restrictions on fundraising, not letting us organize raffles or collect donations, and we’ll [be happy to] fund ourselves.” Interview, Cairo, April 7, 2001.


69. Interview, Cairo, April 4, 2001.