

**CIVIL SOCIETY IN EGYPT AND THE REVOLUTION OF 25TH JANUARY:
WHAT ROLE FOR THE EU?***Mohamed Elagati**

Prior to the Revolution of 25th January, Egyptian civil society was revitalized in the 1980s by a group of activists who had lost hope in political parties. Thus, they abandoned parties to establish developmental and human rights organizations and associations. In this respect, civil society in Egypt could be seen as a civil society pursuing political aims in a plurality of forms under an illiberal political regime. That resulted in the formation of thematically-based organizations playing in practice the role of political opposition in the fields of women's rights, development, political rights and so on.

As the regime realized this, "governmental" non-governmental organizations (GNGOs) started to appear side by side with civil society-based NGOs. These GNGOs played two main roles: confronting independent/opposition organizations and filling the gap caused by the government's failure to provide basic services in light of the adoption of neo-liberal agendas.

Civil Society towards 25th January

Based on its formation and evolution, the civil society map was a reflection of a political polarization in Egypt. This led to a sequence of restrictive laws which today still regulate the work of civil society in an attempt to oppress it (the 1998 law) or contain and control it (the 2002 law). This "restricted civil society system" is reflected in the existing model of the Egyptian restricted multi-party system.

The most important characteristics of that legislation are the following:

- It provides administrative authorities with almost absolute discretionary powers, starting with approving the establishment of organizations and terminating their activities. Moreover, authorities have the power to approve foreign funding as well

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as decisions by NGOs to join international networks and coalitions. Foreign funding is a most important source for developmental and rights-based civil society organizations in light of the absence of Egyptian sources.

- The law provides authorities with exceedingly wide powers of incrimination and punishment with regard to organizations. It also includes collective punishment for all the members of the associations, by dissolving associations as a result of violations perpetrated by individual members. This is similar to the law on political parties, the aim being in any case to make people distance themselves from cooperation and political activity.
- The legislation includes vague terminology and open-ended statements, such as preventing organizations from practising any “political activity” and respecting “public order”. For example, the paragraph about foreign funding states that organizations must present a request and the administrative authorities must approve it within 45 days. However, it does not clarify the situation where the administrative body does not respond to the request; which is usually the case.

In light of these conditions, the “opposition” civil society in Egypt had a clear role and clear stake in the preparation for and participation in the Revolution of 25th January, by supporting the formation of committees and associations on the ground and especially introducing the rights-based approach in its work. People organized themselves to defend their rights (such as the right to water in the Suez Governorate) or health (in the Menia Governorate) or a clean environment (in the Helwan district). Cadres and activists had a salient role in most of the political formations that emerged before the revolution, such as the solidarity committees with the Palestinian uprising, the anti-globalization committees reaching to “Kefaya” movement, and the National Association for Change. Nonetheless, when it erupted, the Egyptian revolution surprised civil society as much as it did the different political forces.

Civil Society from the Revolution to the State

During the events of the Egyptian revolution and those that took place following it, clear changes emerged in the civil society map with the withdrawal of GNGOs from the scene and the rise of those that had had a role in opposing the previous regime. Furthermore, changes in the civil society map extended to the emergence of new entities such as youth coalitions, new parties born during the revolution, independent trade unions, “sectoral” or web site-based associations. As for old GNGOs, they proved unable to keep pace with change and turn into genuine NGOs.

While asserting its role, civil society in Egypt after the revolution is still mostly working in a “reactive” and traditional way. Although some of the NGOs started to present initiatives and make demands, they failed to realize that the continuation of the process of change towards a democratic regime, especially in the transitional phase, will not take place except through supporting the movements on the street to achieve its demands. At the end of the day, merely pleading with the regime to meet people’s demands legitimizes the regime. People have to make the ruling regime face its responsibilities and compel it to meet people’s demands.

The “purification” process (cleansing state institutions of the supporters and practices of the old regime) will only happen with the prosecution of leaders that incite opposition to the revolution and its objectives. Restructuring and rehabilitation of these institutions can only be brought about by pushing for change from within, not merely criticizing and confronting them from outside. During the events of 2011, a statement was issued by more than one third of those who work in the Egyptian Ministry of Foreign Affairs in support of the demands for change; meanwhile, doctors of the Ministry of Health stood side by side with the revolutionaries in field hospitals but there was no communication with them or attempts to support them inside their institutions. Why did this happen? Because NGOs worked in keeping with old methods and customs, with state institutions regarded as part of the regime, whereas they were emerging as part of the revolution as well.

In this framework, civil society organizations (CSOs) presented a draft bill to the new Parliament to replace the old law. While the Parliament’s Human Rights Committee put the bill on its agenda, the amendments the Committee is proposing, if approved, would distort the CSOs’ proposal going back to the old restrictive system. This was underscored by the UN High Commissioner for Human Rights, Navi Pillay, in Geneva (25th April 2012): a draft law on regulation of NGOs in Egypt “if passed in its current form, would seriously undermine the spirit of Egypt’s revolution, in which civil society played such a pivotal role.”

The EU and Civil Society in Egypt

Anyone following events in the Arab region must realize that the current change in Egypt will have an expanded impact in the whole region and not only in Egypt. In this context, if an authoritarian regime, whether military or religious, is in fact brought back in Egypt, that may put democratic change at risk throughout the Arab and the Mediterranean region.

In this context, EU policy has limited itself until now to waiting to see developments and then starting to act. That seems to be inadequate and could contribute to complicating matters further on. The EU should act quickly, not with the same old strategies, but with new strategies, in keeping with the new context and seeking to avoid past mistakes. This involves:

- Shifting from pressure to support. There are several challenges facing the Egyptian “secular” or “civil” state at this stage: women’s rights, freedom of thought and creativity are among the most important rights to fall under attack. However, pressure by external parties with regard to individual rights or issues might not have a positive impact on the current situation. What would have a positive impact is pushing for the process of democratic change in Egypt to ensure that grass-roots stakeholders interested in democracy flourish and that rights are guaranteed. This would be possible by supporting Egyptian NGOs; that is, stakeholders having democratic expertise, visions and experiences. This needs to be done in addition to employing international mechanisms such as human rights delegations and commissions. Finally, more effort should be made to ensure compliance with relevant international standards in ongoing legislation regulating civil society.
- Emphasizing the role and importance of civil society. We need more involvement of civil society organizations in Euro-Egyptian relations, so that they can become an effective party whose important role is recognised by decision-makers. It seems that those running the state in Egypt know nothing about civil society other than its charity role. This should be done through partnership among civil society’s NGOs and not through the establishment of government-to-government agreements. It should also be done through supporting Egyptian civil society as part of the global civil society. Furthermore, support should be given to the development of the capacities and skills of Egyptian civil society with a view to enabling it to deal with democratic regimes and have an impact on them, as its only experiences are in dealing with oppressive regimes and mainly focusing on “exposing” abuses and violations.
- Ending support for policies against people by linking policies to civil society. In this phase, civil society is distancing itself from policies against people’s interest in Egypt, such as privatization in the economic field and normalization with Israel in the political field. Such issues are totally rejected by the Egyptian people after the revolution. The EU should take people’s and civil society’s rejection of old policies into consideration.

More generally, inter-Mediterranean relations would not develop without the existence of real democracy in the South. Civil society is part of any real democratic regime. This is why EU-Mediterranean relations should protect and foster civil society in South-eastern Mediterranean countries. It must never be used as a tool for political negotiation between governments.

Moreover, civil society is also a tool for communication, normally more effective for people of the region to actually keep in touch. If dealt with seriously and effectively, it could become a major pillar for building stability and communication in the region.

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