



Watching the Watchdogs: Restrictions Imposed on Civil Society Organizations in Post-Revolutionary Egypt

Yuridia Montoya

Student number 0734772
Master of Science Human Geography
Conflicts, Territories and Identities
Center for International Conflict Analysis and Management
Supervisor Haley Swedlund

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Radboud University Nijmegen

“If we continue” he said. “What is the punishment? What is the problem?”
We said: “According to the law you can get three years in prison if you continue.”
He said: “It is okay. Human rights deserve this price. You have to pay this cost if you want to do something for this country” — Egyptian Organization for Human Rights

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By: Yuridia Montoya

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Preface

As writing this preface, I find myself in an oasis in the Egyptian western desert close to Libya. The metropolis of Cairo can be very suffocating, especially when one is trying to find a calm place to assess what has been done over the last period. At this very moment, I am in a room with nine Bedouins, they are all smoking and looking at a football match on a TV screen that must be at least 15 years old; as with many other things, time seems not to have passed in this place.

Especially this image is very controversial with everything that is happening in the country. In the big cities the political changes of the last three years have left their scars, and as tomorrow it is Friday again, all one can do, is hope that no other new scars will have to heal with the probable loss of more lives.

In the mean while, close to the Libyan border, people do not really seem to be interested in what is happening in the rest of their country. They believe that whatever happens will not make a change in their community. The government does whatever it wants and improving the situation for the local Egyptians, is believed not to fit in that program.

As much as I seem to be far from what is happening at the moment, nothing is what it seems. As I have stayed in this oasis for some time now, I have been warned by those close to me, to be careful in giving information about my project. Human rights and democracy is still something not understood by everyone and considering the fact that I am a foreigner, for many my presence could be seen as puzzle, with hints like *“spy”*, and *“doing something bad for the country.”* I can not deny that this shocked me. Even in the most far places, there seems to be a negative feeling towards the changes that have occurred since the fall of the Mubarak regime. Unfortunately, intertwined with naivety, people have a very fast and severe judgment on what is happening.

This made me realize what my topic actually meant. In first instance, my literary study was just the affirmation of a consequence of a political development, but I had no insight of what it meant on the ground. Being active with a topic that is controversial to a hostile regime is something very sensitive, for one self and for the people surrounding you. For instance, I was warned when extending my visa not to tell the police what I was really doing in Egypt; and I was warned to not give any information about my meetings with my informants on the specific time and place.

Looking back at the gained experiences during my research process, I am extremely grateful that I took this path. It was challenging, but now I realize that being submerged in this country for a long period of time has given me insight in developments the surface does not reveal.

First, I want to thank everyone for cooperating in my research. The different respondents were very interested in my topic and shared with me, sometimes personal and emotional stories. Here I want to give special thanks to Ahmed Samih, who helped me in obtaining the contacts for further research. I also want to thank Free Press Unlimited, as being part of their team has given me insight in projects and developments that are taking place in unstable environments.

I want to thank my supervisor Haley Swedlund. Although we did not have the chance to meet very often due to our different locations, I always had the feeling she was very

supportive and enthusiastic about my investigation. Honestly, this was a great thrive for me to continue performing my research.

I want to thank my mother, Samer and my father, for always believing in me when I had difficulties in doing so myself. Supporting me to come and stay in Egypt for a long time, has changed me in many aspects. Thanks to my flat mate Paola, I was able to find all the necessary locations in the maze of Cairo. Finally, I want to thank everyone else I have met and who has supported me during the period of my research. Their academic input, or their moral support when writing during some long nights, has meant a lot to me. Without their input this research would not have been the same.

English Summary

According to some, civil society in the Middle East is the sphere that could counter authoritarian regimes. Others seriously question this positive image, pointing out that the prevalent political framework currently governing civil society organizations, strongly influences its effectiveness. This thesis supports the later claim. It argues that, despite its presence, civil society in Egypt is restricted and limited by a government mainly concerned with its maintenance of power.

This thesis is a case study of Egyptian civil society, beginning from the time period of January the 25th, the beginning of the Arab Spring in Egypt, until May 2014, when this thesis was submitted. Since the Arab Spring, and the fall of the thirty year standing Mubarak regime, Egypt has faced a very unsteady political situation. The fall of this authoritarian government created a power vacuum that many eagerly wanted to fill, as for the first time there was a space in which political ideas and future visions of democracy could freely be expressed. As civil society organizations suddenly saw openings in a political arena that for them had been forbidden territory, international institutions, active in the field of promoting democracy and human rights, saw the opportunity to easily support local organizations. But this utopian scenario soon changed, as shortly after being elected. Former president Mohamed Morsi gained executive and legislative power occupying the position of the monarch he fiercely rejected when asking for the people's vote for his election. Exactly one year later, General Abdl Fatah el-Sisi oust this democratically elected president and won the people's heart by promising freedom and democracy. Unfortunately, until the time of writing, circumstances seem to deteriorate.

Since the wave of the Arab Spring raged through the Middle East, there has been a pattern in the development of the civil society sphere focused on democracy and human rights, in which either political liberalization or more severe repression has taken place. The slight political liberalization that took place after the January 25 Revolution in Egypt, lead to an enormous growth of the number of civil society organizations. Nevertheless a growth in number does not always indicate development and today's organizations still claim to suffer from soft – bureaucracy, control of the administrative mechanism, adjustment of the constitution – as well as hard – violent – measures which hinders them when performing their work.

Since the situation on the ground is very subjected to current fast political changes, little academic research has been performed on the circumstances for civil society organizations after the January 25 Revolution. This research aims to contribute to filling that gap by providing insight into the current relationship between the state and civil society in regards to democracy and human rights in Egypt. This is done by focussing on the challenges and restrictions civil society organizations have been facing under the different governments that have ruled Egypt since the Arab Spring. By a way of a literature review on civil society theories and by field research in Egypt, the relationship between the state and civil society is further elaborated. Statements are then tested against empirical data obtained through several months of field work during two different stays at the country. During these periods, interviews with civil society organizations were conducted. Analysing the results showed that civil society is not always a method to counter authoritarian regimes and is not always capable of empowering a society for democracy.

طبقاً لطبع هذا المجتمع في الشرق الأوسط هي المجال الذي يستطيع مجابهة و معارضة الانظمة الاستبدادية. بالنسبة للآخرين فهم يشككون في دورها الايجابي المكلفة به. حيث يقولون إن الإطار السياسي السائد الذي يحكم منظمات المجتمع المدني يؤثر و بشدة على علاقتها بالدولة.

هذه الأطروحة تؤيد الإدعاء الأخير و تنأى عن فكرة إنه بالرغم عن وجودها و لكن منظمات المجتمع المدني في مصر مقيدة بحكومة شاغلها الأول الحفاظ علي السلطة . هذه الأطروحة تدرس وضع جمهورية مصر العربية في الفترة ما بين ٢٥ يناير حتى مايو ٢٠١٤. فمنذ الربيع العربي و سقوط نظام مبارك القائم لثلاثين عام و مصر تواجه تخطيط سياسي، فسقوط نظام مبارك خلق فراغ في السلطة حاول الكثيرون ملأه بضراوة ف لأول مرة أصبح هناك مساحة لطرح الأفكار و الرؤى السياسية، فشعرت منظمات المجتمع المدني بمنفرد في الساحة السياسية التي لطالما كانت محرمة عليهم.

ورأت المؤسسات الدولية المنوطة بالترويج للديموقراطية و حقوق الإنسان الفرصة لدعم تلك المنظمات و لكن هذا السيناريو اليوتوبي سرعان ما لبث و أن تغير، فبعد إنتخاب الرئيس محمد مرسي، قام بالإستحواذ على السلطة التنفيذية و التشريعية و وطد نفسه كفرعون، ذلك المنصب الذي عارضه حين خاطب جموع الشعب وطالبهم بتأييده و التصويت له فقام الفريق عبدالفتاح السيسي بالإطاحة به بعد عام. ثم وعد الناس بتوفير العيش و الامان و أقسم بإتاحة مساحه للحرية و ممارسة الديموقراطية، فكسب حب و ثقة جموع الشعب و ركبوا قنصلته، في لحظة تلك الفكرة، لا في لحظة هذا بل في لحظة هذا.

منذ أن اجتاحت موجة الربيع العربي الشرق الأوسط أصبح هناك نمط من التطوير في مجال المجتمع المدني يركز على الديموقراطية و حقوق الإنسان سواء بحدوث سياسات أكثر تحررية او أكثر قمعية

السياسات التحررية الطفيفة التي حدثت أدت إلى نمو هائل في عدد منظمات المجتمع المدني، ولكن علماء مثل شول. موكو زو كوف و رين الأطفيل ما تستخدم مفاهيم ليبرالية من أجل تقييد المجتمع المدني، بآلية مشار إليها ب"الليبرالية المحكومة".

مرة أخرى هذه الأطروحة تدعم ذلك الإدعاء، حيث تذكر إن عدد المنظمات ليس بالضرورة مؤشر على التقدم. فلو كان المجتمع المدني يتقدم، فيجب أن يكون هناك تغييرات سريعة فقد تم عمل بحث أكاديمي صغير عن الأوضاع لمنظمات المجتمع المدني فيما بعد ٢٥ يناير.

هذا البحث يهدف إلى المساهمة في ملئ ذلك الفراغ و إضافة نظرة على العلاقة الحالية بين الدولة و منظمات المجتمع المدني مسطرة الضوء على الديموقراطية و حقوق الإنسان في مصر من الناحية النظرية و العملية عن طريق التركيز على التحديات و القيود التي واجهتها المنظمات تحت مختلف الحكومات منذ الربيع العربي.

العلاقة ما بين الدولة المصرية و منظمات المجتمع المدني تم إيضاحها عن طريق مراجعه ادبية على نظريات المجتمع المدني و بحث على أرض الواقع.

وقد تم مراجعة البيانات امام المعلومات التجريبية المتحصل عليها من خلال أشهر من العمل المدون خلال قضاء فترتين مختلفتين في البلد و خلال تلك الفترتين تم إجراء بعض المقابلات مع قوى من منظمات المجتمع المدني.

تحليل تلك النتائج أظهر إن منظمات المجتمع المدني ليست بالضرورة قادرة على تشجيع المجتمع على الديموقراطية او مجابهة النظام.

Resumen en Español

Desde el punto de vista de algunos, la sociedad civil en el Medio Oriente es el ámbito donde se puede contrarrestar el régimen autoritario. Otros ponen serios interrogantes a su reconocimiento positivo, ya que afirman que el marco político predominante que rige las organizaciones de la sociedad civil, tiene una gran influencia en su relación con el estado y la eficacia de éste. En esta tesis se apoya la anterior afirmación y se parte del hecho de que a pesar de su presencia, la sociedad civil en Egipto está restringida por un gobierno que está principalmente interesado en la predominancia del poder.

Esta tesis es un estudio de caso de Egipto, partiendo desde la Primavera Árabe del mismo, que comenzó el 25 de enero de 2011, hasta mayo del 2014. Desde la Primavera Árabe, y la caída de los treinta años del régimen de Mubarak, Egipto se ha enfrentado a una situación política muy inestable. La caída del régimen de Mubarak ha creado un vacío de poder que muchos ansiosamente querían llenar, ya que por primera vez había un espacio en el que las ideas políticas y visiones de futuro de la democracia podían expresarse libremente. Organizaciones de la sociedad civil vieron repentinamente aperturas en una arena política que para ellos había sido territorio prohibido. Las instituciones internacionales, activas en el campo de la promoción de la democracia y los derechos humanos, vieron la oportunidad de apoyar a las organizaciones locales fácilmente. Pero éste escenario utópico pronto cambió, ya que poco después de ser elegido, el ex presidente Mohamed Morsi ganó el poder ejecutivo y legislativo, que ocupó como el monarca que ferozmente rechazaba cuando pedía que el pueblo votara por su elección. Exactamente un año después, el general Abdl Fatah el-Sisi derroco al presidente electo, Mohamed Morsi y ganó los corazones de la gente con la promesa de libertad y democracia, pero hasta el momento de la escritura, las instituciones que promueven estos valores afirman que las restricciones han incrementado desde dicho acontecimiento.

Desde que la oleada de la Primavera Árabe arrasó en el Medio Oriente, ha habido un patrón en el ámbito del desarrollo de la sociedad civil que se centró en la democracia y los derechos humanos, en el que la liberalización política o las represiones más intensas se han llevado a cabo. La liberalización política ligera que tuvo lugar en Egipto, condujo a un enorme crecimiento del número de organizaciones de la sociedad civil. Estudiosos como Sean L. Yom y Quantain Wicktorowicz afirman que a menudo se utilizan los regímenes de liberalización para restringir aún más la sociedad civil, un mecanismo de control al que se refieren como la liberalización controlada. En esta tesis se apoya de nuevo esta afirmación, argumentando que un crecimiento en el número de organizaciones de la sociedad civil no siempre indica desarrollo, y que en la actualidad, el ámbito de la sociedad civil sigue sufriendo cierto control de la burocracia del mecanismo administrativo, el ajuste de la Constitución -, así como duras violentas medidas que les causa dificultades a la hora de realizar su trabajo.

Dado que la situación en el fondo está muy sometida a los rápidos actuales cambios políticos, poca investigación académica se ha realizado sobre las circunstancias de las organizaciones de la sociedad civil después de la Revolución 25 de enero. Esta investigación tiene como objetivo contribuir a llenar ese vacío para proporcionar una visión en la relación actual entre el Estado y la sociedad civil que se centra en la democracia y los derechos humanos en Egipto, tanto teórica como prácticamente. Esto se hace centrándose en los desafíos y las restricciones de la sociedad civil a los que se han enfrentado los diferentes gobiernos que han gobernado Egipto desde la Primavera Árabe. Por el camino de una

revisión de la literatura sobre las teorías de la sociedad civil y por la investigación a fondo, la relación entre el Estado y la sociedad civil egipcia es más clarificada. Las declaraciones se ponen a prueba con los datos empíricos que se obtienen mediante varios meses de trabajo presentado durante dos estancias diferentes en dicho país. Durante estos períodos, se llevaron a cabo entrevistas con las organizaciones de la sociedad civil en diferentes partes de Egipto. El análisis de los resultados mostró que la sociedad civil no siempre es el método para hacer frente a los regímenes autoritarios y no siempre es capaz de potenciar una sociedad para la democracia.

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- Figure 2: Illustrates the different forms of civil society in Egypt and their description. According to a similar scheme, organizations are classified and brought under supervision of their respective body of control.
- Figure 3: Illustrates a schematic overview of the most important restrictive laws currently being used by the government to control and repress civil society organizations.

List of cooperating organizations

1. Society Participation
2. Arab Network for Human Rights Institute (ANHRI)
3. Egyptian Democratic Institute
4. Cairo Institute for Human Rights Studies (CIHRS)
5. Arab Center for Judiciary Independence
6. Egyptian Initiative for Personal Rights (EIPR)
7. El-Andalus Institute for Tolerance and anti-Violence Studies
8. Egyptian Organization for Human Rights (EOHR)
9. Egyptian Association for Enhancement of Public Participation - Fayoum
10. The United Association for Political Rights - Fayoum
11. Hesham Mubarak Law Center (HMLC)
12. Association for Freedom of Thought and Expression (AFTE)
13. Sawt el Hurr
14. International Federation of Human Rights
15. InterNews Egypt
16. Care Organization Alexandria
17. The Egyptian Center for Public Policy Studies
18. United Group
19. Egyptian Democratic Academy

1 Introduction

“Every time someone tells me this is not the time for human rights,
then you know, with utmost urgency,
that this is the time for human rights.” - Amro Ali

This chapter offers the introductory argument of this thesis. First, it aims to explain the term civil society to subsequently focus on its development in the post revolutionary era in Egypt. By elaborating the research objectives and the central questions, it explains the societal and scientific relevance of the present topic. It ends by providing an overview of the structure to get insight in the discussed topics and in the position this research takes inside the current civil society debate.

1.1 Introduction to civil society and the research

The debate concerning civil society, its meaning and its role, has been extensively discussed in multiple old and new theories. Many scholars have tried to assign a meaning to civil society, but as with many theoretical concepts, there is no universally accepted definition of what civil society really is. In the next chapter of this thesis, a further analysis will be provided, in the meanwhile, civil society often acquires the meaning of a web of formal

voluntary associational forms, that exist in the space between the state and individuals^{1 2}, or state, market (profit activities), and individuals³, with the intention to represent the various, sometimes common but also sometimes competing, views and interests of groups in a society⁴.

Today, many scholars assume, that the development and growth of the civil society sphere goes hand in hand with democratic transitions and social development. The September 11 attacks initiated a wave of democratization by the West in the Middle East and in this process civil society has been assigned a pivotal role. These feelings of optimism are based on the success stories of Latin America and Eastern Europe, where civil society had a major role in overthrowing authoritarian regimes. Thus, after the first Gulf War, also in the Arab world⁵ scholars started to adopt civil society as a crucial condition for democratization. The ideal scenario for the development of civil society prescribes that under authoritarian rule, an “energetic associational life” can challenge and trigger autocratic rulers to implement liberal reforms⁶. In practice, this idea means that numerous local civil society organizations receive great support - financially as well as advocacy assistance - to stimulate the transition from autocratic regimes to democratic societies⁷ by prioritizing democratization and the stop of human rights violations.

¹ Barnes, C. (2006). Agents for Change: Civil society Roles in Preventing War and Building Peace.

² Sullivan, D. J & Abed-Kotob, S. 1993. *Islam in Contemporary Egypt: Civil Society vs. The State*. Lynne Rienner Publishers London & Colorado. P. 87

³ Barnes, C. (2006). Agents for Change: Civil society Roles in Preventing War and Building Peace. P. 19

⁴ Kassem, M. (2004). *Egyptian Politics. The Dynamics of an Authoritarian Rule*. Lynne Rienner Publishers London & Colorado. P. 87

⁵ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: Middle East Review of International Affairs, Vol.9, No.4, p. 14

⁶ Ibid. P. 15

⁷ Ibid. P. 14

Current debates hold much discussion about the effectiveness of civil society in the Middle East. Those in favour claim that when a multiparty political system is lacking, activities that focus against the state are sent along non-governmental paths and groups, rather than, when present, demoralized opposition parties⁸. The Arab Spring is a good example, as it became famous for its largely peaceful and non-governmental resistance with unexpected results. But as much as there is a consent on the idea that it was the power of the people, driven by an ideology built from bottom up that revolted and toppled the regimes, there is much discussion on the role and influence that civil society had in the major changes. Question marks are raised on whether civil society was indeed an indispensable force during the uprisings, and whether changes were indeed the result of collective action and not a strategy of regime survival^{9 10}. The absence of significant changes initiated by civil society, has elucidated a line of thought that puts forward that civil society is not capable of curing the “autocratic ills of Arab societies”¹¹.

After the January 25 revolution, the Egyptian political sphere was open for political participation to an extent that most had never dreamt of. But the desire for control, combined with the strength of the security apparatus and the neglect of human rights and liberties, has taken Egypt once again into an environment in which the government is able to control civil society, with bureaucratic as well as illegitimate methods, such as oppression, fear and arbitrary violence¹². This research takes this problematical environment for civil

⁸ Ibid. P. 15

⁹ Ibid. P. 23

¹⁰ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 48

¹¹ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: *Middle East Review of International Affairs*, Vol.9, No.4, p. 15

¹² Sullivan, D. J & Abed-Kotob, S. (1993). *Islam in Contemporary Egypt: Civil Society vs. The State*. Lynne Rienner Publishers London & Colorado. P. 128

society at its core, which it denotes as the relationship between the state and civil society. The quality of this relationship is hereby determined by the restrictions the government imposes on the civil society sphere; whereby a good relationship is characterized by freedom for civil society, and a bad relationship by hindrance from the government. Therefore, the main aim of this thesis is to contribute in the establishment of the state – civil society relationship in post revolutionary Egypt, focusing on the imposed restrictions by the government on the civil society sphere when it takes the role as a tool for democratic reforms thereby striving for human rights. The central question leading to this objective is:

How does the government restrict civil society organizations focused on human rights in post revolutionary Egypt?

This thesis focuses especially on organizations active on these fields, since the value of human rights is an essential element of democracy¹³ and it often can be perceived that these fields have become the cornerstone for the development of civil society. Thereby, social movements can be seen as the outcome of social liberties, which are indispensable elements of the political freedom that characterizes a democracy.

This research takes place in a very tumultuous time for Egypt. Since the Arab Spring in 2011 it has undergone four power transitions; from the Mubarak regime to the Security Council of Armed Forces (SCAF), to the Islamic governance of Mohamed Morsi, to again a military regime lead by prime minister Adly Mansour and backed by Field Marshal Abdl Fatah al-Sisi. It seems therefore plausible to investigate the relationship between civil society and the different governments that acquired power in this short period of time. Although the transitions were accompanied by new laws to further restrict civil society, it also slightly

¹³ United Nations. Democracy and Human Rights.
https://www.un.org/en/globalissues/democracy/human_rights.shtml

gave organizations the possibility to express themselves more vigorously, since the control apparatus had not been entirely fixed. This research however, will only be able to present a snapshot of the developing situation, for there is no stable political environment.

1.2 Introduction to the Egyptian Case

The 18 days of protests that started on January the 25th 2011, marked the beginning of the Arab Spring in Egypt and culminated in the collapse of the thirty year standing Mubarak regime. Encouraged by the successes of the revolution in Tunisia and driven by motives for economical, political and social change, millions of Egyptians started to gather firstly on Tahrir Square to subsequently, in the following days, take over the streets and let their voices be heard.

In her work *The Egyptian Revolution*, Noha Bakr¹⁴ presents an extensive research on the reasons of the January 25 revolution, in which she differentiates between great feelings of discontent amongst society on economic, political and social level. Although economic statistical figures indicate development prior to the January 25 revolution, development was not balanced among all layers of society and the gap between the rich and poor was enormous¹⁵. Politically three main issues could be distinguished. First, human rights abuse by the police, who had the right for arbitrary detention (in practice leading often to torture). Second, the establishment of hereditary rule, as the road was already being paved for Gamal Mubarak, Hosni Mubarak's son, to succeed his father. Third, the elections of November and December 2010 indicated fraud, as the National Democratic Party (NDP) got an exceptional

¹⁴ Bakr, N. (2011). *The Egyptian Revolution*.

http://www.um.edu.mt/data/assets/pdf_file/0004/150394/Chapter_4_-_Noha_Bakr.pdf
(accessed 7 march 2013)

¹⁵ Ibid. P. 64

majority of the votes¹⁶. On a social level, especially demographic factors played a role. As a consequence of the huge population growth, unemployment increased (also an economic factor) and each year 700.000 newly graduates competed for 200.000 jobs. Furthermore, there was a growing discontent between the different ethnic groups. In several cases the regime failed to protect the Copts, and at the same time the Nubians and Bedouins felt deprived because of discriminatory practices¹⁷. The economic, political and societal problems, prior to the revolution, were decisive in the people's motivation to stand up against a regime that often reacted to these issues using excessive force engaging in human rights abuse.

The 11th of February 2011 was a day in which feelings of joy and euphoria dominated the life of almost every Egyptian. Soon after the state television announced that former president Hosni Mubarak resigned from his post, millions of people started cheering and embracing one another. The moment was not only about the president's resignation, but also about the people's power to bring about a political change no one ever thought would be possible. Feeding on feelings of optimism, pride and popular empowerment, even after Mubarak's resignation, people kept protesting for diverse issues on Tahrir Square¹⁸. It was the Supreme Council of Armed Forces (SCAF) that took over power, preparing the country for its first democratic election. Critics put forward that in first instance the SCAF attended to some of the revolutionary demands, but the focus soon displaced on its own survival by prohibiting open criticism and not disclosing information on its budget and economic

¹⁶ Ibid. P. 66

¹⁷ Ibid. P. 67

¹⁸ Sharp. J.M. (2011). Egypt In Transition. P. 6

<http://fpc.state.gov/documents/organization/178224.pdf> (accessed 5 December 2013)

interest¹⁹. This institution also received major criticism regarding human rights abuse, especially when light was shed on the dishonoring treatment female detainees were receiving in military prisons when being submitted to the notorious “virginity tests” by military doctors²⁰.

Unfortunately, the outcome of the post revolutionary reality was far from everyone’s expectation. In large numbers, on the 24th of June 2012, Egyptians marched to the ballot box believing in change. The international community was satisfied, as for the first time *real* democratic elections were going to take place. On the 20th of May, representatives of the Carter Foundation, amongst them Jimmy Carter former president of the United States, arrived in Cairo, along with other 53 NGOs, to monitor and observe the presidential elections. For decades it was impossible to think that a day would come in which a party, not influenced by the military power, was going to lead the country. Nevertheless, Mohamed Morsi was established as the legitimate president with a 52% majority. But as is known, democratic elections do not make democracy and just weeks after the elections it became clear that Mubarak’s regime stayed alive in almost everything but name. Following the distinctions made by Noha Bakr on the main reasons of the January 25 Revolution, subsequently an overview on how the new Islamist regime triggered these issues, during their term of rule, is presented.

Economically, the Islamic party pursued the same policies that favored the rich at the cost of the poor. The endemic policy of class privilege, corruption and bureaucracy remained unchanged, as demands for a tolerable minimum wage and a progressive tax system were

¹⁹ Ibid. P. 8

²⁰ Ibid.

ignored²¹. Politically, soon after its ascend to power, the Muslim Brotherhood sought to become a hegemonic force over state and society. First, not a single step was taken towards reforms of the human rights abuse. During the presidential term of Mohamed Morsi, police forces even got international attention as, to Amnesty International's concern, the *"unnecessary use of lethal force by security forces"*²² was regularly perceived. Secondly, the structures of the authoritarian rule that had characterized the last military regime were maintained. When the Muslim Brotherhood established their own representatives, it also closed the political arena for everyone else. Thirdly, the claim of being a legitimate power was increasingly discussed, as researches from several NGOs claimed that elections had gone hand in hand with fraud, as many incidents with the electoral apparatus were recorded²³. On the social level circumstances worsened. Unemployment remained a major frustration of the labor force. The Copt community felt overshadowed by the Islamic government and little was done to improve the positions of other minorities over the country. Social services deteriorated. Railway disasters claimed many deaths and soon Cairo came to be known as the *city of 1000 waste piles*, an ironic reference to Cairo being the city of the thousand minarets. To everyone's displeasure, electricity and water cuts were the order of the day and at towards the end of time of its governance, due to serious fuel shortages, it was not unusual to stand in line for more than two or three hours to fill a car's

²¹ Shukrallah, H. (2013). Revolution, Interrupted.

http://www.foreignpolicy.com/articles/2013/02/08/revolution_interrupted_egypt_muslim_%20brotherhood%20Consulted%2007-03-2013 (accessed 4 November 2013)

²² Ibid.

²³ Ibid.

fuel tank. On the 30th of June, a year after the Muslim Brotherhoods election, voices on the ground started to claim “If we did it once, we can do it again.”^{24 25}

Despite the successes of the Arab Spring in Egypt, critics remained skeptical against the assumption that *the people* truly had power to influence the highest rule. The argument of Morsi’s *legitimacy*, since he was chosen democratically, made it even more difficult to imagine that this president could be ousted as happened with Mubarak, less than two years ago. So what gave Egyptians the strength to rewrite history for the second time in a row? Many argue that what happened was actually the consequence of a revolution whose demands had remained unheard²⁶. It was an overwhelming surprise that the planned protests of June 30 became one of the largest marches of history, mobilizing over 33 million people with only one wish: *Irhal ya Morsi* – leave Morsi. On the third of July, it seemed the country had taken a step back in time, as scenes of overjoyed people celebrating the fall of a regime became reality again.

This time it was General Abdl Fatah el-Sisi who took the role of savior and protector of the nation. Despite the overwhelming joy, the transition was also characterized by the severe opposition of Muslim Brotherhood supporters who kept claiming that Mohamed Morsi was still Egypt’s legitimate president. Soon, the following days became characterized by celebrations, protests and deadly clashes. As a consequence of severe clashes, casualties

²⁴ Interview El-Andalous: “It was actually quite the same, the same atmosphere, the same feeling. People were more aware than before even. In this, only one year, the level of accountability was very high. Like nobody was missing anything. And people were concentrating on every single mistake. I wouldn't say that this is good, but also it's not bad. Because you're coming out from a very dictatorship regime, and you don't want to be in the same situation again. So people were like, okay!”

²⁵ Interview Hesham Mubarak Law Center: “We succeeded to control and kick Muslim Brotherhood and there are no other political groups in Egypt that can be compared with the Muslim Brotherhood. So we can damage, we can make anything against anyone.”

²⁶ Shukrallah, H. (2013). Revolution, Interrupted.

http://www.foreignpolicy.com/articles/2013/02/08/revolution_interrupted_egypt_muslim_%20brotherhood%20Consulted%2007-03-2013 (accessed 4 November 2013)

became at the order of the day, especially in the two main cities of Cairo and Alexandria. Soon there came to be a division in society of those in favor and those against the new leaders. Escalation took place when a taxi driver was dragged out of his car and beaten to death in Alexandria, just because he was Christian and these groups were believed to be involved in the oust of Mohamed Morsi²⁷. In the following days not only political, but also religious motives started to be a reason for violence. Coptic churches became the target of vandalism and after the Rabaa dispersal²⁸, according to Human Rights Watch, 42 churches and other religious Coptic institutions were attacked²⁹. Muslim brotherhood supporters started to attack military bases and started different sit-ins in Cairo, the most famous being the one in al-Nahda Square and in the Rabaa al-Adawiya Mosque in Cairo.

In the meanwhile - for some still a suspicious matter - it took only a couple of days before the water and electricity cuts came to an end. The problem of the fuel shortage, also suddenly not really existent anymore. It was as if one person had solved it all. Many claim that do to its autocratic history, Egyptians believe in the need of a strong leader to put the country back on track. El-Sisi strategically took this role upon him and throughout most layers of society his popularity seemed to be limitless. This changed when on the 14th of August 2013, the national army decided to violently disperse the sit-ins at the Rabaa al Adawiya Mosque within hours. By Human Rights Watch it was condemned as “the most serious incident of mass unlawful killings in modern Egyptian history.”³⁰ Last 17th of March, the National Council for Human Rights (NCHR) released its full report on the sit-in dispersal

²⁷ HRW. (2013). Egypt Mass Attacks on Churches <http://www.hrw.org/news/2013/08/21/egypt-mass-attacks-churches> (accessed 25 April 2014)

²⁸ The dispersal of the sit-in of Rabaa al Adawiya mosque on the 14th of August.

²⁹ Ibid.

³⁰ HRW. (2013). Egypt: Security Forces Used Excessive Lethal Force <http://www.hrw.org/news/2013/08/19/egypt-security-forces-used-excessive-lethal-force> (accessed 25 April 2014)

of Rabaa al Adawiya. The report caused much internal controversy among the contributing members³¹, as well as external critique, since it was accused of not representing the victims of the dispersal and keeping the estimation of the casualties, with 632 victims, severely low, while other sources indicate at least double the victim rate³².

On the 18th of January 2014, Egyptians marched to the ballot box to let their *yes* or *no* be heard, as they voted for the new constitution. Although the new 247 articles were hardly read by its voters, many believed that voting *yes* was the right thing to do, as this indicated support to the revolution. After the arrest of several no-campaigners, the new constitution was approved with 98% of the votes. The new constitution strengthens the country's key institutions: the military, the police and the judiciary system, and its approval was presented as "a wonderful day for Egypt, Egyptians and for democracy, despite the extraordinary circumstances."³³ In the constitution the government encourages civil society when it is engaged in activities of eradicating illiteracy, taking care of the elderly and supporting sport athletes. When it comes to political engagement, organizing public meetings and freedom of expression, clearly a reference is made that these events have to be notified and approved by the law. The same regulation counts for the establishment of new civil organizations of democratic basis, while organizations of a *military nature* are prohibited by Law³⁴. As will become clear through the different interviews, currently many active in the field claim that

³¹ Besides from being the director of one of the targeted human rights organizations, one respondent was also a representative in the National Council for Human Rights. At the time of the interview, the draft of the rapport was shown to me. Although having clear critique in his interview regarding the current restrictions for the organization the government was imposing, he also cooperated on the rapport despite the controversy it brought along as it was in favor of the regime.

³² AlJazeera. (2013). Egypt's brotherhood to hold a march of anger. <http://www.aljazeera.com/news/middleeast/2013/08/201381522364486906.html> (accessed 28 April 2014)

³³ The Guardian. (2014). Egypt's New Constitution Gets 98% 'yes' vote. <http://www.theguardian.com/world/2014/jan/18/egypt-constitution-yes-vote-mohamed-morsi>

³⁴ Constitution of the Arab Republic of Egypt 2014. (2014). P. 21, 22

gradually the freedom of expression, peaceful protests and collective association is being narrowed down and will eventually be more restricted than under the time of its antecedents³⁵.

1.3 Research objective and research questions

The political situation in Egypt has been incredibly challenged over the last three years. Despite the desire for change and development, under the different authorities democracy and human rights have deteriorated. With every power transition, new hope rose for improvement of the circumstances and although every authoritarian power claimed to take a different path, a path in which the future for Egypt was secured and the road for democracy paved, today the political environment does not seem much different than before the Arab Spring. The current tendency is that civil society is being supported as an antidote for authoritarianism, but reality on the ground has shown that organizations continue to be limited and oppressed when performing their work, as they are still struggling to play an active role and to have any influential power in the political arena without success.

This thesis supports the idea that civil society is not capable of countering an authoritarian regime, and is instead limited in its work and impact by a government that wants to maintain the monopoly on state power. By performing research on the ground on several civil society organizations working on human rights and democracy, this research wishes to gain more insight in the current circumstances for civil society organizations in Egypt active on this field. Therefore, the research objective is to describe the relationship between civil society and the state, by elucidating the circumstances for organizations after

³⁵ Interview El-Andalous; Interview Cairo Institute Human Rights Studies (CIHRS).

the January 25 Revolution. The main goal is to deepen itself into the constraints the Egyptian political system imposes on civil society active on the field of human rights, to preserve its monopoly on power, and what such constraints mean for the development of civil society organizations on the ground. At the same time, this thesis hopes to provide scientific grounded information in a time period where there is starting to be a gap between developments on the ground and dominating related theories; performing research in Egypt is getting more and more difficult due to deteriorating circumstances on the ground. These developments lead to the following research question:

How does the government restrict civil society organizations focused on human rights in post revolutionary Egypt?

To be able to answer this main research question, the following sub-questions need to be elaborated:

1. What are the current literary debates regarding civil society and how does the case of Egypt fit in these debates?
2. How has the relationship between civil society and the Egyptian state changed over time?
 - a. What prominent regulating laws regarding civil society have been changed and or established since the beginning of the Arab Spring?
 - b. How have civil society organizations responded to these imposed regulations?
3. What implications has the Arab Spring had on civil society organizations?
 - a. Which regulatory changes in the law have taken place since the power transitions of January 25?

- b. How has the situation for civil society organizations changed?

Based on the obtained answers, the question of what limitations civil society organizations face will be triggered by trying to answer the following:

- 4. What kind of restrictive laws are currently prominently limiting for civil society organizations?
 - a. How do these laws restrict the activities and the goals of civil society organizations?
 - b. What is the role of the use of violence?
 - c. How does violence influence the effectiveness of civil society organizations on the ground?

The theoretical framework will help to provide a basis for the present research and the performed interviews. The qualitative data that supports this research, is obtained through fieldwork in Egypt in the cities of Cairo in Alexandria during two time periods; first from May until September 2013 and then again from January until May 2014.

1.4 Relevance of the study

1.4.1 Societal relevance

This research parts from the idea that civil society in Egypt faces serious difficulties when it takes the role of a tool for democratic reform thereby striving for human rights. From 1952, until 2011, and from yesterday's victory of the presidency of Field Marshal El-Sisi, Egypt has been ruled by military regimes and just as with any regime, over time many changes have taken place. Nonetheless, most scholars agree that despite all the changes there has always been a constant factor in the established governments namely: the authoritarian rule, which

according to many is in essence the primer cause for the weakness of the civil society sphere³⁶.

Authoritarian regimes are in a constant struggle to maintain rigid control over civil society and its organizations, in order to not risk protests or collective action that could form a threat and destabilize the political system³⁷. Therefore, the nature of the relationship between an authoritarian state and civil society is very complex, as for civil society such a relationship means a constant influence in its character and development³⁸.

Practically, social movements are the outcome of social liberties, like the right to have a vote on mandatory politics, associate and protest; crucial elements which are a fundamental part of the political freedom that stand at the base of a democracy. As the January 25 revolution and the June 30 uprisings indicated, citizens are longing for the replacement of authoritarian regimes with governments in which citizens have a role. Only by working with civil society organizations and their leaders it is able for the government to reach social stability and the realization of development on the ground. By creating space and peaceful channels for political participation, opposition forces would minimize the need to use secret and violent methods for political opposition³⁹. But as long as there is no persuasion for this believe, and as long as the government is only concerned with its own survival as a national autocrat, the current situation of repression will not change.

³⁶ Kassem, M. (2004). *Egyptian Politics. The Dynamics of an Authoritarian Rule*. Lynne Rienner Publishers London & Colorado. P. 87

³⁷ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 43

³⁸ Kassem, M. (2004). *Egyptian Politics. The Dynamics of an Authoritarian Rule*. Lynne Rienner Publishers London & Colorado. P. 88

³⁹ Sullivan, D. J & Abed-Kotob, S. (1993). *Islam in Contemporary Egypt: Civil Society vs. The State*. Lynne Rienner Publishers London & Colorado. P. 135

Democracy is the new term for leaders to obtain popular support. But if Egypt wants to be a democratic country, it should have a vivid civil society.

The Human Development Rapport on civil society in Egypt⁴⁰ states that the level of development of a society goes hand in hand with the level of activity of its civil society. As long as the political sphere, now under leadership of Adly Mansour and Abdul Fatah al-Sisi, does not encourage the peaceful and pluralistic organizations and work of civil society, it remains dubious to call Egypt a democracy, as there is no channel for peacefully expressing social and political grievances⁴¹.

Through the mapping of restrictions civil organizations encounter in their activities, this thesis hopes to raise awareness amongst key civil society actors, on national Egyptian ground as on international ground, to explore how civil society practices and perspectives can be better organized and articulated, so that civil society can develop without restriction and gain a fair position in the political sphere, to eventually influence political decision making in Egypt. The mapping of the current situation of Egyptian civil society is important for donor institutions as well as for local organizations, so that both can take into account the challenges they will likely face engaging in activities. In an environment of control like in Egypt, organizations must constantly get round extensive policies and adapt their working procedures to eventually have any kind of influence and impact on society. The findings of this thesis could be taken into account to perceive the several limitations on different fields, which could be useful for civil society organizations to continue with their activities, by

⁴⁰ UNESCO. (2008). The Human Development Rapport on civil society in Egypt. 2008
http://planipolis.iiep.unesco.org/upload/Egypt/Egypt_nhdr_en2008.pdf (accessed 15 March 2014)

⁴¹ Sullivan, D. J & Abed-Kotob, S. (1993). *Islam in Contemporary Egypt: Civil Society vs. The State*. Lynne Rienner Publishers London & Colorado. P. 134

operating on less controlled ground to hopefully enlarge their possibilities and increase their effectiveness.

1.4.2 Scientific relevance

Although assigned to different causes, over the last twenty years there has been a large growth of civil society organizations in Egypt. Simultaneously the literature and documentation on the activities and the impact of this sector have also expanded. In her research on the current literature, Mahi Khallaf⁴² roughly makes the following distinction on several main topics that have been researched and published over the last two decades.

The end of the Cold War marks a new era in the field of civil society, as it indicated the beginning of new democratization processes and thus often this is period used as the start for new documentation. At the beginning of this decade academics were mainly dealing with the theoretical and historical evolution of civil society in the light of the flourishing progresses the sector made in Western and Latin American countries⁴³. In early 2000s, as Egyptian civil society started to develop, donors focused more on the development of its institutional capacity thereby causing a shift in research from theoretical questions to endeavors of understanding the importance of civil society and its rapid growth⁴⁴. By 2002 the international community put more focus on the development of training programs that could benefit the development of different civil society organizations. Local organizations started to put in practice different training programs they learnt from donors, and started to make their own publications on the situation on the ground, raising awareness amongst

⁴² Khallaf, M. (2009). Civil Society in Egypt: A literature Review. P. 19

http://foundationforfuture.org/en/Portals/0/Conferences/Research/Research%20papers/Civil_Society_in_Egypt_Mahi%20Khallaf_English.pdf

⁴³ Ibid.

⁴⁴ Ibid.

their own community on relevant issues. It was important for organizations to receive and maintain the (financial) support from their donors, as for organizations there started to be a greater focus on making their own research, which needed to be financed. By 2004, as the financial assistance from donors decreased, civil society organizations started to develop their own publications by establishing their own guidelines. As organizations started to recognize the importance of participation and organization, they started networking and systematically connect with partner organizations⁴⁵.

In the years after, there came to be a focus especially on civil society organizations with an Islamic character. Through providing basic services where the government remained absent, it became clear that these organizations were much more rooted in society than scholars expected. They had great support especially from the poor, who form the majority of the population. After the January 25 Revolution, there came to be a *boom* in literature and research concerning the role of civil society prior and during the revolution. As there was a period of moderate freedom, organizations had the opportunity to critically evaluate their environment and speculations were made on how civil society institutions would support Egypt in a democratic transition. With the establishment of Mohadmed Morsi, leader of the Muslim Brotherhood, as the legitimate president and with the deteriorating conditions for civil society, organizations worked together to elaborate reports that describe their working conditions as worse than prior to the January 25 Revolution.

With the still growing list of literature around civil society in the Middle East and Egypt, and with the ever changing political environment in the region and in the country at the moment, it is important to build on the existing theories and observations. It is also necessary to document the changes that have taken place so far, to eventually come to an

⁴⁵ Ibid.

understanding of how the situation has changed and what influence the changes of power have had in the last two years and a half on the civil society sector of democratization and human rights.

From the different literature available on Egyptian civil society, notable gaps can be distinguished, like the lack of in depth analysis on detailed topics and outdated information. Especially in the post-revolutionary period, little academic research has been done, something that could be assigned to the issue of constant political change, and lately an unsafe environment. Another gap that rises when analyzing the literature regarding the current topic, is that performed research is frequently in the form of desk research and does not take place on the ground. Available studies are mainly desk researches, summarizing laws and changes within these laws, but without a focus on what these changes and implementations mean for organizations on the ground. In the context of a civil society that goes hand in hand with democratic change, much information can be found on the achievements different civil society organizations have made. However, when one departs from a less positive view on civil society and fundamental questions whether or not it can actually serve as a tool for democratic reform in the Middle East, it becomes clear that less information is available on the challenges civil society organizations face. Thereby, there is little documentation on what the influences of a regime are on civil society organizations, especially during such a tumultuous times like Egypt has been facing, and how this fits into current civil society theories.

Since the military revolution of 1952, measures in favor of the maintenance of power of the regime have been widely implemented by the government with the consequence that civil society organizations cannot operate freely, thereby abstaining the organizations from

any involvement in political decision making for decades⁴⁶. Laws concerning the restriction of civil society organizations have been often documented in the last years, but the data collected is presented in technical terms and does not clearly show how civil society organizations (including small organizations operating at the local level) suffer from these laws and how it restricts their activities.

By conducting research on several civil organizations, findings will be presented on the most significant restrictions collective groups, active in the civil society sector of human rights in Egypt, are facing. The findings will subsequently be used to support the statement that the strength of civil society organizations in Egypt cannot be measured mere on its presence but is related to external political factors.

1.5 Structure of the thesis

In this introduction, firstly, a general overview was given of the main political changes in Egypt since the January 25 Revolution. Then, the research objective and the research questions were presented and the societal and scientific relevance of this thesis was put forward.

In Chapter 2, the most relevant theories will be outlined and discussed. First, an attempt is made to describe the concept of civil society and the development of the role it has taken since the political shift caused by the Cold War. Subsequently, different forms of civil society will be presented and what their main focus is. Thereafter, the concept will be placed in a geographical context, to further analyse the development of civil society in the Middle East. The relation between the state and civil society sphere will also be described,

⁴⁶ Kassem, M. (2004). *Egyptian Politics. The Dynamics of an Authoritarian Rule*. Lynne Rienner Publishers London & Colorado. P. 88

thereby analysing the governments behaviour towards this sphere and how it limits civil society organizations.

Chapter 3 consists of the methodological framework, in which first the research process, thereby elucidating the research location and the present problems in this area will be put forward. The research methodology will be elaborated, whereby the ways of data collection will be motivated and explained. An overview will be given on the organizations that this research targeted and the questionnaire that was used to obtain the information necessary for further analysis. The choice for the method of data collection will be put forward, as well as the method for data analysis.

Chapter 4 contains the context of Egypt to understand the influence of the political developments on the civil society sphere. Therefore, it is essential to know the history of Egypt since it became a military rule. Although the overview presented here is brief, in comparison to the complexity of it, the most important developments are explained. Thereby, also an overview is given on the current laws that the government is using to restrict civil society.

Chapter 5 presents the findings of the empirical data gathered in this research. Firstly, the role of civil society organizations is presented. Secondly, the perceptions on their involvement in the revolutions in put forward. Subsequently, the relationship between civil society and the state is explained and thereafter an overview on the bureaucratic regulations imposed by the government is presented.

Chapter 6 elucidates the role of violence in repressing civil society organizations. Finally, this chapter discusses the perceptions of civil society organizations towards the current changing circumstances and the influences it has whenever performing their work and future perspectives are put forward.

Chapter 7 will present the conclusion. Here, the research question is put into its theoretical context and recommendations for the parties involved and for further research will be presented.

2 Theoretical Framework

“Societies do not take two tablets of civil society at bedtime and wake up the next morning undergoing democratization.” – R. Norton

This thesis aims at presenting the different theories and views on civil society. Thereby it starts by assigning a meaning to civil society for this research, and giving an overview of the development of its role as a key player in democratic transitions. Subsequently a distinction is made between the different forms of civil society organizations, to clarify that the goal of an organization is a key factor in determining its relationship with the state. Thereafter, the concept will be put in geographical perspective. Subsequently, an extensive overview on the dynamics of the restriction of civil society is presented, parting from the theories of Yom and Wiktorowicz, as the empirical findings presented in chapter 5 and 6 show how these theories are resembling into practice in post revolutionary Egypt.

2.1 Civil Society

2.1.1 Assigning a meaning to Civil Society

As much as there is literature written on the concept of civil society, as many divergent meanings there have been assigned to this concept when trying to give a description of its

meaning and its role. Although widely discussed in multiple old and new theories, there is still no consent on *what* civil society really is. Civil society is often used to flexibly structure the “geometry of human relations”, meaning:

“The patterns of collective action and interaction that provide societies with at least partial answers to questions of structure and authority, meaning and belonging, citizenship and self-direction.”⁴⁷

Over time, scholars and thinkers have relied on civil society as a force that brings about new outcomes concerning old and new questions and problematic issues, as the world has changed due to new developments⁴⁸. Thereby, overtime and place, and also depending on different state structures, there has been a variety in the meanings and roles of civil society. Additionally, every society has its own forms of social organizations which are central to the development of civil society and thus shape its specific features⁴⁹. However, for further analysis, and recapitulating the first chapter, this thesis parts from civil society as the web of formal voluntary professional associational forms, that exist in the space between the state and individuals^{50 51}, or state, market (profit activities), and individuals⁵², with the intention to represent the various, sometimes common but also sometimes competing, views and interests of groups in a society⁵³.

⁴⁷ Edwards, M. (2011). Introduction: Civil Society and the Geometry of Human Relations. In: p. *The Oxford Handbook of Civil Society*. Oxford University Press, Inc. New York. P. 3

⁴⁸ Ibid.

⁴⁹ Barnes, C. (2006). Agents for Change: Civil society Roles in Preventing War and Building Peace. P. 19

⁵⁰ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 43

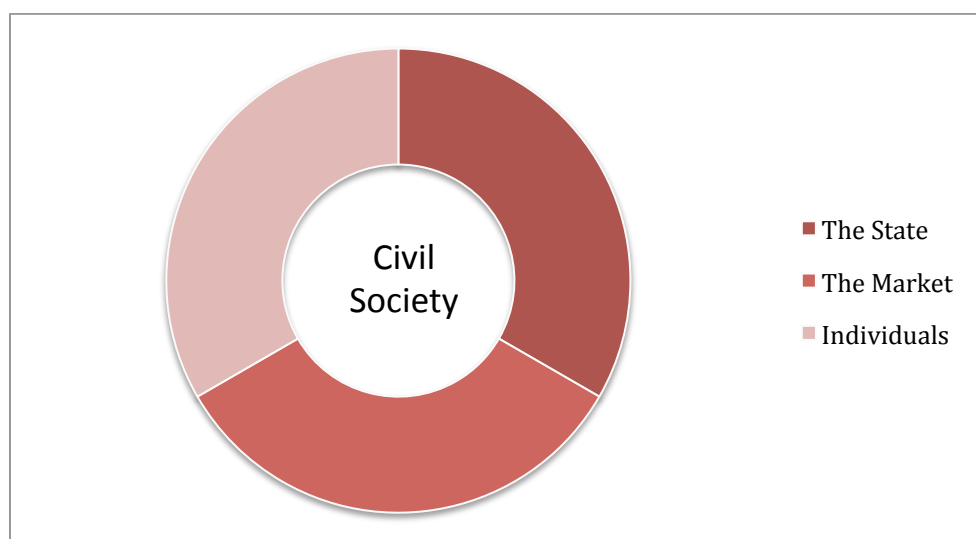
⁵¹ Sullivan, D. J & Abed-Kotob, S. (1993). *Islam in Contemporary Egypt: Civil Society vs. The State*. Lynne Rienner Publishers London & Colorado. P. 134

⁵² Barnes, C. (2006). Agents for Change: Civil society Roles in Preventing War and Building Peace. P. 19

⁵³ Kassem, M. (2004). *Egyptian Politics. The Dynamics of an Authoritarian Rule*. Lynne Rienner Publishers London & Colorado. P. 87

Since this thesis focuses on organizations concerned with human rights, it will not further argue the ambiguous definition regarding the market sector. Based on the notion that civil society consists of voluntarily associational forms and that its main goal is not to make profit, this thesis excludes the market as a form of civil society. Figure 1, illustrates schematically the position of civil society in respect to the state, the market and the individuals in a society.

Figure 1



Another dominant school of thought argues that the existence of a sphere outside the government and above the individuals or the family is not enough to claim the existence of a civil society. These theories are widely discussed, and adopt the term of civil society in its most broad and abstract form. The theory of *social capital*, introduced by Putnam⁵⁴, regards civil society as a space where “civic values and practices” meaning; attitudes of trust,

⁵⁴ Putnam, R. (1993). *Making Democracy Work: Civic Traditions in Modern Italy*. Princeton University Press: Princeton.

civility and loyalty are cultivated and exercised⁵⁵ and where relations and interaction between individuals is encouraged, away from the regulation of the state⁵⁶. Herein, there is space for an atmosphere of tolerance, where people accept there are different political views and various manners of thinking about social issues, without there being a *right* answer⁵⁷. By Sullivan & Abed-Kotb and Barnes, the same thought is put forward as “*a quality, civility*”^{58 59}; a sphere which has legally authorized autonomy and that backed by the law-state, as power is mediated by subjecting the relations between different actors to the constitution⁶⁰, promotes legal rights and protects its communities⁶¹. This sphere engenders key democratic values to its individuals, which eventually are vital for a functioning democracy. The absence of a civil society implanting these habits, would undermine democracy at its core⁶².

Despite its wide discussion, there has been much critique on the divergent meanings of civil society, first, in its relationship with the state. On one hand, with famous scholars like John Lock, a “dichotomous”⁶³ view is prevalent in which civil society opposes the state and needs to stay separated from it. This idea is currently dominating in Eastern Europe. On the

⁵⁵ Beckman, B. (1997). *Explaining Democratization: Notes on the Concept of Civil Society*. In: *Civil Society Democracy and the Muslim World*. Curzon Press, England. P. 4

⁵⁶ Behr, T. & Siitonen, A. (2013). Building Bridges or Digging Trenches? Civil Society Engagement After the Arab Spring. P.6

www.fiia.fi/assets/publications/wp77.pdf (accessed 20 May 2014)

⁵⁷ Sullivan, D. J & Abed-Kotob, S. (1993). *Islam in Contemporary Egypt: Civil Society vs. The State*. Lynne Rienner Publishers London & Colorado. P. 4

⁵⁸ Sullivan, D. J & Abed-Kotob, S. (1993). *Islam in Contemporary Egypt: Civil Society vs. The State*. Lynne Rienner Publishers London & Colorado. P. 3

⁵⁹ Barnes, C. (2006). Agents for Change: Civil society Roles in Preventing War and Building Peace. P. 2

⁶⁰ Ibid. P. 3

⁶¹ Sullivan, D. J & Abed-Kotob, S. (1993). *Islam in Contemporary Egypt: Civil Society vs. The State*. Lynne Rienner Publishers London & Colorado. P. 3

⁶² Behr, T. & Siitonen, A. (2013). Building Bridges or Digging Trenches? Civil Society Engagement After the Arab Spring. P. 6

www.fiia.fi/assets/publications/wp77.pdf (accessed 20 May 2014)

⁶³ Behr, T. & Siitonen, A. (2013). Building Bridges or Digging Trenches? Civil Society Engagement After the Arab Spring. P.7

www.fiia.fi/assets/publications/wp77.pdf (accessed 20 May 2014)

other hand, famous thinkers like Hegel, argue that civil society should engage with the state, an idea especially famous in Nordic countries and Central Europe⁶⁴. The different beliefs emphasize a common dilemma on what should be considered as civil society.

Second, when assigning a meaning to civil society in practice, many international scholars and civil society specialists, ignore varying existing forms of civil society, as these forms do not fit in into their description of what civil society is⁶⁵. The term is becoming “a theological notion, not a political or sociological one.”⁶⁶ Civil society is being defined along Western normative lines, and often it is forgotten that civil society is a neutral concept and thus can incorporate many actors, even not *good* ones⁶⁷. This again reaffirms that defining the concept of civil society brings along many difficulties. Thereby, existing views of the concept are far from being neutral, as assigned forms and meanings are determined by normative assumptions from national and international players, therefore making it impossible to see civil society as a concept with one meaning.

Finally, there has been the never ending discussion on the implementation of a Western model of civil society for non-Western countries. This debate puts forward that civil society is a European concept and therefore it can not be applied to other societies. Therefore, the concept needs to be adjusted according to local circumstances⁶⁸, which will again lead to the widening of the concept.

⁶⁴ Ibid. P.8

⁶⁵ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: Middle East Review of International Affairs, Vol.9, No.4, p. 21

⁶⁶ Behr, T. & Siitonen, A. (2013). Building Bridges or Digging Trenches? Civil Society Engagement After the Arab Spring. P.8
www.fiia.fi/assets/publications/wp77.pdf (accessed 20 May 2014)

⁶⁷ Ibid.

⁶⁸ Behr, T. & Siitonen, A. (2013). Building Bridges or Digging Trenches? Civil Society Engagement After the Arab Spring. P.8
www.fiia.fi/assets/publications/wp77.pdf (accessed 20 May 2014)

2.1.2 Development of the role of civil society

This thesis parts from the historical development of the role of civil society after the end of the Cold War, since this period indicated a shift in the world politics, as it was the start of multiple democratic transitions⁶⁹. Along with this development, the belief of a positive correlation between civil society and democracy started to be dominant. Diverse schools of thought like neo-Tocquevillean, neo-Gramscian, classic liberal and new pluralists, conceded that civil society “can be used to empower individuals and social groups vis-a-vis public policy, authoritarian rules and the welfare state”⁷⁰. A strong civil society started to be regarded as: “one of the cornerstones of democracy, good governance, pluralism, and the achievement of important social and economic goals.”⁷¹. It became an all-inclusive mechanism, linking democracy, development and peaceful conflict management, domestically as well as regionally⁷².

According to Western literature, civil society fulfills a key role in processes of democratization due to the following reasons: First, as was mentioned in the previous section, civil society creates a sphere in which moral values, that benefit the entire society, are cultivated⁷³ and which forms the base for a democratic society. Second, civil society takes the role of a buffer between its citizens and the authoritarian state, by creating a space where people can assemble and organize⁷⁴ out of the control from the state.

⁶⁹ Edwards, M. (2012). Introduction: Civil Society and the Geometry of Human Relations. In: *The Oxford Handbook of Civil Society*. Oxford University Press, Inc. New York. P. 4

⁷⁰ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 44

⁷¹ Edwards, M. (2011). Introduction: Civil Society and the Geometry of Human Relations. In: *The Oxford Handbook of Civil Society*. Oxford University Press, Inc. New York. P. 4

⁷² Norton, R. (1995). *Civil Society in the Middle East*. E.J. Brill, Leiden. P. 2

⁷³ Behr, T. & Siitonen, A. (2013). Building Bridges or Digging Trenches? Civil Society Engagement After the Arab Spring. P.6

www.fiia.fi/assets/publications/wp77.pdf (accessed 20 May 2014)

⁷⁴ Ibid.

This belief is especially based on the successful role of civil society in democratic transitions in Central-, Eastern-Europe and Latin America. In Eastern Europe, civil society was conceptualized as a collective counter force against the state. Thereby, civil society would initiate a “gradual process of reform”, often referred to as *new evolutionism* or *Neo-Gramscian*⁷⁵. Hereby, instead of revolting against the regime, the movements had the main purpose of influencing society by establishing an autonomous sphere of social interaction, in which the services of the state are being replaced by networks and institutions operating next to those of the state. This development reinforced the independence of the society, as the authoritarian state started to lose power and control⁷⁶.

In Latin America, organizations facilitated democratization by controlling the state power and increasing the governments price for open and apparent repression, thereby monitoring international activities that supported democratic change. The continuous protests, during times when the government utilized harsh means of repression, showed that civil society was indeed capable of bringing about mobilization, even under the worst circumstances. The consequence of this developments for civil society, was the urge of an image of a fabled and legendary opposition force, capable of bringing about political change and democracy⁷⁷.

After the first Gulf War, this positivist view also started to be adopted by Arab scholars and analysts, who began to perceive civil society as the key in, for their region, bottomless task^{78 79}. The attacks on the United States of America on September 11, brought

⁷⁵ Pelcynski, Z. A. (1988). In: Wiktorowicz, Q. 2000. Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 45

⁷⁶ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 45

⁷⁷ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: *Middle East Review of International Affairs*, Vol.9, No.4, p. 15-16

⁷⁸ Ibid. 16

along a wave of Western backed democratization incents in the Arab World. Hereby, civil society was regarded as the indispensable actor for successful democratic transition⁸⁰. The Western utopian scenario for civil society is that organizations in the Arab world active on this field, exceed so much force on authoritarian regimes for significant reforms, that eventually they will bring along a political shift⁸¹. According to this description, civil society takes the role of:

“A possible remedy for the stagnation of limited political participation. Middle East specialists emphasize the possible, though still limited, role of civil society in the mobilization of opposition, dissent, and alternative voices.”⁸²

Scholars elucidate the role of civil society and the positive effects of associationalism, as organizing in groups can enlarge the capacity of political freedom bringing about good public policy. Hereby associationalism plays a central role, as:

“Through the “art of associationalism” individuals collectivize their otherwise individual grievances, learn norms of democratic interaction, and create institutions capable of resisting authoritarian power”⁸³

Most Western initiatives for development part from the concept of democracy as the ideal form of governance for a society. Due to its democratizing potential, civil society plays herein a central role as it is seen as: “a vital pillar in sustaining human development and

⁷⁹ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 45

⁸⁰ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: Middle East Review of International Affairs, Vol.9, No.4, p. 14

⁸¹ Ibid.

⁸² Schwedler, J.(1995). In: Wiktorowicz, Q. 2000. Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 45

⁸³ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 44

fostering transparent political governance.”⁸⁴ In practice this means that numerous international advocacy, economical and valuable support is given to civil society to prompt the fall of Arab autocratic regimes⁸⁵. Since the beginning of last decade, already multiple democracy initiatives gained much importance, as the War on Terror kept depicting authoritarian regimes in the Middle East as the source of all evil.

Since the Arab Spring, this development got a new course as authoritarian regimes toppled. More than ever, civil society was now seen as *the gate* for entering and influencing the Middle Eastern political arena. Organizations supported the civil society sphere, often passing around governments with the intention to support organizations directly. Today, the prevailing idea still holds that any continuous project for democratization, calls for a space in which civic representatives can bundle their resources to withstand state power and challenge the government for change⁸⁶.

To be able to fulfill these democratic empowering roles, most scholars argue that: “Civil society needs to be active, diverse and in particular strictly separated from both the private and public sphere including economic and parochial society.”⁸⁷ As will be shown further on, it can be perceived that in many Middle Eastern countries civil society is far from independent from the state.

Nevertheless, despite the positive belief on civil society, the Middle East is especially characterized by error outcomes, when civil society tries to serve as a buffer between the authoritarian state and its citizens in processes of democratization. These developments

⁸⁴ UNDP (2003). In: Yom, S. L. 2005. Civil Society and Democratization in the Arab World. In: Middle East Review of International Affairs, Vol.9, No.4, p. 17

⁸⁵ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: Middle East Review of International Affairs, Vol.9, No.4, p. 14

⁸⁶ Ibid. P. 16

⁸⁷ Behr, T. & Siitonen, A. (2013). Building Bridges or Digging Trenches? Civil Society Engagement After the Arab Spring. P.6

www.fiia.fi/assets/publications/wp77.pdf (accessed 20 May 2014)

have made space for a less sanguine view, which is gaining wide support, as civil society in this region does not seem to develop along to the mythical lines prescribed by Western idealist scholars. In contrast to the traditional view, recent literature questions the idea that an autonomous civil society is capable of being a counterforce to an autocratic state⁸⁸, the point of view that forms the theoretical basis for this research.

“Rather than assume that civil society enables democracy or serves as a mechanism of empowerment, it is important to understand the political context that shapes and limits its potential as an engine of political change.”⁸⁹

Although since the January 25 Revolution civil society has expanded significantly, it is important to recognize that the state can have a limiting effect on associational forms. As the relationship between the state and civil society improved after the fall of the former regime, which means that organizations had more freedom to operate, currently civil society is not developing along the lines of the positivist theories described above. Rather, due to fierce opposition from the state, civil society is facing serious difficulties as it tries to engage in the new political arena, in attempt to be part of processes focused on democratization and the improvement of conditions for human rights.

Besides the above mentioned obstacle, in *The Paradox of Civil Society*⁹⁰, Foley and Edwards put forward that additionally, there is a common concern amongst several scholars in the Middle East that civil society can thus be used by nondemocratic forces to undermine democratic forces of the state, or even use civil society as means of repression and as a tool

⁸⁸ Abootalebi, R. A (1998). Civil Society, Democracy, and the Middle East. In: Middle East Review of International Affairs, Vol.2, No.3, p. 47

⁸⁹ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 46

⁹⁰ Foley, W. M. & Edwards, B. (1996) *The Paradox of Civil Society*. In: Journal of Democracy. P. 6 <http://info.worldbank.org/etools/docs/library/108361/session7k.pdf> (accessed 10 October 2014)

to gain cultural and political dominance in society⁹¹, thereby being a threat to political freedom⁹². This idea is especially applicable to the party of the Muslim Brotherhood. Many became aware that the strong network this party had inside society, operating amongst others through several civil society networks, was capable of mobilizing a major group that supported and lead an Islamic regime to victory, during the countries first democratic elections.

2.2 Different forms of civil society

The characterization of civil society is dependent on the fact that organizations strive for different purposes. A common factor that organizations share is their involvement in activities focused on empowering individuals or groups, rather than struggling for obtainment of governmental power.

“[civil society organizations] do not relate directly to the struggle for state power, but aim instead at increasing the autonomy of individuals in relation to various political and institutional spheres”.⁹³

For this thesis, the importance of distinguishing between the different forms of civil society lies, in the fact, that the goals and aims of an organization are a key factor when determining its relationship with the state. It is depending on these goals, whether an organization is perceived as a *threat* or *disruptive* for the rule of law, and thus faces different levels of restrictive measures.

⁹¹ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 46

⁹² Ibid.

⁹³ Della Porta, D. & Diani, M. (2011). Social Movements. In: *The Oxford Handbook of Civil Society*. Oxford University Press, Inc. New York. P. 71

2.2.1 Categorizing civil society organizations

Categorizing civil society organizations in Egypt is a problematic task. On one hand, political factors have a major influence on the shape of the civil society sector, as will be put forward in the next section. On the other, it is estimated that after the fall of the Mubarak regime, the number of organizations grew by tens of thousands, a number impossible and probably even undesirable to target. It is important to note that this extensive growth does not indicate an increase in the effectiveness of the sphere, as will be stated further on. These circumstances already present small essential difficulties when researching such a complex subject as civil society organizations. Nevertheless, it is important that when doing so, as little space as possible is left open for ambiguous perspectives or misinterpretations. Therefore this thesis aims to describe and schematize the utilized data as much as possible.

For better understanding of the civil society sphere, and since this research focuses on the Egyptian state, it is not redundant to get detail, within reach, on the present forms of civil society organizations in Egypt. To get an overview of the existing organizations, the following extensive distinction of thirteen types civil society organizations, originally made by Mahi Khallaf⁹⁴ will be presented. In his analysis, Yom⁹⁵ also differentiates between five groups who meet the parameters of being considered as civil society. These five groups fit into the schematization of Khallaf and will therefore be incorporated.

⁹⁴ Khallaf, M. (2009). Civil Society in Egypt: A Literature Review
http://foundationforfuture.org/en/Portals/0/Conferences/Research/Research%20papers/Civil_Society_in_Egypt_Mahi%20Khallaf_English.pdf (accessed 20 September 2013)

⁹⁵ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: Middle East Review of International Affairs, Vol.9, No.4, p. 18-19

Figure 2

Category	Description
Service Delivery & Welfare NGO's	Exist on local as well as on national level. These organizations focus on delivering services to special targeted communities like the elderly, children etc. and often provide community work the government does not deliver.
Women's Associations	Concern themselves with raising awareness on women issues and advocate on their behalf. Since sexual harassment has taken epic proportions since the fall of the Mubarak regime, many women's associations are trying to target the problem.
Environmental CSOs	Work on environmental and pollution issues. Since the fall of ousted president Mubarak, contamination and garbage problems have exceedingly risen.
Business groups	Focus on supporting business and economic growth as well of those active in this area, such as Businessmen Associations as chamber of commerce and investors associations.
Philanthropic Foundations	Are 'private initiatives for public good'. Instead of charitable giving, these organizations systematically try to solve problems society is facing.
Professional Syndicates or Trade Unions	Occupy themselves serving the interest of their members, protect their rights of the workers of a certain branch and help in drafting laws affecting their professions. It is seen as a politicized form of civil society. According to the government, today 25 unions are registered ⁹⁶

⁹⁶ State Information Service (SIS). Your Gateway to Egypt. (2014).

<http://www.sis.gov.eg/En/Templates/Articles/tmpArticles.aspx?ArtID=1778#.U2IlzXnrOTc> (accessed 1 March 2014)

Youth Centers & Associations	Focus on the well being and the development of youth groups. More frequently these associations are starting to work with other CSOs to target upcoming child labor.
Religious Groups	Dedicate themselves on providing services of those in need to a special religious community. These organizations have plenty of influence since they target a wide (mainly poor) part of society. The Muslim Brotherhood is probably the most prominent organization in this category.
Federations	Are the only formal way for CSOs to work collectively. The Egyptian law prescribes that only the existence of one federation per governorate and sector is allowed.
Cooperatives	Work for a mutual benefit of those who use its services or those work in the specific sector. In Egypt different cooperatives are governed by different laws, depending on the ministry they are associated with.
Public interest advocates ⁹⁷	Including human rights groups, corruption watchdogs, think tanks and associations that pressure governments to live up to international standards, focus on defending and raising awareness on the conditions of the public interest. Thanks to international support their numbers grew extensively since after the Cold War. It is not clear how many of these organizations are active since they face constant crack down by the government.
Consumer protection CSOs	Raise awareness about consumers rights for customers protection and focus on fair trade competition.

⁹⁷ By Mahi Khallaf, merely the group of human rights groups if put forward. For the distinction of this section, these thesis sticks to the distinction made by Yom since organizations for public interest often also have multiple goals and work for several compatible goals at the same time.

An important remark that has to be made concerning this division, is that *informal networks* are not categorized as a type of civil society, although they play a meaningful role when striving for democracy and human rights. Civil society organizations have chosen to back these groups by advocating for an issue, subsequently leaving the network when they want or the job is *done*. The most prominent example of such an activity is the network of the millions of demonstrators during the January 25 and the June 30 uprisings, when networks of human rights organizations supported the protests to outset the regimes in power. This was done for example from providing security and services for the protesters; from food and sleeping facilities to the publication of pamphlets, to teach people more about the importance of democracy and the aims of the revolution.

This research focus solely on the sector of *public interest advocates*, and therein on the group of organizations focusing on human rights, which often is intertwined with the fight for democracy. These type of organizations have developed the most controversial relationship with the government; firstly because of what regimes consider to be human rights and governmental governance; and secondly, because of the regimes incapability of understanding attempts of civil society groups to defend these rights. Governments of Western democratic countries embrace the Universal Declaration of Human Rights (UDHR), as the basic guideline for human rights. Because human rights are interlaced with principles of nondiscrimination and equality, *“it is no accident that civil and political freedoms are better realized in democracies than other political systems.”*⁹⁸. When taking into account rights like the freedom of expression, association, peaceful assembly and no subjection to discrimination, *“torture or cruel inhuman or degrading treatment or punishment”* (Article

⁹⁸ Kassem, M. (2004). *Egyptian Politics. The Dynamics of an Authoritarian Rule*. Lynne Rienner Publishers London & Colorado. P. 118

5)⁹⁹; one can perceive that the Egyptian state neglects this civilian rights. Therefore an in depth research on this country is in its place.

Engaging in the following sections, focused on theories of state restriction on civil society, it is important to mention that it is according to a classification similar to the one presented above, that governmental agencies typify civil society organizations at the moment of registration. Thereby, each sector is administered and governed by different laws, each corresponding to its relevant ministry. It is then, dependent on the goals and thus the classification of these organizations, whether they are seen by the government as threatening. Civil society organizations focused for example on environmental issues or health, will be seen as less threatening than syndicates or human rights groups, since the latter exposes the sensitive topic of a state acting against its civilians, something not favorable for any regime to be charged with. Thus, it can be explained, that organizations face different levels of restrictive measures.

2.3 Civil Society in Geographical perspective: The Middle East

Certainly, although often generalized, civil society in the Arab world has many different forms and levels of autonomy. Throughout the Middle East, degrees of authoritarianism vary significantly. While countries like Bahrain, Sudan, with Syria being far most the best example, leave virtually no space for any political participation or even overt opinion; countries like Egypt, Lebanon and Jordan historically have offered some degree of involvement in the governmental arena. Nevertheless, probably no one would agree with the claim that decisive power in these Arab countries is determined through the ballot box by the people.

⁹⁹ United Nations. The Universal Declaration of Human Rights.
<http://www.un.org/en/documents/udhr/index.shtml#a5> (accessed 6 February 2014)

In various parts of the Middle East, civil society began to be established before the 1980s, as forms of religious organizations or philanthropy initiatives. Thereby, the 1950s indicated the end of many colonial regimes, which often indicated an end of the existing civil society sphere. Socialist rulers that ascended to power, often dissolved these organizations or started to use them to control society and weaken the opposition on the ground¹⁰⁰. Due to its large history in functioning under authoritarianism, one of the most prominent hypothesis regarding civil society, is the one of optimal development for civil society under authoritarian regimes, the dominant governmental form in the Middle East. It sustains the rise of a sphere of associationalism after years of repression, that through political activism and mass assembling, opposes and offers resistance to the government by pressuring for political changes and liberalization, which will eventually snowball causing electoral democracy¹⁰¹, monitoring and the restriction of the arbitrary use of state power¹⁰².

There is some grounded evidence to support the concept that civil society organizations in the Middle East have taken up to some point the role of countering the state. First, professional associations have become more involved in political issues and public policy debates. Second, the numbers of nongovernmental organizations have increased and have slightly facilitated political participation and socioeconomic development. This point relates to the common believe amongst local research institutes that an expansion of the civil society sphere will further enhance political freedom and

¹⁰⁰ Kienle, E. (2011). Civil Society in the Middle East. In: p. *The Oxford Handbook of Civil Society*. Oxford University Press, Inc. New York. P. 149

¹⁰¹ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: *Middle East Review of International Affairs*, Vol.9, No.4, p. 15

¹⁰² Barnes, C. (2006). *Agents for Change: Civil society Roles in Preventing War and Building Peace*. P. 20

democracy¹⁰³. This traditional view on civil society's role has become a normative goal for non-democratic countries. With this background, how can it be explained that civil society in post revolutionary Egypt, or in other Middle Eastern regimes, does not appear in this light?

Despite world wide support for these happenings, civil society has not been able to make any real progress when it comes to democratic change through the weakening of power of the authoritarian regimes in the Middle East. Yom¹⁰⁴ makes the claim that the collapse or changes of regimes has been due to foreign intervention, instead of internal pressure and upheaval. Supportive theories on the positive role of civil society during the Arab Spring, state that the mass mobilizations were the result of long term developments of creating networks and links between progressive movements. Therefore if the resources for mobilization are available, mobilization can be possible and organizations can bring about political change¹⁰⁵. However, recently there has been more tendency towards the study of the effects that mobilization has on the formation of resources necessary to produce social change.

“While social movement studies have focused on protest as a dependent variable, and the civil society literature has emphasized the role of nonpolitical and cooperative civil society groups, more recent conflicts point to the role of protest as an emergent event in producing civil society itself.”¹⁰⁶

The Arab Spring that raged through several Arab countries in the Middle East, had many repercussions for civil society. After the revolutions, that mobilized great part of societies and that toppled the authoritarian regimes, decades of severe control and

¹⁰³ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 45

¹⁰⁴ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: *Middle East Review of International Affairs*, Vol.9, No.4.

¹⁰⁵ Della Porta, D. & Diani, M. (2011). Social Movements. In: *The Oxford Handbook of Civil Society*. Oxford University Press, Inc. New York. P. 76

¹⁰⁶ Ibid.

repression made place for an atmosphere in which civil society had influence in the political sphere. With exception of Syria, even in countries where the regimes did not fall, leaders rushed to make reforms to satisfy the altered population¹⁰⁷. Nevertheless, despite the major changes, almost four years later there are still many differences from one country to another, regarding the climate for civil society.

2.4 Restricting civil society organizations

According to the prevailing literature and the potential of civil society in promoting democracy, with the support that civil society has enjoyed over the past decades, a clear tendency towards democratic reforms should have been made until now. Nevertheless, what can be perceived in Egypt, is a growing fierceness of every authority in power, in its attempt to establish and maintain state control. Regarding the changes that the Arab Spring brought along, scholars argue it is still not legitimate to claim that civil society initiated these processes. On one hand, civil society was a big support during the uprisings in Egypt, but it remains dubious whether it was a key player in the field, as the current circumstances for civil society are claimed to be, by those active in the field, as worse than under Mubarak, which indicates that a breakthrough has not taken place. Instead, every regime that ascends to power in Egypt, is dominated by their will to be the absolute ruler of the country, thereby cracking down on civil society as a way for further survival.

By raising legal penal cases or through physical violence, the government has:

1. Unleashed the fighting against the independence of the judiciary system, through regulation by law but also through institutional attacks to *nationalize* civil society

¹⁰⁷ Behr, T. & Siitonen, A. (2013). Building Bridges or Digging Trenches? Civil Society Engagement After the Arab Spring. P.14
www.fiia.fi/assets/publications/wp77.pdf (accessed 20 May 2014)

2. Adapted new laws to *nationalize* civil society organizations (which would make them government cooperate with the government)
3. Used violence and sexual harassment –the latter especially against women– to prevent and eradicate participation and opposition to the political sphere

This developments indicate that despite the promises for democratic transitions, Egypt is sliding from one authoritarian regime in to the other, with the same characteristics just a different name.

Sean L. Yom and Quantain Wiktorowicz, base their ideas, which are at core of the theoretical framework of this thesis, on the concept that civil society is not able to counter authoritarian regimes, due to the fact that it is severely limited and influenced by its external political context. Hereby the mechanisms of control by the government become evident, when analyzing the following three restrictions present in the theory of Yom and partly in the theory of Wiktorowicz, and which are used as the independent variables for research in this thesis.

1. The use of bureaucratic restrictions
2. The establishment of Government Organized Non Governmental Organizations (GONGOs)
3. The use of harsh repression

These means are used by the government to restrict the existence and the development of civil society organizations, that are perceived as a threat to state power, in Arab countries. What eventually remains is a regulated sphere that is incapable to operate freely and that even (unwillingly) assists in the process of control implied by the government. In the following section, first several reasons on the failing of civil society will be put forward.

Subsequently, this thesis aims to describe the implementation of each of the measures for control, to the civil society sphere in Egypt.

2.4.1 The failing of civil society

Scholars assign the failing of civil society, taking the role of a counter to authoritarian regimes, to several reasons. First, when trying to assign a meaning to civil society, it already became clear that the concept is very ambiguous. Yom expands on this issue, as he puts forward that, there is no consent on what the term of civil society exactly means nor what kind of organizations it incorporates¹⁰⁸. The term is used for a wide range of purposes, and often by public representatives to promote their projects and give a meaning to their intentions of promoting change inside a society.

Second, the opportunity for civil society to counter an authoritarian regime through collective force and action, is blocked by a government who is merely concerned with its maintenance of power¹⁰⁹. Governments do not hesitate to implement harsh repression strategies to its opponents, or those crossing its lines of comfort. Furthermore, governments have initiated projects of *controlled liberalization* to effectively control activism on all layers of society. This leads to the statement that the successes booked by the civil society sphere, are due to measures taken by the government and not due to its withdrawal of power and control¹¹⁰.

Third, associational forms do not work efficiently. Civil society has not been capable of mobilizing a significant group that has influence in political decision making or in current

¹⁰⁸ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: Middle East Review of International Affairs, Vol.9, No.4, p. 14

¹⁰⁹ Ibid.

¹¹⁰ Ibid. 15

changing problematic issues¹¹¹. In her article *Too Much Civil Society Too Little Politics*, Vickie Langhor¹¹² uses the example of non governmental-organizations that use means of exposure by publishing abuses by the state –like torture or political corruption– to pressure the state. Although these organizations expose abuses, they are not capable of directly challenging the state as they do not enjoy wide popular support. Larger organizations, that often depend on foreign funds, lack public trust. Especially now in Egypt, the media-war on civil society organizations has caused a lot of discussion, as organizations and their members are openly attacked and accused of spying or of abusing money for meaningless purposes. Up to the January 25 Revolution, there was no overarching concept of how a force opposing the regime should look like. At the same time, the different sectors within the civil society sphere were suspicious on each other's intentions, and often essential consensus over democracy and reforms were bypassed.

2.4.2 The use of bureaucratic control and controlled liberalization

When clarifying changes in the political sphere, most explanations of occurred reforms are related to economic crises. In Egypt, during the 1980s and the 1990s, high levels of inflation caused a decline in the state's authority, having as a consequence that basic needs and services were often no longer provided. The cutting on basic commodities fueled feelings of discontent which were uttered through protests, something by the state perceived as a threat for social security¹¹³. Simultaneously, the beginning of the decade of the 90's was characterized by several democratic initiatives and political liberalization, a development

¹¹¹ Ibid. 19

¹¹² Langhor, V. (2004) Too much Civil Society, Too Little Politics: Egypt and Liberalizing Arab Regimes. In: *Comparative Politics*, Vol. 36, No. 2, p. 198-201

¹¹³ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 47

that established new chances for association and caused a growth in the number of organizations. As circumstances deteriorated, pressure for change increased and liberalizing reforms took place. To please groups affected by the deteriorating conditions, and to accompany new changes, the government saw itself forced to start an era of further political freedom and political pluralism by recognizing opposition parties, increasing its tolerance towards the media and further respecting human rights^{114 115}. During this period, the number of civil society organizations increased and propositions for further democratization and liberalization were willingly embraced.

It is exactly this event that indicates a dichotomy in the theoretical canon of civil society. As these developments are perceived on one side as a breakthrough for civil society and on the other, as the basis for further and more severe restriction by the state. Theories parting from Western perspectives see the liberalization as “institutional democratization”¹¹⁶ and take this growth as a positive development for the civil society sector, adopting the idea that authoritarian regimes are declining in power. Critical theories on civil society, which this thesis supports, see the outcome of this development as completely contradictory; states are strong enough to let the civil society sector bloom until a certain level, since the state has the means for further restriction and will not let that major change takes place¹¹⁷. The indicated growth in the civil society sphere is not due to the retrieval of the state because of bottom-up pressure, but due to the implementation of a

¹¹⁴ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: Middle East Review of International Affairs, Vol.9, No.4, p. 22

¹¹⁵ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 47

¹¹⁶ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: Middle East Review of International Affairs, Vol.9, No.4, p. 25

¹¹⁷ Ibid.

new mechanism of control¹¹⁸. The state performed changes too small to produce real systematic change in the current political system, but significant enough to keep the other national and international stakeholders quiet¹¹⁹. Social activism is weakened before it forms a threat for its power position. This controlled process, is what Daniel Brumberg puts forward as the term “controlled liberalization”, a way for the state in which it gives:

“Opposition groups a way to blow off steam. The steam valve must meet opponents’ minimal expectation of political openness but prevent them from undermining the regimes ultimate control.”¹²⁰

Herein, Yom and Wiktorowicz also support this statement clearly putting forward that the space available for political participation is due to controlled liberalization by the government as a strategy of regime survival, and therefore this liberalization does not lead to a decrease in state control. The following lengthy explanation of Wiktorowicz, worth mentioning at its length, on the process of controlled liberalization, explains the functioning of this process:

“Once created, these organizations were embedded in a web of bureaucratic practices and legal codes which allows those in power to monitor and regulate collective activities. This web reduces the possibility of a challenge to the state from civil society by rendering much of collective action visible to the administrative apparatus. Under such circumstances, civil society institutions are more an instrument of state social control than a mechanism of collective empowerment.”¹²¹

¹¹⁸ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 48

¹¹⁹ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: *Middle East Review of International Affairs*, Vol.9, No.4, p. 23

¹²⁰ Brumberg, D. (2009). “Liberalization versus Democracy: Understanding Arab Political Reform,” Democracy and the Rule of Law. Project paper No. 37, p. 6
<http://carnegieendowment.org/files/wp37.pdf> (accessed 20 April 2014)

¹²¹ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 43

Hereby Wiktorowicz¹²² puts forward that since the period of liberalization, the regime has mainly focused on the use of “disciplinary technologies”, meaning bureaucratic control, rather than the use of old fashioned violence. Hereby Michael Foucault argues that:

“The use of disciplinary power derives not from the use of visible coercion and commands, but from the partition of space into surveillable units that can be regulated and administered.”¹²³

The term *discipline*, implies framing individuals into *spatial settings*, in order to increase the state’s strength for the ones in power to constantly monitor society. In Egypt this happens according to a division very similar to the one elaborated by Mahi Khallaf, presented in the previous section. By also controlling the time and space in which persons meet, including their relationship to one another, the state increases its social control¹²⁴. The key element of disciplinary power is the establishment of order and predictability, since it facilitates the state to implement and maintain strategies for control. This control creates a system of “objectification, classification and management” that increases state power¹²⁵.

The question that rises is: how is this disciplinary power implemented? This is done through the use of the administrative apparatus and regulation. This implies that the *objects* being watched, in this case civil society organizations and those active in this sphere, must be subjected to different measures of control. States have created different administrative techniques to “observe, register, record and monitor associationalism” and these techniques provide information on “documentation, written record files, notations and data”, gathered

¹²² Ibid. P.48

¹²³ Ibid.

¹²⁴ Ibid.

¹²⁵ Ibid.

to complete the puzzle of activities of collective action¹²⁶. Herein bureaucracy plays a principal role since it is used to penetrate the civil society arena.

The state argues that if associational activities are not violent, members of these organizations should have no hesitation to create a registered organization and act with full transparency, as they have nothing to hide¹²⁷. Thereby, state institutions refer to the available social space for public influence to the political sphere, being aware that organizations are not able to cause any shift in the political course.

2.4.3 The establishment of Government Organized Non-Governmental Organizations (GONGOs)

Another aspect of bureaucracy is the establishment of shadow organizations by the government that on the surface appear to be regular civic associations. In reality these organizations serve the state as means of control, either for keeping up appearances, influencing statistics or for other the surveillance of other organizations. A good example in Egypt is the National Council for Human Rights, which is the umbrella organization for all human rights initiatives and thus functions as a link between social initiatives and the state. Thereby, it has the task of providing national conferences or reports on issues that have to be officially investigated. This organization is registered just as any other civil society organization and is subjected to the same laws and regulations, but in practice it is linked to the state through its controlling and regulating functions. As it is an umbrella organization, it has access to several data, like records and reports which are used to monitor, follow and

¹²⁶ Ibid.

¹²⁷ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 51

asses activities. Thereby, the control of civil society is no longer only the domain of the state, as existing organizations also engage in the harassment of other civil society actors.

2.4.4 Harsh repression to control

Besides from bureaucratic practices the state can have a restrictive effect on associationalism, through harsh repression¹²⁸. Harsh repression is used to control the civil society sphere. When the state feels threatened by organizations exposing violations or demanding change, it responds with threats, harassment, targeted imprisonment against these opposition groups¹²⁹. Hereby Yom puts forward that:

“When facing civil opposition, few chose not to repress, because the converse option of ordering violent repression continues to be cheap and unproblematic.”¹³⁰

During the thirty year standing regime of Hosny Mubarak, the security apparatus was widely used to crackdown on its opponents. As was put forward in the first chapter, the arbitrary violence was one of the motives to revolt against the state. After the Revolution, Egypt seems to move away, rather than towards democracy, in which the state does not enjoy impunity when harming civilians. Earlier investigations on human rights violations, like can be perceived in several annual rapports of the Cairo Institute for Human Rights Studies¹³¹, already show that the government uses harsh repression to control civil society organizations and restrict the emergence and development of new forms of association.

¹²⁸ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 46

¹²⁹ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: *Middle East Review of International Affairs*, Vol.9, No.4, p. 23

¹³⁰ Ibid.

¹³¹ CIHRS. (2012). “Delivering Democracy” 5th CIHRS annual report on the human rights situation in the Arab world.

<http://www.cihrs.org/wp-content/uploads/2013/09/Egypt.pdf> (accessed 14 December 2013)

Activists and organizations are targeted by violent repression; varying from threats, to actual physical harassment and imprisonment and now sometimes even with the death penalty.

Since the uprisings that removed Mohamed Morsi on the 3rd July, the situation did not improve. Many analysts see the dispersal of the Rabbaa sit-ins as the beginning of a new violent era by a new regime, as society returns to the police state with the common performance of violence and torture. This form of state repression is relatively clear to perceive. However, it is important to mention that since the military gained power again, there have been some shifts¹³². First, there has been a shift concerning the implicit norms regarding morality the Mubarak regime used to maintain. While before certain boundaries regarding sexuality were strictly respected, nowadays many incidents of sexual harassment, such as rape, including in prisons, or detention of minors in cells with adults, have become common. Second, whereas before the regime acted to repress those opposing its authority, nowadays, violent repression is focused on exterminating and make examples of those who raise their voice. Even slight overt critique is not permitted, and disproportionate punishments are given to those who are caught.

As the position of the government to maintain state power and control is depending more and more on intimidation and violence, there seems to be an increase towards this tendency of violence. Currently, the state operates under the slogan of “Egypt is fighting terrorism”¹³³, whereby the increase in civil unrest, strikes and protests are strongly smashed down and punished, under the guise of this new political course.

¹³² Mandour, M. (2014). *Political Violence and State Repression in Egypt*. <http://www.opendemocracy.net/arab-awakening/maged-mandour/political-violence-and-state-repression-in-egypt> (accessed 17 April 2014).

¹³³ Ibid.

2.5 Conclusion

In an attempt to assign a meaning to civil society, it became clear that the concept has not one common definition but is instead used for a wide range of purposes, subjected to the interpretation of different actors, time and place. The same accounts when trying to describe the development of the role of civil society, as it was put forward that different roles have developed over the years. Nevertheless, the different roles are still prescribed by a dominant Western perspective, and above all, herein there is also no consent of what the ideal form and meaning of civil society should be.

Theories part from civil society as a tool for democratic empowerment, mainly basing themselves on the successes booked in Central Europe and Latin America, thereby often bypassing the notion that whenever referring to civil society, its context plays a decisive role. The different forms of civil society were presented to elucidate that the relationship with the state largely depends on their distinction, which is based on the organization's role. Thereby, the sector of public interest advocates, the central group in this research, has development the most controversial relationship with the state, as it can expose sensitive issues.

Civil society was put in geographical perspective, to explain its development according to the changes that have taken place in the region of the Middle East. While recently after the Arab Spring there was a positive development for the civil society sphere, today, several countries, amongst them Egypt, have fallen back in to an environment of restriction and control. To shortly recapitulate, Wiktorowicz parts from the problematical position of civil society under authoritarian regimes, thereby investigating the circumstances for civil society organizations in the Hashemite Kingdom of Jordan. He states that through controlled liberalization, which causes a growth in the civil society sphere, the government is capable of further controlling the civil society sphere, as organizations have to operate

under strict visibility. He explains this as bureaucratic control; the process of channeling collective action into surveillable units, to subsequently subject every unit to several rules and restrictions, as operating outside formal networks and organizations is strictly forbidden. Furthermore, he states that in many Middle Eastern countries (including Egypt) there has been a shift in the control mechanisms, as nowadays raw coercion, meaning violence, has made place for administrative restrictions. This thesis supports the statement of the presence of bureaucratic control but contradicts the later claim, as it puts forward how violence and intimidation today is recklessly used by security forces in Egypt and has indeed an influence in the role that civil society is able to fulfill. Wiktorowicz applied his theory at the beginning of this millennium to Jordan, but thereby states that the process is very similar in many countries of the Middle East, therefore in this research his theory will be tested against the political context in Egypt. There is no question of a comparison between these countries and their relationship to civil society, because the type of government is fundamentally different; Jordan being an Kingdom and Egypt being a dictatorship, a democracy and a dictatorship again (?) in slightly more than three years.

Yom looks at a broader field and states that civil society in the Middle East and North African region (MENA) is unable to bring about democratic change due to two main struggles. Firstly, it is not clear which organizations and interests civil society represents, making cooperation and the completion of goals very difficult. Secondly, regimes are merely concerned with their maintenance of power. Liberalization is controlled and for further restriction, regimes are willing to use the strong coercive apparatus. Yom's arguments will be used to further explain the incapacity of civil society when bringing about democratic change in Egypt. By taking the theories of Wiktorowicz and Yom at its core, this chapter elucidated the different forms of restrictions that the government imposes on civil society

organizations, which are then related to the reasons for the failing of civil society in the Middle East.

The next chapter presents the methodological framework. The aim of this chapter is to give insight in the construction of this thesis to explain the different choices that have been made to increase its credibility. By putting focus on performing research in the context of Egypt, it hopes to give a clear notion of how this research took place in these political controversial times.

3 Methodological Framework

“The lesser the state repression, the stronger civil society.” -M. Foley

This chapter recognizes the importance of providing insight in the construction of this research. Therefore it provides an overview of the used methodology with the aim to provide transparency for better understanding and to increase the credibility. The research goal and the questions presented in the first chapter were the basis for the choice of the implemented research method. First, the research process will be put forward, in which a description is given of the research location and what it means to do research on the ground in the geographical context of the Middle East and in an unstable environment. Subsequently the methodology, with its theoretical grounding and the method of gathering qualitative data will be presented, to finally discuss the process of data analysis.

3.1 Research process

3.1.1 Choosing the research location

Due to the relatedness of the subject, the many interesting political developments and the experience already lived in the country, Egypt was chosen as the research location. To obtain the necessary qualitative data and in order to get insight in the dynamics of the

development of the circumstances for civil society organizations, the decision was made to perform research on the ground. This was done in the form of interviews, to besides obtaining information, also have the possibility to interact and ask for personal experiences and perceptions from the participants on the current situation. In a place like Egypt, where the circumstances are rapidly changing, it is important to document this part of current happenings. Since the aim of this research is to put elucidating how the political situation is having an impact on subjects on local ground, field research was inevitable.

The time of research in Egypt was for more than a year, during the three different time periods, under the three different regimes. From prior the January 25 Revolution, to the announcement of the latest democratic elections after the oust of the Muslim Brotherhood. The advantage that this brings along is that the context of the situation becomes clearer, as the researcher has lived under the different regimes and witnessed the changes that have taken place over time. By being in direct contact with the surrounding, there was a chance to observe and study the different views people had in the society and the way they perceived the changes that took place. By establishing personal contact with the target group active on the field of democracy and human rights, it was possible to acquire personal stories, points of view and situations that would not have taken place when performing a desk research. Therefore, it is possible in this thesis to strive to present how civil society is developing in the post revolutionary reality.

In the case of this research, besides for a better understanding of the daily reality, it is important for the researcher on one hand, to be able to guarantee the safety of the target group, as being part of the current environment clarifies to what extent this group is willing/capable to collaborate. On the other hand, the safety of the researcher also plays part. When immersing oneself into an unstable society, and when performing research on a

field that is politically sensitive, it is important to be cautious with personal as well as with obtained information¹³⁴.

3.1.2 Research problems in conflict environments

Doing research in an unstable environment offers several challenges to the researcher. Scholars put forward that lately there has been an increase in the number of studies operating in non-peaceful environments^{135 136}. Due to its unstable political situation, which at the moment of writing seems to deteriorate day by day, lately Egypt has shown characteristics of a conflict environment. Despite the increase of research in this type of climate, conflict and methodology are still regarded as separate fields¹³⁷ and there is not enough attention concerning the practical and ethical complications researchers face¹³⁸. Thereby, serious question marks are put on the validity of research performed under difficult circumstances, as scientific research has to reproduce results and at the same time serve as reliable data for further investigation¹³⁹. Some scholars argue that it is not possible to systematize experiences of difficult research circumstances, as all situations are different¹⁴⁰.

¹³⁴ Radsch, C. (2009). *From cell phones to coffee: Issues of access in Egypt and Lebanon*. In: Sriram (2009). *Surviving Field Research: Working in Violent Difficult Situations*. By Routledge New York. P. 4

¹³⁵ Mertus, J. (2009). *Introduction: Surviving Field Research*. In: Sriram (2009). *Surviving Field Research: Working in Violent Difficult Situations*. By Routledge New York. P. 1

¹³⁶ Cohen, N. & Arieli, T. (2011). Field research in conflict environments: Methodological challenges and snowball sampling. In: *Journal of Peace Research*. P. 425
<http://jpr.sagepub.com/content/48/4/423.full.pdf+html> (accessed 21 November 2013).

¹³⁷ Ibid.

¹³⁸ Mertus, J. (2009). *Introduction: Surviving Field Research*. In: Sriram (2009). *Surviving Field Research: Working in Violent Difficult Situations*. By Routledge New York. P. 1

¹³⁹ Cohen, N. & Arieli, T. (2011). Field research in conflict environments: Methodological challenges and snowball sampling. In: *Journal of Peace Research*. P. 425
<http://jpr.sagepub.com/content/48/4/423.full.pdf+html> (accessed 21 November 2013).

¹⁴⁰ King, G. R. Keohane & S. Verba (1994). *Designing Social Inquiry: Scientific Inference in Qualitative Research*. Princeton, NJ: Princeton University Press. P. 6

and place the question if research should be done at all in conflict situations¹⁴¹. However, many disagree and claim that conflicts are a “*natural part of human interaction*” and it is important to find out how it affects the research processes and outcomes¹⁴². *Surviving Field Research*¹⁴³ is a recent published book providing many insights on the field of performing research in conflict situations. Herein, King¹⁴⁴ puts forward that based on experiences of other researchers, a systematical overview can be presented to elucidate the difficulties researchers might come across and how these have to be approached in new studies¹⁴⁵.

Every conflict environment presents a different set of obstacles for the researcher. In the Arab World a central problem can be distinguished; gaining access to the desired information/information sources¹⁴⁶. Despite the hope that the January 25 Revolution would bring freedom to the people, opponents to the current government are still facing intimidation. During the time of this research, and the time of writing, activists continue to face harsh repression, varying from fines to threats and from torture to imprisonment, as the country’s situation continues to be unstable. Since the government is mainly concerned on maintaining its power position, repression is appearing to take more serious forms. Cohen et al.¹⁴⁷ put forward that the political authoritarian climates of countries, like in this

¹⁴¹ Cohen.N. & Arieli. T. (2011). Field research in conflict environments: Methodological challenges and snowball sampling. In: *Journal of Peace Research*. P. 423
<http://jpr.sagepub.com/content/48/4/423.full.pdf+html> (accessed 21 November 2013).

¹⁴² Ibid. P. 424

¹⁴³ Sriram, C.L., King, C.J., Mertus, A.J., Martin-Ortega, O., Herman, J. (2009). *Surviving Field Research: Working in Violent and Difficult Situations*. By: Routledge, Abingdon, Oxon.

¹⁴⁴ King, C. J. (2009). In: Sriram (2009). *Surviving Field Research: Working in Violent Difficult Situations*. By Routledge New York. P. 9

¹⁴⁵ Sriram, C.L., King, C.J., Mertus, A.J., Martin-Ortega, O., Herman, J. (2009). *Surviving Field Research: Working in Violent and Difficult Situations*. By: Routledge, Abingdon, Oxon.

¹⁴⁶ Radsch, C. (2009). *From cell phones to coffee: Issues of access in Egypt and Lebanon*. In: Sriram (2009). *Surviving Field Research: Working in Violent Difficult Situations*. By Routledge New York. P. 91

¹⁴⁷ Cohen.N. & Arieli. T. (2011). Field research in conflict environments: Methodological challenges and snowball sampling. In: *Journal of Peace Research*.

case Egypt, causes an environment of distrust by the lack of political freedom. When a society is in conflict it is not certain groups who suffer from it, but the society as a whole, as there is a *“general atmosphere of distrust and suspicion.”*¹⁴⁸

In an authoritarian regime like Egypt, people never felt the freedom of reflecting nor expressing themselves critically against the authoritarian power. Now that even more harsh measures are being taken against opponents, an environment of fear is claiming its field. For researchers this could eventually mean that informants might not openly express their thoughts or reveal information. In addition persons or groups whom are being oppressed might find it necessary to operate ‘underground’¹⁴⁹, blocking researches from the possibility of conducting field work with them. Besides, in tumultuous times, especially activists are often unavailable due to an increase in their activities or because they want to keep a low profile¹⁵⁰.

3.2 Research methodology

3.2.1 Theoretical grounding: Literature analysis

There are different research methods used in this thesis, with a focus on the performed fieldwork in Egypt. Firstly, a literature study was put forward in the second chapter to be able to present a clear and firm theoretical background that could provide an overview on several developments and theories within the debate of the relationship between the state and civil society and the role civil society completes within a society. The literature analysis aimed to cover the topics of the development and the role of civil society in Egypt and its

<http://jpr.sagepub.com/content/48/4/423.full.pdf+html> (accessed 21 November 2013).

¹⁴⁸ Ibid. P. 425

¹⁴⁹ Ibid.

¹⁵⁰ Radsch, C. (2009). *From cell phones to coffee: Issues of access in Egypt and Lebanon*. In: Sriram (2009). *Surviving Field Research: Working in Violent Difficult Situations*. By Routledge New York. P. 91

capacity of countering authoritarianism. Through the study of books, academic publications, reports published by civil society organizations, existing laws and amendments this research tries to get insight into different theories and perspectives regarding civil society. At the same time, a critical in depth study on the existing literature offered the possibility to identify existing gaps and how this research could make a contribution on the respective field.

The investigatory literature study was performed in the preparatory stage. This provided the chance to place the current problematical situation of civil society in Egypt in an existing literary debate. By establishing a first contact with several civil society organizations in Egypt and by discussing the subject with a prominent activist on the field of human rights, insight was obtained on the current circumstances for organizations on the ground. This gave a clear orientation on the topics that needed to be further explored and where the focus of the performed interviews should rely on.

Following research was performed on location in Egypt. Here, international and national organizations were consulted to obtain further in depth information concerning the research context, to subsequently compare these with the contemporary literature, and examine whether they were in line with the theories that were used as a framework for this research, or whether they did not apply to this case. Therefore, this research is theory testing¹⁵¹, as it is questioning to what extent the civil society sphere in Egypt is developing along the lines described in the theories of Quintan Wiktorowicz¹⁵² and Sean L. Yom¹⁵³, lengthy discussed in the second chapter.

¹⁵¹ Verschuren, P. & Doorewaard, H. (2005). *Designing a Research Project*. Publisher LEMMA. Utrecht.

¹⁵² Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1.

With these two theories at its core, this research aims to find the scientific absence or presence of causality, through acknowledging the possible correlation between the independent and the dependent variable¹⁵⁴; the independent variable being: 1) The use of bureaucratic restrictions. 2) The establishment of Government Organized Non Governmental Organizations. 3) The use of harsh repression. Hereby, the dependent variable is the state repression on civil society organizations active on the field of democracy and human rights. It has to be mentioned that it is not possible to measure all the probable determinants that influence the dependent variable, since this camp is simply too extensive. Therefore, any claim and conclusion presented will be probalistic instead of deterministic¹⁵⁵, as this thesis recognizes the limitations it has, not only of time and space, but also of the difficulties encountered on the ground. This thesis undermines the dominant idea that civil society is able to counter an authoritarian regime and thus able to generate democratic regime change. Hereby it parts from the following two variables. First, the use of bureaucratic control by the government; second, the use of raw violence by the government. The presence or absence of these variables, contribute in concluding the presence of restriction by the government on civil society organizations of democracy and human rights, to subsequently provide further explanation of how this restriction takes place and how it affects organizations when performing their activities on the ground.

¹⁵³ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: Middle East Review of International Affairs, Vol.9, No.4.

¹⁵⁴ Liberson, S. (1991). *Small N's and Big Conclusions: An Examination of the Reasoning in Comparative Studies Based on a Small Number of Cases** P. 308
<http://faculty.washington.edu/swhiting/pols502/Lieberson.pdf> (accessed 15 March 2014)

¹⁵⁵ Ibid. P. 310

3.2.2 The in-depth interviews

In this research, nineteen qualitative in depth interviews were held in Egypt in the two main cities of Cairo and Alexandria. King et al. put forward that qualitative research is: *"Often important in its own right: a major change in a nation, an election [...]"*¹⁵⁶. The implementation of this research method is therefore relevant to the case of Egypt, considering that the country has faced several mayor changes over the last three years and is still at the foot of a mayor change due to its upcoming elections.

An important characteristic from the method of qualitative approach to research, is its aim to get insight into a certain problematic situation from the perspective of involved the local actors and is especially useful to collect data about, amongst others, opinions and social contexts and to describe how a group of people experience a certain occurrence^{157 158}. To further investigate how the civil society organizations perceive the changes in their relationship between the government since the January 25 Revolution the method of in-depth interview will be used, as interviews give the respondents the space to reflect and analyze critically opinions given. At the same time, the researcher gets a deeper insight in the information given¹⁵⁹.

The interviews were conducted with the aim to gain more insight in the circumstances for civil society organizations on the ground, to subsequently evaluate the

¹⁵⁶ King, G. R. Keohane & S. Verba (1994). *Designing Social Inquiry: Scientific Inference in Qualitative Research*. Princeton, NJ: Princeton University Press. P. 4

¹⁵⁷ Family Health International. (year unknown). *Module 1: Qualitative Research Methods Overview*. P. 1

<http://www.ccs.neu.edu/course/is4800sp12/resources/qualmethods.pdf> (accessed 21 March 2014)

¹⁵⁸ Folkestad, B. (2008). *Analysing Interview Data, Possibilities and challenges*. In: Eurosphere Working Paper Series No.13. P. 1
http://eurospheres.org/files/2010/08/Eurosphere_Working_Paper_13_Folkestad.pdf (accessed 1 March 2014)

¹⁵⁹ Ibid.

position of civil society in Egypt after the January 25 Revolution and how this development fits into the theoretical debates of civil society, information that in the phase of investigatory literature research was considered as lacking. The choice for the interview method comes firstly from the fact that most of the communication in the Arab world is carried out through direct personal interaction. Therefore it was fundamental to be physically located in Egypt. Not only because direct contact brings along more trust, but also to fully understand the conditions under which organizations are working and how much they suffer from government imposed restrictions. The familiarity with the Egyptian culture helped to increase the relationships with the target group. This is part of what Radsch¹⁶⁰ distinguishes as *identity*. Building trust through this type of communication can make the difference between being seen as a Western analyzing the Arab Other, or someone who understands or has the same idealistic point of view¹⁶¹.

Eventually in total nineteen organizations were interviewed during two different time periods. A total of eight organizations were targeted in the time period when the Muslim Brotherhood was still in power, and seventeen in the time period from January until April 2014. This division was not made intentionally, but for safety reasons during the first research period, since the June 30 Revolution broke out shortly after, it was not possible to continue traveling and moving around unconcerned. Although one could claim that a different government has major implications for the circumstances for civil society organizations, it will become clear that in practice, despite the promises from the different regimes, the situation on the ground for civil society did not change and even deteriorated.

Almost all of the respondents had the position of director in the respective

¹⁶⁰ Radsch, C. (2009). *From cell phones to coffee: Issues of access in Egypt and Lebanon*. In: Sriram (2009). *Surviving Field Research: Working in Violent Difficult Situations*. By Routledge New York. P. 97

¹⁶¹ Ibid. P. 94

organization, making them fully aware of all the implications of the restrictions in all the layers of the organization. Thirteen interviews were performed on location at the office of the respective organization, which for the respondents provided a trusted environment and presented the opportunity to also give a small tour inside the organization for better understanding and insight on the activities and the circumstances. Four interviews were conducted during a seminar for the establishment of a new human rights network, including two interviews with organizations active in the city of Al-Fayoum. Due to health circumstances, one interview was performed at someone's house. For unknown reasons, one respondent did not want to meet personally, and decided to fill in the questionnaire and send it over e-mail. Through the establishment of personal contact with the different organizations, detailed information was obtained. In addition, the respondents were mostly very open and willing to talk about personal experiences and their own point of view regarding the current situation.

During the first telephonic contact to schedule the actual interview, it was useful to, after a short introduction on oneself, drop the name of the *gate keeper*. Since the human rights sphere is relatively closed to outsiders, often respondents all know each other. The actual interviews went fluently, but it has to be noted that canceling and rescheduling is not something uncommon in the Arab world, thereby appointments rarely start on time. When meeting, talking straight on the subject is not a good idea, as the Egyptian culture is one of formalities. Therefore showing real interest in the person and responding to questions regarding the own personal background help to gain more trust and thus eventually obtain more information. Hereby it is very important to show the willingness of being aware of the environment in which these persons live, the current development of the situation and to be

extremely careful with the provided information¹⁶². It was remarkable that none of the respondents wanted any type of anonymity, most probably remaining silent would be another way for the government to oppress this group.

Following the questions for the interview will be presented. The entire interview takes about 30 minutes, which is a good length in order to have more people to participate, as they can easily schedule this time in between their activities. The interview consists of two sections; one regarding the organization, the other regarding the circumstances in which the organizations operate. The first section consists of five main questions, and some of these have maximum two sub-questions. Section two has six main questions, and some have maximum three sub-questions. The problem that rises here is how to know that the respondent provides reliable answers? As mentioned before, the fact of being *recommended* has given people trust in participating in the research. Thereby as was also already pointed out, the apparatus of control is not fixed, which provides a better chance to obtain information than a few years ago, as there has been slightly more space for expression.

The following questions have been set up to interview the target group.

1. About the organization

1. Could you please introduce yourself and your position in the organization
2. Is it possible to reveal your identity in the final thesis?
3. Can you introduce the organization
 - 3.1 Since when does your organization exist?
 - 3.2 How many people are active inside the organization?

¹⁶² Ibid.

4. What is the objective of the organization?
 - 4.1 What was the goal of the organization under Mubarak?
 - 4.2 What about under Morsi?
 - 4.3 What is your goal presently?
 - 4.4 How are the goals of the organization different than before?
5. What are the main activities your organization engages into?
 - 5.1 Did the activities change from the time that Mubarak was in power to when the Muslim Brotherhood ruled the country?
 - 5.2 How is it now that the military is in power again?
6. Was your organization intensively involved during the January 25 and June 30 Revolutions?

2. The circumstances

7. Are the activities of your organization regulated?
 - 7.1 What kind of regulations have been used under the Mubarak regime?
 - 7.2 And under the Morsi regime?
 - 7.3 Have these regulations changed since the June 30 revolution?
 - 7.4 How do these regulations influence the goals of your organization?
 - 7.5 How do these regulations influence the activities of your organization?
 - 7.6 What had to be changed in the organization to be able to continue your work?
8. How are the circumstances for the staff of the organization?
 - 8.1 Has staff faced personal threats, harassment or violence?
 - 8.2 How often has this happened?
 - 8.3 How does this influence their work?
9. Under whose leadership, Mubarak or Morsi or the current interim mandate, has the organization faced more problems performing new activities? And setting new goals?

10. Do you think the government uses or creates other civil society organizations in order to control your organization? More concrete: do you face control by other civil society organizations?

11. What do you think about future perspectives for the organization in the changing environment?

It has to be remarked that, despite the designed questionnaire, the in-depth interviews were semi-structured, to not provide much control on the directions of the questions. All interviewees were presented the same questions in order to obtain the same data and be able to compare the results.

3.3 Data collection: The snowball sampling method

This research focuses on a vulnerable group that often faces threats from the regime due to their criticism on the authoritarian state. The access to this group depends among others on the interpersonal relations, indicated by Radsch as *wasta* –meaning connections¹⁶³ and referred to as the snowball sampling method (SSM) by Cohen and Arieli¹⁶⁴. The use of the snowball sampling method, has proved to be a very successful method in conflict situations as it:

*“directly addresses the fears and mistrust common to the conflict environment and increases the likelihood of trusting the researcher by introduction through a trusted social network.”*¹⁶⁵

¹⁶³ Ibid.

¹⁶⁴ Cohen.N. & Arieli. T. (2011). Field research in conflict environments: Methodological challenges and snowball sampling. In: Journal of Peace Research.
<http://jpr.sagepub.com/content/48/4/423.full.pdf+html> (accessed 21 November 2013).

¹⁶⁵ Ibid. 423

Through this method, it becomes possible to contact groups in the sector that otherwise would be difficult to reach, because the lack of trust or because these groups operate hidden from the eye. The use of existing ties to find new subjects seems to be favorable to gain cooperation of other still unknown subjects inside the community. In a society where informal communication and networks are present in all layers of society, connections are very important and even crucial for gaining access into other networks¹⁶⁶. Trust is hereby essential, for it incorporates the willingness of the target group to cooperate and talk openly about the situation. This often requires finding a *gate keeper*, a key influential person that opens the gates into other networks¹⁶⁷.

The question that subsequently rises is, how reliable is data collection based on the network of others? The selection of the research subjects is crucial for the outcome of the research and the degree it produces reliable results¹⁶⁸. It is not recommendable to part from a random selection of subjects targeted for research, since in this manner of determination, important cases can be neglected. At the same time, when not selecting randomly, bias or convenience sampling can play part and happens when a researcher knows what he wants to see at the outcome of his investigation and selects cases that support his conclusion, sometimes unconsciously¹⁶⁹. Also *gatekeeper bias* can be influential. Hereby the objects of research are all dependent on the information the gatekeeper provides¹⁷⁰. This could be perceived as a main problem of small-n studies, that arises when the number of subjects of

¹⁶⁶ Radsch, C. (2009). *From cell phones to coffee: Issues of access in Egypt and Lebanon*. In: Sriram (2009). *Surviving Field Research: Working in Violent Difficult Situations*. By Routledge New York. P. 95

¹⁶⁷ Ibid. 96

¹⁶⁸ King, G. R. Keohane & S. Verba (1994). *Designing Social Inquiry: Scientific Inference in Qualitative Research*. Princeton, NJ: Princeton University Press. P. 128

¹⁶⁹ Ibid.

¹⁷⁰ Cohen, N. & Arieli, T. (2011). Field research in conflict environments: Methodological challenges and snowball sampling. In: *Journal of Peace Research*. P. 428
<http://jpr.sagepub.com/content/48/4/423.full.pdf+html> (accessed 21 November 2013).

analysis is limited. Not much can be done about this type of limitation of case studies as it would be impossible to investigate all civil society organizations in Egypt, as their numbers are far too extensive¹⁷¹. Therefore it is extremely important when engaging in this method to have enough planning on the process of gathering data, to not focus on one network, but focus on parallel networks simultaneously¹⁷².

For the present research, the *gate keeper* is a prominent activist on the field of human rights in Egypt and abroad, director of Al-Andalus Research Center and member of many human rights networks in Egypt. The first contact was established through a Dutch company for freedom of expression named Free Press Unlimited. Working on the same project in this organizations, gave the opportunity to discuss the problematical situation of civil society in Egypt and concrete possibilities for further research were made possible as contact details of organizations and prominent activists active in the field were shared. Subsequently, as more contact was being established, other prominent people active in the human rights field of Cairo and Alexandria suggested further organizations.

Several factors played part when selecting the organizations participating in this research. First, only civil society organization active on the field of human rights and democracy, based on the distinction presented earlier by Khallaf¹⁷³, were targeted. This demarcation was necessary firstly, to provide more time and space for in depth analysis so that findings and conclusions made, would provide a deeper understanding of the case, as

¹⁷¹ Liberson, S. (1991). *Small N's and Big Conclusions: An Examination of the Reasoning in Comparative Studies Based on a Small Number of Cases** P. 309
<http://faculty.washington.edu/swhiting/pols502/Lieberson.pdf> (accessed 15 March 2014)

¹⁷² Cohen.N. & Arieli. T. (2011). Field research in conflict environments: Methodological challenges and snowball sampling. In: Journal of Peace Research. P. 428
<http://jpr.sagepub.com/content/48/4/423.full.pdf+html> (accessed 21 November 2013).

¹⁷³ Khallaf, M. (2009). Civil Society in Egypt: A literature Review. P. 19
http://foundationforfuture.org/en/Portals/0/Conferences/Research/Research%20papers/Civil_Society_in_Egypt_Mahi%20Khallaf_English.pdf

they are directly relevant for the research purpose. The web of civil society is very extensive and in the eyes of an authoritarian regime, not all civil society organizations mean the same kind of *threat* to the maintenance of power by a government. Therefore, existing laws for civil society differ according to the objectives of the organization, and targeted organizations have to be filtered. Second, there has been a sole focus on the cities of Cairo and Alexandria, for they hold the largest groups of active organizations. Thereby, traveling alone to other smaller, less touristic cities in Egypt is not always easy, as safety is not self evident. Nevertheless, it was possible to target two organizations active in Al-Fayoum as will be put forward further on, these interviews are included in the data. Thirdly, the language barrier plays part, since all research is done in English. Here has to be mentioned that it only happened once that a desired interview could not be performed due to this barrier, as in Egypt the population of English speakers is remarkably high. Thereby, organizations who actually do have a influential agenda in society, are often in the position of obtaining foreign funds, which obligates them to communicate in English as well. Fourthly, to identify a possible difference regarding laws organizations are submitted to, a distinction was made between international and national organizations, whereby twenty of the targeted organizations are Egyptian and two are internationally founded¹⁷⁴. Last, further selection criteria was mainly based on records of how active an organization has been in the field, and the acknowledgement it has gained from other organizations or prominent persons inside the sphere. Most of the organizations have a long history of activity and are all registered under the ministry of Insurance and Social Affairs, which provides them the legal status of a civil society organization.

¹⁷⁴ More organizations were approached but it was not easy to get the appointments.

In addition there is a limit in organizations who want to openly talk about this topic, for the threats of a government when talking about these type of sensitive issues, has left its traces. Nevertheless being recommended by prominent *inside* people of the human rights sphere, has given organizations trust to agree in participating in this project. While collecting the contacts for the interviews, it soon became clear that the obtained database included the most prominent organizations active on the targeted field. Although the number of organizations registered in Egypt is excessively high, the number of organizations indeed active and influential on the field is limited.

3.4 Method for qualitative interview data

Folkestad puts forward that “data analysis does not occur in a vacuum”¹⁷⁵ as researchers are continuously exchanging knowledge, information and experiences with the research participants and their research tools¹⁷⁶. This means that the researcher obtains more knowledge about its subjects and at the same time about the research methodology, as it becomes clear what to focus on when performing the interviews and how subjects can best be approached.

The information gathered from the performed field research, will be used to determine and analyze the different restrictions the governments implements on the civil society organizations. The gathered, consists of open ended answers. When performing in-depth analysis on a certain problematic situation, the method of theoretical propositions, so determining an abstract statement about the relationship between two variables, is the

¹⁷⁵ Folkestad, B. (2008). *Analysing Interview Data, Possibilities and challenges*. In: Eurosphere Working Paper Series No.13. P. 1
http://eurospheres.org/files/2010/08/Eurosphere_Working_Paper_13_Folkestad.pdf (accessed 1 March 2014)

¹⁷⁶ Ibid. P. 4

most preferred strategy of data analysis. Therefore the analysis of the relationship between civil society and the state seems very plausible. Thereby the original objectives and the analyzed theories have reflected into a set of research questions, which eventually lead to the design of questions presented to the target group. Eventually, by linking the answers to the current dominant theoretical debates and the theories of Wiktorowicz and Yom, an estimation can be made on the degree of the restrictions and how it influences the organizations.

The method of “comparing interview data”, put forward by Miles and Huberman¹⁷⁷ and elaborated by Folkestad¹⁷⁸ will also be used. The importance of this cross-case method is recognized as it is claimed that “it enhances generalizability as well as deepening the understanding and explanation of a phenomenon.”¹⁷⁹ A contribution to the comparison of data is firstly the implementation of standardized interviews, through first, a directed selection of the targeted subjects and second, a fixed questionnaire, both tools implemented in the present research. A further distinction made by Miles and Huberman is the use of a variable- or a case-approach. While the case approach focuses on an extensive analysis of the development of one case, a variable approach concentrates on the “search of

¹⁷⁷ Miles and Huberman (1994) In: Folkestad, B. (2008). *Analysing Interview Data, Possibilities and challenges*. In: Eurosphere Working Paper Series No.13.

http://eurospheres.org/files/2010/08/Eurosphere_Working_Paper_13_Folkestad.pdf (accessed 1 March 2014)

¹⁷⁸ Folkestad, B. (2008). *Analysing Interview Data, Possibilities and challenges*. In: Eurosphere Working Paper Series No.13. P. 10

http://eurospheres.org/files/2010/08/Eurosphere_Working_Paper_13_Folkestad.pdf (accessed 1 March 2014)

¹⁷⁹ Ibid. 10

patterns and themes that cut across cases.”¹⁸⁰ To further specify the difference of the approach, Folkestad uses the following definition of Gerring¹⁸¹ when describing a case:

“A population is comprised of a “sample” (studied cases) as well as unstudied cases. A sample is comprised of several “units,” and each unit is observed at discrete points in time, comprising “cases.” A case is comprised of several relevant dimensions (“variables”), each of which is built upon an “observation” or observations.”¹⁸²

A technique that will be used for the analysis of the obtained data is the “quote research”¹⁸³. Fragments or sentences from the interviews are used to illustrate and confirm the statements made in the conclusion¹⁸⁴.

For the analysis, the collected data is divided and coded. It is crucial to categorize information, which means identifying patterns and organizing these into coherent and comprehensible categories to easily scan and compare the answers to each other. First, the results from the interviews are coded according to the subject of the questions into conceptual categories, deduced from the theoretical framework. Subsequently these categories are labeled according to the most significant and most common answers. For the

¹⁸⁰ Ibid. 11

¹⁸¹ Gerring, (2004) In: Folkestad, B. (2008). *Analysing Interview Data, Possibilities and challenges*. In: Eurosphere Working Paper Series No.13. P. 1
http://eurospheres.org/files/2010/08/Eurosphere_Working_Paper_13_Folkestad.pdf (accessed 1 March 2014) P. 342

¹⁸² Folkestad, B. (2008). *Analysing Interview Data, Possibilities and challenges*. In: Eurosphere Working Paper Series No.13. P. 11
http://eurospheres.org/files/2010/08/Eurosphere_Working_Paper_13_Folkestad.pdf (accessed 1 March 2014)

¹⁸³ Folkestad, B. (2008). *Analysing Interview Data, Possibilities and challenges*. In: Eurosphere Working Paper Series No.13. P. 4
http://eurospheres.org/files/2010/08/Eurosphere_Working_Paper_13_Folkestad.pdf (accessed 1 March 2014)

¹⁸⁴ Ibid. 5

final conclusions, the analysis and the results are placed against the theoretical framework, which will be put forward in the concluding chapter of this research.

3.5 Conclusion

This chapter provided insight in the construction of this thesis. It described the choice of the research location and what implications doing research in an unstable environment has for the researcher and its objects. By elucidating the difficulties one can encounter, this chapter showed how these problems were targeted in this research, to let them be as less influential as possible in the entire process. The research methodology, presented an overview of the used methods thereby explaining the literature analysis and the in-depth interviews. Furthermore, the snowball sampling method was put forward and it was explained why this method was the most adequate for obtaining the desired information necessary for further analysis. Finally it was explained how the obtained information is analyzed and used to come to the final conclusion.

The next chapter focuses on giving an overview of the history of civil society, so that its current sensitive relationship becomes easier to understand. Thereby it also provides an overview of the legislative restrictions the government imposes on organizations to subsequently make a bridge in chapter 5 of how these restrictions have influence in daily practices.

4 The Egyptian Case

“The conflict between the state and the society it seeks to control, not just govern.” -Sullivan & Abed-Kotob

Civil society has always been a controversial subject in Egypt. Despite the fierce policies of the Egyptian regime towards civil society, and the establishment and maintenance for decades of the emergency law, Egypt appears to have one of the most liberal spheres for civil society in comparison to other countries in the Middle East. Although overtime many changes have taken place under the different regimes regarding civil society, there has always been a constant factor, namely the repression and crackdown of the civil society sphere, especially on those organizations involved in working on issues which can be sensitive for the government.

This could be perceived as the ongoing struggle between the regime and the activists, individuals or in a group, who work in the Egyptian civil society. The January 25 revolution, seemed to have marked a new era for civil society organizations. The downfall of the regime, incite mainly by large groups of young men and woman, gave the opportunity to organize

collective interests and associate¹⁸⁵. Many activists realized they were able to influence the political direction of their country and were encouraged by the events to continue this path. Nevertheless, the hard work and advocacy for free democratic elections turned out to be far from lived expectations, as the chosen president, and after it the new regime did not derive from the path of crackdown on civil society organizations.

4.1 Relationship between civil society and the state: an historical overview

Since 1952, Egypt has been ruled by military regimes and just as with any regime, many changes have taken place. Nonetheless, most scholars agree that despite all the changes, there has always been a constant factor in the established governments namely the authoritarian rule, which according to many, is in essence the primer cause for the weakness of civil society¹⁸⁶. Authoritarian regimes are in a constant struggle to maintain rigid control over civil society and its organizations, in order to not risk protests or collective action that could form a threat and destabilize the political system¹⁸⁷. Therefore, the nature and the objectives of a relationship of an authoritarian state with civil society is very complex, and for civil society such a relationship means a constant influence in its character and development¹⁸⁸. In Egypt civil society has been handicapped to a large extent by the authoritarian regimes in power since 1952. To get a clear impression of the difficult relationship of state and civil society in Egypt, it is essential to be familiar with the history therefore, an overview is hereby presented.

¹⁸⁵ Kienle, E. (2011). Civil Society in the Middle East. In: p. *The Oxford Handbook of Civil Society*. Oxford University Press, Inc. New York. P. 146

¹⁸⁶ Kassem, M. (2004). *Egyptian Politics. The Dynamics of an Authoritarian Rule*. Lynne Rienner Publishers London & Colorado. P. 87

¹⁸⁷ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 43

¹⁸⁸ Kassem, M. (2004). *Egyptian Politics. The Dynamics of an Authoritarian Rule*. Lynne Rienner Publishers London & Colorado. P. 88

4.1.1 Civil society during Gamal Abdel Nasser, 1954-1970

During this period civil society was highly suppressed and had little possibility for existence. After the fall of the monarchy many organizations were dissolved, restricted or incorporated into official institutions and thus civil society organizations had no opportunity to play a role in state policies. During this period, six constitutions were passed and accepted by the president alone, except for the constitution of 1956, which was approved by referendum¹⁸⁹. Nevertheless, all of the new law amendments gave the regime more authority and movements were subjected to regulations until the point that there are some who claim that civil society organizations were almost eradicated in this period¹⁹⁰.

However, trade unions and professional associations (syndicates), could not entirely be dissolved. The 1952 military coup meant that the new regime also inherited a large number of trade unions, with a membership of 150,000 workers. Despite the wish and the steps taken to become an absolute sovereign power, this groups could not be ignored. After tumultuous times characterized by strikes and violent incidents between members and the armed forces, the government gave in to several demands of the workers, but the struggle for control was not over¹⁹¹. The regime continued in applying coercive tactics, as leaders of trade unions were eager to establish a collective alliance: the unification of local unions to obtain more power. Simultaneously, there was an excessive growth of unions, as established laws prescribed that new unions only had to be registered under the Ministry of Social Affairs, and did not require its approval. The governments reaction was tactical, as the desired unification of unions took place, forming the General Federation of Egyptian Trade

¹⁸⁹ Hassan, A. H. (2011). Civil Society in Egypt Under the Mubarak Regime. In: Afro Asian Journal of Social Sciences. Vol. 2, No. 2.2, Quarter II. P. 6

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2346637 (accessed 20 April 2014)

¹⁹⁰ Kassem, M. (2004). *Egyptian Politics. The Dynamics of an Authoritarian Rule*. Lynne Rienner Publishers London & Colorado. P. 99

¹⁹¹ Ibid. P. 91

Unions (GFETU). But this step is seen as the first, to contain and fully control the unions¹⁹². The government assigned the leaders for this new federation, and gathered all existing unions under 121 new formed federations, assigned with the task of control, which lead to a strict decrease in the number of unions¹⁹³.

In 1964, Law 32 was established¹⁹⁴, which in essence was the basis for the many restrictive laws and measures about to be implemented in the years to come. Activity of this sector was submitted to the Ministry of Social Affairs (MOSA); which used its authority to regulate registration, exceed strict control and supervision, kept strict oversight and influenced the management and direction of the civil society sphere¹⁹⁵.

Regarding the establishment of new organizations; Law 32 prescribed that before starting their activities, civil society organizations needed to be registered by the Ministry of Social Affairs. This registration was only possible if the organization declared not to be engaged in any form of 'political activities'¹⁹⁶. In practice the term 'political activity' was interpreted very broadly by the government, allowing it to (ab)use the law to intimidate organizations by prohibiting their activities if they opposed to the elected leaders or performed actions that would contradict the regime. Thereby, the law was characterized by its severe control on resources. status. This was done firstly through Article 12, which gave the government permission to reject an association if: *"its founding is not in accord with security measures; or for the unsuitability of the place health-wise or socially"*¹⁹⁷. Second, the

¹⁹² Ibid.

¹⁹³ Ibid.

¹⁹⁴ HRW. (2005). Margins of Repression. State Limits on Non Governmental Organization Activism <http://www.hrw.org/reports/2005/egypt0705/egypt0705.pdf> (accessed 20 April 2014)

¹⁹⁵ Ehrenberg, J. (2011). The History of Civil Society Ideas. In: p. *The Oxford Handbook of Civil Society*. Oxford University Press, Inc. New York. P.25

¹⁹⁶ Kassem, M. (2004). *Egyptian Politics. The Dynamics of an Authoritarian Rule*. Lynne Rienner Publishers London & Colorado. P. 88

¹⁹⁷ Ibid. 89

same article gave the government the right to reject funding if: *“the environment has no need for the services of another association”*¹⁹⁸. Originally this article was proposed to not have organizations striving for the same goals, but in practice it gave the government the power to exclude undesirable organizations from civil participation. This law already shows that the control over civil society at the time was rigid and outspoken.

4.1.2 Civil society during Anwar Sadat, 1970-1981

The actions of reducing the strength of civil society by Abdel Nasser turned out to be favorable for Anwar Sadat, as, without major difficulties since there was no strong voting community to interfere in his decisions, he gradually changed the populist course established by his processor¹⁹⁹. The already established measures for control and restriction, meant that even with a change in policy it was possible to keep the control over civil society. Thereby Trade Unions faced further oppression. Sadat inherited an ill and in debt economy, which was accompanied with unrests and strikes. As the triumph of the 1973 war with Israel gave Sadat more legitimacy, which he used to further move from social reforms, initiating new waves of protests and unrests.

Syndicates however, faced another course. While other associational forms faced great difficulties, syndicates experienced a positive economic and political development, causing growth amongst this sector²⁰⁰. Economically, syndicates were encouraged to modify part of their public funds, into private commercial investments. The major change of a multiparty system, and thereby the creation of the new governments National Democratic

¹⁹⁸ Ibid.

¹⁹⁹ Ibid. 99

²⁰⁰ Ibid. 103

Party (NDP), caused a new sphere of competition, whereby opposition forces, instead of competing for power, unified in a front, causing new struggles for the government.

4.1.3 Civil society during Hosni Mubarak, 1981-2011

Under Mubarak civil society expanded significantly; however this did not mean that it had considerably more power/influence than during the last two regimes. Mubarak's political structure is described as a *"authoritarian, dominant-party system supported by a military and security establishment that severely restricts the political, social and economic activities and rights of citizens."*²⁰¹ For professional associations and trade unions under leadership of opposition groups constraints increased greatly since the 1990s, as they were incorporated under authority of Mubarak's National Democratic Party (NDP).

However, a new development took place; the emergence of human rights groups/non-governmental organizations in the 1980s, that focused on recording and reporting human rights violations committed by the government. This caused a new struggle for the government that was trying to maintain its control over civil society²⁰². As organizations proliferated and obtained more independence (also financially) from the state, doubts were created on the intentions of the foreign donors, thereby restricting funds and international involvement. Through legislation and the security apparatus, organizations faced routine control, thereby suffering from dissolution and harassment.

At the beginning of the Mubarak regime, in 1981, the Emergency Law was established, which gave the government "extensive powers to limit basic freedoms, and to

²⁰¹ Sullivan, D. J & Abed-Kotob, S. 1993. *Islam in Contemporary Egypt: Civil Society vs. The State*. Lynne Rienner Publishers London & Colorado. P. 121

²⁰² Kassem, M. (2004). *Egyptian Politics. The Dynamics of an Authoritarian Rule*. Lynne Rienner Publishers London & Colorado. P. 105

arbitrarily and systematically curb human rights in the name of national security.”²⁰³ This includes the prohibition of public association and censoring media channels. Due to this law, the government can also arrest and detain people for long periods of time, without offering them a fair trial. By condemning people through the military court, the regime does not hold itself to procedures of international standards for fair trial. Even unto the last days of its existence, Mubarak’s regime was controlling and suppressing any political threats as it created so called ‘cartoon’ institutions and parties to keep up appearances and pretend and the existence of a pluralist environment²⁰⁴.

4.1.4 Civil society during the Security Council of Armed Forces (SCAF)

After the fall of the Mubarak regime, the SCAF took over control over Egyptian society. Hereby, the newly positive relation with civil society came promptly to an end. A new period of repression and prosecution began, as several civil society organizations were raided and much restrictions were being laid on cooperation with foreign organizations²⁰⁵. Laws concerning Non Governmental Organizations designed at that time focused on imposing strict controls on foreign cooperation and funding, something that limited severely the chances for success for different organizations.

²⁰³ Hassan, A. H. (2011). Civil Society in Egypt Under the Mubarak Regime. In: Afro Asian Journal of Social Sciences. Vol. 2, No. 2.2, Quarter II. P. 13
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2346637 (accessed 20 April 2014)

²⁰⁴ Maaty, A. (2013). Civil Society a force in Egypt’s democratization.
<http://www.demdigest.net/blog/2011/04/civil-society-a-force-in-egypts-democratization/> (accessed 20 november 2013).

²⁰⁵ Behr, T. & Siitonen, A. (2013). Building Bridges or Digging Trenches? Civil Society Engagement After the Arab Spring. P. 15
www.fiia.fi/assets/publications/wp77.pdf (accessed 20 May 2014)

4.1.5 Civil society during the Muslim Brotherhood

With a new regime, even stronger than before, the civil society sphere called for reform of the above mentioned Law 84, which imposed great restrictions. But instead of a more open policy, the Muslim Brotherhood supported the draft of a new law that would harm excessively the freedom of civil society organizations. It would make it almost impossible for foreign civil society organizations to work in Egypt, for national organizations impossible to receive or provide international funding as the purposes and activities of organizations were severely controlled and limited²⁰⁶.

Although the Muslim Brotherhood repeatedly expressed its sympathy with the civil society sector, especially by underlining that their organization started the same way over 80 years ago, the new draft of the law was perceived by organizations as even more repressive than Law 84 of the Mubarak era. In an interview of the International Center for Not-for-Profit Law with a founding member of the Muslim Brotherhood's Think Tank Khaled Hamza, he states that civil society organizations working in Egypt *"focus mainly on issues of democracy, women rights, and human rights"*, issues which are not a priority for citizens²⁰⁷. Concerning the right to freely express their opposition to the government, Khaled Hamza states that:

*"everyone has the right to object to government policies through lawful means, [...] but it is unacceptable that civil society organizations express their rejection or support for policy discourses, as they become partial to a political party."*²⁰⁸

²⁰⁶ International Center for Non-Profit Law (ICNL). (2014). NGO Law Monitor Egypt. <http://www.icnl.org/research/monitor/egypt.html> (accessed 3 April 2014).

²⁰⁷ International Center for Non-Profit Law (ICNL). (2014). NGO Law Monitor Egypt. <http://www.icnl.org/research/monitor/egypt.html> (accessed 3 April 2014).

²⁰⁸ Ibid.

In practice, gave the government the right to restrict organizations on these fronts. As mentioned previously, during its year of power, The Muslim Brotherhood repeatedly reverted to new (adjustment of the constitution, control of the administrative mechanism) and old (violence) tools, in both legal and illegal ways, to repress and restrict the work of civil society organizations. In its year of power it arrested many political activists and shut down and froze many activities of mainly human rights and research organizations. Based on findings of the annual rapport of the Cairo Institute for Human Rights Studies (CIHRS), it becomes evident how civil society was limited during this period.

- The use common violence and repression towards social protest movements:
In Egypt under the Muslim Brotherhood, excessive violence on protestors against the regime has cost many lives. In response to several organized strikes, the Muslim Brotherhood resorted to violence against those groups of union members²⁰⁹.
- The harassment of civil society organizations, through legal cases or through physical attacks: In Egypt members of civil society organizations (including union activists) were subjected to arbitrary arrest, violence or dismissed from their jobs²¹⁰.

²⁰⁹ Hassan, A. H. (2011). Civil Society in Egypt Under the Mubarak Regime. In: Afro Asian Journal of Social Sciences. Vol. 2, No. 2.2, Quarter II. P. 21

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2346637 (accessed 20 April 2014)

²¹⁰ Ibid.

- The preparation of the draft legislation which ‘nationalizes’ civil society organizations, by forbidding them to be internationally supported and thus transform them into an extension of the government²¹¹.

4.2 Civil society under the current regime

Now after the fall of the Muslim Brotherhood regime, and with the ruling military force under lead of President Adly Mansour, but more influential General Sisi, the prospects for transition to a democratic environment where civil society organizations can contribute and oppose to the government, seems to be out of reach. The deterioration of human rights and the restriction on civil society organizations to fight for them, threaten to bring the country to the same state, prior to the uprisings of 2011. This becomes evident, as every week’s news reports and social media sources show further crackdown and attacks to civil society organizations. Many activists in the human rights sphere regard the harsh repression as a way of *payback* and warning, to discourage organizations to promote further change and oppose against the regime.

Under the new terrorism rage, and the promotion of stabilization, the government justifies the happenings protecting the state security. New conditions prescribe protesters to notify police forces at least three working days in advance. If public forces believe that the protest will disrupt the ‘public order’ –it is still unclear what is meant by this term- protests can be banned or postponed and the provisional imprisonment of activists is allowed²¹². A sum of violations committed by the state on civil society organizations since its ascended to power last 3rd of July, would be too extensive. Nonetheless, during the past ten months,

²¹¹ Hassan, A. H. (2011). Civil Society in Egypt Under the Mubarak Regime. In: Afro Asian Journal of Social Sciences. Vol. 2, No. 2.2, Quarter II. P. 6
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2346637 (accessed 20 April 2014)

²¹² Interview el Andalus

several shocking cases have occurred with are worth elucidating to obtain a clearer image of how the situation is developing on the ground.

One of the most shocking and controversial happenings is the mass death sentence of 638 alleged Muslim Brotherhood supporters, including its supreme leader Mohamed Badei, for violence against the state and involvement with the Islamic political group. A number of 77 of these persons are in custody, while the rest remains fugitive. The cases lacked fair trial, as defendants and lawyers were not present. "My son does not even pray, he does not even know where the mosque is,"²¹³ said the mother of her sentenced son, claiming he has no ties with the religious organization. Shortly after, the court banned the April 6 movement; a movement intensely involved in the uprisings against former president Hosni Mubrak. Being accused of discrediting the state and conspiring with foreign organizations, the organizations was officially banned. Thereby, earlier this year, the government sentenced a group of 21 Muslim Brotherhood supporter- women, aged between 15 and 25, to 11 years in prison. Though the lack of evidence, these woman are accused of violence against police forces. An "extreme" sentence, activists claim on social media forums.

Many of this happenings are possible to what organizations started to call the *war media*, in which organizations and activists are demonized and the public is presented the idea that organizations are cooperating with international spying agencies that want to destroy the state order, or that they are abusing money for their own purposes and involved in corruption. Along these lines, the government is establishing the perfect environment for the implementation of legal restrictions and crack down on civil society²¹⁴.

²¹³ The Journal. (2014). Death Sentence in Egypt.

<http://www.thejournal.ie/egypt-death-sentence-638-1437161-Apr2014/> (accessed 19 April 2014).

²¹⁴ Interview el Andalus; Interview EIPR

Subsequently, this thesis will try to explain the restrictions imposed on civil society organizations, but due to vast changing political circumstances in Egypt, first a short overview of the latest developments on restrictive laws will be given, to have a complete background.

The new constitution that was approved in January of this year, brought further changes to the current law system in Egypt. As the country was stroke by further instability and violence, new measurements of counterterrorism became a priority on the political agenda. The drawback is that, in a regime which is mainly concerned with its maintenance of power, the term *terrorist act* can easily be abused by the government for its own advantages. So in Egypt, this term is being adopted for a wide range of definitions, including vague descriptions as “disturbance of the public order” or acts as “*hindering the activities of public authorities*”²¹⁵. Extreme heavy punishments, as the death penalty or life imprisonment, have become legal means to the government. Nevertheless, regardless of the strict control mechanism, Egypt still holds a large number of organizations. The International Center for Non Profit Law, claims that it is because the country does not have the intention to eradicate the civil society sphere, but rather to increase the power of the ministry of control²¹⁶.

Up to and since the January 25 Revolution, Egyptian civil society has been submitted to the infamous *Law on Associations and Community Foundation* (Law 84 of 2002) and the *Implementing Regulation for law 84 of 2002*, by the Ministry of Social Solidarity and Justice, Decree 178 of 2002²¹⁷. Since this law was accepted, organizations have opposed against its implementation to prevent interference by the government and the control apparatus. For

²¹⁵ ICNL. NGO Law Monitor Egypt
<http://www.icnl.org/research/monitor/egypt.html> (accessed 1 March 2014)

²¹⁶ Ibid.

²¹⁷ Ibid.

the new constitution the draft *Law on Association and Civil Institutions* was passed, but until the time of writing there has been no approval, and civil society continues to be subjected to Law 84 of 2002. Article 1 of this law describes civil society organizations as:

“An association is a “group with a formal structure continuing for a definite or indefinite period and formed by natural or juridical persons, or both together, whose number is not less than ten in all cases, for a purpose other than gaining physical profit.” Thereby: “A foundation or non-governmental institution is established where a fund is designated for a definite or indefinite period of time, for the realization of a purpose other than profit.”²¹⁸

The previous constitution of Egypt was accepted by the referendum of 1971; following the changes that the Revolution brought along, several drafts have been submitted, the most recent one being sent in December last year and accepted in January 2014.

4.3 Mapping the current bureaucratic restrictions

The following figure presents an overview of the most important restrictions for civil society organizations. Under the *type of law* is mentioned what process the law exactly targets, subsequently, the explanation tries to present what it means for the organizations in practice. In his theory, Wiktorowicz states that through the use of bureaucratic restrictions, the government is able to keep a continuous surveillance on civil society and by imposing several restrictions and difficulties, civil society is hindered when trying to do its work. Thus, following the main restrictions are presented:

²¹⁸ Ibid. Law on Associations and Foundations. Law 84 of 2002.
<http://www.icnl.org/research/library/files/Egypt/law84-2002-En.pdf> (accessed 3 March 2014)

Figure 3

Type of Law	Explanation
Restrictions on establishing organizations ²¹⁹	According to Law 84 – 2002; First, all associations have to be officially registered. Second, the right for existence can be denied by the government on vague grounds, which are often subjective and arbitrary, if for example, according to the government the organization has the intention to “threaten the national unity” or work “against public order and public attitude.” ²²⁰ As vague as these intentions can be interpreted, as vague provided reasons for denial of establishment of organizations are provided by the regime. Today organizations face great difficulties when applying for the legal status. Third, the same restriction accounts for the establishment of international branch offices in Egypt ²²¹ .
Restrictions on operational activities ²²²	The state intends to prohibit informal gatherings and actions. According to Law 84 – 2002; The government has the right of interference in any internal affair of associations, thereby having the right to dissolve organizations. Security authorities can use harsh sanctions against groups and individuals and use extra-legal harassment ²²³ . First, according to article 25,

²¹⁹ ICNL. NGO Law Monitor Egypt
<http://www.icnl.org/research/monitor/egypt.html> (accessed 1 March 2014)

²²⁰ Ibid.

²²¹ Interview Sawt el Hurr: “Yes. First of all our legal status, cause it's extremely difficult for a media organization to take a license to work in this country. That's the same for all the non governmental organizations in this country, during the time of Mubarak.”

²²² Ibid.

²²³ Ibid.

	<p>the respective authority has the right to call for a meeting with the General Assembly of the respective organization. The association must send, according to article 26, a copy of used papers to the administrative authority, minimum 15 days before the gathering of the assembly. After the meeting, according again to article 26, with a maximum of 30 days, the association must provide the administrative authority with a copy of the minutes of the meeting. According to Article 40, the Minister of Social Affairs has the right to appoint members of the Board of Directors, if in his opinion there are not enough members to hold a meeting. Finally, Article 42 prescribes, that the board of directors of an organization may be dissolved if they did not have a meeting of the General Assembly for two years in a row. Second, the law allows the government to dissolve organizations on the base of subjective and arbitrary decision-making. Reasons may include the subscription to any organization outside Egypt without prior notice to the administrative authority or the threatening of the national unity or public order or attitude.</p> <p>Third, the law performs harsh sanctions, including imprisonment, for violation of the above mentioned law.</p> <p>Fourth, the security apparatus is notorious for interfering in associations and their activities. As will be put forward in the last section, and as can be perceived from the performed interviews, organizations have been violently targeted by the security forces.</p>
Restrictions on political and public advocacy ²²⁴	The state attempts to prohibit any gathering discussing political affairs. Law 84 – 2002 article 25, prohibits the involvement of non-governmental organizations in political

²²⁴ Ibid.

	<p>activity. Thereby however, there is not always a clear distinction on political or public policy activities, as the term of political affairs is very ambiguous, and thus gives the state a broad field where it can interfere. According to its convenience, the government can put sanctions on associations, which instead of advocating for political activities are supporting a case of public development. Additionally, public defamation, the creation of a public bad image, is used to cut off and suppress critics of the government. With the new media-war on civil society, as will become evident in the interviews, many organizations claim to suffer from public demonization with all its consequences.</p>
Restrictions on international ties ²²⁵	<p>Organizations need approval from the Ministry of Social Solidarity whenever joining an organization or network outside Egypt. Thereby, for individuals it may be forbidden to travel outside Egypt or they can be detained from participating in international conferences and meetings. The same legislation accounts for international organizations or individuals whenever entering Egypt²²⁶.</p>
Restrictions on the resources ²²⁷	<p>Receiving funds from Egyptian individuals requires approval from the Ministry of Social Solidarity. Receiving foreign funding is strictly forbidden without prior notice to and approval from the Ministry of Social</p>

²²⁵ Ibid.

²²⁶ Interview Andalous: "I was in America in 2012, in the beginning of 2012, when I came back the same time on my flight, Asmaa Mahfouz was coming on another flight, and we were coming at the same time, both of us working in human rights, so I've been, they kept me in the airport for like half an hour, asking me whom I'm coming with, what I was doing."

²²⁷ Ibid.

	<p>Solidarity. This process may take up to two months, and violation of the law can have dissolution of the organization as a consequence. As the interviews will show, mere accusations on this field are enough for forbidding the existence of an organization. If an association sends funds to an organization or individual abroad, advance approval from the Ministry of Social Solidarity is also required.</p>
<p>Restrictions on the right of assembly²²⁸</p>	<p>The state tries to limit collective action. President Adly Mansour approved a new law to regulate public assembly, in November 2013, thereby restricting or prohibiting gatherings in the forms of marches, demonstrations, and meetings of ten or more people. The new law forces associations to give a minimum three day prior notice, to the Ministry of Social solidarity, thereby allowing the ministry to forbid or implement harsh penalties, including imprisonment and now death penalty (as it is the case with the Muslim Brotherhood members) for vague described acts as “violating public order, impeding the interests of citizens, obstructing traffic”²²⁹.</p>

One common factor that can be distinguished amongst the above mentioned restrictions, is the obligation for organizations to operate with complete transparency. The demands of visibility, forces civil society organizations to operate openly within by the state

²²⁸ Ibid,

²²⁹ Interview Andalous: “Two weeks before, some of the youth wanted to make a dancing night in Abdeen square. And they went to the ministry of interior asking for permission, and they said no we're not going to give you the permission. Why, because if you gather this will be some kind of a protest, and we're not going to give you permission to protest. This is the main mentality.”

controllable and limited space, which is supervised by administrative and repressive techniques²³⁰. The demands of visibility are crucial as a control mechanism, since groups and activities that operate outside the sight of bureaucracy are unpredictable and therefore dangerous as they could oppose to the state. Demands from the government make the activities of organizations transparent to state officials, which reduces the possibility of unforeseen activities that can form a threat for the power position of the government. The state is thus able to regulate civil society organizations by manipulating laws that govern this sphere²³¹.

4.4 Civil society and Islam

In the lack of possibilities for political involvement, over time, different organizations have tried to protect and promote their interest to make a change with their political programs. Deepening on the forms of civil society, in the Arab world the question whether Islamist organizations form part of this web, has always been dominant²³². Especially after the election of the Muslim Brotherhood party (al Ikhwan al Muslimin) as the new government after the January 25 Revolution, much discussion urged on the underestimation and ignoring of this group. International donors bypassed this group because of the religious tendencies. Secularity is perceived as one of the most important characteristics of a successful civil society, since no preferences are made based on religious ground. Today, explaining the popularity of the Islamist group and how it could make it to the presidency, has become an academic business.

²³⁰ Wiktorowicz, Q. (2000). Civil Society as Social Control: State power in Jordan. *Comparative Politics*, Vol. 33, No.1, p. 49

²³¹ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: *Middle East Review of International Affairs*, Vol.9, No.4, p. 24-25

²³² Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: *Middle East Review of International Affairs*, Vol.9, No.4, p. 19

Its success is prescribed often to the failing of the Egyptian state. “The crash of pan-Arabic ideology in the 1950s, bankrupt socialist development models in the 1960s, military defeats to Israel in the 1970’s and declining socioeconomic conditions in the 1980s²³³”. A major force is that these organizations provide services where the state fails –or refuses– to do so, gaining also major support from the benefiting population. However, prior to and after the January 25 Revolution, major doubts still encircle these organizations²³⁴. As intentions of the Islamic sector are questioned; stating that it remains doubtful whether these organizations see democratic reforms rather as means than ends. Although in Egypt the Muslim Brotherhood Party has been forbidden for over 80 years and many of its political participants have been imprisoned, it remains a fact that The Muslim Brotherhood has been the most prominent party when opposing the state²³⁵. Through supporting a large number of grass roots, and by controlling extremely well organized organizations²³⁶, it has developed a large field of support. After the Revolution it became clear how well organized this association was, and when presenting themselves as a political party, although legitimacy on the elections are still questioned, it obtained the majority from the Egyptian population.

4.5 Conclusion

This chapter aimed at giving a better insight in the Egyptian history regarding the civil society sphere. It presented an overview of the relationship between civil society and the governments that have been in power since the military coup of 1952. As this chapter

²³³ Ibid. P. 19-20

²³⁴ Ibid. P. 20

²³⁵ Interview Hesham Mubarak Law Center: “I think Rabaa, this is a very huge number of people. Tens of thousands of people everyday, for a very long time. No one can now organize something like this.”

²³⁶ Yom, S. L. (2005). Civil Society and Democratization in the Arab World. In: Middle East Review of International Affairs, Vol.9, No.4, p. 20

engages in the discussion of the current relationship between the state and civil society, it also maps the different restrictions and their effects of organizations, to give insight how bureaucratic means can have such a big influence on civil society. This chapter ends with the description of civil society and Islam, as it is important to recognize that for a long time the Muslim Brotherhood controlled many civil society initiatives, which eventually had its consequences when a new leader was urged to fill the power vacuum, and the Muslim Brotherhood was not a forbidden organization anymore.

The following two chapters present the empirical findings. Based on the theories discussed in previous chapters and based on the legislative restrictions presented in this chapter, the next chapter hopes to make clear how this restrictions influence civil society organizations and those active in this sphere on the ground.

5 Empirical Findings: Bureaucratic Restrictions

“You can not neglect the people be killed in the streets.
You can not neglect people be tortured. You can not neglect
using the court and legal system as a political tool against your enemies.” –HMLC

After analyzing the current theories on civil society and the current policies that govern this sphere, this chapter will focus on the analysis of the obtained interview data. In earlier chapters, this thesis emphasized the importance of performing research on the ground, as these findings shed light on how the analytical subjects perceive the daily reality and what this means for them as individuals and as part of a civil society community. By having direct contact with the target group, it was possible to deepen into certain (sometimes personal) experiences of the subjects, thereby gaining more insight of what the implications of the changing regimes are for the development of human rights and democracy in Egypt.

First, the role of the civil society organizations during the different regimes will be described, according to the interviews performed with the different human rights organizations. Herein, the most important governmental issues will be described, as the main goals and activities of the targeted associations will be explained. Next, the difficult relationship between civil society and the government will be elaborated as this chapter will

elucidate the regulations that are being implemented on the civil society sphere of human rights and democracy. Thereafter, there will be a focus on the measures the government is using and if there has been a change during the last three years. Subsequently, data will be presented on the perception of organizations on the creation of Government Organized Non-Governmental Organizations (GONGOs).

5.1 The role of civil society organizations

5.1.1 What do organizations strive for?

Already since the Mubarak regime, civil society organizations in Egypt have been trying to fill in the gap of an entity advocating for democracy and human rights. Within these two sectors, many different fields, ranging from the advocacy for an independent judiciary system to the freedom of expression, are trying to fight for their rights and promote their importance of (independent) existence towards the ruling power. Since its independence from the British colonialist, Egypt has seen six different rulers each with their own agenda and expediency, nevertheless with one thing in common: the desire to be the absolute sovereign power. This has left little room for terms as democracy, human rights and freedom, as, according to many scholars, misunderstanding and misinterpretation of these values made those fighting for it enemies of the state²³⁷.

Especially after the changes that the Arab Spring brought along, organizations are more convinced and feel now, more than ever, empowered to actually mean something in the political arena. Thereby organizations implement a wide range of programs. Although limited, in order to enhance cooperation, organizations discuss researches, hold conferences and implement trainings amongst them. More widely, through the support of the

²³⁷Interview Arab Network for Human Rights Institute (ANHRI)

democratic transition and the democratic process, and for better common understanding, organizations focus on fighting the racism and discrimination in society²³⁸. Thereby there is a focus on trainings for different groups in society to educate or develop people about the new political changes; as human rights education, democracy and elections.

“We are believing that the participation of people is very important to improve the democracy situation in the country. So we are interested in facing challenges like the dialogue between different civil parts.”²³⁹

“Our organization was very interested in continuing the dialogue and we quickly tried to help the people to organize themselves in concrete associations. Because we believe that only organized people can make a change.”²⁴⁰

Organizations also started to focus on providing legal as well as personal aid for anyone his rights are being violated by the government or governmental institutions²⁴¹, providing legal aid to victims of torture, arbitrary detention and violence²⁴². Thereby personal rights and issues relating to integrity²⁴³, also became important on the agenda. As the government made several political changes, which caused division in society of those in favor and against the revolution, people felt the urge to express their voices. Organizations started to focus on the right of freedom of expression especially through strategies like direct support to victims suffering from the violation of this right. By the state these people are regarded as the opposition: “They are the enemy, enemy of human rights in general and specifically on the freedom of expression.”²⁴⁴ Organizations also started to monitor the violation of human

²³⁸ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

²³⁹ Interview Society Participation

²⁴⁰ Interview Society Participation

²⁴¹ Interview Hesham Mubarak Law Center (HMLC)

²⁴² Interview Egyptian Organization for Human Rights (EOHR)

²⁴³ Interview Egyptian Initiative for Personal Rights (EIPR)

²⁴⁴ Interview Arab Network for Human Rights Institute (ANHRI)

rights²⁴⁵ and exposing the violations that happened²⁴⁶, thus take the role of watchdog for the government, as according to the Human Rights Declarations and Conventions, the government is responsible for protecting these rights²⁴⁷.

Additionally, in an attempt to withstand abuses committed by the law system, organizations started to focus on justice and the relation with human rights; thereby aiming for a greater independence of the judiciary system²⁴⁸, and pushing the government to develop this sphere according to the standards of the international convention for human rights, to eventually create a committee that could make a new legislation for this sphere²⁴⁹. Hereby workshops to discuss the chapters of the constitution and give recommendations and improvements, are organized and participation from youth and university students is highly encouraged²⁵⁰.

5.1.2 A change in the agenda?

Since the January 25 Revolution, regimes promised change: a democratic field in which rights would be respected. Organizations had the hope to change their agenda, and made a shift towards a more liberal program²⁵¹. Nevertheless, the change in regimes did not mean a change in the circumstances for organizations, at least not for the good. The hope for changing goals and activities soon evaporated, as in the summer of 2012 Mohamed Morsi was elected as Egypt's next president. The respondent of the Arab Center for Judiciary

²⁴⁵ Interview Egyptian Democratic Institute

²⁴⁶ Interview Egyptian Organization for Human Rights (EOHR)

²⁴⁷ Interview Egyptian Democratic Institute

²⁴⁸ Interview Arab Center for Judiciary Independence

²⁴⁹ Interview Egyptian Organization for Human Rights (EOHR)

²⁵⁰ Interview Egyptian Organization for Human Rights (EOHR)

²⁵¹ Interview Association for Freedom of Thought and Expression (AFTE)

Independence gives the following explanation on the circumstances through the different regimes:

“It is the same as before. Morsi did not want to make a big change in Egypt after the revolution. They wanted to use the same associations that Mubarak used and did not want any change. For that, the human rights violations during the SCAF and the Morsi regime, were the same as under Mubarak, and they are still the same now.”²⁵²

Today activists claim that there is an escalation in the pressure on the human rights organizations²⁵³, as the critical point was not the events on the 3rd of July, but what followed, concretely; the levels of repression²⁵⁴. The same suspension of change occurred on the legislative level. As the Muslim Brotherhood ascended to power promising change and a more open-minded law and understanding rules for civil society, and after its oust by El-Sisi whom promised the same, issues with civil society organizations remained, while regimes promised that it would be different. Nevertheless, a change can be perceived on the societal level as there are groups that are resisting, in the beginning (just after June 30) on a daily basis. While the levels of repression are increasing, people are still on the streets²⁵⁵ and are not silent²⁵⁶.

5.2 Involvement of organizations in the Revolution

The previous sections discussed the questionable role of civil society during the uprisings. Some organizations stated they were involved as they met on *The Square* and discussed the situation and how they could support what was happening on the ground. Being members of different kinds of organizations, they exchanged ideas and opinions on the severe violations

²⁵² Interview Arab Center for Judiciary Independence

²⁵³ Interview Cairo Institute for Human Rights Studies (CIHRS)

²⁵⁴ Interview Egyptian Initiative for Personal Rights (EIPR)

²⁵⁵ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

²⁵⁶ Interview Arab Network for Human Rights Institute (ANHRI)

of human rights that were taking place at the moment²⁵⁷. At the same time, other organizations occupied themselves with providing basic services like water, food and medicine, sometimes offering their offices as a resting place to change or use a clean bathroom²⁵⁸. Nevertheless, except from the above mentioned involvement, there was not much organized work from organizations active on a special program during those days for further promotion of change.

“We participated in the revolution as individuals, but when you go to Tahrir Square, when I was there with my friends and looked around me, I saw different people whom I have been training or people who have been volunteering with us.”²⁵⁹

The latter part of the above mentioned quotation puts forward an important concept. Organizations felt that the revolution was partly the outcome of the buildup they had done over years²⁶⁰, and felt proud as they believed they did a good job in making people aware, empowering youth and giving them tools to protest peacefully²⁶¹. Nevertheless, as chapter 1 and 2 already pointed out, there is no evidence to claim that civil society was indeed a key factor during the revolutions.

5.3 The relationship between civil society and the state

“The main change was in the relationship to government. After the January 25 Revolution, we, like many other people, both, individually as an organization, were excited and hopeful for the elections, not necessarily with Morsi, [...] but with the process that was competitive, fairly, and he was to become the first elected president, someone for the first time in my life.”²⁶²

²⁵⁷ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

²⁵⁸ Interview Hesham Mubarak Law Center (HMLC)

²⁵⁹ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

²⁶⁰ Interview Egyptian Initiative for Personal Rights (EIPR)

²⁶¹ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

²⁶² Interview Egyptian Initiative for Personal Rights (EIPR)

Unfortunately, the reality appeared to be very different. Before the Revolution there was no access in the political arena to establish any kind of dialogue with the authorities²⁶³, but directly after the January 25 Revolution there was no restriction and an open space, as organizations were free in their actions²⁶⁴. Unfortunately, shortly after, the situation changed and it is still changing²⁶⁵. Organizations have started to claim that the situation is more dangerous than under former president Mubarak, since security forces crackdown on the human rights sphere, as they believe that they did a lot to incite the revolutions²⁶⁶.

The Association for Freedom of Thought and Expression, was one of the organizations that presented themselves as very critical towards the Morsi regime, as the largest recorded number in Egyptian history on violations of the freedom of speech was recorded²⁶⁷. After June 30, when feelings of optimism were brought back to life; “we started to be threatened by a new regime who is also violent, attacking those concerned with freedom of expression [making] the situation as complicated as it was before.”²⁶⁸ This claim is based on the fact that organizations feel to be working under pressure from the government and are now even afraid for what the state can and is willing to do against the civil society organizations²⁶⁹. Some associations put forward that they have been active in the field for over twenty years, but the atrocities committed by the government in the last period, has exceeded the numbers they witnessed before. As this resembles the willingness

²⁶³ Interview Hesham Mubarak Law Center (HMLC)

²⁶⁴ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

²⁶⁵ Interview HMLC Hesham Mubarak Law Center (HMLC)

²⁶⁶ Interview Cairo Institute for Human Rights Studies (CIHRS)

²⁶⁷ Interview Association for Freedom of Thought and Expression (AFTE)

²⁶⁸ Interview Association for Freedom of Thought and Expression (AFTE)

²⁶⁹ Interview Arab Center for Judiciary Independence

of the state to retrieve on this means, it makes the existence of organizations very difficult²⁷⁰.

5.4. Regulations imposed by the government: Bureaucratic means

On this topic there are many divergent answers. While some organizations claim to suffer from severe restrictions and attacks, other give a more moderate story of how they have been treated by the government since the January 25 Revolution. Some organizations have a reputation inside the governmental sphere of being *fiercely* active, thereby trying to mobilize groups of people and thus creating more unrest. Other organizations have a more passive agenda and focus on processes that incorporate the legal sphere, like the adjustment of legislations or the writing of new policies.

5.4.1 Restrictions on the establishment of organizations

The first issue that is going to be put forward is the problem with registration. As was mentioned in chapter 4, Law 84 of 2002 regulates new organizations. When performing the interviews, It became clear that many of the targeted organizations did not have the legal status of a civil society organization. This is due to the fact that it is a very difficult procedure to obtain this status and that organizations face less restrictions when they are registered as a company. Regarding this issue, the respondent of the Egyptian Democratic Institute explains the difficult procedure:

“We suffered for one year and a half only to get the license. We paid a lot of money. We started in the beginning of April 2011 and we got the license in July 2012. People were asking why we were registering a civil organization. It became like a challenge to us.”²⁷¹

²⁷⁰ Interview Egyptian Initiative for Personal Rights (EIPR)

²⁷¹ Interview Egyptian Democratic Institute

Thereby, once an organization is officially registered, it brings a long many consequences regarding its freedom to operate. Organizations have to operate in complete transparency and every move has to be approved by the minister of social solidarity, as is being put forward by the Egyptian Organization for Human Rights.

“We became a registered organization under the supervision of the Ministry of Social Solidarity. All our work should be approved by the minister of solidarity. All our funds should be approved by the minister of solidarity. So we are under control. Yes control for everything.”²⁷²

5.4.2 Restrictions on operational activities

Organizations are finding great difficulties whenever they want to perform their activities or start a new program. In practice this means that they do not get permission to work. The new project needs to be approved by the Ministry of Social Solidarity, as does the budget²⁷³. This is regulated according to Law 84 of 2002, in articles 25, 26 & 40. The following quotation shows how those in power are able to control and influence the civil society sphere, as many times, without legitimate ground they reject initiatives, causing stagnation for the organizations.

“Yesterday I was with the minister of Solidarity, and one of my colleagues brought a list of rejected projects asking him to approve. He told my colleague that he received a message from state security which was saying that these projects were dangerous on the national security and thus could not be approved.”²⁷⁴

Organizations claim that the consequences of the control are very severe. During the January 25 Revolution, activists of the Egyptian Democratic Institute entered the state security building and found files of their organization, thereby with *recommendations*

²⁷² Interview Egyptian Organization for Human Rights (EOHR)

²⁷³ Interview Society Participation

²⁷⁴ Interview Egyptian Organization for Human Rights (EOHR)

written on the files to “deal with the organizations as soon as possible.”²⁷⁵ This organization had faced long processes of control, which became evident in different happenings. When the organization issues a report, inspectors from the Ministry of Solidarity go to the office and look at the available records, files and budget. To pressure organizations, two or three employees stay several days a week, assessing and controlling, and subsequently often claiming, that there is a mistake to further investigate or interrogate the organization. This is something that can happen several times a year²⁷⁶.

5.4.3 Restrictions on resources

Organizations have very limited freedom when investing resources in any program. They are not allowed for example to spend the money of their donors, even if this is directly transferred to them²⁷⁷. The restrictions regarding the funding organizations were receiving and spending became much more strict during the regime of Morsi. The Minister of Solidarity has the ability to stop giving the permission for fundraising, and many organizations saw their assets being frozen and an increasing control in how they were spending the money.

Overall, through the manipulation of the system by the government, organizations feel themselves as marionettes, as can be perceived from the following quote of the respondent of el Andalus:

“When [the government] wants to look more liberal and more democratic, they give you more space. They give space not because they believe in these values, not because they are supporting democracy or civil society, but to keep up what is happening around them. “We

²⁷⁵ Interview Egyptian Democratic Institute

²⁷⁶ Interview Egyptian Organization for Human Rights (EOHR)

²⁷⁷ Interview Society Participation

are democratic, so we do democratic reforms” by giving space to the non governmental sector.”²⁷⁸

5.4.4 The use of Government Organized Non Governmental Organizations (GONGOs)

As was put forward in the theoretical chapter, the creation and the enabling of organizations for further restriction of other associations, is an easy, controllable tactic for surveillance. GONGOs have been used during the regime of Mubarak, the SCAF, Morsi and are still being used right now. Currently it is becoming easier for this government backed organizations to attack their *colleagues*, because nowadays the reasons for control are patriotic and thus ideological, as the government puts forward it is most concerned with the national state security²⁷⁹. Critique and discussion concerning this topic has recently gotten more attention as the Rabaa report was presented. The National Council for Human Rights was charged with giving an official statement on the happenings on August 14, the dispersal of the Rabaa el-Adaweya mosque. Organizations were shocked on the results claiming that:

“It is possibly the first time we operate in an atmosphere where human rights groups, famous ones, that at some time did good and decent work, are supporting what is happening and talking about how *professional* the police force acted in Rabaa, since It was carried out according to *national standards*. ”²⁸⁰

The dispersal of the Rabaa sit-in, caused wide ranged critique. When the rapport claimed that the dispersal had occurred according to national standards, objection came from different corners of the civil society sphere. Organizations felt ashamed of this claim, elucidating and putting question marks on how a human rights organization can agree with the killing of hundreds by the government. Instead of the expected criticism of organizations towards the government, by other actors in the civil society sphere, the government tried to cooperate with civil society organizations, by arranging meetings to discuss what

²⁷⁸ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

²⁷⁹ Interview Cairo Institute for Human Rights Studies (CIHRS)

²⁸⁰ Interview Egyptian Initiative for Personal Rights (EIPR)

happened²⁸¹. In the next quote, the respondent of the Egyptian Organization for Human Rights puts forward his opinion regarding the cooperation.

“Yesterday or the day before, I read in the newspaper that 19 organizations gathered in the police academy declaring the Rabaa report. I found the language they used and the terminology not typical for human rights. I mean it is related to the government, which through other organizations is trying to fill the gap.”²⁸²

Organizations focused on events during Rabaa such as the abundance of weapons that were held in the sit-in by the Muslim Brotherhood²⁸³, and state television repeatedly broadcasted images of attacks committed by the Muslim Brotherhood, thereby claiming that the bullets that actually killed members of this group could not be fired by the army due to very complicated and understandable technical reasons. There is a sphere of cooperation between organizations and the minister of Solidarity and of internal affairs²⁸⁴.

5.4.5 The war over the media

Over time, the media in Egypt has always been the outlet of the regime in power. Thereby the demand for state-propaganda or the degree of control vary notably. After breakdown of the Mubarak regime, by October of that year²⁸⁵, the space for broadcasting or publication on new important revolutionary topics like democracy and human rights, started to get severely restricted. In all the interviews that were performed, the respondents showed great feelings of concern and frustration regarding the limited space and against the harsh media campaign that is being launched against them²⁸⁶. Especially after the January 25 Revolution, many believed that the media was finally to be an open field. Under Mubarak, there was

²⁸¹ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

²⁸² Interview Egyptian Organization for Human Rights (EOHR)

²⁸³ Interview Arab Network for Human Rights Institute (ANHRI)

²⁸⁴ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

²⁸⁵ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

²⁸⁶ Interview Egyptian Organization for Human Rights (EOHR)

room for talk shows discussing (moderately) political affairs or the importance of civil society, thereby also the existence of values of *quality civility*, as was put forward in the first chapter. Several hours a week, one could find prominent thinkers (like Hafez Abu Saeda, from the Egyptian Organization of Human Rights (also targeted for an interview), who is famous for his media attention) broadcasting on television. Especially since June 30, this changed drastically: “Hossam [a prominent human rights activists] has only been on television once, and he is a superstar!”²⁸⁷. Organizations claim that on the media there is no space left for anything they want to say as the media has become a monotone channel carrying the same message, and carrying the same lies²⁸⁸.

The government has initiated a war on civil society organizations, using the media as one of the weapons, thereby not only through the restriction of their space, but also through demonization. The newspapers hold many articles on people active in the human rights and democracy spheres. Organizations are often accused of being agents with foreign agendas, spies, trying to divided the country and threatening national securities^{289 290 291}. Thereby, An atmosphere has been created of being in a time of war, thereby traitors have become more dangerous²⁹². Activists are being shown as *nagging*, and not being aware enough of the situation, since the country is supposedly fighting terrorism and associations focus only on trivial issues as they receive money from unknown (mostly) foreign funding. In some cases, even names of activists have been mentioned while proclaiming lies, all to mobilize more pressure on human rights workers or even on individuals²⁹³.

²⁸⁷ Interview Egyptian Initiative for Personal Rights (EIPR)

²⁸⁸ Interview Egyptian Initiative for Personal Rights (EIPR)

²⁸⁹ Interview Association for Freedom of Thought and Expression (AFTE)

²⁹⁰ Interview Egyptian Organization for Human Rights (EOHR)

²⁹¹ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

²⁹² Interview Cairo Institute for Human Rights Studies (CIHRS)

²⁹³ Interview Cairo Institute for Human Rights Studies (CIHRS)

“They are portraying us like if we have big fancy offices in downtown. Esraa Abdel Fatah, a political activists, was accused of driving one of the latest BMW models, while she owns a small Hyundai I10. The fancy 5000 Egyptian Pound watch she supposedly always wears, I have also never seen it. The problem is that people start believing that this is the truth.”²⁹⁴

5.5 Conclusion

This chapter focused on describing the perception of reality from the side of the respondents and how these perceive the circumstances on the ground. First, an answer is given on the question ‘what do organizations strive for?’, to describe the role of civil society from the side of those active inside the organizations. Subsequently, a description is given on the effects of the January 25 Revolution, to give insight in the statement whether any change has taken place after the Arab Spring or whether things have deteriorated or remained the same. Subsequently is described how organizations regard their current relationship with the state.

Central in this chapter were the regulations imposed by the government. This chapter focuses solely on the bureaucratic restrictions and parts thereby from the laws presented in the fourth chapter. Subsequently it presents how organizations regard the creation and the use of GONGOs and how this affects them directly. Finally, it targets the war over the media, a way of the government to demonize civil society organizations and decrease their public trust.

The next chapter will focus on the harsh means of repression and describe the impact is has on those active in the field. This chapter will end by presenting an overview of how those active in the different organizations see the future for Egypt’s civil society.

²⁹⁴ Interview Egyptian Democratic Institute

6 Empirical findings: Violence for repression

“If you need violence to enforce your ideas, your ideas are worthless.” -Unknown

In this chapter the implementation of harsh means of repression will be analyzed, putting the experiences of the interview subjects central. Over time, the government has always used violence to control its opponents, and as was mentioned before, the death of Khaled Said due to mistreatment by police forces, was one of the triggers of the January 25 Revolution. Many believed that after the country had experienced major changes, the government would not enjoy impunity anymore, but the truth was that short after the SCAF became the governmental power, new cases of repression through violence were taking place. Under former president Morsi, as was stated in the chapters before, the situation did not improve and arbitrary violence seemed to be more severe and appeared to be at the order of the day. When this regime was toppled, the new government continued the same violent road, now especially against those supporting the former Islamic regime, thereby leaving many injured and new records of death sentences. Civil society organizations face different grades of violent repression. While some claim to have been harassed and imprisoned,

others state that this has not happened to them and despite they have some fear, they do not directly believe they will be attacked.

6.1 Harsh repression

The reactions concerning the topic of violent repression were divergent. While some organizations claimed that they had not faced direct violent threats, others narrated extensive stories on their experiences and influence this measure has had for their organization. Nevertheless, there is an overall agreement that the law concerning civil society organizations is becoming more and more repressive, and that the security apparatus is operating according to this same trend²⁹⁵, as the violence against individual activists as well as against civil society organizations started to increase^{296 297}.

“During the first 200 days of Morsi’s term, there were 24 cases against journalists and writers insulting the president. That equals the number of cases during 115 years.”²⁹⁸

Even when organizations claimed not to have suffered from any direct attacks, they stated that the government was surrounding them, in order to not move²⁹⁹. It has to be mentioned that despite the changes, organizations have always faced threats and have been working under difficult conditions:

“It has never been a peaceful time for us, in 1989 it was the first time that three of our board members got arrested. In 1992 one of our board members was also put in jail because of raising the question of torture inside the prisons. In 1997, it was me. I raised a report on the torture of Christian people in upper Egypt.”³⁰⁰

²⁹⁵ Interview Cairo Institute for Human Rights Studies (CIHRS)

²⁹⁶ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

²⁹⁷ Interview Cairo Institute for Human Rights Studies (CIHRS)

²⁹⁸ Interview Arab Network for Human Rights Institute (ANHRI)

²⁹⁹ Interview Society Participation

³⁰⁰ Interview Egyptian Organization for Human Rights (EOHR)

“We have been working for over 20 years under attacks, this is not the first time. But to our surprise, we did not believe that the civil society sphere would be under attack after the revolution, and this is exactly what is happening, this makes it a different situation. Sometimes I feel that at any time we can be arrested.”³⁰¹

The members of the regime continued to use the security apparatus³⁰² for control and the implementation of fear; and thereby the feeling amongst organizations of being attacked or arrested is rising. One of the organizations that suffered the most from the harsh repression was the Hesham Mubarak Law Center. During the revolution, the raiding started firstly on the international organizations, which during the revolution had many difficulties in keeping their doors open. Subsequently, local organizations which were being perceived as a threat, also started to notice the changes. During the raids, computers were destroyed, files and other delicate information confiscated, and the available money was taken³⁰³.

“During the revolution, the army attacked our office and arrested 35 persons, I was one of them, for three days. Now, every week one of our lawyers gets beaten in the police station, as if we became the enemy of the people.”³⁰⁴

As workers feel more threatened, it has an impact on the position they take in for an organization at the current moment³⁰⁵. Some respondents shared very personal and emotional stories, as they recalled memories of their difficult times. Nevertheless, none of the respondents claimed to even think about quitting their work due to the possible consequences.

“All of us we work, and we know there is a high risk in what we are doing.”³⁰⁶

³⁰¹ Interview Arab Center for Judiciary Independence

³⁰² Interview Arab Center for Judiciary Independence

³⁰³ Interview Hesham Mubarak Law Center (HMLC)

³⁰⁴ Interview Hesham Mubarak Law Center (HMLC)

³⁰⁵ Interview Cairo Institute for Human Rights Studies (CIHRS)

³⁰⁶ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

“Although we feel that we can be arrested at any moment, we are preparing ourselves for that. We understand our situation in Egypt after the revolution.”³⁰⁷

“I am angry but not afraid. I have been in prison for four times. I know what the limit is, I know what can happen. I have experience with the prison.”³⁰⁸

While organizations as well as individuals suffer from these measures on the ground, the government accuses the activists of being involved or wanting to expose trivial issues: “while the country is involved in such important matters as *fighting terrorism*, and as officers and soldiers are dying.”³⁰⁹ It cannot be denied that the country is going through very tumultuous times, and the unrest is increasing. The problem that this brings along is that governmental bodies are using this situation in order to wide their authority and use different kinds of violence against the people³¹⁰. Attacks against the civil society sphere are being justified and the government is presenting a wrenched image to the media concerning these issues.

6.2 The consequences and influences of repression

What does this sphere eventually mean for the civil society organizations? This was one of the research questions put forward in the introductory chapter. Despite the many difficulties organizations are facing, there is no feeling of resignation. Nevertheless organizations are aware they need to be very conscious and wise enough to watch their steps, to not be prevented from their activities³¹¹. Thereby organizations claim, that when opening the discourse, there has to be knowledge on how to convey your message, to avoid being trapped or face any problems with the national security³¹². In practice this means that activities or reports are being over thought, to not make the security apparatus crack down

³⁰⁷ Interview Arab Center for Judiciary Independence

³⁰⁸ Interview Arab Network for Human Rights Institute (ANHRI)

³⁰⁹ Interview Arab Center for Judiciary Independence

³¹⁰ Interview Society Participation

³¹¹ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

³¹² Interview Cairo Institute for Human Rights Studies (CIHRS)

on the organization. Some organizations chose to delay reports or to remain silent, as they believe the price is too high and the question of the obtained benefit has to be put central³¹³

³¹⁴.

“If the price is to shutdown, [you have to ask yourself] if it is fair to sacrifice the institution and the people working. This has become a daily question inside the department of civil society organizations.”³¹⁵

For organizations this is a difficult task, as they feel torn; enormous atrocities are taking place, there is an unprecedented number of people killed and injured or in prison but at the same time there is no space to present the “counter narrative.”³¹⁶

6.3 What holds the future?

As much uncertainty there is regarding this topic after more than three years when the first upheavals started, as much different visions organizations provide on a possible future scenario. In general there is a sentiment of fear for the unknown, which makes people go back to what is familiar for them; a leader figure that can be their savior³¹⁷. At the same time, prominent representatives of society, such as spiritual leaders are influencing the peoples mentality by presenting, in this case el-Sisi is someone “given from God, an angle or someone like Moses, Jesus or Mohamed that has come to save Egypt”³¹⁸. Much discussion was raised on this perception, as before the referendum of January 14, one of the leaders of the Coptic church claimed that:

³¹³ Interview Cairo Institute for Human Rights Studies (CIHRS)

³¹⁴ Interview Egyptian Initiative for Personal Rights (EIPR)

³¹⁵ Interview Cairo Institute for Human Rights Studies (CIHRS)

³¹⁶ Interview Egyptian Initiative for Personal Rights (EIPR)

³¹⁷ Interview Arab Center for Judiciary Independence

³¹⁸ Interview Egyptian Democratic Institute

“If you say yes to the constitution, more gifts will be delivered. This is crazy! And actually I am still awaiting the gifts as I did not see anything good until now.”³¹⁹

This developments eventually present two scenarios. First, if el-Sisi finds great support, there can be a kind of reform which is more tolerant towards an open space and different prevailing opinions. “This guy [el-Sisi] is smart, he will not start with an attack, but also he is not willing to give us [the civil society sphere] more space, we will keep working in the same way.”³²⁰ Now that his popularity is discussed, there is a puppet show on cooperation with civil society and bringing about any change. On the contrary, if after a while he feels that his popularity is growing and people are supporting him more than they do now; “he will be attacking us more.”³²¹ “There will be an overall policy towards further control of the public space, thereby leaving no freedom of expression or space for human rights.”³²² “It will depend on how the state wants to deal with the civil society organizations in the current moment.”³²³

At the same time, supporters of el-Sisi are starting to be the enemy of the revolution and to “kill the revolution.”³²⁴ by supporting the old faceted regime. Nevertheless, this future perspective also shows a new development on political ideas. Organizations share the view that it is too late for any government to stop and silence the sentiments and the movements that have been present in society for over more than thirty years³²⁵. The oust of former president Mohamed Morsi indicated a peak of support towards the new military

³¹⁹ Interview Egyptian Democratic Institute

³²⁰ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

³²¹ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

³²² Interview Association for Freedom of Thought and Expression (AFTE)

³²³ Interview El-Andalus Institute for Tolerance and anti-Violence Studies

³²⁴ Interview Arab Network for Human Rights Institute (ANHRI)

³²⁵ Interview Egyptian Initiative for Personal Rights (EIPR)

power, but on daily basis this support is declining³²⁶. Repression works, but “I have seen it work for many many years, and I do not think it will work here as what is happening is not sustainable.”³²⁷

“A policy of a state can not depend only on the security police to control society, this means you will fail. The Muslim Brotherhood and its supporters, we speak about around 500.000 people to one million. You cannot succeed to silence and kill this massive number.”³²⁸

Therefore in the short run, circumstances for civil society organizations can deteriorate as they become more limited. But on the long run, civil society organizations believe it is hard for an autocratic regime to come back, as: “The Egyptian people in general and in particular the young generation, would not tolerate repression or a new style of repressive or authoritarian regime.”³²⁹

6.4 Conclusion

This chapter elucidated the implementation of the violent means of repression by the state. Several activists active in the civil society sphere shared their stories and thus it has become evident what the implementation of violence means for the development of democracy and human rights. Organizations are not very optimistic about the future, as they believe that the military regime represented by Sisi will recur to old means of governance, thereby leaving no space for them. There is a grounded fear that circumstances will continue to deteriorate, as especially violence has increased over the last time. There is a common believe under organizations that the government will keep them on the edge of what is acceptable for them in order not to revolt, but at the same time, not giving them any space

³²⁶ Interview Egyptian Initiative for Personal Rights (EIPR)

³²⁷ Interview Egyptian Initiative for Personal Rights (EIPR)

³²⁸ Interview Hesham Mubarak Law Center (HMLC)

³²⁹ Interview Cairo Institute for Human Rights Studies (CIHRS)

for the implementation of further change. The next chapter presents the conclusion and the further recommendations of this thesis.

7 Conclusions and Recommendations

This thesis has described several theoretical perspectives regarding civil society and its capacity of taking the role of countering an authoritarian regime. Thereby different views were put forward and a focus was made on the theories of Wiktorowicz and Yom who argue that civil society is not capable to cure *the illness of Arab societies*. The importance of the history of the relationship between the state and civil society was presented and based on the findings obtained by the performed field research, a description was given on the current circumstances for civil society organizations on the ground since the January 25 Revolution. This final chapter aims to put the results in the theoretical context to subsequently answer the research question:

How does the government restrict civil society organizations focused on human rights in post revolutionary Egypt?

This research sought to answer this question through the analysis of empirical data, collected through field research during different time periods in Egypt in the cities of Cairo and Alexandria. Thereby, the findings were placed according to the designed methodological framework in the theoretical context that supports the claims and findings of this thesis, which state that civil society in Egypt is not capable of countering the authoritarian state as

civil society is restricted through the use of bureaucratic means and forms of harsh repression.

7.1 The role of civil society

In the second chapter it was elucidated that the role a civil organization takes, is very determining for its relationship with the government. As different forms of civil society in the Middle East were elaborated, it became clear that some organizations are perceived by the government as a major threat, as they fear these organizations will destabilize their power position. According to the prevailing literature, organizations taking the role of public interest advocates under an autocratic regime, become watchdogs for the state, as their optimal development, through exposing atrocities, would pressure regimes to an extent that they feel obligated to perform liberal changes. Recent theories argue this statement, while explaining that despite large-scale support the civil society sphere in Arab countries has received, no major changes have taken place.

As the Arab Spring toppled several regimes, one cannot argue that the situation in these countries remained the same. Nevertheless, the point of discussion is whether civil society organizations played indeed a significant role during in these changes. This thesis does not hold an extensive research on the involvement of civil society organizations during the January 25 Revolution and the June 30 revolts. Nevertheless, one of the questions of the interview which was done with the civil society representatives asked for their vision on their role during this important time periods. On the overall, organizations felt proud as they stated they felt they had had a role in cultivating principles of democracy and the importance of human rights. Nonetheless, no specific projects or activities were mentioned as activities that supported the changes of the revolution.

Although theories of a less sanguine view on the capacity of civil society are gaining more support, organizations on the ground still take the role of countering authoritarian regimes, thereby encountering great resistance from the state through bureaucratic means, demonization over the media and control through other organizations, as well as through threats, physical harassment and gross violations of human rights.

7.2 Restrictions imposed by the government

Chapter 5 presented an overview on the restrictions imposed by the government on the targeted civil society organizations, to give a concrete meaning on the relationship between civil society and the state and the influence these developments have on the civil society sphere. While many believed that the January 25 Revolution was a turning point in the attitude from the government towards the civil society sphere, reality showed that restrictions and threats were still implemented, now even more severely, just by another regime. Since the removal of power of former president Mubarak, the different governments continued implementing bureaucratic restrictions, making it for organizations very hard to gain legal status, to perform their activities and to have access to their funds. This had as a consequence that organizations see themselves hindered to perform their goals.

The use of harsh means of repression seem to escalate continuously. Civil society organizations claim to always have suffered from violence from the regime, whereby several offices have been raided, organizations have faced threats and activists have been imprisoned. The main difference they currently experience, is that violence is justified from an ideological perspective. Through overt attacks in the media, the government tries to

demonize the civil society organizations, thereby creating a hostile environment amongst society for these associations.

Government Organized Non Governmental Organizations are helping the government to control civil society, thereby creating a false image of the reality on the ground. Much discussion arose with the publication of the report on the occurrences during the dispersal of Rabaa el-Adaweya by the National Council for Human Rights. Respected organizations cooperated with the government, creating a false image of the committed atrocities.

The consequences this means of repression have for the civil society sphere are very notable. Organizations put forward that they are afraid of attacks by the government and thus sometimes make the choice to remain silent instead of putting themselves or their organizations at risk.

Perspectives on the future for Egyptian civil society are divergent. On one hand, people are holding on to the image of a powerful leader that will be their savior. At the same time, they do not recognize that this position assigns a lot of power to the yet to be proven hero el-Sisi, eventually giving him the position of the autocrat the people removed from its *throne* over three years ago.

7.3 Recommendations

To conclude, this thesis makes recommendations for the different actors involved and for the continuance for further research, to keep linking the developments of the Egyptian civil society sphere with the developments in the current dominating theories. As the current situation seems to be very unstable and many changes are taking place simultaneously, it is important to keep up to date documentation for further research.

7.3.1 Recommendations for the government

This research has shown that civil society organizations find great difficulty when engaging in political decision making concerning democracy and human rights. For the government, it is crucial to recognize the importance of the civil society sphere active on the field of democratization and human rights. These are two terms that cannot be regarded separately. The term democracy is currently a favorite expression for those running for the next presidential elections. Democracy is in total conflict with the old authoritarian regime and is therefore symbol for change and new hopes. As human rights should develop in an optimal condition under this political form of governance, they are intertwined with democratic development. Therefore this values have both to be respected and tolerated in a new governmental term instead of being perceived as a threat for state power and control. Hereby, as in society there are different groups who all have their different interests, and since inside a democracy they should be able to let their voice be heard, to subsequently take their request to a higher level and have an influence on the political ground, civil society cannot be excluded from the political arena nor can its existence be oppressed.

7.3.2 Recommendations for civil society organizations

For civil society organizations it is important to keep fighting for their space. As they form a vital part of a democratic society, they cannot be absent from the next government in Egypt. The overall impression that was obtained from organizations was a very positive one. One that despite several restrictions is very determined in not surrendering or giving in on their space towards a new regime. What was remarkable was that there was not a real feeling of large cooperation between the different active organizations, something that could enhance the effectiveness of civil society remarkably. As organizations share more on their

experiences of external pressure and imposed barriers, they could figure out a ground where they can move more freely to implement and develop their activities, as it becomes clear that countering an authoritarian regime is still a bridge too far.

7.3.3 Recommendations for further research

For further research, firstly it is important to keep up with the rapid changing developments on the ground. As the situation is so unstable, many developments take place on a fast level. Thereby, due to time and space limitations, and partly also due to inexperience, this research does not present a complete overview on the topic. It would be interesting to compare an even wider range of organizations over a bigger space in Egypt. Thereby characterizing the organizations more precisely than has been done now, to be able to provide a more trustworthy and complete overview on the relationship between civil society and the state.

In this tumultuous times, this research targeted a very sensitive topic. Although not completely clear in the beginning, it slowly became clear how sensitive the current relationship is between civil society and the state. Civil society organizations are widely regarded as activist, and somehow it seems that people have forgotten the values of the Revolution, values that these organizations are trying to keep alive. Whether this is a consequence of the media attack by the government? It could be. It becomes clear that people are still ignorant concerning topics of change and democratization and therefore have the tendency to have the belief in this one leader, which is going to be El-Sisi, and follow blindly his prescriptions on what society should believe.

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