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Editor's Note

We inaugurate the Harvard Journal of Middle Eastern Politics & Policy amid epochal changes in the Middle East and North Africa. The Journal's mission — to contribute thoughtful, policy-relevant analysis on regional politics and international affairs — has rarely been so critical to policymakers and the academy.

In our first edition, our authors offer some preliminary conclusions about why the uprisings across the region occurred, their current politics, and what we can glean from them. Ishac Diwan explains the impetus behind the recent uprisings in the context of Arab authoritarianism. David Mednicoff explores different ways in which law and politics have worked together to facilitate democratization in the Arab world.

Two commentaries explore the role of religion in the state. Mara Revkin draws inferences from the Salafists' success in the Egyptian elections, and Matthew Cohen offers lessons of the Turkish model of Islam and politics.

We are pleased to include two interviews with leaders from the region. Amr Al Azm of the Syrian National Council provides an update of the politics of opposition in Syria, and Amr Darrag of Egypt's Muslim Brotherhood describes the Freedom and Justice Party's legislative agenda.

We also hope to return discourse on the Middle East to some of the most pressing questions encountering policymakers before the recent uprisings in order to emphasize those questions that have not received their due attention in the past year and a half. Nora El-Nawawi, Teresa Chahine, Nadeem Al-Duaij, Ali Hamandi, and William Bean review challenges of health policy in the Middle East, arguing that the Arab uprisings have made space for long-needed reforms in health policy. Storytelling and its impact on shaping Arab political identities is the focus of Mina Al-Oraibi's analysis.

Policymakers today must reckon with the most extreme reordering of political structures since independence was achieved across the region from the 1940s to 1960s, while balancing preexisting public challenges. The authors in this journal have sought, in short, to begin the process of addressing these multifaceted problems.

Duncan Pickard & Daniel Tavana

Editors-in-Chief

Harvard Journal of Middle Eastern Politics and Policy

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Modern-Day Stories: The Evolving Role of the Media in Solidifying a Cultural Arab Identity

BY MINA AL-ORAIBI

Storytelling, in its various forms, is intrinsic to solidifying, and at times creating, collective identities. Whether it is the story of a family passed down from father to son or that of a nation fighting for its independence, the sense of sharing a collective past, present, or future brings people together. One of the greatest collections of these stories is One Thousand and One Nights, the preeminent fable passed down through generations in the Arab world, with tales woven from various Arab cities along with those of Persia and South Asia. Many modern stories are rooted in One Thousand and One Nights or take inspiration from it. While there is much debate around the history and origins of One Thousand and One Nights, it is important to note the strong connection of the lauded tales to a historical sense of identity that has endured for hundreds of years. It helps to highlight the role of storytelling in forging the identities of many peoples in the Middle East region and especially amongst Arabs who consider oration and poetry to be amongst the most distinguished of skills.

While the hakawati, or storyteller, had an important role to play before the era of mass print or television, in more recent history, Arabs and Arabists in the Middle East and beyond have been brought together by another variety of storytelling—one provided by the media. Whether through mediums of print, television, or digital, news content played a significant role in shaping Arab opinion in the twentieth century and continues to do so in the twenty-first. The historic events of 2011, starting with the Tunisian "Jasmine" revolution and spilling into Egypt, Libya, and beyond, are a prime example of a cultural identity intensified through events and the news of those events. The uprisings that were inspired from one Arab city to another were captured through various media—from mobile phone cameras to constant television coverage—and carried across the world. While it is impossible to highlight one singular factor in explaining the revolutions and uprisings of 2011 and 2012 in the Arab world, the media facilitated the regional ripple effect, following and publicizing every moment and evolution.

The bonds, direct or indirect, that are formed as a result of news sharing are of paramount significance. In his seminal work, Imagined Communities, Benedict Anderson (1991) makes a compelling argument about the way communities are forged based on a collective sense of understanding. His emphasis on the printed word and its role in fostering "imagined communities" resonates both historically and in the present day. Anderson explains how "print-as-commodity is the key to the generation of wholly new ideas of simultaneity" that came to play an integral part in developing national consciousness (Anderson 1991, 38). The element of "simultaneity" is as important as the "commodity" of news itself: an experience is magnified with the understanding that others are going through it, too. The significance here is the consumption of the same news item on a widespread level, even though it is accompanied by varying individual reactions.

Readers and audiences in general form a kinship with others in the same audience, often without even being conscious of the realities of this bond. Paul Vierkant from the University of Berlin builds on Anderson's analysis, explaining that "the reader—being aware of this indirectly shared experience—imagines his community of fellow readers" (2005, 2). The "community of fellow readers" of Arabs, and more recently fellow viewers, now shapes a distinct feature of what is often named the "Arab street." It must be noted that there are several negative connotations with the term "Arab street," including a criticism that the many cities and countries of the Arab world cannot be considered one street, while others see it as an extension of the imperialist view on Arab societies. Yet this reference has been used in a new context as the "Arab street" came to life with demonstrations and popular expression in 2011. And this movement, which dominated newspaper headlines, took over the news bulletins of major Arab satellite broadcasters and injected new dynamism in social media exchanges. It has become the focal point of a new sense of identity for many Arabs. While the actual events were of considerable significance domestically, the instant and constant discussion of the developments in one country had an immediate impact across borders. This is especially true at the start of an uprising. Key slogans like irhal, meaning depart, were picked up from the chants of demonstrators in the streets of Cairo and Sana'a, inserted in messages online, and written on banners of protestors outside the embassies of unpopular governments in London and Washington, DC. One word, chanted by activists thousands of miles apart and enforced by the media's repetition, became a rallying cry for revolution. As the Syrian uprising developed, many protestors began to carry placards with slogans directed at specific countries, particularly Arab states that expressed opposition to the Syrian regime, in order to get their message across the airwaves and through cyberspace. The sharing of this experience via media around the world has created a sense of affinity that had appeared to be missing amongst many Arabs who were riddled by strife and conflict by the end of the twentieth century.

It is important to distinguish between cultural bonds that create affinity between different peoples and Arab nationalism. Without a doubt, there

are many cultural differences between Arabs, according not only to their nationality but also to their sect, religion, or socioeconomic circumstances. Furthermore, there are clear distinctions in cultural backgrounds and experiences between Arabs living in Arab-majority countries and those who are part of the Arab diaspora around the world. And yet, various components such as language and aspects of a shared heritage constitute links between these communities. While there are many aspects to be considered regarding Arab nationalism, or qawmiya—especially with the numerous critiques of Arab politicians that have used nationalism for opportunistic ends, including that of Egypt's former President Gamal Abdel Nasser—the aim here is not to credit or discredit Arab nationalism. Rather, there is a need to acknowledge threads of commonality and cultural experience forging an identity amongst Arabs and Arab-language speakers.

Adeed Dawisha explains the application of the term "nation" in writing about Arab nationalism as being "a human solidarity, whose members believe that they form a coherent cultural whole, and who manifest a strong desire for political separateness and sovereignty" (2003, 13). He explains that the "linguistic, religious, historical, and emotional bonds that tie the Arabic–speaking people to each other" lead to a "cultural uniformity that would be termed Arabism"; he differentiates this cultural uniformity from "Arabism with the added element of a strong desire (and preferably articulated demands) for political unity in a specified demarcated territory—that is what will be termed Arab nationalism" (2003, 13). While Dawisha speaks of "cultural uniformity," it is Arabism in its most inclusive terms that is embraced by Arab-language speakers, Arabs and non-Arabs alike, and it is this Arabism that is reinforced by the Arab-language media.

While cities and countries have their own distinct dialects, written Arabic is standardized in fus'ha, formal or classical Arabic. This helps unite Arabs through the written word. It is also the dialect used in news bulletins and broadcasts, which again have made pan-Arab channels accessible to an estimated 330 million Arabs worldwide (United Nations Population Fund 2011).

Media outlets allow Arabs in their home countries and abroad to sustain this Arabism, particularly through the written word. The two prime pan-Arab newspapers, Asharq Al-Awsat and Al-Hayat, are both based in the United Kingdom but have a deep reach within the Arab world. Asharq Al-Awsat was established in 1978 in London, while Al-Hayat was initially set up in 1946 in Beirut, though the Lebanese Civil War forced its closure in 1976. It was refounded and began publishing again in 1988 from its new base in Kensington, London. Both newspapers describe themselves as "pan-Arab" and continue to attract readership the world over. And while the past twenty to thirty years have seen the rise of serious competition through satellite and Internet news sources, the two newspapers' Web sites allow them to maintain significant influence.

Beginning in the 1980s, the common pan-Arab newspapers were vastly improved with the advent of satellite channels. While Asharq Al-Awsat was the first Arab-language newspaper to transmit its pages via satellite to four-

teen cities, pan-Arab channels were beamed directly into homes all over the world thanks to satellite television technology (Asharq Al-Awsat n.d.). It is no exaggeration to say that satellite television revolutionized information generation and consumption for the Arab world. When MBC (Middle East Broadcasting Center) Television launched from London in 1991, becoming the first free-to-air Arabic satellite channel, it captured millions of viewers in the Middle East, Europe, and the United States. Its workforce was a mix of journalists from across the Arab world based primarily in London. Rather than directing coverage to local audiences, MBC set the stage for a new era of satellite television that is today dominated by Al Jazeera and Al Arabiya, broadcasting to an Arab-wide audience.

In addition to pan-Arab newspapers and satellite channels, radio is another form of traditional media that crosses boundaries to reach out to Arab audiences and helps in forging a cultural identity and experience. Radio played an intrinsic part in the pan-Arab nationalism that swept the Middle East in the twentieth century and connected its Arab-language audiences. The famous "Hona London" opening, which translates to "This is London," is a well-known phrase that was spread on the airwaves through BBC Arabic radio service, which was launched in January 1938 and continues to reign today amongst Arab-language radio channels.

In July 1953, a vital new radio station was added to the airwaves, Sawt al Arab, which translates to "the Voice of the Arabs" (James 2006). It carried the songs of the time, particularly those of the legendary Egyptian singer Uum Kalthoum, across the Arab world long before the time of widespread television. This allowed Arabs in various countries and from different socio-economic backgrounds to share the experience of listening to the singer's songs. Politically, Sawt al Arab was a key tool that Egyptian leaders (most prominently, Nasser) used to spread their revolutionary doctrine. Sawt al Arab was later largely discredited as a propaganda tool, especially after it was discovered that its reports of a "glorious victory" in the 1967 war against Israel were false and led to devastated expectations after the harsh defeat of the Arab states in the war (James 2006).

In more recent times, the Arab radio station funded by the U.S. government, Radio Sawa, has been much more successful than the American-funded Arab-language satellite channel Alhurra, which translates to "the Free One." Mixing music with brief news bulletins broadcast throughout the Arab world, Radio Sawa reaches twelve countries on FM transmission and an additional seven countries via AM transmission.

The spectrum of Arab-language media outlets today is vast, particularly in terms of political aims and funding. Yet overall, they have collectively become instrumental in fostering ties between Arabs. The events of 2011 took this shared experience to a new level, while maintaining the same basic premise of shared identity through the written word. However, this word was no longer printed in a newspaper issued and distributed daily; it was typed electronically and dispersed in cyberspace within seconds around the world. As social networking sites became a critical source of information for the historic developments of the Arab revolutions and uprisings, the

Internet quickly became the center of shared experiences between activists and reporters not only in a particular country but region-wide and beyond.

Of course, the phenomenon is not only restricted to the Arab world, as trending topics on Twitter—those defined by a hashtag—are quickly picked up by millions of users worldwide. Twitter users discuss everything from pop songs to international affairs, but trending topics are now split according to location classifications. Twitter Web designers have selected the United Arab Emirates (UAE) as the sole location in the Arab world to reflect Twitter users' trending topics in the region. On 19 February 2011, the most trending topic was "KhaderExists," in reference to Khader Adnan, the Palestinian detainee in an Israeli prison whose hunger strike captured news headlines and conversations amongst Arabs and Arabists around the world. This conversation was not restricted to Palestine and Palestinians. When news of the Israeli Supreme Court's decision to release Adnan was sent out, satellite channels and Internet streams instantly carried the news, while iconic headlines and photos were published the following day in Arabic-language newspapers. The images of the success of a nonviolent act of resistance were poignant as they were carried in the Arabic language to audiences in the region and beyond.

While Web sites and social media play an instrumental role in news gathering and dissemination, satellite channels are the true provider of Internet messages to millions around the world. YouTube videos and messages released on Facebook pages reach millions as they are reported in news bulletins. As Internet penetration in the Arab world remains low, satellite television is the main medium to send simultaneous messages out and create mass impact. While recent statistics show that 35 percent of households in the Middle East have Internet access, there is great disparity between various countries. According to the United Nations' International Telecommunication Union (ITU), 78 percent of the UAE's population has access to the Internet, while Iraq's Internet penetration stands at 2.5 percent (ITU n.d.). On the other hand, it is rare to pass a house in the vast majority of urban centers in the Arab world without a trademark satellite dish on its roof.

One significant example of the value of merging various types of media to carry messages emerged during the Egyptian revolution of 2011, when the "speak to tweet" initiative brought volunteers together from various cities to transcribe and translate phone messages from Arabic to six different languages. When the regime of former Egyptian President Hosni Mubarak decided to shut down the Internet on 27 January 2011, at the height of the Egyptian revolution, Arab activists the world over got together in a crowdsourcing project to transcribe and translate short messages from Egyptian callers and send them out as tweets. The tweets were sent out in Arabic to maintain pressure on the Egyptian regime and translated into other languages like English, French, and Italian to raise awareness. It was a moment of coming together of Arab voices for a cause—not one defined by Arab nationalism but one that was moved by a sense of Arab youth solidarity.

It is worth noting that many Arabs from urban centers in Arab countries are fluent in English and often use it as

a preferred language, especially online. A book released a few months after the Egyptian revolution in order to chronicle the events of the revolution is titled Tweets from Tahrir, but interestingly, the authors chose to select English-language tweets by only those living in Cairo to tell the story of the revolution (Idle and Nunns 2011). The authors explain that "in Egypt, those with laptops and smart phones are the more affluent in society, among whom the use of English is quite common. These were the people who discussed the events online, although on the ground they were part of a much wider movement that included the urban poor" (Idle and Nunns 2011, 15).

Traditional Arab journalists, writing in newspapers like Asharq Al-Awsat and broadcasting on stations like BBC Arabic, are now complemented by active bloggers, social media activists, and writers like Sultan al-Qassemi, a UAE-based commentator who reached celebrity-level status through his Twitter feed and blog. While diverse in their outlooks and media, these varied actors are competing for the attention of an audience spread across Arab countries and all over the world through the Arab diasporas from Turkey to Australia. Reza Aslan describes the writers of the Middle East region from 1980 to 2010 as coming from "an era that has witnessed the rise of a new and globalized generation of writers unburdened by many of the political and religious preoccupations of their literary forebears yet nevertheless still grappling with similar issues of personal identity and social inequality" (Aslan 2011, xxii). While Aslan here is speaking directly to literary developments in the region, the writers represent a "globalized generation," defining contemporary issues while simultaneously carrying on the heritage of their predecessors.

The strength of the collective result of Arab media cannot be overestimated. Both Arab and non-Arab governments are conscious of this fact, today more than ever. Whether it is the U.S. State Department's Twitter account titled "USA bilAraby," which means "the United States in Arabic," or whether it is countries like France, China, and Russia setting up their own satellite channels in the Arabic language, the competition for the attention of Arab audiences is unprecedented. This threatens to create a fragmentation of the identity of the audience, yet the threat pales in significance when comparing the benefits of multiple sources of information being developed in the Arabic language.

Thomas L. Friedman coined the phrase "the world is flat," in his book of the same title, to epitomize trends created by globalization in the twenty-first century. While there are arguments for and against this characterization, Friedman's points regarding the potential that technology and travel has for bringing people together are highly relevant in the study of identity and collective experiences. Friedman argues that "one of the unintended consequences of the flat world is that it puts different societies and cultures in much greater direct contact with one another" (2006, 479). This applies to the mosaic of Arab identities, whose variations can be based on socioeconomic, geographic, sectarian, or other factors, determining their state-specific attitude and sentiment. And yet, Arabism perseveres beyond state boundaries because of the power of communication, specifically defining elements

such as media headlines, broadcasts, and tweets in the Arabic language.

Modern-day media, in an era of twenty-four-hour news cycles and citizen journalism, continues to play a paramount role in defining not only political opinions but also identities, unconstrained by nationality or citizenship. Storytelling, in breaking news bulletins or in-depth features, continues to evolve while maintaining its traditional status in bringing together Arabs near and far.

Mina Al-Oraibi is Assistant Editor-in-Chief of Asharq Al-Awsat, the international daily newspaper. She was previously Washington, DC, Bureau Chief for Asharq Al-Awsat, where she was based until November 2011. Her recent work includes a series on Iraqi refugees, American policy toward the Arab Spring, and high-profile interviews, including one with Iraqi Prime Minister Nouri al-Maliki. An Iraqi-Briton, Al-Oraibi was born in Sweden and raised in Iraq, Australia, and Saudi Arabia before moving to the United Kingdom. She was awarded a distinction for her MA history dissertation on the 1958 coup d'etat in Iraq from University College London, where she also completed her BA in history. Al-Oraibi is a member of the Global Agenda Council on the Arab World. The World Economic Forum named her a Young Global Leader in 2009. Foreign Policy listed Al-Oraibi among the top 100 Twitterati on foreign policy in 2010 and 2011.

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Political Success of Egypt's Salafis Tests U.S. Support for Democracy

BY MARA REVKIN

As newcomers to the formal political arena, Egyptian Salafi parties were the underdogs of Egypt's first post-Mubarak parliamentary elections starting in November 2011. Although the success of the Muslim Brotherhood's Freedom and Justice Party—one of Egypt's oldest and most organized political forces—was widely anticipated, few predicted that the nascent and politically inexperienced Islamist coalition led by the hard-line Salafi Nour Party would win at least 25 percent of the seats in both houses of parliament (Egypt Independent 2012b). As the United States seeks avenues of engagement with Egypt's next leaders, the political success of the Salafi movement, which strives to bring Egyptian society into compliance with the practices and values of the Prophet Muhammad and his followers, arguably at the expense of minority and women's rights, poses a formidable challenge to U.S. policy makers. But while Washington may be reluctant to initiate a dialogue with an Islamist group whose political agenda deviates substantially from international human rights standards and American strategic interests, it would be a mistake to forgo an opportunity for engagement with a faction that holds a quarter of the seats in Egypt's newly elected parliament.

Anatomy of the Salafis' Unexpected Political Debut

Since the Egyptian Salafis' emergence in the 1920s, this puritanical Islamist movement has sought to restore an orthodox interpretation of Islamic faith and practice, emulating the conduct of the Prophet Muhammad and the first three generations of Muslims (Agence France-Presse 2012; Moghadam 2011, 115; Euben and Zaman 2009, xvii). Salafis had always pursued their Islamizing social project outside of the formal political arena, that is, until the fall of Mubarak, when they unexpectedly joined a cornucopia of newly licensed parties seeking to capitalize on Egypt's first free and fair elections since the 1952 military coup. While many skeptics initially questioned the mobilizing capabilities of this historically apolitical movement, the Nour Party's stunning electoral success in the 2011 People's Assembly elections demonstrated that Egypt's Salafis have successfully converted

their latent grassroots power base into a formidable campaign apparatus and political machine.

The prerevolutionary roots of the Salafis' political superstardom can be traced to the movement's expansion under the former regime of Hosni Mubarak, whose government tolerated and directly benefited from the spread of Salafi influence. Through mosques and charitable organizations, the movement's leaders preached a doctrine of unconditional acquiescence to political leaders, no matter how authoritarian (Ismail 2011b). For this reason, Salafi clerics initially denounced antigovernment protests at the start of the January uprising (El-Hennawy 2011). But with the removal of Mubarak's regime and the rapid proliferation of new political parties, the movement recognized electoral politics as a powerful new mechanism for promoting the Islamization of Egyptian society.

The Salafi movement expanded considerably after the petro-boom of the 1970s, as religiously conservative establishments sought to leverage rising oil revenues into patronage of Saudi-inspired Salafis in Egypt and elsewhere in the Islamic world. Since then, Salafis have come to control, by some estimates, as many as 4,000 Egyptian mosques, and the movement boasts more than three million followers (Perry 2011). The Islamist presidential candidate Abdel Moneim Aboul Fotouh recently estimated that Salafis outnumber Muslim Brotherhood members by a ratio of twenty to one (Perry 2011). For the first time, Salafi followers have the opportunity to express their loyalty at the ballot box, and candidates from the newly licensed Nour Party are reaping the benefits. As the most colorful wildcard in a lively spectrum of postrevolutionary political forces, the Nour Party is injecting both uncertainty and anxiety into debates over the future of Egyptian society and the structure of its political system.

Islamists and liberals alike are coming to terms with the fact that Salafis will be a force to reckon with in the next parliament. As political greenhorns, Salafis will enter the People's Assembly without any track record as policy makers, making it difficult to predict how they will perform and what positions they may take. But some of the preliminary public statements by Nour party leaders—suggesting bans on alcohol and beach tourism and rejecting democracy as a heretical form of governance—have raised concerns in Egypt and internationally (Al-Ahram 2011; Egypt Independent 2011b).

It is clear that Salafi candidates are promoting policies that do not resonate with mainstream Egyptian society, yet an impressive 2.4 million Egyptians voted for the Nour Party in the first round of the November 2011 parliamentary elections (Egypt Independent 2011a). The unexpected electoral victory of Salafi candidates can be largely attributed to two postrevolutionary trends: deteriorating economic conditions and an influx of funding from conservative religious foundations in the Gulf States.

Poverty Fuels Religious Conservatism

For the 40 percent of Egyptians who are living below the poverty line, the Salafi movement's emphasis on social justice and equality represents a compelling alternative to the crony

capitalism promoted by Mubarak's government, which over time became synonymous with state-sponsored corruption and moral bankruptcy. Karim Helal, a board member of one of Egypt's most prominent investment firms, attributed the Salafis' electoral victory to rising religious conservatism fueled by economic grievances. Helal stated, "Given the increased injustices, poverty, very poor state of education, coupled with the rise of extremist ideas over the past couple of decades under the previous regime, this outcome was expected, and [Islamists] played it very well" (Abdellatif 2011). Voters are already familiar with the Salafis' vast social welfare network—registered Salafi nongovernmental organizations (NGOs) like Gamey'ah Shar'iah and Ansar al-Sunna have been distributing free food and medicine in impoverished areas for years—and many are convinced that Salafis would continue to provide economic relief as their political representatives in parliament (WikiLeaks 2009).

After decades of authoritarianism that exacerbated economic inequality and concentrated the rewards of private sector–driven growth in the hands of a corrupt and politically connected business class, Egyptians are losing faith in secular state institutions that have failed to alleviate poverty and unemployment. Frustrated with an unjust and criminally tainted economic order, poor and disenchanted voters are looking for relief in the Salafi campaign promises of justice and equality.

The Role of Gulf Funding

The second key factor underlying the electoral success of Salafis is their access to funding from private donors in the conservative Gulf monarchies. The Salafis have proven themselves to be skillful political organizers—in some cases driving voters directly to their polling stations and enlisting children to disseminate their campaign propaganda—but their success cannot be solely attributed to dedicated volunteering and voter outreach (Masriya 2011; Youssef 2011). A steady stream of funding, much of it originating in the Gulf States, gave Salafi candidates a significant financial edge over their rivals in the People's Assembly elections. In November 2011, an Egyptian government report found that one of Egypt's leading Salafi associations, Ansar al-Sunnah al-Muhammadiyah, received almost $50 million over the course of a single year from religious foundations in Qatar and Kuwait, much of which was reportedly used to support Salafi parliamentary candidates (Associated Press 2011). During the elections, Naguib Sawiris, head of the liberal Free Egyptians Party, publicly accused Salafis of receiving funding from Qatar and Saudi Arabia (Ismail 2011a).

The links between the Saudi and Egyptian Salafi establishments are spiritual as well as material. During a recent visit to Egypt, the Saudi Salafi cleric Adnan Alkhtiry gave a sermon urging voters to back Islamist candidates and described the election as "a great opportunity for the people of Egypt to establish an Islamic state. Do not emerge from the election empty-handed and leave it to those who don't live the religious life" (Abdel Ghafour 2011). It is clear that Egypt's Salafis will continue to benefit from the financial and ideological backing of their Gulf counterparts, and leaders of the Nour Party have indicated that they expect these funding streams to continue long

after elections. "When we rule, we'll bring in a lot of money," said Shaaban Darwish, a member of the Nour Party's supreme committee (Egypt Independent 2011b). This steady flow of cash will have significant implications for the feasibility of the Salafis political agenda in the next parliament and beyond.

Salafi Success Presents United States with Unanticipated Policy Dilemma

At the outset of the parliamentary campaign season in November 2011, the candidates put forward by fledging Salafi parties were portrayed in the Western media as bearded religious zealots whose fundamentalist platforms were too far removed from the Egyptian mainstream to earn broad popular support. Many in Washington prematurely underestimated the Salafis as "harmless, pious, and orthodox Muslims" with dim political prospects, as described by Ed Husain, a senior fellow at the Council on Foreign Relations (2011). But now that Salafi MPs hold one out of every four parliamentary seats, their policy prescriptions—ranging from Islamic banking systems to prohibitions on alcohol and beach tourism—can no longer be dismissed as laughable pipe dreams (Ismail 2011b).

With the Muslim Brotherhood's Freedom and Justice Party claiming a decisive majority of the parliament's elected seats, the United States has decisively affirmed—after years of quiet, under-the-radar engagement with Brotherhood MPs—the strategic necessity of initiating open and high-level contacts with the party's leadership. As evidenced by the heavily publicized meeting between U.S. Deputy Secretary of State William J. Burns and Freedom and Justice Party leader Mohamed Morsy in late January 2012 (Bar'ei 2012), the Obama administration has wisely determined that failure to communicate with the party now wielding an undisputed political mandate would mean a loss of leverage with future Egyptian governments in which the Brotherhood will undoubtedly hold a significant stake. When asked in October 2011 whether the United States was prepared to engage with Islamists, U.S. Secretary of State Hillary Rodham Clinton pledged, "We will be willing to and open to working with a government that has representatives who are committed to nonviolence, who are committed to human rights" (DipNote 2011). With the Muslim Brotherhood now dominating parliament, U.S. policy makers recognize the pragmatic necessity of building bridges with a group that holds the keys to Egypt's democratic transition and the blueprint for the future political system. As Brookings scholar Shadi Hamid explained, "The Brotherhood is a fact on the ground, and you have to find a way to work with it, to talk with it. The U.S. is now forced to try to find a way to co-exist with the Brotherhood" (Khan 2012). Beyond the administration, a delegation of U.S. Senators met with members of the Brotherhood and Freedom and Justice Party in February 2012 in an effort to negotiate a resolution to Egypt's indictment of American NGO employees over allegations of operating illegally on Egyptian soil (Werr 2012). The increased frequency of meetings and dialogue between U.S. policy makers and their Islamist counterparts indicates that Washington regards the Brotherhood as the unchallenged powerbroker and interlocutor for diplomacy with the

post-Mubarak Egypt.

While Washington may have come around to the idea of working with the more moderate strand of political Islam represented by the Freedom and Justice Party, the prospect of working with hardline Salafis who draw inspiration from Saudi Arabia's ultraconservative clerical establishment is a far more bitter pill to swallow. The political success of Salafis has confronted U.S. policy makers with the perennial dilemma of democracy promotion: supporting free and fair elections in Egypt may very well empower illiberal political forces whose agendas are at odds with American values of secular governance, religious pluralism, and equal rights. But while U.S. officials may be reluctant to engage with Egypt's Salafis, it would be a strategic error to forgo an opportunity for engagement with the second-largest political faction in Egypt's postrevolutionary government. The only way for the United States to maintain legitimacy and leverage with Egypt's new leaders is to recognize them as legitimately elected representatives of the people, however their values and political agenda may conflict with international human rights standards. Rather than shun engagement with the Salafis—a move that could potentially stigmatize and radicalize them further—the United States should employ diplomacy to incentivize compliance with democratic principles in exchange for the economic and political rewards of cooperation with the United States.

Pathways for U.S. Engagement with Egypt's Salafis

As long as Egyptian Salafi groups continue to benefit from a steady influx of Gulf funding and the loyalty of impoverished Egyptians reliant on their charity and patronage, Salafis will remain an influential powerbroker in the post-Mubarak political order. Although the Salafi political discourse, with its elements of intolerance and fundamentalism, is deeply troubling to many U.S. policy makers, refusing to engage with conservative Islamists would push them further toward the ideological fringe of Egyptian society by casting them as illegitimate opponents of liberal democracy. As Jonathan Brown, a professor of Islamic Studies at Georgetown, notes, marginalizing Salafis could backfire by radicalizing them further. On the other hand, Brown predicts, "the democratic process, political involvement, and electoral accountability will continue to moderate Salafi views and policies over the long term" (Brown 2011).

Although the U.S. Embassy's decision to meet with representatives of the Salafi Nour Party in Cairo in January 2012 raised some eyebrows in Washington, this gesture was a positive step toward the policy of engagement that is crucial to maintaining U.S. leverage with the Egyptian government. Egypt's next leaders, regardless of their ideological disposition, will be unlikely to risk destabilizing a bilateral partnership that yields considerable economic and security benefits (Zayan 2012). But at the same time, Egypt could easily turn elsewhere—the Gulf monarchies, Russia, and China—for support if the United States snubs an Islamist-dominated government. Already, in February 2012, a prominent Salafi preacher reacted to the controversial indictment of American NGOs in Cairo by calling for an end to U.S. military and economic assistance to shield Egypt from foreign intervention (Egypt Indepen-

dent 2012a). If Egypt's next leaders choose to sever ties with the United States and forgo future cooperation on trade and security, the results could be catastrophic for Egypt's own economic development and national security. Rather than alienate the Salafis further by ostracizing them as undemocratic radicals, keeping the door open for dialogue might encourage the Salafis to moderate their policy prescriptions and assimilate the Muslim Brotherhood's movement toward the political mainstream through a strategy of engagement. Moving forward, U.S. policy makers should signal their willingness to engage the Salafis in dialogue, while clearly stating that future military and economic assistance to Egypt's leaders is contingent on their respect for human rights and the political freedoms of minorities.

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Islam and Government:
Examining the Turkish Model

by Matthew Cohen

The nature of the relationship between religion and government has been debated from the beginning of recorded history. Of late, Western democracies have largely been structured as secular, albeit Christian, states. Nations in predominantly Muslim regions vary among secular dictatorships, Islamic kingships, and theocracies. This is a time of ferment across a large number of Arab countries, and the road ahead for Muslim nations is unclear.

Against this background, Turkey provides an important case study and example of a predominantly Muslim, democratic, and secular nation. It is not yet clear what will follow the series of democratically inspired revolutions known popularly as the Arab Spring. A few countries have held elections, some are in transition, and others are still engaged in conflict. What systems of government will emerge and what role these Muslim countries will choose for the relationship of religion and government is also uncertain. In the West, numerous media commentators have argued that Arab states should follow the "Turkish model" of secularism (Bulaç 2011). Many groups, including Islamist groups, in Middle Eastern countries have also expressed admiration for the Turkish model. However, details of Turkish secularism and its origins, goals, and ongoing changes have rarely been discussed in these media. Without a clear understanding of secularism in Turkey, it is not possible to adequately debate the merits of the Turkish model or its applicability to other nations. This article, by clearly defining the Turkish model, aims to more fully inform discussions about possibilities that may follow the Arab uprisings. This essay examines the emergence of the Turkish model and how the current ruling party, the Justice and Development Party (known most often by its Turkish acronym, AKP), understands and practices secularism in an Islamic country. Against that background, debate must continue and others must decide whether aspects of the Turkish model might be applied to Arab nations.

Secularism and the Rise of the AKP

Prior to the AKP's rise to power in 2002, secularism in Turkey was defined

by self-proclaimed Kemalists who believed they were following the desires of the founder of modern Turkey, Kemal Atatürk. There are three central ideas that drive Kemalism: the state should be free from religious influence; the state should control religious practices; and religion and public life should be completely separate (Yavuz 2009). Kemalism tries to maintain a secular state not by marginalizing religious voices but by silencing them from public debate (Yavuz 2009). At the same time, Kemalism requires complete control of religious affairs by the state. Kemalism equivocates nationalism and secularism.

While Kemalists and Islamic groups, some of which believe that the state should be governed by Islamic leaders and laws, have battled over power, there has emerged in recent years a third path, led by the AKP, which acknowledges Turkey as a Muslim nation but maintains a secular and democratic government. The AKP is moving Turkey from a Kemalist vision of secularism to a new version, which I will call Turkish Muslim secularism (TMS).

The AKP has been referred to as a "mildly" Islamic party (Economist 2010), but this term does not seem adequate to describe its full nature. There is no one definition of what constitutes an Islamic group. For this article, an Islamic group is defined as a political party or movement whose members publicly express that they use Islamic principles (any denomination) to guide their decision-making process (Yavuz 2009; White 2002). Specifically, "religious parties seek to overcome class and ethnic divisions on the basis of a shared religious affiliation" (Yavuz 2009). Such groups desire to change laws to follow Islamic law, sharia, and often look to make radical changes to society and the political order.

The AKP's secularism has its roots in more extremist Islamic parties of the 1990s. Previous Islamist parties often looked to change the structure of the Turkish state and make severe modifications to the Kemalist model of secularism (White 2002). While the AKP has moved away from such radical goals, AKP leaders have publicly expressed that they do use Islamic principles to guide their decision-making processes. The AKP also relies on religion (instead of Kemalist's sole emphasis on Turkish nationalism) to create a shared cultural identity to help overcome divisions in society. Despite its referential use of religion, however, the AKP is not exactly an Islamic party. The AKP has stated it is not seeking to overthrow Turkey's secular model but is instead looking to work within the system to create change toward greater freedom for Islamic believers (Yavuz 2009). The AKP has placed restrictions on secular freedoms, but it does not appear to be trying to implement sharia or ban all practices with which it disagrees. The AKP also seems willing to allow most other faiths to worship fairly freely (Yavuz 2009). Where it has not allowed such freedoms, including restriction on building new houses of worship, it is largely following policies the Kemalists had put in place to control diversity (Rabasa and Larrabee 2008).

The AKP has referred to itself as a center-right party akin to similar parties in Europe (Yavuz 2009). The AKP, as with European conservative parties, believes religion unifies society (Yavuz 2009), however, the AKP moves beyond this point by taking the position that religious groups should provide

services and drive some aspects of government policy. The AKP employs grassroots efforts on the basis of religious ties, its members often endeavoring to change laws in Turkey to allow for greater freedom of expression for Sunni Muslim citizens and organizations. The AKP is, therefore, a synthesis party that blends secular and religious policies, but it does so from a platform of religious legitimacy (Findley 2011).

Exploring Turkish Muslim Secularism

The current Turkish prime minister and AKP leader, Recep Tayyip Erdogan, stated in a 2006 speech:

> *Secularism, as the key guarantee of societal peace and democracy, is a concept with two dimensions. Secularism's first dimension is that the state should not be structured according to religious laws. This requires a standardized, unitary and undivided legal order. Secularism's second dimension is that the state should be neutral and keep an equal distance from all religious beliefs and should be the guarantor of individuals' freedom of religion and belief. It is explained in the second article of the Constitution defining the contents of secularism that secularism does not mean atheism; rather it means that each individual has a right to his own belief or sect; the right to freedom of religious practice and the right to equal treatment before the law regardless of faith. . . . The right decisions of Mustafa Kemal from the days of the National Liberation Movement and the concepts that reflect these decisions, which are also fully internalized by our nation and integrative concepts, must be jealously guarded. (Yavuz 2009).*

Erdogan, in a September 2011 speech in Egypt, said that he views secularism as ensuring the government does not interfere with religious practices. He argued the state must stay equidistant from all religions (Associated Press 2011). Turkish Deputy Prime Minister Bulent Arinc has stated that the definition of secularism should be debated and argued that secularism should become a mechanism for social peace and compromise rather than a tool for state control of religion (Yavuz 2009). Foreign Minister Ahmet Davutoglu has stated that "(the Turkish) experience is about an effort to achieve democracy, civil rights and liberties, respect for the rule of law, civil society and gender equality. Our Turkish experience proves that national and spiritual values can be in perfect harmony with contemporary standards of life" (Yavuz 2009). AKP Finance Minister Mehmet Simsek described the AKP as follows: "In issues such as family we are conservative. In economy and relations with the world we are liberal. And in social justice and poverty we are socialist" (Walberg 2011). These visions may reflect the new TMS but do not tell the whole story.

While the AKP has changed its language to that of "pluralism, democracy, human rights, and the rule of law" in speeches and its political platform (Dagi 2004; Rabasa and Larrabee 2008), it has also increased the use of religious language and symbols in the public debate. In fact, most of the ministers, advisors, and members of parliament from the AKP stress their Islamic beliefs as the core of their identity and define the national interests of Turkey within Islamic frameworks. While Erdogan has stated that he attempts to keep his religion separate from politics,

he has also said that "before anything else, I am a Muslim" (Yavuz 2009). Turkish President Abdullah Gul, also a member of the AKP, views Islam as one of the most important factors in Turkey, and his thinking is heavily influenced by pan-Islamic ideals.

Unity of the State

In a move away from Kemalist-style secularism, the AKP values the power of Islam, as opposed to the state, as a national mechanism of unification. Kemalists have attempted to keep the country peaceful from, among other threats, internal violence from the rebel Kurdish group, the PKK, by stating that all people are Turks, thereby repressing Kurdish cultural demands as ethnic rebellion against the unified Turkish people (Findley 2011; Ozyurek 2006). The AKP, however, believes that troubles with the PKK should be addressed by appealing to Islamic brotherhood and that Kemalist denials of Islamic solidarity facilitated strife. To the AKP, Islam is part of Turkish nationalism and thus ethnic differences do not threaten the unity of the state. Therefore, the AKP is willing to allow minority groups, such as Kurds, expanded rights and expression of their cultural identity (Findley 2011; Yavuz 2009). To the AKP, the synthesis of Islam and Turkish nationalism will hold society together. There is debate over how effective the AKP has been in achieving reforms and how sincere its members are in their desire for change. Nevertheless, on the Kurdish issue, the AKP has succeeded as the first political party in Turkey's history to attempt a peaceful settlement with the Kurds (Bengio 2010).

Religion in Public Life

The AKP moved religion in Turkey from the private sphere to public life. Kemalists often discouraged piety (Meral 2010), but the AKP is now turning public expression of Islam into the new cultural norm. The AKP has used moral pressure to create an atmosphere in which people feel they should behave as pious Muslims, even if they are not (White 2002). This pressure has included efforts to have people imitate Islamic behaviors in greetings, dress codes, and public prayer. The AKP has argued that the political activities and voices of religious believers and networks should not be constrained (Yavuz 2009). "The AKP conservatives stress the role of . . . Islam. . . . They define meaningful life in terms of tested historical arrangements and the meanings of the public good in terms of the shared moral understanding that is derived from Islam" (Yavuz 2009). The AKP has been shifting the cultural norms in Turkey away from Kemalism and toward Islam (White 2002). In fact, the AKP has been so successful that the Kemalists, including the military, have had to embrace some Islamic language to maintain legitimacy in the eyes of the public (Yavuz 2009).

Created in 1924 under Atatürk, the Department of Religious Affairs (DRA) is a government agency that addresses all matters relating to Islam in the public sphere. This includes religious education, mosque construction, the overseeing of places of worship, and the general creation of a modern Islam that will serve the needs and social well-being of the state (Friedman 2005; Erdem 2008; Yavuz 2009). True to the party's platform, the AKP has not sought to change most aspects of

the DRA. Religion classes were introduced by the military after the 1980 coup in order to undermine fundamentalist religious schools and teach a state-approved version of Islam (Pope and Pope 2000; Rabasa and Larrabee 2008). Many non-Sunni Muslims have objected to the religion classes as they teach only Sunni Muslim thought (Olgun 2005). Despite hopes the AKP would cancel the classes or allow other Muslim religious groups to have a voice in them, the new AKP-appointed DRA director, Mehmet Gormez, stated that religion classes need no changes and are crucial because: "You may not be a believer but you have to learn the basics of this social reality for healthy relations" (Demirtas 2011). A group of parents in Turkey, mostly Alevi Muslims, sued the government over these classes in the European Court of Human Rights. The court ordered Turkey to change its curriculum, but the AKP has yet to fully do so. In September 2011, the AKP did agree to include instruction on Alevi beliefs in the curriculum, but this has yet to materialize (Anatolia News Agency 2011d).

The AKP's Approach to Non-Muslim Faiths

In regard to non-Muslim faiths, the AKP has taken a moderate approach. The other major religious groups in Turkey are Jews and Christians. While Jews and Christians in Turkey are largely allowed to worship freely, there have been setbacks, including Turkey's refusal to allow Armenian and Greek Christians to open churches (European Union 2008). These policies are not unique to the AKP, as the same policies were enforced by the Kemalists, and the reasons for many of the restrictive policies are similar for both groups. Both groups wish to exercise some measure of control over splinter groups or minorities in their country and both desire the unity of the state: the AKP under Islamic nationalism and the Kemalists under Turkish nationalism. The AKP has furthered a system created by the Kemalists in which non-Sunni Muslims are repressed and has shown little desire to include non-Sunni Muslims in its party. While the AKP allows other faiths to practice their religions, Sunni Islam receives preferential treatment, receiving state backing (as it did under the Kemalists) and the responsibility to guide government policy (as it did not under Kemalism).

Sharia and the AKP

While the AKP has not made calls for sharia to be introduced, the party has pushed through for legal changes inspired by sharia (Bubalo et al. 2008). Islamist parties call for the entirety of public life and government to be run according to Muslim values (Aslan 2009). While the AKP has introduced more laws based on Muslim beliefs, it does not appear insistent that Islamic ideals define all aspects of Turkish life.

In regards to European affairs, Erdogan has stated that he has broken with his more anti-European past. He stated in a 2002 interview that, "We have opened a new page with a new group of people, a brand new party . . . we were anti-European. Now we're pro-European" (Pope and Pope 2000). In his first news conference after the AKP's 2002 election victory Erdogan said, "We don't plan to disturb anyone's way of life" (Pope and Pope 2000). In fact, the AKP has been more willing than any party in the past to push for EU membership and to enact reforms toward that end (Phillips 2004;

Onis 2003; Glyptis 2005). The AKP also appears to be aware that it may not survive in Turkey if it relies on Islam to drive all its ideas, in large part because the military might step in and stage a coup, as it has done many times in the past in an effort to limit the growth of the power of religious groups. The AKP needs a democratic nation that provides protections for civil and political rights in order to advance its social causes (Dagi 2004).

Economic Policy

The AKP appeals to a broad range of interests and voters, including individuals who prefer the AKP's economic policies over policies offered by other parties. Unlike previous Islamic parties in Turkey, the AKP does not see the free market and Islam as incompatible. Previous Islamic parties opposed the free market, citing competition as harmful to societal harmony. The AKP sees liberal economics as a means to improve people's lives, while it also understands such policies can win votes (Bubalo et al. 2008; Tugal 2009). The business realm used to belong to the Kemalists, but the AKP has begun to push believers toward economic success and remove the free market as a bastion of Kemalism.

While these economic policies have contributed to the rapidly growing Turkish economy, they have also increased economic inequality and consequentially increased the need for social services as well. The AKP has encouraged the use of Islamic networks, supplementing the services provided by the state, to help provide assistance for the needy (Yavuz 2009). The introduction of Islam to such services is not solely for religious purposes (Tugal 2009). The AKP also attempts to meld economic success with religion by framing the economic issues as religious obligations both to prosper personally and to help those in need.

The AKP, Women, and the Family

In regards to women's issues, the AKP holds a mixed record. The AKP implemented a program encouraging religious leaders to give sermons against domestic violence. Moreover, the AKP has increased numbers of battered women's shelters throughout the country. The murder rate for women, however, increased 1,400 percent between 2002 and 2009 (Anatolia News Agency 2011c). In the 2010 Global Gender Gap Index, Turkey ranked 126th out of 134 nations on women's rights. The report places some of the blame directly on AKP policies (Hausmann et al. 2010). Comments from AKP leaders show why progress has been slow. Many in the AKP believe that a woman's responsibility is to have children and maintain the house. Erdogan has stated that he does not believe in gender equality, and that rather than find employment, women should have three babies and find fulfillment in home life or though volunteering for the AKP (Pope and Pope 2000). He has criticized the use of contraception (Bremmer 2006) and opposed opening new day care centers (Economist 2010).

Erdogan has also expressed concern over the increase in the divorce rate. He stated that when the AKP attempts to write a new constitution, he plans to incorporate new rules that would provide "guarantees for the integrity of the family." While his exact intention in these words is unclear, it seems reasonable to assume that his concern over divorce arises from religious conviction. As Jenny White has ar-

gued, "One major difference [between secularists and the Islamists is] the Kemalists' strong belief in 'modernity,' specifically a . . . modernity characterized by an emphasis on the superiority of individualistic, goal-seeking behavior over deference to 'traditional' forms of family and communal authority—especially when the latter converged with Islamic doctrine about the place of women in the home, in relations within the family, and vis-à-vis men" (White 2002). As an example, it seems likely that religious conviction also drove the AKP to attempt to criminalize adultery in 2004 (Rabasa and Larrabee 2008). In the end, under extremely heavy pressure from the EU and internal forces, the AKP withdrew the proposal. Nevertheless, the incident highlighted the increasing power of Islamic ideals in Turkey.

Alcohol and the AKP

The consumption of alcohol has been a source of contention between secularists and the AKP. Sunni Islam forbids drinking alcohol, and the AKP has repeatedly placed restrictions on its sale and consumption. Before becoming prime minister, Erdogan served as the mayor of Istanbul. While mayor, he banned the serving of alcohol in dining facilities owned by the city (Bremmer 2006). When the AKP came to power in the 2002 elections, it imposed massive VAT increases on alcohol (Erimtan 2011). Early in 2011, the AKP-appointed Tobacco and Alcohol Market Regulatory Authority (TAPDK) placed new limits on the consumption of alcohol. Catering firms were restricted from selling alcohol at outdoor weddings, alcohol sales were banned at municipality-owned establishments, sports teams could not use the names of alcoholic drinks, written permission was needed for concerts to serve alcohol, and alcohol could not appear in ads. The most controversial change (which was later struck down by Turkey's top administrative court) was the increase in the drinking age from 18 to 24 (Anatolia News Agency 2011a).

While the TAPDK insisted there was no ideological component to the restrictions, opposition politicians cite the "oppressive mentality" the AKP enforced upon those who live a secular lifestyle. Erdogan has publicly noted his disapproval for alcohol consumption and in 2010 stated he did not understand why people drink when they could just eat the grapes (BBC 2011). Arinc, Turkey's deputy prime minister, stated there are limits on freedom, including freedom for adults to drink (Anatolia News Agency 2011b). It is curious that these new regulations were implemented just for the purpose of protecting youth, as TAPDK claimed, as few countries consider youth to be more than twenty years of age. The changes were likely implemented to please Erdogan. Secular groups have noted their opposition to the changes, but their demands have been met with hostility. Erdogan's response to the outcry was: "Let them drink until they spew up" (Kiziltan 2011). While these new government policies have not banned the consumption of alcohol outright, they certainly have made it more expensive and, therefore, less accessible to the people. The AKP's policies on alcohol are consistent with the party's belief that individuals living under a democratic government are subject to religious constraints.

The Education System

The AKP has also altered the schooling system in Turkey. The basis of

Turkey's education system is a modern secular design similar to that of the United States (Mizikaci 2005). In Turkey, the state operates both secular schools and religious schools (called Imam Hatip, or IHLs). To enter a university in Turkey, one must earn a high enough score on a nationwide standardized exam. When the military intervened in government affairs in 1997, it placed students who studied at IHLs at a disadvantage by automatically reducing their exam scores (Tugal 2009). The AKP addressed this by introducing legislation that would restore lost exam points to those students in compensation. While there was an outcry from secular groups, this step did not appear to stem from Islamic-centered motivations. In many Western nations, religious schools are an accepted part of the education system and can be highly regarded. The IHLs teach the same curriculum as the nonreligious schools while requiring students take additional classes on Islam (Kuru 2009). In fact, AKP supporters saw the lifting of the IHL restrictions not as Islamist but as an opportunity to encourage individuals to embrace religion and professionalism (Tugal 2009). The AKP's alterations to Turkey's schooling system thus represent the party's overall emphasis on both religion and secularism.

Key Points of Turkish Muslim Secularism

Overall, the AKP attempts to increase the role of Islam in the government while still respecting secular populations. While the AKP has instituted significant Islamic-inspired changes, it has not abandoned Turkish nationalism or turned the state into a religious theocracy. The AKP has allowed secular life and minority religious sects to exist but with significant restrictions. The AKP has mostly focused on using Islam to provide services to those in need, and consequentially, to win elections, but has not used Islam as the only force that guides the nation. The main attributes of TMS can be summed up by the following: TMS allows for greater space in the public sphere for religious opinions. It ensures that religious people have the right to shape their policy opinions according to their world view and to act on these opinions. The state remains centered on fulfilling secular and nationalist needs, but individuals are allowed to publicly proclaim their faith, and individual liberties can sometimes be curtailed based on religious belief. TMS largely accepts the principles of Kemalism and secularism for how the state should operate but believes that the behavior of individuals can and should be dictated by religious values. The AKP wants to protect religion from the state but only in the sense that it wants Muslim, especially Sunni Muslim, groups to be free to practice their faith in public and express their opinions. At the same time, the AKP wants to maintain control of religious practice through the DRA. TMS mainly applies to Muslim groups. Islam is allowed to influence public decisions and is also protected in the system. Other faiths are not granted the same social or governmental acceptance or protections.

While the goal of TMS is to find a balance between Islam, secularism, and democracy, TMS gives a special role to Islam in the affairs of the state. Along these lines, TMS views Islam, not nationality, as the unifying mechanism for society and as a key in relations to other Muslim states. The method of accomplishing this shift in secularism

is by working within the system and through legitimate democratic means. TMS seeks to defend pluralism, human rights, and the rule of law but looks to greatly increase the role of religion, specifically Sunni Islam, within that rule of law. Further, the AKP has, unlike most previous Islamic parties in Turkey, embraced the free market. The AKP believes that Islam is the path to creating a more harmonious, moral, and ethical society. Thus, the AKP has attempted to change Turkish culture by increasing the influence of Islam to achieve that goal. Just as the Kemalists nationalized their secular way of life and made it the cultural norm, Islamic actors are now nationalizing their Islamic-based culture (Turam 2007). The AKP has been very successful in Turkey's economic affairs and is not likely to jeopardize that success by pushing the country too far and too fast toward Islam.

Political Islamic networks have always existed in Turkey. The AKP has simply encouraged Islamic networks to more safely express their faith publicly and to become more politically active. The AKP believes that democracy includes the freedom to live a conservative religious lifestyle, and it tries to achieve its goals by staying within the boundaries of a democratic system. A key component of TMS is that it largely accepts Kemalism for the state but not for the individual.

The leaders of the AKP are not generally Islamic theorists or scholars. They are far more interested in promoting "everyday Islam," for example, the increased taxes on alcohol (Rabasa and Larrabee 2008). The AKP believes that religious policies can control an individual's actions so long as the government continues to be democratic. In this regard, Turkey's institutions have been kept secular. The legislative and judicial processes are not in the institutional control of a religious body (in fact, it is the other way around, the government's DRA controls religion), and the constitution maintains technical neutrality toward all religions (Kuru 2009).

Religion plays a limited, but important, role in AKP decision making. The AKP is trying to stand for both Turkey and Islam and is attempting to find a synthesis between the two that benefits both. There are many cases where the AKP has pursued an "Islamic" agenda. However, it is not just Islam that drives the party. Narrowly religious parties have not been successful in modern democracies, at least not ones with sizable minorities. As a model for Arab countries, the AKP has shown that religious parties can succeed when they appeal to a large segment of the population not simply to their own ideological constituents.

The Arab Spring nations must decide for themselves what models they will choose regarding the future relationship between religion and state. They have Western models, but these are largely from countries with overwhelmingly Christian populations. In Turkey, a close neighbor, the Arab Spring nations have a different kind of model—an Islamic secularist one. The governments that will arise in the Arab Spring nations, and those in the West that hope to guide these nations and aid them in their transitions, may benefit from a deeper understanding of the Turkish model. Its history and practices have useful lessons to teach. The AKP has created a democratic system in which secular and religious populations are largely free to express

their opinions and desires. While there is sometimes conflict between religious persons and secularists (as in the case of the alcohol regulations), such disagreements are debated publicly, without violence, and are decided within a democratic system of elections and checks and balances. Overall, TMS is a model in which religion plays a central role in society and government but does not stifle opposing viewpoints. It took Turkey roughly ninety years after its founding to create this system, and it should not be assumed that it can be immediately put in place by other nations. Unlike Egypt, Tunisia, Syria, or Libya, Turkey has had decades to build the democratic institutions TMS needed to thrive. Despite this, any nation, Muslim or otherwise, would be served well by examining how TMS can apply to its institutions and society.

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Liberals, Islamists, and the Role of the Middle Class in the Demise of the Arab Autocracies

BY ISHAC DIWAN

ABSTRACT:

This article argues that a split in the ruling class has driven the demise of the autocratic bargain in the Arab world, ushered in by the uprisings of 2010-2011. The bargain authoritarians struck with their societies in the recent decade is best characterized as a repressive regime that relied on a narrow elite base. This article explores the dynamic factors that have affected this bargain over time, in particular, the increased autonomy of the middle class, the rise of crony capitalism, the increased popularity of Political Islam among the middle class, and the "indignities" associated with unpopular foreign alliances. The recent political changes are interpreted as the moment when the middle class, traditionally allied with the autocrats and affected by these latent pull and push factors, preferred to "tip" its support to a transition toward a democratic settlement. The three-player model I develop is shown to explain the characteristics of the ongoing Arab Spring and the key future challenges facing the region better than the classical autocratic bargain model.

Introduction

Many of the characteristics of the recent Arab uprisings are puzzling. Why did these uprisings occur at the end of 2010 when there were no apparent direct triggers such as declines in subsidies or shifts in foreign alliances rather than sometime in the 1990s when the welfare state started being rolled back? Why did the revolutions begin in Tunisia and Egypt, the countries with some of the highest economic growth in the region in the preceding few years rather than in countries such as Syria or Yemen where the economic conditions have been more dire and political repression more severe? Why were they initiated by secularist middle-class youth, the supposed beneficiaries of the autocratic bargain, rather than by the long-standing Islamic opposition? And by which mechanisms did the uprisings of Tunisia spread so fast to the rest of the Arab world when Arab nationalism had been pronounced dead?

These questions are important and will occupy researchers for years to come.

The Arab world is at a crossroads, facing enormous challenges as well as opportunities that can lead to either a democratic path or an authoritarian retrenchment. In the absence of a better understanding of the transformations that have led to the uprisings, reforms will remain lose and contradictory and can even be counterproductive from a long-term perspective.

In this article, my goal is to explore the usefulness of structural approaches to understanding recent change. The intellectual model that has been most commonly used to describe the lack of democracy in the Arab world is the autocratic or elite bargain model, which describes a deal struck between Arab autocrats and their populations, whereby the former deliver economic security in the form of jobs and a strong welfare state and the latter forgo their political rights (the seminal paper in this literature is from Gandhi and Przeworski 2006). This view of the world suggests that such a bargain would face tensions and possible collapse when the state is rolled back in response to more scarcities. This model is unsatisfying in explaining the Arab Spring because the state started being rolled back more than twenty-five years ago after the first collapse of oil prices. This then begs the question of what it is that sustained autocracies during this long interim period. The idea of a bargain would imply that when the state had to reduce economic benefits to the population, it would compensate by offering greater political rights. However, this is not what happened in much of the region.

Others have attributed the onset of the revolts to the Arab youth bulge (Dhillon and Yousef 2009). While it is undeniable that educated, middle-class liberal youth have been the leading initiators of the revolts across the region, the claim that the youth bulge caused the revolutions is not convincing. The median age in the Arab world is twenty-five as opposed to thirty-seven in the United States. It is well-established that poor economic prospects are very threatening to this group, but one may ask why it did not rise before; in 1990, for example, the median age was twenty-four and the economic situation in Egypt and Tunisia was much worse than in 2011, when the economies were growing at 6 percent per year. Thus, the cause behind the rebellion by the youth needs to be related to other factors that have changed over time.

The goal of this article is to offer an alternative view that is better adapted to stylized facts. I argue that the authoritarian bargain in the Arab world in the past decade is better characterized as a close alliance between elite capital and elements of the middle class that delivered economic benefits to the coalition members. The poor in the meantime were denied economic advantages and their political movements were severely repressed. The model presented in this article suggests that the Arab Spring of 2010-2011 is the result of long-term changes in factors that affected the relative incentives of the middle class, a pivotal player, to support the ruling regimes and encouraged them instead to defect and support a transition to a democratic order.

The analysis starts by arguing that the middle class had become more autonomous in the recent past as a result of market-based reforms. It then focuses on three factors to explain the switch that correspond broadly to the popular revolutionary slogan (used

everywhere) of "bread, liberty, and national dignity." First, I argue that economic liberalization, in an environment of heavy repression, favored the development of a low-growth crony capitalism, which increased inequality to the detriment of the middle class and had a poor record creating skilled jobs and delivering quality services. Second, increased repression led to the abuse of human rights that increasingly became unacceptable to the middle class. And third, the support provided by the West to the autocratic order created a "dignity gap" between popular preferences and policies.

Superimposed on this class analysis is an important secularist/Islamic dichotomy, which has played an important role in political developments over the past few decades. In the past, secularism and social liberalism were popular among the rich and middle class, and Islamic movements were popular among the poor. Islamic parties (and there is a large range of them, from radical to moderate) became the main opposition to the ruling autocrats, and they were heavily repressed. Secularists felt threatened by Islamic movements, which they feared would reduce their civil rights, and this pushed them to seek the autocrat's protection. Over time, however, Islamist parties became more moderate and more popular among the middle class. The preferences of the middle class play an important role in its past support of autocracy and its recent defection to support a transition to democracy. However, the fledging new democratic order that is emerging, which brings together Islamic parties that now dominate the post-Arab Spring landscape with secular liberals, constitutes a risky bet that may or may not survive and consolidate.

In the next section, the article discusses the insufficiencies of the simple autocratic bargain model in understanding the recent past as well as the revolutions of 2010-2011. The article then develops an alternative model with three players and non-economic considerations to explore the conditions under which the middle class can shift from an alliance with the autocrat to democratic regime. It next offers a cursory look at the evidence and describes the dynamic factors leading to the uprisings. Finally, the article concludes by drawing out the economic and political challenges of the future.

The Classical Autocratic Bargain Model: Dictators and Citizens

It is useful to start the analysis by reviewing the standard model of autocratic bargains used to explain the nature of power relations in the Arab world (Gandhi and Przeworski 2006; Desai et al. 2009). The model has two players, an autocrat and citizens; they engage in a repeated two-period game and bargain over the distribution of economic benefits and the setting of noneconomic policies. The autocrat moves first and offers citizens a bundle of economic goods (jobs, subsidies, support for particular regions and groups) and noneconomic goods (such as social policies, some limited amount of civil rights). In response, citizens must decide whether to accept the offered bargain or to engage in an effort to displace the autocrat, starting a revolution with a certain probability of success. Knowing this, the autocrat will make an offer that is attractive enough for citizens to give up their revolutionary option. In a cooperative equilibrium, citizens provide the autocrat with political support and consent to withhold their political rights.

So autocrats are driven to compromise sufficiently to avoid costly insurrections. They do so by transferring rents and subsidies and by deviating from their preferred social policies. Crucially, if they come under pressure, they compromise more to keep the bargain alive. For example, if economic conditions deteriorate, they will offer concessions on the social and political side.

Variants of these models allow for the existence of critical constituencies (Bueno de Mesquita et al. 2004, Acemoglu and Robinson 2006) -- rulers may find it profitable to target favors to some groups and to repress others. Thus, groups will be included or excluded from the ruling coalition based on a cost-benefit calculus.

A Critique

There are various ways to describe the evolution of Arab politics in a rational framework where important constituencies interact to produce a political settlement. In this section, I argue that to view the past situation as an autocratic bargain between a dictator and citizens is too reductionist: it does not explain the past well, and it cannot explain the recent uprisings well either.

When considering the past, a view focused on an autocratic bargain fails to explain why it did not collapse much earlier and also fails to account for the mix of co-optation and repression that emerged in the past two decades. A look at key economic performance indicators for the Arab developing countries as a group, from 1982 to 2007, depicted in Figure 1, reveals several marked trends. First, it shows that the rollback of the state began twenty-five years ago. Govern-

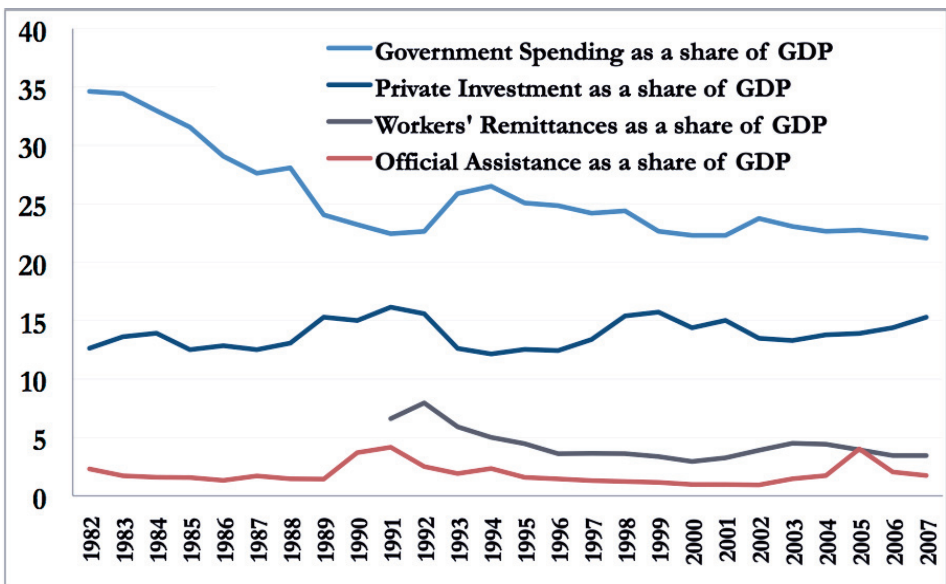


Figure 1 — Macroeconomic indicators.
Notes: All variables are averages across the Middle East and North Africa developing countries group, which includes Tunisia, Algeria, Morocco, Yemen, Egypt, Syria, Jordan, and Lebanon. Source: World Bank Open Data Web site.

ment expenditures shot up in the 1970s — government expenditures peaked at 40 percent of gross domestic product (GDP) in 1975, which is outside the graph — on the back of rising oil wealth in the region, but they fell precipitously in the 1980s, reaching 22 percent of GDP in the early 1990s, a low figure by international standards. Anwar Sadat launched Egypt's Infitah in 1974, and Tunisia's private-sector push also began in the 1970s, but it is in the late 1980s that these countries and others started their structural adjustment programs that forced governments to cut subsidies and public spending. The reforms in the Arab world tended to hurt the poor (subsidies to agriculture were deeply cut, for example) as well as the middle class (especially in lower public-sector wages and a stop to hiring), and they led to protests and bread riots across the region, but they fell short of leading to democratization. This period consolidated the alliances between the autocrats and elite capital. By the mid-1990s, the old social contract was already dead (Diwan and Walton 1998).

But that was more than twenty years ago. What sustained autocracies during this long interim period? In Latin America (in the 1980s) and Africa (in the 1990s), similar structural adjustments had led to a near synchronous wave of democratization. Some have argued that other forms of external rents, for example, workers' remittances, played a role. But Figure 1 shows that remittances declined in importance over time. Moreover, remittances usually travel directly to communities, bypassing formal institutions, so it is hard to argue that this source of income was a factor in the autocrats' survival. Official assistance also remained relatively low.

The only way the autocratic bargain model can explain regime durability, therefore, is by suggesting that to deal with the decline in economic resources and consequent social pressure, the autocratic rulers relaxed political and social policy. But Figure 2 suggests that in fact the opposite has been the case; it depicts freedom and repression indices (Cingranelli and Richards 1999; also see the Cingranelli-Richards [CIRI] Human Rights Dataset). First, Figure 2 illustrates the evolution of an index of political rights, called the Empowerment Rights Index, between 1981 and 2010. The region was politically less open in 2009 than in the mid-1980s, with the average score for the region falling from a high of 5.8 in the early 1980s to 2.1 in 2009 on a scale from 0 to 14, with 0 depicting complete dictatorship. Today, this is broadly a fall from the level of a Turkey to the level of the Democratic Republic of the Congo.

So how did the autocrats manage to survive? What seems ubiquitous about the Arab world after the 1990s is the mix of repression and co-optation. The autocrats sought to maximize the use of their dwindling assets, dividing citizens into two groups, one of which benefited from cooperation while the other was subject to repression. Figure 2 also depicts average levels of repression in the region, as measured by the Physical Integrity Index (also from CIRI) on a scale from 0-8 where 0 is maximum repression. The average value of the index for the Arab countries fell from 4.7 in the early 1980s to 2.5 in 2009, which is a fall from the level of a Brazil to the level of Ethiopia.

That repression has become an essential tool in the preservation of autocratic regimes in the late 1990s is also attested to by the level of spend-

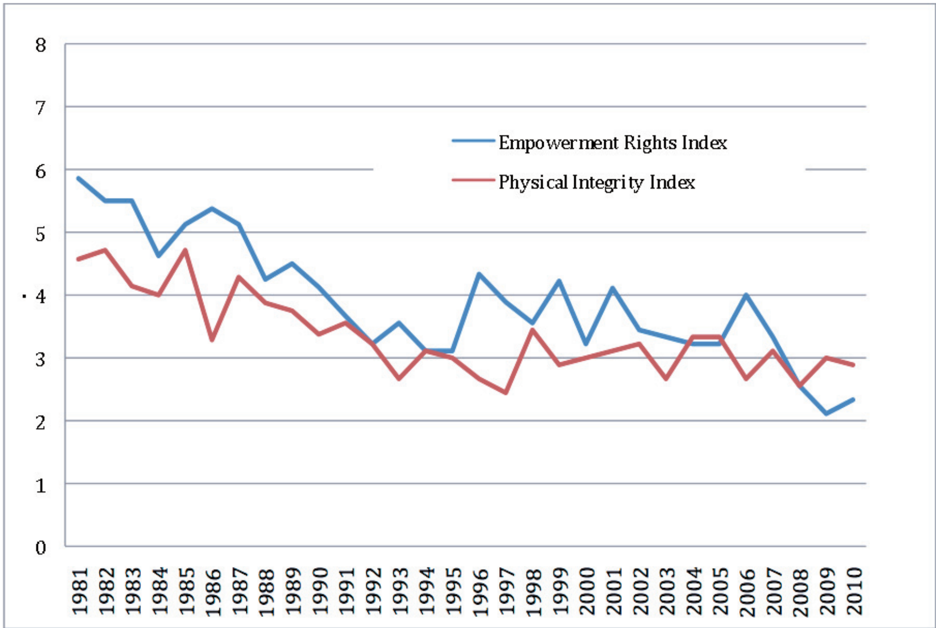


Figure 2 — Repression and freedom indexes
Notes: The Physical Integrity Index is an additive index constructed from the torture, extrajudicial killing, political imprisonment, and disappearance indicators. It ranges from 0 (no government respect for these four rights) to 8 (full government respect for these four rights). The Empowerment Rights Index is an additive index constructed from the foreign movement, domestic movement, freedom of speech, freedom of assembly and association, workers' rights, electoral self-determination, and freedom of religion indicators. It ranges from 0 (no government respect for these seven rights) to 14 (full government respect for these seven rights).
Source: Cingranell-Richards (CIRI) Human Rights Dataset Web site; Cingranelli and Richards (1999).

ing on security matters (Droz-Vincent 2007; Bellin 2005). Military expenditures are higher in the Arab world than in any other region, at about 6.7 percent of GDP in the early 2000s. Police and security forces have also been beefed up in recent years to provide an extra layer of support. The actual size of these forces in Egypt and Tunisia before the downfall of the regimes is debated, but conservative estimates put the number at as large as 1 million and 200,000 men, respectively. In all Arab countries, the government and the various state security agencies, including the "Mukhabarat," as well as the police and other secret agencies have, through the use of spies, informers, and Baltajia, appointed "their men" in various civilian sectors and institutions, including universities, labor unions, professional associations, the media, and even the financial and business sectors. Moreover, security forces have been given access to economic rents whenever budgets have become tighter (Bellin 2005).

With that said, autocrats also sought to strengthen their coalition by co-opting the middle class who was perceived as a pivotal ally because

of its legitimizing role within the dominant state narrative of nationalism and modernization. Co-optation was achieved in large part through direct economic benefits in the form of subsidies for goods that are consumed relatively less by the poor, such as petroleum and energy (earlier, subsidies for small-scale agriculture and for basic food items, which benefit the poor, had been reduced or eliminated). In the last decade, these subsidies grew to become about 200 percent the combined budget of health plus education in 2009 in Egypt and 150 percent in Tunisia. These subsidies went predominantly to the middle class and the rich — in Egypt, for example, 46 percent of the subsidies accrued to the top decile in 2010 (Abouleinein et al. 2009). The situation in Syria and Iran is also similar. At the same time, the fiscal regime in most Arab countries had also become more pro-rich over time: tax rates have been relatively low and generally regressive — for example, Egypt has a flat 20 percent income tax and a large value-added tax (VAT). As a result, underfunded universal services have decayed in most countries.

The simple autocratic bargain model does not have much to say about the recent uprisings either. Focusing on two players only seems too reductionist to describe the onset of the uprisings and to apprehend the future. A focus on two players only would suggest, for example, that Islamic movements, as representing the poor and as the main political actor that has emerged in post-uprising elections, have finally won their long-fought battle against liberal autocrats. The reality is more nuanced. The "revolutions" were in fact led by secular middle-class youth, not hardened Islamists. A more convincing account of what happened ought to bring the middle class centrally into the analysis.

In the model developed below, I take the view that the recent political changes resemble situations in Latin America and Asia where splits within the ruling coalition led to political change. I follow the tradition of Guillermo A. O'Donnell et al. (1986), according to which cracks appear in nondemocratic regimes when they get under pressure, and there are often divides between hard-liners who want to use force and repression to preserve the system and soft-liners who prefer a soft transition to democracy.

Bringing in the Middle Class: A Three-Player Model

I focus on a game with three groups — the rich, the middle class, and the poor — and take the initial situation to be one where the rich class is in charge but as part of a coalition that includes the middle class. Moreover, I will assume that the middle class is a pivotal player in the sense that the rich cannot rule autocratically without it; this is the critical assumption alluded to earlier, which I defend in more detail in the next section. Democracy can emerge if it is supported by the middle class and by the poor. I will also assume that the threat of revolutions, initiated by the poor, is credible. Finally, I will assume that autocratic bargains that include a commitment to redistribute that are not incentive-compatible ex post are not credible. This means that to prevent the poor from taking over, the ruling coalition has only two effective choices: to repress or to democratize. So in effect, democracy is a way to change the distribution of power, thus creating a credible commitment to pro-

poor policy. The focus is on a transition from an autocratic regime to a democratic regime; the issue of democratic consolidation, however, is beyond the scope of this article.

My main goal is to explore the possible reasons why the interests of the rich and the middle class become misaligned, leading the middle class to split from the ruling coalition and support democracy. I adapt the form of the game from Daron Acemoglu and James A. Robinson (2009), following their notation for ease of reference. The game is over the determination of income redistribution, funded by a uniform income tax. Different income groups will have varying incentives, with the rich favoring a low tax and the poor favoring a high tax and large redistribution. The size of each group is given by d^i with i = R, M, P (summing up to 1), where R stands for rich, M for middle class, and P for poor. Denote the (pre-tax) income of each group by y^i, the average income in the economy by $\underline{y}$, and the share of group i in the economy by h^i (summing up to 1).

We have:

$$(1) \quad y^i = h^i \underline{y} \ / \ d^i \quad \text{for } i = R, M, P$$

We assume that:

$$(2) \quad h^r \ / \ d^r > h^m \ / \ d^m > h^p \ / \ d^p$$

Which simply says that the rich is richer than the middle class, which is richer than the poor.

The political system determines a tax rate $t \geq 0$, the proceeds of which are distributed in a lump sum fashion among all citizens. There is an aggregate cost of taxation C(t)y with $C'(.) > 0$ and $C''(.) < 0$. In such an environment, there is an optimum level of taxation t^i for each of the groups, and it is easy to show that, optimally, $t^r = 0$ since the rich do not benefit on net from redistribution. To simplify the analysis further, I will assume in the rest of the section that the poor forms a majority and thus that the medium taxpayer (and voter) is poor, that is, that $y^p < \underline{y}$ but $y^m > \underline{y}$. This assumption implies that $t^m = 0$ as well and that $t^p > 0$.

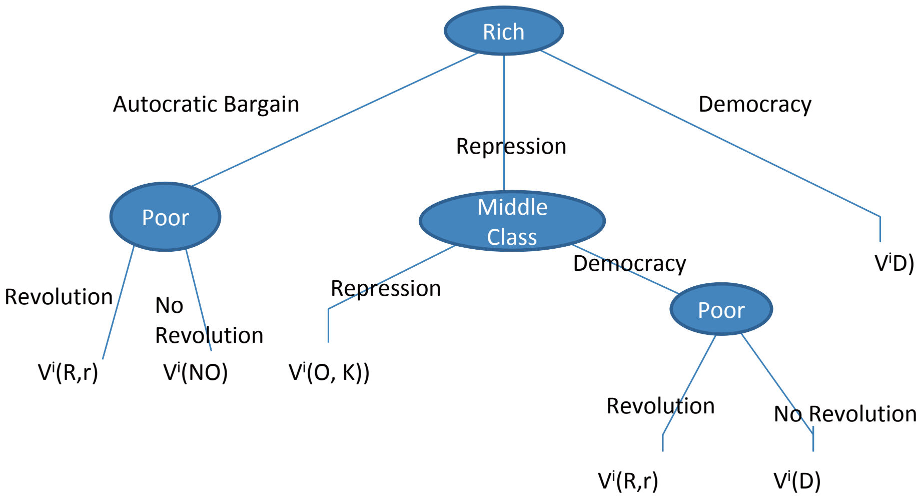
Utility functions are taken to be linear in (after tax) income and are given by:

$$(3) \quad V^i (.) = (1 - t) y^i + [t - C(.)] \underline{y}$$

We are now in a position to describe the structure of the game, which is depicted in Figure 3. As the game starts, the rich moves first and decides whether to develop an autocratic bargain (without repression), to democratize, or to repress. Being a pivotal player whose support is necessary for the rich to stay in power, the middle class then needs to make two sets of decisions: first, to establish tax rates in each of the regimes (except in the democratic regime, where the tax rate is established by the median voter); and second, to decide whether it wants to support the decision of the rich to repress or not. The various regimes will be represented by the subscripts NO, D, and O (NO for no repression, which is the autocratic bargain, D for democracy, and O for repression; we will reserve R for revolution). Repression is costly and reduces national income by K.

Finally, the poor decides whether to undertake a revolution or not; it can do so in all cases except in the repression regime. If the poor rebels, it will take over and appropriate all the income in the economy, but a fraction r of the

Figure 3. Structure of the Game



economy will get destroyed in the process.

Its utility would then be:

(4) $V^p(R, r) = (1 - r)\,\underline{y} / d^p$ and
$V^r(R, r) = V^m(R, r) = 0$

The poor will be better off not rebelling when:

(5) $V^p(t) > V^p(R, r)$

Where $V^i(t)$ is utility when there is no revolution and there is a tax rate t.

Revolutions take place when they are not too costly. Using equations (3) to (5), we can derive a threshold level of r that determines if the poor prefers to rebel or not, with:

(6) $r(t) = (1 - h^p) - t[(d^p - h^p) + d^p C(.)]$

Note that when $t = 0$, the second term disappears and we are left with the basic revolution constraint; in the absence of any redistribution, the poor will start a revolution when the costs of doing so are smaller than the net proceeds. We will assume in the sequel that this constraint holds. In the presence of some redistribution t, the threshold comes down, meaning that revolutions happen less often; more generally, r(t) is declining in t, meaning that the higher the tax rate, the less rebelling becomes attractive. Denote by r* the threshold that corresponds to the poor optimal tax rate t^p. We will also assume below that $r > r^*$, which ensures that when the poor can set its preferred level of redistribution, it does not rebel.

Let us start by determining the best move of the rich. The autocratic bargain regime is an inferior move here, and it will not be selected. This is because if it were selected, the middle class would then set the tax rate at $t = 0$ (recall that pre-commitments are not possible and that decisions must therefore be incentives compatible from an ex post perspective), and the poor will rebel since the revolution constraint is assumed to hold. So to the extent that other regimes deliver a welfare level above zero, this regime will be inferior.

The rich will thus have to choose between democratization and repression. Under repression, the middle class will determine the tax rate selected, and it will be zero given our assumptions. If the rich chooses repression, the middle class will have to decide whether to agree or to split and chose democratization. Under democracy, the tax rate will be determined by the median voter and will be given thus by $t = t^p$. In effect, the choice between the two regimes will depend on whether the repression costs are above or below a certain threshold. It is intuitive that the threshold for the middle class will be lower than that for the rich, since its preferences are closer to that of the poor, especially when the rich get richer, making redistribution more attractive to the middle class. To see this, let us compare the two regimes from the point of view of each of the rich and the middle class. The welfare of the rich and the middle class in the repression regime, given a cost K for repression, is given by:

(7) $V^i (O, K) = (1-K)\, y^i$ with $i = R, M$

And welfare under democracy, given that the tax rate will be set at t^p is:

(8) $V^i (D) = (1 - t)\, y^i + (t^p - C)\, \underline{y}$

Comparing the two equations, we can derive:

(9) $K^i = (1 / h^i)\, [\, d^i\, C(.) - t^p\, (d^i - h^i)]$ $i = R, M$

It is easy to show then that $K^m < K^r$ given (2).

We can now state our main result:

Assume that $d^p > 1/2$; $(1-h^p) > r > r^*(t^p)$; then:

* If $K > K^r$ both the rich and the middle class prefer democracy, which is then the equilibrium.

* If $K < K^m$ then both prefer repression, which is the equilibrium.

* If K is within $[K^m, K^r]$, then the middle class splits and there is a democratic equilibrium.

Starting from a situation where the ruling group, both rich and middle class, favors repression, movement in the exogenous variables can change the incentives of the middle class and make it decide to split. Two variables are of particular interest: inequality and the cost of repression as perceived by the middle class. Let us take these in turn.

When inequality rises in the sense that the rich gets a larger share of income to the detriment of the middle class, the interests of the middle class and those of the poor become more aligned. As a result, there is more often disagreement between the rich and the middle class about repression, and the middle class will favor democracy over repression more often. Formally, it is easy to see that $\underline{K}^m$ is increasing in h^m.

Until now, I have assumed that citizens only care about their income. But in reality, there are ideological preferences that also color people's preferences over regimes. Here we are concerned with three aspects of the preferences of the middle class:

1. The possible extra disutility it may perceive from a democratic order if it thinks that the poor will apply the values of Political Islam if it comes to power and if it opposes such views (for example, on issues such as secularism and civil rights)

2. The possible disutility it may feel in a repressive autocracy if the poor/Islamist opposition is violently repressed, which would depend on its views about Political Islam

3. Finally, the utility or disutility it may feel in an autocracy relating to the nature of other non-economic policies followed in the autocratic regime, such as foreign policy

It is possible to introduce the middle-class ideological concerns into the model in a simple fashion by assuming that its utility function is additive in consumption and a term that captures the middle-class ideological preferences. In particular, let us now assume that its utility can be written as $y^m+B^i\underline{y}$ where i = O, D and where this factor is normalized by average income. So for example, when the middle class "feels" with the repressed Islamists, we would have $B^o<0$. The same would happen when it is unhappy with the external policy conditionality attached by pivotal foreign allies. If the middle class does not trust Islamists in a democracy, we would take B^d to be negative and large. If that mistrust disappears, and/or if the middle class starts thinking that Islamists would make good managers of the economy, or that their views on civil rights have changed, then B^d will rise and become positive.

So let us derive the new levels of the threshold K^m by adding the ideological factors to the utility functions in equations (7) and (8). We now need to compare $V^m(O, K) = (1-K)\ (y^m+B^o\underline{y})$ with $V^m(D) = (1-t)\ (y^m+B^d\underline{y})+(t-C)\underline{y}$. It is easy to show that the resultant $\underline{K}^m(. , B^o, B^d)$ is increasing in B^o and decreasing in B^d. This result is highly intuitive: The middle class will be more driven to move to democracy when it cares for the welfare of the opposition, when it trusts that the opposition will manage the economy well and will not hurt its civil rights, and when it dislikes the policy conditions of pivotal foreign supporters of the autocratic regime. In the discussion below, we will argue that these factors largely explain both the persistence of the autocrats as well as the likely success (or lack of success) of the recent revolts in the various countries in leading to democracy.

Applying the Model to the Arab World

The goal of this section is to convince the reader that the model described above explains well the longevity of autocracy and its ultimate demise. The model is parsimonious and reality is complex, so the arguments will be naturally impressionistic. More analysis at the country level would be needed to produce richer accounts. Nevertheless, the analysis below aims to show that such accounts would need to look carefully into the structure and incentives of the middle class and the role played by crony capitalism. Arab politics can be quite well-described by reference to three constituencies (rich, poor, and middle class). But while class structure is preponderant, a major added complexity relates to the dynamic ideological fault line between secularist/social liberals and Islamists, which also needs to be taken into consideration in any serious political analysis. As a starting point, we can think of Islamic parties as representing the poor initially and scaring the secularists in the middle class because of different views about social policy but then becoming more driven by moderate elements and expanding their appeal among the middle class. Let us start with a description of the main players

and the changing characteristics of the middle class before coming back to the dynamics of the secularist/Islamic divide.

1. The autocratic core coalition, which always included the security forces and the army, broadened over time to include elite capital and the rich. Much of the neoliberal policies implemented since the 1990s largely benefitted this group, which also became more closely associated with the security apparatus through intermarriages and business associations.

2. The second circle of regime supporters, which represents in many ways the soft underbelly of the regimes, included a large segment of the middle class, such as the industrialist and merchant classes that initially benefitted from liberalization, the skilled labor that became employed in the growing corporate sector, and to a lesser extent over time, the bureaucrats that lost out from the demise of the old social contract. In ethnically divided countries, this group has also tended to attract the minorities. In the past, this group largely espoused secular and liberal values and feared a takeover by Political Islam that would reduce its civic rights.

* Finally, the rest of the population includes the urban and rural poor. They have been represented by hard and soft opposition groups, including Islamic movements as well as leftist parties where they continued to exist. Islamist parties initially took root

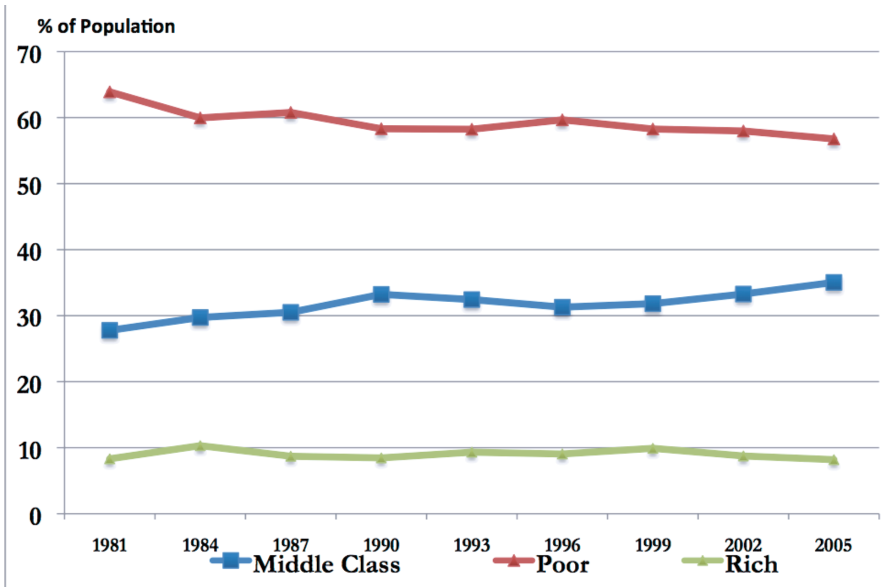


Figure 4 — Income groups, as a share of the total population.
Notes: The middle class is defined as having an income between $4-$10 day, the rich as having an income above $10 per day, and the poor as having an income below $4 a day, all measured in purchasing power parity 2000 dollars. The countries included belong to the Middle East and North Africa developing country group cited in Figure 1. Source: Author's calculations using the World Bank PovcalNet Web site.

among the poor. They were repressed and rarely given political rights, and this encouraged some factions to enter occasionally in a state of open rebellion.

So overall, the class structure of these three groups is broadly similar to that which is represented in the model. Given the preponderant role my storyline affords to the middle class, it is useful to look in more detail at how this group has evolved in the recent past. Three issues are discussed below: the middle class's evolving size, economic power, and political weight.

The Evolving Middle Class

A rapid exploration of household-level data reveals that income distribution and the size of the middle class seem to have remained fairly constant over time in the region. To provide a sense of magnitude, I estimate the size of the income classes for the region as a whole using World Bank (2009) data on income distribution; this data is collected from country-level household surveys. I define the poor in an expanded manner to include those typically thought of as the lower middle class, specifically all people who have a daily income below $4 (the tighter definitions of the poor and ultra poor that are usually reported refer to poverty lines of $2 and $1 a day, respectively). I define the middle class as those having an income between $4 and $10 a day, which corresponds to a middle and upper middle class classification, and the rich as those having an income above $10 per day. The results over a multiyear time span as represented in Figure 4 are striking: the middle class stands at about 30 percent of the population for the region as a whole, the rich at about 10 percent, and the poor at about 60 percent. Over the past two decades, there was a small decline among the poor and a small rise among the middle class. These figures are illustrative and will vary of course by country and by the definition of class. The more general point, however, is that income distribution has remained fairly constant over time.

The main element of change over the past two decades has been in the composition, rather than in the size, of the middle class. The old middle class worked in large part for the state and has gotten poorer over time as a result of the rolling back of the state. Low public-sector wages have fueled petty corruption in areas such as health and education, generating another important source of discontent. In Egypt, for example, real wages in the public sector declined over time. The minimum wage, which anchors all wages, has declined from 60 percent of per capita GDP in the early 1980s to a mere 13 percent in 2007 (Abdelhamid and El Baradei 2009). This can also be seen very sharply at the macro level: by 2009, 30 percent of the Egyptian labor force worked for the state but earned a total wage bill of less than 9 percent of GDP, implying that average wages were in the neighborhood of one-third of GDP per capita, which is extremely low by international standards. The new entrants into middle class status have tended to be merchants and industrialists that have benefited from the market-oriented reforms as well as the small but expanding skilled labor force of the formal private-sector labor market.

Assessing changes in inequality — the share of national income commanded by the middle class — is trickier. Generally, household surveys

reveal that inequality (as measured by Gini coefficients, for example) has increased in the Arab world in the past decade (Bibi and Nabli 2010), with the income of the rich rising faster than average incomes. But the increase seems small relative to other regions. Household surveys, however, are notorious for undercounting the rich. There are many signs to suggest that the wealthy Arab "1 percent" has grown rapidly in the last decade and now commands a large share of national income. One sign is that average consumption as reported by consumption surveys (which undercount the rich) has increasingly diverged from average consumption as reported by national accounts. For, example, average consumption in Egypt, as per household survey data, has remained flat between 2000 and 2009, while during this period, GDP has grown according to macroeconomic data by more than 50 percent. While there are many reasons why these different data sources would not be consistent, this divergence nevertheless suggests that a large share of the growth must have accrued to the rich. This is confirmed by other observations such as the large increase in the number of millionaires (which is reported publicly by some international banks such as Credit Suisse), the luxury real estate booms of many Arab capitals, and the decline in the share of GDP going to wages, which is observed in national accounts. More research is needed in this area. In terms of the model, this suggests that h^m has declined.

Regarding political weight, until recently, Middle Eastern scholars did not seem to believe that the middle class could play an active role in leading political change. The military leaders that led Arab nationalism based their legitimacy on the progress of a new modernist middle class, but its effective influence on policies was low as it was mainly made up of civil servants and employees of state-owned enterprises, which reduced its ability to play the role of an autonomous actor. A new middle class of urban private agents, both merchant and industrial, which rose in the late 1990s in response to economic liberalization, has been politically more active than the old (Nasr 2009). Recent surveys in Egypt (Pew Research Center 2011) show that the middle class is now split between secularist liberals and Islamists. The recent election results in Tunisia suggest a similar phenomenon. The middle class (particularly traders of the Bazaar) played an important role in securing the success of the Iranian revolution in 1979. In Turkey, it has been the driving force behind the rise of the AKP, the Justice and Development party, and indeed, it benefitted handsomely from an alliance with the support provided to small and medium-sized enterprises (SMEs) and the rise of what became known as the Anatolian tigers, SMEs that drove growth in Turkey in the past decade (Demiralp 2009; Gumuscu and Sert 2009).

The Rise of Crony Capitalism

The perceived "corruption" of the political and business elites was a key driving force of popular discontent. For example, the Pew Research Center (2011) survey reveals that in 2010, corruption was the top concern of Egyptians, with 46 percent listing it as their main concern, ahead of lack of democracy and poor economic conditions. We now know that this was not just about perceptions. In both Tunisia and Egypt, the ongoing trials of the main business leaders are starting to shed

light on the enormous corruption that took place: the granting of monopoly rights to close associates of the rulers, the selling of public firms and land at reduced prices, and the manipulation of the financial markets for the benefits of a few insiders. In Egypt, the trend was accelerated in the last decade with the "market" reforms led by Gamal Mubarak, the president's son and presumed successor. In Tunisia, the Ben Ali and Trabulsi families literally monopolized business opportunities. Similar stories about favoritism and insiders abound in Syria, Libya, Yemen, and Algeria, where political cronies control large chunks of the private sector.

In terms of encouraging the ultimate defection of the middle classes, cronyism can operate in two ways: first, by increasing inequality and reducing the share of output going to the middle class, a central part of our argument, which has been discussed above; and second, by affecting the ability of the economy to create sufficient jobs for the educated youth, an aspect of the discussion that has not been formalized in our model (the determinants of $\underline{y}$). That question, why Arab capitalism has been so unresponsive to reforms and why it has underperformed in terms of job creation, given what looked on paper like impeccable market reforms, has been debated for years. Some have argued that the reforms have not gone far enough (World Bank 2009). The answer is not simple. After all, the concentration of wealth, and the development of "state capitalism," is not necessarily bad for growth and development if capitalists have confidence in regime survival. Mushtaq Khan (2009) in particular describes how industrial policy can foster accumulation and the development of new sectors, as had happened with Korea's Chaebols, for example. In the Arab countries, however, it appears that insiders appropriated large rents in ways that were not aligned with wealth creation. Indeed, much of the profits were not reinvested at home. Private investment remained stagnant, in the neighborhood of 10 percent to 15 percent of GDP (see Figure 1), as opposed to the rising and much larger amounts in growing regions of Europe and Asia. As a result, growth was unable to absorb the rising number of educated labor, and unemployment among the educated youth stayed high. Increased private profits seem to have fueled capital flight rather than domestic investment; it has been estimated, for example, that during the last decade, capital flight out of Egypt averaged $5 billion a year and $1 billion a year out of Tunisia (Kar and Curcio 2011). One hypothesis is that this was due to political uncertainty concerning the future of these regimes, which made its capitalists myopic. In terms of our model, it is as if $\underline{y}$ remained depressed by perceptions of a high risk of a future regime shift to the detriment of the elite.

This similarity in the patterns in which cronyism spread in all Arab countries begs an important question: how do you explain this coincidence in time and form especially considering that these countries differ in their historical and social characteristics? My preferred hypothesis lies in the similarity of the deployment of neoliberal policies in environments characterized by political repression. All countries faced the challenge of opening up the economy including trade and finance in the mid-1980s. But at the same time,

the rise of repressive and exclusionary politics also compelled these countries to restrict potential competitors from becoming autonomously rich, since this would have strengthened their opposition. This pushed rulers to find new ways of restricting entry into economic activity by political rivals, including the way in which regulations were enforced and incentives were provided to the financial system to lend to large and friendly firms only and sometimes in more direct ways like security services directly closing down threatening emerging sectors of the economy like Islamic finance. These defensive barriers to entry at the same time created rents to insiders who were allowed to control the heights of the economy. In other words, this suggests that the growth of $\underline{y}$ is itself affected by repression K. The rise of crony capitalism and the political role it played in the past is another area that needs to be investigated more thoroughly in the future.

An additional corrupting factor was the influence of Gulf capital, especially in new sectors such as telecom, tourism, and real estate. The tradition of insider deals between royalty and the local merchant entrepreneurs dates to the 1950s. When these merchants became large financial groups, they exported this way of doing business to the rest of the region (Hanieh 2011).

There is little scholarly literature on the subject, but there are masses of press reports. One exception is a careful article by Clement Henry (1997) that documents the different ways in which rulers in Egypt, Tunisia, and Morocco adjusted their clientelistic methods to offset the impact of the liberalization of their financial market: in the first two cases, the countries utilized the security forces and capital market regulators to directly intervene when political competitors needed to be bankrupted, and in the Moroccan case, the King managed to dominate private banking directly through his majority ownership of a large conglomerate, the ONA, which acquired shares in leading banks and turned them into a corporate arm of the "Makhzen."

Liberals and the Moderation of Political Islam

We have often referred to the importance of the social liberal/secular/political Islam dichotomy in the discussions above. Four themes have been recurring, which will be discussed in more detail here:

1. The secular middle class being a pivotal ally of the autocrats

2. This same group being in the past very weary of a takeover by Islamic parties because of economic, social, and political concerns

3. The middle class coming to oppose repression of Islamists as Political Islam spread in its own ranks

4. The middle class coming to trust over time that the more moderate Islamic parties could be good democrats.

Regarding the first theme, Arab autocrats have valued keeping the main secular liberal parties in the governing "political settlement," either within the governing coalition or as part of the legal opposition, due to both their important legitimizing role and to the skills of the middle-class professionals that they historically represented. For the regimes in place, secular and lib-

eral ideology was at the center of their Arab national ideologies of the 1950s, which ushered in leaders such as former Tunisian President Habib Bourguiba and former Egyptian President Gamal Abdel Nasser, bringing in the Atatürk model of modernization based on secular and nationalist ideologies. For the Arab autocrats, losing their liberal anchors is tantamount to losing all legitimacy and turning into naked dictatorships with no operational narrative. So treating the middle class as a pivotal player, as we did, does make sense, especially when speaking about the traditional "liberal" middle class.

Moving on to the second theme, Political Islam posed a threat to these regimes by organizing the poor and was severely repressed, but the cost of repression (the variable K in the model) was low. Besides being subsidized from the West (see next section), there were also indirect benefits generated by this repression that reduce its net costs further. This is related to the fact that divisions along the secularism/religious conservative fault lines were deep in the early 1990s, with social liberals fearing a takeover by Islamic parties because of the different views these parties held on a broad range of social issues such as civil rights, separation of mosque and state, the role of women in society, and foreign policy. This allowed the ruling elites to reduce the temptation for the middle-class liberals to switch their support to the opposition, even as other changes may have been favoring such a switch. (In terms of our model, B^d was initially negative and large.) For example, Dalal Bizri (2011) characterizes the relationship between the Islamic opposition and the ruling regime in Egypt as: "an old couple, always at odds, but needing each other to survive, the regime held the Brotherhood up as a scarecrow, a reminder of the threat the Brotherhood would represent should the regime fall."

But as more moderate Islamic parties took root within the middle class over time, their repression came increasingly to be resented by a large part of the middle class (in terms of our model, B^o became negative), which brings us to the third theme. When moderate elements within Islamist parties in several countries, including Egypt and Tunisia, tried to reach agreement with liberal and leftist forces on joint political programs, over-repression was used strategically by dictators to radicalize the Islamists (in terms of our model, by undergoing actions that would lead to a situation where B^d would fall). A much-cited example from Egypt is the increase in repression around 2008 following Islamists' strong performance in the 2005 parliamentary elections and the appearance of becoming an increasingly credible alternative to the ruling regime (Osman 2010). The pressure created deep divisions within the Muslim Brotherhood over whether it should abandon the political process, and in this atmosphere, the conservatives managed to displace the moderates and elect a new Supreme Guide who supported disengagement (Ottaway 2010; Bubalo et al. 2008).

Regarding the fourth theme, the question of whether Political Islam can be a trusted actor in a democracy has been debated for a long time. The future will tell, but at this stage, it is clear that the voters in Egypt and Tunisia seem to believe that it can. In the meanwhile, the intellectual debate on these issues continues. Against the well-known Bernard Lewis critique,

others (Platteau 2008) have argued that Islam is not inimical to the separation of mosque and state. The experience of eighteenth-century Europe demonstrates that, in similar conditions, Christian movements did end up playing by the democratic rule, albeit Catholics had the advantage of a binding mechanism in the form of the Vatican's dominance, which at least Sunni Islam does not have (Kalyvas 2000). But commitment can also be developed by well-organized parties with long-term views through mechanisms of organization and transparency, as demonstrated by Jillian Schwedler (2006) in her comparative analysis about the participation of Islamic parties in governments in both Jordan and Yemen during the 1990s. The example of Turkey must have played an important role in convincing liberals that the Faustian deal was not the only option. Seda Demiralp (2009) shows how the AKP's moderation can be explained by a combination of lessons from repression, opportunism, and the growth of a friendly middle class. Several Arab Islamic movements have made efforts to moderate their more extreme wings to become credible republican actors. In particular, the al-Nahda party committed publicly in 1981 that: "We have no right to interpose between the people and those whom the people choose and elect" (Osman 2010). In Egypt, it was only in 2004 that the Muslim Brotherhood managed to commit publicly to abide by a constitutional and democratic system, calling for the recognition of "the people as the source of all authority" and committing itself to the principles of the transfer of power through free elections, the freedom of belief and expression, the freedom to form political parties, and the independence of the judiciary (Shahin 2005).

Foreign Support

External supporters have had a vital role in keeping the Arab autocratic state alive for so long, but much more in the form of political and military support than in the form of direct economic support (in the form of loans, grants, or trade agreements). Figure 1 shows that official assistance has been on average between 2 percent and 5 percent of GDP in the region, peaking at 5 percent in the early 1990s at the time of the first Gulf War and again around 2005. Given the autocrats' reliance on repression in a global environment of increased democratization, political support must have been extremely valuable. Unlike in the cases of Latin America and Africa where outside forces exerted great pressure to democratize, no such pressures were applied to the Arab autocrats. Instead, the terms of the relationship between autocrats and foreign supporters were based on oil stability, the containment of the Islamist "threat" (especially after 9/11), and the defense of Israeli interests.

While external support has been central in allowing for the continuation of the autocratic bargain for such a long time, it has also planted seeds for its destruction because donors' preferences have tended to be unpopular and have caused what has been perceived as a "loss of dignity" — the difference between social preferences and actual policy. A democratic political settlement can be expected to reverse some of these unpopular policies.

These considerations also add to the set of variables that can explain the timing of the tipping point. In particular, the revolutionary equation could have been affected by the increased

anti-U.S. sentiment (after the invasion of Iraq) and increased anti-Israel sentiment (after the wars on Gaza and Lebanon), with a negative impact on their client regimes.

Country Accounts and Regional Contagion

In the model described above, democratization succeeds when the middle class decides to defect. In this context, we can think of uprisings as a bet by revolutionary entrepreneurs that their action will precipitate such a shift. Uprisings can also be attempts at real revolutions of the poor. By all accounts, the former description fits the situation more in most Arab countries. Some would balk at a description of the "Arab Revolutions" as a switch of the liberal middle class. But the uprisings in both Tunisia and Egypt were driven by secular middle-class youths who had become disenchanted with the deal their parents had struck with the autocrats and were concerned about social justice, rights, and their future. Their action essentially was to create and hold to a "foco," a free space, in which professional associations came to demonstrate their rejection of the autocratic order. It is when the liberal-led associations of journalists, engineers, doctors, university professors, teachers, and judges came out to demonstrate that the regimes of Tunisia's Zine al-Abidine Ben Ali and Egypt's Hosni Mubarak started to unfold. The battle cry of "Al Shaab Yurid Isqat al Nizam" (the people want the downfall of the regime) would have been much less effective if chanted by Islamists alone. It was the secular middle-class voice that made the difference. Perhaps many of the youth would not recognize their action as one of shifting to a new settlement that will include the Islamists, however, what is noteworthy is that the fear of the Islamists did not stop them from asking for regime change, unlike what had happened in the past. The weak links that led change include the youth, impoverished bureaucrats, and businesspeople confined to the informal sector by a corrupt regulation framework.

Some have argued that the revolts were caused by the explosion of electronic platforms that allowed for the exchange of information and for better organization. Our model does attribute explanatory power to an improvement in the exchange of information. The middle-class individuals had imperfect information about how others in the same group were evaluating their own preferences, given the lack of political fora and the repression of all political parties in the past. It is in this respect that social media played a key role in mobilizing like-minded revolutionaries in the only free space available: cyberspace (Howard et al. 2011).

Does the model say something about regional contagion? In other regions where contagion has been observed, transitions to democracy were caused by a common external factor. In Africa, the fall of the Soviet Union and the economic crisis of the 1980s provided a common cause for the fall of dictatorships, which was achieved by popular pressure working hand in hand with changing patterns of international assistance that insisted on democratic transitions as preconditions for support (Bratton and van de Walle 1997). In Latin America, it has been argued that the debt crisis of the mid-1980s led to the third wave of democratization (Haggard and Kaufman 1995). In Eastern Europe, the fall of the Soviet Union led to the rapid fall of dictators across

the whole region. What are the common forces that displaced Ben Ali and Mubarak and led to uprisings all over the region within a few months?

Did news about the uprisings in Tunisia and Egypt contain important information for other countries? It can be plausibly argued that the contagion in uprisings can be explained by a sense of commonality across countries such as shared culture and history, which encouraged emulation. But this would not necessarily lead to regime change if structural variables were not supportive. The interesting question then is whether there are common factors supporting regime change and the march toward democracy in several countries. Indeed, of the key drivers of change we considered, several have occurred regionally with some degree of parallelism. First, there is a simultaneous rise in an autonomous middle class, borne out of the simultaneous reforms of the mid-1980s (timing is here related to the oil shock that hit all Arab states alike). Second, there is the simultaneous moderation of Political Islam and its success in developing deep roots within the middle class, explained by the regional and global nature of theological debates. Third, there is the simultaneous spread of crony capitalism across the region, driven by the coincidence of the timing of liberalization and repression. And finally, most of the regimes have been supported by the same Western powers.

That Tunisia and Egypt were the countries where the tipping point for the middle class was discovered first is not surprising. In both countries, the middle class was larger due to the relative success on the economic front, the middle class's economic interests were being increasingly squeezed by a crony oligarchy, and liberals and Islamist movements had operated a rapprochement over the years. For many observers, political change could have happened earlier as the middle class had outgrown the autocratic repressive model of governance many years ago and was waiting for a spark to coordinate efforts and rise against the established order.

In both Libya and Yemen the revolutions were met by fierce resistance by the autocrats. Given the poor state of their institutions, the new regimes are likely to struggle before they can establish themselves. Elsewhere, regimes in power have managed so far to resist change. In Iraq, Bahrain, and Syria, ethnic factors have complicated the political change equation. To the extent that they are important supporters of the regime, minorities fear the "tyranny of the majority" and would not easily switch their support unless they receive guarantees that they will not be discriminated against in the future (i.e., their B^D is largely negative). Algeria had started to democratize earlier, if only partially. Arab monarchies have weathered the storm best. This may be due to two factors. In oil-rich countries, government spending has increased, very much along the lines that would be suggested by the classical autocratic model; these are countries that can afford to pay for allegiance. The non-oil monarchies, Morocco and Jordan, have initiated change from within in response to popular pressures. Time will tell if these are serious or cosmetic concessions, but it does seem as if kingdoms have a larger ability to credibly pre-commit to deliver more popular policies in the future in order to deflect rising opposition, due to the long-term horizon of their rulers. Indeed, king-

doms have been much more stable in the past (Menaldo n.d.).

Conclusions

I have argued that the short-lived period of Arab "exceptionalism" can in fact be explained by structural and institutional factors related to the political incentives of the middle class, similar to what has been captured in models of transitions in other regions, for example, in Latin America. This analysis also emphasized the secular/Islamic dichotomy and how the transition was most likely delayed by several decades due to the formation of a repressive regime to fight Political Islam. More recently, the decay of the authoritarian system and broadened appeal of Political Islam have precipitated the fall of the Arab autocratic bargain by encouraging the middle class to support regime change and start the march toward a workable democratic order.

The analysis suggests that the historical challenges of the moment are to a large extent political, with a central focus on consolidating democracy and avoiding reversions to negative closures. In Egypt and Tunisia, the post-Spring elections have been divisive, and it can be expected that writing constitutions will also sharpen social differences and preferences as many contentious issues will have to be addressed, such as the limits of blasphemy law, the nature of freedom of speech, and the application of sharia on family law. Liberal/secular forces may be tempted to offset their electoral defeats by attempting to reconstitute an autocratic order with the support of the military. Leaders of the victorious Islamic parties may be tempted to replace the old elites in coalition with armies, rather than to take risks and try to deliver the challenging political and economic reforms that their supporters aspire to. New governments may be tempted by short-term populist policies. The postrevolutionary Arab world will be shaped by the way in which these two movements evolve and interact. If broad parties cannot establish themselves credibly, a clientelistic patronage system may evolve. To prevent political fragmentation, Islamic parties will need to adjust their ideological tenets in ways that allows for coexistence with secularists, and the liberal movement will need to reinvent itself and make a credible comeback.

The challenges of the moment are compounded by high popular expectations and the problematic inheritance of the past. Economic policies will be largely determined by how political challenges will be addressed. Unless new surprises arise, the contours of the emerging political settlement will include fewer favors for elite capital. But there should also be attempts to make peace with the capitalists and to convince them to invest in the future, rather than withdraw, as happened with the socialist revolutions of the 1960s. Another source of political economy uncertainty concerns how the interests of the poor will be balanced with those of the middle class.

But there will be technical challenges that will be difficult to resolve in any case, even if politics is supportive. These relate to the agendas of short-term stabilization of the economy, the modernization of state services, and job creation. A democratic order does not make these challenges easier to tackle (Besley and Kudamatsu 2007).

The first challenge is economic sta-

bilization. Right after the revolutions in Egypt and Tunisia, the attitude of the transitional regimes has been to favor expansionary policies in order to offset the negative shocks experienced by the economies, which include a loss of tourism revenues and a collapse in investment. There are risks of entering a negative vicious cycle. For example, the financial situation in Egypt could deteriorate before a stable government could be formed. This in turn would make the formation of a stable government more difficult.

The second area of focus concerns the modernization of the state and the rehabilitation of public services, especially health, education, and social protection. The new coalition should be able to agree on both redirecting expenditures toward social services and away from subsidies that are not pro-poor and making taxation more progressive. Improvements require, among other things, increased public-sector wages, but an extremely complicating factor will be the large size of the civil service.

The third agenda concerns the business environment and job creation. Past experiences and especially the failures of both socialism and state capitalism limit the choice of an Arab model. Part of the agenda is clear, but solutions will not be easy, in particular, when it comes to improving competition, democratizing the credit market, and reducing the constraints faced by the informal sector.

These are all complicated challenges, technically, politically, and administratively. In the end, what will make a difference is the process by which solutions adapted to the particular environments of each country are found and implemented. The greatest contribution of the "revolutions" to these perennial challenges should be in fostering greater popular participation in the decision-making process. It is the sense of empowerment of new actors, such as labor unions, employers' associations, student groups, and other civil society groups, who can cross ideological lines to represent social interests and hold their representatives accountable that at the end of the day constitutes the real revolution.

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The Rule of Law and Arab Political Liberalization: Three Models for Change

BY DAVID M. MEDNICOFF

ABSTRACT:

The rule of law is an important set of political ideals and institutional arrangements in general and has been particularly salient in the Arab world before and especially since the 2011 popular uprisings that removed the leaders of Tunisia, Egypt, Yemen, and Libya. Despite this, the rule of law is used by analysts and activists in vague ways that are particularly unclear with respect to the law's role in aiding a more accountable and democratic political process. This article sheds light on how legal ideals and legal growth might contribute to political opening in Arab countries in two ways. First, the article discusses the general background in which legal ideals and institutions are viewed in the Arab world, with an emphasis on the general impact of homegrown Islamic law and the legacy of the joining of Western sociolegal ideals to authoritarian colonial political practices. Second, the article describes and analyzes in detail three possible Arab pathways to political opening through the rule of law. These are: (1) the "slow and steady" growth of legal actors in non-oil Arab monarchies, exemplified by Morocco; (2) the "full speed ahead" hyper-globalized development of younger, expanding oil monarchies, illustrated by Qatar and the United Arab Emirates, and (3) the "reboot" pattern of societies that have just overthrown their governments and seek new relationships between law and politics, as shown in Tunisia and Egypt. Taken together, these three possible pathways suggest that there are particular dynamics in Arab societies around the rule of law and more open politics, which should be studied in greater depth by those hoping to understand and contribute to legal and political change in the Middle East and North Africa.

Introduction

The rule of law in Arab countries, as elsewhere, has been both a strong, if vague, ideal and a set of norms and institutions (Mednicoff 2006; Shalakhany 2006). Yet the term's trajectory in the Arab world is particularly interesting in recent political history. For decades of post-independent Arab politics, legal ideals and institutions seemed to be generally subsumed by strong authoritarian practices, making a mockery of political rights or the prospects for independent judicial review (Moustafa 2007). Yet, in 2011, contested Arab politics exploded,

bringing down long-standing regimes in Egypt, Tunisia, and Libya and putting in their place dynamic political spaces with heavy emphasis on the rule of law.

Despite this, and legalism's broad global significance, relatively little work makes sense of the relationship between legal ideas, legal institutional development, and democratization. This is particularly true outside of the Western world. The problem here is that law is an exceptionally active area of policy reform everywhere and particularly in the Arab world where new constitutional arrangements are focal points of active contestation as these words are written. If the relationship of legal ideas, specific institutions, and open, accountable politics is understood only vaguely, how can policy be formulated in this area with so much at stake for Arabs and the rest of the world?

Any hope to address this concern should take into account both global and internal Arab understandings of the political and institutional meanings of law, particularly now that it has become clear that the 2011 uprisings in the Arab world have been framed in legal terms. For instance, the policy debates among activists and officials in the Middle East and West with respect to what role Islamic law should play in guiding legislation in Arab constitutions are heating up after the events of 2011 (e.g., see Reuters 2012). Yet, they are hard to understand without reference to Arab Islamic political history, regional colonial and postcolonial politics, Western norms about the importance of official separation of religion and state, and international human rights concerning religious free expression. How do diverse legal and political practices meet to facilitate democratizing policy development in the Arab world?

This article responds to the above question in recent comparative historical terms. I suggest three pattern trajectories through which legal change may contribute to more open politics in the Arab countries of the Middle East and North Africa. One possible pattern is a "slow and steady" move toward gradual regime political accountability to legal ideals and popular pressures; Morocco is the exemplar. A second, distinct trajectory is the "full speed ahead" hyper-globalized pressures for legal development and global reliability illustrated by countries like Qatar and the United Arab Emirates (UAE). Both of these possible trajectories differ from the third, the activist eruption and regime system overthrow represented by Tunisia, Egypt, and Libya in 2011. While this third trajectory is inspiring, creating in its wake the prospect for a dynamic and democratizing "restart from scratch," its volatility suggests the utility of analyzing the other two less-dramatic paths alongside it. I do this below after providing some background on the general contours of Arab legalism.

Background

The Rule of Law and Political Change

The rule of law "stands in the peculiar state of being the preeminent legitimizing ideal in the world today" (Tamanaha 2004, 4). Despite this, knowledge is surprisingly limited about what this ideal means or how it works in politics (Chesterman 2008; Jensen and Heller 2003; Maravall and Przeworski 2003). Impreciseness around the rule of law has even led

some theorists to dismiss the utility of analyzing this "bit of ruling class chatter" (Shklar 1987, 1). A frequent core aspect of the rule of law is John Adams's formulation "a government of laws, and not of men" (1865). Yet the mechanisms through which legal development facilitates the political accountability of leaders to the legal norms that Adams envisioned are not well-theorized centuries later, at least outside of representative democracies in the West (Carothers 2006).

Indeed, much research on the rule of law derives from Western country cases, where the emphasis is on independent judicial review and other legal institutional performance (Ginsburg and Moustafa 2008). Yet the role of judges remains rather constrained in many societies and may depend on broader means for social support or political capacity. For example, in the Arab world, Egypt stood out for decades as the society with the most comprehensive contemporary history of judicial review. Yet, Egypt's military regime under Gamal Abdel Nasser, Anwar Sadat, and Hosni Mubarak was able to limit the political and other impact of its judges, in part by keeping them isolated from broader social support (Moustafa 2007).

Thus, courts are not necessarily the only key to law's relevance to political reform, particularly in non-Western or developing countries. In line with this, sociolegal scholars have suggested that comparative analysis of the rule of law and politics should use a broad idea of legal actors. My discussion below adopts the concept of the "legal complex," including lawyers, law students, activists around legal themes, and officials (Halliday et al. 2007, 7). Indeed, the rule of law goes beyond legal institutions and actors to encompass the importance of dominant social ideas and behavior with respect to law. All of this is in line with an approach that is consistent with perhaps the most famous work on the rule of law in a particular country, Alexis DeTocqueville's Democracy in America (2009).

Particularly since the decline of the USSR in the 1980s, the West has shown increasing interest in advancing common legal standards for countries, through human rights and other substantive law, and in providing legal developmental aid. Such reform efforts take place in a setting of globalized interconnectedness (Held et al. 1999), where international law and the legal norms of one society are easily accessible and often salient elsewhere (Berman 2007; Slaughter 2004).

Yet, these efforts can raise concerns in non-Western societies around sensitivity to local history and tradition. Knowledge around what works well in rule-of-law aid is limited in general (Carothers 2006). In the Middle East and North Africa, the comparative roles of Islamic and other legal discourses are central to the issue and my project. Though human rights and other international law can be reconciled with local Arab experience (Mayer 2006; Mednicoff 2003), Islamic law retains significance in inspiring and providing some substance to Arab legal orders (An-Na`im 2008; Otto 2010; Papi 2009; Rosen 2000). The latter doesn't necessarily sit well with Western rule-of-law aid specialists, who tend to espouse secular norms. A major argument that this project aims to test is that Arab political orders that have allowed a public political role for Islam have also done better at rule-of-law reform by fostering coalitions of do-

mestic and external reformers that cut across Islamic and secular discourse. This happened, for example, with family law (mudawwana) reform in 2004 in Morocco, a government that has survived recent regional upheavals.

The complex political picture of the rule of law is complicated further because national and global praxis around the issue is grounded in at least two broad aims. First is an economic stake in facilitating stable market transactions for transnational capital. Second are political pressures for citizens' rights and regime accountability. These two goals may not be mutually reinforcing. Indeed, efforts to enhance the rule of law to harmonize transnational market transactions can accompany low civil rights and political accountability, as has been true in some Asian countries. Thus, high levels of legal development may have more to do with repression and "the rule by law" than with accountability or empowerment (Ginsburg and Moustafa 2008). My project tries to sort out legal and political conditions for the latter in Arab states.

It can therefore be difficult to sort out how and when the legal complex may be able to mobilize legal ideals or reforms that can advance more political opening. Contemporary authoritarian governments have muddied these waters by their frequent public symbolic political expressions of their adherence to global legal norms. Such symbolic expression can represent efforts at partial compliance with global human rights or other standards or aspirations for legal reform. But it can also be part of nonelected regimes' adroitness with respect to fending off international legal criticism. In the Arab world, it seemed reasonable to conclude that unelected regimes had multiple tools to subvert the legal complex's potential to challenge their legitimacy until recent events, often framed in terms of legal ideals, proved this wrong.

Figure 1 illustrates the simple, appealing, logical assumption that the rule of law helps to make a country's politics more open and accountable to the citizenry, which in turn can amplify the rule of law in a virtuous circle. But the mechanisms for this are not very well-theorized. Moreover, as noted earlier, the rule of law itself is used in diverse and confusing ways. The rest of this essay suggests three possible pathways from the recent Arab world that may flesh out this appealing, but amorphous, virtual circle, particularly the lighter causal arrow at the top of the figure.

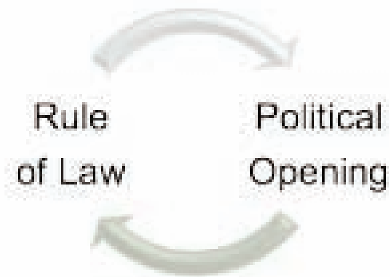


Figure 1 — Simple depiction of the rule of law and political opening[1]

Legalism in Arab Politics: How Do History and Sharia Inform Current Issues?[2]

In one form or another, the rule of law has long been critical as doctrine in the Arab world[3]. Thus, discussion about the rule of law in Arab states cannot proceed without recognition that the concept has deep Middle Eastern roots. Indeed, Islam's long history of prioritizing law and mechanisms for

its evolution means that one indigenous Arab version of rule-of-law ideals remains very popular today (Feldman 2008, 20-21; Kassab 2010).

More specifically, Islam originated as a social system that combined "din wadawla," or religion and polity. Naturally, law emerged as the central glue to guide the growth and administration of the millions of people throughout the Middle East, North Africa, and Southern Europe who comprised the early Islamic empire from the seventh through the thirteenth centuries. While facets of contemporary Western and global articulation of the rule of law cannot simply be retrofitted or read into Islamic political history, the core term for Islamic law, sharia, prioritizes legal order and brings together legal doctrine and judicial decisions. In other words, this traditional Arab Islamic term itself is one way of translating, if not necessarily transplanting, some of what is understood as the rule of law; it is likely to be viewed by many Muslim Arabs as the correct Arabic term for the concept. In general, then, the idea of the rule of law was central and well-developed within Islam; political institutional practice was the problem (Abou El Fadl 2004, 12-14; Hallaq 2009).

The complex political and doctrinal history of sharia merits far-more detailed treatment than can be undertaken here. Yet, several significant points, though they might be partial oversimplifications, facilitate an appreciation of the ongoing influence of Islamic ideals in the contemporary Arab politics of the rule of law. First, Islamic law evolved and grew mainly through the role and efforts of scholars and judges but without an ironclad institutional check on the power of rulers. This led the conflict between the empowering and power-enabling tendencies of law to resolve ultimately toward the latter. Second, the ideals of Islamic politics and the rule of law have remained a useful political language after the end of Islamic government in much of the Middle East and North Africa. Moreover, the scholarly, non-codified history of Islamic law is closer to the Anglo-American common law tradition than subsequent major legal influences in many Middle Eastern countries. I expand on each of these points in turn.

On the first point, Islam emerged rapidly as a system of social governance and also as a creed. Thus, it is hardly surprising that a law-forming class of Muslims also developed quickly. Religious scholars were the natural source for legal interpretation, because Muhammad's Islamic status as God's final prophet meant that either his recorded prophecies in the Quran or the sayings (Hadith) attributed to him otherwise, collectively known as the Sunna, formed the basis of the most reliable dicta for ordering society. Moreover, the relatively small number of explicitly legal passages in the Quran and the governing challenges that grew with the spectacular expansion of Islam in the several centuries after Muhammad's death meant that legal needs and sources were too diverse to allow for simple derivation from the founding documents of the religion. Over time, scholars built an elaborate intellectual interpretative edifice to find ways to codify and extend through reason and analogy (qiyas) and interpretation (ijtihad) these original authoritative sources of Islam (Mallat 2004, 285). The result was a diverse, non-monolithic, and long-

lasting system of jurisprudence and social growth.

One of the central, enduring doctrines of Islamic jurisprudence was the leader's status as custodian of communal law rather than as its progenitor. Thus, rulers were to be judged by qualified Islamic scholars and Muslims generally on their record of executing and enforcing Islamic law. This clear theoretical limit to the leader's legislative powers and discretion was subject to the realities of a depoliticized, diffuse, premodern imperial citizenry, which could either allow centralized political excess or heighten the importance of the scholars' work. Yet Islamic law's dependency on scholars meant that the ruling political elite "was largely, if not totally, absent from the legal scene" (Hallaq 2009; Hallaq 2005, 204). Thus, Islamic scholars exercised a major, practical role in granting or withholding legitimacy to the leader.

The range and power of the Arab Islamic and subsequent Ottoman Islamic empires decreased over time, while Western economic and military power posed a doctrinal and practical challenge to Muslim political order in the Middle East and North Africa. In the broad context of Western imperial expansion, Islamic political order took a back seat to the beginnings of local nationalism and efforts at centralization. For whatever particular cause (Feldman 2008, 59-75), the ideal and reality of Islamic government, including the central place of the rule of law as a check on arbitrary authority, diminished until its death blow after World War I. When the Islamic Ottoman Empire disappeared, the system of scholars that upheld the rule of law disappeared. In the colonial Arab lands, the rule of law itself became a term for foreign non-Islamic government enforcement and bureaucratic centralization.

The failure of Muslim Arab states to resist modern Western domination doomed Islamic government in most of the Middle East for much of the colonial and early postcolonial periods. Yet, the second important point here is that Islamic political theory remained a significant source of basic ideals, particularly with respect to the rule of law (Dupret 1997). One relevant normative influence is justice as a value that is centrally embedded in Islam. Justice as a concept and a discourse is ubiquitous in the Quran. Moreover, as is true with American legal ideals, Islam's emphasis on justice in the Sunna includes significant attention to social equity and individual rights. Thus, discussions of many of the issues that frame legal discourse are engrained in the religious identity of a large majority of the people in Arab societies. The importance of justice within Islam also contributed to the fact that Islamic jurisprudence never fully developed a concept of natural law. This has led some to argue that there is no clear theory to ground a completely secular legal order, as natural law did over time in the West (Sfeir 1998, 11-12).

By the twentieth century, Islamic legal rule had been largely banished and tarnished in Arab countries, reduced to the sphere of family law by Western colonial rulers and rejected by many natives who saw Islamic government as outmoded or ineffective in the face of European power (Zubaida 2003). At the same time, late-Ottoman centralization and subsequent foreign great power control of law in the Middle East and North Africa fostered three major consequences. First, this

produced a patchwork of legal orders in a given society rather than the relatively long-standing growth of a unitary national legal system such as occurred in the United States. Second, it set up an authoritarian norm that law would in fact be subordinated to imperial political power (Posusney and Angrist 2005). And third, it spurred on a tendency for constitutions to exist without a significant history of judicial interpretation. In some states, such as Morocco, this led to frequent postcolonial redrafts of the constitution to reflect changes in the power or preoccupations of political authority, in contrast with the U.S. norm of a single basic constitutional document that can only be modified with difficulty.

The legal system of every contemporary Arab nation is a unique mixture of Islamic, Ottoman, European, and post-independence laws, even if this is less true in the Gulf (Brown 1997, 3-5). This mélange of legal sources in most Arab societies did not in itself preclude legal clarity or checks on authority. However, along with the lapses in territorial and ethnic logic that European colonial powers frequently employed in setting borders for many contemporary nations of the Middle East, the lack of legal systemic unity in Arab states has two consequences for Western efforts to enhance the rule of law (Owen 2000, 11). It means that the jurisprudential reference points of lawyers in the United States are not likely to be of direct use to most Arab societies. And it has contributed to political situations in which postcolonial Arab leaders have had many incentives to centralize their authority and no real legal impediments to doing so.

This latter point is even more obviously related to the primary legacy of colonialism in the Middle East—an emphasis on control backed by force that was meant to serve the best interests of the colonizer rather than indigenous citizens. The political example that socialized Arab nationalist elites was colonial regimes' deployment of invented political forms like mandates and protectorates to occlude their exercise of raw power. Legal norms and institutions under colonialism made readily apparent the contradictions between stated and true purposes.

At the same time, these norms and institutions were somewhat successful at centralizing political and economic administration. However much Arab nationalists rebelled against colonial rule, they also learned that the lofty promises of colonial political ideas were generally subservient or even in contrast to the reality of police control. Facing economic and other challenges, these nationalists unsurprisingly built on, instead of dismantling, the legacies of authoritarian rule that they inherited.

To be sure, the ideal of the rule of law will often be at odds with the centralizing tendency of governments. Yet Arab states in the Middle East in general have had an especially wide gap between the ideal and the reality because of the combination of the relative lack of autonomous, precolonial, unified legal order in these states and the repressive nature of colonial and, later, postcolonial governments. More subtly, the discontinuity between the rational, legalistic values preached by European administrators and their practice of resource extraction and police rule tainted the global, secular ideal of the rule of law in a way that encourages conflict between local and global law.

In short, it is easy for Arabs to view the rule of law in the West in a manner similar to some American legal scholars on the left, as primarily an ideology of political control not as a possible check on political abuse or a guarantee of individual rights. This is important because it implies that Western-based efforts to reform the rule of law using Western models, and particularly central legal institutions, are not necessarily associated with political opening within Arab societies. A striking example of how well-formulated ideas of the rule of law can exist alongside repressive political tendencies was the publication by an Iraqi law professor of a thoughtful tract on the rule of law as an ideal in Iraq at the very same time that Saddam Hussein was beginning to consolidate his particular style of brutal and often legally arbitrary authoritarian rule (Tawfiq 1978).

Despite this authoritarianism, Arab regimes have not lacked clear legal structures. For example, most Arab states have basic laws or constitutions. Such Arab constitutions exist and may matter, but they have had little history of institutionalization and independent judicial interpretation, although this is likely to change in the post-2011 Arab world. It is, therefore, worth underscoring the challenge that the juxtaposition of formal legality and political regimes with few genuine legal checks poses for building broad social support, or even judicial competence, for global ideals of the rule of law.

Thus, many Arab citizens have had two broad historical touchstones with respect to the rule of law. One is the twentieth-century experience of codified law from numerous, including Western, sources, most often being used to support centralized, non-democratic rule. A second is the vague collective knowledge and memory of an earlier era, when jurists and judges managed to develop law that could check and delegitimize authority but within the clear norms and bounds of Islamic faith.

Thus, the theory and practice of the rule of law in contemporary Arab politics has had a fragmented quality. On the one hand, Islamist political ideology grew throughout the Middle East in the 1980s and 1990s to become the dominant current trope of political discourse and opposition. As a result, Islam and sharia remain at the rhetorical and actual center of discussions of law in contemporary Arab states. In particular, many Arab constitutions clearly endorse Islamic law as the primary source for legislation[4]. The most frequent rallying cry or demand of opponents before the recent wave of Arab uprisings, and a strong slogan since, concerns the amplification or restoration of sharia law (Feldman 2008, 105).

The extent to which Islam and sharia should inform the rule of law and what forms this should take is currently a complicated area of great debate and discussion among Arab and non-Arab Muslim scholars. Adding to the complexity of this issue is the theoretical contradiction between the Islamic ideal of siyasa al-shari'a (the government of God's law) and siyadat al-qanun (the sovereignty of man-made law). The latter term, the general way in which the Western idea of the rule of law is translated into Arabic, conveys with it a patina of illegitimacy to some, although by no means all, Muslims[5].

Like other broad ideological frames, Islam allows for diverse interpretation about law and politics and is compat-

ible with the actual contemporary Arab practice of mixed legal norms and institutions. For this reason, a broad majority of government and opposition fealty to sharia exists alongside more secular courts, bureaucrats, and lawyers' associations in many countries, the forces combined for analytical purposes as the "the legal complex" in a recent study of law and democratization (Halliday et al 2007).

Yet the standing of members of the Arab legal complex is the second side of the contemporary rule of law's fragmented nature. Lawyers are sometimes part of an active and growing transnational movement of Arabs, linked to global rights' nongovernmental organizations and rule-of-law advocates, and are open to more direct import of Western ideas or experiences with legalist reform. Reflected in international fora and documents such the Arab Human Development Reports, this posture does not reject the importance of Islamic identity or law per se. Rather, it is a preference, or at least a willingness, to articulate theories of legal and political reform in terms translated directly from global usage such as dimaqatriyya (democracy), huquq-el-insan (human rights), and siyadat al-qanun. This tendency can be grounded in skepticism about the possibility of traditional Islamic terms adapting to modern political debates, a desire to avoid overburdening religious concepts with excess contemporary meaning, or both.

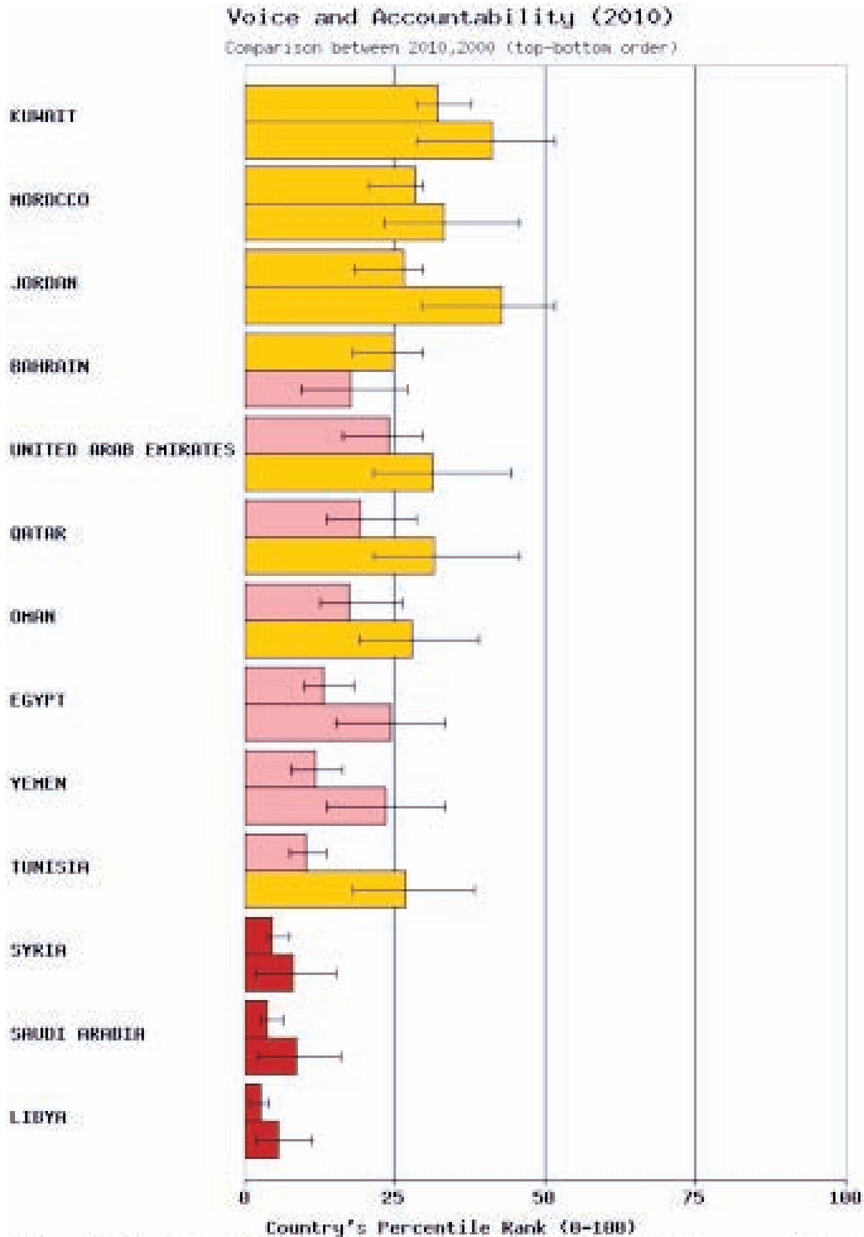
However, this indigenous Arab reformist tendency within portions of the legal complex has been less likely to find broad sociopolitical support, unlike Islamist political expression. In diverse Arab countries such as Egypt, Morocco, and Qatar, lawyers, law students, and lay citizens speak articulately about the rule of law and respect its limited success and broader promise to improve rights, fairness, and political transparency[6]. To be sure, in Tunisia, Egypt, and elsewhere, local lawyers' knowledge of global legal standards helped tap into a popular lack of confidence in authoritarian legal and political institutions. But a century of popular historical associations of Western legal and political ideals with colonial and postcolonial Western involvement has also made non-Islamic frames for the rule of law less popular now that freer elections are taking place. In short, however fluid the contemporary balance between Islamic and non-Islamic sources of legal legitimacy may be in the post-2011 Arab world, the negative popular experience with non-Islamic legal ideals in practice remains an aspect of ongoing politics.

Pressures and Prospects for the Rule of Law and Arab Reform Generally

Confronted with the dilemma of balancing popular support for fluid ideals of Islamic law and supporting more secular legalist practices, Arab political systems have had one basic response. This has been to highlight officially, and often constitutionally, the importance of sharia in their governing principles, while actually fostering legal structures that are at least on paper close to the rule of law in Western and global arenas. Thus, most states have well-established mechanisms for legal education, the regulation of lawyers, and legislative development, even though a level of judicial review sufficient for checking possible abuses of power by rulers has been absent.

What has differed across Arab regimes is the extent to which use of this

Figure 2 — World Bank voice and accountability governance indicators for Arab countries, 2010 and 2000.(Source: World Bank n.d.)



strategy of championing sharia but favoring secular over Islamic legal actors has led to gradual political opening or strong repression. In general, Arab military republics, like those overthrown in Egypt and Tunisia, have decreased the political space for lawyers and other members of the legal complex rather dramatically, while monarchies have let this space stay more stable.

One illustration of this can be found in the yearly indicators of voice and accountability (VOA) that the World Bank prepares each year, one of several compilations of diverse sources on governance. As Figure 2[7] shows, between 2000 and 2010, the amount of voice and accountability citizens generally had in diverse Arab countries decreased across all countries (except Bahrain)[8]. However, the average was higher in the monarchies than in the republics. Generally, the measurements in voice and accountability decreased somewhat more overall in the republics than in the monarchies. Figure 3 shows more detailed time-series data every two years from 2010 back to 1996 for the same VOA governance indicator for six representative Arab monarchies and republics.

Arab republics, led by long-standing rulers with military or security backgrounds, such as the former regimes of Egypt, Tunisia, and Libya, decreased their space for political dissent and civil rights advocacy from an already low starting point in the past decade. In contrast, Arab monarchies have had a better track record of allowing citizens voice and accountability, even if the World Bank's indicator has declined during the past decade of the war on terror and global economic crisis. Each of the Arab monarchies has done something that their military counterparts have not: they have integrated Islamic political groups and/or Islamic legitimation directly into their governance pattern. Morocco is a clear example of this, and a contrast with Tunisia, in the monarchy's official use of Islamic symbols and tolerance for Islamic political parties since Mohammed VI assumed the throne in 1999. Jordan also allowed the Muslim Brotherhood to become a political party (Schwedler 2006).

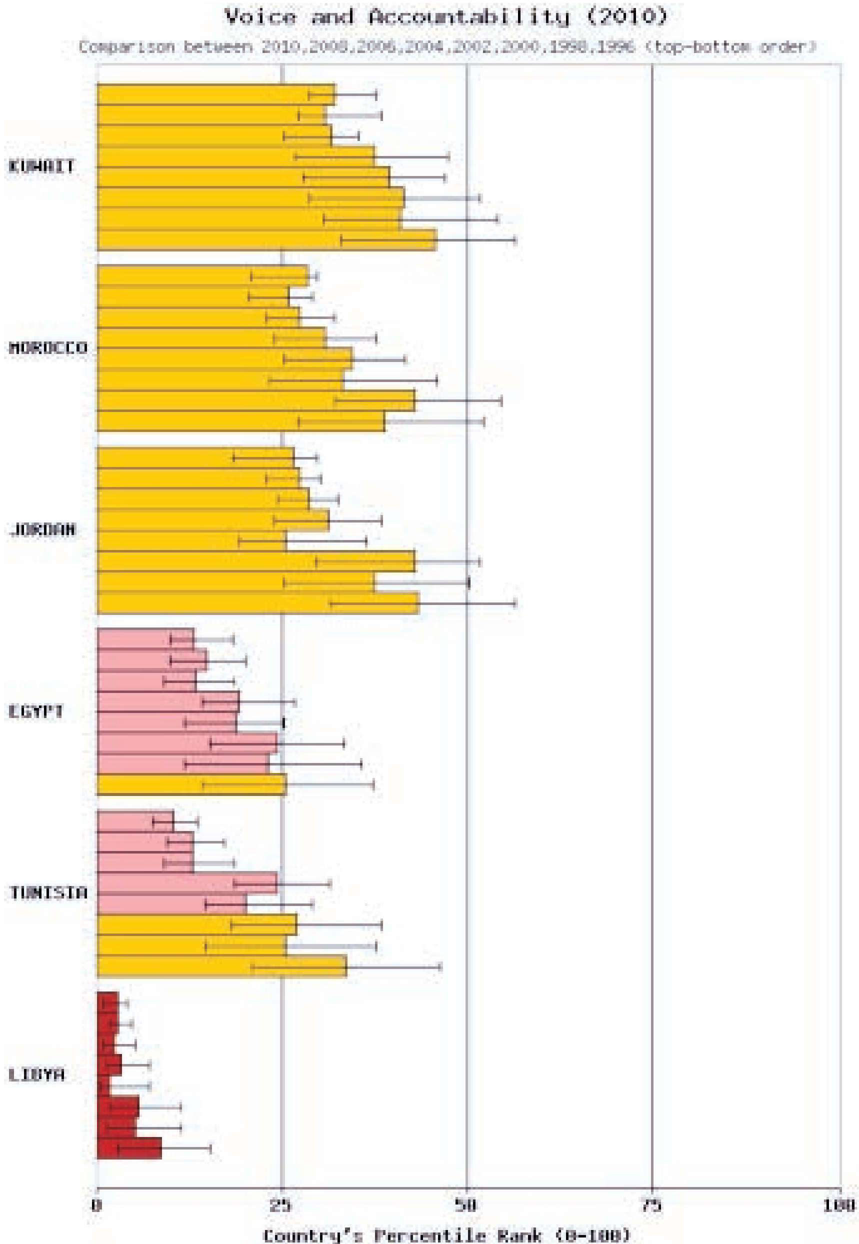
Patterns

Monarchical Reform and the Rule of Law: Slow and Steady Wins the Race?

What pattern of legal development and political implications do Arab monarchies share? As already suggested, this differs among long-standing nations like Morocco and more recent, hyper-globalizing states in the Arab Gulf like Qatar. Countries like Morocco have in common with their non-monarchical peers, such as Tunisia, a relatively well-established legal complex. The difference is in the extent to which lawyers in each country are able to advance work around rights and reform within their systems. Morocco's pattern in this regard diverges from that of Tunisia. In Morocco, the monarchy has opened political space up for contested legislative elections, permitted domestic human rights groups to work openly in the country, and launched in 2004 the Arab world's first national commission devoted to identifying and compensating victims of past domestic human rights abuses, the Equity and Reconciliation Commission (IER).

All of these developments have involved members of the legal complex, allowing them political space to push for greater adherence to rule-of-law

Figure 3 — World Bank voice and accountability governance indicators, time-series data for six Arab societies every two years from 2010 to 1996.png(Source: World Bank n.d.)



ideals in a relatively open manner. In addition to the above, the 2011 events led to reform within the Moroccan system, including the establishment of a new constitution rather than the regime overthrow that occurred elsewhere. This is a more recent indication that, even without petrodollars, monarchies like Morocco's were able to accommodate more legal activity than countries with equally developed, but more repressed, legal complexes, like Tunisia. Thus, if lawyers generally prefer stability and slow change either to revolution or repression (Halliday et al. 2007, 5; DeTocqueville 2009), Arab monarchies offer better models than the more overtly secular military republics.

The reason for this divergence goes back to an earlier part of this article. Monarchies like Morocco have claimed historical continuity to give them some legitimacy in terms of Islam. Much of this is, to be sure, constructed, as in the pseudo-Islamic bey'a (allegiance) that is an annual televised reimagination of a traditional political contract ceremony that was never meant to apply to a modern, bureaucratic state.

The point in such contemporary simulations of Islamic historical tradition is not that citizens necessarily see them as binding representations of their idea of political or religious legitimacy. Rather, Arab monarchs have mythologized and modernized their historical relevance to Islam to make it harder for Islamic opposition groups to make clear cases undermining the regime. In practice, this strategy has allowed religious and nonreligious ideas around the rule of law to meet in the public space around reform and change. If the tensions around Islamic and secular law can find occasional resolution in the public sphere, a nondemocratic regime needs to invoke less the level of emergency and repression that shuts out legal activists and chills voice and accountability more generally. This has been the secret to the survival of neo-traditional Arab monarchies like Jordan and Morocco, at least to the end of 2011.

By blurring the boundaries between the traditional and modern, and between the Islamic and secular, a monarchy like Morocco's has managed to allow for a broader space for legal and other public contestation than other Arab regimes. This is particularly notable given its large territorial and population size. It has meant a well-developed, mature system of regulation of lawyers and legal education. More specifically, it has allowed the legal complex and legal measures to broker conflicts around pluralism and expression that are readily associated with civil and political rights generally.

Among the examples of such measures are:

* **Long-standing rights for Jews and other religious minorities.** Morocco's former King Hassan II, who ruled from 1961 until his death in 1999, was known as a skilled manipulator whose paternal expressions of the country's political openness were not always consistent with frequent periods of repressing strong political opposition (Mednicoff 1999; Mednicoff 2002). Yet, the late king was also known for allowing, and policing, free worship and religious community regulation for Jews and Christians. Having a loyal, non-Muslim, long-settled religious minority like the country's Jewish community may have served Hassan's generally factionalized politics. Nonetheless, it

functioned as both a highly trumpeted symbol of Moroccan openness and a genuine contrast with the more explicit contraction of the native Jewish community that took place in more ostensibly secular Arab states like Tunisia and Egypt.

* **The IER.** When Hassan was succeeded by his eldest son Mohammed VI on the throne through a peaceful transition in 1999, it took the new king only a few years to sack his father's strongman and institute the Arab world's first commission to investigate and compensate victims of prior human rights abuses. Since the conclusion of the IER's work through the release of its report in 2005, the public climate for critiquing human rights abuses in the past and for speaking more openly about rights issues in general has improved.

* **The mudawwana**. Morocco's family law reform is a frequently commented example of feminist reform of traditional Islamic marriage and divorce provisions that both improved women's rights and attracted the support of activists focused on both secular and religious discourses (Mallat 2007, 400-401). Both in this regard and more substantively, it has been regarded as a success. Indeed, championed by the government, the major changes in Moroccan family law build on and demonstrate the country's comparatively large space for activism and discourse around legal rights that transcends simple secular/Islamic cleavages.

* **The 2011 constitution.** A few months after the Tunisian and Egyptian governments were overthrown, the monarchy promulgated and called for a vote on a new constitution. The obvious interpretation of this document and the vote that followed, which kept most of the king's strong powers intact, was of a relatively insignificant effort to stave off demands for broader change. Yet this ignores real concerns about political instability that have fostered general loyalty to the ruling monarchy (Ottaway and Muasher 2011, 3-8). Moreover, the new document explicitly represents the political expression rights of the minority, indigenous Berbers, that have been a contentious issue for decades. This again marks Morocco as comparatively progressive in taking new, if slow, steps forward on a path that links legal change and possible political reform.

Morocco is the main Arab example of gradual legal and political reform. Jordan also illustrates this trend, with a significant presence for Western rule-of-law and rights activists and some progress in women's rights and judiciary[9]. At the same time, Jordan's trajectory is more fitful, most notably in the stalling of a process of political opening begun rapidly at the end of the late King Husain's regime that included bringing Islamic groups into the legal political process (Schwedler 2006, 205).

Yet, even where fitful, monarchies like Jordan and Morocco embody a pattern of gradual change that, in a sense, is nothing new. The gradual economic expansion of new groups and the steady growth of a legal complex that could help channel these groups into political structures built around accountability and equity, rather than hereditary right, is one way of describing the evolution of Western European and American politics and law. In Europe, at least, this pattern led to

the end of monarchies that rule and inspired elected republican systems in former colonies like the United States. Yet this took place over a long span of centuries, under very different technological and historical conditions than those of today's Arab world.

Thus, if the pattern of "slow and steady" legal development and political opening that occurred in the West is assumed to apply to contemporary Arab monarchies with similarly highly attenuated processes of political liberalization, several issues present themselves. First, for kings in power, the end result of a gradual process of growth in the legal complex would seem to be an end to royal rule sooner or later, which the kings themselves may not wish. Second, as was true in Western history, the long nature of the transition from political absolutism to the rule of law is hard to gauge in terms of managing peaceful transitions. When is an extended period of very slow and steady legal expansion and modest more open politics enough to appear real to would-be citizen activists? When instead might it seem so glacial as to provoke regime overthrow, especially in the context of post-2011 Arab citizen dissatisfaction with political repression? From the perspective of citizens who want greater rights along with basic stability, historical analogues of slow and steady liberalization from the West to the Arab world, even if they have relevance, are opaque as models for extending the rule of law.

Another group of Arab monarchies shares political structural features in common with countries like Morocco and Jordan. At the same time, this group's much shorter period of political independence, lack of longstanding legal establishment, and possibly unprecedented speed in rapid, globalized growth suggest a different dynamic of legal growth and possible political change than the slow and steady path just described. I now turn to this possible newer model.

Gulf Hyper-Globalization and the Rule of Law: Full Speed Ahead?

Indeed, the Arab Gulf has been exceptional in its political youth and unusual economic resources. This may suggest a pathway for legal reform and political liberalization that is based neither on the very gradual opening of the non-Gulf monarchies nor on the systemic overthrow that has occurred in non-monarchies. The recent historical exceptionalism lies in Arab Gulf states' general lack of intensive colonization, which means that the triple combination of the growth of strong coercive institutions, the radical diminution of sharia's scope, and the mosaic hybridity of the legal system was much less potent here than elsewhere in the Arab world. This created a political background in which, on the one hand, state institutions were less centralized and defined, and on the other hand, associations of Western legal ideals and practices with coercion and hypocrisy were less sharply etched.

Be this as it may, what marks the Arab Gulf as most distinct with respect to legal and political reform is its recent pattern of petrodollar-driven hyper-globalization[10] and the particular combination of possibilities for change within the system that it may entail. The extraordinary, perhaps unprecedented, trajectory of rapid development of Gulf cities like Doha and Dubai from unimportant towns to cities of global influence has required

an enormous influx of professional experts in many fields including law. Unlike elsewhere in the Arab world, these Gulf societies lack centuries, or even decades, of indigenous tradition around the teaching, practice, and regulation of law and have had to build legal infrastructure in a very short time. This has entailed a very fluid environment for both conflict and consensus around global and local legal ideas and practices.

I am not suggesting, therefore, that young Arab Gulf countries fit into a simple pattern of legal growth based on Western-propelled solutions to their relative legal underdevelopment. Rather, the wealth and global ambitions of Gulf countries, together with their prior insulation from widespread global legal penetration, create diverse and intense opportunities and encounters around different notions of locally appropriate best legal practices.

Globalization throughout the world means an intensification of local and global legal actors' access, and ongoing connections, to each other. Yet Gulf hyper-globalization adds to this intensity both because of the relative shallowness to the indigenous legal establishment in relation to the extent of recent global integration and the overall extent of diversity of residents within these new societies. Countries like Qatar and the UAE are unprecedented in the contemporary world in terms of the sheer proportion of noncitizen workers who have come on worker contracts to these magnets of global growth. Native citizen population rates of just 5 percent to 15 percent of the total residents of these Gulf societies merely scratch the surface of the diverse demographic issues that are raised by hyper-globalized growth and the daily extent of sociocultural variation that it has brought.

In terms of law, this means an intensification of points of contact between diverse perspectives and actors relevant to the rule of law. The multiplicity of these actors because of the influx of workers and institutions from all over the world, and the heightened international scrutiny this entails, create variation and hybridity around the rule of law that is unusual, particularly given Arab Gulf societies' relative dearth of legal and other sociopolitical infrastructure prior to the oil boom. The most significant of these hyper-globalized legal points of contact are:

* **Legal education.** For growing hubs like Dubai and Doha, having resources and incentives to develop legal education that is appropriate for their expanding global roles has meant hiring Arab and Western legal consultants from other countries to provide guidance on best practices in legal education. Law faculties in these ballooning economies have brought on resident faculty from all over the world. All of this means that law schools are a place of fluid interaction around legal pedagogy and practice in a way that is untrue for states with either less money or better-established indigenous law schools.

* **Increasing presence of professional workers with strong awareness of global legal norms (native and nonnative).** While anyone can make a claim around legal fairness, workers in white-collar careers generally have training and experience in asserting legal rights. Moreover, natives and foreigners who have lived in other societies with long-standing legal norms and institutions have high expectations

around legal fairness and predictability. This frequently asserts itself in driving standards and rules of the road, where residents who are used to stricter and more uniformly enforced traffic regulations press for the same in Gulf societies, given the very high accident rate in their expanding cities. Equity concerns about the kefala system, the dependence of guest workers on their official corporate or individual sponsor, have also led to diverse legal influences with respect to workers' rights and cases of abuse.

* **Activism around human rights.** Because most Gulf societies are so highly globalized, dependent on nonnative workers, and open with tourist visas for residents of other prosperous societies, they are an easy destination for international human rights observers. Indeed, the bizarre demographics of these societies brought on by the speed of globalization raise obvious global legal concerns around noncitizen worker rights and illegal trafficking. At the same time, the very success of Gulf hyper-globalization raises concerns on the part of some local residents that their societies receive too much scrutiny in terms of international law, inspiring diverse responses, including the Qatar Law Forum. In short, international legal rights as a general issue opens broad debates around the rule of law in Gulf societies.

* **Media expansion and openness.** The government of Qatar triggered an Arab media revolution, and perhaps helped the recent overall Arab revolution, in establishing the first open pan-Arab satellite network, Al Jazeera. The station itself, the English language spin-off it spawned, and the regional competitors it inspired, all have transformed the Gulf area into a hub of sophisticated journalistic diversity. Even if the official domestic media of some Gulf countries is less politically open than more regional ones, the climate of media growth and journalistic sophistication allows for a great deal of public discussion around important legal issues, such as, for example, through the BBC program, "The Doha Debates."

* **Law enforcement.** As noted above with respect to driving regulations, concerns about the nature, extent, and fairness of law enforcement are raised inevitably in the hyper-globalized crucible of the contemporary Gulf. The efficiency and equity of both the police force and judges are highly visible challenges in cities like Dubai and Doha, given their global prominence and the strong presence of diverse foreigners in the ranks of cops, courts, and criminal suspects. For example, two criminal prosecutions in the UAE of a British couple for public fornication and a member of the Emirati royal family for beating an Afghan contract merchant brought global attention and extended debate around the nature and fairness of law enforcement in hyper-globalized Gulf societies[11].

The above areas each entail diverse ideas about the meaning of the rule of law and justice that allow for varied outcomes and do not generally reduce to simple conflicts between the religious and the secular or the Western and the Arab. Indeed, contemporary Gulf societies are also marked by their strong non-Arab populations and highly diffuse South Asian and Southeast Asian cultural influences. Thus, both conflictive and consensual elements of rule-of-law ideals and

institutions are highly visible in the Arab Gulf. Western governments, and even international law, can be viewed by many residents with suspicion[12] but without the deep legacy of colonial control and foreign legal hybridization that permeated other Arab societies.

Thus, Gulf countries like Qatar and the UAE have found themselves having to expand unusually rapidly the density and sophistication of their legal apparatuses while having exposure to an equally unusual collection of legal examples, legal norms, and legal reformers-for-hire. Amidst this cauldron of unfolding explosive expansion in the rule of law, there are signs that legal reforms have emerged that might be associated with enhanced ideas of citizenship (Faour and Muasher 2011) and more democratic politics.

In Qatar, in recent years, these include:

* The split of the College of Law from sharia within Qatar University, with global legal influence and curricula reform through American and other rule-of-law experts

* The formation of and efforts to establish standards for a Qatar Bar Association

* The Qatar Law Forum, as discussed earlier

* The dedicated tribunal for international commercial and civil disputes that was highlighted at the Qatar Law Forum

* The opening of the new national Rule of Law and Anti Corruption Centre in December 2011

In the UAE, examples might be:

* More pervasive law enforcement in non-rights arenas like traffic laws, through the elaborate Salik toll system and other measures

* Increasing use of courts, including against prominent citizens, like the Sheikh Issa trial, mentioned earlier

* Increased rights for noncitizen workers, based on substantial labor law overhaul (Mednicoff n.d.)

The above sorts of reform only indirectly relate to the oil wealth of Arab Gulf countries. The rapid developmental imperatives that hydrocarbon revenues made possible have facilitated, but not required, dynamic patterns of global and native interactions around law both within the resident populations and across borders. These latter interactions, based on Gulf government strategies to sow the seeds for post-oil economies, create possibilities for legal change that is politically opening.

At the same time, as is evident in comparative discussion of Qatar and the UAE, distinctions in development strategy also suggest possible differences in legal reforms and their political consequences. For instance, Qatar has prioritized educational reform, through Education City and other developments, and regional media openness through Al Jazeera; its emphasis has been on building legal educational and associational infrastructure. More open discourse among lawyers and the public, which highlights the politically liberalizing potential of law, such as the Qatar Law Forum exemplified, would seem to be the result.

While legal education and process

are also growing rapidly in the UAE, the latter's developmental strategy priorities toward rapid economic and tourist growth have favored legal regulation that maximizes financial transactional stability and order. Thus, increased Emirati use of courts, and even clarified rights for workers, may serve the interests of procedural smoothness more than political opening. Indeed, the use of the judicial system to threaten politically outspoken Emiratis in the spring of 2011 is a sign of the potential for increased legalism to be used as a tool of repression, rather than reform (Human Rights Watch 2011). Ultramodern systems like the Salik toll system that attempt to regulate traffic problems also exemplify sophisticated tracking technology that can buttress law as a mechanism of coercive central control.

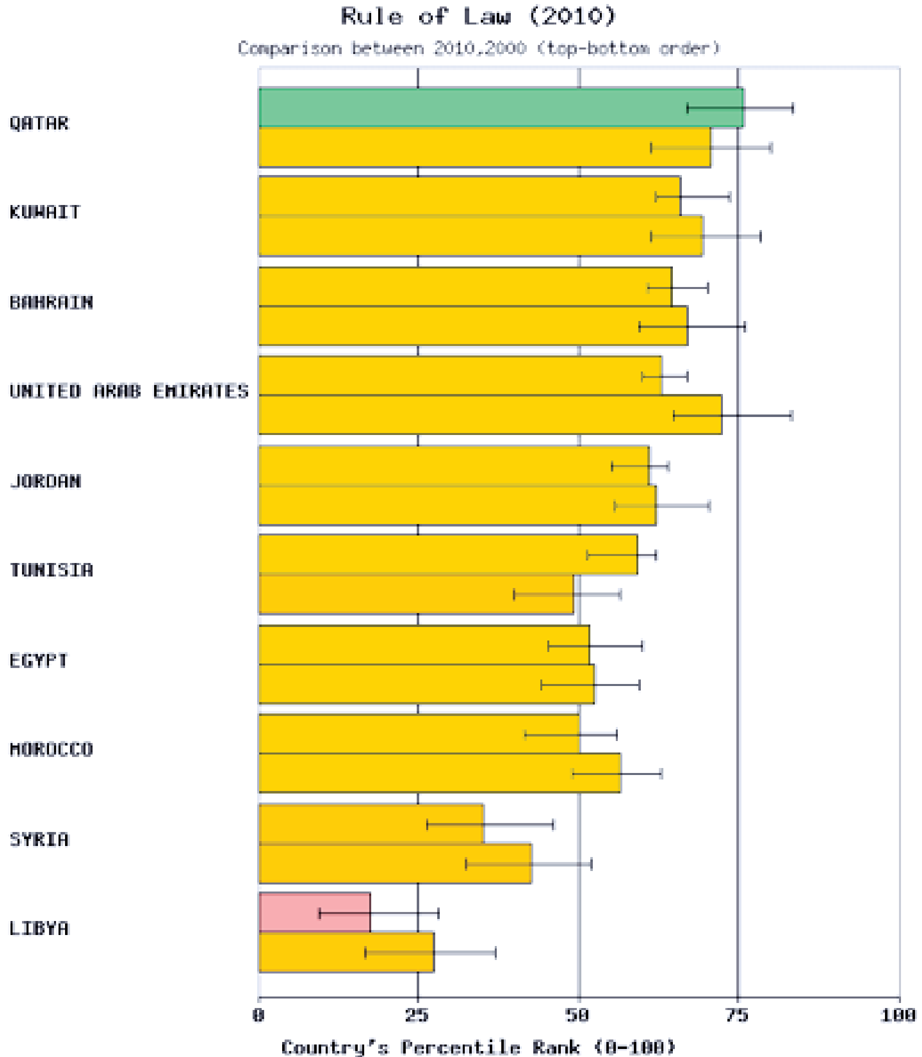
In short, both Qatar and the UAE illustrate a hyper-globalized confluence of forces of legal change and growth. Yet their divergent emphases in development between the globalization of discourse and learning versus the globalization of commerce and tourism may also point to some contrast in legal reform as democratizing versus coercive. Qatar has shown a strong ability to moderate conflicts between and among domestic and global rule-of-law issues; it may therefore exemplify this newer possible pathway for political liberalization without system overthrow that is led by hyper-globalization. The UAE has been less successful at mitigating these conflicts, or perhaps has more dimensions of conflict because of its larger overall population and relatively recent federalism, which has allowed several models of what hyper-globalized development means for politics and society to emerge, most notably in the contrast between Abu Dhabi's relative conservatism and Dubai's breakneck expansion. This presents a more problematic picture with respect to political liberalization.

At the same time, differences among societies like the UAE and Qatar, though important, need not obscure the presence of a more generalized possible template for hyper-globalized legal development. This can be illustrated by looking at additional comparative data from the World Bank governance indicators, shown in Figures 4-6.

In terms of political voice and internal governmental contestation, Arab Gulf hyper-globalizers are hardly trailblazers. However, comparative legal indicators present a different picture. Whether in terms of the World Bank's annual rankings of the rule of law[13], political stability, or control of corruption, Arab Gulf countries perform consistently better than other Arab cases discussed in this article. Qatar and the UAE share much better performance in nearly all of these areas than their peers, as well as compared with most non-Arab states. In a leading index of public perceptions of government corruption, Qatar and the UAE not only stand in the top fifth of all countries, Qatar is ranked higher than the United States[14].

Thus, the unusual influx of income and developmental ambition that petrodollars brought to the Arab Gulf have led to something else, something possibly new. Namely, states like the UAE and Qatar have a rapidly growing rule of law that is effective in at least some significant ways but without a long-established indigenous legal complex. This leads to many important

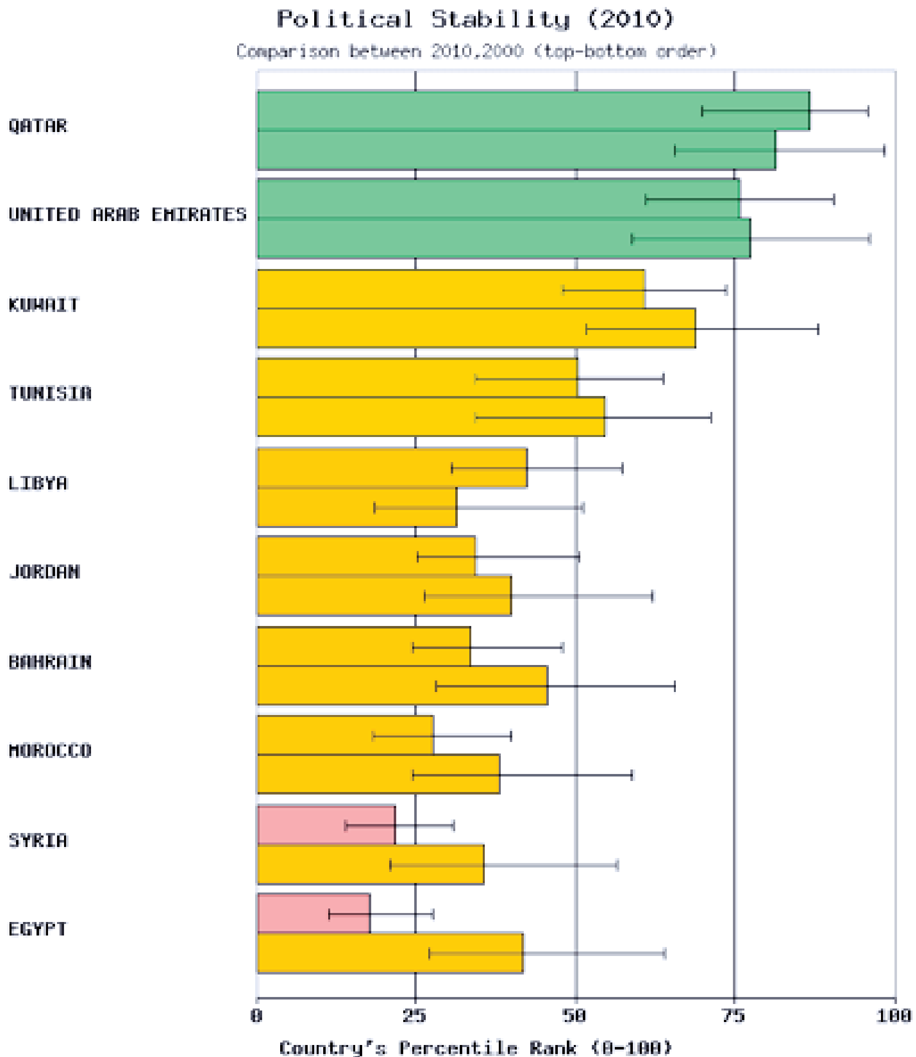
Figure 4 — World Bank rule-of-law governance indicators, 2010 and 2000, for four Gulf and six non-Gulf Arab country cases.(Source: World Bank n.d.)



Source: Kaufmann D., A. Kraay, and M. Mastruzzi (2010), The Worldwide Governance Indicators: Methodology and Analytical Issues

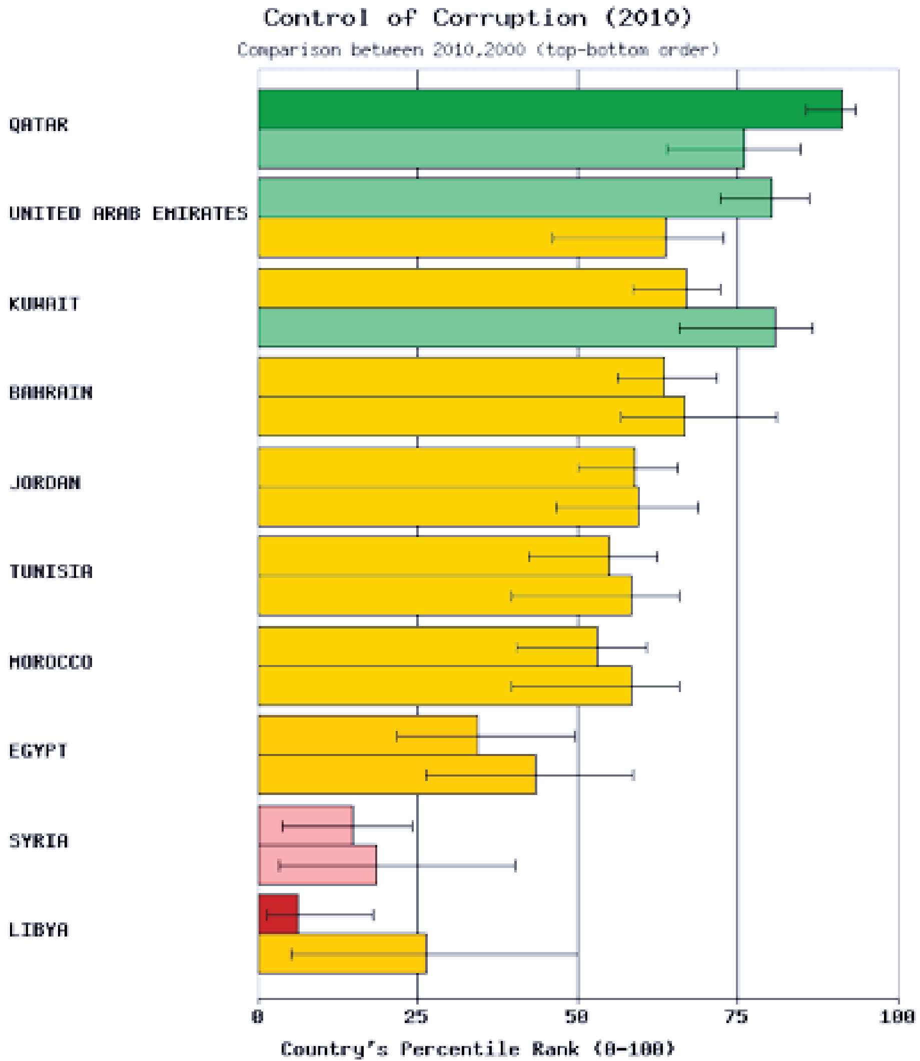
Note: The governance indicators presented here aggregate the views on the quality of governance provided by a large number of enterprise, citizen and expert survey respondents in industrial and developing countries. These data are gathered from a number of survey institutes, think tanks, non-governmental organizations, and international organizations. The WGI do not reflect the official views of the World Bank, its Executive Directors, or the countries they represent. The WGI are not used by the World Bank Group to allocate resources.

Figure 5 — World Bank political stability governance indicators, 2010 and 2000, for four Gulf and six non-Gulf Arab country cases.(Source: World Bank n.d.)



Source: Kaufmann D., A. Kraay, and M. Mastruzzi (2010), The Worldwide Governance Indicators: Methodology and Analytical Issues
Note: The governance indicators presented here aggregate the views on the quality of governance provided by a large number of enterprise, citizen and expert survey respondents in industrial and developing countries. These data are gathered from a number of survey institutes, think tanks, non-governmental organizations, and international organizations. The WGI do not reflect the official views of the World Bank, its Executive Directors, or the countries they represent. The WGI are not used by the World Bank Group to allocate resources.

Figure 6 — World Bank control of corruption indicators, 2010 and 2000, for four Gulf and six non-Gulf Arab country cases.(Source: World Bank n.d.)



Source: Kaufmann D., A. Kraay, and M. Mastruzzi (2010), The Worldwide Governance Indicators: Methodology and Analytical Issues

Note: The governance indicators presented here aggregate the views on the quality of governance provided by a large number of enterprise, citizen and expert survey respondents in industrial and developing countries. These data are gathered from a number of survey institutes, think tanks, non-governmental organizations, and international organizations. The WGI do not reflect the official views of the World Bank, its Executive Directors, or the countries they represent. The WGI are not used by the World Bank Group to allocate resources.

issues and dynamics with respect to the rule of law in these societies. For instance, one senior legal policy maker in the Emirati government noted that the commitment to legal reform is high within the UAE policy community, but norms around putting law above interpersonal politics are still not well-understood, especially among older leaders[15].

This reflects the broader opportunity, and challenge, for hyper-globalized states in the Arab Gulf with respect to law and gradual political opening. Will the various pressures to marry socio-political continuity and rapid global integration in these countries encourage the expansion of legal rights and political transparency or will it lead to greater legal surveillance and law enforcement repression instead?

System Collapse and the Promise of Restarting from Scratch

Surveillance and legal repression were certainly steadily growing features of republics like Egypt and Tunisia despite (or perhaps because of) their very well-established, secularized legal complexes (Posusney and Angrist 2005). Indeed, unlike the monarchies, these systems currently in major transition had military rulers who were unable or unwilling to accommodate Islamic political groups in the public space. Aging ex-leaders like Egypt's Hosni Mubarak or Tunisia's Zine al-Abidine Ben Ali consistently raised the specter of radical Islamic political takeover as a justification for cutting back on civil liberties and continuing a state of emergency to their citizens and to Western government allies.

By using repressive tactics against political activism and perpetuating a system of constant suppression of rights, these regimes put themselves at odds with many lawyers and norms around the rule of law. It is too soon to know exactly how important lawyers and other members of the legal complex were to the mobilization and overthrow of the Tunisian and Egyptian governments in 2011. It is clear, however, that protests of widespread groups of lawyers in Egypt in 2010 and in Tunisia in 2011 played into the broad activism that caused regime change. Moreover, the outrage that Tunisians experienced as a result of the self-immolation in late 2010 of a pushcart vendor who could not obtain a permit for his business fairly, and much subsequent framing of the Arab protests generally, clearly suggest the importance of basic rule-of-law ideals of fairness and government accountability as central to 2011 events.

It is important to emphasize that Tunisia and Egypt have had long traditions around the importance and influence of the legal complex. In Tunisia, the movements that led to a fairly peaceful independence struggle from the French were called "Constitution" (destour) and "New Constitution" (neo-destour), reflecting a sense of the need for a country grounded in legality. The country's first president, Habib Bourguiba, was a French-trained lawyer who championed the rule of law with perhaps the Arab world's strongest initial emphasis on gender and civil rights. Tunisia's number of lawyers, based on my interviews with several law professors,[16] is slightly higher than one lawyer for every 1,400 citizens, or 71 lawyers per 100,000 people, a number that compares favorably with many non-Western, and some Western, countries (Galanter 2011, 74).

Egypt has a similarly impressive legal complex[17]. Indeed, Egypt's Supreme Constitutional Court stands alone in the Arab world for its post-independent history of judicial review. The rule of law has been central to Egyptian political discourse for more than a century (Shalakhany 2006). Egypt has supplied many of the leading law professors and legal pedagogical texts in Arabic for the Arab world for decades.

Yet having a well-established and numerous legal complex has not necessarily meant more open politics or civil rights. Indeed, Egypt's legal complex, and even its comparatively robust high court, could serve the authoritarian interests of the former Mubarak regime and were repressed when they could challenge these interests (Brown 1997; Moustafa 2007). The trajectory of political influence and rights for the legal complex in countries like Tunisia and Egypt declined as the regimes of these countries tried to tighten their control. For instance, one Tunisian legal academic related to me in 2009 that not only was it difficult for scholars to gain permission to present freely at global conferences, but Tunisian officials would attend these conferences in order to rebut and heckle any potentially critical perspective on Ben Ali's regime. For several decades, it seemed that Arab military regimes could maintain a well-developed legal complex while largely keeping a lid on its potential to work for any sort of liberalizing reform.

Yet, the legalist pot boiled over in 2011, bringing to the fore exactly the sort of discourse around political rights and accountability and the particular activism of lawyers that are most characteristic of a legal complex that attempts to expand the rule of law. The rule of law as a slogan, the role of lawyers and other members of the legal complex as central members of the new Arab governments, and the realm of constitution writing as critical to establishing a more just order are all at the heart of post-2010 Tunisian and Egyptian politics. The long-frustrated simmer and eventual explosion of the legal complex in these societies raises hope for a model of legal liberalization that is rapid and dramatic.

Yet it is also risky. Tunisia, as of early 2012, seems on track for a new constitution and political system that are much more democratic and pluralist than before and than in most other Arab countries. On the other hand, Egyptian politics have been marked since mid-2011 by efforts of some military elites to entrench their power, by renewed violence and protests, and by efforts to isolate Western-based legal complex activists as possible leverage against native civil rights workers. It is therefore too early to judge whether Arab political opening through rule-of-law enhancement in the aftermath of rapid regime overthrow will yield a stable pattern of legalist change, much as Arabs and forces sympathetic to democratization and rights throughout the world hope for such an outcome.

Conclusion

As the above account suggests, the growth of, and possible links between, the legal complex and political opening in the Arab world predate the political upheavals of 2011 and their central emphasis on legal reforms and rights. An even more important conclusion, however, is that the rule of law exhibits real variation in its potential to foster

more open politics. This variation in legalist patterns and political reform among Arab cases and between Arab cases and the historical trajectory of Western world are worth keeping in mind for global law reform workers and the policy community more generally for at least several reasons.

First, looking at this variation clarifies that Western rule-of-law efforts to contribute to legalism in individual Arab cases cannot assume the relevance of general Western historical understanding of judicial growth and political liberalization to particular Arab countries. Second, breaking the idea of the Arab world down into more specific sets of countries that may still be conducive to some generalizations maximizes the possibility for nuanced policy analysis that pays attention to meaningful regional variation at a critical time for many countries' legal and political futures. Third, and more specifically, a model of legal reform that prioritizes a complete separation of church (or mosque) and state, if it actually exists anywhere, is unlikely to hold much appeal in contemporary Arab states, at least for now. Indeed, the current Arab moment of more open political contestation amid renewed external concerns around Islamist politics is precisely one during which law's variation and opening potential may be most useful, at least if these can be analyzed in clearheaded, comparative ways.

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Mednicoff comments frequently on Middle Eastern politics and U.S. foreign policy in American and global media. He has presented his work at the Carnegie Endowment for International Peace, the U.S. Department of State, the Saudi Arabian Institute of Diplomatic Studies, and Cambridge, Georgetown (Qatar), Harvard, and Stanford universities, among other places. Mednicoff's teaching honors include a university-wide Lilly Teaching Fellowship for promising junior faculty, the U. Mass. College of Social and Behavioral Sciences Outstanding Teacher Award, and a national prize for innovative teaching related to the United States after 9/11. Mednicoff was a Fulbright Senior Scholar in Law in Qatar in 2006-2007, where he helped develop an innovative international relations major at Qatar University. In 2010-2011, he was a Research Fellow in the Dubai Initiative of the Belfer Center for Science and

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ENDNOTES

[1] By "political opening," I mean changes in government structures and citizens' rights that provide either more avenues for regime accountability to the population or overall citizen and media civil liberties and freedom of political expression, or both. A term like this allows the use of cross-national governance indicators, such as those of the World Bank, Freedom House, and other organizations, to heighten comparisons across regime types. But I mean to describe processes that can be measured around regime accountability and citizen liberties that are often understood by more ambiguous terms like "liberalization" or "democratization."

[2] Note that this article does not include in its relevant cases either Lebanon or Palestine for somewhat similar reasons of their quasi-democratic internal nature and frequent periods of questionable internal sovereignty.

[3] The Middle Eastern origin of two of the most renowned, ancient legal codes—the Code of Hammurabi and the Judeo-Christian Bible—should not be forgotten. More to the point, Islamic and Ottoman sociolegal traditions that contribute to contemporary Arab law predate the Anglo-American common law by centuries.

[4] Even a country with as developed secular legal and social traditions as Egypt makes Islam its basic source for legislation in article 2 of its constitution. For a discussion of this, see Dupret 1997.

[5] One of the signs of both legal pluralism and the relative novelty of the Western notion of the rule of law in Arab countries is that there is no single phrase that is used in every country to translate the term. For example, in Morocco, the concept is often referred to as dawla el-haq w'al-qanun (the rule of right and law) instead of siyadat al-qanun. This term gained currency through the Moroccan monarchy's efforts to employ it as a slogan for its own purported fealty to the ideal of the rule of law.

[6] This is on the basis of preliminary qualitative surveys that I have administered to lawyers and law students in Morocco and Qatar, as well as several longer interviews. However, I am still collecting this data and am careful at this stage to limit general and specific conclusions until data collection is further along.

[7] In Figures 2-6, colors are based on the percentile range for each governance indicator, with red = less than 10th percentile; pink = 10-24 percentile; orange = 25-49; yellow =50-74; and green = 75-100.

[8] Note that World Bank data is graphically displayed from more to less recent years. Detailed explanations of the different governance indicators and their methodology can be found at World Bank n.d.

[9] See, for example, an assessment of Jordanian reform plans by Christoph Wilcke (2011). As part of recent efforts to bolster the judicial review capacity of Jordan's Judicial Council, which have involved extensive consultations with American rule-of-law entities, as well as even broader attempts to boost women's rights, the significance of women judges in Jordan has also been highlighted recently (Hazaimeh 2012).

[10] By "hyper-globalization," I refer to the accelerated process of globalization that has taken place in societies like Qatar and the UAE. The process is distinguished by both the speed of change and the scope of change, the latter evident from the comparatively limited size and global connectedness of these societies prior to the past several decades of petroleum revenue–funded dynamism. I am not using the term in the more specialized academic sense of the "hyper-globalization thesis," which suggests that recent increased globalization generally has reduced the scope of action for national leaders (Huber and Stephens 2005).

[11] The prosecution of the British couple was lurid enough to be a feature of global news reports in the summer of 2008 (see, for example, the L.A. Times article by Jeffrey Fleishman, "British Couple in Dubai Get Prison Terms in Sex Scandal," 17 October 2008. Sheikh Issa, a brother of the ruler of the UAE, was prosecuted in the wake of global outrage after a video of him beating the Afghan merchant in 2005 became widely viewed (see, for example, The National's 13 January 2010 article by Marten Youssef, "Sheikh Issa Acquittal: Government 'Does Not Interfere' in Court Matters."

[12] I myself experienced this suspicion toward international law in guest teaching a class in April 2011 at the Dubai School of Government, where sophisticated, diverse Arab and other non-Western graduate students voiced deep confidence about their societies' abilities to manage globalization and growth alongside mistrust of significant aspects of international law and institutions.

[13] As suggested earlier, I use the World Bank's rule-of-law indicator cautiously, because it includes measures of both law as coercive enforcement and law as rights and political accountability, which this article treats as not necessarily consistent.

[14] See Transparency International's annual Corruption Perceptions Index. In the 2011 edition, the UAE is ranked twenty-eight and Qatar tied for twenty-two globally, with the United States ranked immediately below Qatar at number twenty-four. The report is available at: http://cpi.transparency.org/cpi2011/results/#CountryResults.

[15] From a confidential interview conducted by the author, Dubai, 25 April 2011.

[16] For confirmation of this, see the following estimate by a Tunisian lawyer, who listed the membership of the Tunisian Bar as 7,500 members in 2010: www.abderrazak-kilani.net/activites/deleg_canada.html. I computed lawyers per population and for every 100,000 citizens using 2010 overall population figures of 10,549,100 from Tunisia's National Institute of Statistics (http://www.ins.nat.tn/indexen.php).

[17] Indeed, one estimate of Egypt's Bar Association membership from 2009 yields a figure of one lawyer for every 384 Egyptians, which is as high as many countries in the West. See this estimate of 207,700 lawyers, out of an overall population of 79,716,200, at: http://news.egypt.com/en/200905246147/news/-egypt-news/poor-turnout-in-egypt-bar-association-elections.html. This article also suggests low morale among Egypt's legal complex prior to the mobilization against Mubarak.

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Emerging Trends in Middle Eastern Health Policy

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ABSTRACT:

Health policy is a crucial yet largely overlooked component of sociopolitical reform amidst the ongoing transformation of the Middle East and North Africa (MENA) region. Currently no formal review exists of health reform in MENA. This article provides a summary of progress to date in four selected countries, based on the authors' collective experiences in these countries, with the objective of identifying preliminary patterns to inform future research and policy making. Success stories and lessons learned over the past decade are shared from Egypt, Lebanon, Kuwait, and Jordan, highlighting the diversity, commonalities, and crosscutting issues affecting the region. Examples of health policies from these countries reflect the complex interplay of political, economic, and social factors in the region. Further research is necessary to fully understand the diverse needs and challenges in MENA and to identify opportunities for mobilizing resources to improve health within the context of reform and development at the country and region levels.

Introduction

As the world turns its eyes to the Middle East and North Africa (MENA) region, political reform and government restructuring are being viewed through the lens of democracy building and poverty reduction. "People power," a term many have used in reference to the movements in multiple MENA countries, took on a new incarnation with the ousting of dictators as part of the Arab Spring and continues with the move to strengthen social sectors and improve economic, educational, and political opportunities for citizens. Health reform, through its links with economic productivity, youth education, gender empowerment, and human rights, has thus far been only tangential to the dialogue among citizens, activists, aspiring leaders, media, and government. However, academics and health ministries in many MENA countries have been working to strengthen the health sector since before the Arab Spring, alongside international organizations and local nonprofits. Drawing on their findings and incorporating them into the dialogue during this crucial time creates an opportunity to reformulate the poli-

Table 1 — Selected Health Indicators by World Health Organization (WHO) Region

WHO Region	Millennium Development Goals, Selected Health Indicators			
	Maternal Mortality Ration per 100,000 (2008)	HIV / AIDS (2009)	Malaria (2008)	Tuberculosis Among HIV-Negative Pop. (2009)
African Region	620 [460–910]	177 [151–205]	94 [70–121]	52 [48–58]
Region of the Americas	66 [57–81]	18 [14–22]	0.1 [0.1–0.2]	2.1 [1.8–2.6]
Southeast Asia Region	240 [160–360]	13 [12–15]	2.9 [1.6–4.4]	27 [20–35]
European Region	21 [18–26]	19 [15–23]	0 [0.0–0.0]	6.9 [5.7–8.3]
Eastern Mediterranean Region	320 [220–510]	6 [5.6–7.4]	2.5 [1.1–5.3]	17 [12–22]
Western Pacific Region	51 [36–75]	4 [2.9–4.8]	0.2 [0.1–0.4]	13 [10–17]
Global	260 [200–380]	33 [28–39]	12 [9.0–16]	20 [17–22]

cies and outputs that stakeholders are seeking across multiple sectors of the sociopolitical arena.

The Arab Spring represents a watershed moment for MENA as we collectively witnessed political upheaval in Tunisia, Libya, and Egypt in 2011 and anxiously observe the situation as it unfolds in Syria. In other MENA nations, the call for reform has been less violent or less visible to Western eyes, yet the lesson of reform has not been lost on any government in the region; political leaders have chosen to respond in different ways, but demand for reform is undoubtedly ubiquitous and authorities are responding. Once political stability has returned to these nations, or a new equilibrium has been established in countries where there was no drastic upheaval, the need for reform in other fundamental areas will become paramount; key among these will be the educational sector and health systems.

Given the burden of disease plaguing much of the developing world, particularly sub-Saharan Africa and Southeast Asia, the MENA region as a whole has fared reasonably well in public health outcomes. However, there exist substantial health issues in this diverse region, from the high infant mortality rates observed in poorer nations to the alarming rates of obesity in the Gulf States. Noncommunicable diseases (NCDs) such as heart disease, cancer, and diabetes are increasing, while access to care is often limited to those who can afford it. Table 1 compares selected health indicators and health workforce statistics for MENA (classified under the World Health Organization's Regional Office for the Eastern Mediterranean) to those of other regions.

The MENA region is often viewed as one monolithic bloc by those unfamiliar with its history, culture, and peoples, yet the region itself is uniquely diverse. Through this article, the authors seek to highlight both the diversity and the commonalities of this region in

(Source: World Health Organization 2011b)

Age-Standardized Mortality Rates per 100,000 population by Cause (2008)			Health Workforce per 10,000 population (2000-2010)	
Communicable	NCD	Injuries	Physicians	Nursing and Midwifery
798	779	107	2.3	10.9
72	455	63	22.5	61.5
334	676	101	5.4	13.3
51	532	63	33.3	74.7
254	706	91	11	15.4
74	534	64	14.5	20.3
230	573	78	14	29.7

terms of health reform and policy challenges by providing examples from selected countries. Due to the lack of sufficient and comprehensive data to include all MENA countries, we have chosen four countries for an initial pilot review in order to inform future research and policy-making efforts. We highlight Egypt, Lebanon, Kuwait, and Jordan, providing a brief overview of progress to date in health reform efforts since the turn of the century and discussing the factors affecting these changes. The four nations have been selected as a result of fieldwork conducted by the authors previously on the ground, by working and communicating with ministries, nongovernmental organizations (NGOs), universities, and other institutions in these countries. While this article by no means represents a comprehensive review of health systems and policy changes in the region, success stories and lessons learned from these four countries reflect emerging health policy trends in the MENA region and provide a source of insight for future studies and policy directives.

Despite the recent turmoil, the region's geopolitical significance, and daily newspaper headlines in the West, there is actually a paucity of research in the area of health policy in the MENA region (Kennedy et al. 2008; El-Jardali et al. 2010; El-Jardali et al. 2011). This article seeks to contribute to this literature by first providing key highlights of recent reforms in the selected MENA countries of Egypt, Lebanon, Jordan, and Kuwait. The article then discusses crosscutting factors influencing health policy reform in these countries and concludes with how these factors can be used to inform future research and initiatives by governments and policy makers.

Health Policy Reform: Snapshot of Current Status and Recent Developments

Health Reform in Egypt: 1997 to Present

The Egyptian health care system is composed of a combination of private-sector health care organizations and

public-sector agencies, the latter of which predominate. The public sector is dominated by the Egyptian Ministry of Health and Population (MOHP), which is the primary provider for the Egyptian people and administers approximately 5,000 health facilities and more than 80,000 beds nationwide (Ministry of Health and Population 2005), as well as teaching and university hospitals, the public Health Insurance Organization, and the Ministries of Interior and Defense, which each have a minor health care role in their respective domains (Gericke 2005). The private, nongovernmental sector includes independent clinics, hospitals, and pharmacies, which are primarily for-profit organizations, while mosques and churches provide some nonprofit health services (Haley and Bég 2012; Hein and Kohlmorgen 2003).

Coordination between and within entities in both the public and private sectors is largely lacking, a problem that has been associated with the current shortcomings of Egypt's health care system as reflected by poor health outcomes, disparities in access, and financial unsustainability (World Bank 2004). The Health Sector Reform Program (HSRP) was formulated in 1997 in an attempt to address these issues, and it proposed a complete revamping of the health care system.

HSRP proposed a universal coverage/social insurance model to integrate the compartmentalized financing structure of the Egyptian health sector into a single National Health Insurance Fund (World Bank 2004). Insurance entities called Family Health Funds (FHF) were established at the governorate level with a mandate to contract with public and private providers that would have the capacity to deliver a list of essential services to their beneficiaries; these essential services are referred to as the basic benefits package (BBP). The FHF were responsible for accreditation of providers, monitoring and evaluation of the quality of services, and providing performance-based incentives (World Bank 2004). The intent was to adopt a single-payer system in order to maintain a sustainable financial model without reliance on external donors.

The initial focus of the HSRP was to improve primary health care and target high mortality rates; for example, in 1980, there were 235 deaths under five years of age per 1,000 live births and 157 maternal deaths per 1,000 live births (Okail 2003). It was also assumed that this single-payer model for primary care would optimize health gains per Egyptian pound spent (World Bank 2004).

The reform process was divided into three phases corresponding with the three levels of care: primary, secondary, and tertiary. In the first phase, which began in 1999, pilot projects were launched in the governorates of Alexandria, Menofia, and Sohag and involved extensive upgrading of the primary health care facilities, introduction of new management systems, and training of family health staff. Basic primary care units were established with the intent of providing the BBP and are known as the Family Health Units (FHU) (Berman et al. 1997). The pilot projects were reported to be successful, and by 2003 there were sixty-six FHUs in operation; by 2008, this number had swelled to 643 (Abdel-Rahman 2009; Haley and Bég 2012).

Despite the progress the HSRP had demonstrated, by 2008, several obsta-

cles emerged that hindered a smooth progression to phases two and three. These included changes in funding mechanisms, changes in government officials, and changes in the views and priorities of the health minister at the time.

In 2011, the turmoil and change that gripped Egypt and the MENA region not only resulted in the ousting of the former president after thirty years of rule but also granted a window of opportunity to reconstruct the country's institutions. With the population demanding equitable access to health care and better quality, the HSRP may again have an opportunity to proceed swiftly once a stable government is in place.

Health Reform in Lebanon: 1998 to Present

While the last decade of the twentieth century was devoted largely to the recovery and rebuilding of the damaged health sector following the end of the civil war in Lebanon, the first decade of the new millennium ushered in a new wave of health system reform aimed at streamlining service provision and financing and improving access to care. A number of reforms targeted the management and administration of the health system, though this article focuses primarily on policy-oriented measures and their impact on health system performance, government finances, and population health outcomes and utilization.

As in Egypt, one of the primary policy reforms instituted by the Lebanese Ministry of Public Health (MOPH) was the introduction of incentives for the provision and utilization of primary health care services. Previously NGOs had typically delivered primary health care, while specialty care services were dominated by the private sector (World Bank 2010). This new policy was intended to provide a safety net for the uninsured as these primary health care centers charge only nominal fees and by law do not differentiate between insured and uninsured patients; private hospitals, on the other hand, charge at levels that are often beyond the means of the poor and uninsured segments of the population.

Along these lines, policies were also implemented to regulate the MOPH contracting with private hospitals. Previously, contracting was based on bed capacity and resulted in annual overruns of the ministry's budget. In 2005, this approach was replaced by setting fixed annual financial ceilings for each hospital. While the new policy allowed for more efficient control of expenditures by the ministry and resolved the problem of hospitalization budget overruns, it did not necessarily translate into an increase in equity; in practice, the private hospitals often used these funds at their own discretion and had the right to turn away patients in need once these funds had been depleted. Another policy aimed at providing incentives for effective health spending in the private sector, in addition to improving quality of care in both the private and public hospitals, was the introduction of an accreditation system for all hospitals. A reimbursement policy was also introduced to reduce hospital bills using set rates for surgical procedures rather than the previous mechanism of fee for service, a practice that had created incentives for over-doctoring (Ammar 2010).

The pricing structure of drugs was

another target for policy reform in Lebanon, with two ministerial decisions issued in 2005 to control the importation, dispensing, and overpricing of expensive drugs. The first set of adjusted prices was based on comparison with neighboring countries, including Jordan and Saudi Arabia; the second provided a new stratified pricing structure that lowered previously set markups and introduced a mechanism for revising prices periodically.

These policy reforms were primarily developed and implemented by the Ministry of Public Health in close consultation with the treasury. Many of the policies were passed in the early stages of the administration that took office in 2005, shortly after the assassination of the former prime minister. This health administration was sustained for multiple terms that spanned nearly six years and received significant funding and support from outside donors such as the World Bank, working closely with global health agencies, international consultants, and academic experts (Lebanese Republic 2010). Current efforts in Lebanon are ongoing to extend MOPH coverage to the large proportion of the nation's population that is currently uninsured (Kronfol 2006).

The primary obstacles experienced in Lebanon over the past decade have not been in the development and passage of policy making, but rather in implementation on the ground; this is a result of the nascent decentralization of the system and the lack of capacity and transparency among the hospital network and hospital administrations. While the heavy reliance on charities and other NGOs has been interpreted as a sign of arrested development in Lebanon's public sector, in many cases cross-sectoral collaboration provides a venue for mobilizing resources and freeing up MOPH funds. Policy experts in Lebanon would like to see more MOPH funds used to support the health needs of the low-income population.

Health Reform in Kuwait: 1999 to Present

In an attempt to overcome the rising health care expenditures linked to a growing burden of chronic diseases, increasing demand for new technology, and an expanding expatriate population, over the past decade Kuwait has sought ways to recapture part of the expenditures it has made for health services. The post-Gulf War fiscal deficit expedited the decision making to implement a health care strategy focused on the reduction of expense and entitlements.

Until 1999, both nationals and expatriates had free access to all services provided through the Ministry of Health, by far the largest provider in the nation, as part of the welfare state. The Law No. 1 of 1999 on Alien Health Insurance and the Imposition of Fees against Medical Services was subsequently enacted and required all expatriates, a nonvoting majority and largely considered voiceless, to obtain health insurance coverage prior to receiving work permits (Arab Law Quarterly 2000). The implementation and maintenance of this program was delegated to the private sector due to insufficient technical capacity within the Ministry of Health. In subsequent years, Kuwait witnessed a modest growth in the private health insurance industry. However, due to the lack of basic health care laws regulating fraud, solvency, bankruptcy, and

patient protection, the basic coverage offered to non-nationals was variable and often inadequate. Following a scandal in the mid-2000s when a report revealed that several hundred million Kuwaiti Dinars were not reimbursed to the government, the Ministry of Health took control of this insurance scheme (Kuwait Times 2006; Oxford Business Group 2007).

As in Lebanon, Kuwait's health system has historically favored a curative model; since the late 1970s and 1980s, emphasis was placed on promoting secondary and tertiary care services. In Kuwait's case this was in part due to the limited local public health capacity and to the need to seek short-term solutions, a persistent trait stemming from the nation's rapidly attained wealth and infrastructure development. The well-documented lag in social and human development and the merchant origins of the Arab states of the Gulf have resulted in distorted perceptions of needs (Dadush and Falcao 2009). In fact, the oversupply of business graduates at the expense of social scientists has led to the rapid adoption of private-sector solutions to what many perceive as being public-sector failures. This is amplified by the political instability resulting from short-lived tenures of decision makers (Kuwait News Agency 2010). As a result of these sociocultural dynamics and the growing public discontent with the nation's health services, new proposals for health-sector improvements have recently emerged.

In 2010, members of the last Parliamentary Health Committee proposed a law on health insurance for Kuwaiti nationals and the establishment of a Health Authority to regulate and oversee health services for the nation (Arab Times 2010; Kuwait Times 2010). Concurrently, the Ministry of Health, with the support of private business consultants, submitted a similar proposal to implement health insurance for nationals and to revise coverage for expatriates. The former involved the establishment of a for-profit insurance company that would cover every Kuwaiti with a comprehensive benefit package and offer the enrollee unrestricted access to both private and public providers. Given the lack of income taxation in the region, the premiums would be paid for by the Government of Kuwait. The proposed revision to the expatriates' coverage emulated the U.S. health maintenance organization (HMO) model by creating another for-profit public-private partnership that would enforce Law No. 1 at three designated secondary care facilities and a dozen primary care clinics (Kuwait Investment Authority n.d.). By 2011, however, the Health Authority project had been put on hold, though the proposal for the HMO for expatriates was included in the $108 billion 2009-2014 Kuwait Development Plan, bypassing the legislative process.

Local civil society and NGOs, with the support of international experts, have challenged these proposals due to their noncompliance with international standards and global health policy evidence (Hsiao 1994; Roberts et al. 2004; Carrin et al. 2009). These groups have also offered a comprehensive plan to reform Kuwait's health system building on examples from prior successful international experience. Their principal recommendations include equal coverage of the entire population through a social insurance scheme, revising provider payment mechanisms to incorporate incentives, decentral-

izing Ministry of Health health care facilities, and implementing various laws as a basis for health-sector regulation (PRWeb 2010)

Health Reform in Jordan: 1998-Present

Based on gross outcome measures, such as infant mortality and life expectancy, Jordan's health indicators are above average for upper middle–income countries, both regionally and worldwide. Immunization rates are high, and maternal and child health services are generally available and used by most of the population. Nevertheless, domestic disparities exist, and Jordan still does not perform as well as the best middle-income country performers and industrialized countries (World Bank 1997). The large burden of disease attributable to NCDs, for example, suggests that there is room for improvement. NCDs account for approximately 75 percent of all deaths in Jordan (World Health Organization 2011a).

The government of Jordan has undertaken a series of reforms in the past decade to strengthen its health sector within the context of building macroeconomic stability. This began with the adoption of a national health strategy in 1998 that included broad system goals, such as implementing a national health insurance system. Under this strategy, the High Health Council was established, whose mission is to formulate health policies in the kingdom and to develop strategies for their implementation. Its main contribution has been the development of National Health Accounts, which are a World Health Organization tool designed to assist policy makers in their efforts to understand their health systems and improve health system performance. Other achievements under the strategy include health information system reforms, such as the establishment of disease registries, and attempts at improving the quality of health services, such as by creating a National Hospital Accreditation Program in 2004. On the legal front, the civil health insurance law was amended during the early 2000s to cover segments of the population previously not covered, for example, government female employees. Additionally, several projects pertaining to strengthening primary health care services have been pursued by international organizations, mainly the U.S. Agency for International Development (World Health Organization 2006).

In spite of the aforementioned undertakings, Jordan currently faces critical long-term challenges in the context of health-sector reform. Prominent among these challenges is Jordan's high population growth rate that will result in the doubling of the population by 2035, that is, from 6 million to 12 million people (World Health Organization 2006). This challenge is compounded by a strained health care system with inadequate primary health care services and other issues pertaining to equity of access and financing.

Notably, the physical availability of primary health care centers is not a limiting factor in Jordan. The Ministry of Health operates a primary health care network consisting of 260 village health clinics, 340 primary health care centers, and 353 maternity and child centers. With about 2.3 centers per 10,000 people, and with an average patient travel time of thirty minutes to the nearest center, this represents a

high-density system by international standards (World Health Organization 2006).

The most pressing and recurring public health issue appears to be Jordan's fragmented health finance system and its impact on access, affordability, and quality of care (World Bank 1997; World Health Organization 2006; Ekman 2007) The Jordanian health system consists of several different prepayment programs, both public and private. Due to economic, social, and political forces, Jordan currently spends more than other middle-income countries on health: approximately 9 percent of gross domestic product (GDP) compared with an average of 6 percent for other middle-income countries (Ekman 2007). Despite this, roughly 25 percent of the population is uninsured, the majority being the poorest segments of the population (Ekman 2007; High Health Council 2007).

In addition to the aforementioned challenges, it is important to note that Jordan is home to more than 400,000 refugees, largely Palestinian, Iraqi, and most recently, Syrian. The United Nations Relief and Works Agency (UNRWA) provides primary care services for Palestinian refugees. However, the health needs of Iraqi and Syrian refugees are largely unmet (Mowafi and Spiegel 2008; Mowafi 2011). Moreover, the large migrant population contributes to the poverty and unemployment found nationwide. Up to 30 percent of Jordanians live below a poverty line set at a meager $439 per capita annual income level. Additionally, there is a relatively low level of participation in civil society and a perceived lack of personal freedom, especially in terms of public discourse (World Bank 1997). These factors are important to consider in formulating a multidimensional approach to health reform in Jordan within the context of macroeconomic growth and political stability.

Emerging Trends in Health Reform

Political Trends

Despite having developed in strikingly different contexts, health reforms in these four nations share a number of commonalities that underscore the political trends in the region. While Egypt was among the first to witness the Arab Spring uprisings of 2011, Lebanon lived through a similar revolt in 2005 that resulted in the withdrawal of Syrian troops that had been occupying parts of the country since 1976; the reforms that occurred immediately after the revolt in Lebanon were in response to the call for measurable change by the population. Similarly, in Kuwait, the Gulf War was the precipitating event for a series of reform activities that began in the late 1990s. Jordan represents one of the more politically stable countries of the MENA region; however, it and similar governments such as Saudi Arabia have begun taking steps related to public health and other social issues in order to prevent popular discontent in the wake of the region's political turmoil in 2011.

The structure and functions of the various governmental bodies and administrations in Egypt, Lebanon, Kuwait, and Jordan are more complex than they appear on paper and reflect the historical development of the region as a whole. Egypt is technically a constitutional democracy, though under Hosni Mubarak it could not truly be considered a democratic

state. Kuwait, a constitutional emirate, maintains an uneasy balance between its legislative branch, the first parliament in the Gulf, and its ruling family, a situation that has been interpreted as one reason for the nation's apparent gridlock in advancing major development plans (Cecire 2011). While Lebanon's political system developed as a participatory structure, for years it has been popularly characterized as resembling an oligarchy in function and practice, representing multiple stakeholders that were closely allied with counterparts in neighboring countries. Jordan, a constitutional monarchy, has strong though not fully democratic political institutions, effective security forces, and a high level of political support from the international community. However, failure to address its social and economic realities—including poverty, unemployment, public debt, and high dependency on foreign aid—may pose a threat to social and political stability in the country, especially given the political frustration linked to unresolved problems in the region such as the Arab-Israeli conflict, ongoing tensions in Iraq, and the current civil unrest in Syria.

Throughout the region, political crises and instability have resulted in incomplete or transient and unsustainable health reform activities. Kuwait, now in its fourth parliamentary dissolution in less than six years, has struggled to develop a long-term national health strategy. Lebanon has also experienced several cabinet dissolutions in recent years, with gap periods of political negotiation before the formation of subsequent cabinets. Due to the transient nature of their positions and the close scrutiny of their political obligations, health ministers have often focused on solutions that address these political needs rather than solutions that mirror sound global health policy evidence.

In the MENA region, reform in health policy appears to follow general unrest or outright political revolt. Given the current state of affairs in this region and the burgeoning demands of the populace, activists are beginning to advocate for their leaders to reflect upon the long-term health of the population, rather than expedient short-term solutions, and build sustainable health care systems that provide equitable care for their nations.

Macroeconomic Trends and the Role of the Private Sector

The MENA region as a whole is considered a low- to middle-income region. In terms of health outcomes, the region has higher indicators than the extreme-poverty regions of Southeast Asia and sub-Saharan Africa, though it lags behind the more developed countries in Europe and North America. Yet even within this region, significant levels of disparity remain. Egypt, with one of the region's largest populations and lowest average incomes, is a striking contrast to the higher-income and lower population density countries in the Gulf. Even within the wealthier states, local disparities are observed within the population. For example, Kuwait boasts one of the world's highest GDPs per capita, estimated at well over $35,000 (World Bank n.d.); however, there are enormous inequities in income levels between the expatriate majority, consisting of low-income laborers and domestic servants drawn largely from Southeast Asia, and Kuwaiti nationals, who receive state subsidies for a multitude of public ser-

vices. This is a common trend observed in other high-income nations, where high income disparities exist among both nationals and immigrants.

Until late 2010, the region seemed on track in recovering from the global economic crisis. Growth accelerated from 2.1 percent in 2009 to 3.9 percent in 2010, driven primarily by the region's oil exporters (International Monetary Fund 2011). However, the slow growth equilibrium of the past years did not generate enough jobs or greater liberties, so much so that people power triumphed. The unfolding events make it clear that reforms and economic growth cannot be sustained unless jobs are created for the rapidly growing population and are accompanied by social policies for the most vulnerable (e.g., the poor and the informal sector). For growth to be sustainable, it must be inclusive and broadly shared, not captured by a privileged few.

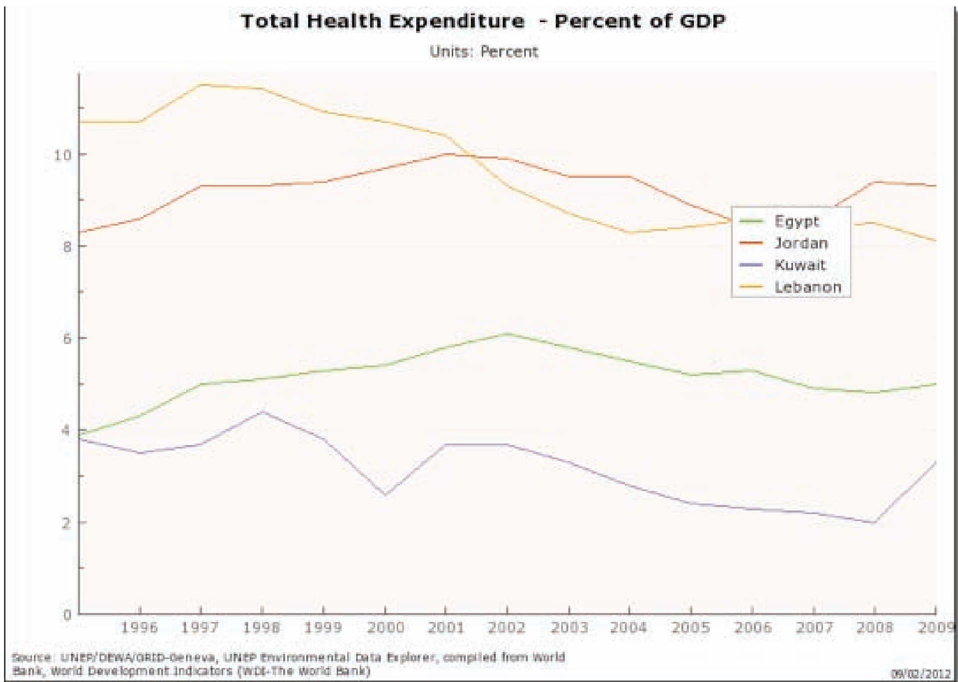
With a propensity for privatization despite immature health financing schemes, many MENA health care systems, including those of the four countries reviewed here, require a large contribution of out-of-pocket payments from patients. This represents a major barrier to health care access for these populations and increases disparities in health among the underserved, lower-income segments of the population. In countries with low-income immigrant workers such as Kuwait and to some extent Lebanon, there is very little affordable private health care for these populations. Concerns of health equity inevitably arise around the issue of availability and access to high-quality, low-cost health care for underserved populations along the entire spectrum, from primary health care to tertiary or specialty care (Policy Affairs Directorate 2011; World Health Organization 2010). The decentralization efforts of the ministries of health in Egypt, Lebanon, and other countries have therefore targeted the strengthening of providers within the primary care networks of these nations.

With the growing role of the private sector in health care delivery and financing, such inequities are bound to persist and potentially increase should these populations remain marginalized from the policy-making process. Health reforms in Egypt and Lebanon have already included measures to regulate private-sector providers; however, the progress has been incomplete. Kuwait's attempt to transfer the national insurance system to private entities was unsuccessful, and the government subsequently reassigned this responsibility to the public sector. Jordan's health reforms have been largely focused on health financing with the targeted goal of reducing health expenditures; a shift away from privatization may therefore be imminent. Notably, despite the consistent efforts to reduce health expenditures in the four countries discussed above, results have been mixed (see Figure 1). Jordan made measurable progress between 2001 and 2006 yet experienced a rise in recent years. Kuwait's total health expenditure as a percentage of GDP saw a sharp rise in 2000, followed by a gradual yet inconsistent decline. Lebanon stands out as having reduced expenditures significantly, while Egypt has shown little progress.

Health Administration, Leadership, and New Public Management

One of the greatest gaps that MENA nations in transition must address is the distribution, operation, enforce-

Figure 1 — Total health expenditure, percentage of GDP.
(Source: United Nations Environment Programme n.d.)



ment, and accountability of personnel in government administrations such as health ministries. In Egypt, for example, Dr. Fouad A. El Nawawy, the current health minister, cited obstacles stemming from policies on hiring and firing; such policies are based on laws dating back to the early nineteenth century (from a 3 February 2012 interview with one of the authors). Such archaic policies and procedures propagate the brain drain as educated MENA youth choose to pursue opportunities abroad rather than applying their training in moribund administrative, management, and leadership positions at home.

This issue is compounded by the lack of transparency, governance, empowerment, and accountability in government institutions across the region, particularly in transitioning nations. These factors have long been the target of reform projects in the public sector, such as the police system; similar reforms in the health system are lagging far behind. For example, the MOHP in Egypt does not currently provide information to its personnel about allocated and forecasted budgets that would have allowed it to be held accountable for the health care needs of the population, thus creating an institutional precedent in which accountability is lacking. Such a policy has not only created an institutional precedent in which accountability is lacking but has also propagated a lack of empowerment among government workers to show leadership and ownership on national programming, management, and administration. Decentralization reforms, coupled with revised local health care curricula to include management and leadership training,

could provide a powerful solution to restructure such policies, resulting in increased autonomy to local branches of the health care administration as well as increased transparency and reduced bureaucracy throughout the system.

The term "new public management" (NPM) refers to a set of principles that Western governments have borrowed from the private sector since the 1980s. In health care, NPM has emerged as the shift in system management from a more centralized and passive leadership style to an incentive-based management style that focuses on efficiency and achieving desired outcomes. In MENA countries, NPM is still a relatively new concept that has been sparsely adopted and with differing degrees of success. What is critical in this approach is creating a culture of accountability and implementing incentives that will promote and balance efficiency in system management with high quality of care. MENA nations may choose to examine and adapt success stories from Eastern Europe and other regions that have undergone similar transitions in order to strengthen their own democracies, economies, and health systems (Antoun et al. 2011; Pettersen 2004; Caiden 1994).

With NPM representing a significant philosophical shift, the traditional image of a highly centralized, vertical decision-making authority acting on behalf of passive followers has instead evolved into an authority that acts as a catalyst in synchronizing the efforts of enlightened and active followers. While these principles have informed popular demonstrations for political reform throughout the Arab Spring, they have yet to be translated into health reform. NPM can inform health reform in the MENA countries through the replication and amplification of measures to improve incentives, efficiency, and quality in health service provision. This is particularly relevant for regulating the private sector (as discussed previously) and its inadvertent role in expanding health care inequities rather than mitigating them.

Whether NPM is or would be successful in MENA countries is a country-specific issue and beyond the scope of this article, but initial steps that ensure the correct institutional infrastructure for proactive management and increased transparency are timely and should be adopted simultaneous to political transformation. Such efforts may involve training leaders and staff of local health system stakeholders in the latest trends in health care management, accounting, and health economics; developing capabilities to measure costs and benefits of health care procedures; and enabling some autonomy, freedom of expression, and decision making at public health care institution levels. These activities have inherent benefits and at the same time create the context for NPM implementation if MENA governments seek to adopt NPM principles and practices.

Future Directions

For the Arab Spring to blossom with health policy reform and serve its populations more effectively, citizens must ensure that a change in leadership is accompanied by a dramatic change in governance style. Novel attitudes toward accountability have helped create a window of opportunity for establishing a new era of public management in the MENA region; for greater focus on health care, this new accountability must be tied to such

measurable outcomes as improved population health.

In light of the current wave of civil and political unrest seen throughout the MENA region, policy makers anticipate a realization by the general population that the regional politics of reform must undergo a radical paradigm shift. In the health sector, evidence indicates that the current course is unsustainable: the MENA region is expected to have one of the highest noncommunicable disease mortality rates, and already, many of the Gulf States rank within the nations having the most diabetes and weight problems (Alwan 2010; Ng et al. 2011; Mowafi et al. 2011). The policies of the past decade have focused on promoting and developing low-yield curative interventions, and local policy makers continue to neglect cost-effective preventive and primary care measures. With health care costs rising among the ranks of geopolitical priorities, sustainable financing is and will continue to be a critical issue, even for the wealthy states of the Gulf (World Health Organization 2010; Hamdan 2011). We can thus expect discussions about health insurance to intensify and lead to the adoption of new legislation in the coming years.

Reform to date has not always followed an orderly approach employing needs assessments and other such evaluations prior to engaging in strategic planning and implementation. This disconnect in process may help explain the observed disconnect between the input of leading health policy experts from academic institutions or health agencies and the expectations of local policy makers. Many countries may well be on the verge of a trifecta of health reform where regional unrest has become a serious challenger to the status quo, where new leadership must inevitably rethink its approach, and where public discontent has reached an all-time high. However, sustainable change will become a reality only when local capacity is built, a difficult task by any standard.

The fragile foundation upon which many MENA health systems are built requires an extensive revision and broad reform in many cases. It will not suffice to adopt a new financing scheme in situations where other factors (outdated payment systems, centralized ministries of health) will limit the incentives needed to upgrade the quality of services provided. Similarly, any reform in financing, payment, and organization must be upheld by a reliable and accountable regulatory system. Enforcement of health care laws through an effective judicial system is imperative.

While addressing the basic structural and systemic deficits of the four health systems highlighted in this article, it will be crucial to target and replicate established best practices in the regional fight against the growing rate of costly and debilitating NCDs. The evidence-based strategies defined by the World Health Organization and collaborating agencies strongly emphasize the role of high-yield preventive policy changes to address the most important causes of mortality and morbidity in the MENA region (Beaglehole et al. 2011). These policy changes, coupled with strengthening primary health care services, will pave the way for behavioral changes to reduce population risk and improve chronic care management.

In conclusion, examining this group of four countries based on the authors' collective experience has highlighted several trends in health policy and reform over the past ten to fifteen years that reflect the complex interplay of political, economic, and social factors in the MENA region. Further research is needed to fully understand the diverse needs and challenges in the region and to identify opportunities for mobilizing resources to improve health within the context of reform and development at the country and region level. There is clearly much to be done, and there is growing momentum for change that must be exploited while the window of opportunity is open.

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The Syrian Uprising:
An Interview with Syrian Opposition Member Amr al-Azm

Interviewed by Anya Vodopyanov

Amr al-Azm is assistant professor of Middle East history and anthropology at Shawnee State University and an active member of the Syrian opposition. He was a firsthand observer and participant of the reform processes instigated by Bashar Al-Assad, and he serves on the executive committee of the Antalya Gathering (Conference for Change in Syria). He has taught at the University of Damascus (1999-2006) and was a visiting assistant professor at Brigham Young University (2006-2009). He also was the director of Scientific and Conservation Laboratories at the General Department of Antiquities and Museums (1999-2004) and head of the Centre for Archaeological Research (2003-2006) at the University of Damascus. In addition, he served as dean of university requirements at the Arab European University (2005-2006). He graduated with a PhD in archaeology from the University of London, UCL in 1991.

JMEPP

What sparked the spread of demonstrations in Syria? Was it the violence of the regime or inspiration from neighboring revolutions?

AL-AZM

I think you have to put it into the greater context of what's going on in the country. People have had enough. When you put that against what was happening in the Arab Spring, what had happened in Cairo, what had happened in Tunisia, what was happening in Libya, I guess people became emboldened. And that's the impact of what happens around [you], in that it emboldens people. But the grievances are there, and they are deep-set. The other background issue that you should also bear in mind is that particularly in the rural areas [of Syria], in the years of Bashar [Al-Assad] taking over, from 2000 up to 2010, many of these areas have been suffering long neglect—droughts. There was almost a four-year drought in Dera'a and those areas. So there is a sense of despair permeating throughout the country. At the same time, you have another

added problem, which occurs when Hafez al-Assad took power, and his officers and the Alawite clique came with him. Hafez al-Assad was able to build this merchant-military complex by basically allowing for this coexistence between the merchant classes, who continued doing what they did as merchants, in partnership with the military elite. But by the time we reach 2000, we have now second- and third-generation children, and not all of them want to be officers like their fathers; they start to want their own lives, especially as business entrepreneurs.

> "Don't give the regime time to breathe."

To tie into that, there's a huge groundswell of resistance and resentment to the regime building up. And so, by the time the events of Dera'a occur, they're not occurring out of nothing. They're not occurring from thin air. You had the events of 2000, the Damascus Spring, and then the Damascus Declaration of 2005-2006. So it was building up to that, and it coincided ultimately with the Arab Spring and the events in Dera'a.

JMEPP

Can you lead us through the main groups that are actually forming the base of the opposition?

AL-AZM

When the uprising first started, there was this rural-urban divide, and it really did start more in the rural areas in Dera'a, in and around villages. And there was a small intellectual side to it, and I don't mean the traditional opposition, but also young people, students, and maybe activists, who had worked or engaged in some form of activism before, who were interested in taking this further. There really was a rural-urban divide. But as the protests spread, as the repression of the regime increased, I think in many ways as the events of Dera'a unfolded, the people were emboldened. And more and more people became engaged. It's taken the urban centers a little longer, particularly the professional classes. It's taken the shopkeepers and business owners a little longer to get engaged. And their engagement has come for different reasons.

I think as the revolution spread and increased, you had more and more people engaged. And initially, I think the urban community, the urban populations, the professional classes were afraid because the revolution was starting up in these rural areas by people who had nothing to lose. Now you have whole cities like Homs and Hama who are entirely against the regime.

JMEPP

Initially, people thought the protests would end after a month or two, but they are still continuing. How much longer do you think this will last?

AL-AZM

I think people have realized there is no going back. Now, everybody knows that if they stop, it's a death sentence. There's no escape—the genie is out of the bottle, and there's no going home. So it won't stop until either they're all killed or the regime collapses. Because in the mindset of the regime, it's just one week away, it's one more crackdown away from finishing things.

JMEPP

Do you think people are developing a fatigue of sorts? Is there a feeling of despair within the opposition movement that this could take years?

AL-AZM

I'm sure some people are thinking like that. It would not be normal if this were not happening. When I think, across the board, is the uprising spreading, increasing, or decreasing? Are more people joining the opposition or less? Are more protests flaring up every week or less flashpoints occurring? And, so far, the curve is up and high, and we haven't even peaked yet. So, yes, there must be people thinking that, but at the same time, the fact is that it's getting worse, not better.

"I think people have realized there is no going back. Now, everybody knows that if they stop, it's a death sentence. There's no escape—the genie is out of the bottle, and there's no going home."

JMEPP

To what extent do you think the outcome of this crisis actually depends on external forces and powers or intervention?

AL-AZM

I think there's a dual side to this. On the one hand, the real opposition for me is the opposition on the inside, on the ground. They have come to the realization, albeit belatedly, that they really have to do things themselves. That's why you've had this dramatic shift to the opposition arming themselves. They were willing to go out into the street if they could find some way of protecting themselves. They were willing to go out and protest and do this peacefully, but they needed protection. And they weren't getting it. The international community, for whatever reasons, wasn't able to figure out a way to provide that. And when the SNC [Syrian National Council] was initially formed on September 2, 2011, the people on the streets came out and were jubilant because they expected the SNC to go there immediately and demand the protection of the protestors and that there was going to be airstrikes, or a no-fly zone, and safe havens. And after one month, when none of that materialized, they turned on the SNC and said you failed us. We accepted you, and we embraced you on the condition that you were going to go and fight for this. And you failed. It's unfair to the SNC, but these were unrealistic demands. But when they failed, they became upset with the SNC. That's when you start to see the military side, which was picking up pace because of defections from the Syrian military. By fall, there was this militarization as the protestors realized protection is not going to come from NATO, it's not going to come from the West, it's not going to come from the

Turks—we're going to have to start protecting our own protests.

JMEPP

Why have we not seen mass defections on the scale that we saw in Libya?

AL-AZM

I think in part because the opposition has not yet truly articulated a vision of what a post-Assad Syria is going to look like. You really need that in order to be able to address the key issues: what happens when the regime falls, how serious are you about managing the country, how are you going to deal with minority issues, etc. How are you going to keep the country running while you transition into democracy? Everybody is afraid of the Iraq scenario, and you have to show that you are not going to allow the country to degenerate into chaos like things did in Iraq.

JMEPP

Do you see the minorities abandoning the regime in the near future?

AL-AZM

I think you peel minorities away from the regime by creating a narrative of your own that is convincing and reassuring. They are increasingly concerned by the behavior of the regime and more concerned by the fact that the regime now no longer looks like such a safe bet. The problem is still that even though they are not happy with what the regime is looking like, they're still not sure of what's out there as an alternative. I don't think they are that excited with the idea of replacing a tyranny of the minority with a tyranny of the majority. They need some reassurance, and this is something the opposition needs to work on. That said, many minorities are also uncomfortable and increasingly critical of the regime, if not with the regime itself, but with the regime's handling of the uprising.

JMEPP

If a transition government is eventually formed, what will it look like?

AL-AZM

If the regime falls, I think there will be a serious problem if a group from the outside suddenly tries to walk in.

JMEPP

Is the SNC regarded as an outside group?

AL-AZM

Pretty much, yes, even though it likes to think it isn't. Although, since it started to expand with newer additions, it is changing and morphing. Some members are pressuring the SNC to restructure completely, because they understand there are serious leadership gaps. They realize they now have a problem because of leadership changes—when [SNC President] Burhan Ghalioun's tenure runs out, I think there's going to be a scrap over who takes over. When the regime falls, and if it falls, I think there will probably be a transitional phase that is comprised of members of the existing regime, with the exception of officials close to Assad. You're going to have to keep the hospitals open, you're going to have to keep the electricity running, you're going to have to keep the bread ovens working, you're going to have keep distributing gas, so on, so forth. You're going to need to keep some of the military, and even the security forces, because you need to have some sort of law and order in place. Otherwise

you'll have a total breakdown of law and order. You're going to also need members of the opposition as part of this transition, and there's going to be maybe some elbowing in terms of who gets to be there. And I think it's going to need to come from the inside, from the street.

> "The real opposition for me is the opposition on the inside, on the ground. They have come to the realization, albeit belatedly, that they really have to do things themselves."

JMEPP

What do you see as likely scenarios under which Assad could fall?

AL-AZM

If we have no transition plan in place, then it's going to be tough. That's why it's really important to continue working and producing this transition plan. I think it would be very hard in the current environment for Assad to be given immunity inside the country. And I don't think that there would be any kind of transition that foresees Assad somehow holding onto power and negotiating. The street has completely and totally rejected it. And any member of the opposition that is willing to flirt with that is instantly out. This is why it's so important to the opposition to really lock them out, because they represent a threat to a transition. And for us, this is totally unacceptable.

Russia is pushing dialogue with Assad, but we will have no dialogue. We'll have dialogue with the regime, but not with Assad. We're not just talking about the Baath Party—the regime is the Assad family, a huge institution. So you can have dialogue with some members but not with the inner circle.

There could be negotiations, there could be a transition under the assumption of Assad leaving. I don't think the street or anybody else will accept a deal that allows Assad to stay in the country in any way, shape, or form. So he's out. And that's the best-case scenario in terms of a negotiated settlement. But I don't see them giving up. They're going to fight. I think a likely scenario could be that elites start to increasingly lose control of some of the main cities and they end up having to withdraw into their enclaves. And then it turns sectarian, and you could start to see ethnic cleansing. That's one possible scenario. Another possible scenario is a palace coup, where some of the guys just throw Assad under the bus: a Tantawi kind of deal, similar to what happened in Egypt. They might declare [Vice President Farouk] al-Sharaa the interim president, and then a government of unity is formed. That may be an option.

JMEPP

What advice would you give to Western or American policy makers working on resolving the humanitarian crisis?

AL-AZM
Keep pushing. Keep pressing the regime. Don't give the regime time to breathe. Every time you give it time to breathe, it revives itself. And every time you give it another month, another thousand people die. In order to go through the charade of Arab League observers, more than 1,100 people died. Was it really worth it? In order to get a couple of Arab countries like Algeria and Iraq to say yes, we will allow this to go to the Security Council. 1,100 people had to die. That's just horrible. That's what happened.

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Egypt's Transition to Democracy:
An Interview with Freedom and Justice Politician Amr Darrag

Interviewed by Daniel Tavana

Amr Darrag currently serves as the Secretary-General of the Freedom and Justice Party in Giza, where he is responsible for organizing the party's Giza delegation in Parliament. He recently ran as an individual candidate for the People's Assembly in Giza's third district, which includes the Dokki, Imbaba, and Agouza neighborhoods. He was a founding member of the Freedom and Justice Party. He is a professor in the Faculty of Engineering at Cairo University.

JMEPP

After several months of campaigning and elections, it looks like the Freedom and Justice Party–led Democratic Alliance will secure just under 50 percent of the seats in the People's Assembly. How would you explain the party's recent success?

DARRAG

I think the Egyptian people put their confidence in our party and our alliance, and this is based on several factors. First of all, as you know, the Muslim Brotherhood was behind establishing the Freedom and Justice Party, and the Brotherhood has a long history of being with the people and responding to their needs and taking care of the gap between what the government should have been doing and what was really done. We have a reputation of being sincere, honest, non-corrupt, and we have also proven that we have plans and programs to tackle the problems Egypt is facing. So in terms of experience, dedication, and being in the streets, I think it was quite reasonable to secure this number of seats. As a matter of fact, we were not expecting to get more than that because we believe that it is now time for collaboration between all political forces in Egypt to tackle problems; these problems are so big and are beyond the capability of any single political power. So I guess it is also reasonable and quite explainable, and we will take it from there.

JMEPP

What do you think most people are looking for the party to do now that the elections are finished?

DARRAG

The expectations of the people are quite high, and the people are quite eager. But we believe that the current priorities of Egyptian society are related to ensuring the security of the environment we are living in. Economically, we must secure jobs and development and start getting rid of the deep-rooted corruption that has been hindering virtually all kinds of progress. Afterwards, the Egyptian people expect us to work on all aspects of development including industry, hosting economic activities, and working on health care and education. Additionally, we must tackle problems like the governmental budget deficit and the lack of foreign currency. What the Egyptian people are really interested in is security, employment, and a better environment in which to live in.

JMEPP

One of the Parliament's responsibilities will also include the drafting of a new constitution. How is the party approaching the constitutional process?

DARRAG

The process will start by forming a committee dedicated to balance and then the parliament will handle its own affairs and leave that to the committee. And what we are planning to do with our colleagues from other parties is to form a committee that represents all spectrums of Egyptian society. Members of Parliament will reflect the wide spectrum of Egyptian opinions, not just from the majority forces. When you draft a new constitution, you have to secure an overall consensus otherwise the constitution will be meaningless. So this is our plan, to cooperate with everybody and make sure that everyone is really represented.

JMEPP

Would the party like to see a presidential or parliamentary system?

DARRAG

Our program used to have tendencies towards a Parliamentary system. But right now after much discussion and taking into account the current political scene, we believe that the mixed system would be better for Egypt: a mixture between presidential and parliamentary systems, like France, for example. In order to adopt a successful Parliamentary system, you have to have two or three strong and powerful political parties who can implement long-term plans to ensure a stable government. If you have a lot of weak parties, none of them will be able to secure a majority, and you will have a lot of room for instability. This is not needed for this particular stage. So almost everybody in Egypt is in agreement with a mixed system.

JMEPP

The civil-religious balance in the constitution has been very important to the campaigns of many members. How is the party approaching the civil-religious balance and interpretations of sharia law?

DARRAG

First of all, there is a misconception that there is a contradiction between civil and religious preferences. In our opinion, there is none: we have a civil party looking for a civil state but with

an Islamic preference. Several states across the globe look for a civil state yet have different preferences, such as a capitalist or socialist preference. But, overall, we want a civil system and a civil regime, so there is no contradiction. We believe that Islam provides the means towards a real civil society. By civil we mean that power is in the hands of the people—with civil rather than military authority. Additionally, we want a civil state without any control from theologists who claim they have direct access to God in order to enforce something on society. In fact, this is in contradiction with Islam; the word of Islam calls for the direct relationship between the person and God. No one can claim to take over as a middleman. This is really the most important thing in having a civil state rather than a theocratic state. There is a difference between the concept of a theocratic state, like those in Europe during the Middle Ages, where the church has political power. We are not calling for this.

"Anyone should be able to wear whatever he or she wants or to drink anything they want. We are against anything that is confining the freedom of the people."

When we talk about sharia law and oppressive sharia law, it is only a basic preference. By sharia we mean the main principles that guide society rather than detailed laws. There is flexibility in the laws based on the Islamic sharia that account for differences in societies and time periods. That is why the sharia has been alive for such a long time. In actuality, the sharia has been incorporated into the constitution since 1923, even before the Muslim Brotherhood was established.

However, when you develop laws, you have to take into account the main spirit of Islamic sharia, calling for justice, equality, freedom, and providing the environment for proper work. Injustice does not mean just political injustice but also economic injustice. We don't want a limited number of people who have the dominant tools to control the overall economy.

When people talk about the basic values of sharia, particularly in the West, what comes to their minds is the criminal aspects of sharia, which is a limited and minor thing. Just like any other forms of law, criminal law is only a limited part. Also, in order to implement criminal law there are many conditions that need to be secured—almost all of these conditions are not really available at the moment. So this is not a priority at the moment. You need to have a proper society, a proper democracy, and proper opportunities for everybody before starting to think about how to punish people for crimes they had to commit. So this is our approach.

JMEPP
How will the process guarantee the protection of minorities?

DARRAG
We don't believe there are minorities

in Egypt. When you refer to Christians, we view them as full citizens, same as Muslims. They have the same rights and similar opportunities. In terms of religion and faith, yes they are a minority. But when we talk about political parties and government this does not apply anymore. As a matter of fact, our preference is that non-muslims should be given better chances for being involved in society. This is really based on the true values of Islam: against injustice and against inequality. Also, Christians in Egypt have been involved in all the patriotic events in the last three-hundred years starting from expulsion of the British, fighting in all of the Egyptian wars, and being very strongly supportive of both the 1952 and 2011 revolutions. So they actually deserve the full status of citizenship. In terms of running a state, we do not look at them as minorities. As a matter of fact, it is not in the Christians' interests to behave like a minority and be isolated. We really encourage all Christians to actively get involved in society, politics, and all aspects of Egyptian life.

JMEPP

How will the constitutional process be more inclusive of women?

DARRAG

We are the party that provided the highest number of women candidates in the elections. We are going to provide many of the women who will make it to the Parliament. Women are very active in our party. Egyptian women have secured a lot of basic rights, some of these rights even before they were secured in the West, like the right to vote in elections, which was not granted in several Western states for some time. We have had these rights since the 1920s, almost a century ago. Right now, women are well educated and active, and they span all professions including politics so there is no reason to discriminate against them.

JMEPP

Aside from drafting the constitution, what are the party's main legislative priorities for the new Parliament?

DARRAG

We believe that priorities should focus on the interests of the people. Besides the creation of a new constitution, our priority would be to issue laws against corruption, to trust rule of law, and to try to improve the security issues that have plagued the people. Of course, other than that, we want to create laws that encourage investments and guarantee the security of these investments, Egyptian and foreign. We are encouraging everyone to come and invest in Egypt. We have to pave the way for that; we have to clear away all the bureaucratic obstacles that are really working against us. There are also laws that are needed to improve the quality of life of Egyptians, such as laws to improve infrastructure. At the moment, many things need to be tackled and discussed. Actually we have been working toward this since the establishment of the party; we have established committees to look at all these issues and to be ready when the time comes. I believe we are ready at least to trigger things and to start discussing all these issues with other political parties.

JMEPP

Some have alleged that the party will attempt either to ban alcohol or

to mandate the wearing of the hijab. What is the party's official stance on these and other social restrictions?

DARRAG

Our official stance is that we are always in support of securing the freedom of people, of individuals. We are not aiming to provide any sort of rule to limit personal freedoms. Anyone should be able to wear whatever he or she wants or to drink anything they want. We are against anything that is confining the freedom of the people. And this is also based on our Islamic preferences because in Islam, everybody is free to adopt or not to adopt that faith. This is our belief, and we are going to have that stance. Of course, like any society, we need to make sure that whatever these freedoms are, [they] do not contradict the basic values of the society or the well-being of the group. It's a balance between the individual and the group like any modern society.

JMEPP

Are you confident the Supreme Council of Armed Forces (SCAF) will uphold its commitment to the transition?

DARRAG

We are confident that they will. We are not sure about their intentions afterward, which is of more importance. They made suggestions regarding a special position above the constitution, above the elected bodies, which is totally unacceptable. They were somehow looking to and admiring the Turkish model that was developed forty or fifty years ago, which allowed the military to intervene in the political life whenever they wanted, whenever they don't like the outcome. Right now Turkey is achieving good progress because they are getting rid of this and moving toward real democracy. We do not want to wait for fifty more years to repeat this kind of experience. So we are not sure about their intentions, but our role, together with the Egyptian people and all political powers, is to make sure this does not happen. The army is well-respected, and we really want to make sure we have a very capable and modern army that is able to do its original function.

"We are not planning anything that would contradict U.S. interests."

JMEPP

Many are worried that the party's ascendance will lead to difficult relations with Israel and the United States. Has the party established a dialogue with either country?

DARRAG

No, not with Israel, not at all with Israel. But with the United States there have been some public meetings. U.S. Senator [John] Kerry and the ambassador to Egypt attended the last meeting. They met with the party secretary-general, and there were important discussions about the Egyptian-American relationship. I think we need more of these discussions in order to secure proper respect between the United States and Egypt in the future. We believe that the United States is a great country, but the image of the U.S. has been badly hurt because it supported

the old oppressive regime against its declared values of democracy. That's why unfortunately the U.S. is not trusted by the Egyptian people; they have seen with their own eyes that almost all of the problems over the thirty years were mainly caused by a regime that was supported by the U.S. What the Egyptian people would like to see is a relationship based on mutual respect, without being bound to any kind of pressures. Unfortunately, we have seen indications that the U.S. still is trying to apply pressure to affect Egyptian politics. This is totally unacceptable, and this will only lead to widening the gap between Egypt and the U.S. We are not planning anything that would contradict U.S. interests. As a matter of fact, we believe that these interests would be expanded and realized through collaboration, but applying pressure and using the foreign aid card will never work.

Yes, we have a lot of financial and economic problems, but we believe also that the potential that we have in Egypt is enough to maintain our independence and development. Of course, it would be easier if we get help from our friends in the U.S. and Europe. We are looking for such support and collaboration provided it is based on equal terms.

JMEPP

Why has there been no dialogue with Israel?

DARRAG

I don't think the environment is ready for that for many reasons. First of all, we do not constitute all of Parliament, and this is something that would have to involve all of Parliament. Secondly, the opinion of almost all of the Egyptian people is that Israel has not been respecting the terms of the peace treaty. They have been doing all sorts of practices against even the basic common behavior. Egyptian soldiers have been killed many times at the border by Israeli soldiers, without any hesitation, and without any reason. Also, on the way the Palestinians are being treated, Israel is not willing to acknowledge the right of the Palestinians to get back to their lands that have been occupied. Israel has been applying a very unjust siege on Gaza for a long time. Everybody in the world knows that this is unjust, yet no one is doing anything. I don't think that all this provides an environment that would invite dialogue. I think the ball is in the Israeli court to rethink the terms of the equation and change them. The previous regime has been providing a lot of support against the will of the people to Israel. That's why some of the politicians in Israel used to say Mubarak was a strategic treasure for them. We believe that this was correct. We believe, however, that it is better for Israel to maintain a fair relationship based on justice and rights, based on respecting the terms

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of the peace treaty but still thinking of ways to modify it. I think that if this all changed, there would be hope for dialogue.

JMEPP

Does the party have any interest in changing the peace treaty or is it committed to the treaty as it currently exists?

DARRAG

We are all committed to all treaties that were signed by previous governments, provided that the other side is also committed. Again, almost all Egyptians believe that Israel is not respecting all of the terms of the treaty. There are so many things that need to be done just to make sure that Egyptians feel convinced that Israel is respecting the treaty. Also, there are other things that need to be done to modify the terms of the treaty. For example, the presence of the Egyptian Army in Sinai is so weak that it does not have any sort of security on the borders. We cannot always demand that Egypt secure the borders without having the means to do that.

JMEPP

Looking at the Arab Spring, why do you think Islamic-oriented political parties have been so successful in the region?

DARRAG

They reflect the hopes and beliefs of the majority of the people in the region. They were oppressed for a long time. Despite all the oppression that we suffered we insisted on staying in the streets among the people, working together with the people to solve the problems and mend the gaps that were not handled by the government. So the people see us with enough integrity and trustworthiness to be able to solve the problems on the ground. These are the main ingredients for a successful party anywhere in any society.

JMEPP

What advice would you give American and Western policy makers as they rethink their relationship with the Arab world?

DARRAG

Democracy is democracy everywhere. You have to respect the choices of the people. You have to solve issues through dialogue, not through preconceptions. You should not try to discredit others and deal with other countries as if you have the upper hand. Of course we are not as strong as the U.S. or as developed as the U.S., but we have thousands of years of civilization, and we believe that we have a lot to offer the world. So collaboration is the best way to secure U.S. interests in the region. If the U.S. politicians insist on enforcing their interests, they will never succeed. History proves that.

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