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## **Insights and Analysis**

### **Iraq: Tribulations of the Electoral Law**

#### **Sam Parker**

In the second parliamentary elections of Iraq's new constitutional order, slated for January 2010, the stakes are high. Will a transfer of power occur peacefully? Will the Iraqi army be loyal to the new government? Will a lame duck government, the political flux of governing coalition formation, and the planned U.S. drawdown of over half its troops by August 2010 result in instability?

The Iraqi parliament cleared a major hurdle on November 8 by passing the legislation necessary to hold the elections. Prolonged wrangling had resulted in a delay of over three weeks beyond the initial deadline. The primary obstacle had been how to deal with the oil-rich province of Kirkuk and, more broadly, the dispute between the central government in Baghdad and the largely autonomous Kurdistan Regional Government (KRG). The KRG seeks to legally annex Kirkuk and in 2005 succeeded in inserting an article in the Iraqi constitution stipulating a popular referendum on the status of the province. This referendum has been put on indefinite hold in favor of a UN-led diplomatic process designed to reach a negotiated settlement to the territory issue between the KRG and the central government.

Since 2005 large numbers of Kurds have migrated to Kirkuk, which has tipped the province's demographic balance in their favor. Iraqi nationalist politicians in Baghdad and their allies among Kirkuk's Arab and Turkoman populations allege that the Kurdish parties have tampered with the voter rolls. They also resent Kurdish leaders' encouragement of this migration and see it as an attempt to bias the resolution of Kirkuk's status, whether that occurs by referendum or negotiation. Kurdish leaders claim that much of this migration constitutes the restoration of Kirkuk's historically Kurdish population, which had been "Arabized" as part of Saddam's effort to secure the strategically critical province. The Kurds' opponents grant that some return of Kurdish

Kirkukis is natural and do not object to it. They believe that much of this legitimate return occurred in the immediate post-invasion period of 2003-2004, however, and that post-2005 migration has an explicitly political purpose.

The Kirkuk issue and the question of Kurdish migration also hindered passage of the provincial elections law. In July 2008, parliament passed a law over Kurdish opposition (and vetoed by Iraqi president Jalal Talabani) that contained a special temporary power sharing mechanism for Kirkuk so as not to reward the Kurds for this policy. After Iraqis eventually agreed to postpone provincial elections in Kirkuk indefinitely, parliament established the so-called Article 23 committee to investigate the validity of the Kirkuk voter rolls and the legality of Kurdish migration, but the effort went nowhere.

In the debate about the national elections, anti-Kurd parliamentarians proposed a number of different mechanisms specifically for Kirkuk. Early proposals involved the creation of special electoral districts designed to ensure a minimum level of representation for Kirkuk's non-Kurdish ethnic groups. Later alternatives involved using 2004 voter rolls in Kirkuk, with some options also allowing voters on the 2009 rolls but not on the 2004 rolls to vote in a more provisional way. All along the Kurds rejected all efforts to treat Kirkuk differently from any other province. None of these provisions ever received an up-or-down vote, as Iraqi leaders claimed to fear another Talabani veto.

[The law passed on November 8](#) accords almost entirely with the Kurdish position. The only mention of Kirkuk is in Article 6, which stipulates a mechanism by which Iraqi parliamentarians may call for an investigation of the voter rolls in any province in which average annual population growth exceeds 5 percent. Given the failure of the Article 23 committee to make any progress toward a similar goal, the Article 6 proviso will likely remain only an abstract possibility lost in the whirlwind of deal-making following the elections.

In the end, this outcome seems fair. While a mechanism will be in place if alleged Kurdish tampering with the voter rolls proves egregious, the main thing the anti-Kurd forces appear to object to is the pro-migration policy of the Kurdish parties, which though perhaps objectionable is not illegal, and to punish the Kurds for it with the elections law would subvert the democratic process. At the same time, the anti-Kurd forces have won a small victory. The debate and the inclusion of Kirkuk in a minimal way in the law itself will undercut efforts by the Kurds to use election results as evidence that Kirkuk rightfully belongs in Kurdistan.

The national and provincial elections law debates about Kirkuk are a good illustration of how the broader Arab-Kurd conflict (involving territory, oil, and constitutional revision) impedes political progress in Iraq beyond the specific issues involved. They also serve as a reminder of the need for Iraqi leaders, with UN support and U.S. diplomatic muscle, to come to a negotiated settlement with which both sides can live. This need is especially acute as friction between Kurdish and central government forces in northern Iraq continues to create second order security concerns and threatens to spark a broader conflict, problems made more urgent by the pending U.S. drawdown.

The other main point of contention early on in the elections law debate—whether to use an “open list” mechanism, in which voters choose candidates directly, or a “closed list,” in which voters vote for parties—was settled in favor of the former. Iraqis see the open list mechanism (used in the January 2009 provincial elections) as more democratic, as a closed list allows party leaders to choose which specific individuals will serve in parliament. Iraqi parliamentarians who stand to lose their seats with an open list system were understandably reluctant to push for it. Over the course of the debate, Ayatollah Sistani pushed for the open list (culminating in a public statement in early October) which made it difficult for any party hoping to find support among the Iraqi Shi’a to oppose it.

The national elections law debate is emblematic of the current state of Iraqi politics: slow, messy, and factionalized, but ultimately democratic and successful in achieving the minimum necessary to carry Iraq forward without falling apart. The bigger tests—government formation, peaceful transfer of power, and U.S. drawdown—remain. That the Iraqis passed this early one is a cause for optimism.

*Sam Parker is Iraq Program Officer at the U.S. Institute of Peace. The views expressed here are not necessarily those of USIP, which does not advocate specific policies.*

## **Egypt: Brotherhood Faces Leadership Challenge**

### **Ibrahim al-Houdaiby**

Muslim Brotherhood Guide Mohamed Mahdi Akef’s decision to step down at the end of his first term in January 2009 is an important milestone for the largest opposition group in Egypt for two reasons. First, whoever the successor is, he will not enjoy the same historical legitimacy as Akef, who joined the Brotherhood at an early stage and worked with its founder, Hassan al-Banna. All of the potential replacements belong to another generation and lack the gravitas of Akef and his predecessors, which helped them resolve or at least postpone some organizational disputes.

The second reason is that Akef, who presided over a major political opening of the group in which its various intellectual orientations were clearly manifested, has the ability to manage diversity. This has been clear in his relations with leaders of the organization’s different currents and generations and his ability to bridge gaps between them. No candidate for the post seems to possess this skill, except perhaps Deputy Guide Khairat al-Shater, whose chances seem nil because he is currently imprisoned.

The departure of the Brotherhood’s founding generation suggests that the group will need to institutionalize decision-making to sustain itself. With current leaders viewing each other as equals, developing a clear mechanism to resolve disputes will be critical to avoiding confrontations that the founders were able to contain. For while the Brotherhood is highly institutionalized in terms of operational work and execution, this is not the case with decision making. Members of the organization have been more concerned about

having well-established procedures for executing decisions than for making them. This was due to the confidence members have had in their leadership so far, the historical legitimacy this leadership has enjoyed, and a general feeling among members – due to ongoing crackdowns from the regime – that disciplined implementation was essential so that arrests would not paralyze the organization.

There has been some progress in institutionalizing decision-making during Akef's tenure; for example, over the past years the group conducted a series of elections at all organizational levels. The current dispute about the elevation of Essam al-Arian (a reformist) to the Guidance Bureau after the death of one of its members is in many ways a manifestation of this organizational institutionalization. Whatever the conflicting parties' motives in supporting or opposing al-Arian, the debate revolves around the interpretation of internal procedures, a new phenomenon in an organization in which most members historically knew absolutely nothing about such procedures and did not even care to know.

### **Competition among Trends**

Another important question raised by the dispute over al-Arian concerns the level of internal diversity the Brotherhood will tolerate. The rise of Salafism in Egypt, in addition to the ongoing crackdown by the Egyptian regime, poses real challenges and pushes the Brotherhood in a less moderate direction. The group has witnessed a significant structural change over the past decade, with its organizational weight moving from cities to rural areas. With Egypt's countryside being increasingly influenced by Wahhabi Salafism over the past couple of decades, it is only natural that this less tolerant school will have its influence on the Brotherhood.

In recent years, Wahhabi ideological intolerance has increasingly combined with organizational intolerance by Muslim Brotherhood members influenced by executed leader Sayyid Qutb, who focused on organization at the cost of ideas and advocated postponing all types of dialogue and debate in favor of increasing confrontation with the regime. This direction is strengthened further by the Brotherhood's recruitment and promotion criteria, which are based on religious practice standards and organizational discipline (attending meetings, carrying out orders with minimal discussion) at the cost of creativity, criticism, and evaluation of the Brotherhood and its ideology. Such trends, fueled by the ongoing confrontation with the regime, will tend to elevate less moderate figures to leadership positions at the cost of reformists such as Abdel Monem Aboul Fotouh.

Meanwhile, the competition between different trends within the Brotherhood goes on. Conservative trend leaders differ in their approach to diversity within the group; some appreciate its value and are aware of the consequences of its absence on the Brotherhood's image, as well as its ability to lead change in Egyptian society. They are also aware that silencing reformists would lead to organizational divisions, and therefore adopt an inclusive stance. Others adopt an exclusive stance, seeing themselves as missionaries preserving the fundamentals of the group.

The exclusionary trend seems stronger at the moment, as indicated by the dispute about al-Arian. The conservatives within the Guidance Bureau worked hard to find a procedural justification to prevent his elevation to the Council (despite the fact that some of them became members using the same regulations), but clearly it was a vote against a new reformist voice in the Bureau. Sheikh Yusuf Qaradawi, whom many Brothers consider an important scholarly and intellectual reference point, called the treatment of al-Arian a betrayal of the Brotherhood's principles, provoking further harsh exchanges about proper procedures.

### **Electing a New Guide**

The new Guide will be elected based on his position on institutionalizing decision-making and managing relations among different trends within the group. While the reformist wing does not stand a real chance with the current composition of the leadership, the next leader will be elected in one of several ways. The first option is that different trends will compromise to reach an agreement on a leader who does not belong to any of the major intellectual schools in the group—which is what happened when Akef was elected—an event that would indicate awareness of the importance of diversity.

The second possibility is that the exclusionary wing will use its current majority to choose a Guide without regard for the reformist wing's concerns. The Guide would be either a member of this Salafi/Qutbi wing (less likely, as members of this trend prefer working inside the organization away from the spotlight associated with the Guide's political and media responsibilities), or someone close to this school, a less provocative and more likely course.

A final option would be to select a temporary Guide to serve until the Brotherhood heavyweights currently in prison (Khairat al-Shater, Mohammed Bishr, Abdel Monem Aboul Fotouh) are released, and tensions with the Egyptian regime abate (presumably after 2010 parliamentary and 2011 presidential elections). More favorable circumstances inside and outside the Brotherhood might then provide a chance to rethink the choice of Guide.

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### **Egypt: The Political Edge of Labor Protests**

#### **Saif Nasrawi**

While Western and Egyptian media have been preoccupied in recent years with small demonstrations in downtown Cairo protesting the widely-held belief that President Hosni Mubarak is grooming his son Gamal for the presidency, they have missed the bigger story: a rising labor force has become the country's most effective political force. Since

the massive strikes of 27,000 Ghazel el-Mahalla Textile Company workers in 2006 and 2007, Egyptian workers have started to shift their demands from strictly economic—salaries, bonuses, and industrial safety—to the more political question of re-configuring their relation to the state.

For half a century, the state-controlled Egyptian Trade Unions Federation (ETUF) has monopolized workers' representation. The Ghazel el-Mahalla workers called for dissolving their factory's union committee, which they deemed "undemocratic and unrepresentative."

In December 2008, real estate tax collectors took the further step of establishing Egypt's first independent trade union since 1957. This announcement came a year after thousands of property tax collectors staged an eleven day sit-in outside the Finance Ministry in downtown Cairo demanding a raise in their salaries. Although the General Union of Bank, Insurance and Finance Employees (part of the EFTU) opposed the strike, the government eventually conceded to the demands of real estate tax employees and tripled their salaries. Following this success, workers in several industrial and service sectors have been exploring establishing their own free unions to address their deteriorating economic conditions. These include the Public Transport Authority drivers and fare-collectors, school teachers, university professors, Education Ministry administrators, postal workers, and pensioners.

The nearly 1600 incidents of labor protest in Egypt since 2004 should be understood in the context of the neoliberal economic reforms by the government of Prime Minister Ahmed Nazif, perceived by many workers and civil servants as a deliberate strategy to redefine the social contract in place since the 1952 military coup. The old state discourse of "workers and peasants" has gradually given way to the new category of "businessmen," some of whom appeared as members of Nazif's cabinet.

Amid rising inflation related to reforms, hundreds of independent and opposition candidates were disqualified in the 2006 ETUF elections, contributing to workers' sense of outrage. "The outcome of the elections made the newly elected EFTU a mere extension of the National Democratic Party-backed businessmen government," according to Kamal Abu Eita, the president of the Independent Real Estate Tax Collectors Union.

Neutralizing the state's political and security apparatuses has been the key political tactic of the labor movement in Egypt. Although the regime has occasionally depended on its traditional mechanisms of cracking down on workers via arrest, intimidation, or suspension from work, it has nevertheless tolerated labor protests to an extent not seen in its treatment of either the Muslim Brotherhood or the smaller secular Kifaya Movement and al-Ghad Party. The regime most likely recognizes that cracking down on workers inside factories could be extremely costly in human and financial terms.

Egyptian authorities probably also are aware that labor leaders have deliberately stayed aloof from political parties. Leaders of property tax employees, for example, unanimously agreed not to participate in a general strike organized by a group of

Facebook activists to commemorate the first anniversary of the April 6, 2008 strike in the northern town of al-Mahalla al-Kubra. And unlike demonstrations organized by Kifaya and its sister change movements (which usually target President Hosni Mubarak and elements of his regime), Egyptian workers tend to appeal to Mubarak to step in personally to resolve their grievances.

The state's approach to the newly established independent Real Estate Tax Collectors Union (RETCU) will be an important signal of where labor-government relations are going. The RETCU applied for legal status in April 2009, but Minister of Manpower Aisha Abdel Hady has still not officially recognized the union. Legalizing the RETCU would not only shield it against state intervention, but would also allow the union to open bank accounts through which membership fees can be collected.

Meanwhile, the government-controlled ETFU is at work trying to strangle the new union in its cradle. ETUF President Hussein Megawar decided in September to form a special committee, for example, to consider establishing a new union for all Finance Ministry employees, including the property tax collectors. Megawar's plan is aimed at delegitimizing the RETCU, as there are laws against multiple trade union memberships.

Whatever happens to the RETCU, labor is likely to continue to rise as a force within Egypt. Plans to speed up privatization of government-owned industries, the likelihood that unemployment and inflation will remain high and economic growth modest, and the atmosphere of political ambiguity that dominates Egypt ahead of the parliamentary and presidential elections of 2010 and 2011 suggest that the anger of Egyptian workers and the organization of protests is far from over.

*Saif Nasrawi is a journalist and political sociology researcher based in Cairo, whose writings address democracy, social movements, and the politics of identity in Egypt and Iraq.*

## **Palestine: Where is Hamas in the West Bank?**

### **Omran al-Risheq**

A question one hears frequently among Palestinians these days is why the Islamic Resistance Movement (Hamas), a group some view with suspicion and others with sympathy, has become nearly invisible in the West Bank. Certainly Hamas has suffered a series of security blows in the last few years. Israel arrested roughly one thousand of Hamas members, included elected delegates of the Palestinian Legislative Council (PLC), following the capture of Israeli soldier Gilad Shalit in June 2006. And since Hamas took control of Gaza in June 2007 following a bloody conflict with Fatah, Palestinian security forces have carried out campaigns against the group in the West Bank. Hamas claims to have suffered 30,000 incidents of questioning, arrest, closure of organizations, or confiscation of financial assets. As of now, 600 of its members are detained in Palestinian Authority (PA) prisons and 150 of its affiliated organizations are closed.

Hamas, however, is more than simply a militant organization or a social welfare service provider. It is a broad network of members and followers, which garnered 444,000 votes in the 2006 legislative elections, with an ideological and political agenda. It has a large popular following, especially among Palestinians opposed to the Oslo agreement and disenchanted with corruption in the Palestinian Liberation Organization (PLO). So where have Hamas and its supporters in the West Bank gone?

Sources inside Hamas say that the movement has frozen its activities, in line with a 1989 strategy delineating how the movement should handle crises. Hamas followed this course in 1992, for example, when Israel exiled 416 activists from Hamas and Islamic Jihad to southern Lebanon following the kidnapping and murder of Israeli border patrol soldier Nassim Tolidano. Hamas is not ready, according to one of its leaders, to mobilize supporters behind a coherent course of action for fear of exposing them to arrest by the PA or Israel. Hamas also is reluctant to cause its followers to lose their jobs, given that 1200 of them have already been laid off from government jobs in the West Bank.

This damage control strategy is due partly to Hamas's belief that Palestinian President Mahmoud Abbas—unlike his predecessor Yasser Arafat--would not hesitate to destroy the group if it became too much of a nuisance to him. Arafat, on the other hand, was more careful in his dealings with Hamas for two reasons: he feared being seen as an agent of the Israeli occupation if he confronted Hamas forcefully; and he used Hamas as a card to boost his negotiating position with Israel, portraying himself as the only one capable of containing the group.

Hamas has also gone to ground on the West Bank because it is convinced that the current situation will eventually redound to its benefit, especially given Abbas's inability to begin serious peace talks with Israel. U.S. President Barack Obama's failure to exercise pressure on Israel to stop building settlements in the West Bank has left Abbas in despair, leading him to announce that he will not run for reelection in the upcoming presidential elections.

The PA's diminishing credibility also applies to Fatah, which has not been allowed to confront occupation forces or settlers, due to the PA's attempt to solve disputes with Israel through negotiations rather than armed resistance. Fatah moreover is hurt by its association with the Ramallah PA, which many view as a corrupt institution. High-ranking PA officials are disproportionately well off compared with the rest of the Palestinian people, who suffer from 25 percent unemployment that leaves one of every three families in poverty.

It is difficult to ascertain whether Hamas members are taking part in confrontations with the Israelis, given the secretive nature of the organization. It is clear, however, that Palestinians do not currently expect Hamas to mount demonstrations and such, although they long for the suicide attacks that many view as the most effective way to fight a much more powerful enemy.

In this regard, Hamas seems confident that justifying its absence in terms of repression by Israel and the PA will resonate at the popular level. In fact, popular opinion polls have shown an increase in Hamas' popularity in the West Bank versus a decrease in Gaza. West Bank Palestinians view Hamas as symbol of resistance to Israeli and U.S. domination, whereas Gazans --who have had a chance to test governance by Hamas --see its performance as similar to, if not worse than, that of the corrupt PA leadership.

Finally, Hamas believes--as it rides out the storm—that it can use several possible future scenarios to its advantage:

- If the PA is dissolved, Hamas will be in a position to present itself as an alternative to the PLO, thereby vindicating its refusal to engage in peace negotiations.
- If Abbas holds general elections in January 2009 as announced, Hamas can boycott and question the legitimacy of the elections, especially if half of the Palestinian electorate (in Gaza) does not participate.
- If elections instead are held in June 2010 (as specified in the reconciliation agreement drafted by Egypt), Hamas would have enough time to broker an agreement with Israel whereby it would release Shalit in exchange for 450 Palestinian prisoners. Such a deal would bolster Hamas's electoral chances and increase its legitimacy as a leader of the Palestinian resistance.
- If elections are not held at all, Hamas can use the continued deterioration of the situation to question Abbas's legitimacy. Hamas can argue that, by contrast, its elected members of the PLC continue to enjoy legitimacy. The Palestinian Basic Law stipulates that the term of the PLC does end until new members are sworn in, whereas the president of the PA is subject to a four-year term limit.

*Omran Rishq is a Palestinian writer and analyst. Dina Bishara translated this article from Arabic.*

## **Middle East: Post-Jihadism and the Inevitability of Democratization**

### **Omar Ashour**

Major 'Abbud al-Zumur, the former military intelligence officer who served on the governing bodies of both the Jihad organization and al-Gama'a al-Islamiyya (Islamic Group - IG) in Egypt, published a book entitled *The Third Alternative: Between Authoritarianism and Surrender* in August 2009. In the book, which analyzes the causes of violent radicalism and prescribes ways of ending political violence within Arab- and Muslim-majority states, al-Zumur strongly argues for the necessity of electoral participation as well as for alliances with the ideological "other."

The book is the latest development in what can be called a second wave of modern Islamist de-radicalization. The leadership of the Muslim Brotherhood began the first wave by authoring *Preachers not Judges* in 1969, during an attempt to dismantle the Brotherhood's armed wing and de-legitimize *takfiri* ideology (which can legitimize violence against nonbelievers, including Muslims who are deemed apostates). The IG began the second wave in July 1997, and in recent years has produced some 25 books to de-legitimize violence against the state. Those ideological revisions were followed by similar ones from various organizations including al-Jihad, the Libyan Islamic Fighting Group (LIFG), and several other Islamist leading figures in the Arab-majority countries.

The new literature features a departure from upholding *fiqh al-'unf* (Islamic jurisprudence justifying violence) toward discouraging armed confrontations in general and de-legitimizing political violence in Muslim-majority societies in particular. While most of the theological, ideological, and rational arguments in the de-radicalization literature were not new, the message bearers made a difference. As one of the former commanders of the IG's armed wing puts it: "Hearing the [theological] arguments directly from the sheikhs [IG leaders] was different....we heard these before from the Salafis and from al-Azhar...we did not accept them...we accepted them from the sheikhs because we knew their history."

The new body of literature, which is composed of more than 30 books, mainly deconstructs the eight major arguments of jihadism: *al-hakimmiyya* (God's exclusive right to legislate), *al-riddah* (apostasy, mainly of ruling regimes), *al-jihad/qital* (fighting) for the Islamic state, *jihad al-daf'* (defensive jihad), *ahkam al-diyar* (rules of conduct in the "abode of Islam" and the "abode of infidelity"), methods for sociopolitical change, the inevitability of confrontation, and the "neo-crusader" arguments.

Deconstructing those arguments in the post-jihadist literature entails an inference shift. The theological arguments of jihadism rest on the idea that literal orders from God supersede any rational calculations or material interests. In other words, *al-nass fawq al-maslaha* (the text is above interests); believers are to follow divine commands literally and leave the consequences and results to God. This usually translates into an impetus to engage in armed confrontations against much stronger powers.

In post-jihadist literature, there is a shift to the idea that interests determine the interpretation of religious texts. If a confrontation, or any other behavior, is likely to lead to negative consequences, it must be forbidden and should be avoided. In other words, it is theologically sanctioned pragmatism. Such ideas developed in Sunni mainstream political thought and jurisprudence as early as the 7<sup>th</sup> and 8<sup>th</sup> centuries, following a series of failed revolts against the Umayyad dynasty that led to massacring Muslims, including the Prophet's grandson.

Al-Zumur's recent book was one of several instances of de-radicalization literature to address political participation and pluralism explicitly. There are mixed messages on this subject, sometimes by authors from the very same movement. The IG's ideologue Nagih Ibrahim, for example, has called on Islamist movements to abandon politics and focus on missionary activities. The IG leader, Karam Zuhdi, however, declared that the group's

current rejection of democracy could change based on its interests. Libyan Islamic Fighting Group and Saudi clerics' messages on democracy are not any clearer. For example, the recent LIFG book (*Corrective Studies in the Understandings of Jihad, Hisba, and the Judgment of People*) did not declare a stance on democracy. This failure to address political participation is due largely to the fact that it seems irrelevant in such authoritarian contexts.

In any case, these developments on the ideological front show that despite the persistence of jihadism and violence, a post-jihadist era has begun. Post-jihadism has well-defined characteristics. On the ideological level, it involves de-legitimization and discouragement of political violence in general as well as upholding theologically-sanctioned pragmatism. On the behavioral level, criticizing Islamists who still engage in violence is another feature. And on the organizational level, disbanding armed wings and secret units is a third defining feature.

Most post-jihadist literature does not take a clear stance on democracy. But accepting the "other," moderating rhetoric and behavior, and participating in electoral politics may be the only viable options for these groups if they want to remain politically significant. In other words, if jihadism heralded the inevitability of armed confrontation, post-jihadism might well entail the inevitable acceptance of democratization.

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## **Morocco: Obstacles to a New Press Code**

### **Aziz Douai**

It was a hectic summer for Morocco's independent press. In late July 2009, a court ruling imposed heavy fines on three independent dailies for defaming a foreign leader, Libya's Muammar Qaddafi. A day after the ruling, in an unprecedented show of solidarity, a majority of the country's newspapers published blank editorials. In August, the government seized an issue of an independent weekly, *Nichane*, for publishing an opinion poll on the approval ratings of King Mohamed VI as he was celebrating his tenth anniversary on the throne. And there was the public airing of journalistic dirty laundry, with *Le Journal's* former reporters and editors publicly trading barbs and recriminations over their relationships with the royal family (including alleged pay-offs to some journalists from the king's cousin, Prince Moulay Hicham).

In the last decade, a feisty Moroccan press with a new breed of independent journalists has grown in influence and popularity despite mixed signals from the palace. It has become more critical, broaching topics that were deemed off-limits to Moroccan journalists until a few years ago. Covering topics such as the king's health, the royal family's private affairs, and victims of political oppression would have been inconceivable during his father's reign.

The earliest manifestation of a positive shift in the fortunes of the Moroccan press became apparent after a new press code was passed in 2002, guaranteeing a modicum of freedom. The final legislation, however, was riddled with legal loopholes and purposefully vague language, allowing libel and defamation laws to be used to constrain and silence critical and independent publications. Reporters from the weekly *al-Michael* and the daily *al-Jarida al-Oula* were dragged to court and charged with “intentionally publishing false information” after their articles questioned the Royal Palace’s official release on the king’s health in September 2009. The populist *al-Massae* has yet to pay a fine of six million dirhams (US \$790,000) the courts imposed in a defamation case. A cartoon of a royal family wedding in *Akhbar al-Youm* drew government charges of “insulting the royal family.” The government has indefinitely shut down the newspaper in blatant contravention of the current press law’s Article 77, which authorizes the government only to ban a single issue of a periodical deemed disrespectful to the royal family.

In view of these cases, calls for reforming existing press laws have grown stronger, garnering support from local journalists as well as regional and international press organizations. The national press union, le Syndicat National de la Presse Marocaine (SNPM), has been at the forefront of those demanding reform, calling for decriminalizing press offences, making fines proportional to alleged damages, and ensuring journalists’ free access to information. Other press watchdogs have reiterated similar demands, ranking Morocco among those whose “press laws hark back to another era,” wavering between repression and liberalization, as Reporters Without Borders observed in 2008.

While the government has long promised to address these legal loopholes, a new press law seems to have stalled, endangering already fragile independent publications. In dragging its feet, the government has unexpectedly received help from the independent press’s own feuds and frictions. Enacting a new press code requires a press corps united around a reform agenda. But in the current crop of independent journalists, in-fighting and petty feuds have recently escalated. Should legitimate editorial differences continue to be used to settle personal scores, this would spell the demise of reform efforts, if not the independent press as a whole. More ominously, personal feuds and frictions are discrediting the rest of the profession in the court of Moroccan public opinion.

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## **News**

### **Lebanon: New Cabinet Appointed**

Lebanese political factions agreed on a coalition government on November 2, after nearly five months of negotiations, following the June elections that yielded victory to the March 14 coalition. Saad al-Hariri is heading the new cabinet and his coalition holds 15 of the 30 cabinet seats, including the ministries of finance, education, economy, and justice. The Hizbollah-led March 8 coalition holds 10 seats including the ministries of

foreign affairs, energy, and administrative development. President Michel Suleiman chose the remaining five ministers, including interior and defense. Click [here](#) for the full cabinet lineup. Minister of Social Affairs Salim al-Sayigh of the Katai'b (Phalange) Party boycotted the first cabinet meeting, giving rise to speculation that his party was not satisfied with its assigned portfolio and might threaten to drop out of the government. Click [here](#) for more in Arabic.

### **Palestine: Electoral Uncertainty; Reconciliation Agreement Postponed**

An announcement by Palestinian President Mahmoud Abbas on November 5 that he would not seek reelection sparked demonstrations by Fatah in favor of his remaining in power. Abbas recently came under severe criticism among Palestinians after he initially supported postponement of action on the UN - commissioned Goldstone report citing possible war crimes during the Gaza war of 2008-09. Click [here](#) for more in Arabic.

Abbas's announcement further dimmed chances for holding presidential and legislative elections scheduled for January 24, 2010. Observers noted that the Palestinian Central Elections Commission failed to open voter registration on November 10 as required by the law in order to hold elections on time.

Egypt postponed the signing of a draft reconciliation agreement between Fatah and Hamas on October 16. Hamas reportedly disagreed with some aspects of the proposed power-sharing arrangement, but justified its refusal to sign the agreement by pointing to disagreements with President Abbas over handling of Goldstone report. Click [here](#) for more in Arabic

### **Kuwait: Prime Minister under Scrutiny**

Opposition members of parliament (including Islamists, members of the nationalist bloc, and some liberals) on November 11 called on Prime Minister Sheikh Nasser Mohammad al-Sabah to step down due to alleged political corruption and bribery. The controversy surrounds a payment of US \$700,000 made to a former parliamentarian, which Sheikh Nasser said was a charitable contribution made out of personal funds. The Kuwaiti parliament has frequently attacked the Prime Minister, causing repeated crises with the palace leading to dissolution of the parliament and early elections. Click [here](#) for more.

### **Saudi Arabia: Houthi Rebellion; Journalist Pardoned**

Saudi Forces began air strikes against Houthi rebels that infiltrated the Saudi borders on November 6. GCC member states support Saudi ongoing air-raids against the Houthi rebels; Assistant Minister of Defense for Security Affairs Prince Khaled Bin Sultan Bin Abdul Azizi vowed to continue the raids until rebels retreat back into their territory. Click [here](#) for more in Arabic.

Saudi female journalist Rozanna al-Yami was sentenced to 60 lashes on October 25 in connection with a case against the Lebanese channel LBC's program, "Ahmar Bel Khat al'Areed" "Bold Red Lines." King Abdullah issued a pardon on October 26 waving the flogging. The court case, which started in July 2009, concerned an interview with a Saudi man discussing sexual issues. Following the program, Saudi authorities closed down

LBC's offices in the kingdom and arrested the man interviewed; he was subsequently sentenced to five years in jail and 1,000 lashes. Click [here](#) for more.

### **Egypt: Opposition Leader Denied Travel**

Egypt's Prosecutor General denied travel permission to Ayman Nour, leader of the al-Ghad opposition party, for a visit to the United States on November 4. The trip was to include meetings with governmental and non-government organizations and representatives in New York and Washington DC. Nour was released in February 2009 after serving four years in prison, after his conviction on charges of forgery shortly after running in the presidential election of 2005 against President Husni Mubarak. Click [here](#) for more in Arabic.

### **Iraq: Elections Postponed; New Kurdish Cabinet Sworn In**

Iraq's electoral commission changed the date for the country's upcoming parliamentary elections to January 21 from January 16 on November 10. The parliament agreed on November 8 on a final electoral law that included a resolution of the contentious Kirkuk issue. Click [here](#) for details of the new electoral law.

The new Kurdish cabinet headed by Barham Saleh was sworn in on October 28. The new cabinet was trimmed to 19 ministries, compared to 42 in the old one; the ruling Kurdish Democratic Party (KDP) and Patriotic Union of Kurdistan (PUK) hold 14 of the 19 ministries including interior, finance, oil and natural resources. The remaining 5 portfolios were allocated to the Islamic Movement in Kurdistan, the Community Party, and representatives of Turkmen and Christian minorities. Click [here](#) for more in Arabic.

### **Sudan: Voter Registration Hampered; New U.S. Strategy**

Voter registration began on November 1 in preparation for national parliamentary and presidential elections in April 2010. The elections, a key provision of the peace agreement of 2005 that ended the civil war, were originally scheduled for July 2009. The Sudanese National Election Commission allowed international observers to monitor voter registration. The Carter Center released a [statement](#), however, citing obstruction of voter registration including harassment and intimidation.

The White House released a new Sudan strategy on October 19 that seeks to end conflict and human rights abuses and to limit Sudan's involvement in terrorism. According to U.S. diplomats, the new [strategy](#) consists of a blend of incentives and punitive actions in order to encourage compliance from the Sudanese government. Click [here](#) for more.

### **UAE: President Reappointed**

The UAE's Federal Supreme Council reappointed Sheikh Khalifa Bin Zayed al-Nahyan president for another five year term on November 4. The 64 year old leader was first appointed in 2004. Click [here](#) for more in Arabic.

### **Tunisia: Presidential and Parliamentary Elections**

President Zein el Abedine Ben Ali was reelected for a fifth consecutive five-year term with 89.2 percent of the popular vote on October 25. Secretary General of the Popular Unity Party Mohammed Bouchiha came in second with 5 percent, followed by Unionist Democratic Union leader Ahmed Innoubli of the with 3.8 percent and Tajdid Movement Secretary General Ahmed Ibrahim with 1.57 percent. Voter turnout was reported at 89.4 percent. Ben Ali won the last presidential election in 2004 by a reported 94 percent of the votes. In the parliamentary election Ben Ali's Constitutional Democratic Rally took 161 of the 214 seats and opposition movements the remaining 53. Click [here](#) for the official results.

### **Libya: Islamists Released**

Libyan authorities released 82 Islamist prisoners with ties to al-Qaeda, the Libyan Islamic Fighting Group, and other jihadist organizations on October 15 as part of an ongoing government dialogue with Islamists. Saif al-Islam Qaddafi's human rights organization made the announcement; Saif al-Islam reportedly will take a post in the government soon. Click [here](#) for more in Arabic.

### **Views from the Arab Media**

- Independent Egyptian newspapers mocked the slogan of the National Democratic Party's (NDP) annual conference, held October 31-November 2, which was "*min aglak inta...*" ("For you," understood to be addressed to the Egyptian citizen). *Al-Dustour*, for example, said it should have been "*min aglak inta...ya Gamal*" ("For you...Gamal"), referring to the son of President Mubarak who has risen to control the party and is widely expected to succeed to the presidency. Several editorials and opinion articles, for example an [article](#) by Cairo University professor Hassan Nafei in *al-Masry al-Youm* on November 1, criticized the NDP for its lack of openness about who will be its candidate in the 2011 presidential election. Osama Ghazaly Harb, who left the NDP to form the Democratic Front Party, called for a transitional phase to democracy after President Mubarak leaves office rather than succession to a new NDP regime, in a November 1 [commentary](#) in the same newspaper. Editorials in *al-Dustour* on [November 2](#) and [November 4](#) lampooned speeches at the NDP conference by Gamal Mubarak and business magnate Ahmad Ezz, accusing them of arrogance.
- The Saudi daily *al-Watan* editorialized on November 5 that attacks on Saudi soil by Houthi rebels from northern Yemen are a feeble and desperate attempt to bring attention to their sectarian rebellion and redefine it as a regional struggle. The [article](#) alleges links between the Houthis and Iran and warns that their attacks will isolate them further, across the region and beyond. The article claims Saudi Arabia supports national unity in Yemen and maintains that the Huthis are better off ending their relationship with Iran and building stronger ties with Yemen's national government.
- In its November 3 [editorial](#), the London-based, pan-Arab daily *al-Quds al-Arabi* criticizes U.S. Secretary of State Hillary Clinton for praising Israeli Prime

Minister Benjamin Netanyahu's offer to limit the growth of settlements during a summit with Arab foreign ministers in Marrakesh. The Obama administration has lost its credibility in the Arab and Muslim worlds by backtracking on the settlements, not to mention continuing U.S. military involvement in Iraq and Afghanistan.

- Khaled Saghia, columnist for the Lebanese daily *al-Khabar*, says that Prime Minister-designate Saad Hariri continues to face an uphill battle in forming a national unity government. In the November 4 [article](#), Saghia stresses that the deep polarization and disconnect between the government and the opposition is not likely to end until the opposition clarifies its terms and expectations for participation in the government.
- *Al-Jazeera's* weekly show "Ma wara al-khabar" (Behind the News) aired a [debate](#) November 1 on recent African proposals to end the Darfur crisis, including a national tribunal with international lawyers to reinvestigate war crimes. The show featured Khartoum-based Fathi Khalil of the ruling National Congress Party and London-based spokesman of the Sudanese Liberation Movement Yahya Boulad. Khalil stressed that in some instances, the proposed national tribunals disregard the sovereignty of the Sudanese judicial system. He insisted that these investigations are a national matter and that the international community should not intervene. Boulad rejected these points, saying the International Criminal Court had already ruled regarding the Darfur genocide and war crimes.

### Upcoming Political Events

- Iraq: Parliamentary elections, January 21, 2010
- Palestine: Presidential and parliamentary elections, January 24, 2010

### Read On

Recent publications on **Iraq** include:

- "[The Future of Preventive Wars: the case of Iraq](#)," by Onder Bakircioglu (*Third World Quarterly*, vol. 30, no. 7, October 2009, 1297-1316).
- "[Iraqi Prime Minister Nouri al-Maliki, U.S. President Obama and the Baghdad Bombings](#)," by Kenneth M. Pollack (Brookings Institution, October 26, 2009).
- "[Iraq's Economy Needs More Than Security](#)," by Raj M. Desai (Brookings Institution, October 23, 2009).
- "[Iraq: Creating a Strategic Partnership](#)," by Anthony H. Cordesman, Elena Derby, Adam Mausner (Center for Strategic and International Studies, October 28, 2009).

- [“Iraq: Security and the Challenges of Lasting ‘Victory’,”](#) by Anthony H. Cordesman (Center for Strategic and International Studies, October 26, 2009).
- [“Iraq’s New Reality: The Impact of Conflict on Minorities, Refugees, and the Internally Displaced,”](#) by Elena McGovern, Matt Eason, and Breanne Carter (The Henry L. Stimson Center and the Center for International Governance Innovation, October 2, 2009).
- [“Iraq’s News Reality: Ensuring Security and Setting the National Security Agenda,”](#) by Elena McGovern (The Henry L. Stimson Center and the Center for International Governance Innovation, October 9, 2009).

Publications on **economic development** include:

- [“Money for Nothing? Offsets in the U.S. —Middle East Defense Trade,”](#) by Shana Marshall, (*International Journal of Middle East Studies*, vol. 41, no. 04, November 2009, 551-53).
- [Al-tharwa al-naftiya wa dawruha al-‘ arabiya: al-dawr al-siyasi wa al-iqtisadi lil naft al-‘ arabi,](#) (*Oil Wealth and its Role in the Arab World: The Political and Economic Role of Arab Oil*) by Atef Sulayman (Center for Arab Unity, October 2009).

Publications on **U.S. policies** include:

- [“Afghanistan and Iraq: Perspectives on U.S. Strategy,”](#) by Beth Ellen Cole (United States Institute of Peace, October 2009).
- [“The Opportunity of the Obama Era: Can Civil Society Help Bridge Divides between the United States and a Diverse Muslim World?”](#) by Hady Amr (Brookings Institution, Brookings Doha Center, November 2009).

Recent publications on **Gulf States** include:

- [“Improving Finance for Qatari Education Reform,”](#) by Cassandra M. Guarino, Titus Galama, Louay Constant, Gabriella Gonzalez, Jeffery C. Tanner, Charles Goldman. (Rand Corporation, October 2009).
- [“Yemen and the GCC: Prospects for Membership,”](#) by Ronan McGee (The Henry L. Stimson Center, October 5, 2009).
- [The Kingdom: Saudi Arabia and the Challenge of the Twenty-first Century,](#) eds, Joshua Craze and Mark Hubard (Columbia University Press, October 2009).

Publications on **Egypt** include:

- [“The NDP Conference and Egypt’s Future,”](#) by Mohamed Abdelbaky and David Schenker (The Washington Institute for Near East Policy, PolicyWatch # 1595, October 27, 2009).
- [The Struggle for Constitutional Power; Law, Politics, and Economic Development in Egypt,](#) Tamir Moustafa (Cambridge University Press, November 2009).

Recent articles on **Palestine** include:

- [“Palestine: Salvaging Fatah,”](#) (International Crisis Group, Middle East Report no. 91, November 12, 2009).
- [“ Hamas in Combat: The Military Performance of the Palestinian Islamic Resistance Movement,”](#) by Yoram Cohen and Jeffery White (The Washington Institute for Near East Policy, Policy Focus #97, October 2009).
- [“The Current Palestinian Scene: Setting National Priorities Right,”](#) by Hani al Masri (Arab Reform Initiative, October 21, 2009).

Recent publications on **Syria** include:

- [“Human Rights in Syria: The Never-Ending Emergency,”](#) Dina Hadad (*International Journal of Middle East Studies*, vol. 41, no. 04, November 2009, 545-47).
- [“Limits of ‘Authoritarian Upgrading’ in Syria: Private Welfare, Islamic Charities and the Rise of the Zayd Movement”](#) by Thomas Pierret and Kjetil Selvik, (*International Journal of Middle East Studies*, vol. 41, no. 04, November 2009, 595-614).
- [“‘Let Sleeping Dogs Lie:’ On Ghajar and Other Anomalies in the Syria-Lebanon-Israel Tri-Border Region,”](#) by Asher Kaufman, (*The Middle East Journal*, vol. 63, no. 4, Autumn 2009, 539-60).
- [“The Syrian Muslim Brothers and the Syrian-Iranian Relationship,”](#) by Yvette Telhamy, (*The Middle East Journal*, vol 63, no, 4, Autumn 2009, 561-80).
- [Suriya wa turkiya: al-waqi’ al-rihan wa ihtimalat al-mustaqbal](#) (*Syria and Turkey: Current Status and Future Prospects*) by Aqil Saeed Mahfouth (Center for Arab Unity, October 2009).

Other **reform-related** publications include:

- [“Fixing Broken Windows”: Security Sector Reform in Palestine, Lebanon and Yemen](#),” by Yezid Sayigh (Carnegie Endowment for International Peace, October 2009).
- [“Tunisia on the Eve of Presidential and Parliamentary Elections: Organizing a Pro-Forma Democracy](#),” Rachid Khechana (Arab Reform Initiative, October 13, 2009).
- The October issue of [al-Mustasbal al-‘arabi](#) (*Arab Future*) published by the Center for Arab Unity Studies covers religion and pan-Arabism, political developments in Kuwait and Saudi Arabia, and instability in Iraq.
- The autumn issue of [al-Majalla al-‘arabiya lil-‘ulum al-siyasiya](#) (*Journal of Arab Political Science*), published by the Arab Society for Political Science and the Center for Arab Unity Studies, includes articles on U.S. failures in Iraq, Russia’s policy toward Iraq, and regression of leftist opposition groups in the Arab world.
- The October issue of [Araa](#) (*Opinions*), published by the Gulf Research Center, included articles on security challenges in Yemen and the occupation in Iraq.

The ARB will take its usual winter publishing holiday in December. The next issue will be published in January and will feature special coverage of the Iraqi elections.