

Democracy and Governance in the Middle East and North Africa

Testimony by Scott Mastic
Vice President for Programs
International Republican Institute

U.S. House of Representatives Foreign Affairs Committee
Subcommittee on the Middle East and North Africa

November 7, 2017

Introduction: Why Invest in Democracy and Governance?

Chairman Ros-Lehtinen, Ranking Member Deutch, Members of the Committee, it is my pleasure to testify before you today on the topic of democracy and governance in the Middle East and North Africa.

It is no secret that democracy in the Middle East and North Africa has faced formidable obstacles since the Arab Spring in 2011. In light of the tumultuous developments of the past six years—ranging from political and sectarian polarization to a constricting civil society space to the horrific civil wars and mass atrocities in Syria and Yemen—we cannot simply speak in terms of universal values or political ideals when tackling the subject of democratic development in the region.

In order to fully appreciate the complexity of this issue, we must reflect upon the situation prior to 2011, analyze how it impacted the ensuing years and consider the trajectory we appear to be on today. Many people talk about the Arab Spring as if it was the last hope for democracy in the Middle East. I prefer to think of it as the first convulsion of democratic change in a part of the world where—with the exception of Israel—democracy has been notably absent. This democratic deficit—combined with deep-rooted social fissures throughout the region—produced the challenging dynamics that confound the region today.

It is tempting to look at failing states in Libya, Syria and Yemen and conclude that rule by strongmen is preferable to chaos. Yet such an approach does not advance the long-term interests of the United States or our allies, and has been proven to be an unreliable tactic for confronting pressing strategic challenges such as the continued rise of violent extremism. The continuing pathologies of the region like extremism are functions of governance failures and the legacy of decades of Arab autocracy. Improved governance and strengthened democratic values, like pluralism, moderation and tolerance are central to defeating the threats posed by radical Islamism. Citizen-responsive governments make it more difficult for the Islamic State (ISIS) to exploit public disillusionment stemming from sectarian fissures, demographic grievances and feelings of societal alienation or disenfranchisement.

Today I will argue that the United States must pursue a smart democracy and governance approach to advance democratic gains where possible, and will make the case that democracy and governance assistance has a critical role to play in stabilizing conflict zones.

Supporting Democratic Gains

Reflecting upon the changes that have taken place in the region since 2011, there are several promising advances that, although by no means assured, are worthy of mention.

Much has been made of Tunisia as the lone success story of the Arab Spring, which is interesting in light of the fact that IRI's own public opinion polling shows that the Tunisian public is not yet satisfied with how democracy is delivering. Tunisia has faced multiple setbacks, including political assassinations, high-profile terrorist attacks, economic stagnation and popular protest movements. Despite these challenges, Tunisians have had peaceful transfers of power through two democratic national elections, ratified the most

progressive constitution in the Arab World, and continue to address political differences peacefully through formalized democratic process, negotiation and consensus. The fact that Tunisia's largest secular political party has entered into a governing coalition with the country's most prominent Islamist party makes Tunisia a unique test case for democratic development in the Arab world, and stands in stark contrast to the case of Egypt, where the Muslim Brotherhood made a power grab and railroaded a constitution through in 2012.

We must act to ensure that Tunisia's democratic progress becomes more consolidated. The country is progressing towards local and regional elections, passed historic legislation regarding violence against women and has launched a "war on corruption" by arresting prominent individuals tied to the old order. At IRI, we think that increased support for good governance, anti-corruption and democratic elections is crucial to keeping Tunisia on a democratic track.

Tunisia is not the only country in the region making progress on issues such as women's rights. Lebanon and Jordan recently rescinded regressive laws that allowed rapists to expiate their crime by marrying their victims, an atrocious practice that must be consigned to the dustbin of history. Likewise, as I am sure you are all aware, after years of recalcitrance Saudi Arabia has finally granted women the right to drive. This may seem to be a small accomplishment, but for women activists who brought ostracism upon themselves and their families because of their involvement in this fight, attaining the right to freedom of movement represents an important victory.

Other positive developments in the region include the codification of the right of civil society organizations to petition and table motions on legislative matters in Morocco, as well as an ongoing and vibrant debate over the merits of decentralized government in countries including Jordan, Libya, Morocco and Tunisia. In what is perhaps the most important achievement of the Arab Spring, there is a palpable vibrancy in the region's civil society that was previously barely noticeable. The role of young, emerging leaders working within the civil society space is bringing a new dynamism to politics and challenging the old order, even in countries like Lebanon where the pervasive reach of Hezbollah poses an ever-present threat.

IRI is supporting democratic gains across the region by training women to be strong advocates and successful elected officials; supporting up-and-coming civil society leaders to serve as conduits of citizen interests; advancing decentralization by strengthening subnational governance; and working with political stakeholders to compete more effectively within the bounds of the democratic process.

So that's the positive. Regrettably, the last years have also produced horrific violent conflict and security vacuums that are being exploited by radical Islamists including ISIS. We cannot ignore the degree to which political dysfunction in Libya, for example, impacts the potential for democratic consolidation in Tunisia, or the degree to which the civil war in Syria drives deepening polarization between Shia and Sunni communities in Iraq. Working to stabilize these areas of conflict requires our urgent attention. Today, I would like to speak about the

important role democracy and governance plays in building resiliency and stabilizing conflict zones.

Stabilizing Fragile and Failing States

IRI works in countries around the world—and in the Middle East in particular—that suffer from violent extremism and political instability. While policymakers often focus on maintaining security through military, intelligence and law enforcement assistance in these countries, IRI augments and undergirds these efforts by focusing on legitimate, citizen-responsive governance as a means to combat violent extremism.

Poor governance is a leading cause of conflict. Corruption, the abuse of power and economic mismanagement are easy predictors of future instability. These factors lead to marginalization and alienation. We should not forget that the catalyst for the Arab Spring in Tunisia was systemic corruption by the former dictator Zine Abidine Ben Ali.

While there are myriad complex historical and social factors that combine to generate violent extremism, at IRI we believe that governance delivery is a central factor shaping the potential for conflict and violence. Successful governance requires acting in good faith, crafting non-discriminatory policies, providing equal opportunity (even if opportunities are scarce), focusing on jobs and service delivery, being responsive to citizens and punishing corruption and incompetence.

These principles are also crucial to helping countries get out of conflict. By working to support legitimate governance that responds to citizen needs and provides effective mechanisms for debate, decision-making and conflict resolution, democracy and governance assistance helps countries emerge from conflict and prevents ISIS and similar groups from further undermining weak governing systems.

In Iraq, the previous success of ISIS was directly tied to marginalization of the country's Sunni population. I don't have to tell you the enormous cost this has generated not only for Iraq, but for the United States and regional and global security. With the defeat of ISIS in Iraq, it is crucial that we move quickly to help key provinces build more inclusive, effective governing institutions. It is also crucial that we support local decision makers and institutions against the negative influence of Iran which continues to advance its hegemonic ambitions on the region.

In Libya, dysfunction at the national level and resulting violence provided conditions ripe for exploitation by radical Islamists. However, as the level of violence has not reached the intensity seen in Syria and Yemen, effective subnational governance efforts with municipal councils have managed to take root. IRI surveys reveal that municipal governments are viewed as more legitimate by Libyans than other traditional sources of legitimacy, including tribal leaders. Effective governance by municipal councils makes Libyan communities more resilient to groups like ISIS even in the face of continued political gridlock at the national level. Local governance has also proven to be an asset in strengthening Libya's democratic

development, as it has allowed Libyans to experience the benefits of democratic institutions first hand within their communities.

IRI's programs prioritize a governance approach in conflict-ridden environments to fill security vacuums and build resiliency. Whether it is the post-ISIS cities of Mosul or Sirte, lasting peace cannot be achieved without citizen responsive governance.

In Iraq, this means working with provincial councils to help decision makers understand their governing roles and constitutional mandate, and supporting them to become more inclusive in their decision making.

In Libya, this means working with municipal councilors, mayors and community groups to help municipal government realize its mandate and mobilizing local interests to effectively advocate to the national level. Democracy and governance efforts of this type contribute to regional stability and make democratic gains more sustainable.

Madame Chairman there are two additional challenges I want to address briefly.

The Constricting Civil Society Space

The first is the trend of constricting civil society space as a result of draconian nongovernmental organization laws and other rules that make association and advocacy nearly impossible. Allowing only pro-regime entities access to the public space has a long history in certain countries of the Middle East and North Africa. As a consequence of the Arab Spring, however, nervousness about the potential for similar uprisings has generated an even greater crackdown on civil society in some countries.

Certain Gulf Cooperation Council countries allow for almost no role by independent civil society. Since 2013, Egypt's once vibrant human rights and democracy community has been all but silenced. In January 2017, a new law was passed that gives the Egyptian government broad discretion to deny registration of any non-governmental organization (NGO), heavily restricts the ability of NGOs to receive funds, and prohibits activities based on sweeping language regarding national security. In practice, the law makes it impossible for Egyptian NGOs to operate legally, leaving them in a sort of purgatory whereby the government has the power to shutter organizations and prosecute individuals arbitrarily.

In the political space, the Egyptian government has silenced any type of meaningful opposition. In May 2017, Khaldi Ali—a former presidential candidate and prominent human rights lawyer considered to be a possible contender against President Abdel Fatah El Sisi in the 2018 elections—was convicted on the specious charge of “violating public morals.” In September, authorities ordered the closure of Al-Balad library, a bookstore and cultural center owned by the president of the Egypt Social Democratic Party. The government has become intolerant of criticism even from traditionally pro-government figures: Naguib Sawris, the founder of the Free Egyptians Party which holds a parliamentary bloc, was ousted, likely because of his criticism of the government's economic mismanagement.

This is not to understate the legitimate threats to Egypt's national security. The question is whether draconian restrictions on civil society help countries better deal with these threats, or if such actions actually exacerbate them. In Egypt, more than a quarter of its 95 million plus population lives below the World Bank designated poverty line¹, and 29 percent of children under the age of five suffer stunted growth as a result of malnutrition.² Groups working in the civil society space help address these enormous development challenges and fill a void that cannot be filled by the state. Moreover, by silencing groups promoting inter-communal coexistence, women's rights and human rights, Egypt is removing arrows from its quiver in the fight against radical Islamism.

Egypt may be a particularly egregious example of this trend, but it is not alone. Libya, in 2016, considered an NGO law of equally troubling proportions that stalled mostly due to national political dysfunction. The number of attacks on NGOs and human rights activists by militias and quasi- government forces has also been on the rise in Libya. As in Egypt, these groups are providing critical services that are not being met by national institutions. In eastern Libya, the security services have increasingly subjected civil society groups (particularly those that have relationships with international organizations) to surveillance and harassment.

Civil society is under constant threat in the region's open war zones of Syria and Yemen. In Syria, squeezed by both extremist groups and a predatory authoritarian state, civil society activists providing urgent humanitarian relief are in a state of constant peril. Assassinations of civil society activists by ISIS and other extremist groups are commonplace, while one needn't look further than the White Helmets to understand how airstrikes by Syrian dictator Bashar Al Assad threaten this group.

Madam Chairman, I've addressed some of the main challenges facing the Middle East and North Africa, but I would also like to mention a final challenge that lies here at home. This challenge relates to the United States government's approach to supporting democracy and governance.

Choice of Instrument: Grants versus Contracts

There are government regulations that proscribe how donors should select the appropriate choice of instrument—assistance (grants and cooperative agreements) versus acquisition (contract) mechanisms—for foreign assistance programs. IRI and most democracy and governance focused NGOs agree with Congress's recognition that there are unique benefits of assistance mechanisms being the choice of instrument to implement democracy assistance programs. However, as IRI has testified previously, in recent years we have observed an apparent preference by the U.S. Agency for International Development (USAID) for high-dollar acquisition mechanisms to carry out these programs.

¹ *Egypt, Arab Rep.* The World Bank Data. <https://data.worldbank.org/country/egypt-arab-rep>

² *Nutrition at a Glance: Egypt.* The World Bank.

<http://siteresources.worldbank.org/NUTRITION/Resources/281846-1271963823772/Egypt.pdf>

While there are instances when an acquisition mechanism may be appropriate—for example, procuring goods or services for government-to-government support—in most instances assistance mechanisms are better-suited to provide the flexibility needed to conduct programs that occur in a political context. This is especially important in the fluid political environments of the Middle East and North Africa.

The ability to navigate shifting political landscapes is centrally important to delivering impactful programs, and requires a mechanism that can respond to events with agility. In addition to providing that vital source of adaptability, assistance mechanisms also prevent implementers from being seen as agents of the U.S. government: the co-creation elements of assistance mechanisms allow for more responsive and localized understanding of complex environments to design and carry out effective, sustainable support that is driven by local needs.

As a mission-driven organization, IRI, like other non-profit democracy and governance organizations, has long-term goals and relationships that make us uniquely equipped to understand and adapt to the vagaries of political change. In the nearly 80 countries where IRI works, we are used to seeing decision makers change, governing priorities change, political calculations change. IRI's long-term approach, our network of trusted local partners and our invaluable people-to-people relationships gives us a unique advantage in delivering value for the American people's investment in foreign assistance—serving U.S. interests well beyond the scope of individual programs.

Madame Chairman my recommendations for future support for democracy and governance in the Middle East and North Africa are as follows:

Recommendations

- (1) **Advance democratic gains where we can.** It is important to consolidate democratic gains in Tunisia and advance good governance, women's empowerment, youth inclusion and civil society across the region. We would like to see greater support for participatory governance, anti-corruption, democratic elections and political leadership programs.
- (2) **Stabilize fragile and failing states by investing in democracy and governance.** Violent extremism is an enduring pathology of the region, and is a function of governance failures and the legacy of decades of autocracy. To move beyond this situation, democracy and governance work must be recognized as an important tool in the fight against violent extremism. Specifically, we would like to see a prioritization of subnational governance programs that help stabilize environments plagued by conflict.
- (3) **Address the constricting civil society space.** Congress and President Trump's administration have an important role to play in preventing the further erosion of freedom of association, speech and assembly throughout the region, and especially

among key U.S. allies. Democratic values are who we are as a people, and IRI calls on the U.S. government to raise the region's constricting space for civil society both privately and publicly with counterparts.

- (4) **Increase oversight on choice of instrument.** Congress should provide greater oversight of the choice of instrument for democracy and governance programs to ensure that taxpayer dollars are being spent in the most efficient and results-oriented way.

Conclusion

Madame Chairman, Ranking Member Deutch, Members of the Committee: thank you for this opportunity to offer testimony today. There is no question that there are formidable challenges in the Middle East and North Africa region. We ask that democracy and governance assistance be counted as an important tool in responding to those challenges. Whether it is instilling greater confidence in government, defeating violent extremism, or advancing the rights of women, youth and other marginalized groups, a smart democracy and governance approach is crucial to advancing the interests of the United States and delivering value for the American people.

