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# Civil Society and Public Policy Formation

## Strategies from Morocco and Egypt

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This report is the result of one year of research carried out by the Arab Reform Initiative and its associated researchers and partners. It was made possible by the contributions of experts and social activists in the fields of education and housing in Morocco and Egypt, and through the sharing of experience by the initiators of the National and Parallel dialogues in Morocco with their Egyptian counterparts.

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Image: A protest of Egyptian teachers calling for the removal of Minister of Education and better conditions, September 2011, (c) EPA.

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# Introduction

Against the backdrop of the Arab uprisings of 2011, Morocco – eager to avoid mass protests and the diffusion of revolutionary fervor – undertook a consultative process to rewrite its constitution and reform its judiciary. These government-led consultations with civil society to formulate new legislation and legal frameworks, known as the National Dialogues, were seen by many as an unprecedented step towards participative democracy. At the same time, however, numerous opposition voices raised their concern that such efforts sought to undermine the independence of the non-governmental sector and monopolize the debate. Through their own “Parallel Dialogue,” oppositional civil society actors held their own consultative process to propose recommendations to the government on reforming the legal framework for associations and ensuring the active participation of citizens and civil society actors in public policy formation.

Although the current context in Egypt is highly prohibitive of NGOs’ activity, is it possible to empower advocacy groups and civil society actors there by drawing lessons from the Moroccan experience of national and parallel civil society dialogues? The Moroccan case provides meaningful lessons in the process of coalition building and consensus formation, the adaptation of top-down vs. bottom-up strategies for influencing public policy, and development of alternative models for increasing community-based development. While civil society actors in Egypt are now seeing their margins of manoeuvre increasingly shrinking, there are pockets of space where development and advocacy NGOs can still operate. Drawing upon the Moroccan experience, Egyptian civil society actors can potentially strengthen their current action and lay foundations for a larger future role in public policy formation when the legal context re-opens.

From 2016-2017, the Arab Reform Initiative carried out a comparative research project, focusing on the education and housing sectors, to articulate operational strategies and tools for Egyptian activists through the exchange of experience with Moroccan counterparts. The project, Social and Economic Policy Formation in Morocco and Egypt, was divided into three phases. During Phase I (May-September 2016), the Arab Reform Initiative organized a preliminary meeting between Egyptian and Moroccan activists and scholars to present the Moroccan experience and to explore the challenges in housing and education in Egypt. Phase I produced a policy paper with lessons from Morocco as well as two background papers on the Egyptian target sectors. Phase II (October 2016-March 2017) saw the production of two policy papers exploring the existing and potential roles for civil society groups in the Egyptian housing and education fields. Phase III (April-September 2017) saw the project’s culmination in a final project workshop in May 2017 in Rabat. It brought together Egyptian and Moroccan experts and civil society representatives in housing and education in order to draw concrete lessons learnt and develop strategies for building coalitions and consensus between civil society actors as well as tactics for influencing public policy.

This e-book, which brings together the various research and dialogue activities of the project, gives insight into how Egyptian and Moroccan civil society sets the social and economic agenda through the presentation of six papers.

The first chapter, written by ARI researchers Sarah Anne Rennick and Nafissa El Souri, introduces the two distinct consultative processes in Morocco. It finds that while the emphasis on consultation and the enshrining of citizen participation in the formation of public policy signals Morocco's move towards open government, it also belies the monarchy's attempt to neutralize opponents and consolidate the power of the king through strategies of inclusion/exclusion and co-optation. Nonetheless, the Moroccan case offers important lessons learnt regarding how to build more inclusive processes and take more decisive steps towards participatory democracy, as well as how civil society dialogues can best function in cases where negotiation with the regime is impossible.

In the second chapter, Reem Abdelhaliem surveys current housing policies in Egypt, concluding that actions of the Egyptian state are limited to the construction of housing units that are mostly uninhabited. The government's policy fails to address the issue of "adequate housing" and its implication of acceptable cost and access to public services. In response, civil society organizations have undertaken a number of actions in an attempt to influence policy, focusing in particular on the issue of spatial justice and the availability of public services, ensuring that the poorest in society have adequate housing, and confronting the phenomenon of forced eviction. Omnia Khalil's contribution in chapter three further argues that the public budget allocated to the housing sector is poor and unequally distributed between the existing built environment and the construction of new cities. As she explains, emphasis must be placed on the existing housing structures but also on community-based approaches, where civil society has a key role to play.

With regards to the education sector, Hania Sobhy tackles in the fourth chapter the poor quality of public education in Egypt, citing weak and poorly allocated public expenditures on education, poorly designed curricula and serious issues with student assessment, high class densities and short school days, and poorly qualified and distributed teachers. She nonetheless highlights how teachers, parents and students have effectively mobilized for policy changes over the past few years, and how several small organizations have published policy relevant research and mobilized around key issues of reform. Adding to the discussion, Nayera Abdelrahman in chapter five assesses the role of civil society in education in Egypt by providing a mapping of their diverse interventions and contributions. As she argues, the diversity of non-governmental actors in the field – including specialized NGOs, unions of teachers and students, movements created by parents, researchers, and individuals – has both filled certain gaps in education quality but has also allowed for the withdrawal of the state from the provision of certain services.

A recurrent theme across these studies is the extent to which various social policies in Egypt are at least in part designed to support the regime's clientelist relations through the distribution of market rents, whether via the construction of lucrative new housing units or the establishment of for-profit private schools free of the constraints of educational

standards. Yet at the same time the studies depict the extent to which civil society actors remain crucial not only to the provision of services but also the ability to provide critical information to public officials regarding the actual needs and preferences of citizens.

The ebook concludes with recommendations drawn from the policy dialogue between Moroccan activists and academics and their Egyptian counterparts in the fields of housing and education organized by ARI on 11-12 May 2017 in Rabat, Morocco. Through the process of exchange and the sharing of knowledge and experience, three strategies for civil society actors were put forward: the adaptation of means for pressuring government policy reform with respect to political context; the creation of cooperatives to improve development action and community-based approaches; and the building of networks and consensus for civil society to act as a unified force.

# Public Policy Formation in Morocco and the Role of Civil Society Dialogues

*Sarah Anne Rennick and Nafissa El Souri*

With the adoption of a new Constitution in July 2011 via popular referendum, the exercise of power in Morocco took – at least nominally – a further step towards participatory democracy. The constitution stipulates the role of civil society and citizens in the submission of petitions, proposal of legislation, and shaping of public policy. Likewise, the process of drafting and commenting on the new articles of the Constitution was accompanied by consultations with thousands of associations and actors under the broad process of the National Dialogue with Civil Society. Although this process was launched in response to the February 20th Movement and the widespread frustration it expressed against the stalled democratic transition and ailing socio-economic conditions, this move towards increased consultation and collaboration with civil society actors was not new to the 2011 Constitution. Rather, it represented a continuation of the larger trend under the rule of Mohammed VI to transform the relationship between the state, on the one hand, and civil society and social opposition movements, on the other.

The Moroccan experience ushered in an innovative process of citizens' engagement and participation in designing public policies. The Arab Reform Initiative (ARI) sought to understand the model and foster a discussion on ways of replicating it in other countries while adapting it to the context choosing Egypt as the most relevant for a dialogue between civil society actors from both countries. A workshop was convened in May 2016 with participants from Egypt and Morocco.

The Moroccan experience is far from perfect. While this emphasis on consultation and the enshrining of citizen participation in the formation of public policy signals Morocco's move towards open government, it belies the monarchy's attempt to neutralize opponents and consolidate the power of the king through strategies of inclusion/exclusion and co-optation. The potential threat posed by the February 20th Movement, occurring within the larger context of the 2011 uprisings, did not go unnoticed by the government, and the announcement of constitutional reform represented an effective tactic to weather the storm and counter the opposition. Conscious of this ploy and gap between the ideal of participatory democracy and its actual practice, numerous associations and civil society actors decided instead to boycott the government-led National Dialogue and instead carry out a process of Parallel Dialogue with civil society. Under the umbrella of the *Dynamique de l'Appel de*



Rabat (“the Dynamics of the Rabat Call”), these parallel dialogues provided an alternative model of participation. Investigating these two processes sheds light on the possibilities for increasing civil society’s ability to shape public policy and act as an independent political force.

## **Mohammed VI and the Transformation of Relations with Civil Society**

During his 38-year-long reign, King Hassan II introduced Morocco to the liberalist ideology without prior democratic institutionalization or democratization of public institutions. The collapse of the Soviet Union in the early nineties triggered a crisis among the left-wing parties and led to the balkanization of existing political forces and their subjection to the control of the King. It also contributed to the surge of Islamist movements in rural areas and the emergence of civil society groups in urban areas. The first was regarded by rural people as their care-giver whilst the latter was viewed as the only viable option for political participation even though it was mobilized by partisan beliefs.

With the ascension of Mohammed VI to the throne in 1999, the configuration of power relations in Morocco and the degree of openness of the public sphere entered a deepening phase of reform towards pluralism. As early as 1997, Morocco moved towards a government of “consensual alternance” that was marked by the incorporation of opposition parties in government and more collaborative relations between the monarchy and the opposition. Under the rule of Mohammed VI, this process spread to civil society and the sector of social and labour movements, allowing groups and associations to negotiate with the government and opening heretofore taboo domains to public discourse. Such steps succeeded in forging new avenues for participation and creating new modes for the management of social demands and conflicts. Nonetheless, the government’s strategy vis-à-vis civil society was also marked by the neutralization of opposition forces, turning associations and groups into vectors for the implementation of government policy and discourse as opposed to sites of contestation.

In 2005, the government launched the National Initiative for Human Development (INDH), a mass anti-poverty campaign in which local organizations and development groups essentially became service providers of the government’s policy. While such an approach strengthened the capacity of associations to achieve their goals within the field of development, it also succeeded in depoliticizing them by reconfiguring their position within the network of power relations and by providing a government-sanctioned outlet for the expression of socio-economic demands.<sup>1</sup> This depoliticization through enlarged participation was likewise exhibited with the co-optation of opposition movements and the broaching of previously out-of-bounds subjects, ranging from Western Saharan affairs to the code of family law.<sup>2</sup> The

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1 Béatrice Hibou, “Le mouvement du 20 février, le Makhzen, et l’antipolitique. L’impensé des réformes au Maroc”, *Dossiers du CERI*, 2011, pp. 1-12. HAL Id: hal-01024402.

2 Thierry Desrues. “Mobilizations in a Hybrid Regime: The 20<sup>th</sup> February Movement and the Moroccan Regime”, *Current Sociology* 61(4), 2013, pp. 409-423.

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evolution of the state's relationship with the Amazigh Cultural Movement is an instructive example. The decades-long movement, which sought the recognition of Amazigh identity and its cultural and linguistic expression in Moroccan public life, represented a contestation of the monarchy's promulgated Arab nationalist identity and a growing threat to internal stability and legitimacy. While the government's strategy to counter the movement under the rule of Hassan II relied at times on outright repression and only minor concessions to movement demands, under Mohammed VI the Amazigh cause witnessed an important reversal in fortune. Instead of diminishing the importance of Amazigh cultural identity and heritage to the Moroccan national identity, the king instead embraced the country's cultural diversity and indeed openly affirmed the nation's Amazigh roots in a royal edict (Dahir). Alongside this official state recognition, the king also opened a new national institution, the Royal Institute for Amazigh Culture (IRCAM), charged with promoting the Amazigh language and assuring its inclusion in national media and education. The opening of IRCAM saw the inclusion of numerous activists from the social movement into the institute's board of directors. In so doing, the monarchy succeeded in co-opting institutionally and discursively an important portion of this particular oppositional voice. Moreover, the overture to activists also drove a schism into the movement, dividing those who chose to work with the government – despite their awareness of limitations such collaboration would pose – and those who preferred to remain in opposition. This strategy of inclusion/exclusion further weakened the movement by splitting the oppositional constituency.<sup>3</sup>

This reconfiguration of power relations and the government's specific strategies of co-optation and inclusion/exclusion with regards to potential opposition forces emanating from civil society and social movements has worked to assuage contestation and manage social conflict by offering space for negotiation and collaboration while, nonetheless, creating distinct boundaries of acceptable action and determining the players of participation.

## **Intercepting the February 20th Movement**

It is within this context of controlled pluralism and monarchical arbitration over the legitimacy of contestation and oppositional civil society that the February 20th Movement emerged. The February 20th Movement represents the Moroccan manifestation of the 2011 Arab uprisings, though in this instance terminating in an overwhelmingly favourable referendum on constitutional reform. On the eponymous day, a politically diverse set of youth activists, using organizational methods similar to their counterparts in Tunisia and Egypt, led protests across the country in demand of constitutional reform and the termination of autocracy and corruption. From these protests grew a heteroclite movement representing a wide political spectrum and a host of different political forces, syndicates, and civil society groups. The movement's claim-making centred on various forms of injustice and the lopsided arrangement of power, providing thus a broad set of grievances around which different and at times even opposing groups could rally. The February 20th Movement, however, was short-lived, being truncated by the monarch's strategies of co-optation and the splitting of

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<sup>3</sup> Paul Silverstein and David Crawford, "Amazigh Activism and the Moroccan State", *Middle East Research and Information Project* 34, 2004.

the opposition.

On 09 March 2011, the king announced the launch of a process of constitutional review and amendment – to be completed in 100 days – in order to meet protestors' demands. In a move that established the legitimacy of the consultative process and the illegitimacy of continued mobilization, the king appointed a Consultative Commission on Constitutional Reform (CCCR) to lead the process in concertation with civil society, syndicates, and political parties. The commission was composed of experts appointed by the king and worked in conjunction with a consultative body that functioned as a liaison between the commission and some political actors, labor unionists and representatives of the civil society.<sup>4</sup> The proposals foresaw the limitation of the king's executive prerogatives now delegated to the appointed Prime Minister from the largest party in Parliament; the independence of the judiciary from the legislative and executive branch; the strengthening of the role of the civil society and its participation in the formulation, adoption, implementation and evaluation of public policies<sup>5</sup>.

This process was signaled by the monarchy as a further step in the move towards participative democracy: the king's speech not only enshrined as a guiding principle the role of citizens and their various forms of political organization (parties, associations, etc.) in the process but also invited civil society, political parties, and syndicates to submit proposals for constitutional revision as well as provide commentary and feedback on drafts. The monarchy's initiative was seen by mainstream political parties not only as an advance towards democracy, and the adoption of democratic and participative values but also as a shift from an absolute to a constitutional monarchy.<sup>6</sup> Participants to ARI's workshop argued that the government's method for establishing the CCCR and piecemeal consultative process was marked by opacity, a disregard for the country's existing democratic institutions (namely the Parliament), and the parsing of the opposition into its individual constituent parts. The king's appointment of the 19 members of the CCCR not only lacked transparency but placed the Commission directly under his control, thereby allowing the monarch to both co-opt protestors' demands while controlling and limiting the scope of the debate. Likewise, the consultative process, hampered by the very short time frame and the lack of specific guidelines for negotiation, rendered the participation of civil society more a showpiece of participatory politics than true deliberation.<sup>7</sup> Civil society actors, for their part, were treated as boutique civil interest groups, each representing a specific niche, and addressed their individual causes as opposed to the broader demands of the opposition.

Nevertheless, the February 20th Movement and a number of leftist parties, labor unions

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4 Presentation of the reform process by one of the participants to the Arab Reform Initiative workshop.

5 Abdellah Tourabi, "Constitutional Reform in Morocco: Reform in Times of Revolution", Arab Reform Initiative, November 2011, available at [www.arab-reform.net/en/node/526](http://www.arab-reform.net/en/node/526)

6 Lahcen Achy, "Morocco: Reform as a Path to a Genuine Constitutional Monarchy?" Carnegie Endowment for International Peace, June 2011, available at [www.carnegie-mec.org/2011/06/07/morocco-reform-as-path-to-genuine-constitutional-monarchy-pub-44421](http://www.carnegie-mec.org/2011/06/07/morocco-reform-as-path-to-genuine-constitutional-monarchy-pub-44421)

7 Desrues, "Mobilizations in a Hybrid Regime: The 20<sup>th</sup> February Movement and the Moroccan Regime," 409-423.

and civil society groups rejected the suggested constitutional amendments considering that the consultative process was not transparent enough and that the suggested changes were not satisfactory as the king retained complete control of the armed forces, foreign policy, strategic policy decisions and remained the “supreme arbiter among political parties”,<sup>8</sup> meaning he is able to appoint and revoke prime ministers from the largest party in Parliament. They therefore called for the boycott of the referendum held few months later on the above-mentioned amendments. In the wake of the constitutional referendum, new parliamentary elections were held giving the majority of seats to the Islamist Party for Justice and Development.

In light of this co-optation and the imposed order of constitutional revision, the February 20th movement found itself at an impasse. The various constituent parts split between groups willing to work within the process, confident that participation had a stronger chance of yielding results, and those boycotting it, preferring instead to maintain protest pressure as a means of achieving demands. An inclusion/exclusion divide emerged that would ultimately destroy the fledgling movement, while the new constitution was overwhelmingly accepted by popular referendum in July 2011.

As a proof of its goodwill to encourage participatory democracy and to overcome this blockage, the Ministry for Relations with Parliament and Civil Society engaged and sponsored a series of National Dialogues with civil society groups between March 2013 and March 2014.

## **National Dialogues versus Parallel Dialogues: Two Models of Engagement**

In the aftermath of the February 20th Movement and the new Constitution’s emphasis on participatory politics, the role of civil society vis-à-vis the central authority in the expression of social demands and the formulation of policy took two distinctive forms, themselves an expression of the larger dilemma between inclusion (offering greater opportunity to effect policy yet within the red lines and tutelage of the regime) and exclusion (allowing for greater expression of opposition and demands yet outside the bounds of sanctioned negotiation). The two models of engagement expressed themselves within the two different paths of civil society dialogues that took place between 2012-2014: the government-sponsored National Dialogues with Civil Society, and the Parallel Dialogues as undertaken by the oppositional *Dynamique de l’Appel de Rabat*. Each model presented its own manner of operation and relationship with the central authority and as such presents its own unique challenges, obstacles, opportunities, and lessons learned.

The National Dialogues focused on two key issues: reform of the justice system and the constitutional prerogatives of civil society and its role in public policy formation.

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8 Marina Ottaway, “The New Moroccan Constitution: Real Change or More of the Same?” Carnegie Endowment for International Peace, June 2011, available at [www.carnegieendowment.org/2011/06/20/new-moroccan-constitution-real-change-or-more-of-same/51](http://www.carnegieendowment.org/2011/06/20/new-moroccan-constitution-real-change-or-more-of-same/51)

As part of the effort to deepen participatory democracy, the Moroccan government sponsored between 2013-2014 a series of dialogues with civil society organizations in order to solicit feedback on their envisioned role and the creation of an enabling legal environment for national and international associations. Falling under the auspices of the Ministry for Relations with Parliament and Civil Society, this dialogue process aimed at producing a charter detailing the institutionalization of the partnership between the government and civil society stakeholders as per the vision of participatory government outlines in the new constitution.<sup>9</sup> A 64 member National Committee on Dialogue with Civil Society (NDC) was appointed to lead the task, who over the course of the year carried out consultations with more than 7000 associations and more than 10,000 individual actors participated, and held 18 regional meetings, 10 province-level meetings, 13 scientific/academic meetings, and 4 meetings with representatives of the Moroccan diaspora. From these consultations, the NDC prepared three draft laws to guarantee the constitutional rights of civil society and its role in public policy formation: a law related to the right to petition, a law concerning the right to parliamentary motions, and a law laying out a framework for public consultation. This was accompanied by provisions for a new legal environment to regulate civil society groups and their operations.

The National Dialogue process, however, was not universally accepted by civil society actors; on the contrary, in boycott of the government's efforts to curtail civil society by controlling the players and terms of debate, a number of groups decided instead to hold their own Parallel Dialogue in order to reassert their independence from state tutelage. This second path of engagement emerged from the 2012 Rabat Call, a petition signed by over 500 associations that rejected the machinations of the Ministry for Relations with Parliament and Civil Society and its efforts to establish new rules regarding the financial and operational management of associations – rules which were interpreted as further evidence of the government's attempt to discredit and disable civil society.<sup>10</sup> With the announcement of the National Dialogue process, the signatories of the Rabat Call launched in 2013 the *Dynamique de l'Appel de Rabat* and a process of government-excluded dialogues. Over the course of a year, the *Dynamique* held 20 regional meetings, in which over 5000 activists participated, and received the endorsement of over 3500 civil society groups. The Parallel Dialogue resulted in a national meeting and the publication of a proposal outlining the legal framework for civil society, its envisioned relationship with the government in the production of public policy, and the manner to increase citizen engagement and participatory democracy.<sup>11</sup>

This dual process of National Dialogues with government-partnered civil society actors vs. Parallel Dialogues with boycotting civil society groups also played out in similar fashion over the reform of Morocco's judicial system in 2012-2014. Within the framework of government

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9 Organization for Economic Co-operation and Development, *Open Government in Morocco*, OECD Public Governance Reviews, Paris: OECD Publishing, August 2015, available at [www.oecd.org/countries/morocco/open-government-in-morocco-9789264226685-en.htm](http://www.oecd.org/countries/morocco/open-government-in-morocco-9789264226685-en.htm)

10 Rashid Tohtou, "Civil Society in Morocco under the New 2011 Constitution: Issues, Stakes, and Challenges", Arab Center for Research and Policy Studies, September 2014, available at [www.english.dohainstitute.org/release/23b7ebd3-367c-427e-8f33-f125d410d6e2](http://www.english.dohainstitute.org/release/23b7ebd3-367c-427e-8f33-f125d410d6e2)

11 OECD, *Open Government in Morocco*.

partnership, a process of National Dialogues on the Global Reform of the Justice System was launched, bringing in a variety of different stakeholders (legal experts, lawyers and judges, public officials, business associations) and led by an appointed 40-member High Commission under the auspices of the Ministry of Labour and Freedoms. This dialogue process involved regional meetings and the reception of proposals and recommendations from hundreds of parties, trade associations, and civil society groups. In addition, an interactive website was established to solicit further citizen input and render the dialogues transparent. From these, eight specialized working groups were established to produce a draft National Charter outlining the vision for Morocco's reformed justice system. The National Charter for reforming the justice system enshrined the independence of the judiciary from the executive and legislative powers; the independence and autonomy of the judges and of the High Council of the Judicial Power the appointment of judges by the High Council of the Judicial Power; the guarantee of the judges' right to establish professional associations.<sup>12</sup> The participation of civil society in judicial reform also contributed to consolidating the idea of an independent public prosecutor.<sup>13</sup>

Counter to this, a collection of civil society organizations voiced concern over the methodology of the National Dialogue and in particular the composition of the High Commission and the opaque nature of its appointment, the supervision by the Ministry and its prominent role in the drafting of the National Charter, and the cherry-picked topics open to negotiation and debate. Such constraints were viewed by civil society actors, as well as important justice sector syndicates and associations, as contradictory to the spirit of participatory democracy and the vision for civil society engagement, as well as independence of the judiciary, as laid out in the 2011 constitution. While this combination of government-partnered National Dialogue and oppositional Parallel Dialogue certainly enlarged the scale and the visibility of the public debate regarding judicial reform, it nonetheless manifested the inclusion/exclusion and co-optation strategies of the monarchy and effectively placed critical stakeholders outside the bounds of sanctioned negotiation.

## **Outcomes of National versus Parallel Dialogues Compared**

A year after the launch of the National Dialogue on civil society, based on the recommendations of the Commission, the Ministry for Relations with Parliament and Civil Society prepared three draft laws related to: the right of civil society organizations and citizens to petition, their right to submit Parliamentary motions and to consult public opinion, all three guaranteed by the Constitution of 2011. Also, the Ministry elaborated a draft code of civil society organizations providing a legal framework governing freedom of association, involvement of civil society in public affairs, and its participation in decision and law making. Furthermore, it ordered the preparation of a draft decree announcing the creation of an inter-ministerial committee in charge of coordinating governmental action, monitoring and assessing public policies

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12 Presentation of the content of the charter by one of the participants to ARI's workshop who was involved in the drafting of the Charter.

13 Abdelali Hamidine, email interview, 12 July 2016.

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associated with the civil society<sup>14</sup>; and the preparation of a civil society national charter.

Nevertheless, while the consultative process led by the state was seen by many as an unprecedented step towards participatory democracy, it was perceived by a number of civil society organizations and political parties as a government led and sponsored process rather than an independent, democratic and civil one, and as a way for the government to undermine the independence of the non-governmental sector and monopolize the debate. According to some participants at the workshop on the Moroccan model of civil engagement held by the Arab Reform Initiative in Paris in May 2016, the process was not representative of civil society, meaning that the participants in the dialogue were carefully chosen by the government to protect the king's authoritarian regime and its grip on any non-governmental initiatives. Also, discussions were held in a very traditional, tribal framework. There was a lack of transparency and a scant participation of women. The government had the monopoly over the debate and used intimidation methods. Political parties have poor political awareness while recommendations formulated by the civil society were weak and minimal<sup>15</sup>.

The parallel dialogue on the other hand, held under the name of the "Dynamic of the Appeal of Rabat" (Dynamique de l'Appel de Rabat des Associations Démocratiques), culminated in the production of a document entitled "Dynamics of the Appeal of Rabat for a Strong and Independent Civil Society" (Dynamique de l'Appel de Rabat: pour un mouvement associatif fort et indépendant) containing recommendations to the government on reforms to be introduced in the law governing associations, on how to ensure the active participation of citizens and civil society organizations in public policy formation; and a memorandum for a fair and transparent public subsidy policy<sup>16</sup>. The recommendations also focused on the need to guarantee the right to submit parliamentary motions in accordance with international law and to establish an organic law defining the right to petition and putting in place structures for the reception of petitions and the means to appeal in case of rejection. In order to guarantee the rights to petition and to motion, recommendations were put forward to reform the rules of procedure of both Houses of Parliament. In addition, the Dynamics of the Appeal of Rabat proposed to rid the civil society groups of the tutelage of the Ministry of Interior (in charge of registering the groups and of setting the legal framework) and place them under the oversight of the Ministry of Justice to instead be "under the control" of the department of justice.

Some participants to ARI's workshop have argued that none of those demands, however, have been endorsed by the State. The political context played out in this equation: in 2011, the Moroccan government was ready to make concessions (liberalization without democratization), but in 2013, regional developments (notably in Egypt) changed the situation and provoked a willingness to regain control which determined the results of the National Dialogue. The new civil society leaders have been subjected to systematic harassment from

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14 OECD, *Open Government in Morocco*.

15 Workshop organized by the Arab Reform Initiative in May 2016.

16 Mustapha Elouizi, "L'Appel de Rabat présente le bilan du dialogue non gouvernemental", *Libération Maroc*, 18 April 2014, available at [www.libe.ma/L-Appel-de-Rabat-presente-le-bilan-du-dialogue-non-gouvernemental\\_a49239.html](http://www.libe.ma/L-Appel-de-Rabat-presente-le-bilan-du-dialogue-non-gouvernemental_a49239.html)

the palace since then, seeking to neutralize them.

According to the same source, the boycott of the National Dialogue was not followed by the creation of two major social movements around real societal projects in competition. It was in fact an ideological cleavage around the Party for Justice and Development which has dominated the National Dialogue on Justice. At the political level, the National Dialogue merely endorsed the status quo and exonerated the government from its responsibilities. It was decided that the Public Prosecutor's Office would be appointed by the king. This therefore confirms the control of the Monarchy over the Justice system.

Even though the regulatory laws concerning the right of civil society organizations and citizens to present petitions and propose draft laws to Parliament were adopted in 28 July 2016 and ratified by a Dahir (Royal decree)<sup>17</sup>, the participatory democracy as defined by the Constitution of 2011 is more fragile than ever. State repression against human rights organizations and political activists has increased since 2013, their activities often disrupted by police and even cancelled by the authorities.

A leading figure from the Parallel Dialogue on civil society considers that these two dialogues, however, initiated a process of slow maturation which allowed the organizations participating both in the National Dialogue and those who boycotted it to develop individual and institutional competences to negotiate with the state, to gain experience through practice and to obtain de facto institutional recognition. The process of both dialogues has contributed to a resurgence of leaders and high profile human rights activists. It is the principle of self-fulfilling prophecy: the state is over-instrumentalizing the discourse on democratic participation without believing in it and the results of dialogue are preconceived, but in doing so, it contributes unwittingly to the institutionalization of these actors. In the same way, the cynicism of Hassan II had nevertheless resulted in several notable advances. It must be noted, however, that this is a "wild" educational exercise: without any programme, objectives or evaluation criteria, the results can only be diffuse. As in other Arab contexts, the culture of instrumentalization (co-optation of civil society executives) and repression continues to dominate, but the leaders nevertheless enjoy greater recognition and it would be very difficult for the government to make a clean sweep of these relays.<sup>18</sup>

In order to avoid government's backlash, some Moroccan activists, formerly associated with the February 20th Movement, have shifted their focus from overtly political demands to cultural activities<sup>19</sup>. Having noticed that the Moroccan civil society groups lack popular power base to mobilize, these new actors have decided to conduct change at the grassroots level by educating people about crucial issues through cultural initiatives conducted in the public space. These new social actors use performing arts, such as theatre, as a means of raising awareness and conveying social demands rather than formulating political and human rights demands directly addressed to the government. These new social actors prefer building

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17 Dahir number 1.16.107 and 1.16.108.

18 Fouad AbdelMoumni, interview, May 2016.

19 Dörthe Engelcke. "Morocco's changing Civil Society", *Sada Middle-East Analysis*, Carnegie Endowment for International Peace, January 2016, available at [www.carnegieendowment.org/sada/62417](http://www.carnegieendowment.org/sada/62417)



awareness at the grassroots level rather than working against the government. Without previous notice, they adopted the government's narrative of achieving gradual change.

## **Can the Moroccan Experience Be Replicated?**

The experience of both the National and Parallel Dialogues in Morocco's reform of its judicial system and civil society legislation offers important lessons regarding how to build more inclusive processes and take more decisive steps towards participatory democracy, as well as how civil society dialogues can best function in cases where negotiation with the regime is impossible.

One of the largest concerns with the National Dialogue process – and among the primary reasons it was boycotted by the *Dynamique de l'Appel de Rabat* – was the issue of exclusion and the opacity of government-selected appointments. Participation in government-sponsored dialogue processes should not be based on government-generated invitations. Rather, such processes should be open to all organizations and groups interested in participating. This can be achieved by both allowing civil society groups to openly submit proposals and petitions without formal invitation, but also by establishing sub-groups and issue subsets. In dialogues regarding large-scale legislative reform or other major public works, the establishment of topic and sub-topic working groups for civil society dialogues and proposals would create the space for more inclusive processes by allowing wider access, and would strengthen civil society itself by providing forums for exchange and debate as opposed to sequestering civil society to its individual constituent parts. In addition, the appointment of civil society members to governing bodies overseeing dialogue processes should be undertaken in consultation with civil society itself. Guidelines should be established regarding the nomination and vetting process, with caveats for civil society oversight, in order to create legitimate representative institutions.

Equally important, the process by which government-civil society dialogues take place should be subject to a standardized mode of operation, including procedures on how consultations take place, how early the process should start, the number/type of consultations to be envisaged, and the methods of evaluation to follow-up on implementation of public policies<sup>20</sup>. These standards should be developed with civil society actors in order to guarantee buy-in and a shared understanding of the expectations of inclusive dialogue,<sup>21</sup> and to provide civil society actors with an increased capacity for oversight of public policy reform. The announcement of dialogues and consultation processes should be made well in advance of their start date in order to allow civil society actors the time necessary to prepare their participation. Likewise, such processes should be given ample time to allow for multiple consultations as opposed to one-off meetings. Multiple back-and-forth processes between government and civil society actors should be a hallmark of participatory democracy.

From the side of civil society, networks and coalitions should be established in order to

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20 Dörthe Engelcke. "Morocco's changing Civil Society".

21 OECD, *Open Government in Morocco*.

strengthen the impact of policy proposals, lobbying, and dialogue – while simultaneously combatting strategies of inclusion/exclusion that may be in play. Networks and coalitions provide civil society actors the forums necessary to reach consensus on desired outcomes and develop concrete strategies for achieving them, thereby allowing civil society to speak with more unity and coherence while also reinforcing independence and capacity to have an impact. This is particularly important in cases where groups hold very different perspectives regarding public policy and legislation, and where issues of government co-optation can be present. Networks and coalitions thus are themselves spaces of democratic practice where social conflict can be resolved and where civil society can act as a decisive independent force in the political arena.

Moreover, in countries where participatory politics and government solicitation of civil society input is limited or inexistent, and where the public space remains relatively closed, the establishment of networks and coalitions can prove vital to the long-term sustainability of groups and movements. In such cases, networks and coalitions serve as infrastructure for building ground-up political dynamics and can act as abeyance mechanisms<sup>22</sup> during periods of repression and/or civil society decline. Networks and coalitions can also be spaces of mutual learning and organizational capacity building, where skills such as lobbying and constituency-building, as well as the nuts-and-bolts of operation, can be exchanged and transferred between groups. In this sense, civil society actors working in contexts unfavourable to open participation can establish at least some degree of autonomy and develop the structures and positions for future action.

The Moroccan civil society dialogues experience was undoubtedly undermined by ideological and political cleavages. Building consensus within the population and among political parties on concrete options for reform and strategies to follow emerge clearly as a pre-requisite for civil society to weight effectively on public policy-making.<sup>23</sup>

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22 Taylor defines abeyance as “a holding process by which movements sustain themselves in non-receptive political environments and provide continuity from one state of mobilization to another”. Verta Taylor, “Social Movement Continuity: The Women’s Movement in Abeyance”, *American Sociological Review* 54(5), 1989, pp. 761-775.

23 Conclusions drawn by participants of the ARI workshop.

# Housing Policies in Egypt: Priorities for Reviewing and Amending Legislation and Funding

*Reem Abdelhaliem*

Housing policy in Egypt and the effort to meet the country's insufficient housing market is marked by a limited vision of the scope of the problem and possible solutions, creating a spate of undesirable secondary effects.

Government policy focuses on providing housing to those who demand it by building additional new housing units, mostly in empty deserts near villages and in urban stretches. This is evident in the national public budget, the New Urban Communities Authority's tasks and budget for the year 2015-2016, and the social housing finance fund. This policy has been adopted by the state over the past two decades and represents the government's fundamental approach: it connects the state's vision of land as contributor to the state's fiscal revenue with its vision of the construction sector's role as catalyst for rapid economic growth. Successive governments have used additional new housing as the only tool to meet rising housing demands.

Such a policy, however, is marked by a limited understanding of the underlying problem. The need for more housing cannot be met by construction only; existing housing must also be fully occupied. Over 30% of housing is unoccupied in most parts of Greater Cairo, and reaches upwards of 60% in many new cities. Moreover, the government's policy is based on a narrow definition of the right to housing, avoiding the term "adequate housing" and its implication of acceptable cost and nearby access to all public services. The shortcomings of this policy can be seen in several outcomes of the government's limited vision. Effects include declining occupancy rates in new cities; declining rates of new housing affordable for lower and middle income brackets to rent or buy; spatial deprivation (unequal distribution of services across different areas); and continuous sprawl of informal areas in cities.

In response to these negative trends that the government's policy has provoked, civil society organizations have undertaken a number of actions in an attempt to influence policy. These have included research and studies, raising awareness, litigation, organizing local residents, and other ways of working with local communities. Organizations such as the Egyptian Initiative for Personal Rights, the Center for the Right to Land and Housing, 10 Tooba, and TADAMUN have focused their energies on the issue of spatial justice and the availability of public services, ensuring that the poorest in society have adequate housing, and confronting

the phenomenon of forced eviction. Nonetheless, the issue of housing in Egypt is a priority that must be included in the government's agenda, not left to civil society organizations alone.

## The Problem of “Adequate Housing” and the Distribution of Public Services

The concept of adequate housing, adopted by the United Nations Committee on Economic, Social, and Cultural Rights 1991, has been a primary focus of Egyptian civil society groups advocating for reform of the government's housing policy.<sup>1</sup> Indeed, many organizations and initiatives called for the 2014 constitution to include clear, specific wording that would emphasize practical implementation of the concept of adequate housing. Among them was the Shadow Ministry of Housing blog, run by Yahia Shawkat who later founded 10 Tooba and the Right to Housing Coalition, two of the most important civil society initiatives monitoring the state's role in ensuring the right to housing and its obligation to protect and provide it. In the end, wording to this effect was included in the 2014 constitution: Article 78 stipulates

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1 The concept of adequate housing includes the following:

**Legal security of tenure:** Tenure takes a variety of forms, including rental (public and private) accommodation, cooperative housing, lease, owner-occupation, emergency housing, and informal settlements (including occupation of land or property). Notwithstanding the type of tenure, all persons should possess a degree of security of tenure, which guarantees legal protection against forced eviction, harassment, and other threats.

**Availability of services, facilities, and infrastructure:** An adequate house must contain certain facilities essential for health, security, comfort, and nutrition. All beneficiaries of the right to adequate housing should have access to natural and common resources, safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, waste disposal, site drainage, telecommunication, and emergency services.

**Affordability:** Personal or household financial costs associated with housing should be at such a level that the attainment and satisfaction of other basic needs are not threatened or compromised. The percentage of housing-related costs should, in general, be proportionate to income levels, through housing subsidies and finance mechanisms. Tenants should also be protected against unreasonable rent levels or rent increases.

**Habitability:** Adequate housing must be livable and provide adequate space for its inhabitants. It should also be structurally intact and provide protection from cold, dampness, heat, rain, wind, or other threats to health.

**Accessibility:** Disadvantaged and marginalized groups must be accorded full access to adequate housing resources. Thus, groups such as the elderly, children, the physically and mentally challenged, the terminally ill, victims of natural disasters, people living in disaster-prone areas, and other groups should be given priority consideration in the housing sphere.

**Location:** Adequate housing must be in a location that allows access to employment options, health-care services, schools, child-care centers, and other social facilities. This is true both in large cities and in rural areas where the temporal and financial costs of getting to and from the place of work can place excessive demands upon the budgets of poor households. Similarly, housing should not be built on polluted sites or near pollution sources that can threaten the health of the inhabitants.

**Cultural adequacy:** The way housing is constructed, the building materials used, and the policies in place must appropriately enable the expression of cultural identity and diversity of housing. Housing initiatives, either public or private, should ensure that the cultural dimensions of housing are not sacrificed and that facilities are technologically appropriate and adequate.

that the state guarantees the right to adequate housing in a manner that achieves social justice. The Constitution also stipulates that the state is responsible for regulating the use of public lands in a way that serves the public interest.

Yet although the constitution recognizes that the state has a role in providing adequate housing, and while it emphasizes the state's role in addressing the issue of informal areas, the wording itself is weak and vague. It refers to adequate housing in terms of physical structures, as opposed to the broader, more comprehensive concept of housing. None of the articles of the 2014 constitution deal with just geographic distribution in urban development, or its foundation at the regional or local level. This is a key issue in economic and urban development, and the basis of the concept of adequate housing.

Fair provision of public services across different geographic areas, and the quality of those services, are two of the most important measures of the state's respect for the right to adequate housing. Spatial injustice results in the poorest and neediest groups in society being concentrated in areas without adequate services, while public resources are wasted in areas that do not need public services because they have low populations or because adequate services are already available. Meanwhile, housing prices increase in areas where there are public services, making them inaccessible to the poor. As a result, disadvantaged areas turn into pockets of poverty: people are denied services, and poverty passes from generation to generation. The poor may resort to extending utilities informally since the government forbids these areas, deemed illegitimate, from accessing them otherwise.

Inequality in the distribution of public services between different geographic areas is not only an issue in informal areas, though. The problem is in fact much deeper and more extensive. Informal areas are a symptom of spatial injustice, caused by poor distribution of public services, poor financial planning guidelines, and lack of coordination between financial planning, urban planning, and effective local administration for public utilities. The most important causes of spatial injustice in the provision of public services include:

The inadequate legal framework. Three independent pieces of legislation govern financial planning, urban planning, and local administration. Law 53 of 1973, the State's General Budget Law, regulates the mechanisms by which the national public budget is created. Specific allocations are made to five programmes: paving and lighting internal roads, improving the environment, training cadres of people in local administration, and a few weak components of maternal welfare. Law 119 of 2008, known as the Unified Building Law, is concerned with urban planning, allocating land, and building standards on that land. Law 43 of 1979, the Local Administration Law, concerns development plans for local units, with each local unit determining its needs according to studied priorities that are presented to the local popular council.

Despite this legal framework, however, local needs and priorities are not met. The law does not include any provision for equitable geographic distribution of resources, and less than 1% of public spending is allocated to neighborhoods and villages. Housing development plans are submitted at the governorate level, and then to the High Committee for Regional

Planning, with the Minister of Planning coordinating between local plans and those of the state. Yet the central government does not have any obligation to implement locally-prepared plans, or even use them as guidance. While the governor has the right to monitor and supervise all services within his governorate, the centralization of the government's appointments means the governor retains the right to dismiss a public official as long as the central government agrees to appoint a suitable alternative in his place. In contrast to this, Article 19 of the State's General Budget Law, stipulates that only the Ministry of Finance sets the state's public budget, and does not specify any other entity.

The absence of budgetary transparency. Data on state budget allocations at the neighborhood or village level are not available. While total figures at the governorate level are available, they are not useful in monitoring the spatial justice dimension of public resource allocation. Civil society organizations are working to pressure the state in this direction, periodically releasing open budget reports that monitor budget transparency and publishing indexes that measure transparency and rank countries.<sup>2</sup>

The crisis of land availability. According to Law 119 of 2008, the Unified Building Law, and Law 70 of 1973, the Planning Law, authority over land is limited to certain centralized agencies: the General Authority for Urban Planning, the National Agency for Land Use Planning, the Agency for Political Development, and the Agency for New Urban Communities – the first and second of which have complete control over centralized construction guidelines and land use planning. New state-owned lands are mainly allocated to the third and fourth agencies, while governorates and local popular councils have little power to amend local urban plans or offer suggestions. The exception to this is cities; however, cities make up a very small percent of governorate land, which prevents the proposal of a second, local set of solutions to the housing crisis and extension of utilities. Approving strategic plans, meanwhile, involves lengthy preparation and complicated procedures, while informal construction on the ground happens much more quickly. Civil society organizations are unable to solve this problem, as it is primarily connected to the work of the state administrative apparatus.

The bloated role of the building/construction sector. Another major reason for spatial injustice stems from the government's view of the building/construction sector as an easy catalyst for rapid economic growth and a means to help the government out of its current crisis. In its 2015-2016 plan, the government aimed for this sector to have an estimated 7% growth; actual growth rates in this sector, however, have proven inconsistent. Growth rose from 0.7% in 1991-1992 to 11% in 1997-1998, only to collapse in 2001-2002. After negatively affecting liquidity in the banking sector, its growth failed to exceed 4.8%. Although experience has shown that relying on these sectors is only useful for short-term growth - and fragile growth at that - the state continued to encourage construction. Growth reached 15% in 2007-2008, only to fall again, to 5.5% in 2012-2013.

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<sup>2</sup> One example is the reports published by TADAMUN's Planning [in] Justice Project, which monitor issues connected to spatial distribution in the national public budget.

The reliance on the building/construction sector is also ineffective in terms of revenue. The national public budget for 2015-2016 and the account of the New Urban Communities Authority for the same year show that the amount that NUCA will contribute to government coffers amounts to less than 1% of total public expenditures. Furthermore, NUCA does not contribute to the national public budget with taxes, as opposed to the substantial contributions made by the Egyptian General Petroleum Corporation and the Suez Canal. NUCA also suffers from numerous problems in governing new urban communities, given it was established under an economic authority independent of the state's administrative system, local administration, and related laws. It is managed by the Cities Agency, turned into a board of directors composed of landowners and investors. While NUCA regulations stipulate the importance of transferring administration of new cities to the concerned local authorities, this has only happened in one new city since the 1970s.<sup>3</sup> Nonetheless, the amount of land allocated to NUCA has continued to increase. Since NUCA was created in the 1970s, it has been given approximately 1 million feddans, in accordance with what is known as the October Paper, which has continued to guide the regime's view on society and urbanization in Egypt since 1978. Since then, however, construction has been completed on only 140,000 feddans.

Finally, the building/construction and real estate development sectors are problematic due to their commodification of land. The state has worked to raise the price of land through real estate speculation, and by failing to implement a legal framework to prevent such speculation – a fact confirmed by the steep rise in proposed land prices, from about 250 EGP per square meter in 2003 to more than 4,000 per square meter in 2014. Such policies have thus exacerbated inequalities. In focusing on spending billions to create new cities – sometimes described in the media as “ghost cities” – older towns continue to suffer from insufficient public resources and deteriorated services. Meanwhile, informal areas have doubled in size, and by 2009 were home to about 12 million people.

## **Guaranteeing Access to Secure Housing for the Poor**

To explain the housing crisis in Egypt, successive governments have focused on the gap between housing supply and demand. According to statements by the Ministry of Housing, the annual gap is estimated at 500,000 units; however, the indicators the state relies on to estimate this gap show an increase in informal housing. According to a 2008 World Bank study, the informal private sector was the largest producer of urban housing. From 1986-1996, it was responsible for building 37% of total new units, and from 2008-2011 this increased to 47%.<sup>4</sup> In addition, the statistics on housing demand in Egypt vary considerably. According to Rageh, the number of new marriages in the year 2016 increased to 800,000, in addition to families who were forced to relocate due to administrative decisions.<sup>5</sup> The

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3 TADAMUN, *Egypt's New Cities: Neither Just nor Efficient*, 2015, available at [www.tadamun.co/2015/12/31/egypts-new-cities-neither-just-efficient/?lang=en#.WVtZpYiGNPZ](http://www.tadamun.co/2015/12/31/egypts-new-cities-neither-just-efficient/?lang=en#.WVtZpYiGNPZ)

4 World Bank, *A Framework for Housing Policy Reform in Urban Areas in Egypt: Developing a Well Functioning Housing System and Strengthening the National Housing Program*, Washington, DC: World Bank, 2008.

5 Abu Zeid Rageh, “Housing Policy in Egypt: A Review of the Legislature”, Partners for Development Center, 2016.

Informal Settlements Development Fund, however, estimates that there are about 150,000 families who need housing, and more than 300,000 families in acceptable housing. In 2008, the Central Agency for Public Mobilization and Statistics estimated that by 2014 the total housing demand would reach 466,000 units. Meanwhile, a study on urban housing in Egypt conducted by USAID the same year estimated the total demand for housing would be 870,000 units.<sup>6</sup> Finally, in a study specifically on income groups, the annual housing need of those with limited income (low, moderate and lower-middle income groups) was estimated between 165,000 and 197,000 units.

Regardless of the actual numbers of those in need, constructing new buildings is still the only solution the state has pursued, framing the crisis as simply the result of an inadequate number of available units and the lack of new buildings on the market. It ignores the fact that the non-occupancy rate is estimated at 25-30%, according to the 2006 CAPMAS census. And according to 2015 article by TADAMUN, this number is even greater in new cities, where the non-occupancy rate can be as high as 60-70%.

The model that the government has adopted to implement its policy is marked by three problems. First, available housing is concentrated in new urban communities, with the New Urban Communities Authority relying exclusively on the private sector to provide units. This scheme suffers from a weak oversight framework, however. As a result, NUCA has failed to transparently disclose the target dates for new cities to be completed, populated, and transferred to the governorates' authority like other residential neighborhoods. In addition, housing finance funds are disorganized. They involve multiple mechanisms which duplicate work and overlap tasks. As a result, the housing budget's projects and assigned work suffer from significant fragmentation. Finally, support of the state to bearing the costs of housing for the poor is limited. In the 2015-2016 budget, about 2 billion EGP of support was allocated to the social housing finance fund, with NUCA's surplus considered a fundamental component. President al-Sisi, however, reversed this decision, cancelling the specific line item allocating government support to the fund and thus depriving it of a key resource. In addition, support for interest on concessional loans only amounts to 500 million EGP, with the state assuming differences in cost for interest on concessional loans for public housing and governorate housing.

### Distribution of Support for Concessional Loans

Type of Support	2014/2015	2015/2016
Governorate Housing (social housing)	36.0%	44.1%
Housing & Development Companies	0.3%	0.3%
New Urban Communities Authority (different types and levels of housing)	9.7%	10.7%
Construction and Housing Cooperatives (National Investment Bank loans)	2.7%	4.2%
Housing Finance Fund	0.5%	0.6%

<sup>6</sup> USAID, *Housing Study for Urban Egypt*, 2008.



Construction and Housing Cooperative Authority (Housing & Development Bank and Egyptian Arab Land Bank loans)	14.5%	17.1%
Housing & Development Bank	3.3%	5.0%
Egyptian Arab Land Bank	0%	0%

Ministry of Finance, 2015-2016 National Public Budget financial information

Civil society organizations, however, are working to present alternative solutions to accommodate the poorest of the poor and enable them to finance the purchase of a home. Services provided by the government to finance housing are indeed complex. According to an interview with Yahia Shawkat, these flaws are part of the funding model itself, which is far too limited, and neither just nor efficient. It is based on the sale of ready to let units, which require payment up front that the poor cannot afford. This model also connects people who need housing with housing units in new urban communities; yet, even if they do have the funds and do purchase these units, they cannot live so far from their workplaces.

In terms of rent, the 2015 Rental Law is also problematic. The right of the subsequent generation to inherit the rental of a housing unit disrupts the ability of market forces to equitably set the prices of rental property. This in turn forces the government to provide additional means to support poor tenants while not hurting the property owner.<sup>7</sup> Legislation relevant to housing rental must be reconsidered so as to ensure renters' tenure security – something missing from the current legislation – while also ensuring owners' rights to make use of their property. Local governments must also engage in decentralized monitoring of rental values (as a percentage of property values).

10 Tooba has proposed several solutions to the problem of poor people being denied their right to adequate housing, including:

- A diversity of existing funding tools that support and facilitate tenancy, not ownership.
- Providing support to families to repair existing houses rather than relocating due to dangerous conditions.
- Providing land to be built upon, within allocated areas in the urban plan and without prejudice, in empty deserts near villages in each governorate.<sup>8</sup>
- Providing small plots of land to developers to be improved and populated, a model the state previously used in the manufacturing sector that was able to achieve considerable success by facilitating the issuing of manufacturing licenses and establishing a stable action plan.

7 Shima Al-Sharkawy, "Public Sector Reform – the Housing Sector in Egypt. Egyptian Rental Law: Experiences and Recommendations", Arab Forum for Alternatives, 2016.

8 This goes back to the reasons why the "My Son, Your House" project, launched in 2008, failed. At the time, the state gave buyers 15 months to carry out construction on land in exchange for utilities. The project distributed 42,000 plots of land in seven districts. All buyers finished construction in late 2010. Since then, however, there has been a crisis of access to utilities. 40% of the land in this scheme was in 6th of October city, which has been extremely slow in implementation.

- Fast-track implementation of the Real Estate Tax Law to restrict speculation in the real estate market and keep foreclosed real estate out of the rental market.

In 2015, continuous research pressure on the government successfully prompted the Ministry of Informal Settlements to announce that it was developing legislation that would legalize informal areas built on state land, with a committee formed within the State Council to look into the matter. The media also reported that the Ministry of Housing was considering a proposal to protect properties in violation of the law, as long as they were built on private land, structurally sound, and not threatening to people's lives. This would enable the state to collect fines from owners of buildings in violation of the law in exchange for legalizing their status, check the structural soundness of buildings, and legally connect units to public utilities. It should be noted that Technical Staff for Inspection from the ministry are responsible for controlling residential units in violation of the law, which number about 316,000, according to figures from 2013. A law such as this would have a major impact on residents of informal areas and their relationship with neighbourhoods and officials there, some of whom turn a blind eye to these violations. The Ministry of Housing also announced the formation of a committee to amend the Unified Building Law. This is the most important law in the field of housing and construction, especially for maintaining real estate wealth and adding procedures described as "strict" to building maintenance and preserving citizens' lives. Parliament has yet to issue these amendments.<sup>9</sup>

## The Crisis of Forced Eviction

During the drafting process of the 2014 constitution, a civil society coalition on housing rights managed to include a provision within Article 63 forbidding forced displacement; however, this amendment has had limited impact as the concept of "displacement" is weaker and more limited than the concept of "eviction." The wording effectively limits the extent of protection and the state's duty to ensure the right to security of tenure. As such, stopping forced evictions may be the most important line of work for civil society organizations, which provide legal support, help organize residents, and inform them of their rights. Such actions have demonstrated a degree of success in the "Maspero Triangle," the most controversial area in Egypt. The state is seeking to create a new plan for the district, filled with garages and museums and strategically located on the Nile in the middle of Cairo, which would necessarily change the status of the area's poorest, shack-dwelling residents. In move that demonstrates the impact of civil society's efforts to protect residents, the Deputy Minister of Housing met in June 2016 with representatives of the Triangle's population and presented them with several options: compensation with a residential unit in the same district; compensation with a residential unit in another district; or financial compensation alone. This meeting also included a discussion of prices of units, and the possibility of offering real estate financing to certain sections of the population.

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<sup>9</sup> TADAMUN, *Egypt's New Cities: Neither Just nor Efficient*.

## Conclusion

Housing is a contentious subject, one related to government financing by virtue of its connection with the building, construction, and land sectors. Thus far, the agendas of political parties on urbanism are incredibly weak; even in the best of cases, they tend to view informal areas as no more than untapped capital. As a result, the role of civil society is crucial. As shown above, through continued discussion with the “Committee of 50” during the drafting of the 2014 constitution, civil society groups have successfully improved constitutional articles on housing rights and have successfully pressured the state to acknowledge its role in providing adequate housing structures, albeit with a rather limited definition of what this means. Nonetheless, such advances represent victories for housing rights groups.

In addition, work on issues of spatial justice appears to be bearing fruit. Planning measures, steps towards the creation of an electronic national number for buildings and sites, and the forbidding of forced evictions all represent positive moves. Nonetheless, it is clear from current national policy regarding the construction and sale of buildings, and the monopoly and unavailability of land, that the government’s general approach is antithetical to full housing rights. Civil society organizations still have a long, rough road ahead to achieving their goals in this field.

# The Political Economy of Housing Policy in Egypt

*Omnia Khalil*

Walking the streets of Greater Cairo reveals the signs of urban deterioration in every minute detail. Despite the fact that Cairo is the capital, bears the features of centralized administration, and is endowed with the largest share of the state's general budget, urban deterioration is evident in the city's buildings, its barely-existent sidewalks, the quality of electricity infrastructure and drinking water, the sewage system, roads, and public transportation. This near-universal state of decay raises questions about the development of Egypt's built environments: who is responsible for them, and how should they be administered given the multiplicity of actors involved?

Every year, the Egyptian government puts forward a number of social housing projects for the middle classes in order to resolve the country's housing crisis. It also adopts policies which aspire to eliminate the slums, or "resident-built areas<sup>1</sup>," in line with the global slogan, "toward cities without slums." Yet beyond this, the state also puts forward a number of projects whose policies are contradictory: should emphasis be placed on improving existing built environments, or re-housing people in new buildings? In practice, state institutions have adopted both.

The built environment budget for the year 2015-2016 was about 98.9 billion Egyptian pounds, with about 23.3 billion allocated for social and middle-income housing — 12 billion for new cities, and 11.3 billion for existing built environments. And while the per capita expenditure on subsidized housing projects was 171 pounds, average spending on slum development projects was only about eight pounds.<sup>2</sup> The middle and lower classes face daily housing challenges in Egypt, due not only to the economics of housing and their general deterioration over recent years, but also due to the government's failure to develop plans that are in line with its budget and consistent with its economic policies as well as with the basic needs of citizens.

In its plans across all Egypt's provinces, has the government been more concerned with new cities, rather than existing built environments, and, therefore, with those for whom these

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1 Here, the term is applied to areas referred to as slums, unless the designation is tied to names of institutions or projects.

2 Yahia Shawkat and Amira Khalil, "The Built Environment Budget 2015-2016, An Analysis of Spatial Justice in Egypt", 10Tooba, 2016, available at [www.academia.edu/26980944/The\\_Built\\_Environment\\_Budget\\_2015\\_16\\_An\\_Analysis\\_of\\_Spatial\\_Justice\\_in\\_Egypt](http://www.academia.edu/26980944/The_Built_Environment_Budget_2015_16_An_Analysis_of_Spatial_Justice_in_Egypt)

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new cities were built? And, that Egypt's provinces represent diverse social segments, how are decisions taken to determine the budget of each governorate? Who should be taken into consideration in these budgets, and who should develop existing built environments? Analyzing the general budget for 2015-2016 sheds light on the state's priorities and in particular those who benefit from funds allocated to built environments, as well as the state's proposed solutions to resolve the housing crisis. It also reveals, however, important gaps in the state's policy and its ability to meet citizens' needs with regards to housing infrastructure. Potential solutions can be found not only in reforming the economic system and public policies, but also in further developing the role of civil society in the housing sector.

## Existing Built Environments versus New Cities

To assess the state's plans and potential policy gaps therein, it is first necessary to understand how spending is distributed between the current built environment, referred to here as the "existing built environment," and the new cities, which include all the new city projects across Egypt in the total built environment budget. For the year 2015-2016, over 98 billion<sup>3</sup> Egyptian pounds were distributed to five different government authorities, including: the Ministry of Housing, Utilities, and Urban Development; the Ministry of Electricity and Renewable Energy; the Ministry of Transport; the Ministry of Local Development; and the governorate directorates.<sup>4</sup> Forty percent of the total budget was spent on regional projects such as power plants and networks, railroads, and highways, while local projects accounted for the remaining 60 percent. Telling, establishing new cities, which benefit about two percent of Egypt's residents, accounted for 30 percent of the total budget, while spending on the existing built environment, which encompasses 98 percent of residents, did not account for more than 29 percent of the budget.<sup>5</sup> Most data from development studies in Egypt in recent years have corroborated this information. In his study, Sims cites a 2006 statistic that 600,000 people resided in the new cities of Greater Cairo, although more than 60 percent of their housing units were empty.<sup>6</sup> This amounts to less than 3.7 percent of residents of Greater Cairo and Egypt.

Based on the figures above, a first obvious problem lies in the way the state's general budget is distributed in the spending on built environment construction. I am aware, of course, that drawing absolute conclusions based on figures alone is potentially faulty, due to the fact that they usually do not reflect the qualitative aspect of the problem. However, they do reflect social phenomena and relevant issues. Why, for instance, was more than half of the 2015-2016 budget for local projects directed toward building new cities, which have been proven not to serve the targeted number of residents in the long term, according to the

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3 Exact figure: 98,886,343,000 EE.

4 Yahia Shawkat and Amira Khalil, "The Built Environment Budget 2015-2016, An Analysis of Spatial Justice in Egypt".

5 Yahia Shawkat and Amira Khalil, "The Built Environment Budget 2015-2016, An Analysis of Spatial Justice in Egypt".

6 David Sims, *Understanding Cairo*, Cairo: The American University Press, 2012, p. 172.

2006 figures? The principle of spatial inequality between the new cities and the existing built environment, posed by Yahia Shawkat and Amira Khalil, presents us with a real question: how can state economic policies develop plans and projects to serve the citizens of Egypt? And why does the Egyptian government insist on spending on projects whose failures have been established by both quantitative and qualitative research?

As the Egyptian saying goes, the state is following the principle “blow up your old bathroom:” it has decided to proceed with plans to develop alternative built environments in the form of new cities costing billions of pounds, rather than working on enhancing and developing existing built environments to meet current housing needs. Effectively, these are policies of severe neglect of the existing built environment. While the cost of building new cities may be seen as a waste of public funds, given that they do not provide any benefit to residents of existing built environments, the construction process itself serves secondary investment interests. Indeed, the Egyptian government deliberately neglects existing built environments in a number of areas, despite the fact that restoring and developing these areas could bring in income through new investments. For example, the al-Hattaba area in Cairo Governorate, located behind the Citadel of Saladin, has suffered from urban deterioration. The area covers about 35 feddans,<sup>7</sup> and is inhabited by about 3,000 families.<sup>8</sup> The housing area is unsafe, according to a report by the Informal Settlements Development Fund, with about 10.5 feddans containing around 700 housing units, all of them privately owned.<sup>9</sup> Claiming that the homes of these residents were located on the Citadel’s archaeological site, the government decided to halt all renovation permits in the area after the earthquake of October 1992. The area’s buildings therefore deteriorated, and some residents now live in houses whose floors have actually collapsed.<sup>10</sup> Though plans could be developed to improve the area by offering certain services to residents, these have failed to materialize.

## The Government’s Proposed Solution to the Housing Crisis

Was the spending on the existing built environment in 2015-2016 directed toward the middle classes and the poor? The budget for the existing built environment was 28.4 billion pounds. Given that there are about 87 million people living in the existing built environment, the average per capita share of spending is about 322 Egyptian pounds, compared to the average spending per capita in new cities of 15,000 pounds per person.<sup>11</sup> The residents of the new cities cannot be considered the upper classes, but, assuming that the spending on existing built environment includes the middle classes and the poor in various segments, we might ask why their share was no more than two percent of the per capita share in the new cities? This reflects the lack of equity in the distribution of resources and the state budget

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7 An Egyptian unit of area. One feddan is equivalent to 1.038 acres.

8 Omnia Khalil, *Egyptian Urban Action*, short film screened at the Awan Contemporary Art Space, Cairo, 7-19 July 2012.

9 *Informal Settlement Development Fund Report for Cairo Governorate*, 2012, [www.isdf.gov.eg/](http://www.isdf.gov.eg/)

10 Omnia Khalil, *Egyptian Urban Action*.

11 Yahia Shawkat and Amira Khalil, “The Built Environment Budget 2015-2016, An Analysis of Spatial Justice in Egypt”.

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among citizens.

The following numbers clarify how the state directed its spending to solve the problems of urban deterioration in the existing built environment. Over 11 billion pounds<sup>12</sup> were spent on local projects in the housing sector for the existing built environment and almost 12 billion<sup>13</sup> for housing in new cities, representing 23.6 percent of the built environment budget for 2015-2016.<sup>14</sup> This was divided into three main programmes: social housing projects, which received 15.1 billion pounds, with 4.1 billion for new cities and 11 billion for the existing built environment; middle-class housing (Dar Misr), directed toward new cities, with a share of 7.8 billion pounds; and rural housing, directed to the existing built environment, with a share of 0.1 billion pounds.<sup>15</sup> Funds directed to the existing built environment mostly include spending on subsidized housing, which, despite government assistance, is still usually unaffordable for certain segments of the middle classes.

In the urban development sector, 1.6 billion pounds were spent on the existing built environment, representing about 24.2 percent of the total budget, divided between the neediest villages (0.75 billion pounds), slum development (0.7 billion pounds); and integrated development (0.16 billion pounds). Meanwhile, five billion pounds were spent on the new cities for the New Administrative Capital project, a whopping 75.8 percent of the total budget.<sup>16</sup>

These figures confirm how the state consistently allocates the largest portion of the built environment budget to new cities. This reflects the orientation of the state's economic policies toward spending on citizens from some classes and not on others, neglecting certain segments of the middle classes and the poor in its budget. In addition, this budgetary breakdown reveals that state spending is always directed toward for-profit projects. In housing policy, the Egyptian state plays the role of investor, which largely distances it from providing urban services to citizens. For example, 75.7 percent of households are unable to rent a medium-price residential unit in Cairo Governorate,<sup>17</sup> while 263,547 households are living in one or two rooms in Cairo Governorate. Cairo is considered one of the three most crowded provinces, with a 12.7 percent<sup>18</sup> crowding rate. There are 196,221 households living in unsafe housing units, and with regard to secure tenure, the number of informal private sector units built from 2007-2014 reached 348,263 units, with only 117,307 formal units<sup>19</sup> built over the same period.

12 Exact figure: 11,329,000,000 E£

13 Exact figure: 11,978,225,000 E£

14 Yahia Shawkat and Amira Khalil, "The Built Environment Budget 2015-2016, An Analysis of Spatial Justice in Egypt".

15 Yahia Shakat and Amira Khalil, "The Built Environment Budget 2015-2016, An Analysis of Spatial Justice in Egypt", p. 52.

16 Yahia Shakat and Amira Khalil, "The Built Environment Budget 2015-2016, An Analysis of Spatial Justice in Egypt", p. 62.

17 10Tooba, *Built Environment Deprivation Indicator*, available at [www.10tooba.org/bedi/en/](http://www.10tooba.org/bedi/en/)

18 10Tooba, *Built Environment Deprivation Indicator*.

19 10Tooba, *Built Environment Deprivation Indicator*.

In addition, new city projects intersect with existing built environment projects. The new cities budget for 2015-2016 was allocated only for the new capital, while in previous years, the budget allocated some projects in the new cities to resettle some resident-built areas. One such project was a priority-sponsorship project, the Masaken Osman (“Osman Housing”) in Sixth of October City, part of the National Housing Project announced in 2005 during the rule of Hosni Mubarak. The priority-sponsorship project was one of the pillars of the seven-year project, which seeks to offer housing for very low-income individuals or small families. According to the New Urban Communities Authority, “this project aims to provide residential units of 42 square meters to the most needy citizens, with 13,500 units delivered in Sixth of October City, and 7,500 units allocated for the Cairo Governorate, and coordination underway with the Support Fund to allocate the remaining units.”<sup>20</sup> The number of residents in Masaken Osman in 2016 reached about 14,000 people. The description of the project indicates that 195 million pounds were spent to build 3,024 residential units between 2009 and 2012.<sup>21</sup> In other words, 877.5 million pounds were spent to build 13,500 units, at a rate of 220 million pounds per year, and 15,700 pounds per person. Despite this, the resettled residents still suffer from “unsafe” areas in the Masaken Osman, compelling the Informal Settlements Development Fund to complete a service needs assessment in 2011, with the matter subsequently requiring a visit from the prime minister in March 2015.

And beyond specific issues related to housing units, resettled residents also experienced numerous other problems.<sup>22</sup> The site proved to be remote, with poor infrastructure and a lack of access to services. Work opportunities were few and far between, with limited possibilities for economic advanced. And security was insufficient, causing residents to develop largely negative impressions of the area. Moreover, the Masaken Osman project has not solved the problem of resident building, as the state expected. Developing the areas from which the people came rather than moving them to a distant desert location lacking in services would have been a faster and more adequate solution, and would have allowed them to maintain their cultural particularities. The priority-sponsorship projects lack any criteria for community participation, both in terms of the relocation process and in the development of solutions.

## The Existing and Potential Role of Civil Society

Current housing policy in Egypt demonstrates massively unequal distribution in budget spending, with the lion’s share of public funds diverted to the construction of new cities – lucrative for private investors and contractors – and a lack of community participation and dialogue between the state and residents slated for resettlement. Civil society, for its part, has attempted to make contributions to help solve problems in the housing sector (amongst others); however, it has faced important challenges since 2014 with the severe restriction on

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20 New Urban Communities Authority, available at [www.newcities.gov.eg/about/Projects/Housing\\_projects/NationalHousing/default.aspx](http://www.newcities.gov.eg/about/Projects/Housing_projects/NationalHousing/default.aspx), accessed 27 June 2017.

21 El Nasr Company for Buildings and Construction, available at [www.egyco-egypt.com/depdetails\\_ar.aspx?ID=567](http://www.egyco-egypt.com/depdetails_ar.aspx?ID=567), accessed 27 June 2017.

22 Omnia Khalil, *Egyptian Urban Action*.



NGO activity and the closing of hundreds of organizations.<sup>23</sup> In 2015 and 2016, the accounts of a number of these organizations were frozen and their employees were banned from travel. In November 2016, a new<sup>24</sup> NGO law was passed which will increase the obstacles for all human rights and civil society groups in carrying out their work in Egypt.<sup>25</sup> Although civil society in Egypt has been playing an important role in social and economic development since the 1990s, its ability to influence public policy is now contingent upon a change to the state's current approach to severely repress and restrict NGO activity.

In terms of housing policy, it is essential to observe needs-based equity in spending on built environments. Priority areas should be determined according to needs and built environment deprivation across all Egypt's provinces. This should be accompanied by specific policies for urban development that target in particular existing built environments. In addition, the state should halt all practices of forcibly evicting and displacing residents of disadvantaged communities in all urban development projects, especially the programmes to resettle denizens of resident-built "slum" areas. This should be done in coordination with residents and the relevant government institutions, and local popular councils.

Civil society can play a key role in implementing effective community participation in both the elaboration of urban development projects as well as the process of relocation and resettlement, well as mobilizing various other actors for the sake of improved housing policy. To be effective, NGOs should coordinate in terms of geographic targets and various built environment issues to ensure the broadest possible coverage of residents and the problems they face. They can also pressure the relevant state institutions and interact with them to raise awareness of criteria for community participation, the most pressing built environment issues, and the areas most in need. Civil society can also work with educational and research institutions to provide support to charitable institutions and community associations by providing them with information and reports pertaining to their built environment issues. Finally, civil society actors can mobilize professional institutions (unions) to provide support to charitable institutions and community associations by providing technical consultations pertaining to their built environment issues. However, for these recommendations to be implemented, a legal and legislative framework aiming to preserve the role of civil society in its participation in state institutions must be put forth.

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23 *Human Rights Monitor*, available at [www.humanrights-monitor.org/Posts/ViewLocale/3107#.WEMNKIxOIDS](http://www.humanrights-monitor.org/Posts/ViewLocale/3107#.WEMNKIxOIDS), accessed 27 June 2017.

24 Mohamed Hamama, "Parliament approves secretly drafted NGO law", *Mada Masr*, 16 November 2016, available at [www.madamasr.com/en/2016/11/16/feature/politics/parliament-approves-secretly-drafted-ngo-law/](http://www.madamasr.com/en/2016/11/16/feature/politics/parliament-approves-secretly-drafted-ngo-law/)

25 Mai Shams El-Din, "UK criticizes new NGO law calling it a 'step backwards'", *Mada Masr*, 3 December 2016, available at [www.madamasr.com/en/2016/12/03/news/u/uk-criticizes-new-ngo-law-calling-it-a-step-backwards/](http://www.madamasr.com/en/2016/12/03/news/u/uk-criticizes-new-ngo-law-calling-it-a-step-backwards/)

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# Recent Policy Directions in Egyptian Education: Privatization, Curriculum Reform and Teacher Salaries

Hania Sobhy

In a recent statement, the chairman of the Specialized Presidential Advisory Council for Education and Scientific Research (PACESR) declared that President AbdulFattah Al-Sisi places great importance on knowledge, asking educational officials to make use of this unprecedented importance. This paper explores how this importance has been translated so far, by examining the major policy directions in the educational field from 2011 to the present. It highlights key issues where there has been significant social debate and efforts by civil society to advocate for educational reform over the past few years. The first section provides critical background on indicators of quality and equity in the system. The following sections deal with change and mobilization relating to expenditures on education, teacher pay, curriculum reform and patterns of privatization across the system.

## Poor Quality Expensive Education

According to a 2014 survey, 70% of parents with children enrolled in basic education are either ‘totally unsatisfied’ or ‘partially unsatisfied’ with the quality of education given to their children.<sup>1</sup> Several other indicators show the rapidly declining quality of education in Egypt. In the 2007 TIMSS international ranking, 53% of Egyptian 8th grade students (often chosen from the best schools) did not satisfy the low international benchmark in Mathematics and 45% were also below the lower benchmark in Science.<sup>2</sup> This was already 5% lower than Egypt’s 2003 rank.<sup>3</sup> The results of a 2010 national standardized examination in Arabic, science and mathematics showed that average student scores were less than 50%, with large variations within the system.<sup>4</sup> In May 2015, the Minister of Education also announced that about 30% of 3rd and 4th primary students have failed a nationwide diagnostic literacy

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1 CAPMAS (Central Authority for Public Mobilization and Statistics), *Results of Survey on Basic Education in Egypt*, 2014, Obtained from the Egyptian Center for Economic Studies (ECES).

2 United Nations Children’s Fund (UNICEF), *Children in Egypt: A Statistical Digest*, Cairo: UNICEF Egypt, 2015, p.39.

3 Ministry of Education (MOE), *National Strategic Plan for Pre-University Education Reform in Egypt: Towards and Education Paradigm Shift 2007/08– 2011/12*, Cairo: Arab Republic of Egypt Ministry of Education, 2007, p. 46. Ministry of Education (MOE), *National Strategic Plan for Pre-University Education 2014– 2030*, Cairo: Arab Republic of Egypt Ministry of Education, 2014.

4 MOE, 2014, p. 63.

test (with commentators arguing that the real failure rates are higher because teachers and administrators had incentives to lower their schools' failure rates).

The main drivers of poor quality include: weak and poorly allocated public expenditures on education, poorly designed curricula and serious issues with student assessment, high class densities in short schooldays, and poorly qualified and distributed teachers. This section very briefly outlines available indicators of quality and equity and their outcomes in terms of patterns of cheating and informal privatization through tutoring.<sup>5</sup>

Four important features characterize public spending on education in Egypt: 1) Per student spending on pre-university education in Egypt is very low by international and regional standards,<sup>6</sup> 2) most of the spending (close to 90%) goes to wages; 3) salary costs include a very large proportion of non-teachers at all levels of the system; and 4) there is low investment in the base of the system and free university education continues to take up one third of education spending. According to the latest figures, 30% of public educational expenditures are still allocated to university education, which enrolls 6% of the total number of students.<sup>7</sup> It is therefore not just that public investment in education is low; it is also distributed in a way that disadvantages the lower grades, which are critical for developing a learning base, and in a way that disadvantages the poor, especially outside of urban centers. According to the 2014 MOE Strategic Plan, public expenditure on pre-university education from 2007 to 2012 did not exceed 3% of GDP at real prices, based on Ministry of Planning data; amounting to 9% of total public expenditures, based on Ministry of Finance data.<sup>8</sup> The new 2014 constitution mandates allocating no less than 4% of GNP<sup>9</sup> to pre-university education, but the implementation of this clause has been postponed and there seem to be no plans underway to remedy the existing inequitable and inefficient spending patterns. About 30% of public educational expenditures are still allocated to university education, which enrolls 6% of the total number of Egyptian students.<sup>10</sup> In fact, the 2014 constitution not only fixed,

5 For further details, see Hania Sobhy, "Egyptian Youth and Blocked Opportunities: Quality and Equity in Public Education before and after 2011", Fondation Maison des Sciences de l'Homme Working Paper, Paris: Fondation Maison des Sciences de l'Homme, forthcoming.

6 These are very low rates of educational spending compared to other Arab countries such as Tunisia and Morocco, where rates reach 25% of public expenditures (representing 7.4 and 5.9% of GDP respectively). This still holds true even if we use a measure of total expenditures on education, which includes expenditures on university education. However, given the massive size of Egypt's education system, which includes over 19 million students, a better measure of educational expenditures in relation to quality is expenditures per students. Average student share in annual educational expenditures in Egypt has been estimated at around 900 USD, compared to 3440 in Morocco, 4630 in Tunisia, 4420 in Jordan and 4500 in Lebanon. In fact, the latter averages represent above 50% of average personal income in Tunisia, above 90% in Morocco and 98% in Jordan, whereas in Egypt they represent only 23%. For more, see Arab Forum for Alternatives (AFA), *Evaluating Public Expenditure Policies on Education in Egypt*, Cairo: Arab Forum for Alternatives, 2014.

7 According to the report, pre-university allocations were divided as follows: 48% for primary, 22.4% for preparatory, 15% for technical education, 10% for general secondary and 3.5% for pre-primary, special education and one classroom schools. These figures are based on the 2013-4 MOE budget and not measured as a percentage of all public educational expenditures as in the figures cited earlier. For more, see MOE, 2014.

8 MOE, 2014 p. 68.

9 The constitutional article uses Gross National Product, although educational expenditures are typically measured in relation to Gross Domestic Product.

10 MOE, 2014, p. 70.

but slightly raised the percentage of expenditure on public university education to 33% of educational expenditures by decreeing that such spending must represent no less than 2% of GNP (compared to the 4% devoted to pre-university education).

Poor resources and fundamental weaknesses in curriculum and assessment have led to poor development of student knowledge, skills and abilities. Curricula are widely criticized by parents, students and experts alike for their emphasis on rote learning and lack of incentive for creativity, problem solving, and soft skills such as teamwork and general attitude toward work. They are poorly structured and sequenced and very large in volume in relation to a short school year.<sup>11</sup> Official (nationally unified) textbooks commissioned by MOE are also universally considered to be of very poor quality, forcing families to buy higher quality private study guides.<sup>12</sup> The result of this poor quality, poor management and lack of accountability can be seen in the prevalence of both private tutoring and cheating in their various forms across the system. Students in disadvantaged schools often rely on cheating or 'lenient' assessment and favoritism to pass, regardless of their actual exam performance. If this seems difficult to imagine, one need only refer to a 2014 official report that confirmed that over 35% of preparatory stage students are not proficient in reading and writing.<sup>13</sup> The only way these students passed from one year to the next without being able to read and write is through systematically tolerated cheating. The report was a rather delayed acknowledgment of the impact of such conditions on learning outcomes.

Average classroom densities reach 43 students per classroom in primary education and over 41 in preparatory education, with large variations from one governorate and district to the other.<sup>14</sup> The ministry has attempted to cope with high class densities by establishing multiple shift schools, wherein two or three school populations use the same building at different times of the day. Here, the already crammed curriculum must be covered in even less time. Shift schools operate for a mere 4-5 hours/day (and often less) and allow very little opportunity for either teachers to teach or students to learn; and various 'activities' classes are typically eliminated from the schedule. In 2014, only about 33% of primary stage public school students were enrolled in full day schools.<sup>15</sup> Finally, there are serious issues with the deployment of "qualified" and well-trained teachers.<sup>16</sup> Poorly paid and unqualified teachers are concentrated in primary education, where class densities are high and instruction time

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11 Instructional time in Egyptian public schools is about 34 weeks per year. See UNICEF, *Children in Egypt: A Statistical Digest*, p.40.

12 The poor outcomes in primary education have their roots in the weakness of pre-primary/early childhood education, where only 30% of children are enrolled. The state in fact has no formal commitment to providing pre-school education and largely relegates it to (mostly religious) NGOs and the private sector. MOE, 2014, p. 35.

13 MOE, 2014, p. 63.

14 MOE, 2014, p. 34-43.

15 Ministry of Education (MOE), *Statistical Year Book*, Cairo: Arab Republic of Egypt Ministry of Education, 2015, ch. 2.

16 Teachers considered as "qualified" are those with either bachelor degrees in education or those who have obtained bachelor degrees in other disciplines and completed an educational diploma. Unfortunately, both types of teachers cannot be considered well-trained teachers due to the severe weaknesses in both the Bachelor of Education and the Diploma in Education.

is often very low. Up to one third of teachers in the different educational stages are not educationally qualified and professional development programmes are seriously deficient.<sup>17</sup> In 2014, the shortage of primary teachers in all specializations reached 86,116 teachers.<sup>18</sup> Teachers also often get 'promoted' into the more prestigious secondary stages (where tutoring profits are larger), regardless of the deterioration of quality that this may create in the basic education stage. MOE data shows that most primary teachers are less senior, less experienced (on the lower grades of the Cadre), in stark contrast to general secondary teachers, for example, who are far more likely to be senior and expert teachers.<sup>19</sup> Perhaps a more striking phenomenon is the simultaneous existence of teacher surpluses across the system. This is clearly reflected in low overall teacher to student ratios across the different educational stages. The question is therefore not only about teacher shortages, "but rather linked to the poor distribution of teachers and their deployment in schools, which stems from inaccurate data, poor planning, as well as political and social factors."<sup>20</sup> Unfortunately, this is a powerful example of the fundamental problems of wasteful and inequitable mismanagement in the system.

## **Privatization and Programmes Targeting the Middle Classes**

But what has changed in Egyptian education since 2011, and especially in recent years? One area where The first policy proposed by the Presidential Advisory Council (PACESR) was in fact a partial privatization of higher education, whereby a proposed scholarship system would only cover full tuition for students with an average grade of more than 70 percent. Students who do not perform to this standard would be required to pay partial tuition, while those with less than a 50 percent average would pay full tuition. Critics claimed that the policy was likely drafted to meet recommendations to limit spending on higher education imposed by major lending institutions. Such change might have freed up limited resources for more equitable distribution, instead of sustaining low cost (but increasingly low quality) university education as a subsidy to the middle classes. However, the concern is that there is little indication that resources would indeed be diverted to remedying serious quality issues at foundational stages or technical education. In any case, this proposal was quickly scrapped. It seemed clear that new privatization measures at the university level are not considered politically feasible for the meantime. The council therefore turned its attention, not to deeper reforms in foundational years, but to three limited programmes, only one of which focuses on the quality of pre-university education; essentially a training programme for a very limited number of teachers (10,000 out of about one million teachers).<sup>21</sup>

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17 An official report identified three reasons for the shortage of qualified teachers in the primary stage: 1) rural areas not attractive for teachers, 2) not monitoring teacher secondment to Arab Gulf Countries, and 3) the decrease in hiring new teachers and relying on contracting teachers by lessons taught (temporary nominally paid contracts). MOE, 2014, p. 58.

18 MOE, 2014, p. 58.

19 MOE, 2014, p. 59.

20 MOE, 2014, p. 58.

21 This programme is implemented in cooperation with UNESCO and with 60 million EGP financing from the (donation based) Long Live Egypt Fund. It aims at upgrading the performance of teachers and improving their abilities at delivering educational material and developing systems of student assessment. It is not clear how

In terms of privatization however, the issue of private tutoring and school construction received some attention by decision makers. The ministry has attempted to appear responsive to concerns about the massive household expenditures on (public, supposedly free) education, especially in terms of private tutoring. Similar to previous ministers, the current Minister of Education Al-Hilaly Al-Shirbini has issued decrees reaffirming the prohibition on offering private tutoring by any teacher.<sup>22</sup> Reports also circulated in early 2016 about a proposed law to 'criminalize private tutoring', imposing fines and prison sentences on those teachers 'caught' offering tutoring.<sup>23</sup> There were also declarations of the intention to close down private tutoring centers, as well as reports of prohibiting the issuance of any new licenses for the establishment of tutoring classes in community associations or NGOs. The latter may have been motivated by a desire to limit the influence of religious associations that offer such classes to families who need assistance. A number of tutoring centers were indeed closed down for operating without the necessary licenses. However, most of those centers that were closed down simply reopened a few weeks after closures. In several cases, students and families staged protests to have their tutoring centers reopened. Tutoring in the more established tutoring centers (catering to upper middle class students) was not interrupted.

More generally, this prohibition or possible criminalization of private tutoring has little meaning in light of pervasive tutoring patterns. Tutoring in Egypt is not a limited market for students seeking learning support in some subject, but rather a parallel system that has almost rendered formal schooling redundant. Household spending on education has in fact long been projected to exceed government spending on education.<sup>24</sup> One official study found that 81% of households had children who received private tutoring in secondary stage, while 69% received tutoring in the primary and preparatory stages (74% in preparatory and 50% in primary).<sup>25</sup> There is little reason to believe that there has been any change in the prevalence of private tutoring or reliance on external textbooks since 2011. In fact, a 2014 survey focusing on basic education (primary and preparatory stages) found that the majority of parents (83.5 percent) think that the probability of getting rid of their children's dependence on private tutoring is either 'weak' or 'very weak' and nearly all parents said they bought external textbooks for their children.<sup>26</sup> Sixty percent of the teachers in the same survey reported that they gave private lessons (the reported rate would normally be higher in the secondary stage). In 2016, several reports noted how tutoring centers saw intense levels of competition for enrollment and prices for revision classes reached a shocking 300 EGP/class in famous tutoring centers, even outside the capital in the governorates of Fayoum

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the programme can be consistent with centralized assessment systems and whether it has been designed in light of other curriculum reform plans that are already underway. However, even the most successful teacher training would have a very limited impact in light of serious structural issues discussed above and the limited number of beneficiaries.

22 See Decree No. 53 for the year 2016.

23 [www.modars1.com/t49036-topic](http://www.modars1.com/t49036-topic)

24 MOE, 2007.

25 Nisrin Abdul Wahab, "Ru'b Anfilwanza al-Khanazir Yun'ish Suq al-Durus al-Khususiya [H1N1 Horror Energizes Private Tutoring Market]", *Al-Ussbu'* 4(12), 2009.

26 CAPMAS, *Results of Survey on Basic Education in Egypt*.

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and Sharqeya.<sup>27</sup> It should also be noted that despite the burden that this pervasive informal privatization has been placing on Egyptian households, it has clearly had little impact on improving quality and learning outcomes.

In February 2016, a 'National Project for School Construction' was inaugurated. Despite the problems of class densities and multiple shift schools noted above, the Minister of Education explained that the project does not target poor or informal areas, but rather aims at the construction of private language schools. It gives private investors the opportunity to use land allocated by the state to build private schools, with untaxed profits, and aims to facilitate the issuance of school construction permits to be concluded in two months instead of over a year.

Apart from student protests against the sudden closure of tutoring centers, where they had paid significant fees, there have been other actors invested in opposing these policy directions. Civil society organizations such as the Right to Education and independent researchers and commentators have been at the forefront of the defense of the equal right to free public education. It could be argued that their actions prevented the planned privatization measures at the university level, which were also opposed by wide sections of the middle classes.

## Changes to Teacher Pay and a New Education Law?

Another key area of change since 2011 has been a substantial increase in teacher salaries and improvements to contracting practices. In 2011, the Ministry of Education (MOE) moved to regularize the contracts of teachers employed on temporary contracts and adopt a new minimum wage of 1200 EGP (135 USD/month), promising salary increases for many teachers receiving below subsistence wages. The mobilization by teachers hired on precarious contracts was critical for the wave of contract regularization in 2011. The first wave of salary increases happened in 2012<sup>28</sup> and was followed by another increase in 2014,<sup>29</sup> where starting salaries have risen to 1720 EGP (194 USD) to reach 4000 EGP (450 USD) for the most senior teachers.

From 2014 until the present, there has been talk of a new education law to be discussed by the newly elected parliament. Every few months, a purported draft of the new law is leaked to the press. Almost all of the leaked drafts promised significant raises to teacher salaries.<sup>30</sup> The drafts reveal however lack of vision for how to bring about a real qualitative

27 Ayman Mahani, "بالصور.. مافيا المراجعات النهائية لطلاب الثانوية العامة بالمحافظات", *Al Youm Al Saba'a*, 25 May 2016, available at [www.youm7.com/Article/NewsPrint/2732978](http://www.youm7.com/Article/NewsPrint/2732978)

28 Sarah 'Alam, "اليوم السابع يحصل على صورة من قانون الكادر الذي أصدره الرئيس", *Al Youm Al Saba'a*, 11 November 2012, available at [www.youm7.com/story/2012/11/11/-اليوم-السابع-يحصل-على-صورة-من-قانون-الكادر-الذي-أصدره-الرئيس/843048](http://www.youm7.com/story/2012/11/11/-اليوم-السابع-يحصل-على-صورة-من-قانون-الكادر-الذي-أصدره-الرئيس/843048)

29 Abeer Alah El-Din, "الشروق تنشر جدول رواتب المعلمين بزيادات يناير 2014", *Al Shorouq*, 28 December 2013, available at [www.shorouknews.com/news/view.aspx?cdate=28122013&id=98d07da1-96ef-4807-b8af-f6c37a362269](http://www.shorouknews.com/news/view.aspx?cdate=28122013&id=98d07da1-96ef-4807-b8af-f6c37a362269)

30 Tawfiq Shaaban, "تنشر القانون المقترح لـ 'التعليم قبل الجامعي'", *EL Watan*, 08 September 2015, available at [www.](http://www.)

shift in the system. They included rather naive items that emphasized discipline in schools, criminalized negative media portrayals of teachers and underlined the importance of the morning assembly. There was very little in the drafts that could actually improve the quality of education or equity in educational opportunities. New ministerial decrees issued in 2015 did include plans for school maintenance, a new school discipline charter and the prohibition of physical punishment of students. These reflected earlier periodic instructions on these matters and there has been little indication that such instructions were implemented or monitored seriously this time. In fact the announcement of the introduction of a reward system for student attendance in terms of 10 marks dedicated to ‘discipline’ was later ‘postponed’ by the Prime Minister ‘until the completion of reform processes in all elements of the secondary education system’.<sup>31</sup> This came after demonstrations by students who objected to this decision and how it might be applied to them.

The leaked drafts of the new law do show however that teachers, including the new Independent Teachers’ Union, have been a key stakeholder that the governments have attempted to engage with. Union members were included in different consultations within the ministry over the proposed new education law and their proposals are adopted in the drafts leaked to the press. In this manner, the government has perhaps been able to neutralize the union and keep protest among teachers to the minimum. Rights organizations such as the Egyptian Center for Economic and Social Rights (ECESR) have also supported the Independent Union in its struggle for better wages for teachers. ECESR has recently hosted a number of events and authored a number of fact sheets highlighting key issues being debated in the education sector. The Arab Forum for Alternatives (AFA) has also published papers on curriculum reform and educational spending that have pushed forward the debates on these matters. EIPR, the Egyptian Initiative for Personal Rights, has also published a number of reports on the limitations of the initial 2012 salary increases and on curriculum reform.

## Parent Mobilization and Curriculum Reforms?

Despite high profile interest in reforming curricula ‘to fight extremism’ over the past three years, there has been less attention to curriculum reforms that could lead to remedying the serious issues with literacy and basic skills across the system. In fact, piecemeal and incoherent measures may have increased the frustration of parents with curricula. A group of mothers began to mobilize around curriculum reform, particularly within the framework of a popular Facebook page called Tamarod ‘ala al’manahij al-ta’limiya al-misriya (Rebellion against Egyptian Educational Curricula)<sup>32</sup> and a number of offshoot and affiliated pages.<sup>33</sup> In early 2016, their campaign gained significant media visibility amidst speculation that they could mobilizing on the street. Official responses ranged from promises of reforms to

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[elwatannews.com/news/details/801148](http://elwatannews.com/news/details/801148)

31 Neveen Ashraf, “الهلالى فى اجتماعه مع رؤساء التحرير: التعليم قضية مجتمع وبدأنا تطوير المناهج” *Al Shorouq* 1 November 2015, available at [www.cms.shorouknews.com/mobile/news/view.aspx?cdate=01112015&id=b1995301-6878-4866-98ad-ebc4ab73b25b](http://www.cms.shorouknews.com/mobile/news/view.aspx?cdate=01112015&id=b1995301-6878-4866-98ad-ebc4ab73b25b)

32 [www.facebook.com/groups/awladna2016/?fref=nf](https://www.facebook.com/groups/awladna2016/?fref=nf)

33 In June 2016, the page had over 225,000 members.



assertions about the already excellent quality of curricula. Public promises were made to include parents in the curriculum reform process, but no invitation was extended to any of the protesting groups to a meeting to discuss reform plans, while an MOE spokesperson claimed that they had rejected an invitation to participate. The minister was also shown to have made a statement about adjustments to the material covered by exams, but later declared that he had made no such statements and that Egypt had international commitments related to approved curriculum content, which it could not abandon 'just to please parents'. The main group then escalated its demands to the removal of the minister on the grounds that he lacks two key criteria for holding the post: a vision for education and the political will to implement it. At the height of this crisis, and with news of some teacher solidarity with demands for curriculum reform, news sources once more reported an imminent (and very large) increase in teacher salaries, which has yet to materialize. It remains to be seen if this mobilization will continue or will have significant impact on educational policies.

There seems to have been however some effort to revise science and mathematics textbooks, although available reporting indicates a hasty and poorly designed process. Since February 2016, several committees have been formed to determine the scope of changes and different entities have been invited to voice their views/ present their expertise on the needed reforms. The current minister explained in a television programme on 27 March that professors from Egypt's oldest 12 universities were selected to review science and mathematics curricula and to nominate experts in the fields of science and mathematics to: 'compare Egypt's curricula with international curricula and set a new curriculum for students' and that committees are working now to finalize the revised curricula to be ready for printing in May 2016. This means that a reform of Egypt's curricula was going to be completed in two months. According to one news report, the committee in fact recommended adopting Singapore's science curriculum for the secondary stage and the Oxford curriculum for primary and preparatory stages, whereas mathematics curricula will only be amended for the third year of the secondary stage.<sup>34</sup> The minister pointed to ongoing efforts to train 10,000 science, mathematics and foreign language teachers, but it was not clear why teacher training was being conducted separately from such significant plans for curriculum reform, which should entail their own corresponding teacher preparation. In the same March 2016 television programme, the minister announced that a committee, with representatives from the Coptic Church, Al-Azhar and educational specialists was established to consider revisions to Arabic, Religious Education, Computer, Geography, History, Psychology and Philosophy curricula. The minister declared that the modified humanities curricula should be available for use in the next academic year.

Finally, talk of 'curriculum' reform seems to be entirely focused on changes to 'textbooks', reflecting a limited and mistaken understanding of the comprehensive concept of 'curriculum'. This has allowed the minister and several experts to sometimes declare that Egypt's curricula—by which they usually mean textbooks—are very good and do not need to be changed. The content of textbooks may be indeed satisfactory in some subjects, but these discussions ignore that the problems of curriculum in the system are driven by methods of

34 Muna Zaydan, "التعليم تطور المناهج في 3 أيام وتناقشها في 3 أشهر" *Al Shorouq*, 07 February 2016, available at [www.shorouknews.com/news/view.aspx?cdate=07022016&id=30aa54bb-9ea7-4598-bb3e-7bba77ab607b](http://www.shorouknews.com/news/view.aspx?cdate=07022016&id=30aa54bb-9ea7-4598-bb3e-7bba77ab607b)

assessment and instruction (as well as the level of qualification and training of teachers and the lack of rigorous selection and evaluation criteria). For example, the problem of rote learning, memorization and poor learning outcomes have been endlessly decried, but there are no clear plans for introducing diverse, engaging and effective learning methods and materials and promoting assessment techniques that can drive the development of the creative, analytical, interpersonal and communication skills of students, as well as effectively developing their basic literacy, proficiency and learning outcomes.

## Conclusion

Most recently, there have been reports of another project by PACESR: a National Project for New Egyptian Education, which aims at ‘designing a new and innovative educational system to develop generations of Egyptians that possess 21st century skills and the ability for lifelong learning’.<sup>35</sup> The chairman of PACESR explained that this new system would be implemented in parallel with the development of the existing system, which would continue for another 12 years before a full transition to the new system; point out that ‘instead of fixing the old car, we will buy a new one’. The details of who would pay for the new car, who will determine its specifications, how teachers and administrators would be selected or trained to drive it or any other detail has not—so far—been shared with the public.

Egyptian education continues to suffer from severe weaknesses in terms of quality and equity and the aspirations for fundamental education reform since 2011 have so far not been met. Over the past few years, there has been one clear and positive change in the educational field in Egypt, which was the increase in teacher salaries. This came as part of a larger adoption of a minimum wage for all public sector employees after 2011, with further increases in teacher salaries occurring in 2014. Teacher salaries remain however very low by international and regional standards and the increases have already been significantly eroded by very rapidly rising inflation. Apart from this, several reform measures have been announced (for school discipline, against private tutoring, towards expanded construction of private language schools), but many of these measures are not expected to have a significant impact on the key problems in the system outlined above. In addition, several plans for overhaul of textbooks have been announced, but it remains to be seen whether they would have a significant positive impact on textbook content; or perhaps develop into real ‘curriculum reforms’, which must include fundamental changes to methods of assessment and instruction. Privatization and a continued bias in spending and new projects that benefit the middle classes are a key area of continuity with Mubarak era policies. Under Mubarak, this only resulted in rising inequality and very poor quality across the system. The project for a ‘new education system’ announced by PACESR might of course represent a significant change, but little information is available about it so far. However, available indicators point to a general policy direction of further privatization and little attention to poor quality in the foundational stages and their extension in low quality technical education, where about half of secondary school students enroll. On the other hand, teachers, parents and students have

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35 Sami Khalifa, “السياسي يجتمع بأعضاء المجلس التخصصي للتعليم والبحث العلمي”, *Al Arabya*, March 2016, available at [www.alarabyanews.com/184782](http://www.alarabyanews.com/184782)

effectively mobilized for policy changes over the past few years. Several small organizations have published policy relevant research and mobilized around key issues of reform, although their work remains limited and disconnected, given the massive scale of the system and its problems. The educational field remains vibrant however, and there is hope that a coherent reform movement may develop out of the efforts of these different forces.

# Reform, Resist, Recreate: The Role of Civil Society in Education in Egypt

Nayera Abdel Rahman

*“... it is important to realize that education is a part of society. It is not something alien, something that stands outside. Indeed, it is a key set of institutions and a key set of social, economic, political, and personal relations.”<sup>1</sup>*

Education cannot be the mandate of only one institution; this must be recognized as the point of departure for successful education policy. The 1952 military coup/revolution in Egypt saw the monopolization and centralization of education policy in the Ministry of Education (MoE).<sup>2</sup> This trend was reinforced in the education law 139 of 1981, which regulates this centralization: around half of its articles grant exclusive authority to the MoE and the minister, from the devising of policies to the assigning of teachers and dates of the academic year.<sup>3</sup> Yet, the role of Egyptian civil society in education has a long history, starting before the establishment of the “modern” educational system by Mohamed Ali Pasha in the beginning of the 19th century.<sup>4</sup> This role varies from the Kuttab in villages to the establishment of Cairo University by the contributions of individuals.<sup>5</sup> And since the 1980s, the Egyptian education system has been facing a variety of structural challenges that have allowed civil society to play a renewed role. Faced with an educational system that could not fulfill the right to education, as defined by Article 13 of the International Covenant on Economic, Social, and Cultural Rights, the MoE could not maintain its monopoly and civil society organizations, especially NGOs (both national and international), were able to intervene.<sup>6</sup>

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1 Michael W. Apple, “Reframing the Question of Whether Education Can Change Society”, *Educational Theory*, 65, 2015, pp. 299–315.

2 Nayera Abdel Rahman, *L’action Associative en faveur de l’éducation en Egypte entre 2000 et 2001*. MA Thesis, Paris: Université Paris 1 Panthéon-Sorbonne, 2013, pp.25-27, available at [dumas.ccsd.cnrs.fr/dumas-01425347v1](https://dumas.ccsd.cnrs.fr/dumas-01425347v1)

3 Nayera Abdel Rahman S., *Reality and Challenges of Education in Egypt. Process of Curriculum Making in Egypt in Comparison with International Experiences*, Cairo: Arab Forum for Alternatives and Swedish Institute of Alexandria, 2015, p. 34.

4 Sarah Hartmann, “The Informal Market of Education in Egypt- Private Tutoring and its Implications.” Institut für Ethnologie und Afrikastudien, Johannes Gutenberg-Universität, *The Working Papers* 88, 2008, p. 14.

5 Donald Malcolm Reid, *Cairo University and the Making of Modern Egypt*, Cambridge: Cambridge University Press, 1990, pp. 6-7.

6 Fawziah Abdelrahman, *Realizing the Right to Education: An Assessment of Primary Education in Relation to International Standards*, MA Thesis, Cairo: American University in Cairo, 2012. See also Nayera Abdel Rahman S., 2015.

This intervention, which reached its peak in the 1990s, is justified firstly by the government’s need to fill gaps in the provision of social services (health, education, and housing), especially following various structural adjustment programmes.<sup>7</sup> In addition, civil society’s action in the education sector was a response to external pressures to “promote” the retreat of the state from the guarantee of certain services. This was primarily observed in the Jomtien Conference in 2000, where the role of non-governmental actors in education was emphasized.<sup>8</sup> Finally, this intervention in the education sector benefitted from the broader context of increased civil society development, especially charitable and advocacy NGOs, which has blossomed since the 1990s as a space of civic participation in a context of closed political arena.<sup>9</sup>

In this vein, education was considered one of the main activities of NGOs in Egypt in the 1990s. The total number of associations in Egypt is not clear, nor is such information published;<sup>10</sup> as such, there is no clear indicator of the number of associations involved in education nor is it easy to estimate the size of their contribution. However, according to a document issued in 2013 by the Committee of Associations within the MoE,<sup>11</sup> the scope of education projects implemented by national and international NGOs in the period of 1999-2009 and 2011-2012 was:

Years	Number of Projects	Number of NGOs	Total Funds (in Egyptian Pounds)	Number of Beneficiaries	Number of Schools
1999-2009	1879	864	213,725,654	3,214,554	614
2011-2012	72	66	31,305,441	9,165,480	3,426

Table 1 Educational Projects by NGOs accredited by MOE between 1999-2009 and between 2011-2012

This article aims to map the different kinds of contributions to education by civil society, where civil society is considered not separate from the state and society but a product and a part of the interactions between these entities and within them.<sup>12</sup> The main actors of Egyptian civil society in education are NGOs thanks to their sheer number; however, they

7 Eberhard Kienle, *A Grand Delusion: Democracy and Economic Reform in Egypt*, London: I.B. Tauris, 2001, pp. 3. See also Asaf Bayat, “Activism and Social Development in the Middle East”, *International Journal of Middle East Studies* 34(1), p. 16.

8 Nadia Lamarkbi and Elsa Lafaye de Micheaux, “L’ouverture de l’éducation primaire rurale aux ONG”, *Mondes en développement* 134(2), 2006, p. 81.

9 Michel Camau, “Sociétés civiles « réelles » et téléologie de la démocratisation”, *Revue internationale de politique comparée* 9(2), 2002, pp. 213-232.

10 According to the Ministry of Social Solidarity’s website, there are 27,998 associations. According to CAMPAS, there are 2,967 NGOs in 2014. However, The International Center for Not-for-Profit Law (ICNL) states that there exist 40, 000 associations according to the Ministry of Social Solidarity.

11 During an interview with the head of the Committee of Associations in 2013 (Committee of Community Participation since 2014), the researcher obtained access to documents stating the achievements of the committee and showing the numbers presented in Table 1.

12 Maha M. Abdelrahman, *Civil Society Exposed: The Politics of NGOs in Egypt*, London: Tauris Academic Studies, 2004.

also include unions of teachers and students, movements created by parents, researchers, and individuals. The study aims to analyze the conditions and environments which “inspire and give birth to these organizations”;<sup>13</sup> will assess the contributions of civil society within the socio-political context of post-2011 Egypt, and will take stock of the laws organizing their work. Included within this is an analysis of the potential power relations between these civil society actors and the state. Empirical evidence was gathered from newspaper articles and reports concerning the contributions of civil society, especially of teachers unions, student unions, and movements of parents. In addition, the study is based on semi-structured interviews conducted in two different time periods: 21 interviews with founders and directors of a representative sample of 15 NGOs and two initiatives working in education were conducted between April-May 2013;<sup>14</sup> and six interviews with founders and directors of five NGOs and one initiative, as well as an interview with a researcher, were conducted between December 2016 – March 2017.<sup>15</sup>

## Mapping Civil Society in Education – A Theory of Transformation

Civil society actors aim to make a certain change in education, which varies according to the type of actor and its mandate. To analyze their contribution in light of the particular context in Egypt - which includes some of the most restrictive laws and decrees on association in the world - this paper proposes to combine two classifications.<sup>16</sup> The first is adopted by Abdelrahman, classifying NGOs according to their activities in relation to the formal education system, so they are either Complementary NGOs, Advocacy NGOs, Parallel NGOs, or Alternative NGOs.<sup>17</sup> The second classification, used by Makar,<sup>18</sup> is based on a theory of transformation.<sup>19</sup> It analyzes the actions of the civil society actors in relation to the change they aim to make in the education system: reform, resist, re-create, and re-imagine.

### **Reform – Complementary NGOs**

Referring back to Table 1, all projects operate within the rules of the system to improve the conditions of students, teachers, parents, and the learning environment. They “complement”

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13 Maha M. Abdelrahman, 2004, p. 202.

14 A detailed description of the methodology, the different types and names of NGOs, and the reasons for their selection are explained in Nayera Abdel Rahman S., 2013, pp. 18-23.

15 Three NGOs interviewed in 2013 were re-interviewed in the second round to update the information on their activities and relationship with authorities between 2013-2016. This research will keep all data of interviewees and associations anonymous for their safety.

16 International Center for Not-For-Profit Law (ICNL), *Civic Freedom Monitor: Egypt*, 02 December 2016, available at [www.icnl.org/research/monitor/egypt.html#intro](http://www.icnl.org/research/monitor/egypt.html#intro)

17 Nayera Abdel Rahman S., 2013.

18 Farida Makar, *The Right to Education Context Analysis*, Cairo: Egyptian Initiative for Personal Rights, 2014.

19 Spirit in Action (SIA), *Our Approach: Theory of Transformation*, 2010, available at [www.spiritinaction.net/about-us/our-approach/](http://www.spiritinaction.net/about-us/our-approach/)

the role of the MoE, filling the gaps of the formal education system. Understanding what the MoE expects from NGOs is important because they cannot operate any educational project within public schools without its permission. The decision of accepting or refusing a project is not based on the decision of the Department of Community Participation (DCP) but on the Central Administration of Security of the MoE. This “security” approval does not have a specific time-frame, a situation that can affect the projects and their funding<sup>20</sup>. This is in addition to procedures the NGO must go through with the Ministry of Social Solidarity (MSS), especially to acquire funding.<sup>21</sup>

According to the MoE Strategy 2014-2030, the vision of the ministry, and declarations by different officials, projects to construct or renovate schools, found community schools, and/or provide utilities to schools are the most recommended.<sup>22</sup> Furthermore, Article 25 of the Constitution recognizes the high rate of illiteracy in Egypt and states that the State should plan to combat this in cooperation with civil society organizations.

Complementary NGOs vary in orientation, size, and target groups though most operate in disadvantaged areas of governorates. They can be further categorized into religious NGOs<sup>23</sup> and secular ones.

Despite their number, diversity, and contribution to education, these NGOs do not aim to directly challenge the policies of the MoE,<sup>24</sup> and most of them do not work with different pedagogies than those accredited by the MoE<sup>25</sup>. Their members adopt different strategies to go around rigid bureaucratic rules but do not push to change them. “Even in 2011, the peak of freedom where they had the chance to change the law of associations, they did not.”<sup>26</sup> As such, more research is needed for the evaluation of the contribution of these NGOs in “reforming” education. Are they committing to the change they declare to seek, or are they helping maintain the status-quo? For instance, community schools are always framed as one of the “successful” projects of this category; however, at least one study research evaluating community schools in three villages in Upper Egypt demonstrated numerous deficiencies.<sup>27</sup> More research is also needed for us to understand the power dynamics between the different types of NGOs and their relation to the MoE. In this regard, a comparison is needed between national and international NGOs and between local NGOs in getting permissions

20 Magdi Asham, interview, 26 April 2013.

21 ICNL, *Civic Freedom Monitor: Egypt*.

22 Ministry of Education (MOE), *Strategy For Basic Education 2014-2030*, Cairo: Ministry of Education, 2014a, pp.65-66, 82. See also Abdallah Al Azzazy, “NGOs Participate in Renovating Schools and Supporting Them with Utilities, Training and Professional Development”, *EgyMoe*, 04 May 2015, available at [www.egymoe.com/9852/](http://www.egymoe.com/9852/)

23 Religious NGOs are those associated to religious groups such as the Jesuits or the Muslim Brotherhood. It should be noted, however, that religious NGOs do not limit their targets to their own religious group.

24 M.F., interview, 22 December 2016.

25 Some of these NGOs, especially those founding community schools or private schools, try to add extracurricular programmes or activities but are still considered as a minority and under the supervision of MoE. They are not proposing new pedagogy.

26 Nayera Abdel Rahman S., 2013, pp. 81-90.

27 Ray Langsten, “The Experience of CARE’s Multi-Grade Schools in Three Upper-Egypt Villages”, in *A Second Chance*, ed. K. Kassab, & F. Michael, Cairo: CARE International, 2015, p. 45.

and accreditation from the different ministries.

### ***Resist – Advocacy NGOs and Unions***

Resist is defined as the strategy that “analyzes and challenges ... current political and social institutions by contesting their legitimacy and by directly confronting how they perpetuate inequity.”<sup>28</sup> This strategy is adopted by actors who work “on” the current system not “within” it: they aim to change its rules. Two main actors are playing this role in education in Egypt: advocacy NGOs and unions, or, to be more accurate, independent unions of teachers and school student unions. During the 2011 revolution, non-institutionalized actors joined this category, such as the Facebook page of ChaoMing and parents’ Facebook groups.

Currently, there are about three organizations advocating for education policy change, all located in Cairo.<sup>29</sup> They monitor governmental policies in terms of the State’s obligations toward international human rights agreements,<sup>30</sup> and are interested in different topics such as reviewing the law of education, the share of education in governmental budgets, the status of teachers, violations of student rights, and the growing privatization of education.<sup>31</sup> Their main activities are research, publishing reports, and the organizing of seminars and workshops, though they also go to court in some cases.<sup>32</sup> Their aim is to change the policies of the MoE; however, their effectiveness is questionable. They are small, located only in Cairo, and currently have serious problems in acquiring funds. Since 2013, “virtually the entire leadership of the Egyptian human rights community has been targeted with travel bans, asset freezes, and/or summons for informal questioning and arrests.”<sup>33</sup> These NGOs and especially their leaders are directly impacted by this government crackdown. Moreover, the anticipated law of associations will be more restrictive than that of 2002: it will not only affect human rights organizations but all organizations including possibly the “complementary NGOs” which do not challenge authorities.<sup>34</sup>

In addition to these NGOs, several unions have also been resisting the formal education

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28 SIA, 2010.

29 The Egyptian Institute for the Right to Education (EIRE) founded in 2005, an education programme launched in 2012 within the Egyptian Center for Economic and Social Rights (ECESR), and the Association for Freedom of Expression and of Thought founded in 2006 which is concerned with higher education issues and students’ rights. Between 2012-2014, there was an education programme within the Egyptian Initiative for Personal Rights but it was stopped as part of a process of downsizing the organization.

30 One of the main agreements is the International Covenant on Economic, Social, and Cultural Rights.

31 Nayera Abdel Rahman S., 2013, pp. 93-97. See also ECESR, *ECESR Issues Second Publication of Education Month*, 2014, available at [www.ecesr.org/en/category/programs/socialrights/education-en/](http://www.ecesr.org/en/category/programs/socialrights/education-en/)

32 T.G., interview, 24 March 2017.

33 Amy Austin Holmes, “The Attack on Civil Society Outside Cairo”, *Carnegie Endowment for International Peace*, 26 January 2017, available at [www.goo.gl/Id1BMZ](http://www.goo.gl/Id1BMZ)

34 Amy Austin Holmes, “The Attack on Civil Society Outside Cairo”; ICNL, 2016. See also Lina Attalah, “While a Bad Year for Civil Society, All Vow to Find Ways to Continue”, *Mada Masr*, 26 December 2016, available at [www.madamasr.com/en/2016/12/26/feature/politics/while-a-bad-year-for-civil-society-all-vow-to-find-ways-to-continue/](http://www.madamasr.com/en/2016/12/26/feature/politics/while-a-bad-year-for-civil-society-all-vow-to-find-ways-to-continue/) and Mohamed Hamama, “Parliament Approves Secretly Drafted NGO Law”, *Mada Masr*, 16 November 2016, available at [www.madamasr.com/en/2016/11/16/feature/politics/parliament-approves-secretly-drafted-ngo-law/](http://www.madamasr.com/en/2016/11/16/feature/politics/parliament-approves-secretly-drafted-ngo-law/)



system. The Union of School Students Egypt (USSE), which has existed since the 1960s and as of 2015-2016 included 189 members, seeks to communicate the position of students and push for a reform of the education system. In October 2015, it called for a protest against a new policy conditioning 10 percent of grades on attendance and behaviour,<sup>35</sup> and in June 2016 organized mentor committees in response to the online leaking of high school exams<sup>36</sup> and participated in protests in downtown Cairo when the MoE decided to cancel some of the exams.<sup>37</sup> Likewise, although it was invited to the Social Dialogue Forum, which was organized by the MoE,<sup>38</sup> USSE decided to withdraw after the first day because its members did not have the chance to express their opinions, publishing their reasoning on their Facebook page.<sup>39</sup> Nonetheless, USSE's mobilization remains ad hoc: they mobilize if a policy is directly threatening their educational performance only. This restricted scope of action can be partially explained by the repressive political context in Egypt, but also by the fact that the education system does not provide space for organization and mobilization.

Similarly, the Independent School Teachers Union (ISTU) and the Egyptian Teachers Federation have also attempted to challenge both the policies of the MoE as well as the co-optation of teachers into the ministry's purview. Both groups emerged out of frustration with the official Teachers Union and its close coordination with the MoE. Considered to be the largest professional syndicate of the 24 existing in Egypt, with almost 1.2 million registered teachers,<sup>40</sup> the Teachers Union has been an ally of the MoE since 1956.<sup>41</sup> The Independent School Teachers Union (ISTU) was founded in 2010, considered "the latest episode of a teachers' protest movement that first began in 2007, triggered by the amendment of Egypt's education law,"<sup>42</sup> while the Egyptian Teachers Federation was founded in 2011.<sup>43</sup> These groups' claims include a minimum wage of EGP 1,200, the improvement of working conditions in public schools, and the amendment of Egypt's education law. Accompanying these independent unions has been a national teachers' strike in September 2011, the first since 1956. "Estimating the number of striking teachers is extremely difficult. The Ministry of Education claims that only 1,400 schools, or 4.3 percent of the total, were affected by the

35 Mada Masr, "High School Students Protest New Grading Policy", 11 October 2015, available at [www.madamasr.com/en/2015/10/11/news/u/high-school-students-protest-new-grading-policy/](http://www.madamasr.com/en/2015/10/11/news/u/high-school-students-protest-new-grading-policy/)

36 Union of School Students Egypt (USSE) Facebook page, 22 November 2016, available at [www.facebook.com/EstudentU/posts/896649640472338](https://www.facebook.com/EstudentU/posts/896649640472338)

37 Habiba Effat, "Students across Egypt Protest Postponement of Thanaweya Amma Exams", *Mada Masr*, 27 June 2016, available at [www.madamasr.com/en/2016/06/27/news/u/students-across-egypt-protest-postponement-of-thanaweya-amma-exams/](http://www.madamasr.com/en/2016/06/27/news/u/students-across-egypt-protest-postponement-of-thanaweya-amma-exams/)

38 An outpouring of the National Youth Conference held in Sharm El Sheikh in October 2016, organized by the presidency.

39 USSE Facebook page, 22 November 2016.

40 Noha El Hennawy, "School Teachers form Egypt's 2nd Independent Union", *Egypt Independent*, 20 July 2010, available at [www.egyptindependent.com/news/school-teachers-form-egypts-2nd-independent-union](http://www.egyptindependent.com/news/school-teachers-form-egypts-2nd-independent-union)

41 Ain El Hayat Zaher, "The Independent Teachers' Movement in Egypt. Between Co-optation and Emancipation 2007-2014", paper presented at the international conference *Networks of Dependencies: Re-configurations of clientelism, patronage, and corruption in the Middle East and North Africa*, 21-22 July 2015, Philipps-University Marburg, Germany.

42 Noha El Hennawy, "School Teachers form Egypt's 2nd Independent Union".

43 Ain El Hayat Zaher, "The Independent Teachers' Movement in Egypt. Between Co-optation and Emancipation 2007-2014".

strike, but reports in the independent media suggested a far wider impact, with possibly half of Egyptian schools shut down.”<sup>44</sup> Since then, there are annual calls for teachers to protest on September 10th, Teacher’s Day, though the number of participants decreases each year.<sup>45</sup>

Beyond these more traditional organizational structures, the repressive context and closed door for advocacy for policy change has pushed the emergence of new actors adopting highly innovative strategies. A prime example of this is the 2012 “ChaoMing” Facebook page,<sup>46</sup> created anonymously with the objective of leaking information regarding high school exams but also challenging the education system more broadly. “The idea of ChaoMing is not only about leaking exams but... to improve the educational system.”<sup>47</sup> ChaoMing’s actions continued despite increasing pressure from the government to curb such activity. Indeed, even after the passing of a law in October 2015 imposing prison sentences and fines on anyone leaking exams,<sup>48</sup> ChaoMing continued outing exam questions and answers in June 2016, contributing to the student protests of that year.<sup>49</sup> In addition, in May 2015, a group of parents created the Facebook group Rebellion on Curricula, which reached over 26,000 members in March 2017. A similar group was also created in 2015 or 2016, Revolution of Egyptian Mothers against Curriculum (REMAC), which has over 54,000 members. Both groups are active and involve forums for discussion about curriculum problems, poor study conditions, and ministerial policies. They also try to reach out to the MoE, the media, and any other relevant venues to make their demands heard. The representative of REMAC was even invited to the Social Dialogue Forum, although they withdrew as the USSE, citing the inability to express their opinions.<sup>50</sup> These two groups have demonstrated that the traditional institutionalized routes are no longer the only means to “resist” education policies in Egypt: their strategies give these actors more space to operate, to articulate their demands, and to be heard. Indeed, in March 2017, REMAC managed to obtain the approval of the MoE to exclude material from midterm exams on final exams.<sup>51</sup> However, more research is still necessary to assess the different degrees of effectiveness of these different types of actors.

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44 Anne Alexander, “Egyptian Workers’ Movement and the 25 January Revolution”, *International Socialism* 133, 09 January 2012.

45 Ain El Hayat Zaher, “The Independent Teachers’ Movement in Egypt. Between Co-optation and Emancipation 2007-2014”. See also Taha Sakr, “Teachers Demonstrate for Improvement in ‘Living Conditions’”, *Daily News Egypt*, 21 September 2016, available at [www.dailynewsegypt.com/2016/09/21/550295/](http://www.dailynewsegypt.com/2016/09/21/550295/)

46 [www.facebook.com/pg/FakessFash5/videos/?ref=page\\_internal](http://www.facebook.com/pg/FakessFash5/videos/?ref=page_internal)

47 On 28 June 2016, the ChaoMing Facebook page posted a video explaining the reason behind leaking exams and stating its main claims, which are: provide teachers their full financial, social; and cultural rights; end the class-based classification of universities; cancel the current system for accessing higher education; reform and update the curriculum; and introduce the use of new technologies in education.

48 Dalia Rabie, “The Thanaweya Amma Exams Conundrum”, *Mada Masr*, 23 June 2016, available at [www.madamasr.com/en/2016/06/23/feature/society/the-thanaweya-amma-exams-conundrum/](http://www.madamasr.com/en/2016/06/23/feature/society/the-thanaweya-amma-exams-conundrum/)

49 Different news outlets announced the arrest of ChaoMing, but the page is still operating and is announcing more leaked exams in 2017 as none of its demands for education reform were implemented.

50 Mai Shams El Din, “‘School Students’ and Parents: Community Dialogue for ‘Education’ was Limited to List the Achievements of the Minister”, *Mada Masr*, 22 November 2016a, available at [goo.gl/2wKcdt](http://goo.gl/2wKcdt)

51 Sada Balad, “Revolution of Egyptian Mothers: We Thank the Minister for His Decision about Midterm”, *Sada Balad*, 08 March 2017, available at [www.elbalad.news/2659872](http://www.elbalad.news/2659872)

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### ***Re-Create – Parallel/Alternative Associations and Initiatives***

Due to the deterioration of the formal education system, starting in the 2000s, many associations, initiatives and, more recently, businesses were created offering “parallel” education. Their aim is not to reform or to change the rules of the existing system but to offer a “better” education: they adopt child-centred pedagogies, grouped around what is called “alternative education” methods: education through art, Montessori, self-directed education, character development, skills workshops, etc. Most are based in Cairo though some do operate in other governorates.<sup>52</sup> This movement is difficult to categorize and analyze because it is recent, dispersed, and based on the personal initiatives from the founders of these associations. They take different forms of organization - NGOs, businesses, initiatives, and online/physical social groups – and put forth different degrees of collaboration with the formal education system. While some offer educational activities parallel to the formal school system, in the form of after-school workshops or sessions, others aim to serve as an alternative to traditional schools. Since formal education is designed in a way that makes it difficult to avoid,<sup>53</sup> the parallel initiatives are forced to deal with existing school system in one way or another. Children are registered in formal schools, and their parents participate in creating community schools and even private or international schools in some cases.

The education system in Egypt still offers radically different experiences based on social class. Public schools are mostly for children whose parents cannot afford private or international schools<sup>54</sup> Private institutions, for their part, offer “better” education environments: classes are not overwhelmed and students are not exposed to abuse.<sup>55</sup> This classist division renders public education worse but also makes the “creative” solutions more accessible for people who have the financial means. This effect of class thus effects how non-governmental actors interact with the education sector; as such, a more nuanced categorization is needed for understanding the efforts of civil society in “re-creating” education in Egypt.

For disadvantaged students, a limited number of NGOs have adopted these alternative pedagogies in specific communities to provide improved access to education. They either offer after-school programmes or create community schools. Each option has negative and positive aspects, but both aim to give children the space to discover their skills and capabilities. They also engage members of the communities in their activities, so parents are involved, some of the facilitators/teachers are from the community, and children who have

52 Nayera Abdel Rahman S., “Concept and Problematic of Alternative Education in Arab World”, paper presented at the conference *Towards a Feminist Vision of Social Justice*, Forum of Woman Development and Friedrich Ebert Stiftung, Cairo, Egypt, 4-6 December 2014.

53 M.N, interview, 22 December 2016.

54 Mai Shams El Din, “Will the Private Sector Save Egypt’s Education Plea?”, *Mada Masr*, 02 November 2016b, available at [www.madamasr.com/en/2016/11/02/feature/politics/will-the-private-sector-save-egypts-education-plea/](http://www.madamasr.com/en/2016/11/02/feature/politics/will-the-private-sector-save-egypts-education-plea/) See also Hania Sobhy, “The De-Facto Privatization of Secondary Education in Egypt: A Study of Private Tutoring in Technical and General Schools”, *Compare: A Journal Of Comparative And International Education*, 42(1), 2012 and Farida Makar, *The Right to Education Context Analysis*.

55 Mai Shams El Din, “The Burden of Education”, *Mada Masr*, 10 November 2014a, available at [www.madamasr.com/en/2014/11/10/feature/society/the-burden-of-education/](http://www.madamasr.com/en/2014/11/10/feature/society/the-burden-of-education/) and Mai Shams El Din, “The Terrifying Realities in Egypt’s Public Schools”, *Mada Masr*, 15 December 2014b, available at [www.madamasr.com/en/2014/12/15/feature/society/the-terrifying-realities-in-egypts-public-schools/](http://www.madamasr.com/en/2014/12/15/feature/society/the-terrifying-realities-in-egypts-public-schools/)

benefited from the NGO end up in leading roles. However, these civil society actions are still limited to specific communities. An initiative to scale-up such programmes, via training in pedagogies and works inside public schools, is underway through a protocol signed between one big NGO and the MoE.<sup>56</sup>

For middle and upper middle class students, whose parents were mostly exposed to different kinds of education systems but are not satisfied with the quality offered in private and international schools, there is a growing movement of creating social enterprises. This model, which coincides with the larger trend of entrepreneurship in Egypt but also reflects the recent restrictions on the work of NGOs,<sup>57</sup> offers learning spaces, trainings, and/or workshops on specific skills and/or following specific pedagogy.<sup>58</sup> The aim is not to help students succeed in the exams of the formal education system but to develop their skills and personality. In addition, for middle and upper class families, home schooling is exponentially growing. More and more parents decide to pull their children out of school and offer them education themselves either by following a prescribed curriculum or creating a personalized learning experience.<sup>59</sup> They create online platforms to share resources and tools and also create physical groups to foster peer learning; some even take the form of a learning centre. Such initiatives are the main beneficiaries of social enterprises.<sup>60</sup> Online platforms are also created by NGOs, businesses, and sometimes groups of parents to share resources and videos following creative pedagogies. However, TA, an NGO created in 2011 and one of the creators of one of these platforms in Egypt, was forced to stop its activities in 2014 due to financial issues and because of restrictions placed on NGOs.<sup>61</sup> Home schooling, moreover, is not allowed in Egypt. As a result, children remain registered in schools inside or outside Egypt, according to their financial means, and sit for state exams in order to receive their certificates.<sup>62</sup> In addition, founding private schools requires investments and experience in managing the labyrinth of procedures and agreements. One of the co-founders of TA managed to cooperate with an investor and founded an international school trying to offer a creative and more participatory education system to the students. It started to operate in 2015 but is still in an experimental phase.<sup>63</sup>

This trend of “re-creating” is still a luxury for most students in Egypt, where the majority do not even know how to read and write. These are limited efforts that depend on the personal initiative of people who are exposed to new international pedagogies and who refuse what is offered in Egypt. The only way to make alternative education initiatives more accessible

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56 H.Y., interview, 18 January 2017.

57 M.N., interview, 22 December 2016.

58 Pedagogy such as self-directed learning, which consists of letting the learner choose what he/she wants to learn and how, and to design his/her own learning experience.

59 Farida Makar, *The Right to Education Context Analysis*. See also Hadeed El Mehdawy, “Is Homeschooling an Alternative to Formal Education in Egypt?”, *Mada Masr*, 13 October 2016, available at [www.madamasr.com/en/2016/10/13/feature/society/is-homeschooling-an-alternative-to-formal-education-in-egypt/](http://www.madamasr.com/en/2016/10/13/feature/society/is-homeschooling-an-alternative-to-formal-education-in-egypt/)

60 M.N., interview, 22 December 2016.

61 Z.S., interview, 25 December 2016.

62 Hadeed El Mehdawy, “Is Homeschooling an Alternative to Formal Education in Egypt?”.

63 Z.S., interview, 25 December 2016.

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to disadvantaged areas is networking: creating a safe space for these NGOs/initiatives to present their pedagogy and activities, and to work with other actors already having access to disadvantaged areas to implement their pedagogies. However, this also depends on many factors: willingness to share experiences, a safe environment for collaboration, flexibility to change strategies, and availability of financial resources. These actors do not aim to change the overall system, though, because they believe that it is too obsolete and that they “are in a totally different position too far away of what is happening in Egypt.”<sup>64</sup> Some believe (or dream) that if the political environment could change one day, their experiences might influence the new policies of public education. “But now all what we aim at is that they let us work without bothering us.”<sup>65</sup> Most of these associations and initiatives are “invisible” to the MoE as they do not directly approach public schools. And for those facing problems with the authorities, the issue is not that they are offering creative and different pedagogies from that of the formal education system but reflects the overall restrictions on civil society in Egypt today.

## Conclusion

Efforts of civil society in education in Egypt are numerous and diverse but also dispersed. Each actor tries to effect change using a specific approach that mirrors both its vision and resources. Yet there is no solid coordination between different actors; minor initiatives that network between civil society groups exist,<sup>66</sup> but there is no effort at implementing structural changes in policy itself. Nonetheless, networking and communicating is a way to empower themselves in spite of existing constraints. By networking, civil society actors won’t just be exposed to different pedagogies, methodologies, and experiences to deal with education challenges but could also create a mutual support system - something needed in the current political context. The existing initiatives, however, don’t have the financial and technical support to design sustainable and profitable networking efforts.

Despite the legally regulated existence of a Council for Pre-University Education in 2014, a Specialized Council for Education and Scientific Research, under the authority of the Presidency, was founded with the mandate of participating education policy planning for the next 20 years. It organized different seminars in hotels and universities, and invited educators from other countries as well as some representatives of civil society. However, decisions have yet to be implemented,<sup>67</sup> and the mandate of this board is not binding for the MoE. These councils/committees could be effective only if they are independent, representative, and their decisions are taken into consideration. These factors are not currently present in Egypt: the councils are directly related to the MoE or presidency, they don’t represent the different stakeholders of education in Egypt, and most importantly their decisions are not

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64 G.H., interview, 24 December 2016.

65 G.H., interview, 24 December 2016.

66 Education Square is an initiative created in 2013 to create an online and offline platform for education NGOs and initiative mainly through events. Also, there is a Facebook group named The Educationalists created in 2012 to group all researchers and practitioners of education in Egypt to network and share their research and readings.

67 Researcher attended a conference organized by the board on 16 January 2016.

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binding.

Education in Egypt does not need more councils or committees but needs to be re-imagined, not just reformed, resisted or recreated: it needs clear political will, a democratic participatory planning process, research that addresses the needs and resources in such a large and diverse country as Egypt, a re-conceptualization of the system to fit the needs of the population, openness to change, and a budget to fund this. Civil society, broadly understood not just as NGOs but also enterprises, individuals, and online initiatives, has a clear role to play in meeting these needs.

# When Civil Society Sets the Social and Economic Agenda

*Sarah Anne Rennick and Nafissa El Souri*

Since 2011, Moroccan civil society actors have experienced an important political opening that has allowed them to play a much more direct and influential role in the process of policy-making. The National Dialogue that has taken place between the government and civil society in the writing of different pieces of legislation represents a demonstrable step towards increased participation and legitimacy conferred to social actors. Yet at the same time, this process has not been without its controversy and drawbacks: as those participating in the Parallel Dialogues state, the inclusion of civil society in policy-making is perhaps less an attempt at participatory democracy than the redrawing of the red lines in which civil society's action is constrained. Both experiences – National Dialogue with the government and Parallel Dialogue as an oppositional bloc – have provided Moroccan activists with a breadth of experience not only in the policy-making process but also in the building of coalitions and consensus on policy itself. And beyond the particular framework of policy-making, Moroccan civil society actors have benefited from this post-2011 political opportunity to strengthen their ability to set the public agenda and increase their capacities in both lobbying and development. While civil society actors in Egypt do not currently face a political context favorable to their actions, nor do they possess the margins of manoeuvre to influence policy, they nonetheless strive to remain active and to find alternative modes of engagement that will allow them to fulfill their missions. Thus although a replication of the Moroccan experiences of National and Parallel dialogues are not currently conceivable, there are still lessons for actionable strategies that can be gleaned from the Moroccan experience and applied in Egypt, and indeed farther afield.

To achieve the meaningful transfer of knowledge and develop a series of recommendations adapted to the Egyptian context, ARI organized a policy dialogue between Moroccan activists and academics and their Egyptian counterparts in the fields of housing and education on 11-12 May 2017 in Rabat, Morocco. The policy dialogue represents one of ARI's flagship action-research methodologies. Policy dialogues go beyond standard workshops, seeking to do more than simply present research results. Rather, policy dialogues serve as safe spaces where actors not only are able to speak openly but where tangible recommendations for action are debated and agreed upon. Policy dialogues represent forums of exchange for stakeholders, who not only assess their context from both the academic as well as situated point of view but who also are encouraged to reflexively consider their own possibilities for action in order to achieve real change. ARI's role in these policy dialogues is to facilitate the exchanges by framing and re-framing the discussion in a manner that promotes the definition

of action agendas. In this manner, the policy dialogue between Moroccan and Egyptian activists and academics in the housing and education sectors represented the culmination of twelve months of research, involving the production of a series of recommendations for Egyptian civil society actors that stem directly from this exchange of experiences.

## **The Multiplicity of Approaches**

Over the course of eight presentations, the differences between the two countries in terms of the characteristics of the housing and education sectors as well as the actions of civil society actors therein were brought forth, revealing the multiplicity of approaches that activists have undertaken in order to pressure government and improve the lives of target populations. Comparing housing policies, both Morocco and Egypt share a number of lacunae, notably with regards to the corruption in the sector and the lack of an adequate development agenda for the poorest. One interesting point raised during the policy dialogue involved the issue of marginalization in rural areas: housing policy in both countries has tended to focus on urban centers and peripheral zones, but rural populations have been somewhat excluded from government agendas. Enhancing decentralization and the role of local authorities in planning would prove useful for developing policy solutions adapted to rural populations. In addition, in both countries, housing policy cannot simply be limited to physical structures of lodging but must take a holistic approach, taking into account communications, transportation, and other services and facilities. Civil society actors, in this case, are well placed to propose laws and solutions that lie outside the framework of traditional state practices, such as for example eco-friendly housing or indeed re-orienting the housing budget in a manner that does not focus exclusively on building new housing units. In both countries, participants agreed that citizens should be treated as partners and that social research is a necessary component for effective housing policy development.

Yet despite these similarities, civil society actors in the housing sector have adopted quite different sets of actions as a result of the different structure of political opportunities in Morocco and Egypt. One critical difference is the type of action they undertake: whereas Moroccan actors have focused on advocacy, using tools such as protests in order to shape the public agenda, Egyptian actors have moved away from interaction with the government and have focused on studies/data collection and, where possible, highly local development action. In other words, Moroccan actors in the housing sector have proven capable of exerting pressure on the government in order to encourage top-down action, while Egyptian actors have taken low-profile approaches and focused on bottom-up initiatives of community-based development. In Morocco, activism in the housing sector has grown as a specialization within the realm of human rights, allowing housing to be discursively linked to rights-based activism and thus susceptible to public campaigns. Moroccan housing activists have also managed to establish links to international networks and alliances, providing them with a broader amount of material and immaterial resources upon which to draw. Given the open political context in Morocco, civil society actors participating in the policy dialogue discussed the possibility of a process of national debate over various aspects of housing policy as well as the need to change public discourse with regards to slums and informal housing in order



to promote more inclusive, as opposed to destructive, policies. In contrast, the Egyptian actors at the policy dialogue pointed out the need to build constituencies at the local level by encouraging community participation in order to have real impact. Indeed, as they argued, awareness-raising among local citizens could perhaps lead to changes at the municipal level by pushing citizens to act as pressure points on local officials.

With regards to the education sectors, both countries face situations in which access to education is free and yet incurs on families numerous extraneous costs. The poor quality of public education has pushed the middle and upper classes to search for alternatives, ranging from private schools to the hiring of tutors or enrollment of youth in supplemental classes. Private enterprises have taken advantage of the gaps in the formal system to corner segments of the market, earning important profits without the burden of regulation, while also alleviating pressure on the government to fill these gaps. This has created a situation in which numerous different actors compete within the field of education, dividing the sector and allowing simultaneously for the increase in corruption and profit-seeking and the decrease in standards and satisfactory results. Education has thus become structurally linked to class and a systemic element in multi-generational poverty. This also has consequences on the economy: as one participant pointed out, a rise in the proportion of those involved in secondary education leads to an increase in the gross output of the country and the health of the national economy.

Like with the housing sector, civil society initiatives in Morocco and Egypt and their relationship to policy-making develop largely within the contours of the political opportunity structure. In Morocco, civil society in the education sector has previously undertaken coalition-building efforts in order to create new networks for action and establish consensus on policy reform. In March 2014, for example, the Moroccan Coalition for Education for All (MCEFA) and the Forum of Alternatives Morocco (FMAS) organized a meeting with 30 representatives from civil society in the education sector in order to agree on policy priorities and act as a joint-force to pressure the government for reform. Moroccan activists are, furthermore, granted the ability to play a role in the formation of educational policy through the Supreme Council for Education, Training and Scientific Research, which was launched in 2014. Nonetheless, civil society groups still act in a development capacity: given that the most marginalized rural areas in Morocco are left behind by the state, some Moroccan civil society groups have launched informal schools as a means to fill this absence. The diplomas delivered by these schools are recognized by the Ministry of Education, which allows pupils to later register at universities. This mobilization of civil society as a stopgap measure has echoes in Egypt, where civil society actors have organized themselves into a variety of institutional forms, including educational unions, alliances of parents, student unions, and civil associations, all of which are trying to lift the quality of education while not necessarily aiming to influence policy. Nonetheless, such initiatives have found means of pressuring the government, albeit in less direct ways: the broader movement of parents has been able to use the media to voice their grievances and place pressure for reform of existing policies.

## Increasing Civil Society's Impact

Based on the two days of discussion and sharing of experience, three overarching strategies for civil society actors were put forth: the adaptation of means for pressuring government policy reform; the creation of cooperatives to improve development action; and the building of networks and consensus for civil society to act as a unified force.

With regards to influencing policy, civil society actors should adapt their strategies to the political context and the degree of openness of political opportunities. In situations where government is favorable to participatory policy-making, civil society actors can make use of public campaigns and highly visible advocacy actions in order to shape the public discourse and place pressure directly on those in charge for policy reform. As part of this, linking policy reforms to discourses of basic rights can prove useful: such a strategy not only allows for an enlarged concept of rights to emerge – something crucial to the democratization process – but also provides civil society actors with international allies and frameworks for negotiating with their government. International frameworks such as the New Urban Agenda of the United Nations, for example, can provide civil society actors with standards and commonly agreed-upon guidelines for national urban policies. In contexts where government is hostile to civil society or poses a threat to non-governmental actors, civil society can continue its work by moving away from advocacy in relation to authorities and towards local development. Importantly, such a bottom-up approach does not mean relinquishing all ability to influence policy; rather, civil society actors can work at the municipal level to change policies, notably by involving local communities in the process.

As a key part of this, the introduction of cooperatives can be a valuable institutional tool for civil society actors in unfavorable contexts. The cooperative is a model for community-based development that engages stakeholders directly (acting in an associational capacity), but that also encourages economic autonomy (acting as a private sector enterprise). Cooperatives are based on the premise that members are business owners, decision-makers, and beneficiaries; in this sense, they replace NGOs and government agencies as middlemen of development by instead allowing local communities to meet their own needs through the pooling of resources and their equitable redistribution. Through collaborative decision-making procedures, they also provide experiences of democratic governance that can be otherwise unknown. In contexts where governments are hostile to civil society actors and their ability to act as oppositional forces, cooperatives may be better suited to meeting the socio-economic needs of marginalized communities. In this sense, they can fill the gaps that emerge in failing socio-economic policy. At the same time, however, they can also influence policy at the local level by allowing for community-driven advocacy. Traditional civil society actors can play a key role in establishing cooperatives and creating collaborative networks between them, as well as liaising with international cooperative structures such as the International Cooperative Alliance. Morocco's housing cooperative model, which began in 1978, is a case in point. Housing cooperatives reduce the cost of housing, estimated at 30% of market price, to facilitate access to adequate and decent homes. Housing cooperatives own the real estate and are composed of shareholders; each shareholder occupies a home unit in return for the payment of monthly installments free of interest and exempt from public tax.

Ownership remains in the name of the cooperative and is only transferred to beneficiaries once all installments have been paid. The integration of the cooperative system could be part of the solution to the housing crisis in Egypt, acting as a viable alternative to informal housing and partially alleviating the state's responsibility to build social housing. In order for housing cooperatives to succeed, such initiatives must be close to local and public services.

Finally, an important strategy for civil society actors to influence policy-making and to fulfill their missions is to build coalitions based on consensus around key policy points and development goals. In favorable contexts, coalition-building can be undertaken through open invitations for large and inclusive civil society meetings. Such meetings should have as their goal agreement on policies as well as concrete discussions of how such policy can be achieved and implemented. Processes such as Morocco's Parallel Dialogues offer a model here: civil society actors can undertake sector-wise meetings in a variety of locations in order to establish this consensus but also to set the agenda for action. In contexts where such action is illegal or dangerous for civil society actors, virtual exchanges and the establishment of e-platforms can be useful tools for building coalitions and creating latent networks that can be activated if and when the political context shifts.

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