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The American University in Cairo

School of Humanities and Social Sciences

Department of Political Science

THE IMPACT OF LEGISLATION ON NGO'S ROLE IN PROGRAMME DELIVERY:

THE CASE OF EGYPT

A thesis submitted to

Political Science Department

in partial fulfillment of the requirements for

the degree of Master of Arts

by

Rana Magdy Salah El Araby

May/2019

To my mother who is my source of inspiration and encouragement throughout my life,
my husband for making me believe in myself and supporting me achieve my dreams,
and to my little angels Mustafa, Hassan and Nazly for loving me unconditionally.

ACKNOWLEDGEMENTS

This thesis is the product of persistence, patience, passion, love, and pain.

Its completion would not have been possible without the support of my mother who gave me this journey and provided me with every opportunity I ever wanted to pursue my dreams.

My husband, for his love, enthusiasm and determination to make me reach for the stars.

My three angels, for looking up at me with those little eyes thinking I'm perfect, I'm strong and can conquer the world.

My grandmother, who the thought of her lightens-up my days and her prayers to me keeps me strong.

My sister, whose passion to help children and love to her dear ones constantly inspires me.

My brother, whose generosity and kindness are impeccable – I'm proud of the young man he has grown up to become.

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This thesis is the end of a long chapter of my life, of all the people in my world I dedicate this to you.

ABSTRACT

NGOs are a vital partner and contributor to economic and social development, and an impactful tool for community participation in providing initiatives that the state might not be able to implement. It is therefore important to provide an enabling environment for NGOs to organize their operations without constructing limitations, as to reach the most impoverished and marginalized communities. Therefore, restrictive laws prevent NGOs from operating, and hinder the implementation of development programmes, whilst progressive laws promote the role of NGOs in programme delivery and support its application.

This study aims to determine how legislation impacts the role of NGOs in programme delivery in Egypt. Building on existing work on NGO law no. 84 of 2002 and how it may have provided NGOs with an enabling environment to operate in Egypt at a time where the country was ruled by an authoritarian regime, I ask: is it probable that the legislative system could function in a way that supports NGO activities?

Based on a review of the literature, the main hypothesis of the study is built on the thought that although a regime could be authoritarian, the legislative body could contribute to the promotion of the role of NGOs, given the following: the neoliberal agenda adopted by a country due to economic challenges that made NGO support inevitable, and the strengthening of security bodies that protect the regime.

In this context to efficiently measure the progressiveness of the mentioned law, the following indicators were considered: the number of NGOs available before and after the ratification of the law, the scope and diversity in activities undergone with the law in place, the number of NGOs in geographic locations where NGOs have operated at the time, and finally the financial capabilities of NGOs following the ratification of the law.

In favor of investigating and answering the research question along confirming the proposed hypothesis, I collected secondary data from past literary works such as articles, journals, and contributions to the topic. This was in addition to compiling primary data, which was generated

through interviews and questionnaires. I interviewed four local NGOs and one foreign NGO to understand their opinions regarding the impact of legislation on the role of NGOs in programme delivery. I focused on large, medium, and small size NGOs implementing development activities, since they are the ones affecting millions of marginalized Egyptians in poor and challenging circumstances.

To provide thorough analyses, I circulated a questionnaire among 54 NGO staff members with a response rate of 100 percent. This provided additional insights from NGO staff in addition to information gathered from NGO board members through interviews.

The analysis of the collected data demonstrated that NGO law no. 84 of 2002 may have led to promoting the role of NGOs (although the law was ratified under an authoritarian regime), due to the neoliberal agenda adopted by the country because of economic challenges that made NGO support inevitable, and the strengthening of security bodies that protected the regime at the time. The research findings revealed that another factor may have promoted the role of NGOs during that time which was the flooding of foreign donations to the country aimed at NGO-implemented activities.

This study can be used by other researchers as a starting point for a more in-depth research of other factors that may have led to the ratification of NGO law no. 84 of 2002 and enabled NGOs in Egypt to deliver development programmes. Additional ideas for future research may include Egypt's newly proposed NGO law no. 70 of 2017 which could be further explored by researchers once its executive regulation is published.

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LIST OF ABBREVIATIONS

AUC	American University in Cairo
CAPMAS	Central Agency for Public Mobilization and Statistics
CSO	Civil Society Organization
EGP	Egyptian Pound (currency)
EU	European Union
GDP	Gross Domestic Product
GGGI	Global Gender Gap Index
GONGOS	Government organized NGOs
HDI	Human Development Indicators
IMF	International Monetary Fund
IRB	Institutional Review Board
MENA	Middle East and North Africa
MoE	Ministry of Education
MoSS	Ministry of Social Solidarity
MSA	Ministry of Social Affairs
M&E	Monitoring and Evaluation
NGOs	Non-Governmental Organizations
SDGs	Sustainable Development Goals
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
USAID	United States Agency for International Development
USD	US Dollars (currency)
USSR	Union of Soviet Socialist Republics
VAT	Value-added tax
WFP	World Food Programme
WB	World Bank
UNICEF	United Nations International Children's Emergency Fund

“This is not the story of good NGOs confronting evil governments...This is the story of humanity assuming responsibility for its own future, through increasingly representative forms of political organization and through a fully engaged civil society.”

– Martha L. Schweitz¹

¹ Fisher, Julie. *Non Governments NGOs and the Political Development of the Third World*. Kumarian Press. 1998.

CHAPTER 1

INTRODUCTION

“Civil Society is the incubator of new ideas, it thrives on risk creativity, novelty and invention, and offers the best of what it finds to the institutions of society as a gift.”
– Alan Atkisson²

This chapter manifests an introduction to my study, which tackles the impact of legislation on the role of Non-Governmental Organizations (NGOs) in programme delivery, specifically in Egypt. I will start with introducing my thesis, highlight the purpose of the study, the relevance of the topic, the methodology I used to gather quantitative and qualitative data, the limitations of the study and will finalize with the structure of the thesis.

1.1 Introduction

In this study, I aim to assess the ‘impact of legislation’ on the role of NGOs in programme delivery, strictly focusing on Egypt. I will concentrate on NGO law no. 84 of 2002 and determine to what extent it provided NGOs with an enabling environment to operate in Egypt at a time where the country was ruled by an authoritarian regime. To efficiently measure the progressiveness of the mentioned law, the following indicators will be considered: (1) the number of NGOs available before and after the ratification of the law, (2) the scope and diversity in undergone activities with the law in place, (3) the number of NGOs in geographic locations where NGOs have operated at the time, and finally (4) the financial capabilities of NGOs following the ratification of the law.

The main hypothesis of the study is built on the thought that although a regime could be authoritarian, the legislative body may contribute to the promotion of the role of NGOs, given the following: the neoliberal agenda adopted by a country due to economic challenges that made NGO support inevitable, and the strengthening of security bodies that protect the regime. Therefore, I aim to argue that regardless of NGOs operating under an authoritarian regime, it is probable that the legislative system could function/operate in a way that supports NGO activities whilst

² Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997. p.163

simultaneously encourage the realization of their purposes, since NGOs would be provided with the necessary atmosphere/environment to engage in their matters and flourish with ease. Although the law was criticized by many scholars, in this study I will adopt a more liberal outlook and point of view during my argument as I strongly believe this law might have promoted NGO's role in programme delivery as per the factors I will address.

1.2 Purpose of Study

NGOs are not only a vital participant, but also a key player in civil society as they may contribute to development. NGOs provide a great portion of the 'vulnerable' population with health, nutrition, and educational services through development projects. With their flexibility, accountability, and cost efficiency, NGOs aim to address the needs of the society, defend their rights, and generate knowledge to marginalized communities which are denied involvement in mainstream economic, cultural, and social activities, and hence incapable to satisfy their needs by themselves. For such services to be delivered, NGOs must operate in an enabling environment equipped with legislated social and institutional conditions for their role in programme delivery to be promoted with the highest possible efficiency.

Restrictive laws pose barriers to the activities of NGOs, since their role in programme delivery of providing marginalized communities with the support - which they are heavily reliant on – may be hindered. On the contrary, laws that provide NGOs with the legislative freedom to flourish, encourage the operational engagement of development programmes, and therefore their troubles in reaching vulnerable beneficiaries and satisfying their needs are alleviated. This makes it a lot easier for marginalized communities to overcome their daily challenges.

1.3 Relevance of Study

Since 2009, I have worked and partnered with both local and foreign NGOs with the purpose of implementing programmes under UN agencies funded by donors such as the 'USAID' and the 'EU delegation'. Such an effort of working with NGOs consisted of several activities such as visiting marginalized communities (in the most vulnerable and food insecure governorates with high levels of income poverty) which added to my passion and ambition. In this study, supported by over a

decade of work experience, the scope will only concentrate on NGOs which implement development programmes, in correlation with the progression of their achievement to reach millions of vulnerable beneficiaries through development projects. Although many studies have focused on human rights NGOs who dedicate their efforts to protect human rights and end human rights abuses, in this study I will only focus on development NGOs since they are the ones affecting millions of marginalized Egyptians in poor and challenging circumstances.

It is worth mentioning that this study is relevant to the context of Egypt, since the recent devaluation of the Egyptian currency has increased poverty, food insecurity and inequality in the country. As a result, Egypt's critical and challenged economic environment drove citizens to seek a solution to their unsatisfied hunger, explained through their resort to NGOs to be provided with the means to meet their needs. Since NGOs approach to stabilize the situation, it is therefore of vital importance to explore how legislation impacts their progression in delivering programmes aimed to meet and fulfill people's needs.

This strikes the research question of 'Why an authoritarian regime in 2002 would ratify NGO law no. 84 (which have been supportive to NGOs)?' To search for an answer, the period (before and after the ratification of NGO law no. 84 of 2002) will be explored, and the question of why (factors that led to emergence of law) and how (effectiveness) the law was progressive - although not typical in an authoritarian regime - will be investigated.

The above-mentioned question raises awareness about the importance of this topic, since a significant portion of the Egyptian population are heavily reliant on NGOs. It also highlights the effect of legislation on NGOs' role in programme delivery, and the impact this may have on beneficiary reach. After stating the question, an attempt will be held to derive a logical and probable answer through conducting a test to obtain the required information, which is necessary to analyze and furthermore interpret the findings in the study.

1.4 Methodology

This section describes the design adopted by this research to achieve the stated aims and objectives of the study, as it also discusses the methodology used in the research, the phases through which

the methodology was implemented, the designed research, the outlined procedures, the constructed timeline, the involved participants, the analyzed data, and the highlighted limitations.

1.4.1 Data Collection

In favor of investigating and answering the research question along confirming the proposed hypothesis, I collected secondary data from past literary works such as articles, journals, and contributions to the topic. This was in addition to compiling primary data, which was generated through interviews and questionnaires.

Once I received the approval of the University's Institutional Review Board (IRB), I traveled to Sohag and Assiut (governorates in Upper Egypt) to interview board members of two local NGOs and one foreign NGO to understand their opinions regarding the impact of legislation on the role of NGOs in programme delivery. I then conducted interviews with board members of two local NGOs through phone due to conflicting schedules. Prior to each interview, I gave participants a brief about my study, read the consent form and assured them of their confidentiality and data anonymity. I received verbal consent from each participant.

I also compiled information from each NGO to support my findings during the interview process. I focused on large, medium, and small size NGOs that implement development activities, since they are the ones affecting millions of marginalized Egyptians in poor and challenging circumstances. Below are the factors and criteria of selecting NGOs for the interviews –

NGOs had to:

- Be active for more than five years.
- Have active board members.
- Have NGO sub-offices.
- Implement a diverse scope of development activities.
- Have a good reputation in serving marginalized communities.

To compile additional information and provide thorough analyses, I circulated a questionnaire among 54 NGO staff members with a response rate of 100 percent. This provided additional

insights from NGO staff in addition to information gathered from NGO board members through interviews. I received verbal consent from most participants and written consent from others.

Regarding the quantitative data, the indicators are as follows: (1) the number of NGOs available before and after the ratification of the law, (2) the scope and diversity in activities undergone with the law in place, (3) the number of NGOs in geographic locations where NGOs have operated at the time, and finally (4) the financial capabilities of NGOs under the law. For a qualitative analysis, data was compiled from interviews and the questionnaire.

1.4.2 Limitation of Study

In this study, the limitations that hindered the process of gathering information, which led to some challenges – was the unavailability of some NGO data before and after 2002 which limited my scope of research during the study. Another limitation was that some people provided inaccurate information during interviews and questionnaires with the fear of having their statements used against them, especially with Egypt’s security setting.

1.5 Thesis Structure

The structure of the study must be highlighted in favor of both clarification, and direction. Following the introduction, I will provide additional information on the literature review of the previous work on the topic, and the theoretical framework will clarify the main concepts in the study. This section will outline and discuss the available information on the topic, whilst highlight the gaps that didn’t receive the rightful attention and conclude with where I situate myself with the analysis. I will then present the case study of Egypt, outline the status of NGOs under each regime and the laws that governed them in addition to point-out the factors that may have led to the ratification of NGO law no. 84 of 2002. Finally, I will provide the deliberations and reflections based on the collected data whilst conclude with the suggested recommendations for NGO progression, as well as additional ideas for future research.

CHAPTER 2

LITERATURE REVIEW / THEORETICAL FRAMEWORK

“Never doubt that a small group of thoughtful committed citizens can change the world, indeed it is the only thing that ever has.”

– Margaret Mead³

Before answering the research question of ‘Why an authoritarian regime in 2002 would ratify NGO law no. 84 (which may have been supportive to NGOs)’, I will start by outlining the literature review and theoretical framework in this chapter. The rise of NGOs will be explored, focusing on three themes: Firstly, the rise of civil society with its theorist views, secondly, the evolution of NGOs and the factors that led to its growth, and thirdly, NGO effectiveness in addressing societal needs, aim for development and enhance relations with the UN. Throughout this chapter, the following key terms will be emphasized: Marx’s view on the rise of NGOs, the Theory of Conflict between government and NGOs, Good Governance, Human vs. National security, Top-Down vs. Bottom-Up rise of NGOs, and the Field Overlap theory. The chapter will end with a snapshot of the relationship between NGOs and donors.

2.1 Rise of Civil Society

In this section I will provide a glimpse on the rise of civil society, highlight the different theories of civil society, emphasize on NGOs as a form of civil society, point-out the factors that led to NGO rise and finally discuss NGO effectiveness.

2.1.1 Civil Society

As of 1985, the revised edition of the ‘Social Science Encyclopedia’ contained no entry of civil society; despite the concept being widely used by ‘Social Contract Theorists’ from the 17th century, none of the 450 authors who wrote the encyclopedia (from 23 Social Sciences and Humanities)

³ Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997. p.289

felt that the concept was important enough to be included in the 1985 edition⁴. The ‘civil society’ concept was forcefully re-incarnated in the late 1980s and 1990s with the collapse of the Berlin wall, and the end of ‘totalitarianism’ in Eastern Europe, and former USSR⁵.

It is important to introduce the study by displaying the contrast between civil society and NGOs. Civil society is an arena characterized by competition, made up of social institutions and political parties needed by the youth, independent of the government, and uses creativity and innovation to express one’s interests⁶. A civil society therefore includes trade union, business associations, and NGOs that are considered the heart of civil society.

Several scholars interpreted the idea of civil society as the aspect of social life and the domain of social interactions composed of social movements and associations that are distinct and independent of the state⁷. A civil society here is seen as an entity of free individuals – independent of both those in power and the influence of the state – yet regulated by law⁸. Other scholars viewed civil society as the arena outside of the family, the state and the market where people make acquaintances to fulfill mutual interests⁹. Another definition of civil society is a group/entity of individuals who associate together to shape their norms, articulate their purpose and determine the internal structure of the group’s authority and identity¹⁰.

The types of civil society can be segregated by the following civic activities that fulfil needs on three levels: (1) the need of individuals through self-improvement and shared leisure time (2) collective interests of the scouts as a social group with certain aspirations and self-organization, and (3) the common good due to the formation of a pro-societal attitude and helping others¹¹.

4 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

5 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

6 AUC workshop “Civil Society in Egypt.” Facilitator: Dr. Nadine Sika, Panellists: Dr. Mustapha Al-Sayyid, Mr. Shahir Ishak, Mr. Ayman Shihata, Dr. Noha El Mekawy. 25 October 2018. AUC New Cairo.

7 Zaki, Moheb. *Civil Society & Democratisation in Egypt, 1981-1994*. The Ibn Khaldoun Center. 1995.

8 Zaki, Moheb. *Civil Society & Democratisation in Egypt, 1981-1994*. The Ibn Khaldoun Center. 1995.

9 Altan-Olcay, Ozlem and Ahmet Icduygu. “Mapping civil society in the Middle East: the cases of Egypt, Lebanon and Turkey.” *British Journal of Middle Eastern Studies*. August 2012 39 (2) 157-179

10 Rosenblum, Nancy I. and Robert C. Post. Eds. *Civil Society and Government*. Princeton University Press. 2002.

11 Schattkowsky, Ralph and Adam Jarosz. *Questions of Civil Society: Category-Position-Functionality*. Cambridge Scholars Publisher. 2013.

Therefore, civil society may take different forms such as households, corporations, hobby organizations, politicians, social activists, self-oriented associations, professional associations, mass parties, residents associations, socio-political groups, interest groups, political parties, lobbyists, labour unions and charity organizations¹².

A civil society is therefore characterized by plurality and autonomy of its members, by publicity (in the form public communication and institutions of culture), and privacy (as a domain of individual self-development and moral choice)¹³. In Western liberal democracies, civil society maintains its primacy and autonomy, however, in authoritarian regimes and in most of the Arab countries, civil society is dominated, and its interests are altered to coincide with the state¹⁴.

Components of a Civil Society

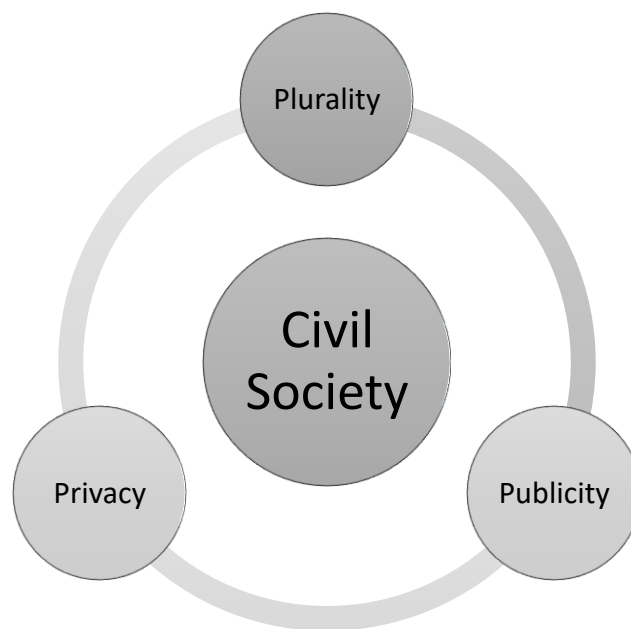


Figure 1-Components of a Civil Society

Source: Zaki, Moheb. *Civil Society & Democratization in Egypt, 1981-1994*. The Ibn Khaldoun Center. 1995.

According to Marx, ‘associations’ are the mechanism of excessive control on society, which is explained through the dominant class’s control over society being overturned by the development

12 Schattkowsky, Ralph and Adam Jarosz. *Questions of Civil Society: Category-Position-Functionality*. Cambridge Scholars Publisher. 2013.

13 Cohen, Jean I. and Andrew Arato. *Civil Society and Political Theory*. The MIT Press. 1992.

14 Zaki, Moheb. *Civil Society & Democratization in Egypt, 1981-1994*. The Ibn Khaldoun Center. 1995.

of counter-hegemonic associations that represent alternative norms¹⁵. For Marx, a civil society is a way to disguise the brutal power of the capitalist class¹⁶. Therefore, civil society is the basis for worker exploitation and humiliation, and thus there is no true separate sphere for workers that would permit them to fully develop their potential¹⁷. Although Marx did not have much say on civil society but his view on the rise of NGOs illustrates the concept of solidarity amongst members of a social class.

2.1.2 Theories of Civil Society

The civil society discussion would remain incomplete without highlighting the founding fathers' thoughts and theories on civil society. To begin, John Locke was an English political philosopher, a firm believer in the separation of church and state and felt that government coercion would increase civil unrest¹⁸. Locke strongly believed that the state arises from society and is needed to restrain conflict between individuals – however, he insisted that it's vital to limit state sovereignty to preserve individual freedom¹⁹. Locke's school stressed that although containing state power is important, constitutionalizing relations among groups in civil society is equally important, as to protect it from destructive conflict²⁰. His doctrine of toleration made it possible for the existence of a separate sphere of association when coupled with his notion of limited government power²¹.

Linked to limiting state sovereignty, Thomas Paine truly believed in both the importance of the market and the active role of associations, and firmly stressed that the state expands to provide order and reduce conflict, and it may threaten liberties that cause civil society to flourish²². Paine was an England-born political philosopher and a writer who supported revolutionary movements

15 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

16 Delue, Steven M. *Political Thinking, Political Theory and Civil Society*. Allyn and Bacon. 1997.

17 Delue, Steven M. *Political Thinking, Political Theory and Civil Society*. Allyn and Bacon. 1997

18 John Locke Foundation. «About John Locke: Who is John Locke?» <https://www.johnlocke.org/about-john-locke/who-is-john-locke/>

19 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

20 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

21 Delue, Steven M. *Political Thinking, Political Theory and Civil Society*. Allyn and Bacon. 1997.

22 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

in American and Europe²³. His libertarian views called for a liberal economy that creates conditions under which civil society associations are autonomous from the state and can easily flourish²⁴.

Adding to Pain's liberal views, Alexis de Tocqueville believed that civil society educates citizens, scrutinizes state actions, facilitates distribution of power, and provides mechanisms for direct citizen participation in public affairs²⁵. Tocqueville was a French sociologist and political theorist who reflected on lessons of the French revolution and was afraid that a 'popular will' could lead to a revolution and be prevented by an active civil society made of self-governing associations²⁶. His school expected NGOs to make a difference to the conditions under which a developmental philosophy is implemented and that its essential to have active citizen participation through civil society for organizing development activities, and to communicate ideas and information to guard against abuses of state power²⁷. Thus, he believed in a separate sphere of groups and the quest to define self-interest with respect to the common good can only emerge when individuals take responsibility for their own affairs²⁸.

As for Niccolo Machiavelli, he was a 16th century Florentine Philosopher known for his political ideas. He believed that political power depends on the skills of a ruler who knows he must use his power to promote the best interests of his citizens; he therefore suggested a society with free individuals to pursue self-enhancing activities and uphold the common good²⁹. Machiavelli also accepted a separate sphere in society, so long as this sphere did not work against respecting law or political power, which are both used to promote common good³⁰.

23 History. «Thomas Paine». <https://www.history.com/topics/american-revolution/thomas-paine>

24 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

25 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

26 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

27 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

28 Delue, Steven M. *Political Thinking, Political Theory and Civil Society*. Allyn and Bacon. 1997

29 Delue, Steven M. *Political Thinking, Political Theory and Civil Society*. Allyn and Bacon. 1997.

30 Delue, Steven M. *Political Thinking, Political Theory and Civil Society*. Allyn and Bacon. 1997.

Thomas Hobbes as well believed in civic virtues such as ‘respect for rights’ and the importance of ‘justice gratitude’, and felt a separate sphere is likely to emerge in a setting in which these values are maintained³¹. Hobbes was an English philosopher best known for his political thought; his main concern was the problem of social and political order and how human beings can live together in peace, avoid danger and fear civil conflict³². He also confirmed that the state is given so much power that it threatens the rights it is supposed to protect, and it is likely that the state will always stand in extreme tension with separate spheres of groups in civil society that could threaten its independence³³.

Other defenders of a separate sphere include Jean-Jacques Rousseau, who was one of the most influential thinkers during the Enlightenment period of Europe and believed that human beings are basically good by nature but were later corrupted by the complex historical events which resulted in today’s civil society³⁴. He then suggested that a separate sphere is a setting where people hold widely different views and focus on making room for these views and experience a devastating quest for the general good³⁵. As for Immanuel Kant, he was one of the most influential philosophers in the history of Western philosophy and believed that securing rights was intended to create a balance of interests so that not one social interest attained a lot of power making all the others subordinate to the most powerful one³⁶. He felt the need for a separate sphere in society where each interest/group had enough degrees of power to counter the power of other groups³⁷.

Finally, John Stuart Mill influenced the shape of the 19th century British thought and political discourse and believed in politics oriented by human happiness rather than natural rights or conservatism³⁸. Mill’s need for separate spheres emanates from the emphasis placed on public participation of voluntary groups to perform important government functions³⁹.

31 Delue, Steven M. *Political Thinking, Political Theory and Civil Society*. Allyn and Bacon. 1997.

32 Internet Encyclopaedia of Philosophy: A Peer-Reviewed Academic Resource. “Thomas Hobbes: Moral and Political Philosophy.” <https://www.iep.utm.edu/hobmoral/>

33 Delue, Steven M. *Political Thinking, Political Theory and Civil Society*. Allyn and Bacon. 1997.

34 Internet Encyclopaedia of Philosophy: A Peer-Reviewed Academic Resource. “Jean-Jacques Rousseau.” <https://www.iep.utm.edu/rousseau/>

35 Delue, Steven M. *Political Thinking, Political Theory and Civil Society*. Allyn and Bacon. 1997.

36 Delue, Steven M. *Political Thinking, Political Theory and Civil Society*. Allyn and Bacon. 1997

37 Delue, Steven M. *Political Thinking, Political Theory and Civil Society*. Allyn and Bacon. 1997

38 Internet Encyclopaedia of Philosophy: A Peer-Reviewed Academic Resource. “John Stuart Mill.” <https://www.iep.utm.edu/milljs/>

39 Delue, Steven M. *Political Thinking, Political Theory and Civil Society*. Allyn and Bacon. 1997

Like Marx, Georg Wilhelm Friedrich Hegel was a critic of civil society who believed that it is a product of historical processes and not a natural phenomenon, and that the form and nature of the state is the result of the way civil society is represented⁴⁰. Hegel was a German philosopher, a leading figure in the German Idealism movement and had a profound impact on philosophical schools such as Marxism⁴¹. He believed that civil society stands between an individual and a legislation trying to mediate the individual's interests with that of the state⁴². Accordingly, his school believed that the state exists to protect 'common interests' by intervening in activities of the civil society that is conceived of a setting consisting of diverse interests competing with each other⁴³.

Adding to Hegel's critic of civil society, Plato supposed that in a just society, the rulers must establish an educational system that includes training on civic virtues such as 'respect for law', and that a separate or autonomous sphere might impede the rulers' ability to properly educate and thus manipulate citizens⁴⁴. Plato is one of the world's most read, studied, and famous philosophers who believed that conflicting interests of different parts of the society can be harmonized⁴⁵. Similarly, Augustine saw the state as the maintenance of order in a 'sin-filled' city of human kind and that a civil society – with a separate sphere that provides freedom – would not be relevant to the objectives of humankind⁴⁶. Augustine was a 4th-century philosopher who believed in freewill and that humans are morally responsible for their actions⁴⁷.

2.1.3 NGOs

40 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

41 The Basics of Philosophy. By Individual Philosopher: «Georg Wilhelm Friedrich Hegel.» https://www.philosophybasics.com/philosophers_hegel.html

42 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

43 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

44 Delue, Steven M. *Political Thinking, Political Theory and Civil Society*. Allyn and Bacon. 1997.

45 Internet Encyclopedia of Philosophy: A Peer-Reviewed Academic Resource. «Plato.» <https://www.iep.utm.edu/plato/>

46 Delue, Steven M. *Political Thinking, Political Theory and Civil Society*. Allyn and Bacon. 1997.

47 Internet Encyclopaedia of Philosophy: A Peer-Reviewed Academic Resource. «Augustine.» <https://www.iep.utm.edu/augustin/>

NGOs are the sub-set of civil society, created by the UN system in 1945, when nongovernmental observers were invited to UN processes⁴⁸. The term NGO was commonly used in 1980s with the reshaping of Western ‘economic and social policies’ along lines of the neoliberal ideology, international development industry, and good governance⁴⁹. NGOs are defined as private organizations that pursue activities to alleviate the sufferings of the unfortunate, promote interests of the poor, protect the environment, provide social services, and undertake community development⁵⁰.

Some scholars, especially the leftist critique, defined NGOs as agents of neoliberalism and grassroots alternatives to the state that are highly dependent on transnational organizations, and part of the local civil society⁵¹. NGOs therefore play crucial roles in fostering change, since their activities include equal distribution of what they deliver, cost efficient methods to implement programmes and exercise of cooperative values and behavior⁵².

48 Lashaw, Amanda, Christian Vannier and Steven Sampson. Eds. *Cultures of Doing Good: Anthropologists and NGOs*. The University of Alabama Press. 2017.

49 Lashaw, Amanda, Christian Vannier and Steven Sampson. Eds. *Cultures of Doing Good: Anthropologists and NGOs*. The University of Alabama Press. 2017.

50 Vedder, Anton, Martinus Nijhoff eds. *NGO Involvement in International Governance and Policy: Sources of Legitimacy*. Publishers 2007

51 Bernal, Victoria and Inderpal Grewal eds. *Theorising NGOs: States, Feminisms and Neoliberalism*. Duke University Press 2014.

52 Edwards, Michael and Gita Sen. “NGOs, Social Change and the Transformation of Human Relationships: a 21st-century Civic Agenda.” *Third World Quarterly*. 21:4, 605-616. 2000.

NGO Scope and Activities Worldwide (1755 – 2000)

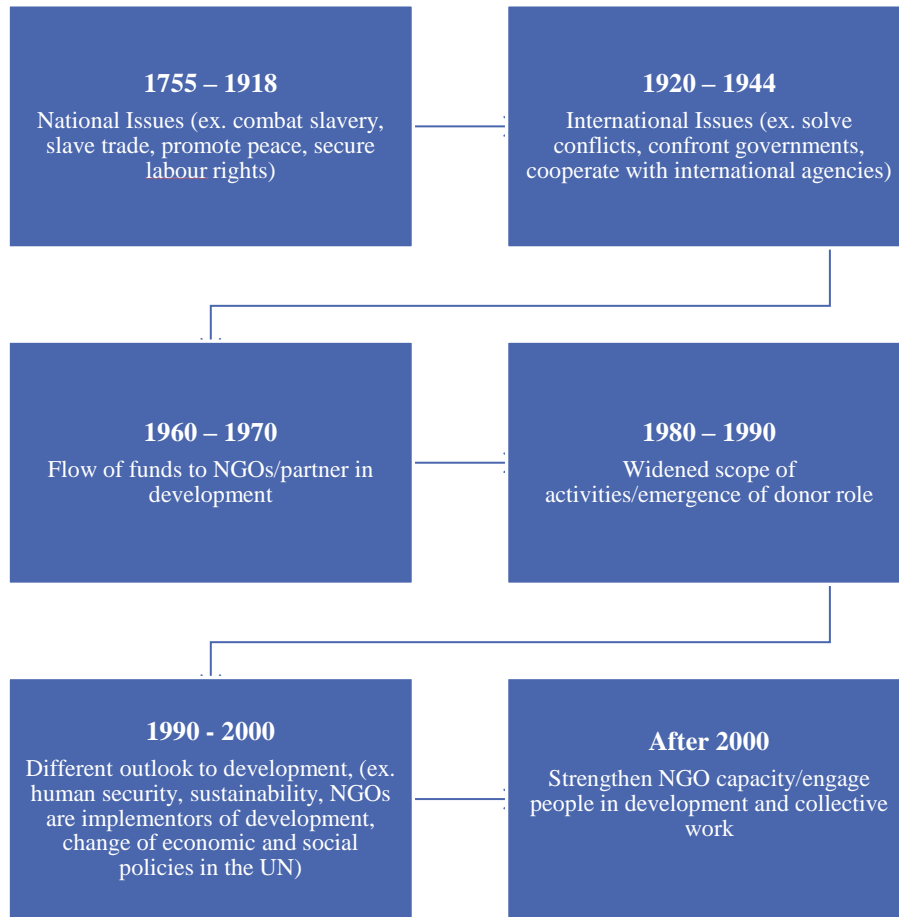


Figure 2-NGO Scope and Activities Worldwide (1755 – 2000)

Source: Qandeel, Amani. *El Mawsoaa El Arabeya lel Mogtamaa El Madani*. El Shabaka El Arabia Lel Monazamat El Ahlia. 2008

Many scholars praised NGOs and highlighted their undeniable positive influence, whilst others were not in favor and greatly criticized them. For example, Mike Moore (Director General of World Trade Organization) was not comfortable with the increasing central role of NGOs and called for new rules of engagement among civil society, international institutions, and governments⁵³. Jeffrey E. Garten (Dean of Yale School of Management) stated that NGOs have had too much of a ‘free ride’ in identifying themselves with public interest, stressing that NGOs have acquired high ground with public opinion, without being subjected to the same public scrutiny given to corporations and governments⁵⁴. Others saw NGOs very good at critiquing and pointing

⁵³ Lyon, Thomas P. ed. *Good Cop Bad Cop: Environmental NGOs and their Strategies towards Business*. RFF Press 2010

⁵⁴ Lyon, Thomas P. ed. *Good Cop Bad Cop: Environmental NGOs and their Strategies towards Business*. RFF Press 2010

out wrong policies and practices without coming up with workable alternatives to improve the issue, while many viewed NGOs as limited in knowledge and lack a comprehensive vision⁵⁵.

Some scholars saw NGOs engage in poor practice, lack professionalism, exercise secrecy over their actions, lack accountability, conduct poor coordination, and have an ulterior motive of functionally working for privatizing formerly public services as part of the neoliberally-inspired dismantling of welfare structures⁵⁶. Other scholars argue that this amounts from the lack of efficient inspection on their actual performance, unchecked humanitarian impact and rare evaluation of NGO programmes⁵⁷. Many researchers adopted a critical view of NGOs claiming they were not ‘that good’ in promoting participation, addressing poverty and understanding the needs of the poor⁵⁸.

In an authoritarian regime like Russia (with 227,000 registered NGOs in October 2016), NGO representatives state that strategies of environmental NGOs are connected to different methods of avoiding formality and implement various informal practices⁵⁹. Moreover, tighter regulation on NGOs has led to unforeseen consequences associated with low quality of public administration⁶⁰. On assisting children and their families, authors argue that local NGOs do not represent local communities but rely on a customer-oriented approach, behaving more like social service providers rather than support the initiatives of local inhabitants or engage local communities in various forms of civic activity⁶¹. Therefore, some scholars reason that NGOs face more direct incentives to manage donor satisfaction than beneficiary welfare as donations are the only ‘market force’ in the NGO-sector industry⁶².

55 Atkinson, Jeffrey and Martin Scurrah. *Globalizing Social Justice: The role of Non-Government Organizations in Bringing About Social Change*. Palgrave Macmillan. 2009.

56 Bennet, Jon. *Meeting Needs: NGO Coordination in practice*. Earthscan Publications Limited. 1995.

57 Bennet, Jon. *Meeting Needs: NGO Coordination in practice*. Earthscan Publications Limited. 1995.

58 Bebbington, Anthony. “Donor-NGO Relations and Representations of Livelihood in Nongovernmental Aid Chains.” *World development* vol. 33 no. 6 pp. 937-950 2005.

59 Bogdanova, Elena. “NGOs under State Regulation: Strengths and Weaknesses of Russian Civil Society.” *Laboratorium: Russian Review of Social Research*. 2017. 9(3):5-10

60 Bogdanova, Elena. “NGOs under State Regulation: Strengths and Weaknesses of Russian Civil Society.” *Laboratorium: Russian Review of Social Research*. 2017. 9(3):5-10

61 Bogdanova, Elena. “NGOs under State Regulation: Strengths and Weaknesses of Russian Civil Society.” *Laboratorium: Russian Review of Social Research*. 2017. 9(3):5-10

62 Werker, Eric and Faisal Z. Ahmed. “What do Nongovernmental Organizations Do?” *The Journal of Economic Perspectives*, Vol. 22, No. 2 (Spring 2008), pp. 73-92

In Bangladesh, critical literature entails that the growth and sophistication of NGOs have caused some to seek a presence in the public arena and get involved in politics to pursue for-profit-type activities that may have ‘unintended and negative’ consequences on the lives of the poor⁶³. Additionally, the adoption of microfinance activities by NGOs seem to have created incentives for its managers to maximize the size of their portfolios by targeting wealthier villages and risking NGO activities not reaching the poor⁶⁴. In 1997 an Organization for Economic Cooperation and Development (OECD) assessment highlighted the lack of firm and reliable evidence on the impact of NGO development programmes with no availability of concrete statistical analysis⁶⁵.

2.1.4 Factors that led to NGO Rise

In this section I will outline the factors that may have triggered the evolution of NGOs, which are the social conditions, institutional setting, enabling environment, human vs. national security and the top-down vs. bottom-up approach.

Social Conditions

NGOs flourish alongside the existence of different social classes in a society that has different needs, requirements, and vocalized concerns. Social conditions such as dependency, underdevelopment, patriarchal authoritarian relations and class distinctions lead to a generalized state of repression that deemed people and the society powerless⁶⁶. As a result, the establishment of NGOs took place to engage with society and provide the community with programmes that service vulnerable beneficiaries.

Institutional Setting

The existence of NGOs in a society heavily depends on other factors such as the rule of law, freedom of association, and freedom of dissent. ‘Rule of law’ is defined as a set of rules that are

63 Werker, Eric and Faisal Z. Ahmed. “What do Nongovernmental Organizations Do?” *The Journal of Economic Perspectives*, Vol. 22, No. 2 (Spring 2008), pp. 73-92

64 Werker, Eric and Faisal Z. Ahmed. “What do Nongovernmental Organizations Do?” *The Journal of Economic Perspectives*, Vol. 22, No. 2 (Spring 2008), pp. 73-92

65 Werker, Eric and Faisal Z. Ahmed. “What do Nongovernmental Organizations Do?” *The Journal of Economic Perspectives*, Vol. 22, No. 2 (Spring 2008), pp. 73-92

66 Stacher, Joshua. *Adaptable Autocrats: Regime Power in Egypt and Syria*. Stanford Press. 2012.

neutral (not represent a sole segment of the society), to respond to societal needs and reflect the relations of power in a society⁶⁷. Here, the rule of law clarifies the relations between the government and NGOs, and whether the government uses the rule of law as a tool to promote/restrict NGOs' role in programme delivery. The rule of law through the 'theory of conflict' assumes that an authoritarian regime depends on bureaucratic mechanisms to create laws that control NGOs and restrict their entrance in civil society, and therefore limits their participation⁶⁸.

'Freedom of association' is defined as the ability and freedom of society members to establish associations therefore enhancing the visible role of NGOs. An example of an authoritarian government limiting freedom of association in practice is their creation of GONGOs (government organized NGOs), where the government sends these organizations to pose as a government-independent voice in UN meetings, therefore being viewed as liberal in the international arena while continue to control them⁶⁹. GONGOs take the form of NGOs but are ultimately a government tool⁷⁰. A justification given by scholars for governments that restrict NGOs include: to protect state sovereignty, promote transparency and accountability, enhance aid effectiveness and coordination, pursue national security, and counter terrorism⁷¹.

Another institutional condition for NGOs to exist is the 'freedom of dissent', which is the freedom of expressing ideas and thoughts. One of the essential characteristics of associations is to have the complete and utter freedom to think, express ideas and opinions to define their purpose and organize the structure of their potential activities to solve their problems⁷².

Enabling Environment

67 AUC workshop "Civil Society in Egypt." Facilitator: Dr. Nadine Sika, Panellists: Dr. Mustapha Al-Sayyid, Mr. Shahir Ishak, Mr. Ayman Shihata, Dr. Noha El Mekawy. 25 October 2018. AUC New Cairo.

68 Mounah, Abdel-Samad. "Legislative advocacy under competitive authoritarian regimes: the case of civil society in Jordan." *Voluntas* (2017)

69 DeMars, William E. *NGOs and Transnational Networks: Wild Cards in World Politics*. Pluto Press. 2005.

<https://ebookcentral.proquest.com/lib/aucegypt/reader.action?docID=3386528>

70 Ismail, Maha. *Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices*. The American University in Cairo: School of Global Affairs and Public Policy. Thesis. 2018

71 Rutzen, Douglas. "Civil society under assault." *Journal of democracy*. Vol. 26 no. 4 2015 pp. 28-39

72 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

For NGOs to efficiently engage in their purpose of programme delivery, an encouraging/enabling environment is crucial. An enabling environment is one that has an efficient and effective means of communication for NGOs to exchange information among its members and to the society through different mediums such as TV, newspapers and social media⁷³. In democratic societies, media plays a major role to encourage people's participation, scrutinize government policies and defend civil liberties – however, in authoritarian states, media is used as an instrument to control citizens, in the essence of what they are exposed to⁷⁴.

As previously stated, an enabling environment is necessary for NGOs to function in the most possible efficient way. This includes good governance with legislation, incentives, acceptance, and opportunities that encourage NGOs to engage and operate with the least possible limitations. 'Good governance' is defined as the predictable – open policy making – transparent process, which enhances government accountability along promoting strong civil society participation under the rule of law⁷⁵. Governments are challenged by the overwhelming augmenting poverty, evident environment problems and growing population challenges; crisis theorists argue that such challenges generate a desire for citizens to participate, define manageable problems and work on innovative solutions⁷⁶.

Effective government institutions are therefore vital for an enabling environment, as they are also an essential requirement for sustainable economic development and sometimes aid-receiving countries⁷⁷. Although some Middle Eastern governments tend to be suspicious of NGOs and assume/associate 'non-governmental' means 'anti-governmental', they have found that the lack of collaboration with NGOs is inefficient due to their access to additional resources and major reforms they may introduce to the community⁷⁸. Quietly, governments know the importance of allowing NGOs to 'carry the burden' of economic and social challenges and the essentiality of having them as a vital partner to serve the community and provide services to beneficiaries.

73 AUC workshop "Civil Society in Egypt." Facilitator: Dr. Nadine Sika, Panellists: Dr. Mustapha Al-Sayyid, Mr. Shahir Ishak, Mr. Ayman Shihata, Dr. Noha El Mekawy. 25 October 2018. AUC New Cairo.

74 Zaki, Moheb. *Civil Society & Democratization in Egypt, 1981-1994*. The Ibn Khaldoun Center. 1995.

75 McArthur, Shaughn. "Global Governance and the Rise of NGOs". *Asian Journal of Public Affairs*, Vol. 2 No. 1. 2012

76 Fisher, Julie. *Non Governments NGOs and the Political Development of the Third World*. Kumarian Press. 1998.

77 Winters, Matthew S. and Gina Martinez. "The role of Governance in determining Aid Flow Composition." *World development*. Vol. 66 pp. 516-531 2015.

78 Fisher, Julie. *Non Governments NGOs and the Political Development of the Third World*. Kumarian Press. 1998.

Human vs. National Security

Security General Kofi Annan highlighted (in his millennium report) the importance of enacting the transition from culture of reaction to prevention – in other words – to attain human security before national security⁷⁹. He then explained that mankind in rich countries will not be able to live free of fear and will not be able to secure a sustainable future so long as over a billion people live in servitude and demand necessary social components to survive⁸⁰. Annan concluded that the safest and most peaceful communities are composed of individuals who have their basic needs and aspirations met⁸¹. The question here is, what are the priorities given by authoritarian regimes to support wellbeing – is it human security through the provision of services, or is it national security to preserve the regime’s power and influence?

National security is defined as the state’s ability to defend its own territory and values against military threats while human security emphasizes the individual’s ability to achieve peace and security at home or abroad⁸². Here comes the question of ‘priority’, is it more important to focus on human security, and how crucial is it to ratify laws that encourage NGOs to implement programmes to benefit marginalized communities, or is it essential to enforce legislation that limit NGOs in the name of national security?

Top-Down vs. Bottom-Up Approach

To discuss the conditions that allow NGOs to rise, it is important to state that motives behind establishing NGOs can’t be set aside. There are two approaches to the establishment of NGOs: the ‘top-down approach’, and the ‘bottom-up approach’⁸³. Globally, the ‘top-down’ approach is characterized by a shift in funding focus of the aid industry, emergence of international

79 Cooper, Andrew F., John English, Ramesh Thakur eds. *Enhancing global governance : towards a new diplomacy?* The United Nations university 2002.

80 Cooper, Andrew F., John English, Ramesh Thakur eds. *Enhancing global governance : towards a new diplomacy?* The United Nations university 2002

81 Cooper, Andrew F., John English, Ramesh Thakur eds. *Enhancing global governance : towards a new diplomacy?* The United Nations university 2002.

82 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: A Reference Handbook*. Praeger Security International Advisory Board. 2008.

83 Reimann, Kim D. “A View from the Top: International Politics, Norms and the Worldwide Growth of NGOs”. *International Studies Quarterly*, Vol. 50, No.1 (2006) 45-67.

organizations and legitimizing the role of NGOs as per global norms, regulations and institutions⁸⁴. From the 1990s to 2000, the United Nations organized international conferences, attended by NGOs, that exchanged experiences and discussed many global issues such as environment sustainability in 1992, human rights in 1993, population and development in 1994, community development in 1995, women empowerment in 1995, human settlements in 1996 and civil society in 2000 which raised awareness and attracted donors to fund such vital issues⁸⁵.

As for the ‘bottom-up’ approach, it occurs when the local context, population needs, societal realities, and cultural factors trigger the rise of NGOs⁸⁶. On a local level, the ‘top-down’ approach occurs where both the state’s decisions and laws determine the opportunities for establishing NGOs, while the ‘bottom-up’ approach occurs when the creation of NGOs is a response to societal and economic factors, in addition to the state’s declining role.

2.1.5 NGO Effectiveness

In this section I will highlight how NGOs are effective in implementing activities that address societal needs, motivate individuals, enhance relations with the UN, aim for development, produce knowledge, create an aligned agency and promote accountability.

Address Societal needs

NGOs implement programmes and provide services to support the most vulnerable and marginalized communities who are in need. NGOs’ legitimate function as service providers include health interventions, income-generating activities, nutrition programmes, education assistance, gender advocacy, and child protection projects. Some NGOs are ‘social change’ missionaries that serve vulnerable people and marginalized groups who are often ignored or overlooked by government services, and not mainstreamed by social services⁸⁷. Many believe NGOs are more effective than governments in reaching beneficiaries at grassroots level in a cost

84 Walton, Oliver Edward, Thomas Davies, Erla Thrandardottir and Vincent Charles Keating. “Understanding Contemporary Challenges to INGOs Legitimacy: Integrating Top-Down and Bottom-Up Perspectives.” *Voluntas* 2016 27:2764-2786.

85 Qandeel, Amani. “El Mawsoaa El Arabeya lel Mogtamaa El Madani.” *El Shabaka El Arabia Lel Monazamat El Ahlia*. 2008

86 Banks, Nicola, David Hulme, Michael Edwards. “NGOs, States, and Donors Revisited: Still Too Close for Comfort?” *World Development*. Vol. 66 pp. 707-718. 2015

87 Hailey, John and Rick James. “Trees Die from the Top: International Perspectives on NGO Leadership Development.” *Voluntas: International Journal of Voluntary and Nonprofit Org* vol. 15 no. 4 December 2004.

efficient and timely manner, while adhering to community development and sustainability of interventions.

Motivate Individuals

It is essential for individuals to take care of themselves and their communities through the establishment of associations that motivate and support them achieve this goal. Humans need to gather together through an alliance or union; in authoritarian regimes, the ‘cause of assembling’ can be an aspiration to direct the government towards a less abusive entity that acquires their needs⁸⁸. This explains why many authoritarian regimes are suspicious of citizen-based assemblies, and whether they ratify laws to restrict/prevent it.

NGOs provide public space/outlets for youth to assemble, conduct discussions, and exchange information for empowerment and motivation. From a rights-based approach, NGOs are also ‘rights defenders’ since they defend people’s social, economic and political rights, as ratified by international conventions and jointly agreed by governments⁸⁹. Therefore, providing for one’s community and adding to its prosperity motivates individuals and adds to their self-accomplishment and esteem, which is another factor relative to NGO effectiveness.

Enhance Relations with UN

The term ‘NGO’ did not exist until the adoption of the UN charter in 1945. At the time, a new article in the UN charter was drafted, stating that NGOs should have a consultative status with the UN ‘Economic and Social Council’ through networking and building coalitions⁹⁰. Now, NGO participation rights have increased – making them more encouraged to participate in the UN – and partnerships have intensified with states and international organizations. Today, international organizations depend heavily on NGOs in project implementation due to their field-level expertise that enable them to reach grassroots and support vulnerable beneficiaries. This can only be done

88 Brinton, Aspen. “Association and recognition in authoritarian societies: A theoretical beginning.” *European Journal of Political Theory*. 9 July 2012.

89 AUC workshop “Civil Society in Egypt.” Facilitator: Dr. Nadine Sika, Panellists: Dr. Mustapha Al-Sayyid, Mr. Shahir Ishak, Mr. Ayman Shihata, Dr. Noha El Mekawy. 25 October 2018. AUC New Cairo.

90 Willets, Peter. “The Role of NGOs in Global Governance.” *World Politics Review*. 27 September 2011.

in an enabling environment, where ‘legislation’ that promotes NGO presence and motivate its operations is necessary.

The UN defines ‘civil society’ as a wide range of organizations and community groups, including individuals and groups, that have become important contributors to the delivery of social services, and implementation of development programmes complementary to the work of governments especially in post-conflict countries and/or regions⁹¹. Besides the UN strengths in acquiring high level of expertise, political neutrality, and acquisition of knowledge, scholars have identified some of its weaknesses in becoming ‘too big’ and ‘bloated’, therefore suggested the downsize and streamline of its activities for effectiveness⁹².

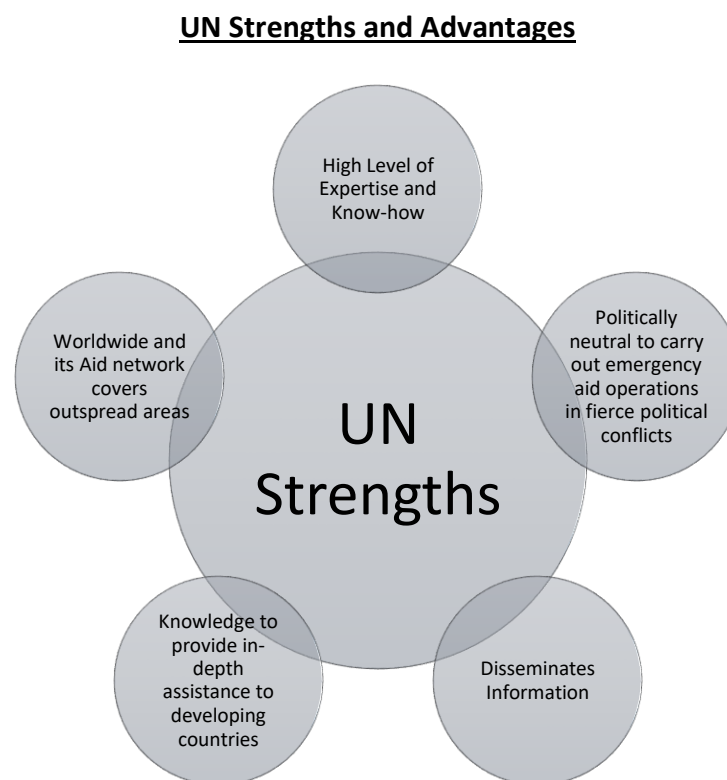


Figure 3-UN Strengths and Advantages

Source: Akira, Nishigaki and Shimomura Yasutami. “The Economics of Development Assistance: Japan’s ODA in a Symbiotic World.” *LTCB International Library Foundation* 1998.

91 El Akkad, Nour. *Transformational Leadership in Action: a Case Study in the Role of NGOs in Reducing Poverty and Catalysing Social Change in Egypt. Thesis.* The American University in Cairo: The Public Policy and Administration Department. Spring 2016.

92 Akira, Nishigaki and Shimomura Yasutami. «The Economics of Development Assistance: Japan’s ODA in a Symbiotic World.» *LTCB International Library Foundation* 1998.

In addition to advocating and raising awareness, NGOs are service providers and partners for sustainable development in alignment to the UN Sustainable Development Goals (SDG). Through partnerships with donors and UN agencies, NGOs implement development programmes to alleviate poverty, accomplish zero hunger, provide quality education, realize gender equality, contribute to economic growth and generally achieve more goals.

2030 UN Sustainable Development Goals



Figure 4-2030 UN Sustainable Development Goals

Source: Sustainable Development Goals: Knowledge Platform. <https://sustainabledevelopment.un.org/?menu=1300>

As a result, when the UN organizes a global conference to discuss global issues, the meeting of government representatives/officials is paralleled by a simultaneous conference hosting NGOs from around the world, leading to a ‘world parliament’ represented by governments and NGOs⁹³. Today, the UN High Commissioner for Refugees (UNHCR) works with more than 900 partners including NGOs, government stakeholders and UN agencies to implement programmes that provide protection and solutions to people forced to leave their countries⁹⁴. Every year, the UNHCR organizes a consultation event with NGOs as a forum for discussion, and an opportunity to explore collaborations on operational issues. As for the World Food Programme (WFP), it

93 DeMars, William E. *NGOs and Transnational Networks: Wild Cards in World Politics*. Pluto Press. 20 April 2005.

<https://ebookcentral.proquest.com/lib/aucegypt/reader.action?docID=3386528>

94 UNHCR The UN Refugee Agency: Non-Governmental Organizations. <http://www.unhcr.org/non-governmental-organizations.html>

currently works with more than 1,000 NGOs that provide support in food distribution including emergencies, school meals, and asset creation targeting 80 million people in 80 countries⁹⁵. Since 1995, WFP holds an Annual Partnership Consultation for NGOs to engage in strategic dialogue and together plan to alleviate hunger by 2020.

During this year's WFP Partnership Consultation meeting, discussions included the launch of the UN Partner Portal which serves as a central database for the registration of partner NGOs, as well as a platform for due diligence that screens and manages NGOs' calls for expressions of interest⁹⁶. This collaboration between WFP, UNICEF and UNHCR is an inter-agency harmonization system that aims to revolutionize the way UN agencies interact with their partners, and allow stakeholders to engage, exchange know-how, bring synergy and capacities to better reach the people we serve and achieve more effective results⁹⁷.

Aim for Development

Development is defined as a moral mission to improve people's quality of life; NGOs are part of this 'human improvement project' by promoting social movements and advocacy besides implementing development projects⁹⁸. Development is also described as an economic project intended to assist underdeveloped communities, where countries become developed and catch up with developed countries⁹⁹. For development to be achieved, a country must adopt a democratic political system, a gender-equal environment, cooperation between NGOs with the government and community, and finally implement programmes from the bottom-up so that marginalized beneficiaries experience the outcomes of development¹⁰⁰.

95 World Food Programme. <http://www1.wfp.org/non-governmental-organizations>

96 Mingardi, Maria Vittoria. Introducing the UN Partner Portal. 6 October 2017. World Food Programme Insight. <https://insight.wfp.org/introducing-the-un-partner-portal-9a2b2261bf9f>

97 Mingardi, Maria Vittoria. Introducing the UN Partner Portal. 6 October 2017. World Food Programme Insight. <https://insight.wfp.org/introducing-the-un-partner-portal-9a2b2261bf9f>

98 Lashaw, Amanda. Christian Vannier and Steven Sampson. *Cultures of Doing Good: Anthropologists and NGOs*. The University of Alabama Press. 2017.

99 Lewis, David and Tina Wallace Eds. *New Roles: Relevance, Development NGOs and the Challenge of Change*. Kumarian Press 2000.

100 Akira, Nishigaki, Shimomura Yasutami. «The Economics of Development Assistance: Japan's ODA in a Symbiotic World.» *LTCB International Library Foundation*. 1998.

Development Features that Achieve Results

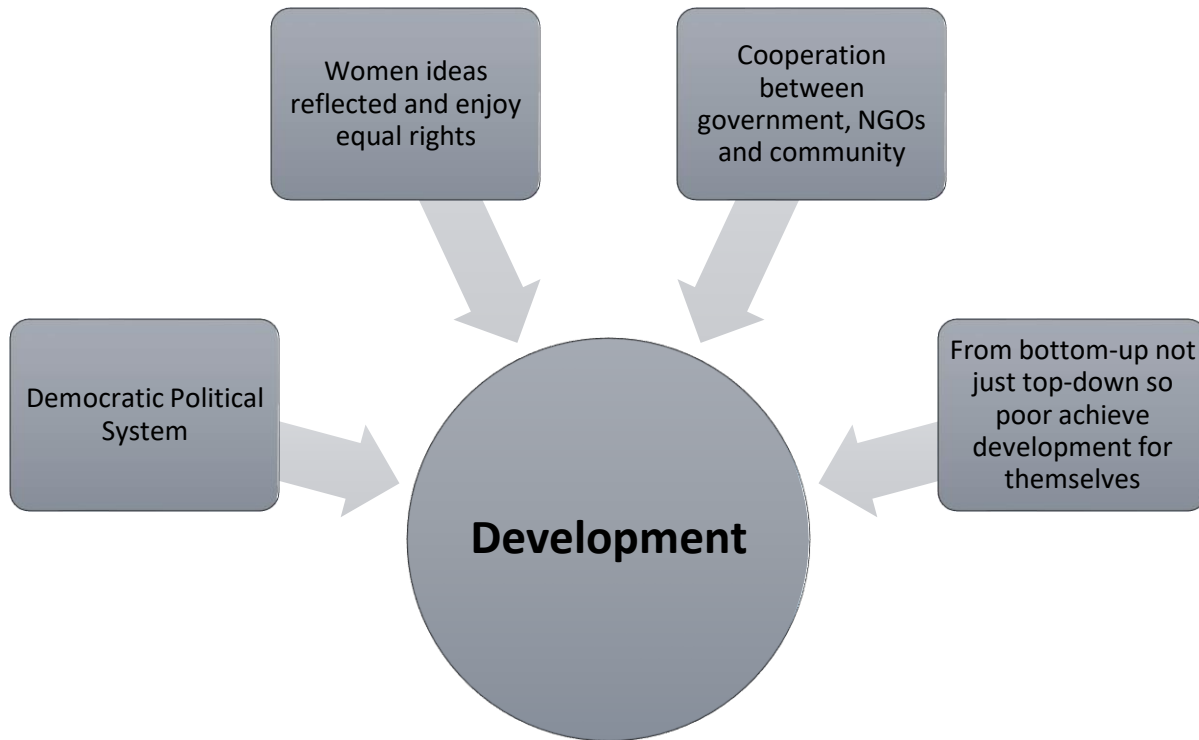


Figure 5- Development Features that Achieve Results

Source: Akira, Nishigaki, Shimomura Yasutami. "The Economics of Development Assistance: Japan's ODA in a Symbiotic World." *LTCB International Library Foundation*. 1998

Since the Rio conference in 1992, the global community has focused on sustainable development, meaning to develop without destroying resources for future development, and the essentiality to highlight the relationship between poverty, population and environmental degradation¹⁰¹. Sustainable development is also defined as development that meets the needs of the present without compromising the ability of future generations to meet their own needs¹⁰². Failure of some governments to meet the escalating challenges of sustainable development has vastly enhanced awareness of the widening gap between the desperate reality of the poor and what educated people believe to be possible¹⁰³. However, sustainable development can sometimes cause damaging impacts on environmental sustainability and resource scarcity, which is possible to occur when

101 Fisher, Julie. *Non Governments NGOs and the Political Development of the Third World*. Kumarian Press. 1998.

102 Akira, Nishigaki, Shimomura Yasutami. «The Economics of Development Assistance: Japan's ODA in a Symbiotic World.» *LTCB International Library Foundation*. 1998.

103 Fisher, Julie. *Non Governments NGOs and the Political Development of the Third World*. Kumarian Press. 1998.

human activities lead to climate change that result in destroyed crops, loss of economic livelihoods, and reduction in food production.

Nowadays, donors seek projects that they believe recipients will be able and willing to sustain after donor funds are depleted¹⁰⁴. Sustainable projects lead to social transformation, since self-reliant communities embrace social responsibility and are empowered to mobilize their own energies and resources to solve their problems¹⁰⁵. On the global sphere, sustainable development should be achieved through grassroots participation, especially among NGOs, to support their communities promote family planning, sustain women enterprise development, lobby against child labour and forced/early marriages, enhance education and avert environmental deterioration¹⁰⁶.

In December 1989, the development cooperation emphasized (in its 1990s policy statement) the importance of ‘participatory development’ as a leading concept in development assistance, which entails the importance of participation of as many people as possible in the development process¹⁰⁷. This approach is described as a profoundly moral innovation for the poor to become self-reliant and independent in mobilizing their own energies and resources to solve their own problems, and eventually lead to sustainability beyond donor funding¹⁰⁸.

104 Swidler, Ann, Susan Cotts Watkins. “Teach a Man to Fish: The Sustainability Doctrine and its Social Consequences.” *World Development* Vol. 37 no. 7 pp. 1182-1196. 2009.

105 Swidler, Ann, Susan Cotts Watkins. “Teach a Man to Fish: The Sustainability Doctrine and its Social Consequences.” *World Development* Vol. 37 no. 7 pp. 1182-1196. 2009.

106 Fisher, Julie. *Non Governments NGOs and the Political Development of the Third World*. Kumarian Press. 1998.

107 Akira, Nishigaki, Shimomura Yasutami. “The Economics of Development Assistance: Japan’s ODA in a Symbiotic World.” *LTCB International Library Foundation*. 1998.

108 Swidler, Ann and Susan Cotts Watkins. “Teach a Man to Fish: the Sustainability Doctrine and its Social Consequences.” *World Development* vol. 37 no. 7 pp. 1182-1196 2009.

Participatory Development Leads to Results



Figure 6-Participatory Development Leads to Results

Source: Akira, Nishigaki, Shimomura Yasutami. "The Economics of Development Assistance: Japan's ODA in a Symbiotic World." *LTCB International Library Foundation*. 1998.

Produce Knowledge

NGOs generate knowledge and disperse it among its members, the society and policy makers, to support their decision-making or correct falsehood¹⁰⁹. NGOs also conduct research, surveys, and reports to share information and tackle issues coming from their experience in programme implementation in the most marginalized communities. Located at grassroots level, NGOs may collect and compile data from the field to support governments in decision making, programme planning and beneficiary mapping, to better acquire results and achieve desired impact.

Create an Aligned Agency

¹⁰⁹ AUC workshop "Civil Society in Egypt." Facilitator: Dr. Nadine Sika, Panellists: Dr. Mustapha Al-Sayyid, Mr. Shahir Ishak, Mr. Ayman Shihata, Dr. Noha El Mekawy. 25 October 2018. AUC New Cairo.

NGOs may operate as un-bureaucratic agencies through their flexibility, innovation and cost efficiency and quite bureaucratic through their rigid organization, inflexible rules, and high dependence on aid. A question arises to whether NGOs are replacing the government, or do they aim to align to the government's plan? According to the Field Overlap theory, NGOs are likely to succeed through the process of 'interest harmonization', as well as negotiate with the government through creating alliances, exchanging resources, and engaging in complementary of activities¹¹⁰. The government is not a bad public service vehicle but rather an incomplete one, since it's incapable of dealing with the subtle level of interpersonal relationships between 'neighbors', and unable to deal with the arena of 'intimacy', which is a key ingredient of civil society¹¹¹.

Therefore, governments partner with NGOs to empower themselves and build grassroots ties through cooperation, complementary and cooptation relationships. Through cooperation, the government and NGOs agree on similar goals and share alike strategies of implementing programme delivery¹¹². A complementary partnership is characterized by the convergence of goals and divergence of means exercised by the government and NGOs¹¹³. As for cooptation relationships, the government and NGOs are interested in using the same means or strategies to reach different goals¹¹⁴. NGOs need to be cautious that an over-enthusiastic partnership with the government does not detract it from its core values or damage its credibility; a healthy relationship then is when NGOs hold governments accountable while playing a positive role in regulating the NGO sector¹¹⁵.

Some scholars perceive that the government and market are not alone enough to make a civilization; there must be a healthy robust civil sector with a space in which the bonds of

110 Asad, Asad I., Tamara Kay. "Theorising the relationship between NGOs and the state in medical humanitarian development projects." *Social Science & Medicine* (120) 2014 pp. 325-333.

111 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

112 Abouassi, Khaldoun. "Get Money Get Involved? NGO's Reactions to Donor Funding and their Potential Involvement in the Public Policy Processes." *International Journal of Voluntary and Non-profit Organisations*. Vol. 25 no. 4 August 2014. Pp.968-990.

113 Abouassi, Khaldoun. "Get Money Get Involved? NGO's Reactions to Donor Funding and their Potential Involvement in the Public Policy Processes." *International Journal of Voluntary and Non-profit Organisations*. Vol. 25 no. 4 August 2014. Pp.968-990.

114 Abouassi, Khaldoun. "Get Money Get Involved? NGO's Reactions to Donor Funding and their Potential Involvement in the Public Policy Processes." *International Journal of Voluntary and Non-profit Organisations*. Vol. 25 no. 4 August 2014. Pp.968-990.

115 Yumasdaleni, Tanya Jakimow. "NGOs, 'Straddler' Organisations and the Possibilities of 'Channelling in Indonesia: New Possibilities for State-NGO Collaboration?'" *Voluntas* 2017 28:1015-1034.

community can flourish¹¹⁶. Thus, the government and market are like two legs of a three-legged stool; without the third leg of civil society the stool will not be stable and therefore could not provide support¹¹⁷. Accordingly, a government needs the civil society to help form responsible citizens, whereas the civil society needs the government to provide a legal framework that enables people to associate¹¹⁸.

Funds Directed to NGOs Worldwide (1970 – 2001)

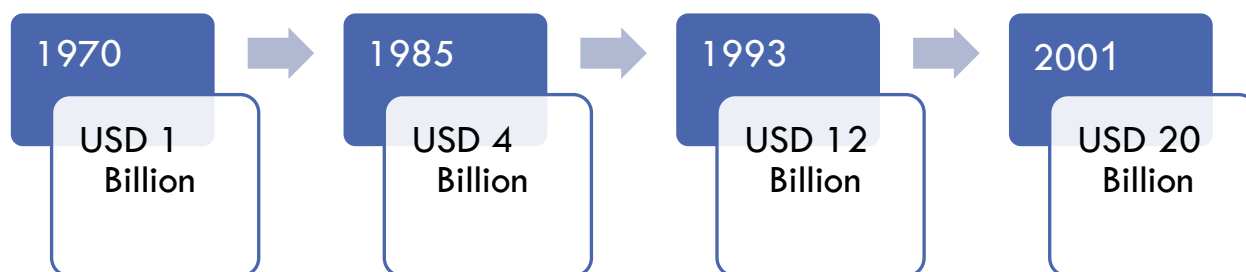


Figure 7-Funds Directed to NGOs Worldwide (1970 - 2001)

Source: Qandeel, Amani. "El Mawsoaa El Arabeya lel Mogtamaa El Madani." *El Shabaka El Arabia Lel Monazamat El Ahlia*. 2008

Promote Accountability

Linked to the concept of good governance, 'accountability' is when an actor recognizes that it has made a promise to do something and accepted a moral and legal responsibility to fulfill that

116 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

117 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

118 Rosenblum, Nancy L. and Robert C. Post. *Civil Society and Government*. Princeton University Press. 2002.

promise¹¹⁹. Another definition for ‘accountability’ is the concrete relationship between two or more parties; one party is accountable to another for the execution of some duty promised by the former¹²⁰. Public officials are accountable when they inform and justify their plans of action, behavior and results, and are sanctioned accordingly¹²¹.

Lack of accountability makes the likelihood of ineffectiveness and illegitimate actions by an organization much more probable¹²². NGOs should be primarily accountable to beneficiaries in the provision of services that enable their wellbeing and support them overcome their daily challenges. However, the high dependence of NGOs on financial support they receive from donors creates several accountability dilemmas when differences occur between donor preferences and beneficiary needs – which NGOs face with ethically legal and strategic questions as to whom (government/donor/beneficiaries) they should be most accountable to¹²³.

In the meantime, NGOs serve as the liaison between international organizations/donors and the pregnant women carrying water jugs on their heads, aiming not to alienate the very people they aim to serve¹²⁴. To receive funds, NGOs must invest significant time and energy to market their skills and capabilities to donors; many seem more proficient at developing proposals that suit donor priorities and reflect their own methodologies and organizational structures that are not always compatible with the needs of target communities¹²⁵. Once NGOs receive funds, they must devote considerable time to complete periodic programmatic and financial reports requested by donors¹²⁶. Some scholars recognize the dependence of ‘development NGOs’ on donors is ‘too

119 Brown, L. David and Mark H. Moore. “Symposium: New Roles and Challenges for NGOs. Accountability, Strategy and International Nongovernmental Organisations.” *Nonprofit and Voluntary Sector Quarterly*, Vol. 30 no. 3 September 2001 569-587.

120 Brown, L. David and Mark H. Moore “Symposium: New Roles and Challenges for NGOs. Accountability, Strategy and International Nongovernmental Organisations.” *Nonprofit and Voluntary Sector Quarterly*, vol. 30 no. 3 September 2001 569-587.

121 Sarker, Abu Elias, Mohamed Habibur Rahman. “The role of social accountability in poverty alleviation programs in developing countries: an analysis with reference to Bangladesh.” *Public Organiz Rev* 2015 15:317-333.

122 Fisher, Julie. *Non Governments NGOs and the Political Development of the Third World*. Kumarian Press. 1998.

123 Brown, L. David and Mark H. Moore. “Symposium: New Roles and Challenges for NGOs. Accountability, Strategy and International Nongovernmental Organisations.” *Nonprofit and Voluntary Sector Quarterly*, Vol. 30 no. 3 September 2001 569-587.

124 El-Gawhary, Krista Masonis. “Egyptian Advocacy NGOs: Catalysts for Social and Political Change?” *Middle East report*, no. 214. Critiquing NGOs: Assessing the Last Decade. pp.38-41. Spring 2000.

125 El-Gawhary, Krista Masonis. “Egyptian Advocacy NGOs: Catalysts for Social and Political Change?” *Middle East report*, no. 214. Critiquing NGOs: Assessing the Last Decade. pp.38-41. Spring 2000.

126 El-Gawhary, Krista Masonis. “Egyptian Advocacy NGOs: Catalysts for Social and Political Change?” *Middle East report*, no. 214. Critiquing NGOs: Assessing the Last Decade. pp.38-41. Spring 2000.

close for comfort' therefore risking their accountability to the people they serve – the most vulnerable beneficiaries.

2.1.6 NGOs and Donors

Since 1980s donors have preferred local NGOs to governments as the recipient of development funding as the government is seen by many as a source of problems than as a solution that favor political ends rather than development concerns¹²⁷. At the time, the aid channeled through NGOs rapidly increased and NGOs growingly became dependent on financial resources from donors and adapted to the donor's strategic objectives and development plans¹²⁸. But are NGOs' dependence on foreign aid 'demand-led' or 'supply-led'? Do they assume responsibility and take the initiative to design and present priorities when donors place resources at their disposal (demand-led) or does international aid channeled into programmes have specific goals set by donors (supply-led)¹²⁹?

In the 2006 Palestinian elections, NGOs abandoned their social service missions when their funders decided to reallocate the money to democracy, participation and advocacy¹³⁰. In Bangladesh, the NGO sector reallocated its focus from promoting political mobilization to the delivery of basic services to coincide with donor plans¹³¹. The NGO-donor relationship is therefore described through a four-mode of reaction that NGOs can respond to when shifts in donor funding occur¹³²:

1. Exit – when an NGO decides to no longer seek funding from a particular donor.
2. Voice – when an NGO relates its concern to the donor with the intention of influencing the donor's decisions and sustain the relationship through reaching common ground.
3. Loyalty – when an NGO automatically and unconsciously comply with the donor.

127 AbouAssi, Khaldoun. «Hands in the Pockets of Mercurial Donors: NGO Response to shifting Funding Priorities.» *Nonprofit and Voluntary Sector Quarterly* 42(3) 584-602. 2012.

128 AbouAssi, Khaldoun. «Hands in the Pockets of Mercurial Donors: NGO Response to shifting Funding Priorities.» *Nonprofit and Voluntary Sector Quarterly* 42(3) 584-602. 2012.

129 AbouAssi, Khaldoun. «Hands in the Pockets of Mercurial Donors: NGO Response to shifting Funding Priorities.» *Nonprofit and Voluntary Sector Quarterly* 42(3) 584-602. 2012.

130 AbouAssi, Khaldoun. «Hands in the Pockets of Mercurial Donors: NGO Response to shifting Funding Priorities.» *Nonprofit and Voluntary Sector Quarterly* 42(3) 584-602. 2012.

131 AbouAssi, Khaldoun. «Hands in the Pockets of Mercurial Donors: NGO Response to shifting Funding Priorities.» *Nonprofit and Voluntary Sector Quarterly* 42(3) 584-602. 2012.

132 Abouassi, Khaldoun. «Get Money Get Involved? NGO's Reactions to Donor Funding and their Potential Involvement in the Public Policy Processes.» *International Journal of Voluntary and Non-profit Organisations*. Vol. 25 no. 4 August 2014. Pp.968-990.

4. Adjustment – when an NGO voluntarily and deliberately decide to adjust its activities to favorably cope with the donor’s new objectives to secure funding.

The Paris Declaration on Aid Effectiveness (2005) and the Accra Agenda for Action (2008) are two milestones focused on adhering to and applying the principles of local ownership, national priorities and development strategies, harmonization of donor practices, mutual accountability, and results management¹³³. Subsequently, some donors have reformed their co-funding systems to incentivize more complementarity between the bilateral and NGO development-co-operation strategies¹³⁴. At that time, around seven donor countries (United Kingdom, Ireland, Denmark, Sweden, Norway, Netherlands, Finland) developed an NGO policy to highlight the importance of strengthening their relationships with civil society in developing countries as a fundamental goal¹³⁵.

¹³³ Abouassi, Khaldoun. “Get Money Get Involved? NGO’s Reactions to Donor Funding and their Potential Involvement in the Public Policy Processes.” *International Journal of Voluntary and Non-profit Organisations*. Vol. 25 no. 4 August 2014. Pp.968-990.

¹³⁴ Molenaers, Nadia, Anna Gagiano and Robrecht Renard. “The Quest for Aid Complementarity: Reforming Co-operation between Nordic + Donors and NGOs.” *Development Policy Reviews*, 2015, 33 (3): 325-354.

¹³⁵ Molenaers, Nadia, Anna Gagiano and Robrecht Renard. “The Quest for Aid Complementarity: Reforming Co-operation between Nordic + Donors and NGOs.” *Development Policy Reviews*, 2015, 33 (3): 325-354.

CHAPTER 3

CASE STUDY - EGYPT

“In reforming education, civil society must complement the government by performing functions governments cannot do, redefine the purpose and nature of education, and present it as an investment in human capital with a high rate of return.”
– Mona Makram Ebeid¹³⁶

This chapter focuses on Egypt and begins with introducing the context of the country, which explains the social implications, economic challenges, and political environment. The chapter then explores the status of NGOs in Egypt since Mohammad Ali’s Dynasty to President Abdel Fatah El Sisi’s leadership followed by a historical background on NGO laws in Egypt from 1956 to 1999. The chapter concludes with an in-depth analysis of the current NGO law no. 84 of 2002, outlining the factors that led to its emergence and its effectiveness.

3.1 Country Context

In this section I will emphasis on Egypt’s context in terms of social implications, economic challenges and political environment capturing data before the ratification of NGO law no. 84 of 2002 and after.

3.1.1 Social implications

Egypt is ‘the’ geographic gateway to many countries as it borders with Israel, controls the Suez Canal (where Persian Gulf oil is transported to Europe and North America), and hosts some of the most fascinating sites in the world¹³⁷. Poverty, which is defined as a ‘state of existence’ where people fail to meet minimal living standards¹³⁸, have increased from 17 percent of families living under the national poverty line in 1999 to 22 percent in 2008 and 25 percent in 2015, making people unable to satisfy their minimum food needs with rural Upper Egypt enduring poverty rates

136 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997. p.131

137 DeMars, William E. *NGOs and Transnational Networks: Wild Cards in World Politics*. Pluto Press. 20 April 2005.

<https://ebookcentral.proquest.com/lib/aucegypt/reader.action?docID=3386528>

138 Akira, Nishigaki and Shimomura Yasutami. “The Economics of Development Assistance: Japan’s ODA in a Symbiotic World.” *LTCB International Library Foundation*. 1998.

three times as high as urban Egypt¹³⁹. The country has recently witnessed severe social implications, which affected the citizens and placed further burdens on government resources. The World Bank simulations of household short term responses to energy and VAT reforms suggest that the poverty rates could have increased as well during 2015 - 2017¹⁴⁰.

% of Families under the National Poverty Line in Egypt (1999 – 2015)

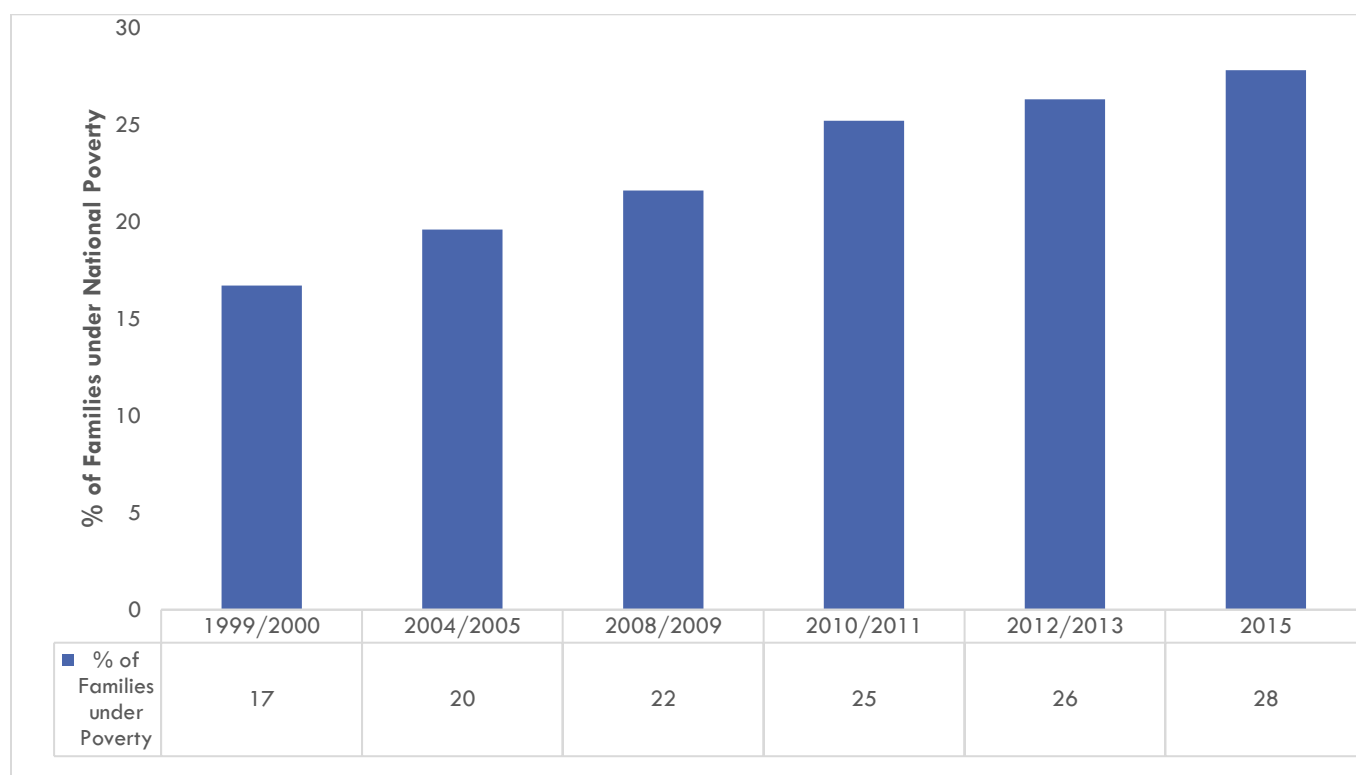


Figure 8--% of Families under National Poverty Line in Egypt (1999 – 2015)

Source: “El Taqreer El Ehsaie El Watani Lemotabaat Moasherat Ahdaf El Tanmeya El Mostadama 2030.” Egypt. 2018. CAPMAS. https://www.capmas.gov.eg/Pages/ShowPDF.aspx?page_id=pdf/SDG.pdf

On food security, data from the 2015 HIECS shows that 15.9 percent of households are estimated to have ‘poor access to food’, of which 31.7 percent reside in Upper Egypt and 15.9 percent in frontier governorates¹⁴¹. Affordability, food quality and food safety remain the most pressing challenges compared with food availability. Families spend 34.4 percent of their income on food

139 “Egypt’s Economic Outlook”. *World Bank*. April 2018. <https://www.worldbank.org/en/country/egypt/publication/economic-outlook-april-2018>

140 “Egypt’s Economic Outlook,” *World Bank*, October 2018.

141 “CAPMAS Informatics monthly statistical bulletin issue – Issue 79.” Ref. no. 2018-20111-61. https://www.capmas.gov.eg/Pages/Publications.aspx?page_id=20868&Year=23118

and beverage, 17.5 percent on housing and expenses, and 10 percent on services and health care, with 57 percent of the population falling below the poverty line in rural Upper Egypt¹⁴².

Food Insecurity in Egypt – WFP Analysis using CAPMAS data

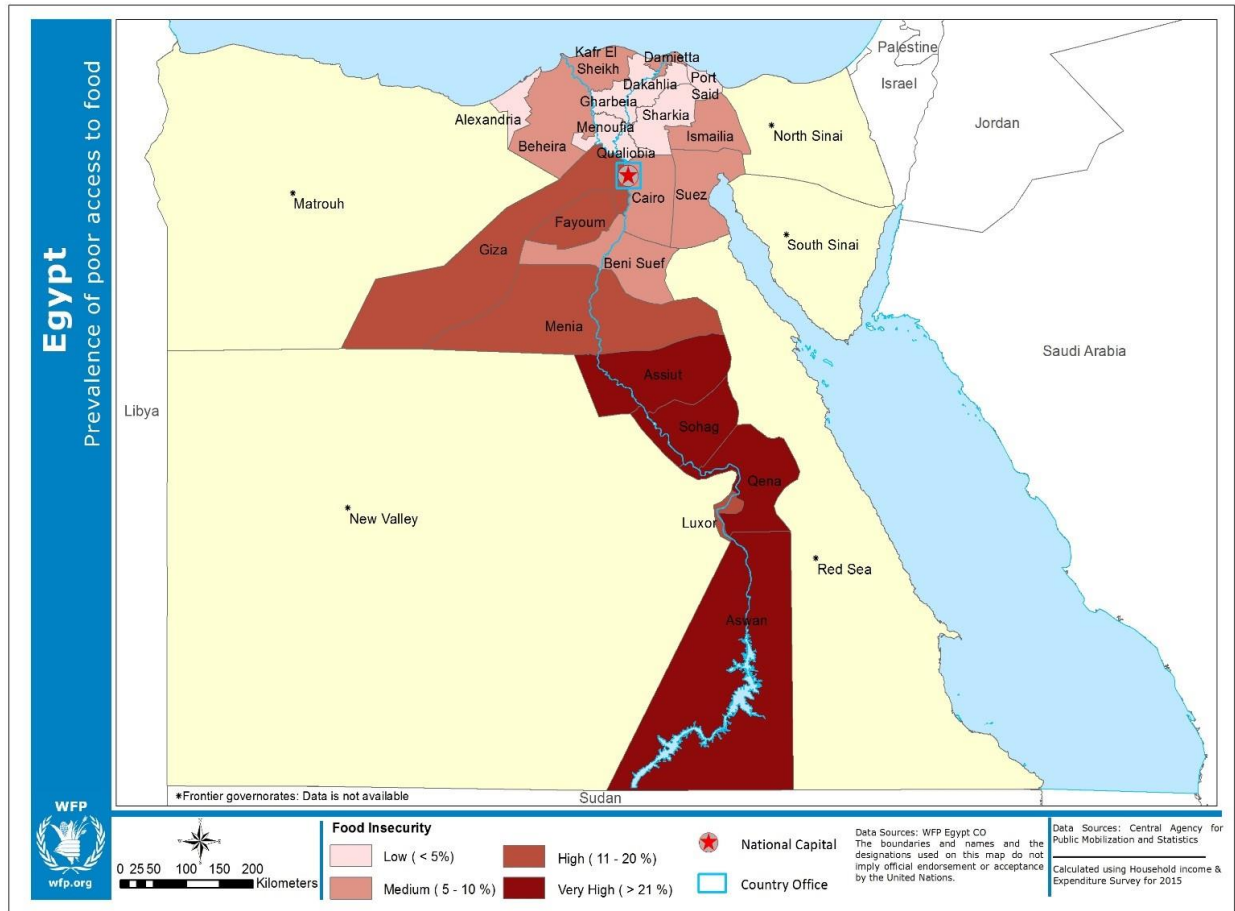


Figure 9-Food Insecurity in Egypt (WFP analysis using CAPMAS data)
 Source: “CAPMAS Informatics monthly statistical bulletin issue – Issue 79.” Ref. no. 2018-20111-61.
https://www.capmas.gov.eg/Pages/Publications.aspx?page_id=20868&Year=23118

Egypt has witnessed a drastic increase in population from almost 70 million people in 2000 to 80 million people in 2008 and an estimate of 96 million people in 2017 – looking back at 1960, Egypt had a population of 27 million people¹⁴³. In October 2018, the Egyptian population reached 97.8 million people, compared to 97 million people in June 2018, and 96.8 million people in May 2018 which shows an increase of one million Egyptians every five months, placing more burden on

142 Household Income, Expenditure, and Consumption Survey, HIEC 2015.

143 Trading Economics www.tradingeconomics.com/egypt

government resources and services that are greatly and consequently augmented. To overcome this burden, many families resort to negative coping mechanisms such as child labor, human trafficking and early/forced marriages of their daughters to use them as additional sources of income, causing permanent damage to their childhood and psychological stress. Rapid population growth is a risk to national security; around 25 percent of Egyptians currently live in Upper Egypt and give birth to 40 percent of the population’s births resulting in a baby born every 15 seconds, at a rate of 5,670 births daily¹⁴⁴.

Number of Population in Egypt (2000 – 2017)

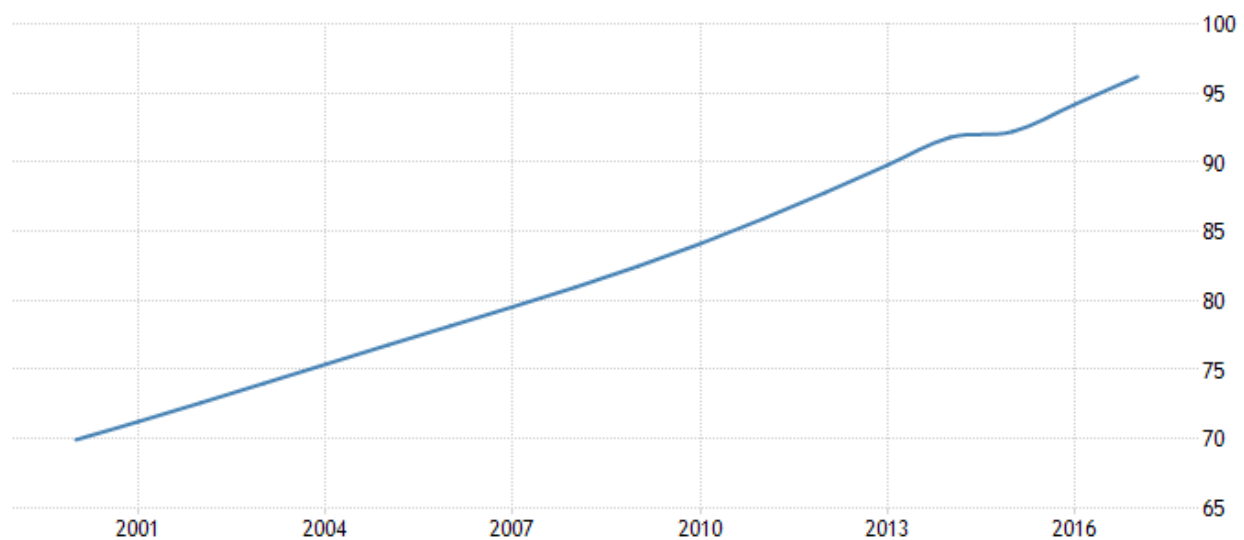


Figure 10-Number of Population in Egypt (2000- 2017)
 Source: Trading Economics www.tradingeconomics.com/egypt

In 2010, 1.8 million children (aged 5 – 17 years old) were recorded in the child-labor work force; almost 1.6 million children (3 percent of the child labor-force) were working in agriculture, 18.9 percent in industry, and 17.6 percent in services¹⁴⁵. NGOs provide services, encourage income generating activities and spread advocacy to Egyptians to prevent them from resorting to negative coping mechanisms that cause severe protection risks.

144 “Etehad El Gameayat: 25% men Sokan Masr fe El Saeed wa Yangeboun 40% men El Mawaleid.” *El Youm El Sabea*. 15 December 2018. <https://www.youm7.com/story/2018/12/15/4068835/40-اتحاد-الجمعيات-25-من-سكان-مصر-في-الصعيد-وينجبرن-40-من-المواليد>

145 «National Action Plan to Combat Child Labour in Egypt.» *Ministry of Manpower*. 27 July 2017

Prevalent forms of gender inequalities and discriminatory social norms continue to impede social and economic development in Egypt. The 2017 Global Gender Gap Index (GGGI) ranks Egypt as 134th (out of 144 countries) in ‘progress towards gender parity’, where notable biasness exist in economic participation and opportunities, in addition to political empowerment and leadership¹⁴⁶. According to the 2017 Global Gender Gap report, female-headed households in Egypt reached 15 percent in the country, of which 26.3 percent live below the poverty line¹⁴⁷.

Though access to credit/loans is legally and equally granted to both genders, women in rural areas tend to face difficulties in receiving it due to the lack of assets (they have nothing to guarantee credit institutions, such as banks, that they will pay the borrowed funds to), and identification documents (they have no identification to show credit institutions, meaning that such people don’t exist in the legislative system) and are identity-less in the eyes of the state¹⁴⁸. In 2014, nearly 5.5 million Egyptian women do not have national IDs and could not participate in the market, therefore not recognized by the government as Egyptian citizens¹⁴⁹.

In many areas around Egypt, the act of girls or women going out of their homes – for any reason – is strictly restricted by both social norms and family traditions, to the extent that many girls are forced not to attend school if they must walk a distance, fearing they would get harassed. As a result, many Egyptian girls or women get deprived of their rightful education that could have provided them with the necessary qualifications to ‘earn’ a living. A theory suggests that empowering women through several approaches such as enhanced education, providing them with paid work, and raising awareness of birth control would lead them to postpone marriage and pregnancy, which results in having fewer children over their reproductive lifetime, and hereby contribute to reducing population growth and easing pressure on the environment¹⁵⁰.

Unfortunately, countless gender programmes (of which many are supported and implemented by NGOs) do not take the Egyptian cultural context into proper consideration; gender issues are more

146 «Insight Report: The Global Gender Gap Report 2017.» *World Economic Forum*. http://www3.weforum.org/docs/WEF_GGGR_2017.pdf

147 “Insight Report: The Global Gender Gap Report 2017.” *World Economic Forum*. http://www3.weforum.org/docs/WEF_GGGR_2017.pdf

148 “Insight Report: The Global Gender Gap Report 2017.” *World Economic Forum*. http://www3.weforum.org/docs/WEF_GGGR_2017.pdf

149 Malak, Karim and Sara Salem. «How far does Neoliberalism go in Egypt? Gender, Citizenship and the making of the ‘Rural’ Woman.” *Review of African Political Economy* 44:154 541-558. 22 March 2017.

150 DeMars, William E. *NGOs and Transnational Networks: Wild Cards in World Politics*. Pluto Press. 20 April 2005.

<https://ebookcentral.proquest.com/lib/aucegypt/reader.action?docID=3386528>

often misunderstood, dismissed as irrelevant, or worse, perceived as a dangerous foreign intervention designed to destroy Egypt's moral fabric¹⁵¹.

The education system continues to struggle in addressing the needs of Egypt's growing population. In 2017, approximately 26.6 percent of Egypt's children haven't been admitted to school while illiteracy levels for children (10 years old and above) reached 25.8 percent (in comparison to 29.6 percent in 2006)¹⁵². This coincides with the decrease in public expenditure on education to 8.9 percent in the academic school year 2017/18, in comparison to 10.7 percent in the 2016/17 academic year, and 11.5 percent in 2015/16¹⁵³. In 2018, illiteracy rates reached 25.6 percent in Egypt; almost 33 percent among males, whereas one illiterate female exist among three females¹⁵⁴. This represents an additional burden on the government to provide educational services with scarce resources and financial challenges.

3.1.2 Economic challenges

From 1992 to 2018 in Egypt, Gross Domestic Product (GDP) averaged 4.13 percent, reaching an all-time high of 7.7 percent in the fourth quarter of 2007 and a record low of -3.80 percent in the first quarter of 2011¹⁵⁵. In 2016, Egypt's agreement with the IMF loan made the central bank float the Egyptian pound to decrease the black-market burden and reform the inefficient subsidy system resulting in high energy prices that made Egyptian consumers and entrepreneurs heavily affected¹⁵⁶. In 2018, Egyptian officials started to recap the fruits of economic reform and expanded its GDP up to 5.30 percent in the third quarter of 2018¹⁵⁷.

151 El-Gawhary, Krista Masonis. «Egyptian Advocacy NGOs: Catalysts for Social and Political Change?» *Middle East Report*, no. 214 Critiquing NGOs: Assessing the Last Decade Spring 2000 pp.38-41.

152 CAPMAS – Ketab Ehsaie El Sanawi 2018. Issue no. 109 ref. no. 71-01111-2018. September 2018. https://www.capmas.gov.eg/Pages/StaticPages.aspx?page_id=5034

153 CAPMAS – Ketab Ehsaie El Sanawi 2018. Issue no. 109 ref. no. 71-01111-2018. September 2018. https://www.capmas.gov.eg/Pages/StaticPages.aspx?page_id=5034

154 Wahba, Medhat. «Etehad El Gameayat: Nesbet El Omeya Bein El Masreyeen 25.6% wa Sayeda Omeya bayn kol Thalatha.» *El Youm El Sabea*. 15 July 2018. <https://www.youm7.com/story/2018/7/15/3873317/6-25-بين-المصر-نسبة-الأمية-بين-المصريين-واحدة-الجمعيات-نسبة-الأمية-بين-المصريين-واحدة-الجمعيات>

155 Trading Economics www.tradingeconomics.com/egypt

156 «Bertelsmann Stiftung's Transformation Index (BTI) 2018.» *BTI 2018 Country Report*. 1 Feb 2015 – 31 Jan 2017

157 Trading Economics www.tradingeconomics.com/egypt

GDP Annual Growth Rate in Egypt (2000 – 2019)



Figure 11- GDP Annual Growth Rate in Egypt (2000 – 2019)
Source: Trading Economics www.tradingeconomics.com/egypt

From 1960 to 2017 in Egypt, the GDP per capita, which is obtained by dividing the country's GDP (adjusted by inflation) by the total population, averaged USD 1542.04; it was last recorded at USD 2785.37 in 2017 reaching an all-time high and a record low of 631.10 USD in 1960¹⁵⁸.

GDP Per Capita in Egypt (2000 – 2017)

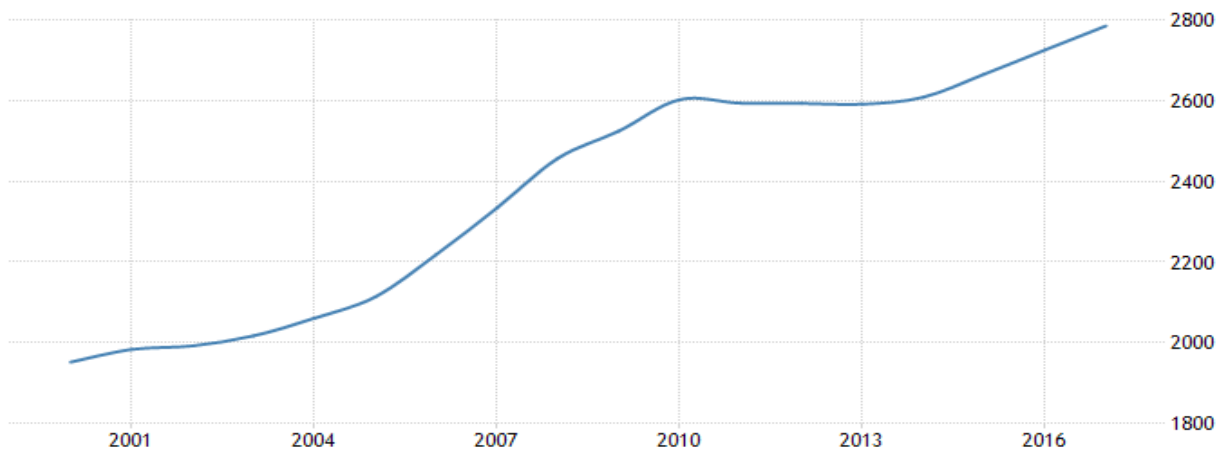


Figure 12-GDP Per Capita in Egypt (2000-2017)
Source: Trading Economics www.tradingeconomics.com/egypt

158 Trading Economics www.tradingeconomics.com/egypt

From 1993 to 2018 in Egypt, the unemployment rate averaged 10.87 percent, reaching an all-time high of 13.40 percent in the third quarter of 2013 and a record low of 8.10 percent in the second quarter of 1999¹⁵⁹. In the fourth quarter of 2018, unemployment rates decreased to 8.90 percent from 10 percent in the third quarter of 2018¹⁶⁰.

Unemployment Rate in Egypt (2000 – 2019)

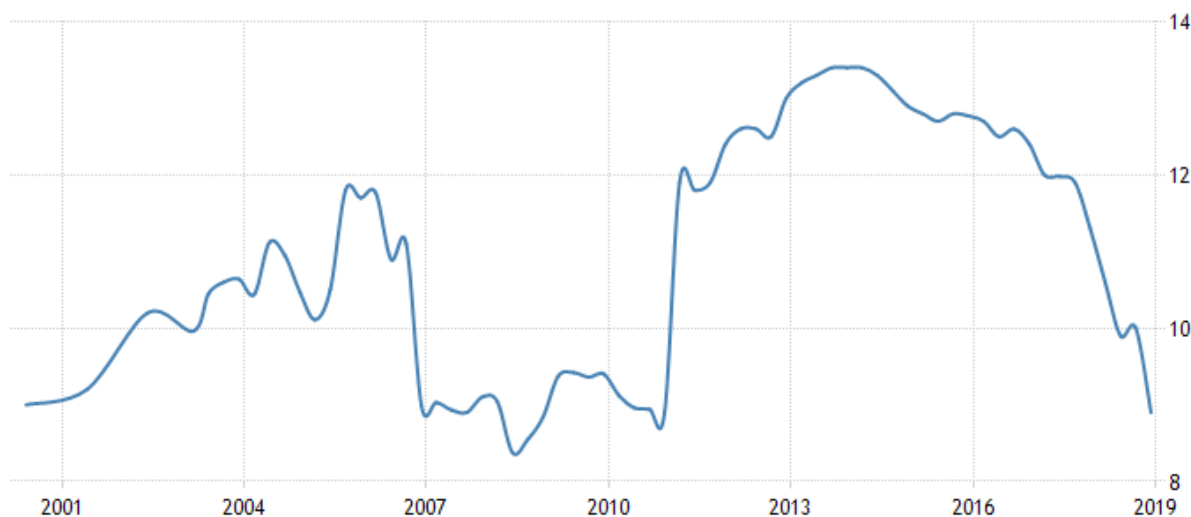


Figure 13-Unemployment Rate in Egypt (2000 – 2019)
Source: Trading Economics www.tradingeconomics.com/egypt

Egypt is a net food importer, hereby exposing the economy to international commodity price shocks. As a result, inflation in food prices affect Egyptian households and their living standards as they are vulnerable to food prices and are at risk of food insecurity. From 1958 to 2019 in Egypt, the inflation rate averaged 9.48 percent, reaching an all-time high of 35.10 percent in June of 1986 and a record low of -4.20 percent in August of 1962¹⁶¹. Access to drinking water and essential foods involve daily difficulties across country queues at bakeries where people ‘die in fights’, physically competing to get their hands-on supplies of ‘achalasia’ or ‘loafs of bread’, which is essential for their survival¹⁶². Nevertheless, the cumulative impact of reforms on inflation rates since 2016 is adding to the pressures of vulnerable populations and is likely to have diminished

159 Trading Economics www.tradingeconomics.com/egypt

160 Trading Economics www.tradingeconomics.com/egypt

161 Trading Economics www.tradingeconomics.com/egypt

162 El-Mahdi, Rabab, Philip Marfleet. *Egypt moment of change*. The American University in Cairo press 2009.

the purchasing capacity of households further, especially those not receiving government assistance.

Inflation Rate in Egypt (2000 – 2019)



Figure 14-Inflation Rate in Egypt (2000 – 2019)

Source: Trading Economics www.tradingeconomics.com/egypt

3.1.3 Political Environment

Seven years after the 2011 revolution in Egypt, both political instability and regional security issues have had a negative impact on the Egyptian economy. Several Egyptian military units have been assembled in Sinai today to fight the war against terrorism, where the military has recently intensified its acts of violence to annihilate any threats opposing the state's security. Terrorist incidents that occurred at the time include: the bombing of a Russian civil aircraft in October 2015, the assassination of prosecutor general Hisham Barakat in June 2015, and the church bombing near Saint Mark's Cathedral in December 2016¹⁶³.

According to the Global Terrorism Database, threats against the state's authority have increased in 2015, as the number of terrorist incidents in Egypt reached 582 in 2015 – claiming 790 lives and more than 1,300 injuries¹⁶⁴. Since Egypt is geographically situated in the rough and tumble

163 BTI 2018 Country Report: Egypt. 1 February 2015 – 31 January 2017. <http://www.bti-project.org>

164 BTI 2018 Country Report: Egypt. 1 February 2015 – 31 January 2017. <http://www.bti-project.org>

Middle East; a region full of authoritarian regimes and popular discontent, the state has legitimate concerns to its international and domestic security¹⁶⁵. On a correlated note, the level of trust in political institutions are rather low, given the decades-long experience of authoritarian rule and particularly the experiences with democracy following the 2011 and 2014 presidential elections¹⁶⁶.

3.2 NGOs in Egypt

In this section I will concentrate on the regimes that have governed Egypt from the ruling of Muhammad Ali's Dynasty to the leadership of President Abdel Fatah El Sisi while highlighting the status of NGOs during each era.

3.2.1 Muhammad Ali Dynasty (1803 – 1953)

Arab civil society is rooted in pre-modern Arab traditions through public participation mechanisms such as merchant guilds, religious sects and ethnic organizations¹⁶⁷. In 1805, Muhammad Ali's rise to the throne centralized an exclusive regime that controlled every aspect of not only the economy, but also agriculture, industry, and commerce. While the state was being modernized, new social and economic forces, started to amount, whilst intellectual and cultural movements emerged such as trade unions and political parties¹⁶⁸. In the early 19th century, Muhammad Ali established schools that led to the emergence of a middle class in the society, where workers, peasants, and even businessmen became more common¹⁶⁹. This created a social environment that paved the way to the rise of civil society, as well as a setting that motivated the emergence of NGOs in Egypt, resulting in the establishment of the first NGO in Alexandria in 1821, with the purpose of serving the influential Greek minority whilst aiming to guide the community through initiatives¹⁷⁰.

165 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: a Reference Handbook*. Praeger Security International Advisory Board. 2008.

166 BTI 2018 Country Report: Egypt. 1 February 2015 – 31 January 2017. <http://www.bti-project.org>

167 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997.

168 Ben Nefissa, Sarah, Nabil Abd Al-Fattah, Sari Hanafi and Carlos Milani. *NGOs and governance in the Arab world*. The American University in Cairo press 2005.

169 AUC workshop "Civil Society in Egypt." Facilitator: Dr. Nadine Sika, Panellists: Dr. Mustapha Al-Sayyid, Mr. Shahir Ishak, Mr. Ayman Shihata, Dr. Noha El Mekawy. 25 October 2018. AUC New Cairo.

170 AUC workshop "Civil Society in Egypt." Facilitator: Dr. Nadine Sika, Panellists: Dr. Mustapha Al-Sayyid, Mr. Shahir Ishak, Mr. Ayman Shihata, Dr. Noha El Mekawy. 25 October 2018. AUC New Cairo.

Muhammad Ali established order – he is considered to be the founder of the modern Egyptian state; following his death in 1848, his family ruled the dynasty until the 1952 military coup¹⁷¹. From the late 19th century until the end of the second World War, civil society consisted of philanthropic organizations that were under the auspices of royal family members, where there was no need for a public code; only individual laws that facilitated the fundraising campaigns of these organizations¹⁷².

The Evolution of NGOs in Egypt during Muhammad Ali’s Dynasty (1821 – 1881)

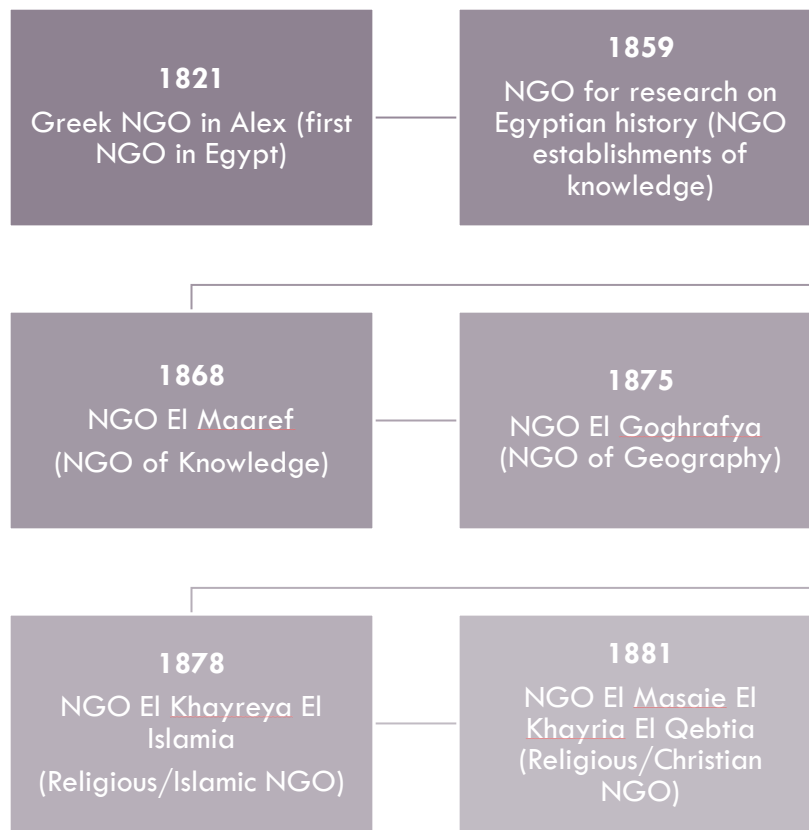


Figure 15-The Evolution of NGOs in Egypt during Muhammad Ali's Dynasty (1821 – 1881)
 Source: *El Gameayat El Ahlia wa Moshkelet El Tamweel: Waraqet Seyasat*. Heya Center for Public Policy. Egypt-Alexandria. 2014.
http://admin.heya-program.net/Files/Pubs/Pub_12082016055405.pdf

Between 1900 – 1923, Egypt witnessed the rise of labour unions, women movements as well as the emergence of political parties such as ‘El Wafd’; during that time Egyptian civil society was

171 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: a Reference Handbook*. Praeger Security International Advisory Board 2008.

172 El Agati, Mohamed. “Undermining Standards of Good Governance: Egypt’s NGO Law and Its Impact on the Transparency and Accountability of CSOs.” *The International Journal of Not-for-Profit Law*. Volume 9, Issue 2, April 2007. The International Center for Not-for-Profit Law: http://www.icnl.org/research/journal/vol9iss2/special_4.htm

influenced by the 1919 revolution tackling national issues such as independence and constitutional rights¹⁷³. The country also witnessed the liberal era that included a rise of volunteerism and civil society organizations, which constituted a fertile period for NGOs between 1923 – 1952¹⁷⁴.

The first school for ‘community work’ operated in Alexandria back in 1936, and a year after that in Cairo¹⁷⁵. In 1939, the Ministry of Social Affairs (MSA) was established as a platform where the state used legislation to limit the relationship between NGOs and the state which moved NGOs in a direction to be used as a tool to implement government strategies and priorities¹⁷⁶. On 12 July 1945, the government issued the first Charities and Social Institutions Code, which aimed to coordinate the efforts of charities, whose objectives were merely philanthropic, with the work of social institutions that provided humanitarian services¹⁷⁷. A historical background will be further enhanced in the study to provide a snapshot of implemented legislation and enforced laws on NGOs in Egypt.

3.2.2 Gamal Abdel Nasser (1954 – 1970)

In 1952, President Gamal Abdel Nasser and military officers led a military coup against King Farouq and the British occupation that left Egypt under his rule from 1956 to 1970. Since then, Egypt has been ruled by a succession of authoritarian governments under an ideology of secular Arab nationalism¹⁷⁸. Social Scientists define authoritarianism as political systems with limited or non-responsible political pluralism without an elaborate or guiding ideology but distinctive mentalities, without extensive nor intensive political mobilization (except in some points in their

173 Qandeel, Amani. «El Mogtamaa El Madani fe Khamseen Aman 1952 – 2002. Yawmeyat Yolyo.» 24 July 2002. *El Ahrām*. <http://www.ahram.org.eg/Archive/2002/7/24/THAW12.HTM>

174 Qandeel, Amani. «El Mogtamaa El Madani fe Khamseen Aman 1952 – 2002. Yawmeyat Yolyo.» 24 July 2002. *El Ahrām*. <http://www.ahram.org.eg/Archive/2002/7/24/THAW12.HTM>

175 Abdel Wahab, Ayman El Sayed. *Qanoun El Gameayat El Ahlia: El Awalaweyat Wa El Tahadeyat. Kurasat Istratijiya*. Markaz El Derasat El Seyasia Wa El Istratejiya. 2002.

176 Abdel Wahab, Ayman El Sayed. *Qanoun El Gameayat El Ahlia: El Awalaweyat Wa El Tahadeyat. Kurasat Istratijiya*. Markaz El Derasat El Seyasia Wa El Istratejiya. 2002.

177 El Agati, Mohamed. “Undermining Standards of Good Governance: Egypt’s NGO Law and Its Impact on the Transparency and Accountability of CSOs.” *The International Journal of Not-for-Profit Law*. Volume 9, Issue 2, April 2007. The International Center for Not-for-Profit Law: http://www.icnl.org/research/journal/vol9iss2/special_4.htm

178 DeMars, William E. *NGOs and Transnational Networks : Wild Cards in World Politics*. Pluto Press. 20 April 2005. <https://ebookcentral.proquest.com/lib/aucegypt/reader.action?docID=3386528>

development), and a leader with a small group of allies exercising power within formally ill-defined limits – but predictable ones¹⁷⁹.

The distribution of power between state and society has varied between three presidential regimes (to date), with each regime exercising control with different methods/approaches¹⁸⁰. This period was characterized by a backwardness to the liberal era compared to the previous regime. Under President Nasser's rule, the expansion of the state apparatus within the society was characterized by a 'suppression of all social and political movements' and the 'reduction of institutions' (such as NGOs)¹⁸¹. In 1956, the President issued a decree that annulled articles 54 - 80 of the civil code on the right of association – which resulted in dissolving all associations and NGOs – to reapply for licenses authorized by MSA¹⁸². Nasser established a regime of strict government control over any citizen efforts to assemble and organize, as he established NGO law 32 of 1964; a restrictive law of associations that allowed state regulation oversight and strict control over NGOs¹⁸³. This era was characterized as a backwardness of civil society and the existence of NGOs, where state hegemony was prioritised; an ideology followed by the state where it practiced power, authority and control over all sectors of the society; social and economic¹⁸⁴.

3.2.3 Anwar Sadat (1971 – 1981)

President Sadat's changes to Egyptian foreign policy were as theatrical as his domestic moves; he veered away from his predecessor's ideology and fused international peace and internal repression through his crossroads of diplomacy and domestic politics¹⁸⁵. During that time President Sadat established a durable peace with Israel and launched an abortive experiment of political liberalization through multi-partyism that helped him develop Egypt's role in the US regional

179 Stacher, Joshua. *Adaptable Autocrats: Regime Power in Egypt and Syria*. Stanford Press 2012.

180 Zaki, Moheb. *Civil Society & Democratisation in Egypt, 1981-1994*. The Ibn Khaldoun Center. 1995.

181 AbdelRahman, Maha M. *Civil society exposed: the politics of NGOs in Egypt*. The American University in Cairo Press. 2004.

182 AbdelRahman, Maha M. *Civil society exposed: the politics of NGOs in Egypt*. The American University in Cairo Press. 2004.

183 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: a Reference Handbook*. Praeger Security International Advisory Board 2008.

184 *Egypt's Social Contract: The Role of Civil Society*. Egypt Human Development Report 2008. UNDP

185 Brownlee, Jason. "Peace before Freedom: Diplomacy and Repression in Sadat's Egypt." *Political Science Quarterly*, Vol. 126, No. 4 (Winter 2011-12), pp. 641-668

strategy and began receiving approximately USD1 billion in economic and food aid in addition to slightly larger amounts in military loans¹⁸⁶.

In 1974, the open-door policy was a shift against the severe economic crisis that consisted of high levels of foreign debt, scarcity of investment capital and stagnant growth caused by contradictions in the country development model and burdens of several wars¹⁸⁷. As a result, President Sadat had to relax the state's control over society, whilst allowing certain social forces to express interests. Such social forces can be described as the civil society's active participant, known as NGOs that exercised autonomy during Egypt's economic and political liberalization, under the condition that their activities do not challenge the base of presidential authority¹⁸⁸. Although there were institutional conditions in Egypt that supported the rise of NGOs, the state recognized the independence of NGOs and therefore kept them under constant supervision, and control.

3.2.4 Hosni Mubarak (1981 – 2011)

Throughout President Mubarak's rule, there was a period of political turmoil culminating in the assassination of his predecessor at the hands of a 'radical' Islamic group, in addition to the looming economic crisis¹⁸⁹. General social and economic living conditions deteriorated in 1990s and beyond, resulting in many domestic protests¹⁹⁰. President Mubarak's priority was to stabilize the overall situation in the country through continuing the economic sphere of liberalization (the 'open-door' policy initiated by President Sadat) to counter both the mounting economic and social challenges¹⁹¹.

Egypt's central government's fiscal straits and its declining ability to finance local government agencies coincided with a growing emphasis on decentralization to improve the performance of

186 Brownlee, Jason. "Peace before Freedom: Diplomacy and Repression in Sadat's Egypt." *Political Science Quarterly*, Vol. 126, No. 4 (Winter 2011-12), pp. 641-668

187 BTI 2018 Country Report: Egypt. 1 February 2015 – 31 January 2017. <http://www.bti-project.org>

188 AbdelRahman, Maha M. *Civil society exposed: the politics of NGOs in Egypt*. The American University in Cairo Press. 2004.

189 Stachursky, Benjamin. *The promise and perils of transnationalisation: NGO activism and the socialisation of women's human rights in Egypt and Iran*. Routledge 2013.

190 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: a Reference Handbook*. Praeger Security International Advisory Board 2008.

191 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: a Reference Handbook*. Praeger Security International Advisory Board 2008.

the state functions by enabling local agencies to be more responsive to the needs of the local population¹⁹². Where the regime could not tolerate the consequences of true decentralization, the regime tried to develop other sources of revenue (transitioning from a rentier state to a predatory one) through mechanisms such as inflation tax, foreign and domestic loans, remittances tax, general sales tax, donations from capitalists, social responsibility from business community, export tax, income tax and estate tax¹⁹³.

To steer the country away from economic stagnation, President Mubarak cooperated with the World Bank (WB) and the International Monetary Fund (IMF) in a Structural adjustment programme. This can be summarized, as an economic reform developed by the WB with the condition that the money will only be lent if it will be used for the privatization of national industries, downsizing of public services, cutbacks on government spending, freeing up trade restrictions, and floating the Egyptian Pound (EGP)¹⁹⁴. With the government's retreat from the fields of education, health, and social welfare, an enabling environment for NGOs arose to the surface, where the field was vacant for NGOs to operate, filling the vacuum created by the government and providing services that the state was incapable of, whilst being kept under constant scrutiny for national security. Coupled by the country's socio-economic difficulties, the regime was unable to sustain an effective central management and expanded freedoms having the regime much higher tolerant of diverse and active associations¹⁹⁵.

In November 2007, President Mubarak stated that, "Egypt's national security is my first responsibility; it is the defense of Egypt's land, sovereignty, and independence of its will that preserves stability and security of its citizens. Egypt's national security is part of the Arab security system that relates to the security of the Gulf region, the Red sea and the Mediterranean's water, energy and resources that is very important for Egypt's present and future"¹⁹⁶. In recent years, the

192 Soliman, Samer and Peter Daniel. *The Autumn of Dictatorship: Fiscal Crisis and Political Change in Egypt under Mubarak*. Stanford University Press. 2011.

193 Soliman, Samer and Peter Daniel. *The Autumn of Dictatorship: Fiscal Crisis and Political Change in Egypt under Mubarak*. Stanford University Press. 2011.

194 Rooy, Alison Van. *The Global Legitimacy Game: Civil Society, Globalisation and Protest*. Palgrave Macmillan 2004.

195 Zaki, Moheb. *Civil Society & Democratization in Egypt, 1981-1994*. The Ibn Khaldoun Center. 1995.

196 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: A Reference Handbook*. Praeger Security International Advisory Board. 2008.

Egyptian regime has been preoccupied with preserving its own security instead of providing for the wellbeing of its people and overseeing the efficient administration of its affairs¹⁹⁷.

The perpetual use of repression by Egypt's authoritarian regime to foster its domination, in addition to the repeated discourse of insisting on prestige (haybat al dawla) and respect to legitimate its hegemony, are all signs of weakness more than established domination¹⁹⁸. Therefore, regimes that rule by the force of sowing fear amongst citizens are found to be the least secure; rulers of such a regime may be able to keep peasants at bay – far from storming the castle gates – but they will eventually be hard-pressed to earn their citizens' allegiance and trust¹⁹⁹. This clearly explains and defines the relentless and interlinked connection between human and national security in an authoritarian regime.

3.2.5 Mohamed Morsi (2012 – 2013)

In a state-televised broadcast on 11 February 2011 and following 18 days of hundreds of thousands of protesters pouring into Tahrir Square, Vice President Omar Suleiman announced that President Mubarak has resigned, and that his authority would be passed on to the military²⁰⁰. In the first round of Egypt's post-Mubarak presidential elections, President Morsi (nominated as a Muslim Brotherhood candidate) was announced as president winning 51.73 percent of the votes against former Mubarak-era Prime Minister Ahmed Shafik²⁰¹.

The dynamics of internal politics, especially the domestic threat posed by opposition and economic difficulties, pushed President Morsi to stick to Mubarak's instrumental use of foreign policy to serve narrow domestic political interests²⁰². President Morsi resorted to the support of traditional domestic centres of power to solidify his authority and outbid his domestic rivals, forging an alliance with the military and the security apparatus, and impeding attempts at reforming their outdated structures²⁰³.

197 Shama, Nael. *Egypt: Before Tahrir. Reflections on Politics, Culture and Society*. 2014.

198 El-mahdi, Rabab. "The failure of the regime or the demise of the state?" *Int. j. middle east stud.* 50 2018.

199 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: A Reference Handbook*. Praeger Security International Advisory Board. 2008.

200 Lakhali, Salem Y. "Morsi's Failure in Egypt: The Impact of Energy-Supply Chains." *Middle East Policy*, Vol. XXI, No. 3, Fall 2014.

201 Lakhali, Salem Y. "Morsi's Failure in Egypt: The Impact of Energy-Supply Chains." *Middle East Policy*, Vol. XXI, No. 3, Fall 2014.

202 Shama, Nael. *Egyptian Foreign Policy from Mubarak to Morsi: Against National Interest*. Routledge. 2013.

203 Shama, Nael. *Egyptian Foreign Policy from Mubarak to Morsi: Against National Interest*. Routledge. 2013.

As most Egyptians hoped the constitution of August 2012 would secure more freedom, President Morsi issued extra-constitutional decrees, placed restrictions on the press, clamped down on the opposition, discriminated against certain groups and marginalised them²⁰⁴. In his years as a parliamentarian from 2000 to 2005, President Morsi sought to make civil society, the state and the private sector more in accord with the Quran's principles²⁰⁵. The last months of Morsi's presidency were characterised by recurrent fuel shortages, power cuts and low levels of public service with increases in prices, unemployment and public debt²⁰⁶.

3.2.6 Abdel Fattah El Sisi (2014 – present)

Under President Sisi's rule, the country has been enduring social, economic and political challenges as briefly outlined in the 'country context' section. Following the June 2013 revolution, the government placed strict control on NGOs, closely and thoroughly inspected foreign funding that reached them, and proposed a restrictive NGO law no. 70 of 2017 under the reason of 'national security'.

To legitimize its' actions, the government took advantage of the media and used it as a tool to showcase the destruction caused by the Muslim Brotherhood during their rule of Egypt (2012 – 2013), the continuous war on terrorism in Sinai, and the development of mega projects such as the Suez Canal Project, New Capital, National Road Project, Alamein city, and the Power Plants Project. This has indeed affected the Egyptian people, as it hasn't given the deserved attention to their demand for change which should have been a public concern, as well as the fact that their need for more freedom wasn't treated as a necessity.

The state chose to prioritize the country's security over their people's demand for change and their needed right for freedom, with the excuse that the state was worried the situation in Egypt might end up like other countries such as Iraq and Syria. As a result, a polarization of the society arose to the surface, since the state became suspicious of anyone who practiced something as simple as

204 Pierce, Anne R. "US 'Partnership' with the Egyptian Muslim Brotherhood and its Effect on Civil Society and Human Rights." *Global Society*. 2014. 51:68-86

205 Pierce, Anne R. "US 'Partnership' with the Egyptian Muslim Brotherhood and its Effect on Civil Society and Human Rights." *Global Society*. 2014. 51:68-86

206 Lakhali, Salem Y. "Morsi's Failure in Egypt: The Impact of Energy-Supply Chains." *Middle East Policy*, Vol. XXI, No. 3, Fall 2014.

just sharing ideologies that contradicted to that of the government's, labeling them as a 'Muslim Brotherhood' supporter or even 'follower' to their ideology, hereby disregarding their freedom in favor of national security²⁰⁷. This created a restrictive environment for NGOs to operate since they were denied the necessary conditions to flourish and their operations of providing development programmes that cater to vulnerable communities are limited.

3.3 NGO Laws in Egypt

Up to the present there has been four NGO laws ratified in Egypt from 1966 to 2002 and one newly proposed NGO law no. 70 of 2017 that is yet to be ratified. In the following section I will feature these NGO laws and discuss briefly their main attributes before focusing on NGO law no. 84 of 2002.

3.3.1 Law no. 348 of 1956

In 1956, NGO law no. 348 was ratified and approved by President Gamal Abdel Nasser as he began to modernize state efforts towards restricting and controlling NGOs. The law required NGOs to dissolve (shut-down) and then re-start by registering with MSA, where the Ministry had the authority to ban NGOs from receiving foreign funds²⁰⁸. Authoritarian regimes have been adept in using legislation not only to control NGOs, but also to restrict their space in civil society.

3.3.2 Law no. 32 of 1964

This law was the Middle East and North Africa (MENA) region's first post-independent NGO law that reflected the subordination of civil society, forbid organizations from receiving any foreign funding and prohibited participation in the activities of any foreign organization²⁰⁹. As a result, government officials were given the authority to both reject the formation of new associations who posed a threat to national security, and dissolve existing ones whom MoSS decided that the community did not need their activities.

207 AUC workshop "Civil Society in Egypt." Facilitator: Dr. Nadine Sika, Panellists: Dr. Mustapha Al-Sayyid, Mr. Shahir Ishak, Mr. Ayman Shihata, Dr. Noha El Mekawy. 25 October 2018. AUC New Cairo.

208 Ismail, Maha. "Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices." *The American University in Cairo: School of Global Affairs and Public Policy*. Thesis. 2018

209 El Agati, Mohamed. "Egypt." *The International Journal of Not-for-Profit Law*. Volume 12, Issue 3, May 2010. The International Center for Not-for-Profit Law. http://www.icnl.org/research/journal/vol12iss3/special_2.htm

Law 32 epitomized the hegemonic power of the state vis-a-vis associations of civil society through giving the state a wide range of powers over the creation, dissolution and control of every aspect of the activities²¹⁰. This law also allowed the state to screen candidates for the NGO's board of directors and appoint a number of government officials to the board to monitor and investigate NGO activities and finances²¹¹. Individuals who violated the law could have faced criminal penalty of up to 6 months of imprisonment; therefore, it was inevitable and necessary to both inform MoSS of board meetings (with the power to veto a board decision) and share the minutes/discussions of these meetings²¹².

Law no. 32 of 1964 had three main factors that negatively affected community work: the government's monitoring of NGO establishments, the government's monitoring of NGO activities, and the power of the government to dissolve an NGO²¹³.

3.3.3 Law no. 153 of 1999

In 1999, the Egyptian government invited civil society organizations to discuss a new NGO law where NGOs formed a coalition to collaborate with the government to draft the law. However, it was a failed attempt since the government sent its own copy of the law to the parliament; which was different from the draft agreed on with NGOs²¹⁴. This law eliminated the power of MoSS to refuse registration of NGOs based on not being considered fundamental or being seen as redundant to the development of the community²¹⁵. The law also eliminated the necessity of receiving an approval from MoSS before purchasing real estate or introducing services out of targeted geographic areas²¹⁶.

210 Zaki, Moheb. *Civil Society & Democratisation in Egypt, 1981-1994*. The Ibn Khaldoun Center. 1995.

211 Zaki, Moheb. *Civil Society & Democratisation in Egypt, 1981-1994*. The Ibn Khaldoun Center. 1995.

212 Ismail, Maha. "Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices." *The American University in Cairo: School of Global Affairs and Public Policy*. Thesis, 2018

213 Qandeel, Amani. «El Mogtamaa El Madani fe Khamseen Aman 1952 – 2002. Yawmeyat Yolyo.» 24 July 2002. *El Ahrām*.

<http://www.ahram.org.eg/Archive/2002/7/24/THAW12.HTM>

214 Stachursky, Benjamin. *The Promise and Perils of Transnationalisation: NGO Activism and the Socialisation of Women's Human Rights in Egypt and Iran*. Routledge 2013

215 Ismail, Maha. "Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices." *The American University in Cairo: School of Global Affairs and Public Policy*. Thesis, 2018

216 Ismail, Maha. "Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices." *The American University in Cairo: School of Global Affairs and Public Policy*. Thesis, 2018

Additionally, the law limited the ability of MoSS to appoint government candidates as NGO board members and restricted the Ministry's power to dissolve an NGO – requiring a court verdict in advance²¹⁷. As for foreign funding, it was allowed with prior approval from MoSS, although there was no specific timeline to when MoSS should provide feedback to authorize or reject the request²¹⁸. Following strong criticism from NGOs, the Supreme Constitutional Court declared law no. 153 as unconstitutional for procedural reasons in 2000, since it was neither discussed nor voted on in both houses of the parliament²¹⁹.

3.4 The Progressive NGO Law no. 84 of 2002

Following NGO law no. 153 of 1999, many scholars viewed NGO law no. 84 of 2002 as an almost identical version of the previous law and was the outcome of the liberal viewpoint introduced by the law. Although heavily scrutinized by some scholars, many viewed NGO law no. 84 an improvement from previous laws regarding the registration of NGOs which was (at the time) characterized by an enhanced registration process, a broader spectrum of activities, an encouragement to the acquisition of funds and the establishment of NGO sub-offices. As a result, NGOs benefited from the exemption of government fees when registering contracts and legal documents, paying custom duties on materials purchased overseas and property taxes, and a reduction in fees devoted to transporting equipment by rail and paying phone charges (article 13)²²⁰. The government also supported NGOs by sending civil servants to work for NGOs on one-year renewable contracts, thus providing free labour to assist NGOs (article 12)²²¹.

In this section I will emphasize the potential factors that have helped in the emergence of NGO law no. 84 of 2002 that might have attributed to the emergence of the law and reinforced the

217 Ismail, Maha. "Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices." *The American University in Cairo: School of Global Affairs and Public Policy*. Thesis, 2018

218 Ismail, Maha. "Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices." *The American University in Cairo: School of Global Affairs and Public Policy*. Thesis, 2018

219 El Agati, Mohamed. "Undermining Standards of Good Governance: Egypt's NGO Law and Its Impact on the Transparency and Accountability of CSOs." Volume 9, Issue 2, April 2007. *The International Center for Not-for-Profit Law*
http://www.icnl.org/research/journal/vol9iss2/special_4.htm

220 Ismail, Maha. "Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices." *The American University in Cairo: School of Global Affairs and Public Policy*. Thesis, 2018

221 Ismail, Maha. "Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices." *The American University in Cairo: School of Global Affairs and Public Policy*. Thesis, 2018

Egyptian government in its ratification. Different factors may have also helped in the emergence of the law which could be further explored by researchers in future studies. I will conclude this section by highlighting the limitations of the law and the criticism noted by some scholars.

3.4.1 Factors that led to Emergence of Law

Neoliberal Agenda due to Economic and Social Challenges

Referring to the structural adjustment programme and according to the development theory shaped by both the World Bank and IMF, civil society is the ‘prime engine’ in the development process²²². This is because the government’s intervention in both the economy and the development process is said to have a negative impact; since it diminishes the market’s ability to allocate resources efficiently, and because governments are dominated by irrational concerns such as national security²²³. According to WB, the basic problem in many developing countries was the excessive government intervention and regulation which distorted resource allocation and made the economy inefficient²²⁴. Prescription to overcome such a crisis was to eliminate as much government intervention and regulation as possible and introduce market mechanisms to create an environment where the private sector could function freely²²⁵.

The WB summed up the experience of economic reform and structural adjustment as follows: “adjustment alone will not put countries on a sustained, poverty reducing and growth path; the following factors are needed above all: continuing investments in human capital, infrastructure, improvements in institutional capacity, strong leadership and good governance”²²⁶.

222 AbdelRahman, Maha M. *Civil society exposed: the politics of NGOs in Egypt*. The American University in Cairo Press. 2004

223 AbdelRahman, Maha M. *Civil society exposed: the politics of NGOs in Egypt*. The American University in Cairo Press. 2004

224 Akira, Nishigaki and Shimomura Yasutami. *The Economics of Development Assistance: Japan’s ODA in a Symbiotic World*. LTCB International Library Foundation 1998.

225 Akira, Nishigaki and Shimomura Yasutami. *The Economics of Development Assistance: Japan’s ODA in a Symbiotic World*. LTCB International Library Foundation 1998.

226 Akira, Nishigaki and Shimomura Yasutami. *The Economics of Development Assistance: Japan’s ODA in a Symbiotic World*. LTCB International Library Foundation 1998.

World Bank Reform Programme

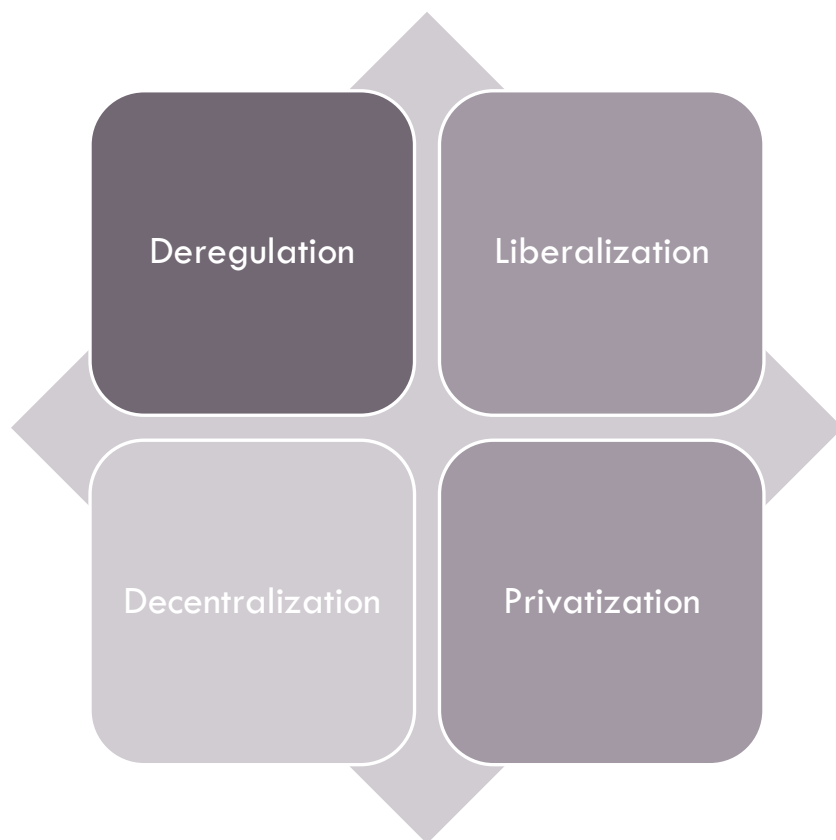


Figure 16-World Bank Reform Programme

Source: Akira, Nishigaki and Shimomura Yasutami. *The Economics of Development Assistance: Japan's ODA in a Symbiotic World*. LTCB International Library Foundation 1998.

President Mubarak turned to the IMF at that time. To receive the loan, the IMF set conditions such as devaluing the Egyptian pound, privatization, selling goods at market-determined prices (without government interference) and eliminating subsidies²²⁷. The IMF conditionality placed Mubarak between adherence to IMF's medicinal prescription and the risk of alienating 40 percent of Egyptians who depend on subsidies for subsistence – refusing the IMF macroeconomic stabilization programme was not an option as without injecting external capital into the economy the prevailing social order was about to collapse, hereby creating an inviting environment to a social revolution²²⁸. Egypt had no choice but to sign the comprehensive economic reform and structural adjustment agreements with IMF and WB covering every facet of the Egyptian

227 Yohannes, Okbazghi. *Political Economy of an Authoritarian Modern State and Religious Nationalism in Egypt*. The Edwin Mellen Press. 2001

228 Yohannes, Okbazghi. *Political Economy of an Authoritarian Modern State and Religious Nationalism in Egypt*. The Edwin Mellen Press. 2001

economy. The structural adjustment programme that was developed in Egypt back in the 1990s was the major force behind the vigorous implementation of neoliberalism in Egypt that amounted to socio-economic problems such as high unemployment rates, an increase in social inequalities, and unequal opportunities²²⁹.

Despite agreeing to the IMF terms, the programme was not working for Egypt. The IMF and United States (who stood firmly behind the IMF) continued to blame the nonperformance of the economy on too much state intervention in the economy and kept insisting that Mubarak should take bold steps in favor of privatization and marketisation of the economy²³⁰. As a result, the government slashed subsidies by EGP 1 billion and hiked prices on fuel items, electricity, and medicine, while removing price controls, unifying the exchange rate for the Egyptian Pound and liberalizing trade in foreign currency²³¹. Egyptians endured the suffering due to massive layoffs by the state and public enterprises, and the additional withdrawal of state subsidies on food – development programmes aimed to relieve the sufferings of groups that were negatively affected by the structural adjustment²³².

229 Sika, Nadine. "Neoliberalism, marginalisation and the uncertainties of being young the case of Egypt." *Mediterranean politics* 2018.

230 Yohannes, Okbazghi. *Political Economy of an Authoritarian Modern State and Religious Nationalism in Egypt*. The Edwin Mellen Press. 2001

231 Yohannes, Okbazghi. *Political Economy of an Authoritarian Modern State and Religious Nationalism in Egypt*. The Edwin Mellen Press. 2001

232 Elyachar, Julia. «Mappings of Power: the State, NGOs and the International Organisations in the Informal Economy of Cairo.» *Comparative Studies in Society and History* vol. 45 no. 3 July 2003 pp. 571-605.

Proposed Scenario of the Structural Adjustment Approach

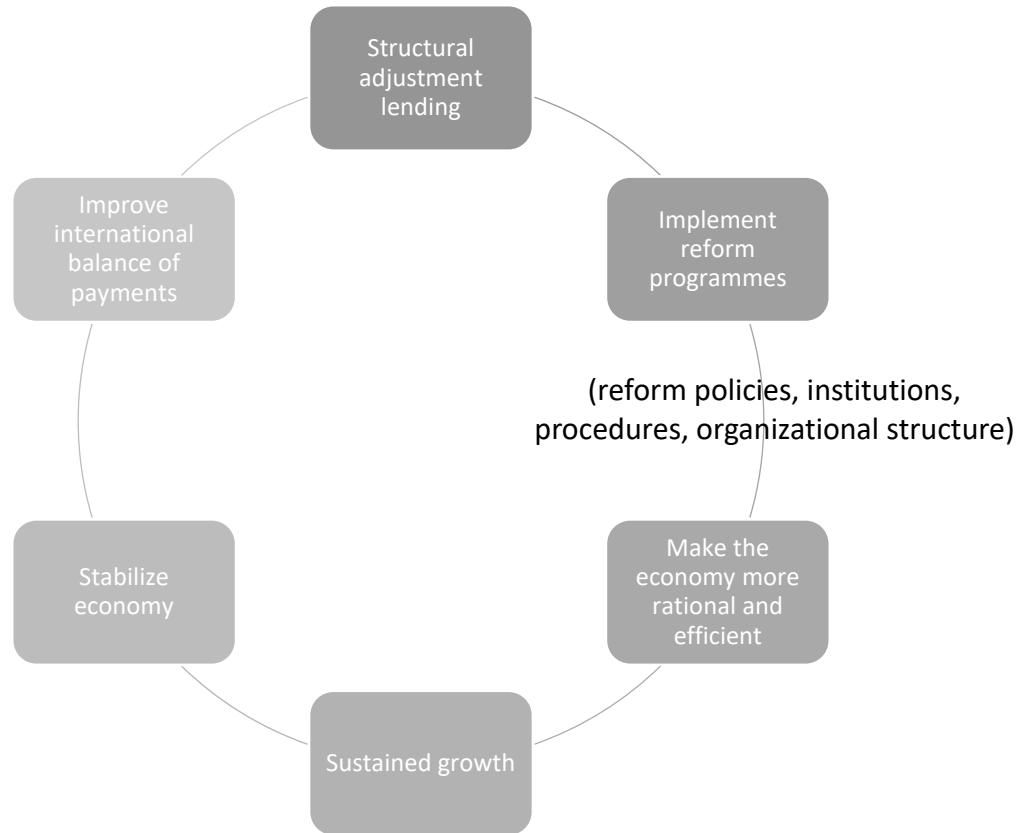


Figure 17-Proposed Scenario of the Structural Adjustment Approach

Source: Akira, Nishigaki and Shimomura Yasutami. *The Economics of Development Assistance: Japan's ODA in a Symbiotic World*. LTCB International Library Foundation 1998.

Serious economic problems emerged at the time and continuously increased in magnitude. As a result, there was a general disenchantment with the regime that continued to augment in every sector of the population²³³. Forces within civil society have acquired greater strength and higher voices resulting in the rise of NGOs in 1980s and 1990s due to the increase in violent conflicts and dominance of neoliberal economic ideas²³⁴. A leading strand within neoliberalism's privatization agenda came to emphasize an ideology of a state without government interference (nongovernmental) that increasingly favored secular professionalized NGOs as private market-based actors in development and widened public policy implementation in both developing and developed country context²³⁵.

233 Zaki, Moheb. *Civil Society & Democratization in Egypt, 1981-1994*. The Ibn Khaldoun Center. 1995.

234 Lewis, David and Tina Wallace Eds. *New Roles: Relevance. Development NGOs and the Challenge of Change*. Kumarian Press 2000.

235 Lashaw, Amanda, Christian Vannier, and Steven Sampson. Eds. *Cultures of Doing Good: Anthropologists and NGOs*. The University of Alabama Press. 2017.

This theory resulted in the diversion of resources from the state to NGOs (as agents of neoliberalism), and grassroots alternatives to the state to align to the neoliberal agenda and coincide with the structural adjustment programme – making the government encouraged and pressured by foreign stakeholders to create a law that is progressive to NGO existence and suitable for its operations²³⁶. I therefore believe that one of the reasons why NGOs flourished during this period, and why NGO law no.84 was ratified, could be because of the structural adjustment programme which advocated for ‘neoliberalism’ in Egypt that was characterized by economic liberalization, reduction of government spending, and intensified the role of society. Also, socio-economic challenges at the time led to a vacuum that NGOs could fill and hence support the government provide development programmes to vulnerable communities. During this period, the role of NGOs was essential to fill-in the void created by the government after there was a step-back in terms of social responsibilities and an embraced liberal approach to the economy.

The role of NGOs in the society changed due to changes the state, labour market and social services; under neoliberal restructuring, NGOs competed for grants and contracts but were also subjected to new responsibilities for performance and efficiency²³⁷. NGOs had to maneuver between legitimating themselves as ‘authentic participants’ in social movements while seeking justice versus policy advocacy and being able to concrete policy options to government decision makers²³⁸.

This time in Egypt was characterized by a flooding of foreign donations, the creation of the development industry and a rise of associations which forced tension to mount between civil society and the government²³⁹. This was another contributor to the rise NGOs and a guarantor to recognize the need of their existence to fill the demand of programme delivery, as well as the provision of services to marginalized Egyptians, and an enabling environment to ratify a law that supports this.

236 Akira, Nishigaki and Shimomura Yasutami. *The Economics of Development Assistance: Japan’s ODA in a Symbiotic World*. LTCB International Library Foundation 1998.

237 Lashaw, Amanda, Christian Vannier, and Steven Sampson. Eds. *Cultures of Doing Good: Anthropologists and NGOs*. The University of Alabama Press. 2017.

238 Lashaw, Amanda, Christian Vannier, and Steven Sampson. Eds. *Cultures of Doing Good: Anthropologists and NGOs*. The University of Alabama Press. 2017.

239 AUC workshop ‘Civil Society in Egypt’. Facilitator: Dr. Nadine Sika, Panel: Dr. Mustapha Al-Sayyid, Mr. Shahir Ishak, Mr. Ayman Shihata, Dr. Noha El Mekawy. 25 October 2018.

Strengthening of Security bodies

One of the other potential factors that helped in the ratification of NGO law no. 84 (that is progressive to NGOs' operation in programme delivery) was the strengthening of security bodies such as the State Security Investigations (SSI). Through strengthening security bodies of the authoritarian regime, the government could safely ratify the progressive NGO law whilst preserving its national security.

The SSI was formed under the new nationalist government facing competition for power during President Nasser's regime, with the 'Central Intelligence' as the regime's primary instrument to ensure national security²⁴⁰. Short sighted and repressive government policies and practices, such as domestic security services implemented against Egyptians, were used to secure President Mubarak's tenure and negate the legitimacy of those in power²⁴¹. The government security forces operated in a constant state of insecurity; which includes: State Security Investigations 'Amn Al Dawla' (SSI), police, Central Security Forces 'Amn El Markazi', Military Intelligence and General Intelligence Service 'Mukhabarat Al Aama'²⁴².

Following the death of General Raouf Khayrat (head of SSI) it became known as the 'torture machine' under the leadership of Minister of Interior Zaki Badr, adopting a new vendetta in its confrontations with the growing power of militant Islamists²⁴³. Egyptians were neutral and uninterested as they were unaffected by this political war between the state and minority of Islamists until the terrorist attack in Luxor in 1997 when militants killed 58 tourists at queen Hatshepsut temple; this marked a turning point in public sympathy for the government, related controls and attacks on Islamists²⁴⁴. In 1990s a stark increase in budget allocated to Ministries of

240 Tadros, Mariz. "The securitisation of civil society: a case study of NGOs-State security investigations (SSI) relations in Egypt." *Conflict, security & development*. 25 February 2011.

241 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: a Reference Handbook*. Praeger Security International Advisory Board 2008.

242 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: a Reference Handbook*. Praeger Security International Advisory Board 2008.

243 Tadros, Mariz. "The securitisation of civil society: a case study of NGOs-State security investigations (SSI) relations in Egypt." *Conflict, security & development*. 25 February 2011.

244 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: a Reference Handbook*. Praeger Security International Advisory Board 2008.

Interior, Religious endowments, Information and Culture took place as these sectors directly or indirectly contributed to the regime's survival²⁴⁵.

The fundamental aim of any authoritarian regime is to perpetuate its rule through controlling the minds and bodies of the people and promoting economic development to bolster the regime's legitimacy (legitimization through achievement)²⁴⁶. Accordingly, we can categorize public expenditures as follows: (1) political control expenditures which include outlays for the security apparatus for ideological control (ex. media, culture, religious affairs) and social expenses that promote legitimacy and political stability (ex. food subsidies), and (2) economic development expenditures which cover education, infrastructure and promote exports²⁴⁷.

The SSI expanded under Minister of Interior General Habib El Adly's rule and became a parallel state in Egypt with an acquired political supremacy over government bodies and accountability to the President²⁴⁸. From 2003-2005, President Mubarak advocated the government's commitment to democracy promotion, therefore allowing a wider space for NGOs to flourish while sustaining the regime's authoritarian hold and preserving its power²⁴⁹. In mid-2000, the SSI moved from exercising a hidden power to acquiring a visible supremacy, where overseeing NGOs was one of its responsibilities²⁵⁰.

The SSI activities were provided with immunity by Egypt's emergency law no. 162 of 1958, which allowed the SSI to detain anyone at any time without an arrest warrant. The emergency law has been in force since 1981 where it was implemented at the wake of President Sadat's assassination²⁵¹. The authorization for the law is found in article 148 of the Egyptian Constitution

245 Shama, Nael. *Egypt: before Tahrir. Reflections on Politics, Culture and Society*. 2014.

246 Soliman, Samer and Peter Daniel. *The Autumn of Dictatorship: Fiscal Crisis and Political Change in Egypt under Mubarak*. Stanford University Press. 2011

247 Soliman, Samer and Peter Daniel. *The Autumn of Dictatorship: Fiscal Crisis and Political Change in Egypt under Mubarak*. Stanford University Press. 2011

248 Tadros, Mariz. "The securitisation of civil society: a case study of NGOs-State security investigations (SSI) relations in Egypt." *Conflict, security & development*. 25 February 2011.

249 Tadros, Mariz. "The securitisation of civil society: a case study of NGOs-State security investigations (SSI) relations in Egypt." *Conflict, security & development*. 25 February 2011.

250 Tadros, Mariz. "The securitisation of civil society: a case study of NGOs-State security investigations (SSI) relations in Egypt." *Conflict, security & development*. 25 February 2011.

251 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: a Reference Handbook*. Praeger Security International Advisory Board 2008.

which allows the President to declare a state of emergency for a specific timeframe²⁵². Today, both Egypt's emergency and anti-terrorism laws are overarching umbrellas where most state abuses take place²⁵³. In 1993 the Egyptian government submitted a report to the UN to justify the emergency law as a necessary step, noting: "When the state of emergency has been legally proclaimed, the President is empowered to take appropriate measure to avert the danger threatening the country, and maintain security and order."²⁵⁴

The SSI created a political environment of fear and subjugation that was so deeply entrenched to the extent that even if the emergency law was removed, both the civil society organizations and state security officers would not know how to act differently²⁵⁵. Mubarak relied on three primary vehicles to promote the government's stability: the military, Central Intelligence or 'mukhabarat' and the ruling party – with the emergency law as their constant companion²⁵⁶. By the strengthening of security bodies of the authoritarian regime such as the SSI, the government could safely ratify the progressive NGO law no. 84 of 2002 while preserving national security, sustaining its hegemony and controlling the society.

3.4.2 Downside of the NGO law

Besides the progressive nature of the law, there were some limitations that were criticized by some scholars and may have presented barriers to the establishment of associations. Under this law, NGOs continued to be subjected to burdensome and discretionary processes, inappropriate government supervision, unnecessary severe criminal punishments, and improper restrictions on fundraising and activities²⁵⁷. In other words, many believe that the government attempted to liberalize the NGO framework by ratifying this law to allow NGOs to engage in government-

252 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: a Reference Handbook*. Praeger Security International Advisory Board 2008.

253 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: a Reference Handbook*. Praeger Security International Advisory Board 2008.

254 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: a Reference Handbook*. Praeger Security International Advisory Board 2008.

255 Tadros, Mariz. "The securitisation of civil society: a case study of NGOs-State security investigations (SSI) relations in Egypt." *Conflict, security & development*. 25 February 2011.

256 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: a Reference Handbook*. Praeger Security International Advisory Board 2008.

257 *Global Trends in NGO Law: A quarterly review of NGO legal trends around the world*. Volume 1, Issue 4: Survey of Arab NGO Laws.

<http://www.icnl.org/research/trends/trends1-4.html>

sanctioned economic and social development programmes – but not enough to provide for a truly independent civil society²⁵⁸. This law was regarded by some as one of the most restrictive civic foundation laws worldwide, since it gave enormous discretionary powers to the administrative agencies of the government, especially MoSS²⁵⁹.

In 2002, both houses of parliament passed the NGO law with minimum public debate, no press coverage, and no discussion with NGOs, which breached Egypt's international obligations to freedom of association, and allowed high level of subjectivity in the application of the law²⁶⁰. Additionally, MoSS was allowed to reject the registration of NGO activities that was believed to threaten national unity, violate public order, endanger morality, and advocate towards discrimination (article 11)²⁶¹. However, NGOs could appeal a refusal by MoSS.

Furthermore, MoSS was given the power to dissolve an NGO by the ruling of a competent court (article 42)²⁶². The law continued to impose procedural and administrative requirements on NGOs such as notifying MoSS and sending the agenda and minutes of the board meetings, whilst having the ability to refuse decisions made by the NGO's board of directors, having the right to be notified 60 days in advance before board elections and acquiring the power to ban candidates from running the election (article 34)²⁶³.

On 2 June 2018, Egypt's constitutional court declared that article no. 42 of NGO law no. 84 of 2002 was unconstitutional, since it contradicted with article no. 75, which gives citizens the right to establish associations after notifying the government, freely implement NGO activities without

258 *Global Trends in NGO Law: A quarterly review of NGO legal trends around the world*. Volume 1, Issue 4: Survey of Arab NGO Laws. <http://www.icnl.org/research/trends/trends1-4.html>

259 “Analytic Study of Law 84/2002 on Non-Governmental Organisations.” *The Egyptian Center for Public Policy Studies*. <http://ecpps.org/index.php/en/publications/487-analytic-study-of-law-84-2002-on-non-governmental-organizations>

260 Ismail, Maha. *Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices*. The American University in Cairo: School of Global Affairs and Public Policy. Thesis, 2018

261 Ismail, Maha. *Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices*. The American University in Cairo: School of Global Affairs and Public Policy. Thesis, 2018

262 Ismail, Maha. *Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices*. The American University in Cairo: School of Global Affairs and Public Policy. Thesis, 2018

263 Ismail, Maha. *Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices*. The American University in Cairo: School of Global Affairs and Public Policy. Thesis, 2018

the involvement of government bodies and prevent the government from abolishing its board members except with a court order²⁶⁴.

3.5 Current NGO status in Egypt

In this section I will shed light on the evolution of NGOs in Egypt starting with the history behind NGOs, the scope and diversity of implemented projects, the foreign funds directed to NGOs, the current number of NGOs, the NGO General Department under MoSS and the initiatives applied to acknowledge NGOs.

3.5.1 NGOs in Egypt

In the 1820s, Egypt was the first (in the Arab Muslim and African world) to establish modern non-governmental organizations or civil society²⁶⁵. Differentiation by social class had always existed as of Ancient Egypt, where the country had several professional groups and members of the society concerned with fulfilling their essential needs²⁶⁶.

NGOs are potential catalysts for significant social and political change in the region; the Middle East's expectations of NGOs have always been highest in Egypt²⁶⁷. Despite the political culture of authoritarianism, state repression and the restraint of free speech and assembly, Egypt continues to have a vibrant and thriving civil society²⁶⁸. In comparison to Arab countries, and to most of the Muslim and African world, Egyptian civil society is characterized as the largest and most pluralistic²⁶⁹.

With the mounting social and economic challenges experienced by Egyptians throughout the years, a vacuum was created for NGOs to fill, as well as enough space for them to support the government

264 Abdel Fatah, Ahmed. "El Dostoria Taqdi Bebotlan El Mada 42 men Qanoun El Gameayat El Ahlia." *Akhbar Al Youm*. 2 June 2018.

265 Zaki, Moheb. *Civil Society & Democratisation in Egypt, 1981-1994*. The Ibn Khaldoun Center. 1995.

266 AUC workshop "Civil Society in Egypt." Facilitator: Dr. Nadine Sika, Panellists: Dr. Mustapha Al-Sayyid, Mr. Shahir Ishak, Mr. Ayman Shihata, Dr. Noha El Mekawy. 25 October 2018. AUC New Cairo.

267 El-Gawhary, Krista Masonis. «Egyptian Advocacy NGOs: Catalysts for Social and political Change?» *Middle East report*, no. 214. Critiquing NGOs: Assessing the Last Decade. PP.38-41. Spring 2000.

268 Sullivan, Denis J. and Kimberly Jones. *Global Security Watch Egypt: a Reference Handbook*. Praeger Security International Advisory Board 2008.

269 DeMars, William. *NGOs and Transnational Networks : Wild Cards in World Politics*. Pluto Press. 20 April 2005.

<https://ebookcentral.proquest.com/lib/aucegypt/reader.action?docID=3386528>

in providing development programmes to vulnerable communities. For such reasons, Egypt is widely regarded as the ‘vanguard’ Arab civil society where practices and fashions can be established and then diffused to other Arab societies – if you have a social, cultural or political project, or if you want to advance in the Arab world, then you must be located in Egypt²⁷⁰.

In Egypt, NGOs are the ‘force of support’ for vulnerable citizens, by providing them with services that allow their basic needs to be met and support them overcome their day-to-day challenges – in other words – filling the void left by the government and reaching grassroots and beneficiaries. Some criticize NGOs and question whether they exert efforts for the sake of poverty alleviation and combatting hunger in Egypt, and did the statistical value of poverty in Egypt decrease as a result of programmes implemented by NGOs. Other questions highlighted whether NGOs are donor-oriented (meaning they only implement programmes requested by their donors) while disregarding what vulnerable beneficiaries really need.

The question is whether the emergence, rise and establishment of NGOs in Egypt was a consequence of legislation (top-down), or was it due to societal needs and economic challenges that fueled its evolution (bottom-up)? Did NGOs evolve from the grassroots level due to social and economic challenges faced by Egyptians (bottom-up), or due to an enabling legislation and government acceptance that resulted in their creation through the ‘top-down’ approach?

270 DeMars, William. *NGOs and Transnational Networks : Wild Cards in World Politics*. Pluto Press. 20 April 2005.
<https://ebookcentral.proquest.com/lib/aucegypt/reader.action?docID=3386528>

NGO Scope and Diversification of Activities in Egypt (2017)

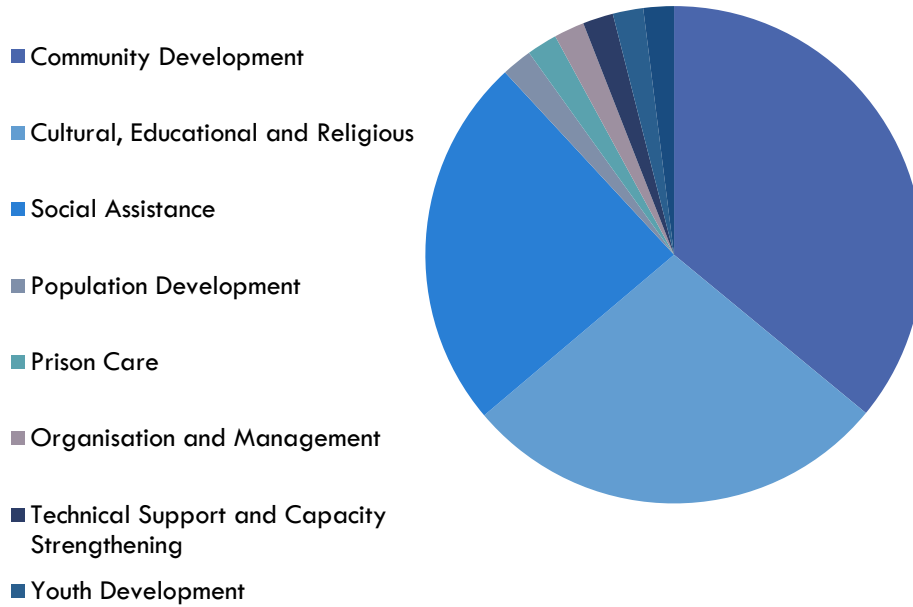


Figure 18-NGO Scope and Diversification of Activities in Egypt (2017)

Source: Abdel Wahab, Ayman El Sayed. *El Gameayat El Ahlia fe Masr Ekhtelalat El Dour. Esdarat El Markaz: El Malaf El Masri*. Al-Ahram Center for Political & Strategic Studies. 30 May 2017. <http://acps.ahram.org.eg/News/16307.aspx>

Foreign Funds to NGOs in Egypt (July 2013 - Dec. 2016)

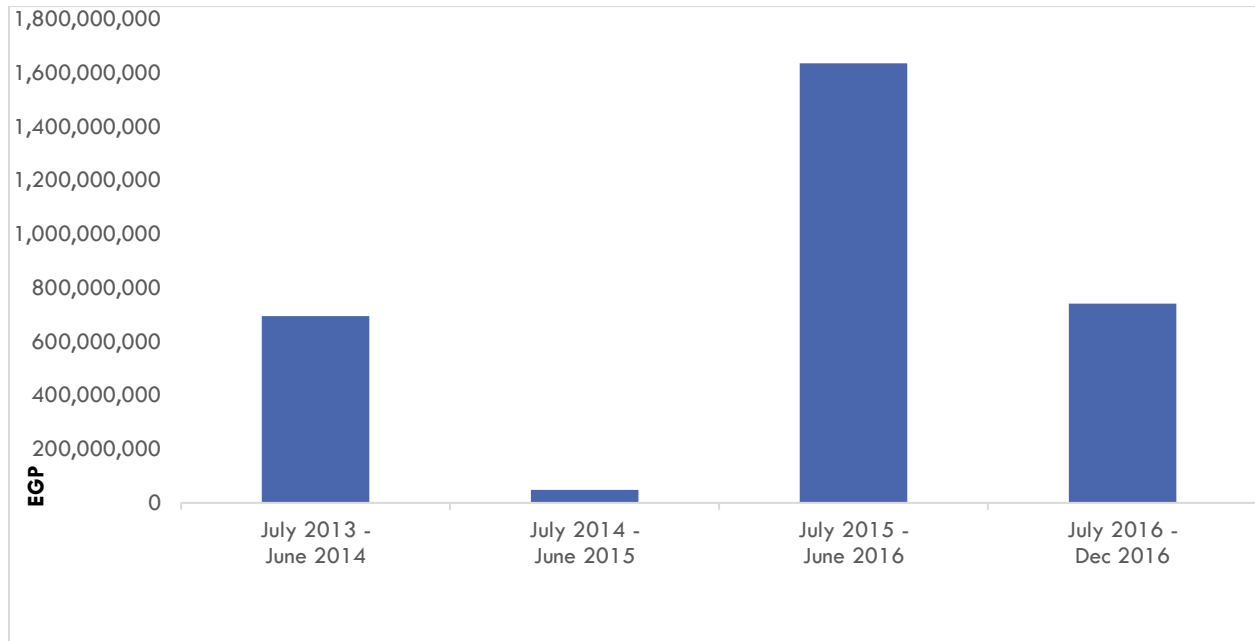


Figure 19-Foreign Funds to NGOs in Egypt (July 2013 - Dec. 2016)

Source: Qandeel, Amani. *El Gameayat El Ahlia fe Misr wa Sanawat Al Makhater (2011-2017)*. Dar El Kotob El Masria. <http://amanikandil.com/wp-content/uploads/2018/03/الجمعيات-الأهلية-في-مصر-و-سنوات-المخاطر.pdf>

Activities Implemented by NGOs in Egypt and Funded by Foreign Donors

(July 2013 - Dec. 2016)

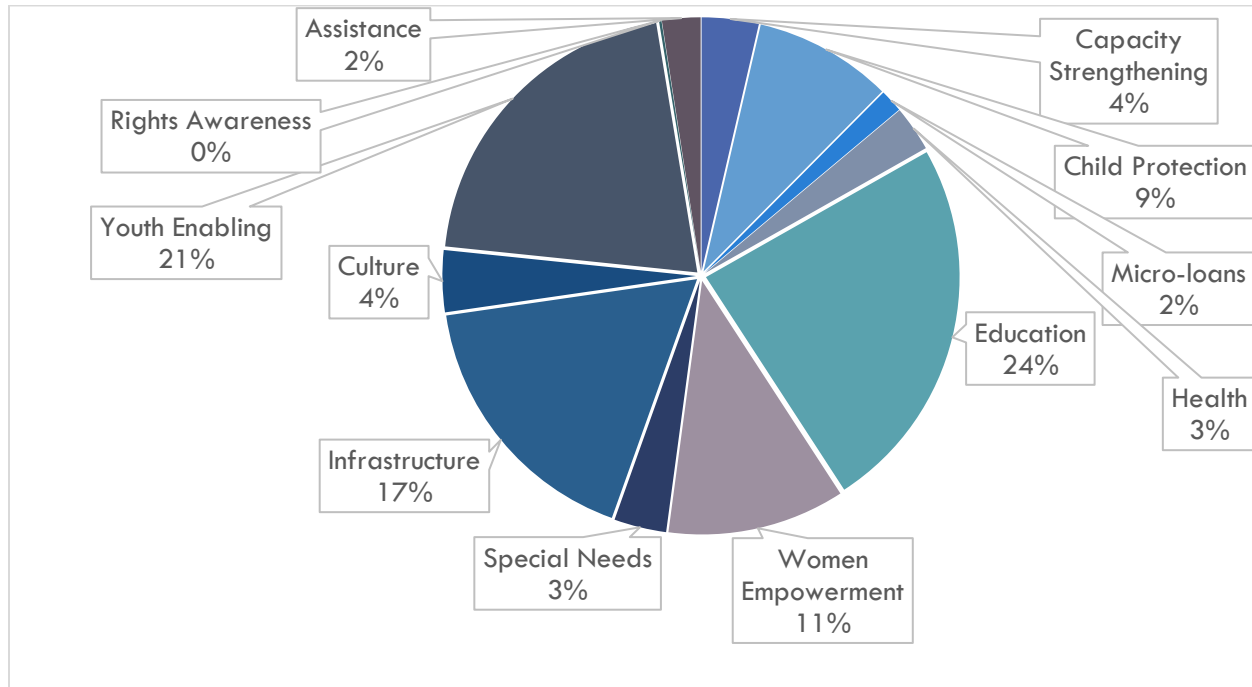


Figure 20-Activities Implemented by NGOs in Egypt and Funded by Foreign Donors (July 2013 - Dec. 2016)

Source: Qandeel, Amani. *El Gameayat El Ahlia fe Misr wa Sanawat Al Makhater (2011-2017)*. Dar El Kotob El Masria.

<http://amanikandil.com/wp-content/uploads/2018/03/المخاطر-سنوات-مصر-و-الجمعيات-الأهلية-في-مصر.pdf>

Besides development NGOs, religious associations are the bedrock of civil society in Egypt through the strong historical legacy and cultural-religious practices of ‘givings’ that continue to motivate donations to these organisations²⁷¹. Egypt has a long history of religiously motivated contributions of individual wealth with deep roots to both Muslim and Christian traditions; among Muslims its ‘zakat’ (voluntary giving) and ‘sadaqa’ (perpetual giving) and between Christians its ‘ushr’ which is 1 percent of wealth and becoming active in volunteerism²⁷².

Historically, the existence of charity organizations in Egypt was based on the religious obligation to donate a certain amount of one’s wealth and strong religious incentives to give beyond the

271 Ibrahim, Barbara and Dina H. Sherif. *From Charity to Social Change: Trends in Arab Philanthropy*. American University in Cairo Press. 2000.

272 Ibrahim, Barbara and Dina H. Sherif. *From Charity to Social Change: Trends in Arab Philanthropy*. American University in Cairo Press. 2000.

obligatory amount²⁷³. After the 1970s, benevolence Islamic charity organizations were a response to the increasing impoverishment in Egypt, coinciding with the decline of the welfare state and the reinterpretation of ‘da’wa’ (invitation) for social solidarity that coexisted with a boost to ‘khayr’ (goodness)²⁷⁴. In 1960s, Islamic charity organizations comprised of 16 percent of all Egyptian NGOs and in 1970s increased to 30 percent and then 43 percent in 1990s²⁷⁵.

Filling the gap left by the state’s withdrawal of its social services, Islamic charity organisations call for acts of sacrifice whether in the form of monetary donations or volunteer labour aiming to elicit donations through television commercials presenting close-ups of sick children, orphans and poor villagers²⁷⁶. Today, as Egypt is still trying to recuperate from the impacts of the Muslim Brotherhood’s one-year in power, many Islamic charity organisations are being closed down because of their possible affiliation with the Muslim Brotherhood party.

3.5.2 NGO numbers in Egypt

In October 2017, the Minister of Social Solidarity highlighted the role of NGOs in accomplishing sustainable development and noted that NGOs reached 48,300 (of which 29,043 are active) mostly located in Cairo, Giza and Alexandria²⁷⁷. According to the Minister, almost 12,000 active NGOs spend EGP 10 billion on community development yearly²⁷⁸. The Minister also noted that when the government was outlining Egypt’s 2030 plan for sustainable development, the country took the advice of NGOs and civil society; this is because they are considered essential partners and

273 Tugal, Cihan. “Contesting Benevolence: Market Orientations among Muslim Aid Providers in Egypt.” *Qual Sociol* (2013) 36: 141-159

274 Tugal, Cihan. “Contesting Benevolence: Market Orientations among Muslim Aid Providers in Egypt.” *Qual Sociol* (2013) 36: 141-159

275 Tugal, Cihan. “Contesting Benevolence: Market Orientations among Muslim Aid Providers in Egypt.” *Qual Sociol* (2013) 36: 141-159

276 Mittermaier, Amira. “Beyond compassion: Islamic voluntarism in Egypt.” *American Ethnologist*, Vol. 41, No. 3, pp. 518-531

277 Abdel Hafez, Ahmed. “Kol Ma Toreed An Taarefo An El Gameayat El Ahlia.” 8 November 2017. *Mobtada*.

<https://www.mobtada.com/details/667202>

278 Abdel Hafez, Ahmed. “Kol Ma Toreed An Taarefo An El Gameayat El Ahlia.” 8 November 2017. *Mobtada*.

<https://www.mobtada.com/details/667202>

contributors to combat poverty, fight hunger, enhance health (NGOs currently provide health services to 30 percent of the population²⁷⁹), promote education, ensure gender equality, promote clean water, work towards a healthy environment, encourage decent work, endorse economic development and sponsor innovation²⁸⁰.

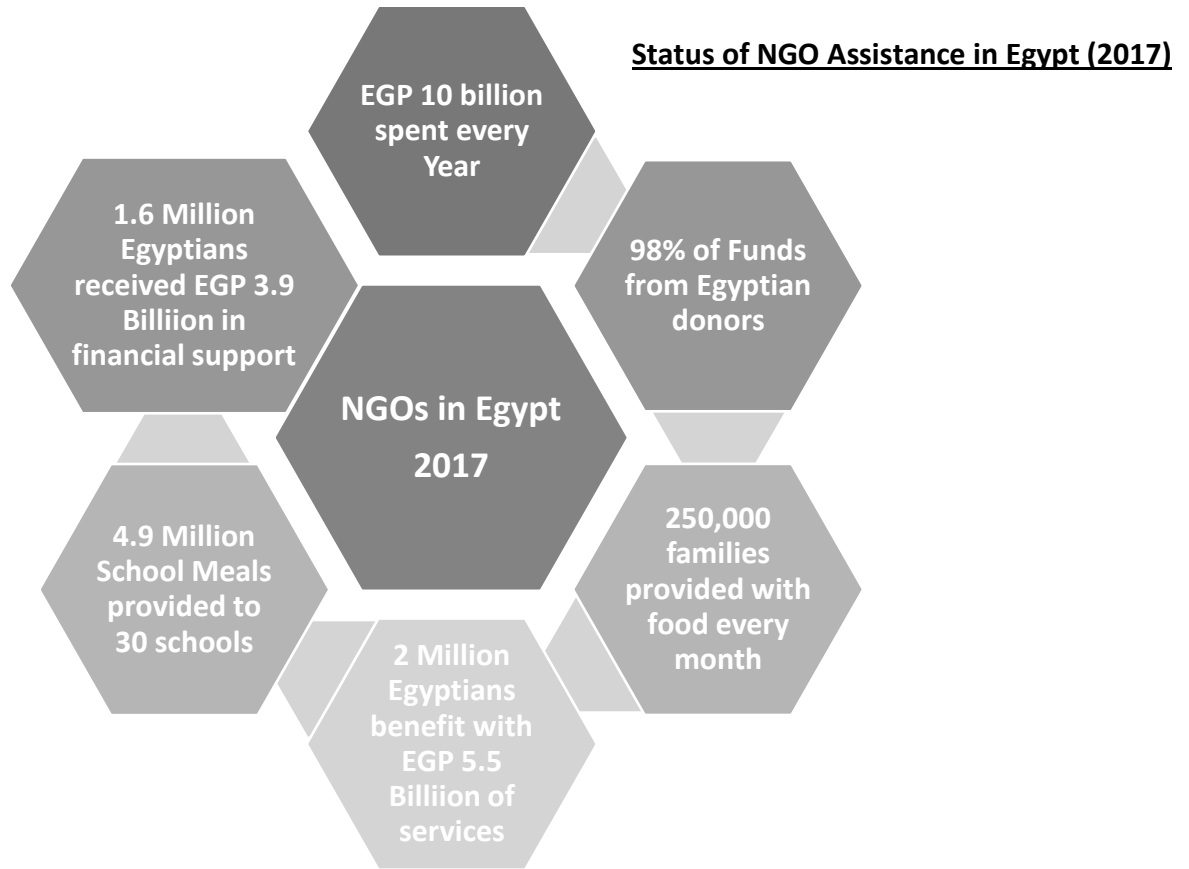


Figure 21-Status of NGO Assistance in Egypt (2017)

Source: Abdel Hafez, Ahmed. “Kol Ma Toreed An Taarefo An El Gameayat El Ahlia. 8 November 2017.” *Mobtada*. <https://www.mobtada.com/details/667202>

3.5.3 NGO General Department

In 1969, MoSS established the NGO General Department in accordance to article 85 of NGO law no. 32 of 1964, which has an executive committee of 27 members elected every four years²⁸¹. The

279 Saleh, Hassan. Raees “El Gameayat El Ahlia: Nowafer El Khadamat El Seheia Le30% men El Mowateneen.” 22 October 2018. <https://www.elwatannews.com/news/details/3744279>

280 Abdel Hafez, Ahmed. “Kol Ma Toreed An Taarefo An El Gameayat El Ahlia.” 8 November 2017. *Mobtada*. <https://www.mobtada.com/details/667202>

281 “El Etehad El Aam Lel Gameayat wa El Moasasat El Ahlia: Nabza An El Etehad El Aam.” <http://www.fngo.org/NGO/StaticContent/View.aspx?ID=1>

NGO General Department continues to operate and currently reports to the NGOs and Unions Central Department in MoSS and has the following responsibilities²⁸²:

- Coordinate and monitor community work by NGOs in Egypt.
- Endorse community work – technical, financial, managerial and organizational.
- Coordinate in planning the policy for the Ministry in community fieldwork while adhering to the country’s general policies.
- Coordinate efforts of institutions and NGOs on local and departmental level (regarding community work).
- Endorse activation of volunteerism and provide assistance to NGOs to accomplish their goals.
- Participate in international and national conferences.
- Monitor and supervise NGO operations and financial accounts.

Organogram of the Ministry of Social Solidarity in Egypt

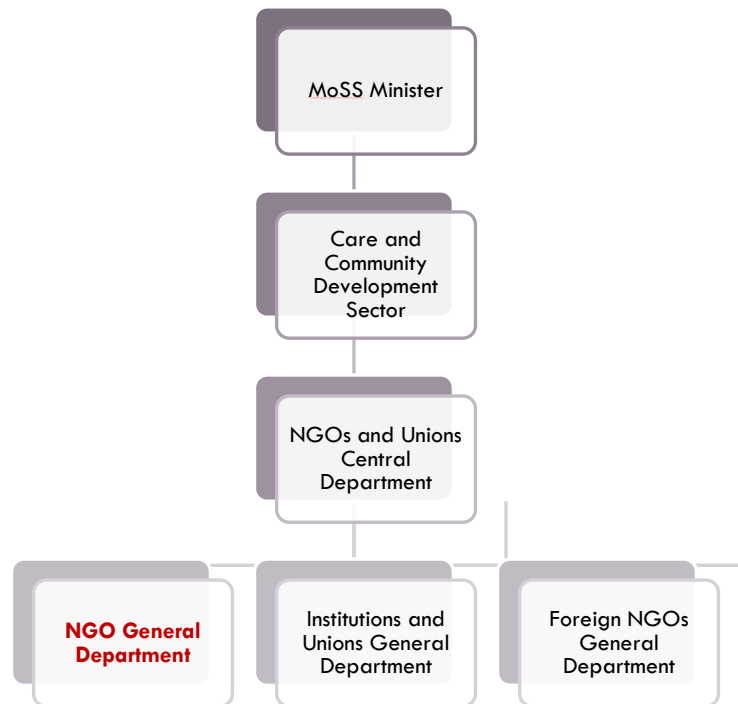


Figure 22- Organogram of the Ministry of Social Solidarity in Egypt

Source: Ministry of Social Solidarity: El Haykal El Tanzemi. <http://www.moss.gov.eg/sites/mosa/ar-eg/Pages/organization-chart.aspx>

282 Ministry of Social Solidarity: El Haykal El Tanzemi. <http://www.moss.gov.eg/sites/mosa/ar-eg/Pages/organization-chart.aspx>

3.5.4 NGO Acknowledgement

Under the auspices of MoSS, the NGO General Department organizes a ‘competition of uniqueness’ every year that recognizes successful NGOs (through a financial incentive and a certificate of appreciation) in spreading knowledge, implementing skillful activities and executing projects for sustainable development²⁸³. In the competition, the winning NGOs are chosen based on shared initiatives, level of innovation, impact of implemented programmes, services provided to the community, number of reached beneficiaries, planned strategies, sustained activities, and financial audit reports that were approved over the past two years²⁸⁴. This yearly initiative by MoSS acknowledges NGO efforts and encourages them to move forward in their aim for development and supporting marginalized communities characterized by food insecurity and high-income poverty.

283 El Sheikh, Ahmed. “El Ealan An El Faezein Begaezat El Tamayoz Le Monazamat El Mogtamaa El Madani El Tholathaa El Moqbel.” 15 December 2018. <https://www.elfagr.com/3387628>

284 El Sheikh, Ahmed. “El Ealan An El Faezein Begaezat El Tamayoz Le Monazamat El Mogtamaa El Madani El Tholathaa El Moqbel.” 15 December 2018. <https://www.elfagr.com/3387628>

CHAPTER 4

DELIBERATION AND REFLECTIONS

“Contrasting with governmental power and economic power – the power of the Prince and the Merchant – there is an immediate and autonomous power; sometimes evident, sometimes latent: people’s power. Some people develop an awareness of this, associate, and act with others and thus become citizens”
– Marc Nerfine²⁸⁵

In this chapter of the study, I will start to analyze and interpret the data collected from secondary sources while focusing on the following indicators: (1) Number of NGOs before and after law ratification, (2) Scope and diversity in activities undergone with law in place, (3) Number of NGOs in geographic locations where NGOs have operated at the time, and (4) Financial capabilities of NGOs under the law. I will then deliberate the data compiled from primary sources such as interviews to NGO board of directors and questionnaires filled by NGO staff.

4.1 Data Analysis and Interpretation

To coherently measure the progressiveness of the NGO law no. 84, the following indicators will be taken into consideration before and after the ratification of the law: number of NGOs, scope and diversity in activities, number of NGOs in geographic locations and financial capabilities of NGOs.

4.1.1 Number of NGOs

The increase in NGOs began with article 30 of the 1923 Constitution, which realized the rights of Egyptians to collaborate and establish NGOs; at the time NGOs increased from 159 (1900 – 1924) to 633 NGOs (1925 – 1944)²⁸⁶. Community activities also increased in the 1970s, which thereafter resulted in an increase in NGOs to 16,800 by 2000 with 3 million people working in different

285 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997. p.5

286 *Waraqet Seyasat El Gameayat El Ahlia w Moshkelet El Tamweel*. Heya Center for Public Policy. Egypt-Alexandria 2014. http://admin.heya-program.net/Files/Pubs/Pub_12082016055405.pdf

fields of community work²⁸⁷. In 2013, article 75 of the Constitution stated that: “citizens have the right to create NGOs in a democratic base, with a unique identity, after notifying relevant stakeholders” and also highlighted that: “NGOs can freely conduct activities; bureaucratic units shouldn’t interfere or abolish the NGO or its board of directors except with a court order”²⁸⁸.

Total Number of NGOs in Egypt (1976 – 2016)

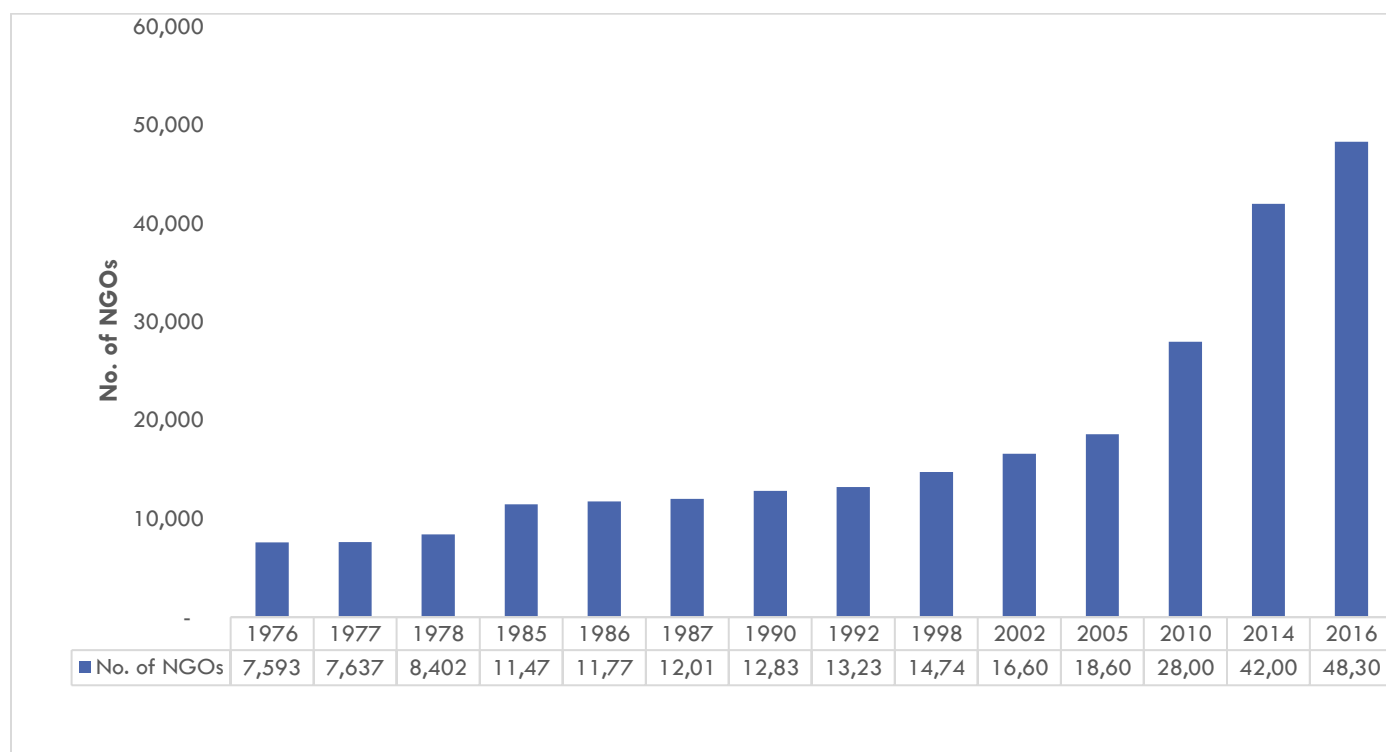


Figure 23-Total Number of NGOs in Egypt (1976 - 2016)

Source: Qandeel, Amani. *El Gameayat El Ahlia fe Misr wa Sanawat Al Makhater (2011-2017)*. Dar El Kotob El Masria. <http://amanikandil.com/wp-content/uploads/2018/03/الجمعيات-الأهلية-في-مصر-و-سنوات-المخاطر.pdf>

With the introduction of the new open-door economic policy between 1974 and 1983, there was enough room for associations to operate. The number of established NGOs doubled from 244 to 479 (per year) between 1984 and 1993²⁸⁹. Moreover, available data suggests an increase in number of associations in non-traditional fields of activity under NGO law no. 84, growing at a rate of

287 *Waraqet Seyasat El Gameayat El Ahlia w Moshkelet El Tamweel*. Heya Center for Public Policy. Egypt-Alexandria 2014. http://admin.heya-program.net/Files/Pubs/Pub_12082016055405.pdf

288 *Waraqet Seyasat El Gameayat El Ahlia w Moshkelet El Tamweel*. Heya Center for Public Policy. Egypt-Alexandria 2014. http://admin.heya-program.net/Files/Pubs/Pub_12082016055405.pdf

289 *Egypt’s Social Contract: The Role of Civil Society*. Egypt Human Development Report 2008.

about 600 new organizations yearly since 2002; significantly focusing on development and advocacy²⁹⁰. Following NGO law no. 84 of 2002, international trends and inflows of external funds that supported civil society became the official public position; almost 1,694 civil associations and institutions were created between 2004 and 2006 (about 850 associations on average per year)²⁹¹.

Number of Newly Created NGOs in Egypt (1900 – 2017)

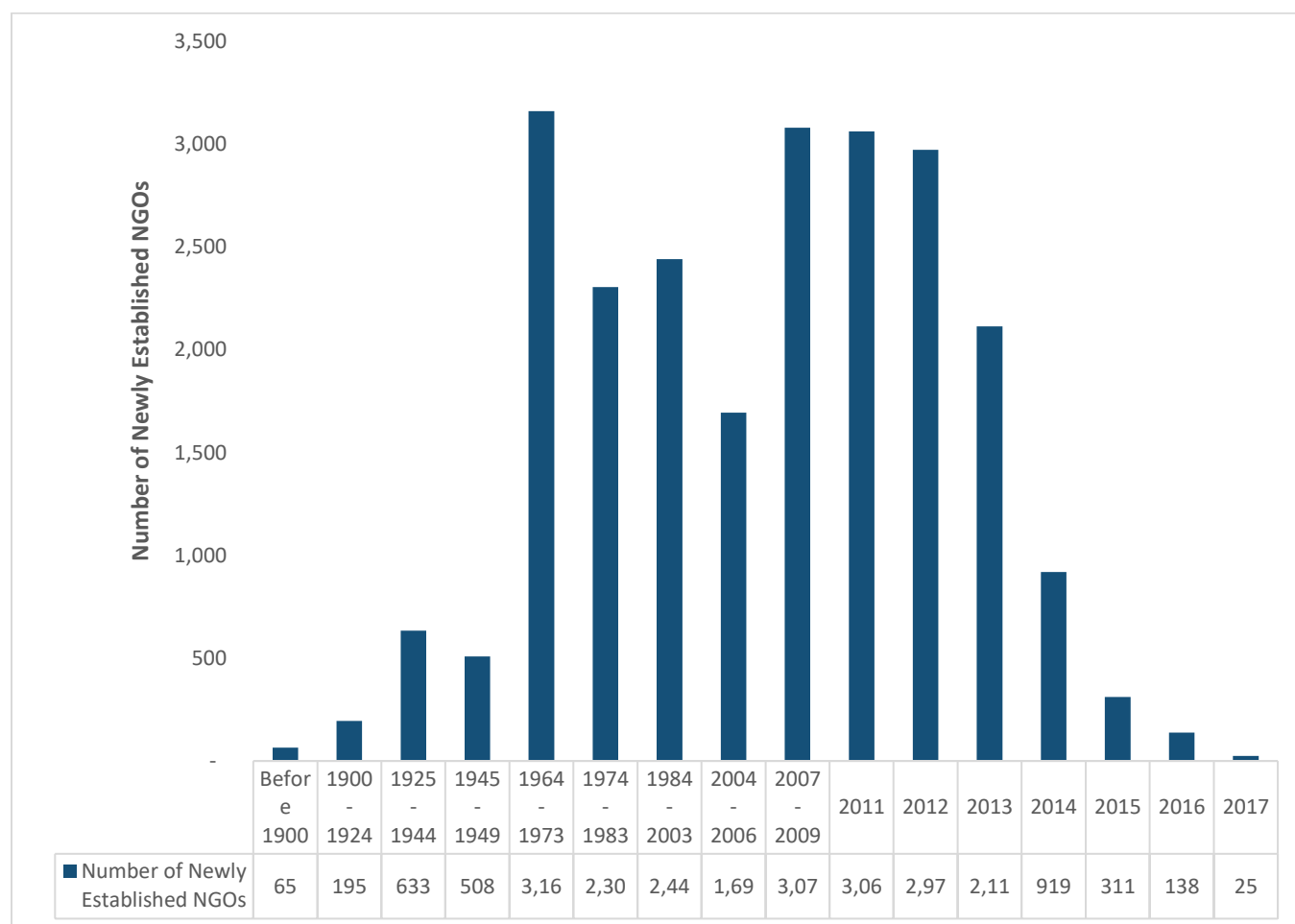


Figure 24-Number of Newly Established NGOs in Egypt (1900 - 2017)

Source: Qandeel, Amani. *Moasherat Faaleyat Monazamat El Mogtamaa El Madani El Arabi*. El Shabaka El Arabia LeI Monazamat El Ahlia. 2010.

+ Qandeel, Amani and Sara Ben Nafesa. “El Gameayat El Ahlia Fe Masr. Markaz El Derasat El Seyasia wa El Istrategia.” *El Ahran*. 1994

+ Qandeel, Amani. *El Gameayat El Ahlia fe Misr wa Sanawat Al Makhater (2011-2017)*. Dar El Kotob El Masria.

<http://amanikandil.com/wp-content/uploads/2018/03/الجمعيات-الأهلية-في-مصر-و-سنوات-المخاطر.pdf>

²⁹⁰ Egypt’s Social Contract: *The Role of Civil Society*. Egypt Human Development Report 2008.

²⁹¹ Egypt’s Social Contract: *The Role of Civil Society*. Egypt Human Development Report 2008.

4.1.2 Scope and Diversity in Activities

With the increase in the number of NGOs from 7,593 in 1976 to 13,239 in 1993 and 16,000 in 2000, development NGOs started diversifying its activities to women empowerment, combating child labour and street children, and focusing on marginalized beneficiaries²⁹². From 16 – 17 December 2002, the NGO General Department in Egypt organized its annual conference titled ‘NGOs and Modernizing Egypt’, where representatives discussed the NGOs’ responsibility in modernizing the country to coincide with the international, regional and national arena regarding its activities and tackled issues²⁹³.

Characteristics of NGO Generations in Egypt (1964 – 2002)

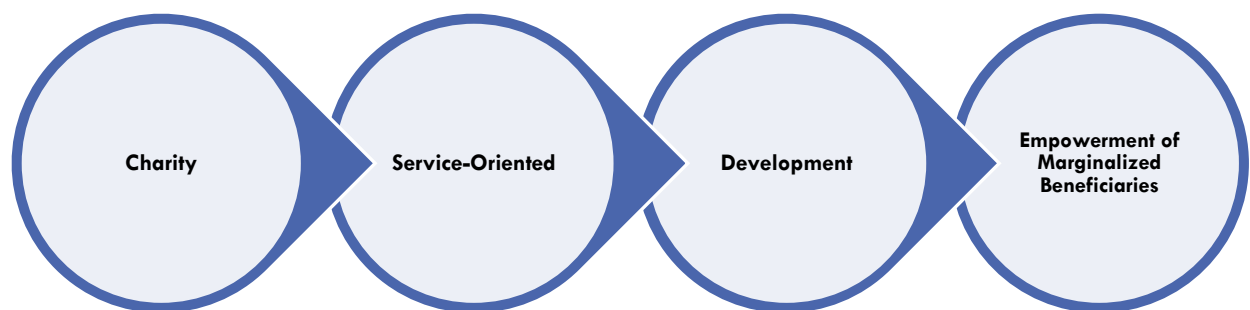


Figure 25-Characteristics of NGO Generations in Egypt (1964 – 2002)

Source: Qandeel, Amani. *Tahdeeth El Gameayat wa Tahdeeth Masr*. Qadaya

292 Qandeel, Amani. «El Mogtamaa El Madani fe Khamseen Aman 1952 – 2002. Yawmeyat Yolyo.» 24 July 2002. *El Ahrām*.

<http://www.ahram.org.eg/Archive/2002/7/24/THAW12.HTM>

293 Qandeel, Amani. «Tahdeeth El Gameayat wa Tahdeeth Masr. Qadaya wa Araa.» 26 December 2002. *El Ahrām*.

<http://www.ahram.org.eg/Archive/2002/12/26/OPIN6.HTM>

In 1994, NGO law no. 32 of 1964 limited NGOs, strictly forcing them to focus on only thirteen activities for the implementation of community work, motherhood and childhood care, family care, elderly, disabled, knowledge in science and religious services, local community, management and organization, prisoners, family planning, pensioners, literature, and cooperation between cultures²⁹⁴. With the ratification of NGO law no. 84 of 2002, NGOs were allowed to operate in sectors and implement activities other than those prioritised by the government²⁹⁵.

NGO Scope of Activities in Egypt (1979 - 2017)

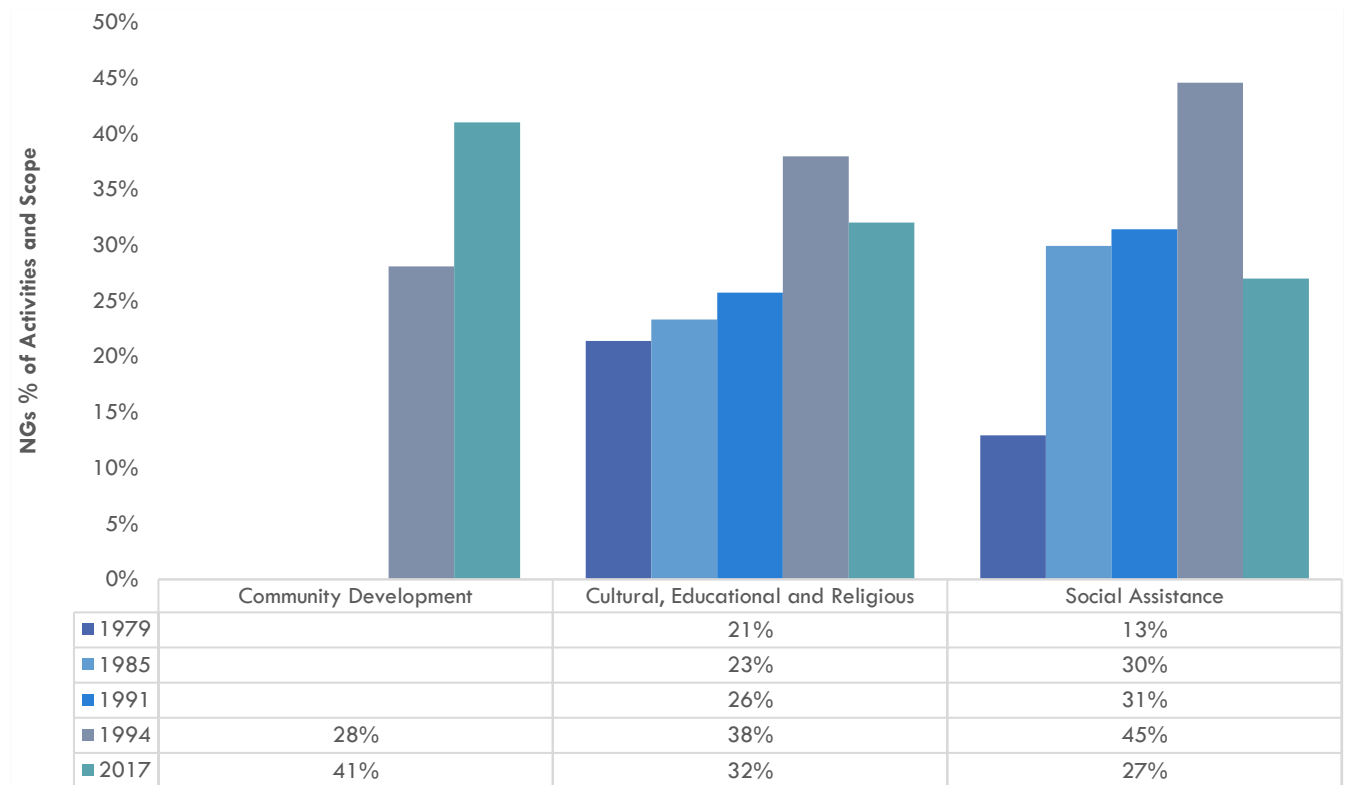


Figure 26-NGO Scope of Activities in Egypt (1979 - 2017)

Note- The cells left blank in the table means data was unavailable.

Source: Abdel Wahab, Ayman El Sayed. *El Gameayat El Ahlia fe Masr Ekhtelalat El Dour. Esdarat El Markaz: El Malaf El Masri*. Al-Ahram Center for Political & Strategic Studies. 30 May 2017. <http://acpss.ahram.org.eg/News/16307.aspx>

+ Qandeel, Amani and Sara Ben Nafesa. "El Gameayat El Ahlia Fe Masr. Markaz El Derasat El Seyasia wa El Istrategia." *El Ahram*. 1994

+ Ibrahim, Saad Eddin et al. *An Assessment of Grass Roots Participation in the Development of Egypt*. Cairo Papers in Social Sciences Vol. 19, No. 3. 1996. The American University in Cairo Press.

+ Abdel Wahab, Ayman El Sayed. *El Gameayat El Ahlia fe Masr Ekhtelalat El Dour. Esdarat El Markaz: El Malaf El Masri*. Al-Ahram Center for Political & Strategic Studies. 30 May 2017. <http://acpss.ahram.org.eg/News/16307.aspx>

294 Qandeel, Amani and Sara Ben Nafesa. "El Gameayat El Ahlia Fe Masr. Markaz El Derasat El Seyasia wa El Istrategia." *El Ahram*. 1994

295 Qandeel, Amani. El Mogtamaa "El Madani wa El Dawla fe Masr: Q/19 Ela Aam 2005." *El Mahrousa*. 2006.

4.1.3 Number of NGO Geographic Locations

Following the ratification of NGO law no. 84 of 2002 and the diversification of activities, NGOs spread across the Egyptian governorates to implement development programmes reaching more beneficiaries from 1994 – 2018.

Number of NGOs per Governorate in Egypt (1994 – 2018)

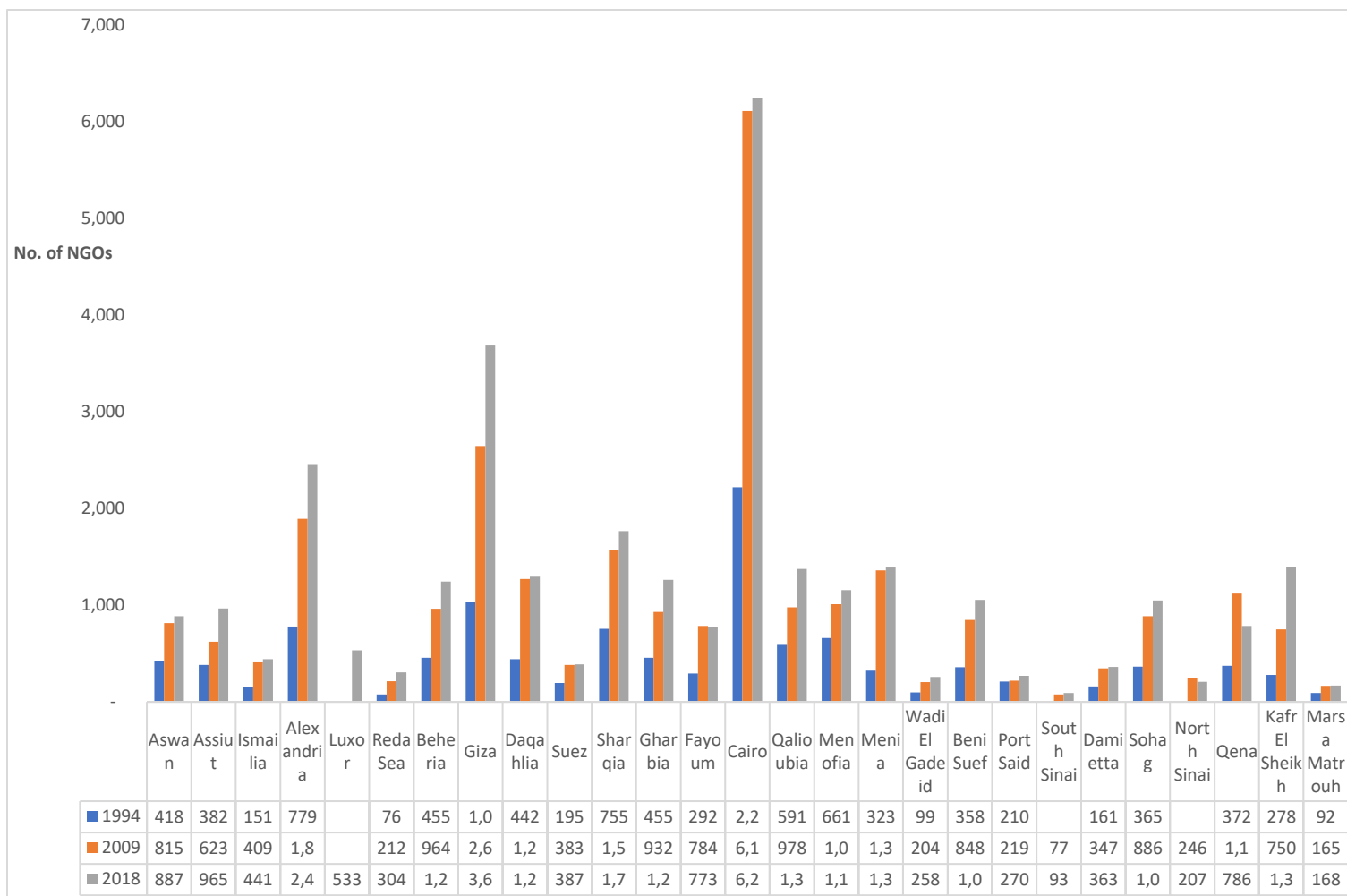


Figure 27- Number of NGOs per Governorate in Egypt (1994 – 2018)

Note- The cells left blank in the table means data was unavailable.

Source: Ministry of Social Solidarity: El Gameayat El Ahlia. <http://www.fngo.org.eg/NGO/StaticContent/View.aspx?ID=12>

+ Qandeel, Amani and Sara Ben Nafesa. "El Gameayat El Ahlia Fe Masr. Markaz El Derasat El Seyasia wa El Istrategia." *El Ahram*. 1994

+ Qandeel, Amani. *Moasherat Faaleyat Monazamat El Mogtamaa El Madani El Arabi*. El Shabaka El Arabia LeI Monazamat El Ahlia. 2010.

Number of NGOs Per Governorate in Egypt (1994 – 2017)

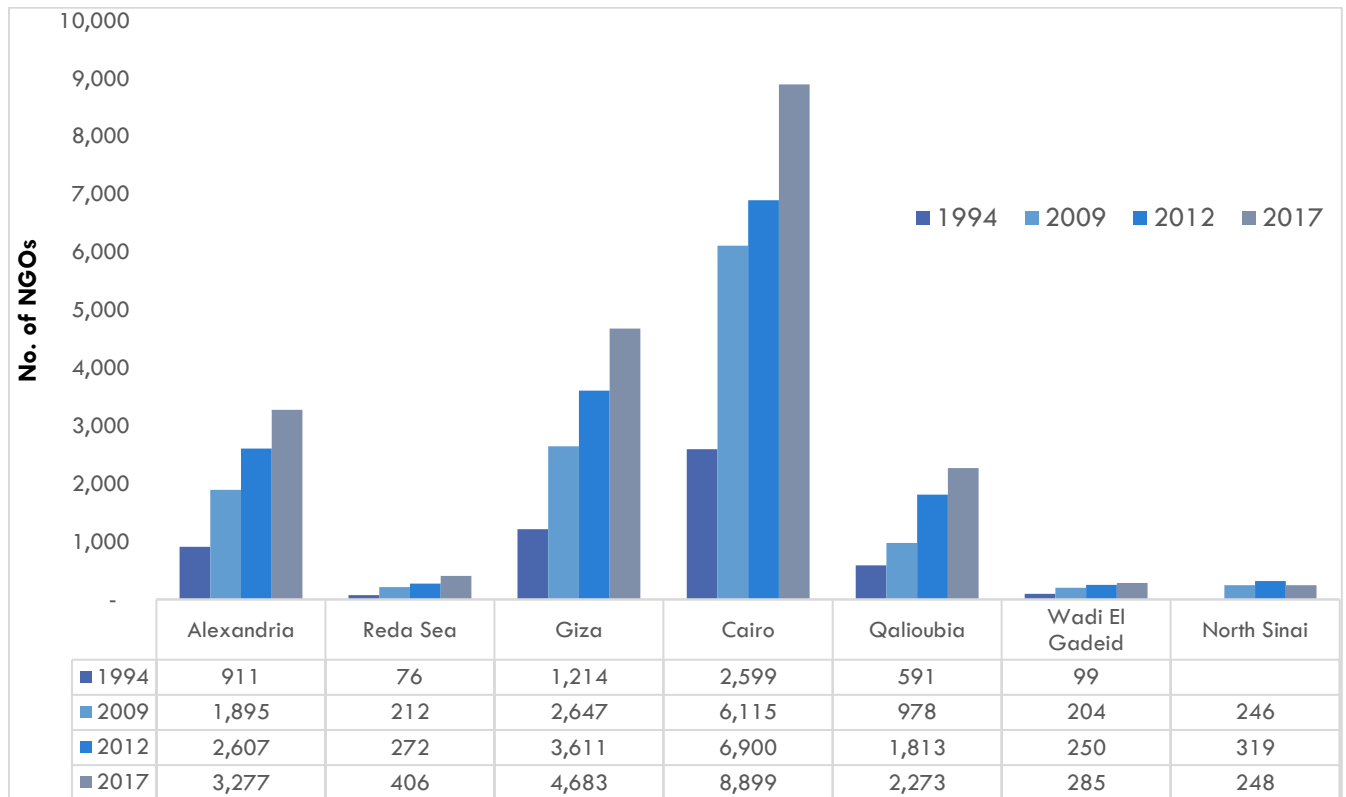


Figure 28- Number of NGOs Per Governorate in Egypt (1994 - 2017)

Note- The cells left blank in the table means data was unavailable.

Source: Abdel Wahab, Ayman El Sayed. *El Gameayat El Ahlia fe Masr Ekhtelalat El Dour. Esdarat El Markaz: El Malaf El Masri*. Al-Ahram Center for Political & Strategic Studies. 30 May 2017. <http://acpss.ahram.org.eg/News/16307.aspx>

+ Qandeel, Amani. *Moasherat Faelia Monathamat El Mogtamaa El Madani El Arabi*. El Shabaka El Arabia Lel Monathamat El Ahlia. <http://amanikandil.com/wp-content/uploads/2018/03/indicators.pdf>

+ Qandeel, Amani and Sara Ben Nafesa. "El Gameayat El Ahlia Fe Masr. Markaz El Derasat El Seyasia wa El Istrategia." *El Ahram*. 1994

4.1.4 Financial Capabilities of NGOs

NGO law no. 32 of 1964 limited the sources of funding for NGOs, including foreign donations, on condition that the government approves²⁹⁶. In the meantime, this law allowed the government to provide NGOs with funds (routinely or temporary) depending on the priorities to deliver community services and the need of the community to these services²⁹⁷. Between 1990 – 1991, almost 30.4 percent of NGOs received funds from the government (around 4,034 NGOs) amounting to USD 6.5 million²⁹⁸. This amount decreased throughout the years due to economic

²⁹⁶ Qandeel, Amani and Sara Ben Nafesa. "El Gameayat El Ahlia Fe Masr. Markaz El Derasat El Seyasia wa El Istrategia." *El Ahram*. 1994

²⁹⁷ Qandeel, Amani and Sara Ben Nafesa. "El Gameayat El Ahlia Fe Masr. Markaz El Derasat El Seyasia wa El Istrategia." *El Ahram*. 1994

²⁹⁸ Qandeel, Amani and Sara Ben Nafesa. "El Gameayat El Ahlia Fe Masr. Markaz El Derasat El Seyasia wa El Istrategia." *El Ahram*. 1994

and social challenges experienced by the country that placed more burdens on government resources. At that time, foreign funds from other countries, international organizations, and foreign NGOs (mainly USAID) were the main foreign donors in Egypt – transferring nearly USD 20 million in 1991²⁹⁹.

In 1994, USAID supported Egyptian NGOs with EGP 40 million (USD 12 million) to implement development programmes in vulnerable communities, which consisted of: establishing 400 clinics, 100 cultural centers, 700 child centers, 251 apprenticeship centers, 30 elderly projects, 50 disabled projects, and 450 projects for productive families.³⁰⁰

Following the ratification of NGO law no. 84, the number of NGOs increased, which confirmed the augmenting government acceptance to register NGOs and strengthen their capacities for sustainable impact³⁰¹. In 2002, almost 700 NGOs were newly established to implement development programmes and by 2005 the total number of NGOs reached 18,600 resulting in 2000 newly established NGOs in three years³⁰².

By 2002, the government supported 5000 NGOs by providing them with EGP 56 million (USD 15 million) in aid and delegated 17,000 government employees to technically support NGOs³⁰³. Around EGP 100 million (USD 20 million) in foreign funds flooded NGOs in 2002, aimed to invest on issues such as: human rights, democracy, women empowerment, and human development (aiming to alleviate poverty and encourage a healthy environment)³⁰⁴. Although official statements from the government confirmed this amount, it contradicted with donor reports (the Canadian Development Agency for example) that mentioned foreign donations of USD 173 million were transferred to fund microcredit programmes during this period³⁰⁵.

299 Qandeel, Amani and Sara Ben Nafesa. “El Gameayat El Ahlia Fe Masr. Markaz El Derasat El Seyasia wa El Istrategia.” *El Ahrām*. 1994

300 Qandeel, Amani and Sara Ben Nafesa. “El Gameayat El Ahlia Fe Masr. Markaz El Derasat El Seyasia wa El Istrategia.” *El Ahrām*. 1994

301 Qandeel, Amani. “El Mogtamaa El Madani wa El Dawla fe Masr: Q/19 Ela Aam 2005.” *El Mahrousa*. 2006.

302 Qandeel, Amani. “El Mogtamaa El Madani wa El Dawla fe Masr: Q/19 Ela Aam 2005.” *El Mahrousa*. 2006.

303 Qandeel, Amani. “El Mogtamaa El Madani wa El Dawla fe Masr: Q/19 Ela Aam 2005.” *El Mahrousa*. 2006.

304 Qandeel, Amani. “El Mogtamaa El Madani wa El Dawla fe Masr: Q/19 Ela Aam 2005.” *El Mahrousa*. 2006.

305 Qandeel, Amani. “El Mogtamaa El Madani wa El Dawla fe Masr: Q/19 Ela Aam 2005.” *El Mahrousa*. 2006.

Financial Capabilities of NGOs in Egypt (1990 – 2002)

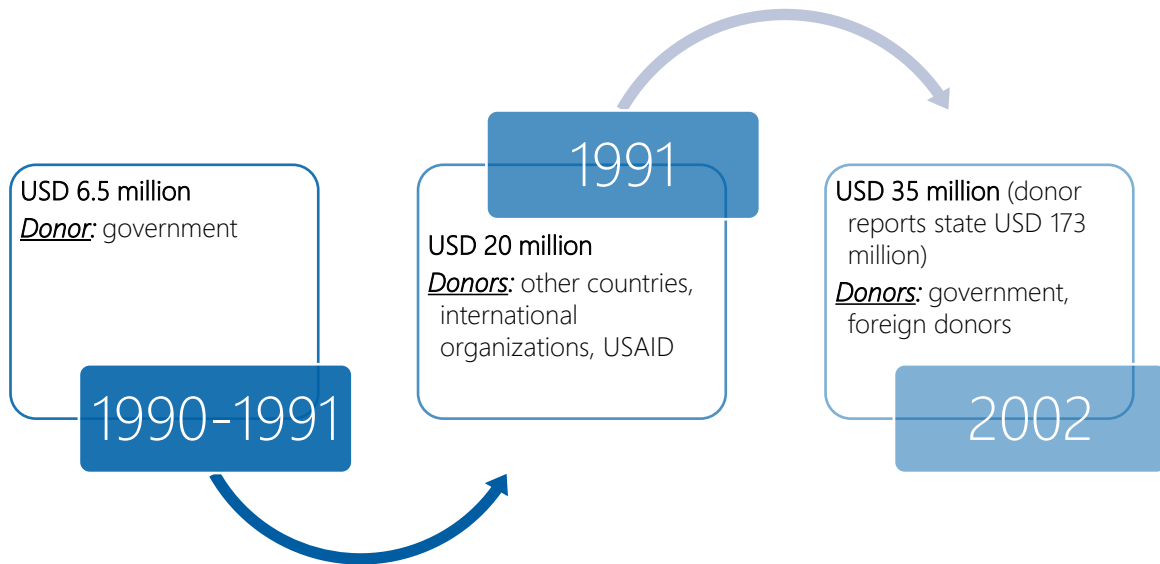


Figure 29-Financial Capabilities of NGOs in Egypt (1990-2002)

Source: Qandeel, Amani. 'El Mogtamaa El Madani wa El Dawla fe Masr: Q/19 Ela Aam 2005.' *El Mahrousa*. 2006.

4.2 Data Deliberation

Following the analysis of quantitative data from secondary sources, in this section I will explore the qualitative data gathered from primary sources through interviews with NGO board members and questionnaires filled by NGO staff. To eloquently measure the progressiveness of NGO law no. 84, I will start with highlighting information on NGOs who participated in this study, outline the NGO staff's demography (who answered the questionnaire) and explore the impact of NGOs through fourteen different themes.

4.2.1 NGO Information

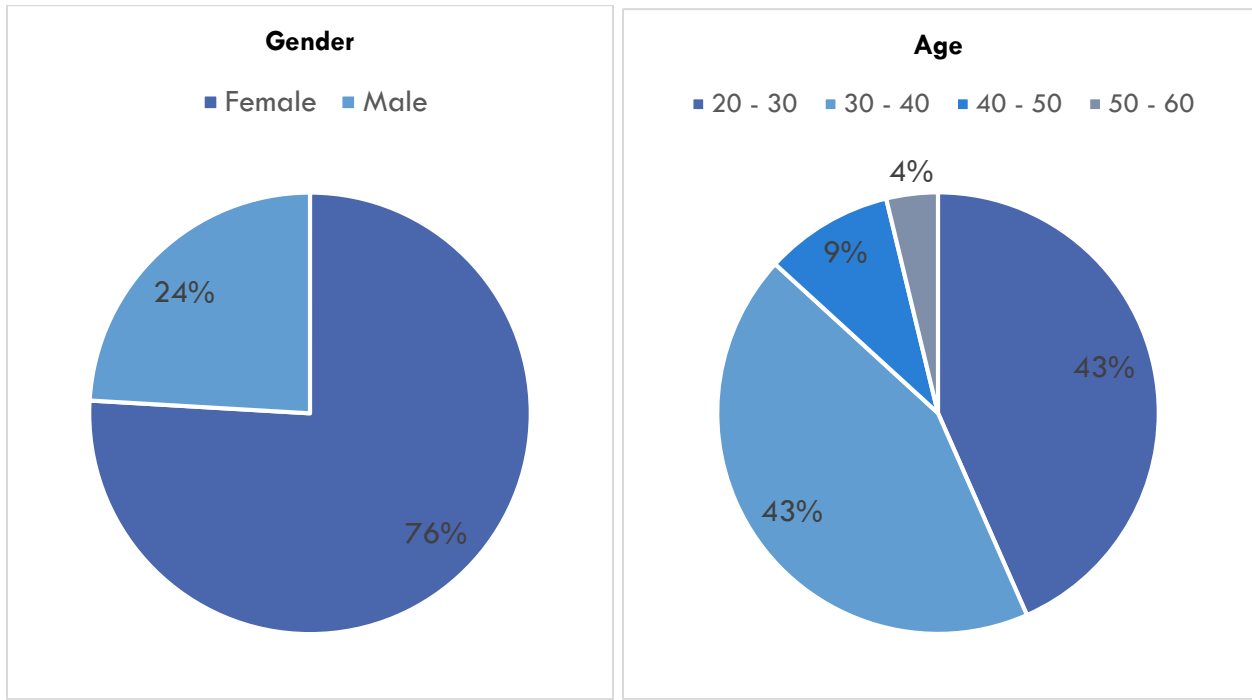
Following the approval of the university's IRB, I interviewed board members from five NGOs (four national and one foreign NGO) with head offices in Sohag, Assiut, Giza and Fayoum governorates. The following tables provides further information on the NGOs:

No.	National / Foreign	Registration Date	Activities	Head Office	Sub-Offices	No. of Staff	No. of Board Members
NGO 1	National	2003	Improve health, enhance education, and advance socio-economic conditions of underprivileged communities	Sohag,	Fayoum, Aswan, Sharqia, Cairo, Alexandria, Damietta	40 staff members in the head office and 400 in sub-offices	seven members and one chairperson
NGO 2	National	1996	Develop local communities, focus on family care, child health and maternity, and provide social, cultural, environmental, and economic services	Assiut	12 sub-offices in Assiut	232 staff members	seven members
NGO 3	National	2013	Enhance community education for children, rehabilitate community schools, and raise awareness	Giza	Fayoum	36 staff members and 60 volunteers	14 founders and seven members
NGO 4	National	2012	Provide services to improve health, education, environment and economic conditions of the most vulnerable communities	Fayoum	Beni Suef	26 staff members	seven members
NGO 5	Foreign	2000	Implement mother and child health programmes, support social programmes, reinforce child rights and protection programmes, carry out relief programmes, and integrate support programmes for refugees	Assiut	Cairo, Damietta, Mansoura, Alexandria, Beni Suef, Qena	40 staff members	N/A

Table A-Information on the Five NGOs Interviewed

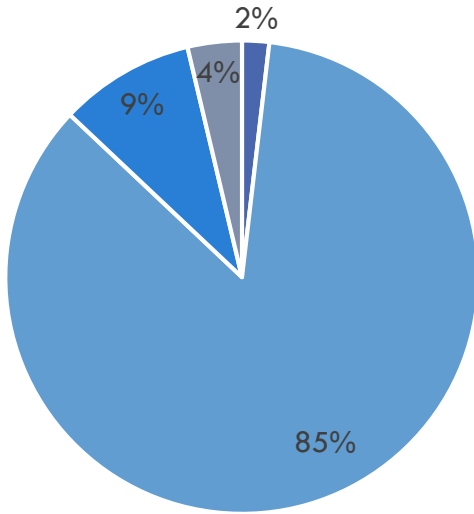
4.2.2 NGO Staff Demography

The questionnaire was also shared with 54 staff members (with a response rate of 100 percent) working in the five interviewed NGOs. The following figures provide a deeper insight on the NGO staff members who participated in the questionnaire.



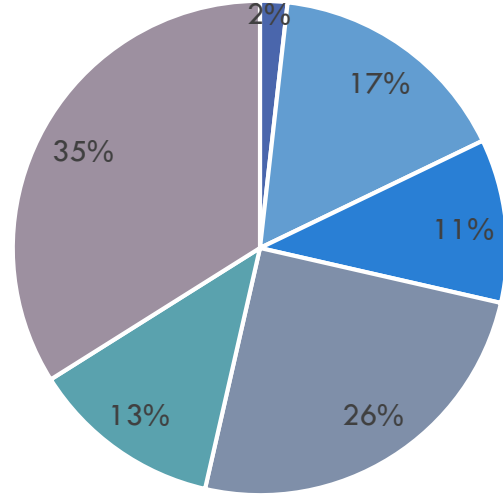
Education

- High School Diploma
- Bachelor's Degree
- Master's Degree
- PHD



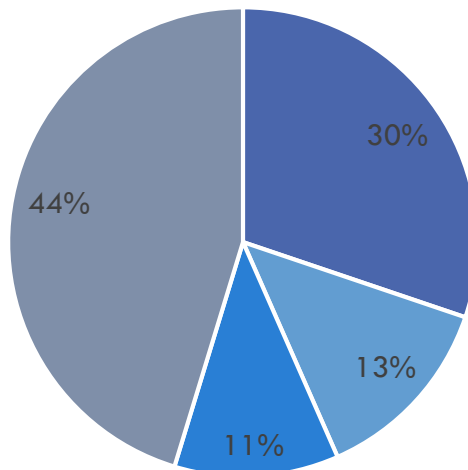
Occupation

- Executive Board Member
- Project Manager
- Project Assistant
- Field Worker
- Finance/Admin
- Other



Years of Experience with NGOs

- Less than 2
- 2 - 4
- 4 - 6
- More than 6

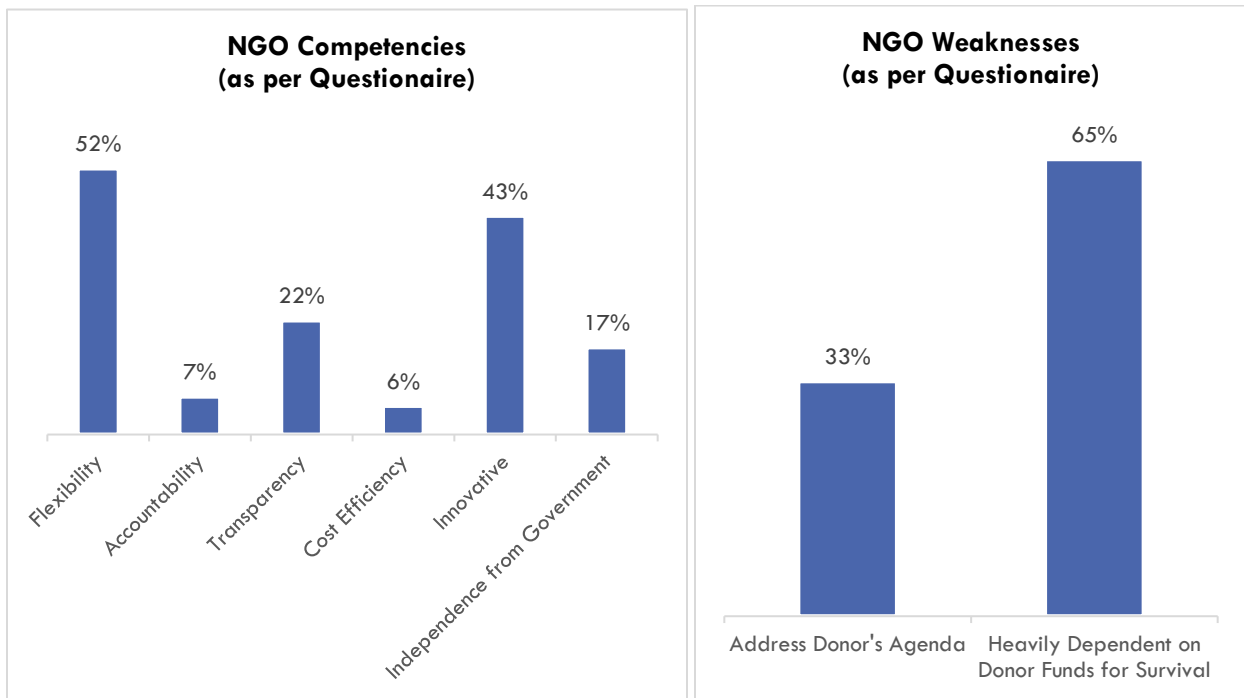


4.2.3 Measuring the Impact of NGOs

NGO Technical Competencies

One of the main NGO competencies is their location, as they operate from the field reaching the most vulnerable and marginalized communities. This is linked to what NGO staff have recommended in the questionnaire, since 52 percent emphasized that the flexibility of NGOs makes them more adaptable in the field and supports them reach a wider audience of beneficiaries. The same was argued by NGO 2, as they noted that NGOs work on benefiting a wide scope of the community and links beneficiaries with relevant stakeholders.

As for NGO 1, they stated that NGOs are considered to be the second branch of the government, since they support the government achieve the country's national plan. NGOs are regarded as the programme implementors for donors and UN agencies as they reach impoverished communities and provide services to marginalized beneficiaries. NGOs 3 and 4 highlighted that development NGOs provide services to support community needs in education, health and environment. Finally, NGO 5 mentioned that NGOs work on meeting the requirements of its surrounding community and act as a representative to this community through advocating its needs to government stakeholders. Thus, it is defined as a 'community body' that plays a vital role in complementing the government's mission in community development.



Tools to Measure the Impact of NGOs

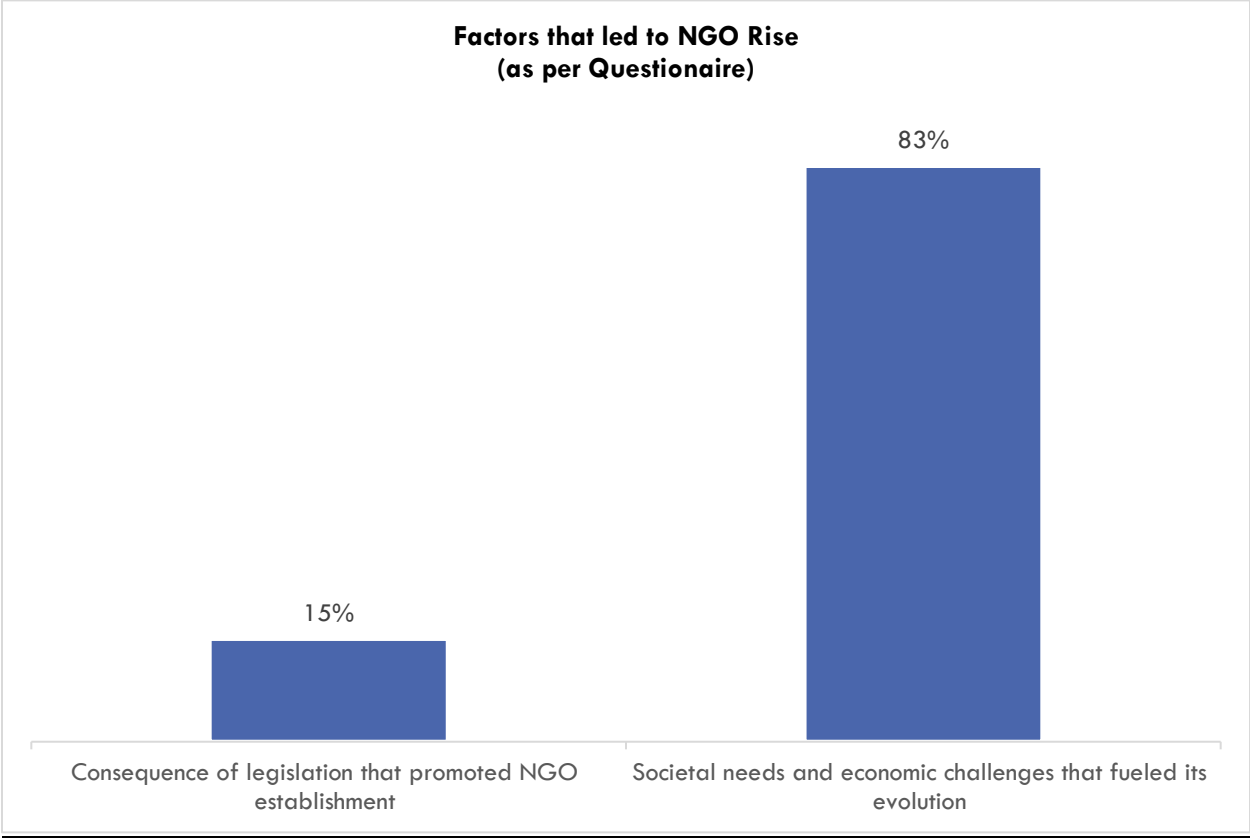
The impact NGOs have on communities can be measured by various Monitoring and Evaluation (M&E) tools to utilize the data and prepare donor reports, reflect on the work being done, and aim to perform more effectively. This was highlighted by NGO 1, as they have a rigorous M&E system under their Programme and Activities unit to report project outcomes on a monthly, quarterly and annual basis to publish and disseminate technical and financial reports. The NGO's M&E staff undergo continuous field visits to monitor the implementation of activities and report with accuracy and precision. Under the Programme and Activities unit, NGO Field Monitors carry out visits to targeted locations of the project's implementation to document, meet beneficiaries and overcome any challenges faced that may hinder the operation. The NGO is required to fill a form before and after the implementation of programme activities to measure the impact of these activities on beneficiaries – especially in microloans (to empower women by becoming entrepreneurs and financially independent), combat child labour interventions, and enroll children in education after dropping out.

As for NGO 2, programme activities that are highly requested by beneficiaries (and highlighted in the national media) have the greatest impact. Nevertheless, the NGO uses M&E tools to know of any challenges faced in programme implementation and help support NGO management to organize, plan and support decision making. For NGO 3, they measure (through questionnaires and regular feedback) the impact of programme activities and its development outcomes through the satisfaction of assisted beneficiaries. Finally, NGOs 4 and 5 noted that they measure the impact of a programme using progress performance indicators and the impact of the programme on beneficiaries through the evident changes that beneficiaries have experienced as a result.

Factors that led to NGO Rise

The causes of NGO rise could be explained by socioeconomic challenges experienced by Egyptians that made their dependence on NGOs inevitable. The same was argued by NGO staff in the questionnaire were 83 percent noted that societal needs and economic challenges fuel the evolution of NGOs. In the interview, NGO 2 attributed the rise of NGOs to economic and social challenges faced by the community that makes NGOs a vital contributor to the implementation of activities and provide beneficiaries with the necessary support they need. As for NGO 1, they

stated that NGOs are closer to the community than governments – for example, NGOs are more efficient than banks when it comes to microloan programmes. NGOs 3, 4 and 5 highlighted that establishing an NGO is the answer to social and economic challenges that place a burden on government resources and limit the government’s ability to cater to the community therefore restricting its role to provide for citizens. Another reason for the rise of NGOs is the government policies and legislation that promote the establishment of NGOs.



Collaboration with UN Agencies

Partnerships with UN agencies is vital for the implementation of services as they may act as donors in funding project activities, mentors in sharing knowledge and providers of capacity building interventions to NGOs. This argument was supported by NGO 1 that confirmed the essentiality of collaborating with UN Agencies such as UNICEF, WFP, UNHCR and UN Women to reach vulnerable communities and marginalized beneficiaries. The NGO is currently implementing a UNICEF project funded by the EU, aimed to enhance education and protect children that are at risk in the poorest governorates. The NGO was selected (among five NGOs from 58 applicants)

as the implementing partner in Fayoum and Sohag governorates to support the Ministry of Education (MoE). The aim is to establish a system for monitoring and evaluation at the directorate level to coordinate and network with the community and public schools to enhance education and promote enrolment. The NGO aims to strengthen the skills of community school teachers through the active learning methodology, which is a participatory approach for students aimed to make school attractive and prevent drop-outs.

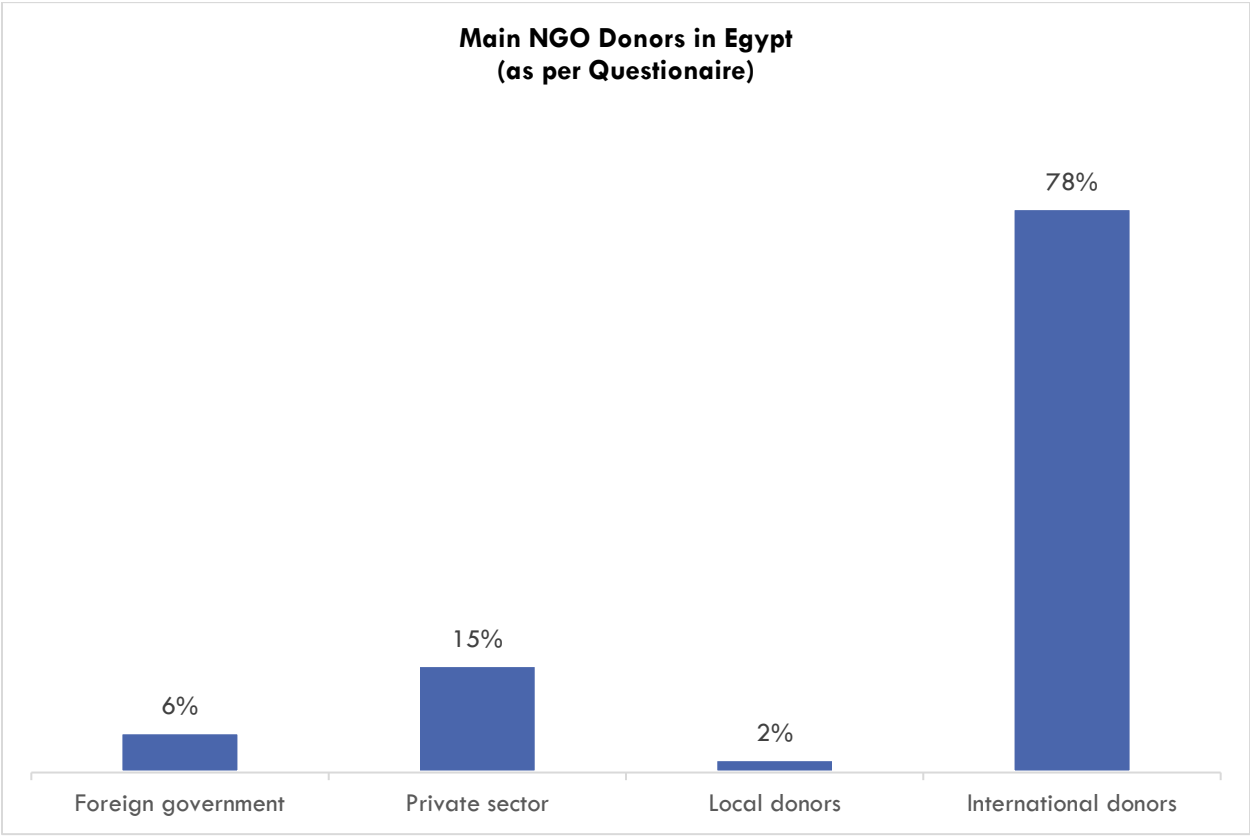
From 2011 till today, the NGO (in collaboration with WFP), provides vouchers in Alexandria and Damietta to Syrian and Palestinian refugees which can be used to buy nutritious food from selected supermarkets. In 2017 the NGO expanded its interventions by implementing vocational training to improve the livelihoods of Syrian refugees who aim to improve their marketable skills with the hope of starting their own projects. These trainings include handicrafts, welding, sewing and knitting besides car mechanics, mobile phone maintenance and computer programming. The NGO works with WFP and UNICEF bilaterally since 2003.

NGOs 2 and 4 were also in favor of partnering with UN agencies to acquire financial benefits and implement a wider scope of activities to reach more beneficiaries than initially planned – both NGOs have been partnering with WFP since 2010. As for NGO 5, it has collaborated with UN organizations to attain funds and implement development programmes to support vulnerable beneficiaries, accomplish positive results and ensure sustainability.

NGO Financial Acquisition

NGOs rely heavily on donor funding especially in developing countries; according to NGO staff, 78 percent emphasized that the main NGO donor in Egypt is international donors. This argument was supported by NGO 1 as the eagerness – to work and support vulnerable communities – motivates its search for resources and funds to endorse its programmes. Since 2003, the NGO partnered and received funds from the WFP, International Labour Organization (ILO), Social Fund for Development (SFD), the Catholic Relief Body, the Pathfinder International, UN Fund for Population Assistance, Egyptian Center to Support NGOs, National Foundation for Family and Community Development, National Council for Childhood and Motherhood (NCCM), UNICEF, USAID, Plan Egypt International, the Ford Foundation and Save the Children.

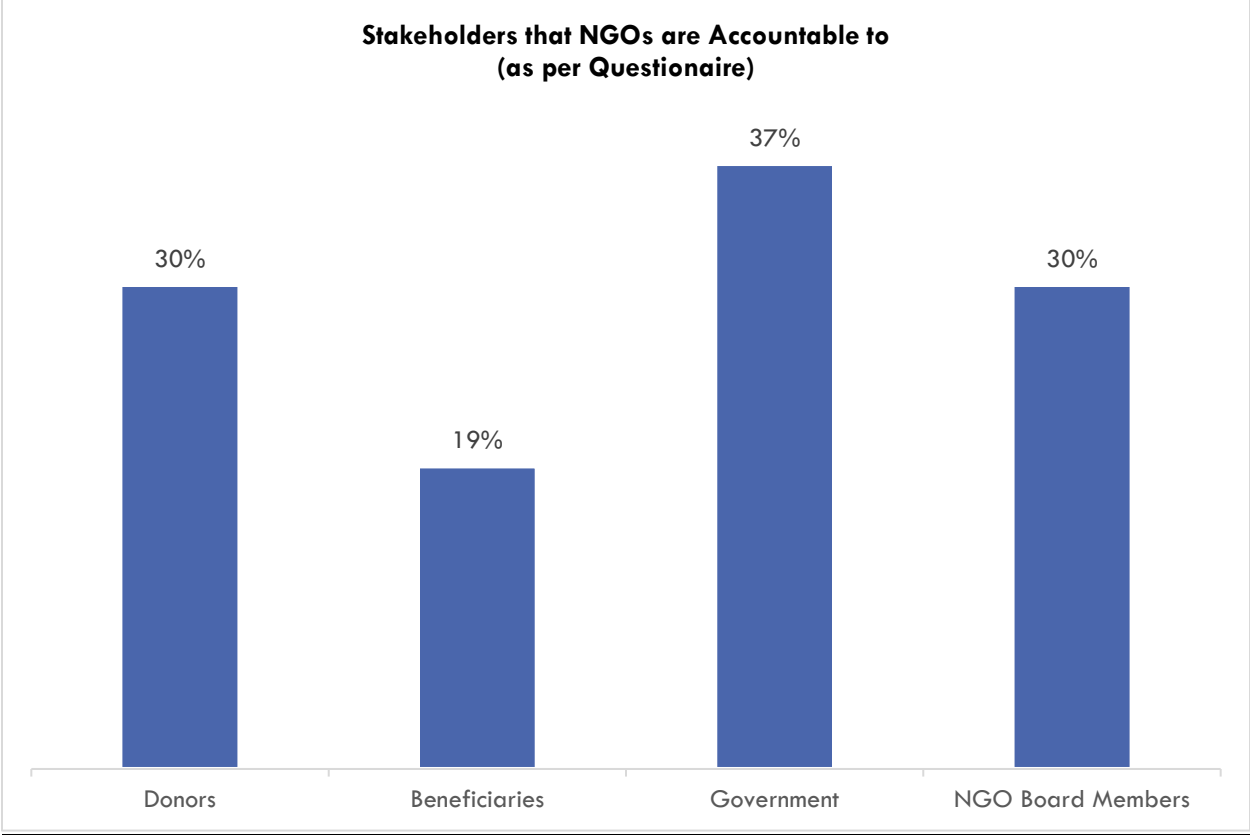
The diversified funding sources proves the array of interventions by the NGO such as school feeding, combating child labour, enhancing education, promoting hygiene and health, assisting refugees, fostering nutrition, encouraging gender equality, activating Child Protection Committees (CPCs), developing trainings to school teachers, contributing to the National Action Plan Against Child Labour, helping mothers start income-generating activities, advancing micro-credit loans and stimulating awareness. Whenever there’s an advertisement published by a UN agency or donor in a newspaper or online outlets, NGOs 1, 2, 4 and 5 apply via email. This makes linkages and communication essential between NGOs, UN agencies and donors. For NGO 3, the acquisition of funds is through donations from the NGO founders, board members and/or acquaintances (businessmen for example).



NGO Accountability

NGOs have a responsibility to be accountable to their board of directors, beneficiaries, donors and the government. NGO 2 was in favor of this argument and noted that NGOs are donor-oriented as they are highly dependent on financial resources and funding priorities provided by donors to

implement programmes for the community. NGOs 3 and 4 state that NGOs are accountable to board members as they are the founders who set the vision and exert efforts to work towards their goal (in agreement with the donor and approved by MoSS). Lastly, NGO 5 mentioned its accountability to beneficiaries as it represents their needs and works to fulfill their requirements (in coordination with the government). Almost 37 percent of the NGO staff who answered the questionnaire noted that NGOs are mostly accountable to the government followed by 30 percent who argued that NGOs are accountable to their donors and board members.

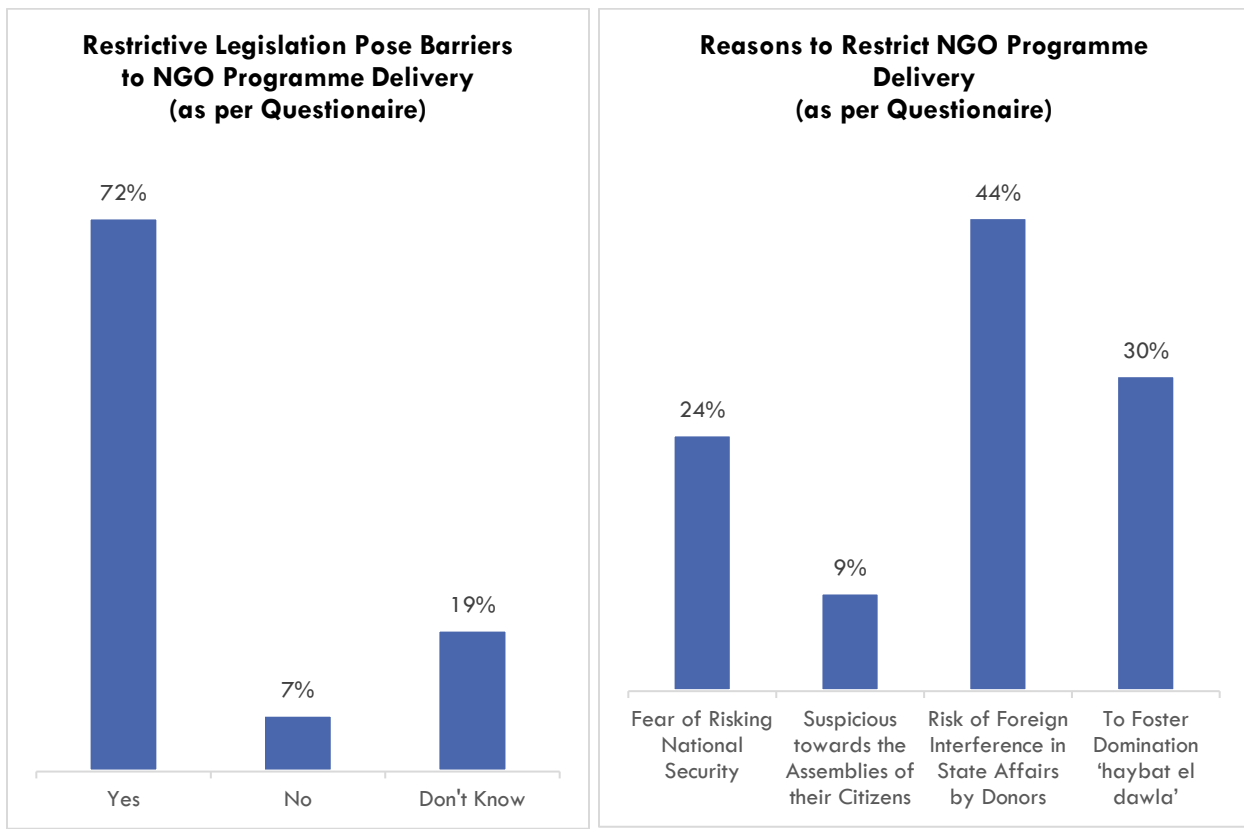


NGO Legislation

Restrictive legislation may pose barriers to NGO programme delivery; this is in accordance to 72 percent of the NGO staff who answered the questionnaire. This statement was also agreed upon by NGO 5, who believed that authoritarian regimes don't promote the role of NGOs but rather limit its freedom to implement activities as NGOs make community members aware of their rights which makes authoritarian regimes fear the risk of losing control and domination over the community. Around 44 percent of NGO staff noted that the main reason countries aim to restrict

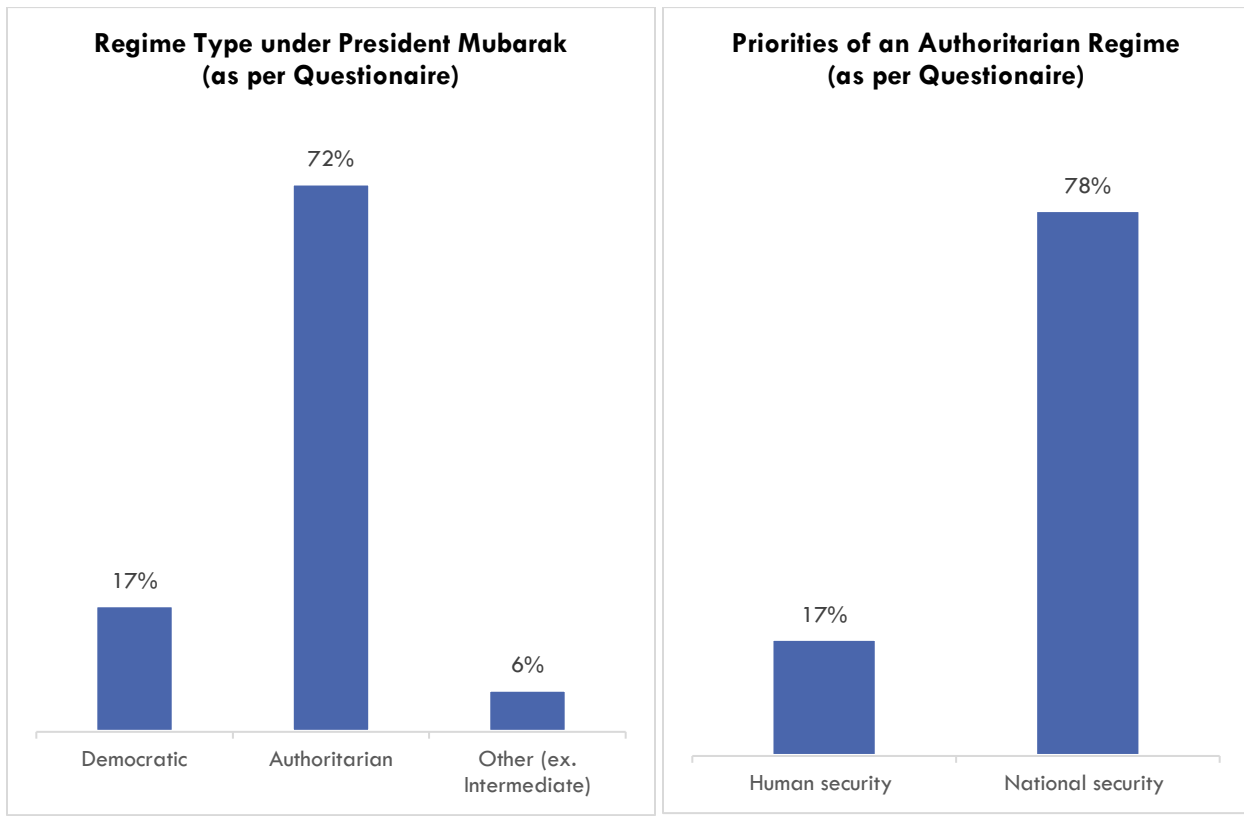
NGO programme delivery is due to the risk of foreign interference by donors in state affairs. On the contrary argument, NGOs 2 and 4 believed that legislation can promote NGO's role in Egypt as they encourage and help NGOs achieve their goals.

In a similar note, NGO 1 mentioned that some NGOs were recently invited (by the government) to participate in revising the new NGO law no. 70 of 2017 and amend certain articles (especially the ones on penalizing NGOs of which imprisonment received most attention). NGO 1 added that initially the chairperson wanted to close the NGO once President Sisi approved NGO law no. 70 since he started the NGO to volunteer and help his community without risking his reputation if an unintentional or minor mistake was committed. He gave an example of Egyptian NGO Chairpersons Mohamed Sobhy and Mohamed Farid Khamis who also wanted to close their NGOs once the law no. 70 was approved. He admits that NGO law no. 84 motivated the establishment of NGOs and as a result increased the number of NGOs during that time.



Cooperation with the Government

Cooperation between the government and NGOs is vital for the better welfare. This argument was supported by NGO 1 who believed that networking drives NGOs’ expansion and enables their success as it is referred to as the ‘cornerstone’ in implementing projects that ensure the sustainability of activities beyond a project’s lifecycle. The NGO has well-established partnerships with government entities such as the Ministry of Social Solidarity, Education, Youth, Health and Agriculture. Conjointly, the NGO forms strong alliances with the National Council of Population, the National Council for Women, the General Authority for Literacy and Adult Education, Sohag University, Office of the Sohag Governor and religious institutions such as Al Azhar and Churches. Under the supervision of MoSS (which monitors its financial aspect). NGO 2 collaborates with the government since it can never work in silos. As for NGOs 3, 4 and 5, they work closely with MoSS and MoE – whom provide approvals for the implementation of programme activities. The challenge that NGOs face, is the continuous routine and rigid procedures in granting approvals from the government that usually take a long time, and thus may hinder the implementation of activities.



Public Policy in Egypt

Egypt has been facing major setback and experiencing socioeconomic challenges that have hindered its development, giving people no other choice but to resort to NGOs for financial educational and nutritious support. This statement was favored by NGO 1 who mentioned that the close time-span for the price increases that occur every seven months in Egypt caused deep frustration for people who hoped for a better future but are oblivious to why the government spends billions of dollars on mega projects (such as the new capital) instead of providing better services to vulnerable beneficiaries.

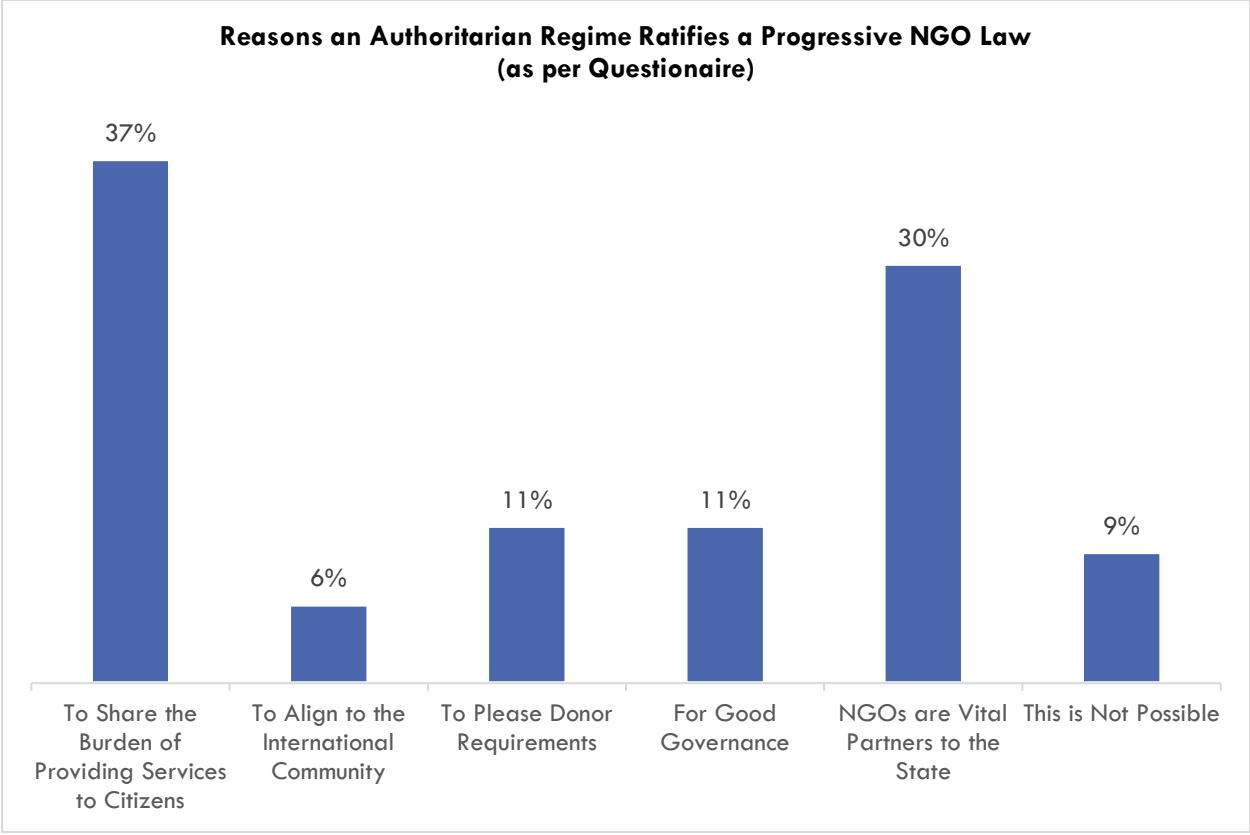
For NGOs 2 and 4, they believe that Egypt is currently experiencing several economic and political challenges (such as the hike in oil prices which greatly affected the people) but are optimistic that the overall atmosphere is set to improve. NGO 3 believes that in Egypt the act of ratifying laws and regulations (with the purpose of organizing community work) boosts development and helps foster the community – they are also hopeful that Egypt will experience an economic recovery soon. Finally, NGO 5 confirms that the current economic and social situation is unpleasant in Egypt and that the community’s political participation has decreased compared to what it used to be prior to the 2011 revolution. However, the NGO is positive that the social circumstances will prosper due to efforts of foreign entities, civil society and MoSS.

NGO Significance

Although some countries may ratify restrictive legislation to limit NGO programme delivery, others promote its existence and evolution. Nearly 37 percent of NGO staff noted that reasons an authoritarian regime ratifies a progressive NGO law is to share the burden of providing services to citizens. Most NGOs interviewed, especially NGOs 3 and 4, believed that NGOs perform necessary efforts to alleviate unemployment, enhance education, improve health and ensure environment sustainability while providing in-kind and financial aid to beneficiaries (in collaboration with the government).

NGO 5 described NGOs as an essential contributor to filling the vacuum left by the government and face economic and social challenges. NGO 1 claimed that President Sisi’s request to revise NGO law no. 70 proves that NGOs in Egypt are essential and community dialogue is crucial. For

NGO 2, one of the vital roles of NGOs is to increase community awareness and advocacy, and implement programmes that raise the income of families in an attempt to support them start-up their own projects to minimize their dependency on negative coping mechanisms such as child labour and early marriages.

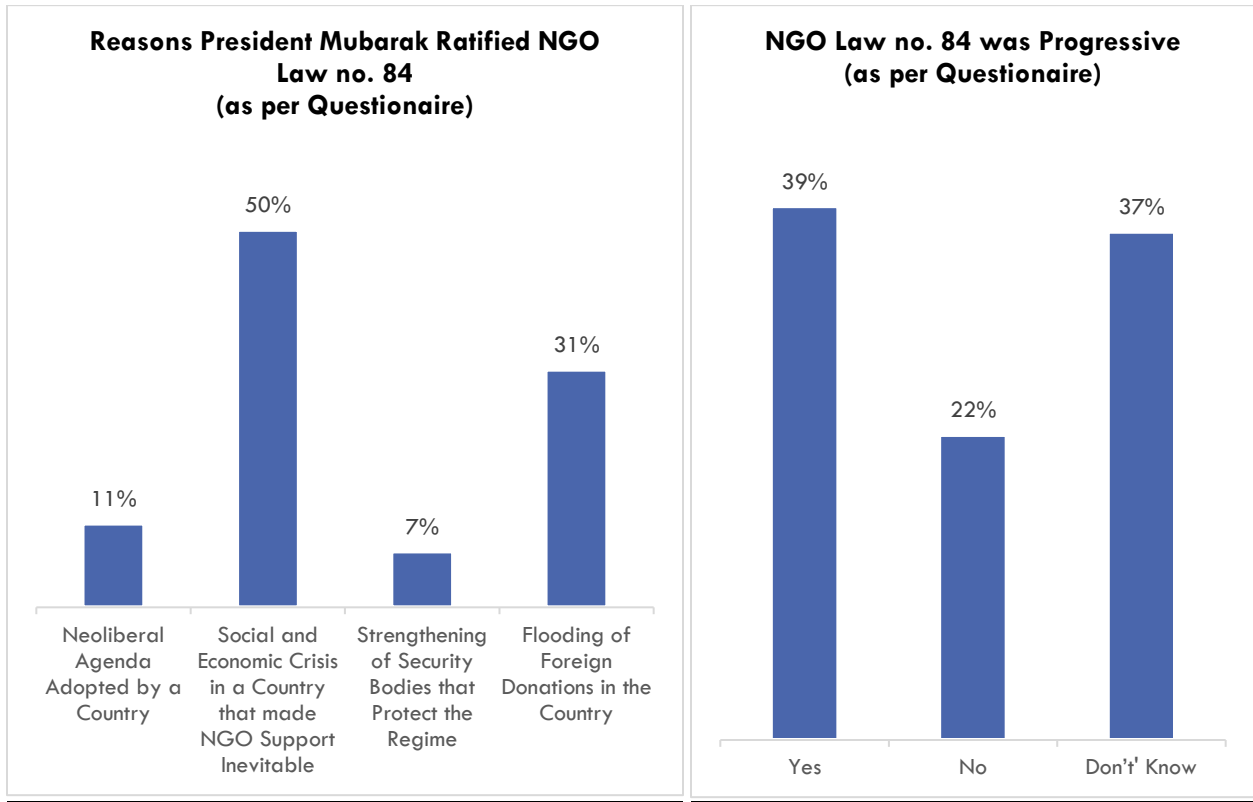


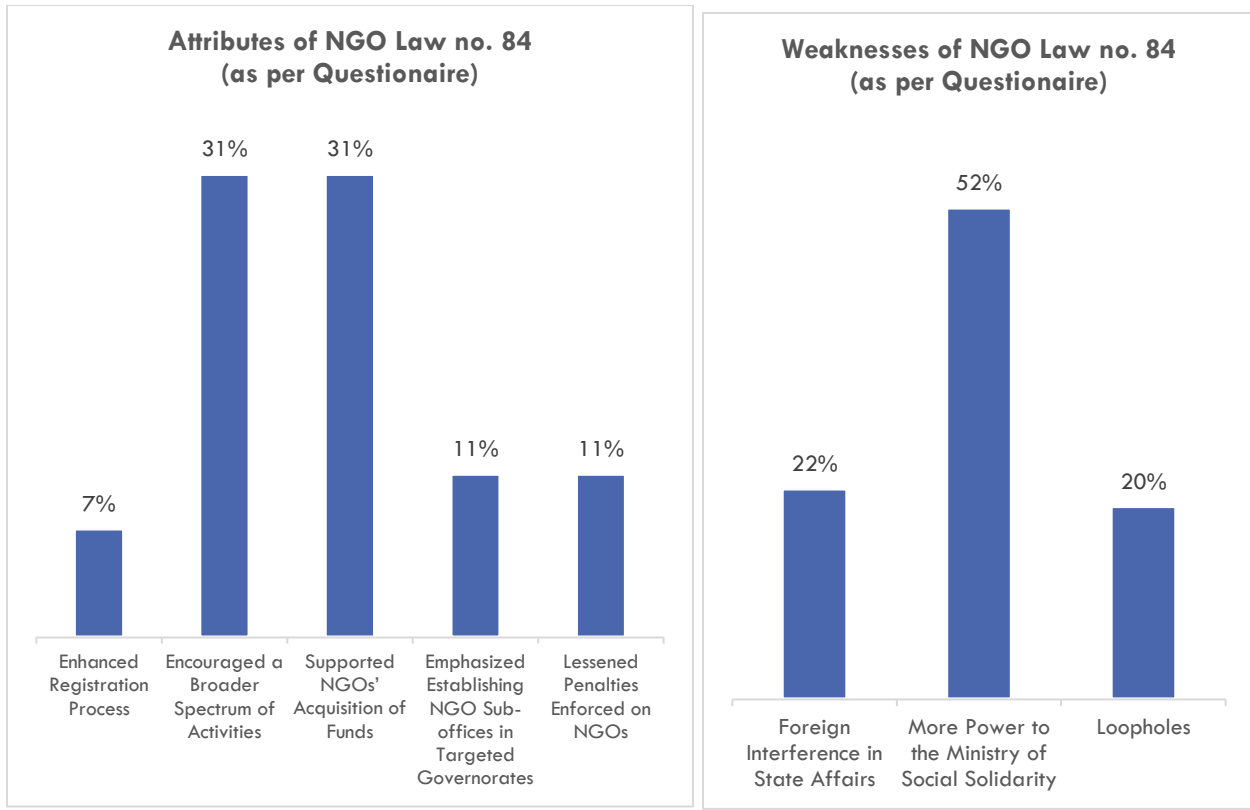
Ratifying NGO law no. 84 of 2002

Although there might be other factors that have helped in the emergence of NGO law no. 84, the adoption of the neoliberal agenda due to socioeconomic challenges and the strengthening of security bodies to protect the regime may have been the triggers. Around 39 percent of NGO staff believed that NGO law no. 84 was progressive, though 50 percent believed it was due to social and economic crisis experienced by the country, whereas 31 percent noted that this law was a result of the flooding of foreign donations in the country.

Despite the many restrictions in NGO law no. 84 of 2002, it is positively viewed in the light of the previous NGO law no. 32 of 1964, which was significantly more restrictive. This statement was

supported by NGO 3 that viewed NGO law no. 84 as a positive step towards the evolution of NGOs as it allowed NGOs to receive foreign funds (there were clear procedures for this), and enabled NGOs to implement a diverse number of activities. Unfortunately, other NGOs didn't have enough information on the NGO law (almost 37 percent of NGO staff who filled the questionnaire) except that it provided greater freedom for NGOs in its establishment.





Characteristics of NGO law no. 70

I believe that the newly proposed NGO law no. 70 may be a step backwards for NGOs, since some articles pose as barriers to NGO programme delivery. This statement was agreed upon by NGO 3 who described NGO law no. 70 as one that allowed strict control over NGOs (especially when it came to receive foreign or local funds) and imposed tough criminal penalties (such as facing fine or imprisonment) on board members in case of any violation. The law highlights the establishment of a supreme body (represented by most Egyptian ministries and political stakeholders) to approve NGO activities.

The challenges here include rigorous procedures to get NGO approvals that may hinder programme implementation. What makes NGOs patient is the greater good of benefiting the country following the aftermath of the fallen chaos in Egypt prior to President Sisi's ruling. Still NGO 3 believes that NGOs will benefit from NGO law no. 70 as it will provide better organization of community work in the NGO sector and will result in an increase in the number of NGOs after the law's ratification due to its clarity and aim for stability. NGO 5 stated that the law is unfair for

the rights of NGOs and aims to restrict and control NGOs to disable its operations, and hereby deny them from accomplishing development.

NGO 4 provided the below comparison of NGO law no. 84 versus 70 in regards to the following factors: (1) NGO establishment, (2) NGO activities, (3) Monitoring NGOs, (4) Penalties, (5) Approving funds, (6) Benefits and (7) Offices.

	NGO Law	
	No. 84 of 2002	No. 70 of 2017
NGO Establishment	*Inform MoSS and submit relevant documents, if within 60 days no reply is received then the NGO becomes registered. *Pay EGP 5,000 to register.	*Submit the relevant documents, MoSS could refuse the documents due to incompleteness or if it doesn't align to the community's work objectives. *Pay EGP 50,000 to register. * Provide documents on board members that prove non-profit incomes.
NGO Activities	-	*NGOs can't implement activities undergone by unions such as labour, trade, and political parties. *NGOs can't implement activities that risk national security, public health, and public morals. *Activities must align to the country's plan, development needs and priorities.
Monitoring NGOs	*Entities have no role to monitor NGOs.	*Establish the National Entity for Management of Foreign NGOs under the Prime Minister's supervision (responsible for NGO establishment, work, activities of Foreign NGOs and their partnerships with the government and local NGOs, foreign funds to local NGOs, spending funds, NGO bank accounts). *Local NGOs are monitored by the Central Auditing Organization for NGOs, whilst foreign NGOs are monitored by the National Entity for Management of Foreign NGOs.
Penalties	-	*One of the penalties endured by NGOs is the imprisonment of no more than one year and a fine of EGP 20,000 – 500,000 for research without approval.
Approving Funds	*Request for approval 60 days in advance.	*Request for approval 30 days in advance. *Inform relevant entities of funds; if no reply is granted within 60 days it means that the request was refused.

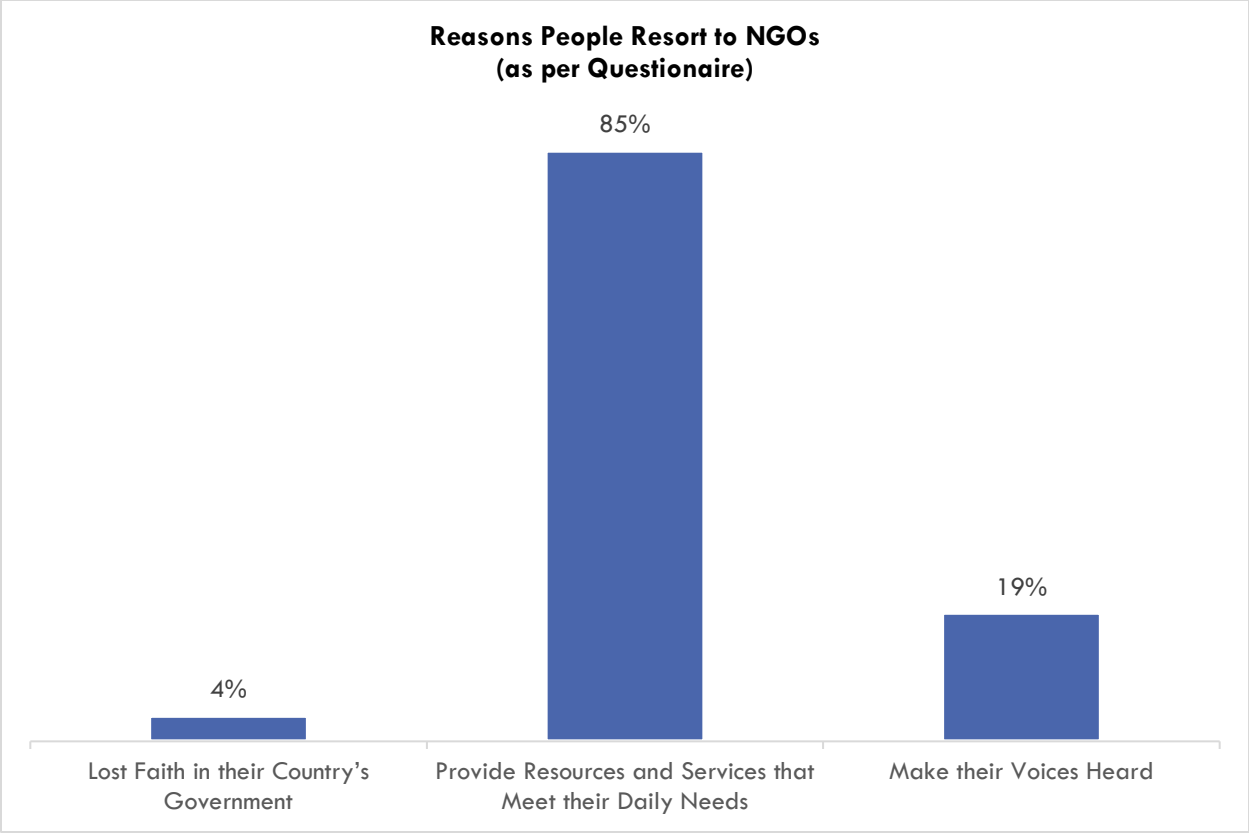
Benefits	*Decrease cost of water, electricity, and natural gas usage by 50%.	*Cost of water, electricity, and natural gas usage is equivalent to the household usage cost.
NGO Offices	No documents requested.	*MoSS must approve the opening of a new sub-office to the NGO. The required documents describe the new activities that will be implemented - different activities will need a new approval from MoSS.

Table B-Comparison of NGO law no. 84 versus NGO law no. 70

Note - The cells left blank in the table means data was unavailable.

Beneficiaries' dependence on NGOs

In the most food insecure and impoverished governorates, communities rely heavily on NGOs to provide them with necessities. This point of view was supported by NGOs 3 and 5 that noted a significant number of marginalized beneficiaries are highly dependent on NGO activities; if NGO law no. 70 is implemented, NGOs will not be able to provide services to beneficiaries and will therefore be unable to efficiently fulfill their needs. Nearly 85 percent of NGO staff mentioned that the reasons people resort to NGOs is to provide them with resources and services that meet their daily needs. NGO 2 highlighted that the challenges they are faced with is the unsustainability of programme activities which happens because of their high dependence on funds from donors. Microloans is known to be the only project that can be sustainable for beneficiaries (especially for mothers/heads of households) since they start their own income-generating projects and thus generate their own revenues; same as 'teaching a man to fish' instead of providing him with fish.



Newly Established NGOs

A person who wants to start-up an NGO must be willing to donate the time, effort and funds to provide services for the people of his/her community. Most of the NGOs supported this argument, especially NGOs 1, 2 and 4 who advised newly established NGOs not to set-up an NGO to only be a CEO in the community (a powerful and prestigious figure) but also to volunteer for beneficiaries which should be their primary goal. The NGO insists that having a background in development is essential as sometimes a lawyer, doctor or policeman sets-up an NGO with no relevant experience, which could hinder development.

NGO 3 suggests avoiding politics and not interfering with state affairs but rather focusing on the implementation of development activities that aim to improve education, health, environment, and employment. The NGO added that it's crucial to focus on the main activities approved by the government and advised that it's wise not to implement a not-yet-approved activity before going through the agreed procedures and legal requirements. Lastly, NGO 5 suggested to work on

improving the social and economic conditions of the most vulnerable beneficiaries for the sake of sustainable development (with no political aim).

4.2.4 General Observations

- In one interview, a board member was not aware of NGO law no. 84 and NGO law no. 70, therefore unable to answer relevant questions.
- Many NGO staff members who filled the questionnaire were not aware of NGO law no. 84, therefore could not answer questions no. 17-20.
- Some NGO staff were unsure of answering question no. 14 as they were worried of losing their jobs and getting into trouble. The question asked participants whether President Mubarak's regime was democratic or authoritarian.
- Some Participants disagreed on calling President Mubarak's regime authoritarian as they coincided with the previous President.
- Although the questionnaire asked participants to choose only one answer, some chose more than one answer to each question.

CHAPTER 5

CONCLUSION

“The state should not believe that it alone knows better than anyone else what the society needs. It should trust its citizens and enable them to share in a substantial way in exercising responsibility for the condition of society”
– Vaclav Havel³⁰⁶

This chapter highlights a summary of ideas, provides recommendations for NGOs and the government to guide them on the way forward, and gives researchers additional topics for future deliberation.

5.1 Summary of Ideas

Not only do NGOs contribute to human prosperity through improving the lives of beneficiaries (by aiming to alleviate poverty and provide employment opportunities through microloans, for example), they also provide a sense of fulfillment and responsibility to NGO staff through giving back to the community and collaborating with the governments.

The quantitative data showed that the number of NGOs increased from 14,748 in 1998 to 18,600 in 2005, the scope and diversity in activities widened from thirteen activities in 1994 to activities other than those prioritised by the government in 2002, and the number of NGOs per governorates increased to reach more beneficiaries (in Cairo for example, NGOs increased from 2,599 in 1994 to 6,115 in 2009, whilst in Alexandria NGOs increased from 911 in 1994 to 1,895 in 2009, whereas in Giza NGOs increased from 1,214 in 1994 to 2,647 in 2009). As for the financial capabilities of NGOs, there was an increase from USD 20 million in 1991 to USD 173 million in 2002.

The qualitative data presented the factors that led to NGO rise; 83 percent of NGO staff claimed that societal needs and economic challenges fueled its evolution, while 72 percent of NGO staff revealed that restrictive legislation does pose barriers to NGO programme delivery. On the NGO

306 Burbidge, John. Ed. *Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*. The Institute of Cultural Affairs International. 1997. p. 83

law no. 84 of 2002, almost 50 percent recounted the reasons President Mubarak ratified the law was due to the social and economic crisis experienced in the country making NGO support inevitable, as for the progressive nature of the NGO law no. 84, around 39 percent of NGO staff disclosed it was.

This study aimed to showcase how restrictive laws pose barriers to the activities of NGOs which makes it more challenging to deliver programmes to vulnerable beneficiaries. The study also intended to outline how progressive laws allow NGOs to flourish and engage in operational development, enabling NGOs to reach marginalized communities and overcome their daily challenges. Through analyzing NGO law no. 84 of 2002, I believe that the law's ratification may have led to promoting the role of NGOs (although the law was ratified under an authoritarian regime), due to the neoliberal agenda adopted by the country because of economic challenges that made NGO support inevitable, and the strengthening of security bodies that protected the regime at the time. Another factor that may have promoted the role of NGOs at that time (and was revealed from the study) was the flooding of foreign donations in the country aimed at NGO-implemented activities.

NGOs are a vital partner and contributor to economic and social development, and an impactful tool for community participation in providing initiatives that the state might not be able to implement. It is therefore important to provide an enabling environment for NGOs to organize their operation without constructing limitations, to reach the most impoverished and marginalized communities. Therefore, restrictive laws prevent NGOs from operating, and hinder the implementation of development programmes, whilst on the contrary, progressive laws promote the role of NGOs in programme delivery and support its application.

On way forward, NGOs should implement women-focused interventions and combine women education with provision of family planning in addition to encouraging participatory approach to build strong communities that engage with local government for project development and implementation. On the other side, the government should implement effective strategies to alleviate poverty and reduce fertility rates, aim for human security, exercise good governance,

engage in meaningful dialogue with NGOs and promote their fund raising, endorse women's role in the community, and eliminate restrictive laws that hinder NGO programme delivery.

5.2 Additional Ideas for Future Research

This study can be used by other researchers as a starting point for a more in-depth research of other factors that may have led to the ratification of NGO law no. 84 of 2002 and enabled NGOs in Egypt to deliver development programmes. Additional ideas for future research may include Egypt's newly proposed NGO law no. 70 of 2017 which could be further explored by researchers once its executive regulation is published. In this section I will provide a brief introduction on Egypt's newly proposed NGO law which could be explored by researchers in the future.

5.2.1 The Restrictive NGO Law no. 70 of 2017

On 29 November 2016, the parliament approved the new NGO law to govern operations of civil society organizations and NGOs. One significant addition to this law is the establishment of the national body for organizing foreign NGOs which is a new regulatory body responsible for regulating the work of foreign NGOs, funding local NGOs from foreign entities as well as international cooperation between foreign and local NGOs³⁰⁷. The national body is governed by a chair person and ten members from the following institutions: Ministry of Foreign Affairs, Defense, Justice, Interior, International Cooperation, Central Intelligence Agency, Central Bank, Anti-Money Laundering Committee and the Administrative Control Authority³⁰⁸. Under this law, NGOs are allowed to work in areas of development and social welfare in accordance to the plans of the state, development needs and priorities³⁰⁹.

Factors that led to Emergence of Law

307 Ismail, Maha. *Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices*. The American University in Cairo: School of Global Affairs and Public Policy. Thesis, 2018

308 Ismail, Maha. *Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices*. The American University in Cairo: School of Global Affairs and Public Policy. Thesis, 2018

309 Ismail, Maha. *Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices*. The American University in Cairo: School of Global Affairs and Public Policy. Thesis, 2018

In 2016, Dr. Ghada Wali (the Minister of Social Solidarity) was requested to present a draft NGO law for regulating NGOs' work and other institutions working in the field of civil work³¹⁰. In 2017, the People's Assembly drafted NGO law no. 70 which was approved by President Sisi; one of the reasons the law was passed was because of national security concerns which could be explained in the government's enforcement of stricter control on foreign funding in favor of supporting NGOs³¹¹.

Several studies argue that donor's economic and political interests appear to have had an important say on the allocation of development assistance across recipient countries³¹². This idea was criticized by many, who explained that several funding sources come from many directions such as foreign governments, international donors, private sector companies, and local donors in agreement with the host government for a certain timeframe and specific project³¹³. Therefore, it is easy to detect any source of foreign funding that comes with an ulterior motive (such as targeting national security) as it would also be feasible to recognize any foul play, which hereby makes collective punishment unnecessary³¹⁴.

Certain stereotypes dispersed by the government through media and other means of communication worried Egyptians to not only fear foreign funding, but also subconsciously become suspicious of foreign NGOs³¹⁵. As a result, the government ratified a regressive NGO law no. 70 to possibly place stricter control on NGOs and its operations, instead of liberating them to accomplish their goals to benefit society and acquire funds for their survival. Another reason to why a new NGO law may have been ratified was the probable existence of loopholes in NGO law no. 84 that allowed illegal activities to be practiced by groups that seek funding and engage in

310 "Barmade 90 Daqeqa: El Gameayat El Ahlia wa Dorha fe el Marhala El Haleya fe Masr." *El Mehwar TV*. 28 September 2016.
https://www.youtube.com/watch?v=_7PoUveZpVA

311 Watson, Scott and Regan Burles. «Regulating NGO Funding: Securitizing the Political.» *International Relations* 2018 vol. 32 (4) 430-448.

312 Koch, Dirk-Jan, Axel Dreher, Peter Nunnenkamp, Rainer Thiele. «Keeping a Low Profile: What Determines the Allocation of Aid by Non-Governmental Organisations?» *World Development*, Vol. 37 no. 5 pp. 902-918 2009.

313 AUC workshop 'Civil Society in Egypt'. Facilitator: Dr. Nadine Sika, Panel: Dr. Mustapha Al-Sayyid, Mr. Shahir Ishak, Mr. Ayman Shihata, Dr. Noha El Mekawy. 25 October 2018.

314 AUC workshop 'Civil Society in Egypt'. Facilitator: Dr. Nadine Sika, Panel: Dr. Mustapha Al-Sayyid, Mr. Shahir Ishak, Mr. Ayman Shihata, Dr. Noha El Mekawy. 25 October 2018.

315 AUC workshop 'Civil Society in Egypt'. Facilitator: Dr. Nadine Sika, Panel: Dr. Mustapha Al-Sayyid, Mr. Shahir Ishak, Mr. Ayman Shihata, Dr. Noha El Mekawy. 25 October 2018.

disorder³¹⁶. It was highlighted that some articles in the previous NGO law no. 84 of 2002 was ruled unconstitutional by the Supreme Constitutional Court such as article 42, as it contradicts with article 75 of the constitution³¹⁷.

Law Effectiveness

The drafting of this law received a lot of criticism from international organizations given its' strict and limiting articles and as a result, 60 NGOs signed a petition to President Sisi, while some Parliament members formed a coalition to advocate against the law³¹⁸. International scrutiny was also outspoken from different directions such as US Senators, UN Secretary General Ban Ki-Moon, the EU Delegation, and the US Congress as well as foreign donors. In August 2017, Washington decided to withhold USD 300 million from Egypt over the approval of NGO law no.70³¹⁹.

In the 2018 World Youth Forum in Sharm El Sheikh, President Sisi declared that a newly formed committee will review NGO law no. 70³²⁰. Questions arose as to what made President Sisi revisit the new law? Was it due to pressure placed by the international community or was it the government's need for NGO support to overcome economic and social challenges? Preliminary discussions proposed canceling articles 70 - 77 from NGO law no. 70 that focused on the newly established national body that organizes the work of organizations besides abolishing penalties that are mentioned in three articles, along revising article 33 to align with article 75 of the constitution (regarding the 'right to organize') and abide to international treaties so as not to interfere with NGO activities³²¹.

316 «Why Egypt adopted new NGO law?» *Egypt today*. 31 May 2017.

317 2017 Law Governing. *Egypt Today* 5 November 2018. News Bank

318 Ismail, Maha. *Comparative analysis of legal frameworks governing NGO in Egypt with applications from global practices*. The American University in Cairo: School of Global Affairs and Public Policy. Thesis.

319 «Bundestag's Jensen praises Sisi's decision to reconsider NGO law.» *Egypt Today*. 13 November 2018.

<http://www.egypttoday.com/Article/1/60377/Bundestag%E2%80%99s-Jensen-praises-Sisi%E2%80%99s-decision-to-reconsider-NGO-law>

320 "Egypt's Sisi orders review of law curbing NGOs." *Reuters: World News*. 6 November 2018. <https://www.reuters.com/article/us-egypt-rights/egypts-sisi-orders-review-of-law-curbing-ngos-idUSKCN1NB2M0>

321 Nawar, Amani. «Ghadan...Monaqashat Taadelat Qanoun El Gameayat El Ahlia Bemaqar El Etehad El Eqlemi.» *El Balad*. 15 December 2018. <https://www.elbalad.news/3614926>

There are many research questions that deserve further recognition, such as ‘why does the government currently advocate towards a law that hinders NGO progression?’ and ‘will the new NGO law no. 70 slow-down NGOs’ attempt to achieve their role in programme delivery?’ and ‘what are the recommendations and alternative solutions that would enable NGOs to advance from such backwardness if the law becomes ratified?’ – it is interesting to articulate.

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<https://www.youtube.com/watch?v=xhL36QqI-b0>

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LIST OF ANNEXES

Annex I - Interview Questions

Annex II - Questionnaire Template

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Annex I - Interview Questions

1. Tell us a brief about your NGO:
 - Size of NGO (Large, medium, small)
 - Registration number/year
 - Mission / objective
 - Number of active members/ Executive committee / Internal governance
 - Membership condition
 - Number of staff / Number of volunteers
 - Scope of Activities (diverse)
 - No. of NGO sub-offices / targeted governorates
 - Annual budget
 - Internal revenue sources / Percentage of total annual budget
 - Numbr of external donors / Reliance on donors
 - Work with UN agencies
 - Relationship with government
 - Reputation among marginalized communities
2. How do you define a Development NGO?
3. How do you measure development (ex. through performance indicators) for programmatic activity and show the impact and effectiveness of programmes?
4. Are NGOs the result of the below and why?
 - bottom-up (creation of NGOs as a response to societal and economic factors, in addition to the state's declining role), or
 - top-down approach (the state's decisions and laws determine the opportunities for establishing NGOs)
5. Tell us more about your collaboration with UN agencies (cause/effectiveness/consequences)?
6. How do you get funds/reach out for funds/ask for funds/publicize for funds?
7. Are NGOs loyal to the donor, government, beneficiaries or NGO board of director? Why?
8. Can legislation promote an NGOs' role in an authoritarian regime? Why? How?

9. Why would an authoritarian regime support laws that contribute to the promotion of NGOs' role?
10. Is your NGO working closely with the government? Why is it important to not isolate the state (ex. Field Overlap theory – for interest harmonization, alliances with the state, exchange of resources, complementarities of activities)? What type of problem have you faced while dealing with the government?
11. How do you describe the social, economic and political context of Egypt today?
12. How important are NGOs to Egypt with the current economic and social challenges?
13. Can you tell us more about NGO law no. 84 of 2002 (cause/effectiveness/consequence)? Pros and Cons?
14. Can you share with us more information on your NGO:
 - Scope and diversity in activities undergone with the law in place
 - Number of reached beneficiaries under the law
 - Number of geographic locations where NGO have operated at the time
 - Financial capabilities of NGO under the law
 - Government Acceptance
15. What do you think of the newly proposed NGO law no. 70 (cause/consequence/effectiveness)? What does it mean that the President asked for its revision?
16. How can NGOs adapt/make use/take opportunity of new NGO law no. 70 to their advantage?
17. How dependent are beneficiaries on NGOs? How will they be affected by a law that limits NGO's programme delivery?
18. What is your advice to the newly created NGOs to feasibly adapt and flourish in the Egyptian context?

Annex II - Questionnaire Template

Please choose only one response

1. Gender

Δ Female

Δ Male

2. Age

Δ 20 – 30 years old

Δ 30 – 40 years old

Δ 40 – 50 years old

Δ 50 – 60 years old

3. Education Degree

Δ High School Diploma

Δ Bachelor's degree

Δ Master's degree

Δ PHD

4. What's your current occupation at the NGO?

Δ Executive board member

Δ Project Manager

Δ Project Assistant

Δ Field Worker

Δ Finance / Admin

Δ Other, please state.....

5. How many years have you worked in the NGO?

Δ Less than 2 years

Δ 2 – 4 years

Δ 4 – 6 years

Δ More than 6 years

6. What are the pros of NGOs?

Δ Flexibility

Δ Accountability

Δ Transparency

Δ Cost Efficiency

Δ Innovative

Δ Independent from government

7. What are the cons of NGOs?

- Δ Address donor agenda
- Δ Heavily dependent on donor funds for survival
- Δ Risk state sovereignty

8. Why do people resort to NGOs

- Δ Lost faith in their country's government
- Δ Provide resources and services that meet their daily needs
- Δ Make their voices heard

9. Who are NGOs accountable to?

- Δ Donors
- Δ Beneficiaries
- Δ Government
- Δ NGO board members

10. Do restrictive laws pose barriers to NGO programme delivery?

- Δ Yes
- Δ No
- Δ Don't know

11. Why do some authoritarian regimes restrict NGOs' programme delivery?

- Δ Fear of risking national security
- Δ Suspicious towards the assemblies of their citizens
- Δ Risk of foreign interference in state affairs by donors
- Δ Foster domination 'haybat el dawla'

12. Why would an authoritarian regime ratify a progressive NGO law?

- Δ To share the burden of providing services to citizens
- Δ To align to the international community
- Δ To please donor requirements
- Δ For Good governance (predictable, open policy-making, transparent process, which enhances government accountability and promotes strong civil society participation)
- Δ NGOs are vital partners to the state (interest harmonization, exchanging of resources, complementarities of activities)
- Δ This is not possible

13. What is the priority of an authoritarian regime?

- Δ Human security (through provision of services/support wellbeing)
- Δ National security (to preserve regime's power and influence)

14. How do you characterise the Egyptian regime under Mubarak's rule?

- Δ Democratic
- Δ Authoritarian
- Δ Other, please state.....

15. Who are the main donors in Egypt?

- Δ Foreign government
- Δ Private sector
- Δ Local donors
- Δ International donors

16. From 2004 – 2006, 850 new NGOs were established in Egypt compared to 479 from 1994 – 2003. What is the reason for this increase of NGOs in Egypt?

- Δ Consequence of legislation that promoted NGO establishment (top-down)
- Δ Societal needs and economic challenges that fueled its evolution (bottom-up).

17. Why did Egypt's government under Mubarak ratify NGO law no. 84?

Δ Neoliberal agenda adopted by a country (ex. economic liberalisation, reduction of government spending, government step-back in social responsibilities, heightening role of society)

Δ Social and economic crisis in a country that made NGO support inevitable (high unemployment rates, increase social inequalities, unequal opportunities)

- Δ Strengthening of security bodies that protect the regime
- Δ Flooding of foreign donations in the country

18. Was NGO law no. 84 of 2002 progressive?

- Δ Yes
- Δ No
- Δ Don't know

19. What are the pros of NGO law no. 84 of 2002?

- Δ Enhanced registration process
- Δ Encouraged a broader spectrum of activities
- Δ Supported NGOs' acquisition of funds
- Δ Emphasized establishing NGO sub-offices in targeted governorates
- Δ Lessened penalties enforced on NGOs.

20. What are the cons of NGO law no. 84 of 2002?

- Δ Foreign interference in state affairs
- Δ More power to the Ministry of Social Solidarity / security bodies to control NGO operations
- Δ Loopholes – (ex. Some articles ruled unconstitutional)

Annex III - Questionnaire Results

No.	Question	Answers					
		A	B	C	D	E	F
1.	Gender	Female (41)	Male (13)	-	-	-	-
2	Age	20 – 30 years old (23)	30 – 40 years old (23)	40 – 50 years old (5)	50 – 60 years old (2)	-	-
3	Education Degree	High School Diploma (1)	Bachelor’s degree (46)	Master’s degree (5)	PHD (2)	-	-
4	What’s your current occupation at the NGO?	Executive board member (1)	Project Manager (9)	Project Assistant (6)	Field Worker (14)	Finance / Admin (7)	Other, please state...(19) Project Coordinator, Capacity Building/M&E, Education Specialist, Facilitator, Volunteer, Consultant, Data Entry
5	How many years have you worked in the NGO?	Less than 2 years (16)	2 – 4 years (7)	4 – 6 years (6)	More than 6 years (24)		
6	What are the pros of NGOs?	Flexibility (28)	Accountability (4)	Transparency (12)	Cost Efficiency (3)	Innovative (23)	Independent from government (9)
7	What are the cons of NGOs?	Address donor agenda (18)	Heavily dependent on donor funds for survival (35)	Risk state sovereignty ()			
8	Why do people resort to NGOs	Lost faith in their country’s government (2)	Provide resources and services that meet their daily needs (46)	Make their voices heard (10)			
9	Who are NGOs accountable to?	Donors (16)	Beneficiaries (10)	Government (20)	NGO board members (16)		
10	Do restrictive laws pose barriers to NGO programme delivery?	Yes (39)	No (4)	Don’t know (10)			

11	Why do some authoritarian regimes restrict NGOs' programme delivery?	Fear of risking national security (13)	Suspicious towards the assemblies of their citizens (5)	Risk of foreign interference in state affairs by donors (24)	Foster domination 'haybat el dawla' (16)		
12	Why would an authoritarian regime ratify a progressive NGO law?	To share the burden of providing services to citizens (20)	To align to the international community (3)	To please donor requirements (6)	For Good governance (6)	NGOs are vital partners to the state (16)	This is not possible (5)
13	What is the priority of an authoritarian regime?	Human security (9)	National security (42)				
14	How do you characterise the Egyptian regime under Mubarak's rule?	Democratic (9)	Authoritarian (39)	Other, please state.....(3) Intermediate			
15	Who are the main donors in Egypt?	Foreign government (3)	Private sector (8)	Local donors (1)	International donors (42)		
16	From 2004 – 2006, 850 new NGOs were established in Egypt compared to 479 from 1994 – 2003. What is the reason for this increase of NGOs in Egypt?	Consequence of legislation that promoted NGO establishment (8)	Societal needs and economic challenges that fueled its evolution (45)				
17	Why did Egypt's government under Mubarak ratify NGO law no. 84?	Neoliberal agenda adopted by a country (6)	Social and economic crisis in a country that made NGO support inevitable (27)	Strengthening of security bodies that protect the regime (4)	Flooding of foreign donations in the country (17)		
18	Was NGO law no. 84 of 2002 progressive?	Yes (21)	No (12)	Don't know (20)			
19	What are the pros of NGO law no. 84 of 2002?	Enhanced registration process (4)	Encouraged a broader spectrum of activities (17)	Supported NGOs' acquisition of funds (17)	Emphasized establishing NGO sub-offices in targeted governorates (6)	Lessened penalties enforced on NGOs (6)	
20	What are the cons of NGO law no. 84 of 2002?	Foreign interference in state affairs (12)	More power to the Ministry of Social Solidarity (28)	Loopholes (11)			

