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EGYPT'S STOLEN DEMOCRACY: UNDERSTANDING THE MOTIVATIONS AND KEY ACTORS

REPORT BY TMC ADVISORY GROUP (TMC) - INTERNATIONAL LAW ADVISORY GROUP

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Executive Summary

The height of the Arab Spring saw Hosni Mubarak deposed in Egypt, and for the first time, the country and its people looked forward to the implementation of the democratic process.

Free and fair elections took place, and Muhammad Morsi of the Freedom and Justice Party, the political arm of the Muslim Brotherhood was elected into office.

That should have been the beginning of a transitional time for Egypt, a new leader had been put into place which a recognised democratic mandate from the people. However, the situation soon deteriorated and Morsi was then overthrown in what can only be considered as a coup d'état.

During protests at the time and since, both sides have made allegations seeking to consolidate their position at the cost of the other. However, it is clear that the momentum and indeed much of the international support is behind that of the regime of el-Sisi.

The reality however is that the criticism and scaremongering of the Morsi administration and therefore the Muslim Brotherhood is nothing more than propaganda; aimed at trying to gain credibility for an illegitimate regime.

Much is made of Morsi's Islamists credentials, and the fact that he brought a brand of 'Political Islam' to Egypt. This is a fact seized upon by the media and political classes alike.

The Middle East seize upon such factors in an effort to de-legitimise what is seen as the most powerful opposition to their well established autocratic and intolerant regimes.

The West seizes upon the issue so as to continue to foster the suspicion and mistrust which greets many Muslims.

We as a society however need to look deeper, go beyond the rhetoric and see the situation for what it is in reality.

Egypt is to an extent different from many states in the Middle East such as Saudi Arabia or Bahrain, as Egypt has traditionally been governed by an autocratic ruler, but with the backing of the military. However, the premise is still the same.

The Muslim Brotherhood, the Freedom and Justice Party and therefore President Morsi offered potential for real change in Egypt, a true pluralistic inclusive democracy that sought to unite citizens, and create a society for the benefit of the many rather than the few.

Such a society would not be 'imposed' upon the people at the whim of a dictator or a dominant ruling class. The vision for the future was one which citizens were invited to acquiesce too by the casting of a vote in support. After all, it is only through the implementation of traditional and basic democratic principles that a state can be deemed to be a true democracy, and its society truly inclusive.

Such a movement away from the 'old guard' in Egypt posed significant and distinct problems just as it would in any State that sought to move away from a decades old regime that did not practice inclusivity.

Restrictive regimes always infiltrate every single element of government and civil society, as this is the only way in which the grasp on power can be retained.

The difference in Egypt however, is that along with the restrictive ruling class, there was significant military might that had gone way beyond its usual mandate of an armed force in place for protection.

In Egypt, the army deemed itself to be the very thread that wove the state together and accordingly had infiltrated every element of state to the extent that one must question who was really in charge. Who held the real power in Egypt?

Having enjoyed such power and such levels of financial reward for so long, it was clear that this is not something to be given up lightly, and so the problems began.

Post-revolution Egypt did not just find itself with the problems of a brand new system of government. It found itself immediately having to rail against what had become the malign influence of military might within the state.

An influence that was all pervasive, and that had the power and the ability to change the direction of Egypt's journey towards democracy.

Three years on, it is clear just how far that influence stretched, and just to what extent the Egyptian army along with those from the Mubarak era would go to secure and consolidate their power.

We are now faced with a regime that is devoid of credibility and yet the international community is in apparent acceptance of it.

Other than perceived political and economical expedience it is difficult to understand why; however, as a consequence, Egyptian citizens are forced to endure a regime more restrictive than Mubarak was, and those on the outside looking in are forced to attempt to sift through the plethora of political rhetoric in order to try and understand the position.

Morsi, regardless of whether one agrees with his policies, was, and is, the only legitimately democratically elected leader of Egypt. He was not removed at the ballot box, he was removed at the barrel of a gun, and despite the international communities reluctance to call it so, he was removed during a military coup d'état lead by General el-Sisi.

The response of el-Sisi in outlawing the Muslim Brotherhood, to deem it a terrorist organisation and to prosecute all those who showed it support is in effect, a purge of the political opposition.

The illegitimacy of these prosecutions and the basis of the charges that civilians and the previous political classes face are laughable in the extreme, and yet the international community takes no action even though hundreds are convicted *en masse* and in many instances sentenced to death in just a matter of hours.

It simply cannot be maintained by the regime that these were the principles upon which the Egyptian revolution was based.

Where is the increased economic freedom and development? Where is the justice? Where is the '*bread*' that the masses demanded when they took to Tahrir Square in their tens of thousands?

Egypt has now come full circle back to the days of Hosni Mubarak - the Arab Spring is now very much over for Egypt.

The continuing actions of the regime are an attempt to eradicate the Muslim Brotherhood and silence dissent. However, its actions add further credence to the suggestion that those being targeted, whether actual or perceived members and supporters of the Muslim Brotherhood, are in fact the victims.

It is deeply regrettable that the euphoria that surrounded the end of the Mubarak reign was short lived. Egypt today has reverted to an autocracy back by an all-pervasive military, and any dissent or challenge to that ruling military administration will seemingly be quickly silenced. Democratic rule must return to Egypt.

A process of justice, accountability and reconciliation must find a place in Egypt's next chapter whether it be in Alexandria, Cairo or ultimately The Hague.

Introduction

1. Perhaps one of the most simplistic methods to use when seeking to make oneself, or a 'group' look more favourable, is to seek to undermine, or impinge on its main opposition, thereby taking the focus off ones own problems, mistakes, and aberrations, and manipulating the position so that it remains on that opposition.
2. Deflection of criticism and unwanted focus to somewhere else for gain is a tactic often employed, and is not necessarily without merit.
3. However, we must remember that it is just that, it is a tactic, and it is an example of manipulation.
4. It does not in reality add further credibility to an individual, or a group simply because the focus has shifted somewhere else. It can simply allow that individual or group to perhaps operate more freely.
5. The second report of the series published by the legal team instructed by the Egyptian State Litigation Authority is just that. It is an example of a tactic, and an attempt to manipulate the position; it does not however lend credibility to a regime that is without foundation, and one that is guilty of each and every act that the second report seeks to accuse others of.
6. Somewhat startlingly, the report deems it appropriate to seek to criticise the regime of President Morsi on a number of fronts, including the economy, the apparent infringement of civil and democratic rights, and the legitimacy of his government. Yet in raising such issues, it merely reaffirms the point that the regime of el-Sisi has imposed an administration that has restricted freedoms, murdered citizens, and

ostracised its people, at an accelerated rate, and to a greater extent than the dictatorial regime of Hosni Mubarak ever did.

7. It is this second report from the previously mentioned legal team that has been the catalyst for the drafting of this.
8. It is only appropriate that there is a voice to counter allegations that are often baseless and invariably subject to a particular brand of subjectivity.
9. It is not without irony, that the very fact that this report can be written and published is an example of a freedom that the people do not enjoy under el-Sisi, yet, for all the accusations and biased political rhetoric levied against it, they did under President Morsi.
10. This second report provides further analysis of the immediate aftermath of the Egyptian revolution from a political standpoint.
11. Its intention is to offer an insight into the lead-up to the first fully democratic elections in Egypt in decades, offering a perspective that considers the elections and its results, along with the immediate period thereafter, namely the Morsi administration.
12. The report intends to look at those political parties that contested the elections and offer a degree of insight into why the Freedom of Justice Party were the eventual winners in those elections.
13. It also attempts to look at the Morsi administration and its actions as compared to its electoral pledges.

14. Further, the report seeks to consider what actually brought about the removal of Morsi from power by way of a military coup d'état; was it the will of the people as the regime of el-Sisi would have the international community believe, or was there something more sinister afoot.
15. Can el-Sisi really be seen as the reluctant hero of Egypt as he is often portrayed? The army general who supported the transition towards democracy and freedom, who only voiced an opinion because it was the will of the people; who only took action, because society demanded it; or, is the reality that the democratic reforms announced by President Morsi, along with granting more freedom to Egyptians citizens as was there right, also undermined the power of the army, restricted its influence, and sought to ensure that the army was limited to just being that, the defending force of Egypt, rather than an entirely separate unofficial branch of the executive that sought, and to an extent achieved, the infiltration of all organs of state and thus in reality, be the real power behind the throne.
16. It is suggested that the evidence, and further, the actions of el-Sisi since the ousting of President Morsi, would suggest the latter rather than the former.
17. The rhetoric that Egypt is in the midst of a War on Terror and that all legislation and rules enacted are for the good of its citizens is false. A suggestion with an abundance of evidence.
18. The reality of Egypt and the el-Sisi regime is that the army is back in charge, both tacitly and overtly.
19. The true message of el-Sisi and his regime, is that it is the state that is all-powerful, citizens are subordinate and to be ruled over at the whim of the executive.

20. The principle of government by consent is one that is truly lost on Egypt's latest dictator, and yet conversely, President Morsi at no time seized power, and at no time imposed himself on the people without their consent.
21. His regime was clearly mandated by the first free, fair, and independent elections in Egypt in decades, and as much as there may be those that did not agree with his election to office, or perhaps did not agree with the new constitution his administration drafted, the reality is that each and every citizen had an unrestricted voice, and that voice was heard.
22. 'Unrestricted' is not a word that can be used any longer in Egypt, and as much as the tactic referred to at the outset of this introduction has been deployed with some not unsubstantial degree of eagerness by the el-Sisi regime, it is not a tactic that has or will work.
23. The international community is not blind. It may be swayed by political, economic, or military expediency, but it is not blind, and such actions do not mean that the clear and massive human rights violations being committed with abandon in Egypt are not happening.
24. As is noted at the outset. It is hoped this report adds some balance to the argument and offers an alternative perspective on the reality of the position in Egypt during the administration of President Morsi, rather than an example of political propaganda seeking to legitimise a regime devoid of credibility.

Chapter 4: The immediate aftermath of the fall of Mubarak

1. Hosni Mubarak ruled Egypt for almost 30 years, following the assassination of Sadat in 1981 until 11 February 2011, when the Egyptian Revolution, starting on 25 January, resulted in his downfall.
2. Several factors explain the fall of Mubarak.
3. Firstly, citizens rebelled against the high level of oppression and authoritarianism demonstrated by the regime. Hosni Mubarak's rise as President in 1981 inaugurated the third period of military autocratic rule. Although at the beginning of his mandate Mubarak had sought stability and legitimacy through a degree of openness and tolerance towards different forces of the political opposition, the regime had progressively become more dictatorial and oppressive.
4. During the 1980s several political actors, including the Muslim Brotherhood, had been allowed to participate in the Egyptian elections in what was seen as 'controlled democracy'¹, this positive trend ended in the 1990s however.
5. After 10 years in power, Hosni Mubarak no longer needed to seek the legitimisation of his power, as a result the State Security Apparatus responded with restrictions and violence to political opposition².
6. Several political parties boycotted the 1990 elections by way of protest against the lack of political reform, the approval of a discriminatory electoral law and the maintaining of the Emergency Law. This boycott constituted the beginning of an oppressive period, especially for parties in the opposition such as the Muslim Brotherhood, several of whose leaders were arrested³ and accused of planning to infiltrate the trade unions and revive a banned organization.

¹ Frampton, M. and Rosen, E. (2013): "Reading the Runes? The United States and the Muslim Brotherhood as seen through the Wikileaks Cables", *The Historical Journal*, Vol. 56, Issue 3, p. 833.

² Ghanem, A. and Mustafa, M. (2011): "Strategies of electoral participation by Islamic movements: the Muslim Brotherhood and parliamentary elections in Egypt and Jordan, November 2010", *Contemporary Politics*, Vol. 17, No. 4, p. 399

³ *Ibid.*

7. The 1995 elections were characterised by violent clashes between supporters of the opposition and the Egyptian police. The lack of plurality and demonstrable electoral fraud became evident when the only member of the Muslim Brotherhood elected was later disqualified for ‘membership of a banned organization’.⁴
8. Egyptian political and social history between the 1990 and into the first decade of the 21st century was characterised by widespread political persecution, electoral irregularities⁵, large-scale beatings⁶, arbitrary arrests⁷, lack of pluralism, the closure of several newspapers⁸, the banning of certain political organizations⁹ and the detention without charges of members of the political opposition¹⁰ who were often judged by military court trials¹¹. As a matter of fact, in the 2000 and 2005 elections, more than 1,600 and 800 members of the Muslim Brotherhood were detained respectively¹², including several candidates¹³.
9. The 2010 elections were described as “*one of the most flagrantly oppressive, undemocratic and fraudulent displays of authoritarian rule*”¹⁴. The National Democratic Party (NDP),

⁴ Aknur, M. (2013): “The Muslim Brotherhood in Politics in Egypt: From Moderation to Authoritarianism?”, *Review of International Law and Politics (Uluslararası Hukuk ve Politika)*, Issue 33, p. 12

⁵ Davis, N. J. and Robinson, R. V. (2009): “Overcoming Movement Obstacles by the Religiously Orthodox: The Muslim Brotherhood in Egypt, Shas in Israel, Comunione e Liberazione in Italy, and the Salvation Army in the United States”, *American Journal of Sociology*, Vol. 114, No. 5, p. 1320.

⁶ *Ibid.*

⁷ Ghanem, A. and Mustafa, M. (2011): “Strategies of electoral participation by Islamic movements: the Muslim Brotherhood and parliamentary elections in Egypt and Jordan, November 2010”, *Contemporary Politics*, Vol. 17, No. 4, p. 400; Frampton, M. and Rosen, E. (2013): “Reading the Runes? The United States and the Muslim Brotherhood as seen through the Wikileaks Cables”, *The Historical Journal*, Vol. 56, Issue 3, p. 833; and Aknur, M. (2013): “The Muslim Brotherhood in Politics in Egypt: From Moderation to Authoritarianism?”, *Review of International Law and Politics (Uluslararası Hukuk ve Politika)*, Issue 33, p. 8 and 12.

⁸ Aknur, M. (2013): “The Muslim Brotherhood in Politics in Egypt: From Moderation to Authoritarianism?”, *Review of International Law and Politics (Uluslararası Hukuk ve Politika)*, Issue 33, p. 13; and Farag, M. (2012): “Egypt’s Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances”, *Contemporary Arab Affairs*, Vol. 5, No. 2, p. 214.

⁹ Ghanem, A. and Mustafa, M. (2011): “Strategies of electoral participation by Islamic movements: the Muslim Brotherhood and parliamentary elections in Egypt and Jordan, November 2010”, *Contemporary Politics*, Vol. 17, No. 4, p. 400; and Aknur, M. (2013): “The Muslim Brotherhood in Politics in Egypt: From Moderation to Authoritarianism?”, *Review of International Law and Politics (Uluslararası Hukuk ve Politika)*, Issue 33, p. 11.

¹⁰ Aknur, M. (2013): “The Muslim Brotherhood in Politics in Egypt: From Moderation to Authoritarianism?”, *Review of International Law and Politics (Uluslararası Hukuk ve Politika)*, Issue 33, p. 12.

¹¹ *Ibid.*

¹² *Ibid.*

¹³ Farag, M. (2012): “Egypt’s Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances”, *Contemporary Arab Affairs*, Vol. 5, No. 2, p. 216-217.

¹⁴ *Idem*, p. 216.

the official party of the regime, won 85% of the parliamentary seats¹⁵, confirming the continuation of the autocratic system.

10. Before and during the elections the regime undertook a crackdown on the political opposition, especially on the Muslim Brotherhood, which lost all the 88 seats that it had won in 2005 elections. This corrupt and despotic offensive further eroded Egyptians' freedom of expression, of information, of political participation, and even their right to physical safety, thus being a factor that definitively contributed to the organization of the January 25 revolution: *"the suppression of all opposing voices by the authoritarian regime was more than the Egyptian people could bear"*¹⁶.
11. Such levels of oppression could only be guaranteed by a powerful Ministry of Interior and by strong Security Forces. These two institutions enforced a system of subjugation and persecution for more than two decades and were two of the strongest principles on which the regime rested.
12. The increasing social and economic equality evident in Egypt is perhaps the second catalyst behind the popular uprising.
13. In 2011, 22% of the Egyptian population in Egypt lived below the poverty line and 12.4% of the labour force was unemployed¹⁷. High levels of inflation had been constant during the intervening years¹⁸, which had damaged the living standards of the majority of the citizens of the country.
14. In contrast, it is estimated that the Egyptian economy in the first decade of the 21st century was mainly controlled by approximately 20-25 family-owned

¹⁵ Inter-parliamentary Union (2012): "Egypt. Majlis Al-Chaab (People's Assembly)", available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015; and Aknur, M. (2013): "The Muslim Brotherhood in Politics in Egypt: From Moderation to Authoritarianism?", *Review of International Law and Politics (Uluslararası Hukuk ve Politika)*, Issue 33, p. 13.

¹⁶ Farag, M. (2012): "Egypt's Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances", *Contemporary Arab Affairs*, Vol. 5, No. 2, p. 217.

¹⁷ EISA Election Witnessing Mission (2012): "The People's Assembly and Shura Council Elections. November 2011-February 2012", *EISA Election Witnessing Mission Report Egypt*, n. 43, available at: <http://dSPACE.africaportal.org/jspui/bitstream/123456789/33379/1/egy2012eomr.pdf?1>, last accessed: 3rd July 2015.

¹⁸ The Carter Center (2012): "Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015, p. 6.

conglomerates that constituted a “*tiny group of state-nurtured and corrupt super-capitalists*” that surrounded Hosni Mubarak’s family¹⁹.

15. The Egyptian economic elite benefited from a highly corrupted and unequal economy that they controlled. Within this context of massive economic differences between the political and favoured classes of the regime and the majority of the population, the regime began an unpopular policy of privatization²⁰ and liberalization²¹.
16. These two objective factors, namely, the increasing oppressive nature of the regime and the growing inequality within Egyptian society had a subjective reflection on the political arena: according to El-Beshry, the Egyptian ruling elite “*was confined to a very select group of people who included the president and his family, a number of businessmen who turned in his orbit, and a small group of non-officials who controlled the security services and the economy. Egypt became a society controlled by a very select group of people who determined its policies, disbursed its assets, dismantled its state system, and proceeded to demolish the foundations of its civilization and progress. It was a group closed-in on itself and one that had become, with time, even smaller, more isolated and virulent*”²².
17. The air of revolution blown in the Tunisian Spring arrived to Egypt at the beginning of 2011, when the Egyptian citizens, tired of the despotism and inequality of the Mubarak regime, started to mobilize.
18. Before even the 2005 elections, the *Kifayah* (Enough) movement organized protests calling for pluralistic democratic reform. This, coupled with the calling of various industrial strikes, put into question the legitimacy of the regime and originated a new Egyptian “culture of protest”²³, unseen in the country since the

¹⁹ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 53.

²⁰ El-Beshry, T. (2013): “Relationship between state and religion: Egypt after the revolution”, *Contemporary Arab Affairs*, vol. 6, n. 3, p. 412.

²¹ The Carter Center (2012): “Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015, p. 6.

²² El-Beshry, T. (2013): “Relationship between state and religion: Egypt after the revolution”, *Contemporary Arab Affairs*, vol. 6, n. 3, p. 407.

²³ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 54

1950s. These movements constituted the embryo of the Egyptian Spring and of the massive protests in Tahrir Square that ended with the overthrow of Mubarak.

19. The renowned Revolution of 25 January, which started as a spontaneous, “*non-politicized, non-religious, youth-led demonstration*”²⁴, succeeded in overthrowing Mubarak in just 18 days of massive, consistent and cohesive public protests in Tahrir Square, joined by citizens of the most diverse educational backgrounds and social origins²⁵.
20. At the outset, the Muslim Brotherhood, “*fearing a confrontation with security forces*”²⁶, did not officially join the protests. They were pessimistic about the fate of the unrest and considered that they risked becoming once again, the target of the security forces’ violence: “*the increasing government crackdowns since the mid-1990s had led the Brotherhood to adopt a strategy of ‘seeking refuge in society’ and avoiding sticking their neck out by leading any protest movements*”²⁷. However, the organization did ask some of their more renowned members, such as parliamentarians or journalists, to get involved in the protests²⁸.
21. As the Muslim Brotherhood neither obliged nor forbade its members to join the protests, several Muslim Brothers participated on an individual basis, especially the youngest ones, who considered that the Muslim Brotherhood should take a more active role in the demonstrations²⁹. They joined the method of peaceful protesting and together sang its chants of “*Bread, Freedom and Human Dignity*” that evolved to “*The people want to overthrow the regime*”³⁰. The non-violent character of the protests perfectly suited the spirit of the Muslim Brotherhood, a group that

²⁴ Al-Awadi, H. (2013): “Islamists in power: the case of the Muslim Brotherhood in Egypt”, *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 539.

²⁵ Farag, M. (2012): “Egypt’s Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances”, *Contemporary Arab Affairs*, Vol. 5, No. 2, p. 217.

²⁶ Al-Awadi, H. (2013): “Islamists in power: the case of the Muslim Brotherhood in Egypt”, *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 540.

²⁷ *Idem*, p. 541.

²⁸ *Ibid.*

²⁹ *Idem*, p. 540 and 542.

³⁰ *Idem*, p. 539.

had always been committed to peaceful participation in public affairs to promote social change.

22. Despite the direct warning of Mubarak's security forces not to cooperate with the protests³¹, the Muslim Brothers began to formally collaborate with the revolution on 28 January 2011³², joining the feeling of indignation, but without attempting to implement any political agenda: "*the MB was careful not to give a religious slant to the revolution*"³³.
23. The management skills and political experience of the Muslim Brotherhood proved to be helpful and beneficial to the revolution, as the Brothers controlled several security checkpoints during the protest and supplied diverse basic provisions, such as tents, blankets and tea³⁴. This active participation is what encouraged Mubarak, in a desperate move to save his position, to accuse the Muslim Brotherhood of being the force behind the scenes of the Revolution³⁵.
24. Mubarak addressed the Egyptian nation three times during the revolutionary process, on 29 January, 1 February and 10 February. In his speeches, apart from reminding the Egyptian people of his purported achievements during his rule³⁶, Mubarak promised to implement reforms, create a new government, dissolve the parliament created following the rigged 2010 elections and not to present his candidacy in the next presidential elections.

³¹ *Idem*, p. 541.

³² *Ibid.*

³³ Farag, M. (2012): "Egypt's Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances", *Contemporary Arab Affairs*, Vol. 5, No. 2, p. 217.

³⁴ *Idem*, p. 218.

³⁵ Weber, P. (2013): "Modernity, Civil Society, and Sectarianism: The Egyptian Muslim Brotherhood and the *Takfir* Groups", *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, Vol. 4, No. 2, p. 510; and Al-Awadi, H. (2013): "Islamists in power: the case of the Muslim Brotherhood in Egypt", *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 540.

³⁶ Al-Awadi, H. (2013): "Islamists in power: the case of the Muslim Brotherhood in Egypt", *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 539-540

25. He appointed Omar Suleiman as vice-president³⁷ and Ahmed Shafiq as prime minister³⁸, thus converting Suleiman to the *de facto* next leader of Egypt³⁹.
26. On 2nd February 2011, the Egyptian Security Forces fiercely attacked protesters in Tahrir Square, in what came to be known as the 'Battle of Camel'⁴⁰. Young members of the Muslim Brotherhood, effectively protected the Square, and Muslim Brothers from different regions of Egypt joined the protests⁴¹.
27. On 10 February 2011, after several days of demonstrations, that had been joined by tens of millions of citizens⁴², the Egyptian Army were deployed on the streets and imposed a curfew⁴³. On that same day, the SCAF (Supreme Council of the Armed Forces), chaired by Commander-in-Chief and Defence Minister, Field Marshal Hussein Tantawi⁴⁴, issued its Decree Number One, "*signalling that the military had taken over*"⁴⁵. One day later, Suleiman announced Mubarak's stepping down.

³⁷ The Carter Center (2012): "Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015, p. 7.

³⁸ Inter-parliamentary Union (2012): "Egypt. Majlis Al-Chaab (People's Assembly)", available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

³⁹ The Carter Center (2012): "Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015, p. 7.

⁴⁰ Al-Awadi, H. (2013): "Islamists in power: the case of the Muslim Brotherhood in Egypt", *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 540.

⁴¹ *Ibid*, p. 542.

⁴² El-Beshry, T. (2013): "Relationship between state and religion: Egypt after the revolution", *Contemporary Arab Affairs*, vol. 6, n. 3, p. 409.

⁴³ Al-Awadi, H. (2013): "Islamists in power: the case of the Muslim Brotherhood in Egypt", *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 539

⁴⁴ Inter-parliamentary Union (2012): "Egypt. Majlis Al-Chaab (People's Assembly)", available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

⁴⁵ The Carter Center (2012): "Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015, p. 8.

28. On 13th February 2011, the SCAF issued its first Constitutional Declaration⁴⁶, suspending the 1971 Constitution and dissolving the 2010 parliament⁴⁷. The SCAF promised to call elections within six months⁴⁸, but the Declaration provided it with the whole executive and legislative authority until a new parliament was elected⁴⁹.
29. This military event determined the conclusion of the 25 January Revolution and is intimately related to the third factor that, according to Pioppi, explains Mubarak's ousting⁵⁰: the progressive marginalization of the Egyptian Army.
30. Mubarak's policies had benefitted and empowered the Ministry of Interior, including its security forces, and the Egyptian economic elite. Mubarak wanted his son Gamal to succeed him as ruler of the country, for which he needed the support of not only these institutions and elites, but also of Western countries.
31. Gamal Mubarak, who had started his professional career in London, became the Head of Policies of the National Democratic Party in 2002 and created the 'Gamal Cabinet', a group formed by businessmen and liberal economists⁵¹. This designation and Mubarak's refusal to select a vice-president were seen as movements that suggested Gamal's future appointment as the President's successor. As a matter of fact, some authors argued "*Mubarak only subordinated Egyptian interests to Western and Israeli interests in the region in order to garner support for the succession of his son Gamal*"⁵².
32. The Muslim Brotherhood were seen as a challenge to this process of succession, so the organization anticipated further oppression and democratic limitations to

⁴⁶ The Carter Center, (2012): "Presidential Elections in Egypt. Final Report. May-June 2012". Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 6, footnote 11.

⁴⁷ Inter-parliamentary Union (2012): "Egypt. Majlis Al-Chaab (People's Assembly)", available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

⁴⁸ *Ibid.*

⁴⁹ The Carter Center, (2012): "Presidential Elections in Egypt. Final Report. May-June 2012". Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 6 footnote 11.

⁵⁰ Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 53.

⁵¹ Frisch, H. (2013): "The Egyptian Army and Egypt's 'Spring'", *Journal of Strategic Studies*, vol. 36, n. 2, p. 187.

⁵² Monier, E. I. and Ranko, A. (2013): "The Fall of the Muslim Brotherhood: implications For Egypt", *Middle East Policy*, Vol. 20, No. 4, p. 115.

ensure that Gamal became the new leader of Egypt: “*the government or the regime is trying to send a message to the brotherhood so that they reduce their activities, tone down their statements...This requires more restrictions, persecutions, jailing and perhaps military tribunals, so that the atmosphere is prepared and the stage is set for the inheritance of scenario*”⁵³.

33. Nevertheless, the Muslim Brotherhood was not the only actor affected by Gamal’s future appointment as next President of Egypt: the succession decision not only meant the continuity of the authoritarian regime, but also, interestingly, the “*final and most serious blow to the army’s position*”⁵⁴.
34. The Egyptian Army had progressively lost influence in the ruling of the country⁵⁵. It was not part of the new Egyptian political elite formed, mainly, by the police or security forces—controlled by the Ministry of Interior—, and the economic powers, who supported Gamal’s succession as a way to prolong their privileged position in the Egyptian status quo⁵⁶.
35. Since Nasser’s regime, the Army had been an essential mainstay of the Egyptian authoritarian system, particularly due to the tensions with Israel. The Army, jointly with the judiciary, formed the ‘technical institutions’ of the Egyptian regime, as opposed to the ‘political apparatus’ (Presidency, Ministers and parliamentary bodies)⁵⁷.
36. After the Camp David Agreement, the Army lost some of its influence, whilst that of the domestic dissidence and political opposition increased. This justified the strengthening of the police and the increase in the budget of the Ministry of Interior’s, its influence and its access to the President⁵⁸: “*after Mubarak’s*

⁵³ Zahid, M. (2010): “The Egyptian nexus: the rise of Gamal Mubarak, the politics of succession and the challenges of the Muslim Brotherhood”, *The Journal of North African Studies*, vol. 15, n. 2, p. 228.

⁵⁴ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 53

⁵⁵ The Carter Center (2012): “Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015., p. 6.

⁵⁶ Frisch, H. (2013): “The Egyptian Army and Egypt’s ‘Spring’”, *Journal of Strategic Studies*, vol. 36, n. 2, p. 183.

⁵⁷ El-Beshry, T. (2013): “Relationship between state and religion: Egypt after the revolution”, *Contemporary Arab Affairs*, vol. 6, n. 3, p. 411-412.

⁵⁸ Frisch, H. (2013): “The Egyptian Army and Egypt’s ‘Spring’”, *Journal of Strategic Studies*, vol. 36, n. 2, p. 183

deliberalisation in the 1990s, Egypt began to look less like a 'military state' and more like a 'police state'”⁵⁹.

37. Therefore, despite both kinds of institution, political and technical, being fundamental, Mubarak prioritized and based his power on the political institutions, particularly, on the Ministry of Interior and its internal security forces. As a result, when Mubarak fell, the entire political system fell with him for a period of time.
38. However, the progressive marginalization of the Egyptian Army did not mean that it lacked power or influence. Despite its political decline, the Army had maintained a privileged position since the 1952 'Revolution', being “*the backbone of the Egyptian regime*”⁶⁰.
39. Senior officers were often given the opportunity to hold high executive positions after their retirement from the Army⁶¹ and the 'civil defence' institutions were controlled by military officers such as Field Marshal Muhammad Hussein Tantawi, who apart from being Commander-in-Chief, was the Minister of Defence⁶².
40. Moreover, the Army enjoyed important economic privileges derived from the State, which maintained its elite position on Egyptian society: “*yet even under Mubarak, the senior officers of armed forces possessed privileges only the highest echelons of the political bureaucracy enjoyed. As Picard noted already in the 1980s, the reduction of military budgets in the Arab world led to a search for funding through privileged, often monopolistic, activities in the market place. The actors could be military organizations, military-owned companies, or senior and retired military personnel engaged in business with a connection to the armed forces [...] in Egypt, the new more economic-oriented concept of national security was*

⁵⁹Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 52.

⁶⁰ *Idem*.

⁶¹ Frisch, H. (2013): “The Egyptian Army and Egypt’s ‘Spring’”, *Journal of Strategic Studies*, vol. 36, n. 2, p. 181.

⁶² *Idem*, p. 182.

manipulated to enhance the Army's privileged role in the state and its economy"⁶³ (emphasis added).

41. The economic privileges of the Egyptian Army began during Nasser's presidency. Nasser encouraged a process of nationalization led by the Army, thus providing the military institution the opportunity to start managing several state-owned enterprises. However, the lack of qualification of the military, coupled jointly with widespread corruption, led President Sadat to commence a policy of privatization and liberalization⁶⁴ that, nevertheless, did not curtailed military's power.
42. Indeed, in 1979, after the peace treaty with Israel, the state created the National Services Projects Organization (NSPO), a conglomerate of commercial enterprises managed by retired military officers. Military-owned companies and its subsidiaries began to receive public subsidies and tax exemptions and escaped from the state supervision⁶⁵.
43. The Army accumulated massive economic power during the second half of Mubarak's regime. The Egyptian Army had the monopoly over arms production, a monopoly guaranteed by the Emergency Law, which prevented the parliament and media from monitoring the arms industry⁶⁶. The Army's wealth also derived from the production of basic products, such as pasta or water; the provision of gas stations services; the farming of livestock; governmental contracts to provide services around the country and from the activities of the numerous military-owned companies, notorious for their disregard for workers' rights⁶⁷.
44. Moreover, under Mubarak's rule, not only the Army, as an institution, received substantial privileges, its high-ranking officers also benefited from "*corruption-*

⁶³ *Idem*, p. 184.

⁶⁴ Abul-Magd, Z. (2011): "The Army and the Economy in Egypt", *Jadaliyya*, 23rd December 2011, available at: <http://www.jadaliyya.com/pages/index/3732/the-army-and-the-economy-in-egypt>, last accessed: 18th August 2015.

⁶⁵ *Ibid.*

⁶⁶ Frisch, H. (2013): "The Egyptian Army and Egypt's 'Spring'", *Journal of Strategic Studies*, vol. 36, n. 2, p. 184.

⁶⁷ Abul-Magd, Z. (2011): "The Army and the Economy in Egypt", *Jadaliyya*, 23rd December 2011, available at: <http://www.jadaliyya.com/pages/index/3732/the-army-and-the-economy-in-egypt>, last accessed: 18th August 2015.

ridden privatization deals” by being appointed “*to prestigious positions in recently privatized public sector enterprises*”⁶⁸.

45. The most lucrative activity for the Army however was the process of land reclamation and urban resettlements: the Egyptian military was the beneficiary of two 30-year-long projects to disperse the Egyptian population and resettle the areas of northern Sinai and the Western Desert⁶⁹. Despite the huge criticisms that the projects received for its economic inefficiency, environmental damage and social impact, the Egyptian Army was responsible for the planning of the project and constructing a canal; a project for which the military received substantial funds⁷⁰.
46. Moreover, the Army profited from the sale or the development of vast amounts of land; while the Army is legally entitled to seize public land to defend the nation, it has used this power for commercial purposes, speculating with the land price and building tourist resorts and residences⁷¹. Indeed, the Army has been implicated in several corruption scandals linked with its land sale activities⁷².
47. It is evident that the Army’s economic power in Egypt is exceptional. Estimations were that, apart from its budget of approximately five billion dollars, the Army’s business operations “*amounted to 20 per cent of all domestic business activity*”⁷³. Other estimations raise this figure to 25%⁷⁴ and even 40%⁷⁵ of the Egyptian economy.
48. However, the extent of the Army’s budget and its economic power in Egypt is impossible to estimate given that most of its economic activity, even if unrelated

⁶⁸ *Ibid.*

⁶⁹ Frisch, H. (2013): “The Egyptian Army and Egypt’s ‘Spring’”, *Journal of Strategic Studies*, vol. 36, n. 2, p. 185.

⁷⁰ *Idem*, p. 186.

⁷¹ Abul-Magd, Z. (2011): “The Army and the Economy in Egypt”, *Jadaliyya*, 23rd December 2011, available at: <http://www.jadaliyya.com/pages/index/3732/the-army-and-the-economy-in-egypt>, last accessed: 18th August 2015.

⁷² *Ibid.*

⁷³ Frisch, H. (2013): “The Egyptian Army and Egypt’s ‘Spring’”, *Journal of Strategic Studies*, vol. 36, n. 2, p. 186.

⁷⁴ Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 164.

⁷⁵ Abul-Magd, Z. (2011): “The Army and the Economy in Egypt”, *Jadaliyya*, 23rd December 2011, available at: <http://www.jadaliyya.com/pages/index/3732/the-army-and-the-economy-in-egypt>, last accessed: 18th August 2015.

to national security, is protected as classified military secret, which means that it is not subjected to any public system of transparency or accountability. Therefore, the relative importance of the Army on the Egyptian economy is a proscribed public discussion and escapes from the oversight of state institutions. Indeed, disclosing information in regards to this topic could constitute a crime in Egypt⁷⁶, even if it is a topic with of paramount importance for the efficiency and the stability of the whole economy. In contrast, military propaganda defends that the secrecy of the military budget “*is a patriotic duty that we must honor and protect as Egyptians*”⁷⁷.

49. This incredible level economic influence in the country put the Egyptian military at loggerheads with the business class, supported by Mubarak, but especially, by his son Gamal. The business class, through its influence on the press, began to question the economic privileges afforded to the Army and the assignment of significant levels of public funds. This class also favoured privatization and supported a more limited role of the state in the economy, thus opposing the economic interests of the Army. Consequently, Gamal’s rise to power posed a tremendous threat to the military’s power and its interests. After all, the Army’s economic empire did not derive from the efficiency of its production or the quality of its services and products, but from its deep links and influence over state institutions and government.
50. The Revolution was the perfect opportunity for the Army to recover its leading role in Egyptian politics. Seizing power was a way to ensure its control over the outcome of the transitional process and the preservation of its economic influence and of its privileges and thus seek to preserve the Egyptian status-quo: “*with the appearance of the governance crisis brought about by the revolution, the army and its traditional professional leadership turned to politics to fill the ensuing vacuum*”⁷⁸.

⁷⁶ *Ibid.*

⁷⁷ *Ibid.*

⁷⁸ El-Beshry, T. (2013): “Relationship between state and religion: Egypt after the revolution”, *Contemporary Arab Affairs*, vol. 6, n. 3, p. 412.

51. Therefore, far from protecting Mubarak, the Egyptian Army took power in Egypt on 10 February 2011, which was considered by many as crucial for the success of the revolution: “*had the military not taken action, it is doubtful that the revolt would have continued long enough to convince the political leadership that it had to step down*”⁷⁹.
52. Although there were certain individuals and intellectuals who actively participated in the protests and became recognizable faces for the Egyptian public, the political movement of the 25 January Revolution lacked specific leaders, which on the one hand was positive—as it impeded the State security apparatus to target certain individuals and stop the movement by depriving it from its leadership⁸⁰—; but on the other hand, once Mubarak stepped down, no one could continue the legacy of the revolution, personalize its spirit and organize the masses into a new political and institutional project.
53. This lack of leadership afforded the Army a significant degree of power to control the situation and shape the post-Mubarak political outcome. The power of the Army was reinstated, although it promised to follow the spirit of the Revolution, organize democratic elections, strengthen democratic institutions and withdraw from politics once the Egyptian people were in a position to decide upon their own future⁸¹.
54. The Supreme Council of the Armed Forces (SCAF) became the institution that sought to govern the Egyptian transitional process. This institution, formed by 23 of the highest members of the Army, started developing a ‘guardian role’, “*in which the army does not only protect the state against outside competitors but maintains the regime internally as well*”⁸². This new role, which was formerly played by the police and interior security officers, gave the Egyptian Army a tremendous power.
55. Ahmed Shafiq, appointed by Mubarak, remained as Prime Minister of Egypt until 3rd March 2011. He, as member of the former regime, was under significant

⁷⁹ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 54

⁸⁰ El-Beshry, T. (2013): “Relationship between state and religion: Egypt after the revolution”, *Contemporary Arab Affairs*, vol. 6, n. 3, p. 410.

⁸¹ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 55.

⁸² Frisch, H. (2013): “The Egyptian Army and Egypt’s ‘Spring’”, *Journal of Strategic Studies*, vol. 36, n. 2, p. 180.

pressure to offer his resignation, which he eventually did⁸³. Essam Sharaf, an Egyptian engineer and academic, replaced Shafiq⁸⁴.

56. Just days after the revolution, in February 2011, a committee appointed by SCAF⁸⁵ and led by Judge Tarek El Bishry drafted a proposal to amend the suspended 1971 Constitution⁸⁶. The Constitutional Amendment was subjected to a referendum vote on 19th March 2011⁸⁷. Although the constitution still included certain elements that echoed the previous regime, the Muslim Brotherhood supported the 'yes' option⁸⁸, which received the vote of 77.3% of the Egyptian electorate⁸⁹.
57. Egyptians voted for the amendment to certain articles of the constitution, including article 189, which gave any future parliament six months to convene a Constitutional Assembly, which in turn was obliged to present a Constitution draft within six months from the date of its first meeting⁹⁰. Moreover, the amendments also eased the eligibility conditions to become candidate to the presidential elections⁹¹, limited the tenure of the presidency⁹² and determined that "*the referendum on a new constitution would be held after a president was elected*"⁹³.

⁸³ Luhnow, D. (2011): "Egypt PM Undone by TV Debate", *The Wall Street Journal*, available at: <http://www.wsj.com/articles/SB10001424052748704076804576180862540155764>, last accessed: 3rd July 2015.

⁸⁴ *Ibid.*

⁸⁵ Inter-parliamentary Union (2012): "Egypt. Majlis Al-Chaab (People's Assembly)", available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

⁸⁶ The Carter Center, (2012): "Presidential Elections in Egypt. Final Report. May-June 2012". Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 6 footnote 10.

⁸⁷ Fotopoulos, T. (2012): "The Muslim Brotherhood and Islamic "democracy" in Egypt as part of the New World Order", *The International Journal of Inclusive Democracy*, vol. 8, n. 1/2, p. 14.

⁸⁸ Farag, M. (2012): "Egypt's Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances", *Contemporary Arab Affairs*, Vol. 5, No. 2, p. 218

⁸⁹ *Ibid.*

⁹⁰ The Carter Center, (2012): "Presidential Elections in Egypt. Final Report. May-June 2012". Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 6.

⁹¹ Inter-parliamentary Union (2012): "Egypt. Majlis Al-Chaab (People's Assembly)", available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

⁹² *Ibid.*

⁹³ The Carter Center, (2012): "Presidential Elections in Egypt. Final Report. May-June 2012". Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 6.

58. Despite SCAF's promise to conclude the transitional process by August 2011, the SCAF kept postponing the parliamentary elections⁹⁴—which did not take place until the end of 2011—, thus prolonging its stay in power. The SCAF also declared that the newly elected parliament would name a committee to write a new constitution but did not specify a timeframe for the presidential elections, which have led some authors to argue that the SCAF “*wanted presidential elections after the constitution*”⁹⁵.
59. The SCAF showed an authoritarian approach to governance on certain occasions before the parliamentary elections. For example, the Constitutional Amendment finally approved by the SCAF included articles that had not been subjected to referendum and it “*amended the election law without public consultations*”⁹⁶. Moreover, article 28 of the Constitutional Amendment did not recognise a right to challenge decisions from the Presidential Election Commission (PEC), something that “*diminished public confidence in the electoral process and raised concerns about the transparency and impartiality of PEC decisions*”⁹⁷. Therefore, in general, there was great concern among the revolutionaries about the ambiguity of the SCAF's intentions and interests in respect to the transitional process.
60. Several authors argue that “*the military was seemingly not altogether comfortable in its new executive role*”⁹⁸ and did not take any brave or revolutionary measures that were demanded by those who had taken to the streets. Although it is true that, following court orders, “*the SCAF dissolved parliament, municipal councils and the NDP*”⁹⁹ and seized NDP's assets¹⁰⁰, the judicial proceedings against previous regime leaders

⁹⁴ *Idem*, p. 7.

⁹⁵ Frisch, H. (2013): “The Egyptian Army and Egypt's ‘Spring’”, *Journal of Strategic Studies*, vol. 36, n. 2, p. 188-189.

⁹⁶ Ottaway, M., (2011): “The Emerging Political Spectrum in Egypt”, *Carnegie Endowment for International Peace*, available at: <http://carnegieendowment.org/2011/10/10/emerging-political-spectrum-in-egypt/8kqp>, last accessed: 3rd July 2015.

⁹⁷ The Carter Center, (2012): “Presidential Elections in Egypt. Final Report. May-June 2012”. Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 4.

⁹⁸ Farag, M. (2012): “Egypt's Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances”, *Contemporary Arab Affairs*, Vol. 5, No. 2, p. 218.

⁹⁹ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 55, footnote 15.

¹⁰⁰ Inter-parliamentary Union (2012): “Egypt. Majlis Al-Chaab (People's Assembly)”, available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

were to be to judge either criminal or financial charges, not their political decisions.

61. Indeed, the SCAF “*did not seriously purge the Ministry of the Interior, which was soon able to reorganize and start exerting its power again, often in coordination with the army*”¹⁰¹. In June 2011 the Central Security Forces and the military police began to use violence to suppress the ‘Friday protests’ that opposed the SCAF and the military trials of civilian protesters, thus harking back to the authoritarianism of the previous regime¹⁰².
62. During November-December 2011 the clashes between the Central Security Forces and civilian protesters ended resulted in the deaths of approximately 100 people ¹⁰³ after “*brutal methods*” of violence were used to suppress the demonstrations¹⁰⁴. Protesters called for the end of the SCAF’s rule: they were “*for a civilian government, and against Tantawi*”¹⁰⁵.
63. Once the Army received the support of the Ministry of Interior, plagued by members of the old regime, it only needed a political partner to ensure its power and fully control the transitional process. However, the NDP had disintegrated, and the *fulul*—remnants of the regime—, needed time to reorganize.
64. The Army needed a political apparatus that it could control, close to the military and to the establishment, and inclined towards continuity¹⁰⁶. According to Frisch, in order to achieve this political apparatus, the SCAF had a clear plan that could forward its interests whilst giving the appearance of democratic change. In order to implement its plan, timing was essential: parliamentary elections had to be called before the presidential ones:

¹⁰¹ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 55.

¹⁰² Farag, M. (2012): “Egypt’s Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances”, *Contemporary Arab Affairs*, Vol. 5, No. 2, p. 225.

¹⁰³ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 55. footnote 16.

¹⁰⁴ BBC News, (2011): “Egyptian blog review: Anger at military”, 22nd November 2011, available at: <http://www.bbc.com/news/world-middle-east-15824114>, last accessed: 3rd July 2015.

¹⁰⁵ *Ibid.*

¹⁰⁶ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 55-56.

“the elections would allow the dissipation of energies that could easily become centripetal and threaten the basic order of the state and its managed transition. The SCAF would then be well placed to act to weaken the parliament between the formation of the new parliament and elections to the presidency and divide its ranks. Once these goals were achieved, it could also bring considerable clout to bear to help determine the outcomes of the presidential elections in the direction of a presidential incumbent who was part of the old order. The SCAF would then be in an excellent position to negotiate between these two branches of government in a manner that would safeguard the Army’s interests and maintain some of the basic characteristics of the Egyptian corporate state”¹⁰⁷.

65. This is the well-argued opinion of a particular scholar, but whatever the intention of the Army during this particular moment of the transitional process, what seems abundantly clear looking back, is that the Army, having suffered the marginalization of the previous regime, was not going to renounce to its new position of power achieved after the 25 January Revolution.
66. The Army was not going to risk losing its authority, its influence and its economic status and voluntarily give that power to a group alien to its interests. Above all when they had the support of the Ministry of Interior, of the old-regime judiciary and of Mubarak’s elite. After all, *“the SCAF and the senior officer class were united to a far greater degree than any other political force in the country”¹⁰⁸.*
67. Therefore, despite its theoretical compromise with the values of the Revolution, the Army would not accept every outcome of the democratic process.

¹⁰⁷ Frisch, H. (2013): “The Egyptian Army and Egypt’s ‘Spring’”, *Journal of Strategic Studies*, vol. 36, n. 2, p. 189.

¹⁰⁸ *Idem*, p. 181.

Chapter 5

The Emergence of Political Parties

1. In 2011, after almost 60 years of autocratic rule, and authoritarian regimes, Egypt was facing the first democratic elections in its history.
2. Various political parties appeared in the political scenario to reflect the Egyptian democratic voice. These new political parties represented a wide variety of political opinions, including those that had been previously precluded from having formal representation in Egyptian institutions or in the public political discussion under Mubarak's regime.
3. It is noteworthy that approximately two years before, the Egyptian citizens had participated in one of the least pluralistic elections of the Egyptian history, elections that resulted in the acquisition of 85% of Parliamentary seats by the National Democratic Party¹⁰⁹.
4. The 25 January Revolution gave rise to an enormous variety of political parties; several citizens, following the spirit of the Revolution, started to discuss various political options and mobilize around their common interests and points of view. Finally, more than 50 political parties and 6,500 independent candidates participated in the 2011-2012 Egyptian parliamentary elections¹¹⁰.
5. However, for the sake of brevity, this chapter will only cover the main political parties, essentially those that were represented in the Egyptian parliament after the elections.

Islamist Bloc

5. The Islamist Bloc is an ultraconservative Islamist coalition formed by the parties Al-Nour, Al-Asala and the Building and Development Party.
6. Al-Nour and Al-Asala are salafist parties and the Building and Development Party

¹⁰⁹ Inter-parliamentary Union (2012): "Egypt. Majlis Al-Chaab (People's Assembly)", available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015; and Aknur, M. (2013): "The Muslim Brotherhood in Politics in Egypt: From Moderation to Authoritarianism?", *Review of International Law and Politics (Uluslararası Hukuk ve Politika)*, Issue 33, p. 13.

¹¹⁰ Xinhuanet (2011): "Backgrounder: Major blocs in Egypt's parliamentary elections", 29th November 2011, available at: http://news.xinhuanet.com/english2010/world/2011-11/29/c_131275345.htm, last accessed: 3rd July 2015.

is the political arm of the *Islamic Group*, whose leaders renounced violence in 2003. These groups decided to join their efforts in the 2011-2012 parliamentary elections under the name “Alliance for Egypt”¹¹¹.

7. This coalition presented enough candidates to theoretically fill all seats of both the lower and the upper houses, although the overwhelming majority of candidates (88%) belonged to Al-Nour¹¹². Among these candidates, there were a number of women, but no Christian Copts.
8. Al-Nour, founded by the cleric Yasser Borhami, is the largest salafist party in the country and linked with the salafist Al-Daawa Movement of Alexandria, which provides them with notoriety in that region. It is based on an already-existing and well-organized Salafist network, which provides discipline and a great degree of mobilization and organization¹¹³.
9. However, the sudden and meteoric expansion of al-Nour in Egypt and its sudden abundancy of resources led political observers to voice their concerns that certain Gulf countries, especially Saudi Arabia, were behind Al-Nour’s success. As a matter of fact, Salafist charities were already the recipients of some of the largest donations coming from Saudi Arabia, and there were clear indications that the party was receiving Saudi funding.¹¹⁴
10. In contrast, the Al-Asala party focused on the Cairo area, and the Building and Development Party in Upper Egypt.
11. The deeply religious nature of the Building and Development Party’s program afforded it problems with the official political parties’ registration committee; thus the bloc refrained from using religious slogans. As a matter of fact, their main motto was “*Together, we will build Egypt: A modern identity and state built with Egyptian hands and minds*”. Nevertheless, they used religious venues and public prayer spaces

¹¹¹ Ahram Online (2011): “Islamist Bloc (Al Nour)”, 19 November 2011, available at: <http://english.ahram.org.eg/NewsContent/33/103/26940/Elections-/Electoral-Alliances/Islamist-Bloc-AlNour.aspx>, last accessed: 3rd July 2015.

¹¹² Jadaliyya (2011): “Islamist Bloc (Alliance for Egypt), 18 November 2011, available at:”<http://www.jadaliyya.com/pages/index/3172/islamist-bloc-%28alliance-for-egypt%29>, last accessed: 3rd July 2015.

¹¹³ El-Beshry, T. (2013): “Relationship between state and religion: Egypt after the revolution”, *Contemporary Arab Affairs*, vol. 6, n. 3, p. 415.

¹¹⁴ McTighe, K. (2014): “The Salafi Nour Party In Egypt”, *Al Jazeera Center for Studies*, 10th April 2014, available at: <http://studies.aljazeera.net/en/reports/2014/03/20143261283362726.htm>, last accessed: 18th August 2015.

to disseminate its political discourse.

12. The common political aim of these groups was the gradual application of Islamic Law, *Shari'a*, in all aspects of life. They supported a strict understanding of *Shari'a* and, in general, have a deeply conservative view of society¹¹⁵. Salafism promotes a literal understanding of the classical teachings of the Prophet Mohamed and ferments its adhesion¹¹⁶.
13. The reference to 'a modern state' in its slogan "*signified neither a secular state based on conventional Western understandings nor a fundamentalist religious state, but rather a modern state that relies on science in pursuing progress and prosperity*"¹¹⁷. However, their position towards women was a matter of concern for many liberals and females, as they defended a limitation of their rights, including the right to vote and run for office, and sought to highlight their apparent different role in society¹¹⁸: "*they call for women to focus on the family, which they say is their main duty in society*"¹¹⁹.
14. Despite the common salafist ideology, there were profound differences between the members of this heterogeneous bloc and, in general, they lacked political expertise¹²⁰.

New Wafd

12. The New Wafd party is the contemporary version of the oldest liberal party in Egypt, the Wafd party. The party developed a marked nationalistic character since its foundation, by Saad Zaghloul, at the beginning of the 20th century.
13. The party was dissolved after the 1952 Revolution, but was re-legalized in 1978 and, once again, in 1984 under Mubarak's regime. Its historical presence in

¹¹⁵ BBC News (2011): "Profile: Egypt's Salafist al-Nour Party", 25 November 2011, available at: <http://www.bbc.com/news/world-middle-east-15899539>, last accessed: 3rd July 2015.

¹¹⁶ Inter-parliamentary Union (2012): "Egypt. Majlis Al-Chaab (People's Assembly)", available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015

¹¹⁷ Ahram Online (2011): "Islamist Bloc (Al Nour)", 19 November 2011, available at: <http://english.ahram.org.eg/NewsContent/33/103/26940/Elections-/Electoral-Alliances/Islamist-Bloc-AlNour.aspx>, last accessed: 3rd July 2015.

¹¹⁸ Jadaliyya (2011): "Islamist Bloc (Alliance for Egypt)", 18 November 2011, available at: <http://www.jadaliyya.com/pages/index/3172/islamist-bloc-%28alliance-for-egypt%29>, last accessed: 3rd July 2015.

¹¹⁹ BBC News (2011): "Profile: Egypt's Salafist al-Nour Party", 25 November 2011, available at: <http://www.bbc.com/news/world-middle-east-15899539>, last accessed: 3rd July 2015.

¹²⁰ El-Beshry, T. (2013): "Relationship between state and religion: Egypt after the revolution", *Contemporary Arab Affairs*, vol. 6, n. 3, p. 415.

Egyptian politics' has provided it with a large political network in vast areas of the country, having branches in the majority of the Egyptian governorates.

14. It is portrayed as a centrist party that supports parliamentary democracy, freedom of speech and the principle of 'separation of powers'. It defends a market economy and opposes the creation of monopolies, while justifying measures to ensure social justice¹²¹. The Wafd party opposes military trials and the existing Egyptian-Israeli peace treaty, and further stands for equality between women and men. As a matter of fact, it included 87 women and 37 Christian copts among its candidates' lists thus highlighting its inclusive nature¹²².
15. The inclusion of Copts in the parliamentary list of the Wafd party is noteworthy, as one of the most characteristic features of the party is its support for secularism. Indeed, the sentence "*religion is for God, and the Nation is for all*" is one of Saad Zaghloul's most famous quotes.
16. Nevertheless, this secularism has caused several internal divisions in the ranks of the party; the collaboration with the Muslim Brotherhood in some points of the party's history caused dissent among Wafd's members and followers.
17. Moreover, the fact that the Wafd backed the National Democratic Party and its frequent collaboration with the regime "*in exchange for a few seats*"¹²³ generated controversy before and after the 2011 Revolution.
18. Al-Sayed Al-Badawi, a well-known Egyptian businessman was the leader of the party for the parliamentary elections. Al-Badawi owns a TV Channel, which facilitated the diffusion of the party's message. The Wafd's outreach activities also include the establishment of a media department and the publication of a daily newspaper.

¹²¹ BBC News (2011): "Profile: Egypt's Al-Wafd Party", 25 November 2011, available at: <http://www.bbc.com/news/world-middle-east-15899546>, last accessed: 3rd July 2015.

¹²² *Ibid.*

¹²³ Jadaliyya (2011): "Al-Wafd Party", 18 November 2011, available at: "<http://www.jadaliyya.com/pages/index/3155/al-wafd-party>", last accessed: 3rd July 2015.

19. The party, depicted as the party of the business elites and the Copts¹²⁴, competed for 570 seats in parliament. Al-Sayed Al-Badawi admitted that four of the Wafd's candidates were former affiliates of the National Democratic Party¹²⁵. After all, according to Carnegie Endowment organization, this party's business elites "*gravitated toward the National Democratic Party, particularly after the launching of economic reforms*"¹²⁶.

Egyptian bloc

20. The Egyptian bloc constituted an alliance between liberal, social democratic and leftist parties that joined their efforts to challenge Islamist parties in the elections and impede the purported control of such parties during the constitutional drafting process.
21. This bloc's goal was to oppose Egypt's transformation into an Islamic State and defend the civil, secular and democratic nature of the republic¹²⁷.
22. At first, more than a dozen political parties that decided to raise funds and present a single list of candidates formed the coalition. With the passing of time however, several of these parties started withdrawing from the coalition; the Socialist Popular Alliance and the Egyptian Socialist Party abandoned the group because it contained remnants of the old regime. Indeed, the Egyptian bloc's High Commission for Electoral Coordination recognised that eight candidates were former NDP members¹²⁸.
23. Finally, only three parties remained; the Free Egyptians Party, the Egyptian Social Democratic Party and the Tagammu Party. These three parties contested 412 of the 498 seats in the lower house of parliament, 50% of the candidates belonging to

¹²⁴ Carnegie Endowment for International Peace (2011): "Egypt Elections: Al-Wafd Party", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/gapp/cairoreview/pages/articledetails.aspx?aid=104>, last accessed: 3rd July 2015.

¹²⁵ Jadaliyya (2011): "Al-Wafd Party", 18 November 2011, available at: <http://www.jadaliyya.com/pages/index/3155/al-wafd-party>, last accessed: 3rd July 2015.

¹²⁶ Carnegie Endowment for International Peace (2011): "Egypt Elections: Al-Wafd Party", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/gapp/cairoreview/pages/articledetails.aspx?aid=104>, last accessed: 3rd July 2015.

¹²⁷ Saleh, Y. (2011): "Egypt liberals launch 'The Egyptian Bloc' to counter Islamists in Nov. vote", *Al-Arabiya News*, 16 August 2011, available at: <http://www.alarabiya.net/articles/2011/08/16/162562.html>, last accessed: 3rd July 2015.

¹²⁸ Ahram Online (2011): "The Egyptian Bloc", 18 November 2011, available at: <http://english.ahram.org.eg/NewsContent/33/103/26718/Elections-/Electoral-Alliances/The-Egyptian-Bloc.aspx>, last accessed: 3rd July 2015.

the Free Egyptians Party¹²⁹.

24. Under the slogan “*together, we will achieve what is ours*”, these parties joined to create a secularist bloc and a wide opposition to Political Islam, in particular, to the Muslim Brotherhood. However, the great variety of political stances adopted inside the coalition impeded them in proposing a convincing and specific political program: while the Free Egyptians Party defended liberal economics and had a pro-business orientation; the Tagammu Party had a distinct socialist character.

Al-Wasat

25. The Al-Wasat Party surged in 1996 as a moderate splinter of the Muslim Brotherhood. As a matter of fact, Abul Ela Madi, leader and co-founder of the organization, is a former Muslim Brother.
26. This party was very active during the years before the Revolution, although it only received institutional recognition on 19 February 2011¹³⁰, one week after Mubarak’s ousting; it opposed Gamal Mubarak’s succession to power, helped constitute the *Kefaya* movement and joined the National Association for Change movement.
27. The party did not participate in any political coalition and contested more than 400 seats in the lower house of parliament. Among its candidates there were 69 women and 2 Christian Copts¹³¹.
28. Al-Wasat defended a politically balanced assembly to draft the new Egyptian constitution. The party had traditionally collaborated with non-Islamists groups, and although it has an “*Islamic frame of reference*”, it enjoys a civil nature, opposes theocratic governance and supports dialogue and equality between religions.
29. Al-Wasat espouses full rights for women, minorities and Copts—including their right to hold high-rank public offices¹³²—and receives support even from secularist

¹²⁹ *Ibid.*

¹³⁰ Islamopedia Online (2011): “Al-Wasat Party”, available at: <http://www.islamopediaonline.org/country-profile/egypt/islam-and-electoral-parties/al-wasat-party>, last accessed: 3rd July 2015.

¹³¹ Jadaliyya (2011): “Al-Wasat Party”, 18 November 2011, available at: <http://www.jadaliyya.com/pages/index/3152/al-wasat-party>, last accessed: 3rd July 2015

¹³² Islamopedia Online (2011): “Al-Wasat Party”, available at: <http://www.islamopediaonline.org/country-profile/egypt/islam-and-electoral-parties/al-wasat-party>, last accessed: 3rd July 2015.

groups¹³³. Even if it has an Islamist nature, its members recognise other sources of identity.

30. The group is committed to liberal democracy, free elections, the separation of powers, freedom of thought and expression, and adherence to the principles of human rights.
31. Al-Wasat also supports a free market economy limited by public intervention, which ideologically situates the party at the centre-left. For example, Al-Wasat defended subsidies for public services and local development programs that could enhance socio-economic development in poor communities. Moreover, it favours peaceful workers' strikes and supports the Palestinians' right to return.
32. Al-Wasat has a conflicting relationship with the Muslim Brotherhood, an organization whose discipline Al-Wasat criticized. Indeed, it is due to these centralized decision-making structures that several Muslim Brothers of a younger generation decided to establish Al-Wasat¹³⁴.

Reform and Development Party - Misruna

33. Mohamed Anwar Esmat Al-Sadat, nephew of former President Anwar Al-Sadat, founded the Reform and Development Party in 2009. Yet, it only received legal recognition in May 2011, after the 25 January Revolution.
34. In June 2011 the party merged with the *Misruna* party, an organization led by the businessman Ramy Lakah¹³⁵, a renowned member of the Roman Catholic community in Egypt.
35. Both Esmat Al-Sadat and Ramy Lakah experienced political and personal problems due to their criticism of the widespread corruption of Mubarak's regime.
36. This liberal party did not join any coalitions for the parliamentary elections and

¹³³ Berkley Center for Religion, Peace and World Affairs: "Al Wasat Party", available at: <http://berkeleycenter.georgetown.edu/organizations/al-wasat-party>, last accessed: 3rd July 2015.

¹³⁴ Islamopedia Online (2011): "Al-Wasat Party", available at: <http://www.islamopediaonline.org/country-profile/egypt/islam-and-electoral-parties/al-wasat-party>, last accessed: 3rd July 2015.

¹³⁵ Carnegie Endowment for International Peace (2011): "Egypt Elections: Reform and Development Party", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/gapp/cairoreview/pages/articledetails.aspx?aid=120>, last accessed: 3rd July 2015.

contested around 200 seats.

37. The Reform and Development-Misruna Party is a civil and secularist party that supports freedom of religion and opposes the existence of political parties with a religious character. It defends an intermediate model between the parliamentary and presidential system, and a free-market economy, with clear prominence of the private sector in trade, development and investment. The State would play a mere supervisory role, although it should encourage development and improve the living conditions of poor people. It does not show an active support for workers' rights and strikes.
38. In contrast, the party's support goes to the military, which Al-Sadat considers "*the only institution capable of guaranteeing the security of the state*". Therefore, far from opposing military trials, important members of the party have defended their necessity and adequacy.
39. The Reform and Development-Misruna Party supports the Peace treaty with Israel and the Egyptian relationship with the United States and Israel.
40. All these latter factors and ideological stances have invited some people to consider that this party is a derivative from the National Democratic Party. As a matter of fact, there are reports of remnants of the old regime in this party¹³⁶.

The Revolution Continues Alliance

41. The Socialist Popular Alliance Party, the Egyptian Socialist Party, the Egyptian Current, the Freedom Egypt Party, the Equality and Development Party, the Revolution Youth Coalition and the Egyptian Alliance formed this left-leaning alliance. This converted the Alliance into the second largest coalition for the purposes of parliamentary elections¹³⁷.
42. The political alliance was announced only one day before the registration

¹³⁶ Ahram Online (2011): "Reform and Development", 28 December 2011, available at: <http://english.ahram.org.eg/Elections2011/Parties/NewsContent/33/104/30395/Elections-/Political-Parties/Reform-and-Development.aspx>, last accessed: 3rd July 2015.

¹³⁷ Ahram Online (2011): "Revolution Continues Alliance stabilises one day ahead of registration deadline", 23 October 2011, available at: <http://english.ahram.org.eg/NewsContent/1/64/24917/Egypt/Politics-/Revolution-Continues-Alliance-stabilises,-one-day-.aspx>, last accessed: 3rd July 2015.

deadline¹³⁸, which means that the alliance had a short space of time to prepare for the elections and develop its outreach activities.

43. The Revolution Continues Alliance was led and promoted by the Socialist Popular Alliance Party, after it left the Egyptian bloc along with several other parties of the bloc. They complained about the existence of remnants of the regime inside the bloc and the priority given to certain political groups¹³⁹.
44. The Alliance amalgamated organizations from almost the entire political spectrum, including socialists, liberals and Islamists --such as the Egyptian current, formed by young former Muslim Brothers--. These organizations combined their efforts to achieve a common goal, maintaining the spirit of the 25 January Revolution and implement the demands of the protesters. This explains why the candidate lists of this alliance included the highest number of members of minorities, women and young people. As a matter of fact, two women were head of list and around 100 out of the 268 candidates of the Alliance were under 40-years-old¹⁴⁰.
45. The alliance sought to respond to Tahrir Square's calls for freedom, social equality and human rights by improving the national health and education systems, ending corruption and injustice, redistributing wealth and ensuring democracy. They defended the equality between genders and between religious groups and oppose the international political dependence towards the United States.

General political scenario

46. In conclusion, 3 types of group dominated the Egyptian pre-electoral scenario in 2011. First, the Islamist trend, formed by al-Wasat, the Islamist bloc and the Freedom and Justice Party, which will be analysed in the next chapter. Second, the liberal option more linked to the Army and the previous regime, in which the New Wafd and the Reform and Development-Misruna parties prevailed. Finally, we could find two heterogeneous alliances that included a great variety of political

¹³⁸ Ahram Online (2011): "Revolution Continues Alliance stabilises one day ahead of registration deadline", 23 October 2011, available at: <http://english.ahram.org.eg/NewsContent/1/64/24917/Egypt/Politics-/Revolution-Continues-Alliance-stabilises,-one-day-.aspx>, last accessed: 3rd July 2015.

¹³⁹ Jadaliyya (2011): "Socialist Popular Alliance", 18 November 2011, available at: <http://www.jadaliyya.com/pages/index/3159/socialist-popular-alliance-party>, last accessed: 3rd July 2015

¹⁴⁰ Ahram Online (2011): "Revolution Continues Alliance launches its electoral bid", 23 October 2011, available at: <http://english.ahram.org.eg/NewsContent/1/105/25792/Egypt/Elections-/Revolution-Continues-Alliance-launches-its-electoral.aspx>, last accessed: 3rd July 2015.

ideologies centred on two issues: the fear of a growing trend towards an Islamisation of the Egyptian society (Egyptian Bloc) and the respect for the young ideals of the 25 January Revolution (The Revolution Continues Alliance).

47. As already mentioned, it was possible to find members of the old regime among some of these groups, specifically members coming from the National Democratic Party (NDP). They even founded several political parties, whose lists were plagued by remnants of the former administration¹⁴¹, this evidencing how the old elite were seen to be “*fighting back*”¹⁴².
48. For example, former NDP’s secretary-general, Mohamed Ragab, led the Egyptian Citizen Party¹⁴³; Hossam Badrawi, who also held the position of secretary-general of the NDP, founded the Union Party¹⁴⁴; and Mamdouh Hassan, son of Mohammad Mahmoud Ali Hassan—chair of the Housing Committee of the parliament’s lower house—, led the Freedom Party, which welcomed various members of the NDP.
49. Other parties considered as offshoots of the NDP were the National Party of Egypt, the Modern Egypt Party, the Beginning Party and the Conservative Party.
50. After the fall of the National Democratic Party, the political organization with the highest degree of cohesiveness, management skills and penetration in the Egyptian society was the Muslim Brotherhood.
51. The Muslim Brothers, in accordance with their long-proven commitment with democracy and peaceful participation in public affairs, undertook to create a new political party and officially participate in the parliamentary elections.

¹⁴¹ Jadaliyya (2011): “Meet the National Democratic Party Offshoots”, 18 November 2011, available at: <http://www.jadaliyya.com/pages/index/3163/meet-the-national-democratic-party-offshoots>, last accessed: 3rd July 2015

¹⁴² Ottaway, M., (2011): “The Emerging Political Spectrum in Egypt”, *Carnegie Endowment for International Peace*, available at: <http://carnegieendowment.org/2011/10/10/emerging-political-spectrum-in-egypt/8kqp>, last accessed: 3rd July 2015.

¹⁴³ Electionnaire (2011): “Egyptian Citizen Party (Al-Moaten Al-Misri)”, available at: <http://egypt.electionnaire.com/parties/?id=5>, last accessed: 3rd July 2015.

¹⁴⁴ Ahram Online (2011): “Hossam Badrawy”, 19 November 2011, available at: <http://english.ahram.org.eg/Elections2011/Whos-who/NewsContent/33/102/26716/Elections-/Whos-who/Hossam-Badrawy.aspx>, last accessed: 3rd July 2015.

Chapter 6

The Birth of the Freedom and Justice Party

52. Although the 25 January Revolution had succeeded in overthrowing Mubarak's authoritarian regime, it did not create a specific political force to channel the ideas and the spirit of the revolution. Therefore, after the fall of the NDP, the Muslim Brotherhood was "*the only mass-based, organized political force left in the country*"¹⁴⁵. The Brotherhood was able to mobilize quicker than the rest of the politically motivated, and counted upon the support of the public due to its presence in community-life, its long-lasting provision of services and its participation in civil society organizations¹⁴⁶.
53. As soon as February 2011, the Muslim Brotherhood announced a milestone decision in the history of the organization: the creation of a political party, the Freedom and Justice Party (FJP), to participate in the upcoming parliamentary elections¹⁴⁷.
54. This decision nonetheless caused internal discrepancies¹⁴⁸ as certain Muslim Brothers, including the Supreme Guide Mohammed Badie, preferred to focus on the traditional activities of the Brotherhood—such as charity work or preaching—, rather than on the political facet of the organization.
55. It is worth mentioning that at that moment, the Muslim Brotherhood continued to be a prohibited organization. It had experienced serious limits to its participation in politics during the Mubarak regime, and several members faced significant persecution. However, the creation of a political party would provide Muslim

¹⁴⁵ Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 55

¹⁴⁶ Al-Awadi, H. (2013): "Islamists in power: the case of the Muslim Brotherhood in Egypt", *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 544

¹⁴⁷ Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 56

¹⁴⁸ Al-Awadi, H. (2013): "Islamists in power: the case of the Muslim Brotherhood in Egypt", *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 545.

Brothers with legal recognition¹⁴⁹ and the possibility of officially participating in public affairs without the risk of facing criminal charges or oppression.

56. The party was officially established in April and legalized in June 2011¹⁵⁰, becoming the first political party affiliated to the Muslim Brotherhood in its long history. The FJP maintained the principles and ideals of the Muslim Brotherhood and became a platform to advance its political proposals.
57. The FJP supports democracy and peaceful participation in public affairs, values to which the Muslim Brotherhood committed decades before. It defends parliamentary democracy and a healthy balance between the three branches of government¹⁵¹. After all, the FJP is based on the principles of Political Islam that confirms the compatibility of Islam with democratic values¹⁵²: the ‘*umma*’ [the Muslim community] is the source of ‘*sulta*’ [political authority]”¹⁵³.
58. The party understands *Shura* as “*the way to achieve the interests of the country so as not to allow an individual or a group to be the sole power dealing with the public affairs that affected the interests of the people*”¹⁵⁴ and adds that this *Shura* is achieved through democracy.
59. Thus, for the members of this party, politics, far from being “*the art of lying*”, are “*the art of State*”, a way to serve the people. Their vision of politics is linked with moral and ethical values, including transparency and honesty; and rejects political privileges that lead to corruption and bribery.

¹⁴⁹ *Ibid*.

¹⁵⁰ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 56, footnote 21.

¹⁵¹ Jadaliyya (2011): “Freedom and Justice Party”, 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

¹⁵² Carnegie Endowment for International Peace (2011): “Egypt Elections: Freedom and Justice Party”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/gapp/cairoreview/pages/articledetails.aspx?aid=102>, last accessed: 3rd July 2015.

¹⁵³ Leiken, R.S. and Brooke, S. (2007): “The Moderate Muslim Brotherhood”, *Foreign Affairs*, Vol. 86, No. 2, p. 110; Al-Awadi, H. (2013): “Islamists in power: the case of the Muslim Brotherhood in Egypt”, *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 544; and Aknur, M. (2013): “The Muslim Brotherhood in Politics in Egypt: From Moderation to Authoritarianism?”, *Review of International Law and Politics (Uluslararası Hukuk ve Politika)*, Issue 33, p. 11.

¹⁵⁴ Freedom and Justice Party (2011): “The Founding Statement of the Freedom and Justice Party”, available at: <http://www.fjponline.com/view.php?pid=1>, last accessed: 3rd July 2015.

60. The FJP's support for national sovereignty and democratic values translated to the context of constitutional reform. When Egyptian political actors began a discussion about the process of constitutional drafting, some parties defended that the Constitution, or at least a list of 'supra-constitutional principles' should be drafted before the elections by a committee formed by members of all the Egyptian political ideologies, irrespective of their degree of popular support and the result of the elections. Those parties who feared an Islamist majority and the Islamisation of the new Egyptian constitution defended this proposal¹⁵⁵. A proposal that several authors considered to be a reflection of the Army's intent to "*institutionalize its prerogatives and protections in formal arrangements and place it permanently above the Egyptian state*"¹⁵⁶.
61. The Muslim Brotherhood rejected this proposal, arguing that it would only prolong the military rule. The FJP called for a Constitutional drafting process derived from a democratically elected parliament, which would better reflect the will of the nation, the political preferences of the Egyptian people and represent the sovereignty of the nation. According to the FJP, the rules to write the new Constitution needed to follow the constitutional declaration approved, in referendum, by 77% of the Egyptian electorate¹⁵⁷.
62. The FJP exposed the main thrust of its political program in its founding statement, available on its webpage¹⁵⁸. In this document, which draws inspiration from the values and demands of the 25 January Revolution, the FJP expressed its commitment towards public freedoms, human rights, and the respect for the electoral results. The document maintains an optimistic view of the future of Egypt

¹⁵⁵ Jadaliyya (2011): "Freedom and Justice Party", 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

¹⁵⁶ Sayigh, Y. (2012): "Above the State: The Officers' Republic in Egypt", *Carnegie Middle East Center*, 1st August 2012, available at: <http://carnegie-mec.org/2012/08/01/above-state-officers-republic-in-egypt/d4sx#>, last accessed: 18th August 2015.

¹⁵⁷ Jadaliyya (2011): "Freedom and Justice Party", 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015 .

¹⁵⁸ Freedom and Justice Party (2011): "The Founding Statement of the Freedom and Justice Party", available at: <http://www.fjponline.com/view.php?pid=1>, last accessed: 3rd July 2015.

and calls for the renaissance of the nation after decades of tyranny, injustice and corruption. It wanted to implement legal and constitutional reforms in a gradual and peaceful manner¹⁵⁹, respecting the rules of democratic participation.

63. It defended the necessity to renovate state institutions to ensure they reflect the will of the people, and implement mechanisms of public accountability. The document also showed support for civil society organizations and highlighted their role as promoters of national unity. The FJP called for the intensification of the relationships between the state and this kind of organization.
64. In the economic arena, the FJP proposed a model of social liberalism¹⁶⁰. Although the FJP defended the right to property and a market economy, it rejected pure economic neoliberalism and expressed concerns about inequality, corruption, social justice and nepotism.
65. The party supported the provision of state benefits, social security, social services and microloans, and the encouragement of charitable activities, fair wages and welfare programs to reduce poverty¹⁶¹. The party defended an “*equitable distribution of wealth*”¹⁶² and adequate income for all people.
66. According to the FJP, the role of the state in the Egyptian economy would be to guarantee social services, ensure a good investment environment and maintain basic infrastructures to facilitate economic activity. The party advocated for urban development, the redistribution of the population and the support of basic strategic industries.
67. The Muslim Brotherhood has a long history of providing health and education services, so unsurprisingly, the FJP attached significant importance to these two

¹⁵⁹ Farag, M. (2012): “Egypt’s Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances”, *Contemporary Arab Affairs*, Vol. 5, No. 2, p. 221.

¹⁶⁰ Al-Anani, K. (2011): “Egypt’s Freedom & Justice Party: to Be or Not to Be Independent”, *Carnegie Endowment for International Peace, Sada*, 1st June 2011, available at: <http://carnegieendowment.org/2011/06/01/egypt-s-freedom-justice-party-to-be-or-not-to-be-independent/fcn6>, last accessed: 3rd July 2015.

¹⁶¹ Berkley Center for Religion, Peace and World Affairs: “Freedom and Justice Party”, available at: <http://berkleycenter.georgetown.edu/organizations/freedom-and-justice-party>, last accessed: 3rd July 2015.

¹⁶² Freedom and Justice Party (2011): “The Founding Statement of the Freedom and Justice Party”, available at: <http://www.fjponline.com/view.php?pid=1>, last accessed: 3rd July 2015.

public services in its political program. For the party, development and research are tools of progress and should be a national priority, and everyone should be able to enjoy his right to satisfactory health services and public hospitals.

68. With respect to international relations, the FJP defends a policy of mutual respect, the role of Egypt as an important country of the Arab nation, and rejected the policies of international domination. The party supported the Palestinians' right to return and to form their own state, and although it respects the international treaty with Israel, it was open to its revision.
69. The FJP defended equality and non-discrimination between citizens, including women, who can develop key roles in important sectors such as education and business. As with the rest of the Egyptian legislation, women's rights should be read in the light of Islamic law, and include "*the right to defend themselves and their religion [...] to participate in public forums, to be part of decision making, and to voice their views*"¹⁶³.
70. The party developed a far-reaching program that not only covered organizational, administrative and legislative proposals, but also included propositions to improve the intellectual and moral status of the citizens and protect public values linked with the Egyptian identity. In its founding statement, the FJP determined its objective of "*building the Egyptian citizens in an integrated manner culturally, spiritually, mentally and physically, including the preservation of their identity, sense of belonging and dignity, and developing their capacity to start initiatives*"¹⁶⁴.
71. In this sense, the FJP called upon all Egyptian citizens—irrespective of their gender, religion or ethnicity—to increase their individual responsibility and maintain good manners and sociability. It also highlighted the role of the family as the building block of society and promoted Al-Azhar to occupy "*its due position as a principal guide for the people of the Muslim world*" and strengthen cooperation between Muslims.

¹⁶³ Jadaliyya (2011): "Freedom and Justice Party", 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

¹⁶⁴ Freedom and Justice Party (2011): "The Founding Statement of the Freedom and Justice Party", available at: <http://www.fjponline.com/view.php?pid=1>, last accessed: 3rd July 2015.

72. Within this protection of public values, Islam was considered the main point of reference, influencing all aspects of life and determining public objectives.
73. Indeed, the element of the FJP's program that created most expectation and controversy in equal measure was the role of Islam in the state. The FJP defined itself as a civil party¹⁶⁵ and supported the creation of a civil state with an Islamic reference¹⁶⁶, rather than a theocratic state. The party defends Islam as the official religion of the state and Islamic Law, *Shari'a*, as a main source of legislation. However, the application of Islamic Law should be flexible and depend on "*the vision of the nation through the parliamentary majority in the legislature*"¹⁶⁷.
74. The interpretation of Islamic law and values that the Muslim Brotherhood and the FJP make is open and moderate. For them, the implementation of Islamic values is linked with four principles: first, the respect for human rights, based on human dignity; second, the encouragement of *Shura* (democracy), which recognises the people as the source of power, third, the civility of the State, and fourth, national unity, fermented by the equality of all citizens in their rights and duties and the recognition of freedom of speech and freedom of religion.
75. Indeed, the party championed religious rights for minorities¹⁶⁸. It defended that "*non-Muslims should be allowed to follow their own practices in matters of personal status*"¹⁶⁹ and be able to keep and practice their own traditions and religious worship¹⁷⁰. The FJP defended pluralism, valued diversity and encouraged dialogue as a way to achieve reconciliation and trust.

¹⁶⁵ Carnegie Endowment for International Peace (2011): "Egypt Elections: Freedom and Justice Party", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/gapp/cairoreview/pages/articledetails.aspx?aid=102>, last accessed: 3rd July 2015.

¹⁶⁶ *Ibid.*

¹⁶⁷ Freedom and Justice Party (2011): "The Founding Statement of the Freedom and Justice Party", available at: <http://www.fjponline.com/view.php?pid=1>, last accessed: 3rd July 2015.

¹⁶⁸ Berkley Center for Religion, Peace and World Affairs: "Freedom and Justice Party", available at: <http://berkleycenter.georgetown.edu/organizations/freedom-and-justice-party>, last accessed: 3rd July 2015.

¹⁶⁹ Jadaliyya (2011): "Freedom and Justice Party", 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

¹⁷⁰ Carnegie Endowment for International Peace (2011): "Egypt Elections: Freedom and Justice Party", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/gapp/cairoreview/pages/articledetails.aspx?aid=102>, last accessed: 3rd July 2015.

76. In this sense, minorities would be respected and their members treated equally. Indeed, the party defended that the Church had a crucial role in “*defending cultural values and morality, promoting political participation, maintaining goodwill between Christians and Muslims, and providing support to vulnerable groups such as orphans, individuals with special needs, and the elderly*”¹⁷¹.
77. The FJP’s political proposals had a liberal character¹⁷² and were more moderate than the draft platform that the Muslim Brotherhood presented in 2007. The FJP neither suggested the creation of a committee of senior religious clerics to advise parliament and the president nor recogniserecognised state’s religious functions, as the 2007 platform did¹⁷³. This opened the door to non-Muslims to become Head of State.
78. Like every party in the 2011-2012 parliamentary elections, with the exception of the radical left and the Salafists, the FJP developed a very moderate and centrist political posture. Meanwhile, liberal parties attempted to relax their secularist proposals and accepted Islam as the official religion of the State¹⁷⁴. This collective moderation was due in the first instance, to the uncertainty of the Egyptians’ political preferences. Egyptian citizens had never been called to participate in free and open elections and the voter turnout was extremely low in Mubarak’s elections, giving the NDP the control over more than two-thirds of the Egyptian Parliament¹⁷⁵. Therefore, there was no historical or factual basis to determine the

¹⁷¹ Jadaliyya (2011): “Freedom and Justice Party”, 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

¹⁷² Farag, M. (2012): “Egypt’s Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances”, *Contemporary Arab Affairs*, Vol. 5, No. 2.

¹⁷³ Al-Anani, K. (2011): “Egypt’s Freedom & Justice Party: to Be or Not to Be Independent”, *Carnegie Endowment for International Peace, Sada*, 1st June 2011, available at: <http://carnegieendowment.org/2011/06/01/egypt-s-freedom-justice-party-to-be-or-not-to-be-independent/fcn6>, last accessed: 3rd July 2015; and Carnegie Endowment for International Peace (2011): “Egypt Elections: Freedom and Justice Party”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/gapp/cairoreview/pages/articledetails.aspx?aid=102>, last accessed: 3rd July 2015.

¹⁷⁴ Ottaway, M., (2011): “The Emerging Political Spectrum in Egypt”, *Carnegie Endowment for International Peace*, available at: <http://carnegieendowment.org/2011/10/10/emerging-political-spectrum-in-egypt/8kqp>, last accessed: 3rd July 2015.

¹⁷⁵ Hil, E. (2011): “Explainer: Egypt’s crowded political arena”, *Al-Jazeera*, 17 November 2011, available at: <http://www.aljazeera.com/indepth/spotlight/egypt/2011/11/2011111510295463645.html>, last accessed: 3rd July 2015.

Egyptian ideological spectrum, which also constituted an important reason to call democratic elections before starting the process of Constitutional drafting.

79. Second, the moderation came as a consequence of the legal prohibition to defend an explicitly religious political program, which even put on risk the admission of the Building and Development Party as a political group.
80. Nevertheless, the FJP could not establish itself completely in the centre, as the Salafist were important competitors in the elections¹⁷⁶. Somehow, the FJP was situated “*between the new Islamist parties and the secular blocs*”¹⁷⁷.
81. Membership of the FJP was open to all citizens, including non-Muslims, which was a clear sign of the great flexibility and moderation of the party¹⁷⁸. It is estimated that around one thousand out of the nine thousand initial members of the FJP were women, and hundreds were Christian Copts¹⁷⁹.
82. The FJP enjoys the dynamism that the Muslim Brotherhood lacked. Whilst it was only necessary to pass a six-months probationary period to become a member of the party, the process to become a Muslim Brother can take years, which is incompatible with the necessities of the political and electoral process¹⁸⁰.
83. This moderation and inclusiveness was clear not only when the FJP’s membership policy was considered, but also on its candidates’ lists, as they included 46 women¹⁸¹.

¹⁷⁶ Pahwa, S. (2013): “Secularizing Islamism and Islamizing Democracy: The Political and Ideational Evolution of the Egyptian Muslim Brothers 1984–2012”, *Mediterranean Politics*, vol. 18, n. 2, p. 201; and Jadaliyya (2011): “Freedom and Justice Party”, 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

¹⁷⁷ Jadaliyya (2011): “Freedom and Justice Party”, 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

¹⁷⁸ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 57.

¹⁷⁹ Farag, M. (2012): “Egypt’s Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances”, *Contemporary Arab Affairs*, Vol. 5, No. 2, p. 224.

¹⁸⁰ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 57.

¹⁸¹ BBC News (2011): “Profile: Egypt’s Freedom and Justice Party”, 25 November 2011, available at: <http://www.bbc.com/news/world-middle-east-15899548>, last accessed: 3rd July 2015.

84. The FJP is formed by executive bodies, such as the Higher Council, the Executive Bureau, and by the General Assembly, with representatives from all the Egyptian governorates. According to FJP's regulation, party's affiliates elect the members of the Assembly for a four-year term, and the Assembly appoints the members of the Executive bodies, who run the whole organization.
85. Some of the most relevant members of the party were Mohammed Morsi, FJP's leader, Essam Al-Eyran, deputy leader, Mohammed Al-Beltagi, secretary-general¹⁸², and the Christian Copt Rafiq Habib, deputy leader of FJP¹⁸³.
86. It is clear that the FJP and the Muslim Brotherhood were linked organizations; the FJP emanated from the Muslim Brotherhood, which drafted the party's platform¹⁸⁴. The Brotherhood oversaw all of the first steps taken by the FJP¹⁸⁵, appointed three members of the Guidance Council as leaders of the FJP¹⁸⁶ and created a joint committee for both organizations¹⁸⁷. Members of the Muslim Brotherhood were precluded from joining other political parties¹⁸⁸ and the Muslim Brotherhood called upon its members to vote for the FJP.
87. It is estimated that around 40% of the members of the FJP were from the Muslim Brotherhood, which shows the great influence of the Muslim organization, but is also evidence that the party was not completely controlled by the Muslim Brothers¹⁸⁹.

¹⁸² Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 57.

¹⁸³ Farag, M. (2012): "Egypt's Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances", *Contemporary Arab Affairs*, Vol. 5, No. 2.

¹⁸⁴ *Idem*, p. 221.

¹⁸⁵ *Idem*, p. 220.

¹⁸⁶ *Ibid.*

¹⁸⁷ Al-Awadi, H. (2013): "Islamists in power: the case of the Muslim Brotherhood in Egypt", *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 545.

¹⁸⁸ *Ibid.*

¹⁸⁹ BBC News (2011): "Profile: Egypt's Freedom and Justice Party", 25 November 2011, available at: <http://www.bbc.com/news/world-middle-east-15899548>, last accessed: 3rd July 2015.

88. Indeed, the relationship between both organizations progressively developed over time, giving more autonomy to the FJP and separating their financial resources and management¹⁹⁰. The Muslim Brotherhood even emphasized “*the FJP is not subservient to the MB Guidance Bureau, and that would-be party leaders like Essam El-Eryan had given up their posts inside the MB before assuming the FJP’s leadership*”.
89. The organizations would always cooperate and help each other, but the Muslim Brotherhood had a much wider role: “*the MB has a bigger role than the party. As a non-governmental [institution], the MB is working on developing numerous aspects of Egyptian society, through preaching for instance. By contrast, the FJP engages only in politics*”—said Walid Shalabi, spokesperson of the Muslim Brotherhood¹⁹¹—.
90. Indeed, the two entities had a very different nature; whilst the FJP needed flexibility, the capacity to change quickly and adopt new decisions in a rapid manner, the Muslim Brotherhood is characterised by its solid structure and its culture of discipline¹⁹²; two features that allowed it to survive long periods of state oppression. Moreover, while the FJP was the public face of the Muslim Brotherhood, the organization as a whole continued officially to be a banned organization until March 2013, when it registered as a civil society association¹⁹³.
91. The FJP started negotiating with other political parties to find similarities and common ground that could lead to the creation of a wide political alliance¹⁹⁴. Amongst these negotiating groups there were liberal organizations and leftist parties, which is a clear sign of the FJP’s flexibility and of its commitment to pluralistic democracy.

¹⁹⁰ Jadaliyya (2011): “Freedom and Justice Party”, 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

¹⁹¹ *Ibid.*

¹⁹² Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 57.

¹⁹³ Al-Awadi, H. (2013): “Islamists in power: the case of the Muslim Brotherhood in Egypt”, *Contemporary Arab Affairs*, Vol. 6, No. 4.

¹⁹⁴ Farag, M. (2012): “Egypt’s Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances”, *Contemporary Arab Affairs*, Vol. 5, No. 2.

92. The Muslim Brotherhood and the FJP committed to the democratic values of the revolution and started to build a coalition of consensus that could ensure the positive development of the transitional process and a ‘renaissance’, a real political change. The party called upon political parties, from all ideological backgrounds to work together¹⁹⁵ and prioritize the interests of the country¹⁹⁶: “*conditions in the current circumstances do not call for the collection of personal benefits and gains, but rather sacrificing and giving for the sake of Egypt and its people. Therefore, our party calls for all political forces to agree on the basic principles as well as higher national interests*”¹⁹⁷. This showed the FJP’s willingness to work together with parties of all backgrounds and its defence of a policy of inclusiveness and plurality for the new Egypt.
93. As a result of these negotiations the Democratic Alliance for Egypt (DAE) surged, a coalition of more than 20 parties that decided to join their efforts to present a “*wide political consensus on a work program for the next phase in Egypt*”¹⁹⁸ and establish “*a parliament that is representative of all political forces in society and that would lead to the creation of a national unity government*”¹⁹⁹, thus they invited every party in Egypt to enter the alliance²⁰⁰.
94. In a common statement²⁰¹, the Democratic Alliance argued that its aim was to achieve a significant degree of harmony between a wide range of political forces, to undertake through a strong an effective parliament, the reforms the Egyptian people demanded of the revolution. This coalition, “*committed to the principles of*

¹⁹⁵ Freedom and Justice Party (2011): “The Founding Statement of the Freedom and Justice Party”, available at: <http://www.fjponline.com/view.php?pid=1>, last accessed: 3rd July 2015.

¹⁹⁶ Jadaliyya (2011): “Freedom and Justice Party”, 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

¹⁹⁷ Freedom and Justice Party (2011): “The Founding Statement of the Freedom and Justice Party”, available at: <http://www.fjponline.com/view.php?pid=1>, last accessed: 3rd July 2015.

¹⁹⁸ IkhwanWeb (2011): “Statement by the Democratic Alliance on the Parliamentary Elections”, available at: <http://www.ikhwanweb.com/article.php?id=29216>, last accessed: 3rd July 2015.

¹⁹⁹ Jadaliyya (2011): “Al-Wafd Party”, 18 November 2011, available at: <http://www.jadaliyya.com/pages/index/3155/al-wafd-party>, last accessed: 3rd July 2015.

²⁰⁰ Zirulnick, A. (2011): “Who’s who in Egypt’s election”, *The Christian Science Monitor*, 29th November 2011, available at: <http://www.csmonitor.com/World/Middle-East/2011/1129/Who-s-who-in-Egypt-s-election/The-Democratic-Alliance-for-Egypt>, last accessed: 3rd July 2015.

²⁰¹ IkhwanWeb (2011): “Statement by the Democratic Alliance on the Parliamentary Elections”, available at: <http://www.ikhwanweb.com/article.php?id=29216>, last accessed: 3rd July 2015.

democracy and a civil state”²⁰², would work to ensure that elections are conducted in a free and transparent manner so they can express the will of the Egyptian population.

95. At its height, more than 40 parties joined the DAE²⁰³, becoming a plural multiparty initiative under the slogan “*we bear good for all of Egypt*”²⁰⁴. It is worth noting that the DAE was the first electoral coalition appearing in the Egyptian transitional process²⁰⁵ and, at the beginning, it attempted to achieve the necessary but broad objectives of uniting all political parties²⁰⁶ to ensure a just and consensual transition and preventing “*all those who corrupted political life from entering the next parliament*”²⁰⁷. The Alliance, in the aftermath of the revolution surged in part, to respond to the concerns that ex-regime figures would associate and re-enter into parliament, so the democratic forces united to impede this movement²⁰⁸. This explains why parties from opposite sides of the political spectrum, such as the Salafist Al-Nour, the socialist Al-Tagammu and the liberal New Wafd, joined the alliance²⁰⁹.
96. Yet, the diversity of political voices inside the coalition made it increasingly difficult to agree on specific proposals. Moreover, there were discrepancies in respect of whose candidates should top or be included in the electoral lists. Indeed, according to the magazine Jadaliyya, it was difficult to form wide coalitions because each electoral list consisted on average of only seven candidates²¹⁰ and there was not

²⁰² Jadaliyya (2011): “Democratic Alliance for Egypt”, 18 November 2011, available at: <http://www.jadaliyya.com/pages/index/3160/democratic-alliance-for-egypt>, last accessed: 3rd July 2015

²⁰³ Jadaliyya (2011): “Freedom and Justice Party”, 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

²⁰⁴ Jadaliyya (2011): “Democratic Alliance for Egypt”, 18 November 2011, available at: <http://www.jadaliyya.com/pages/index/3160/democratic-alliance-for-egypt>, last accessed: 3rd July 2015

²⁰⁵ Zirulnick, A. (2011): “Who’s who in Egypt’s election”, *The Christian Science Monitor*, 29th November 2011, available at: <http://www.csmonitor.com/World/Middle-East/2011/1129/Who-s-who-in-Egypt-s-election/The-Democratic-Alliance-for-Egypt>, last accessed: 3rd July 2015.

²⁰⁶ Jadaliyya (2011): “Democratic Alliance for Egypt”, 18 November 2011, available at: <http://www.jadaliyya.com/pages/index/3160/democratic-alliance-for-egypt>, last accessed: 3rd July 2015

²⁰⁷ IkhwanWeb (2011): “Statement by the Democratic Alliance on the Parliamentary Elections”, available at: <http://www.ikhwanweb.com/article.php?id=29216>, last accessed: 3rd July 2015.

²⁰⁸ Jadaliyya (2011): “Democratic Alliance for Egypt”, 18 November 2011, available at: <http://www.jadaliyya.com/pages/index/3160/democratic-alliance-for-egypt>, last accessed: 3rd July 2015

²⁰⁹ *Ibid.*

²¹⁰ Jadaliyya (2011): “Freedom and Justice Party”, 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

enough room for all parties' candidates²¹¹. Thus, so “*all coalitions experienced [...] defections once they started forming their joint electoral lists*”²¹².

97. This was the case of the DAE, that resulted in being embracing by 11 parties; the FJP, leading the coalition²¹³; Al-Karama, Ghadd Al-Thawra, Labour, Islah & Nahda, Hadara, Reform, Al-Jeel, and Egypt Arab Socialist party, as well as the Liberals, and Freedom and Development²¹⁴.
98. These withdrawals helped clarify the Egyptian electoral map, which started to become better demarcated by political ideologies²¹⁵.
99. Nevertheless, political groups such as Al-Wafd, confirmed their continued commitment to the documents it signed with the parties of the Democratic Alliance even after withdrawing from the coalition, including the *Code of Honour*—“*an agreement on a general consensus over the form of the country as a civil modern state, and on its constitution*”²¹⁶—or the document on *Fundamental Principles for the Constitution of the Modern Egyptian State*, which lists the principles that would guide constitution-drafting process²¹⁷.
100. The DAE, led by the FJP, contested more than 500 out of the 678 seats of the Egyptian Parliament. However, this was a decision that resulted in wide criticism of the Muslim Brotherhood.

²¹¹ Zirulnick, A. (2011): “Who's who in Egypt's election”, *The Christian Science Monitor*, 29th November 2011, available at: <http://www.csmonitor.com/World/Middle-East/2011/1129/Who-s-who-in-Egypt-s-election/The-Democratic-Alliance-for-Egypt>, last accessed: 3rd July 2015.

²¹² Jadaliyya (2011): “Freedom and Justice Party”, 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

²¹³ El-Beshry, T. (2013): “Relationship between state and religion: Egypt after the revolution”, *Contemporary Arab Affairs*, vol. 6, n. 3, p. 413. and <http://www.bbc.com/news/world-middle-east-15899548>

²¹⁴ IkhwanWeb (2011): “Statement by the Democratic Alliance on the Parliamentary Elections”, available at: <http://www.ikhwanweb.com/article.php?id=29216>, last accessed: 3rd July 2015.

²¹⁵ Jadaliyya (2011): “Democratic Alliance for Egypt”, 18 November 2011, available at: <http://www.jadaliyya.com/pages/index/3160/democratic-alliance-for-egypt>, last accessed: 3rd July 2015

²¹⁶ Jadaliyya (2011): “Al-Wafd Party”, 18 November 2011, available at: <http://www.jadaliyya.com/pages/index/3155/al-wafd-party>, last accessed: 3rd July 2015.

²¹⁷ Jadaliyya (2011): “Democratic Alliance for Egypt”, 18 November 2011, available at: <http://www.jadaliyya.com/pages/index/3160/democratic-alliance-for-egypt>, last accessed: 3rd July 2015

101. In the aftermath of the January Revolution, Political Islam's traditional policy of "*partnership, not supremacy*" (or "*participation, not domination*"²¹⁸) encouraged the FJP to announce that it would only contest 50% of the parliamentary seats²¹⁹.
102. With this policy, based on prejudices and fears towards the progression of Islamism in society, Islamist parties attempted to calm those who were irrationally, but vehemently, claiming that an Islamist majority would "*hijack Egypt and Egyptians*"²²⁰, change the nature of the State and suppress public freedoms.
103. This policy also received the name of the 'American Veto' and derives, partly, from the 1992 Algerian experience, when the Islamic Salvation Front won the majority of seats available in the Parliament. As a response to these results, the Algerian Army "*aborted the elections and instigated a massive crackdown that plunged Algeria into a bloody civil war*"²²¹.
104. This terrible experience led Islamist parties to believe that they would never be allowed to win democratic elections and govern in a peaceful manner, so they have been losing 'on purpose' in several countries of the Arab Region²²².
105. With "*partnership, not supremacy*", Islamist parties across the region have developed a policy of gradualism or timidity, and refused to participate in elections in equal conditions as the rest of the parties because "*winning before the time was right could threaten to undo decades of painstaking grassroots work and organization building*"²²³. A new crackdown on the Muslim Brotherhood would put the entire system of educational, preaching and social institutions and activities built decades ago, at significant risk.

²¹⁸ Hamid, S. (2011): "Brother President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

²¹⁹ Farag, M. (2012): "Egypt's Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances", *Contemporary Arab Affairs*, Vol. 5, No. 2, p. 223.

²²⁰ Jadaliyya (2011): "Freedom and Justice Party", 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

²²¹ Hamid, S. (2011): "Brother President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

²²² *Ibid.*

²²³ *Ibid.*

106. As a result, Mohammed Morsi, the leader of the FJP, was forced to constantly confirm that they were not seeking “*a monopoly on power*”²²⁴.
107. However, this ‘partnership, not supremacy’ policy shows a lack of respect towards national sovereignty and is deeply undemocratic. It limits the possibilities of the Egyptian citizens to vote for their preferred option and prevents the creation of a parliament that reflects the popular will in case that will tends to lean towards Islamist proposals. Once again, those who feared Political Islam would rather limit democracy than allow Islamist parties lead either the process of constitutional drafting or parliamentary activity.
108. Furthermore, most of the relevant political parties were going to contest the majority of seats in the parliament. Thus, the FJP decided to follow the democratic spirit of the revolution, reject the political discrimination to which it is subjected and present candidates for 74% of the parliamentary seats, although the FJP’s estimations were that they would not win more than 40% of the seats²²⁵. Inside the DAE, Al Karama Party was presenting sixteen candidates and Ghad Al-Thawra, fifteen²²⁶.
109. Finally, it is noteworthy that despite all of its political support, the Muslim Brotherhood and the FJP continued to fear the power of the SCAF. This was inevitable as, according to Pioppi, “*the Brothers had vivid memories of how it ended the last time the MB supported a military coup in 1952 and feared betrayal, while the army, shaped by decades of the regime’s anti-Islamist rhetoric, was wary of unchecked Islamist political domination*”²²⁷.

²²⁴ Jadaliyya (2011): “Freedom and Justice Party”, 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

²²⁵ *Ibid.*

²²⁶ Zirulnick, A. (2011): “Who’s who in Egypt’s election”, *The Christian Science Monitor*, 29th November 2011, available at: <http://www.csmonitor.com/World/Middle-East/2011/1129/Who-s-who-in-Egypt-s-election/The-Democratic-Alliance-for-Egypt>, last accessed: 3rd July 2015.

²²⁷ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 57.

110. This led the FJP to avoid participating in anti-SCAF demonstrations²²⁸, although it continued criticizing the military trials of civilian citizens.

²²⁸ Jadaliyya (2011): “Freedom and Justice Party”, 22 November 2011, available at: <http://www.jadaliyya.com/pages/index/3154/freedom-and-justice-party>, last accessed: 3rd July 2015

Chapter 7

The Parliamentary Elections

Electoral system

1. The Egyptian Parliament is divided in two chambers, the 'Lower House', named the People's Assembly, comprised of 508 seats; and the 'Upper House', the Shura Council, comprised of 270 seats.
2. The Egyptian parliamentary elections were held from the 28th November 2011 to 22nd February 2012, and organized in three phases for the People's Assembly²²⁹ and in two phases for the Shura Council²³⁰, covering the 27 Egyptian governorates.
3. The electoral system was however the subject of great controversy, showing that it was necessary to reform Mubarak's electoral law as it had been shaped to benefit the National Democratic Party.
4. After numerous discussions, proposals and changes, the Egyptian political actors agreed on a parallel system of independent candidates and party nominees. The decision was taken by a significant consensus, including "*the full spectrum of political parties, forces, stakeholders and SCAF*"²³¹ and "*in the presence of official representatives of the Supreme Constitutional Court*"²³².
5. It was finally agreed that two thirds of the parliamentary seats would be contested by closed party-lists following the proportionality rule, and one third by individual candidates following the majoritarian rule²³³. It was also decided that political parties would be able to present party-affiliated candidates for the one-third of individual seats.

²²⁹ Held on 28th November 2011, 14th December 2011 and 3rd January 2012

²³⁰ Held on 29th January and 14th February 2012

²³¹ IkhwanWeb (2012): "Muslim Brotherhood and Freedom and Justice Party Statement on Egypt's Presidency", 1st April 2012, available at: <http://www.ikhwanweb.com/article.php?id=29837>, last accessed: 3rd July 2015.

²³² *Ibid.*

²³³ El-Beshry, T. (2013): "Relationship between state and religion: Egypt after the revolution", *Contemporary Arab Affairs*, vol. 6, n. 3, p. 413.

6. One woman had to be included in every party list and the eligibility age was changed from 30 to 25 years old²³⁴.
7. Moreover, the SCAF would choose 10 members of the People's Assembly²³⁵ and the next president would choose 90 members of the Shura Council²³⁶. Jointly, these seats represent more than 10% of the parliamentary seats. As they are not democratically elected in the ballot boxes, the Eisa Election Witnessing Mission argued that these appointments compromised the principle of separation of powers²³⁷.

The Parliamentary Elections

8. The voter turnout for the People's Assembly elections was around 60%²³⁸. More than 30 million people voted²³⁹ in more than 50,000 polling stations available²⁴⁰. Egyptians living abroad could vote from consulates and embassies and the vote was open to all those Egyptians over 18 that carry an identity card²⁴¹.
9. There were more than 6,500 and 2,000 candidates for the People's Assembly and the Shura Council, respectively, which shows the great degree of active and passive participation that these elections enjoyed²⁴².

²³⁴ Inter-parliamentary Union (2012): "Egypt. Majlis Al-Chaab (People's Assembly)", available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

²³⁵ *Ibid.*; and Ahram Online (2012): "Egypt's post-Mubarak legislative life begins amid tension and divisions", 23 January 2012, available at: <http://english.ahram.org.eg/NewsContent/33/100/32384/Elections-/News/Egypt-postMubarak-legislative-life-begins-amid-te.aspx>, last accessed: 4th July 2015.

²³⁶ Inter-parliamentary Union (2012): "Egypt. Majlis Al-Chaab (People's Assembly)", available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

²³⁷ Eisa Election Witnessing Mission (2012): "The People's Assembly and Shura Council Elections. November 2011-February 2012", *EISA Election Witnessing Mission Report Egypt*, n. 43, available at: <http://dspace.africaportal.org/jspui/bitstream/123456789/33379/1/egy2012eomr.pdf?1>, last accessed: 3rd July 2015.

²³⁸ *Ibid.*; International Institute for Democracy and Electoral Assistance (2012): "Voter turnout data for Egypt", available at: <http://www.idea.int/vt/countryview.cfm?id=69>, last accessed: 4th July 2015; and Inter-parliamentary Union (2012): "Egypt. Majlis Al-Chaab (People's Assembly)", available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

²³⁹ IkhwanWeb (2012): "Muslim Brotherhood and Freedom and Justice Party Statement on Egypt's Presidency", 1st April 2012, available at: <http://www.ikhwanweb.com/article.php?id=29837>, last accessed: 3rd July 2015.

²⁴⁰ The Carter Center (2012): "Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt", available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015.

²⁴¹ Abed Rabbo, A. (2011): "Egyptian Political Parties and Parliamentary Elections 2011/2012", *Arab Center for Research & Policy Studies*, available at: <http://english.dohainstitute.org/release/f3e63fe9-eeeb-49cc-884f-01bdc7a340eb>, last accessed: 4th July 2015.

²⁴² Inter-parliamentary Union (2012): "Egypt. Majlis Al-Chaab (People's Assembly)", available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

10. These elections were especially relevant for two reasons: first, because the Parliament had been subjected to the executive and the security forces for decades, and it was the flagrant electoral fraud that marred the 2010 elections that had encouraged the uprising²⁴³, and second, because the new parliament constituted the first democratic institution born out of the spirit of the revolution.
11. Despite all the political tensions, the existing military rule and the uncertainty of the period, “*the results of the parliamentary elections appeared to broadly represent the will of Egypt’s voters*”. According to the EISA Election Witnessing Mission Report, “*Egypt’s parliamentary elections of 2011-2012 were conducted in a fair and credible manner. The people of the Arab Republic of Egypt were granted the space and opportunity to freely express their will at the polls in a free atmosphere and the candidates and parties enjoyed equal opportunity*”²⁴⁴.
12. The conduct and the transparency of the elections improved along the phases. For example, in the Shura Council elections, held weeks after those for the People’s Assembly, Egyptian officials were better trained, and the Egyptian electoral authorities improved the system of vote counting and the security of the ballot boxes²⁴⁵.
13. These parliamentary elections were probably the first free, transparent and fully democratic²⁴⁶ elections in Egyptian history, and the Freedom and Justice Party was the clear winner.
14. The following table shows the electoral results for the People’s Assembly²⁴⁷:

²⁴³ Abed Rabbo, A. (2011): “Egyptian Political Parties and Parliamentary Elections 2011/2012”, *Arab Center for Research & Policy Studies*, available at: <http://english.dohainstitute.org/release/f3e63fe9-eeeb-49cc-884f-01bdc7a340eb>, last accessed: 4th July 2015.

²⁴⁴ Eisa Election Witnessing Mission (2012): “The People’s Assembly and Shura Council Elections. November 2011-February 2012”, *EISA Election Witnessing Mission Report Egypt*, n. 43, available at: <http://dspace.africaportal.org/jspui/bitstream/123456789/33379/1/egy2012eomr.pdf?1>, last accessed: 3rd July 2015, p. 50.

²⁴⁵ The Carter Center (2012): “Center Preliminary Statement on the First Round of Voting in Egypt’s Shura Council Elections”, 4th February 2012, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/Egypt-Phase-I-Shoura-020412.pdf, last accessed: 4th July 2015.

²⁴⁶ El-Beshry, T. (2013): “Relationship between state and religion: Egypt after the revolution”, *Contemporary Arab Affairs*, vol. 6, n. 3, p. 416.

²⁴⁷ Data from: Eisa Election Witnessing Mission (2012): “The People’s Assembly and Shura Council Elections. November 2011-February 2012”, *EISA Election Witnessing Mission Report Egypt*, n. 43, available at: <http://dspace.africaportal.org/jspui/bitstream/123456789/33379/1/egy2012eomr.pdf?1>, last accessed: 3rd July 2015.

	People's Assembly		Shura Council	
Party	Seats	Percentage of the Chamber	Seats	Percentage of the Chamber
Democratic Alliance	227	44,69%	105	38,89%
Islamist bloc	124	24,41%	45	16,67%
New Wafd Party	42	8,27%	14	5,19%
Egyptian Bloc	33	6,50%	8	2,96%
Al-Wasat Party	9	1,77%	--	
Reform and Development Party	10	1,97%	--	
Revolution Continues	8	1,57%	--	
Other parties	20	3,94%	4	1,48%
National Party of Egypt	5		--	
Egypt Citizen Party	4		--	
Freedom Party	2		3	
Union Party	3		--	
Independents	25	4,92%	4	1,48%
Chosen by Military Council/ President	10	1,97%	90	33,33%
Total seats	508	100,00%	270	100,00%

Analysis of the results

15. The results showed the overwhelming preference of the Egyptian citizens for the Islamist option; the Democratic Alliance, the Islamist bloc and the Al-Wasat party, which represented the whole Islamist political spectrum, won 360 out of the 508 available seats in parliament and received the support of 70% of the population. Especially relevant is the fact that the Freedom and Justice Party gained control of 45% of the People's Assembly, fulfilling the party's estimations.
16. According to a study by the Rand Corporation, Islamist parties enjoyed great support in the whole of the country, but they were especially strong in "*Upper Egypt*,

*North Sinai, and the sparsely populated governorates in the west*²⁴⁸. The rest of the parties received more support “*in Cairo and its immediate environs, Port Said, South Sinai, and the sparsely populated governorates abutting the Red Sea*”²⁴⁹.

17. The FJP controlled around 40% of both chambers, being the political party with the greatest representation. The success of the FJP allowed the party’s former Secretary-General, Saad El-Katatny, to become Speaker of the People’s Assembly²⁵⁰.
18. El-Katatny called for a ‘reconciliatory’ parliament and prioritized “*meeting the demands of the revolution, including the rights of the injured and those killed in the uprising*”²⁵¹.
19. The results were an invitation to the FJP to lead the Constituent process and evinced the Egyptians’ desire of creating a new Constitution with a marked Islamic character.
20. Therefore, both Chambers of the Parliament, led by the FJP, started building a 100-member Constituent Assembly in a joint session, in accordance with the Constitutional Declaration approved in the March Referendum²⁵².
21. “Professionals and personalities representing all hues of Egyptian society with all its people and institutions” formed the Assembly²⁵³. The decision to include relevant members from all sectors of the Egyptian society was consistent with the spirit of consensus and inclusive transition that the Muslim Brotherhood and the FJP had shown since the beginning of the Revolution; a spirit that was demonstrated when the FJP encouraged a broad political coalition to form the Democratic Alliance and invited all Egyptian parties to join.

²⁴⁸ Martini, J. and Worman, S.M. (2013): “Voting Patterns in Post-Mubarak Egypt”, *Rand Corporation*, available at: http://www.rand.org/content/dam/rand/pubs/research_reports/RR200/RR223/RAND_RR223.pdf, last accessed: 4th July 2015.

²⁴⁹ *Ibid.*

²⁵⁰ Al-Awadi, H. (2013): “Islamists in power: the case of the Muslim Brotherhood in Egypt”, *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 544.

²⁵¹ BBC News (2012): “Egypt’s Islamist parties win elections to parliament”, 21st June 2012, available at: <http://www.bbc.com/news/world-middle-east-16665748>, last accessed: 4th July 2015.

²⁵² Inter-parliamentary Union (2012): “Egypt. Majlis Al-Chaab (People’s Assembly)”, available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

²⁵³ IkhwanWeb (2012): “Muslim Brotherhood and Freedom and Justice Party Statement on Egypt’s Presidency”, 1st April 2012, available at: <http://www.ikhwanweb.com/article.php?id=29837>, last accessed: 3rd July 2015.

22. Few electoral polls predicted the clear support that the Islamist parties received at the elections; accordingly, the results were received with some surprise. Indeed, before the elections the Nobel Prize winner Mohamed El-Baradei stated that the Muslim Brothers were “*not a majority of the Egyptian people. They will not be more than maybe twenty per cent of the Egyptian people*”²⁵⁴. President Obama and the majority of political experts in Washington shared this opinion²⁵⁵.
23. Despite the long presence of the Wafd party in Egyptian politics and the wide coalitions formed—even to directly oppose the influence of Political Islam—the principal non-Islamic political parties, could not even sum 20% of the parliamentary support, which was received with dismay²⁵⁶.
24. Non-Islamist voices started to look for justifications to explain their electoral defeat. Samuel Tadros listed the most common excuses²⁵⁷: first, non-Islamist parties accused the FJP and the Salafists of being financed by both Qatar and Saudi Arabia, although they lacked evidence to demonstrate their affirmations and obviated the fact that the country’s richest men supported liberal political parties. Other arguments they defended were that elections were held too soon or that the Egyptian electorate was composed of ignorant and illiterate people that Islamist parties easily misled²⁵⁸. They even held that Army was backing the Islamists²⁵⁹.
25. The truth is that this was the first time that Egyptian citizens had the opportunity to participate in free, pluralistic and democratic elections, so it was difficult to release accurate electoral predictions.
26. According to Tadros, although it is true that the electoral system did not favour the new political parties, non-Islamists groups were to blame for their clear electoral defeat; their electoral campaign started late and was disorganized, they

²⁵⁴ Tadros, S. (2012): “Egypt’s Elections: Why the Islamists Won”, *Hudson Institute*, available at: <http://www.hudson.org/research/8766-egypt-s-elections-why-the-islamists-won>, last accessed: 4th July 2015.

²⁵⁵ *Ibid.*

²⁵⁶ Farag, M. (2012): “Egypt’s Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances”, *Contemporary Arab Affairs*, Vol. 5, No. 2, p. 225.

²⁵⁷ Tadros, S. (2012): “Egypt’s Elections: Why the Islamists Won”, *Hudson Institute*, available at: <http://www.hudson.org/research/8766-egypt-s-elections-why-the-islamists-won>, last accessed: 4th July 2015.

²⁵⁸ Canadians for Justice and Peace for the Middle East (2011): “Egyptian Parliamentary Elections 2011/2012”, Factsheet series n. 143, available at: <http://www.cjpmo.org/DisplayDocument.aspx?DocumentID=2074>, last accessed: 4th July 2015.

²⁵⁹ Tadros, S. (2012): “Egypt’s Elections: Why the Islamists Won”, *Hudson Institute*, available at: <http://www.hudson.org/research/8766-egypt-s-elections-why-the-islamists-won>, last accessed: 4th July 2015.

only focused on media and TV advertisements, forgetting the necessity to encourage popular mobilization in the streets, and they chose weak candidates for the individual candidacies. However, most importantly, they underestimated the ideological appeal and strength of the FJP and the Muslim Brotherhood. While liberals “*viewed the Islamists as clowns*”²⁶⁰, the Egyptian population viewed Political Islam proposals as a “*coherent worldview presenting its followers an explanation of the past, present, and future and of the world itself*”²⁶¹.

27. Indeed, the long history of the Muslim Brotherhood, its deep presence in local and community life, its support for free elections and democracy, its ideological identification with the Egyptian people and its great degree of organization are factors that explain FJP’s victory.
28. Placing candidates with the strongest local support on the individual seats candidacies and the famous leaders on the top of the party lists also proved to be a very effective electoral decision: “*out of a total of one hundred and sixty-six individual seats, the MB won one hundred and eight and the Salafists thirty-three. The non-Islamists won only eleven of these seats, with the remaining fourteen going to former NDP members*”²⁶². Regarding these individual seats, it is worth noting the fact that a third of the chamber was reserved for individual candidates, which benefited the members of the old regime who remained strong in the local communities they controlled²⁶³.
29. Moreover, the FJP focused on preparing for the elections instead of opposing the military regime²⁶⁴, a manoeuvre that caused other political parties to waste time and resources. In fact, several parties considered boycotting the elections²⁶⁵ to complain about the security crisis, the poor performance of the SCAF or the lack of preparation to hold elections.

²⁶⁰ *Ibid.*

²⁶¹ *Ibid.*

²⁶² *Ibid.*

²⁶³ Ottaway, M., (2011): “The Emerging Political Spectrum in Egypt”, *Carnegie Endowment for International Peace*, available at: <http://carnegieendowment.org/2011/10/10/emerging-political-spectrum-in-egypt/8kqp>, last accessed: 3rd July 2015.

²⁶⁴ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4.

²⁶⁵ The Carter Center (2012): “Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt”, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015, p. 10.

30. More importantly, the Muslim Brotherhood defended a political program that perfectly fitted the ideological preferences of the majority of Egyptian citizens. For example, regarding the religious proposals of the FJP, it is significant that already in 2008, 98% of the Egyptian population opined that religion plays an important role in their lives and 88% defended that *Shari'a* should be a source of legislation²⁶⁶. Furthermore, polls show that Egyptians rejected a system of theocracy, but support the establishment of “*a representative government where religious principles guide the democratic process*”²⁶⁷.
31. Several actors agree that deferral of the elections from September to November 2011²⁶⁸ and the establishment of a party-lists system for two-thirds of the parliamentary seats —measures encouraged by liberal parties—, favoured the Salafist and hurt the liberals.
32. With the electoral postponement, Salafist parties had more time to give a political character to their proselytizing activities and mobilize their local communities and networks²⁶⁹. In contrast, although liberal parties had wide access to the media and political conferences, they lacked popular and mass support²⁷⁰. Thus, without a mass-based movement to mobilize, the deferral of the elections proved to be detrimental to the political aspirations of the liberal parties.
33. Moreover, the party-lists system benefited large political parties with prominent leaders, a long past record and a clear presence in extensive parts of the country²⁷¹.

²⁶⁶ Rheault, M. and Mogahed, D. (2008): “Iranians, Egyptians, Turks: Contrasting Views on Sharia”, *Gallup*. Available at: <http://www.gallup.com/poll/108724/iranians-egyptians-turks-contrasting-views-sharia.aspx>. Last accessed: 11th June 2015.

²⁶⁷ Abu Dhabi Gallup Centre (2011): “Egypt From Tahrir to Transition”. Available at: http://www.gallup.com/poll/157046/egypt-tahrir-transition.aspx?utm_source=egypt%20tahrir%20transition&utm_medium=search&utm_campaign=tiles. Last accessed: 11th June 2015

²⁶⁸ Inter-parliamentary Union (2012): “Egypt. Majlis Al-Chaab (People's Assembly)”, available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

²⁶⁹ El-Beshry, T. (2013): “Relationship between state and religion: Egypt after the revolution”, *Contemporary Arab Affairs*, vol. 6, n. 3, p. 415.

²⁷⁰ Abed Rabbo, A. (2011): “Egyptian Political Parties and Parliamentary Elections 2011/2012”, *Arab Center for Research & Policy Studies*, available at: <http://english.dohainstitute.org/release/f3e63fe9-eeeb-49cc-884f-01bdc7a340eb>, last accessed: 4th July 2015; and El-Beshry, T. (2013): “Relationship between state and religion: Egypt after the revolution”, *Contemporary Arab Affairs*, vol. 6, n. 3, p. 416.

²⁷¹ El-Beshry, T. (2013): “Relationship between state and religion: Egypt after the revolution”, *Contemporary Arab Affairs*, vol. 6, n. 3, p. 416.

The newly born parties of the post-Revolution era, were still small in size and concentrated on the big cities, and therefore could not benefit from such factors.

34. Another factor that damaged the position of the non-Islamist parties was their internal divisions and ideological differences: “*the positions of different parties, groups and personalities affiliated to it vary and change*”²⁷².

First parliamentary meetings

35. The first session of the People’s Assembly took place on 23 January 2012 and the first session of the Shura Council on 28 February. The latter elected Ahmed Fahmy from the FJP as the new President of the Chamber²⁷³.
36. Mahmoud El-Sakka (New Wafd), the oldest Member of Parliament, chaired the first session of the newly elected People’s Assembly. El-Sakka read three decrees issued by the SCAF and invited the rest of the members to take the constitutional oath and observe a minute of silence “*as an expression of respect for the victims of the January 25 Revolution*”²⁷⁴.
37. In the second session, Ashraf Thabet (Al-Nour) and Abdel Alim Dawood (New Wafd) were elected professionals’ deputy and workers and farmers’ deputy, respectively²⁷⁵. These and the other appointments that took place on the first parliamentary sessions confirm that despite the FJP’s majority, the party did not aim to control the parliament but “*to give the opportunity to other parties to have leading positions in the PA [People’s Assembly]*”²⁷⁶.

Implications of the results: the role of the Army

38. It is clear that the electoral results were contrary to the political and economic interests of important actors within Egyptian society, including businessmen,

²⁷² *Idem*, p. 417.

²⁷³ Inter-parliamentary Union (2012): “Egypt. Majlis Al-Chaab (People’s Assembly)”, available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

²⁷⁴ Ahram Online (2012): “Egypt’s post-Mubarak legislative life begins amid tension and divisions”, 23 January 2012, available at: <http://english.ahram.org.eg/NewsContent/33/100/32384/Elections-/News/Egypt-postMubarak-legislative-life-begins-amid-te.aspx>, last accessed: 4th July 2015.

²⁷⁵ Masriya, A. (2012): “Egypt: Abdel Alim Dawood and Ashraf Thabet Deputy Speakers of Parliament”, *Blacknet*, 23rd January 2012, available at: <http://www.blacknet.co.uk/egypt-abdel-alim-dawood-and-ashraf-thabet-deputy-speakers-of-parliament/>, last accessed: 4th July 2015.

²⁷⁶ Daily News Egypt (2012): “FJP’s Katatny named PA speaker in tense first session”, 23rd January 2012, available at: <http://www.dailynewsegypt.com/2012/01/23/fjps-katatny-named-pa-speaker-in-tense-first-session/>, last accessed: 4th July 2015.

members of the former regime, supporters of the policies of continuation and, most importantly, the Army.

39. The Army was surprised by the unexpected electoral results brought about by the Egyptian Spring and needed to revise its position towards the Brotherhood. It is likely that the Army had underestimated the influence of the Muslim Brothers, and that the parliamentary elections caused alarms to be rung. The Muslim Brothers suddenly became a serious opposition to the power and the interests of the Army.
40. The Army did not show any willingness of handing over power to a civilian government²⁷⁷, and even less to a parliament led by the Freedom and Justice Party. In fact, according to Farag, “*the 30 March constitutional amendments did not list any privileges or responsibilities that the new parliament would possess independent of the omnipresent SCAF*”²⁷⁸. Moreover, although the military had promised to hand over power in six months, the electoral period was expected to end more than a year after the Army took power and there were rumours that Field Marshal Mohamed Tantawi, leader of the SCAF, was considering running for the presidency, thus increasing fears that the military was not going to renounce its power²⁷⁹. The SCAF’s tendency to make unilateral decisions—including amendments of the Constitution—only sought to exacerbate these fears²⁸⁰.
41. It is noteworthy that the Carter Centre in its report following its mission to the Egyptian parliamentary elections severely criticized the SCAF in its role as interim authority of the transition. The report criticized the military institution’s failure to implement the necessary reforms and its lack of respect for human rights, which undermined the context in which the elections were held: “*in particular, the strict regulatory environment for civil society organizations, the on-going implementation of the emergency law and the subjection of civilians to military trials, the repression of political activists, and the*

²⁷⁷ Ottaway, M., (2011): “The Emerging Political Spectrum in Egypt”, *Carnegie Endowment for International Peace*, available at: <http://carnegieendowment.org/2011/10/10/emerging-political-spectrum-in-egypt/8kqp>, last accessed: 3rd July 2015; and Farag, M. (2012): “Egypt’s Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances”, *Contemporary Arab Affairs*, Vol. 5, No. 2, p. 225.

²⁷⁸ Farag, M. (2012): “Egypt’s Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances”, *Contemporary Arab Affairs*, Vol. 5, No. 2, p. 225.

²⁷⁹ Ottaway, M., (2011): “The Emerging Political Spectrum in Egypt”, *Carnegie Endowment for International Peace*, available at: <http://carnegieendowment.org/2011/10/10/emerging-political-spectrum-in-egypt/8kqp>, last accessed: 3rd July 2015.

²⁸⁰ *Ibid.*

stifling of political dissent in the state-owned media led to confrontations between the military and civilians, sometimes resulting in violence”²⁸¹.

42. After the elections, the Muslim Brotherhood reported several disruptions and obstacles in the correct functioning of the parliament. The Brotherhood complained about the government’s failure to respond to parliamentary decisions, and the sharp slowdown in its performance. It added: “*then followed a long series of fabricated crises and failures, mismanagement and stubborn refusal to respond to the demands of the people, for which they started the Revolution. Ultimately, we reached what could be considered a total waste of the country’s capabilities and resources. The risk of a precipitous free-fall and complete instability, as demonstrated in a state of chaos and utter lawlessness, and contrived economic and essential-living crises*”²⁸². After all, according to Hamid, “*parliament, more than anything else, was a platform to challenge SCAF, just as the presidency would come to serve a similar purpose six months later*”²⁸³.

Soft coup: dissolution of the People’s Assembly

43. The democratic deterioration and political tensions reached a high in June 2012, when the Army jointly with several other institutions dominated by Mubarak’s elite—such as the judiciary—, organized a *soft coup d’état*²⁸⁴ fearing a victory of the Muslim Brotherhood in the Presidential elections. On 13 June 2012 the Supreme Constitutional Court ordered the dissolution of the newly elected People’s Assembly “*that happened to be dominated by the Brotherhood*”²⁸⁵. The SCAF disbanded the Assembly following the Court’s decision²⁸⁶ and just four days later, on 17 June, it issued a constitutional declaration that subordinated the Egyptian presidency to its power.

²⁸¹ The Carter Center (2012): “Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015,

²⁸² IkhwanWeb (2012): “Muslim Brotherhood and Freedom and Justice Party Statement on Egypt’s Presidency”, 1st April 2012, available at: <http://www.ikhwanweb.com/article.php?id=29837>, last accessed: 3rd July 2015.

²⁸³ Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

²⁸⁴ *Ibid.*

²⁸⁵ *Ibid.*

²⁸⁶ ACE Project The Electoral Knowledge Network (2013): “The ACE Encyclopaedia: Legal Framework”, available at: http://aceproject.org/ace-en/topics/lf/lfc/lfc_eg, last accessed: 4th July 2015.

44. Despite constituting the first expression of the Egyptian democratic voice, the legacy of the Revolution and the “*most tangible step forward in Egypt’s democratic transition*”²⁸⁷, the Supreme Constitutional Court nullified the 2011-2012 elections for the People’s Assembly. This decision constituted a clear judicial interference in the political process, a perversion of transition and a step backwards on the path of the 25 January Revolution. It was defined as a “*catastrophe in the history of the Egyptian judiciary*”²⁸⁸.
45. This decision demonstrated how the judiciary, an institution linked and nurtured by the former regime, still enjoyed immense power. A power that it would use to shape the transitional process and determine the post-Revolutionary political scenario.
46. Even if the electoral law and the electoral system was decided with significant consensus amongst the Egyptian political actors, the Constitutional Court ruled that paragraph 1 of article 6 of Law 108-2011, on the structure of the membership of the People's Assembly was unconstitutional ²⁸⁹ . This declaration of unconstitutionality annulled the validity of the elections for one third of the seats of the People’s Assembly—the ones that were individually contested—and meant the dissolution of the Chamber.
47. According to the Constitutional Court, the fact that political parties could present individual candidates for one third of the seats —elected by majoritarian rule—, while independent candidates could not access the other two thirds of the seats —elected by party lists— “*violated the constitutional principle of equal rights*”²⁹⁰.

²⁸⁷ The Carter Center (2012): “Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015

²⁸⁸ ACE Project The Electoral Knowledge Network (2013): “The ACE Encyclopaedia: Legal Framework”, available at: http://aceproject.org/ace-en/topics/lf/lfc/lfc_eg, last accessed: 4th July 2015.

²⁸⁹ Sadek, G. (2012): “Egypt: Supreme Constitutional Court Decision Dissolves One-Third of the Parliament”, *Library of Congress*, 18th June 2012, available at: http://www.loc.gov/lawweb/servlet/lloc_news?disp3_l205403195_text, last accessed: 4th July 2015.

²⁹⁰ *Ibid.*

48. At that time, the Constitutional Court had not yet reached a decision on the Shura Council, but it was expected that it would also dissolve the upper chamber on the basis of the same argument²⁹¹.
49. Unsurprisingly, the Constitutional Court also annulled article 1 of Law 17-2012, which banned officials of the former regime from holding political office.
50. The SCAF had agreed with revolutionary forces to ban the participation of members of the former regime in the elections due to “*the political crimes they have committed over the past decades*”²⁹². However, the SCAF continued to postpone this decision until after the deadline for nominations, thus allowing several members of the former NDP to contest the parliamentary elections “*under the banner of other parties or for individual seats*”²⁹³.
51. Nevertheless, even this late decision was declared unconstitutional by the Constitutional Court, which allowed former Prime Minister Ahmed Shafiq to stand as a presidential candidate in the forthcoming election²⁹⁴.
52. These decisions were contrary to the interests of the transition and were promoted by remnant institutions of the former regime. Far from constituting an independent exercise of justice, these verdicts showed a significant political nature and clearly benefited the interests of certain political groups at the expense of others.
53. Moreover, taking into account comparative law in several countries of the world, the electoral system is built around political parties exclusively, and it is not considered that these systems violate the rights of all those who are not part of these parties. Giving individuals the opportunity to contest the elections provide greater rights to the Egyptian citizens, whose participation in the electoral process does not necessarily depend on political parties—a decision that, as mentioned

²⁹¹ ACE Project The Electoral Knowledge Network (2013): “The ACE Encyclopaedia: Legal Framework”, available at: http://aceproject.org/ace-en/topics/lf/lfc/lfc_eg, last accessed: 4th July 2015.

²⁹² Abed Rabbo, A. (2011): “Egyptian Political Parties and Parliamentary Elections 2011/2012”, *Arab Center for Research & Policy Studies*, available at: <http://english.dohainstitute.org/release/f3e63fe9-eeeb-49cc-884f-01bdc7a340eb>, last accessed: 4th July 2015.

²⁹³ *Ibid.*

²⁹⁴ Sadek, G. (2012): “Egypt: Supreme Constitutional Court Decision Dissolves One-Third of the Parliament”, *Library of Congress*, 18th June 2012, available at: http://www.loc.gov/lawweb/servlet/lloc_news?disp3_l205403195_text, last accessed: 4th July 2015.

above, overwhelmingly benefited remnants of the former regime—; however, allowing political parties to contest the same seats would not constitute a violation of rights in several other countries of the World.

54. The Constitutional Court decision would also impact the performance, and even the validity, of the Constitutional Assembly. It is worth mentioning that according to the Constitutional Declaration, this Assembly was obliged to present its proposal for the new Constitution before 11th December 2012, however, in October 2012 legal challenges related to the Constitutional Assembly “*were referred for decision to the SCC*”²⁹⁵, thus affecting the likelihood of a new constitution being approved within the provided timeframe.
55. Such political decisions sought to use the apparent legitimacy and objectivity of the law to challenge the democratic transition. According to Kandil, this is a usual strategy used by those who opposed change in transitional process during history: “*the challenge facing the Egyptian revolution is quite familiar. The machinery of law tailored to safeguard the old regime is a natural obstacle to its removal*”²⁹⁶.
56. However, although the judiciary had great interest in dissolving an Islamist-controlled parliament, it was not alone in these decisions. According to Aknur, “*it was the military that had engineered the dissolution of this first Brotherhood-dominated parliament as well as reducing the president’s powers*”²⁹⁷. The SCAF recovered legislative powers after it dissolved the Assembly on the basis of this Constitutional Court ruling²⁹⁸.
57. The subsequent chapters will explore the events that led the Army and the judiciary to commence the *soft coup* in June 2012 and organize a traditional coup d’état just one year later. They highlight how the Muslim Brotherhood’s fear of the military proved founded; the Egyptian Army would never allow Islamists to govern Egypt.

²⁹⁵ ACE Project The Electoral Knowledge Network (2013): “The ACE Encyclopaedia: Legal Framework”, available at: http://aceproject.org/ace-en/topics/lf/lfc/lfc_eg, last accessed: 4th July 2015.

²⁹⁶ Kandil, H. (2012): “Mohamed Morsi and the classic revolutionary trap”, *The Guardian*, 30 November 2012, available at: <http://www.theguardian.com/commentisfree/2012/nov/30/mohamed-morsi-revolutionary-trap-egypt>, last accessed: 4th July 2015.

²⁹⁷ Aknur, M. (2013): “The Muslim Brotherhood in Politics in Egypt: From Moderation to Authoritarianism?”, *Review of International Law and Politics (Uluslararası Hukuk ve Politika)*, Issue 33, p. 2-3.

²⁹⁸ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 58.

Chapter 8

A Portrait of Morsi and how he came to be a Candidate

Reasons for participation

68. The elections to determine the new and first truly democratically elected President of Egypt were scheduled for June 2012.
69. On February and April 2011 the Shura Council of the Muslim Brotherhood announced that the organization would not present any candidate for the presidential elections.
70. This decision followed the *participation, not domination* policy; the Brotherhood's Shura Council explained that their refusal to participate was intended to “*safeguard the success of the revolution, and not to provide any excuses for an unfortunate abortion of the process of democratization*”²⁹⁹.
71. Yet, this decision caused deep internal divisions inside the Muslim Brotherhood, and important members such as Ibrahim El-Zafrani, Abdel Moneim Aboul Futouh and Mohammed Habib left either the organization or their positions of responsibility³⁰⁰.
72. However, several factors encouraged the Muslim Brotherhood to change its plans one year later.
73. First, the democratic and pluralistic spirit of the Revolution had reduced the meaning and necessity of the *participation, not domination* policy. The Muslim Brotherhood considered, at that moment, that the Egyptian society was prepared to freely and democratically elect a President that would have the support of the majority of the population, even if that President had an Islamist background.

²⁹⁹ IkhwanWeb (2012): “Muslim Brotherhood and Freedom and Justice Party Statement on Egypt’s Presidency”, 1st April 2012, available at: <http://www.ikhwanweb.com/article.php?id=29837>, last accessed: 3rd July 2015.

³⁰⁰ Al-Awadi, H. (2013): “Islamists in power: the case of the Muslim Brotherhood in Egypt”, *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 543.

74. Second, the Muslim Brotherhood considered that the transfer of power to a civilian government was under threat. In April 2012, the intentions of the SCAF remained unclear and a judicial decision from the Supreme Constitutional Court menaced to dissolve the democratically elected Parliament. Moreover, members of the former regime—such as former vice-president Omar Suleiman and former Prime Minister Ahmed Shafiq—presented their candidacies to run for the presidential elections, and further, the work of the Constituent Assembly was endangered, as an Administrative Court was revising the validity of its composition³⁰¹.
75. Furthermore, there were risks to the democratic advancement of the country. First, some voices from the ‘Supra-Constitutional Principles’ movement wanted to pre-determine the outcome of the Constituent Assembly and limit its possibilities, and the SCAF imposed obstacles in the activities of the parliament³⁰². It seemed that the political consensus and democratic path that the Brotherhood wanted to formulate in the aftermath of the revolution was being hindered by certain political forces, notably, by the Army, the judiciary and the remnants of the former regime, who plagued state institutions. The obstacles to the parliamentary and constituent activities—led by the FJP—were clear, and threatened to paralyze the transitional process.
76. Given these extreme circumstances, on March 2012 the Muslim Brotherhood, in a joint statement with the FJP, finally announced that a candidate from the organization would contest the presidential elections. It is clear, that the motivation for the announcement was not so as to hijack the revolution and seek to impose a theocratic regime upon the nation, but rather, the revolution was in danger of being lost and the FJP felt it incumbent on them to stand and save the revolution.
77. In this common statement the organizations explained that they felt a social and historical obligation to take this decision: “*the continuation of the status quo and*

³⁰¹ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 58.

³⁰² Awad, M. and El Madany, S. (2012): “In U-turn, Egypt's Brotherhood names presidential candidate”, *Reuters*, 31 March 2012, available at: <http://www.reuters.com/article/2012/03/31/us-egypt-brotherhood-presidency-idUSBRE82U0DL20120331>, last accessed: 4th July 2015.

*remaining silent about it amounted to negligence, a crime against the fatherland, for which it would be held accountable to God, history and the people who elected it into parliament in free and fair elections*³⁰³. The Muslim Brotherhood considered it had a prominent and influencing role in Egyptian politics that put the organization in the position to protect the post-revolutionary transition and ensure the transfer of power to a democratically elected president unlinked with Mubarak's regime.

78. Furthermore, Mohammed Morsi, before becoming presidential candidate, explained that the Muslim Brothers' decision to participate in the presidential elections responded to their inability to undertake the necessary reforms through the parliamentary mechanism: *"we have a majority in parliament which is unable to fulfil its duties in parliament"*³⁰⁴.
79. Interestingly, Western diplomats understood the decision to present a candidate for the presidential elections as a *"deliberate defiance of the (ruling) Supreme Council of the Armed Forces"*³⁰⁵. It is surprising that, due to its ideology, the Muslim Brotherhood was the only political group forced to continuously justify why it participated in democratic electoral processes.
80. The presentation of a presidential candidate also caused great disagreements inside the organisation and some members, such as Kamal El-Halbawi, cancelled their membership of the group.³⁰⁶

Selection of a candidate

81. The first presidential candidate of the Muslim Brotherhood was Khairat al-Shater.
82. Shater, proprietary of a computer company, was one of the three deputy leaders of the Brotherhood³⁰⁷ and one of the strongest and most charismatic members of

³⁰³ IkhwanWeb (2012): "Muslim Brotherhood and Freedom and Justice Party Statement on Egypt's Presidency", 1st April 2012, available at: <http://www.ikhwanweb.com/article.php?id=29837>, last accessed: 3rd July 2015.

³⁰⁴ Awad, M. and El Madany, S. (2012): "In U-turn, Egypt's Brotherhood names presidential candidate", *Reuters*, 31 March 2012, available at: <http://www.reuters.com/article/2012/03/31/us-egypt-brotherhood-presidency-idUSBRE82U0DL20120331>, last accessed: 4th July 2015.

³⁰⁵ *Ibid.*

³⁰⁶ Al-Awadi, H. (2013): "Islamists in power: the case of the Muslim Brotherhood in Egypt", *Contemporary Arab Affairs*, Vol. 6, No. 4.

³⁰⁷ Awad, M. and El Madany, S. (2012): "In U-turn, Egypt's Brotherhood names presidential candidate", *Reuters*, 31 March 2012, available at: <http://www.reuters.com/article/2012/03/31/us-egypt-brotherhood-presidency-idUSBRE82U0DL20120331>, last accessed: 4th July 2015.

the organization³⁰⁸. 56 out of the 108 members of the Shura Council voted for him as the Brotherhood's candidate³⁰⁹.

83. Khairat al-Shater and Mohammed Morsi were part of the “*pragmatic new guard of [Muslim Brotherhood] activists*”, who re-shaped the organization and became the recognizable faces of Mubarak's opposition inside the group³¹⁰. They were the target of Mubarak's security forces and, like many other members of the Brotherhood, had spent several years in jail³¹¹.
84. However, the Elections Committee disqualified Khairat al-Shater's candidacy for the elections due to a previous conviction³¹². This decision was received with controversy, as Shater's conviction was widely considered one of the many “*politically motivated convictions of the Mubarak era*”³¹³.
85. This disqualification damaged the position of the Muslim Brotherhood, as Shater was one the strongest candidates in the elections and enjoyed wide popular support. Indeed, according to Frisch, this decision was encouraged by the SCAF, that “*moved to craft the presidential elections through the Elections Committee which disqualified nine candidates including the two most popular among Islamist ranks*”³¹⁴.
86. Thus, the Muslim Brotherhood had to present an alternative candidate, and Mohammed Morsi was the resulting proposition³¹⁵.

³⁰⁸ Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

³⁰⁹ Awad, M. and El Madany, S. (2012): “In U-turn, Egypt's Brotherhood names presidential candidate”, *Reuters*, 31 March 2012, available at: <http://www.reuters.com/article/2012/03/31/us-egypt-brotherhood-presidency-idUSBRE82U0DL20120331>, last accessed: 4th July 2015.

³¹⁰ Zahid, M. (2010): “The Egyptian nexus: the rise of Gamal Mubarak, the politics of succession and the challenges of the Muslim Brotherhood”, *The Journal of North African Studies*, vol. 15, n. 2, p. 228.

³¹¹ Awad, M. and El Madany, S. (2012): “In U-turn, Egypt's Brotherhood names presidential candidate”, *Reuters*, 31 March 2012, available at: <http://www.reuters.com/article/2012/03/31/us-egypt-brotherhood-presidency-idUSBRE82U0DL20120331>, last accessed: 4th July 2015.

³¹² Al-Awadi, H. (2013): “Islamists in power: the case of the Muslim Brotherhood in Egypt”, *Contemporary Arab Affairs*, Vol. 6, No. 4; and <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>

³¹³ The Carter Center, (2012): “Presidential Elections in Egypt. Final Report. May-June 2012”. Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 35.

³¹⁴ Frisch, H. (2013): “The Egyptian Army and Egypt's “Spring””, *Journal of Strategic Studies*, vol. 36, n. 2, p. 190.

³¹⁵ Kirkpatrick, D.D. (2012): “Named Egypt's Winner, Islamist Makes History”, *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypt-president.html?_r=0, last accessed: 4th July 2015.

87. Mohammed Morsi was 60 years old when he became candidate. Born in Sharqiya governorate³¹⁶, he completed his engineering studies in Cairo. His excellent academic performance allowed him to move to United States to commence a PhD at the University of Southern California³¹⁷.
88. He spent several years in the United States, becoming assistant professor at California State University. In fact, two of his children have American citizenship by birth³¹⁸. During his years in California he focused on his professional career and was able to escape from the policies of oppression of the Egyptian regime³¹⁹. However, as soon as he returned to Egypt, Morsi began to develop his political career.
89. When Morsi returned to Egypt he held several important positions in the Muslim Brotherhood, an organization he joined in 1978³²⁰. He became one of the most prominent members of the new guard and progressively gained the support of the Brotherhood's leadership. In the early 1990s he joined the Guidance Bureau³²¹, the highest decisive body of the organization.
90. During Mubarak's era he was known to the Egyptian public. He fulfilled the role of head of the Brotherhood's parliamentary bloc from 2000 to 2005³²², being an 'independent' member of the People's Assembly³²³. He was also the person

³¹⁶ Hamid, S. (2011): "Brother President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

³¹⁷ *Ibid.*

³¹⁸ *Ibid.*

³¹⁹ Kirkpatrick, D.D. (2012): "Named Egypt's Winner, Islamist Makes History", *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 4th July 2015.

³²⁰ Al-Awadi, H. (2013): "Islamists in power: the case of the Muslim Brotherhood in Egypt", *Contemporary Arab Affairs*, Vol. 6, No. 4.

³²¹ Din Wa Dawla (2012): "Egypt's presidential elections: a choice between a feloul- or ikhwan-regime?", 11th June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>, last accessed: 4th July 2015.

³²² Hamid, S. (2011): "Brother President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

³²³ Din Wa Dawla (2012): "Egypt's presidential elections: a choice between a feloul- or ikhwan-regime?", 11th June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>, last accessed: 4th July 2015.

responsible for the Muslim Brotherhood's political affairs³²⁴ and developed valuable experience in “*multiparty democracy and coalition-building*”³²⁵.

91. Morsi was imprisoned in 2008, in a campaign of oppression instigated by the Mubarak regime following the Muslim Brotherhood's success in the 2005 elections, and again during the 25 January Revolution³²⁶.
92. After the Revolution he achieved a further, more notable role, serving as founding chairman and president of the Freedom and Justice Party³²⁷.
93. He succeeded Khairat al-Shater as presidential candidate of the Muslim Brotherhood, enjoying Shater's full support and trust³²⁸.
94. The fact that he was the second candidate of the Muslim Brotherhood damaged his political position as the media started to criticize that he was “the spare tire” candidate³²⁹.
95. However, although he was accused of lacking the charisma and strong character of his predecessor, he was an extremely well prepared candidate, a good manager with wide experience in Egyptian politics and institutions³³⁰ and the politician who gave one of the best speeches ever heard in the recent Egyptian history³³¹.

³²⁴ Al-Awadi, H. (2013): “Islamists in power: the case of the Muslim Brotherhood in Egypt”, *Contemporary Arab Affairs*, Vol. 6, No. 4,

³²⁵ Kirkpatrick, D.D. (2012): “Named Egypt's Winner, Islamist Makes History”, *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 4th July 2015.

³²⁶ *Ibid.*

³²⁷ Al-Awadi, H. (2013): “Islamists in power: the case of the Muslim Brotherhood in Egypt”, *Contemporary Arab Affairs*, Vol. 6, No. 4; and <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>

³²⁸ Kirkpatrick, D.D. (2012): “Named Egypt's Winner, Islamist Makes History”, *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 4th July 2015; and Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

³²⁹ Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

³³⁰ Al-Awadi, H. (2013): “Islamists in power: the case of the Muslim Brotherhood in Egypt”, *Contemporary Arab Affairs*, Vol. 6, No. 4,

³³¹ Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

96. The main slogan of his campaign was “*Renaissance [Nabda]...the will of the people*”³³², which reflected the two main ideological references of the Muslim Brotherhood, namely the protection of Islamic values and democracy. Like the FJP, the principles of Political Islam directed and underpinned Morsi’s candidacy, and so he promoted the defence of Islamic values and law in the Egyptian State.
97. In general, Morsi’s campaign advanced and replicated the FJP’s political program³³³. He shared the party’s centrist and open understanding of Islamic values and supported the maintenance of *shari’a* in the Constitution³³⁴.
98. However, despite the essential role of Islam in Morsi’s campaign, he also stressed equality between citizens and the inclusiveness of different religious groups in the State, which calmed Copts’ fears towards the candidate. In fact, the new slogan for the second round of the elections, ‘Our power in our unity’, aimed at promoting Morsi’s policy of inclusiveness³³⁵.
99. In line with the proposals of the FJP, Morsi promised to “*realize full civil right for the brothers Copts and full legal equality for them as Egyptian citizens*”³³⁶. Consequently, they would be able to practice their religion and maintain its personal law and traditions. Indeed, Morsi promised to transfer the presidential authority to issue building permits for churches to the Office of City Planning³³⁷.

³³² Din Wa Dawla (2012): “Egypt’s presidential elections: a choice between a feloul- or ikhwan-regime?”, 11th June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>, last accessed: 4th July 2015; and Din Wa Dawla (2012): “The program of Mohammed Morsi: economic development in an Islamic democracy”, 21st June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/21/4-the-program-of-mohammed-morsi-economic-development-in-an-islamic-democracy/>, last accessed: 4th July 2015.

³³³ Din Wa Dawla (2012): “The program of Mohammed Morsi: economic development in an Islamic democracy”, 21st June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/21/4-the-program-of-mohammed-morsi-economic-development-in-an-islamic-democracy/>, last accessed: 4th July 2015.

³³⁴ *Ibid.*

³³⁵ Din Wa Dawla (2012): “Egypt’s presidential elections: a choice between a feloul- or ikhwan-regime?”, 11th June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>, last accessed: 4th July 2015.

³³⁶ Din Wa Dawla (2012): “The program of Mohammed Morsi: economic development in an Islamic democracy”, 21st June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/21/4-the-program-of-mohammed-morsi-economic-development-in-an-islamic-democracy/>, last accessed: 4th July 2015.

³³⁷ *Ibid.*

100. He rejected a theocratic, military or despotic vision of the Egyptian state and supported the separation of powers, pluralism, accountability of rulers, and the respect of national sovereignty expressed in democratic elections.
101. His personal convictions were consistent with the ideology of the Muslim Brotherhood; Morsi had a moderate Islamic political view and was a firm defender of democracy. In fact, he sought to implement systems of direct democracy at the local level, support civil society organisations, encourage press freedom and decrease the minimum age to run for public office³³⁸, which was in line with the young spirit of the revolution.
102. Mohammed Morsi also showed a firm support for fundamental rights, and tried to reconcile human rights with the Islamic tradition: “*freedom is a gift of God for people, regardless colour, sex or faith*”³³⁹.
103. Morsi also followed the FJP’s programme on economy and foreign relations. He proposed the creation of Islamic financial institutions that pay *zakat* (alms or charity) on their profits and of charitable Islamic trusts (*Waqf*), to provide basic services and tackle poverty. He also wanted to control prices, improve the public provision of basic services, encourage private enterprise, suppress corruption and tax evasion, commit to sustainable development and create an educational system that fits the necessities of the labour market.
104. Despite the similarities between Morsi’s proposals and the FJP’s program—which received wide popular support in the elections—, his candidacy faced deep criticism. Members and supporters of liberal parties, who control most of the Egyptian media, easily influenced the public opinion³⁴⁰ and started a direct and significant smear campaign against Morsi.
105. Morsi was accused of being a radical Islamist, an incompetent politician or ‘loyalist’ to the Muslim Brotherhood³⁴¹, but all constituted poor critiques. First,

³³⁸ *Ibid.*

³³⁹ *Ibid.*

³⁴⁰ El-Beshry, T. (2013): “Relationship between state and religion: Egypt after the revolution”, *Contemporary Arab Affairs*, vol. 6, n. 3.

³⁴¹ Kirkpatrick, D.D. (2012): “Named Egypt’s Winner, Islamist Makes History”, *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 4th July 2015; Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>,

he showed great moderation in all his proposals and actions and promised to build a civil state based on democratic values and peaceful participation in politics. Second, he had excellent intellectual preparation, good management and language skills, and extensive political experience that converted him into the perfect candidate to hold the Egyptian presidency. Finally, the ‘loyalty’ critique lacked meaning in a comparative perspective; in the majority of political systems of the World, Presidents and Prime Ministers are presented and supported by political parties that deeply influence the decisions of the politicians. This influence is considered normal and even expected in a healthy democracy and is part of party politics.

106. In general, the accusations against members of Islamists parties were so irrational as to include the unrealistic rumour that “*Islamist parliamentarians were trying to legalize necrophilia*”³⁴².
107. Chapter 9 will examine Egypt’s presidential elections and how Mohammed Morsi became the fifth president of Egypt—the first President to be democratically elected and from outside the military³⁴³—and the Arab world’s first ever Islamist head of state³⁴⁴.

last accessed: 3rd July 2015; and Abou-Bakr, A.J. (2012): “Mohamed Morsi, the Muslim Brotherhood, and Why the Revolution Continues”, *E-International Relations*, available at: <http://www.e-ir.info/2012/08/23/mohamed-morsi-the-muslim-brotherhood-and-why-the-revolution-continues/>, last accessed: 4th July 2015.

³⁴² Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

³⁴³ Kirkpatrick, D.D. (2012): “Named Egypt’s Winner, Islamist Makes History”, *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 4th July 2015.

³⁴⁴ Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

Chapter 9

The Presidential Elections

Profile of candidates other than Morsi

1. After the disqualification of 10 candidates by the Elections Committee³⁴⁵, there were 13 final candidates for the presidential elections.
2. Having examined the main characteristics of Mohammed Morsi's candidacy in the previous chapter, the below seeks to analyse the profile of the most relevant candidates and discuss the result of the elections.

- Ahmed Shafiq

3. Shafiq was one of the most recognizable faces of the military. He held the position of Chief of Staff and Commander of the Air Force between 1991 and 2002. Thereafter he became minister of aviation and even Prime Minister during the last days of Mubarak's regime³⁴⁶.
4. He represented the politics of continuation and was loyal to the pre-revolutionary regime³⁴⁷. He "*directly represents Mubarak*"—argued Özhan³⁴⁸—and his candidacy was understood to be an attempt by the remnants of 'old guard' to recover their power through the presidential institution. His simultaneous military and political profile made him the perfect candidate to defend the interests of the status quo. Yet, he presented an independent candidacy, dissociated from all political parties.

³⁴⁵ Frisch, H. (2013): "The Egyptian Army and Egypt's 'Spring'", *Journal of Strategic Studies*, vol. 36, n. 2, p. 190; and AlJazeera (2012): "Egypt bars 10 candidates from election", 15th April 2012, available at: <http://www.aljazeera.com/news/middleeast/2012/04/2012414185229419379.html>, last accessed: 5th July 2015.

³⁴⁶ Din Wa Dawla (2012): "Egypt's presidential elections: a choice between a feloul- or ikhwan-regime?", 11th June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>, last accessed: 4th July 2015.

³⁴⁷ *Ibid.*

³⁴⁸ Özhan, T. (2013): "New Egypt versus the *Felool*: Struggle for Democracy", *Insight Turkey*, vol. 15, n. 1, p. 21.

5. His electoral slogan 'Egypt with all for all' sought to transmit a message of inclusiveness and equality between religious groups and genders, and he promised to appoint a Copt or woman as vice-president. This was an electoral strategy to oppose Islamist parties—the clear winners of the parliamentary elections—which were accused of having a discriminatory policy towards religious minorities and women.
6. However, the main focus of Shafiq's campaign was security and the restoration of order, giving a prominent role to the Army. This was very much in line with Shafiq's previous political experience and his professional background. Some authors defined him as an "*unapologetic autocrat*"³⁴⁹.
7. Despite his continuous attempts to highlight his military and political successes, other candidates soon accused him of corruption, fraud and loyalism to the former regime³⁵⁰.

- Abdel Moneim Aboul Fotouh

8. Fotouh was portrayed as a liberal Islamist³⁵¹, a candidate able to reconcile a moderate defence of Islamic values with the liberal ideals of the Revolution. Before the elections it was understood that his moderate political position was able to generate wide support amongst both secular and religious groups within the political spectrum³⁵².
9. He was a defender of an inclusive Islam and was conceived as a candidate from the revolution. His policy of "*something for everyone*"³⁵³ provided him with broad

³⁴⁹ Hamid, S. (2011): "Brother President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

³⁵⁰ Din Wa Dawla (2012): "Egypt's presidential elections: a choice between a feloul- or ikhwan-regime?", 11th June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>, last accessed: 4th July 2015.

³⁵¹ *Ibid.*

³⁵² Hamid, S. (2011): "Brother President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

³⁵³ Mabrouk, M.F. (2012): "Egypt's Difficult Choice: The First Round Is Over, Now Comes the Hard Part", *Brookings*, 29th March 2012, available at: <http://www.brookings.edu/research/opinions/2012/05/29-egypt-mabrouk>, last accessed: 4th July 2015.

popular support and propelled him to be one of the two frontrunners in the presidential elections.

10. Indeed, he received official endorsement from the Salafist party Al-Nour³⁵⁴ and the moderate Islamists of Al-Wasat³⁵⁵
11. Abdel Moneim Aboul Fotouh was a former prominent member of the Muslim Brotherhood and part of the Guidance Bureau³⁵⁶. He suffered arrest and imprisonment during Mubarak's era for "*belonging to an illegal organization*"³⁵⁷.
12. However, he was expelled from the organization when he decided to run for presidency, thus defying the Muslim Brotherhood's official announcement not to present a candidate³⁵⁸. The Muslim Brotherhood stated that this expulsion, far from being "*a sign of division within the organization*", was "*a sign of the [Muslim Brotherhood] organizational strength and health, which allows even senior members to freely express their opinions publicly and make their decisions as long as they're aware of administrative consequences*"³⁵⁹.
13. With his political moderation and great charisma, Fotouh soon became a serious alternative to the Muslim Brotherhood. He was even considered a credible alternative to the Muslim Brotherhood's domination of the Egyptian trend of Political Islam³⁶⁰.

³⁵⁴ Al-Youm, M. (2012): "Nour Party endorses Aboul Fotouh for president", *Egypt Independent*, 28th April 2012, available at: <http://www.egyptindependent.com/news/nour-party-endorses-aboul-fotouh-president>, last accessed: 5th July 2015.

³⁵⁵ Ahram Online (2012): "Egypt's Wasat Party endorses Abul-Fotouh presidential bid", 30th April 2012, available at: <http://english.ahram.org.eg/NewsContent/36/122/40475/Presidential-elections-/Presidential-elections-news/Egypt's-Wasat-Party-endorses-AbulFotouh-presidential.aspx>, last accessed: 5th July 2015.

³⁵⁶ Mabrouk, M.F. (2012): "Egypt's Difficult Choice: The First Round Is Over, Now Comes the Hard Part", *Brookings*, 29th March 2012, available at: <http://www.brookings.edu/research/opinions/2012/05/29-egypt-mabrouk>, last accessed: 4th July 2015.

³⁵⁷ Al-Awadi, H. (2013): "Islamists in power: the case of the Muslim Brotherhood in Egypt", *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 543-544.

³⁵⁸ Farag, M. (2012): "Egypt's Muslim Brotherhood and the January 25 Revolution: new political party, new circumstances", *Contemporary Arab Affairs*, Vol. 5, No. 2, p.223; and Weber, P. (2013): "Modernity, Civil Society, and Sectarianism: The Egyptian Muslim Brotherhood and the *Takfir* Groups", *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, Vol. 4, No. 2, p. 521.

³⁵⁹ Weber, P. (2013): "Modernity, Civil Society, and Sectarianism: The Egyptian Muslim Brotherhood and the *Takfir* Groups", *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, Vol. 4, No. 2, p. 521

³⁶⁰ Hamid, S. (2011): "Brother President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

- Amr Moussa

14. Amr Moussa was Minister of Foreign Affairs under Mubarak³⁶¹ and Secretary General of the League of Arab States³⁶². Like Shafiq, revolutionary youngsters saw him as representative of the fulul camp; while others considered that given his differences with Mubarak, he could not be considered a remnant of the regime³⁶³.
15. Opinions polls showed a broad support for this candidate, leading the polls on the majority of occasions.
16. He was a familiar face in Egyptian politics and his wide international experience positioned him as one of the best presidential candidates to recover Egypt's leadership in the area. Moreover, his overt criticism of Israeli politicians during his mandate as Minister of Foreign Affairs ensured he retained great popularity; popularity that Mubarak considered threatening³⁶⁴. Moreover, his significant experience in governmental affairs was considered a virtue.
17. He proposed a reformist and secularist program, but his main compromise was to recover the stability lost with the revolution. He promised he would serve a single four-year term.
18. However, and despite his disagreements with Mubarak, his connections with the former regime were too evident and relevant in a post-revolutionary scenario. Political opponents, the majority of whom had suffered political repression during

³⁶¹ Din Wa Dawla (2012): "Egypt's presidential elections: a choice between a feloul- or ikhwan-regime?", 11th June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>, last accessed: 4th July 2015.

³⁶² Biography of Amr Moussa, *United Nations*, available at: <http://www.un.org/News/dh/hlpanel/amre-moussa-bio.pdf>, last accessed: 5th July 2015; and Mabrouk, M.F. (2012): "Egypt's Difficult Choice: The First Round Is Over, Now Comes the Hard Part", *Brookings*, 29th March 2012, available at: <http://www.brookings.edu/research/opinions/2012/05/29-egypt-mabrouk>, last accessed: 4th July 2015.

³⁶³ Fahim, K. (2012): "Candidate in Egypt Makes an Insider's Run for President", *The New York Times*, 12th May 2012, available at: <http://www.nytimes.com/2012/05/13/world/middleeast/in-egypt-amr-moussa-makes-an-insiders-run-for-president.html?ref=topics>, last accessed: 5th July 2015.

³⁶⁴ Knell, Y. (2012): "Egypt candidate: Veteran diplomat, Amr Moussa", *BBC News*, 10th March 2012, available at: <http://www.bbc.com/news/world-middle-east-17234124>, last accessed: 5th July 2015; and Fahim, K. (2012): "Candidate in Egypt Makes an Insider's Run for President", *The New York Times*, 12th May 2012, available at: <http://www.nytimes.com/2012/05/13/world/middleeast/in-egypt-amr-moussa-makes-an-insiders-run-for-president.html?ref=topics>, last accessed: 5th July 2015.

Mubarak's era, reproached him, and saw his candidacy as collaboration with an tyrant regime —“*nobody asked you to fight, or to go to prison, like us*”—and his opportunistic criticism to the former government—“*sweet talking is easy*”, said Fotouh—³⁶⁵.

- Hamdeen Sabahi

19. Founder of the Nasserite³⁶⁶ Dignity Party (*Al-Karama*), Sabahi represented the secular leftist ideology³⁶⁷. He advocated for social justice, a more independent foreign policy and a pan-Arab model for the region.

20. Former socialist activist and head of the students' union in Cairo University, the Egyptian public knew him for his opposition to both president Sadat and Mubarak³⁶⁸. His involvement in the *Kefaya* movement, his participation in the Tahrir Square protests and his open criticisms of the SCAF ensured he had the support of a great part of the revolutionary Egyptian youth and further, his humble origins made him the representative of the Egyptian working class³⁶⁹.

21. However, many voters perceived his support to the nationalistic and oppressive Nasserist regime as a disadvantage³⁷⁰.

- Other candidates

³⁶⁵ Fahim, K. (2012): “Candidate in Egypt Makes an Insider’s Run for President”, *The New York Times*, 12th May 2012, available at: <http://www.nytimes.com/2012/05/13/world/middleeast/in-egypt-amr-moussa-makes-an-insiders-run-for-president.html?ref=topics>, last accessed: 5th July 2015.

³⁶⁶ Mabrouk, M.F. (2012): “Egypt’s Difficult Choice: The First Round Is Over, Now Comes the Hard Part”, *Brookings*, 29th March 2012, available at: <http://www.brookings.edu/research/opinions/2012/05/29-egypt-mabrouk>, last accessed: 4th July 2015.

³⁶⁷ Ottaway, M. (2012): “Egypt Elections: Setback for the Transition”, *Carnegie Endowment*, 27th May 2012, available at: <http://carnegieendowment.org/2012/05/27/egypt-elections-setback-for-transition>, last accessed: 5th July 2015.

³⁶⁸ Bayoumi, A. (2014): “Profile: The many faces of Hamdeen Sabahi”, *AlJazeera*, 12th May 2014, available at: <http://www.aljazeera.com/news/middleeast/2014/05/profile-many-faces-hamdeen-sabahi-20145510421611445.html>, last accessed: 5th July 2015.

³⁶⁹ Khawly, M. (2012): “In Search of Egypt’s Fifth President: Hamdeen Sabahi”, *Al-Akhbar*, 23rd May 2014, available at: <http://english.al-akhbar.com/node/7604>, last accessed: 5th July 2015; and Ahram Online (2012): “Hamdeen Sabbahi”, 2nd April 2012, available at: <http://english.ahram.org.eg/News/36856.aspx>, last accessed: 5th July 2015.

³⁷⁰ Ahram Online (2012): “Hamdeen Sabbahi”, 2nd April 2012, available at: <http://english.ahram.org.eg/News/36856.aspx>, last accessed: 5th July 2015.

22. Other relevant candidates were the lawyer, social justice activist and Tahrir representative, Khaled Ali³⁷¹; the Islamist thinker and judicial expert, Mohammed Salim Al-Awa; the al-Tagammu-nominated judge, Hisham Bastawisy; and the Socialist Popular Alliance Party candidate, Abu Al-Izz Al-Hariri.
23. The opinion poll frontrunner was Amr Moussa, followed closely by Abdel Moneim Aboul Fotouh in second position. Ahmed Shafiq was expected to be in third place following the elections; Mohammed Morsi and Hamdeen Sabahi followed at a long distance.
24. Polls predicted Moussa and Fotouh would contest the run-off³⁷²; as a result a televised presidential debate between the two expected front-runners was aired³⁷³. Although this debate provided both with a great opportunity to publicize their political programs and proposals, it is widely understood that it also harmed their position: “*Moussa’s performance was panned as arrogant and elitist and Aboul Fotouh came across as significantly more Islamist than he had in previous campaign appearances*”³⁷⁴.

First round of the elections

25. The first round took place on 23 and 24 May 2012.
26. The results of the elections were the following³⁷⁵:

Candidate	Votes	Percentage
Mohammed Morsi	5.764.952	24.78%
Ahmed Shafiq	5.505.327	23.66%

³⁷¹ Attalah, L. (2012): “Meet Khaled Ali: President Against Odds”, *Al-Akhbar*, 2nd March 2012, available at: <http://english.al-akhbar.com/content/meet-khaled-ali-president-against-odds>, last accessed: 5th July 2015.

³⁷² Mabrouk, M.F. (2012): “Egypt’s Difficult Choice: The First Round Is Over, Now Comes the Hard Part”, *Brookings*, 29th March 2012, available at: <http://www.brookings.edu/research/opinions/2012/05/29-egypt-mabrouk>, last accessed: 4th July 2015.

³⁷³ *Ibid.*

³⁷⁴ *Ibid.*

³⁷⁵ The Carter Center, (2012): “Presidential Elections in Egypt. Final Report. May-June 2012”. Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 63.

Candidate	Votes	Percentage
Hamdeen Sabahi	4.820.273	20.72%
Abdel Moneim Aboul Fotouh	4.065.239	17.47%
Amr Moussa	2.588.850	11.13%
Mohammed Salim Al-Awa	235.374	1.01%
Khaled Ali	134.056	0.58%
Hisham Bastawisy	29.189	0.13%
Mahmoud Hossam Galal	23.992	0.10%
Mohamed Fawzi Eissa	23.889	0.10%
Abu Al-Izz Al-Hariri	22.036	0.09%
Ahmed Hossam Khairallah	22.036	0.09%
Abdallah Al-Ashaal	12.249	0.05%

27. Mohammed Morsi and Ahmed Shafiq were the two candidates that received the largest support: 5.8 and 5.5 million votes respectively³⁷⁶, consequently they progressed to the run-off round.
28. The electoral result of the first round brought about significant surprise. Neither Morsi nor Shafiq topped the electoral predictions and both candidates' campaigns were deeply problematic: Morsi was considered the "spare candidate" of the Muslim Brotherhood while Shafiq could only enter in the presidential race after the renowned 'Political Isolation Law' was derogated and former members of the regime were legally allowed to compete in the presidential elections³⁷⁷.
29. Moreover, the fact that Abdel Moneim Aboul Fotouh did not manage to get even the third position in the electoral race benefited the Muslim Brotherhood. It proved that the strength of the Brotherhood lies in its institutional and communitarian character; this provided the organization with the necessary

³⁷⁶ Din Wa Dawla (2012): "Egypt's presidential elections: a choice between a feloul- or ikhwan-regime?", 11th June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>, last accessed: 4th July 2015.

³⁷⁷ *Ibid.*; and see El-Din, G.A. (2012): "Egypt's presidential countdown begins", *Abram Online*, 26th April 2012, available at: <http://english.ahram.org.eg/NewsContent/36/122/40237/Presidential-elections-/Presidential-elections-news/Egypt-presidential-countdown-begins.aspx>, last accessed: 5th July 2015.

cohesiveness, mobilization power and managerial skills to gain an influential position in Egyptian society. It demonstrated that Egyptians value the Muslim Brothers' organization as a whole, preferring it to the individual talents and charismatic personalities of its members³⁷⁸.

30. Sabahi's performance was also of significant surprise³⁷⁹. Lacking financial and mobilization resources, he managed to secure wider support than the two front-runners. Experts argue that the competency of the candidate, the wide and diverse origins of his supporters and the poor performance of both Moussa and Fotouh in the televised debate are reasons for his electoral success.

Conduct of the elections

31. The 2012 Presidential Elections were the first time in Egyptian history that the Egyptian population was able to freely and democratically elect its Head of State.
32. The elections caused great enthusiasm among Egyptian citizens, consequently, approximately 50% of the Egyptian electorate participated: 46.42% in the first round³⁸⁰ and 51.85% in the second round³⁸¹. According to elections witnesses, participation was broad and Egyptians showed "*unwavering commitment to the transfer of power to elected civilian representatives*"³⁸².

³⁷⁸ Hamid, S. (2011): "Brother President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

³⁷⁹ Mabrouk, M.F. (2012): "Egypt's Difficult Choice: The First Round Is Over, Now Comes the Hard Part", *Brookings*, 29th March 2012, available at: <http://www.brookings.edu/research/opinions/2012/05/29-egypt-mabrouk>, last accessed: 4th July 2015.

³⁸⁰ Din Wa Dawla (2012): "Egypt's presidential elections: a choice between a feloul- or ikhwan-regime?", 11th June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>, last accessed: 4th July 2015.

³⁸¹ The Carter Center, (2012): "Presidential Elections in Egypt. Final Report. May-June 2012". Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 5.

³⁸² Idem, p. 4.

33. The diversity of candidates was a signal of a pluralistic democracy; and voters, committed to the transitional process, queued long hours to participate in the elections³⁸³.
34. However, the elections were “*marred by uncertainty about the broader transition overseen by the Supreme Council of the Armed Forces (SCAF)*”³⁸⁴. It was not clear whether the Army would be fulfilling its promise to transfer power to a civilian government or what would be the reach of the presidential powers conferred in the new constitution.
35. Indeed although both rounds of the presidential elections were conducted in a fair and transparent manner, the political context was very different in each of them: on 14th June 2012, between the first and the second round, the Supreme Constitutional Court declared the parliamentary elections unconstitutional and dissolved the People’s Assembly.
36. This judicial decision was intimately linked with the presidential elections: “*it was widely assumed that the Islamist-dominated Parliament was being removed to either weaken Mohamed Morsi should he win the election or to lay the groundwork for a “restoration” of the former regime in the case of a Shafiq victory*”³⁸⁵.
37. This decision was “*a political earthquake*”³⁸⁶ that increased the uncertainty surrounding the transitional process and placed into question the independence of the judiciary. By the time the second round of the elections took place, the only political and real outcome of the revolution had been nullified, the solely constitutional reference had been shaped by the military and there was no consensus on the next steps to take to draft a new constitutional and complete the political transition.

³⁸³ Mabrouk, M.F. (2012): “Egypt’s Difficult Choice: The First Round Is Over, Now Comes the Hard Part”, *Brookings*, 29th March 2012, available at: <http://www.brookings.edu/research/opinions/2012/05/29-egypt-mabrouk>, last accessed: 4th July 2015.

³⁸⁴ The Carter Center, (2012): “Presidential Elections in Egypt. Final Report. May-June 2012”. Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015.

³⁸⁵ *Idem*, p. 12.

³⁸⁶ *Ibid*.

Second round: run-offs.

108. The second round of the Presidential elections took place on 16 and 17 June 2012.
109. In this context, Morsi was the only candidate that was able to represent the spirit of the 25 January Revolution and fulfil the demands of Tahrir Square. Morsi proposed creating a democracy with an Islamic reference as the new path for the post-revolutionary Egypt. In contrast, Shafiq sought “*restoring the old regime in the name of stability*”³⁸⁷.
110. Somehow the second round of the presidential elections made Egyptians choose between the stability and security of the old regime, represented by Shafiq; and the change and uncertainty of the democratic revolutionary transition, a position embodied by Mohammed Morsi³⁸⁸. Morsi asked the Egyptian people “*to place their trust in him to deliver on the longer-term goals of the popular uprising*”³⁸⁹.
111. This explains why the candidates attracted different kind of voters: “*members of the old-regime and Copts may vote for Shafiq, while conservative Muslims and revolutionaries may choose Morsi*”³⁹⁰. Once Morsi and Shafiq were the only candidates left in the presidential race, the Islamist unified around Morsi’s candidacy³⁹¹.

³⁸⁷ Ottaway, M. (2012): “Egypt Elections: Setback for the Transition”, *Carnegie Endowment*, 27th May 2012, available at: <http://carnegieendowment.org/2012/05/27/egypt-elections-setback-for-transition>, last accessed: 5th July 2015.

³⁸⁸ Fahim, K. (2012): “Candidate in Egypt Makes an Insider’s Run for President”, *The New York Times*, 12th May 2012, available at: <http://www.nytimes.com/2012/05/13/world/middleeast/in-egypt-amr-moussa-makes-an-insiders-run-for-president.html?ref=topics>, last accessed: 5th July 2015; and Din Wa Dawla (2012): “Egypt’s presidential elections: a choice between a feloul- or ikhwan-regime?”, 11th June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>, last accessed: 4th July 2015.

³⁸⁹ The Carter Center, (2012): “Presidential Elections in Egypt. Final Report. May-June 2012”. Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 3.

³⁹⁰ Din Wa Dawla (2012): “Egypt’s presidential elections: a choice between a feloul- or ikhwan-regime?”, 11th June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>, last accessed: 4th July 2015.

³⁹¹ Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015; and Din Wa Dawla (2012): “Egypt’s presidential elections: a choice between a feloul- or ikhwan-regime?”, 11th June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>, last accessed: 4th July 2015.

112. “*Despite the military’s efforts to reduce the Brotherhood’s new political power*”³⁹², Mohammed Morsi won the presidential elections, receiving the support of 51.7% of the voters.
113. The results were received with hope and enthusiasm by millions of Egyptian citizens who saw, in Morsi, a guarantor of the 25 January Revolution and the end of the authoritarian regimes: “*in my dreams, I wanted this to happen, but it is unbelievable,*” declared Hudaïda Hassan, a 20-years-old youngster, to the New York Times³⁹³.
114. The Muslim Brotherhood, with a rejuvenated spirit³⁹⁴, was given the opportunity to govern Egypt and advance some of its political proposals for the first time in its long history.
115. After his victory, the Coptic Church congratulated Morsi, calling the election “*a victory for democracy*”³⁹⁵.
116. The delicate situation of Egypt’s transition and the uncertainty about the Constitutional process made these elections especially relevant. The president would be able to appoint a civil executive cabinet and 90 members of the Shura Council. But most importantly, the new president of Egypt would enjoy a relevant position to encourage the Constitutional drafting.
117. After all, the Egyptian electorate had democratically given the FJP control over almost half of the People’s Assembly, the majority of the Shura Council and the presidency of Egypt, evincing the Egyptian’s sovereign will to give an Islamist character to the new political system and Constitution.

³⁹² Aknur, M. (2013): “The Muslim Brotherhood in Politics in Egypt: From Moderation to Authoritarianism?”, *Review of International Law and Politics (Uluslararası Hukuk ve Politika)*, Issue 33, p. 2-3.

³⁹³ Kirkpatrick, D. (2012): “Named Egypt’s Winner, Islamist Makes History”, *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 5th July 2015.

³⁹⁴ Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

³⁹⁵ Kirkpatrick, D. (2012): “Named Egypt’s Winner, Islamist Makes History”, *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 5th July 2015.

118. Opposing this, the former regime had great expectations with Shafiq's candidacy. After all, Shafiq's victory would have opposed the power of the Islamist parties and would have meant the start of a political battle to control the future of the country. Whilst the Islamists would have dominated the legislative power, the fulul would have taken control of the judiciary and the executive. This would have had devastating implications for the stability of the country and for the transitional period because, as showed in the short post-revolutionary parliamentary experience, the judicial and the executive powers would have likely prevented any useful parliamentary activity.
119. In contrast, Morsi's victory provided the necessary popular support and recognition to stand against the undemocratic decisions of the judiciary and the military³⁹⁶, fight against the corrupted system³⁹⁷, eliminate the traces of the autocratic regime and promote the revolutionary change demanded in Tahrir.

The June 2012 soft coup

120. The result of the elections increased the tensions between the FJP and the military. Far from accepting their electoral defeat, the Army did not share FJP's broad democratic support and resisted handing over power to a FJP's government.
121. The military had promised to hand over power to the democratically-elected president on 30 June 2012³⁹⁸; however, two weeks before, as soon as it was clear that Mohammed Morsi had won the presidential elections, the Army, jointly with the remnants of the former regime, commenced a political manoeuvre that resulted in catastrophic consequences for the transitional process.

³⁹⁶ Din Wa Dawla (2012): "Egypt's presidential elections: a choice between a feloul- or ikhwan-regime?", 11th June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>, last accessed: 4th July 2015.

³⁹⁷ *Ibid.*

³⁹⁸ Kirkpatrick, D. (2012): "Named Egypt's Winner, Islamist Makes History", *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 5th July 2015.

122. On 17 June 2012, while “*votes were being counted in the presidential elections*”³⁹⁹, the SCAF issued a Constitutional Addendum that “*effectively subordinated the new Egyptian president to the SCAF*”⁴⁰⁰.
123. With this declaration, announced just three days after the Supreme Constitutional Court dissolved the People’s Assembly, the SCAF granted itself the legislative powers of the Assembly: the SCAF would be in charge of the legislative activity until a new parliament was elected.
124. Moreover, the addendum stripped the incoming President of some of his key powers⁴⁰¹ and transferred them to the SCAF. The military would become an independent body beyond the reach of the new president, who could not take decisions on any issues related to the armed forces. According to the Carter Centre, “*effectively, the new president would be sharing power with the unelected military council for which there were no accountability mechanisms*”⁴⁰².
125. The SCAF also re-imposed martial law by giving the Army the ability to suppress popular unrests and for soldiers to detain civilians. Indeed, the Addendum tacitly recogniserecognised the SCAF as an influential State institution that would continue its activities even after the presidential elections.
126. Moreover, the most relevant provision of the Addendum was that the SCAF gave itself “*a veto over provisions of a planned permanent Constitution*”⁴⁰³ and the power to appoint a new Constituent Assembly “*if a barrier shall arise that shall prevent the*

³⁹⁹ The Carter Center, (2012): “Presidential Elections in Egypt. Final Report. May-June 2012”. Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 3.

⁴⁰⁰ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 58.

⁴⁰¹ Frisch, H. (2013): “The Egyptian Army and Egypt’s ‘Spring’”, *Journal of Strategic Studies*, vol. 36, n. 2, p. 181.

⁴⁰² The Carter Center, (2012): “Presidential Elections in Egypt. Final Report. May-June 2012”. Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 3, p. 13.

⁴⁰³ Kirkpatrick, D. (2012): “Named Egypt’s Winner, Islamist Makes History”, *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 5th July 2015.

*Constituent Assembly from completing its work*⁴⁰⁴. With this Addendum, the Army would become the *de facto* Constituent power.

127. The Constitutional Declaration further determined that in case the SCAF or other parties wanted to object to the new draft of text of the constitution, they should “*refer the matter to the High Constitutional Court*”, which would issue a binding decision within seven days. The inclusion of this amendment illustrated not only the SCAF’s willingness to determine the outcome of the Constitutional process but also its deep influence on the Constitutional Court, a court that would undemocratically and arbitrarily determine the constitutional will.
128. Finally, the SCAF reshaped the timetable for the transition⁴⁰⁵.
129. The SCAF movement was already considered a ‘constitutional coup’, but there were additional fears that the military was going to complete the coup d’état through the judiciary. The announcement of the result of the elections was being delayed⁴⁰⁶, thus increasing the suspicions that the Supreme Constitutional Court would seek to annul votes from the presidential elections and declare Shafiq as new President of Egypt. In fact, public institutions and offices “*closed early for fear of violence*”⁴⁰⁷.
130. In order to fight these fears, thousands of citizens occupied Tahrir Square to protect the transitional process, stop the coup and force the Army to step down and hand over power to Morsi, the democratically elected president.

⁴⁰⁴ Art. 60 (bis) of the Constitutional Addendum

⁴⁰⁵ The Carter Center, (2012): “Presidential Elections in Egypt. Final Report. May-June 2012”. Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 13.

⁴⁰⁶ *Ibid.*

⁴⁰⁷ Kirkpatrick, D. (2012): “Named Egypt’s Winner, Islamist Makes History”, *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 5th July 2015.

131. After a week of popular pressure the SCAF accepted Morsi's victory over Shafiq and Morsi promised to attempt to reverse "*in the courts and the streets*"⁴⁰⁸ the terrible consequences of the June soft coup.
132. Although some thought that the FJP's victory on the parliamentary and the presidential elections constituted the guarantee of the transitional process, the victory of Tahrir Square, and the defeat of the military as part of the old regime, the fight was far from over. As soon as Morsi took power, the status quo began to prepare its offensive to recover the political power and protect its interests.
133. Indeed, according to the Carter Centre the presidential elections did not suppose "*the conclusion to the transfer of power from the military to an elected civilian government as previously promised by the military council*"⁴⁰⁹.

⁴⁰⁸ *Ibid.*

⁴⁰⁹ The Carter Center, (2012): "Presidential Elections in Egypt. Final Report. May-June 2012". Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 2.

Chapter 10

The Freedom and Justice Party in Power

First steps

1. Following the announcement of the Presidential elections results, and in a context of political uncertainty about the future of the democratic transition and the balance of power between the SCAF and the President, Mohammed Morsi, the newly elected President of Egypt, addressed the Egyptian nation.
2. On 29th June he delivered arguably the best political speech in the Arab living memory⁴¹⁰. In Tahrir Square, in front of hundreds of thousands of people, he repeated, in constant fashion, “*there is no authority above the people*”⁴¹¹. With this sentence Morsi not only highlighted the value of the national sovereignty, but also overtly criticised the SCAF’s recent political manoeuvring and its lack of democratic legitimacy.
3. In this victory speech, broadcasted on television, Morsi promised to be “*a President for all Egyptians*” and predicted that both Muslim and Christians would “*face together the strife and conspiracies that target our national unity*”⁴¹², which confirmed Morsi’s policy of inclusiveness. Indeed, Hamid referred to this speech commenting, “*there are times when ordinary, pedestrian politicians become leaders*”⁴¹³.
4. With this speech Morsi showed that he wanted to be the President of change, of a new democratic Egypt born out of the spirit of Tahrir and based on the sovereignty of the Egyptian people.

⁴¹⁰ Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

⁴¹¹ *Ibid.*

⁴¹² Kirkpatrick, D. (2012): “Named Egypt’s Winner, Islamist Makes History”, *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 5th July 2015.

⁴¹³ Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

5. He confirmed this message when he vowed to take the oath to become President before “*the re-seated Parliament*”⁴¹⁴ not before the Supreme Constitutional Court, as the SCAF had arbitrarily decreed in its 17 June Constitutional Declaration. Morsi’s decision constituted a clear protest against the June Constitutional Addendum and a challenge to SCAF’s authority.
6. It was a very symbolic movement. After all, the Supreme Constitutional Court was a Mubarak-appointed institution that represented the pre-Revolutionary status quo and that had traditionally protected an authoritarian constitutional order. Indeed, it had recently dissolved the first democratically elected parliament of Egypt.
7. Although Morsi was finally forced to take the official oath at the Constitutional Court, he also took a symbolic oath in Tahrir Square surrounded by thousands of supporters⁴¹⁵.
8. Morsi’s speech and his denial to take oath before the Constitutional Court was understood as an act of defiance directed towards the military that marked the start of a power struggle between the new President and the ruling generals⁴¹⁶.

Creation of a new government

9. Despite the broad popular support for the FJP in the ballot boxes of both the presidential and the parliamentary elections, Morsi continued the FJP’s policy of consensus in the formation of the new Egyptian government. He resigned as a member of the Brotherhood and of the FJP and promised to create a government of national unity—appropriate for a transitional period—with a Prime Minister and an advisory council from outside the ranks of the Muslim Brotherhood⁴¹⁷.

⁴¹⁴ Kirkpatrick, D. (2012): “Named Egypt’s Winner, Islamist Makes History”, *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 5th July 2015.

⁴¹⁵ Farrington, D. (2012): “Egypt’s First Civilian President Takes Oath Of Office”, *NRP*, 30th June 2012, available at: <http://www.npr.org/sections/thetwo-way/2012/06/30/156032468/egypts-first-civilian-president-to-take-oath-of-office>, last accessed: 5th July 2015.

⁴¹⁶ *Ibid.*

⁴¹⁷ Kirkpatrick, D. (2012): “Named Egypt’s Winner, Islamist Makes History”, *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 5th July 2015.

10. Like the People's Assembly—several of whose Committees and Deputies were led by members of political parties other than the FJP—; the new Egyptian government was formed by ministers from non-Islamist political backgrounds⁴¹⁸. In fact, only 4 out of the 35 ministers of Morsi's government came from the ranks of either the FJP or the Muslim Brotherhood.
11. The new Egyptian government was formed by 29 technocrats—including seven members of the former transitional government—, four ministers from the FJP, one member of Al-Wasat Party, and other from the Salafist Al-Nahda⁴¹⁹. Mohamed Morsi appointed Hisham Qandil, a well-prepared technocrat⁴²⁰ outside of the Muslim Brotherhood⁴²¹, as Prime Minister of the new government. The government included two women and one Coptic Christian.
12. Some of the most relevant ministers of the government were the Minister of Information, Salah Abdel-Maqsood, a Muslim Brotherhood member of the board of the Journalists' Syndicate⁴²² and the Minister of Justice, Ahmed Mekki. Mekki's appointment caused great irritation among the judiciary, as he had been one of the fiercest critics of the Supreme Constitutional Court and of its decision to dissolve the People's Assembly. This reformist judge argued that the Constitutional Court's judges were "*loyal to the former regime of Hosni Mubarak*"⁴²³.
13. In his search for consensus Qandil retained seven ministers from the previous government, including Field Marshall Hussein Tantawi as Minister of Defence; Mohamed Kamel Amr as Minister of Foreign Affairs; Ali Sabri as Minister of

⁴¹⁸ Hamid, S. (2011): "Brother President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

⁴¹⁹ El-Din, G.E. (2012): "Egypt PM Qandil makes some surprise, controversial ministerial choices", *Ahram Online*, 3rd August 2012, available at: <http://english.ahram.org.eg/News/49380.aspx>, last accessed: 5th July 2015.

⁴²⁰ Perry, T. and Elyan, T. (2012): "Echoes of past in new Egypt government", *Reuters*, 2nd August 2012, available at: <http://in.reuters.com/article/2012/08/02/egypt-government-tantawi-idINDEE87109520120802>, last accessed: 5th July 2015.

⁴²¹ Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 59.

⁴²² El-Din, G.E. (2012): "Egypt PM Qandil makes some surprise, controversial ministerial choices", *Ahram Online*, 3rd August 2012, available at: <http://english.ahram.org.eg/News/49380.aspx>, last accessed: 5th July 2015.

⁴²³ *Ibid*.

Military Production; Momtaz El-Said as Minister of Finance; Nadia Zakhari as Minister of Scientific Production; Nagwa Khalil as Minister of Social Insurance; and Mohamed Saber Arab as Minister of Culture.

14. These appointments sought to retain a peaceful relationship with both the military and the previous government and include their voices in the new executive, even if they contributed to the delay on the formation of the government and put obstacles to the transitional process. Qandil explained that these designations sought to build on the efforts made since the 25 January Revolution⁴²⁴.
15. The appointment of these ministers was the perfect image of the new Egyptian power balance “*between a civilian president from a once banned Islamist group and the generals who removed Hosni Mubarak from power*”⁴²⁵.
16. However, some political analysts understood that Morsi and FJP’s acceptance to have members of the former government in the new executive, allowed the military to continue in the epicentre of power and reflected the continuous “*strength of the bureaucracy and military*” in the post-Revolutionary system⁴²⁶.

Reinstatement of the Parliament

17. This newly appointed government and the Egyptian transitional process had to face complicated challenges.
18. First, Morsi was a president governing in a country without parliament. The Supreme Constitutional Court had already ordered the dissolution of the lower chamber and it was expected to declare the unconstitutionality of the upper chamber and of the Constituent Assembly as well⁴²⁷, thus eroding the democratic achievements of the revolution.

⁴²⁴ Perry, T. and Elyan, T. (2012): “Echoes of past in new Egypt government”, *Reuters*, 2nd August 2012, available at: <http://in.reuters.com/article/2012/08/02/egypt-government-tantawi-idINDEE87109520120802>, last accessed: 5th July 2015.

⁴²⁵ *Ibid.*

⁴²⁶ *Ibid.*

⁴²⁷ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 58-59.

19. Second, Morsi was governing with state institutions and a bureaucracy loyal to the former regime⁴²⁸, especially the Ministry of Interior⁴²⁹. Neither the judiciary nor the bureaucracy of the country had been renovated by the SCAF, so they continued to defend the interests of the former status-quo and opposing the measures proposed by the new government: “*shaped by decades of authoritarian rule [state institutions] were filled by former regime personnel eager to maintain privileges and positions and unwilling to cede power to newcomers*”⁴³⁰. This resistance to the authority of the government and the lack of tools to implement measures made it even more difficult to govern a country in a pre-existing deep economic and social crisis.
20. Third, the SCAF had arrogated “*near-full control of all of the key branches of state*”⁴³¹ with its June Constitutional Declaration; the SCAF had arrogated itself the legislative powers of the recently dissolved People’s Assembly and taken key powers from the presidency.
21. Consequently, Morsi was governing without parliament, constitution or bureaucracy⁴³². In this context, Morsi and FJP’s priority was not to govern, but to consolidate their power and ensure the transitional process, complete the process of constitutional drafting and call for new parliamentary elections⁴³³. Thus, Morsi’s first decision in government was to counteract the June *soft coup*.
22. He issued an executive decree reconvening the People’s Assembly, and thus opposing the Supreme Constitutional Court decision⁴³⁴. This came as no surprise

⁴²⁸ AlJazeera (2012): “Egypt’s top court rebukes president’s decree”, 10th July 2012, available at: <http://www.aljazeera.com/news/middleeast/2012/07/201279124421528560.html>, last accessed: 5th July 2015.

⁴²⁹ Holtmann, P. (2013): “After the Fall: The Muslim Brotherhood’s Post Coup Strategy”, *Perspectives on Terrorism*, Vol. 7, Issue. 5, p. 546; and Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 59

⁴³⁰ *Ibid.*

⁴³¹ Farrington, D. (2012): “Egypt’s First Civilian President Takes Oath Of Office”, *NRP*, 30th June 2012, available at: <http://www.npr.org/sections/thetwo-way/2012/06/30/156032468/egypts-first-civilian-president-to-take-oath-of-office>, last accessed: 5th July 2015.

⁴³² Özhan, T. (2013): “New Egypt versus the *Felool*: Struggle for Democracy”, *Insight Turkey*, vol. 15, n. 1, p. 22.

⁴³³ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 60

⁴³⁴ ACE Project The Electoral Knowledge Network (2013): “The ACE Encyclopaedia: Legal Framework”, available at: http://aceproject.org/ace-en/topics/lf/lfc/lfc_eg, last accessed: 4th July 2015; and Hamid, S. (2011): “Brother

for the Egyptian public, as Morsi had promised to reinstate the Parliament in case he won the second round of the presidential elections.

23. The Court met in a brief session and responded to the decree arguing that the new President did not have any legal right to invalidate the Court's verdict as its decisions were final and binding. The Court added that Morsi's decision was an "*unacceptable interference*" in its work⁴³⁵.
24. Moreover, the military responded that they were "*confident that all state institutions will respect what was issued in all constitutional declarations*"⁴³⁶ and that its order to dissolve the parliament only "*represented the implementation*" of the judicial decision. In contrast, the Muslim Brotherhood replied that the decision was incorrect and that the SCAF, as the transitional executive, did not have any "*legal right to order parliament dissolved*"⁴³⁷.
25. In fact, several legal experts such as Yussuf Auf—judge in the Giza governorate and constitutional scholar⁴³⁸—agreed that the Constitutional Court decision had a political rather than legal motivation; it was a troubling political decision to which the judges wanted to give an appearance of legal legitimacy.
26. Hundreds of citizens demonstrated in favour of Morsi outside the Administrative Court in Cairo, which was resolving 25 cases filed to oppose Morsi's decree⁴³⁹.
27. Although El-Katatny, speaker of the Assembly, supported and welcomed Morsi's decision, certain political parties ordered their representatives not to comply with the president's call, as they considered it was against the rule of law. Thus,

President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

⁴³⁵ ACE Project The Electoral Knowledge Network (2013): "The ACE Encyclopaedia: Legal Framework", available at: http://aceproject.org/ace-en/topics/lf/lfc/lfc_eg, last accessed: 4th July 2015.

⁴³⁶ Watson, I. (2012): "Court overrules Egypt's president on parliament", *CNN*, 11th July 2012, available at: <http://edition.cnn.com/2012/07/10/world/meast/egypt-politics/>, last accessed: 5th July 2015.

⁴³⁷ Aljazeera (2012): "Egypt's top court rebukes president's decree", 10th July 2012, available at: <http://www.aljazeera.com/news/middleeast/2012/07/201279124421528560.html>, last accessed: 5th July 2015.

⁴³⁸ *Ibid.*

⁴³⁹ Watson, I. (2012): "Court overrules Egypt's president on parliament", *CNN*, 11th July 2012, available at: <http://edition.cnn.com/2012/07/10/world/meast/egypt-politics/>, last accessed: 5th July 2015.

Mohammed Morsi did not succeed in his aim to reconvene the People's Assembly⁴⁴⁰.

Struggle of power with the SCAF

28. State power had not been completely handed over to the new civilian government because, due to the SCAF's June Constitutional Declaration, the military continued having legislative, military and budgetary control of Egypt⁴⁴¹.
29. From June 2012 the tensions between the SCAF and President Morsi kept growing, but it was not until August 2012 that the President could annul the SCAF's 17-June Constitutional Declaration⁴⁴², recover all presidential powers and transfer the SCAF's legislative authority to the president⁴⁴³. With this decision, the legislative power returned to the democratically elected institutions born out of the Revolution; it was held by the President and the Shura Council.
30. Morsi also removed the heads of the intelligence and military intelligence services and some of the SCAF's most influential figures⁴⁴⁴, including the Commander of the Military Police⁴⁴⁵; the Chief of the Intelligence Service, Mourad Mowafi⁴⁴⁶; the Chief of Staff, Sami 'Anan; and Field Marshall Hussein Tantawi, Head of the Armed Forces, Chairman of the SCAF and Minister of Defence since 1991⁴⁴⁷.

⁴⁴⁰ ACE Project The Electoral Knowledge Network (2013): "The ACE Encyclopaedia: Legal Framework", available at: http://aceproject.org/ace-en/topics/lfc/lfc_eg, last accessed: 4th July 2015.

⁴⁴¹ Abou-Bakr, A.J. (2012): "Mohamed Morsi, the Muslim Brotherhood, and Why the Revolution Continues", *E-International Relations*, available at: <http://www.e-ir.info/2012/08/23/mohamed-morsi-the-muslim-brotherhood-and-why-the-revolution-continues/>, last accessed: 4th July 2015.

⁴⁴² *Idem*, p. 58; and Hamid, S. (2011): "Brother President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

⁴⁴³ Abou-Bakr, A.J. (2012): "Mohamed Morsi, the Muslim Brotherhood, and Why the Revolution Continues", *E-International Relations*, available at: <http://www.e-ir.info/2012/08/23/mohamed-morsi-the-muslim-brotherhood-and-why-the-revolution-continues/>, last accessed: 4th July 2015.

⁴⁴⁴ Hamid, S. (2011): "Brother President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

⁴⁴⁵ Frisch, H. (2013): "The Egyptian Army and Egypt's 'Spring'", *Journal of Strategic Studies*, vol. 36, n. 2, p. 195.

⁴⁴⁶ Özhan, T. (2013): "New Egypt versus the *Felook*: Struggle for Democracy", *Insight Turkey*, vol. 15, n. 1, p. 16.

⁴⁴⁷ Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 58 and Frisch, H. (2013): "The Egyptian Army and Egypt's 'Spring'", *Journal of Strategic Studies*, vol. 36, n. 2, p. 183.

31. According to Özhan, with this decision Morsi “*put an end to the 60-year military regime that came to power in 1952 following the coup organized by Gamal Abdel Nasser [...] and he took a huge step towards the democratization of the country*”⁴⁴⁸.
32. Tantawi had become increasingly unpopular during the transition⁴⁴⁹, consequently Morsi’s decision was supported by part of the Army, including by younger members such as General Abdel Fattah El-Sisiel-Sisi who saw Tantawi as an obstacle in their political and military career path⁴⁵⁰. This support was unexpected but, according to Pioppi, there is uncertainty about the intentions of the military at that time: “*the [Muslim Brotherhood] probably believed or was made to believe that the new army leadership was interested in guarding its power and privileges without being trapped in the day-to-day government of the country and hoped that this could be a sufficient basis for a sustainable power-sharing agreement. The events that followed, however, proved this calculation wrong*”⁴⁵¹.
33. Many consider that it was not until that moment, August 2012, that the handover of power to a civilian government was complete.
34. President Morsi considered that this move would enable him to exert control over the military institutions, start developing his functions as president and ensure the transitional process. After all, the Tantawi-led SCAF, jointly with the Constitutional Court, had placed several obstacles in the path of the correct functioning of the transitional process and had, in several occasions, attempted to pre-determine the outcome of the transition.
35. However, Morsi’s government and the whole Egyptian transitional process continued, surrounded by deep uncertainties and threats and, despite Morsi’s decision, the SCAF continued having a great power in both economic, institutional and military terms. As a matter of fact, Morsi and the Brotherhood had held that

⁴⁴⁸ Özhan, T. (2013): “New Egypt versus the *Felool*: Struggle for Democracy”, *Insight Turkey*, vol. 15, n. 1, p. 16.

⁴⁴⁹ Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 163.

⁴⁵⁰ Ibid.

⁴⁵¹ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 58.

they would “continue to accept the authority of the SCAF on matters of foreign policy and domestic security”⁴⁵², which gave the Army control over the 1.3 billion dollars of military aid coming from the United States and over great part of the public companies and services that constituted a third of the Egyptian economy⁴⁵³. Therefore, although Morsi’s “counter-coup”⁴⁵⁴ was significant for the democratic transition, it was “far from a conclusive victory”⁴⁵⁵.

November Declaration

36. In November 2012 Mohammed Morsi announced a 7-article Constitutional Declaration that brought important changes to the political and institutional scene⁴⁵⁶:

A. It changed the tenure of the position of Prosecutor General. Instead of being a position for life, this office would be held for a four-year term. This caused the implicit removal of Abdel-Meguid Mahmoud, the Prosecutor General at that time, who had already been six years in office⁴⁵⁷. This decision, that increased the accountability of the institution, was very well received by supporters of the Revolution; Abdel-Meguid Mahmoud, appointed by former President Mubarak, failed to prosecute those responsible for the deathly violence against protesters of the 25 January Revolution. He was perceived as a fulul loyal to the previous regime that protected the interests of former officials⁴⁵⁸. Talaat Ibrahim was the person chosen to replace him.

⁴⁵² Abou-Bakr, A.J. (2012): “Mohamed Morsi, the Muslim Brotherhood, and Why the Revolution Continues”, *E-International Relations*, available at: <http://www.e-ir.info/2012/08/23/mohamed-morsi-the-muslim-brotherhood-and-why-the-revolution-continues/>, last accessed: 4th July 2015.

⁴⁵³ *Ibid.*

⁴⁵⁴ Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

⁴⁵⁵ *Ibid.*

⁴⁵⁶ See Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 61.

⁴⁵⁷ AlJazeera (2012): “Egypt’s Morsi assumes wide powers”, 23rd November 2012, available at: <http://www.aljazeera.com/news/middleeast/2012/11/20121122161830842641.html>, last accessed: 5th July 2015.

⁴⁵⁸ Kandil, H. (2012): “Mohamed Morsi and the classic revolutionary trap”, *The Guardian*, 30 November 2012, available at: <http://www.theguardian.com/commentisfree/2012/nov/30/mohamed-morsi-revolutionary-trap-egypt>, last accessed: 4th July 2015.

- B. The declaration also ordered the retrial of Mubarak and other top officials on charges of murder, attempted murder and the wounding of protesters during the Revolution; despite their widely perceived responsibility for the violence against demonstrators, they had been recently acquitted.
 - C. It precluded any 'judicial body' from dissolving both the Shura Council and the Constituent Assembly.
 - D. It extended the Constituent Assembly's term from 6 months to 8 months.
 - E. It declared all presidential constitutional declarations, laws, and decrees final and binding, protecting them from judicial review "*until the constitution is approved and a new People's Assembly is elected*".
37. This declaration caused widespread criticism and outrage. Morsi's opponents accused the president of authoritarianism and of intending to assume all the power in Egypt. However, those who held these criticisms took the declaration out of context and, as Kandil argued in *The Guardian*, "*oversimplif[ed] Egypt's situation*"⁴⁵⁹.
38. It is unthinkable that President Morsi, coming from the Muslim Brotherhood, an organization committed for decades to the protection of democracy and whose most distinguishing ideological characteristic is the reconciliation of Islamic culture with democratic values⁴⁶⁰, aspired to capture all the power of Egypt. Both the Muslim Brotherhood and the FJP had maintained a consensual and consultative stance since the beginning of the transition and their vision of the state was "*consultative, legal and constitutional*"⁴⁶¹.
39. With this declaration, Morsi did not intend to inaugurate a Mubarak-style tyrannical government, as some critics feared; but to protect the transition and democratic achievements of the Revolution from the threats coming from the military and the

⁴⁵⁹ *Ibid.*

⁴⁶⁰ Pahwa, S. (2013): "Secularizing Islamism and Islamizing Democracy: The Political and Ideational Evolution of the Egyptian Muslim Brothers 1984–2012", *Mediterranean Politics*, vol. 18, n. 2.

⁴⁶¹ Harnisch, C. and Mecham, Q. (2009): "Democratic Ideology in Islamist Opposition? The Muslim Brotherhood's 'Civil State'", *Middle Eastern Studies*, Vol. 45, No. 2, p. 199.

judiciary. Taking into account the political context of the moment, it is clear that the declaration attempted to consolidate the transitional change, ensure accountability for the members of the previous regime, protect the democratic institutions and guarantee the drafting of the constitution. Morsi wanted to fight against the remnants of the former regime that were hampering the transitional process until placing it “*on the verge of collapse*”⁴⁶².

40. The judiciary, with no democratic legitimacy, had stolen the legislative power of the state; it had not only ordered the dissolution of the People’s Assembly and threatened to do the same with the Shura Council and the Constituent Assembly, but also continued annulling all the laws and reforms coming from the newly elected institutions.
41. Moreover, the Supreme Constitutional Court intended to restore the 17th June SCAF Constitutional Declaration on 2nd December, a decision that would have granted the SCAF the legislative and executive control of Egypt and nullified Morsi’s power⁴⁶³.
42. The most fierce critics of this declaration were “*some of the old regime's most sinister figures*”, who suddenly appeared as “*friends of freedom*” and advocates of the “*sanctity of the legal system*”⁴⁶⁴. However, there were also numerous supporters of the Declaration: “*he had to act to save the country and protect the course of the revolution,*” said Pakinam al-Sharqawi to Al-Jazeera⁴⁶⁵.
43. Despite the evident necessity to counterbalance the power of non-democratic institutions plagued by remnants of the former regime, Morsi responded to the popular protests against the Constitutional Declaration by reforming and annulling

⁴⁶² Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 61.

⁴⁶³ *Ibid.*

⁴⁶⁴ Kandil, H. (2012): “Mohamed Morsi and the classic revolutionary trap”, *The Guardian*, 30 November 2012, available at: <http://www.theguardian.com/commentisfree/2012/nov/30/mohamed-morsi-revolutionary-trap-egypt>, last accessed: 4th July 2015.

⁴⁶⁵ AlJazeera (2012): “Egypt’s Morsi assumes wide powers”, 23rd November 2012, available at: <http://www.aljazeera.com/news/middleeast/2012/11/20121122161830842641.html>, last accessed: 5th July 2015.

its main precepts⁴⁶⁶. He also attempted to open a national dialogue in search of consensus; but sadly, the opposition boycotted it⁴⁶⁷.

Constitutional drafting

44. One of the biggest challenges of the new government was supporting the process of constitutional drafting. A process without which the transition would never be completed.
45. The questions and political discussions of how to elect a Constituent Assembly and determine its powers and the rules that it should follow were the most delicate and controversial of the Egyptian transition. There were deep disagreements between several parties on the path of the transitional process, on whether the Constitution should be drafted before or after the presidential elections, or on whether it was necessary to pre-determine some Supra-Constitutional principles that would guide the drafting process.
46. The position of the Muslim Brotherhood and the FJP was that the process of Constitutional drafting should be responsive to the popular will expressed in transparent and democratic elections. Thus, establishing Supra-Constitutional principles would only limit the free expression of sovereignty.
47. The first time the Egyptian population was called to the ballot boxes to vote on the Constitutional Declaration was 19th March 2011. This Constitutional Addendum intended to determine the basic rules to guide the transition and established that the Constitution had to be written by a Constituent Assembly of 100 members. However, it did not include any more specific guidelines, such as the process of selecting the 100 members or the rules for the approval of the draft

⁴⁶⁶ Özhan, T. (2013): "New Egypt versus the *Felool*: Struggle for Democracy", *Insight Turkey*, vol. 15, n. 18.

⁴⁶⁷ Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 62.

constitution inside the Constituent Assembly⁴⁶⁸. It did not even establish the sequencing of the transition or the rules to guide the electoral process⁴⁶⁹.

48. This indetermination caused great disparities among political groups⁴⁷⁰. Several groups criticized the supremacy of Islamist groups in the Constituent Assembly, although it represented the composition of the parliamentary chamber. While they supported a more equalitarian representation among groups, others defended that the Constituent Assembly needed to reflect the political preferences of the Egyptian population expressed in democratic and free elections.
49. As a matter of fact, in the storm generated by the political disagreements around the question of the new Constitution, the SCAF took the opportunity to determine some important points of the constituent process.
50. At the beginning of the transitional process, the SCAF elected a Constitutional Committee to amend the 1971 Constitution. This committee presented a proposal that was subject to a referendum on 19 March 2011 and approved by an overwhelming majority.
51. However, the constitutional declaration approved by the SCAF on 30 March 2011, was different from the proposal approved by referendum; it *“included not only the amended articles accepted by referendum but also added and removed other articles that were not*

⁴⁶⁸ Ottaway, M. (2012): “Egypt Elections: Setback for the Transition”, *Carnegie Endowment*, 27th May 2012, available at: <http://carnegieendowment.org/2012/05/27/egypt-elections-setback-for-transition>, last accessed: 5th July 2015; and The Carter Center, (2012): “Presidential Elections in Egypt. Final Report. May-June 2012”. Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015.

⁴⁶⁹ The Carter Center (2012): “Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt”, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015, p. 9.

⁴⁷⁰ Din Wa Dawla (2012): “Egypt’s presidential elections: a choice between a feloul- or ikhwan-regime?”, 11th June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/11/1-egypts-presidential-elections-a-choice-between-a-feloul-or-ikhwan-regime/>, last accessed: 4th July 2015.

*subject to popular approval*⁴⁷¹. Furthermore, some articles approved in the referendum appeared with different wording in the Constitutional Declaration⁴⁷².

52. Therefore, some articles of the March Constitutional Declaration lacked democratic legitimacy. According to the Carter Centre, *“this caused confusion and alarm among segments of the Egyptian population and weakened the foundations of the transition, paving the way for future challenges to the constitutionality of elections”*⁴⁷³.
53. This declaration constituted a *de facto* 63-article provisional interim constitution unilaterally approved by the SCAF to guide the transitional process, in which the SCAF assumed both the legislative and the executive power of the State⁴⁷⁴.
54. Moreover, on 14 November 2011, before the parliamentary elections, Ali Al-Selmy -- Deputy Prime Minister -- presented a Constitutional Principles document to guide the debate on the constitutional drafting. This document, which was presented as a protector of the secular nature of the State, granted wide powers to the SCAF; it proposed appointing 80 out of the 100 members of the Constitutional Assembly, instead of allowing the Parliament to elect them⁴⁷⁵ and gave the SCAF veto power to any regulation of military affairs⁴⁷⁶ and *“a permanent power to intervene in politics”*⁴⁷⁷.

⁴⁷¹ The Carter Center (2012): “Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015, p. 10.

⁴⁷² *Ibid.*

⁴⁷³ The Carter Center, (2012): “Presidential Elections in Egypt. Final Report. May-June 2012”. Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 7.

⁴⁷⁴ *Ibid.*

⁴⁷⁵ Shehata, S. (2011): “Profile: Egypt’s Salafist al-Nour Party”, *BBC News*, 25th November 2011, available at: <http://www.bbc.com/news/world-middle-east-15899539>, last accessed: 5th July 2015.

⁴⁷⁶ Inter-parliamentary Union (2012): “Egypt. Majlis Al-Chaab (People’s Assembly)”, available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

⁴⁷⁷ Kirkpatrick, D. (2012): “Judge Helped Egypt’s Military to Cement Power”, *The New York Times*, 3rd July 2012, available at: <http://www.nytimes.com/2012/07/04/world/middleeast/judge-helped-egypts-military-to-cement-power.html>, last accessed: 5th July 2015.

55. Al-Nour⁴⁷⁸, Al-Wasat⁴⁷⁹ and the Muslim Brotherhood opposed this document and criticized its undemocratic character and the immunity given to the SCAF. Indeed, the presentation of this document gave rise to multiple protests in the country, accusing the SCAF “*of seeking to cling to power and demanded the immediate handing over of power to a civilian government*”⁴⁸⁰.
56. The protests reached such intensity that they forced the resignation of Prime Minister Essam Sharaf, on 7 December 2011. Kamal Ganzouri, an economist who had served as prime minister under Mubarak between 1996 and 1999⁴⁸¹ and “*a stalwart of the SCAF-dominated order*”⁴⁸², substituted Sharaf⁴⁸³ and remained in office until Mohammed Morsi named Hisham Qandil as new Prime Minister of Egypt in July 2012.
57. Afterwards, the SCAF exerted pressure to get the Constitution approved before the presidential elections, or at least, before 30 June 2012, the date upon which the SCAF had promised to handover power. The SCAF wanted to have control over the process of Constitutional drafting, so the process needed to take place before the SCAF finished its rule: “*the SCAF repeatedly demanded that the constitution, be finalized before the presidential election, presumably preferring to see its political and economic privileges defined and protected by the new constitution before relinquishing its power*”⁴⁸⁴.
58. However, it was unlikely for the Constituent Assembly to meet this deadline. Both Chambers of the parliament met, for the first time, on February 2012 and it was

⁴⁷⁸ Shehata, S. (2011): “Profile: Egypt’s Salafist al-Nour Party”, *BBC News*, 25th November 2011, available at: <http://www.bbc.com/news/world-middle-east-15899539>, last accessed: 5th July 2015.

⁴⁷⁹ Jadaliyya (2011): “Al-Wasat Party”, 18 November 2011, available at: <http://www.jadaliyya.com/pages/index/3152/al-wasat-party>, last accessed: 3rd July 2015

⁴⁸⁰ Inter-parliamentary Union (2012): “Egypt. Majlis Al-Chaab (People’s Assembly)”, available at: http://www.ipu.org/parline-e/reports/2097_E.htm, last accessed 3rd August 2015.

⁴⁸¹ Aljazeera (2011): “Profile: Kamal el-Ganzouri”, 26th November 2011, available at: <http://www.aljazeera.com/news/middleeast/2011/11/2011112664712636703.html>, last accessed: 5th July 2015.

⁴⁸² Frisch, H. (2013): “The Egyptian Army and Egypt’s ‘Spring’”, *Journal of Strategic Studies*, vol. 36, n. 2, p. 190.

⁴⁸³ Canadians for Justice and Peace for the Middle East (2011): “Egyptian Parliamentary Elections 2011/2012”, Factsheet series n. 143, available at: <http://www.cjpmo.org/DisplayDocument.aspx?DocumentID=2074>, last accessed: 4th July 2015, p. 2.

⁴⁸⁴ The Carter Center, (2012): “Presidential Elections in Egypt. Final Report. May-June 2012”, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 8.

improbable that they managed to elect the Assembly, draft the Constitution and approve it in referendum before June of the same year⁴⁸⁵.

59. Moreover, there was wide public pressure to call presidential elections before the approval of a new Constitution, so the SCAF could hand over power to an elected civil government and end the military governance of Egypt sooner: *“some believed that making the presidential election contingent upon the successful drafting and ratification of the constitution would result in the extension of military rule beyond the end of June 2012, as there was no guarantee that the members of a future constituent assembly would succeed in meeting the presumed deadline”*⁴⁸⁶.
60. In March 2012 the new Egyptian parliament elected the Constituent Assembly. Some politicians did not agree with the distribution of seats in the Assembly and with the Islamist-parties proposal to have 50 per cent of the assembly drawn from members of Parliament so, after a concerted and significant media campaign against the Assembly, they resigned from their positions in the Constituent chamber⁴⁸⁷. The media campaign was at such a level that members of the Constituent Assembly withdrew from their positions, even if *“they had just expressed their pleasure for joining the panel”*⁴⁸⁸.
61. Moreover, before the presidential elections, on 10 April 2012, a politically motivated decision of the Supreme Administrative Court invalidated the Constituent Assembly elected in Parliament and ordered its suspension⁴⁸⁹. The Court decided that the composition of the Assembly was unconstitutional because parliamentarians could not elect themselves *“according to a 1994 SCC ruling”*⁴⁹⁰.

⁴⁸⁵ *Ibid.*

⁴⁸⁶ *Ibid.*

⁴⁸⁷ IkhwanWeb (2012): “Muslim Brotherhood and Freedom and Justice Party Statement on Egypt’s Presidency”, 1st April 2012, available at: <http://www.ikhwanweb.com/article.php?id=29837>, last accessed: 3rd July 2015.

⁴⁸⁸ *Ibid.*

⁴⁸⁹ Ottaway, M. (2012): “Egypt Elections: Setback for the Transition”, *Carnegie Endowment*, 27th May 2012, available at: <http://carnegieendowment.org/2012/05/27/egypt-elections-setback-for-transition>, last accessed: 5th July 2015; and The Carter Center, (2012): “Presidential Elections in Egypt. Final Report. May-June 2012”, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p. 9.

⁴⁹⁰ Ahram Online (2012): “Egypt’s Supreme Administrative Court suspends embattled Constituent Assembly”, 10th April 2012, available at: <http://english.ahram.org.eg/NewsContent/1/0/38936/Egypt/0/Egypt-Supreme-Administrative-Court-suspends-embat.aspx>, last accessed: 5th July 2015.

62. Parliamentarians agreed on the formation of a second Constituent Assembly, more balanced and with a lower Islamist representation.
63. The Court's decision to dissolve the first Constitutional Assembly caused uncertainty with regard to the transitional process and about the specific powers of the future president of Egypt. On the one hand, it posed questions about the authority of a judiciary coming from the previous regime to make this kind of decisions and, on the other hand, it gave the SCAF the opportunity to intervene in the Constitutional process and determine its outcome.
64. Indeed, during presidential elections, the SCAF, willing to decrease the representation of Islamist parties in the Constituent Assembly, pressured political parties to reach a new agreement for the composition of the Assembly⁴⁹¹. The SCAF even threatened to unilaterally change the Constitutional Declaration, as it finally did in June 2012⁴⁹².
65. The June 2012 Constitutional Declaration was the most evident of the SCAF's attempts to control and shape the drafting of the new constitution. In this declaration the SCAF granted itself powers to elect the Assembly and to veto the Assembly's proposal.
66. However, Mohammed Morsi managed to annul the June Constitutional Declaration and boost the process of constitutional drafting. The President attempted to end SCAF's history of interference in the constitutional drafting process and allow the Constituent Assembly, an institution with democratic legitimacy, to work independently.
67. He wanted the Constituent Assembly to have a proposal prepared as soon as possible, so it could be submitted to a referendum vote. Having a constitution

⁴⁹¹ The Carter Center, (2012): "Presidential Elections in Egypt. Final Report. May-June 2012". Available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf, last accessed: 3rd July 2015, p.11.

⁴⁹² *Ibid.*

would consolidate the transition, specify the powers of state institutions, establish a system of checks and balances and guarantee fundamental rights.

68. An important reason to accelerate the work of the Constituent Assembly was that it was, once again, facing dissolution by the judiciary. Although the second Assembly had been elected with the support of “22 parties and the head of the military council”⁴⁹³, its constitutionality was put into question once more.
69. The Supreme Constitutional Court was expected to reach a decision on the dissolution of the Assembly on 2 December 2012⁴⁹⁴, so the Assembly had to work fast to have the proposal drafted by this date. Finally, the judicial decision was postponed after hundreds of Morsi’s supporters demonstrated in front of the Court protesting for the forthcoming verdicts⁴⁹⁵.
70. The Constituent Assembly presented a Constitution proposal on 30 November⁴⁹⁶. Although 15 of its members resigned from their positions in the Assembly for different reasons, the draft was voted upon by 85 members, a far greater number than the minimum of 67 members required by the rules of the Constituent Assembly⁴⁹⁷.
71. The Constitution was approved in referendum on 15 and 22 December⁴⁹⁸, with the support of 64% of the voters⁴⁹⁹. Although it is true that this referendum had a

⁴⁹³ BBC News (2012): “Egypt parties end deadlock over constitutional panel”, 8th June 2012, available at: <http://www.bbc.com/news/world-middle-east-18360403> last accessed: 5th July 2015.

⁴⁹⁴ El Deeb, S. (2012): “Egypt judges strike to protest president's decrees”, *Yahoo News*, 28th November 2012, available at: <http://news.yahoo.com/egypt-judges-strike-protest-presidents-decrees-213322187.html>, last accessed: 5th July 2015.

⁴⁹⁵ Ahram Online (2012): “Egypt Constitutional Court postpones all sessions indefinitely”, 2nd December 2012, available at: <http://english.ahram.org.eg/NewsContent/1/64/59621/Egypt/Politics-/Egypt-Constitutional-Court-postpones-all-sessions-.aspx>, last accessed: 5th July 2015.

⁴⁹⁶ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 62.

⁴⁹⁷ Ahram Online (2012): “Beleaguered Constituent Assembly votes on Egypt's draft constitution”, 29th November 2012, available at: <http://english.ahram.org.eg/NewsContent/1/64/59447/Egypt/Politics-/Beleaguered-Constituent-Assembly-votes-on-Egypt's-draft-constitution-.aspx>, last accessed: 5th July 2015.

⁴⁹⁸ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 62.

⁴⁹⁹ Martini, J. and Worman, S.M. (2013): “Voting Patterns in Post-Mubarak Egypt”, *Rand Corporation*, available at: http://www.rand.org/content/dam/rand/pubs/research_reports/RR200/RR223/RAND_RR223.pdf, last accessed: 4th July 2015.

lower turnout—33%—⁵⁰⁰, it is worth noting that this was the sixth time that the Egyptian electorate had been called to vote in less than two years, which, in part, explains the lower participation.

72. Although the Muslim Brotherhood was accused of willing to control the process of Constitutional drafting to introduce radical changes and modify the nature of the Egyptian state, the 2012 Constitution was very moderate and inspired by the previous constitution⁵⁰¹. As a matter of fact, in a comparative analysis of the last three constitutions of Egypt —the Constitutions of 1971, 2012 and 2013—, by Carnegie Endowment, it is argued that the 2013 Constitution, approved after Morsi's ousting, was perceived to be "*very similar*" to the one of 2012, although, interestingly, it "*expanded the powers of institutions that supported Morsi's removal, including the military, the judiciary, and the police*"⁵⁰².
73. Azzam highlights that the 2012 Constitution was based on that of 1971, but introduced some improvements; it made a reference to the *Shura*, introduced additional workers' rights, expanded freedom for the media, limited military tribunals, restricted presidential office to two four-years terms and "*introduced a ban on members of the previous ruling party, the NDP, from participating in political life for a period of ten years*"⁵⁰³.
74. Although the relevance of Islam and religious institutions in the new Constitution was the principal concern of secular parties opposing Morsi and the FJP; the 2012 Egyptian Constitution proved to be inherently moderate in its religious proposals. Indeed, the 2013 Constitution respected most of the wording of the 2012 Constitution in religious affairs.

⁵⁰⁰ *Ibid.*

⁵⁰¹ Azzam, M. (2013): "Egypt's Democratic Experiment: Challenges to a Positive Trajectory", *Insight Turkey*, vol. 15, n. 2, p. 159; and Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 62.

⁵⁰² Carnegie Endowment (2013): "Comparing Egypt's Constitutions", available at: <http://carnegieendowment.org/files/Comparing-Egypt-s-Constitutions.pdf>, last accessed: 5th July 2015.

⁵⁰³ Azzam, M. (2013): "Egypt's Democratic Experiment: Challenges to a Positive Trajectory", *Insight Turkey*, vol. 15, n. 2, p. 159.

75. The Muslim Brotherhood-led Constitution followed the moderate political programs of both the FJP and Morsi; programs that received a great popular support. The Constitution recogniserecognised freedom of belief, as an inviolable right, accepted Jewish and Christian laws to regulate the personal status and religious affairs of non-Muslims and maintained *shari'a* as the principal source of legislation, like the 1971 and 2013 Constitutions. It was a Constitution that emphasized democracy, protected the most basic fundamental rights and truly reflected the will of the Egyptian population.
76. However, the Supreme Constitutional Court continued placing obstacles to the transitional process. Tahani el-Gebali, the only female judge of the Court filed a legal challenge against the constitution for having reduced the size of the Court. The jurist argued that the Constitution had been “*drafted and passed illegally*”⁵⁰⁴ and that the reduction violated the “*independence of the court*”, which was clearly a deficient legal complaint against the Constituent power. This complaint did not succeed, but the fact that the former judge filed it evinced the judiciary’s opposition to the new Constitution.
77. This Constitution was difficult to draft and approve. Although some politicians argued that the problems of the Constitutional drafting derived from the Muslim Brotherhood’s willingness to dominate the process, it is untrue. First, an Islamist majority in the Constituent Assembly would reflect the will of the Egyptian population expressed in the ballot box rather than an Islamist’s desire to accumulate power; and second, the Muslim Brotherhood agreed to have a lower representation in the second Constitutional Assembly in order to facilitate the transitional process. The actors who damaged and obstructed the drafting of a new Constitution were the SCAF—with its undemocratic intent to control and veto the drafting process—and the judiciary, whose continuous threat to dissolve the Assembly impeded the correct functioning of the Constituent chamber.

Islamism and democracy

⁵⁰⁴ The Associated Press (2013): “Former top court judge challenges Egypt's new constitution”, *CBC News*, 8th January 2013, available at: <http://www.cbc.ca/news/world/former-top-court-judge-challenges-egypt-s-new-constitution-1.1390698>, last accessed: 5th July 2015.

78. Morsi's opponents usually asserted that Morsi and the FJP were secretly plotting to convert Egypt to an Islamic State. However, the Muslim Brotherhood had shown for decades, a deep commitment towards the civilian nature of the state and rejected the creation of a theocracy in Egypt.
79. In fact, one of the most severely criticized proposals from the FJP was to include Islamic values and a reference to Islamic Law in the new constitution. Yet, this criticism was meaningless as *shari'a* had been part of the Egyptian constitution since 1971⁵⁰⁵, so the effects on the Egyptian state of including this reference would be "*minimal*"⁵⁰⁶. Indeed, there was great consensus on the new Constituent Assembly to respect this provision⁵⁰⁷.
80. In addition, the Muslim Brotherhood's religious political project was very moderate. In its proposals Islam was a central symbolic value and a reformative reference⁵⁰⁸, but Morsi and the FJP defended a civil vision of the state⁵⁰⁹ and committed to the defence of individual liberties and national identity grounded in Islamic principles⁵¹⁰. As a matter of fact, according to El-Beshry, the Islamic reference that the Muslim Brotherhood has traditionally mentioned "*does not refer to rulings and systems per se, but to the prevailing cultural and religious beliefs in society, and among the national community, beliefs on which the majority agrees. This is why we do not choose religious reference as a prevalent cultural matter, but rather synthesize its nature and characteristics based on society's predominant cultural and doctrinal values [...] This is why there is no real conflict in*

⁵⁰⁵ Article 2 of the 1971 Constitution of Egypt: "Islam is the religion of the state and Arabic its official language. Principles of Islamic law (Shari'a) are the principal source of legislation", in Carnegie Endowment (2013): "Comparing Egypt's Constitutions", available at: <http://carnegieendowment.org/files/Comparing-Egypt-s-Constitutions.pdf>, last accessed: 5th July 2015.

⁵⁰⁶ Din Wa Dawla (2012): "The program of Mohammed Morsi: economic development in an Islamic democracy", 21st June 2012, available at: <https://dinwdawla.wordpress.com/2012/06/21/4-the-program-of-mohammed-morsi-economic-development-in-an-islamic-democracy/>, last accessed: 4th July 2015.

⁵⁰⁷ El-Beshry, T. (2013): "Relationship between state and religion: Egypt after the revolution", *Contemporary Arab Affairs*, vol. 6, n. 3, p. 419.

⁵⁰⁸ Pahwa, S. (2013): "Secularizing Islamism and Islamizing Democracy: The Political and Ideational Evolution of the Egyptian Muslim Brothers 1984–2012", *Mediterranean Politics*, vol. 18, n. 2, p. 203.

⁵⁰⁹ Harnisch, C. and Mecham, Q. (2009): "Democratic Ideology in Islamist Opposition? The Muslim Brotherhood's 'Civil State'", *Middle Eastern Studies*, Vol. 45, No. 2, p. 199.

⁵¹⁰ Pahwa, S. (2013): "Secularizing Islamism and Islamizing Democracy: The Political and Ideational Evolution of the Egyptian Muslim Brothers 1984–2012", *Mediterranean Politics*, vol. 18, n. 2, p. 204.

*my mind between what relates to the religious reference and what relates to rulings; we choose the most suitable rulings in light of the prevailing religious reference*⁵¹¹.

81. In this sense, Muslim Brotherhood, FJP and Morsi's Islamist character is reflective of the preferences of the Egyptian society, something that was reflected in the ballot box: *"to a great extent, the Brotherhood simply reflects something that is already there. They are, after all, products of their own society"*⁵¹². The moderate religious conservatism of the Muslim Brotherhood was a mainstream position in the Egyptian society, a society that would support, for example, the intensification of religious classes in school⁵¹³.
82. In spite of the popularity of Islamic values and references in the political preferences of the Egyptian society, politicians from several political parties focused the electoral discussion on the secularist/religious nature of the Egyptian state, creating a false dichotomy: *"by doing this, they also inadvertently increase[d] the popularity of the religious current, since giving the public the choice between the religious and non-religious, regardless of the issue, is a definite vote for the religious"*⁵¹⁴. However, some politicians were so afraid of the Islamist current that *"almost turned their backs on the concept of free and fair elections so convinced were they that the religious would win"*⁵¹⁵, transforming the real dichotomy to autocracy/democracy.
83. As mentioned above, Morsi and the FJP's political programs were deeply inclusive, recognizing the equality and rights of non-Muslim groups. While in office, Morsi condemned the attacks on Christian Copts and sent a representative to the Easter Mass officiated by the pope⁵¹⁶. Indeed, as mentioned above, the 2012 Constitution

⁵¹¹ El-Beshry, T. (2013): "Relationship between state and religion: Egypt after the revolution", *Contemporary Arab Affairs*, vol. 6, n. 3, p. 420.

⁵¹² Hamid, S. (2011): "Brother President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

⁵¹³ *Ibid.*

⁵¹⁴ El-Beshry, T. (2013): "Relationship between state and religion: Egypt after the revolution", *Contemporary Arab Affairs*, vol. 6, n. 3, p. 419.

⁵¹⁵ *Ibid.*

⁵¹⁶ Glain, S. (2013): "Christians Uneasy in Morsi's Egypt", *The New York Times*, 15th May 2013, available at: http://www.nytimes.com/2013/05/16/world/middleeast/christians-uneasy-in-morsis-egypt.html?_r=0, last accessed: 5th July 2015.

recogniserecognised religious rights for non-Muslims and was overtly moderate in its Islamic values and references.

Measures taken by Morsi's government

84. After 18 months of post-revolutionary instability, Egypt found its already very difficult economic situation exacerbated. The balance of payments was in crisis, the public budget was in deficit, and the state had to pay high interest to borrow money internationally⁵¹⁷. Unemployment rate was high, inflation was rising and the infrastructure was in a significant state of disrepair⁵¹⁸. This was especially relevant given that the economic crisis and wealth inequality was one of the main reasons that pushed millions of citizens to the streets on the 25 January Revolution. As a matter of fact, polls showed that the majority of Egyptians wanted “*economic recovery and a ‘return to normalcy’*”⁵¹⁹.
85. However, the financial and stock markets responded positively to the formation of the new government⁵²⁰. It was understood that a new government would not only bring back the stability that the country had lost with the Revolution; but also, that a technocrat government was a guarantee of good performance.
86. Moreover, the fact that Momtaz El-Said maintained his position as Minister of Finance also contributed to the stability of the economy. However, this was a risky decision from the FJP. After all, improving the economy was one of the main priorities of the government and keeping a member from the former regime in this post was a dangerous gamble. However, in order to mitigate this risk, Qandil appointed “*top-level state employees*” as ministers of investment and oil⁵²¹.

⁵¹⁷ Perry, T. and Elyan, T. (2012): “Echoes of past in new Egypt government”, *Reuters*, 2nd August 2012, available at: <http://in.reuters.com/article/2012/08/02/egypt-government-tantawi-idINDEE87109520120802>, last accessed: 5th July 2015.

⁵¹⁸ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 59.

⁵¹⁹ Canadians for Justice and Peace for the Middle East (2011): “Egyptian Parliamentary Elections 2011/2012”, Factsheet series n. 143, available at: <http://www.cjpmo.org/DisplayDocument.aspx?DocumentID=2074>, last accessed: 4th July 2015, p. 2.

⁵²⁰ Perry, T. and Elyan, T. (2012): “Echoes of past in new Egypt government”, *Reuters*, 2nd August 2012, available at: <http://in.reuters.com/article/2012/08/02/egypt-government-tantawi-idINDEE87109520120802>, last accessed: 5th July 2015.

⁵²¹ *Ibid*.

87. Qandil wanted to ask for a 4.8 billion dollar loan from The World Bank to restore investment confidence and improve the country's deficit⁵²². Moreover, the government created an Egyptian Business Development Association (EBDA), to "*collectivize the efforts of the business community and to enhance their experience in medium-sized businesses*"⁵²³ and started negotiations to increase trade with Turkey and other economies of the region⁵²⁴.
88. However, Morsi's government had inherited a significant economic crisis from the military government, a crisis furthered by the 25 January Revolution and entrenched by the instability of the transitional system: "*Egypt's foreign currency reserves had already plummeted and revenue from tourism had declined together with investor confidence in the country's economy and hence foreign investments*"⁵²⁵.
89. Moreover, some of the most powerful members of the former regime had not lost their economic influence; as a result, their lack of cooperation with the new government complicated the resolution of the economic crisis. Morsi's government had the difficult challenge not only to improve the economic data, but also to ensure a better redistribution.
90. Apart from the deep economic crisis, Morsi also had to deal with a complicated security crisis that not even the Army, when it was in full control of the security forces of the country, was able to resolve: "*since the ouster of Mubarak incidents on an almost daily basis exposed the weakness of the military at ensuring public security. These included at least 14 attacks on the Sinai gas pipeline that fed gas to Israel and Jordan, repeated kidnappings of tourists, the overrunning of police stations, all in Sinai*"⁵²⁶. Morsi, without the loyalty of either the civil or the military security forces of the country, had an arduous task ahead to guarantee the security of the country.

⁵²² Holtmann, P. (2013): "After the Fall: The Muslim Brotherhood's Post Coup Strategy", *Perspectives on Terrorism*, Vol. 7, Issue. 5, p. 546.

⁵²³ Azzam, M. (2013): "Egypt's Democratic Experiment: Challenges to a Positive Trajectory", *Insight Turkey*, vol. 15, n. 2, p. 166.

⁵²⁴ *Ibid.*

⁵²⁵ Tadros, S. (2013): "Victory or Death: The Brotherhood in the Trenches", *Current Trends in Islamist Ideology*, vol. 15, p. 7.

⁵²⁶ Frisch, H. (2013): "The Egyptian Army and Egypt's 'Spring'", *Journal of Strategic Studies*, vol. 36, n. 2, p. 192.

91. These complicated economic and security situations required rapid and effective action from the government; however, the “*authoritarian-grown state tried its best to sabotage the Brotherhood’s attempts to govern*”⁵²⁷. Morsi attempted to secure the loyalty of key bureaucratic positions to ensure the implementation of his proposals, so in January and May 2013 he increased the number of ministers related to the Muslim Brotherhood, although they continued being a minority —10 out of 25 ministers—⁵²⁸.
92. However, “*two years after the revolution and six months after Morsi’s election, Egypt was increasingly polarised and ungovernable, while the country’s majority party, the MB-FJP, was still far from having gained a stable position inside state institutions*”. Morsi had succeeded in annulling the June SCAF Constitutional Declaration thus, with the People’s Assembly dissolved; the Shura Council was exercising the legislative power. Yet, the judiciary blocked every law and every action that either the President or the President proposed⁵²⁹; consequently the FJP was precluded from undertaking reforms. Moreover, as Morsi was forced to annul his Constitutional Declaration, the Shura Council and the Constituent Assembly continued working under threat of dissolution by the Constitutional Court.
93. Even after the approval of the new Constitution in December 2012, Morsi was incapable of taking control of the state institutions and bureaucracy and counterbalancing the power of those who were boycotting his authority. Although Morsi’s government proposed laws on NGOs, on demonstrations and on judicial reform, none of this legislation was approved before July 2013⁵³⁰.
94. More importantly, the Supreme Constitutional Court annulled the electoral law on three occasions, impeding the call for parliamentary elections indefinitely⁵³¹. Indeed, in June 2013 the Court announced its verdict declaring the

⁵²⁷ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 63

⁵²⁸ *Ibid.*

⁵²⁹ *Idem*, p. 64

⁵³⁰ *Ibid.*

⁵³¹ *Ibid.*

unconstitutionality of the parliamentary elections for the Shura Council and of the Constituent Assembly. Although the Court did not dissolve the Shura Council and respected the new Constitution, this decision “*damaged the already weak legitimacy of the political institutions*”⁵³² and arrived eighteen months after the celebration of the elections; an act that destabilized the whole transitional process.

95. However, there were some successes during Morsi’s rule. President Morsi was able to order the formation of a Committee to review the cases of over 11,000 protestors tried in military courts in the aftermath of the Revolution and issued a pardon for some relevant Islamist leaders who had been imprisoned by Mubarak⁵³³. However, several politicians reported that the Ministry of Interior’s lack of collaboration with the Committee impeded or at least delayed the release of hundreds of protestors; “*the Mubarak regime still rules on several levels*”, said Islam Lutfi, from the Egyptian Current Party, to Al-Monitor⁵³⁴.
96. Furthermore, on an international level Morsi was able to arrange an important truce in Gaza in November 2011⁵³⁵ and improved security coordination with Israel in the Sinai Peninsula⁵³⁶.
97. Finally, the work of Bassem Ouda, supply minister, was especially outstanding: the wheat harvest during 2013 exceeded all expectations. By the month of May the Egyptian authorities had received 996,000 tonnes of wheat, almost five times the amount of wheat received in the same period the previous year. It was expected that, maintaining the production level, self-sufficiency in wheat production would

⁵³² *Ibid.*

⁵³³ Rahim, A. (2012): “Morsi’s Pardon of Islamists Stirs Controversy in Egypt”, *Almonitor*, 1st August 2012, available at: <http://www.al-monitor.com/pulse/politics/2012/07/release-of-islamists-convicted-o.html>, last accessed: 5th July 2015.

⁵³⁴ *Ibid.*

⁵³⁵ Monier, E. I. and Ranko, A. (2013): “The Fall of the Muslim Brotherhood: implications For Egypt”, *Middle East Policy*, Vol. 20, No. 4.

⁵³⁶ Marshall, R. (2013): “The Coup That Wasn’t: When Policy Overrides the Facts”, *Washington Report on Middle East Affairs*, September 2013, available at: <http://www.wrmea.org/2013-september/the-coup-that-wasnt-when-policy-overrides-the-facts.html>, last accessed: 5th July 2015.

increase 44% just in 2013⁵³⁷. With this abundancy, the government improved the system of bread distribution and its quality. Moreover, the Supply Minister fought against the corruption related to the provision of bakery licenses and the black market of bread⁵³⁸.

Conclusion

111. It is difficult to assess Morsi's rule properly. He governed Egypt for only a year, which is not time enough to undertake deep reforms in a transitional context. Moreover, he had to face serious opposition that precluded him from governing and implementing the changes he promised; the military stole the executive and legislative powers the same day Morsi was elected, the judiciary dissolved the People's Assembly before the presidential elections and threatened to repeat the decision with the Shura Council and the Constitutional Assembly, the Supreme Constitutional Court reiteratively precluded the calling of new parliamentary elections and the state bureaucracy continued being loyal to the former regime. In this context, Morsi was forced to focus on defending the transitional process during more than half of the time he was in power.
112. Moreover, as a result of his policy of consensus and inclusiveness and his promise to create an unity government, the members of the Muslim Brotherhood were a minority in the new government: "*out of 36 ministries, only five went to MB-FJP members (higher education, youth, housing, information and manpower), all relatively minor ministries and hardly sufficient to implement the MB-FJP programme*"⁵³⁹. This lack of control over governmental areas and the lack of obedience from the bureaucracy, especially from the Ministry of Interior, complicated Morsi's ruling of Egypt, although rebuts the proposition that Morsi sought to implement a wholly Islamist agenda, with an islamists dominated administration.

⁵³⁷ Ahram Online (2013): "Egypt wheat harvest better than expected: Supply minister", 9th May 2013, available at: <http://english.ahram.org.eg/NewsContent/3/0/71034/Business/0/Egypt-wheat-harvest-better-than-expected-Supply-mi.aspx>, last accessed: 18th August 2015.

⁵³⁸ Eskandarany (2013): "Wheat Harvest & Bread Distribution", *skyscrapercity.com*, 27th April 2013, available at: <http://www.skyscrapercity.com/showthread.php?t=1618800>, last accessed: 18th August 2015.

⁵³⁹ Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 59.

113. After all, according to El-Beshry, the Egypt's state apparatus is like a fortress that imprisons outsiders and convert them in hostages: *"although the post of president allows its occupant to control the state authority, it is difficult for this occupant to control an old system, or systems, whose cadres mainly comprise military and security personnel, and institutions and agencies of various ages and expertise, and have everyone defer to him and show obedience and consideration. This is especially true when that individual or individuals are from a different background to the one they are used to dealing with, particularly if they are not expert in bureaucratic management and come from outside the professional and cultural context with which the agencies' employees are familiar. This is especially true if the new incumbent's mandate is only temporary and it is uncertain whether it will last long enough to make a difference"*⁵⁴⁰.

⁵⁴⁰ El-Beshry, T. (2013): "Relationship between state and religion: Egypt after the revolution", *Contemporary Arab Affairs*, vol. 6, n. 3, p. 414.

Chapter 11

The Downfall of Morsi's Government

Popular Protests

134. Popular protests continued and increased during Mohammed Morsi's rule.
135. Millions of citizens unhappy with the path of transition and Morsi's decisions, demonstrated in the streets of Egypt. They complained about the inactivity of the government to solve the deep economic crisis, the deteriorating living conditions and widespread crime⁵⁴¹. Some also raised their voices against the November Constitutional Declaration and the 2012 Constitution.
136. Opposition to Morsi was concentrated upon two platforms: the National Salvation Front, led by Muhamed el-Baradei, Hamdeen Sabahi and Amr Moussa; and the Tamarod movement. Other proposals for popular mobilization such as the "*Are you aware of the danger?*" campaign—which aimed to organize a one million people demonstration in Tahrir Square—did not have the same degree of success⁵⁴².
137. The National Salvation Front was inaugurated after Morsi's November Constitutional Declaration. The Front called for the annulment of the declaration and for the modification of the composition of the Constituent Assembly⁵⁴³.
138. Afterwards, on April 2013, members of the *Kefaya* movement initiated the Tamarod—"Rebel"—campaign. This secular campaign focused on collecting signatures to call for President Morsi's resignation and for early presidential elections. At the end of their campaign they had collected around 22 million

⁵⁴¹ Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 63.

⁵⁴² Özhan, T. (2013): "New Egypt versus the *Felook*: Struggle for Democracy", *Insight Turkey*, vol. 15, n. 1, p. 24, footnote 5.

⁵⁴³ Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 61.

signatures⁵⁴⁴, although the number of signatories accepted by the government differed⁵⁴⁵. Citizens from several backgrounds joined the movement; young activists, secularists and liberals, ordinary citizens concerned by the economic and security crisis, businessmen, but also al-Azhar, the Coptic Church, “*as well as by security forces and, eventually, the army itself*”⁵⁴⁶.

139. With these movements, liberal and leftists parties opposed to Morsi acquired what they lacked during the electoral period: cohesion and grassroots mobilization. The opposition against Morsi was well organized and called for a common demonstration on 30th June 2013.
140. However, it is surprising how a movement such as Tamarod, with no “*big-money backers*”⁵⁴⁷, was able to effectively organize a successful nation-wide campaign in less than three months.
141. Although the report commissioned by the Egyptian State Litigation Authority portrays these demonstrations as mainly political, alleging that most of the protests were organized to object to the supposed usurpation of power by the Muslim Brotherhood and its Islamist agenda, the truth is that the majority of demonstrations had a social and economic character: “*26.8 per cent of protests were carried out by ordinary citizens whereas protests led by political activists did not exceed 12.9 per cent*”⁵⁴⁸. The Egyptian population complained against the worsening economic situation, the shortages on basic services and products—such as fuel, water or

⁵⁴⁴ El-Shenawi, E. (2013): “Tamarod vs. Tagarod: Egyptians in virtual war”, *Saudi Gazette*, 2nd July 2013, available at: <http://www.saudigazette.com.sa/index.cfm?method=home.regcon&contentid=20130702171991>, last accessed: 5th July 2015.

⁵⁴⁵ Kingsley, P. (2013): “Tamarod campaign gathers momentum among Egypt's opposition”, *The Guardian*, 27 June 2013, available at: <http://www.theguardian.com/world/2013/jun/27/tamarod-egypt-morsi-campaign-oppsition-resignation>, last accessed: 5th July 2015.

⁵⁴⁶ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 65.

⁵⁴⁷ Kingsley, P. (2013): “Tamarod campaign gathers momentum among Egypt's opposition”, *The Guardian*, 27 June 2013, available at: <http://www.theguardian.com/world/2013/jun/27/tamarod-egypt-morsi-campaign-oppsition-resignation>, last accessed: 5th July 2015.

⁵⁴⁸ Al Arabiya Institute for Studies (2013): “Analysis of Egypt's June 30 protests”, 30th June 2013, available at: <http://english.alarabiya.net/en/perspective/alarabiya-studies/2013/06/30/Analysis-of-Egypt-s-June-30-protests-.html>, last accessed: 5th July 2015.

power⁵⁴⁹ —, and the security crisis that the country was experiencing at the moment.

142. The economic situation was of significant concern, reserves were below their minimum levels, inflation was high, food imports were not ensured and both foreign direct investment and revenues from the tourist sector continued to fall given the security crisis⁵⁵⁰. This caused instability and uncertainty about the future of Egypt and placed the living conditions of ordinary citizens at risk, thus, causing “*growing skepticism and disappointment with the current government*”⁵⁵¹.
143. However, the fact that the majority of the demonstrations in Egypt focused on social and economic demands, rather than on political complaints, is relevant. Far from opposing the constitutional drafting or Morsi’s actions against the SCAF’s power, Egyptians were mainly complaining about Morsi’s impediment to govern properly, a situation created by the actions of the judiciary and the military.
144. These institutions forced the government to focus on protecting the democratic bodies born out of the elections and the correct development of the transition. Moreover, judicial decisions and bureaucratic inaction precluded the government from implementing the legal and executive measures they proposed. For example, the lack of control over the Ministry of Interior and existence of militias within the security forces “*loyal to Mubarak-era leaders*”⁵⁵² caused wide police inaction⁵⁵³.
145. Therefore, it is possible to assume that Egyptian citizens were complaining about a crisis for which neither Morsi nor the Brotherhood could be held directly responsible. Several authoritarian-grown state institutions failed to recognise the

⁵⁴⁹ *Ibid.*

⁵⁵⁰ El-Shenawi, E. (2013): “Tamarod vs. Tagarod: Egyptians in virtual war”, *Saudi Gazette*, 2nd July 2013, available at: <http://www.saudigazette.com.sa/index.cfm?method=home.regcon&contentid=20130702171991>, last accessed: 5th July 2015.

⁵⁵¹ Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 163.

⁵⁵² Holtmann, P. (2013): “After the Fall: The Muslim Brotherhood’s Post Coup Strategy”, *Perspectives on Terrorism*, Vol. 7, Issue. 5, p. 546.

⁵⁵³ Mabrouk, M.F. (2012): “Egypt’s Difficult Choice: The First Round Is Over, Now Comes the Hard Part”, *Brookings*, 29th March 2012, available at: <http://www.brookings.edu/research/opinions/2012/05/29-egypt-mabrouk>, last accessed: 4th July 2015.

democratic legitimacy of the newly elected government and simply boycotted and sabotaged its ruling, harming the lives of millions of citizens in the country⁵⁵⁴.

146. Although it is true that there were numerous popular mobilizations against Morsi, two facts are worth noting to assess their relevance. First, during SCAF's rule, there were widespread murderous unrest; since the 25 January Revolution the Egyptian streets had almost continuously been filled by multitudinous protests against the military rule and the situation of the country, so demonstrations against Morsi need to be considered in the light of this Egyptian context of popular effervescence. Second, that there was widespread support for Morsi as well, not only in the ballot boxes, but also in the streets.
147. With respect to the first point, the streets of the Egypt had witnessed continuous turmoil since Mubarak's ousting⁵⁵⁵ and even before it⁵⁵⁶. Thousands of Egyptians demonstrated against the SCAF'S rule and its attempts to accumulate and prolong its power.
148. In August 2011, in the context of uncertainty about the dates of the Egyptian parliamentary elections, several political parties debated whether to boycott the elections due to the security crisis that the country was experiencing, and the lack of logistical preparation to hold the elections within the normal guarantees of transparency⁵⁵⁷. The SCAF saw how its popular support diminished as the uncertainty about the transitional process and the specific date for elections grew. As mentioned in previous chapters, the military intentions were far from clear and there were widespread concerns that the military would not hand power over to a civilian government. The authoritarian-style actions of the SCAF, such as introducing modifications in the Constitutional Declaration without previous popular consultation only increased these concerns.

⁵⁵⁴ Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 63

⁵⁵⁵ Al-Awadi, H. (2013): "Islamists in power: the case of the Muslim Brotherhood in Egypt", *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 545.

⁵⁵⁶ *Idem*, p. 540.

⁵⁵⁷ The Carter Center (2012): "Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015, p. 10.

149. Under SCAF's rule, widespread popular unrest threatened the stability of the country. Demonstrators complained about the military "*slowness in arresting senior former regime figure*"⁵⁵⁸, its lack of transparency in its budget and interests⁵⁵⁹, its slow and arbitrary decision-making, and its violent and authoritarian manners, that even led the SCAF to maintain the 1981 emergency law. Egyptian society even started to question the Army's "*economic empire*"⁵⁶⁰. Therefore, in these demonstrations protestors called upon the SCAF to step down⁵⁶¹.
150. According to the Carter Centre, SCAF's handling of the transition "*left much to be desired*"⁵⁶² and Yezid Sayigh defined it as shambolic: "*muddying the constitutional process, delaying badly needed legislation, intervening erratically in financial management, and failing to reform the Interior Ministry and restore basic policing*"⁵⁶³. The Army seemed to lack a social vision or a political plan to either lead the transition or implement reforms.
151. The SCAF responded harshly to the protests; "*the military attempted to restrict freedom of association and ban strikes and arrested thousands, including many protestors, and referred them to military courts*"⁵⁶⁴. At least 10 protestors lost their lives and a further 400 were wounded in the resulting violent clashes with the security forces during protests in

⁵⁵⁸ *Idem*, p. 11

⁵⁵⁹ Azzam, M. (2013): "Egypt's Democratic Experiment: Challenges to a Positive Trajectory", *Insight Turkey*, vol. 15, n. 2, p. 163.

⁵⁶⁰ *Ibid.*

⁵⁶¹ Associated Press in Cairo (2011): "Egypt clashes continue into third day as army cracks down", *The Guardian*, 18th December 2011, available at: <http://www.theguardian.com/world/2011/dec/18/egypt-violence-day-three>, last accessed: 5th July 2015.

⁵⁶² The Carter Center (2012): "Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt", available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015, p. 11

⁵⁶³ Sayigh, Y. (2012): "Above the State: The Officers' Republic in Egypt", *Carnegie Middle East Center*, 1st August 2012, available at: <http://carnegie-mec.org/2012/08/01/above-state-officers-republic-in-egypt/d4sx#>, last accessed: 18th August 2015.

⁵⁶⁴ The Carter Center (2012): "Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt", available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015, p. 11.

December 2011⁵⁶⁵. A further 40 people had been killed in previous protests in November⁵⁶⁶. According to some protestors, the military was fomenting the violence to "*find a justification to remain in power and divide up people into factions*"⁵⁶⁷. Apart from the killings and violence, Egyptian society responded with outrage to the security forces' abuse on women; they left several female protestors half-naked⁵⁶⁸.

152. With regard to the second point, there were also various demonstrations in support for Mohammed Morsi. Indeed, the pro-Morsi protests in front of the Supreme Constitutional Court headquarters were so multitudinous that they led the Court to suspend its activity before they could declare the unconstitutionality of the Constituent Assembly⁵⁶⁹.
153. Among the 7,709 protests and 5,821 demonstrations that the report commissioned by the State Litigation Authority alleges to have taken place during the year of Morsi's rule, a great part of them were in support of Morsi and against the fulul's attempts to oppose the actions of the new government, as recogniserecognised in the source cited by the same report⁵⁷⁰.
154. Indeed, several citizens and leaders promised to "*sit-in near the presidential palace*"⁵⁷¹ to protect President Morsi from a potential coup.

⁵⁶⁵ Associated Press in Cairo (2011): "Egypt clashes continue into third day as army cracks down", *The Guardian*, 18th December 2011, available at: <http://www.theguardian.com/world/2011/dec/18/egypt-violence-day-three>, last accessed: 5th July 2015.

⁵⁶⁶ Neild, B. (2011): "Egypt's violence continues in Cairo streets over military rule", *The Guardian*, 17th December 2011, available at: <http://www.theguardian.com/world/2011/dec/17/egypt-violence-continues-military-rule>, last accessed: 5th July 2015.

⁵⁶⁷ *Ibid.*

⁵⁶⁸ Associated Press in Cairo (2011): "Egypt clashes continue into third day as army cracks down", *The Guardian*, 18th December 2011, available at: <http://www.theguardian.com/world/2011/dec/18/egypt-violence-day-three>, last accessed: 5th July 2015.

⁵⁶⁹ AlJazeera (2012): "Egypt's top court on indefinite strike", 2nd December 2012, available at: <http://www.aljazeera.com/news/middleeast/2012/12/20121228541815618.html>, last accessed: 5th July 2015.

⁵⁷⁰ Al Arabiya Institute for Studies (2013): "Analysis of Egypt's June 30 protests", 30th June 2013, available at: <http://english.alarabiya.net/en/perspective/alarabiya-studies/2013/06/30/Analysis-of-Egypt-s-June-30-protests-.html>, last accessed: 5th July 2015.

⁵⁷¹ *Ibid.*

155. More importantly, a Tagarod—“*impartial*”⁵⁷²—movement surged on May as a response to the Tamarod campaign and collected 26 million signatures in support for President Morsi⁵⁷³.
156. Even after the unpopular ‘November declaration’, Morsi’s support was confirmed, once again, in the ballot boxes, when the 2012 Constitution was approved by 64% of the voters in the Constitutional referendum. This result was perceived as a “*clear defeat*”⁵⁷⁴ for the parties in the opposition, the remnants of the old regime as well as the judiciary, as the constitution was finally approved despite their “*massive campaign*” against it⁵⁷⁵.
157. Morsi expressed sorrow and condemned the violence arisen in some protests: he “called the violence ‘regrettable’, and blamed it on ‘infiltrators’ funded by unnamed third parties”⁵⁷⁶.
158. The President attempted to respond to the political crisis and to the demands of the protestors by opening a process of national dialogue and reconciliation. In his 26 June 2013 speech he promised to form an independent committee “*to conduct constitutional amendments proposed by all parties*” and a higher committee for national reconciliation “*to work on the preparation of reconciliation procedures among all state institutions and authorities*”⁵⁷⁷, thus inviting all actors to present their proposals and collaborate in the determination of the future of Egypt.

⁵⁷² Kingsley, P. (2013): “Tamarod campaign gathers momentum among Egypt's opposition”, *The Guardian*, 27 June 2013, available at: <http://www.theguardian.com/world/2013/jun/27/tamarod-egypt-morsi-campaign-opposition-resignation>, last accessed: 5th July 2015.

⁵⁷³ El-Shenawi, E. (2013): “Tamarod vs. Tagarod: Egyptians in virtual war”, *Saudi Gazette*, 2nd July 2013, available at: <http://www.saudigazette.com.sa/index.cfm?method=home.regcon&contentid=20130702171991>, last accessed: 5th July 2015.

⁵⁷⁴ Özhan, T. (2013): “New Egypt versus the *Felook*: Struggle for Democracy”, *Insight Turkey*, vol. 15, n. 1, p. 20.

⁵⁷⁵ Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 159.

⁵⁷⁶ AlJazeera (2012): “Morsi addresses Egypt amid ongoing unrest”, 6 December 2012, available at: <http://www.aljazeera.com/news/middleeast/2012/12/201212662141734397.html>, last accessed: 5th July 2015.

⁵⁷⁷ Muslim Brotherhood (2013): “Excerpts from Egyptian President Morsi Wednesday 26 June Speech”, *IkhwanWeb*, 28th June 2013, available at: <http://www.ikhwanweb.com/article.php?id=31058>, last accessed: 5th July 2015.

159. However, none of these repeated invitations for dialogue were accepted by the opposition; an opposition that boycotted the institutional dialogue and the democratic political framework when it declared that it would not participate in the next parliamentary elections established by the new democratically-accepted Constitution⁵⁷⁸.
160. To finish this section, it is worth mentioning that the Tamarod, the movement leading the opposition protests, broke away after the military coup against President Morsi. It was divided between those who supported the new military regime and those who opposed it. At that moment, several of the Tamarod members admitted that the movement had only gathered 8.5 million signatures—far from the 22 millions claimed—and, more importantly, that there were “*ties between the group’s founders and state security agents who influenced and guided them*”⁵⁷⁹. Police and security officials confirmed that they had infiltrated the group and that the Ministry of Interior had supported the movement⁵⁸⁰. Indeed, Moheb Doss, one of the five founders of the Tamarod movement, admitted having taken orders from the Army⁵⁸¹: “*the accusations confirm the suspicions of many in Egypt that the group could not have enjoyed such widespread success without being helped along by senior Egyptian officials*”⁵⁸².

Errors from Morsi and the FJP

161. It is true however that Morsi and the FJP committed mistakes.

⁵⁷⁸ El-Dabh, B. (2013): “June 30: Tamarod and Its Opponents”, *Middle East Institute*, 26th June 2013, available at: <http://www.mei.edu/content/june-30-tamarod-and-its-opponents>, last accessed: 5th July 2015.

⁵⁷⁹ Saleh, Y. (2014): “Activists who backed Mursi’s fall turn against military”, *Reuters*, 20th February 2014, available at: <http://www.reuters.com/article/2014/02/20/us-egypt-politics-tamarud-idUSBREA1J1E420140220>, last accessed: 18th August 2015.

⁵⁸⁰ *Ibid.*

⁵⁸¹ Baker, J. (2014): “A Founder of the Tamarod Movement Admits Taking Orders From Army”, *Revolution News*, 17th April 2014, available at: <http://revolution-news.com/founders-tamarod-movement-admits-movement-taking-orders-army/>, last accessed: 18th August 2015.

⁵⁸² *Ibid.*

162. First, they failed to deliver tangible achievements in the economic area, which cost them their popular support⁵⁸³. The economy was key during the transitional period: it was “*not just an end but a means*”⁵⁸⁴, a requirement towards popular legitimacy. After all, improving equality and ensuring the proper provision of services to cover basic needs was one of the fundamental demands of the revolution. However, neither Morsi nor the FJP, with the support of the experienced managers of the Muslim Brotherhood could implement the necessary economic measures to diminish unemployment and inflation.
163. Yet, this critique must be considered under the real political circumstances of the country. Morsi had inherited an economy in a very poor condition and a deep security crisis⁵⁸⁵ after a year and a half of instability. Furthermore, it needs to be acknowledged that they did not have the time nor the means to take full control of the country. According to Abdel Fattah Mourou, “*talk of the assessment of the experience of the rule of Islamists is highly excessive, because the one posing that question gives us the impression that Islamists are ruling, or that they are about to rule, and this is not true. The Islamists today are not ruling*”⁵⁸⁶, and Abdel Rahman Farhana added “*Islamists did not have ample time in power to be judged*”⁵⁸⁷.
164. Mohammed Morsi had to face criticisms for his alleged ‘incompetence’ and for prioritizing loyalty over qualification⁵⁸⁸. Yet, this critique is without any real merit; well-prepared technocrats formed the government, mainly, and Morsi himself was a well-educated man with wide experience in the Egyptian politics. Although some

⁵⁸³ Al-Awadi, H. (2013): “Islamists in power: the case of the Muslim Brotherhood in Egypt”, *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 539.

⁵⁸⁴ Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

⁵⁸⁵ The Carter Center (2012): “Final Report of the Carter Center Mission to Witness the 2011-2012 Parliamentary Elections in Egypt”, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-2011-2012-final-rpt.pdf, last accessed: 3rd July 2015, p. 8.

⁵⁸⁶ Islamtoday (2013): “Islamists and power in the countries of the Arab Spring”, 6th August 2013, available at: <http://islamtoday.net/albasheer/artshow-13-190553.htm>, last accessed: 5th July 2015. See translation at: Tadros, S. (2014): “Islamist Responses to the ‘End of Islamism’”, *Current Trends in Islamist Ideology*, Vol. 16, p. 36.

⁵⁸⁷ Abdel Rahman Mohamed Farhana (2013): “Did Islamists’ experiment in power fail?”, *Al Jazeera*, 16th October 2013, available at: <http://aljazeera.net/opinions/pages/3cfcb1b1-b4bd-434f-bef0-c0b850376c59>, last accessed: 5th July 2015. See translation at: Tadros, S. (2014): “Islamist Responses to the ‘End of Islamism’”, *Current Trends in Islamist Ideology*, Vol. 16, p. 36.

⁵⁸⁸ Tadros, S. (2014): “Islamist Responses to the ‘End of Islamism’”, *Current Trends in Islamist Ideology*, Vol. 16, p. 35.

claimed that the Muslim Brotherhood was unprepared to govern Egypt, the historical trajectory of the organization clearly shows its excellent management skills; the Brotherhood had controlled nation-wide charities, syndicates and systems of health and education for decades and had expanded its influence internationally. Thus, the leaders of the Muslim Brotherhood's generally have top management experience.

165. Some voices criticized the members of the Muslim Brotherhood for not have direct experience in government and that the Brotherhood was an organization better suited for the oppositional role it had been fulfilling for decades⁵⁸⁹. This is a correct assertion as the Brotherhood had been a banned organization for decades, suffering the direct oppression of Mubarak's regime. Yet, this critique could be expanded to all the rest of political parties and actors, except the fulul⁵⁹⁰. Requiring direct experience of the Egyptian government implies placing a remnant of the former regime in the government, thus curtailing the transitional process.
166. Moreover, some authors argue that the Muslim Brotherhood, as an organization, has a gradualist nature⁵⁹¹, which was inadequate for a post-revolutionary context. The Egyptian 2011 mobilization demanded profound reforms that the Muslim Brotherhood was unlikely to deliver. After decades of oppression and of implementing the 'Participation, not domination' policy, the Muslim Brotherhood developed a cautious approach to politics and a progressive method of achieving change.
167. Indeed, Morsi and the FJP's widely-acknowledged policy of cooperation, consensus and inclusiveness, and their failure to substitute members of the former regime in key governmental and bureaucratic posts, enabled political opponents to strengthen their positions and effectively oppose Morsi's rule.

⁵⁸⁹ Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 60.

⁵⁹⁰ Özhan, T. (2013): "New Egypt versus the *Felool*: Struggle for Democracy", *Insight Turkey*, vol. 15, n. 1, p. 23.

⁵⁹¹ Hamid, S. (2011): "Brother President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

168. This position is shared by several authors, who argue that one of the main mistakes of the Muslim Brothers was “*to keep their strategy for change gradualist and conservative, seeking compromises with parts of the former regime even though the turmoil and expectations in the country required a bolder strategy. [...] its moderation determined or at least facilitated its isolation and final defeat*”⁵⁹².
169. For example, the Minister of Interior was Ahmed Gamal, a police officer who had testified in favour of Mubarak during his trial⁵⁹³. In making the decision to maintain a member of the former regime in a key influential position such as the Ministry of Interior, Morsi expected to achieve an equilibrium between the different interests in the transitional process and ensure the cooperation of the security forces to stop the security crisis and contain popular unrest against him⁵⁹⁴; an expectation that finally proved to be wrong.
170. Reform of the security forces, who had been one of the main pillars of power during Mubarak’s regime, was essential. Yet, “*both the culture of violence and a weakening of control over the institution itself prove serious obstacles to speedy reform*”⁵⁹⁵. A change in the leadership and modus operandi of the security forces and the Ministry of Interior—as well as in other key state institutions—was necessary and demanded by the Egyptian citizenry in the revolution, but neither Morsi nor the FJP implemented it.
171. It is, nonetheless, surprising that during his mandate Morsi was criticized for exactly the opposite; for ‘Brotherhoodizing’ the state institutions⁵⁹⁶, pursuing a ‘societal hegemony’ and advancing an Islamist agenda⁵⁹⁷. The facts could not be less supportive of this assertion. The FJP contested the parliamentary elections

⁵⁹² Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 67.

⁵⁹³ Kandil, H. (2012): “Mohamed Morsi and the classic revolutionary trap”, *The Guardian*, 30 November 2012, available at: <http://www.theguardian.com/commentisfree/2012/nov/30/mohamed-morsi-revolutionary-trap-egypt>, last accessed: 4th July 2015.

⁵⁹⁴ *Ibid.*

⁵⁹⁵ Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 162.

⁵⁹⁶ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 63

⁵⁹⁷ Tadros, S. (2014): “Islamist Responses to the ‘End of Islamism’”, *Current Trends in Islamist Ideology*, Vol. 16, p. 35.

inviting all the Egyptian political parties to join a wide coalition; moreover, only a minority of the government members came from the Muslim Brotherhood ranks; important positions in the Parliamentary bodies were held by members of different parties; and finally, the 2012 Constitution recogniserecognised the civil nature of the state and was profoundly moderate in its religious proposals and firm in its defence of individual liberties. As a matter of fact, some citizens were suspicious of the Muslim Brotherhood's indulgence with the military and accused the Brotherhood of being secretly collaborating with the Army⁵⁹⁸. Moreover, the Constitutional assembly was inclusive⁵⁹⁹, and the fact that the Islamists parties had a leading role in the Constitutional drafting is only reflective of the Egyptian national sovereignty; after all, more than 70% of the electoral support had gone to Islamist parties in the first democratic elections of Egypt, and although democracy cannot solely rely on majoritarianism, "*the majority vote is the accepted means by which a party comes to power*"⁶⁰⁰.

172. It is widely accepted that the Muslim Brotherhood did not change the balance of power inside the state institutions⁶⁰¹; on the contrary, it attempted to find "*a modus vivendi with former regime representatives*"⁶⁰². The appointment of certain individuals close to the FJP or the Brotherhood for some important public positions was not usual, but in any case, it would have been justified in democratic terms. Several authors, including Azzam, support this: "*the idea that there is a "Brotherhoodisation" of the state belies a misunderstanding of what political change by a winning party involves. There is no grand conspiracy but an attempt to ensure that certain positions are taken by those who have bought into the government's program of change and reform*"⁶⁰³.

⁵⁹⁸ Hamid, S. (2011): "Brother President", *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

⁵⁹⁹ Azzam, M. (2013): "Egypt's Democratic Experiment: Challenges to a Positive Trajectory", *Insight Turkey*, vol. 15, n. 2, p. 159.

⁶⁰⁰ *Idem*, p. 161.

⁶⁰¹ Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 63

⁶⁰² *Idem*, p. 64

⁶⁰³ Azzam, M. (2013): "Egypt's Democratic Experiment: Challenges to a Positive Trajectory", *Insight Turkey*, vol. 15, n. 2, p. 166.

173. It is clear that the Muslim Brotherhood erred in its policy of consolidation of power. According to Ishay, it is always difficult to achieve a good balance between conflicting powers and interests in a transitional period: “*every successful revolution faces this dilemma: keeping the old bureaucracy (civil and economic) and military intact will likely cripple needed change, but removing it wholesale would likely lead to social collapse. Progressive revolutionary movements face profound uncertainties as they seek to forge this practical synthesis between human rights progress and social order*”⁶⁰⁴. Apparently, Morsi and the FJP did not achieve an appropriate balance between fulfilling the demands of the revolution and promoting a deep power change on the one hand, and keeping the interests and influence of the former regime on the other hand.
174. The Muslim Brotherhood’s spirit of progressiveness and, above all, the lessons learnt in the Algerian experience, led it to prioritize social order over revolutionary change, which ultimately harmed the Brotherhood’s position and benefited its opponents.
175. In the same way, some authors also argue that the Brotherhood failed to take a firmer stance towards certain politically-motivated judiciary decisions that not only damaged its position but also disfigured the transitional process⁶⁰⁵. Instead of keeping a low profile on the streets and sacrificing its demands for the sake of a peaceful transition, the Muslim Brotherhood, “*as the pioneer of the opposition*”, should have organized protests and even boycotted the presidential elections after Shater’s unjust disqualification as presidential candidate or after the People’s Assembly dissolution⁶⁰⁶. As in every counterfactual scenario, it is impossible to know what would have happened if the Muslim Brotherhood—the political actor with the biggest popular support in the parliamentary elections—would have made a stronger movement before the presidential elections, but some argue that it would have sent a powerful message to the judiciary that its political decisions would not be accepted and treated with impunity.

⁶⁰⁴ Ishay, M. (2013): “The spring of Arab nations? Paths toward democratic transition”, *Philosophy and Social Criticism*, vol. 39, n. 4-5, p. 377.

⁶⁰⁵ Özhan, T. (2013): “New Egypt versus the *Felool*: Struggle for Democracy”, *Insight Turkey*, vol. 15, n. 1, p. 13.

⁶⁰⁶ *Ibid.*

176. Once in power, the November Constitutional Declaration was seen to be a terrible political miscalculation. Although it was necessary to counteract a judiciary coup and protect the interests of the transition, and despite the popularity of some of its proposals—such as removing the Prosecutor General or easing the judgment of leaders of the former regime—, Morsi did not consult this important measure with all the relevant political actors⁶⁰⁷, so the declaration was severely criticized. It served to unite a previously divided opposition, convert Morsi to the scapegoat for the social crisis and give credibility to those who feared an accumulation of power from the Muslim Brotherhood. It was the focus of all criticisms.
177. A final mistake was that due to the sudden and short deadlines that both Morsi and the FJP had to confront, certain important documents such as the November Constitutional Declaration or even the 2012 Constitution, were not appropriately written⁶⁰⁸.

The coup d'état

178. Forces opposed to President Morsi called a massive demonstration on 30 June 2013, the date that marked the first anniversary of Morsi's rule⁶⁰⁹. The Army gave Morsi 48 hours to satisfy the “*people's demands*”⁶¹⁰, or otherwise it would impose its own “*roadmap*”⁶¹¹.
179. Three days later, on 3 July 2013, after Morsi's refusal to resign, the Army relieved Mohammed Morsi —the first democratically elected President of Egypt—of his functions “*in what amounted to a military coup*”⁶¹².

⁶⁰⁷ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 61.

⁶⁰⁸ *Idem*, p. 60 and 62.

⁶⁰⁹ *Idem*, p. 65.

⁶¹⁰ BBC News (2015): “Profile: Egypt's Mohammed Morsi”, 21st April 2015, available at: <http://www.bbc.com/news/world-middle-east-18371427>, last accessed: 5th July 2015; and Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 65.

⁶¹¹ BBC News (2015): “Profile: Egypt's Mohammed Morsi”, 21st April 2015, available at: <http://www.bbc.com/news/world-middle-east-18371427>, last accessed: 5th July 2015

⁶¹² Al-Awadi, H. (2013): “Islamists in power: the case of the Muslim Brotherhood in Egypt”, *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 545

180. The Army suspended the 2012 Constitution⁶¹³, announced the formation of a “*technocratic interim government*”⁶¹⁴ and soon after Adli Mansour —a senior member of the judiciary under Mubarak’s regime—, became President. Yet, in practice the country was ruled by the General Abdul Fattah el-Sisi—“*the leader of the coup and the army’s top commander*”⁶¹⁵—.
181. Mohammed Morsi disappeared for several weeks⁶¹⁶, he was detained and retained in an unknown location⁶¹⁷. The Army also imprisoned various members of the government and of the Muslim Brotherhood⁶¹⁸, culminating a prototypical coup d’état.
182. The overwhelming majority of authors agree that it was a military coup⁶¹⁹, but the official version given by the new regime was that the military intervention was demanded by the people of Egypt and that the Army was only responding to the will of the people, as occurred in the Revolution of 25 January 2011.
183. Nevertheless, taking into account the context of Egyptian politics and power and the progression of transition analysed in the previous chapters, it is crystal-clear that the events occurred between 30 June and 3 July 2013 amounted to a coup

⁶¹³ Marshall, R. (2013): “The Coup That Wasn’t: When Policy Overrides the Facts”, *Washington Report on Middle East Affairs*, September 2013, available at: <http://www.wrmea.org/2013-september/the-coup-that-wasnt-when-policy-overrides-the-facts.html>, last accessed: 5th July 2015.

⁶¹⁴ BBC News (2015): “Profile: Egypt’s Mohammed Morsi”, 21st April 2015, available at: <http://www.bbc.com/news/world-middle-east-18371427>, last accessed: 5th July 2015

⁶¹⁵ Marshall, R. (2013): “The Coup That Wasn’t: When Policy Overrides the Facts”, *Washington Report on Middle East Affairs*, September 2013, available at: <http://www.wrmea.org/2013-september/the-coup-that-wasnt-when-policy-overrides-the-facts.html>, last accessed: 5th July 2015.

⁶¹⁶ BBC News (2015): “Profile: Egypt’s Mohammed Morsi”, 21st April 2015, available at: <http://www.bbc.com/news/world-middle-east-18371427>, last accessed: 5th July 2015

⁶¹⁷ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 65.

⁶¹⁸ Marshall, R. (2013): “The Coup That Wasn’t: When Policy Overrides the Facts”, *Washington Report on Middle East Affairs*, September 2013, available at: <http://www.wrmea.org/2013-september/the-coup-that-wasnt-when-policy-overrides-the-facts.html>, last accessed: 5th July 2015.

⁶¹⁹ Saleh, M. (2013): “Political Islam: One Step Backwards Towards a Leap Forward”, in Tadros, S. (2014): “Islamist Responses to the ‘End of Islamism’”, *Current Trends in Islamist Ideology*, Vol. 16, p. 43; Al-Awadi, H. (2013): “Islamists in power: the case of the Muslim Brotherhood in Egypt”, *Contemporary Arab Affairs*, Vol. 6, No. 4, p. 539; and Marshall, R. (2013): “The Coup That Wasn’t: When Policy Overrides the Facts”, *Washington Report on Middle East Affairs*, September 2013, available at: <http://www.wrmea.org/2013-september/the-coup-that-wasnt-when-policy-overrides-the-facts.html>, last accessed: 5th July 2015..

d'état prepared and orchestrated by the Egyptian military for several months and supported by leaders of the former regime, including the judiciary.

184. It is true that there was a situation of instability and that there were protests against the government, but the differences between the 25 January 2011 Revolution and the 3 July 2013 coup are evident. First and foremost, the government that the Army overthrew in 2013 was a democratically elected government “*supported by a constitution ratified more than six months ago*”⁶²⁰. In these circumstances, the use of violence to topple a government is completely unjustified from a political and philosophical point of view. In case Morsi had lost his popular support and legitimacy, there were several options available in a democratic society to force Morsi’s resignation, such as an impeachment—recogniserecognised by article 152 of the 2012 Constitution. Moreover, Mohammed Morsi was willing to call parliamentary elections soon, and the ballot boxes would have proved whether Morsi continued enjoying popular support. As Morsi declared: “*if they [the opposition] do not like the current government, they should work to get a parliamentary majority to form a new government, which – as per Egypt’s Constitution – will hold a large part of the president’s powers*”⁶²¹.
185. In addition, there are clear indications that the military, far from just taking the opportunity to seize power in a delicate political context of popular unrest, had a relevant role in preparing the crisis and instigating the coup.

- Interests of the Egyptian establishment & pre-coup strategy

186. As exposed in chapter 4, the Army had a tremendous influence in the Egyptian State, and further, had important economic interests to protect. Once they took power, they could not afford to lose there influence again. During the last years of Mubarak’s regime, the Army had been relegated to a secondary position, in favour of the security forces, the political system and the economic elite; so this was the

⁶²⁰ El-Dabh, B. (2013): “June 30: Tamarod and Its Opponents”, *Middle East Institute*, 26th June 2013, available at: <http://www.mei.edu/content/june-30-tamarod-and-its-opponents>, last accessed: 5th July 2015.

⁶²¹ Muslim Brotherhood (2013): “Excerpts from Egyptian President Morsi Wednesday 26 June Speech”, *IkhwanWeb*, 28th June 2013, available at: <http://www.ikhwanweb.com/article.php?id=31058>, last accessed: 5th July 2015.

Army's opportunity to recover its prominent role and the executive control of the country.

187. However, the Army was not alone. An Islamist government was a threat not only to the interests of the Army, but also to the rest of the Mubarak's elite. The Muslim Brotherhood wanted to "*eliminate authoritarianism and establish Egypt as an independent regional power*"⁶²², implement a democratic system for Egypt and ensure social justice. These reforms, announced by President Morsi and demanded by the 2011 Revolution, promised to affect the status quo and undermine the power and influence of the elites.
188. The *establishment*—the institutions and interests of the Egyptian elites—that had sustained Mubarak's regime for decades did not fall with their President, but continued influencing and shaping the transitional process⁶²³. While the security forces, NDP leaders, and economic elite, more directly linked with Mubarak, took a more discrete role after the ousting, Mubarak's military-judiciary complex was determined to gain a key leading position in the transition; on the one hand, the military had ousted Mubarak, so it had some revolutionary legitimacy and support; and on the other hand, the judiciary took advantage of its image of independence and legality.
189. From the moment Morsi was elected, he had to battle the old business oligarchy⁶²⁴; the Army, the police, the bureaucracy, the businessmen and the judiciary, all institutions nurtured by the former regime⁶²⁵. These actors not only did "*everything in their power to prevent Mohamed Morsi from becoming president*"⁶²⁶ before the presidential

⁶²² Monier, E. I. and Ranko, A. (2013): "The Fall of the Muslim Brotherhood: implications For Egypt", *Middle East Policy*, Vol. 20, No. 4, p. 115.

⁶²³ Ottaway, M. (2012): "Egypt Elections: Setback for the Transition", *Carnegie Endowment*, 27th May 2012, available at: <http://carnegieendowment.org/2012/05/27/egypt-elections-setback-for-transition>, last accessed: 5th July 2015; and Özhan, T. (2013): "New Egypt versus the *Felool*: Struggle for Democracy", *Insight Turkey*, vol. 15, n. 1 p. 20.

⁶²⁴ Azzam, M. (2013): "Egypt's Democratic Experiment: Challenges to a Positive Trajectory", *Insight Turkey*, vol. 15, n. 2, p. 158.

⁶²⁵ El-Shenawi, E. (2013): "Tamarod vs. Tagarod: Egyptians in virtual war", *Saudi Gazette*, 2nd July 2013, available at: <http://www.saudigazette.com.sa/index.cfm?method=home.regcon&contentid=20130702171991>, last accessed: 5th July 2015; and Azzam, M. (2013): "Egypt's Democratic Experiment: Challenges to a Positive Trajectory", *Insight Turkey*, vol. 15, n. 2, p. 157.

⁶²⁶ Özhan, T. (2013): "New Egypt versus the *Felool*: Struggle for Democracy", *Insight Turkey*, vol. 15, n. 1, p. 13.

elections, but also curtailed his *de facto* authority as President of Egypt⁶²⁷. According to Azzam, “*the legacy of dictatorship continue[d] to mar every aspect of the Egyptian state and society*”⁶²⁸.

190. These actors knew that they would not be able to win the battle against the Brotherhood, or at least against Political Islam, in the ballot boxes; the FJP had won the parliamentary elections, Morsi had won both rounds of the presidential elections against all expectations; and finally, the FJP-led Constitution had received the support of the majority of voters despite the tremendous ‘No’ campaign promoted by the rest of the forces and the unpopularity of the November Declaration.
191. Therefore, the former business oligarchy began to use alternative undemocratic methods to subvert a legitimate government⁶²⁹. After all, the Muslim Brothers only had democratic legitimacy, while the remnants of the former regime continued controlling all the legal and institutional tools of government⁶³⁰. Demonstrations alone would not be enough to remove the Muslim Brotherhood from power and cause the fall of the popular Islamist trend; it was necessary to create a situation of deep crisis, chaos and confusion in the Egyptian state⁶³¹. According to El-Dabh, “*the army would need to find the country in a profoundly vulnerable position to usher the end of the rule of the product of Egypt’s first free and fair presidential elections—which would create future instability by establishing a crucial precedent*”⁶³².
192. Therefore, these actors engaged in a threefold strategy: first, they paralyzed and impeded governmental activity; second, they started a media campaign to discredit

⁶²⁷ *Idem*, p. 16.

⁶²⁸ Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 157.

⁶²⁹ Ottaway, M. (2012): “Egypt Elections: Setback for the Transition”, *Carnegie Endowment*, 27th May 2012, available at: <http://carnegieendowment.org/2012/05/27/egypt-elections-setback-for-transition>, last accessed: 5th July 2015; and Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 157.

⁶³⁰ Ottaway, M. (2012): “Egypt Elections: Setback for the Transition”, *Carnegie Endowment*, 27th May 2012, available at: <http://carnegieendowment.org/2012/05/27/egypt-elections-setback-for-transition>, last accessed: 5th July 2015.

⁶³¹ El-Dabh, B. (2013): “June 30: Tamarod and Its Opponents”, *Middle East Institute*, 26th June 2013, available at: <http://www.mei.edu/content/june-30-tamarod-and-its-opponents>, last accessed: 5th July 2015.

⁶³² *Ibid*.

both Morsi and the Brotherhood and diminish their popularity; and third, they undertook decisions or actions that forced the Muslim Brotherhood to either tacitly accept their rule or fight back, encouraging a trial of strength between Morsi and the fulul.

- *Paralyzing the country. Step one: the economy.*

193. It was well acknowledged that the economy was a fundamental key test for the new government and crucial to determine its stability: “*over time, failure on this front will reverse any initial successes at consolidation, and create a legitimacy crisis for the party in power*”⁶³³. The economic crisis served to channelize the opposition criticisms into popular unrest.
194. Morsi and the FJP needed to reverse the negative effect that the revolution had taken on the economy and foment equality among the Egyptian populace. Morsi was expected to fight corruption, secure basic services and foment social justice.
195. Yet, Morsi inherited an economy in crisis⁶³⁴ and his proposals to improve the situation were not get implemented. The remnants of the former regime—including the Army and the judiciary—contributed to a worsening situation; the judiciary placed obstacles in the path negotiations with the IMF to secure a loan⁶³⁵—a loan that the SCAF failed to secure during its mandate⁶³⁶—and the Army, enjoying a “*substantial share in the Egyptian economy*”⁶³⁷ and being an “*important actor in creating employment in the country*” did not foment the economy recovery.
196. In fact, most of the Egyptian economy was under the control of the Mubarak’s business oligarchy: “*Egypt’s economy is fragile, with large parts of the economy outside the*

⁶³³ Ishay, M. (2013): “The spring of Arab nations? Paths toward democratic transition”, *Philosophy and Social Criticism*, vol. 39, n. 4-5, p. 378.

⁶³⁴ Holtmann, P. (2013): “After the Fall: The Muslim Brotherhood’s Post Coup Strategy”, *Perspectives on Terrorism*, Vol. 7, Issue. 5, p. 546.

⁶³⁵ Özhan, T. (2013): “New Egypt versus the *Felool*: Struggle for Democracy”, *Insight Turkey*, vol. 15, n. 1, p. 16.

⁶³⁶ Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 164.

⁶³⁷ Özhan, T. (2013): “New Egypt versus the *Felool*: Struggle for Democracy”, *Insight Turkey*, vol. 15, n. 1, p. 20.

official economy (the military complex is reportedly equal to 25 percent of GDP, and the super rich who control most of the remaining wealth do not in general pay tax)”⁶³⁸.

197. The Egyptian economy suffered from widespread corruption⁶³⁹, systemic inefficiency, a massive bureaucracy and old and unreformed institutions⁶⁴⁰. The business oligarchy controlled and benefited from this corrupted system in a delicate balance of power, a position that the Brotherhood wanted to reverse.
198. This oligarchy would not accept the revolutionary demands of social justice and would never support a government from the Muslim Brotherhood, as a result they opposed the reforms of the new executive and were “*resisting change as they are fearful of what this might imply in terms of livelihood and the “usual way” of doing things*”⁶⁴¹.
199. Indeed, some authors noted that “*street opposition to Morsi intensified soon after his speech last October in which he declared that he would go after the oligarchs who withheld their tax dues*”⁶⁴², which constitutes an especially illustrative fact linking the deteriorating economic conditions and the interests of the oligarchy.
200. The defiance, or at least, the lack of collaboration of the economic oligarchy thus worsened the economic crisis and increased instability. The Egyptian government did not control the whole economy of Egypt, the international markets were not confident about the stability of the new government and thousands of Egyptian citizens began to demonstrate against the deteriorating economic conditions. There were even shortages of gasoline, so Mohammed Morsi ordered the withdrawal of licenses “*of all gasoline stations that refuse to receive or sell fuel to citizens*”⁶⁴³.

- Paralyzing the country. Step two: the security crisis.

⁶³⁸ Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 164.

⁶³⁹ *Idem*, p. 166.

⁶⁴⁰ *Idem*, p. 163.

⁶⁴¹ *Ibid.*

⁶⁴² *Idem*, p. 164.

⁶⁴³ Muslim Brotherhood (2013): “Excerpts from Egyptian President Morsi Wednesday 26 June Speech”, *IkhwanWeb*, 28th June 2013, available at: <http://www.ikhwanweb.com/article.php?id=31058>, last accessed: 5th July 2015.

201. Mubarak's elite, and above all, the Egyptian security forces and the Ministry of Interior had a prominent responsibility in the security crisis that the country experienced. Police forces responded with inaction and impassiveness to the rising crime⁶⁴⁴, plundering the offices of the FJP and of the Muslim Brotherhood. And failing to respond appropriately to the fighting between opponents and supporters of the government⁶⁴⁵. Indeed, according to Pioppi, "*the Ministry of the Interior was not under the control of the executive as demonstrated by the remarkably thin protection provided to the Presidential Palace by police forces in December 2012, by the widespread strikes of police forces all over the country in the first months of 2013 and, most of all, by the growing chaos nationwide*"⁶⁴⁶.
202. Moreover, the character and development of some of the incidents—in which hired thugs had a prominent role—mirrored the previous NDP's tactics of violent mobilization⁶⁴⁷. Some voices raised concerns that the fulul were infiltrating the revolutionaries and instigating violence through violent groups such as the *baltagiya* (axe men)⁶⁴⁸ "*in order to maintain a level of instability in the country to undermine the government*"⁶⁴⁹.
203. The police force was one of the strongest and most fundamental pillars of Mubarak's regime and continued being a key actor under Morsi's rule. Indeed, this powerful institution was considered "*the true arbiter of power*"⁶⁵⁰ along with the Army. However, for the Muslim Brotherhood-related institutions, reforming the authoritarian police was a fundamental part of the revolutionary change for Egypt and, although "*not a single security officer ha[d] been punished for violations carried out before,*

⁶⁴⁴ Mabrouk, M.F. (2012): "Egypt's Difficult Choice: The First Round Is Over, Now Comes the Hard Part", *Brookings*, 29th March 2012, available at: <http://www.brookings.edu/research/opinions/2012/05/29-egypt-mabrouk>, last accessed: 4th July 2015.

⁶⁴⁵ Pioppi, D. (2013): "Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan", *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 61.

⁶⁴⁶ *Idem*, p. 62.

⁶⁴⁷ *Idem*, p. 61.

⁶⁴⁸ Özhan, T. (2013): "New Egypt versus the *Felool*: Struggle for Democracy", *Insight Turkey*, vol. 15, n. 1, p. 19.

⁶⁴⁹ Azzam, M. (2013): "Egypt's Democratic Experiment: Challenges to a Positive Trajectory", *Insight Turkey*, vol. 15, n. 2, p. 162.

⁶⁵⁰ Kandil, H. (2012): "Mohamed Morsi and the classic revolutionary trap", *The Guardian*, 30 November 2012, available at: <http://www.theguardian.com/commentisfree/2012/nov/30/mohamed-morsi-revolutionary-trap-egypt>, last accessed: 4th July 2015.

during, and after the January 2011 revolt”, the security forces knew that this culture of impunity would not prevail in the future under an Islamist government⁶⁵¹.

204. Therefore, a great part of the security forces remained loyal to the former regime, a regime that had fostered their interests, protected the institution and placed them in a prominent position in society⁶⁵². As a result, these forces were not interested in resolving a situation of crisis that would debilitate the government and thus allowed the security conditions of the country to deteriorate even further⁶⁵³.
205. Although they did not count with democratic legitimacy nor with formal power, Mubarak’s strong institutions continued controlling the country during Morsi’s rule and boycotted his government: “*the state bureaucracy and judiciary established during the 30 years of Mubarak’s rule remained in place after Morsi’s election, and the military continued to control major sectors of the economy. All of these were in a position to undermine Morsi and did*”⁶⁵⁴. This oligarchy forced a situation of ungovernable and extreme crisis, which paralyzed the government and ultimately caused the President’s ousting.
206. However, “*as soon as Morsi was gone, conditions magically improved*”⁶⁵⁵, which is indicative of the control that Mubarak’s oligarchy had on the economic and security situation of the State: “*almost overnight police returned to the streets, gasoline was in full supply and power cuts came to an end*”⁶⁵⁶.

- *Paralyzing the country. Step three: the bureaucratic opposition*

207. Apart from the evident lack of collaboration from the Ministry of Interior, most of the bureaucracy of Egypt seemed to be reluctant to conform with the new government. This was not surprising, as Hosni Mubarak created a patronage

⁶⁵¹ *Ibid.*

⁶⁵² Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 158.

⁶⁵³ *Ibid.*

⁶⁵⁴ *Ibid.*

⁶⁵⁵ Marshall, R. (2013): “The Coup That Wasn’t: When Policy Overrides the Facts”, *Washington Report on Middle East Affairs*, September 2013, available at: <http://www.wrmea.org/2013-september/the-coup-that-wasnt-when-policy-overrides-the-facts.html>, last accessed: 5th July 2015.

⁶⁵⁶ *Ibid.*

system in the Egyptian bureaucracy, making the whole organization dependant on his interests. The Army officials were not aliens to this system.

208. Indeed, Mubarak nurtured what some authors, such as [Sayigh](#), call the *Officers' Republic*, described as *"the self-perpetuating military networks that permeate virtually all branches and levels of state administration and of the state-owned sectors of the economy"*⁶⁵⁷.
209. According to the author, Mubarak created a system of 'loyalty allowance' for retired military officers in return for their political adherence. Officials loyal to the regime retired in leading posts inside the administration, which provide them with generous complementary salaries and extra income in addition to their pensions. Some privileged officers had access to these coveted posts even before retirement, thus receiving a second salary and bonuses.
210. The destination depends on the officers' rank and, above all, on their allegiance to the regime. Military retirees in a higher rank were able to access governmental agencies and institutions or become consultants for state ministries or for state-owned commercial enterprises. Top officials retired to the board of directors of state-owned commercial enterprises, being able to earn millions of dollars annually. The salaries in the army are low in compared to the private sector and other public sectors, but it is widely acknowledged that it is generously compensated through post-retirement appointments⁶⁵⁸.
211. Therefore, state bureaucracy and institutions were filled with retired army officers. Military officers held positions as ministers, director generals, and undersecretaries in different cabinets; they were part of administrative agencies; became members of the security services; held managing posts in state-owned companies; became part of the local bureaucracy; and became members of the national institutes and associations or members of the directing board of hospitals, universities, public TV companies or industrial authorities. They had access to virtually all sectors of Egypt; from water and sanitation, to public transport, telecommunications and gas

⁶⁵⁷ Sayigh, Y. (2012): "Above the State: The Officers' Republic in Egypt", *Carnegie Middle East Center*, 1st August 2012, available at: <http://carnegie-mec.org/2012/08/01/above-state-officers-republic-in-egypt/d4sx#>, last accessed: 18th August 2015.

⁶⁵⁸ *Ibid.*

distribution. For example, they dominated both the Central Construction Apparatus and the New Urban Communities Authority, controlling major public works in the country.

212. A case of note is the Administrative Monitoring Authority, as it is “*the most important instance of military penetration of the civilian bureaucracy*”⁶⁵⁹ and its head and senior officials “*are always drawn from the armed forces*”⁶⁶⁰. Its aim is to investigate administrative and financial violations and combat corruption in the state institutions, with the exception of the Army, that is outside from the agency’s control. The history of the agency is plagued with corruption scandals involving military officers and shows that Mubarak used the agency as a tool of intimidation against his political enemies. Regularly, this agency as well as the Organization and Administration Authority of the EAF send lists to all ministers “*containing the names and qualifications of officers approaching retirement who seek new placements*”⁶⁶¹.
213. However, it is at the local government level where more retired officials finish their careers, defending the regime’s interests at the local level and controlling the local economy. It is estimated that since 1990, “*50–80 percent of the governors at any given moment have been drawn from the military*”⁶⁶², so the local Egyptian bureaucracy is filled by several thousands of retired officials that showed loyalty to Mubarak’s regime. Then, **Abul-Magd**’s words are far from surprising: “*it is well known to many that Egyptians outside of Cairo live under virtual military rule*”⁶⁶³.
214. The military control of the state bureaucracy and institutions is key in understanding the impressive economic power of the Army. From these positions Army officers, having access to public resources, infrastructure, utilities and public works, are able to benefit not only the military institution as a whole—by granting public contracts or maintaining subsidies to military-owned companies—but also fellow officers. Therefore, this system of military patronage, the Officers’ Republic,

⁶⁵⁹ *Ibid.*

⁶⁶⁰ *Ibid.*

⁶⁶¹ *Ibid.*

⁶⁶² *Ibid.*

⁶⁶³ Abul-Magd, Z. (2011): “The Army and the Economy in Egypt”, *Jadaliyya*, 23rd December 2011, available at: <http://www.jadaliyya.com/pages/index/3732/the-army-and-the-economy-in-egypt>, last accessed: 18th August 2015.

has infected state bureaucracy with corruption and nepotism: Egypt ranked “112 out of 182 countries on Transparency International’s Corruption Perceptions Index 2011”⁶⁶⁴.

215. However, access to bureaucratic positions was not the only privilege linked with the Army: officers also received free or subsidised housing and generous discounts in the consumption of several products and services. The existence of military villages, where officers live together, and the period shared in the military academy help to create informal networks that were later reflected in economic and bureaucratic decisions of the state: according to [Sayigh](#), “seclusion is self-reinforcing”⁶⁶⁵.
216. Therefore, the Army, apart from controlling 20 to 40 per cent of the Egyptian economy through a secret empire completely classified for reasons of “national security”, also dominates the defence budget, the military aid sent by the United States, state subsidies, public resources and key government and bureaucratic posts.
217. A government from the Muslim Brotherhood was a threat to this Officers’ Republic; the crony network of retired and active officials that exchanged economic privileges for loyalty and that controlled the Egyptian bureaucracy. Therefore, it is not surprising that the state bureaucracy reacted with hostility towards the new government: it would endanger the Army’s privileged status within the state apparatus, its economic prerogatives and its complete immunity from public oversight.
218. Indeed, already in August 2012, Yezid Sayigh asked the new civilian leaders to be careful: *“the more progress they make, the harder the officers’ republic will fight to hold on to its power, potentially using its extensive networks throughout the state apparatus to obstruct government policies and reforms, impede public service delivery, and undermine the nascent*

⁶⁶⁴ Sayigh, Y. (2012): “Above the State: The Officers’ Republic in Egypt”, *Carnegie Middle East Center*, 1st August 2012, available at: <http://carnegie-mec.org/2012/08/01/above-state-officers-republic-in-egypt/d4sx#>, last accessed: 18th August 2015.

⁶⁶⁵ *Ibid.*

democratic order”⁶⁶⁶. These words anticipated the political and bureaucratic crisis that President Morsi was about to experience.

- *Power struggle: political, legal and institutional attacks on the government.*

219. The most evident attacks on Morsi’s rule were not economic or violent, but political, legal and institutional. The oligarchy fomented a political crisis without precedent that eroded the transitional path started on the 25 January Revolution.
220. The judiciary, a body that “*served the dictatorial state and had been loyal to it from Nasser onwards*”⁶⁶⁷ remained loyal to the old regime and protected its own interest by preparing a ‘judicial coup’ that precluded the 2011 Revolution to achieve the long-awaited change.
221. The judicial coup encompasses several court decisions that influenced the transition in an “*exceptional*”⁶⁶⁸ manner. Although law disguised these decisions, they had a deep political character⁶⁶⁹ and were always directed to put obstacles to the democratic progression of Egypt⁶⁷⁰.
222. The Egyptian judiciary suspended the first constitutional drafting committee on April 2012; unfairly disqualified 10 candidates to run for presidential elections; ordered the dissolution of the People’s Assembly—the main legislative chamber of the country—and declared the unconstitutionality of not only the Political Isolation Law—thus allowing Shafiq to run for president of Egypt—but also of the Shura Council and the Constituent Assembly⁶⁷¹. Indeed, the fact that the judiciary threatened to declare the unconstitutionality of the Constituent Assembly

⁶⁶⁶ *Ibid.*

⁶⁶⁷ Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 159.

⁶⁶⁸ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 64.

⁶⁶⁹ *Ibid.*

⁶⁷⁰ Özhan, T. (2013): “New Egypt versus the *Felool*: Struggle for Democracy”, *Insight Turkey*, vol. 15, n. 1, p. 14.

⁶⁷¹ *Idem*, p. 13.

before the termination of its activities, forced the Assembly to work under pressure to finish the Constitution.

223. Moreover, during Morsi's government, the judiciary rescinded the presidential decree calling for the parliamentary elections and questioned its constitutionality⁶⁷². This ruling led to the belief that the judiciary, the members of the opposition and the remnants of the old regime did not want to fight the Brotherhood once again in the ballot boxes, but confront the government in the streets. Another electoral victory of the Muslim Brothers would leave the old oligarchy without legitimate tools to oppose Morsi.
224. With these decisions, the judiciary violated the principle of separation of powers and blocked the natural process of transition. In Morsi's words: *"people's trust in the law was shaken, and the political scene was confused by repeated interferences in political decision-making, and by the intervention in sovereign matters which do not fall within the judiciary's function"*⁶⁷³.
225. It is worth noting that this institution, which set itself up as the purest protector of fairness and legality, was *"the same body that had supported the legitimacy of previous 'elections' held under dictatorial regimes from Nasser to Mubarak"*⁶⁷⁴.
226. As a matter of fact, the Supreme Constitutional Court, from the moment of its creation in 1971, has been reluctant to *"challenge the 'core interests' of the regime, upholding key elements of the autocratic state and politically repressive practices"*⁶⁷⁵. In 2001, after the Court declared the unconstitutionality of the NGO-law and called for judicial supervision of the elections, President Mubarak decided to intervene in the

⁶⁷² Azzam, M. (2013): "Egypt's Democratic Experiment: Challenges to a Positive Trajectory", *Insight Turkey*, vol. 15, n. 2, p. 161.

⁶⁷³ Muslim Brotherhood (2013): "Excerpts from Egyptian President Morsi Wednesday 26 June Speech", *IkhwanWeb*, 28th June 2013, available at: <http://www.ikhwanweb.com/article.php?id=31058>, last accessed: 5th July 2015.

⁶⁷⁴ Azzam, M. (2013): "Egypt's Democratic Experiment: Challenges to a Positive Trajectory", *Insight Turkey*, vol. 15, n. 2, p. 159.

⁶⁷⁵ Haimerl, M. (2014): "The Supreme Constitutional Court of Egypt (SCC) after Mubarak, Rethinking the role of an established court in an unconstitutional setting", (first draft), *presented at the 2014 ECPR General Conference*, available at: <http://ecpr.eu/Filestore/PaperProposal/2d6dfd1c-320f-42ca-881e-22ea2922c467.pdf>, last accessed: 18th August 2015, p. 11.

appointment process of its members: instead of promoting the most senior justice of the SCC as Chief Justice, he selected an external member loyal to his regime for the position. Moreover, he added five members to the Court from his most loyal ranks. Since that moment, the SCC was completely subjected to the interests of the regime and was used, jointly with the recently-created Presidential Election Commission (PEC), as a “*rubber stamp in the manipulation of elections*”⁶⁷⁶.

227. After Mubarak’s ousting, the SCAF neither dissolved the SCC—although it suspended the constitution and disbanded both parliamentary chambers—nor replaced its Chief Justice, Faruq Sultan, who was the head of the PEC as well. Sultan remained in office even though he was considered a *fulul* appointed by Mubarak to help his son Gamal to come to power⁶⁷⁷.

228. It is worth mentioning that at the moment the SCC issued its most controversial decisions, at least half of the court was composed by members appointed after 2001⁶⁷⁸. These members helped the Army to instal its “military constitutionalism”, in which “*Egypt’s governing constitutional framework was whatever the SCAF said it was*”⁶⁷⁹; and in exchange the SCAF instituted itself as the “*best protector of the judiciary*”⁶⁸⁰.

229. The judiciary worked jointly with the Army in every moment. As a matter of fact, the New York Times published that Tahani el-Gebali, the judge that had filled a complaint against the 2012 Constitution, had previously recommended the military “*not to hand in power after presidential elections*”⁶⁸¹ and “*not to cede authority to civilians until*

⁶⁷⁶ *Idem*, p. 12.

⁶⁷⁷ *Idem*, p. 14.

⁶⁷⁸ *Idem*, p. 15.

⁶⁷⁹ *Idem*, p. 13.

⁶⁸⁰ *Idem*, p. 16.

⁶⁸¹ Kirkpatrick, D. (2012): “Judge Helped Egypt’s Military to Cement Power”, *The New York Times*, 3rd July 2012, available at: <http://www.nytimes.com/2012/07/04/world/middleeast/judge-helped-egypts-military-to-cement-power.html>, last accessed: 5th July 2015.

a Constitution was written”⁶⁸², which could explain why the SCAF and the military finally decided to start a *soft coup* in June 2012.

230. Moreover, after Morsi’s appointment the judiciary declared that:

*“Saving Egypt from the coming destruction will not happen without the unity of the army and the people, the formation of a national salvation front consisting of political and military leaders, and the upholding an unequivocally civil state with military protection, exactly like the Turkish system... If this does not happen in the next few days, Egypt will fall and collapse, and we will regret [wasting] the days that remain before a new constitution is announced... The people’s peaceful pro- test is imperative and a national duty, until the army responds and announces its support for the people”*⁶⁸³.

231. These declarations are perfectly illustrative of the position of the judiciary and its strong links with the military. Their interests were common and they worked together against the new government.

232. Indeed, it is important to mention that the first trial against President Morsi started while he was still in office: in June 2013, an Egyptian court stated that the Muslim Brotherhood jointly with Hamas and Hizbollah conspired with local militants “*to storm a prison in 2011 and free Mohammed Morsi and 33 other Islamist leaders*”⁶⁸⁴. The FJP responded that the statement was “void and illegal” and President Morsi maintained that he was freed by local residents, in one of the numerous prison breaks that took place during the 2011 uprising and that ended up freeing more than 23,000 inmates. Nevertheless, the statement was the base for further political criticism against the president and help fuel more protests: “*Mr Morsi’s opponents have been using his prison*

⁶⁸² *Ibid.*

⁶⁸³ Özhan, T. (2013): “New Egypt versus the *Felook*: Struggle for Democracy”, *Insight Turkey*, vol. 15, n. 1, p. 20.

⁶⁸⁴ Associated Press (2013): “2011 Morsi jailbreak ‘a militant conspiracy’, Egyptian court says”, *The National*, 24th June 2013, available at: <http://www.thenational.ae/news/world/africa/2011-morsi-jailbreak-a-militant-conspiracy-egyptian-court-says>, last accessed: 18th August 2015.

escape against him, and say friends of the Brotherhood violated the country's security and fed its instability"⁶⁸⁵.

- *Power struggle: the opportunistic role of the political opposition.*

233. Most of the political forces remained silent to both the military and judicial, *soft coup*⁶⁸⁶. After all, they benefited from most of judicial decisions: they damaged especially, the position of the Muslim Brotherhood and provided the opposition another opportunity to criticize the government and contest public offices. Unfair decisions such as disqualifying Shater as a presidential candidate were received with indifference or even content by liberal and leftists forces⁶⁸⁷, who saw him as an important opponent.
234. Ozhām and Azzam explain that political parties in Egypt hold great responsibility for the political and institutional crisis generated⁶⁸⁸. Their indifference towards the undemocratic decisions announced by the judiciary led this institution to believe that "*it could exercise its power with no consequences*"⁶⁸⁹.
235. The majority of opposition parties focused on their own interests⁶⁹⁰ and kept a narrow mind towards the Islamist government. Indeed, some liberal parties had such a strong animosity towards the Brotherhood that they defended positions contrary to their ideals; they developed "*anti-democratic stances on such issues as the dissolution of the parliament*"⁶⁹¹, "*refrained from playing a reasonable role in the drafting of the constitution*"⁶⁹², supported the postponement of parliamentary elections⁶⁹³,

⁶⁸⁵ *Ibid.*

⁶⁸⁶ Özhan, T. (2013): "New Egypt versus the *Felook*: Struggle for Democracy", *Insight Turkey*, vol. 15, n. 1, p. 15.

⁶⁸⁷ *Idem*, p. 14.

⁶⁸⁸ Azzam, M. (2013): "Egypt's Democratic Experiment: Challenges to a Positive Trajectory", *Insight Turkey*, vol. 15, n. 2, p. 161.

⁶⁸⁹ Özhan, T. (2013): "New Egypt versus the *Felook*: Struggle for Democracy", *Insight Turkey*, vol. 15, n. 1, p. 15.

⁶⁹⁰ Azzam, M. (2013): "Egypt's Democratic Experiment: Challenges to a Positive Trajectory", *Insight Turkey*, vol. 15, n. 2, p. 161.

⁶⁹¹ Özhan, T. (2013): "New Egypt versus the *Felook*: Struggle for Democracy", *Insight Turkey*, vol. 15, n. 1, p. 22.

⁶⁹² *Ibid.*

⁶⁹³ Azzam, M. (2013): "Egypt's Democratic Experiment: Challenges to a Positive Trajectory", *Insight Turkey*, vol. 15, n. 2, p. 161.

abandoned the electoral battle⁶⁹⁴ “*to make gains through upheaval on the streets*”⁶⁹⁵, failed to “*offer a constructive discourse*”⁶⁹⁶ and some of them even called for military intervention⁶⁹⁷. They were conscious that it would be difficult for them to win parliamentary elections, so they “*had to resort to extra-legal means to bring about change in the short term*”⁶⁹⁸.

236. Özhan highlights the hypocrisy of the liberals “*who declared Morsi a “pharaoh” after the decree that widened presidential powers*” but “*applauded the military and judiciary when the parliament was dissolved*”⁶⁹⁹. In their actions and declarations they seemed to be totally unaware of the presence and influence of Mubarak’s oligarchy in the transition⁷⁰⁰, so in the political battle for the control of the transition they chose to support the interests of the remnants instead of the efforts of the elected government to protect the democratic process “*at a critical stage of Egypt’s development*”⁷⁰¹.
237. Nevertheless, it was not only the liberals that took an opportunistic approach to the political crisis of the country. The Egyptian public received the news of Al-Nour’s support of the military coup with tremendous surprise, a decision that cost the party its grassroots support, great political concessions and a large number of resignations. The fact that Al-Nour—the only Islamist party that supported the coup—continued backing the military even after it removed Islamic references from the 2012 Constitution and banned political parties with religious basis, led authors such as McTighe to defend that the party was receiving pressure and

⁶⁹⁴ El-Dabh, B. (2013): “June 30: Tamarod and Its Opponents”, *Middle East Institute*, 26th June 2013, available at: <http://www.mei.edu/content/june-30-tamarod-and-its-opponents>, last accessed: 5th July 2015.

⁶⁹⁵ Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 161.

⁶⁹⁶ Özhan, T. (2013): “New Egypt versus the *Felool*: Struggle for Democracy”, *Insight Turkey*, vol. 15, n. 1, p. 22.

⁶⁹⁷ Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 161.

⁶⁹⁸ El-Dabh, B. (2013): “June 30: Tamarod and Its Opponents”, *Middle East Institute*, 26th June 2013, available at: <http://www.mei.edu/content/june-30-tamarod-and-its-opponents>, last accessed: 5th July 2015.

⁶⁹⁹ Özhan, T. (2013): “New Egypt versus the *Felool*: Struggle for Democracy”, *Insight Turkey*, vol. 15, n. 1, p. 22.

⁷⁰⁰ *Ibid.*

⁷⁰¹ Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 161.

indications from Saudi Arabia⁷⁰², whose government opposes the Muslim Brotherhood.

- *Power struggle: Morsi's response to the crisis.*

238. Morsi, on the contrary, did not remain indifferent towards the judicial and military *soft coup*. In this context, he confronted two options. On the one hand, he could remain silent and accept being subjected to the continuous overwhelming power of the former regime's *establishment*. The basis of this option was the belief that not even democratic legitimacy and widespread popular support is enough to counterbalance the power of the oligarchy of the former regime, whose interests had shaped the Egyptian social, economic and political scenario for decades. The other option was fighting the political battle to protect the effectiveness of the transition and democracy in Egypt, which is what Morsi did.

239. This is why Morsi called the People's Assembly into session, annulled the SCAF's constitutional declaration and substituted some of the most relevant figures of the military. He encouraged the Constitutional Assembly to present a draft to be subject to referendum vote, and issued his controversial Constitutional Declaration.

240. Taking into account the events occurred since the presidential elections, it is evident that with this declaration Morsi just attempted to protect the democratically-elected institutions from a more than probable judicial decision declaring their unconstitutionality—a decision that was confirmed months later—, ensure accountability for members of the old regime and stop “*the de facto state of coup that had been maintained by the military and judiciary*”⁷⁰³. Özhan adds:

“Every single political actor in Egypt knows this was so. They also know that courageous decisions made against the establishment by a leader without a parliament, constitution,

⁷⁰² McTighe, K. (2014): “The Salafi Nour Party In Egypt”, *Al Jazeera Center for Studies*, 10th April 2014, available at: <http://studies.aljazeera.net/en/reports/2014/03/20143261283362726.htm>, last accessed: 3rd August 2015.

⁷⁰³ Özhan, T. (2013): “New Egypt versus the *Felook*: Struggle for Democracy”, *Insight Turkey*, vol. 15, n. 1, p. 17.

*bureaucracy, intelligence service, police, military or functioning economy are made out of necessity, not out of choice*⁷⁰⁴.

- *Power struggle: the response from the establishment*

241. As was predictable, Morsi's decisions had found overwhelming opposition. Former regime institutions, such as Prosecutor General Abdel Meguid Mahmoud, resisted these measures. He, supported by the Egyptian Judges' Club, refused to accept his re-appointment and removal from office, forcing Morsi to reconsider his decision⁷⁰⁵. Mahmoud's action was not only a defiance of Morsi, but also a blatant affront to the authority of the Presidency, a democratic institution.
242. Moreover, Morsi's order to reconvene parliament was unsuccessful, as political parties refused to comply with the decision.
243. The Egyptian bureaucracy was inserted in a network of patronage with the former regime, whose interests were aligned with theirs. Consequently, after Morsi's decisions against the SCAF on August 2012, the bureaucracy went on a state of permanent strike supported by both the judiciary and the military⁷⁰⁶ that paralyzed the government.
244. Finally, Morsi's November declaration was the target of all the opposition criticisms, unifying the political reformists with the remnants of the former regime⁷⁰⁷. Thus, Morsi decided to reform the Declaration.
245. For example, it introduced limitations to revise the cases against Mubarak and his former elite for their responsibility for the killings of demonstrators during the 25 January Revolution; making it necessary to provide new evidence to re-open the case⁷⁰⁸.

⁷⁰⁴ *Ibid.*

⁷⁰⁵ *Ibid.*

⁷⁰⁶ *Idem*, p. 16.

⁷⁰⁷ *Idem*, p. 18.

⁷⁰⁸ *Ibid.*

246. However, the modifications included were not considered enough by the opposition, so the military, in a declaration that “*interrupted the state radio and television broadcasts*”, threatened to intervene if a consensus was not reached⁷⁰⁹. Therefore, in this context of military menace, Morsi rescinded the Declaration on 8th December 2012.

- *The Media campaign.*

247. At the same time, Morsi’s opposition commenced a fierce media campaign to damage the President’s prestige, a campaign that constituted the last and definitive attack on the government.

248. Egyptian media portrayed Morsi as an incompetent and authoritarian President, unable to provide economic stability to the country and guarantee the security of the streets⁷¹⁰. He was presented as a loyalist member of the Muslim Brotherhood willing to accumulate power and create an Islamist dictatorship through his November Declaration⁷¹¹.

249. This campaign recovered the anti-Islamist propaganda promoted by Mubarak’s regime⁷¹². The narrative was that the Muslim Brothers had “hijacked” the revolution and wanted to implement an Islamic State⁷¹³. Suddenly, a President like Morsi, who had embodied the “*the vehicle for growing anger toward the resurgent old regime*”⁷¹⁴ was publicly transformed into the antagonist of the Revolution. This was

⁷⁰⁹ *Idem*, p. 20.

⁷¹⁰ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 67.

⁷¹¹ Tadros, S. (2014): “Islamist Responses to the ‘End of Islamism’”, *Current Trends in Islamist Ideology*, Vol. 16.

⁷¹² Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 158.

⁷¹³ Kirkpatrick, D. (2012): “Named Egypt’s Winner, Islamist Makes History”, *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 5th July 2015.

⁷¹⁴ Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

a message that the Egyptian public had heard during decades and was well suited to the international stereotype of Islamism⁷¹⁵.

250. As mentioned in previous chapters, oligarchs linked with liberal parties, who lost the electoral race for parliament and the presidency, controlled most of the Egyptian media. According to El-Beshry, “*the liberal current’s strength lies in its considerable contribution to shaping the country’s unorganized public opinion through its control of the media, a quasi-total control that affects not only the unorganized public opinion sector, but also the state’s decision-making circles*”⁷¹⁶.”
251. The Egyptian media constantly used a “*bellicose rhetoric*”⁷¹⁷ that offered a distorted image of the Egyptian political game. These fabrications were so grave and senseless as to accuse the United State of manipulating the presidential elections “*in Mr. Morsi’s favour*”⁷¹⁸. The campaign attempted to discredit the Muslim Brotherhood and Morsi as legitimate leaders of the transitional process and advanced narratives of anger and fear against Political Islam⁷¹⁹.
252. Azzam interestingly argues that the media campaign “*has been exploited to the utmost by the secular and liberal groups since 2011 partly in order for them to gain greater ground. The level of misinformation that has been circulated in the mainstream media and social media is reminiscent of the worst anti-Islam and anti-Islamist voices in the West*”⁷²⁰.

- Conclusion

⁷¹⁵ Özhan, T. (2013): “New Egypt versus the *Felool*: Struggle for Democracy”, *Insight Turkey*, vol. 15, n. 1, p. 23.

⁷¹⁶ El-Beshry, T. (2013): “Relationship between state and religion: Egypt after the revolution”, *Contemporary Arab Affairs*, vol. 6, n. 3, p. 416.

⁷¹⁷ El-Dabh, B. (2013): “June 30: Tamarod and Its Opponents”, *Middle East Institute*, 26th June 2013, available at: <http://www.mei.edu/content/june-30-tamarod-and-its-opponents>, last accessed: 5th July 2015.

⁷¹⁸ Kirkpatrick, D. (2012): “Named Egypt’s Winner, Islamist Makes History”, *The New York Times*, 24th June 2012, available at: http://www.nytimes.com/2012/06/25/world/middleeast/mohamed-morsi-of-muslim-brotherhood-declared-as-egypts-president.html?_r=0, last accessed: 5th July 2015.

⁷¹⁹ Monier, E. I. and Ranko, A. (2013): “The Fall of the Muslim Brotherhood: implications For Egypt”, *Middle East Policy*, Vol. 20, No. 4, p. 111.

⁷²⁰ Azzam, M. (2013): “Egypt’s Democratic Experiment: Challenges to a Positive Trajectory”, *Insight Turkey*, vol. 15, n. 2, p. 158.

253. Given this extreme context, it is possible to conclude that the military intervention to topple Morsi on 3 July 2013 was not the Army's response to the democratic voice expressed in the streets of Egypt, but the final practical culmination of a *de facto* coup that had been started months ago.
254. With this coup, the oligarchs and the principal main actors of the former regime—namely, the Army, the judiciary, the economic elites, the bureaucracy and the security forces—put an end to the Egyptian “*spring*”⁷²¹ and implemented a new system of “*Mubarakism without Mubarak*”⁷²². Although some new faces appeared in the political arena, this move allowed the previous *establishment* to protect their interests and restore their power, perpetuating the 30-years-old pre-Revolutionary status quo.
255. International powers did not oppose this undemocratic and unconstitutional coup. Political Islam does not enjoy widespread support among the Western countries and Morsi did not have international influence. Meanwhile, Israel, a neighbour country and one of the strongest powers of the region, saw Morsi's government as a risk to its own stability.
256. Some authors argue, “*outside powers want to see the Muslim Brotherhood fail. They don't want to see something like Turkey*”⁷²³ and that the Muslim Brotherhood attempted to govern “*in a domestic, regional and international environment that is at least not welcoming, if not hostile to it*”⁷²⁴. Indeed, the miraculous Egyptian recovery after the coup d'état is partly due to the significant economic aid sent by Saudi Arabia and the Gulf Emirates once Morsi was ousted from power⁷²⁵.

⁷²¹ Saleh, M. (2013): “Political Islam: One Step Backwards Towards a Leap Forward”, in Tadros, S. (2014): “Islamist Responses to the ‘End of Islamism’”, *Current Trends in Islamist Ideology*, Vol. 16, p. 43.

⁷²² Özhan, T. (2013): “New Egypt versus the *Felool*: Struggle for Democracy”, *Insight Turkey*, vol. 15, n. 1, p. 22.

⁷²³ Tadros, S. (2014): “Islamist Responses to the ‘End of Islamism’”, *Current Trends in Islamist Ideology*, Vol. 16, p. 36.

⁷²⁴ *Ibid.*

⁷²⁵ Marshall, R. (2013): “The Coup That Wasn't: When Policy Overrides the Facts”, *Washington Report on Middle East Affairs*, September 2013, available at: <http://www.wrmea.org/2013-september/the-coup-that-wasnt-when-policy-overrides-the-facts.html>, last accessed: 5th July 2015.

257. Moreover, a recently-leaked audio recording between General Abbas Kamel—Mr. Sisi’s office manager and top aide—and General Sedky Sobhy—military chief of staff and current defense minister—showed that the Tamarod was using a bank account controlled by senior military officers to which the United Arab Emirates had transferred certain funds. This conversation confirmed not only the Army’s active role in the orchestration of the coup, but also that international powers gave the Egyptian Defense Ministry money to fund the campaign against President Morsi⁷²⁶.
258. After the coup the Army appeared as a hero able to provide the long-awaited normality to the country⁷²⁷. The military proclaimed itself the *saviour of stability* in contrast to the *Muslim Brotherhood-created chaos*. This is the image that prevailed in the Army’s speeches before the coup. Indeed, Abdul-Fattah el-Sisi— Minister of Defence and Commander-in-Chief of the Armed Forces at that time—declared at the end of June 2013 that the political crisis could "*lead to a collapse of the state*"⁷²⁸ and that the army would "*intervene to stop Egypt from slipping into a dark tunnel of civil fighting and killing, or sectarianism, or collapse of state institutions*"⁷²⁹.
259. But every hero needs a nemesis, and so the Muslim Brotherhood was promptly declared the enemy of the State. Soon after the military coup, El-SisiEl-Sisi called upon Egyptians to grant him "*a popular mandate in order to ‘confront terrorism’*"⁷³⁰. The narrative of anger and fear against the Brotherhood became so grave that the organization became "*not only an enemy of the revolution, but a terrorist group threatening the nation’s borders*"⁷³¹. It is noteworthy that some authors had predicted, long before

⁷²⁶ Kirkpatrick, D. (2015): "Recordings Suggest Emirates and Egyptian Military Pushed Ousting of Morsi", *The New York Times*, 1st March 2015, available at: http://www.nytimes.com/2015/03/02/world/middleeast/recordings-suggest-emirates-and-egyptian-military-pushed-ousting-of-morsi.html?_r=0, last accessed: 18th August 2015.

⁷²⁷ BBC News (2015): "Profile: Egypt's Mohammed Morsi", 21st April 2015, available at: <http://www.bbc.com/news/world-middle-east-18371427>, last accessed: 5th July 2015

⁷²⁸ *Ibid.*

⁷²⁹ El-Dabh, B. (2013): "June 30: Tamarod and Its Opponents", *Middle East Institute*, 26th June 2013, available at: <http://www.mei.edu/content/june-30-tamarod-and-its-opponents>, last accessed: 5th July 2015.

⁷³⁰ Monier, E. I. and Ranko, A. (2013): "The Fall of the Muslim Brotherhood: implications For Egypt", *Middle East Policy*, Vol. 20, No. 4, p. 116.

⁷³¹ *Ibid.*

the coup d'état, that “*a more credible version of Mubarak’s security narrative will emerge*” in Egypt⁷³², a narrative familiar to the Army and that started to prevail during Morsi’s mandate.

260. Therefore, the coup not only resulted in Morsi’s fall but it also became the starting point of one of the “*worst waves of repression*” in the history of the Muslim Brotherhood⁷³³.

261. Antagonizing the only organization that had been able to channel a massive democratic popular support and solidly promote change was fundamental to ensure the stability of the coup⁷³⁴. Therefore, like under Mubarak’s rule⁷³⁵, the Muslim Brotherhood became the main target of the official enmity, substituting the fulul in this respect.

262. This experience leads to the belief that the Algerian episode serves not only as a historical example but also as a premonition for Political Islam; regardless of the support they accumulate in the ballot boxes, Islamists would never be allowed to govern, and their attempts to achieve power would be paid for with the high price of blood and repression. After all, the Brotherhood was a banned organization that fiercely opposed Mubarak’s regime and status quo, a group that promised reform and regeneration for Egypt, and a clear threat to the interests of Mubarak’s elite and of the Army.

263. In 2013, the words of Abdelkader Hachani, leader of the Algerian Islamic Salvation Front, were an omen for the Egyptian Muslim Brotherhood: “*victory is more dangerous than defeat*”⁷³⁶.

⁷³² *Idem*, p. 120.

⁷³³ Pioppi, D. (2013): “Playing with Fire. The Muslim Brotherhood and the Egyptian Leviathan”, *The International Spectator: Italian Journal of International Affairs*, Vol. 48, No. 4, p. 51.

⁷³⁴ Saleh, M. (2013): “Political Islam: One Step Backwards Towards a Leap Forward”, in Tadros, S. (2014): “Islamist Responses to the ‘End of Islamism’”, *Current Trends in Islamist Ideology*, Vol. 16, p. 43

⁷³⁵ Monier, E. I. and Ranko, A. (2013): “The Fall of the Muslim Brotherhood: implications For Egypt”, *Middle East Policy*, Vol. 20, No. 4, p. XX.

⁷³⁶ Hamid, S. (2011): “Brother President”, *The Cairo Review of Global Affairs*, available at: <http://www.aucegypt.edu/GAPP/CairoReview/Pages/articleDetails.aspx?aid=223>, last accessed: 3rd July 2015.

Chapter 12

Legacy

25. The legacy of an individual, a group, or even an event, often differs from the perspective of those affected, as they are often effective in a myriad of different ways.
26. There is on occasion however a third viewpoint on legacy, that being the reality.
27. Egypt, the Muslim Brotherhood, the Freedom and Justice Party (FJP) and President Morsi is one such occasion.
28. There are many individuals and commentators that seek to paint the picture of Morsi's Egypt heading towards the precipice of disaster and at risk of going over the edge. As suggested at the outset of this report however, in the introduction, often those with an agenda to pursue adopt a certain tactic. It is generally accepted that an effective, albeit crude tactic in seeking to have something viewed positively is to ensure that what has preceded it, or is in opposition to it, is viewed negatively.
29. It is precisely that which is happening now when a number of individuals consider Egypt and President Morsi.
30. That is not suggest that mistakes were not made, and that the administration of the FJP should be viewed as a blueprint, however, what is clear, is that the true legacy and therefore the reality, has been clouded by subjectivity, propaganda, and the desperate quest for legitimacy by others.
31. The underlying premise of those that view the administration of the FJP negatively is encapsulated within the second report commission by the Egyptian State

Litigation Authority⁷³⁷, that being that the real agenda was the development of an Islamist regime masquerading as a democracy, and that the problems now facing Egypt are down to that agenda; that the Morsi administration oversaw the worst economic crisis since the 1930's⁷³⁸, that unemployment and levels of poverty soared⁷³⁹, that investors fled in droves⁷⁴⁰, and that the State was on the brink of collapse⁷⁴¹.

32. It is very easy to manipulate statistics and facts so as to appear to support such a contention, but the very slightest of scratches to the surface of the argument shows this is to be just that, an example of manipulation.

33. To fully appreciate the legacy of the FJP however, it cannot be viewed in isolation in that it is not appropriate to simply look at Egypt following the military coup that deposed President Morsi. To understand the reality it is essential that the position before during and after be considered.

i. The Economy

34. The simple fact is that the FJP had inherited an economy that would take decades to correct⁷⁴². For example, so entrenched was the policy of subsidisation⁷⁴³ of certain goods, that it was seen as a 'right' by the citizens of Egypt⁷⁴⁴, rather than a

⁷³⁷ <http://9bri.com/wp-content/uploads/2015/06/Report-II.9BRi.Muslim-Brotherhood-in-Power.pdf>

⁷³⁸ <http://rebeleconomy.com/economy/a-year-in-office-morsis-economic-mistakes/>

⁷³⁹ *Ibid*

⁷⁴⁰ *Ibid*

⁷⁴¹ <http://www.thenational.ae/news/world/middle-east/egypt-on-the-brink-of-collapse-military-chief-warns>

⁷⁴² <http://www.globalresearch.ca/legacy-of-the-arab-spring-egypt-for-sale-the-bitter-taste-of-imf-economic-medicine/5351222?print=1>

⁷⁴³ *Ibid*

⁷⁴⁴ *Ibid*

policy that was simply a drain on the finite resources of the struggling state. This was the position in 2012; just as it was in 1977 under Mubarak⁷⁴⁵.

35. Mubarak attempted to raise prices understanding the effect the policy of subsidisation was having on the national budget, and yet in doing so, thousands of Egyptians took to the streets to protest this new policy⁷⁴⁶.
36. It is a sad fact, that 40 per cent of the population lives below the poverty line, and that “*a quarter of the population of 84 million faces some degree of malnutrition and can be brought into the streets without much encouragement*”⁷⁴⁷.
37. The levels of pre-existing poverty must be considered alongside the slogan of the original uprising “*Bread, Freedom, and Justice*”.
38. The Egyptian economy in 2012 was as it is today, dependent on sources of income that are beyond the control of the state.
39. The main contributors to the economy were revenues from the Suez Canal and the Sumed Pipeline, tourist spending, remittances from Egyptians working abroad, and foreign aid⁷⁴⁸.
40. Only 13 per cent of foreign earnings came from the export of manufactured goods⁷⁴⁹.

⁷⁴⁵ *Ibid*

⁷⁴⁶ *Ibid*

⁷⁴⁷ <http://www.globalresearch.ca/legacy-of-the-arab-spring-egypt-for-sale-the-bitter-taste-of-imf-economic-medicine/5351222?print=1>

⁷⁴⁸ <http://www.globalresearch.ca/legacy-of-the-arab-spring-egypt-for-sale-the-bitter-taste-of-imf-economic-medicine/5351222?print=1>

⁷⁴⁹ *Ibid*

41. Income therefore was to a significant extent inflexible and much beyond the control of the state without significant and radical reform.
42. Much mention is also made of the significant increase in unemployment during the FJP's administration⁷⁵⁰.
43. What is not mentioned by those that seek to pursue a negative agenda however is a civil war had also erupted in Libya, resulting in a significant proportion, if not most, of the 1.5 million Egyptian workers being sent home⁷⁵¹.
44. This resulted in both a decrease in monies being sent home and thus a negative effect on the economy, and further, it inflated the unemployment rate and exacerbated frustrations.
45. An appropriate example to use is that of bread. Egypt imports fifty per cent of its wheat⁷⁵². Between 2006 and 2011, the price of wheat and fuel rose by 300 per cent⁷⁵³, but revenues did not.
46. Under usual circumstances, Egypt works on a 50 per cent trade deficit⁷⁵⁴ that must be offset by sources of income such as those described above.
47. However, once disorder broke out inside and outside of Egypt, the reduction in the economy meant that the usual status quo could no longer be preserved and the situation began to spiral.

⁷⁵⁰ <http://rebeleconomy.com/economy/a-year-in-office-morsis-economic-mistakes/>

⁷⁵¹ <http://www.globalresearch.ca/legacy-of-the-arab-spring-egypt-for-sale-the-bitter-taste-of-imf-economic-medicine/5351222?print=1>

⁷⁵² *Ibid*

⁷⁵³ *Ibid*

⁷⁵⁴ *Ibid*

48. It is clearly arguable that this may have happened regardless of who was in charge. Effects of international developments cannot be blamed on the FJP or on the Muslim Brotherhood.
49. The crisis that Egypt faced economically therefore was not one that arose as a result of policies adopted, it was a crisis that was simply waiting to happen given that the economy had been on borrowed time for a number of years, it just happened to have been shielded by the Mubarak regime⁷⁵⁵.
50. Tourism decreased significantly⁷⁵⁶, as is to be expected given the political and social turmoil, however, this wasn't helped, and was discouraged further by news reports that were often not entirely accurate⁷⁵⁷, but created a perception internationally in any event.
51. Political turmoil on its own is not conducive to a stable economy even when that economy is inherently strong, without that inner strength, the effect is only compounded.
52. This must also be coupled with a realisation that no one knew what the new economic model would look like, including those experienced observers looking in from afar⁷⁵⁸.
53. Such was the complexity of the Egyptian economy on the one hand, given its policy of state subsidy, and much of it being out of reach at the outset, being under the

⁷⁵⁵ http://www.chathamhouse.org/sites/files/chathamhouse/public/Research/Middle%20East/bp_butter1113.pdf

⁷⁵⁶ *Ibid*

⁷⁵⁷ <http://www.globalresearch.ca/legacy-of-the-arab-spring-egypt-for-sale-the-bitter-taste-of-imf-economic-medicine/5351222?print=1>

⁷⁵⁸ *Ibid*

control of SCAF⁷⁵⁹, and its simplicity on the other hand given that it was a rental economy, there was no quick fix.

54. Mubarak had been removed from office with economic reform being one of the main thrusts of the revolution⁷⁶⁰. It is therefore understandable that this continued to be the main catalyst behind the frustrations of citizens.
55. These frustrations however did not take into account of the fact that approximately 1 million jobs had been lost since the outbreak of the 2011 revolution⁷⁶¹, that inflation had risen to 10 per cent as a result⁷⁶², and that foreign reserves had reduced to a mere two months in funds to enable foreign imports to be financed⁷⁶³.
56. This discontent extended to many of the 6.8 million government employees who had a vested interest in seeing an end to the FJP administration.
57. The FJP was advocating the privatisation of many state owned industries⁷⁶⁴, both to raise much need revenue and to strengthen the economy. However, this would have in turn brought about efficiencies imposed by private ownership and thus there were many that would fear for their employment.
58. Further, the army's grip on state industries would be weakened if not removed in many cases⁷⁶⁵.

⁷⁵⁹ http://www.chathamhouse.org/sites/files/chathamhouse/public/Research/Middle%20East/bp_butter1113.pdf

⁷⁶⁰ <http://www.eumed.net/entelequia/pdf/2011/e13a09.pdf>

⁷⁶¹ <http://www.globalresearch.ca/legacy-of-the-arab-spring-egypt-for-sale-the-bitter-taste-of-imf-economic-medicine/5351222?print=1>

⁷⁶² *Ibid*

⁷⁶³ *Ibid*

⁷⁶⁴ http://www.chathamhouse.org/sites/files/chathamhouse/public/Research/Middle%20East/bp_butter1113.pdf

⁷⁶⁵ <http://www.globalresearch.ca/legacy-of-the-arab-spring-egypt-for-sale-the-bitter-taste-of-imf-economic-medicine/5351222?print=1>

59. The army in Egypt permeated every element of state and effectively acted as a state within a state⁷⁶⁶. The intention of the FJP was to reduce this grip as democratic institutions were developed however, such an intention angered those that stood to lose.
60. It was to a certain extent therefore a 'perfect storm' facing the FJP even before it had the opportunity to fully analyse the position the economy was in.
61. It faced an economy that was in danger of free-fall, a military that resented democracy and the inevitable reduction in power and influence that it would bring, international instability that had a direct effect on the economic stability of Egypt, and a general populace that understandably demanded that which it was so desperate for, yet was unaware of how bad things were.
62. The legacy of the FJP therefore isn't one of giving rise to an economic crisis with increasing unemployment and inflation. Its economic legacy is one of a party finding itself on the outskirts of a storm, which grew in strength and developed at an alarming rate.
63. The FJP did make mistakes, concentrating on the implementation of a new constitution to further political legitimacy and not concentrating on economic reform instead is perhaps one⁷⁶⁷. However, as the above shows, the FJP's brief period in power cannot be viewed in isolation, the issues are far too complex and ingrained for that.

⁷⁶⁶ http://www.huffingtonpost.com/barry-lando/egyptian-military_b_1114132.html

⁷⁶⁷ <http://www.globalresearch.ca/legacy-of-the-arab-spring-egypt-for-sale-the-bitter-taste-of-imf-economic-medicine/5351222?print=1>

64. The reality of the position is that economy hasn't really stabilised since El-Sisiel-Sisi seized power, it has merely been placated by the billions of dollars in loans and grants that it has received from neighbouring Arab states⁷⁶⁸.
65. The position espoused by Egypt at present is a deliberate manipulation on the part of the autocratic regime, so as to seek to gain some form of legitimacy and seek to ensure that its predecessor is seen as the instigator, rather than the true position that to a significant degree, the FJP were simply a passenger on a rising tide.

ii. Internationally

66. The legacy of the FJP administration and the Muslim Brotherhood in Egypt is one that is easier to ascertain than the economy, but, like its economic legacy, many of the factors that have contributed have been outside of its control, and as a result of the concerted efforts of the few to paint a certain picture.
67. The international perception of the legacy of the FJP is that in demanding democracy, the citizens of Egypt instead found themselves being governed by an administration that was motivated by Islam, and sought to impose a restrictive manifesto, rather than have a genuine belief in a democratic principles and therefore seek to reform Egypt for the better⁷⁶⁹.
68. It is on this basis that El-Sisiel-Sisi has and is heralded as the one that can bring stability back to Egypt⁷⁷⁰.

⁷⁶⁸ <http://www.reuters.com/article/2013/07/09/us-egypt-protests-loan-idUSBRE9680H020130709>

⁷⁶⁹ <http://www.middleeasteye.net/columns/myths-about-morsi-examining-justifications-egypt-s-2013-cou-1248467631>

⁷⁷⁰ <http://www.theeastafrikan.co.ke/news/One-year-on--Sisi-s-Egypt-more-stable-/-/2558/2756380/-/d5dgnl/-/index.html>

69. Continuing the theme outlined in the introduction to this report however, the reality is very different.
70. The legacy of the FJP and Morsi is one that shows steps were taken towards a true democracy, and yet, the ‘state within a state’ namely the Egyptian Army, saw how this would reduce their power and influence and thus took steps to end this.
71. Certain members of the international community would suggest that the legacy is one of latent militancy⁷⁷¹ in that there are frequent terrorist attacks in Egypt, particularly in the Sinai and that all such actions must therefore be at the hands of the Muslim Brotherhood, despite their being no evidence to substantiate this claim, and further, despite groups with no direct link to the Muslim Brotherhood claiming responsibility⁷⁷².
72. Given the consistent rhetoric against the Muslim Brotherhood by the El-Sisi-Sisi regime, supported by the actions of Saudi Arabia and the UAE, the FJP’s brief tenure in the Egyptian Government has resulted in the increase of suspicion against Islam and its followers, and the further removal of basic human rights for many Brotherhood members who have either been arbitrarily detained⁷⁷³, at imminent risk of execution⁷⁷⁴, or been forced to go into hiding⁷⁷⁵.

⁷⁷¹ <http://news.nationalpost.com/full-comment/conrad-black-morsis-unsuccessful-islamist-audition>

⁷⁷² <http://www.independent.co.uk/news/world/middle-east/isisaffiliated-terrorist-group-kills-26-people-in-bomb-and-rocket-attack-in-sinai-peninsula-10012530.html>

⁷⁷³ <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/egypt/10640565/Egypt-has-detained-thousands-on-dubious-charges-since-Mohammed-Morsi-overthrown.html>

⁷⁷⁴ *Ibid*

⁷⁷⁵ *Ibid*

73. The perversity of the international community's stance regarding Egypt however is that it has allowed economic ties to be strengthened, and hundreds of millions of dollars worth of trade to re-commence⁷⁷⁶.
74. Such trade is perverse, as it continues whilst ordinary Egyptian citizens are forced to endure residing under an autocracy that is arguably more restrictive than the regime of Mubarak ever was⁷⁷⁷.
75. From a solely Egyptian perspective therefore, the legacy of the FJP is one 'what could have been'. What could have been if they were allowed more time, and given more support during a period of transition.
76. The reality of the position is that there is no legacy internationally for the FJP, as there simply wasn't enough time in power to enable one to be left.
77. The problems that Egypt faced when El-Sisi seized power, were the problems that would have been faced regardless of who was in charge previously, and thus the problems that faced Egypt and its citizens were despite the FJP, rather than because of the FJP.
78. The international legacy of El-Sisi however is something altogether more sinister.
79. It is arguable that the regime has contributed in part to further global destabilisation given the decision to render the Muslim Brotherhood a terrorist organisation and therefore all of its members. A stance echoed by numerous states within the Middle East.

⁷⁷⁶ <https://www.fas.org/sgp/crs/mideast/RL33003.pdf>

⁷⁷⁷ <http://www.theguardian.com/world/2014/dec/26/sp-egypt-pillars-of-freedom-crashing-down>

80. When you remove the middle ground, or remove a citizen's ability to protest and disagree, there are only increasingly extreme ways to make that voice heard. That is not to say that such actions are incorrect, they are certainly not, however, we see regular examples of such action being taken.
81. The actions taken by Egypt and other states across the Middle East have been seen to have a much wider affect. The UK Government announced its 'review' into the Muslim Brotherhood⁷⁷⁸, a review that is yet to publish its findings, and yet it contributes to the suspicion surrounding those of the Muslim faith.
82. It is questionable whether such a review would have been announced without the developments in the Egypt and the wider Middle East.
83. The actions of El-SisiEl-Sisi have also shown to other dictators or autocratic rulers that regardless of the crimes committed against ones people, if you are deemed to have political, economic, or military value, the international community will in the main, be prepared to turn a blind eye to such matters all in the name of expediency.
84. El-SisiEl-Sisi and his regime are responsible for the massacre at Ra'baa⁷⁷⁹, and countless other deaths, and yet all of this is seemingly ignored by countries such as Germany, who welcome a state visit⁷⁸⁰, by the UK who have made a formal invitation⁷⁸¹, and by the US who along with Secretary of State John Kerry holding high level meetings with the administration and El-SisiEl-Sisi personally⁷⁸², have

⁷⁷⁸ <https://www.gov.uk/government/news/government-review-of-the-muslim-brotherhood>

⁷⁷⁹ <https://www.hrw.org/report/2014/08/12/all-according-plan/raba-massacre-and-mass-killings-protesters-egypt>

⁷⁸⁰ <http://www.dailynewsegypt.com/2015/03/15/merkel-invites-al-sisi-to-visit-germany/>

⁷⁸¹ <http://www.telegraph.co.uk/news/worldnews/africaandindianocan/egypt/11685029/David-Cameron-invites-Egypt-Sisi-to-London-after-Morsi-death-sentence.html>

⁷⁸² <http://www.theguardian.com/world/2014/jun/22/john-kerry-meets-egyptian-president-sisi-cairo-us-aid>

allowed \$500 million worth of military aid to be delivered⁷⁸³, thus arguably facilitating these crimes.

85. The personal legacy of Morsi is one of a victim, one who undeniably attempted to reform Egypt for the better, lest we forget that a new constitution was drafted, and adopted by the people, the first time in decades that such a voice has been afforded to Egypt's citizens, but one who was forcibly removed from power and now languishes in a prison cell facing imminent execution following a trial that was devoid of any standards of fairness⁷⁸⁴.
86. Of what there can be little doubt, is that it is wholly inappropriate to attempt to consider the legacy of the FJP, or of Morsi, or of the Muslim Brotherhood more widely, without considering all other factors that play a significant if not more.

⁷⁸³ <http://www.bbc.co.uk/news/world-middle-east-27961933>

⁷⁸⁴ <https://www.amnesty.org/en/latest/news/2015/05/egypt-court-recommends-death-sentences-for-morsi-more-than-100-others/>

Conclusions

87. In seeking to draw conclusions from this report it is difficult to focus on a particular element so as to draw themes together.
88. Does one seek to focus on the political as is the central theme to the report, or is the lack of progress since the Mubarak era more appropriate, or should the focus be placed on the apparent rejection of democracy.
89. The reality of the position is that all must be taken into account so as to understand and make an assessment regarding the general theme of this report, namely Egyptian politics immediately after the revolution.
90. The central conclusion to be drawn is that Morsi, the FJP, and therefore the Muslim Brotherhood have been made a scapegoat for seemingly all of Egypt's problems.
91. It is clear that the problems presented to the international community were, in the main, in existence prior to the revolution, but it was the revolution and the dismantling of the Mubarak regime that exposed their true extent.
92. It is inconceivable that the FJP created the economic crisis in a mere 18 months of administration, and all the evidence points to a state that was on borrowed time for a significant period.
93. To a certain extent, the economic issues had already been acknowledged by Mubarak in that he attempted to reform the subsidy system, and sought to try and break the hold of the army and the privileged few that in effect controlled it.
94. For reasons beyond the detailed analysis of this report, those reforms did not come to fruition, but it is clear that they existed.
95. The economic crisis was without doubt exacerbated by the revolution, but again, this can not be put down to the Muslim Brotherhood. As is noted elsewhere in this report, a revolution and political instability is not conducive to a stable economy and will undoubtedly lead to investors leaving the country. Further, the

Egyptian economy was heavily dependent on tourism and ‘rental’ income, again, areas that will be adversely affected by the revolution.

96. It is accepted that the FJP made mistakes in its administration, it did seek to concentrate on the drafting of the constitution and political issues whereas the focus should arguably have been shared with economic issues, however, it is wholly disingenuous to suggest that the crisis was the fault of that administration.
97. Having considered this report, the reader will not doubt reach a similar conclusion in respect of political issues and constitutional reform that was attempted.
98. The reforms proposed and worked upon by the FJP administration were clearly needed in the state, and yet, despite the clear mandate from the people following the election, and thus the provision of credibility, remnants of the Mubarak order, and of course the strongest power in Egypt, the Army still retained and used its malevolent influence to prevent any and all reforms that would seek to undermine their power further.
99. Continual reference is made to the influence of the Army in Egypt, and this is not unintentional. It is clear that the Army held the true power in the state through its very presence, and its administrative arm, the SCAF. The FJP therefore were arguably doomed to fail on the basis that they sought a truly inclusive democracy for all, and sought to build a better Egypt for every citizen.
100. Such actions would have not only reduced the Army’s influence, but would have also restricted its income; something it was not prepared to allow to happen, and thus it sought to mobilise administratively and undermine the FJP administration at each and every turn.
101. The FJP sought to implement the ‘dream of the revolution’, it sought to implement the democracy that was demanded by those that took to the streets and yet it was not to be for those reasons already referred to.
102. Not content with preventing such reforms however, the military saw an opportunity to consolidate and increase its power and influence and thus steps were taken to ensure that a viable opposition could not gain a foothold within the Egyptian political scene again.

103. These steps will be dealt with in the next report, but, what can be drawn from this, is that the FJP and Morsi, along with their supporters, were not the instigators of a crisis, nor did they seek to pursue an inappropriate agenda; the reality of the position is that they are victims of a dominant and malign influence within Egyptian society.
104. If Egypt is to have any hope of regaining the momentum started in Tahrir Square, the influence and power of the army *must* be curtailed. Unfortunately, with a military dictator having now taken political office, it is unlikely that this will happen in the near future and thus Egypt will continue as an autocratic and dictatorial regime, ever more restrictive than that under even Mubarak.