ARAB UPRISINGS

Morsi's Egypt

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POMEPS Briefings 13

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The Project on Middle East Political Science

The Project on Middle East Political Science (POMEPS) is a collaborative network which aims to increase the impact of political scientists specializing in the study of the Middle East in the public sphere and in the academic community. POMEPS, directed by Marc Lynch, is based at the Institute for Middle East Studies at the George Washington University and is supported by the Carnegie Corporation and the Social Science Research Council. It is a co-sponsor of the Middle East Channel (http://mideast.foreignpolicy.com). For more information, see http://www.pomeps.org.

Egyptian President Mohamed Morsi's sudden move last week to oust the senior leadership of the Egyptian military broke a long period of political stagnation and began to bring into view the contours of the emerging political order. It reversed views of Morsi almost overnight. Only two weeks ago, most analysts had written Morsi off as a weak and ineffective executive boxed in by the ascendant military leadership of the Supreme Council of the Armed Forces (SCAF). After his bold move against the SCAF and reversal of its constitutional decrees, many now fear that he and the Muslim Brotherhood stand at the brink of nigh-totalitarian domination.

Both the earlier dismissal and the current exaggerated fears seem premature. Egypt's politics remain polarized, its economy staggering, its institutions decayed. Rules of the game remain in flux, with the constitution still unwritten, parliament dissolved, and the judiciary viewed through a partisan lens. Morsi and the Muslim Brotherhood's accelerated push for power risks triggering a backlash, not only from anti-Islamist forces but from centrists uneasy with ideological domination and from Salafi and other Islamist forces jealous of the movement's position. The military may have suffered a setback, but it retains great institutional and economic power, the respect of the Egyptian public, and (lest we forget) guns. Revolutionary forces have been relegated to the sidelines in recent months, but could rekindle street politics at any moment. In Egypt's polarized political environment, fueled by its contentious and turbocharged media and online public sphere, no consensus is likely to soon emerge.

In short, it is still too early to tell which direction Morsi will take Egypt, which forces will cooperate, and which forces will move to resist. There are a number of common theories of the case. One, pointing to deep-seated mistrust of the Muslim Brotherhood, Morsi's unprecedented monopoly on formal power, and disturbing moves against the independent media, demonstrates fear that he will now seek to impose Islamist hegemony. Another sees the military still largely in control, sacrificing its aging figureheads and public political role in exchange for more entrenched power behind the scenes. Still others see Morsi's move as an important step in advancing the transition from authoritarianism to a democratic system by establishing civilian control over the military.

Which of these is correct? Is Egypt still under SCAF's control, heading toward an Islamist theocracy, on the road to democracy, or on the brink of economic and institutional collapse that will make a mockery of the high political games that dominate the headlines? The rapid shift in the narrative should breed at least some analytical humility. Many argue the drafting of the constitution will reveal the truth, but it seems unlikely that any greater interpretive consensus will emerge around that process than has been seen around any other point in Egypt's long, tortured transition to a post-Mubarak era.

"Morsi's Egypt" offers a wide range of analysis of how Egypt got to this point, where it may be going, and how to understand it all. It ranges widely over the dizzying moves of the last few months, including controversial moves by the judiciary around the presidential election ("Calvinball in Cairo," "Cairo's Judicial Coup," and "Egypt's Injudicious Judges"); the role of the military ("The Egyptian Republic of Retired Generals," "Hard Choices for Egypt's Military," "What Morsi Could Learn from Sadat," and "Cobra and Mongoose Become Lion and Lamb"); the struggles of non-Islamist political forces ("Can Egypt Unite?," and "It ain't just a river in Egypt"); the Muslim Brotherhood's calculations ("Monopolizing power in Egypt," "Brother knows best," "Bad news for – and from – the Brotherhood," and much more. Download "Morsi's Egypt" here!

Marc Lynch, Director of POMEPS
August 19, 2012

The Egyptian Republic of Retired Generals

By Zeinab Abul-Magd, May 8, 2012

For most people in the world, retirement is a time of idleness and careful penny-pinching of pensions or savings. Senior Egyptian military officers, however, are not most people in the world. Upon retiring from his post, a senior officer in Egypt's military becomes a governor of a province, a manager of a town, or a head of a city neighborhood. Or he might run a factory or a company owned by the state or the military. He might even manage a seaport or a large oil company. Luckily for him, he also retains his Armed Forces pension, on top of the high salary for his new civilian job. This privileged group holds almost every high position in the state. Egypt is par excellence a republic of retired generals.

Egypt's first post-Mubarak presidential election is rapidly approaching, scheduled to begin at the end of May. Candidates of varied political stances are enthusiastically campaigning in media and touring the length of the country offering promises on everything from security to education to foreign policy. But amid this busy atmosphere, there is silence on the most sensitive and crucial question: Will any civilian winner be able to demilitarize the Egyptian state?

This election is expected to bring to office the first civilian president in post-colonial Egypt, after more than 60 years of rule by generals — retired or active. Three military presidents and lately an armed junta have turned the country into a regime dominated by fellow aged officers. The hidden realities of how this republic of retired generals functions are shocking. Senior military officers are everywhere, from the Suez Canal to the national sewerage company. Meanwhile, the discourse of presidential candidates avoids even acknowledging this situation, much less making a case for demilitarizing the state.

Historically, military domination over civilian positions began under Gamal Abdel Nasser's socialist regime in the 1960s, decreased with Anwar Sadat's attempt at marginalizing the army in the government in the 1970s, and witnessed a sudden increase during the last years of Hosni Mubarak in the 2000s. As Mubarak was grooming his son, Gamal, for presidency, he tried to ensure the loyalty of the military and stave off potential dissent by hiring military officers for economic and bureaucratic positions. The last 14 months, since the Supreme Council of Armed Forces (SCAF) assumed power following Mubarak's departure, has seen a rapid increase in the number of officers in the civilian positions. Using its presidential authority, the SCAF appointed an increasing number of retired officers to numerous civilian positions. The two powerless prime ministers were happy to add their signatures to their letters of appointment.

The Egyptian legal codes of civil service have allowed this situation to develop, as they grant the president arbitrary authority to hire and fire incumbents in high positions, including governors and managers of the public sector. Sadat promulgated Law Number 47 of 1978 in order to end Nasser's legacy and reduce military presence in the cabinet, and Mubarak used the same law to bring them back. Article 16 of this law states, "the president of the republic issues decisions to appoint [employees] in senior positions." While the law stipulates that a medical council should check the health suitability of the employee before appointment, Article 20 exempts those hired by the president — convenient for the retired military officers in their advanced years. Other articles exempt these presidential appointees from any tests to prove their qualification to the job and give only the president the authority to fire them. In 1992, Mubarak amended this law to authorize the president to order an unlimited number of renewals of terms of service for high-level incumbents. The SCAF has been occupying the seat of the president and enjoying this exceptional legal power since last year.

The Armed Forces' laws, on the other hand, do not mention anything with regard to securing civilian jobs for

dismissed officers. That process takes place informally. The military retirement law, Number 90 of 1975, regulates issues of financial compensation at the end of service and assigns pensions based on rank, but does not include articles prohibiting, requiring, or encouraging placing retired officers in new jobs. Pensions are typically low, the equivalent of monthly salaries without the extra allowances they enjoy while in service. These salaries are only somewhere between $400 and $500. In February 2011, five days after the end of the uprisings and the dissolution of Mubarak's parliament, the SCAF used their vague authority to amend this retirement law and introduce a 15 percent raise in pensions. But this is still not enough to cover increasing cost of living expenses in Egypt. Thus, the leadership offers officers civilian jobs with considerable salaries to supplement their unsatisfying pensions.

The distinct class of military managers grows in size every year as new officers retire. In order to keep the hierarchical structure of the Egyptian military, the institution dismisses a significant number of officers at the ranks of Colonel and Brigadier General in their early 40s. It promotes only a small number into the ranks of Major General, Lieutenant General, and Chief of Staff, who in turn usually retire in their early 50s. The relatively young age at which officers leave service provides a perfect excuse for the military to place them at civilian jobs, lest they use their professional training in activities harmful to national security. Depending on the rank at which they leave service and the degree of loyalty to the leadership, the officer can receive anything from a prestigious position like a governorship to a middling bureaucratic position like a public relations employee in a military manager's office.

Officers who desire civilian jobs receive crash courses in management and business administration in state preparation centers. For example, at the Leadership and Management Development Center (LMDC), they attend short courses, between a few days to several weeks, on topics such strategic management, communication with workers, and charismatic leadership or "personal attractiveness." As its main clients, LMDC lists enterprises in the public sector where the military likes to dominate: companies of oil, construction, chemicals, cement, food processing, and much more.

Retired generals manage two types of fields: upper bureaucratic positions and economic enterprises owned by the military.

In order to keep a civilian face for the state in Cairo, only a few officers are hired as ministers, such as the minister of provincial development and the minister of information, running state-owned media. Outside the cabinet, they prefer certain spots where influence and wealth are concentrated. In the north and the south, 18 out of the 27 province governors are retired army generals. This includes key locations, such as touristic provinces in Upper Egypt, all the Suez Canal provinces, two Sinai provinces, sometimes Alexandria, and major Delta areas. Additionally, they serve as governors' chiefs-of-staff, directors of small towns, and heads of both wealthy and poor highly populated districts in Cairo.

The state-owned oil sector is highly militarized, as retired generals run many natural gas and oil companies. They also tend to control commercial transportation. The head of the Suez Canal is a former military chief of staff. The heads of the Red Sea ports are retired generals as is the manager of the maritime and land transport company. In the ministry of health, the minister's assistant for financial and administrative affairs is a retired general, among many others in the bureaucratic offices of the ministry. There are dozens of retired generals in the ministry of environment. The head of the Supreme Constitutional Court now was originally an army officer who previously served as a judge in military courts. This judge, Faruq Sultan, also currently serves as the head of the Supreme Presidential Elections Commission. Ironically, retired officers even dominate in government bodies dedicated to oversight: The head of the Organization of Administrative Monitoring is a retired general and its offices across the nation are staffed with army personnel.

As Mubarak decided to privatize many public sector industries, and his son Gamal accelerated this plan in the

2000s, they transformed the state-owned enterprises into holding companies, which gathered public enterprises that engage in similar business under one umbrella. The state created several of these with the intention to eventually sell them. Military generals installed themselves in almost every holding company and their subsidiaries. When the SCAF suspended the former government's privatization drive last year, this was good news for those generals. They will remain in control with no competition from businessmen who could have bought the companies. For example, retired generals head the Water and Sewerage, Egypt Tourism, Food Industries, and National Cement holding companies in Cairo and their provincial branches.

Moreover, retired generals manage the vast enterprises owned by the military institution and produce goods and services for consumers rather than for military production. This includes chains of factories, service companies, farms, roads, gas stations, supermarkets, and much more. There are three major military bodies engaged in civilian production: the Ministry of Military Production, running eight factories; the Arab Organization for Industrialization, running 12 factories; and the National Service Products Organization, running 15 factories, companies, and farms. They produce a wide variety of goods, including luxury jeeps, infant incubators, butane gas cylinders, plastic tubes, canned food, meat, chicken, and more. They also provide services, like domestic cleaning and gas station management.

However, while this arrangement may work well for the retired generals, not everyone is happy. Civilians working under retired army personnel show continuous discontent about mismanagement, corruption, and injustice. During the last 14 months, after SCAF took power, numerous major labor strikes and sit-ins emerged in facilities managed by retired generals. In many incidents, the managers called on military police to end the labor unrest. For example, widespread protests were staged at military factories, the Suez Canal ports, the Red Sea ports, petroleum companies, a cement factory, factories of chemical industries, the Alexandria port, and the Water and Sewerage Company. The SCAF has condemned labor strikes at large, arguing that they harm the country's economy and "stall the wheel of production," but the largest of these strikes were staged in places where military managers rule. Labor strikes are primarily harming the military economic interests rather than the national economy.

In February 2011, some 2,000 workers and engineers in the petroleum sector protested their poor conditions, as well as the increasing militarization of jobs in the sector. While the retired army generals at the top were receiving thousands of pounds, the workers were earning very little. The following month, thousands of workers in the same sector joined the protests, this time from companies like Petrojet and Petrotrade. The military's response was aggressive: It abducted some of the protesters, sent them to military trials, and then sentenced them to prison. Defying the military, the workers renewed their protests in front of the People's Assembly a few weeks ago, but the Islamist-dominated parliament was helpless. The Suez Canal workers recently staged a series of protests against unjust treatment. In one of the protests, the workers blocked trains. In response, the Suez Canal Authority referred some of the workers to military prosecution and imprisoned others in order to intimidate the rest into silence.

Workers at the Arab Organization for Industrialization (AOI) staged one of the earliest protests. The AOI is a collection of 12 factories administered by former army chief of staff Lieutenant General Hamdi Wuhiba. In addition to Wuhiba, other retired generals manage most of these factories. The workers of four factories organized sit-ins in February and August of last year, and Wuhiba called on military police to disperse one of them. Angry AOI workers created several unofficial Facebook pages to voice their discontent. On one of these pages, I talked with a protesting laborer. "The AOI's problem is its administration," the worker wrote. "It is a bunch of retired army generals who came to the AOI to get both a pension from the army and a salary from the AOI. The problem with the AOI's bylaws is that they vest all powers to the lieutenant general, as though he was the word of God." I also met with several of the organizers of these Facebook

pages who were prosecuted for using this social network to criticize their military administrators.

After I publicly criticized Wuhiba in newspaper columns, the former chief of staff invited me to visit AOI so he could show me how justly he treats his workers. Listening to the distinguished man speaking for six hours, I learned about the embedded conventions in the minds of the class of military managers. I asked him: Why are you in this position managing all these factories when you have no previous experience whatsoever in manufacturing? According to his statements, 70 percent of AOI's production is civilian not military. His answer was that military officers are the best in management because they are trained in administration. Thus, if you open any civilian job, he adds, you will always find that the most suitable applicants come from the military. "The military produces the best managers," Wuhiba said. What they are managing does not matter. While justifying the military running their own vast economic enterprises, General Mahmoud Nasr, the minister of defense's assistant for financial affairs a member of SCAF, revealed the same mindset. He stated that serving in the military is all about learning good management.

Members of the class of military managers do not share the same social origins and are free of ideological stances. They come from a variety of social backgrounds, as they do not have to be originally rich or from bourgeois families, as is typically the case among the business elites in Egypt. Loyalty raises them into higher ranks within the army and then prestigious civilian positions afterward. Whereas under Nasser military managers adopted the socialist ideology, today they embrace neither socialist nor neo-liberal politics — they are neutral. Their leaders in camps train them as young officers to maintain political neutrality and ensure that they uphold only one ideology: Egyptian nationalism. The majority are just individuals seeking to maximize their personal benefits later in life. Those in middle bureaucratic positions lack political ambition, but those in upper jobs who enjoy good connections might aspire to reach the highest positions of a province governor or a cabinet minister.

Amidst this peculiar milieu for an underdeveloped country, the presidential election to choose the first civilian leader of the state in 60 years is approaching. In two weeks, a winner, either an Islamist or leftist, will take over power from the SCAF and immediately execute ambitious plans to achieve economic prosperity. However, in order to apply these plans — detailed in candidates' platforms — the winner needs first to kick out retired generals, who lack necessary knowledge and experience pertaining to economic development, from the bureaucracy and the public enterprises. Strangely enough, presidential candidates of all political stances refrain from raising the issue of demilitarizing the state. The two candidates who claim to be the most revolutionary, the former Muslim Brother Abed Moneim Aboul Fotouh and the Nasserite Hamdin Sabbahi, do not refer at all in their published platforms or spoken rhetoric to this crucial dilemma. It is not clear whether this is out of lack of awareness, fright, or in order to please the armed ruling elite.

Over the last five months, an elected parliament of a majority of Islamists has failed to recognize, or has ignored, the deep military penetration of Egypt's government and economy. The parliament is now hopelessly struggling to gain a portion of power from the SCAF. With candidates either unaware of the issue or driven by fear, an elected president will certainly fail to demilitarize, and nothing will change.

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Egypt's injudicious judges

By Mara Revkin, June 11, 2012

In recent weeks, the lines separating Egypt's legal and political realm have gone from blurry to invisible. Some of the fiercest battles seen over the course of the transition have been played out in courtrooms, raising the question: Have judges replaced politicians as Egypt's reining power-brokers? Controversial verdicts in the trial of Hosni Mubarak and other former regime officials on June 2 brought protesters back to Tahrir Square by the thousands. Meanwhile, the Supreme Constitutional Court (SCC) is expected to issue two potentially game-changing decisions on June 14: One that could lead to the disqualification of presidential candidate Ahmed Shafiq just two days before the decisive run-off round, and another that may invalidate the results of the recent parliamentary elections. Either outcome would upend the current electoral process and call into question the legitimacy of the transitional roadmap. With the fate of parliament and the presidential election in the hands of the SCC, another influential judicial institution — Egypt's powerful Judges Club — has weighed in on the political turmoil with a scathing attack on the Islamist-led parliament, which some commentators have interpreted as a veiled endorsement of the military's preferred candidate, Ahmed Shafiq. This partisan power-play by a professional association representing 8,000 judges has called into question the neutrality of an institution that bears legal responsibility for administering a free and fair presidential election.

On May 7, the head of the Judges Club, Ahmed al-Zend, accused the People's Assembly (lower house) of "slandering" the judiciary after members of parliament (MPs) openly condemned the Cairo Criminal Court's acquittal of six interior ministry officials and lenient sentencing of Hosni Mubarak. Al-Zend called the People's Assembly "a thorn in the side of Egypt" and threatened to let its laws go unenforced. Although al-Zend did not explicitly reference the Muslim Brotherhood and its political wing, the Freedom and Justice Party (FJP), his remarks were interpreted as a direct challenge to the Islamist majority. In a strikingly partisan blow, al-Zend said that judges would never have agreed to supervise the recent parliamentary elections had they known the results, and warned that 4,000 judges are prepared to boycott their constitutional obligation to oversee the upcoming presidential election. Suggesting that the judiciary will intervene in the political realm to rescue Egypt from its current state of "free-fall," al-Zend warned parliament, "From this day forward, judges will have a say in determining the future of this country and its fate. We will not leave it to you to do with it what you want." Other members of the Judges Club have since tried to distance themselves from Judge al-Zend's inflammatory remarks, but even if he was speaking in his personal capacity and not on behalf of the association, his statement has irrevocably tainted the neutrality of the judiciary on the eve of the most polarizing and competitive presidential election in Egypt's history, already considered illegitimate in the eyes of many Egyptians. Thousands of voters are planning to boycott the run-off, and a loss of public confidence in the neutrality of the supervising judges — the supposed guarantors of free and fair elections— could further undermine the credibility of the results.

Judge al-Zend's bold political stand is not unprecedented for the Judges Club, which has historically engaged in activism to protect the integrity of elections and confront the abuse of executive power. However, under Mubarak's rule, the Judges Club had been at the vanguard of demands for democratic reform, whereas Judge al-Zend's latest burst of political activism appears to be aimed at preempting political change — in the form of the Muslim Brotherhood — and perpetuating a status quo favorable to the military establishment and former regime. It appears that the Judges Club is taking a political stand again, only this time not against the Mubarak regime, but to prevent the Muslim Brotherhood's candidate Mohamed Morsi from carrying out what Judge al-Zend called "a systematic plan meticulously designed to destroy this country." This is not the first time

elements of the judiciary have made politically-driven decisions during the transitional period, but it is the first time a prominent judge has been accused of endorsing his preferred electoral outcome. In this case, Judge al-Zend's harsh criticism of the FJP's conduct in parliament came off as a de facto endorsement for Ahmed Shafiq.

The judiciary's apparent bias toward Shafiq and the former regime he symbolizes is the logical outcome of an institutional evolution — from opposition to co-optation — that began in 2005. Under Mubarak's rule, the Judges Club earned a reputation as an irritating watchdog, persistently confronting the regime over abuses of executive power and threats to the integrity of elections. Reformist judges repeatedly used the association as a platform to promote democratic demands: the passage of a law guaranteeing the judiciary's financial and administrative independence from the ministry of justice, as well as changes in the electoral system requiring that electoral commissions be staffed entirely by senior judges chosen by the judiciary. In May 2005, judges threatened to abdicate their legal obligation to monitor parliamentary elections unless the regime met their demands for electoral reform, crossing a red line that triggered a punishing backlash. Starting that year, Mubarak's government successfully tamed the Club with a combination of threats and material incentives for loyalty to the ministry of justice, which administered salary raises and other perks meant to keep the judges in line. In the years since, the Judges Club has seen a steady influx of establishment-oriented judges who have dampened the institution's dissident impulses. The current head of the Judges Club, Ahmed al-Zend, was elected in 2009 on a platform promising to restore the institution's role as a defender of the integrity of the judiciary, a mission he felt had been compromised by political activism. Under al-Zend's leadership, the Judges Club has taken on a more subdued character, functioning primarily as a social club and professional advocacy association.

But despite Judge al-Zend's insistence that the newly submissive Judges Club had withdrawn from politics, its deliberate complacency in the final years of Mubarak's rule could not have been more political. The Judges Club was simply acting in the interests of the regime by not acting at all. But now that the Muslim Brotherhood is threatening to overturn the status quo — represented by Ahmed Shafiq and the military establishment — the Judges Club has reactivated its political role as an ally of the former regime and bulwark against political change.

Between the Judge al-Zend's implicit endorsement of the Supreme Council of the Armed Forces' (SCAF's) preferred candidate and the controversial verdicts handed down in the trials of Hosni Mubarak and former Interior Minister Habib al-Adly on June 2 (both were given appealable 25-year sentences, a disappointment to prosecutors who had demanded the death penalty), it would be reasonable to conclude that the judiciary is deep in the tank for Shafiq, the SCAF, and the interests of the former regime. However, this would be a simplistic reading of an institution that speaks with many voices.

Over the past few months, elements of the Egyptian judiciary have taken on seemingly contradictory roles: Intermittently reinforcing the SCAF's agenda and transitional roadmap, while at other times making decisions that fundamentally challenge the legitimacy of the interim period. Far from a monolithic institution, the infrastructure of Egypt's judiciary has been aptly described by Nathan Brown as a "maze," in which jurisdiction is divided among separate court systems dealing with constitutional questions, administrative disputes, military cases, and everything in between. Given the diversity and depth of the system, it makes sense that its component institutions have often pursued opposing interests and imperatives, when weighing in on disputes in the political realm — an area that in theory should be off-limits to the ostensibly neutral judiciary, but since the revolution has been appropriated as a platform for judicial influence over the transition.

Egypt's judiciary has been accused repeatedly of yielding to executive interference, particularly during the controversial trial of foreign NGO employees, during which the three presiding judges allegedly lifted a travel

ban on the defendants under pressure from the SCAF. This suspected manipulation of the judiciary to advance the SCAF's agenda backfired explosively: The three judges recused themselves from the trial citing "uneasiness;" 285 judges signed a petition holding the head of the court of appeals responsible and demanding his removal; and former presidential candidate Mohamed ElBaradei called the political interference in the judicial process "a fatal strike to democracy."

But while many judicial decisions since the revolution appear to have been molded by executive pressure, at other times the courts have spontaneously seized opportunities to make game-changing political decisions at their own initiative — such as the April 10 administrative court ruling that disbanded the Islamist-dominated constituent assembly, a politically charged case that Judge Yussef Auf suggests was beyond the court's jurisdiction. The judiciary will see another opportunity to radically alter Egypt's political landscape on June 14, when the Supreme Constitutional Court (SCC) is expected to decide the fate of Ahmed Shafiq's disputed candidacy — just two days before the run-off election — as well as the validity of the recent parliamentary elections. The SCC's decisions in these two cases will inevitably be influenced by the judiciary's institutional interest in protecting its own legitimacy, which has been damaged by accusations of unconstitutional activism in the political arena. As Zaghloul al-Balshy, a senior judge and vice chairman of the Court of Cassation, recently said of the judiciary's political turn, "To shove it into what does not involve it has shaken confidence in the institution." The judiciary has already been put on the defensive by widespread criticism of the verdicts in the trials of Hosni Mubarak and other former regime officials, viewed as too lenient by many Egyptians. A decision upholding Ahmed Shafiq's candidacy — by striking down a disenfranchisement law that would bar former regime members from running for office — would take a toll on the judiciary's already vulnerable reputation, something the SCC justices have a strong self-interest in preventing

Last week, Judge al-Zend made clear that he will protect the judiciary's legitimacy at all costs in a stern warning to critics of the Mubarak verdict: "When you cross the line, we will break your legs." If it comes down to a choice between defending the interests of the SCAF and former regime or protecting its own reputation, the judiciary — like any self-serving political actor — will save itself.

Mara Revkin is the editor of the EgyptSource, a project of the Atlantic Council's Rafik Hariri Center for the Middle East.

Cairo's Judicial Coup

By Nathan J. Brown, June 14, 2012

In March 2011, I paid a visit to Egypt's Supreme Constitutional Court (SCC), located on the banks of the Nile in the Cairo suburb of Maadi. Two things immediately struck me. First, there was a tank parked outside of a structure that hardly seemed to be a military site. Second, the court was a beehive of activity. Since at the time Egypt had no constitution, I could not figure out why the employees were so busy.

Now it is clear that I was too quick to dismiss what I saw both inside and outside the building. The SCC's actions today, occurring in the context that they do, reshape

Egypt's transition process — so much so that some Egyptians will likely wonder if they are in any "transition process" at all. That concern is justified. The "process" part was already dead. Now the "transition" part is dying.

The problem with the rulings is not primarily legal. There is a strong, though not inevitable, logic to the rulings taken individually. The political exclusion law, which was clearly aimed at specific individuals (most notably Omar Suleiman) and which deprived people of political rights without criminal charges or judicial process was obviously open to challenge. The parliamentary election law also ran against past SCC rulings requiring independents to have the same chances to get elected as party members. Of course, since the two-thirds of seats assigned to party lists were written into the constitutional declaration (as amended in September 2011), so that could not be challenged easily. But for the remaining one-third the case of unconstitutionality was easier to make. (Past rulings rested in part on constitutional rights in the 1971 constitution that had been removed from the March 2011 constitutional declaration, as Harvard's Tarek Masoud has pointed out. But there was still strong jurisprudence suggesting that the court regarded the system as discriminatory against Egyptians who were not members of any party.)

The content of the rulings were therefore not shocking — they were the most likely outcomes, though hardly the only possible ones. But the immediate rulings, particularly the timing and speed, were a big surprise. In the past, the SCC has been rather more deliberate in its rulings. In 1987, the SCC dissolved a parliament elected in 1984. In 1990, it dissolved a parliament elected in 1987. In 2000, it struck down a parliamentary election law just as the parliament elected under that law was completing its term. The court delayed ruling on a constitutional challenge of trials of civilians in military courts until an amendment removed the constitutional basis for the challenge in 2007. Today, by contrast, it dissolved a parliament elected earlier the same year and it ruled on a case involving a presidential candidate on the same day it heard the case.

The full ramifications of the ruling are not yet evident, and it will take time to clear the legal brush. What happens to the constitutional assembly just elected? The question is both legal and political: legally, can a constitutional assembly elected by an unconstitutional parliament still sit? Does the parliament's passing of a constitutional assembly law remain valid even if the parliament is dissolved and the Supreme Council of the Armed Forces (SCAF) has not approved the law? Even if the constitutional assembly is not dissolved by this ruling (and as I write this, that question is not clear) can the fact that the parliament elected some of its own members to the body (even if they are no longer parliamentarians) be used to challenge the body? And politically, will those who were going to boycott it now agree to take their seats? And in the legal realm, a new parliamentary election law is needed. Who will issue it? The SCAF in its waning days by decree? The new president by decree? And more generally, will the SCAF use the absence of parliament to parachute in a new constitutional declaration so that it does not have to surrender all its power to the president at the end of the month? Or will it revive the 1971 constitution it cancelled last year?

If the details are unclear, the overall effect is not. What was beginning to look like a coup in slow motion is no longer moving in slow motion. The rulings themselves are perfectly defensible. The SCC is diverse enough in its composition that it is not anybody's tool. (Faruq Sultan, the chief justice considered suspect by some because of his past ties with the military, recused himself from the Shafiq case). The SCC clearly felt threatened by recent parliamentary moves against the court, though I do not know how much that sense of threat influenced the justices. Therefore, I do not see this as what Egyptians call "telephone justice" — in which a call from a high official to a judge decides a case.

But that may not matter in the long run. The dispersal of parliament, the sudden constitutional vacuum, the Shafiq surge, the reversion of state-owned media, the revival of a key element of the state of emergency by a decree from an unaccountable justice minister — all these things point in one direction. Last March I wrote that, "unless the

SCAF has the appetite for a second coup, or somehow discovers a way to shoehorn in its puppet as president, the constitutional vehicle that gave the military such political authority will soon turn into a pumpkin." Now it appears that the SCAF has regained its appetite and an old-regime candidate may soon win the presidency.

Democracy — in the sense of majority rule with minority rights — is now losing badly. Earlier this year, in an article on the Egyptian judiciary, I wrote that the real struggle in Egypt was "between the forces of politics, popular sovereignty, and democracy on the one hand and bureaucracy, expertise, and professionalism on the other." Now it is clear who is winning. In light of recent events, there will likely no longer be an Egyptian majority able to act coherently.

Civilian political forces are already engaged in bitter recriminations. Non-Islamist forces are holding the Muslim Brotherhood responsible for the result because the Islamists seemed willing to cut a separate deal with the military. The charge has some plausibility. And suspicions will be deepened by the Brotherhood's meek response so far and by rumors about the content of recent SCAF-Brotherhood contacts. But the reverse charge is just as true: non-Islamists openly and repeatedly sided with the military against the Islamists on the explicit grounds that the Islamists had too much popular support and by regularly making the implausible claim that the popularly-elected parliament had no democratic legitimacy.

The Egyptian "deep state" is neither as deep nor as coherent as the term implies. But it seems to have more depth and coherence than those outside of it. And that is enough to mean that at the end of June, Egypt's transition may well be from military dictatorship to presidential dictatorship.

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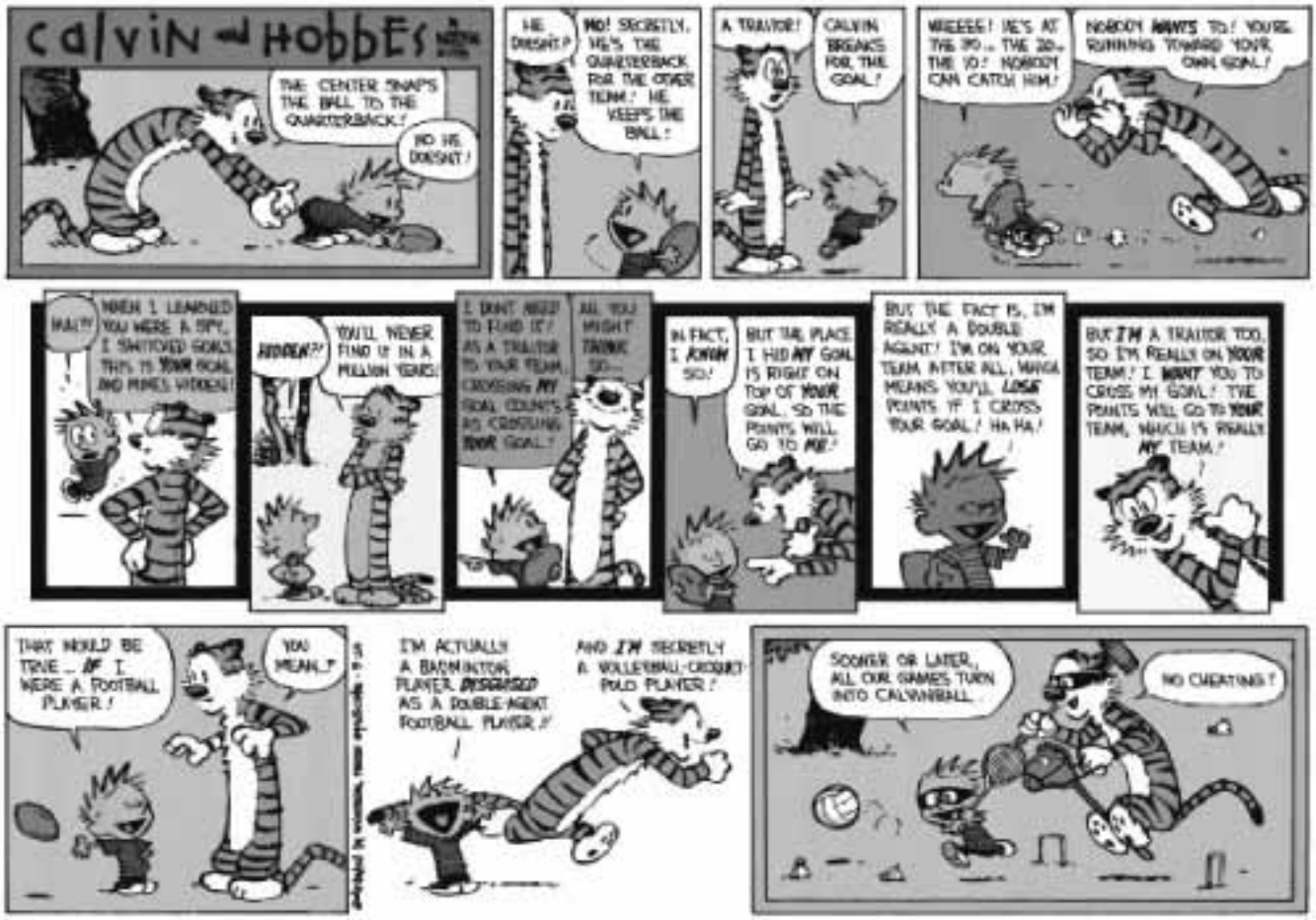
Calvinball in Cairo

By Marc Lynch, June 18, 2012



The best guide to the chaos of Egyptian politics is Hobbes. No, not Thomas Hobbes — Calvin and Hobbes. Analysts have been arguing since the revolution over whether to call what followed a transition to democracy, a soft coup, an uprising, or something else entirely. But over the last week it's become clear that Egyptians are in fact caught up in one great game of Calvinball.

For those who don't remember Bill Watterson's game theory masterpiece, Calvinball is a game defined by the absence of rules — or, rather, that the rules are made up as they go along. Calvinball sometimes resembles recognizable games such as football, but is quickly revealed to be something else entirely. The rules change in mid-play, as do the goals ("When I learned you were a spy, I switched goals. This is *your* goal and mine's hidden."), the identities of the players ("I'm actually a badminton player *disguised* as a double-agent football player!") and the nature of the competition ("I *want* you to cross my goal. The points will go to *your* team, which is really *my* team!"). The only permanent rule is that the game is never played the same way twice. Is there any better analogy for Egypt's current state of play?

As in Calvinball, the one constant in Cairo's trainwreck of a transition seems to be the constantly changing rules and absolute institutional uncertainty. Prior to the first round of the presidential election, several key candidates were disqualified on questionable grounds. Efforts to form a constitutional assembly before the presidential election

failed, then succeeded, then failed again. Just before the presidential election, the Supreme Constitutional Court declared the parliamentary election law unconstitutional, leading to the dissolution of Egypt's first freely elected parliament. But the parliament's speaker rejected the ruling, declaring that he would convene a session anyway.

Then, in the midst of the presidential election, the SCAF unilaterally issued a constitutional amendment annex greatly expanding its own power and limiting that of the incoming president. Whoever wins, the powers of the presidency have been radically constrained, while the SCAF has granted itself legislative power (!) and more or less total immunity from any civilian oversight. This rather strips the promised transfer of power to civilian rule of its significance, while falling far short of establishing a legitimate, consensus set of rules of the road for Egyptian politics. Small wonder everyone quickly labeled it a coup, soft or otherwise. But then, in a defensive press conference today, SCAF representatives defended their democratic commitments with explanations, which seemed to contradict the text of their own constitutional amendment annex.

Then, just as the fix seemed in for the old regime's candidate, Ahmed Shafiq, the campaign of his Muslim Brotherhood rival Mohamed Morsi claimed a smashing victory based on the tallies of its observers in all Egyptian voting booths. But the Shafiq campaign disagrees, and official results may not be announced until Thursday, leaving plenty of time for this to change. The interpretation of the constitutional annex — by the SCAF, by the judiciary, and by all political trends — will likely change depending on the outcome of the election. In the next few days, a parliament might or might not seat itself, the new president might or might not be empowered, a new constitutional assembly might or might not be formed. And tomorrow, another of Egypt's endlessly inventive judges may declare the Muslim Brotherhood itself illegal.

But here's the thing — Calvin doesn't always win at Calvinball. Players succeed by responding quickly and creatively to the constantly changing conditions. Hobbes plays brilliantly, as one might expect. But even Rosalyn, the dread babysitter, figures out the rules lurking within the absence of rules and has Calvin running from water balloons before he knows it.

In other words, Watterson's game theoretic analysis suggests that Calvinball's absence of rules does not automatically bestow victory on Calvin. The game is going to continue for a long time, at least until the players finally settle on some more stable rules which command general legitimacy. Perhaps the SCAF might not automatically dominate SCAFball?

And with that, it's back to scanning all available news sources for the latest twists and turns in Egypt's high stakes game of Calvinball. Who says game theory isn't relevant to real world politics?

Note: all images courtesy of dedicated Calvin and Hobbes fans, and all rights reserved to the legendary Bill Watterson.

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The Pharaoh's Legacy
As Hosni Mubarak lies on his deathbed, he leaves behind a broken Egypt.

By Steven Cook, June 19, 2012

Hosni Mubarak is dead, or very close to it. The Egyptian state news agency MENA reported that the former president was pronounced clinically dead after having a stroke on the evening of June 19 — a statement that was quickly denied by a member of the ruling military junta, who clarified that Mubarak was nevertheless in critical condition.

Whatever the case, Mubarak's final moments in a military hospital in Cairo would not be what many Egyptians had in mind when they sought justice and revenge for those who suffered at his hands. No doubt, his supporters would have preferred the pomp and circumstance of a state funeral honoring a man they believe was a transitional figure who had placed Egypt on the path of prosperity and even democracy.

For better or worse, Mubarak's predecessors, Gamal Abdel Nasser and Anwar Sadat were larger-than-life figures who accomplished big things, whether it was nationalization of the Suez Canal or negotiating peace with Israel. Once Mubarak, for all his failings, seemed larger than life himself; but he will not join their ranks. Instead, he will be remembered for the squalid politics, brutality, and repression that characterized the last decades of his long reign, and the mass demonstrations that ended it so abruptly.

Looking back over the late Mubarak period, it is hard to believe that his presidency began on October 14, 1981, with promise. Upon taking his first oath of office, it was possible to imagine Mubarak as a reformist. He struck a self-effacing tone, reached out to an opposition that had been in open revolt against Sadat, and promised to use judiciously Egypt's emergency law, which gave the government extra-constitutional powers. In another gesture at reconciliation, soon after taking office, Mubarak emptied the jails of those Sadat had imprisoned and vowed to undertake political as well as economic reforms.

Nor was the Mubarak era strictly a period of economic stagnation. The country's gross domestic product was approximately $40 billion when Mubarak entered office; on the eve of the uprising, it topped $145 billion. There were only 430,000 telephone lines in the entire country when Mubarak took power — by 2010, it had well over 12 million. In 1981, the life expectancy of the average Egyptian was 57 years old; it is now 70. The World Bank reports that the Egyptian literacy rate was less than 50 percent 30 years ago. Today, the literacy rate stands at 66 percent, though it remains dismally low for Egyptian women. But by the later Mubarak era, Egypt's private sector was prospering, the levels of foreign direct investment were unprecedented, and the international business community began talking about Egypt as a promising "emerging market."

The statistics obscure more than they reveal, however. While the explosion of wealth and positive macro-economic indicators looked good, the working and middle class' ability to make ends meet eroded — an ever-larger number of Egyptians were subsisting on $2 a day or less. As the wealth gap grew, popular anger at those on the top of the pyramid grew with it.

Yet the uprising that brought infamy to Mubarak was not, first and foremost, about economic grievances, but a political system that was rigged in a way to benefit Egypt's leader and those closest to him. Political change, which became a mantra of the ruling National Democratic Party during Mubarak's last decade, was a ruse.

Every reform that the state media hailed as the "strengthening" of democracy in fact only reinforced the unrivaled power of the party. For those who objected to this perverse state of affairs, Mubarak literally beat them into submission. Instead of using Sadat's emergency law judiciously like he promised, Mubarak wielded the emergency law like a club and the jails that he emptied in 1981 overflowed once again.

In the end, Mubarak, who seemed to become larger as he diminished Egypt, gave in to the temptations and arrogance of seemingly absolute power. A little more than a month before the uprising, Mubarak dismissed with a wave of his hand the opposition's efforts to establish a "shadow parliament" in protest over electoral fraud. "Let them have fun," he scoffed, sounding not unlike Marie Antoinette. It's an ironic epitaph for a man who a few weeks later fled Cairo as untold numbers of Egyptians converged on his palace demanding his ouster.

Sadly, it is not just Mubarak that is on life support at this moment — Egypt's creaky institutions and its nascent democracy are as well. Its politics are broken, its infrastructure in disrepair, its economy near collapse, its state education system in disarray, and its public health system nonexistent. If anything, this is the legacy of Hosni Mubarak: the evisceratation of his beloved country. Egypt has not "sold out" Mubarak, as he reportedly told his jailers upon entering prison. Rather, it was Mubarak who sold out Egypt, cheapened its national dignity, and brought it to its knees.

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Can Egypt unite?

By Daniel Brumberg, June 25, 2012

As Mohamed Morsi prepares to become Egypt's first democratically elected president, he will have to decide who he really is: a political unifier who wants one "Egypt for all Egyptians" as he said shortly after he was declared president, or an Islamist partisan devoted to the very proposition that he repeated during the first round of the election campaign, namely that "the Quran is our constitution."

This is not so much an intellectual choice as it is a political and practical one. Morsi's greatest challenge is to unite a political opposition that has suffered from fundamental divisions between Islamists and non-Islamists, and within each of these camps as well. If his call for a government of national unity merely represents a short-term tactic for confronting the military — rather than a strategic commitment to pluralism as a way of political life — the chances of resuscitating a transition that only days ago was on life support will be very slim indeed.

Egypt's fractious political opposition has been an advantage to the ruling Supreme Council of the Armed Forces (SCAF) to this point. If it fails to unite, the prospects for meaningful change will remain excruciatingly low. The record of transition from autocratic rule is fairly clear: opposition solidarity is a necessary if insufficient condition for extricating militaries from the realm of civil political life. The record also shows, however, that such unity is hard to achieve when oppositions are divided by fundamental identity conflicts.

Such conflicts have long been a boon to the leaders of the Arab world's "liberalized autocracies." These semi-authoritarian systems survived not merely by brute force, but also by giving *both* Islamists and non-Islamists protection and patronage and then playing off one against the other. In Egypt, vestiges of this divide and rule strategy persisted well after Mubarak's downfall. Hopes for defusing

a long legacy of political fear mongering in Egypt rested on negotiating "credible guarantees" that assured all key groups that a democratic polity would protect individual and group rights.

While almost all Egyptian political forces have made mistakes, it is important to be clear: *the strongest opposition forces had a special burden to reassure those who had the most to fear from a democratic outcome.* Some Brotherhood leaders grasped this basic logic, some proved tone deaf, while still others — such a Dr. Essam el-Erian — promised political inclusion while asserting in the same breath that secular leaders are irrelevant to Egypt's future.

Such mixed messaging was to be expected. The Brotherhood sought to retain credibility with their base while reaching beyond it. Moreover, they had to pay special attention to the military since it held almost all the cards. Non-Islamists were quick to accuse Islamists of colluding with the SCAF, a behavior that they asserted was hardly new. But placating the military was a popular sport in Egypt's liberalized autocracy, where the line between opposition and collusion had always been blurred. Thus it was hardly surprising that well after Mubarak's fall both Islamist and non-Islamists turned first to the military and then only after that to themselves. Old habits not only die hard, they are sustained absent a significant incentive to jettison them.

The incentive to accommodate stemmed from the mutual perception of both the generals and the Brotherhood that their interests would be best served by avoiding conflict. Brotherhood leaders assumed — as did many Western scholars — that Islamists would never get the chance to mobilize an electoral majority sufficiently large to compel the military to cede authority to the parliament. Thus their best strategy was to seek *modus vivendi* with the SCAF and see where that would take them. However, this calculation only fed non-Islamists' suspicions, thus setting the stage for a series of collisions.

The first such occasion was in the March 2011 referendum on a package of constitutional amendments that defined the timetable for the transition. Predictably, the campaign quickly degenerated into a shouting match. Non-Islamists worried that holding parliamentary elections first and then writing the constitution would not only give electoral victors the means to impose an illiberal constitution, but would do so under the umbrella of the military. But because the referendum provided no alternative course of action in the event of its rejection, Islamists credibly argued that the only way forward was a yes vote. Determined to prevail, some Islamists accused their rivals of being anti-Islamic, while not a few non-Islamists warned that a yes vote would lead to a fundamentalist Islamic state. With neither side listening to the other, and in the wake of a 70 percent yes vote that some Islamists declared was victory for Islam itself, the seeds of massive distrust were planted and well watered.

This situation escalated after the SCAF issued a new constitutional declaration that went far beyond the few amendments voted for in the March 2011 referendum. Fearing an Islamist-SCAF deal, and dismayed by the courts' failure to hold military and security officials accountable for the violence during and after the January 2011 uprising, revolutionary groups remobilized in Tahrir Square. The ensuing repression of the protestors felt like Groundhog Day. Exposed to the bullets and blows of the security forces, non-Islamists bitterly recalled those early days of the January 2011 revolt, when MB activists joined the protestors only after their efforts seemed to be paying off.

For their part, Brotherhood leaders argued that the protestors were wasting valuable time and energy confronting a regime whose powers could only be attenuated by moving as quickly as possible to parliamentary elections. If this calculation offended young revolutionaries, it was not unreasonable. In the classic "moderate/radical" split that has figured in so many transitions, the Brotherhood played the role of opposition moderates. But in Egypt, the crucial missing element was coordination between the radicals seeking full scale revolution and the moderates trying to negotiate with elements of the old regime.

Splits *within* the Islamist and non-Islamist camps did little to heal the breach. While a positive sign of political diversification, efforts at ideological bridge building by secular and Islamist youth were not sufficient to create a "third alternative" capable of defusing the increasingly polarized atmosphere. No less than Dr. Saad Eddin Ibrahim, who had long called for dialogue, warned that Islamists where "hijacking" the revolution. Responding to such claims, leftists such as Hossem el-Hamalawy held that while we should "not stop exposing the hypocrisy of ... the Muslim Brethren leadership ... we should not give up trying to attract ... those (youth) in the Muslim Brethren who are sincerely pro-revolution." Hamalawy's call for cooperation made sense. During the first nine months of the post-Mubarak period, young MB leaders — as well as some veteran activists such as Dr. Abdel Monem Aboul Fotouh — were expelled from the organization or saw their efforts to create alternative Islamist groups undermined.

The further fragmenting that these struggles produced came at an especially inauspicious time: by November 2011 members of the SCAF were floating proposals for retaining the military's powers and prerogatives. But with parliamentary elections coming up, the MB mostly refrained from commenting and instead concentrated on the campaign rather than confronting the military. The scale of the Islamists' victory in those elections redefined the entire stakes of the transition. With the MB taking 45 percent and the Salafis 25 percent of the seats, the fears of both the military and the non-Islamists escalated. After all, both had assumed that elections would produce a fragmented parliament, one in which the Islamists would not have sufficient seats to control next crucial stage in the revolution: the formation of a 100-member constituent assembly charged with writing a new constitution.

It was precisely because this assumption proved incorrect that the struggle over the assembly became so heated. Confronting the possibility of an Islamist-controlled parliament, in late fall 2012 the SCAF created an "advisory council" comprised of leaders from the Islamist and non-Islamists camps. Most groups on both sides agreed to play ball. But when the election results were finalized, the SCAF pushed to have the council play a role in selecting the constituent assembly, thus bypassing the parliament. Sensing a clear bid to undercut them, Brotherhood leader el-Erian warned that "the military wants to delay or disturb the composition of the assembly," and that "no people can support this now."

At this point, the onus was on the MB to guarantee non-Islamists enough seats to reassure them that they would have a real say in the drafting of the constitution. El-Erian promised as much in early January 2012. But when the MB selected an assembly that gave Islamists a strong majority, it inflamed the fears of the other trends, and an Egyptian court suspended the newly constituted assembly. In the ensuing months Islamists and non-Islamists MPs pursued fierce negotiations, a contest that the SCAF tried to influence by holding meetings with non-Islamists to discuss their concerns. By April an agreement was reached to split the assembly 50/50. But when Islamists then proposed to include in the "non-Islamist" category groups such as the Wasat Party (which many non-Islamists asserted were Islamists) the agreement fell apart. The matter was not settled until the second week of June 2012. But by the time assembly finally met on June 18, the High Constitutional Court had moved to partly or completely dissolve the parliament. To add injury to insult, many non-Islamists members of the assembly boycotted its opening.

The High Court's decision entailed a last ditch effort by *ancien régime* apparatchiks to prevent Islamists from taking democratic control of both the presidency and the legislature. In retrospect, the Brotherhood might have been far better off avoiding such a complete — and thus threatening — victory by negotiating an agreement with non-Islamists to field a consensus presidential candidate such as Fattouh. But having expelled him from their ranks, and determined to court the Salafi vote, the Brotherhood pursued no such agreement. As for non-Islamists, they too were hardly in a mood for compromise. So, the non-MB vote split between Fattouh, Hamdeen Sibbahi, and Ahmed Shafiq. Paradoxically, while the first round suggested that at least fifty percent of the voting electorate preferred an alternative to the Brotherhood, the splitting of the non-

Islamist vote produced a Morsi-Shafiq run-off.

During the first round of elections Morsi did little to reassure non-Islamists. As a conservative by nature, he repeatedly proclaimed that the "Quran is our constitution and the Shariah is our Guide" during his nation-wide campaign. To be fair, Fotouh's courting of the Salafis only made matters worse by alienating non-Islamists. But even if he had resisted such populist maneuvers, it is unlikely that the outcome would have been different. By May 2012, the opposition was in tatters.

"Regrets, I have a few," goes the old Sinatra classic. In the second round of elections, Morsi tried to win over non-Islamists and thus repair some of the damage for which he himself was responsible. The impetus for such belated bridge-building multiplied ten fold with the High Court's June 14 decision, and even more so three days later, when the SCAF issued supplementary constitutional amendments to protect its powers at the expense of the once powerful presidency. His efforts, combined with the alienating prospect of a victory for Ahmed Shafiq and the restoration of the former Mubarak regime, allowed the Brotherhood's candidate to win by a sufficiently large margin.

The key to the next phase will be whether Morsi learned the right lessons from this turbulent record. Morsi must now make a genuine and sustained effort to include those in the opposition who fear that he is either insincere or incapable of mobilizing his closest allies in the Muslim Brotherhood behind a pluralistic political agenda. The creation of a government of national unity will go some way toward reassuring non-Islamists, as will Morsi's decision to resign from the Muslim Brotherhood and its Freedom and Justice party. Seeking to reinforce this message, in his late night TV address he promised an "Egypt for all Egyptians," one in which "national unity is the only war forward."

He will need such unity in what promises to be a very long struggle. In the coming weeks Morsi will either have to push back against a military that refuses to rescind its recent proclamation or to endorse compromises such as leaving the current parliament intact and reelecting only a third of its members. And even if such an accommodation does become possible, Morsi will have to sell it to the wider populace without being accused of betraying the revolution. That very balancing act could split the opposition yet again. Finally, there is the question of the non-Islamist opposition, particularly its secular revolutionaries. Suspicious of a stronger rival that was not averse to reaching its own accommodations with the military, non-Islamists will have to overcome their deep social, economic, and political divisions if they are to carve out an effective role in Egypt's evolving political arena.

That role will be to push for the very constitution for which prominent non-Islamists such as Mohamed el-Baradei once pleaded. The prospects for achieving real democracy will hinge on securing basic constitutional rights for all Egyptians. For this reason, the boycott of the Constituent Assembly must end, its members must get down to business, and the military should allow them to reach consensus without its guidance, interference or even its well-meaning assistance. That, and not simply the election of a new President, will help decide Egypt's fate.

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America's Egypt quandary

By Peter Mandaville, June 26, 2012

With the seating of a new Egyptian president, it is tempting to focus on the forward momentum of that country's transition and an imminent return to civilian rule. Indeed, over much of the past year, Washington has banked on the idea that the military council ruling the country since Mubarak's ouster is eager to relinquish power sooner rather than later. Its mishandling of key aspects of the transition were largely dismissed as amateurish bungling by soldiers unaccustomed to wielding executive authority. But in the drama leading up to the presidential runoff, there were plenty of signs suggesting that the Supreme Council of the Armed Forces (SCAF) is not going away anytime soon, even if — as they claim — power will be handed over to the new president by the end of this month.

Over the past fortnight the SCAF has presided over the dissolution of the country's only popularly elected institution, the National Assembly, and reclaimed the legislative mandate for itself. It has also stipulated significant limits to the powers of the newly-elected president and assumed new security powers that rekindle aspects of the draconian Emergency Law that permitted Mubarak to curtail expressions of political opposition for so long. And the revised sequence for the political transition, in which legislative elections will not be held until a new constitution is in place, means that Egyptians will go without an independent, popularly elected political institution for the foreseeable future.

SCAF-skeptics have decried these recent actions as tantamount to a military coup. And they dismiss the presidential succession as all smoke and mirrors on the part of the military: the advent of an executive associated with the revolution provides the illusion of forward progress — and draws scrutiny away from the military — even as the SCAF takes measures to ensure that, at least for the time being, ultimate authority with respect to Egypt's finances and security remain firmly in its grip. At the very least it is clear that the generals — faced with the prospect of a parliament and presidency dominated by Islamists — felt the need to make a clear statement to the effect that they remain in charge. But as with their actions at previous critical junctures in the transition, this one too looks to be an overstatement. There is also a good prospect that these moves will establish the SCAF as the shared enemy of political forces that heretofore have tended to focus on their differences.

The Muslim Brotherhood and the political course it chooses will be key. While many of Egypt's revolutionaries — not to mention key external actors such as the United States, Israel, and America's allies in the Gulf — remain skeptical of the Brotherhood's ultimate motives, Mohamed Morsi's victory in the presidential runoff opposite a leading figure from the previous regime will burnish their revolutionary credentials in the eyes of many Egyptians. Yet the Islamists now have their own dilemma. Having been short-changed at the hands of the SCAF by losing both their legislative power base and the prospect of full executive authority, they possess an unprecedented opportunity to rally popular sentiment to their cause. But doing so would lead inevitably to a direct confrontation with the generals, and it is not clear how far the Brotherhood is willing to push in this direction. The military as an institution remains broadly popular, and the Islamists know that at the end of the day, they will need to accommodate themselves to a political environment in which the military holds ultimate sway over matters of national security for some time.

In this messy fray, relatively little attention in recent days has been paid to the fate of Egypt's constitutional process. After months of vociferous debate and politicking over the composition and process for establishing a constituent assembly, a deal was struck on the assembly's membership by which a plurality of parliamentarians — dominated by Islamists — would sit alongside a majority of nominally independent experts and public figures from various

walks of Egyptian life (law, unions, religious institutions, minorities, etc). On its face, this arrangement seemed to ensure greater diversity in the constitution drafting, but recent moves by the SCAF once again throw the integrity of the process into doubt. With the dissolution of the parliament the mandate of nearly half the members of the constituent body is now ambiguous. Furthermore, a new decree provides the SCAF with a broad warrant to intervene in the constitutional process. It stipulates, rather vaguely, that if the current assembly is unable to complete its work, then the SCAF will form a new constituent assembly that would have only three and a half months to write and subsequently submit a new constitution to a popular referendum. The generous interpretation is that the SCAF is simply trying to concentrate the minds of those charged with the responsibility of giving Egypt its new constitution. Others see a tactic designed to ensure the SCAF gets the constitution it wants once the current, hobbled assembly inevitably declares failure.

The sad thing is that these end runs and heavy-handed meddling by the military were probably unnecessary when it comes to securing their ultimate goals. If, as has long been assumed, the SCAF mainly wants to protect the army's budget, its share of the national economy, and its unique privileges in the realm of national security, most key players in Egypt were already ready to accommodate such provisions. The United States, too, had signaled that it was comfortable with — indeed, that it perhaps even preferred — such an arrangement despite the clear downsides for democracy in Egypt. So the question now is whether the game has changed for the SCAF. Are they signaling that they now prefer a more entrenched role in Egyptian politics, perhaps reminiscent of Turkey's army until recently? If so, how should the United States respond?

U.S. policy towards Egypt over the past year has alternated between expressions of support for the revolution and lasting democratic reform, and a series of actions that have signaled to many in the region that old ways of doing business are still very much in place. The State Department's use earlier this year of a national security waiver to avoid congressionally mandated democracy conditions on U.S. military assistance is probably the most egregious example of the latter. The dilemma for the United States can be summarized quite succinctly. While popular revolutions in the region have provided new space for the United States to push hard for democratic reform, there are key obstacles on both the demand and supply sides that keep such aspirations firmly on the ground.

First of all, the United States' track record in the Middle East is such that most people in Egypt understand this country to have been the chief underwriter of the very regime their uprising cast off. This makes it difficult for the United States to be perceived as a friend of the revolution and ensures that American efforts to support democratic transition in Egypt — through NGO partnerships or political party training activities — ends up being perceived as unwanted meddling. The second factor here speaks to a more fundamental problem with U.S. policy in the Middle East. Despite a new rhetoric of support for democratic transition, when push comes to shove, the United States has appeared to privilege its vested relationships in status quo security actors over genuinely new ways of doing business. Bearing in mind these instincts, it is not difficult to imagine that Washington would take some comfort in an Egyptian military well placed — as it now seems to be — to keep a vigilant eye on a presidency and, eventually, a parliament dominated by Islamists.

But such actions and attitudes do not actually serve the long-term strategic interests of the United States. Secretary of State Hillary Clinton has already addressed the heart of the matter: "If — over time — the most powerful political force in Egypt remains a roomful of unelected officials, they will have planted the seeds for future unrest, and Egyptians will have missed a historic opportunity." So what should the United States do at this particular juncture with the little influence it still wields?

Washington needs to make it clear to the SCAF that despite a successful presidential election, their current course of action will impede Egypt's transition and, ultimately, its stability. The military council should be strongly encouraged to hold parliamentary elections

sooner rather than later — or, in the event the current constituent assembly fails, to ensure that any new constitution-writing body reflects the popular will in some good measure. Even in the absence of clear legislative powers, elected parliaments and constituent assemblies provide crucial forums for airing and resolving political differences. Tunisia's recent experience is illustrative here. The sooner Egypt's fractious political forces figure out how to work together to solve problems, the better off the country will be. Mubarak-era security powers also need to be rescinded.

Second, our technical and governance assistance needs to concentrate less on NGOs and political party training, and focus more on building capacity in Egypt's bureaucratic, judicial, and law enforcement institutions — the best way to guarantee effective, accountable, and sustained governance going forward. New tools, such as the U.S. administration's proposed Middle East and North Africa Incentive Fund, will be a crucial part of delivering on these needs.

But how to achieve this when threats to use the best stick Washington would appear to have at its disposal — withholding Egypt's annual $1.3 billion allotment of military aid — ring hollow or are ultimately unpersuasive in Cairo? The idea of the $1.3 billion as a key point of U.S. policy leverage has been little more than a chimera for years. But it is part and parcel of a close working relationship that provides Washington with regular, direct, and trusting access to Egypt's senior military leaders. So this is a case not of threatening or cajoling, but of using sound policy logic to persuade the SCAF that it is in the best interests of the country and the military as an institution to set Egypt on a course of genuine and lasting democratic transition.

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Egypt's Second Chance

By Marc Lynch, June 26, 2012

The Arab world has never seen anything quite like Sunday's excruciatingly delayed announcement that the Muslim Brotherhood's Mohamed Morsi had won Egypt's presidential election. The enormous outburst of enthusiasm in Tahrir after Morsi's victory was announced — and the rapid resurgence of Egypt's stock exchange — suggests how narrowly Egypt escaped the complete collapse of its political process. This isn't the time for silly debates about "who lost Egypt," since against all odds Egypt isn't lost. On the contrary, it has just very, very narrowly avoided complete disaster — and for all the problems which Morsi's victory poses to Egypt and to the international community, it at least gives Egypt another chance at a successful political transition which only a few days ago seemed completely lost.

Outside of the Brotherhood itself, this popular response was more a celebration of Shafiq's defeat than of Morsi's victory. The signs leading up to the announcement strongly suggested that the SCAF had carried out a "soft coup" aborting its promised transition to civilian rule. The dissolution of Parliament and the issuing of the controversial constitutional annex, along with the long delay in releasing the results and the rampaging rumors

of the deployment of military forces and warnings of Brotherhood intrigues, all pointed to the announcement of a Shafiq victory which hadn't been earned at the ballot box.

It's actually quite astounding in some ways that the SCAF didn't — or couldn't — rig the election in Shafiq's favor. I agree with those who suggested that the Brotherhood likely saved Morsi's victory by rapidly releasing results from every precinct — results which proved to be extremely accurate. This masterstroke of Calvinball established the narrative that Morsi had won and that Shafiq could only be named the victor through fraud, and it also dramatically reduced the room for maneuver for anyone hoping to carry out the cruder forms of electoral fraud. A Shafiq victory widely seen as fraudulent would have ended any hope of a political transition, and would have likely meant a return to severe political and social turbulence.

International pressure along with intense behind the scenes political talks in the days following the election also almost certainly contributed to the SCAF's decision. Support for the democratic process, and not any particular support for the Muslim Brotherhood, is why the United States and other outside actors pushed the SCAF so hard publicly and privately to not pull the Shafiq trigger. Quiet American diplomacy, which combined continued efforts to maintain a positive relationship with the SCAF with a stern warning that it must complete the promised transition to civilian rule, appears to have played a key role. And the Brotherhood almost certainly gave the SCAF a number of guarantees in the quiet negotiations which reassured the nervous military — while, of course, infuriating revolutionaries ever attuned to the Brothers selling them out. While such a negotiated outcome might not seem especially democratic, it's hard to see how it could really have gone differently given the intense institutional uncertainty, pervasive doubts and fears, and the reality of the balance of power.

It's important to not overstate the extent of Morsi's victory, which neither proved overwhelming electorally nor put the Muslim Brotherhood in a dominant position in Egyptian politics. The MB's decision to field a presidential candidate was only very partially vindicated by his victory, and is still likely to create more problems than opportunities for the traditionally secretive and cautious movement. Many revolutionary political forces already had a bill of complaints against the Islamist movement (supporting the March 2011 constitutional amendments, not joining various Tahrir protests, trying to dominate the constitutional assembly, having the nerve to win parliamentary elections, and so forth). Breaking their very public promise to not run a presidential candidate drove a sharp wedge between the Brotherhood and other political forces because it seemed to confirm a prevailing narrative about their hunger for power and noncredible commitments.

Morsi and the Brotherhood clearly did pay a political price for this behavior. Morsi slipped into the run-off with a quarter of the vote only because non-Islamist revolutionary forces failed to unite around a single candidate and instead split 50 percent of the vote three ways. Nor was the performance in the runoff especially impressive, as Morsi managed only 51 percent despite running against a caricature of a figurehead of the old regime. There were almost the same number of voided ballots as the margin of victory. Morsi is going to have to quickly take significant moves to reach out to those political forces in the next few days if he has any hope of bridging a polarized polity. He has already begun these efforts, meeting with the martyrs of the revolution (including Khaled Said's mother) and signaling that he would appoint Christians, women, independents and technocrats to key government positions. If he's smart, he will prioritize rapid moves to create jobs, stabilize the economy, reform government ministries, and restore a sense of security and political stability. It isn't going to be easy to overcome the deep, raw wounds which have been opened between Egypt's political forces, and little which has happened over the last year is reassuring... but at least there's a chance to try.

Finally, it remains deeply unclear how much power Morsi will have. The constitutional annex announced in the midst of the presidential vote sharply limits the power of the presidency. Morsi isn't commander in chief and can't

declare war, and won't be able to appoint his own people to key government ministries. If he can't even appoint his own minister of the interior or minister of defense, he isn't exactly likely to be rushing towards imposing *sharia* law. There's still no parliament, with the SCAF absurdly granting legislative power to itself — will Morsi approve legislation by "liking" it on the SCAF Facebook page?

But he will not necessarily accept those limits. The truth is, this is still Calvinball. No rules are set in stone, everything is up for negotiation, and there are no guarantees about anything. I don't believe that the SCAF is firmly in control or has been manipulating events behind the scenes, or that the MB has accepted a permanently subordinate position. Nor do I think that the current constitutional annex will necessarily stand, or that the courts will take consistent positions, or that the parliament will remain dissolved. Morsi will struggle with suspicious political forces, the absence of a parliament, a recalcitrant SCAF, hostile state institutions keen to frustrate any changes, an economy still in something like a death spiral, and a suspicious outside world. The ferocious rumor mill of Egypt's wildly contentious press will continue to exacerbate every political issue into a crisis, and attempt to string together some coherent story out of the limited information available to them.

In other words — Egyptian politics. It's not as good as many had hoped for by this stage. But it's a lot better than it looked a few days ago. And that's something. So save the inappropriate comparisons between Cairo 2012 and Tehran 1979, and put those "who lost Egypt" talking points on hold. This is only the beginning of a long, intense political struggle to come — but at least there's still a political process with which to engage.

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Egypt's daunting economy

By Ty McCormick and Adeel Malik, July 18, 2012

It's easy to be distracted by Egypt's super-charged political combat. But the struggle for post-revolutionary Egypt isn't a high-stakes game of political chicken so much as an economic marathon that has no clear finish line. The ability of the Muslim Brotherhood to pry ultimate authority away from the generals will depend less on the ins and outs of the front page political jousting than on how well they manage Egypt's economic recovery. And that's going to be easier said than done.

Meeting the public's understandably high expectations will require balancing short- and long-term economic goals while simultaneously navigating all manner of vested interests — including its own — which have heretofore kept Egypt's economy mired in inefficiency. This is a tall order for an organization whose economic discourse has been notoriously vacuous. What should we expect?

Thus far, the Muslim Brotherhood has embraced a pragmatic approach, renouncing all controversial measures that might scare away investors. In fact, if there is one unifying mantra in the Brotherhood's discourse, it seems to be "don't worry; we're not going to change anything overnight." Indeed, Brotherhood officials have gone to

great lengths to guard against fears of nationalization — promising that no restrictions will be placed on tourism, foreign direct investment, or banking. They have also indicated willingness to sign a deal with the International Monetary Fund (IMF) — although Bloomberg reports that such a deal may not materialize before 2013.

There is thus little apprehension that the Brotherhood will renounce the prevailing modes of doing business. Ideologically, it has looked to Islamic economics for a middle way between free market ideology and command and control systems. Practically, this has meant accommodating all the eminent objectives of growth, liberalization, and respect for property rights, but softening them with an emphasis on charity and social justice. The bigger question, then, is whether it can translate its rhetoric into actionable items that can bring genuine change to the lives of ordinary Egyptians. It is one thing to advocate for a progressive income tax and a restructuring of subsidies, quite another to implement it.

Arguably, one of the thorniest issues on the docket is to reduce subsidies on fuel and food, which have historically consumed around 10 percent of gross domestic product (GDP) and more than a quarter of total state expenditures. (Available evidence suggests that 90 percent of Egypt's subsidies are directed at the top 20 percent of the population.) If Egypt is to remain solvent, the incoming government will need to trim such spending — perhaps moving to more affordable (and progressive) targeted cash-transfers on the Iranian model. But slashing subsidies is more of a political than an economic challenge. Even if there is broad agreement that the restructuring of subsidies is economically desirable, this does not come without political costs. Policy makers face a similar political challenge in strengthening the tax effort, extending it to cover individuals and firms who use political leverage to slip through the tax net. Presently, Egypt raises only 15 percent of GDP through taxes.

Already, it seems, the Brotherhood is balking at implementing some $4.4 billion in fuel subsidy cuts, which were written into this year's budget and passed when legislative authority reverted back to the military. According to the Financial Times, one Brotherhood official has already said the budget must be revisited, calling it "a deliberate" attempt to undermine any Brotherhood-led government. Likewise, Morsi's "100-day" plan, which promises to make low-cost fuel and food widely available, hints at the Brotherhood's unwillingness to change the discourse on subsidies.

Egypt's massive (and untaxed) informal sector also presents opportunities and risks that could factor into the Brotherhood's long-term political success. According to a recent IMF estimate, Egypt's informal sector accounts for some 35 percent of all entities operating in the economy and employs roughly 40 percent of the labor force. This, as economist Hernando de Soto (who estimated the assets in Egypt's informal sector at $240 billion) has argued, represents a massive impediment to economic development because off-the-books assets can't be leveraged into capital. Such a large informal sector is also a manifestation of an arbitrary and unpredictable economic regime that creates a lopsided playing field for small businesses that are pushed into the informal sector.

But like potential gains from subsidy cuts, the promise of regulating the informal sector might prove too costly in the short-term for the Brotherhood to capitalize, thereby lowering its long-term political outlook. Little research exists on the precise relationship between Islamist movements and the informal sector, but anecdotal evidence suggests that unregulated economic actors form an important constituency for the Brotherhood. It is, after all, the poor that rely the most heavily on the Brotherhood's myriad charitable operations. Yet political support from this sector is not guaranteed and might easily be withdrawn if the Brotherhood's policies translate into increased taxes and little in return.

These dilemmas underscore the difficulty of the Brotherhood's position. It must rid Egypt of crippling sources of inefficiency if it is to be a serious political contender in the future, and it must not alienate its core constituency if it is to be a political force today. This

is an unenviable quandary, to say the least. But part of transitioning from social services organization — which the Brotherhood has been for much of its 84 years of operation — into a governing political party requires thinking about long-term policy consequences, something the Brotherhood's ideological and geographic neighbor Hamas has learned the hard way. If Morsi can't get Egypt's state finances in order and kick-start the economy, which grew at paltry 1.8 percent in 2011, his continued reliance on subsidies and appeasement of the informal sector will make him roughly as popular as past governments that have used these as a crutch. That is to say, he will be roughly as popular as Mubarak.

This suggests that Egypt's future will turn less on high level political machinations and more on the nitty-gritty of economic policy. In this, timing will be everything for the Brotherhood. Egypt's iron-fisted rulers have long relied on the discourse of stability: Authoritarianism delivers a predictable environment for economic activity. So when tourism revenue declines, foreign investment dries up, and the investment climate remains marred by uncertainty, this plays to the forces of status quo. Thus, Morsi needs to spend less time sparring with the generals and more time focusing on his economic plan. Any delay augurs for the ultimate triumph of the military and other elements of the old regime.

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Hard choices for Egypt's military

By H. A. Hellyer, July 23, 2012

Today marks the 60th anniversary of the 1952 Egyptian revolution, when the Free Officers, led by Mohammed Naguib and Gamal Abdel Nasser, overthrew the last king of Egypt. That revolution, within 18 months, led to the institution of a new regime, dominated by the military establishment. In a couple of days, it will have been 18 months since the people of Egypt revolted against the inheritors of that regime, which still remains dominated by the military. That military establishment now has a choice to make, for itself and the future of Egypt. Should it remain in a privileged, guardian like position that prevails over civilian authority indefinitely, at least in particular areas? Or should it make preparations to engage in what would be a truly revolutionary change, and hand over the keys to power not just symbolically, but completely?

In the past 18 months, the military establishment, represented by the Supreme Council of the Armed Forces (SCAF), has done well. It emerged from the uprising as the heroic institution that stood by the Egyptian people, rather than slaughter them when Egyptians revolted against one of its own, former President Hosni Mubarak. Its confidence rating, according to recurring polls has not dipped below 80 percent. The state media, the main source of information in the country, is still trusted and gives a glowing review of the military. Its opposition in the Muslim Brotherhood, as well as the other anti-military rule activists, has been no match. As the SCAF handed over power to the Muslim Brotherhood candidate, Mohamed Morsi, it enjoyed its safe exist from the limelight, and has now redeployed to where it has wanted to be — back to the good old days, away from public scrutiny and back to the barracks.

Well, not quite. While this, no doubt, is the story that the military might like to be the case, it's somewhat more complicated and complex in reality. The SCAF has been able to outmaneuver a number of different forces, it's true; but it's enjoyed a substantial strategic advantage. For decades, the educational system in Egypt has promoted a view of the military that caused it to become nearly legendary in the public imagination. During the uprising, it sacrificed Mubarak, but only to stop further instability that might have wrought havoc upon itself — and the fear of continued instability (even chaos) certainly worked in the military's favor. When the SCAF felt the course it was pursuing was not ultimately without its problems, it often back-tracked — and as the state media was always on standby to spin things in its favors, it seldom had to bear responsibility for what might have happened. Revolutionary disunity, public apathy to protests, influence over the public media narrative, and widespread fear of fawda (chaos) were the main assets of the SCAF — not its shrewdness. As the weeks and months go on, another asset will become very evident: the "deep state" (i.e., the huge swathes of the state bureaucracy that have no interest in change, as well as former stalwarts of the old regime) that still persists.

As for the handing over of power to Morsi: it is dubious that was planned. If anything, it appears to have been an embarrassment: the result of a major blunder by the SCAF. The presidential election placed the SCAF, perhaps for the first time, in a position where it could not stack the deck sufficiently to change course later. One couldn't simply stuff all the ballot boxes in favor of a candidate. The best the deep state could do would be to choose a candidate, and use its considerable assets, both financial and otherwise, to support him — even without having established a formal agreement. Who was that "deep state candidate?"

Polls showed that most Egyptians were undecided over who they would vote for, only weeks before the election — but out of those who were decided, Amr Moussa was in the lead by far. He had genuine popularity based on his experience and name recognition, and while he was not a military man, his public discourse over 2011 and 2012 indicated he would not be particularly radical about restructuring the state's relationship with the military or reforming the deep state: and hence, was not a threat. When Omar Suleiman, Mubarak's former spy-chief and short-lived vice president, ran, many speculated the deep state mobilized to ensure a section of the population supported him — perhaps (although this again is speculation) as a dry run for mobilizing intensely later. When he was subsequently disqualified from the race by a court order on a technicality, presumably it was assumed that support base would transfer its vote to someone else — the deep state candidate, who, at that point, was widely considered to be Amr Moussa. Again, he wouldn't necessarily be a formal ally of the SCAF, but he would be a safe pair of hands.

A few weeks before the vote, however, the deep state seems to have made a critical error. Reports indicate that the former National Democratic Party (NDP) infrastructure and networks were re-activated, and mobilized in support of not Amr Moussa, but Ahmed Shafiq: Mubark's last prime minister, appointed at the height of the uprising, and dismissed as the result of wide-scale protests in Tahrir Square. He was not simply a safe pair of hands, such as Moussa: he was a part of the armed forces establishment, who had excellent relations with the state in general. Presumably, it must have been calculated that the Egyptian people were so exhausted by the revolution thus far, even Shafiq would be acceptable, provided the deep state mobilized sufficiently hard enough.

If so, that was a poor calculation. With state media giving Shafiq an easy ride, and the former NDP apparatus mobilizing in support of him, Shafiq came in second and the Muslim Brotherhood (MB) candidate, Mohamed Morsi, came in first. In the ensuing weeks, a series of political moves were made that cannot be assumed to be coincidental. Any attempt to rig the election, as in years gone by, could not win in post-Mubarak Egypt: civil society oversight, particularly from the well-organized MB machinery, made wide-scale rigging a non-option. If Shafiq were to win, it would have to be through the ballot box.

In another blunder, the deep state tried other types of extra-democratic means to ensure its privileges. Firstly, it allowed for the dismissal of the Islamist-dominated parliament. The timing of the dismissal (even if the dismissal had legal grounds) lends credence to the theory that this was done to ensure that if Morsi did win, he wouldn't have a friendly parliament with which to work. But the existence of that parliament had given fuel to the pro-Shafiq argument that the president should be from a non-Islamist background in order to create balance. Without it, that argument failed to hold water. In the final days before the election, SCAF limited the powers of the president to be, in order to protect its interests by fiat: again, providing another argument against any candidate that was allied to the status quo pre-January 25.

In a showdown between the PM who was in office on the infamous "Day of the Camels" when extreme violence was perpetrated in Tahrir Square, and the MB candidate, many simply voted against Shafiq. It was a close vote in favor of Morsi, and it was an unnecessary one. No anti-Moussa vote would have been comparable to the anti-Shafiq vote — and he would have benefited from the Shafiq vote, the Sabahi vote, much of the Aboul Fotouh vote, and the anti-Ikhwan vote from which Shafiq benefited. The deep state seems to have mistakenly engineered a situation in which Shafiq lost, but Moussa would have almost definitely won. This was a singularly unnecessary miscalculation, as Moussa was hardly a bad choice for the deep state to back, and Egypt now has a president whose mandate is tenuous at best and short-lived at worst. But, hindsight is always 20-20.

Well, except for the Egyptian military. It's not clear it has quite figured it out yet. Many date the birth of the deep state to the July 23, 1952, when King Farouk was overthrown. They are mistaken. King Farouk was first forced to abdicate: a year later, a republic replaced the monarchy, with General Muhammad Naguib as president. Many argue Naguib wanted the military to phase out its role and become subservient to a civilian apparatus, while his junior officer in the movement who overthrew the monarchy, disagreed. That junior officer, Gamal Abdel Nasser, and his allies, managed to remove Naguib shortly thereafter and set in motion a military establishment that is still unanswerable to any civilian authority.

During the past 18 months, confidence in the military reached highs of over 90 percent. Nevertheless, it has also been steadily decreasing, with a low of 83 percent measured in April. That is still a high number, indicating SCAF's secure position thus far in the public consciousness, but it is still a significant drop. It is unlikely to be coincidental that this deterioration would take place at the same time that the SCAF has been subject to far more public attention. Even though the SCAF has now moved out of the public eye, a post-Mubarak Egyptian public will not stop subjecting it to more scrutiny. The proverbial genie is out of the bottle. The military, in any case, still has some legislative as well as executive functions at the moment — so it will invite public scrutiny for some time to come. Majorities of Egyptians, according to several recent polls, do want the military out of politics, with only a minority (although a significant one) thinking it is a good thing for it to be involved. If more and more Egyptians perceive the Egyptian military to be overstepping its political role, its popularity may diminish even further.

The military now has a choice. It can delay history, and risk losing all its privileges and popularity over time as the result of civilian pressure — pressure, incidentally, which will far outlast this MB presidency, which owes its existence to the deep state's error. Or it can accept the inevitable, and chart a gradual course where it comes out as still the heroic institution of Egypt: by assisting in the complete establishment of a fully functioning civil state. One in which no "guardian elite," military or otherwise, prevails over a system of democratic checks and balances, under a constitution that represents the will of all sectors of Egyptian society. General Naguib, just perhaps, got it right.

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It Ain't Just a River in Egypt

Egyptian liberals lost badly in the post-revolution scramble for power — and now they're in deep denial as many embrace conspiracy theories about the United States.

By Shadi Haid, July 30, 2012

When Defense Secretary Leon Panetta pulls up to the U.S. Embassy in Cairo this week, he will see a protest outside its walls. Just steps away from Tahrir Square, supporters of Omar Abdel Rahman have been staging a sit-in for nearly a year to protest the imprisonment of the man known as the "Blind Sheikh," who is serving a life sentence in a North Carolina prison for planning terrorist attacks on American soil.

Upon Secretary of State Hillary Clinton's visit just weeks before, these protesters were joined on the embassy's doorstep by a group often seen as more sympathetic to U.S. values and policies: Egypt's liberals. This time, they had lost some of that sympathy.

The protests, by themselves, weren't entirely unexpected — after all, no one in Egypt these days seems to have much praise for President Barack Obama's administration. And liberals, due to their perceived closeness to the West, have often had to overcompensate to shore up their nationalist bona fides. After all, it wasn't the Muslim Brotherhood but, rather, liberal standard-bearer Amr Hamzawy who refused to meet in February with Sen. John McCain due to his "biased positions in favor of Israel and his support for invading Iraq and attacking Iran."

What is different about this most recent surge in anti-Americanism is its conspiratorial bent. Some of Egypt's most prominent liberal and leftist politicians are telling anyone who will listen that the United States is in bed with the Islamists. Such allegations would be concerning on their own, but they're even more troubling for what they represent — Egyptian liberals' growing ambivalence and even opposition to democratic rule. The rise of what we might call "undemocratic liberals" is threatening Egypt's fledgling democracy.

The suspicion that the United States is secretly supporting the Muslim Brotherhood sounds far-fetched, in part because it is. I remember first hearing a variation on the theory from a top Egyptian official in January: He spoke at some length of a U.S. master plan to install a grand Islamist alliance in government, including not just the Brotherhood but also more radical Salafists. Initially, I thought he might be making a meta-commentary on the absurdity of conspiracy theories. He wasn't.

Over the course of Egypt's troubled transition, liberal resentment has only grown. This month, former presidential candidate Abul-Ezz el-Hariri claimed that the Obama administration was backing the Brotherhood so it could then use the establishment of Egyptian theocracy as a pretext for an Iraq-style invasion. Most of the allegations, however, have not aspired to the same level of creativity. Emad Gad of the Social Democratic Party, a leading liberal party, asserted that the United States was "working with purpose and diligence in order to enable the forces of political Islam to control the institutions of the Egyptian state."

It was Gad who would capture in a few choice words the newfound merger of anti-Americanism and anti-democratic sentiment. "It's an Egyptian issue. It's not for the secretary of state," he told the *New York Times*. "We are living in an unstable period. If the SCAF [Supreme Council of the Armed Forces] goes back to its barracks, the Brotherhood will control everything."

Liberals' fears have increasingly dovetailed with those of Egypt's Coptic Christian community, which makes up perhaps 10 percent of the population and is understandably suspicious of the Muslim Brotherhood, after decades of ambiguous statements on minority rights. On the first day of Clinton's visit, four of the country's

leading Coptic figures released a statement saying, "Clinton's desire to meet Coptic politicians after having met with the Muslim Brotherhood and Salafi leaders is a kind of a sectarian provocation which the Egyptian people and Copts in particular reject." It has reached the point, they wrote, where the United States had backed one candidate — referring to the Muslim Brotherhood's Mohamed Morsi — in the presidential election.

The belief that the United States was behind Morsi's victory has spread among anti-Brotherhood groups. Before the final election results were announced on June 24, a coalition of leading liberal parties held a news conference condemning the Obama administration for backing Morsi's candidacy. "We refuse that the reason someone wins is because he is backed by the Americans," said the Democratic Front Party's Osama el-Ghazali Harb, who was an influential figure in former President Hosni Mubarak's ruling party before resigning in 2006.

In all these examples, no evidence was provided to substantiate the allegations, in part because no such evidence exists.

When asked to explain how they came to believe in a U.S.-Brotherhood "deal," Egyptians point to innocuous pro-democracy statements from U.S. officials, such as Clinton urging that the Egyptian military "turn power over to the legitimate winner" of presidential elections. One organizer of the anti-Clinton protests, the Free Front for Peaceful Change, accused the United States of attempting to "impose its hegemony" on Egypt because of a July 4 statement by U.S. Ambassador to Egypt Anne Patterson in which she said, "The return of a democratically elected parliament, following a process decided by Egyptians, will also be an important move forward."

A *cui bono* conspiratorial mindset has taken hold. The United States says it supports a "full transition" to democracy. The Brotherhood, being the largest, best-organized party in Egypt, naturally stands to benefit most from such a transition. This, in turn, must mean that the United States supports the Brotherhood. In other words, more democracy means more Islamism, so anyone who advocates the former is suspected of supporting the latter. The very notion of democracy is becoming politicized.

The Brotherhood, the closest thing Egypt has to a majority party, is, unsurprisingly, a rather staunch advocate of majority rule. On this point, Morsi and other leading Brothers have straddled the fine line between democracy and demagoguery. For many Egyptians, Morsi's dramatic, chant-like chorus of "there is no power above the people" during a June 29 speech in Tahrir Square was a stirring ode to popular sovereignty. For others, it was a sign that the Brotherhood — having won 47 percent and 52 percent in parliamentary and presidential elections, respectively — felt it had the right to implement its vision, regardless of what anyone else had to say about it.

Turkey's experience is instructive here, though less as a model than a cautionary tale. Upon assuming power in 2002, the Islamically oriented Justice and Development Party (AKP) understood that the best way to promote religion in public life was to promote democracy, which would allow it to wrest power away from Turkey's entrenched secular establishment. Despite the anti-Western orientation of its Islamist predecessors, the AKP latched on to the European Union accession process, which required Turkey to reduce the powers of the military and lift restrictions on freedom of expression, including on religious issues. It was odd that those three things went together — better relations with the West, democracy, and Islamization — but in Turkey's case they did.

But just like in Egypt, the backlash from Turkey's liberals was harsh. The opposition Republican People's Party and other secularists adopted an increasingly anti-American and anti-European posture, resisting many of the reforms the AKP was hoping to implement. The staunchly secular military, which had traditionally seen itself as a Europeanizing force in Turkish politics, also underwent a striking evolution. As Turkish scholar M. Hakan Yavuz noted in a 2002 article, "One of the newest characteristics of the Turkish military in the late 1990s is its willingness to employ anti-Western rhetoric and accuse opponents

of being the 'tools of Europe' because of growing pressure from the European Union on human rights and the need for civilian control."

EU accession was no longer in the interests of the military, and perhaps it never really was. In Turkey, like in Egypt, more democracy meant, inevitably, more religion. Turkey's secular establishment turned out to be much more secular than it was democratic — and Egypt is looking as if it may go down the same path.

The question is often posed: Do Islamists really believe in democracy? The more relevant matter for Egypt, at least for now, is to understand how would-be democrats like Gad and Harb have strayed from the very ideals they claimed to be fighting for.

Some blame, of course, must be laid at the feet of the Muslim Brotherhood. As Egypt's most powerful political force, the movement had a responsibility to rise above partisanship and do more to reassure its skeptics. But the Brotherhood thought it was strong enough to dismiss liberals, and liberals were too weak to put up a fight through the electoral process. What sometimes seems like a massive ideological divide is really about power.

So too is the increasingly bizarre speculation about America's hidden designs in Egypt. Roger Cohen, a New York Times columnist, writes that conspiracy theories are "the ultimate refuge of the powerless." So in failing to win — and feeling like an embattled minority in the process — liberals have looked to the United States and other unnamed "foreign hands" to explain the rise of their Islamist opponents.

The irony is that the Obama administration, while willing to engage the Brotherhood, has itself been wary of the Islamists' rise to power. For much of the transition, the United States stood by the SCAF, the ruling military junta and the Brotherhood's archrival. The Egyptian military was a known quantity, the linchpin of the 30-year U.S.-Egypt relationship and a force for regional stability. The generals, the thinking went, would ensure that vital American interests were protected. When SCAF waged an unprecedented crackdown on civil society and threatened several American NGO workers with jail time, the United States sought a face-saving compromise and kept the $1.3 billion in annual military aid flowing. Even in her recent visit, Clinton avoided any direct criticism of SCAF, despite the latter staging an effective coup — dissolving the democratically elected parliament and stripping the presidency of its powers — just weeks prior.

The hostility of Egypt's secular establishment presents the United States with something of a dilemma. If it ever does get serious about pressuring the military and promoting democracy in Egypt, the more liberals — perhaps its most natural allies — will cry foul. This no-win situation will likely persuade U.S. policymakers that it's better to stay away and do less rather than more. In this sense, liberal conspiracy theories, as absurd and creative as they might be, may be hitting their mark — pushing the United States and other outside actors out of Egypt. That is probably good for Egypt's liberals, but not necessarily for Egypt.

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The battle for al-Azhar

By H. A. Hellyer, August 2, 2012

Since becoming Egypt's first Islamist president, Mohamed Morsi has surprisingly done virtually nothing in the area of religion. He has appointed a new minister of education from the Muslim Brotherhood, but thus far has not pushed religious educational institutions toward a more Islamist approach. Over the past week, however, several controversial moves have sparked a public confrontation over Al-Azhar and the future of Egypt's religious establishment. The battle for Al-Azhar could have profound repercussions for Egypt's Islamic politics — and for the broader world of Sunni Islam.

Al-Azhar University, the oldest Sunni Muslim educational institution in the world, dominates Egypt's mainstream Islamic institutions. The Azhar establishment has been viewed inside and outside of Egypt as tolerant, welcoming of engagement with modernity, and respectful of pluralism, within and without Islam. It's been generally suspicious of the modernist Salafism that informed the Muslim Brotherhood (MB). It frowns upon the politicization of religion, and its faculty broadly considers the modernist Salafi methodology favored by the Brotherhood unsound or weak. It is far more stridently opposed, openly so, of purist Salafism of the Saudi variety for creedal, juristic, and spiritual reasons. This is not new. When purist "Wahhabi" Salafism was first established in the 1700s, it was regarded as a heterodox movement by the Sunni religious establishment of that time on account of its extremes. Much of the Azhari establishment still considers it as such. Thousands of students come from around the world to study at the Al-Azhar every year, making it a key counter-weight to the Saudi universities that promote purist Salafism.

This accords with popular religious feelings in Egypt. Most Egyptian non-Islamist political forces recognize the importance of moderate religious institutions such as Al-Azhar in a country where religion is important for 96 percent of the Egyptian population (based on recurring Gallup polls). Al-Azhar enjoys the confidence of nearly all Egyptians (95 percent). The success of Islamist political movements does not mean that Egyptians embrace radical conceptions of Islam. For instance, in the aftermath of the January 25 uprising, some zealous Salafi adherents took advantage of the lack of security, and attempted to demolish the graves of Sufi saints in Egypt, against the decrees of the Azhari establishment. They were met with stiff resistance from the locals: culturally, Sufism is as ingrained into the traditional Muslim culture of Egypt as it is in the Azhar establishment.

But many Egyptians nonetheless have reservations about the Azhar's structural flaws, the drop in educational standards, and the overall lack of faith in public educational institutions due to poor government policies. These have resulted in a substantial number of graduates, and even faculty, who are ignorant of its historical creed, as well as those actively opposed to it. Moreover, the deconstruction of much of its independence from the state, begun under former President Gamal Abdel Nasser but continued under successive administrations, has damaged the credibility of the Azhar domestically as well as internationally. Its firm institutional stance against al Qaeda-style radicalism worldwide, however, has overshadowed much of that criticism. Moreover, non-Islamist political forces consider the Azhar to be a bulwark against the more politicized MB or the puritanical purist Salafis who seek to dominate the post January 25 religious space.

Al-Azhar has taken center stage at several key moments in the revolution. The first was the day after the resignation of Hosni Mubarak when Sheikh al-Azhar announced that Azhar scholars would choose his successor, and any other successor after that, instead of the president of the republic. This followed long-standing criticism that Al-Azhar suffered from reliance on the state, and enjoyed little independence vis-à-vis the regime. The next moment came with the issuance of a constitutional principles document,

which was built on the basis of consensus with many different political forces in society, with Al-Azhar acting as the convener. Not long thereafter, nearly every political and civil force in the country declared Al-Azhar, including the MB and most Salafi movements, to be the "Islamic frame of reference." These moves gave many Egyptians hope that Al-Azhar would recover its independence from the state, and speak truth to power when the situation called for it.

The new round of controversy began when a well-known Salafi cleric tweeted that he had been approached by Prime Minister Hisham Qandil to be the new minister of religious endowments, and had accepted the post. Such a new minister could encourage the official propagation of Salafism on the grassroots level through the imams and mosques under the ministry's control, rather than maintain the traditional Azhari approach. There were other unconfirmed reports that the new government was considering appointing a MB leader as mufti in due course — another key role within the religious establishment of the Egyptian republic. The next logical and final step would be to install a Salafi in the role of Sheikh al-Azhar. Or to put it another way: to "Salafize" Al-Azhar's establishment leadership.

The response of the Al-Azhar was firm: public denouncements were made, with letters being released to the press that indicated the opposition from within Al-Azhar to the proposed appointment. In the end, it was an Azhari who was appointed officially today, as the result of Al-Azhar's pressure. In taking their criticism public, Al-Azhar stayed within the realm of legitimate civil activity for non-state actors in the new Egypt. What complicates matters are the reports that Sheikh Al-Azhar went to the leader of the Supreme Council of the Armed Forces (SCAF) to express his disapproval at the appointment. A couple of days later, it was clear that the new government had backed down — but possibly at the expense of Al-Azhar being indebted to the armed forces for intervention in a civil and religious affair.

There are difficult times ahead for Al-Azhar's establishment. There appear to be three options for it, the first being the obvious one of sacrificing its independence from the Muslim Brotherhood and Salafi movements, and allow the "Salafizing" of the establishment to take place. As noted above, this has serious implications. The second would be to align with the non-civil forces in the deep state whose aim is to minimize MB and Salafi influence in Egypt, which would also involve sacrificing its independence in the process. The more difficult route would be to chart another course, where it is engaged in critique of both the deep state and the MB. This would be, of course, the path chosen by individual prominent Azharis, such as Sheikh Emad Effat, who was popularly recognized as the "Sheikh of the Revolution." He was killed in the midst of clashes with military forces on Cairo's streets in December 2011.

Many questions remain. Did the first post-Mubarak, civilian led government consider changing the religious establishment in this manner, especially with this kind of appointment? Does this represent a deepening of influence of purist Salafism within the Muslim Brotherhood? Does the MB intend to use its partisan political power in the future to accomplish "religious engineering" within Egypt? Is that a role that any Egyptian political power should have? But also —will Al-Azhar University withstand the pressures in this new religious space, and if so, how? Is it equipped to maintain its current official creed and simultaneously increase its independence from the state, calling its institutions and leaders to account when the situation calls for it? Clearly, the Egyptian revolution is not over yet, and its outcome will not only affect Egypt.

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Brother Knows Best
How Egypt's new president is outsmarting the generals

By Steven A. Cook, August 9, 2012

Shortly after the Aug. 5 killing of 16 paramilitary policemen near Egypt's border with the Gaza Strip, Egyptian, Israeli, and U.S. officials determined that the perpetrators were part of an "extremist group" — one they have yet to identify. According to official accounts, assailants firing AK-47s attacked the conscripts and officers as they prepared for *iftar*, the traditional breaking of the Ramadan fast. Eight of the terrorists were killed in the ensuing firefight, but not before the perpetrators hijacked an armored personnel carrier and tried unsuccessfully to cross the Egypt-Israel frontier.

To a variety of observers, however, the official story seems a little too neat. The Egyptian government rarely comes to a quick conclusion about anything except when its leaders have something to hide, typically resulting in a half-baked story that few are inclined to believe. The tale about a shadowy group of militants fits the bill, leaving journalists, commentators, and other skeptical Egyptians with two theories: Either the Supreme Council of the Armed Forces (SCAF) and Egypt's intelligence services planned the operation to embarrass Egypt's new president, Mohamed Morsi, or Israel's Mossad did it — a silly allegation that Morsi's own Muslim Brotherhood advanced. Lost in all this speculation, however, were the attack's unexpected but important political effects.

What makes the Rafah incident more interesting than previous attacks in Sinai — of which there have been many — is its potential to break Egypt's political logjam. At first it looked as if Morsi would bear much of the blame for the attack despite his tough rhetoric in its aftermath. Indeed, he stayed away from the funerals for the martyred policemen, claiming implausibly that his security detail would disrupt proper mourning rituals. Protesters chased Hisham Qandil, Morsi's handpicked prime minister, from the proceedings with a barrage of shoes. On Tuesday, it seemed that predictions of Morsi's early political demise would prove accurate. But just 24 hours later the tables had turned.

It was perhaps inevitable that Egypt's various political parties, groups, and factions would try to leverage the violence in Rafah to their political advantage. Even the April 6 Movement, Kefaya, and other less well-known groups seized the opportunity to burnish their now fading political images with what turned out to be a sparsely attended protest. They rallied near the Israeli ambassador's residence over Mossad's alleged responsibility for the killings, apparently indifferent to the irony of expressing solidarity with the widely demonized security forces. At the end of the day, however, these antics were but a sideshow to the next act in Egypt's central political drama, pitting the SCAF against the Muslim Brothers.

For months now, it has seemed that this play had no end. The Brothers have long maintained a vision of society that resonates with many Egyptians but very little in the way of means to transform these ideas into reality. The military is an exact mirror image of the Brothers. The officers have no coherent and appealing worldview, but they have had the ability to prevent those who do from accumulating power and altering the political system. The result has been a stalemate, marked by a series of tactical political deals that only last until circumstances force the Brothers and the officers to seek accommodation.

But the Rafah killings may well have tipped the scales. As weak as Morsi's position seemed to be, two distinct advantages have enabled him to spin the attack to his political advantage: the utter the incompetence of Maj. Gen. Murad Muwafi, the head of the General Intelligence Service, and the very fact that Morsi is a popularly elected president.

On the first count, Muwafi admitted that his organization intercepted details of the attack before it happened, but

that he and his team never "imagined that a Muslim would kill a Muslim brother at iftar in Ramadan." He then passed the buck, lamely offering that he had given the information to the proper authorities, presumably the Ministry of Interior. Muwafi may have been using the reference to Muslims' killing of fellow Muslims while breaking fast to cast suspicion on the Israelis — no matter that this theory is demonstrably untrue — or because it reflected the complacency of the Mubarak era of which he is a product. Either way, it played to Morsi's advantage.

Under Mubarak, Muwafi would likely have gotten away with his ineptitude. No doubt, there were intelligence failures during the Mubarak era, but the former president and his minions could always count on force and state propaganda to cover their tracks. (It is important to remember that however unseemly it was for the Muslim Brotherhood to blame Israel for the Rafah attacks, it is a tactic that Hosni Mubarak perfected during his three decades in power. A little more than a month after the Sept. 11, 2001 attacks, for example, Mubarak told an Israeli TV audience, "You are responsible [for terrorism].") But old tricks don't always work in the new Egypt. Muwafi's admission that the GIS knew an attack was on the way provided Morsi with an opportunity to clean house — a stunning move made possible only by the fact that he can claim a popular mandate. Out went Muwafi, North Sinai governor Abdel Wahab Mabrouk, and Hamdi Badeen, the powerful commander of the Military Police.

The SCAF, the GIS, and Ministry of Interior may yet respond, but they are in a difficult political position. How do they justify opposing the president for removing the people ostensibly responsible for failing to prevent the deaths of Egyptian troops? In the new, more open Egypt, people are demanding accountability and Morsi is giving it to them, which may be why Field Marshal Mohamed Hussein Tantawi, head of the SCAF, has so far yielded to Morsi. Yet Tantawi's position is made all the more precarious because if he does not respond in some way, he is signaling that there is no price to be paid for defying Egypt's defense and national security establishment, opening the way to further efforts to undermine the deep state.

Given the SCAF's June 17 constitutional decree stripping the Egyptian presidency of virtually all of its national security and defense-related prerogatives, it is unclear whether Morsi has the authority to back up his sweeping personnel changes. Muwafi is a military officer, but General Intelligence is — at least on the government of Egypt's organizational chart — separate from the Ministry of Defense, which would suggest that the president was within his legal right went he sacked the intelligence chief. The same argument can be used regarding Abdel Wahab Mabrouk, who is also a military officer but, by dint of his position as governor, is subordinate to the interior minister. Yet like so much in Egypt, what is written is different from actual practice, so there may be ways that both men retain their positions. The fate of Badeen is clearer since he is an active military officer and the June 17 decree prohibits the president from making personnel moves without SCAF's approval. At the very least, President Morsi will have to leave the choice of Badeen's replacement to Field Marshal Tantawi.

As the *New York Times*, the *Washington Post*, and other major newspapers all dutifully reported, the violence in Sinai was an "urgent" and "crucial" test of Morsi in his "tense relationship with the military." It was, indeed, an early test, and Egypt's new president seemed to pass with flying colors. Against all expectations, Morsi made the most politically out of the Rafah killings. To be sure, this episode was not exactly Anwar Sadat's takedown of Ali Sabri, Gen. Mohamed Fawzi, and Gen. Sharawi Guma in 1971 for allegedly plotting a coup d'état that ended with all three behind bars and went a long way toward consolidating Sadat's power. Yet if Morsi can make the dismissals stick, he will not only have made a convincing case that he is much more than the weak transitional figure the SCAF has sought to make him, but he also will have begun a process that could alter the relationship between Egypt's security elite and its civilian (and now elected) leadership.

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Sinai's Invisible War

Egypt's new president has used the recent Sinai attacks to clean house. But nobody knows what really happened — and the military isn't talking.

By Mohamed Fadel Fahmy, August 13, 2012

EL-ARISH, Egypt — Over the weekend, Mohamed Morsy cleaned house. Following weeks of deadlock with the Supreme Council of the Armed Forces (SCAF), Egypt's first popularly elected president finally stepped out of the military's shadow, sacking a laundry list of top generals, including Field Marshal Hussein Tantawi, and annulling a controversial military decree that curbed the president's powers.

The surprising political showdown came on the heels of a devastating terrorist attack in el-Arish, North Sinai, on Aug. 5 that left 16 members of the Egyptian security forces dead and the military looking complacent. Morsy pounced on the opportunity, ordering both a shakeup of the armed forces and an all-out offensive in Sinai, pounding supposed militant strongholds with missiles and helicopter gunships -- the first use of such hardware since the 1973 war with Israel.

But if it's clear that the "Ramadan massacre," as it has become known in Egypt, gave Morsy the political space to outmaneuver the generals, what exactly is happening in the Sinai remains something of a mystery. Who was behind the Aug. 5 attack -- and who has borne the brunt of the military's subsequent incursion -- are still open questions.

One soldier who survived the attack blamed "masked men" with a "Palestinian dialect" in an interview after the fact. Others have pointed to "infidels," "elements from the Gaza Strip," and Israel's Mossad. Few seem to have a firm grasp on the facts.

Yet this was not the first time unknown militants have wreaked havoc in Sinai. For years now, Egyptian security forces have been battling a ghost in the desert. Since the 2011 uprising that toppled President Hosni Mubarak, militants have blown up the pipeline that supplies natural gas to Israel 15 times. Only weeks before the Ramadan massacre, gunmen on a motorbike attacked a military outpost in Sheikh Zuweid, leaving two members of the Egyptian military dead.

Yet analysts have struggled to pinpoint the source of the terror. Some flirted with blaming al Qaeda, while others hedged their bets by fingering groups "inspired by al Qaeda." Takfir wal-Hijra, a loosely organized extremist group with roots in Sinai, is also a usual suspect. The organization views most people as infidels -- including Muslims who fail to follow their strict interpretation of Islam -- and adheres to a radical militant ideology that requires them to purify the world of kufar, or heretics. But aside from a handful of attacks that security forces have attributed to Takfir wal-Hijra, there seems to be little consensus about who is to blame for the uptick in violence.

In part, this is because the extremist groups themselves appear to be proliferating -- or at least morphing. Over the past two years, the Internet has been flooded with statements and videos released by unknown groups vowing to create a puritanical Islamic state in Sinai. A statement released two days before last week's attack by a group calling itself Jund al-Sharia ("soldiers of sharia"), for instance, called for a Sinai "emirate" governed by Islamic law and threatened to attack the Egyptian military if it did not release prisoners the group claimed were "falsely" detained. In reality, however, no one has been able to verify the location or reach of these groups -- or even if they exist outside of cyberspace.

Similar mystery shrouds the Ramadan attack, for which no one has yet claimed responsibility. According to an Egyptian general from the border guard intelligence team who spoke on the condition of anonymity, "There is serious intel that those who committed the Sunday massacre are members of Palestinian Islamic Jaljala Army." The Jaljala Army is an extremist offshoot of Hamas based in Gaza,

meaning that its members would have had to cross into Sinai via the intricate web of tunnels controlled by Hamas.

Ibrahim Menei, who owns and operates one of the tunnels, also thinks that Hamas, which has condemned the attacks, is at least partially responsible. "Of the hundreds of tunnels used for smuggling, not more than 10 are designed for smuggling humans in and out of Gaza. They are not more than 200 meters long, and no one enters them without paying a minimal fee to Hamas. You can be in Sinai in 15 minutes," Menei explained to me in an interview.

Both the general and Menei, who has built a fortune over the years smuggling weapons, animals, drugs, food, and building materials into Gaza, agree that Palestinian fighters could not have acted alone. As Menei noted, such fighters would have needed the assistance of "bad" Bedouin who provide safe houses, logistics, and on-the-ground intelligence. In other words, radicals on the Egyptian side of the border must also have been involved in the attack.

But the haphazard response by Egyptian officials suggests that they are as in the dark as ever. Following one of the highly publicized raids on the border town of Sheikh Zuweid, Gen. Ahmed Bakr, the head of North Sinai security, announced that the military apprehended six terrorists including Selmi Salama Sweilam, nicknamed "Bin Laden" by Egyptian authorities for his alleged role in numerous terrorist operations. Three of the suspects were released two days later.

A visit to the village in Sheikh Zuweid where Selmi was supposedly apprehended, however, suggests that the raid was a sham -- designed to appease the public and deflect attention away from the military's incompetence. According to Um Suleiman, the wife of "Bin Laden," masked security forces stormed her home early in the morning, beating her viciously and terrorizing her children. The men ransacked the house, broke down the cupboards, and spilled big bags of wheat and barley on the floor.

"They picked up six men who have nothing to do with terrorism, including our 72-year-old neighbor who was feeding his goat at the time, my 20-year-old son, and my ill, 68-year-old husband, whom they called Bin Laden," she said.

Suleiman and her eight children showed off stacks of date boxes, which she insisted were Selmi's only source of income. "We voted for Morsy to escape Mubarak's injustice. Now we don't believe in him! It's the same way they treated us in 2005 after the Dahab and Sharm El Sheikh bombings," Suleiman complained.

The raids in North Sinai have produced other dubious accounts of how the military is prevailing against those responsible for the recent violence. Last Wednesday, the SCAF issued a statement saying that the operation targeting "armed terrorist elements" in Sinai "has accomplished this task with complete success."

That same day, reports leaked by Sinai security officials to dozens of journalists claimed that battles were ongoing in the al-Halal mountain in central Sinai, where security forces were supposedly pounding Islamic insurgents. But not a single Bedouin or journalist was able to confirm these clashes. Journalists have since dubbed the operation "Sinai's Invisible War."

More misinformation came from an overzealous state TV reporter who announced on Wednesday that 20 militants had been killed in the village of el-Touma, in the Sheikh Zuewid district of Sinai. Journalists and Bedouin flocked to the scene and later to the el-Arish hospital, but no bodies were ever located. Residents showed the press parts of two spent rockets and the charred remains of a vehicle, but that was the extent of damage.

Following the report, official security spokesmen who are usually media-friendly went mute and stopped answering their phones. Wire services and other media outlets broadcast the figures globally, announcing that 20 insurgents had been killed. But the initial report was never confirmed. In fact, it was almost certainly false. The journalist who first reported the attack on Nile TV through a phone interview has been exiled from Sinai for more than a year because of his reputation for feeding lies to the media. He actually

reported the attack from the city of Fayoum, located in another Egyptian directorate some 260 miles away.

Soon after, the same reporter fed a story to another media outlet about an attack on the United Nations multinational peacekeeping force (MFO) based in Sinai. MFO spokesman Kathleen Riley denied the attack outright, calling it an "inaccurate report."

Al-Ahram, a state owned newspaper, ran a similarly dubious story on Friday, claiming that 60 "terrorists" had been killed in airstrikes. No bodies were ever recovered.

Over the weekend, el-Arish's residents greeted a long convoy of jeeps carrying rocket launchers and M-60 tanks aboard flatbed trucks. Onlookers waved dutifully to the troops as they headed toward the front lines, but they were undoubtedly wondering where this "invisible war" was taking place.

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Bad news for the Brotherhood

By Mirette F. Mabrouk, August 13, 2012

You would never know there had been a revolution. Within the slightly grimy walls of Egypt's state-owned media buildings, it's business as usual. Observers would be forgiven for thinking the state television and papers are there largely as a public address system for whoever actually has their hands on the country's steering wheel.

Over the 30 years leading up to the 2011 popular uprising, state media took its cue from Hosni Mubarak's gatekeeper, the diminutive but terrifying Safwat el-Sherif, former minister of information. Post January 25, state media and papers backed the Supreme Council of Armed Forces (SCAF), the country's ruling military council. Last week, in a nod to the democratic process, it was the turn of the Muslim Brotherhood (MB). Egypt's upper house of parliament, the Shura Council, announced the appointments of the new editors, setting off a storm of angry protest among journalists, led by the Journalists' Syndicate, who insisted that the Islamist-dominated council had essentially rigged the selection process and assigned their own men to do its bidding.

There are 55 state-owned publications in Egypt under eight publishing institutions. Since 1979, they've been the responsibility of the Higher Press Council, majority-owned by the Shura Council (51 percent Council to 49 percent employees). Previously, editors-in-chief had been selected by the minister of information who presented the names to the Shura Council which ratified them in session. The arrangement guaranteed a lack of any press freedom since the Shura Council, like the People's Assembly, was overwhelmingly dominated by the National Democratic Party (NDP). The editors were political appointees and expected not so much to toe the party line, as to carve it into the ground for all to note. In March 2011, there was a shake-up, which saw most of these editors unceremoniously replaced by those who were perceived as supportive of the revolution. The appointments were understood to be temporary until the new ones, scheduled for this year, would be chosen from a list of candidates fulfilling preset criteria. Since the new Shura Council is as overwhelmingly dominated by Islamists — mostly the MB's Freedom and Justice Party (FJP) — as the old one was by

the NDP, the new appointments have been awaited with trepidation.

None of the signs boded well. The 14-member selection committee was headed by FJP member Fathy Shehab and included three other FJP members. Two of its four journalists dropped out protesting what they saw as a naked attempt by the Islamist members to force their own candidates and another seven syndicate board members dropped out of discussions with the council altogether. Magdy el-Maasarawy, a Shura Council member who resigned from the committee last month, told *Egypt Independent* that the original criteria, which drew heavily on what he referred to as professional skills as agreed upon by the journalists, were scrapped by the rest of the committee. Additionally, he said that the 234 candidates didn't all fulfill the criteria, most notably Abd el-Nasser Salama, appointed head of Middle East's most prominent newspaper, *Al Ahram.* Salama, said Maasarawy, was never at *Al Ahram* for the required 10 years. He'd been the Muscat bureau chief for three years before returning to Cairo in 2009 as columnist.

Gamal Fahmy, secretary general of the Journalists' Syndicate, also told Egypt Independent that he thought the majority of the new editors were weak, professionally speaking, and certainly not qualified to lead the kind of large staffs involved in these papers. Professional competence is an especially sore point; Yasser Rizk, the former editor of *Al-Akhbar* is generally acknowledged to have worked wonders with the ailing publication. However, he has not been supportive of the Islamists and was replaced during the shuffle.

The new editors appear to fall into three categories: the cooperative, the Islamist, and the difficult-to-categorize.

Salama appears to fall into the first group. He is not an Islamist and in fact was a guest on the television program hosted by the controversial anti-MB Tawfik Okasha. Okasha, owner of the Faraeen channel, is currently under investigation for allegedly inciting people to murder President Mohamed Morsi. He is famous for having accused the late Pope Shenouda of inciting sectarianism in 2010 and, more recently, is know for his steady assault on the revolution. His columns and interviews claimed that the protesters were paid thugs and that "cars with foreign diplomatic corps license plates were seen distributing hot meals to people in Tahrir." Faraeen has just been suspended for a month.

The new head of *Al-Akhbar el-Adab* (the culture arm of Al-Akhbar), Magdy Afifi, falls neatly into the second category; he recently described Safwat Hegazy as "A revolutionary theologian glowing with mercy, lighting up the earth and sky." Not everyone feels the same way about Hegazy, a controversial sheikh who assaulted two female photographers last June at a Morsi speech in Tahrir and had issued a fatwa about killing Jewish men several years ago. The fatwa was promptly scotched by Al Azhar which unceremoniously stripped him of his right to preach in any mosque.

And then, of course, there's Gamal Abd el-Rehim, the new editor of *Al-Gomhuriya,* who in 2009 screamed at a Baha'i activist that she was an apostate and should be killed. More notable than his sentiments was that he expressed them on live television on *Al-Haqiqa*, The Truth. Muslim villagers in Sharonya, Assiut seem to have taken his comments on Baha'is to heart and promptly burned all the Baha'i homes in the village to the ground. He has never been censured by the syndicate, let alone tried. Abd el-Rehim falls into the third category; it's uncertain why he was chosen but the choice fails to say anything reassuring about the state's commitment to religious or ethnic tolerance.

The appointments were followed by a rash of blank editorial pages in national newspapers, a favored means of protest. One of the most prominent protesters was Gamal Fahmy, whose column in in *Al-Tahrir* newspaper simply read: "This space is blank to protest the hereditary system that did not fall with the ousting of Mubarak and his son. It seems that the Muslim Brotherhood is trying to revive it after it was blinded by arrogance. This protest is against their control of the public owned media."

The appointments are especially worrying in light of the recent appointment of the new minister of information, Salah Abd el-Maqsoud, a MB member. Following the

revolution, the MB had called as enthusiastically as other political players for the abolition of the information ministry. Apparently, the group has had a change of heart.

There are probably a couple of reasons for this. The first may be what the MB views as a sustained assault on the group in the media over the past several months. The second is more basic. Traditionally the ranks of the Brotherhood have held professionals including doctors, lawyers, engineers, and teachers. They count precious few artists, columnists, or authors in their fold and as a result tend to be significantly more underrepresented than other political parties. Apparently, they've taken it to heart. Salah Eissa, the assistant secretary general of the syndicate told the *Egypt Independent* in June that the FJP's paper had recently published several articles that spoke of "purging the press of liberals and leftists."

Journalists see the appointments as an aggressive step toward these purges but they aren't the only signs of what is increasingly feared to be an Islamist domination of the media.

On August 9, Khaled Salah, the editor-in-chief of *Al-Youm Al-Sabei*, a paper that has been increasingly critical of the Brotherhood, was attacked by what he said were MB protesters on his way to his television program. The attackers, whom he claimed were holding pro-Morsi banners also smashed the windscreen, windows, and mirrors of his car, calling him "one of those who antagonized Morsi." Nor was he the only one; Youssef el-Hosseini, appearing on the same program, was also attacked. MB spokesman Mahmoud Ghozlan categorically denied the charges but the banners were identified by independent witnesses. An investigation is underway.

The Brotherhood also seems to have picked up another favorite NDP tactic — suing an opponent into silence. The website of the virulently anti-MB newspaper *Al-Dostour* reported on August 11 that security forces had turned up at the offices and confiscated material. The paper is currently being investigated for sedition. While *Al-Dostour's* staunchest defenders would admit the paper has a colorful turn of phrase, to say the least, press freedom advocates have condemned the move. Said Garhi of the Justice Center for Freedoms called it "an attempt to impose hegemony, domination and exclusion on those in conflict with the group."

Journalists in Egypt fear that the Brotherhood has already started clamping down on freedom of speech by ensuring that coverage is favorable and closing down the source when it isn't. It is difficult to envisage a healthy democratic transition without freedom of speech. Journalists listened warily to Morsi's comments earlier this week on supporting "the idea of forming a national council to oversee state and private media." In Egypt, the words "National Council" are usually synonymous with "Government Stranglehold." SCAF, while no bastion of freedom of any sort, had previously been seen as a bulwark against Brotherhood dominance. However, early August saw President Morsi make several vital appointments, which appear to have slashed at SCAF's power, leaving control concentrated in the hands of just one party. Egypt's journalists have been here before and they don't like it one bit.

They're not all worried, though. Louis Greiss, former editor of the state-owned weekly *Sabah el-Kheir* said the Brotherhood might not know what they're up against. "Egypt's press has had 200 years of government intimidation," he said. "There's always a way around it. They always get tired before we do."

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Lamborghini Morsi

By Marc Lynch, August 13, 2012

After long weeks of political gridlock and stagnation, Egypt's elected President Mohamed Morsi suddenly hit the gas over the weekend. Over the span of a few days, Morsi removed the head of General Intelligence, the head of the Military Police, the top two senior leaders of the Supreme Council of the Armed Forces, and the heads of all the military services. In addition to this SCAF-Quake, Morsi also canceled the controversial constitutional amendments promulgated by the SCAF just before he took office and issued a new, equally controversial amendment and roadmap of his own. What's more, this all came after he replaced the editors of major state-owned newspapers with people viewed as sympathetic to the Muslim Brotherhood and cracked down on several other critical papers. Zero to 180 in three days — even Usain Bolt would be impressed by that acceleration. Swirv.

What does it all mean? It's a bit of a cop-out, but really it's too soon to tell. As always in Egypt, information is both scarce and abundant. Nobody really knows what's going on, rumors of every variety fly fast and furious, and everyone has pieced together plausible-sounding theories based on their fears or analytical predispositions. (Remember, though, as a rule it's almost never as bad as it seems on Twitter.) It will take a while for the full implications to become clear. Eventually, more reliable information will trickle out about what really happened: were Tantawi and Anan consulted, or did they find out on TV? Did junior officers collude with the president's office, or were they equally surprised? And the behavior of key actors in the coming weeks will shed light on their intentions this weekend: does Morsi move to impose an Islamist vision or reach out to create a broadly based constitutional convention? Does the military strike back in some form? Until then, just about everyone — in Cairo, in Washington, and everywhere else — is struggling to pierce through the haze and make out what they can.

Taking that uncertainty into account, I can see at least three dominant takes on what's going on. Those who believe the SCAF remains fully in control see a clever scheme to cement long-term military rule in alliance with the Muslim Brotherhood by gently dumping the unpopular figureheads while retaining an institutional hold on power. Those who fear the Muslim Brotherhood see the makings of a full-scale Ikhwanization of Egypt, with Morsi seizing dictatorial powers, brushing aside the secular bastion of the SCAF, and putting himself in place to shape the new constitution. And those who still see the prospect for some kind of real democratic transition can find some comfort in an elected president removing the senior leaders of the outgoing military junta without a bloody fight and asserting the principle of political control by an elected president. None of these three strike me as completely right and all probably have some elements of truth. But there's nothing very satisfying about a theory which is equally satisfied with, say, Tantawi remaining in his position or Tantawi being forced out of his position.

My general take is still that the current phase of Egyptian politics is going to be a long, grinding institutional war of position. That kind of politics can be deeply frustrating for an engaged public sphere, since so much of it takes place behind the scenes and in indirect maneuvers rather than in thrilling street protests or the realm of public debate. For example, presumably Morsi and his team have been carefully preparing the ground for this weekend's moves during the weeks where his administration appeared to be passive, floundering, and ineffective. In this arena, Morsi's moves were a bold and unexpected frontal assault on the senior military leadership, but not a decisive one. His appointment of the respected jurist Mahmoud Mekki as Vice President could be seen as another such bold move in institutional combat, by potentially co-opting or intimidating the judiciary. But bold as the moves were, they don't instantly wipe away the real power centers in Egyptian politics. Morsi today is more of a president, but Egypt is a long way from the "Islamic Republic" being bandied about by the Brotherhood's critics.

The fundamental problem remains one of trust and the absence of legitimate institutions. The political polarization of the last year and a half, fueled by all too many political and rhetorical mistakes on all sides, has left profound scars. The Shafiq voters in the presidential election have hardly reconciled themselves to Morsi, and most activists and revolutionaries remain as alienated as ever from a political struggle dominated by the military and the Brotherhood. On top of the polarization comes the legal Calvinball, where rules and legal institutions are fundamentally contested and no arbiter has uncontested judicial authority. And then there's the regrettable absence of a parliament, another casualty of the pre-election institutional warfare. With so much in flux and so much distrust, every move, no matter how minor, becomes deeply laden with potential treachery and disaster. And this was no minor move.

In most cases, I would think that the removal of the SCAF's senior leadership and the assertion of civilian control by an elected government would be celebrated as a major triumph in the push for a transition to a civil, democratic state. But the deeply rooted fears of the Muslim Brotherhood, fueled by recognition of their popular strength and doubts about their democratic convictions, prevents any easy acceptance of that reading in many quarters. That's why the next few weeks will be crucial, as Morsi makes clear what kind of constitutional process he really intends and as the military and the anti-Islamist trends in Egyptian politics weigh their next moves.

I think that on balance this should be seen as a potentially positive step, despite the real downside risks of Muslim Brotherhood domination. It could even be a way to overcome at least one dimension of that deep political and social polarization which has been the legacy of the last political period. Asserting civilian control and removing the top SCAF leaders were necessary steps that most Egypt analysts didn't expect at this point, and which — lest we forget — have been among the primary demands of the revolution since almost the beginning. If the golden parachute of some form of unwritten amnesty and appointments to advisory position was the way to get Tantawi and the others to step down without a fight, then this seems a price worth paying. But that verdict would change if Morsi and the Muslim Brotherhood does go on to seek to dominate the new constitutional assembly— and that should, and will, be a major focus of the coming period.

Note: The title of this post pays homage this Kanye/Big Sean/Pusha T banger. Obviously NSFW. How I wish someone with skills would do a remix of this one as "Morsi."

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What Morsi could learn from Anwar Sadat

By Dina Rashed, August 14, 2012

On Sunday President Mohamed Morsi issued a new constitutional declaration making major changes in Egypt's current balance of power. According to the new declaration, the president now enjoys all powers that were vested in the Supreme Council of the Armed Forces (SCAF), including legislative. The president sent the defense minister and general commander of the SCAF, Field Marshal Hussein Tantawi, the chief of staff of the armed forces, General Sami Anan, and the heads of the air force and navy into retirement. Although the reshuffle comes in the aftermath of a major an assault by militants in Sinai, it is unrealistic to think of the latest security arrangements as spur of the moment choices in reaction to the attacks. The president's decisions probably have been brewing for some time given the careful selection of succeeding generals.

The recent changes may be the most important military purges since former President Anwar Sadat's elimination of the "power centers" in the early 1970s. Faced with mounting opposition to his presidency, Sadat often collided with his predecessor, Jamal Abdel Nasser's generals especially Minister of Defense Mahmoud Fawzi, head of General Intelligence Ali Sabri, and Minister of Interior Sha'rawi Goma. The strong men showed limited loyalty to the then new president and worked to curtail his powers. However, Sadat managed to depose of the disloyal generals when a window of opportunity opened in 1971. Communication between the president and his second tier generals had been crucial to the success of the purge. Morsi's recent efforts bear many similarities to the process that took place four decades ago.

Morsi's legal powers were limited when the SCAF amended Egypt's constitutional declaration last June. The amendments stripped the incoming president of the power to appoint military personnel without the SCAF's approval. It also mandated that in the absence of an elected parliament, only the SCAF would hold the power to legislate. In a tug-of-war over legal means, the new president needed to issue another declaration to annul the earlier one. There is no doubt that Morsi and his advisors were preparing to issue another constitutional declaration, but waited for the right time in order to prevent further inflammation of the already delicate domestic situation. After all, the elected president only won a quarter of Egypt's voting power, and an unhappy public would have made such legal steps costly for him. The recent attack on Egyptian soldiers and the political embarrassment it caused to the military provided an opportune moment for Morsi to recapture the presidential powers.

On August 5, 35 militants attacked a security post on the Egyptian border with Gaza. The attackers struck at sunset when Egyptian soldiers were breaking their Ramadan fast, killing 16 soldiers and stealing two armored vehicles before fleeing toward the Palestinian side. When Israeli intelligence officials declared that they knew about the possibility of an attack and passed some information to their Egyptian counterparts, General Mowafi publicly admitted that he informed his superiors, Field Marshal Tantawi and General Anan. Mowafi added that he could not believe that a Muslim would kill a fasting Muslim in Ramadan. The chief spy's comments inflamed the public who questioned the preparedness and competence of the security sector. Two days later, President Morsi sent Mowafi to retirement, dismissed General Abdul Wahab Mabruk, the governor of North Sinai, and ordered the first military air strikes in Sinai in 40 years, targeting terrorist cells that have been growing over the past 18 months in the peninsula.

Although Morsi's military reshuffle can be partially understood in light of the Sinai attack, the security arrangement around the funeral of the slain soldiers may have played an equally important role in prompting the president to hasten the changes. In recognition of its fallen members, the military had planned for the funeral to take

place in its main mosque in Cairo's Nasr City quarter. President Morsi, Field Marshal Tantawi, General Anan, Prime Minister Hisham Qandil, and other high officials and dignitaries were to attend. At the last minute, the president changed his plans and refused to show up. His spokesperson later declared that members of his Freedom and Justice Party (FJP) informed him that adequate measures to ensure his safety were lacking. Although Morsi received assurances from the military police to the contrary, he ultimately relied on the intelligence of the FJP. Party youth, who gathered in and near the mosque, noticed an influx of angry pro-Mubarak protesters and anticipated a possible attack on the president. Indeed, most Islamist figures, including the newly appointed prime minister, were verbally and physically assaulted at the funeral.

The incident showed the selective inability of the military police to protect the highest government officials. While all military generals and non-Islamist politicians remained untouched, Prime Minister Qandil was ultimately rushed from the scene under the protection of his bodyguards in an attempt to escape the barrage of shoes that were thrown at him. Morsi's absence from the service exposed him to strong criticism from activists and journalists. And in reaction to the funeral fiasco, he asked Tantawi to remove General Hamdi Badeen, the head of the military police. The president seemed to consider the attack on his handpicked prime minister as an attack on him. Despite the president's orders, military officials said that General Badeen would not be sent to retirement but would be given another post that would benefit from his expertise.

In a sense, the combination of the Sinai attack and the security failure of the funeral may have been the straw that broke the camel's back. The calls from the public for improved security enabled the president to annul the constitutional amendments and reclaim his authority over military appointments. The new appointees included General Abdul-Fattah el-Sisi who will succeed Tantawi, heading both the ministry of defense and ministry of war production, and General Sedki Sobhi who will replace Anan as the new chief of staff. General Mohamed al-Assar was given the title of assistant defense minister.

The appointments reveal Morsi's understanding of key posts within the military and the needs of the transitional period. Sisi, who is almost two decades Tantawi's junior, headed the military intelligence, the unit responsible for monitoring officers and their political views, while Sobhi headed the third field army based in Suez. Although Assar was not assigned a new position, his promotion formalizes his de facto role. Throughout the transitional period, Assar has proven to be a professional soldier with a likeable character and good communication skills. This enabled him to hold successful talks with international partners, in particular the United States, as well as domestic political forces. All three generals have been members of the SCAF, which indicates that the president consulted with his generals before ousting Tantawi and Anan.

In keeping with the Egyptian informal tradition of honoring deposed foes, the president awarded Tantawi and Anan the highest Egyptian medals and appointed them as his military consultants. Given Tantawi's old age, and his and Anan's close ties to Mubarak, their new positions will be more ceremonial than real; it is unlikely that Morsi will consult them on any pressing matters.

The tense relationship between Morsi and Mubarak's upper brass resembles Sadat's experience with Nasser's loyalists in the military in the early 1970s. As new presidents, both Sadat and Morsi stood on shaky grounds, even despite their legitimate ascension to power. Sadat was Nasser's vice president and the second in command according to the succession rules, but he lacked much of Nasser's charisma and therefore seemed less qualified as a president. Morsi faces similar challenges. Because he was the second choice of the MB in the presidential elections and won with a marginal victory over Mubarak's disciple, General Ahmed Shafiq, many of his opponents feel that he lacks the political character necessary to rule the country.

Also like Sadat, Morsi's success in cultivating loyalty to his presidency depends, in part, on his ability to maintain the coherence of the military establishment and relationship with his second-tier generals. It may be hard to judge how the officer corps has received Morsi's decisions,

but independent news outlets and social network sites show that activists and politicians from different political backgrounds welcome them. The popular support alone should minimize possible internal opposition within the establishment as long as the president attends to the institutional interests of its members.

But Morsi faces a different military with a different set of challenges from that of Sadat. The late president confronted strong opposition from the head of the general intelligence and the defense minister, yet the defeat in the 1967 war with Israel made the officer corps yearn for higher levels of professionalization and lower levels of involvement in political life. Sadat promised them better equipment and training through re-orienting the country's ties with the West. Morsi, on the other hand, may be facing a stronger and more professional military and can offer little in terms of improving its equipment and training given the country's deteriorating economy. In fact, the ties between the Egyptian military and the Pentagon have been so well institutionalized over the past 30 years that any president can offer little to improve this relationship. Morsi's best offer to the military may be to keep the institution's economic assets intact and to foreclose queries into its engagement in trials of civilians especially under Mubarak. The current military may enjoy economic independence but officers may prefer to step away from the daily management and pay more attention to the turbulent situations on Egypt's borders.

Sunday's decisions show that the new president is making a consistent effort to reshape the security sector apparatus, instating officers who are more loyal to the new presidency than to the old regime. In addition to changes within the military and the intelligence leadership, in early August a new minister of interior with little affiliation to the Mubarak regime was sworn in. The new appointees are expected to show more loyalty to Morsi as the elected president of the country even if they are not MB loyalists. The appointed leaders were SCAF members prior to the 2011 revolution, and both Mubarak and Tantawi were careful to swiftly remove Islamists from the rank and file. In his capacity as the head of the military intelligence, Sisi was in charge of monitoring potential political activities of officers; it is foreseeable that he will continue with the same policy as the new minister of defense. Whether Morsi will work to instate Islamists in the office corps or pick MB sympathizers as his military generals remains a question for the future.

Like Sadat, Morsi may prove to be more politically shrewd than first anticipated. The current president won one more battle in the war against the Mubarak regime, but there are no guarantees that his decisions will be in the interest of a democratic transition given the concentration of legislative and executive powers in his hand.

The battle for the new constitution remains the real battle for democratic change.

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Egypt's cobra and mongoose become lion and lamb?

By Robert Springborg, August 14, 2012

The power struggle between Egypt's Supreme Council of the Armed Forces (SCAF) and the Muslim Brother has been likened to the life and death struggle between the cobra and mongoose. In the event the analogy was misleading in that the conflict was relatively short and its outcome anti-climactic. The Muslim Brotherhood, apparently now led by President Mohamed Morsi, unceremoniously shunted Field Marshal Mohamed Hussein Tantawi and his officer entourage off to various forms of retirement without so much as a whimper in response.

Like Hosni Mubarak before him, Tantawi's seeming impregnable power had been based on the weak foundations of patronage and punishment, dished out in Tantawi's case to the officers under his command. Obviously aware of resentment and disaffection within the military, Tantawi, again similar to Mubarak, sought to repress it by draconian punishment of defectors, by ladling out ever larger doses of patronage, including salary increases, bonuses and yet more plum "secondment" sinecures, and by mobilizing dependent editors and publishers to suppress media criticism of him and the SCAF. Ultimately these tactics were to no avail. Mismanagement of the political transition added the insult of degradation of the military's reputation to the injury of its de-professionalization through more than two decades of Tantawi's command. Like the country as a whole as regards the Mubarak regime, the officer corps had finally had enough of the nature and the consequences of corrupt, patrimonial rule of the military.

For their part, President Morsi and his allies clearly detected Tantawi's vulnerability within the military and made their plans accordingly. Presumably prior agreement had been reached that when the opportunity arose, Morsi's supporters in the military would endorse his proposed personnel changes. That opportunity came with the discrediting of Tantawi and the SCAF as a result of their mishandling of the Islamist raid on an Egyptian checkpoint in the Sinai on August 5. Morsi struck three days later at the key positions designed to protect the president, core of which are the command of the well equipped, 20,000 strong Republican Guard, which Morsi gave over to General Hamid Zaki, and the head of military intelligence, who became General Abd al Wahid Shihata replacing Tantawi loyalist Murad Muwafi. That Morsi would have direct control over anti-riot forces, vital if he was to be able to deter possible SCAF instigated demonstrations, was signaled by his changes to commands of the military police, the Central Security Force, and the Cairo Security Department. Changes to subsidiary positions more directly connected to the Sinai event, such as the Governor of North Sinai, provided cover for the strategically vital personnel moves.

Having secured the presidency against possible reactions from the military or the "street" orchestrated from the ministry of defense, Morsi was now prepared to go after Tantawi. The speed with which he moved suggests he feared a counter-strike. Indeed, by the end of the week rumors were circulating in Cairo that a coup was likely. On Sunday Morsi pounced, removing Tantawi and his heir apparent, Sami Hafez Anan, the latter of whom was replaced by the commander of the Third Army, as well as commanders of the navy, air force, and air defense. In two blows within a week Morsi had dramatically reconfigured not only the Brotherhood-SCAF relationship, but civil-military relations more broadly. But to what end? And why did the officers supportive of Morsi's plans, including General Abdul Fattah el-Sisi who replaced Field Marshal Tantawi, agree?

One interpretation stresses the importance of Islamism, whether in the form of the Brotherhood's active intent to seize the commanding heights of the state, or the passive acceptance of this alleged power grab by fellow travelers, possibly including General Sisi. Evidence proffered in

support is that Morsi has also moved to subordinate the judiciary to his (the Muslim Brotherhood's) control, by appointing Mahmoud Mekky as vice president and his allegedly Islamist inclined brother, Ahmed Mekky as minister of justice. Morsi's choice of the al Azhar venue to make his dramatic announcement removing Tantawi and the language he used while so doing, laced as it was with Islamic imagery and references, suggested an Islamic legitimacy and justification for his actions. Appointments this week of editors and chairs of boards of state owned media outlets, including al Ahram, further support this view, as the Brotherhood controlled Shura Council committee responsible for these appointments opted almost exclusively for Islamists to fill the posts. Simultaneously the prosecutor general announced the indictments of two critics of the Brotherhood, Tawfiq Okasha, owner of a TV station, and Islam Afifi, editor of *al Dustur*, for incitement to murder President Morsi and for "sowing sectarian discord." And President Morsi unilaterally abrogated the SCAF's June constitutional declarations intended to trim the Brotherhood's power, thereby consolidating executive and legislative authority in the president's hands and giving him decisive influence over the drafting of the constitution. As for General Sisi, speculation on his Islamist leanings is based on his wife's reputed preference for the *niqab*. In sum, these developments seem to suggest an Islamist state in the making, with a military subordinate to or at least willing to implement the wishes of the Muslim Brotherhood.

A second, more accurate interpretation is suggested by a new analogy to replace that of the deadly cobra and mongoose to characterize relations between the military and the Muslim Brotherhood. It is that the lion of the military and the lamb of the Brotherhood will lie down together, but as separate, distinct beings each with its own purpose. While there are certainly already fellow travelers of the Muslim Brotherhood in the officer corps and many officers who will see advantage now in associating themselves with it or at least not opposing it, the corps as a whole is not about to become the striking arm of the Brotherhood. Its primary incentive for facilitating Tantawi's removal was not Islamist commitment, but accumulated dissatisfaction with the Field Marshal's debasement of their institution and its capacities, triggered by his inept political maneuvering. The agreement between key officers, on the one hand, and Morsi and his allies, on the other, will have been based on a division of roles and responsibilities in which the military as an institution continues to be the dominant actor in the formation and implementation of national security policies. The assumption underlying the agreement will have been that the re-professionalization of the military and the exercise of constitutional power by the civilian government, presently dominated by the Brotherhood, are compatible, indeed reinforcing objectives. Both sides, in other words, will have professed their respect for constitutional, legal, and professional norms and their centrality to the new relationship. The lion and the lamb, in short, have opted for coexistence, rather than a struggle akin to the cobra and mongoose fight in which one would ultimately destroy the other.

Whether this agreement proves to be durable or not will depend on numerous factors, key being respect for it by either side. If the Brotherhood seeks to impose its will on the state and nation, including the military, it will meet a reaction from the officer corps. This, and even the threat of it, combined with ongoing and probably intensifying civilian opposition, is likely to cause the Brotherhood to move carefully, whatever its real intentions. While a new form of anti-democratic political influence over the military could still result, were the Brotherhood actually to consolidate total power, the removal of the Mubarak military high command was the necessary, if not sufficient condition to begin the long march to institutionalized, civilian, democratic control of Egypt's armed forces. For that reason alone it is a positive step, if one with other potential dangers.

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Monopolizing Power in Egypt

By Michael Wahid Hanna, August 15, 2012

The Egyptian uprising of 2011 and its ill-fated transition has been marked by missed opportunities and squandered potential. In recollecting the recent past, the wistful narrative put forward by many participants in the demonstrations that toppled the regime of Hosni Mubarak is often tinged with regret at the serial and avoidable mistakes that blunted the momentum for thoroughgoing reform and change. Yet, in the wake of President Mohamed Morsi's unilateral constitutional decree, which concentrates nearly all governmental powers and authorities in the office of the executive, it appears that the lessons of that recent past have somehow failed to penetrate the collective consciousness of the political class.

In many ways, Morsi's unilateral power grab parallels the original sin in Egypt's chaotic and turbulent transition: the self-declared usurpation of total political authority by the Supreme Council of the Armed Forces (SCAF) following the March 2011 referendum. Now as then, most of Egypt's political leaders have been lulled into quiescence by the revolutionary aura that now frames President Morsi following his stunning dismissal of the country's most senior military leaders and his assertion of civilian supremacy. Now as then, citizens and leaders alike are being asked to put their trust in unchecked political power. Now as then, positive actions in one arena are being used to justify self-dealing and rule by fiat.

Eighteen months after an uprising against Egypt's domineering and all-powerful authoritarian leader, the transition to a democratic political order has produced a president with executive and legislative power and extensive oversight authority over the drafting of the country's constitution. On paper, the president has dictatorial power.

The lack of concern or outrage at this state of affairs is particularly shocking in light of the trajectory of Egypt's post-Mubarak transition and the many similarities of Egypt's current circumstance with the ill-fated monopolization of political power by the SCAF in the wake of the fall of the Mubarak regime. Like now, the outcry following this power grab was muted: the Egyptian military was still deemed to be acting on the basis of revolutionary legitimacy in the wake of the toppling of the Mubarak regime and its refusal to turn its arms on the protesting masses. Citizens and political leaders alike were quite willing to grant the country's new rulers the benefit of the doubt. While other alternatives were eschewed, the transitional political arrangements were justified as necessary, understandable, and temporary.

The SCAF's far-reaching authority was announced by Major General Mamdouh Shahin, the legal architect of the SCAF, on March 30, 2011, after an inexplicable delay following a March 19 referendum. Appearing at a press conference, he announced a constitutional declaration to govern Egypt's transition. The declaration reaffirmed the popular rejection of a constitution-first model for transition, but the expansive document was far different than the limited set of amendments that was put up for a nationwide vote. As opposed to deriving its legitimacy from a popular mandate, the transition's governing framework was primarily a function of SCAF fiat.

Despite a lack of any real popular mandate based on the referendum, the declaration established SCAF's total control of the transition process and effectively halted any near-term moves for substantial reform.

It was made possible by the acquiescence of the political class, including most notably, the country's most organized and potent political force, the Muslim Brotherhood. For the Brothers, the SCAF's transition plans were the vehicle by which elections would be held expeditiously, maximizing their outsized organizational advantages. The price of this bargain was the acceptance of the extralegal maneuvers that sanctified the SCAF's domination of the

political process with legal and constitutional legitimacy.

Similarly, President Morsi has parlayed his own revolutionary actions, coupled with his democratic legitimacy as a result of his electoral victory, into near-total political power, with very few remaining sources of balance within the legal and political order. As with the SCAF, the president and his supporters are now defending his actions as expedient, temporary, and grounded in revolutionary legitimacy.

As a matter of democratic principle, the concentration of political power represented by President Morsi's constitutional decree is wholly objectionable. These actions are even more objectionable coming as they do in the midst of a transition that will define the parameters and fundamentals of a new political and constitutional order. As a result of the self-granted authority to appoint a new constituent assembly if the current body fails to produce a constitutional draft for ratification, President Morsi will have vast coercive authority to influence the drafting of the constitution. In light of the decisive role of his Muslim Brotherhood colleagues and other Islamist allies on the assembly, the work of the current assembly could be intentionally undermined in the hopes of a more compliant body selected by the president. While political constraints might curtail the practicability of this threat, it nonetheless might influence the contours of discourse and debate within the assembly.

Furthermore, the domineering approach of the Muslim Brotherhood to the transitional period and their exercise of political power should give pause to those beguiled by assurances of inclusion and broad-based political consensus. The track record of the Brothers during this period is characterized by promises broken and silence in the face of SCAF abuses, such as military trials for civilians and the application of the emergency law for most of the SCAF's tenure. The Brothers, in tandem with the SCAF, also sought to tarnish those intent on continuing the protest movement through mass mobilization and public actions. Their tenure in parliament was marked by unilateralism, lack of consultation, and consistent efforts to dominate all facets of the political process. While giving rhetorical credence to notions of inclusivity and consensus, their attempts to dictate the constitutional-drafting process belied any such assurances. With institutional aggrandizement as their lodestar, the Brothers managed to alienate nearly the entire Egyptian political class. With this recent history in mind, it is unreasonable to accord them unlimited faith and trust — faith and trust that would be misplaced if accorded to the most enlightened of philosopher kings.

It is incumbent to judge President Morsi's actions separately. His sacking of former Defense Minister Field Marshal Mohamed Hussein Tantawi and former Chief of Staff of the Armed Forces Lt. General Sami Anan were a necessary corrective to the intrusion of the military on the prerogatives of civilian governance and an important check on the expanding political ambitions of the Egyptian military. During the course of transition, the ambitions of the military leadership expanded beyond the core elements of a safe exit to include a constitutionally enshrined custodial role that would have placed the military establishment beyond scrutiny and enabled it to intervene in the political process. While a safe exit is still inevitable and the military will continue to enjoy extensive privileges and exercise considerable political power, the maximalist designs of the military leadership have now been foreclosed absent a major intervention by the military, such as a coup. These are salutary and necessary developments for the establishment of a democratic, civilian-led political order.

But these surprising achievements should not provide cover for a new iteration of the power grabs that have distorted modern Egyptian political life. Even overlooking the extralegal nature of President Morsi's actions as the only available means to take on the extralegal political and legal framework erected by the SCAF, there is simply no excuse for constructing a parallel system of unchecked authority. When operating by fiat, the existing boundaries of legal frameworks are no longer binding. As such, a constitutional decree could embed checks and balances on executive authority. This is complicated by the absence of a parliament after it was dissolved by the SCAF in accordance with a judgment by the Supreme

Constitutional Court (SCC), but there are imaginative alternatives if there is a will and interest in political balance. One such approach would be to vest temporary legislative authority in the currently-functioning constituent assembly. Another alternative would be to construct a broad-based council composed of diverse representatives of the political class whose ratification of legislation would be necessary for promulgation. The president could also issue a transitional decree enshrining individual rights to blunt concerns that this government will now consolidate power by silencing critics and muzzling expression. None of these options are ideal, but they are a qualitative improvement over dictatorial power.

As it stands, the SCC is the only institutional check that exists within the current transitional arrangements. The ability of the SCC to act as an effective check is hampered by the court's politicization and the stark realities of political power. With the military seemingly acquiescent and, perhaps, even actively involved in the moves against their senior leadership, any court interventions might produce an unenforceable judgment that would further undermine its credibility and open it up to reprisals in the form of a major purge. Such actions might expose the court further and end its ability to function as an independent body.

It would seem to be a perverse outcome if the hopes and aspirations produced by Egypt's uprising disposed of one dictatorial president only to replace him with another. While President Morsi has not yet abused his expansive authorities, he should not be given the opportunity. The Egyptian class should rally in defense of democratic principles and exert concerted pressure to amend the unilaterally-declared transitional framework. Short of such efforts, it is likely that a new narrative of regret and missed opportunities will come to characterize the current phase of Egypt's transition.

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The Morsi "coup:" Coup d'etat, coup de grace, or coup de theatre?

By Ellis Goldberg, August 17, 2012

Egyptian President Mohamed Morsi's surprised his country and the world by sacking the two top military leaders who had effectively ruled since the resignation of former President Hosni Mubarak in February 2011. At the same time he announced their replacements, annulled the amended constitutional declaration the same generals had issued less than two months ago to limit his authority, and took the powers they had granted themselves in March 2011. Morsi, frequently derided during and after the presidential election, as a weak leader is now more frequently described as the leader of a "counter-coup" who has established himself as the undisputed leader of a new Islamist authoritarianism. There is no doubt that Morsi is now the undisputed ruler of Egypt. Not since the pharaohs has any Egyptian ruler had so much power. At least in theory.

Before addressing the complicated and opaque politics of Morsi's decision it is worth spending a bit of time looking at Morsi's situation. Morsi was nominated for the presidency by the Muslim Brother's Freedom and Justice Party (FJP) when it became clear that its preferred candidate, Khairat Shater, would be ineligible to run.

Morsi had long been in Shater's shadow and, despite his doctoral degree from the University of Southern California and his appointment at Cal State Northridge, has usually been presented in the media as an unimaginative drudge. Perhaps he is, but political history is littered with "spare tires" such as Morsi who by a train of accidents came to power and turned out to be surprisingly more effective than the more qualified people whose places they were holding. Lyndon Johnson accomplished more for social equity and civil rights than John F. Kennedy ever would or could have; Stalin outmaneuvered Trotsky at nearly every turn; and Anwar Sadat was widely derided in the days after Gamal Abdel Nasser's death as an ineffective place-holder who would be easily managed.

If it is a mistake to underestimate Morsi's abilities and equally wrong to overestimate him and the Muslim Brothers, it may be an even larger mistake to underestimate the effect of being president. I doubt being president magically turns political leaders into pragmatic liberals. On the contrary I suspect it magnifies whatever sense they have of their own importance. Days after assuming office Morsi indicated he wanted to pray at al-Azhar mosque. Six months or six years ago he would, at best, have been an inconspicuous figure in the back of the hall, but in June he was whisked with a special presidential security entourage to pray in the front row with senior Azhari sheikhs. I doubt he would have had the Saudi Embassy's email address on his computer when he was a professor at Northridge; now he is the guest of King Abdullah at a summit. No doubt, Professor Morsi remains (in his heart) a good Brother and a devout Muslim, but President Morsi does not seem to have invited either Brother Shater or Supreme Guide Badi' to the presidential palace for strategy discussions. From here on out if he disagrees with them or anyone else I'm sure there will be an ample supply of sycophants to tell him exactly how smart he is. One of them, in fact, appears to have been re-appointed editor of a state-owned newspaper after spending a time in professional purgatory for having been as effusive about Mubarak as he has recently become about Morsi. None of this is Morsi's choice, but neither politicians nor professors are known for their modesty.

At the time of his election Morsi created a website (in English as well as Arabic) called the Morsi Meter. It's been ticking since he took the oath of office and it lists 64 promises he planned to keep by the end of his first 100 days in office. The promises are all good government promises designed to affect ordinary Egyptians' access to food, fuel, transportation, security, and cleanliness. As of today, 47 days after his inauguration, he has by his own estimate unambiguously achieved one goal: raising awareness about the need for public cleanliness and why it's sinful to throw garbage in the street.

Until last weekend it was easy to make fun of the Morsi Meter and the meager accomplishments his government could claim. This was doubly so given that the goals he proposed were quite modest in a country experiencing ongoing shortages of diesel fuel, electricity, butane gas and cylinders, as well as paid employment. A recent widely circulated cartoon, for example, showed a donkey hauling Metro cars because the Cairo underground has had trouble operating. Amusing as that image may be, in a tragic incident last week a young mother exited a stalled train underground and was killed while walking to a nearby station.

In late July, Morsi was a weak and beleaguered president. The Supreme Council of the Armed Forces (SCAF) had issued a supplementary constitution prior to his election that severely limited his power. In addition, the SCAF had dismissed the Muslim Brotherhood dominated parliament in the wake of a decision by the Supreme Constitutional Court (SCC) that it had been elected unconstitutionally. Morsi had attempted, through a presidential decree, to recall parliament to session but was rebuffed by the SCC and the SCAF. A riot in Dahshur, a town to the southwest of Cairo famous for the "Bent Pyramid," had ended when the terrified Coptic community left en masse. That the police were unable to prevent the outbreak of violence there (and indeed in most of Egypt's impoverished communities no matter what the causes or consequences) coupled with Morsi's belittling of the sectarian dimensions of the conflict provided a sense of a president adrift. There was a growing sense that the state was increasingly debilitated since the armed forces could not respond to

criminal incidents or local unrest and the government lacked the authority or the will to intervene.

The August 8 attack on an Egyptian border outpost in the Sinai by militants who killed 16 soldiers and were themselves killed as they attempted to drive commandeered vehicles into Israel did not immediately seem to be the key to unlocking the frozen domestic situation. Morsi and Field Marshal Mohamed Hussein Tantawi visited the area and Morsi condemned the attack as did the Hamas leaders in Gaza who are ideologically and politically close to the Muslim Brotherhood. If the Nile Valley and the Delta have experienced a security deficit since the revolution, Sinai may be said to have slipped largely away from government control. Under Mubarak Northern Sinai was left to its own devices while the south saw a kind of uneven development of tourism, which left many local people adrift. With the withdrawal of troops after the initial days of the revolution and the collapse of the police the north has become unstable as well. Since the revolution, religious sites have been destroyed, soldiers have been attacked, tourists have been kidnapped, and the pipeline carrying natural gas to Israel and Jordan has been blown up dozens of times.

Morsi called a meeting of the National Defense Council, which he chaired. We don't know just what happened at that meeting between Morsi and the members of the SCAF, but one report that Sami Hafez Anan would be appointed minister of defense appears in hindsight to have been wildly inaccurate. Morsi must have already had some sense of disagreements between Tantawi, Anan, Roweini on the one hand and Abdul Fattah el-Sisi and Sedky Sobhy, but they may also have emerged more clearly in these meetings. Morsi later removed the governor of North Sinai and the head of General Intelligence General Murad Muwafi. Muwafi claimed to have had prior knowledge of the attack but did not move decisively to prevent it.

Following Muwafi's removal, Tantawi planned a funeral for the slain border guards. Morsi refused, at more or less the last minute, to attend the funeral. At the time he claimed his presence would disrupt it but in the days since his supporters have reported a different version. They have improbably claimed that the SCAF had planned to assassinate Morsi at the funeral to overthrow the elected government. This information they say was passed on to them from sources in military intelligence close to the Muslim Brotherhood. Whether that information first passed before the eyes of the present defense minister who then headed that service we cannot say.

What these claims reflect, not unlike similar ones voiced by at least one leader of the MB that Israeli intelligence was behind the raids, is more likely the high level of suspicion the MB leadership had of the military. Despite having won a remarkable parliamentary victory the MB still see themselves as a beleaguered and threatened minority. Morsi's peculiar behavior in Tahrir Square at his public inauguration when he opened his jacket to show that he was not wearing a bullet-proof vest is another example.

Egyptians sometimes speak of the events of the last week as the end of the 1952 regime, but it might be more accurate to say it is the end of the 1954 regime. True enough the Free Officers came to power in 1952, but it was not until 1954 that the younger officers ousted General Mohammed Naguib and barred the door to any return to parliamentary government. Their attack on the MB intensified after an assassination attempt (one in which real bullets were fired) on Nasser.

The past week provided an almost perfect narrative complement to the events of 1954. A rumored assassination attempt against an elected president in the wake of a failure by the military to protect the country's borders provides the fitting end to the regime brought to power by a failed assassination attempt of a young army officer who came to power in the wake of the failure of the old monarchy to safeguard the country's international interests.

The problem with the perfect storybook ending is that most of the structure of the old regime remains in place and that what has changed most recently is the transformation of the jerry-rigged institutional structure created for the post-Mubarak transition. As Sherif Younis

has reminded us recently in a lengthy study of Nasserism, the 1952 regime issued from a military coup accomplished by the Free Officers' Movement made up of a tiny minority of primarily junior officers acting illegally and unofficially; on taking power they formed the Revolutionary Command Council (RCC) which did rule; in July 1956 the RCC dissolved itself as Nasser assumed the presidency. The dictatorship that Nasser established was real and recruitment to its top positions came through the military and well into the Mubarak era the ministry of defense and military intelligence were the keys to regime stability and survival. Governance was not, however, in the hands of the army as a hierarchical establishment and succession to the presidency invariably came through nominally civilian mechanisms (both Sadat and Mubarak were incumbent vice-presidents when their predecessor died). Unlike the last 18 months the formal high command of the army between 1952 and 1956 did not routinely meet, make decisions, and issue communiqués.

Invoking the SCAF to be used as a mechanism through which the army's general staff could rule the country was an innovative anomaly. We still have no idea exactly how the decision was made and we have assumed, because it placed authority in the hands of the highest-ranking officers, that it was an instrument of the army hierarchy. This may well be true. But the example of 1952 and the conflict between Nasser and Naguib suggests a possibility worth at least considering: that the most senior officers had significantly less authority than they may have believed. SCAF nevertheless, unlike the Free Officers Movement, issued from and represented the Armed Forces as a hierarchical institution. We know remarkably little about their thinking, however.

Judging by a widely circulated paper General Sedky Sobhy wrote when he was a student at the U.S. Army War College, his generation may have a more academically inspired vision of the world and one more attuned to the exigencies of the international relations than was the case with either Tantawi or Nasser. The paper is primarily a recitation of commonplaces since Sobhy is paid to run a large hierarchical military organization not to write sparkling geopolitical commentary for the delectation of elite academics. What matters is not the absence of original thought but what particular banalities seem to animate Sobhy's world view. Recent commentary has focused exclusively on his critique of the U.S. relationship with Israel. What it reveals about Sobhy's views on democratization are more important: "Although increased democratization of Arab regimes [among which, writing in 2005, he included mentioned Saudi Arabia and Egypt] must be handled carefully so that in and of itself it does result in the undesirable state of political and social instability…the initiation and implementation of democratic processes in the Middle East Arab countries must still be based on the premise of *strong central governments* [italics in original]." Sobhy never defines what a democracy (or successful democratic project in the post-modern inflected language of social science he seems to prefer) would look like. It does not seem much of a stretch, given his examples, to think that it is mainly a question of routine and relatively fair elections through which a powerful governing majority is legitimated.

Sobhy's paper reveals the same concerns commonly voiced by the SCAF (and occasionally ridiculed) during the last 18 months: the danger that foreign interests, or hidden hands as they were frequently called, would use the transition process to weaken the central state and even fragment the Egyptian territory. For Sobhy one important measure of the effectiveness of the central state is the presence of radical or violent Islamists operating freely on its territory (rather than, say, the levels of participation in government or the level of economic growth which might be more important for analysts from non-military institutions).

The new defense minister is Abdul Fattah el-Sisi from whom we have no convenient recently written position papers. Variously described as a "closet" Muslim Brother and a well-known figure in Washington, Sisi evokes much the same response as did Omar Suleiman who he succeeded as head of military intelligence in the early days of the revolution. He is the man who presumably knows everyone's secrets. He may also, as has been true of many intelligence chiefs, have been aware of the promise and

danger of democratization as an electoral process set out in Sobhy's paper: the value of electoral legitimacy set against the danger of a loss of central authority.

Seen in this context, Morsi's decisions a week ago may be placed in a somewhat different context. A significant number of slightly junior officers may have felt that the task of the SCAF had largely been completed and that it was time to end the increasingly cumbersome and anomalous situation that had emerged in February 2011. The events in Sinai could easily be read (as they probably are in Tel Aviv and Washington) as symptomatic of the loss of control over the national territory by the central state as the government and the army struggled over the nature of power and political institutions in the Second Republic.

What I am suggesting is in line with those who see Morsi's dismissal of Tantawi and Anan as a decision made with (and probably by) the SCAF or at least a significant set of officers within it. The ease with which Tantawi and Anan accepted their dismissals, the absence of any significant measures (such as an armed guard) to ensure that they would comply with Morsi's order, and the orderly nature of the changes in the composition of the general staff all suggest that the Armed Forces not only acquiesced in but largely welcomed this change.

Two possible solutions were to transform the improvisation we call the SCAF into open military rule or to cede power to an elected civilian government. Tantawi and Anan may have been willing to continue the SCAF process but almost no one else, including evidently a significant fraction of the senior officer corps, wanted to and it was clearly well outside the historical norm of Egyptian experience. The SCAF introduced some remarkable innovations that, at least formally, went well beyond anything in earlier Egyptian practice: placing permanent legislative authority in the hands of the executive as well as giving the executive the power to write extensive constitutional texts. In the absence of a regularly constituted public authority these powers had to fall to someone and when the SCAF let them go they clearly had to go to Morsi.

Morsi's presidency has therefore gained its power from what I take to be the decision by the generals to place order and the integrity of the central state over the ephemeral pleasures of continuing to affect the institutional and political make-up of the new republic. The generals can now be assured that a stable, legitimate and powerful constitutional order is soon to be constitutionally founded. This was, I argued in early 2011, what the generals saw as their primary task. It was the same task that led them, in the midst of massive demonstrations to seize power and it has largely been accomplished, allowing them to give it up. That it has been accomplished with the FJP and the Muslim Brotherhood assuming political authority and without a liberal democracy being put into place is not likely to be or to have been a major concern of theirs. What they cannot have failed to notice is that the freely elected Morsi whose legitimacy presumably allowed him to displace two of their senior commanders on his own has also immediately moved to increase the salaries of the soldiers. Electoral democracy, Sobhy and Sisi have realized during their stay at the U.S. War College in Carlisle, is not necessarily a bad thing at all for military budgets.

What this means for the future is, as everyone realizes, uncertain. The dominant view seems to be that the Muslim Brotherhood will now, through Morsi, consolidate its hold over the government. I would like to suggest the opposite: Morsi will now, through the Muslim Brotherhood and the FJP consolidate his own power and that of the existing institutions of the state.

One remarkable thing that Morsi did not do after ousting Tantawi and Anan and issuing a constitutional declaration of his own was to reconvene parliament. This would be an inexplicable oversight if he were acting as an agent of the MB with unrestricted powers. Rather than acquiring legislative power he could have restored the elected legislative authority in which, as is well known, Islamists had an overwhelming majority. Perhaps, in a bit of concern with legality, he decided to defer to the SCC, which has ruled the legislature unconstitutionally elected. Or perhaps, having just taken on the armed forces and won he was intimidated by the justices of the SCC who insisted that he take the oath of office before them.

There is another possibility. Morsi acquired his legislative powers from the SCAF and, if I and others are correct, with the assistance of the SCAF. If the SCAF was indeed concerned with the strength of the central government, which in Egypt has invariably been associated with the executive (under the monarchy and during the First Republic), they might have preferred not to bring a parliament back into session, especially an elected parliament widely seen during its brief tenure as divided, weak, and incompetent.

Morsi is certainly an Islamist and he was long a member of the MB as well as the head of its political wing, the FJP. It is possible, however, the SCAF speaking for the armed forces as an institution was willing to cede power to Morsi and the presidency — not to the MB or the FJP and not to the parliamentary system — but to Morsi acting as the elected president. Morsi, who has chosen to address the public frequently from mosques, is still an Islamist and the Islamist project has nothing to fear from him. Recruitment to high levels of government has probably gained a new channel and a new social base: members of Islamist movements from the professional elites as well as through the military. But, as I will address in my next post, the role of the MB and the FJP as organizations may not be so clear. The MB may very hold a larger majority in the next parliament than in the last but they will do so as the president's party not as an independent political organization. The current MB and FJP leadership may yet regret his election and the Salafis whose disdain for hierarchical organization may regret it even more.

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