ARAB UPRISINGS

The Egypt Policy Challenge

March 4, 2013

KHALED DESOUKI/AFP/GETTY IMAGES

POMEPS Briefings 18

PROJECT ON
MIDDLE EAST POLITICAL SCIENCE

Contents

The Egyptian Treadmill 8

Round One of the Egypt Policy Challenge! 11

Elijah Zarwan *12*

Peter Juul *14*

Jed Ober *15*

Joshua Slepin *16*

Clouded U.S. policy on Egypt 17

What is Egypt? 20

What the U.S. can do for Egypt 22

A Funny Thing Happened on the Way to the Democratic Transition 28

Egypt's military back in play 32

The new Egypt at (almost) two 34

Unbalancing power in Egypt's constitution 37

A cautionary tale for election boycotts 41

Egypt's static security sector 42

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.

Online Article Index

The Egyptian Treadmill
http://www.foreignpolicy.com/articles/2013/01/31/the_egyptian_treadmill_mohamed_morsy_united_states?page=full

Round One of the Egypt Policy Challenge!
http://lynch.foreignpolicy.com/posts/2013/02/13/round_one_of_the_egypt_policy_challenge

Clouded U.S. policy on Egypt
http://mideast.foreignpolicy.com/posts/2013/02/26/clouded_us_policy_on_egypt

What is Egypt?
http://www.foreignpolicy.com/articles/2013/03/01/what_is_egypt_us_relations

What the U.S. can do for Egypt
http://mideast.foreignpolicy.com/posts/2013/03/01/what_the_us_can_do_for_egypt

A Funny Thing Happened on the Way to the Democratic Transition
http://nisralnasr.blogspot.ca/2013/03/a-funny-thing-happened-on-way-to.html

Egypt's military back in play
http://mideast.foreignpolicy.com/posts/2013/02/25/egypts_military_back_in_play

The new Egypt at (almost) two
http://mideast.foreignpolicy.com/posts/2013/01/14/the_new_egypt_at_almost_two

Unbalancing power in Egypt's constitution
http://mideast.foreignpolicy.com/posts/2013/01/31/unbalancing_power_in_egypt_s_constitution

A cautionary tale for election boycotts
http://mideast.foreignpolicy.com/posts/2013/03/01/a_cautionary_tale_for_egypts_election_boycott

Egypt's static security sector
http://mideast.foreignpolicy.com/posts/2013/02/06/egypt_s_static_security_sector

U.S. Secretary of State John Kerry's visit to Cairo this weekend laid bare some of the deep limitations of U.S. policy toward Egypt. Kerry struggled to find a bridge between supporting a staggering Egypt and pushing it in a more democratic direction. The hotly polarized political environment in Egypt made such a balancing act excruciatingly difficult, as some prominent leaders of the opposition refused to meet with him publicly (although Mohamed ElBaradei found time for a phone call and Amr Moussa sat down with him off-camera) and protestors angrily denounced U.S. policy.

Kerry announced $250 million in immediate economic assistance, including a new $60 million Egyptian-American Enterprise Fund. He said many of the right things about U.S. priorities, pushing President Mohamed Morsi to compromise and the opposition to participate in the elections. His statement on the trip made clear that "more hard work and compromise will be required to restore unity, political stability and economic health to Egypt. The upcoming parliamentary elections are a particularly critical step in Egypt's democratic transition. We spoke in depth about the need to ensure they are free, fair and transparent. We also discussed the need for reform in the police sector, protection for non-governmental organizations, and the importance of advancing the rights and freedoms of all Egyptians under the law — men and women, and people of all faiths."

Few found this rhetoric or the new U.S. commitments satisfying, of course. Nothing he could have done or said would have satisfied the intensely divided and critical Egyptian public. The new administration is clearly still in evaluation mode, as Kerry repeatedly emphasized. It is trying to assess the real intentions of the Muslim Brotherhood and Morsi's capacity to govern as well as the opposition's critiques of the emerging system. It is trying to determine whether the parliamentary elections slated to begin in April can be a meaningful step toward building real democratic institutions. It is desperate to find some way to help prevent economic collapse and to stop the dangerous degradation of public security.

The administration, in short, is open to new thinking about the nature of Egypt's problems and possible U.S. responses. On February 1, therefore, I challenged the Egypt policy community to rethink its major assumptions and offer new ideas. The challenge, I should note, was framed around the ways in which Washington might help Egypt become more democratic. A significant portion of the policy, academic, and activist community likely disagrees with either the *goal* of democratizing Egypt, the assumption that the United States actually *wants* democracy in Egypt, or the idea that the United States has any useful *role* to play in accomplishing such a goal. A significant faction within the broader policy community likely believes that Hosni Mubarak's Egypt was better for American interests than what has followed, particularly given intense suspicion about the Muslim Brotherhood and the widespread circulation of anti-American attitudes across the Egyptian political arena.

While those critical views deserve attention, the focus of the Egypt policy challenge was more limited: if the United States. does want to support a democratic transition, then what can and should it do? Here's how I laid out the terms of the challenge:

I believe that most of the academic and policy community in Washington seriously wants to support democracy in Egypt, believes it to be both normatively valuable and important to American national interests, and thinks that the United States has not done enough to support it. That same general description would have applied to pretty much any point in the last 20 years, regardless of the U.S. administration or Egypt's political conditions. (The turmoil of the last two years and the rise of the Muslim Brotherhood seem to have driven at least some to rethink the goal of democracy, but again that's a different argument).

Most of the disagreements within this community, for better or for worse, are about *how* to promote such democracy. But I'm not sure that the debate about means has quite kept up with the dizzying changes of the last two years. As I point out in the column, we still mostly hear about the same old chestnuts: more pro-democracy rhetoric, more funding for civil society and democracy programs, more conditionality on military aid or financial assistance. What seems to be missing is genuinely new thinking about what "getting serious" about democracy would actually *mean* concretely in the current environment. How do you support democracy while opposing Muslim Brotherhood victories? How do you support liberal movements or parties without undermining their electoral prospects? Does conditionality make sense at a time when the Egyptian economy is collapsing?

Below are six specific questions about how the United States should go about supporting Egyptian democracy.

1. **The Islamists**. It is frequently argued that the Muslim Brotherhood's ideology and organization renders it essentially incompatible with true democracy. The Brotherhood won Egypt's post-transitional parliamentary and presidential elections, however, and is likely to perform well in (if not win) future elections. How would you propose dealing with the Muslim Brotherhood's participation in democratic elections? Should the United States call for barring the Muslim Brotherhood from fielding candidates or refuse to deal with its members if they do take office? If not, then how would you propose dealing with the reality or prospect of their winning free and fair elections?

2. **Supporting Liberals**. Most U.S. policy advocates would like to support liberal trends in civil society and in the political arena. The current Egyptian political arena (including many leftist activists) is quite hostile to foreign interference in general and to the United States in particular, however, and is likely to continue to be so for at least the next few years. Even if the case against U.S. democracy NGOs were to be thankfully resolved, it is unlikely that they will be able to operate in any significant capacity in the near future. Given this, how do you think that the United States could most effectively support liberal or otherwise sympathetic political trends or groups? Should the United States openly support such groups, and if so what do you think the effects would be inside of Egypt? Should the United States attempt to quietly or covertly support them? If so, do you think this is feasible in Egypt's current media environment, and what do you think the effects would be of exposure of such support? Do such groups in fact want U.S. funding and/or support, and would it actually help them win elections?

3. **The Process**. One alternative to supporting liberals or opposing the Muslim Brotherhood is to focus on the democratic process and institutions. Support for the abstract principle of democracy, however, is often taken as support for the winners, so that "backing democracy" is perceived as "backing Morsi." Do you believe that the MB's current dominance of Egyptian institutions means that seemingly neutral support for the democratic process is actually de facto support for Islamist rule? Is there some way in which the United States might support the democratic process that would not have that effect? What, precisely, would that be? Most agree that elections are not enough, and that effective inclusion and respect for minorities and core human rights lie at the heart of any real democracy. How, specifically, could the United States most effectively push for such inclusion and rights?

4. **Conditionality on military aid** is often seen as the key mechanism for influencing the Egyptian political system. Does it still make sense to focus on conditionality for military assistance now that the SCAF has transferred power to a civilian government? Would conditioning military aid under the current political alignment mean weakening the military relative to the Muslim Brotherhood, and thus be counter-productive? How credible and effective would such conditionality be given what we know about how military aid to Egypt actually funds U.S. corporations and about how conditionality will always include issues related to the Camp David Treaty as well as to democracy and human rights?

5. **Conditionality on economic assistance**, whether bilateral or through the IMF and World Bank, is also often seen as a key point of leverage. Does the intensity of Egypt's current economic crisis make this the wrong time to talk about conditionality, given the urgent need to stabilize the situation? Or does the crisis make this the perfect time to take advantage of the desperation of Egyptian leaders for external support?

6. **Engagement**. There is a broad consensus that the United States has been ineffective at communicating its support for democracy to the Egyptian public and that it should do more to engage broadly across the Egyptian public. What, specifically, could the United States do to engage more effectively? With whom should it speak, what should it talk about, and what policies should be changed that would make the engagement more effective with a broad cross-section of the Egyptian public?

The challenge produced some excellent comments and suggestions, many of which were published on *ForeignPolicy*.com. Today's new POMEPS Briefing, *The Egypt Policy Challenge*, collects those contributions, along with a number of recent outstanding analytical essays, which should inform even if they do not directly address the question of U.S. policy. The U.S. government and the policy community are clearly struggling to grasp the nature of the challenge in Egypt and to formulate new policies to more effectively respond. These essays should help.

Marc Lynch, Director of POMEPS
March 4, 2013

Policy Recommendations

The Egyptian Treadmill

By Marc Lynch, January 13, 2013

Cairo is having yet another crisis. This week's dramatic storming of the Semiramis Hotel just off of Tahrir Square by unknown thugs, the massive unrest and bloodshed leading to the imposition of emergency law in the canal cities, and ongoing clashes in Tahrir Square are fueling a general sense of the collapse of public order. The immediate spark for the surge of violence was the verdict on last year's soccer mayhem, combined with the aftermath of the Jan. 25 anniversary protest. But really, it feels like it could have been anything.

The latest manifestation of Egypt's ongoing political and institutional crisis has many causes. The exceptionally clumsy leadership from the Muslim Brotherhood and President Mohamed Morsi's repeated attempted power grabs. The opposition's rejection of the political transition but inability to offer any compelling alternative. The frustration of revolutionaries and the emergence of violent, anarchic trends on the streets. Intense social and political polarization that neither side seems capable of restraining. The economic crisis and security vacuum keeping everyone on edge. In this context, Defense Minister General Abul Fattah el-Sisi's widely quoted comment that the ongoing crisis "may lead to the collapse of the state and threatens the future of the coming generations" sounds more like sober analysis than veiled coup threat.

The U.S. response thus far has been characteristically low-key. There's almost certainly a sort of crisis fatigue, a sense that the Egyptian political class has cried wolf about the sky falling a few too many times. Still, the White House and the State Department have condemned violence on all sides, and called for an inclusive dialogue to build a consensus that respects the rights of all citizens. As has been the case throughout the Arab Spring, the Obama administration has drawn a line at the use of violence. But it correctly continues to insist that the solution to the crisis must come from Egyptians.

For many Egyptians, and much of the Egypt policy community in the United States, this isn't enough. The United States should do more, do it differently, and do it more boldly (for examples, see this new collection of comments by top experts just released by the Project on Middle East Democracy [PDF]). *Most* of the critics agree that Washington should do more to support Egyptian democracy (not all, of course — Mubarak nostalgia has made an ugly comeback, especially among those on the right who always despised the Muslim Brotherhood more than they cared for Arab democracy). This is a bit tricky, though, because the Muslim Brotherhood actually won reasonably free and fair democratic elections. Pushing to bring down this elected government in the name of democracy would ordinarily be viewed as a tough sell.

The Obama administration believes that it *is* supporting democracy in Egypt, and it has a pretty good case to make. It isn't just its (still contested) role during the 18 days in helping to nudge former President Hosni Mubarak from power. The Obama team can also point to its quiet role in pushing the Egyptian military to commit to the transfer of power to an elected government, to live up to that commitment, and to not tip the presidential election to Ahmed Shafiq, a retired general and Mubarak loyalist. The administration consistently stuck to its position even when faced with a blizzard of panicked calls for postponement over violence, institutional chaos, legal shenanigans, or the stated or unstated recognition of imminent defeat (even I went wobbly once during intense clashes just before the parliamentary election, when it appeared that an election couldn't possibly be held amidst such chaos; I was wrong). Unlike the Bush administration, which gave up on Palestinian democracy when Hamas won elections, Obama did not back away when the Islamists won. The Obama administration has demonstrated in word and deed a commitment to supporting Egyptian democracy far beyond anything previously shown by a U.S. government.

That does not mean that Obama wanted the Muslim Brotherhood to *win* the elections. It takes a pretty skewed view of U.S. politics to see any advantage whatsoever for Obama in Islamist electoral wins. Nor does anyone in Washington have any illusions about the Muslim Brotherhood — if there's anybody here who actually believes that the Brotherhood is made up of liberal, Israel-loving, free-market, evangelical democrats then I haven't met them. Most just don't think that's the point. The Muslim Brotherhood has performed abysmally in power, and has many unattractive qualities, but it won the elections. Many of Egypt's problems are endemic to transitions from authoritarian regimes and almost every other player on the Egyptian political scene has contributed to the fiasco. Of course, Obama has worked with Morsi as the democratically elected president of Egypt. But that doesn't mean he "supports" or "backs" Morsi, any more than diplomatic relations with Britain means that Obama "backs" David Cameron.

The Obama administration would pretty clearly like nothing more than for the Muslim Brotherhood to get thrashed in an open election. Indeed, it's probably its strategic vision. What could be better for the long-term development of Arab political culture than Islamists entering into the democratic process and then, for the first time in their history, being called to account by voters for their mistakes and over-reach? Could anyone doubt the value of a genuine balance of power between opposing political trends in the presidency and the parliament for the first time in Egypt's modern history? There's a reason outgoing Secretary of State Hillary Clinton emphasized the crucial significance of the "second election" in democratic transitions.

It's not a terrible bet. The mountain of troubles produced by Brotherhood rule, the movement's relatively limited electoral base (probably around 25 percent, going by Morsi's share of the first round of the presidential election), and the high levels of mobilization against them during the constitutional crisis, should have put the Brotherhood in a world of political hurt. Indeed, the opposition to the Brotherhood could not possibly have been better teed up for electoral success this spring: economic catastrophe, security vacuum, governance failures, a hostile media, a mobilized population, the Salafis feuding with the Brotherhood, a skeptical international community, temporary unity around the common cause of beating the Brotherhood.

Of course, for the Brotherhood to lose, somebody will need to beat them. And it would be difficult to express how fully, completely, absolutely baffled and depressed Washington is by the ineptitude of the Egyptian opposition. The opposition appears intent on blowing its chance. The National Salvation Front, the leading coalition of opposition figures, remains bedeviled by personality conflicts and individual ambitions, incoherent strategy, real programmatic differences (particularly over economic policy), and an evident unwillingness to get down to the dirty work of building a political machine and winning votes. Its cause is not helped by the ongoing temptation to boycott or the ever-deepening antagonism to the entire system among many of the most motivated youth activists.

Many of Obama's critics argue that democracy means more than elections and that Egypt falls far short of a democratic outcome despite its elections. This is almost certainly correct. A slim electoral majority does not give the Egyptian government carte blanche to impose a narrow Islamist agenda on an intensely divided population. The Muslim Brotherhood and Egyptian democracy must be judged through a wider lens of pluralism, transparency, accountability, inclusion, and respect for minority rights. To the best of my knowledge, nobody in Washington disagrees about any of this.

The disagreement is over how to best support such values. Most want the administration to speak out about these issues more often instead of just backing Morsi as an elected president. Presumably, they would like the administration to urge Morsi to "take steps at this historic time to advance national unity by reaching out to all parties and constituencies in consultations about the formation of a new government. We believe in the importance of the new Egyptian government upholding

universal values, and respecting the rights of all Egyptian citizens — including women and religious minorities such as Coptic Christians." (Oh wait, it did.) Maybe they wanted to hear Clinton say that Morsi should "pledge to serve all Egyptians, including women and minorities and to protect the rights of all Egyptians" because "real democracy means that no group or faction or leader can impose their will, their ideology, their religion, their desires on anyone else," and to forcefully state that "democracy is not just about reflecting the will of the majority; it is also about protecting the rights of the minority." (Oh, wait, that was July 14 and in Alexandria on July 15.) If only the White House understood that "the principle that democracy requires much more than simple majority rule. It requires protecting the rights and building the institutions that make democracy meaningful and durable." (Yup, Dec. 25.)

So yeah, the Obama administration has said virtually everything its critics want it to say, consistently, repeatedly, and at every appropriate occasion. But few Egyptians (or Washington policy analysts) seem impressed. It may be that virtually everything that the United States says or does gets rapidly spun and processed in the hyperactive Egyptian public sphere. It may be that Egyptians just don't want the United States involved in their affairs and have no interest in the leadership American pundits yearn to provide. It may be that they want to see deeds matching the words and simply don't believe what the United States says about such things. It may be that they are more interested in receiving support for their own agendas than they are in abstract statements of principle. Whatever the case, the American words are there, but they aren't having the intended impact.

So what should the United States do? Here, we come to a core analytical difference about the nature of the problem facing Egypt. For one camp, the problem is the Muslim Brotherhood, which is entrenching its domination of state and societal institutions and revealing its true repressive face. The most popular solution based on this diagnosis would be to distance Washington from an inherently hostile Islamist government and do whatever possible to weaken its grip on power. Concretely, this might mean more support to liberal groups, though you have to wonder what form that might take, whether such groups really want the support and are willing to take it publicly, and how U.S. backing would play in an intensely polarized and nationalistic Egyptian arena. It might also be complicated by the open antipathy which many leading activists and liberals frequently express toward the administration.

The other popular recommendation is the conditioning of bilateral and multilateral aid to force the Brotherhood to be more democratic and inclusive. That always sounds good, though just try telling a diplomat that it's easy to implement this kind of leverage. Conditionality is a blunt instrument, poorly suited to micromanaging political developments, and a wasting asset that loses value each time it is threatened. Nobody in Egypt should get a blank check, of course — not the Muslim Brotherhood, not the military, not a future democratically elected parliament. But such a nuclear option needs to be reserved for the big things, such as canceling elections, large-scale violence, violation of universal rights, or the return of military rule.

For the other camp, the core problem is the economic crisis and failure of governance that fuels social and political polarization. Rather than an ascendant Muslim Brotherhood relentlessly establishing its domination everywhere, this camp tends to see a weak, ineffective and paralyzed government that doesn't control the bureaucracy, can't appoint a new minister of the interior, can't enforce a curfew, can't police the streets, can't conclude a deal with the International Monetary Fund, can't take the military's support for granted, and can't get anyone to take its prime minister remotely seriously. For this diagnosis, this is hardly the time for lengthy conditionality talks. They would argue that the best way to help Egyptian democracy is to stop the bleeding, stabilize the economy, restore order, and give normal politics a chance. Rather than a tough line in conditionality talks, they would likely prefer to get significant economic aid into the system as quickly as possible to staunch the crisis and calm things down before the country spirals into an irrevocable cycle of collapse.

Ideally, the IMF/World Bank and Egypt would quickly come to an agreement that includes commitments on governance and democracy. But since when has the ideal happened in Egypt? Given the need to make choices, I generally fall into the latter camp: Stop the crisis, fix the institutions, stabilize the economy. That does not mean backing away from democracy, though — far from it. Morsi is not going to be able to overcome the recurrent crises without a more inclusive and real dialogue with the country's political forces, a less polarizing way of governing, and (probably) a more respected government. I'd demand that the Obama administration push for all that, except of course that's exactly what it's already doing. The reality is that Morsi, like Iraqi Prime Minister Nouri al-Maliki before him, isn't going to become inclusive and accommodating because of U.S. advice. He'll do it when he feels that he has no other choice and that inclusion best serves his interests — a conclusion which should be hastened by this latest round of unrest.

One of the Obama team's key insights about the Arab uprisings has been that the United States should as much as possible avoid playing an active role in the internal political affairs of Arab states. U.S. officials often say that Egyptian political solutions must come from Egyptians, and they're right. Washington should stand up for its values and for its very real interest in seeing Egypt make a transition to full democracy, but it should not be trying to micromanage Egyptian politics. Few Egyptians want it to try, and let's face it: We're bad at it.

Round One of the Egypt Policy Challenge!

By Marc Lynch, February 13, 2013

Last week, Egyptian human rights activist Bahieddin Hassan penned an open letter to U.S. President Barack Obama, which asked, "that spokespeople and officials in your administration stop commenting on developments in Egypt." After reciting the liberal narrative on what ails Egypt (short version: the Muslim Brotherhood), he concluded that "as long as they cannot speak the truth about what is happening in Egypt," the United States should simply "keep silent." He must therefore have been very pleased with Obama's State of the Union Address, which devoted only one brief passage to Egypt and to the broader challenges in the Arab world. Who says we don't listen to Arab liberals?

Well, as they say, sometimes you can get what you want and still not be happy. Here's all Obama had to say about Egypt and the Arab uprisings last night:

"In the Middle East, we will stand with citizens as they demand their universal rights, and support stable transitions to democracy. The process will be messy, and we cannot presume to dictate the course of change in countries like Egypt; but we can - and will - insist on respect for the fundamental rights of all people."

Now, in my view that's pretty much where the U.S. position should be: not seeking to dictate outcomes or take sides, avoiding the mistake of constantly inserting itself unproductively or even counterproductively into the daily turbulence of Egyptian politics, supporting the consolidation of democratic institutions and laying out a normative benchmark on fundamental universal rights. Sure, I'd like to see this stated more prominently and forcefully, with a fully articulated strategy and vision for engagement and promoting democratic change — but

the State of the Union probably wasn't the time or place for that.

Still, his brief comment, buried deep in the speech, is unlikely to satisfy an Egypt policy community or an Egyptian public that generally wants to see something more. But what, exactly? On February 1, I put out a friendly challenge to the policy community to specify what precisely this more robust policy might be. I don't think that the policy debate has really engaged with how the radically changed Egyptian political landscape affects the value of the standard toolkit of democracy promotion — pro-democracy rhetoric, support for civil society organizations, and using aid as leverage. So I posed six questions: How to deal with Islamists likely to fare well in elections; How to effectively support liberals in the actually existing Egyptian political arena; How to differentiate between supporting the democratic process and supporting the current government; Whether conditionality on military aid would have an effect given the current political role of the Supreme Council of the Armed Forces (SCAF); Whether conditionality on economic aid was appropriate at a time of economic crisis; And how to engage with a suspicious and often hostile Egyptian public.

I got fewer responses from the policy community than I had hoped for, but we're all very busy. I did get quite a few variations on the "we shouldn't be trying to promote democracy" and "the United States isn't really interested in democracy" themes, which are defensible positions but don't answer the questions posed. Egyptians seemed far more likely than U.S. policy analysts to offer some version of "Washington should just butt out of Egyptian affairs."

The most common answer (for a good example see Juul below) was to more forcefully, consistently and vocally call out Morsi's government when it abuses democratic procedures and human rights. I agree completely that such public rhetoric should be deployed (I quite liked the consistently excellent Assistant Secretary of State Michael Posner's comments today), but let's be honest: it probably wouldn't actually affect very much, it only opens up the obvious next question of matching words with deeds, and nobody seems to notice much when the United States does issue such criticisms (for instance, Ambassador Anne Patterson's critical comments in Alexandria this week, widely seen as a departure, were actually virtually identical to former Secretary of State Hillary Clinton's comments in the same city in July 2012). I'd like to see a bit more thinking here about step two: after we've issued these public criticisms of the Muslim Brotherhood, or recognized its unconstructive role, what next? What is meant to follow from this recognition or from the public rhetoric?

At any rate, here are some of the best of the responses I received: Elijah Zarwan gives sharp responses to five of the six questions; Peter Juul (on behalf of the excellent team at the Center for American Progress) calls for more public criticism of Muslim Brotherhood mistakes; Jeb Ober of Democracy International calls to support liberal organizations and trends, but not parties; and Joshua Slepin points to more effective ways to leverage ties to Egypt's military.

Elijah Zarwan, Cairo-based analyst

1. **The Islamists**. Whatever U.S. attitudes toward the Brotherhood, calls for barring its political party from elections or refusing to deal with elected Brotherhood politicians would be counterproductive and frankly obscene, given the solid relationship with the previous dictatorial regime. Dropping relations with an elected government after maintaining close ties with an unelected, corrupt, and often brutal dictatorship is no way to support democracy. If the government of Egypt — any government of Egypt — backslides on human rights or on democratic values (as the current government has), the United States should certainly continue to speak out, forcefully and clearly, but in the context of a frank disagreement among partners with a shared interest in Egypt's prosperity and stability. The old adage that in politics there are no

permanent friends, only permanent interests, applies: A stable, prosperous Egypt with regular, peaceful rotation of power is, above all, in Egyptians' interests, but also in Americans' interests. It is in no one's interest to see Egypt fall. If an Egyptian government — any Egyptian government — makes serious mistakes, the United States may certainly express its alarm. But such messages are more likely to be received if there is an interlocutor on the other end of the line.

2. **Supporting Liberals**. U.S. support — overt or covert — for secular Egyptian political parties would be the surest way to ensure their failure. These parties must already refute charges of trying to implement a foreign agenda and of representing a westernized elite. Tarring them by association with the United States, which remains broadly unpopular in Egypt among seculars and Islamists alike, would be counterproductive. U.S. politicians and officials should absolutely continue to meet with and to advise the opposition, as they should absolutely continue to meet with and advise the government, but material support is a waste of political and financial capital. Few of the good civil-society groups accept U.S. government funding, on principle and out of fear of criticism and legal reprisals. In the current moment, the U.S. could best support Egyptian civil society by expressing its concerns about the current, restrictive draft NGO law, which human rights groups have correctly decried as more restrictive than the law it would replace.

3. **The Process**. Accepting the results of elections does indeed risk being seen as support for the victors. Many of the Brotherhood's opponents, including intelligent, well-informed people, continue to believe that Shafiq won the presidential elections but that the United States interceded on behalf of the Brotherhood. This is perhaps unavoidable. Again, the United States can best support minority rights in Egypt and respect for fundamental human rights by continuing to speak about these issues, in public and in private. The current Egyptian government has repeatedly stressed its commitment to international treaties. That is generally taken as a byword for one treaty: that with Israel. U.S. policy should reflect an equal concern for Egypt's human rights commitments.

4. **Conditionality on military aid**. Threatening the Brotherhood with the prospect of a cut to U.S. military aid is in effect threatening the Brotherhood with the prospect of a military coup, which would be an inherently undemocratic outcome. Moreover, the U.S. should not be in the business of making threats it cannot realistically keep. As the question notes, most of the money in U.S. military aid changes hands in Washington; it is equally a subsidy to the U.S. military-industrial complex, funded by the American taxpayer, as it is a strategic and foreign policy tool. The challenge for U.S. policymakers during this turbulent time will be to maintain good relations with Egypt, the state and the people, without appearing to enter an impassioned domestic political struggle. Military-to-military ties are an important component of that relationship, but need not be the only component, or even the backbone of that relationship. It is in the U.S. interest to broaden and deepen its ties to the nation of Egypt. Perhaps the correct approach is to continue to foster ties on many levels: business-to-business, legislature-to-legislature, jurist-to-jurist, student-to-student, scientist-to-scientist, farmer-to-farmer, and religious-leader-to-religious-leader.

5. **Conditionality on economic assistance**. Egypt's economic crisis, and U.S. influence in the Bretton Woods institutions, superficially presents an opportunity for leverage. It is a dangerous game, however. Since the 2011 uprising, the specter of economic collapse has hovered menacingly in the middle ground. It is now more immediate. Should the feared economic meltdown occur, the results could be severely destabilizing, with little guarantee that whoever succeeds the current government would pursue policies more palatable to foreign governments or institutions. Acute economic hardship and a breakdown in state services risk producing a sentimentality for the old regime and undermining prospects for democratic reform.

Peter Juul, Center for American Progress

The ongoing political and security crisis in Egypt has spilled a lot of virtual ink in the policy community here in Washington (see Brian Katulis, Ken Sofer, and my take on the situation). We see Egypt undergoing a perfect storm of political, security, and economic crises that President Mohamed Morsi and the ruling Muslim Brotherhood have greatly contributed to with their inept, self-interested approach to governance and political transition over the last year. But the current crisis shouldn't be cause for rash action by the United States — financial assistance shouldn't be abruptly cut off, and the United States should maintain support for Egypt in international financial institutions like the IMF. At the same time, however, we argue that the Obama administration should respond more vocally than it has to date to actions and rhetoric of President Morsi and the Muslim Brotherhood that undermine the prospects for an inclusive political transition.

While Marc Lynch's analysis ultimately delivers an overall recommendation similar to ours — don't rashly cut off or otherwise reconfigure U.S. assistance to Egypt — it comes from an analysis that appears too eager to absolve the Muslim Brotherhood of its large role in Egypt's current mess and insists too hard that the Obama administration hasn't made mistakes in its handling of the Muslim Brotherhood and President Morsi.

Lynch's argument appears to be directed at those analysts who contend that the Obama administration isn't being supportive enough of Egyptian democracy or non-Islamist political parties and movements or hard enough on the Brotherhood and President Morsi. (This piece by Eric Trager of the Washington Institute for Near East Policy is a case in point.) He correctly notes that, contrary to the rumors that swirl around the Middle East (and among more extreme conservatives here in the United States), the Obama administration is no more "backing" President Morsi and the Muslim Brotherhood in Egypt than it is "backing" Prime Minister David Cameron and the Conservative Party in the Britain. And he's right that the non-Islamist opposition in Egypt is weak, fragmented, and feckless, and therefore unable for the time being to present an effective political challenge to the Brotherhood under normal circumstances like parliamentary elections.

But Lynch's analysis founders on the false dichotomy he posits between two analyses of the current situation in Egypt. One the one hand, he argues, are analysts like Trager who see the Muslim Brotherhood driving to dominate Egyptian state and society by authoritarian means. This group, Lynch says, wants the United States to distance itself from President Morsi and the Muslim Brotherhood-dominated government, support Egypt's fractious non-Islamist opposition, and condition American aid on democratic and inclusive government. On the other hand, Lynch sketches out what is presumably his own position: a somewhat sympathetic view of the Muslim Brotherhood-led government as a victim of circumstances largely out of its control. This government is "weak, ineffective, and paralyzed," can't control the bureaucracy, can't provide basic security, and remains fearful of the military.

But Lynch's dichotomy is itself founded on a series of false dichotomies. There is no good reason to assume that the propositions that the Egyptian government is "weak, ineffective, and paralyzed" and that the Muslim Brotherhood is attempting to dominate the process of political transition and expand its control over the Egyptian state are mutually exclusive. They can, in fact, be complementary — the Muslim Brotherhood may be attempting to dominate the transition process and Egyptian state *because* it is weak, ineffective, and paralyzed. The weaker President Morsi feels, the more important it will be for him and the Brotherhood to extend and consolidate their control over state and society. And this attempt itself fuels both active and passive opposition to the Brotherhood among Egyptians.

Ultimately, though, the main flaw with Lynch's analysis is that it fails to take into account the rather large role the Brotherhood and President Morsi have played in creating Egypt's current predicament. The Brotherhood-dominated parliament — nearly half the seats in the legislature are filled by members of the Brotherhood's Freedom and Justice Party — failed not once but twice to produce an inclusive Constituent Assembly to draft the new Egyptian

constitution. And when non-Islamists began withdrawing from the assembly in November 2012 and Egyptian courts threatened to dissolve it yet again, Morsi granted himself wide-ranging powers immune from judicial review that gave a now even-more Islamist-dominated Assembly cover under which to rush through a constitution.

While Lynch admits the Muslim Brotherhood has "performed abysmally in power," his overall analysis ignores the extent to which President Morsi and the Brotherhood are themselves part of the problem. The Brotherhood's exceedingly poor management of the constitution drafting process — in particular the debacle of President Morsi's decree and the rushed passage of the constitution — has contributed mightily to the current crisis of political legitimacy President Morsi and the Muslim Brotherhood-dominated legislature now face. Throughout 2012, the Brotherhood gave the appearance of riding roughshod over other the interests and concerns of other political parties and societal groups — non-Islamists in particular. In an era in which there are multiple centers of power in Egypt (as we at the Center have argued for quite some time), the Brotherhood's failure to govern in an inclusive manner — the negative circumstances in which it has had to operate notwithstanding — was bound to create some sort of reaction, if not precisely the one we're seeing on the streets of Egypt today.

Lynch's ultimate policy recommendations — "Stop the crisis, fix the institutions, stabilize the economy" — are sound, but impossible to accomplish given the way the Brotherhood has behaved in power over the last year. They have shown no sign they are ready to be part of the solution rather than part of the problem. Neither winning a legitimate election, nor a fragmented opposition, nor a still-powerful military establishment absolves the Brotherhood of its manifest failures in governance and shepherding a political transition.

And while, as noted earlier, Lynch's ultimate general recommendation — don't do anything rash — is in sync with those Brian, Ken, and I proposed, the other general recommendation that the Obama administration should keep doing what it has been doing is flawed. Lynch rightly notes that Obama administration officials have exhorted Egypt's new leaders to adhere to universal values like human rights and democracy. But these exhortations — most definitely defensible at the time — have not been matched with criticisms of Egyptian missteps, most notably during what we called "the muted U.S. response to President Morsi's decree." Relying on exhortations has not worked to shape, change, or constrain President Morsi's and the Muslim Brotherhood's negative behavior thus far, and sharper criticisms of their unhelpful and damaging actions would at very least help dispel notions in Egypt and the wider region that the United States wants the Muslim Brotherhood in charge of Egypt.

In short, Lynch posits a false dichotomy of analytical frameworks for Egypt that ultimately lets the Muslim Brotherhood and President Morsi off the hook for their large contributions to Egypt's current unrest. And while we arrive at the same place in terms of not rashly changing our aid relationship to Cairo, we differ in that we believe that seeing the Muslim Brotherhood and President Morsi as part of the problem of Egypt's multiple crises is critical to adjusting U.S. policy going forward. Exhortations to good behavior are no longer adequate given a year's worth of ill will the Muslim Brotherhood has accumulated as a result of its behavior in power.

Jed Ober, Director of Programs, Democracy International

The short answer is, I think, that leftists organizations want our support, but leftist political parties do not. Shortly thereafter the fall of Mubarak I spent a significant amount of time in Egypt talking to such individuals and organizations. It's important to make a distinction here between Egyptian civil society and Egyptian political parties and political organizations. Egyptian political parties and organizations are wary to engage with U.S. democratic development organizations and are not likely to accept such support. It's not that they don't want political advice and guidance, it's that they don't want it from us for of fear alienating their domestic constituency

which would see such assistance as foreign interference and as an example of foreign agents challenging Egypt's sovereignty. Egyptian civil society is not averse, however, to working with American based organizations and receiving assistance from USAID, MEPI, or other U.S. donor organizations. Based on this reality, it would be smart for the U.S. to continue to provide assistance to such organizations, albeit perhaps in a more strategic way. Civil society assistance is often given through funding mechanisms with broad scopes. USAID and MEPI would be well suited to think more strategically about such assistance in Egypt and focus more on targeted advocacy initiatives as opposed to broader civic participation activities. One area of focus could be on organizations that aggregate and advocate for specific interests — such as labor or trade unions — and thus engage citizens in the political process in terms they can understand personally.

The Islamists?

We can't "oppose" the Muslim Brotherhood while supporting democracy in Egypt, particularly if they continue to win Egyptian elections, as seems likely to be the case. That policy is likely to sow more discontent in Egypt and throughout the Middle East and will trigger a backlash throughout the region similar to what we saw after the 2006 Palestinian legislative elections. We must support the expansion of democratic freedoms and respect the results of elections in Egypt and elsewhere, or else our ability to engage in democratic development in the Middle East will wane. At the same time, however, we must be willing to speak out when such rights and freedoms are threatened, as the administration has done at times. Targeted support to civil society and other interest groups is the best way to support opposition to the Muslim Brotherhood and not necessarily threaten the potential for a productive working relationship with the current Egyptian government. We also must find a way to employ a more nuanced policy that specifically empowers moderate voices in Freedom and Justice and more generally recognizes the reality of political Islam. This is where the most thought and work is needed.

Joshua Slepin, Whitman College and independent researcher

The Egyptian military is one of the few Egyptian institutions with which we have deep ties and long experience, though Operation Bright Star and other initiatives. The United States does not have much ability to effect change (for the better or otherwise) in Egypt, but it should be able to leverage military ties (via aid and other, less exploitative means) to quietly work towards a beneficial situation. The SCAF has handed things off, but it is still part of the regime — maybe the real regime, depending on how you want to look at it — and the need to appease its top leaders is still real. The United States has never been squeamish about working with despicable parties, so I'm not sure why either Islamist governments or publicly obstreperous militaries would be different. It seems to me that the biggest obstacle is that by intent, most of the U.S.-Egyptian military relationships are one-sided. Egyptian military personnel have long been ordered not to give too much away to their U.S. counterparts, and this holds true for informal friendships as well. Consequently, we only have vague notions of how the military thinks. Correcting this imbalance is the real condition that needs to be addressed for any military aid to have effects beyond simply improving Egypt's military prowess or largess.

Beyond the military, and touching upon some of the other issues you've raised, I'd recommend the U.S. work for a Peace Corps presence in Egypt. Like the above, the Peace Corps creates personal ties that over the long run do more to promote friendship and U.S. value-sharing, and even create the institutions and organizations that the United States may one day be able to leverage, than most other diplomatic or economic means. A Peace Corps mission could help in shoring up education and health systems badly in need of help, and at a fraction of the cost of other solutions. It may also be able to operate "under the radar," without raising hackles like more overtly political organizations (NDI, IRI, or even USAID).

Clouded U.S. policy on Egypt

By Michael Wahid Hanna, February 26, 2013

During its erratic and tumultuous transition Egypt has lurched from crisis to crisis, muddling its way through to a series of sub-optimal resolutions. Throughout this uncertain period, the United States has sought to maintain a low-key engagement, cognizant of its longstanding association with the autocratic regime of deposed leader Hosni Mubarak, its eroded regional prestige, and its inability to dictate domestic political outcomes in another country. As President Barack Obama recently stated, "We are not going to be able to control every aspect of every transition and transformation." Following the misguided bluster and hubris of recent years, this humility is a laudable and needed corrective.

However, in post-Mubarak Egypt, entreaties to restraint now mask a more enduring reality: in dealing with the country's newly-empowered Islamists, U.S. policy in Egypt remains trapped in the old ways of thinking that produced a bet on authoritarian stability.

That bargain, which was largely premised on Egyptian support for the Egypt-Israel peace treaty, granted the Mubarak regime wide latitude to repress its own people in exchange for regional security cooperation. The United States became accustomed to dealing with Mubarak and his inner circle, with little need to cultivate broad ties.

Since the fall of Mubarak, the United States has adopted a defensive crouch in Egypt that is primarily driven by fears that the treaty might be discarded by Egypt's new rulers. This narrow and blinkered approach to Egypt misunderstands Egyptian national interests, and undermines the formulation of constructive policies. It also has pushed the United States to focus outsized attention on the cultivation of ties with the now ascendant Muslim Brotherhood, often heedless of broader Egyptian political dynamics.

The United States cannot micromanage Egyptian politics, but it retains real influence and it can, at the very least, attempt to staunch negative trends as opposed to reinforcing moral hazards. The current Egyptian government now believes in its own centrality and strategic significance, and it further believes that it has the uncritical support of the United States and the international community.

While the fevered imaginings of secret deals between the United States and the Muslim Brotherhood that have become an unfortunate fixture of post-Mubarak political discourse have no basis in reality, it is true that the United States has overcompensated in its efforts to reverse the flawed policies of the recent past when Islamists were shunned and their repression encouraged.

Following Mubarak's ouster, the Obama administration rightfully began an uncomfortable yet much-needed engagement with Egypt's most coherent and dominant political force, the Muslim Brotherhood. This singular focus on the Brotherhood, however, has often made little distinction between the social movement as a whole, and its political wing, the Freedom and Justice Party. In and of itself, this is problematic, as the Brotherhood has yet to normalize its legal status and retains a total lack of transparency regarding its funding and its relationship with the country's elected leaders.

While the Brothers have a long history of anti-Western and anti-American thought, they have been consistent in their approach to the Egypt-Israel peace treaty despite their deep-seated hostility to Israel, which often veers into the realm of anti-Semitism, and the widespread popular anger with the occupation of Palestinian lands and the failure of the peace process. It is perhaps one of the few areas where the words and deeds of the Muslim Brotherhood have not diverged.

The reasons for this consistency should be clear to the United States, but too often it views the Camp David bargain as the outcome of a coercive aid arrangement and therefore as perpetually at risk. Fundamentally, upholding the treaty is an enduring Egyptian national interest. It is a threshold for continued international legitimacy at a time when Egypt will require substantial international assistance and support. Further, the still-powerful national security establishment has a dispositive voice on such critical matters, and it has made abundantly clear that Egypt has no intention of abrogating its treaty obligations.

Despite this reality, the United States has shaped its policy on Egypt with a narrow focus, first and foremost, on the peace treaty and its sustainability. While this is a key U.S. interest, U.S. policy on Egypt does not assure the protection of that and other interests, which depend primarily on a stable and functioning Egypt.

The short tenure of the Muslim Brotherhood-led government of President Mohamed Morsi has been marked by the maximizing of factional power and the absence of meaningful reform or even governance. The growing polarization in the country has produced an intractable political crisis that makes dealing with the country's interlinked economic and social crises impossible. The present course of exclusionary unilateralism mixed with repressive actions is a path to instability, with no guarantees of Egypt muddling its way through.

To make matters worse, these negative political trends have been unintentionally encouraged by U.S. signals. This was abundantly clear in the aftermath of the November 2012 Israeli military attack on Gaza, when Egypt played an important role in the negotiation of a ceasefire. The spiral of events that followed were damaging to the prospects of an inclusive and stable Egypt and to the reputation of the United States. At root, the United States overestimated the options for Egypt in the face of the fighting in Gaza. Despite the Muslim Brotherhood's ideological affinity and strong links with Hamas, Egypt's enduring interests are a durable check against foreign policy adventurism, particularly at this current vulnerable juncture. In the aftermath of that foreign policy victory and a visit by then U.S. Secretary of State Hillary Clinton, Morsi quickly parlayed his newfound capital to expand his authorities in autocratic fashion. In his constitutional declaration on November 22, Morsi immunized his actions from judicial review in an effort to protect the Islamist-dominated constitutional drafting process. This myopic step institutionalized Egypt's political crisis and ensured that the country's foundational document would be a destabilizing element in the country's future.

With Morsi's cooperation on Gaza firmly in mind, the United States was slow to understand the significance of this constitutional crisis, which had permanent ramifications, and was loathe to place blame at the feet of its newfound partner. In various official statements and readouts, the United States engaged in stark equivalence that avoided the causes of the country's crisis and appropriate blame.

While this approach is partly fuelled by understandable frustrations in dealing with Egypt's fragmented and ineffectual opposition, these disappointments have clouded judgments, resulting in a wide degree of latitude with respect to the actions of the Muslim Brotherhood-led government. While Morsi continues to enjoy electoral legitimacy, the ballot box cannot be a route for majoritarian repression.

These mistakes were crystallized when the United States hosted an Egyptian official at the White House in the midst of the crisis. The meeting between Dr. Essam al-Haddad, the assistant to the president for foreign relations and international cooperation, and the U.S. national security advisor, Thomas Donilon, included an extensive drop-by from Obama. A former senior Egyptian diplomat who played a key role in managing U.S.-Egyptian bilateral relations expressed his dismay to me that such a meeting could take place in the midst of Egypt's ongoing political crisis. While noting the difficulty of choreographing such meetings, he assumed that the meeting represented a sign of outward support for the Muslim Brothers in their political struggle back home. At best, this was a case of

clumsy diplomacy. At worst, it represents a mistaken strategic choice.

While the Muslim Brotherhood enjoys its current electoral supremacy, the United States should make no assumptions about the permanence of its position. The fluidity of the Egyptian electorate and the immense challenges before the current government suggest that this preeminence is not inevitable.

The United States must certainly remain engaged with Egypt and calls for blunt and immediate conditionality of U.S. aid are impractical and potentially counterproductive. But the United States should reappraise the broader aid relationship and fashion workable conditionality arrangements. In the immediate future, the United States is not without other forms of influence. Egypt's current leaders crave international acceptance and legitimacy and are reliant on outside support and assistance, particularly from international financial institutions. The United States should use those tools to try to shape how Egypt's leaders perceive their interests, recognizing the inherent limitations involved, and it should synchronize these efforts with allies.

With Secretary of State John Kerry scheduled to visit Egypt for the first time in the coming days, he should make clear that under the circumstances the United States is not in a position to host Morsi, as is currently planned for later in the spring.

The United States rightfully claims that it does not support specific political parties in Egypt but is instead supportive of the democratic process. Its recent actions have undermined this intent. More importantly, by signaling its unconditional acceptance of Morsi and his government, the United States has encouraged the very actions that now jeopardize the success of Egypt's transition from authoritarianism.

The ultimate check on the excesses of the Muslim Brotherhood lies with Egypt's citizens, but at the very least, the United States should refrain from encouraging the troubling impulses exhibited by the Brothers in their short, troubled time in power. A re-tooled authoritarian bargain is no longer on offer, and succumbing to old patterns will only to serve to jeopardize U.S. interests and encourage Egypt's present unsustainable course.

Michael Wahid Hanna is a senior fellow at The Century Foundation. Follow him on Twitter @mwhanna1.

What is Egypt?

By Steven A. Cook, By March 1, 2013

When Secretary of State John Kerry sits down with Egyptian officials during his trip to Cairo this weekend, he will no doubt drag out an old talking point: The United States and Egypt, leaders from both countries are fond of saying, enjoy a "strategic relationship."

Yet for all the talk of common interests and close alignment, few can define what this actually means. President Barack Obama has worked hard to keep relations between Washington and Cairo on track as Egypt has lurched from one political crisis to another over the last two years — but where exactly is that track supposed to be leading?

It is not at all clear that the president knows. When Hosni Mubarak visited Washington in 2009 after a five-year absence, Obama fell back on platitudes, praising the Egyptian dictator as "a leader and a counselor and a friend to the United States." The substance of ties were almost as empty as the words: Almost three years to the day later, Obama averred that Egypt was neither an ally nor an enemy.

If Egypt is not an ally and it is not an enemy, then what is it? No one knows. To get around the question, American officials have engaged in remarkably consistent circumlocution. In late 2004, as President George W. Bush's administration was ramping up its "forward-leaning strategy of freedom in the Middle East," a group of Washington-based journalists and think tankers asked a senior American official in Cairo to describe what the United States wanted in Egypt. He replied, "We want whatever Egyptians want."

Such a statement was disingenuous — the Egyptian government at the time clearly did not want U.S. efforts to promote democracy, even if some of its citizens welcomed it. And what if Egyptians want to break the peace treaty with Israel? Or develop close ties with Iran? But more than that, given the impossibility of determining what the Egyptian people — clearly not a monolithic group — really want, it was essentially meaningless.

Fast forward to 2013, and Americans are still groping when it comes to Egypt. After a trip to the Middle East — which did not include Egypt — Florida Sen. Marco Rubio said that it would not be Washington that defined the future of the U.S.-Egyptian relationship: At a gathering at the Washington Institute for Near East Policy on Feb. 27, he noted the strength of ties was "up to the Egyptians."

This muddle did not always characterize U.S.-Egypt relations. Ever since the early 1950s, when Amb. Jefferson Caffery was cultivating Gamal Abdel Nasser, Egypt has been a strategic prize for the United States. To cold warriors, Egypt's strategic position, the Suez Canal, and its political influence in the Arab world were valuable assets for containing the Soviet Union in the Eastern Mediterranean, and North and East Africa, and making sure the oil kept flowing from the Persian Gulf.

Caffery's efforts to woo Nasser came to naught, however, over congressional opposition to a large military aid package and Egyptian nationalist reservations about becoming a leading member of a new Western security system in the Middle East. Yet what didn't work out while President Dwight Eisenhower and Nasser were in power became reality under Richard Nixon and Anwar Sadat. Cairo had grown weary of Moscow by the early 1970s, and Sadat had come to believe that only Washington could provide the resources Egypt needed in its ceaseless quest for modernization. The U.S.-Egypt strategic relationship was born.

A bulwark against the Soviets. The end of the state of war between Egypt and Israel, as embodied by Sadat's trip to Jerusalem. A key pillar of the Western security system in the Middle East. These are concepts belonging to an era that came to an end more than two decades ago, yet continue to serve as the foundations of U.S.-Egypt relations. They were outdated even before the uprising that toppled Mubarak. Washington could always tell itself that the aging autocrat was an asset because he kept the Suez

Canal open, maintained the peace with Israel, and kept the Islamists down. But following the political turmoil of the past two years and the rise of the Muslim Brotherhood, that faulty logic is even clearer — President Mohamed Morsi, after all, hasn't moved to overturn the regional political order or challenge the peace treaty with Israel.

As the Cold War has receded from memory, American policymakers have had a hard time articulating the rationale for an increasingly outmoded relationship. They have been left sputtering about "wanting what Egyptians want," or leaving well enough alone because the relationship "worked." In a narrow sense, it does — but toward the end of the Mubarak era, it began to seem that a "strategic relationship" was just something American and Egyptian officials said publicly while they haggled over money. The military aid went to weapons systems that the Egyptians would either never use or had a hard time mastering, and the economic aid was too little to do much good against the vast backdrop of Egypt's economic struggles.

Muddle will not serve either country well. Inside the Beltway, there is an odd disconnect about Egypt. Among one group, there are officials who understand how much has changed in Egypt — but nevertheless talk about doing business with Egypt as if it were 2010, or 1999, or 1989. It's all about aid and access to Egypt's airspace and the Suez Canal, which are byways to places of more intrinsic importance to the United States.

Still another group of policymakers — in this case, members of Congress — recognize the changes in Egypt and want to penalize it for straying from American interests. As one Capitol Hill insider described this one-dimensional view, the Muslim Brothers are Islamists and Islamists are terrorists, thus Egypt should not get aid from the United States. Everyone else, meanwhile, is simply stymied by the complexity of the "new Egypt" and are just hoping the country does not collapse under the weight of its mounting economic problems and surreal politics.

The problem with defining a strategy is that Washington is not much interested in Cairo. To be sure, policymakers and analysts discuss the importance of promoting democracy in Egypt, but American policy in the region is geared toward larger goals — ensuring the flow of oil from the region, helping to protect Israel, and making sure no single country dominates the Middle East (other than, of course, the United States).

In other words, Egypt — whether it is a democracy or not — is a means to some other end. Washington is interested in Egyptian stability because it is interested in Saudi security, or the Iranian challenge, or Israel's well-being.

Now, as a new secretary of state prepares for his visit to post-Mubarak Egypt, there is hope for a renewal of ties. But once again, Americans are hard-pressed to articulate the underlying rationale for strategic alignment apart from the familiar formulations about peace and stability in the Middle East. Proposals to transform the relationship to "trade not aid" have never gotten much traction, and are hardly the bases for strategic ties. Likewise, explicit threats to cut aid in return for reform have had minimal impact on the trajectory of Egyptian politics.

Perhaps clarity of purpose in U.S. policy is impossible at a moment when Egyptian politics are so unsettled. It seems that sunk costs — a total of around $75 billion since the mid-1970s — bureaucratic inertia, and the fact that the Egyptians need the United States right now all account for the current loveless marriage.

It may just be that strategic alignment between Egypt and the United States represented a moment that has now passed. The U.S. investment in Cairo has brought benefits to Washington — but now the best thing for the United States is not to try to mend the old strategic ties, but start anew. Obama got it right in May 2011 when he stated that Americans must look at what has happened in the Arab world with humility, but without abdicating their values. That means, in part, recognizing that Egyptians want a relationship not necessarily of equals — that is impossible — but one that is more respectful of the way they define their national interests.

This formulation quite rightly makes some Americans (and Israelis) nervous. But there's good news: Whatever comes to pass, Cairo is unlikely to align with Washington's enemies. Morsi's flirtations with Iran are about showing Egyptians that there is a difference between the Mubarak era and now. It is also about signaling to the Saudis that Cairo plans to be an influential player in the region. In the same way, the Egyptians have proven tougher on Hamas than many expected, refusing the organization's request to open an office in Cairo and flooding the tunnels that run under the Egypt-Gaza frontier, which have served as a critical Hamas supply line. And needless to say, the new Egypt still has no use for Hezbollah or Syrian President Bashar al-Assad.

It is unlikely that there will be a dramatic change in Washington's approach to Cairo as a result of Kerry's visit. That is all right: Egypt is struggling with its own internal demons, and is in dire need of economic assistance. Yet when Kerry and Obama are not dealing with the Egyptian crisis of the moment, they will have accomplished much if they move U.S.-Egypt relations out from the straitjacket of outdated strategic ties to more normal relations, befitting the changes in Egypt and the region around it.

This requires that policymakers take the long view — an alleged strength of the current administration — and understand that a bit of distance between Washington and Cairo could be a good thing. And who knows, maybe some time apart will remind the two countries of why they got together in the first place.

Steven A. Cook is the Hasib J. Sabbagh senior fellow for Middle Eastern studies at the Council on Foreign Relations. His book, The Struggle for Egypt: From Nasser to Tahrir Square*, is now out in paperback.*

What the U.S. can do for Egypt

By Tamara Cofman Wittes, March 1, 2013

Two years after the Police Day demonstrations that forced former President Hosni Mubarak from office, Egypt's political transformation has only just begun. The uncertainty that necessarily accompanies this change presents particular dilemmas for the United States, for whom partnership with Egypt has been a bedrock of regional policy for decades. Bedeviled by uncertainty and mutual mistrust, U.S.-Egyptian ties have been fraught since the revolution — and on both sides there are those who say it's time to cut the cord. Yet these two countries still have many core interests in common and, as the November 2012 Gaza crisis proved, they can work together effectively to advance them.

For the United States, Egypt's revolution presents a once-in-a-generation opportunity to build a more robust and reliable strategic partnership than was ever possible before, based on mutual interests with a government rooted in the consent of the Egyptian people and accountable to them. But realizing this opportunity will require an adroit, long-term approach, one that eschews transactional bargains with specific Egyptian actors in favor of a consistent commitment to supporting the emergence of a pluralistic Egyptian political system.

U.S. policy toward Egypt since the revolution has rested on two pillars: preserving Egyptian-Israeli peace and the security of their shared border, and trying to support and

stabilize a teetering Egyptian economy. The first has led the U.S. government to keep U.S. military aid to Egypt and other security ties as unchanged as possible; the second has led to a diligent if ineffective effort to provide economic assistance (stymied by poor Egyptian decision making, as well as political and budgetary dysfunction in Washington).

But like a stool with only two legs, this strategy is incomplete — and it will not produce stability in Egypt. Egypt's crisis continues because its leaders have failed, and continue to fail, to practice the inclusive politics that are necessary to successfully make the big decisions facing the country. The United States, which has so far been too reticent about Egypt's dangerously devolving politics, needs to weigh in and press President Mohamed Morsi and his party — as well as other relevant parties — to make the necessary accommodations to put Egypt back on the path to a stable democratic transition.

Some argue that the United States has little influence over political developments in Egypt today. But Washington still has a great deal to offer Egypt's aspiring leaders — and it's not mostly about aid dollars. Moreover, Egyptians inside and outside government still care what the U.S. government thinks and does about Egypt. Political winners and losers are appealing to Washington for support, and condemning U.S. interference — sometimes at the same time. If they thought Washington didn't matter, they would not spend so much time trying to embroil the United States in their domestic arguments.

This is true for many Egyptian politicians, but for none so much as the Muslim Brotherhood and Morsi. Although they loudly proclaim that their narrow electoral victories are all the legitimacy they need to rule, that's not how they behave. Privately, they desperately seek international recognition, and specifically the seal of approval from Western governments that would bring not only economic assistance but also a signal of reassurance to investors, business partners, tourists, and others whose engagement with the new Egypt is absolutely essential to its success. International recognition plays in domestic politics, too — Egyptians may resent the United States, but Egypt's majority, its young people, want the opportunities for betterment that their parents were denied. And they know that in the 21st century, this will require Egypt to be tightly connected to the world — and bound to the norms and values of democracy, open society, and free trade.

Because Egyptians (and especially the Brotherhood) do still care what the United States thinks, the leverage Washington has is probably best deployed as incentives, not as threats or arm-twisting. Recognition, investment, support in international organizations, and expressions of partnership all matter, along with aid dollars.

But the United States cannot afford to take a shortsighted approach to Egypt's transition. We cannot know who will come out on top in Egypt's messy transition; and the U.S. government cannot afford to repeat its pre-revolutionary mistake of relying on a strong leader to give Washington what it needs and keep a lid on things at home. Instead, Washington must focus on two interlinked, long-term goals.

The first is building lasting stability in Egypt — and the lesson of the Arab Awakening is that stability will only come through political change. Whatever daunting economic and social problems they are facing, Egyptians have made clear that they want to solve those problems through decisions made by a democratic government that treats them with dignity. The U.S. government should support that goal consistently and help Egyptian citizens build the legal and political institutions and the social infrastructure that will help democracy emerge, thrive, and deliver results.

The second goal is building a broad coalition in Egypt to support cooperative relations with the United States. For better or worse, Egypt's foreign policy going forward will be influenced by its domestic politics. For that reason, it's especially important that the United States not invest too much in a relationship with any one Egyptian faction, and not be seen as having taken sides in Egypt's fractious politics. Rather, U.S. officials must reach across the political spectrum, and engage broadly with Egyptian

society, to explain who they are, what they want, and what they can offer, and to make the case — together with those Egyptians who feel similarly — for a strong U.S.-Egyptian partnership.

The Muslim Brotherhood's behavior since it began winning electoral contests during the spring of 2012, and Morsi's behavior in office, have violated basic expectations for actors in democratic politics. The Brotherhood's approach to the constitution is a clear case in point, revealing ambivalence about the principle of legal equality for all citizens, and a readiness to submit legislation to review by unelected religious officials — although they resisted mandatory review as proposed by Salafi parties. The constitution, drafted largely by Brotherhood and Salafi representatives and railroaded through a referendum by Morsi, subsumes individual rights to state authority, is dangerously weak on the rights of women and girls, and distinguishes harmfully between religions receiving full recognition and protection, and others that are not considered so deserving. Most troubling of all, the Brotherhood and Morsi have evidenced a willingness to condone and cover up the use of violence and torture by party cadres and by the internal security services against opposition activists and journalists — shockingly, the same tactics Mubarak used against the Brotherhood and other opponents of the old regime.

It's true that, with all their flaws, the Brotherhood won the freest and fairest elections in Egypt's modern history — and may win the next elections too. But electoral victory does not absolve the group of the obligation to adhere to democratic rules and norms — not if it wants to be recognized, and it most certainly does, as a democratically legitimate actor in Egypt and on the global stage. This is Washington's real leverage — that the Brotherhood-led government wants U.S. recognition, and seeks U.S. partnership and support. Love it or hate it, there is simply no substitute for that photo-op in the Oval Office to signal to the world that you have arrived.

So while the Obama administration should continue to deal with Egypt's elected leaders, it should not be afraid to make note of its profound disagreements with them — indeed, the United States manages to work with disagreeable leaders all over the world in pursuit of its interests. But U.S. officials should also make clear that engagement does not mean endorsement. At the same time, Washington should support, with all the tools at its disposal, those in Egypt working to hold the elected government accountable, those supporting and defending human rights, and those working to build the strong institutions, vibrant civil society, and pluralistic political system that will ensure the Brotherhood will face real competition from other voices. That means U.S. diplomatic and financial support for Egypt's beleaguered civil society must resume immediately.

Until stronger parties can emerge to challenge the Brotherhood's electoral dominance, and stronger institutions can check Morsi's executive power, civil society and international scrutiny are the only means to hold the Brotherhood-led government accountable to basic democratic norms and to its own political promises. The Obama administration must not abdicate or downplay its responsibility to play this essential role.

The political opposition has lessons to learn as well, and needs encouragement to learn them. Some call for a boycott of the parliamentary elections, some for street demonstrations to force Morsi from office, some for a military coup. Any of these paths would exacerbate polarization and instability, taking Egypt farther away from a secure and democratic future.

If both sides continue to treat their political competition as a zero-sum game, both sides will lose — and they may take Egypt over the cliff with them. As a balance of payments crisis drifts closer and closer, fuel and flour shortages mount, and public discontent boils into the streets where police now carry live ammunition and torture activists with impunity, worries grow about the impact of this mutual intransigence on Egypt's basic stability.

The looming crisis demands dialogue and compromise. The United States must press all the relevant actors in

Egypt toward a pluralistic solution, not engage in wishful thinking about what will solve the crisis, and not provide top cover for those who are sitting in the hot seat and avoiding tough decisions. The United States wants to be a friend to Egypt — and that means it needs to have enough respect and hope for friendship with Egypt's leaders to tell them the truth.

President Morsi needs the support of the political opposition for the tough economic reforms necessary to right the listing economy and secure desperately needed international assistance. He needs the participation of the opposition and the public in parliamentary elections if the new representative body is to act effectively and with authority to pass needed laws. Given these evident facts, he should express his readiness to amend electoral laws and procedures to improve confidence and participation in the process. And he should drop prosecution of politicians, journalists, and others under Egypt's archaic seditious libel laws.

He needs the young, disaffected Egyptians to end their protests and invest in the new system — and that means he must prosecute abuses and torture by police and his own partisans.

The opposition needs to set aside its fears, bargain for appropriate assurances of fairness, and participate in the parliamentary elections to offer Egyptian voters a real choice. Although the Brotherhood's intentions may be malign, opposition groups cannot expect that they will be the beneficiaries of the Brotherhood's failures — especially if they eschew the spadework of nationwide political organization in favor of urban street protests.

The military, for its part, needs to understand that a coup d'état would be a disaster for Egypt, for stability, for democracy, and also for the military itself and for U.S.-Egyptian strategic cooperation. A coup would almost certainly torpedo the large and longstanding U.S. military aid package — already under threat from Washington budget hawks and those skeptical of Egypt's prospects.

Egypt's transition is still in an early and uncertain phase. The course of that transition matters deeply to the United States, and the United States still has significant capacity to affect the trajectory. Egyptians want a relationship with the United States, but one based on equality — rooted in mutual interests and mutual respect. Egyptians want a government that respects their rights and dignity, that answers to their priorities and serves at their pleasure. They want secure borders, safety on their streets, stable neighbors, and peace in their region. They want their country to lead in the region, and reach out to the world.

Conveniently enough, that is what Washington wants for them as well. Egypt's leadership and its political elites will eventually harken to these demands, and learn the art of the deal, or they will face continued protests and instability and be seen as a failure in the eyes of Egyptians and the world. The U.S. government should wield its influence — rooted in clear principles and interests, and in cooperation with others — to support those in Egypt working to build sustainable democracy and a fruitful partnership with the United States.

Tamara Cofman Wittes is the director of the Saban Center for Middle East Policy at the Brookings Institution. She served as Deputy Assistant Secretary of State for Near Eastern Affairs from 2009 to 2012.

Analytical Perspectives

A Funny Thing Happened on the Way to the Democratic Transition

By Ellis Goldberg, March 1, 2013

There is a paradigm nobody talks about much any more in regard to Egypt: the democratic transition. The problem with the idea of democratic transition, dearly beloved by both the Obama administration, most of my colleagues in political science, and the Muslim Brotherhood was that it presumed the institutions of the state would be passed, intact, from the old regime to the new. Through elections, constitutions, and the circulation of new elites popular sovereignty and democratic practice would re-invigorate the barren institutions of the old order. Where necessary, new ones would be created.

What, we are impelled to ask, went wrong in Egypt? What made it, one analyst is reported to have said, the stupidest transition ever or the revolution that never was? Or did the fault lie not in our Egypt but our selves? Not least in our inability to recognize that the complicated and confusing period, lasting a decade or more, between the first observation of revolutionary upheaval and its conclusion, is both more important and more uncertain than we feel comfortable with.

I want to begin at the point where theories of failed revolution and failed democratic transition diverge: the institutions of the old order. Theorists of failed revolution tell us that too many Egypt's old institutions and old elites survived the 2011 upheaval: the Armed Forces, the judiciary, the bureaucracy, and the old elites. Theorists of failed transition might seem to believe that not enough of the old institutions survived but on closer inspection they have a different concern: given free elections and the doctrine of popular sovereignty not enough Egyptians seem to have taken the outcome of elections with sufficient seriousness. Specifically the winners of the parliamentary and presidential elections, the Muslim Brothers, have not been accorded the legitimacy of a freely and popularly elected government.

This is puzzling. Free and fair elections are the tonic of transition. All theorists of transition recognize that free elections are not "enough" as they put it to ensure democracy but free elections, by definition, they are the way in which the people express their will. Once elections have been held it is up to the new government to do its work and for the people to wait a decent interval before judging its performance at the ballot box rather than through ongoing and defiant street demonstrations and conflict. This is even more puzzling because it is a little difficult to argue that this has something to do with Islam since the Islamist parties won and they have no problem with asserting the doctrines of popular sovereignty and electoral legitimacy.

The dominant concern in Egypt today is the high, and increasing, level of polarization. It seems to be common in the United States and Europe to describe this a conflict between the country's minority urban secular middle-class and its religious (Islamic) majority. That Egypt has become increasingly polarized is apparent but it is doubtful that the polarization that paralyzes the country is between the secular middle-class and the rest of Egypt. Much of the violence in the streets today is occurring outside of Cairo in the Canal Zone and the provincial cities of the Delta, places not known for their large, secular middle-classes. The violence is often specifically between the Muslim Brotherhood, its direct supporters and its occasional allies on specific issues, and the restive lower middle and working classes in these cities. Socially we can speak of polarization on many dimensions. There is a marked rural/urban dimension to what we see; there is also a clear aspect of educational attainment; in terms of religion there is also an obvious Christian/Muslim dimension, but within the Muslim community there may also be an antagonism based on how the Brotherhood understands Islam in the modern world (of which more below). Lastly there is a rather widespread dissatisfaction with what many

Egyptians perceive as the Brotherhood's own internal lack of transparency and democracy and aggrandizing organizational ambitions. These, in turn, provide both local and national elites with the basis through which they have opposed the Brotherhood but over which they have very little direct influence.

It is possible to use electoral maps to see a geographic dimension to this increased polarization. Egypt has had two constitutional referenda, parliamentary elections (and run-offs) for two chambers, as well as a presidential election and runoff. The elections are not strictly speaking comparable but what we see is a decline over time in turnout, relative support for the Muslim Brotherhood, and an increasing polarization centered on the Delta. Specifically three quite different provinces — Gharbiyya, Cairo, and Minoufia — have emerged as localized centers of opposition to the Brotherhood. All three of these provinces, which voted no in the December 2012 constitutional referendum had voted yes in the March 2011 referendum. They also voted against President Mohamed Morsi in both the initial and runoff stages of the presidential election. Gharbiyya is the province in which the textile center of Mahallah is located whose 2006 strikes are often referred to as the origin of the collapse of the Mubarak regime. Tanta, however, also a textile center is even more strongly opposed to the MB; what may differentiate the two is the presence of the headquarters of an important Sufi order, the Badawiyya, which is located there and to which there is an annual pilgrimage. Cairo is the most urban of the governorates and, of course, has the largest concentration of the socalled secular middle class. Minufia is quite unlike both Cairo and Gharbiyya and the best anyone can come up with to explain its behavior is that it was the home of both Sadat and Mubarak, but this seems like weak tea.

Given recent events it might now be possible to add the Canal cities of Suez, Port Said, and Ismailiya to the list of anti-MB strongholds. There are some specific grievances in each of these three cities of which the most well-known stems from the deaths of 79 people at the Port Said soccer stadium on February 1, 2012 during a match between the local team, Al-Masri, and the Cairene Ahli team. The death sentences handed down to 21 defendants in Port Said on January 26 led to demonstrations and riots in Port Said and demonstrations in support of the verdicts in Cairo. The next day, itself the anniversary of the uprising that toppled Mubarak, massive riots broke out in Port Said and the other Canal cities as well as Alexandria. In response Morsi declared a state of emergency and curfew which the demonstrators promptly and publicly broke by announcing street demonstrations to begin at the same hour as the curfew. The army refused to enforce the curfew with force and Morsi was left to slowly withdraw it and then allow it fade away.

One of the peculiarities then of the last two years is that the authority of the executive and the legislative branches of government have, for the time being, diminished while the authority of judicial branch and the Armed Forces (especially in the months since it relinquished power to Morsi in August 2012) has increased. The Armed Forces have become more independent, constitutionally and even practically, from the executive branch than at any other time in recent history and the judiciary has intervened in politics with remarkable independence over the past two years. Sometimes, as when they dissolved Mubarak's National Democratic Party, the courts gained universal praise. At other times, as when the Supreme Constitutional Court proclaimed the first post-Mubarak parliament elected in violation of the constitution, less so. The courts in Egypt, as elsewhere, are a counter-majoritarian institution; their role may seem to be hard to explain in the context of the Arab world generally where such an independent court system that asserts such broad powers of review is anomalous. It is, in fact, anomalous within the context of the French jurisprudential system from which Egypt's judicial system springs. Briefly what we are seeing is the result of two trends. One is the culmination of at least a hundred years of judicial culture in Egypt based on asserting the necessity of the rule of law as a way for the ordinary courts to control the executive and asserting claims of constitutional interpretive power. The other is the reality that, of the three branches of government, the courts have been the one to which ordinary Egyptians have resorted most frequently and with most

success over the past 100 years. The courts can be arbitrary, corrupt, and unresponsive but they have proven to be more useful than the other branches.

It is I think for this reason that there has been, in the years since 2011, so little popular response to calls for the establishment of revolutionary tribunals. Egyptian experience with exceptional tribunals, whether revolutionary or military, has not been positive.

Looking forward then we can see two institutional forces with significant legitimacy: the Armed Forces and the courts. And we can see two institutions, paradoxically based on liberal notions of legitimacy — an elected presidency and legislature — which are having the most trouble establishing broad acceptance. One problem for the president is that he tries to wield the power of his office in ways consonant with a regime that is dead (the old republic) or with a regime that has not yet been born.

Let us recall his attempts to deploy the power of the presidency in the interregnum between the old constitution and the new one. The Supreme Council of the Armed Forces (SCAF) had dissolved the lower house after the Supreme Court ruled it had been elected unconstitutionally. On assuming the presidency Morsi tried to issue his own constitutional declaration ordering the lower house back into session. The courts, the SCAF, and significant portion of public opinion rebuffed his attempt. I have already noted that his recent attempt to create a state of emergency in the Canal provinces failed. In November he issued a constitutional declaration that allowed him to replace the public prosecutor and also shielded the work of the committee writing the constitution from judicial oversight. Massive demonstrations, including attacks on the Presidential palace, forced Morsi to rescind the declaration although not its effects and the committee wrapped up its work in record time so that a referendum could be held thereby putting the threat of judicial review behind it.

So, going forward politics in Egypt appears to be bounded by four forces: the judiciary, the army, the elected legislature and presidency likely controlled by the MB, and the mass public protest. Mass public protests, rare between 1952 and 2011, have often had the effect of forcing the executive to back down on policies and the last two years, in which they have become common, are no exception. Unfortunately these protests have, over the past year, increasingly turned into street battles between the MB and their opponents, especially in the provincial towns. Even casual viewers of Egyptian television recognize that the Canal cities and other towns of the interior are now the scenes of pitched battles in which people — clearly not the secular westernized intelligentsia — are determined to attack and destroy the MB's local offices and headquarters. The most obvious example occurred in early December 2012 when the national headquarters of the MB in Muqattam (Cairo) was torched. Generally the police do nothing as they do nothing in most street fighting unless they themselves have been attacked. But there are also indications in many provincial cities that MB militias and those based partly on soccer clubs now engage in routine street battles with each other.

It may come as a surprise then to realize that the Morsi government has been able to carry out some of its responsibilities even if it has chosen to do so in ways that maximize the influence of MB's political wing, the Freedom and Justice Party (FJP), in politics. The government has recently managed to pass a law allowing it to issue Islamic bonds over the opposition, not of the secular liberals who play almost no role in the Shura Council (the upper house) but over the opposition of the Azhar and the Salafi parties. The government has been able to negotiate with the International Monetary Fund (IMF) and the absence of an agreement has more to do with the IMF's concern about Egypt's unstable politics than with the incapacity of the government to reach an agreement with the international body. The government does not, it is clear, have much control over the police but the opposition leadership does not have much control over the demonstrators. If the opposition leadership often appears weak and divided it is equally clear that its base, especially in the industrial cities, is unwilling to tie its future to the National Salvation Front. In other words, the broad outlines of power are far from settled in the country.

New parliamentary elections will be held beginning in April. The opposition has, for the moment, decided to boycott the elections. Not to participate is to allow the MB and other Islamists to dominate the parliament completely which, given the new constitution, will allow them fairly wide power over society. Whether that will come with the ability to solve the country's pressing economic problems and increasing polarization is far from clear. Obviously the MB hope to ride out the storm but if they do there is every reason to believe that their preference will be to impose.

And indeed neither they nor any other government will have much time given the rapid decline of Egypt's foreign exchange reserves, the evident lack of competitiveness in the export of manufacturing or agricultural products, and the country's declining tourism (itself in part subject to competitive pressures since the primary tourist destination is the country's beaches not its Pyramids).

Egypt is by no means a country engaged in a democratic transition. It is a country in the midst of a revolution. For better or worse, however, unlike the classic revolutionary situations Egypt has a functioning and still respected court system (not true of France, Russia or China) and a functioning Armed Forces which will intervene to prevent the collapse of the state but not much more.

Egypt is also a country whose urban population has been mobilized as never before and which has stayed ready to take to the streets long after most people had written that possibility off. It is primarily the pressure of the streets that have pushed the political situation forward, but at some point the political leadership of the country must take up its real responsibility. Egypt is now in a situation reminiscent of what, in 1975, Michel Crozier, Samuel Huntington, and Joji Watanuki called the crisis of democracy. What they meant was that the levels of mass mobilization had undermined traditional (that is, previously existing) relations of authority within the state, the religious institutions, and elsewhere. The masses were too eager to participate and thus, through an excess of democratic aspirations and activity, threatened democracy itself at least as Crozier, Huntington and Watanuki (and the Trilateral Commission) understood it. The decline of authority, or *haibat al-dawlah* as the Arabic equivalent employed in Egypt today has it, was a moral as well as a political crisis in the minds of these three distinguished conservative intellectuals. They could hardly imagine how such a chaotic situation would end well. The world of the advanced industrial societies differs today from the one that existed in the first two-thirds of the twentieth century and probably also from the one that the authors of the report might have preferred. The revolutionary democratic impulse that they feared was contained for many reasons, not least of which was the adjustment of institutions and elites to new ways of governing. To paraphrase Lenin, revolutionary situations occur when elites can no longer govern in the old way and large numbers of people want to live in some as yet unspecified new way.

What might this mean for Egypt? For the MB this may mean that winning elections is no longer anywhere near sufficient as a goal. To succeed they will need to find a different way of governing. Today's polarizing conflicts in Egypt are far from limited to differences between the MB and a secular, middle class (or Facebook) opposition. It is possible that, for example, many of the young people who showed up to dance the "Harlem Shake" in front of the Muslim Brothers' national headquarters were engaged in middle class mockery. If that were the opposition with which the MB had to contend they would be in a very different situation than they find themselves. The dock workers who have several times shut down the port at Ain Sokhna (most recently in mid-February 2013) were interested neither in embarrassing the MB nor in line dancing. Nor are industrialists like Magdi Tolba dancing for joy: the weakened pound is causing nearly as many problems as it solves for textile exporters like him.

The National Salvation Front faces its own problems. Frequently derided as feckless and irresponsible, they have the opposite problem of the MB: a political coalition that is sufficiently broad and whose institutional connection to its possible electoral base is sufficiently tenuous that they cannot find a way to compete coherently in the electoral process. Whether the boycott strips the elections

of legitimacy or locks the opposition into the political wilderness remains to be seen.

Even a large electoral majority in parliamentary elections may not, for the foreseeable future, translate into viable governance as popular demands continue to be expressed in ways that are both democratic and disruptive and as the political leadership of the country finds it difficult to agree on a common path forward.

Ellis Goldberg is a professor of political science at the University of Washington, specializing in Middle Eastern politics. He blogs at nisralnasr.blogspot.com.

Egypt's military back in play

By H. A. Hellyer, February 25, 2013

Egyptian President Mohamed Morsi has finally issued dates for the new parliamentary elections, due now to begin April, and end in July, over staggered rounds. Voices within the opposition have begun to splinter apart over participation; the presidential candidate that never was, Nobel Prize winner Mohammed ElBaradei, has already called for a boycott. Looming in the distance, however, is the key reality around what the country is going to look like in a few months time — and if a civilian led Egypt is still a reality. Indeed, ElBaradei recently reminded the international community of the stakes in this regard, explicitly indicating that holding elections in April would risk placing the country into a state of "total chaos and instability," resulting in a military intervention. He said, "If Egypt is on the brink of default, if law and order is absent, [the army] have a national duty to intervene."

ElBaradei was not advocating the intervention of the military — he was simply pointing that it may happen as a natural consequence. Nevertheless, a certain scenario has been making the rounds around some elements within the political elite in Egypt's opposition — some, it should be noted, rather than all or most. It goes something like this:

Morsi has made a mess of the transition to democracy, and even though he was elected, he has failed in his duty. The political turmoil and polarization are proof enough of that — the economic disaster that is about to fall upon Egypt will simply be the logical consequence of all of that, and will ensure that the military intervenes to save the country. When the military does so, the Muslim Brotherhood might put up a little bit of a struggle, but they'll fold pretty quickly in order to assure themselves a political future in Egypt. Alternatively, they might fight a little bit, but the military will make short shrift of them, and they will then be shunted underground, ending for once and for all this abysmal experiment of Islamist rule in Egypt. The military, having understood the mistakes it made during Field Marshal Mohamed Hussein Tantawi's reign, will be far more suave this time around, and will set the stage for a new constitution, and a new presidential election, before it departs the scene. The international community will cluck, cluck, perhaps, but will quietly be satisfied, as they also never wanted an Islamist regime to emerge. The opposition will then provide an alternative leadership that can lead Egypt forward.

It is an interesting scenario, to say the least — but it is not terribly realistic, let alone ethical. The military may indeed intervene, as it might under any regime that

contributes to the instability of Egypt — it did so under Mubarak, and it may do so again. However, Morsi is not Mubarak. The military intervened when it was clear the overwhelming majority of the country wanted Mubarak to go — demonstrating in massive protests, in which millions of people over several weeks showed that they would not accept anything less than his departure. The same cannot be said for Morsi. He is certainly unpopular — and with very good reason — but the vast majority of Egyptians haven't shown they want him to have the same fate as Mubarak.

If the military were to intervene, moreover, no one should expect it to be a walk in the park. When Mubarak was forced to resign by the military, his own establishment, including those who had the arms, turned against him. The police force would not fight against the military, and that was that. In a scenario in which the Muslim Brotherhood is forced from power — a movement, living in an existential moment, that already feels the world is out to get it — it is hard to see the MB not reacting with force. It would eventually lose against the combined forces of the military and the police — but it would not be pretty. It would be a betrayal of the revolution of Tahrir forever, if any "revolutionaries" wanted such a bloodbath in order to put aside their political opponents.

If the military then takes control, the assumption that this leadership would be that much different from the previous Supreme Council of the Armed Forces (SCAF) is not certain, to say the least. The former SCAF under Tantawi, regardless of the media assertions to the contrary, was incredibly popular in Egypt. Among the political elite, whether opposition or MB, it had a varied reputation — but across the country, the military's standing was solid. It may thus believe that there are actually not many errors to correct for, and another transitional phase may not prove to be all that much better than the last one. Of course, no one knows how it will behave — only that in general, the military will look out for it's own interests, which include the stability of Egypt, as well as the fortification of military independence and autonomy.

To assume that the opposition leadership has the ability to provide a genuine alternative that can steer the country better may turn out to be wishful thinking — in general, political leadership in Egypt has been indescribably lacking for the masses of Egyptians. This goes just as much for the opposition, which does not enjoy as much blame as the MB for the political turmoil, as it is not in power — but is still hardly stellar by comparison.

What is generally true is that the international community would, in all likelihood, cluck, cluck, and let things unfold as it will — as long as Egypt remains stable. The failure of Egypt is simply not an option, for broader political, economic, and security considerations.

All of this should not come as a surprise to any political force within Egypt — whether the opposition or the MB. However, the uncomfortable truth is that the way to avoid this outcome is not in the opposition's court. Even if it were to disavow, and actively be against any military involvement in politics, its weight is negligible in that regard — the military will come or not come according to its own calculus, not that of the opposition. The Egyptian presidency is what makes the difference in Egypt in terms of averting the realization of this scenario. The presidency must be aware that within the opposition, the broad majority would want to avoid any further turmoil in Egypt. They no longer need political allies who are simply willing to back up the government — the presidency need partners who are willing to serve in a genuine national salvation government that resolves the political turmoil on the one hand, and sets into motion an economic recovery immediately. As the days go on, that all becomes more and more difficult — and the likely scenarios become less and less palatable, for everyone.

Dr. H. A. Hellyer, a non-resident fellow at the Project on U.S.-Islamic World Relations at the Brookings Institution, and ISPU, is a Cairo-based specialist on Arab affairs and West-Muslim world relations. Follow him on Twitter@hahellyer.

The new Egypt at (almost) two

By Hani Sabra, January 14, 2013

On January 25, thousands of Egyptians will gather in Tahrir Square and across Egypt to commemorate the uprising that toppled the Hosni Mubarak dictatorship. They will celebrate with good reason. When Mubarak, pressured by millions in the streets and ultimately betrayed by his own top generals, resigned on February 11, 2011, a military-backed dictatorship that had ruled and largely abused Egypt for more than half a century came to an end. Most Egyptians were euphoric, and the world was transfixed by the unexpected power of the Tahrir Square freedom movement.

However, in the two years since, the transition remains fragile, and Egypt's politics remain dangerously polarized. In fact, in addition to celebration, there may also be clashes on January 25. Today Egypt has an elected president, a new constitution, and will soon hold parliamentary elections. But if Egypt has made halting steps toward democracy, worrying signs of illiberalism and poor governance are increasingly apparent. The outcome of the revolution in the Arab world's most populous country remains uncertain, and the threat of violence looms large.

To understand where Egypt's revolution might go from here, it is useful to take a sober accounting of the key lessons that we have learned over the past two years, and to debunk some myths that stubbornly took root during that time.

The Muslim Brotherhood are not democrats. Despite some prominent Western journalists and analysts' continued wishful thinking to the contrary, the Muslim Brotherhood — a secretive, rigorously disciplined and hierarchical organization — neither understands nor sees inherent value in democratic politics. Rather, the Muslim Brotherhood believes in a narrow majoritarianism and its leaders and supporters often confuse that with democracy. The Brotherhood believes that 50 percent + 1 equals a free hand to pursue its agenda. And its agenda is manifestly an illiberal one in which universal rights are subordinated to religious doctrine.

The manner in which Egypt's new constitution was conceived, written, and adopted offers the clearest example of the Brotherhood's authoritarian and majoritarian tendencies. A post-authoritarian state should adopt a consensus document, but the current constitution was rammed through despite the staunch objections of non-Islamists. Rather than guaranteeing protections for minorities and women, the constitution leaves a troublingly broad scope for violation of their human rights. Looking ahead, as the Brotherhood embarks upon a legislative agenda, expect laws that will seek to limit media freedoms and constrain freedom of assembly.

The military remains very powerful. In November 2011, Egypt's Islamists, which had for months worked closely with the Mubarak appointed military leadership, protested the proposed "Selmi document" which was designed to ensure the military's privileges in any new constitution. However, after President Mohamed Morsi was elected in June 2012 and dismissed the two top Mubarak era generals in August, Egypt's Islamist dominated constituent assembly crafted a constitution that explicitly guarantees the military's power and privileges. The Islamists learned that trying to bring the military under civilian control was a dangerous task, and the two entities now have a more collaborative relationship. This gives some of Egypt's non-Islamists, who erroneously believed that the military represents the last line of defense against Islamists, migraines. But the more salient factor is that a military not under direct civilian oversight is simply bad for nurturing a fledgling democracy.

Sectarianism in Egypt is alive and well. Attacks on Egyptian Christians were not uncommon in Mubarak's time — on New Year's Day in 2011, three and a half weeks before the uprising, a church in Alexandria was bombed,

killing 21 worshipers. But Christians have thus far fared even worse in post-revolution Egypt. Churches have been burned, Christians have been attacked and prevented from voting, a Christian man's ear was even cut off — and few perpetrators have been arrested, fostering a culture of impunity. In fact, Christian victims are often blamed for being attacked. In October 2011, for example, the military attacked a group of Christian protesters, killing 27, and as the melee was taking place, a state TV presenter requested that "honorable citizens" report to the scene to protect the soldiers from the marauding Christians.

Now with Islamists politically ascendant, hardline influential Muslim clerics have ratcheted up their sectarian invective against Christians. They are emboldened by the fact that the Muslim Brotherhood and their Salafi extremist junior partners believe in the primacy of Islamic principles over equal citizenship. While the Brotherhood, to appease Western skeptics, has issued various blandishments about its commitment to "equality," its leaders will stand by idly as more hardline Islamists spew ugly and dangerous rhetoric about Christians. Egyptians Christians should be concerned. Even if legislation is not overtly prejudiced, the views of Egypt's leaders will increasingly permeate the country, fanning existing anti-Christian biases.

The progressive "Muslim Brotherhood youth" is a myth. In the years leading up to the Egyptian uprising, there was a prevalent belief that the younger members of the Muslim Brotherhood would exert a moderating influence on the Muslim Brotherhood, especially if the movement was granted legal recognition. Many young Islamists are indeed more moderate, revolutionary, and yes more liberal, than the leadership. However, these more progressive, democratic young Brothers are outnumbered by adherents of similar age who remain committed to conservatism. As a result, the "young brothers" have not had the moderating influence that was expected.

The more impressive progressive Brothers, like Ibrahim El Houdaiby, have left the Brotherhood and started their own small political parties, or joined forces with more established, popular, moderate former members like Abdel Moniem Aboul Fotouh. Their defections have only reinforced the orthodox conservatism and authoritarian nature of the movement. On November 22, 2012, when Morsi declared himself above legal challenges, the Brotherhood ordered its younger members to gather in support of the president's statement, even before the content of that statement was known. The young Brothers actually had no idea what Morsi was going to say. They just knew that they would agree with it.

The silent majority remains the most potentially potent force in Egypt. To be sure, the Brotherhood is currently the most powerful and organized political force in the country. It can count on a bloc of between five and 10 million voters. And these voters have delivered victory after victory over the last 22 months in referenda as well as parliamentary and presidential elections. In fact, it is likely that Islamists will win the upcoming parliamentary elections. However, Egypt has more than 50 million voters. The biggest bloc is the unaffiliated — either because they don't care, don't know enough about politics, or are disillusioned. For example, only 11 million voters approved the Islamist crafted constitution. This of course does not mean that the other 39 million voters reject it, but if the Brotherhood can only get one fifth of voters to make their way to a polling station to register their approval of such an important document, it means they can be beaten.

The prevalence of undecided potential voters means that Egypt's divided non-Islamists could make electoral progress if they successfully appeal to new voters beyond their own bloc of five to six million, mostly urban supporters. However, to date, Egypt's non-Islamist movement remains incoherent. Thus far, their strategy has been to be the party of "no" and to try to pressure authorities through street protests. This will not work. Non-Islamists can certainly win Egyptian elections, but they have to work twice as hard. They have yet to hone an appealing message, focused on the economy, for example, that would attract voters in places like Upper Egypt or other rural parts of the country, where they are particularly weak.

Authorities are adrift on the economy. There was a strong economic component to the January 25 uprising. Egypt's economy, like those of many other non-oil Arab states, grew under Mubarak in the last few years of his rule, but that growth did little for the poor. As recently as last fall, the Muslim Brotherhood was heralded as "serious" about economic reform. Given Egypt's deep economic problems — growth is anemic, the pound is losing value, structural limitations to growth abound — this should have been the government's primary focus. Instead, the Muslim Brotherhood used its political capital to ram through a constitution and then found it had little leverage to push through some needed but difficult economic reforms.

Of course, if the Brotherhood had pursued political consensus, it might have been better positioned to carry out needed reforms — for example, on taxation and subsidies. In addition, were there less polarization and political upheaval, tourism receipts could well be higher and foreign and domestic investors less skittish. But the Muslim Brotherhood gambled that it was more important to cement its political agenda. For a time, Egypt's regional importance will continue to attract aid — from the IMF, the United States and, increasingly from the Gulf — but room for maneuver on crucial reforms is now much more limited.

Sinai is a serious security problem. Sinai is becoming increasingly lawless and poses a potential threat to Egyptian security and the economy. Since Mubarak's ouster, the gas pipeline in Sinai has been attacked more than a dozen times. In August 2012, the border police were attacked and 16 officers were killed, leading to a major shakeup of the security and military leadership. It is also disturbing that it appears difficult to get solid information about what is actually happening in Sinai — who the Sinai militants are and what are their goals. However, their actions can carry serious consequences. A single devastating terrorist attack on tourists from Sinai-based groups could deal a further blow to Egypt's ailing economy.

Despite all the challenges that post-uprising Egypt faces, Egyptian politics are more alive than they have been in decades, and Egyptian democracy and pluralism are still good long term bets. Entrenched interests and many newly empowered political forces are change resistant — but it is very unlikely that Egypt will return to the kind of "stable" authoritarianism of Mubarak. While they are a small minority, the core group of revolutionary activists agitating for democracy remains indefatigable. Egypt will probably experience a very bumpy few years, but these activists will keep pushing those in power to move toward a more democratic Egypt. Egypt has changed.

Hani Sabra is the lead analyst on the GCC, Egypt, and the Levant for Eurasia Group.

Unbalancing power in Egypt's constitution

By Holger Albrecht, January 31, 2013

Egypt approved a new constitution in a popular referendum on December 22, 2012, by a 63.8 percent vote. The establishment of the new legal framework for the post-Mubarak political order came after weeks of political turmoil, which pitted an Islamist current against a fragmented camp of liberals, leftists, and assorted non-Islamists. This diverse opposition responded to President Mohamed Morsi's fait-accompli with a return to street protests and an angry outcry against the procedures through which the constitution was introduced.

The exchange of reasoned arguments may have been a somewhat naïve aspiration prior to the popular referendum given the poisoned political climate. But it is still striking that the text of the constitutional draft received so little attention in the shrill accusations exchanged by intransigent political opponents. There may yet be time to rectify this failing, however. Representatives of the Morsi government, its opposition, and the judiciary have recently shown signs of willingness to renegotiate bits and pieces of the constitution as well as the by-laws governing the vague provisions in the document. If they do, there will be a wide range of articles to reconsider.

There is reason to believe that Egyptians have to live with the current text, assuming the absence of an extra-judicial power grab and a renewed authoritarianism. Articles 217 and 218 establish a two-thirds majority in parliament followed by a popular referendum as the requirement for any constitutional amendments. The Egyptian political climate has proven conspicuously unsuitable for creating broad-based consensus among political forces, necessary for the amendment of articles. But it is worth the effort, since some of its core provisions will create a real mess for a democracy in the making.

The 2012 constitution, much like the preceding 1971 document, remains rife with flaws and idiosyncrasies. The main problem with the constitution is not its religious content, despite the public focus on those issues. The still largely vague and symbolic framing of articles 2, 4, and 219 does not come close to creating an Islamic theocracy. Nor is the constitution particularly authoritarian in nature. The strengthening of individual rights and liberties as well as some articles designed to curbing executive powers defy this contention.

The greater problem is that the constitution will make life difficult for future policy makers of whatever political camp and ideological color, in part because the text proposes an idiosyncratic mixture of vague articles alongside bizarrely detailed policy provisions. This means that governments who fail to pass appropriate laws will not just have failed at policymaking but will be in violation of the constitution. This could well contribute to the delegitimation of the state as it fails to make good on the promises to its citizens outlined in its own constitution.

Among the most problematic traits of the 2012 constitution is the apparent ignoring of a core consensus among political forces. In the immediate post-Mubarak period the road-map of institution building was developed under the auspices of the Supreme Council of the Armed Forces (SCAF). At least in the first half of 2011 intellectuals, revolutionary youth, and politicians from various camps (with the possible exception of former regime figures and the military) were united to call for a more balanced power structure of political institutions. The idea was to enhance the prerogatives of the legislature to the detriment of the previously dominating executive branch of government, especially the presidency. There was no broad-based agreement to craft a parliamentary system, a scenario that would have presumably met fierce resistance of the power brokers in the SCAF. Yet, political forces agreed that presidential powers of the Mubarakist type had to be curbed in order to give democratic transition a fair chance.

This agreement was not implemented in the 2012 constitution. The document outlines a presidential political system — not necessarily authoritarian, but with a dominant presidency and a number of significant defects. Strong executive powers do not necessarily equal authoritarianism. Presidential and semi-presidential democracies, as in the United States and France, prove the opposite; and a majority of hybrid regimes in Latin America, sub-Sahara Africa, and Asia have experienced consecutive competitive elections despite sweeping powers vested in presidential offices. In this light a majority of the Egyptian constitution's articles that regulate presidential powers do not defy democratic principles. The Egyptian president will continue to enjoy the right of appointment in the government and judiciary (articles 139, 147, 166, 173, 176, 199, 202), and he or she may choose to delegate presidential powers to other political institutions (articles 142, 143, 153). The president formulates core policies (articles 132, 144, 159, 177) and reserves the right of pardon (article 149). None of these articles are necessarily worrisome, perhaps with the exception of article 132. Its wording that the president "observes the separation between powers" is a clear indicator of the authors' perception of the president as a dominant political figure above checks-and-balances. From a democratic theory point of view, the president shall represent the executive body of the state, and thus be part of a balancing act between powers rather than its arbiter.

Reference to democratic theory might be too academic an approach to judge article 132, a largely symbolic, yet telling introduction into the constitution's chapter two on executive authority. Four aspects of presidential powers raise real concerns: de facto veto power in the law making process; strong influence of the current president on the presidential election law; prerogatives to rule by presidential decree; and the outsourcing of core policy arenas from political institutions enjoying electoral legitimacy.

Apart from the fact that the executive will be de facto more active in drafting laws than the legislature, article 104 offers the president particularly strong leverage over the law making process. Draft laws will pass parliament but can be rejected by the president — a decision that can only be overruled by a two-thirds majority in the legislature. Adding to the confusion on law making procedures is the lack of clear guidelines about the role of the two chambers of parliament. While article 104 only mentions the first chamber, the *majlis al-sha'b*, article 102 maintains in vague wording that both chambers of parliament are involved in law making, including the upper house, the *majlis al-shura*. Article 103 regulates disputes between the *majlis al-sha'b* and the *majlis al-shura*. Both articles, however, remain silent as to the procedures applicable to draft laws rejected by the president. In practice, qualified two-thirds majorities in parliament are difficult to secure, all the more so when a rejected law goes back to both chambers. The presidential rejection will thus, in most cases, turn into a final verdict on the proposed law.

The presidential election law is particularly confusing. Article 136 only calls for a direct vote and an absolute majority, with the legal fine tuning regulated by law. And here we are back at articles 102 through 104. Since, first, there is no law regulating the forthcoming presidential elections and, second, the president has de facto veto powers as of article 104, Morsi will have a strong influence over the drafting of the law ruling over his possible reelection in 2016. To complicate matters further, article 177 brings in the Supreme Constitutional Court (SCC) that has to be consulted in matters concerning presidential, legislative, and local administrative elections. There is still time ahead of the next presidential elections and it is unlikely that lawmakers will touch the matter any time soon. Yet, if the current political climate persists — with a seemingly intractable stand-off between the SCC and the Islamist camp — we will most likely witness a very contentious law making process. That the current president enjoys significant leverage upon the procedures regulating his possible second-term elections will cause the opposition to cry foul, especially when they lose. A possible solution could be that the law regulating the June 2012 presidential elections is adopted, but this is uncertain und somewhat unlikely.

Article 150 is one of the most problematic pieces of the constitution and has triggered substantial criticism in the Egyptian political establishment. It most clearly violates the prior consensus that presidential powers be curbed. The article grants the president the right to draft decrees on issues "relating to the supreme interests of the state." Of course, with some imagination, quite a number of political challenges, policy arenas, and decisions would fit this fuzzy designation. Presidential decrees have to pass popular referenda, a clause that invites popular — and populist — presidents to rule by decree and sideline parliament.

A fourth contentious aspect of presidential powers is the de facto outsourcing of core policy areas from the civilian institutions of the state. Articles 141, 145, 193, 194, and 197 define issues of security and defense, but also foreign policy, as areas where decision-making will effectively be outsourced from political institutions with popular legitimacy. Those issues are moved to three ambiguous councils with overlapping competencies (National Security Council, SCAF, and National Defense Council) that are to be recruited from civilian politicians and military personnel. This comes in conjunction with the complete absence of civilian oversight of the military establishment concerning recruitment, organizational structure, decision-making, and the military's economic empire. The president is a member of all of these councils and exerts particular leverage over foreign policy (article 145), virtually copying arrangements under the Mubarak regime.

To be fair, attempts have been made to introduce measures to control the president. Some of those limit presidential powers, whereas others were designed to endow parliament with control mechanisms. Article 135 allows both chambers of parliament to propose candidates in presidential elections. The clause that 20 members are needed for a candidate's registration might actually come to the advantage of party politics. Political organizations in Egypt have been notoriously fragmented in different factions, personal fiefdoms, and would-be parties. Thus, article 135 contains an incentive to move toward greater party cohesion and coalition building, at least ahead of presidential elections. Article 133 reintroduces term limits for presidents, who can be reelected only once. Moreover, the duration of terms has been cut from six to four years. Article 127 is an interesting attempt to balance power relations between the president and parliament. It allows the president to move to dissolve parliament through a popular vote, a provision that might come as a necessary step to solve a deadlock between the two institutions. Yet, an important clause has been introduced in order to impede the article's abuse: losing the popular referendum triggers the automatic resignation of the president.

Articles 146 and 148 serve to check the president's possible application of extraordinary coercive measures. According to article 146, the *majlis al-sha'b* has to approve the president's declaration of war, a prerogative that might not matter much in practice because the rallying-around-the-flag is a likely scenario in a crisis leading to violent conflict with another country. Article 148 is more significant in that it holds that both chambers of parliament approve the president's declaration of a state of emergency, applied for the first time on January 28 amidst violent clashes two years after the January 25 revolution. The parliament's oversight of the application of emergency measures means the departure from an important tool of authoritarian rule under Mubarak who used a protracted state of emergency ever since his takeover in 1981 in order to maintain a parallel court system of state security and military courts and coerce political opposition into submission.

Some of these articles can be powerful tools for parliament to check an over-ambitious executive. Yet, two articles are more ambiguous in that they may lead to a mutual blockade of the executive and legislative branches of government. Article 139 grants parliament the power to veto the appointed prime minister and his or her cabinet — a far-reaching clause that extends parliamentary powers beyond the control of the governmental budget. In the short run, the article secures the protracted control of the Muslim Brotherhood over the Morsi government. It is thus designed to affect the relations within the Islamist camp: between the Ikhwani "mother organization," its political

off-spring Freedom and Justice Party, and the presidential office. In the longer run, article 139 may well lead to a real deadlock over the recruitment of government in the case that parliament is composed of a majority of members in opposition to the president. What is termed in French a situation of "co-habitation" may not be an imminent threat in Egypt, with the Muslim Brotherhood and its Islamist allies promised to dominate upcoming elections. Yet, a constitution usually has a longer life span than one or two electoral cycles; and the article will almost certainly create a deadlock once the voter chooses to send a president and parliamentarians with differing political allegations into office. Article 139 goes on to prescribe the consequence of such a deadlock: the dissolution of parliament.

Article 152 invites an equally unhealthy political practice. The idea of the president's impeachment through parliament is an important component of a democratic system of checks-and-balances; yet it is poorly executed in the Egyptian constitution. Article 152 sets a particularly low barrier of a one-third vote among members of the *majlis al-sha'b* to initiate an impeachment case. For a positive vote — moved to a special court, which will finally decide the president's fate — parliament needs a two-thirds majority. With the latter hurdle in place it seems unclear why it should be made that easy for the *majlis al-sha'b* to trigger an impeachment case. In Egypt's political reality, it is quite likely that a somewhat desperate opposition — failing to win majorities in either presidential or parliamentary elections — would use article 152 on a relatively regular basis in order to discredit the president. The article therefore has the potential to sustain and aggravate the current political climate in which boycott and the general dismissal of the political opponent's legitimacy remain an integral part of the political discourse.

In sum an assessment of the balance of power between the president and parliament presents a mixed picture. Most observers are uncomfortable with the strong position of the president. Yet, the president does face some significant limits — accompanied by a few articles that are designed to institutionalize political deadlock rather than effective parliamentary control. The possibility of political blockades is a somewhat inherent component of presidential systems. Yet, the Egyptian constitution remains particularly unbalanced. In the case of concordance between president and parliament, the former is too powerful and has to resist the temptation to rule by decree. In the case of substantial dissonance between the president and parliament, deadlock is a likely scenario.

Apart from a dominant presidency and ambiguous measures of checks-and-balances it is striking that more traits and ideals of the 1971 constitution have been transmitted to the current document than anticipated by a political establishment energized by the fall of Mubarak and a revolutionary discourse. This can be seen in the articles regulating presidential powers, but also in other parts of the document. For instance, the chapters on economic policies and social development reflect a nationalist, etatist agenda, and a whole number of articles was copied unaltered from the previous document.

This might come as a surprise to observers who mostly see the Muslim Brotherhood as the main force behind the new constitution. The document did not meet expectations that the Brotherhood would engineer a more significant break with Egypt's authoritarian past, introduce an alternative (perhaps their own) social and economic agenda, and make good on their promise to strengthen parliament over the presidency. This is probably because of the Brotherhood's motivation to finalize the institution-writing process as quickly as possible and to secure short-term gains as the most powerful organization in the immediate post-Mubarak era. The resulting document might be there to stay for some time, however, given the high barriers to its amendment.

Holger Albrecht is assistant professor of Political Science at the American University in Cairo and Jennings Randolph senior fellow at the United States Institute of Peace.

A cautionary tale for election boycotts

By Gregory Weeks, March 1, 2013

The Egyptian opposition's decision to boycott parliamentary elections looks familiar to those of us who study Latin America, where high profile boycotts have periodically been used by parties who distrust the government in charge of administering those elections. Unfortunately for the Egyptian opposition, the Latin American experience should be seen as a cautionary tale, since boycotts have too often turned into self-inflicted political wounds. The opposition is choosing not to act as a legislative brake on the executive, thereby reducing its own political influence.

Whether in the Middle East, Latin America, or elsewhere, this is the basic scenario. A controversial regime in a politically divided country holds elections and opposition parties must decide whether to participate or withdraw. Both choices require a difficult cost-benefit calculation.

Participation entails giving some measure of legitimacy to the government's electoral process. The potential payoff — such as winning a plebiscite or gaining a large number of legislative seats — can be significant. A key risk, however, is *losing* the election while simultaneously giving the regime its desired aura of legitimacy. That risk may be mitigated if the regime clearly employs fraud.

Withdrawing is intended to delegitimize the government internationally, thus forcing it to compromise in some manner that bolsters democracy. In legislative elections it also necessarily involves losing any legislative counterweight to executive power, and for presidential elections it means ceding the presidency to the regime.

There is a useful parallel between the current Egyptian case and the Venezuelan legislative elections of 2005. President Hugo Chávez took office in 1999, and in 2002 was overthrown briefly, then returned to power. The country was deeply polarized, and the opposition bickered with the government about the fairness of the electoral process. Just a few days before the election, a majority of opposition parties withdrew.

The result was that *Chavista* parties won an overwhelming majority of seats, and so for the next five years Chávez passed virtually anything he wanted. Since constitutional reform requires a two-thirds vote, the boycott also eventually helped pave the way for Chávez to remove term limits. The traditional parties that spearheaded the boycotting debacle, such as Democratic Action and COPEI (Political Electoral Independent Organization Committee), saw their political fortunes continue on their steep downward trajectory. The European Union's electoral observer mission noted dryly that "a more constructive and mature effort is required by all political forces."

In sum, Venezuela is not a constructive model to be followed in terms of achieving political goals in a polarized election. There are other prominent Latin American cases, involving various types of elections, which should also give parties pause before committing to non-participation.

In 1988, the Chilean dictatorship held a referendum on Augusto Pinochet's continuation in power. After internal debate about how fair it would be, most of the opposition decided to participate, with the Communist Party rejecting elections and calling for armed uprising. At the time, Socialist leader Heraldo Muñoz (later cabinet minister and ambassador to the United Nations) published an op-ed in the *Los Angeles Times*. He laid out all the options and concluded that the "preferred alternative for those who want a return to democracy is to mobilize actively in order to defeat Pinochet at his own game."

He was right. Pinochet ultimately lost the referendum. A presidential election was held the following year and the opposition won. Meanwhile, the Communist Party struggled for years to win seats and never regained the political influence it once enjoyed. A broader boycott would have guaranteed that Pinochet remain in the presidency until 1997.

In 1984, the Nicaraguan opposition did not participate in the presidential and legislative elections that kept Sandinista Daniel Ortega in office. In that instance, the U.S. government pressured the conservative parties to avoid any legitimation of a "Soviet-style sham election." When the dust settled, Ortega was president for another six years and the opposition had no role in governing or writing the new constitution (which is still in place today). Its influence instead came in the form of covert operations.

There is one Latin American case of a successful boycott, but it tends to prove the rule. In 2000, Peruvian President Alberto Fujimori had been in power 10 years and his approval rating was slipping under the weight of corruption and abuse of power charges. Alejandro Toledo ran against Fujimori, and many polling agencies predicted his victory. When the results showed neither had received a majority amidst widespread perception of fraud, Toledo refused to participate in a second round and called for Peruvians not to vote. That gave Fujimori the presidency, but it was short-lived. After massive demonstrations and revelations about more corruption, Fujimori fled the country four months later. The boycott was thus just one part of a much broader political strategy.

In Egypt, the National Salvation Front is taking an understandable but risky stand. Telling President Mohamed Morsi to "dialogue with himself" carries with it the real possibility of fostering political self-isolation. If the coalition chooses not to run any candidates, then the government will win a large majority of seats, Morsi will have free rein to quickly pass legislation as he sees fit, and the Muslim Brotherhood will consolidate power even more. If it participates, it will be in a much better position as a legislative opposition to prevent reforms it deems undesirable.

Gregory Weeks is professor and chair of the department of political science & public administration at the University of North Carolina at Charlotte. He blogs about Latin American politics at Two Weeks Notice.

Egypt's static security sector

By Louisa Loveluck, February 6, 2013

Egypt's latest spasm of unrest has stretched from Cairo to the Suez Canal, leaving more than 60 people dead and thousands injured. The police response has been chaotic and often brutal, a stark reminder that Egypt's security services remain unreformed and largely unaccountable two years after the fall of former President Hosni Mubarak. Although President Mohamed Morsi's early months in power offered cause to believe that systemic change within the interior ministry was a distinct possibility, intransigence from the security services, the presidency, and Egypt's political opposition are now pushing the prospect for reform out of reach.

Popular anger against the brutality of Cairo's police force was catalyzed last week when satellite television broadcast a video of Hamada Saber, a 48-year old laborer, who had been stripped naked, dragged, and beaten by the Central Security Forces near Morsi's Presidential Palace.

Official reactions to Saber's public humiliation were swift. Seemingly intent on preventing the footage from joining the annals of police brutality that defined the tenure of Mubarak and the Supreme Council of the Armed Forces (SCAF), its publicity machine went into overdrive as it offered its own version of the night's events. State media

reported that Interior Minister Mohamed Ibrahim had made a personal phone-call to Saber, apologizing for his treatment, and the president's office emphasized that Morsi himself had been "pained at the shocking footage." This was followed by a Kafkaesque episode in which Saber testified from his police-hospital bed, claiming that it was the protesters, not the police, who had stripped and beaten him. According to this account, it was the Central Security Forces who had come to his rescue. However, after members of Saber's family angrily contested this version of events, he retracted his testimony, implying that it came under coercion.

That the official response to Saber's treatment came through an attempt to control the public narrative comes as little surprise in the context of Egypt's post-revolutionary security reform effort. To date, this has largely been characterized by words, not deeds.

The Muslim Brotherhood-aligned Freedom and Justice Party's named security sector reform as one of the seven pillars of its Renaissance Project, the official program adopted by the organization in the run-up to last year's parliamentary elections. Unveiled in April 2012, the project pledged to restructure the interior ministry and issue a new law for governing the police. The early signs of Morsi's presidency seemed encouraging. After winning control from the ruling junta through popular elections, he culled senior police and intelligence chiefs, removing major obstacles to civilian control of the security apparatus.

Yet Morsi did not pursue early opportunities for reform and the rising death toll from Egypt's latest wave of unrest comes as a painful reminder of how little has changed. The only substantive change at the legislative level occurred under the short-lived parliament, as it passed amendments to Law No. 109 (1971) on the Organization of the Police. This removed the president's right to act as the head of the Supreme Council of the Police and amended articles relating to pensions and salary controls. But these efforts were only aimed at minimizing rising discontent within the police ranks, and did nothing to address the issues that continue to facilitate brutality and abuses of police power.

The government has even resisted reform efforts from within the police. Since the January 25, 2011 revolution, at least three groups of mid-ranking police officers have responded to the institution's systematic culture of abuse by proposing initiatives that would cleanse it of corrupt generals and introduce better training and more effective accountability mechanisms. But despite meeting with presidential and parliamentary officials, their demands have fallen on deaf ears.

Morsi's government has instead resorted to repeated use of the Emergency Law. First implemented under former President Gamal Abdel Nasser, this legal maneuver has been used as a legislative Band-Aid to mask the absence of structural change. It allows the police to detain suspects for extended periods before sending them to military trials, as well as to subvert constitutional rights and curb press freedoms. According to Heba Morayef, Egypt Director at Human Rights Watch, these emergency provisions can encourage police abuses. In particular, she says, the process of removing detainees from the civilian justice system "takes away any oversight that [civilian] prosecutors might provide."

The lack of reform continues to be felt most acutely outside the capital. Since 2011, the Egyptian Initiative for Personal Rights (EIPR) recorded repeated instances of "unnecessary recourse to firearms" by police in the governorates outside Cairo. In Minya and Beni Suef, the organization even documented cases in which groups of policemen engaged in revenge attacks on civilian neighborhoods.

But after the latest round of unrest, it is the Suez Canal city of Port Said that appears to have experienced the bloodiest policing episode of the post-Mubarak era. Although an exact timeline of events has yet to be established, clashes between police and civilians on January 26 resulted in 28 deaths; seven more people were killed after a funeral march the following day. In response, Morsi implemented a state of emergency in the city, imposing a curfew and extending the powers of the military and police force. During a demonstration that broke the nighttime curfew, eyewitnesses report that an armored personnel vehicle

shot "indiscriminately" at the protesters. According to Morayef, the deaths in Port Said highlight "not just that the concept of proportionality [doesn't] resonate, but also that there are no limits on the right to use force" against protesters operating near state installations.

As the implications of the lack of reform play out on Egypt's streets, the degree to which the government desires change remains an open question. According to Dr. Omar Ashour, a professor at Exeter University who has conducted extensive interviews with Muslim Brotherhood and security officials, "they have the will but they don't have the capacity. This is because there is strong internal opposition within the ranks of the interior ministry and there is also a deep mistrust between them and some of the figures within the interior ministry. In addition, the Presidential Palace is being attacked every few weeks and in the middle of this, they need the security services so they don't want to shake them up."

Growing polarization between the country's political elites has further stymied the chance for reform, according to Ashour. As certain sections of the opposition have attempted to convince defense and interior ministry officials of their own strongman credentials, he says, the political context grows yet more reform averse.

However, even if Egypt's government lacks the capacity to reform, it retains the ability to minimize levels of confrontation through its own rhetoric. Since mid-2011, there has been a shift in the tone of official declarations regarding the role and responsibilities of the police force. Initial acceptance of a need for change has given way to a focus on the importance of strength in the face of unrest. Declarations now emphasize the right of the Central Security Forces to defend state property with whatever force it sees fit. As Egypt's bloodshed continues to reveal, such pronouncements can be tragically inflammatory.

Louisa Loveluck is a Cairo-based freelance journalist. She writes at leloveluck.com.