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Egypt

Muslim Brotherhood coup and popular reaction

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Nearly two years after the Egyptian revolution in January 2011, the events of November and December 2012 mark a new turning point in the process, which is already being translated into multiple events and important twists. Significant opposition has been expressed to the Muslim Brotherhood, who have held the presidency of the republic since June 2012 and head the government, as a result of the Brotherhood's attempt to institutionalize their political hegemony. The Egyptian revolutionary process is far from over. The current divisions and failures cannot be explained by a confrontation between democrats and Islamists – a reading which is too widespread in the mainstream media. The current crisis is not legal but eminently political.

The current rebellion against president Mohammed Morsi and the Muslim Brotherhood has taken the form of a mass confrontation. The first president elected in a truly pluralistic election has tried to protect his power and consolidate the position of the fundamentalist regime as a hegemonic political force.

Attempt to force passage

The firing of the Attorney General, a relic from the Mubarak era, already appeared as a measure to assert the authority of the Brotherhood over the judiciary authority. Morsi hoped to profit from the outrage caused by the verdicts in the trials of thugs or police officers, which almost all ended with the acquittal of the accused.

On November 22, with his new Constitutional Declaration, he increased his powers. The first point of his statement referred to the renewed investigations into police violence and the new judgment of those responsible. He thus protected the Constituent Commission and the Senate from dissolution by the Constitutional High Court. And then he speeded up the process of drafting a new constitution, leading to the conclusion of the work of the contested Commission and deciding on the organization of a referendum on December 15 and 22, 2012. All these decisions were intended to consolidate the position of the fundamentalist current as a hegemonic political force.

The Muslim Brotherhood in power feels able to pursue such an orientation. The international recognition they have earned from the United States, Europe or the International Monetary Fund (IMF), undoubtedly favour this. They played a decisive role in the cease-fire agreement in the Israeli aggression against Gaza. They have resumed discussions with the IMF, seeking a loan and defending neo-liberal economic policies.

The extent of the protests resulted in a climb-down which was in fact fairly limited. The weight of the protest led a crisis at the top. Cronies of the president resigned. Mahmoud Mekki, the Vice President, announced that the Presidency was prepared to delay the referendum if the opposition accepted dialogue. This favoured the moderate wing of the opposition ready for negotiations.

Issues of the draft Constitution

The Commission of One Hundred, responsible for the drafting the Constitution, is dominated by the Muslim Brotherhood and the Salafists. Its work is highly opaque, since it has held more than 50 sessions in camera. It is

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boycotted by most of the non-Islamist parties. Coptic representatives and liberals have walked out, accusing the Islamists of rejecting any consultation and according too many references to Islam. Manal al-Tibi, head of an NGO, even talks of “ideological intimidation”.

This draft is very problematic because it is dominated by its ambiguities. Its many fudges leave the door open to drift. The mark of the Islamists is strong. Many problems exist in the area of the rights of women and Copts, not to mention social rights. It may even appear as a backwards step [1].

The effective powers of the president pose a problem. The army sees its special status maintained with a few changes. Its budget (estimated at \$5 billion) and economic activities (assessed at 25% of the gross national product) are beyond the control of Parliament. Article 197 establishes a National Defence Council, chaired by the president, which includes the most important ministers, the head of the secret service, the Chief of the General Staff and the main army figures. It must ensure “the protection and the security of the country and the armed forces budget”. This Council, which is not under the control of the Parliament, must be consulted for any project concerning the army. The minister of defence, who must be an officer, is commander in chief of the armed forces.

The Consultative Council becomes an important centre of power. Article 131 grants it the right to exert sole legislative power in the event of dissolution of the Assembly. The text neutralizes appeals against the composition of the Consultative Council before the Supreme Court. The Council must approve the appointment by the president of the heads of the bodies of control. These can only be suspended with the approval of the majority of the Council. This is in contradiction with the powers of these agencies of control of public funds, including those of the Consultative Council. All of this works to the detriment of the Supreme Court.

The trial of civilians before military courts is maintained with article 198. The military retain the right to try civilians with the code of military justice, an old tool of repression against the opposition. Guarantees against arbitrary detention and torture are recognized, but there is no criminalisation of the use of torture.

As for freedom of the press, article 48 does not prevent the imprisonment of journalists and does not recognize the press as an “independent popular power”. It allows the closure and the suspension of newspapers by court decision. The press must respect the “requirements of national security”. Article 47 threatens the right of access to information which should not oppose “national security”.

There is no progress for women's rights. Section 33 prohibits discrimination and states that “all citizens are equal before the law” and “have the same rights and public duties”, but women are not explicitly mentioned. The formula “without distinction based on gender” was removed at the last minute. Women's rights are mentioned only in article 10... as mothers!

As regards Sharia law, article 2 States that “the principles of Islamic law are the main source of legislation”. The attempt of the Salafists to impose the “precepts of Sharia” formula was unsuccessful. Article 219 explains that “Sharia principles” include “the fundamental rules and the jurisprudence of the Sunni doctrines”. This leaves the door open to a multitude of interpretations, not to mention the risk of intervention by the Islamists in the criminal law.

The Al-Azhar religious institution is recognized as having a political role with article 4, which gives it the task of interpreting the Sharia: “the opinion of the Council of Al-Azhar must be taken in matters relating to Sharia”. The word “matters” is more than hazy. This could give this institution a right of scrutiny over laws that will only come into effect after their adoption by the Council of senior Al-Azhar scholars appointed by the president.

A disputed referendum

With the referendum on December 15 and 22, 2012, Morsi was looking for additional legitimacy. It was very far from the success expected despite the official result of 64% in favour of the draft. First, the ballot was marked by many irregularities, to the extent that Baha Eddin Hassan, head of the Cairo Human Rights Centre, speaks of “a referendum in the Mubarak style” [2]. The list of irregularities is long: lack of judicial control, replacement of judges by observers from an NGO close to the Muslim Brotherhood, detentions, intimidation, theft of ballot papers, premature closure of polling stations and so on. Also, abstention was very strong, at about two thirds of those registered to vote, with peaks as in Aswan, where 86% of the electorate did not take part in the vote. This is the lowest participation rate of any poll held since January 25, 2011.

A keen resentment was translated into powerful mobilizations against the authorities across the whole of the territory. Resistance immediately gained a popular echo expressed with the response of the judges, the interventions of artists concerned about pressures and censorship or again media, television and newspapers, concerned for freedom of expression and the independence of the press due to multiple pressures and harassment by the Islamists since June 2012. Young football fans still affected by the bloody repression in Port Said at the beginning of the year are mobilizing, not to mention employees increasingly confronted with an authoritarian policy which seeks to block protests and independent trade unions.

Demonstrations are important. Slogans reappear like “bread, social justice and freedom” or “the people want the fall of the regime”, a sign of the depth of anger. The authorities are trying to assimilate the judiciary to the Mubarak regime. If some of the senior judges are indeed from the camp of Mubarak, many of them fought for the independence of the judiciary and participated in the democratic challenge. In Egypt, judges have a certain credit, appearing as a recourse in a context of inequalities. Hence the importance of legal battles.

At first, the authorities remained inflexible. They tried to regain the initiative, playing to a virulent “anti-feloul” (remnants of the former regime) demagoguery. They organized a counter-demonstration on December 2 and then from December 3 began an encirclement of the Constitutional High Court to prevent it from ruling on the unconstitutionality of the Senate, the Constituent Commission and Morsi’s decrees. The use of the referendum was based on the argument of the need for the purging of pro-Mubarak elements and counter-revolutionaries from the judiciary, and the defence of the country threatened by these “feloul” and their allies in the judiciary.

The protests continued to grow. A historical event took place on December 4, 2012, converging on the Presidential Palace in Heliopolis although there were many other demonstrations around the country. Various offices of the Muslim Brotherhood’s Party of Freedom and Justice were targeted. In Cairo, the protesters surrounded the Palace, the president opting to leave. The next day, Muslim Brotherhood supporters from across the country attacked demonstrators in Heliopolis and elsewhere. Violent clashes left seven dead and hundreds injured.

Sharp objections

The power of the Brothers, which remains significant, is the result of a slow and patient work of penetration of the social body and taking root since the 1970s after their suppression and marginalization in the Nasserite period. Their electoral successes, their place in the professional unions, their place in society, and their ability to mobilize attest to this.

But with this episode of deep discontent that they are undergoing, it is clear that they are far from being invincible. The discontent is impressive, especially in provincial towns where it may prove to be more complicated to oppose

them. Their policy errors have led to the present dissatisfaction. Their retreat is clear, even if it is found to be limited to the cancellation on December 9, 2012 of the controversial decree. Of course, Morsi did not yield on the essential, namely the referendum on the constitution. The mobilizations have created difficulties for the Muslim Brotherhood but they have not at all disappeared. Far from it.

Faced with the regime and its offensive, different currents regrouped in the National Salvation Front (NSF) from October, taking up the demands of the movement for an another constitution, justice for the martyrs, the judgment of those responsible and economic reforms. The NSF brings together liberal, secular and left organizations. This includes the nationalists of the Egyptian Popular Current led by the Nasserite Hamd n Sabbahi, liberals like the Party of Free Egyptians, the Wafd, the Party of the Constitution led by Mohamed El-Baradie, young groups like the Democratic Front of April 6, the left with the moderate Egyptian Social Democratic party, Tagammu' (gathering), the Socialist Popular Alliance, the Socialist Party of Egypt and the Revolutionary Socialists, and the National Association for Change.

The NSF has actively participated in the large mobilizations, demanding the annulment of the Constitutional Declaration, the non-holding of the referendum and the establishment of a new constituent assembly. Not without hesitation, a few times, between refusal and negotiations. This broad grouping nevertheless has internal tensions notably in relation to the presence of "feloul". Abdel Moneim Aboul Fotouh, a former Muslim Brother and presidential candidate, refused to join the alliance for this reason. The presence of Amr Moussa, former Foreign Affairs minister under Mubarak, is a problem. The risk exists that the NSF becomes a simple gathering of those hostile to the Muslim Brotherhood. This question is tricky. Not to mention the differences: some sectors seem disposed to negotiate and to return to the formal process, risking the objectives of the revolution.

The left, in its different components, participates in the mobilizations. Divided and fragile, it does not have a real independent influence. In addition to the differences and rivalries, its last attempt, in September, to regroup with the Revolutionary Democratic Alliance (RDA) had no tangible results. It includes the Socialist Party of Egypt, the Socialist Popular Alliance, the Tagammu', the Workers and Peasants Party, the Egyptian Communist Party, the Egyptian Coalition against Corruption, the Socialist Revolutionary Movement (January), the Union of Socialist Youth and the Mina Daniel Movement. Ahmed BahaChaban, a leading figure in the ESP, considers that it is not a simple electoral coalition but a long term project to build a bloc capable of intervening. The future will decide.

The Muslim Brotherhood and the exercise of the power

These recent developments reflect a sharp decline in the popularity of the Brotherhood. They had won a majority in the parliamentary elections and raised huge hopes of meeting expectations in terms of democracy and social reforms. It is their management of public affairs that is at issue. They appear authoritarian, even autocratic, with their desire to ensure the control of power. However, initially, they did not go in this direction. After a short cohabitation with the SCAF (Supreme Council of the Armed Forces), on 12 August Morsi dismissed several minister-generals and gave the impression of going towards the end of the military regime. In fact, behind-the-scenes negotiations had led to the decision.

A turning point occurred in autumn. On October 10, 2012 after the emotion caused by the acquittal of the leaders of the "battle of the camels" (when thugs had charged the demonstrators in Tahrir Square), Morsi attacked the former officials acquitted, promising that they would be retried. He dismissed the Attorney General, who refused to resign, and called on his supporters to take to the streets. But on October 12, the Muslim Brotherhood were driven from Tahrir Square by stone-throwing. On November 18, during the commemoration of the victims, protesters tried to remove the blocks of concrete closing off access to the Ministry of the Interior. The police repressed them. The

demagoguery against the judiciary intensified.

This strong disillusionment with the Muslim Brotherhood is expressed in radical hostility: Morsi is compared to Mubarak or is referred to as "Morsilini". His resignation and his departure are demanded. The new tone is similar to the first challenges to Mubarak.

The regime chose to win the good graces of imperialism. Morsi committed himself to respecting the international agreements signed by Egypt. The United States demonstrated a real "political pragmatism" (in the words of Abdel-Moneim Saad, former CEO of Al-Ahram), first looking for the maintenance of their strategic interests. Support for the regime is given in return for the guarantee of the security of Israel, local and regional stability, continuation of privatization and foreign investment, and the security of the Suez canal through which about 8% of world trade passes. Washington says nothing about the Constitutional Declaration, but covers Morsi with praise over Gaza. According to political scientist Hala Moustapha, the United States and the Muslim Brotherhood officials have concluded arrangements, no doubt with the help of Turkey and Qatar. The conciliatory attitude of Europe is based on strategic rather than democratic calculations. The IMF also seems well disposed as shown by the discussions between Morsi and Christine Lagarde in the summer, while the Government has advanced towards an orthodox policy with a possible devaluation of the pound, reducing subsidies and higher taxes.

Social struggles and the trade union question

A deep social discontent is expressed constantly. The social struggles, by their magnitude and their consistency, are a factor of importance in the overall situation, with more than 2,000 strikes in September and October of 2012.

The protests take many forms: strikes, sit-in protest, blockades of roads or railways, or administrative or official buildings, occupations of public places, or even attacks on state buildings, kidnapping of officials or refusal of payment of water or electricity bills. This can go all the way up to riots. These struggles are often partial or local; sometimes they affect a whole sector. General strike attempts have failed. The complaints are mainly economic, concerning increases in wages, the hiring of precarious workers, sometimes nationalization. But they can take a political character as with demands for the dismissal of managers of firms, particularly those linked to the army, or the former regime [3].

Employees must face an increasingly authoritarian policy. An SCAF decree on May 8, 2011 criminalized social resistance with heavy fines and prison sentences. In June 2012, it was estimated that more than 20,000 Egyptian workers had been dismissed since January 25, 2011 for social protest. Repressive measures are multiple: judicial harassment, imprisonment, disciplinary sanctions, and arbitrary changes because of strike or trade union activity.

The dynamic independent unionism which has developed on a significant scale must now face serious obstacles. Its existence remains precarious. Its legal recognition is far from being acquired, not to mention the persistence of the old official Trade Union Federation (ETUF), which the Muslim Brotherhood are looking to maintain and control.

The future trade union law is an important issue. After the hopes of the beginning of the process, with a first draft drawn up in summer 2011, the signs are now worrying. The first draft has been shelved by the SCAF, and then by the Parliament dominated by the Muslim Brotherhood. The latter have prepared another text which, de facto, bans the formation of more than one trade union in an enterprise "to avoid duplication of effort, without limiting the right to unionize" according to Islamist MP Khaled al-Azhari, now minister of labour. The next union elections will be a test. Initially planned in November, they were postponed for 6 months. Supporters of trade union pluralism were opposed

and demanded, firstly, the adoption of a law on trade union freedoms.

The Muslim Brotherhood are also trying to ensure control of the unions with amendments to the law on the ETUF. These amendments will facilitate the take-over of the regime of the official unions. In the meantime, the current members of union leaderships who have reached the age of retirement will be replaced by others. The replacements are to be selected on the basis of the results of the previous (rigged) union elections or appointed on the administrative decision subject to ministerial endorsement. The trade union activist Saber Barakat, a member of the Egyptian Committee for the Defence of Workers' Rights, believes that this will promote the hegemony of the Muslim Brotherhood over official unionism: nearly 80% of leaders are over 60! It amounts to a clash between the supporters of the former regime and the Muslim Brotherhood.

Obstacles and challenges

Political and social conflict is strong in Egypt. Nothing is settled. The past few weeks attest to it. The overall situation is characterized by its volatility. Several serious obstacles exist to an evolution favourable to democratic and social demands.

The general evolution of the political situation is the decisive factor. Its complexity is great because it is not just a conflict between fundamentalists and secularism [\[4\]](#). The questions of the break with the Mubarak regime and democratisation are still ongoing. Between an evolution towards greater democratic space or more closure, the options are many. Everything will depend on mobilization, on the rootedness of democratic forces and the balance of forces. Right now, the opposition to the Islamist forces has failed to impose a favourable balance of forces. Structuring of the workers and youth remains very low. Hence the leading role of liberal or nationalist forces.

The level of social protest is high. Attempts to stop the social protests have failed so far, but they are continuing. Strong social conflict has not managed to impose a favourable relationship of forces. The independent trade union movement, while in full swing, remains fragile and marked by divisions and disparities in terms of experiences and rootedness. In the recent street mobilizations it has not played an autonomous role, even though it took part in the movements.

One of the most positive elements is the appearance of a new generation of activists, both in the youth groups and trade union networks. One of the issues is the ability of the combative poles to take root and develop into a force able to weigh on the overall situation and to advance democratic and social demands for rupture and real change. A huge task, which is far from being accomplished.

Recent events demonstrate that Egypt since January 25, 2011 is still a land of unexpected developments and large mobilizations. The setback suffered by the Muslim Brotherhood and their retreat prove that the game is far from being settled in favour of the Islamist currents. However, they remain influential.

Institutional issues have become key to the political future of the country. Not to mention the sharpness of the social question. The worksite opened by the departure of Hosni Mubarak is still under construction. Nothing is yet stabilized. Despite its complexity, the situation is rich with enormous risks and important potential. The revolutionary process continues.

[1] Aliaa Al-Satchidananda and Heba Naidu, "Egypt: the establishment of an authoritarian regime", Al-Ahram Weekly, December 5, 2012

[2] Press conference, December 16, 2012

[3] For example in the chemical group Nasr, a subsidiary for military production, workers are demanding the removal of a number of military directors and officers from the management

[4] See Tamer Wagih, Egypt Independent, November 25, 2012