

Egypt's Democratic Experiment: Challenges to a Positive Trajectory

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ABSTRACT *As Egypt charts a path to democracy, it confronts the legacy of 60 years of dictatorship. President Morsi faces an ongoing power struggle with state institutions, including the judiciary, that are resistant to change. Furthermore, the opposition is unwilling to play by the rules of the democratic game and is primarily focused on undermining the government through street protests rather than the ballot box. If Morsi can navigate through these political challenges, Egypt can emerge from the present economic downturn and move towards a potentially dynamic political and economic trajectory.*

The end of Mubarak's rule was momentous both in terms of how it came about through popular protests and his trial. The barrier of fear was broken, and Egyptians of different political views could now voice their opinions, all of which was no small development in a country that had known various forms of political repression for 60 years. However, the legacy of dictatorship continues to mar every aspect of the Egyptian state and society. The damage will take decades to reverse and the extent of that damage is felt today by those who want to institute reform, whether it be the government or civil society.

The Legacy

Historically, a dictatorship survives because it has control over the main institutions of the state and also has the support of the vested interests. Egypt's dictatorial regime survived with the backing of the military, the state security apparatus, the police, and crucially the judiciary and the media as well as much

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of the economic elite. These were the overall instruments that perpetuated a system that best served a business oligarchy that benefited economically as it had never done previously. The challenge for Egypt's newly elected government is how to reach a new working relationship with the people that make up these institutions as with the rest of society. A new social contract between all sectors of society needs to be drawn up, and there needs to be a process of

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restructuring the institutions themselves, notwithstanding their inevitable resistance to change.

One of the strongest legacies of past regimes and which needs to be urgently addressed is that of human rights abuses perpetuated by the security sector and police brutality. It needs to be tackled urgently be-

cause it hinders an already difficult attempt to transform the system into a constitutionally democratic one and reflects the difficulty the present government faces in trying to establish its authority over the deposed regime's institutions. Abuse of detainees continues to be a feature of police practice. The police force, poorly paid and desperate to protect its interests, has divided loyalties, which is proving a challenge to overall security in the country. The government is engaged in a tug of war and a gradual process of change and accommodation. It has had to water down its measures and proceed cautiously with any idea of reform so as not to create even greater fissures between it and the Ministry of Interior and the police force in order not to allow security situation in the country, which the security apparatus had allowed to deteriorate badly, from deteriorating even further. The answer does not lie in procrastination, but the situation is one in which the government has had to play a delicate balancing act in order to avoid a complete breakdown in law and order.

One of the main challenges facing the present government and its supporters is the legacy of antagonism toward the Muslim Brotherhood and what is referred to as political Islam or Islamists. The anger and misinformation that has plagued the Muslim Brotherhood and the Freedom and Justice Party (FJP) since the fall of Mubarak has repeated the propaganda that has been leveled against the Islamists for decades. Successive regimes have sought through the media and other channels to create a climate of fear in relation to what the Islamists (not distinguishing between different groups) might bring in terms of extremism and restrictions on political and, most importantly, personal liberties. This has been exploited to the utmost by the secular and liberal groups since 2011 partly in order for them to gain greater ground. The level of misinformation that has been circulated in the mainstream media and social media is reminiscent of the worst anti-Islam and anti-Islamist voices in the West

after 9/11. To reverse deep-seated fears among a society that has been fed on government information about the Brotherhood for decades and which is on-going by political opponents today is not an easy task.¹ Despite this, the reality on the ground is that every time there have been elections or referenda since January 25, a majority of the participating electorate have endorsed the President, the constitution and the FJP.

Forestalling the Democratic Process

Egypt's judiciary has frequently been described as independent, and although individuals in it may have opposed the policies and interference of Mubarak in the past, as a body it served the dictatorial state and had been loyal to it from Nasser onwards. In this there are parallels to the judiciary under other autocratic regimes, including that of Franco's Spain. This loyalty has been evident from the moment Mubarak fell. The first freely elected parliament for 60 years, and which resulted in an overwhelming majority for the Islamist parties and particularly the FJP, was dissolved by the Supreme Constitutional Court in June 2012, encouraged by the Supreme Council of the Armed Forces (SCAF), on the pretext of a flawed election law². That was the same body that had supported the legitimacy of previous "elections" held under dictatorial regimes from Nasser to Mubarak.

Even when SCAF stepped back from the public arena, the judiciary continued to work against the foundation of a popularly elected legislature.³ This came to a head over the issue of the drafting of a new constitution by the Constituent Assembly, whose membership, while inclusive, reflected the elected majority of Islamists. Much was said in the media about the polarizing effect of this new draft, although it was in effect based on the suspended 1971 constitution which the old regime had drafted and which the judiciary had supported, with some additions, notably a reference to the *shura*, additional workers' rights, freedom for the media, a limit to military tribunals, and perhaps importantly for the opposition it introduced a ban on members of the previous ruling party, the NDP, from participating in political life for a period of ten years, and most importantly for the democratic process, a curb on the presidential office limiting it to a maximum of two four-year terms (against unlimited seven-year terms).

There was something of a tug of war between the President and the judiciary as there was fear that the Supreme Constitutional Court would dissolve the parliament, preventing the constitution from being put to a referendum. The President forestalled this move by taking on additional temporary executive authority and had the constitution put to the popular vote. Despite a massive campaign by the judiciary, the secular parties (who had lost the parliamentary elections) and the supporters of the NDP, the constitution was passed by a



An Egyptian woman walks past graffiti that reads in Arabic, "Mubarak is coming" referring to ousted president Hosni Mubarak, in Cairo. AFP / Khaled Desouki

majority of the voters, albeit on a particularly low turnout. Thus this important second step in moving toward the next stage of establishing democracy was stalled and ultimately partially discredited internationally and perhaps more importantly among a large part of the electorate.

The power struggle continued at every stage of the democratic process towards securing the state under the presidency and obstacles emerged. The judiciary, bitter and antagonistic at having lost the referendum battle, moved, with the support of the minority parties in the previous parliament and supporters of the old regime, to forestall new parliamentary elections to replace the popularly elected parliament it had annulled. Rather than allowing popular elections to take place in stages from late April to June for a new parliament, the Supreme Administrative Court overturned the presidential decree calling for the elections, questioning the constitutionality of the electoral law, and referring it back to the Supreme Constitutional Court. The presidency accepted the deci-

sion to refer the matter back for ratification, avoiding another confrontation,⁴ and echoing the way in which the elected presidency is trying to deal with the institutions of the old regime. Delaying the parliamentary elections was a further attempt to obstruct what is expected to be another win for the FJP and other Islamist parties. Unprepared and divided, the various opposition groups under the umbrella of the National Salvation Front wanted the postponement of elections by partly claiming that the security situation warranted a delay. There was also a subtext used by the opposition arguing that they should be allowed an equal share in government for a transition period, possibly for several years, rather than moving straight to an elected democracy.

The opposition has contributed to the present state of instability by opting to delay the democratic process, albeit through judicial backing, and even by some of the opposition calling for military intervention. The danger of this for the prospect of democracy in Egypt and the region is enormous. By playing spoilers, the opposition has been engaged in a political game against an elected government despite its show of commitment to the democratic process at a critical stage of Egypt's development. The opposition is trying to make gains through upheaval on the streets because it learnt early on that it was losing the electoral battle.

Some argue that democracy is not just about majoritarianism,⁵ which clearly it is not, but the majority vote is the accepted means by which a party comes to power. The consensus building that occurs between different parties is important and part of a negotiation process in which all key players can make a contribution. However, failure to bring in other parties into a power-sharing equation does not delegitimize the majority party that is voted in.

The acceptance of the democratic process requires all parties to abide by the rules of the game and to accept the results. The means to fight the next political battle need to be through institutions and campaigning. That is why it is so essential that Egypt's opposition does not put obstacles in the way of parliamentary elections that are so crucial to the next stage of Egypt's democratic transition.

Law and Order

The security situation itself had taken a serious turn for the worse in the canal cities. In Port Said, in response to football hooliganism unchecked by the



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this level of disruption continued it would threaten the state. Some took this to mean that the military wanted to intervene, but it was more likely to have been a warning to the protestors and the opposition. It may also have been meant to give the army options in laying the foundation for any future intervention on the streets that would be used in order to control a deteriorating security situation.

Ensuring security is key. For the public there is resentment at the protestors for the impact of the upheaval and violence on the economy, as well as anger at the government for not responding more firmly. However, the government may appear weak to the public because it is reluctant to turn to, or sanction, the similar heavy-handed policies of its predecessors. It has tried to ensure restraint on the part of the security forces and appear fair towards both the protestors and police who have been attacked. The need for security sector reform remains urgent, but both the culture of violence and a weakening of control over the institution itself prove serious obstacles to speedy reform.⁷

The nature of the political and social landscape is changing fast partly because of the notable demographic bulge (40.7 percent of the population is under 25 years old)⁸. This bulge, combined with slow economic growth, has resulted in a large pool of unemployed youth (estimated at 25 percent, with over half of their numbers living at or below the poverty line), with an additional 4 percent coming into the workforce annually. As the protests have evolved, individuals, sometimes without a specific political agenda other than anger at their current situation and with time on their hands, are gathering in large numbers and they can turn to violence. This in turn makes them malleable to many directions. Thus the protests in which non-violent activists have participated in the past are now overrun with remnants of the old regime ("*feloul*") seeking to instigate violence in order to maintain a level of instability in the country to undermine the government. These conditions have in turn discouraged potential investments.

A call for military intervention has been voiced by different political figures and among the public in order to create greater security. However, for political players the motives are mixed and are primarily aimed against the presiden-

security forces and which resulted in 79 deaths and more than 1,000 injuries, riots erupted, then erupted again when the courts condemned 21 to be executed for murder during the incidents but only two police officers were convicted for negligence⁶. General Sisi, head of the armed forces, warned that if

cy. The military's experience under the SCAF in the aftermath of the fall of Mubarak tarnished their image and opened them up to attack. The issue of the military trials of civilians came to the fore, as did the questioning of their economic empire. It is not an experience that they are likely to want to repeat. The upper echelons of the military, Field Marshall Hussein Tantawi, Head of SCAF and military Chief of Staff General Sami Enan, had become increasingly unpopular and there had been a growing restlessness within the army itself for new blood to come to the front.⁹ Morsi's move against the top echelons has proved popular.

Egypt's successive dictators, Nasser, Sadat and Mubarak, were all military men but the military has managed to maintain the belief among Egyptians that in essence the fathers, brothers and sons of the nation make up the army. As a result its popularity has remained, although partly dented particularly among a younger generation of Egyptians, and it has been somewhat saved by the removal of an older generation at the top. The issue of military-civil relations remains delicate in so far as the military's status, budget and economic interests are not areas that are transparent. There is a *modus vivendi* that has been reached in order to allow the democratic process to progress, one which the US has probably encouraged. However, the issue of greater transparency of the military's interests will need to be addressed the more the democratic process takes root and elected parliamentarians become more confident.

The Problem of the Economy

Egypt was often described by analysts and policymakers as "on the brink", despite average growth of 5 percent (peaking at 7 percent), during the latter years of Mubarak's rule (slowing to around 2 percent from 2011), with real per capita GDP rising from just over \$1,500 to just under \$2,000,¹⁰ and with public debt standing at 85 percent of GDP.¹¹ It was often asked how the state managed to function with unreformed state institutions and a bulging bureaucracy. The answer lay partly in the stilted benefit of this growth. Corruption and inefficiency have been features of state institutions for decades (the most recent Corruption Perceptions Index places Egypt at 118 out of 176 worldwide¹²). It is these same institutions that are now resisting change as they are fearful of what this might imply in terms of livelihood and the "usual way" of doing things. In this Egypt is not dissimilar to other countries in Africa, and those who sought to bring about change in Latin America.

The economic crisis facing Egypt, a country with reserves that have fallen to \$13.5 billion (below the \$15 billion needed to secure three months of food imports),¹³ is perhaps the greatest threat to stability and the reason why there has been growing skepticism and disappointment with the current government.

Egyptian protesters take part in demonstration to show their support for their country's military and against the ruling Muslim Brotherhood, on March 15, 2013 in Cairo.

AFP / Khaled Desouki



Again there is a question of legacy as Egypt has moved from food independence to food import dependency.

Many of the attacks by the opposition would have had little impact with the general public had the economic situation not continued to deteriorate. The expectations of the majority were running high at every level after January 25, 2011; it's as if the removal of the symbol of a regime would also open the way for a more equitable distribution of wealth and put a check on corruption, especially in high places. After all, one of the main demands of the revolution was social justice. However, Egypt's economy is fragile, with large parts of the economy outside the official economy (the military complex is reportedly equal to 25 percent of GDP, and the super rich who control most of the remaining wealth do not in general pay tax). It is possibly coincidental, but noteworthy that street opposition to Morsi intensified soon after his speech last October in which he declared that he would go after the oligarchs who withheld their tax dues. Again, the government is dealing with legacy issues, some recent as when the SCAF failed to secure the IMF loan early on during the transition period; the decline in tourism, one of Egypt's main sources of income, since the start of the upheavals; and that investors have shied away or are waiting to be assured that the government is in control and that the violence will subside.

While Qatar and Turkey have stood by Egypt and have offered some much needed financial and moral support, there is clearly a reluctance from others, especially from those most able to bail out Egypt, namely Saudi Arabia

and the UAE, to come forward at the governmental level with large-enough contributions that could make a substantial difference. The reluctance to help is largely due to a perception that the success of the Morsi government will strengthen the Brotherhood, which in turn would embolden those Islamists critical of their own governments in the Gulf. This line of thinking is misplaced on two main levels. First, Egypt's government and the Brotherhood are aware of the necessity of having good relations with the GCC and are keen to ensure economic support and investments. Secondly, they realize that interference is the last thing that would benefit their interests and that it would not be welcomed by those groups demanding reform in the Gulf states. Their own domestic circumstances dictate that they need to rally support from within their own countries, and they are obviously emboldened by the general regional changes that have occurred because of the Arab Spring.

Despite the setbacks and challenges regarding the economy and security, President Morsi and the FJP are best placed to galvanize that support and hence they need to take the majority with them on the path to reform

What Can Be Done and Who Is Best Placed to Do It?

The present government has committed itself to democratic and electoral politics; the FJP, the leading political party in the country, potentially can appeal to the middle ground. Its approach so far has been well balanced and reformist. It is the best positioned and organized party to lead on domestic as well as foreign policy issues. The array of parties across the political spectrum lacks the breadth of support that the FJP can muster and its potential appeal for now.

The consolidation of the democratic process needs to continue, and this government has to take the lead by upholding democratic principles and proceeding on the path of reforming of state institutions, which will take time, but ultimately the institutions of the state cannot survive any longer as they are. The presidency has looked at examples across the world for inspiration and direction. Programs of action need to be clearly delineated by those responsible and the technocrats involved, and mechanisms for accountability need to be created. In order to move to a stage of rebuilding and development winning the battle for hearts and minds would prove a great asset. Despite the setbacks and challenges regarding the economy and security, President Morsi and the FJP are best placed to galvanize that support and hence they need to take the majority with them on the path to reform.

The idea that there is a “Brotherhoodisation” of the state belies a misunderstanding of what political change by a winning party involves. There is no grand conspiracy but an attempt to ensure that certain positions are taken by those who have bought into the government’s program of change and reform. This is not dissimilar to political change in other transitional democracies. In Egypt, the “deep state” may be fracturing but it remains a major obstacle to contend with. Reforming the system will take time and any government will have to negotiate its way forward.

The ability to move the country in a new direction and to fulfill its potential for growth and development is a real possibility. The very demographic structure that helped propel the anti-Mubarak revolution but which is now leading to some instability could be a positive factor for future economic growth (in some ways it is similar to the Chinese population pyramid some 20 years ago). While illiteracy is high (30-40 percent), Egypt has a high number of graduates (30 percent of any given school year progress to university). On the other hand, it is clear that Egypt continues to lack a sufficient skilled and semi-skilled labor force.

Egypt clearly has significant resources. It exports oil, gas, cotton, metal products and chemicals. The problem is that it imports more than it exports (a ratio of almost 1:2) and crucially it needs to import food as well as machinery. Historically dependant on the narrow strip of land on either side of the Nile and along the delta, it finds that urbanization is encroaching on its already miniscule arable land (3 percent of the total land mass). Moreover, the heavy centralization under the previous regimes has led to an explosion in the growth of greater Cairo, which now accounts for nearly 20 percent of the country’s total population.

Finally, Egypt does not have an entrepreneurial culture, partly as a result of a long experience of exporting people who often bring back skill sets as well as remitting funds. While the media concentrates on the oligarchs, whose wealth has ballooned through corrupt state practice, Egypt does have a second level of middle-ranking businessmen with real experience in growing medium-sized businesses.

The FJP has been trying to build on Egypt’s advantages and to counter the current economic difficulties. Egyptian Business Development Association (EBDA) was established by businessmen sympathetic to the government to collectivize the efforts of the business community and to enhance their experience in medium-sized businesses.¹⁴ They have been working to build trading bridges with Turkey and other regional economies. The FJP is also trying to shift investment outside the centralized zones of Cairo and Alexandria. They plan to spend some 30 percent of their investment budget in Upper Egypt, 22 percent in the Suez region, and 15 percent in the Delta. They also recognize the importance

of tourism, but beyond showing support for the sector, there is little they can do until stability returns to the streets.


The leadership is also trying to learn from other developing economy models such as China. The key advantage that Egypt may have over other developing economies is a multiplier effect that would come from creating an economic bloc with other democratic countries in the region, especially with Turkey and the democracies of North Africa. If they were to pursue a model based on the European market project, they could wean their economy off a dependence on imports from the US, the EU and China.

On the foreign policy side there has been a concerted and dynamic drive to forge a re-invigorated position for Egypt regionally, within Africa, and internationally. Egypt's stature and role had diminished significantly under Mubarak.

One of the most significant and important developments is the close ties that have been forged with Turkey. Turkey has stood by Egypt financially and has been a firm supporter of the Arab Spring. While trade and business ties form a central part of the relationship, there is the fundamental issue of shared historical ties and a complementary vision of regional relations that can be built on for the benefit of both countries.

With regards to Syria, Egypt has maintained a consistent stance against the Assad regime. The new tone of Egyptian foreign policy was exhibited in President Morsi's attendance at the non-aligned movement conference in Tehran.¹⁵ The fact that he went showed a new independence from the US. However, the fact that he criticized Syria so strongly made his hosts uncomfortable. Nevertheless, Egypt has opened the door to improved relations with Iran while fully aware of the differences over Syria, yet better relations with Iran may ultimately allow Egypt some leverage over Syria. Likewise the recent fostering of relations with Iraq is part of Egypt's broad strategy of engaging regionally for economic interests but also helping increase its political and foreign policy leverage and influence in conflict resolution.

Good relations with the US administration are pivotal and there is an awareness that it is detrimental to both if those ties



In Egypt, the “deep state” may be fracturing but it remains a major obstacle to contend with. Reforming the system will take time and any government will have to negotiate its way forward

The present Egyptian government has maintained its commitment to upholding international treaties, including the Camp David Accord

developing its relation with the EU, its closest Western neighbor and an important trading partner. On the other hand, Egypt's foreign policy is seeking to create a balance by reaching out to the emerging world powers such as China and India. The government is also trying to restore its place as a leading power within Africa.

For its own interests, and for those of the region, Egypt needs to push forward with building a framework for cooperation between the states of the region, with an eye on the potential for a regional confederation of sorts. There is room for Egypt to perhaps initiate an idea along with Turkey of a "Democratic Bloc" that shares a common vision for the economic development of the region built on a shared political and cultural outlook. The economic imperative for a gradual economic union of the region is an essential step towards development and growth as well as stability.

Conclusion

Clearly poverty, illiteracy and unemployment mean that for the majority the choices are about survival. Any government or political group will have to address these very real issues that pertain to livelihood, such as health, housing, education, and in all these areas there is a huge task ahead for any government that leads Egypt but there is also great potential.¹⁷

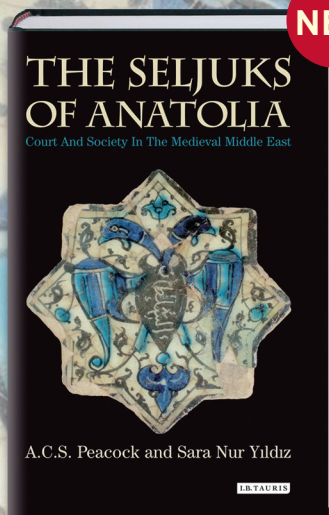
Stability can be enhanced through the successful transition towards full democracy. Egypt is at a juncture where undermining that process through delaying parliamentary elections and necessary economic assistance increases the chances of what is referred to as a "revolution of the hungry", which will neither serve the middle class or the poverty stricken in society because it will delay any program of economic development.

Attempts to undermine and bring down a freely elected presidency are unlikely to succeed, but the ongoing attempts by a small minority to do so is shortsighted and detrimental to the gains made in bringing down Mubarak's dictatorship. Furthermore, they carry with them the risk of delaying the democratic process, returning to the rule of an oligarchy with its narrow vested

interests, and instigating a period of chaos. All such scenarios are clearly disastrous for the interests of the vast majority of Egyptians and are a threat to regional stability. Given that the majority of Egyptians are willing to accept the ballot box as a means of change, it is time that the minority does so as well. ■

Endnotes

1. For an example of an ongoing attempt to counter media reports against the Muslim Brotherhood, see "Muslim Brotherhood Letter to Al-Shorouk Newspaper", retrieved March 28, 2013, from www.ikhwanweb.com.
2. The Supreme Council of the Armed Forces was a group of 21 high ranking officers that took over the running of Egypt after the fall of Hosni Mubarak on February 11th 2011 until they handed over power to President Morsi following his election on June 30th 2012.
3. See Nathan J. Brown, *Egypt's Judges in a Revolutionary Age*, The Carnegie Papers, Carnegie Endowment For International Peace, Washington, DC, February 2012.
4. FJP and MB, *We Respect the Rule of Law*, retrieved March 6, 2013, from www.fjponline.com.
5. See Robert Kagan and Michele Dunne, "US Must Take Steps to Avoid Repeating its Mistakes in Egypt," *Age*, March 1, 2013, retrieved from <http://www.theage.com.au/comment/us-must-take-steps-to-avoid-repeating-its-mistakes-in-egypt-20130228-2f8y8.html>, as an example of the argument that despite winning a majority vote, albeit narrow, that Morsi's electoral victory is insufficient to justify his pursuit of FJP policies, and that his government should be inclusive of the opposition parties and pursue consensus politics.
6. The two senior officers received 15 years each for negligence, <http://www.guardian.co.uk/world/2013/mar/09/egyptian-death-football-rioters>
7. Omar Ashour, *From Bad Cop to Good Cop: The Challenge of Security Sector Reform in Egypt*, Brookings Doha Center-Stanford Project on Arab Transitions, Paper Series No. 3, November 2012.
8. CIA, "Egypt", *The World Fact Book*, retrieved from www.cia.gov/library/publications/the-world-factbook/geos/eg.html.
9. Maha Azzam, *Egypt's Military Council and the Transition to Democracy*, Briefing Paper, Chatham House, London, May 2012. See also Jeremy Sharp, *Egypt: Transition Under Military Rule*, CRS Report for Congress (Prepared for Members and Committees of Congress), Congressional Research Service, June 21, 2012.
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12. Transparency International, "Corruption Perceptions Index 2012," retrieved from www.transparency.org/cpi2012/results.
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14. See Nadine Maroushi, "Egyptian Business Development Association Launching New Projects," *Egypt Independent*, July 30, 2012.
15. Najmeh Bozorgmehr, "Morsi Urges Iran to Help End Syria Conflict," *Financial Times*, August 30, 2012.
16. Tony Karon, "How the Gaza Truce Makes Egypt Muslim Brotherhood a Peace Player," *Time*, November 21, 2012.
17. The FJP recognize this and launched the 'Together We Build Egypt' campaign, retrieved from www.fjponline.com.



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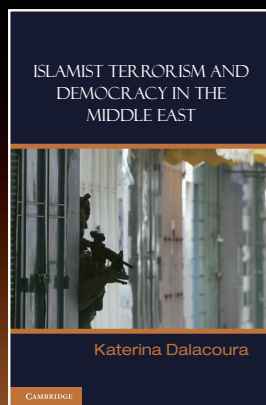
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