

After Mubarak, Before Transition: The Challenges for Egypt's Democratic Opposition

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Context: The Military and the "Deep State"

Unlike Tunisia's more orderly and quicker transition, over a year after the removal of ex-President Hosni Mubarak, the situation in Egypt remains confused. The Supreme Council of the Armed Forces (SCAF), the military junta which took over from the former President, has undertaken certain steps towards transition, but opinion on their intentions remains deeply divided. Increasingly, it is clear that they constitute the hard core of Mubarak's regime, that they are fighting for their survival, and that in this struggle, they are more than prepared to sacrifice the demands for freedom and social justice which were at the core of the uprising which began on January 25th, 2011.

Appreciating the complexities of the wider political situation in Egypt is crucial to understand the magnitude of the obstacles which independent civil society groups face in Egypt today.

The basic demand of the uprising, in Egypt as in Tunisia, is encapsulated by one of its best-known slogans: *ash-sha'b yurid isqaat an-nizaam*, the people want the downfall of the regime. It was not simply a question of removing Mubarak, but of ending the entire clientelistic, authoritarian system which made life intolerable for ordinary Egyptians: decades of systematic abuse of power by the police and security services, corruption from the highest political levels to the most lowly bureaucrats, rising living costs and low wages, and unemployment are only a few of the more high-profile difficulties. This system worked to the advantage of corrupt business leaders led by the President's son Gamal, of the mafia-like intelligence and police services, of the President's National Democratic Party, which channelled patronage, and of the armed forces, the reputation of which emerged relatively unscathed from Mubarak's corrupt regime not least because they were relatively sidelined within it, but who nonetheless hold vast economic and political power.

It is only in the context of this oppressive *nizaam*, or regime, that it is possible to understand the unprecedented turnout of protests on January 25th, and their determination not to back down in the face of intense repression throughout the protests. On February 11th, 2011, crowds across Egypt rejoiced at the President's downfall – to be sure, a momentous, unprecedented event in Egyptian history – but a year since Mubarak's removal by the military, the core of that *nizaam* remains in place, and the empire has been striking back. The military effectively removed Mubarak and purged core elements of the former regime – the businessmen linked to Mubarak's son Gamal, such as steel magnate Ahmad Ezz. Since then, SCAF has been attempting to consolidate their grip on power. The way they have done this relies on a combination of several tactics: first, stoking populist – and often highly xenophobic – rhetoric through state-controlled

media in order to bolster their legitimacy and stigmatise pro-democracy opposition; second, postponing the handover of power and making occasional concessions when they received strong pushback from civil society; third, by attempting (often with considerable success) to divide the opposition, especially by tempting the Muslim Brotherhood (MB) with the prospect of power-sharing.¹

Movements and the Challenge of the Revolution

In a way, the project of the Uprising should not have led one to expect anything less than this kind of entrenched counter-revolutionary effort. The Uprising, after all, set itself ambitious targets. These are best summed up by its two best-known slogans. The first, *ash-sha'b yurid isqaat al-nizaam* (the people want the downfall of the regime) signalled the deep rejection of the parasitic corruption and abuse of power which permeated every aspect of ordinary life. The second, *aish, horreya, adala igtema'eya* (bread, freedom, social justice) maps out the kind of society protesters wished to see the old/new regime replaced by: a more inclusive social, economic and political system to replace the oligarchic, authoritarian kleptocracy which has ruled Egypt to date.

These two slogans by and large capture the goals and values of the broad range of groups which took part in the January uprising from its inception, and which constitute the historical core of the pro-democracy movement in Egypt.

This rubric includes several different kinds of groups, with different priorities and methods of action. Broadly, they can be divided between the historical core of the movement which comprises "extra-parliamentary" activist or independent NGOs, independent trade unions, and the parliamentary groups – largely discredited, before the uprising – including leftist parties such as *Tagammu* liberal groups such as Ayman Nour's *Al-Ghad* (Tomorrow), or smaller Islamist groups like the *Wasat* (Centre) party.

The first post-Mubarak parliamentary elections, held between November 2011 and February 2012, saw the virtual disappearance of Mubarak's vehicle for clientelism, the National Democratic Party, and brought different groups to parliament, from the Social-Democratic Party to the liberal Egypt Bloc to the Revolution Continues group, the effectiveness of which remains to be seen: their test will be not so much in terms of impact on legislation, since the parliament is dominated by the Muslim Brotherhood Freedom and Justice Party (which received about 47% of seats) and the hardline Salafist Al-Nour (Light) Party, which received 29%, but rather in faithfulness to the objectives of the uprising

¹ For a review of the general Egyptian context and the role of the military and the Brotherhood, see Andrea Teti (2012), "Egypt's Uprising One Year On," *ECIA Briefing*, 10/2; <http://www.european-centre.org/ecia-briefings/egypt-one-year-on/>; Andrea Teti, "Egypt's Uprising: Still Talking About A Revolution," *Berfrois*, February 17th, 2012, <http://www.berfrois.com/2012/02/andrea-teti-egypt-one-year-on/>; on SCAF-Brotherhood relations, see Robert Springborg, "Egypt's Cobra and Mongoose," *Egypt Independent*, February 27th, 2012; <http://www.egyptindependent.com/node/683311> last accessed March 2nd, 2012.

and resisting cooptation by the regime, which proved the downfall of the old Leftist and Liberal parties.

Among the NGOs, the most prominent are organisations such as the Egyptian Centre for Economic and Social Rights (ECESR) headed by Khaled Ali, also now officially running in the 2012 presidential elections, the New Woman Foundation (NWF), the Hisham Mubarak Law Centre (HMLC) and the Centre for Trade Union Workers' Services (CTUWS). Among the independent trade unions, Real Estate Tax Collectors' (RETA) union was the first (established in December 2008) but has been followed by literally hundreds of new unions since the January uprising. Kamal Abu Eita, who heads RETA, is also chairman of the Egyptian Federation of Independent Trade Unions (EFITU), formed on January 31st, 2011.

The independent trade unions and "activist NGOs" are certainly the most important component of the movement, both in terms of independence from the regime, and in terms of the efficacy of their action. Over the past decade, they have used a range of methods in their struggle against the regime and for the mobilisation of the population.² Groups like HMLC or CTUWS, for example, are trying to provide legal services to workers in order to help them fight for their rights. Some NGOs focus on monitoring and advocacy in human rights. Independent trade unions attempt to organise formally, although labour legislation still has not been changed to allow for freedom of association, retaining the top-down, regime-controlled Egyptian Trade Union Federation as the sole legal representative for workers. In these activities, groups use a variety of instruments, from strikes to single-issue campaigns, new communications technologies to print media and word of mouth.

Objectives

Broadly, the objectives these groups give themselves – the *matalib al-thawra*, goals of the revolution – are several, but primarily fall under the rubrics of social justice and political inclusion.

With respect to economic policy, the object of protest is an economic system which disenfranchises vast swathes of society. Beyond the frequently cited figure of 40% of the population living beneath the \$2/day poverty line, which

² For a review of the specific tactics used during the January uprising, see "Egyptian Activists' Plan: Translated," *The Atlantic Monthly*, January 27th, 2011; last accessed March 3rd, 2012; <http://www.theatlantic.com/international/archive/2011/01/egyptian-activists-action-plan-translated/70388/>. For a view of the mobilisation on the day from the South-West of Cairo, see Lorenzo Trombetta, "Anti-regime protesters and loyalist forces in Cairo. A dialectical confrontation," last accessed March 3rd, 2012; <http://backdoorbroadcasting.net/2011/12/city-state-resistance-spaces-of-protest-in-the-middle-east-and-mediterranean/>; as well as Al-Jazeera English's documentary on the April 6th movement: <http://www.youtube.com/watch?v=QrNzOdZgqN8>;

actually underestimates poverty levels³, the “liberalising” reforms of the past decade and a half, and especially since Ahmad Nazif’s government from 2004 to the 2011 uprising, have had a dire impact on ordinary people’s lives. Before the uprising, local riots broke out after nation-wide shortages in subsidised bread (*aish*). There has also been a recent gas crisis despite the government exporting considerable quantities of gas. And while Cairo’s elites are relocating to gated communities, dragging state investment in infrastructure with them, slums and informal settlements (*ashwa’iyyat*) are the norm for millions of the city’s poor, and remain largely without – or with very expensive – basic services. The City of the Dead, a cemetery just outside of historical Cairo, is estimated to house 2 million of the capital’s living.

Recently, the effects of those policies have certainly been made worse by the recent world-wide spike in food prices, but the long-term trends have long been in place. In one of its few populist measures, the military junta took the step of increasing public sector salaries by 7% and inviting the private sector to match it, although this one-off hike is quickly nullified by the combination of pre-existing income gaps and inflation. This context makes clear why the continuous calls from business and from the IMF and other international financial organisations (IFIs) to cut subsidies on basic foodstuffs like bread, cooking oil, and petrol are highly controversial among the poor and – increasingly – the middle classes, and helps explain the presence of the country’s poor in the January-February 2011 uprising. Unsurprisingly, many groups involved in the uprisings are staunchly opposed to continuing Mubarak’s privatization programme – for example, the privatization of water, electricity, petrol, and natural gas – and many wish to see it at least partially reversed.

Another familiar policy amongst opposition groups is the institution of a national minimum *and* maximum wage. In the private sector alone, pay can range from LE240 (\$4) to LE50,000-500,000 (\$8,300-83,000) for the higher echelons of public administration (e.g. ministers, deputies, etc.) in take-home pay and benefits alone, i.e. without counting the income from corruption. Other measures called for by pro-democracy groups include land redistribution (Mubarak and Nazif reversed the few safeguards Nasser had put in place against latifundia and smallholder/labourer exploitation), safeguards in “special economic zones” (SEZs) where workers are even less protected, and the renegotiation of “odious debt” incurred under the Mubarak regime.⁴

One of the more interesting campaigns conducted by opposition groups has been the boycott of products and services provided by military-owned companies: the military’s vast economic empire – the so-called “pasta

³ For critical reviews of this literature and its implications for Cairo, see Bush 2004 and Sabry 2010.

⁴ “Drop ‘dictator debt,’ activists and economists say,” *Al-Masry Al-Youm*, October 28th, 2011; <http://www.almasryalyoum.com/en/node/509601>; last accessed March 1st, 2012. The issue of SEZs is not viewed as entirely separate from the WB/IMF debate, but not debated as extensively, not least because business elites – secular or Islamist – are heavily involved in SEZs.

economy", of which there is increasing general awareness – relies on a combination of exploitation of conscripts, often forced to make and then buy products, and state subsidies, which put the military in a position to loan the government \$1bn last December.⁵

On a political level, there are several demands common to the full range of the opposition. In relation to elections and the "mainstream" political arena, different groups have emphasized different demands, for example in relation to the timing and sequencing of parliamentary and presidential elections and of writing the new constitution. All, however, have been concerned with the enormous advantage in terms of organisation and funding which established groups – the Muslim Brotherhood and lower-profile but well-funded Salafi movements – would inevitably have in elections. A few chose for this reason not to concentrate on elections at all, but rather on building nation-wide grassroots organisations, not unlike the Brotherhood itself.

In other respects, the voices coming from independent pro-democracy groups have been fairly consistent. Some of these demands focus on requests for firm guarantees for freedom of speech and association, which Western governmental donors have for the most part focused on (albeit imperfectly). Importantly, freedom of association is demanded not just for NGOs and other civil society actors, but also for trade unions. This requires liberalising both the NGO law and the unions law, both of which currently provide a raft of instruments for the regime's control of independent associations.

A second raft of demands also requires legislative change. First among these is the reform of the security services in general, and specifically of the Ministry of Interior. Here, pro-democracy groups are pushing for accountability of the security services, particularly with respect to the widespread abuse of power both before and after the uprising, and for effective civilian oversight of these bodies. First and foremost, all groups demand the lifting of the emergency law.

Finally, it is important to note that while economic demands have often been represented in Western and local media as separate and higher priorities than political demands by demonstrators, from speaking to activists and from documents produced by groups across the left-liberal political spectrum, it is clear that these two dimensions are inseparable.

Obstacles

The obstacles pro-democracy opposition groups face are many, from the systematic harassment of members and supporters by the police and security services, to the bureaucratic obstacles placed in their way. Legislation itself

⁵ "Army loans \$1 billion to central bank," *The Daily News Egypt*, December 2nd, 2011; <http://thedailynewsegyp.com/economy/army-loans-1-billion-to-central-bank.html>; last accessed March 1st, 2012. Other campaigns include the *Kazeboon* (Liars), No Military Trials for Civilians, and *Emsek Felool* (Catch the Remnants) against former ruling party members running in post-Mubarak elections.

poses major difficulties. For example, NGOs have to be registered with the Ministry of Social Affairs, and while the registration regime is in theory permissive – NGOs have to apply for recognition, and are (illegally) vetted by the security services, but if a ruling is not issued by MoSA within 60 days, approval is implicit – in practice neither the letter nor the spirit of the law are respected by authorities. For unions, there is the obligation of being part of the official Egyptian Trade Union Federation (ETUF), a top-down organisation in which strike actions, for example, have to be approved by the regime-appointed leadership. This kind of legislative architecture is often so restrictive that some groups – the Center for Trade Union Workers' Services (CTUWS) is a prime example – find it easier to establish themselves as law firms rather than NGOs or unions.

The issue that has certainly received most coverage recently has been the so-called "foreign funding" debate and the aggressive moves made by the regime against a wide range of NGOs. The background to this "debate" is the increasingly strident nationalism the regime has stoked, not least thanks to state-controlled media, which despite the growing role of "new media" is still pivotal in Egypt. The function of this choice seems to be to simultaneously provide the regime with some kind of "revolutionary" fig leaf and to stigmatise and politically marginalise the "revolutionary youth".

The accusation levelled at opposition NGOs by Minister for Social Solidarity Faiza Aboulnaga has been that NGOs have received unauthorised foreign funding and/or operated without a licence. The accusation is disingenuous: firstly, because Aboulnaga was herself responsible for NGO oversight under Mubarak; secondly, because while the legislation is permissive with regard to NGO registration, the state ignored this and kept promising particularly Western NGOs that authorisation would be forthcoming; thirdly, because the crackdown focused virtually exclusively on pro-democracy NGOs while ignoring the very sizeable funding accruing to, say, the Muslim Brotherhood or Salafi groups from the Gulf; and finally, of course, because the largest recipient of "foreign funding" is the Egyptian state itself, which receives funds from the US government alone to the tune of nearly \$3bn per year, with \$1.5bn going to the military.

This, however, is not to say that the "foreign funding" debate does not touch upon genuine issues. The debate itself, as opposed to the xenophobic populism touted by state-controlled media, has actually been going on in Egyptian civil society for a long time before the 2011 Egyptian uprising, and in much more sophisticated terms.⁶ In essence, it revolves around the question of whether it is at all justifiable to draw on funds from foreign states, particularly Western governments or organisations close to them.

⁶ For an excellent introduction to the pre-uprising debate within Egyptian civil society, see Pratt 2006. The authors' own fieldwork, conducted between December 2008 and November 2010 in Cairo, and in London, Amsterdam, and Brussels on European donors, confirms and updates some of Pratt's findings.

Some groups have indeed received funding from Western governmental and quasi-governmental organisations, including groups such as Al-Gil and the Suzanne Mubarak Foundation – in fact, Egyptian Government-Organized Non-Governmental Organisations (GONGOs) have been particularly adept at absorbing US and EU funding. Amongst independent NGOs, many distinguish between governmental and non-governmental funding, and while rejecting the former, are prepared to apply for the latter. Indeed, often the debate distinguishes between specific organisations, based on their (perceived) proximity to governments of certain countries – primarily the US, the UK and France. Several prominent Egyptian human rights organisations fall into this category, distinguishing between different donors. On the other hand, some argue that receiving funding from Western organisations makes local rights groups dependent on Western agendas, and in any case dependent on foreign sources of funding for their activities, which means a certain vulnerability to funding being cut off or leveraged at any point.

Although the vulnerability – whether politically motivated or not – is a genuine difficulty, the “dependency argument” risks underplaying the degree to which local organisations – and indeed, international NGOs that fund them – consciously adapt to the procedural demands made by their patrons, while remaining true to their original remits. It also has to be emphasised that in several cases the debate over whether to even apply for such funding has been hammered out in internal discussions, often with the result that an organisation would apply, but consciously *not* adapting their goals or language to suit donors’ (perceived) preferences.⁷ Ultimately, the difficulty NGOs face particularly when dealing with politically thorny issues such as workers’ rights or human rights generally, is that while the regime obviously has no incentive to provide (or allow) funding unless they can reasonably expect to co-opt rights leaders through patronage, the targets of these NGOs’ activities are often the poorest and most defenceless in society, and it is hardly realistic to expect such organisations to support themselves on funding from such constituencies.

The “debate”, particularly when manipulated by the military junta and its civilian backers, is of course disingenuous in another crucial but unspoken assumption, namely that the Egyptian regime would provide these organisations with funds to conduct the kind of work to understand, deal with, and mobilise against the political and economic marginalisation which is the principal effect – if not instrument – of the elites which control that regime itself.

One of the problems in the current context overall is that serious, in-depth discussion concerning key issues, from the role of IFIs to “foreign funding”, from the military’s economic influence to addressing poverty, is hijacked by the kind of often xenophobic populist nationalism stoked by the military and drawn

⁷ Activists in different Egyptian NGOs expressed this opinion in interviews with the authors conducted in January 2009 and November 2010.

upon by the Brotherhood and Salafi groups to deflect attention from these issues and their inability to provide long-term solutions to them.

Divisions within the Movement

Aside from the differences over the issue of external funding, there are several divisions within the "pro-democracy" camp broadly writ.

Firstly, there is a debate about whether parliamentary or extra-parliamentary forms of action are preferable. The parliamentary route has certain advantages in the eyes of some, for example the ability to bring issues of social justice to the agenda of parliamentary debate and wider public opinion. For others, parliament both before and after the January uprising is tainted by the levers of co-optation the regime has used in the past, neutering parties like the Wafd, Ghad and Tagammu' at least partially, and the objective ought rather to be building a mass base which would give movements and trade unions strength whether or not they are present in parliament.

Secondly, there is the question of relations with the SCAF military junta and with the Muslim Brotherhood. While the reputation of the junta in the eyes of most activists – particularly liberals and leftists – is now irretrievably tainted, and very few see compromise with the military as a viable option, the debate on Islamists is ongoing. This debate is one of the elements of continuity with the pre-uprising context. Feminist organisations such as the New Woman Foundation, for example, faced the problem of working with pro-regime GONGOs like the Suzanne Mubarak Foundation and Islamist groups like the Muslim Sisterhood (the women's section of the Brotherhood). The debate within these organisations revolved around the possibility that collaborations on specific issues could yield short-term gains, against the likelihood that these gains would be reversed or paid for with larger losses in other areas.

Thirdly, specifically with regard to the independent labour movement, there is the problem of achieving a degree of coordination for unitary action. EFITU, the new independent federation, has grown very rapidly since its establishment on January 31st, 2011, and now comprises over two hundred unions of varying size. Achieving a degree of "internal democracy" for EFITU will be crucial in retaining the level of legitimacy and mobilisation which workers have achieved in the run-up to the January Uprising and since then. There have also been the first signs of fissures within EFITU: its two principal founding organisations, Kamal Abu Eita's RETA and Kamal Abbas' CTUWS fell out last autumn, and CTUWS has withdrawn from EFITU. The differences were on the surface related to "foreign funding", but also to basic strategic objectives for the labour movement, with RETA favouring focusing unionisation drives on the still large public sector, while CTUWS aims to extend unionisation into the private sector and into Special Economic Zones, where workers have even fewer rights.

The Muslim Brotherhood: Decorative Opposition by another Name?

The MB has come to be seen by many activists – not least several amongst its own youth movement – as primarily interested in riding the wave of the January uprising in order to achieve a compromise with SCAF, rather than displaying any allegiance to the Uprising's principles. The Brotherhood has therefore backed the military on issues such as elections, and has condemned pro-democracy demonstrators nearly as eagerly as the junta. Having dominated the lower house elections gaining nearly half of its seats, and far and away outperformed any other party gaining 68% of seats in the (largely powerless) upper house, the Brotherhood's "red lines" seem to be linked to parliament's powers and presidential elections. More importantly, the Brotherhood's leadership has consistently appeared ready to compromise with the junta – and even with the then-embattled Mubarak – in return for some kind of informal power-sharing arrangement with SCAF.

But the Brotherhood's tactics are potentially risky. Over the past ten months, its leadership has often underestimated popular desire for change. At crucial points such as the run-up to the January Uprising and the November protests, it publicly criticised protests, and by encouraging its supporters to stay at home, was badly wrong-footed by the massive popular support such protests had. The MB leadership spectacularly misjudged the reception calls to demonstrate on January 25th would have, and while it later declared itself part of revolutionary forces, it explicitly refused to join the November *millioneyya* (million-person) marches, preferring instead to echo the junta's own old, authoritarian rhetoric of "foreign hands" and plots to destabilize Egypt. Such was the disaffection between protesters and the MB that on some occasions when high-ranking Brotherhood representatives tried to go to Tahrir to show their participation in anti-SCAF protests and "bathe" in revolutionary legitimacy, were booed off the square, and some have pointed to disaffection amongst its youth possibly turning into a haemorrhage towards other parties.

With regard to the Brotherhood's youth, the picture is fairly confused: many were an integral part of the uprising from the very beginning – against the express indications of their leadership – but while some have left the MB and some have been expelled, many have chosen to remain within it. This has sapped the potential drift of support away from the MB and its FJP party, and towards other parties such as the Wasat or the splinter party EI-Tayyar, which fared badly in recent elections. It also does not augur well for the chances of former MB "youth leader" Abd el-Moneim Aboul Futouh in upcoming presidential elections.

Within the MB, leaders like Aboul Futouh and Essam El-Erian, who are the more "politicised" among the leadership and also the more pragmatic – if not liberal – in their number, had already been marginalised within the governing structures of the Brotherhood well before the January Uprising. Octogenarian leaders like Muhammad Badie preferred the Brotherhood's historically moderate, pragmatic and apolitical stance, attempting to cut deals with the

regime rather than use the Brotherhood's mass support to put pressure on it for radical change.

Some view this choice of tactics as a calculated one, believing that disaffected members will soon return. Either way, this approach is entirely in line with the MB's tried and tested tactics of attempting on the one hand to pragmatically compromise with power, and on the other hand continue to increase its influence in a range of "non-political" organisations such as lawyers, teacher and pharmacist syndicates, in several of which it has recently won internal elections.⁸

There is, ultimately, a possibly even more basic problem that divides the Brotherhood – certainly its leadership – from other opposition groups. This is not so much the much-debated issue of the "role of Islam" in Egyptian public life, which receives many headlines, particularly outside Egypt, but rather its economic policies. Some have already been pointing out the degree to which the current leadership is "business-friendly" – there is nothing in the group's ideology which opposes private property or the profit motive *per se* – and its policies are essentially continuous with the liberalisations of Mubarak's government, not least because key Brotherhood leaders are themselves businessmen.

There is in this sense a tension between the Brotherhood's acceptance of those privatization policies which so badly hurt the weaker sections of society, and the charitable activities intended to support them. Nor has corruption been far removed from the Brotherhood's businessmen, as the controversy surrounding the trial of tycoon Khayrat El-Shater shows.⁹ In the short run, the Brotherhood can deflect attention from this tension by focusing on corruption, but in the long run, particularly if the Brotherhood is allowed to govern, this tension will become more evident – for example in relation to the group's approval of SEZs – and the fissures within the movement may deepen.

Conclusion

The factors which lead to the January uprising, the forces which took part in it, and the post-Mubarak retrenchments all take place in a complex economic and political landscape. Within it, the liberal and particularly leftist groups which took part in the uprising are finding themselves increasingly under attack by the military junta, former elements of the regime attempting to retain a measure of influence, and the Brotherhood, attempting to secure power for the first time. The vast organisational and financial resources these different groups can draw upon – individually and collectively – far outshine any resources pro-democracy

⁸ SCAF's "supra-constitutional principles" documents indicates it will select members of the Constitutional Council from among the professions.

⁹ For an introduction, see "The Brotherhood's businessmen," *Al-Masry Al-Youm*, February 13th, 2012, <http://www.egyptindependent.com/node/654581>; last accessed March 2nd, 2012

groups can muster, as recent controversies over “foreign funding” and the military’s effective use of state-controlled media show, and from this point of view prospects are far from optimistic. The basic, long-term issues which lead to the uprising, however, are not being addressed by the dominant forces of the post-Mubarak landscape, and in this respect there remains a space to build an effective opposition movement, much like independent trade unions have managed to do over the past decade.

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