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Egypt in the transitional phase: Precautions and polarisation

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Egypt's Supreme Council of the Armed Forces, headed by Field Marshal Mohamed Hussein Tantawi, has been ruling Egypt since 11 February 2011 – the day that former President Hosni Mubarak was forced to step down from power. Through a series of resolutions and official statements, the Council has formulated its vision for restoring civilian rule in Egypt, and for moving that country towards a democratic, pluralistic society. This has been done in conjunction with what has come to be known as the road map for the introduction of constitutional amendments. In this process, attempts were made to incorporate the view of the Egyptian people. The Council, however, has not simply been content to deal with the issue of these amendments, but has included within its agenda the promotion of a dialogue around the nature of the provisional constitutional arrangement that will remain in effect until the constitution of 1971 has been fully repealed. As part of the promulgation of a provisional constitution, the Council has incorporated the amendments that were sanctioned through a referendum by the Egyptian people.

In accordance with the road map for this transitional phase, it was expected that Egypt would hold parliamentary elections in July 2011 – at the latest – and that these elections would immediately be followed by the establishment by the new People's Assembly of a constituent assembly of 100 members. The latter would be tasked with the preparation, over a six-month period, of a draft constitution for the country. Additionally, Egypt would elect a new 'President of the Republic' two months after the election for the new People's Assembly. With the election of the president, the army would return to its barracks, and the governing role of the Supreme Council of the Armed Forces would end. In addition, the new president would ensure that the draft constitution would be put to a public referendum to be held within two months after the completion of the work of the constituent assembly.

The road map has, however, stirred up an intense debate in Egypt, one that has continued despite repeated calls to restore the climate of national consensus and reconciliation that had generally prevailed during the weeks of the Egyptian revolution. Despite the fact that this debate is taking place in a number of different arenas – from the political, to the constitutional, and to party-based platforms, there is no doubt that the essence of the polarisation is between Egypt's Islamic front – especially its largest organised political movement, the Muslim Brotherhood – and those within the secularist, liberal, and some nationalist groups. This polarisation is giving rise to very real fears that the transitional phase, as set out in the road map, will not lead to the expeditious establishment of civilian rule and institutions as was initially envisioned.

This article will shed light on the polarisation between Egypt's main political forces, as well as on the issues and controversies that represent the core areas of contention in the political arena. Further, this article will explore what might transpire in the next few months, and the possible developments within the transitional context.

Supreme Military Council and the transition

Since the fall of Mubarak's regime, and the assumption of power by the Supreme Council of the Armed Forces, tensions have emerged between the Egyptian public – specifically political activists – and the Supreme Council. The source of the tension and suspicion is not that Egyptians find themselves under military rule in the post-Mubarak era. Indeed, a large number of Egyptians remain grateful for the role of the army in resolving the revolution in a manner that was beneficial to the people. However, the sluggish pace that has characterised the political leadership of the Council, especially with regards to removing the last vestiges of the previous regime, has generated a feeling that the Council is more concerned with maintaining stability rather than accomplishing the goals of the popular revolution, and ensuring that a new political system is established. Some of the notable criticisms relate to the manner in which the Ahmed Shafik government was disbanded, and the calls for the

prosecution of members of Mubarak's family and senior regime figures and businesspeople who surrounded the former president. Whether out of conviction, or as a result of yielding to popular pressure, the Council has, over the past few months, acceded to most of these popular demands.

By contrast, the military junta was not confronted with a concrete national consensus around the tackling of the main constitutional issues that relate to the future system of government. Yet it is this issue that has spread a cloud of uncertainty over the expected course of the transitional period in the coming months. In the referendum that took place on 19 March 2011, an overwhelming majority of Egyptians expressed their support for the introduction of constitutional amendments, and for the formulation of a road map that sets out the process for reforms. It is possible that the Council was subjected to external pressure from the United States and Europe, as well as internal pressures from liberal forces in Egypt, to postpone the parliamentary elections. Nevertheless, at the end of May 2011, the Council stressed its commitment to holding elections in September 2011. However, it neither set a date for, nor did it submit a draft law regarding presidential elections. As a result, those who put forward their names as candidates for president cannot be considered official candidates, nor can any official electoral campaigning be launched. Indeed, anything associated with presidential elections can be considered as nothing more than informal.

According to the publicised draft law on elections for the People's Assembly, the elections will be subject to full judicial supervision. Because the judiciary lacks sufficient human resources to cover all the electoral constituencies at once, it is likely that the elections will be spread over two or more stages. Due to the composite nature of the electoral system – including both party lists and individual candidates, any run-off election will be held a few weeks after the primary election. Thus the election for members of the People's Assembly will take at least one full month. Considering that the Council is looking at first drafting a constitution which will be voted on in a referendum prior to presidential elections being held, it is safe to assume that an elected president will only assume authority by March 2012 – at the earliest. This shift in the timing has opened up a broad range of different scenarios for the transitional period.

It has become clear that the ruling military council has fallen behind in its efforts to re-establish unity among Egyptian people. It has taken the approach of, on one hand, initiating a process of direct dialogue with youth activists, and, on the other hand, attempting to forge unity between the people in general and the army. Despite what may well be the Council's commitment to this process, the military authority is also aware of increasing concern about the slow pace at which stability is being restored to the country, and at which normal standards of pre-revolution productivity, work and tourism are being re-established. It is possible that, because the military has no intention to hold onto power in the new system of government, it is apprehensive about hastily adopting any rushed or radical measures in this transitional period.

Antagonists of the road map

The primary cause of the tension engulfing this period of political transition can ultimately be traced to the profound split that Egypt's political arena started experiencing in anticipation of the referendum on constitutional amendments. Those who were opposed to the road map felt that the introduction of the amendments sought to exploit every possible political and constitutional argument with the aim of lengthening the transitional period. Their arguments ranged from the alleged lack of readiness on the part of political forces and parties to contest elections, to the view that the drafting of a new, permanent constitution should precede any other step. They stressed their view that the immediate need was for the establishment of a presidential council comprising both civilian representatives and members of the military. It

seems, however, that the essential concern of these political forces was their fear of the possible dominance of the Muslim Brotherhood in the next parliament – either on its own or as a major partner in a coalition. That concern extended to the understanding that such dominance will mean that the Brotherhood will also enjoy a dominant position in the constituent assembly that will draft a new constitution.

The initial opposition to the road map encompassed a broad spectrum of political groups and individuals, including presidential candidates such as Mohamed ElBaradei and Amr Moussa; public figures and academics such as Mamdouh Hamza and Dr Hassan Nafaa; and an array of political parties across the spectrum of leftists, Nasserists and liberals. The problem faced by these objectors was that not one of their political allegations rests on solid political and constitutional grounds.

Those calling for presidential elections to be held prior to any other development are not oblivious of the fact that the new constitution would need to define the role – and limitations – of the president. Consequently, their call implies the possibility that the country might be governed by a president with a mandate that would differ from the first months of the presidency to after the enactment of a new constitution – assuming that the new constitution would not require fresh presidential elections to be held. Those advocating for a presidential council comprising civilian and military personalities tend to overlook the challenge of a country such as Egypt being ruled by a coalition presidency made up of exponents of radically divergent ideologies and positions. They also ignore the enormous challenge of selecting the civilian members of the council. The eventual shift from the transitional period to a permanent political stage will be replete with complexities and risks of failure, and will undoubtedly prolong the feeling of instability and lack of certainty.

Perhaps the weakest argument of the opponents of the road map is the issue of lack of preparedness of the various political parties for elections. Most of these political groups have existed officially for years or decades, while the Muslim Brotherhood was a secret organisation vulnerable and subject to repeated attacks by the security apparatuses. If political parties that have existed since the 1970s are unable to do electoral battle with the Muslim Brotherhood which had been banned, how will they be more prepared to do so with just a few extra months?

A possible outcome of these objections might be the Supreme Council easing its compliance with the road map, and encouraging it to revisit the time frame for political restructuring. If the transitional period drags on indefinitely, and the country witnesses an escalation in political polarisation, no one will be able to predict the measures that the ruling military establishment might feel compelled to resort to.

Slowly-evolving political map

The debates that have taken place in the media and on discussion forums on the key features of the transitional period have not yet found articulation in the political strategies of organised parties which are expected to define the features of the future parliament, the constituent assembly, and, thus, the new permanent constitution. Political parties which existed before the popular revolution that have limited popular support and are generally regarded by Egyptians as weak, continue operating within the political arena. The most prominent are the liberal Wafd Party; the leftist Hizb al Tagammu' (National Progressive Unionist Party) that is still reeling from its leadership crisis and internal split; the Democratic Front Party that is striving to forge a broad alliance with a number of other liberal groupings; and the Nasserist Party.

The National Democratic Party, that had singularly dominated the government since the seventies, has been disbanded following a judicial order. It is expected that the remnants of its leadership, who have managed to escape accusations of corruption, will either become members of other political parties, or will stand as independents.

The liberal Islamic Wasat Party has finally succeeded in obtaining a judgement granting it official recognition – after several years of unsuccessfully attempting to be recognised. Recognition has also been secured by the Reform and Development Party headed by Anwar Tal'at Esmat Sadat. The Nasserite Al-Karama Party (Dignity Party), led by Hamdeen Sabahi, is convinced that like the Wasat and Reform and Development Parties, it too will receive recognition.

A number of groups that announced the establishment of new political parties have, to date, failed to fulfil the minimum condition of securing at least 5 000 signatures from at least ten governorates in order to gain official recognition. These include the leftist People's Alliance Socialist Party headed by Abd al-Ghaffar Shukr; the liberal Free Egypt under the proposed leadership of Amr Hamzawi; the centre-left Social Democrats led by Muhammad Abd al-Ghar; Al-Nahda, an offshoot of the Muslim Brotherhood and led by Ibrahim al-Za'farani; the liberal Justice Party led by Mustafa al-Najjar; the liberal Free Egyptians Party led by renowned businessman Naguib Sawiris; and the pan-Arab nationalist Arab Unity Party headed by Mahfouz Azzam.

Only two parties easily met the requirement of 5 000 signatures (securing a far larger number of signatures): the Muslim Brotherhood's Freedom and Justice Party, and the Al-Nur Party that represents a Salafi group from the centre of the Delta region. It is expected that these parties will be granted official political recognition in June 2011. Thus, within a political context that is marked by an array of diverse voices and ideological tendencies, it is only the Islamists who have managed to comply with the modest requirement – compared to Egypt's total population – of 5 000 signatures to legitimately launch a political party. All the other active political parties existed before the Egyptian revolution.

This scenario suggests a number of significant trends that cannot be ignored.

- **First**, it is difficult to ignore the position of the Islamic trend in support of the road map, even though this trend is prepared to approve minor changes to the road map.
- **Second**, regardless of the obvious errors made by the Islamists in the course of the last few months, particularly with regard to their transition from an illegal political movement to lawful and open political engagement, it is widely expected that the Islamists will represent the largest bloc in the future People's Assembly.
- **Third**, it is difficult to envisage entrenching civilian rule in Egypt's future political life – from parliament and government to the presidency – without taking into account the Islamic political forces in the country, a factor that the ruling Supreme Council of the Armed Forces has come to realise.

The Muslim Brotherhood, the most organised political force and the most prepared to contest elections, announced its reluctance to nominate its own presidential candidate in the forthcoming elections, and expressed a determination not to support any independent presidential candidate that might be a Brotherhood member. (This is most likely a reference to Abd al-Munim Abu Al-Futuh, a prominent leader of the Muslim Brotherhood, who has expressed his intention to run in the presidential election.) The Brotherhood will, however, contest parliamentary seats irrespective of the electoral system in operation. It has emphasised, however, that it will not contest more than forty-nine percent of the total number

of seats in the People's Assembly. It is believed that the movement will look to forge alliances with other candidates in respect of twenty to thirty percent of the remaining seats. Since Egypt has not experienced fair parliamentary elections in decades, it is difficult to anticipate what will be achieved by the Islamists – whether from the Freedom and Justice Party controlled by the Muslim Brotherhood, the various Salafi parties, the Wasat Party or the Islamist independents. At this stage the only certainty is that the Islamic bloc will represent the leading political force.

Presidential candidates

Despite the fact that no date has been set for presidential elections, nor have any laws regulating the elections been announced, there is a relatively high number of people who have publicly expressed their intended candidature for president. The list includes Amr Moussa, Secretary-General of the Arab League; Mohamed El Baradei, a well-known opponent of the Mubarak regime and former chairperson of the International Atomic Energy Agency; prominent judge Hisham al-Bastawisi; the Nasserite politician and former member of parliament Hamdeen Sabahi; Mubarak's former presidential rival Ayman Nur; and the senior Muslim Brotherhood leader Abd al-Munim Abu Al-Futuh. Indications are that the most likely possible winners are Moussa, El Baradei and Abu al-Futuh.

This, however, is not the final list. In addition to Abu Al-Futuh, who is regarded as the candidate who enjoys the backing of the Islamic trend, word is circulating of the possible candidature of Islamic scholar and public personality Muhammad Salim Al-Awa. There are also a number of people close to the incumbent Prime Minister, Essam Sharaf, who feel he should also contest the election. The share of the vote that is expected to be cast for any of the three primary contenders will likely be diminished in the event of two or more additional candidates who might be biding their time and not publicly disclosing a firm interest in running. Within the broad Islamic camp, an inevitable consequence of additional candidates would be that they will contest for a single post while giving voice to essentially the same political vision. Conversely, a decision on their part to throw their full weight behind the candidacy of one Islamist candidate will have the effect, for the first time since the Egyptian republic was founded, of bringing the presidency of the republic, which is usually referred to as representing moderate Islam, within the reach of the Islamic camp.

What seems certain, however, is that the mood in the post-revolutionary Egyptian political scene will see a curtailing of presidential powers once the new constitution has been adopted. This after the president had enjoyed near-absolute power for more than half a century. It is difficult to predict, however, whether the new constitution will establish a parliamentary system of government, or a system that features both the parliamentary and presidential systems.

Where will the transitional lead to?

If the position calling for a complete reassessment of the road map becomes dominant, and considering the subsequent impact that this could have on prolonging the transition process, political polarisation in the country could deepen. It is conceivable that, under those circumstances, the idea might emerge in the ranks of the young military officers that political authority should again be vested in the army in a new guise. However, the current delicate balance of power between the various political forces makes such a scenario unlikely. That is not only due to the dominant call for a rapid transition from military rule emanating from the Egyptian street, but also because it is difficult to imagine that any attempt would be made by the military establishment to re-establish its political control of the country, or, at least, its hegemony over the presidency. Such a scenario, however, cannot simply be dismissed,

particularly whilst the process of transition to civilian rule and the full establishment of the institutions which are expected to steer the future government have not been completed.

What is certain is that Egyptians are in urgent need of an unambiguous resolution of the political status of the military establishment, and the role it should play in the affairs of state and public life. This is required both through the new constitution, and through relevant legislation. The pressing need for this is not only motivated by the desire to safeguard the civilian character of the expected future state and system of government, but also by the desire to prevent infiltration of the military establishment into the political leadership or the attempt by politicians to use the army for their own interests.

It is evident that the sharp polarisation in the political debate will continue unabated for some time, and is unlikely to diminish until Egyptians elect the members of the new People's Assembly, approve the new constitution, choose their next president, and until clarity has been reached on the role of new institutions of government, irrespective of the past political history of their leaders but based on these leaders' orientation towards accommodating diversity and forging political pluralism for Egypt. It is crucial at this stage that there is no escalation of political polarisation so as to prevent the transitional period becoming more complicated than it currently is.

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