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## **From apparatus state to war state**

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On July 7, 2014, following the government's announcement of its plan to reduce the fuel subsidy, President Abd al Fattah al Sisi stated that "Egypt is in a state of war, many are hostile to it within and outside the country who do not want this country to be saved." He did not mean the war on terrorism or the war with Israel but rather the war on the budget deficit. Some will think that the source of his war analogy is the president's military background, but most people believe that it was more than merely a military expression. It had the characteristic of defining more strongly the basis for legitimacy for the new regime: making war upon 40 years of decline. This new basis for legitimacy is intended as a substitute for the basis of legitimacy, dominant the previous year, of recovering the Egyptian state apparatus from the grip and "plots" of the Muslim Brotherhood and gathering the population behind the alliance that ended the rule of Muhammad Morsi.

### **A year of building and breaking alliances**

On July 8, 2013, Egypt's ruling military council issued its famous constitutional announcement, putting forward a new road map which was to be implemented within six months. The road map included a number of steps, including appointing a member of the judiciary as temporary president and establishing a date for forming a new committee to develop a new constitution. It also fixed a date for the parliamentary and presidential elections and handed the functions of legislative power to the Egyptian State Council, a judicial body. This constitutional announcement was issued only days after the June 30 protests against then-President Morsi led to his overthrow on the July 3, the strongest civilian mobilization since the beginning of the January Revolution against the Mubarak regime (or in modern Egyptian history). These protests were an awe-inspiring cinematic scene gathering a front composed of national organisations, state institutions and the rebellious youth movement for the announcement that the revolutionary path was being recovered from the hands of the ruling Muslim Brotherhood. The constitutional declaration on July 8 represented a statist approach, surprising to the popular movement and a central turning point for transforming the call for early presidential elections into the crystallization of a new type of power.

The events of 2013 were a fundamental turning point for the substitution and reframing of the constitution. There was a transformation of the demand of the people, who had been angry with the rule of the Muslim Brotherhood, from that of calling for a transitional power so that the revolutionary goal of building a civil state could be completed, to their "authorization" of

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the military's recovery of the Egyptian state rather than opening a revolutionary or even a transitional pathway. The constitutional declaration is the most important key for understanding the struggle for legitimacy in Egypt during a year which ended with the victory of the apparatus and its establishment of a new control over any uprising or mobilization of political opposition, even excluding the liberal wings of the front that participated in the "corrective revolution" of June 30.

The constitutional announcement did not appear logical to all Egyptians at the time it was issued. It was not immediately clear that its destructive intent targeted not only of the Muslim Brotherhood but the entire preceding revolutionary movement. Until July 8, everyone was celebrating the success in removing then-President Morsi without entering civil war or violent confrontations. Equally, the solidarity of the army with most of the national organisations represented in the National Salvation Front led by Mohamed el-Baradei was an amazing source of confidence in the ability of this alliance to realize the transitional pathway away from the alliance of the army with the Brotherhood that had prevailed in the previous phase. For this reason, the military council's issuance of a new constitutional declaration seemed to slightly exceed the demand of the people, which was simply for early presidential elections. Public opinion at that time attributed this undertaking to two things: first, the increase in the Brotherhood's mobilization of hundreds of thousands of protestors in the name of recovering legitimacy, together with the loss of momentum of opposition to the Brotherhood in terms of legal legitimacy, especially at the international level, which portrayed the issue from the first day as a military coup against an elected power. Second, what is known from el-Baradei personally and the National Salvation Front of the formulation and then the issuing of the constitution of 2012, named the Brotherhood's constitution. Thus the constitutional announcement passed unnoticed despite the warnings of some revolutionary forces about its consequences. The majority considered it to be a restraint on the authority of the Brotherhood more than a clampdown on the revolutionary tide.

Naturally, the formulation of a new constitution was not the only clause in the constitutional declaration. Other clauses included the establishment of a time for parliamentary and then presidential elections, once the constitution had been formulated and established through public referendum. This clause was important for reassuring the people that the army would not try to take power and that the removal of the Brotherhood could be characterized as a "corrective coup" for the path to democracy. The constitutional declaration, and the subsequent widespread operations to arrest the leaders of the Muslim Brotherhood, inflamed the situation between the supporters and opponents of the Brotherhood much more than had the gathering on June 30. This declaration eventually underwent a number of changes, both in content and in the timing of the road map, which the transitional authority repeatedly justified by calling for the need to face the danger of the Brotherhood and to restore stability.

## **From recovering the revolution to recovering the state: the moment of substitution**

Three weeks separated the constitutional declaration and what it stirred up in the way of debate and escalation of the Brotherhood's mobilization, and General Abd al Fattah al Sisi's appeal to the people, asking for their authorization to confront what he described as the Brotherhood's terrorism. These were three weeks to transform the focus of the public from saving the revolution to what the media at the time gradually came to call "the need to recover the state". Naturally, this demand was not new, dating from the beginning of the Tamarod campaign to gather signatures demanding the withdrawal of confidence from President Muhammad Morsi. This alliance for the removal of the Brotherhood continued to represent an important component of the front opposing Morsi, along with those struggling for a changed constitution, those fighting for rights and freedoms, and those pushing for acceptable limits of Islamization in the areas of education, culture, art, and managing religious pluralism. But the alliance for the "recovery of the state" did not lead the June 30 protests. Many in the media wrote at that time that the goal was not to remove the other wings from the alliance but to prove the breadth of popular resistance against the Brotherhood to international public opinion, which was suspicious of the military coup against a popularly elected authority.

In the final analysis, the takeover of the June 30 front by the alliance for the removal of the Brotherhood, in the interests of the state apparatus (especially the security apparatus), transformed political opposition to the Brotherhood into an "existential battle rather than a battle over limits", and transformed the Brotherhood into a symbol of terrorism. The official narrative, bolstered by an unprecedented media campaign, targeted the image of the Brotherhood and demonized it, alleging acts of violence against civilians, churches and security guards committed by protestors in the Rabaa al-Adawiya and al-Nahda squares, while according to trusted human rights reports, the protestors were bloodily dispersed. New formulas appeared daily in the political dictionary such as "hijacking of the state", "war on terrorism" and "saving Egypt". This was a long way from the vocabulary that prevailed during the moments of mobilization in the way of demands for a civilian state and for the correction of the Egyptian revolution's transitional pathway. The importance should be emphasized here of the pivotal role played by the media in reframing the struggle in the interest of the security apparatus and plunging into a devastating war against most of the leaders who played a part in the June 30 protests but were unwilling to take a purely security-motivated approach to the conflict.

## **Exhaustion of alternative legitimacies through the constitution and laws**

Naturally, the media did not play the only role in supporting the state wing of the front of June 30. The national security sector carried out many confrontations, being delegated by the army to fight terrorism. Legislative action, in light of the absence of parliament, was taken by the President of the Republic and the important courts in Egypt (such as the Constitutional Court and the Egyptian State Council). They established a number of laws that permitted the closing

of the political sphere that had been opened by the January Revolution and had allowed hundreds of thousands of new actors to demand change. They did not stop at the demonization of the Muslim Brotherhood, but extended prohibition to dozens of Islamic charity groups, dissolving the organizations. They issued “organization” laws for demonstrations and put up an arsenal of new laws under what was called the “war against terror” to marginalize voices of either opposition or accommodation. All these actors, the media, judiciary, and Interior Ministry, had institutional vengefulness towards the Muslim Brotherhood since they had been the focus of political competition between the Brotherhood, the leaders of the former regime, and international actors throughout the Morsi era. This alliance among institutions was mobilized by the state apparatus (for its benefit) rather than by the institutions and has taken the place of the alliance of civil institutions that had existed previously, leaving no other type of legitimacy other than that of the state's mandate.

A sudden burst of litigation speed by the civil justice system also contributed to the portrayal of political opponents as dangers to stability, as a fifth column for foreign forces, or as parts of a Brotherhood plot. This helped complete what was begun by the media in a propaganda war. Collective court judgments appeared and after the revolution of June 30, the civil justice system recorded more than 41,000 political detainees and nearly 1400 death sentences. This was much higher than the number issued by the military courts over the past three years. A number of citizens consider that the Interior Ministry has played a necessary national role and decided not to condemn the return of the security apparatus to the famous practices of the Mubarak era. It was these practices which had led the January Revolution to be directed specifically against the Interior Ministry as the incarnation of the oppression of Mubarak. Despite this history, there has been, incomprehensibly, public support for the intervention of the national security forces to break up any confrontation with a level of force that Egypt had never witnessed before. Student protestors have been killed, political activists arrested, and civil society organisations strangled. A number of witnesses have attested to the return of torture in prisons and the use of rape of detainees as a deterrence tactic, in the context of what is described as a war of the state apparatus upon terrorism.

One of the logical results arising from the creation of this new meaning has been the erosion of alternative forms of legitimacy, whether electoral legitimacy (of the Brotherhood), revolutionary legitimacy (of activists and rights advocates) or that of civil interests (el-Baradei's National Salvation Front and some of the liberal parties). This active effort at the erosion of legitimacy has included the use of defamation, incrimination and character assassination through an arsenal of means at the disposal of the nascent power, which can portray all their efforts either as conspiracies or as a desperate adventure that has exposed the country to chaos.

## **The presidential elections and the appearance of a new type of struggle**

The May 2014 presidential election saw a much lower turnout than the referendum on the constitution two months earlier, leading to an extension in the hours and days of voting and the acceptance of voting forms bearing expressions of support for the candidate. The

difference in the organization and the preparedness of the voting processes between the constitution referendum and the presidential election was striking. This led many analysts to conclude that there exists some tension between some of the structures and symbols of the old regime and the new candidate. Many journalists explained the decline as a calculated slowing down to show the importance of the support of the old regime members for the probable president. In this way the presidency of Sisi began with an internal tension alongside the regional tension about the degree of economic support from the Gulf Cooperation Council to the nascent regime and which was its true birth certificate.

Against this background, the statements of the new president about the war against corruption, the need to cleanse the state apparatus of corruption, the introduction of a minimum wage, and the negative influence created by the judiciary upon Egypt's international image were surprising, and pointed to an exacerbation of tension within the ruling coalition. So too was the President's resort to the dramatization of many of his statements and undertakings as a duel by which he wanted to prove and entrench his popularity in confronting the pressure and bargaining of the state apparatus. The state apparatus appeared to be demanding payment in return for their supportive actions in building an alternative political regime to that of the January Revolution or the Brotherhood. The president, for example, participated in a bike marathon with the citizens to dissuade people from driving cars and donated half of his salary to a fund with the same name as the President's campaign "Long live Egypt" as a sort of counterweight in favour of his popularity. Maintaining his popularity was important considering that he had issued decisions that no regime had dared to take for thirty years, reducing fuel subsidies and raising taxes on cigarettes and wine, in response to the pressures of the wings aspiring to control the president as a front for the victory of the old regime.

How great are the events and how great are the alliances that have been formed and broken on the path towards transcending the crisis of the removal of the Brotherhood. How quickly efforts for building the legitimacy of the regime have transformed, from striving to build a civil state, to an effort to build a new revolution, to entrenching the legitimacy and influence of the state apparatus, to the announcement of a state of war as an effort to restore the influence of the president in the context of a ruling alliance striving to direct the government.

The answer to all of this will depend on the margin of room to manoeuvre granted to the new leadership and its ability to differentiate itself from, or submit to, the state alliance. It will also depend on the government's ability to evade many of the dangerous transgressions carried out over the previous year against the rights of tens of thousands of citizens, and against the political forces that rejected the legitimacy of the post-Brotherhood ruling regime, as it seeks to build a legitimacy that is not more durable but that is distinguished by its entrenchment of the president as the arbiter of the new alliance: the alliance of a war state more than an alliance of the state apparatus which has arisen with the new president to guarantee the crushing of all alternatives that have been offered since January 2011.

## **About ARI**

The Arab Reform Initiative (ARI) is a consortium of policy analysis institutes that mobilizes research capacity to advance knowledge and nurture home-grown programs for democratic reform in the Arab world. ARI seeks to generate, facilitate, and disseminate knowledge by and for Arab societies. In the quest to build free, just and democratic societies, ARI focuses on the current revolutionary processes in the Arab world, on the new patterns of interaction between political forces, governments and societies, on today's political, socio-economic and cultural transformations, and on social justice. It opens a space for diverse voices and brings in the key actors in the transformation processes at play: intellectuals, activists, women, civil society representatives, human rights groups, social movements, political parties, the private sector and the media.

ARI produces policy research, supports networks of young scholars, convenes policy dialogues and organizes regional platforms on critical issues related to the transition processes.

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## **About the Author**

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