Manal Tibe

Notes on the Situation in Egypt Since Mubarak's Resignation

It is very difficult to write about the Egyptian revolution at this moment, as it is currently going through a very complicated phase and has become very difficult to understand. At the beginning of the revolution, the goal was completely clear: "The people want to overthrow the regime" was the Egyptian protesters' slogan during the eighteen days from 25 January 2011 until the resignation of Mubarak on 11 February 2011. But has the revolution genuinely overthrown the regime or are there still tasks to be accomplished before this goal can be said to have been achieved? Who is entitled to speak for the Egyptian people? As a human rights activist, I am also concerned with the current situation of human rights organizations in Egypt. All of these issues will be addressed below.

In spite of their slogan, Egyptian protesters committed the major error of withdrawing from Tahrir Square immediately after they had successfully forced President Mubarak to resign. Mubarak was the head of the regime; he was not the regime itself. Thus the protesters acted in contradiction with their slogan, which called for "overthrowing the regime".

The withdrawal of the rebels from Tahrir Square gave the counterrevolution, including the Supreme Council of the Armed Forces (SCAF), the time and the opportunity to attack the revolution. In addition, it allowed the differences between the political forces participating in the revolution to be revealed clearly, thereby leading to divisions between those political forces.

The Situation Since Mubarak's Resignation

The SCAF assumed government duties following Mubarak's resignation. It has pledged to meet the demands of the protesters, but its activities have run counter to this pledge and proven shocking and disappointing to the protesters. Many criticisms have been made of the SCAF, such as that it has been too slow in holding former officials accountable for their crimes against the Egyptian people. This has compelled protesters to organize further demonstrations at Tahrir Square, with the aim of pressuring the SCAF to investigate those responsible and bring them to trial. Many of the former officials investigated have not been put on trial. Where trials are being held, the public prosecutors have presented rather weak cases. For these reasons, there is a widespread belief that Mubarak and his sons will be found innocent and that their trial is a farce.

In addition, while the members of the former regime are being tried before the civil courts, the civilians, rebels, bloggers, and other opponents of the SCAF's policies (some 12,000 people) are being tried before military courts that issue their verdicts within a few days and impose far heavier penalties than the civil courts.

The SCAF has also imposed a number of restrictions on civil liberties; these restrictions are not the outcome of negotiations or of a dialog with any part of society. All laws introduced by the SCAF have tended to restrict, rather than expand, civil liberties. For instance, the SCAF has issued a law that criminalizes demonstrations and strikes. It also recently imposed a state of emergency.

The SCAF has also been criticized for failing to dissolve the intelligence apparatus it has inherited from Mubarak or replacing its leadership. While there has been a change of name, there has been no change of staff, so that officers responsible for the torture and killing of citizens and dissidents remain in office. This failure to replace the staff of the intelligence apparatus needs to be seen against the backdrop of the military police's use of excessive violence against demonstrators, culminating in the death of a protester on 8

April and in the arrest of several activists who have not been re-leased to date.

The national media, formerly noted for their uncritical stance toward Mubarak and his regime, have now taken to praising SCAF policy. Media reports tend to emphasize that the revolution and the subsequent demonstrations have been the main causes of the country's economic decline, thus promoting public hostility to the protesters. Where media outlets have provided different assessments, they have faced difficulties; witness the closing of Al-Jazeera's Mubasher channel.

SCAF statements have also become more hostile to protesters, attacking political movements such as the 6 April Youth Movement and the Kefaya Movement.[1] SCAF has claimed that these movements are funded by foreign governments and promote the interests of those governments to the detriment of Egypt's interests.

There are fears that the SCAF is working to establish itself as the country's long-term government or at least institute a president with a military background. Accordingly, the relationship between the SCAF and protesters has become tense. Protesters have demanded that the SCAF relinquish power and yield to a civil presidential council; they have also called for a new constitution to be adopted prior to the holding of parliamentary or presidential elections. However, Islamic movements, most prominently the Muslim Brothers, disagree with these demands. They were quick to ally themselves with the SCAF following Mubarak's resignation and have been organizing campaigns against liberal and secular movements. Unfortunately, these campaigns, which portray secular protest movements as a threat to Islam, have proven quite effective in shaping public opinion.

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[1] The April 6 Movement is a Facebook group that formed in 2009 to promote a strike. It played a major role during the revolution. The Kefaya Movement formed in 2004 as a broad coalition against nepotism, corruption and the Mubarak dictatorship.

The Insecurity Issue and its Effects

Egyptian society is currently pervaded by a sense of insecurity, with many citizens worrying about their own safety, that of their families and that of their property. Some Egyptians have taken to purchasing guns, sometimes legally and sometimes illegally, and some have lamented the passing of Mubarak's regime on the grounds that it guaranteed citizens' safety more effectively. In a poll published in the Al Ahram newspaper, restoring security was identified as the participants' highest priority. The restoration of order, confidence and security has proven very difficult since the ousting of Mubarak. This has had a negative impact not just on individuals, but also on the economy, as tourists have packed their bags and investors have also fled abroad. In addition, many indicators suggest that Egypt's crime rate – formerly below average by comparison to other countries – is on the rise.

The mistrust and hatred that have dominated relations between many Egyptians and the police for decades have been aggravated by the police violence evident during the revolution. Hostility to the police culminated on 28 January, when the police was effectively driven off the streets of Cairo. While the police have resumed their regular activity, confidence in their ability to control the security situation has deteriorated, and some police officers display open resentment to ordinary Egyptians in general and to protesters in particular, having lost many privileges they enjoyed under Mubarak. While the SCAF has expanded the powers of the police, this has hardly helped to restore people's confidence. SCAF statements to the effect that the police apparatus is being restructured and the portrayal of the police as "servants of the people" has failed to convince most Egyptians that substantial changes have occurred. More seriously, the relationship between the police and protesters has become one of open animosity, with protesters viewing the police as part of the counterrevolution.

At the heart of Egypt's security issues lies the dilemma that while the country cannot dispense with the police if it is to remain a civilized society based on the rule of law, many citizens find it impossible to accept the persistence of the existing police force, which predates the revolution and has become associated with violence against civilian protesters.

The critical situation in Sinai, characterized by violence against the police, e.g. during the attack on a police station in Al Arish, the statements by the SCAF and by the government of Israel that have linked Al Qaeda to this violence, the tense situation on the Egyptian-Israeli border, which involved the killing of Egyptian police officers and soldiers by Israeli soldiers and subsequent attacks on the Israeli embassy – these have all increased the sense of insecurity among the Egyptian people.

The Conflict over Legitimacy

A referendum held on 19 March 2011 over amendments to Egypt's 1971 constitution yielded a clear vote in favour of the amendments and, by implication, of the constitution as such. The SCAF and Islamic groups such as the Muslim Brotherhood had urged such a "yes" vote, whereas liberal and socialist groups had called for a "no" vote and campaigned for a rejection of the 1971 constitution in its entirety. Yet the SCAF now seems to perceive the constitution as a threat to its power. In fact, according to the constitution, it is the head of the Supreme Court (and not any military body) that is charged with managing the country until the holding of the presidential election; the constitution also stipulates that the latter is to be held within two months. While it has set a date for parliamentary elections (September, later changed to November), the SCAF has set no date for the presidential election.

Islamic groups such as the Muslim Brotherhood have attempted to capitalize on the result of the referendum, arguing that the vote in favour of the 1971 constitution was a vote in favour of a reli-

gious (Islamic) state. Thus, at present, Egyptians would seem to face the prospect either of continued SCAF rule or of an Islamic state. To be sure, there is a third force that is also contending for political power, represented by the various new political parties and the authors, media professionals and businessmen associated with them. Yet none of the groups contending for power can be said to address the real concerns of the majority of the Egyptian people: their social and economic needs and their concerns over security. A truly legitimate government would be one representing Egypt's "silent majority", yet no political representative of this "silent majority" is in sight.

The Situation of Human Rights Organizations

Human rights organizations have played a key role in Egypt during the past thirty years, fostering citizens' awareness of their rights and drawing attention to the numerous human rights violations that occurred under Mubarak, during a period when political parties shied away from performing any genuine role in Egyptian society. Human rights organizations were also subjected to various forms of harassment under Mubarak's regime, ranging from the detention of organization members to violence and torture, and from the refusal to formally recognize human rights organizations to the forcible closure of their offices.

There was a hope among human rights activists that the revolution would provide them with greater freedom to perform their role. Human rights organizations have, however, largely been ignored by the new regime. Recently, the SCAF has taken an openly hostile stance toward human rights organizations, presenting them as agents of foreign states working to subvert the Egyptian government. Some organizations have been threatened with prohibition and some activists have been taken to court.[2]

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[2] Human Rights Watch, Egypt: Government Moves to Restrict Rights and Democracy Groups, 26 September, 2011, [http://www.hrw.org/news/2011/09/2

Government officials have strongly criticized the foreign funding received by Egyptian human rights organizations; the amount of such funding has in fact increased since the revolution. No similar criticism has however been made of the foreign funds provided to reactionary religious associations such as *Ansar al-Sunna Al Muhamadiah*. The attitude of the authorities has led to growing fears among human rights activists that there will be a crackdown on human rights organizations. The situation is tense, as the real intentions of the current regime remain unclear.

Outlook

As far as the further development of the situation is concerned, four possible scenarios may be distinguished. The most desirable scenario would involve the SCAF responding to the legitimate demands of protesters, i.e. handing power over to a civilian government and organizing fair elections. Another scenario, one that should not be accepted and would outrage many Egyptians, would see the SCAF successfully avoiding the organization of fair elections, thus allowing numerous functionaries of the former regime to remain in power. A third scenario would involve power being handed over to a civilian government without dissolving the SCAF, thus establishing a kind of diarchy that might eventually lead to a military coup. The fourth and worst scenario would see Egypt deteriorate into civil war, with a variety of political forces fighting to impose their vision for the country in the absence of a strong central government.

6/egypt-government-moves-restrict-rights-and-democracy-groups] (retrieved 14 October 2011). According to Human Rights Watch, Egypt's state security prosecutor has opened "treason" investigations into Egyptian nongovernmental organizations (NGOs) accused of receiving foreign funding. The Egyptian cabinet announced on 13 September 2011 that a Justice Ministry report had identified more than thirty NGOs that are receiving foreign funding and are not registered with the Social Solidarity Ministry as required by the Associations Law and that it had submitted this information to the prosecutor. The offense is punishable with imprisonment under Egypt's Associations Law.

In sum, for Egypt's transition to be a transition to democracy and social justice, the country's political forces need to agree to put aside their differences, address the tense relationship between the Egyptian people and the police and push for the SCAF to hand power to a properly elected civilian government.