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**THESIS**

**THE MUSLIM BROTHERHOOD AND THE PERCEPTION  
OF DEMOCRACY**

by

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December 2012

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**THE MUSLIM BROTHERHOOD AND THE PERCEPTION OF DEMOCRACY**

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## ABSTRACT

The objective of this thesis is to assess the Muslim Brotherhood's prospects to facilitate a democratic transition within Egypt. Numerous studies have examined the Muslim Brotherhood's political ideology to objectively assess its consistency with democracy. However, to date there has been no comparative *subjective* study conducted to assess the Muslim Brotherhood's capacity to facilitate democracy within Egypt. This thesis will attempt to fill that gap by subjectively measuring the Muslim Brotherhood's democratic intentions as perceived by other important actors within the Egyptian polity since the 2012 Egyptian Presidential Election. The perceptions of the Muslim Brotherhood's democratic capacity and intent are critically important to assessing the likelihood of Egypt's transition to democracy. To that end, the major research question of this thesis paper is the following: "what is the current perception of the Muslim Brotherhood's commitment to democratic compromise within the Egyptian polity?"

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# I. INTRODUCTION

## A. MAJOR RESEARCH QUESTION

The objective of this thesis is to assess the Muslim Brotherhood's prospects to facilitate a democratic transition within Egypt. Numerous studies have examined the Muslim Brotherhood's political ideology to objectively assess its consistency with democracy. However, to date there has been no comparative *subjective* study conducted to assess the Muslim Brotherhood's capacity to facilitate democracy within Egypt. This thesis will attempt to fill that gap by subjectively measuring the Muslim Brotherhood's democratic intentions as perceived by other important actors within the Egyptian polity since the 2012 Egyptian Presidential Election. A measurement of these subjective perceptions is vitally important because a meaningful democratic transition largely depends upon the Muslim Brotherhood's inclusion of opposition forces within the Egyptian political system. In essence, the Brotherhood's opposition must believe that it has an opportunity to gain political power. If the opposition does not hold this belief, the consequence would be fatal to a democratic transition because it would signify that the opposition believes they have no chance to participate in the political process and that the Muslim Brotherhood intends to permanently subordinate its political foes. As a result, the perceptions of the Muslim Brotherhood's democratic capacity and intent are critically important to assessing the likelihood of Egypt's transition to democracy. To that end, the major research question of this thesis paper is the following: "what is the current perception of the Muslim Brotherhood's commitment to democratic compromise within the Egyptian polity?"

In furtherance of the thesis objective and the major research question, this paper will explore the Muslim Brotherhood's democratic capacity in three parts. The first part will define the objective foundational elements required for democracy. Additionally, the first part will define the spectrum of democracy that exists between what is known as "liberal" and "illiberal" democracies in order to lay the foundation for the possible paradigms that may characterize an Egyptian democracy. The second part of the paper will examine the history and ideology of the Muslim Brotherhood, as well as the most

recent political maneuvers of President Morsi and the Freedom and Justice Party (FJP), in order to assess the Muslim Brotherhood's objective democratic capacity. The third part of this paper will address the major research question and will attempt to capture the subjective perceptions of the Muslim Brotherhood's democratic intentions based on a survey of interviews and commentary by the major political stakeholders within the Egyptian polity. The final part of this paper will conclude with an analysis of the subjective data in order to determine what conclusions can be drawn based on the perceptions of the Egyptian polity regarding the Muslim Brotherhood's democratic intentions. The findings of the subjective analysis will be weighed against the findings of the objective analysis conducted in part two in order to provide a comprehensive understanding of the Muslim Brotherhood's prospects for facilitating Egypt's democratic transition.

## **B. IMPORTANCE**

First and foremost, this research question is relevant and important due to the rising number of post-authoritarian transitions that have occurred within the Middle East North Africa (MENA) region since the Arab Spring of 2011. As these countries struggle with the transition to another form of governance, Islamists have increasingly led the way forward. This dynamic has created a situation throughout the MENA region where Islamists have been forced to contend with growing demands for representative government based up democratic ideals. Indeed, any meaningful transition to democracy in the MENA largely depends on Islamists' support for democratic governance. Egypt is no exception and as it begins the shift from an authoritarian regime to democracy, it does so with a Muslim Brother as its first freely elected President. Consequently, Egypt represents an important first test-case for Islamist led transitions to democracy in the region—it will not be the last. There are profound changes of government currently taking place in Tunisia where Islamists are contending with post-Arab Spring transitions. Additionally, moves to democratic rule in the near future in countries such as Libya and Syria appear highly probable. Accordingly, a study of Egypt's Muslim Brotherhood and their democratic capacity at this critical time in history is essential given the growing trend of Islamist led transitions in states struggling with the aftermath of authoritarian

regimes. In short, the survival of democracy throughout the MENA region is in the hands of Islamists like the Muslim Brothers and the question that needs to be answered is “do they have the will and the capacity to carry out such an endeavor?”

From a more narrow perspective, the strategic importance of Egypt’s geopolitical location cannot be overstated with respect to U.S foreign policy. Egypt is the largest Arab state in the MENA region. As the custodians of the Suez Canal in one of the world’s richest oil markets, the stability of Egypt is critically important to U.S. national security. The imperativeness of Egypt’s security and stability is clearly evident by the amount of foreign aid that Egypt receives from the U.S. on an annual basis. Indeed, “since 1979, Egypt has been the second-largest recipient, after Israel, of U.S. foreign assistance.”<sup>1</sup> For the FY2010, there were only four countries that received more U.S. economic assistance than Egypt.<sup>2</sup> And while the amount of assistance has decreased by nearly 25% in the last ten years, under the Bush Administration, the U.S. agreed to “continue to provide Egypt with \$1.3 billion in military aid annually... [; more recently in] FY2012, the Obama Administration has requested \$1.551 billion in total U.S. aid to Egypt.”<sup>3</sup>

Looking toward the private sector, Egypt and the U.S. enjoy a strong relationship with regard to international trade. As number 48 on the list of the largest partners in international trade, the U.S. “ha[d] an annual trade surplus with Egypt amounting to \$3.13 billion in 2009.”<sup>4</sup> Furthermore, “Egypt is one of the largest single markets worldwide for American wheat and corn and is a significant importer of other agricultural commodities, machinery, and equipment.”<sup>5</sup> In terms of foreign investment, the U.S.

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<sup>1</sup> Jeremy M. Sharp, “Egypt in Transition” (Washington, DC, Congressional Research Service, 2011), 3, [http://assets.opencrs.com/rpts/RL33003\\_20110329.pdf](http://assets.opencrs.com/rpts/RL33003_20110329.pdf).

<sup>2</sup> Sharp, “Egypt in Transition,” 3.

<sup>3</sup> Ibid., 3–4.

<sup>4</sup> Ibid., 8.

<sup>5</sup> Ibid., 8.

represents the second largest investor for Egypt with most of the money allocated toward the petroleum markets.<sup>6</sup> In short, U.S. economic interest in the stability of Egypt is substantial.

Furthermore, Morsi's election to the Presidency represents a challenging dilemma for U.S. diplomacy because one of the Muslim Brotherhood's stated goals is to Islamize the Egyptian government. Faced with this simple fact, "the United States [must] reverse decades of official policy shunning the Islamists and... come to terms with the newfound legitimacy and dominance of a group with whom it has had profound political and philosophical differences."<sup>7</sup> Added to the United States' discomfort with the Brotherhood's ascendancy to political power are several fundamental security concerns. Foremost, "the security risks inherent in contemporary Egypt include threats to its internal stability, to Israel despite a peace treaty, to other Middle Eastern states, and possibly to its neighbor to the south, the Sudan."<sup>8</sup> Some have even argued that Egypt should be categorized as a "failed state," that enhances the risk of the internal proliferation of terrorist organizations and militant Islamic groups.<sup>9</sup> Therefore, the extent to which the Muslim Brotherhood is able to consolidate power represents a major issue for the U.S. in terms of national security and foreign policy.

In summary, this thesis is important for two key reasons. First and foremost, Egypt represents an important test case for democracy's survival in the MENA region. Without the support of Islamists, democracy does not stand a chance and will be quickly supplanted by authoritarian regimes. Secondly, located in an extremely important and volatile area of the world, the strategic geopolitical importance of Egypt to the U.S. is well established. It shares an important economic relationship with the U.S in terms of international trade and foreign investment. Therefore, this study is timely and relevant

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<sup>6</sup> Sharp, "Egypt in Transition," 8.

<sup>7</sup> Khaled Elgindy, "Egypt's Troubled Transition: Elections without Democracy," *The Washington Quarterly* (2012): 103, <http://csis.org/files/publication/twq12springelgindy.pdf>.

<sup>8</sup> Sherifa Zahur, "Egypt: Security, Political and Islamist Challenges" (Carlisle, PA, Strategic Studies Institute, 2007): 3.

<sup>9</sup> Ibid.



given that the success or failure of Egypt's transition to democracy represents significant issue with regard to U.S. foreign policy and national security.

### **C. LITERATURE REVIEW**

The past two years have seen a historic transition of power in Egypt. An authoritarian government led by President Hosni Mubarak has been ousted by the will of the people who demanded reform toward a more responsive government. In dramatic fashion, Egypt has elected a member of the Muslim Brotherhood to lead the country. As the newly elected President Mohamed Morsi shepherds Egypt through the post-transition period, the unanswered question is whether or not he will be able to live up to the spirit of Egypt's Arab Spring and enable Egypt's fragile new democracy. Certainly, it will be many years before the character and composition of this post-transitional government can take hold and mature. Notwithstanding, a discussion of whether or not the Muslim Brotherhood intends to facilitate such an endeavor, is timely and relevant. This discussion necessarily begins with an exploration of democratic theory in order to frame a workable definition of democracy.

While there is no universally accepted definition of democracy, in *The Third Wave*, Samuel P. Huntington argues compellingly that any definition of democracy should be discussed in terms of "the nature of democratic institutions."<sup>10</sup> Huntington aptly "defines a twentieth-century political system as democratic to the extent that its most powerful collective decision makers are selected through fair, honest, and periodic elections in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote."<sup>11</sup> Moreover, in *On Democracy*, Robert A. Dahl provides a fairly simple and eloquent list of criteria that further defines the democratic process. Dahl argues the following:

Within the enormous and often impenetrable thicket of ideas about democracy, it is possible to identify some criteria that a process for

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<sup>10</sup> Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma, 1991), 7.

<sup>11</sup> *Ibid.*

governing an association would have to meet in order to satisfy the requirement that all the members are equally entitled to participate in the association's decisions about its policies? There are, I believe, at least five such standards.<sup>12</sup>

Dahl opines that these five standards include the following:

1. Effective participation
2. Voting equality
3. Enlightened understanding
4. Control of the agenda
5. Inclusion of adults<sup>13</sup>

The preceding seminal literature provides a basic procedural framework for democracy that will be discussed in greater detail in Chapter II of this thesis. However, given the broad spectrum of democratic governance, the concepts of “liberal” and “illiberal” democracy should also be explored within the literature in order to further refine the objective criteria against which the Muslim Brotherhood's democratic intentions will be measured and judged. In essence, the question becomes “where along the spectrum of democracy does the Muslim Brotherhood fall?” The first of these two conceptual frameworks is the notion of a “liberal” democracy. In his journal article, *Liberalism and Democracy: Can't Have One without the Other*, Marc F. Plattner describes “liberal democracies” as “an interweaving of two different elements, one democratic in a stricter sense and the other liberal.”<sup>14</sup> Plattner depicts the “democratic” element in the most basic terms as “the rule of the people.”<sup>15</sup> Given the impracticability of a nation state governed by direct rule, Plattner explains that “today it is further presumed that democracy implies virtually universal adult suffrage and eligibility to run

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<sup>12</sup> Robert A. Dahl, *On Democracy* (New Haven and London: Yale University Press, 2000), 37.

<sup>13</sup> *Ibid.*, 38.

<sup>14</sup> Mark F. Plattner, “Liberalism and Democracy: Can't Have One Without the Other,” *Foreign Affairs*, (March/April, 1998): 172, <http://www.foreignaffairs.com/articles/53815/marc-f-plattner/liberalism-and-democracy-cant-have-one-without-the-other>.

<sup>15</sup> *Ibid.*

for office” as fundamental elements.<sup>16</sup> Therefore, the election process has been “regarded as embodying the popular or majoritarian aspect of contemporary liberal democracy.”<sup>17</sup>

With regard to the “liberal” element of this conceptual framework, Plattner suggests that the essence of this notion “refers not to the matter of who rules but how that rule is exercised.”<sup>18</sup> Most importantly, “liberal” infers that there is a limit on the government’s power over the people whose basic liberties are protected by laws—most commonly in the form of a national constitution.<sup>19</sup> Indeed the essence of democratic liberalism is captured by “the idea of natural or inalienable rights, which today are most commonly referred to as “human rights.”<sup>20</sup> The concept of “human rights” includes at its core what is considered to be “the underlying principle of liberalism—namely, that all human beings are by nature free and equal.”<sup>21</sup> Moreover, Fareed Zakaria adds that “for almost a century in the West, democracy has meant *liberal* democracy—a political system marked not only by free and fair elections, but also by the rule of law, a separation of powers, and the protection of basic liberties of speech, assembly, religion, and property.”<sup>22</sup>

However, as Zakaria suggests, “this bundle of freedoms—what might be termed constitutional liberalism—is theoretically different and historically distinct from democracy.”<sup>23</sup> In his article *Rise of Illiberal Democracy*, Zakaria states that “if a country holds competitive, multiparty elections, we call it democratic.”<sup>24</sup> However, the governments of many countries throughout the world meet this baseline definition of

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<sup>16</sup> Plattner, “Liberalism and Democracy,” 172.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Fareed Zakaria, “The Rise of Illiberal Democracy,” *Foreign Affairs* (November/December 1997): 22, <http://www.foreignaffairs.com/articles/53577/fareed-zakaria/the-rise-of-illiberal-democracy>.

<sup>23</sup> Ibid., 22–23.

<sup>24</sup> Ibid., 25.

democracy including the “Iranian parliament—elected more freely than most in the Middle East—[yet,] impose harsh restrictions on speech, assembly, and even dress, diminishing that country’s already meager supply of liberty.”<sup>25</sup> As a result, “illiberal” democracies are “in most of the democratization literature... defined negatively, by referring to what they are not.”<sup>26</sup> Typically, analysts will begin the discourse by defining democracy within a procedural framework limited to the minimal requirements of a free and competitive election process.<sup>27</sup> Upon identifying this baseline “illiberal” democracy, the literature will then typically “consider which additional attributes make democracies more or less functional in order to categorise pseudo-democracies in terms of their shortcomings.”<sup>28</sup>

In essence, by way of analogy, the notion of “liberal” democracy represents the “software” of the democratic system. It is characterized by the basic procedural requirements of universal suffrage and free elections. In addition, the “software” of democracy includes a robust respect for human rights and political freedoms protected within a national constitution. In comparison, the notion of “illiberal” democracy represents the shell or the “hardware” of democratic system and is limited to the simplest procedural measures required to form a democratic regime. However, an “illiberal” democracy does not include the “software” inherent in a “liberal” democracy, and as a result, is characterized by a lack of protection for all but the most basic human rights and political freedoms.

With a theoretical framework for democracy established, the next area within the literature deserving attention is the Muslim Brotherhood’s objective political capacity to commit to a democratic transition within Egypt. Indeed, as noted by Amr Elshobaki in a recent European Union Institute for Security Studies Report titled *Egyptian Democracy and the Muslim Brotherhood*, “when it comes to Egypt’s civil legacy and republican

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<sup>25</sup> Zakaria, “The Rise of Illiberal Democracy,” 23.

<sup>26</sup> Frederic Volpi, “Pseudo-Democracy in the Muslim World,” *Third World Quarterly*, 25, no. 6 (2004): 1063.

<sup>27</sup> *Ibid.*

<sup>28</sup> *Ibid.*

system, the Muslim Brotherhood has historically been an outsider.”<sup>29</sup> However, that has changed with the Brotherhood’s formation of the FJP and their recent victories in the Parliamentary and Presidential elections. Elshobaki argues that the Society of Muslim Brothers has evolved and with the creation of the FJP “the movement had for the first time formed a political party, which, if Egypt succeeds in strengthening its institutions by reforming the security sector, the judiciary and the bureaucracy, may lead to the group’s full integration into a political process while building rather than undermining democracy.”<sup>30</sup>

However, the Brotherhood’s capacity to carry out such a task is going to be largely dependent on the FJP’s ability to navigate the highly polarized political waters that are swarming with diametrically opposed stakeholders such as the Salafis and the secularists. Additionally, the Egyptian military complex poses a significant obstacle to the necessary development of state institutions. In his article *When Victory Becomes an Option*, Nathan J. Brown is far less optimistic than Elshobaki. Brown opines that the Brotherhood will be significantly challenged and their “claims of wishing to build an inclusive coalition... are likely to be far more difficult to realize, as the FJP’s performance has intimidated its rivals and led them to regard the Brotherhood’s strength as their biggest concern.”<sup>31</sup> Even within what would appear to be natural political alliances, Brown argues that the commonality of Islamic faith may not be foretelling of coalition building either given that the Brotherhood’s interests are not as closely aligned with the Salafis as some may suggest. Additionally, Brown contends that that any efforts to close the distance with opponent secularist institutions will be problematic given “the polarization in Egyptian politics that has set in over the past year coupled with some

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<sup>29</sup> Amr Elshobaki, “Egyptian Democracy and the Muslim Brotherhood” (Paris: European Union Institute for Security Studies, 2011): 13, [http://www.iss.europa.eu/uploads/media/Egyptian\\_democracy\\_and\\_the\\_Muslim\\_Brotherhood.pdf](http://www.iss.europa.eu/uploads/media/Egyptian_democracy_and_the_Muslim_Brotherhood.pdf).

<sup>30</sup> *Ibid.*, 3.

<sup>31</sup> Nathan J. Brown, “When Victory Becomes an Option” (Washington, DC: Carnegie Endowment for International Peace, 2012): 9, [http://carnegieendowment.org/files/brotherhood\\_success.pdf](http://carnegieendowment.org/files/brotherhood_success.pdf).

liberals' and leftists' strong fear of Islamists (a fear that has driven some straight into the military's arms) would make such a task more difficult."<sup>32</sup>

In summary, the literature has provided a procedural definition of democracy and refined its scope within the context of two bookend concepts—"liberal" democracy which includes the "software" of democratic governance and "illiberal" democracy which represents the shell or the "hardware" of a democratic system. Additionally, while there is no clear consensus within the literature regarding the Muslim Brotherhood's capacity for democratic governance, it is strictly objective in its scope. The literature is limited to the approach of applying democratic paradigms to the *objective* observations of the Muslim Brotherhood's political practices over time. However, the literature is currently silent with regard to the discussion of any *subjective* evidence of the Muslim Brotherhood's democratic intentions; specifically the subjective evidence available since the 2012 Presidential Election. The purpose of the major research question is to fill this gap of subjective analysis by taking a survey of the perceptions held by the most significant stakeholders within the Egyptian polity with regard to the Muslim Brotherhood's willingness to share power, compromise, and participate in "pacting" with the elite of Egyptian politics since the Muslim Brotherhood's President Morsi was elected.

#### **D. PROBLEMS AND HYPOTHESIS**

There are two fundamental problems raised by this research question. The first problem is the lack of direct access to primary sources. Due to logistical and time constraints access, the research for this thesis will be conducted without the benefit of personal interviews or first-hand sources. Secondly, the Egyptian government is notoriously close-hold with regard to access to statistical and historical data, especially in the case of the military establishment. As a result, without the benefit of first-hand sources or reliable government statistical data, the conclusions of this thesis will be based

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<sup>32</sup> Brown, "When Victory Becomes an Option," 9.

entirely on second hand sources such as academic journal articles, books, governmental reports (non-Egyptian), and other scholarly publications and news articles.

The major research question and the subjective and objective analysis of this thesis lead to the following hypotheses:

*Hypothesis 1:* The subjective analysis indicates that the key members of the Egyptian polity perceive the Muslim Brotherhood to be democratically inclined. The objective analysis corroborates the subjective data and suggests that the Muslim Brotherhood's has the capacity to commit to democratic transition. Therefore, the Muslim Brotherhood is subjectively perceived to be committed to democratic rule and objectively possess the capacity to transition Egypt to a democracy.

*Hypothesis 2:* The subjective analysis indicates that the key members of the Egyptian polity do not perceive the Muslim Brotherhood to be democratically inclined. However, the objective analysis supports the conclusion that the Muslim Brotherhood possesses the capacity (either intentionally or due to circumstantial default) to facilitate a democratic transition. Therefore, the Muslim Brotherhood has subjectively failed to create the perception to commit to a democratic transition. However, notwithstanding the perceptions to the contrary, the objective findings lead to the conclusion that the Muslim Brotherhood, due to internal or external forces, will be compelled to make concessions that will provide the foundation for a gradual democratization of the Egyptian government.

*Hypothesis 3:* The subjective analysis indicates that Egyptian polity does not perceive the Muslim Brotherhood to be democratically inclined. The objective analysis corroborates the subjective data and does not support the Muslim Brotherhood's commitment to democratic transition. Therefore, the Muslim Brotherhood has subjectively and objectively failed to establish a capacity to commit to transition Egypt to a democracy and will continue to govern via authoritarian rule.

## **E. METHODS AND SOURCES**

The method I will be using for this thesis will be a single case study regarding the Muslim Brotherhood's intention to commit to a meaningful democratic transition. This single case study will begin with an attempt to find a consensus for the requisite elements of democratic rule. This first part will also attempt to define the spectrum of democracy that exists between what is known as "liberal" and "illiberal" democracies. The second part of this paper will examine the history and ideology of the Muslim Brotherhood, as well as the most recent political maneuvers of President Morsi and the FJP, in order to assess its objective democratic capacity by comparing it to the foundations for democracy identified in part one. The third part of this case study will summarize the subjective perception of the Muslim Brotherhood's democratic intentions since the 2012 Presidential Election based upon a survey of interviews and commentary by the major political stakeholders within the Egyptian polity.

The sources for this thesis will be based on second hand sources such as academic journal articles, books, governmental reports (non-Egyptian) governmental reports, and other scholarly publications and news articles.

## **F. THESIS OVERVIEW**

Since President Morsi and the Muslim Brotherhood's FJP took power in the first free election of Egypt's history, the transition to democracy has been watched with great interest by the United States and the international community. Of great concern to all is whether the FJP Islamists will fully adopt democracy as they consolidate their recent gains of political power. Given the highly fractured nature of Egyptian politics characterized by such polarizing political actors as the Copts, the Salafis, and the Military Industrial complex, if there is going to be a meaningful democratic transition in Egypt it will be critically important for the Muslim Brotherhood's FJP to gain the confidence of their political rivals. Indeed, a key indicator of the opposition's confidence is the current perception of the Brotherhood's commitment to democracy within the Egyptian polity.

Therefore, the major research question of this thesis paper is the following: "what is the current perception of the Muslim Brotherhood's commitment to democratic



compromise within the Egyptian polity?” This question is significant because if the Muslim Brotherhood cannot convince its political competitors that the FJP is committed to developing a democratic transition that provides an opportunity for political actors from outside the FJP to have a chance to gain power and influence policy, the opposition will inevitably be forced to take intractable positions. This outcome would be disastrous in terms of Egypt’s democratic transition because the Muslim Brotherhood will become much less likely to compromise with the opposing political groups. Instead, the Brotherhood will inevitably resort to undemocratic means in order to impose its political will.

The first part of this thesis will examine the definition of democracy and its essential elements in order to establish an objective standard of democratic governance. In addition, it will also attempt to define the spectrum of democracy that exists between what is known as “liberal” and “illiberal” democracies in order to lay the foundation for the possible paradigms for an Egyptian democracy.

Once an objective standard for democratic rule has been established, part two will examine the history and political ideology of the Muslim Brotherhood in order to determine its capacity and consistency with the foundational elements of democracy. This determination will be objectively deduced by comparing the Muslim Brotherhood’s political ideology to the objective elements required for democratic governance in order to fully assess whether the Muslim Brotherhood has the capacity to commit to the democratic governance of Egypt.

The third part of this thesis will attempt to discern the Muslim Brotherhood’s democratic intentions via subjective analysis. It will be conducted by examining the public reactions to the rise of the Muslim Brotherhood by the key political stakeholders within the Egyptian polity over the last 18 months. This data set will be acquired by reviewing the print and Internet news sources covering the political relationship between the Muslim Brotherhood and these key stakeholders in order to get a subjective sense of the Brotherhood’s perceived penchant for democracy. In essence, these sources will provide anecdotal subjective evidence of the perception of the Muslim Brotherhood’s willingness to share power, compromise, and participate in “pacting” with the elite of

Egyptian politics. Given the lack of first hand access to the leadership of the Muslim Brotherhood, a comprehensive review of the Muslim Brotherhood's political inclusiveness perceived by such key stakeholders will provide subjective evidence of the Brotherhood's democratic intentions.

The final part of this paper will conclude with an analysis of the subjective data in order to determine what conclusions can be drawn from the perceptions of the Egyptian polity in relation to the Muslim Brotherhood's democratic intentions. The findings of the subjective analysis will be weighed against the findings of the objective analysis conducted in part two in order to provide a comprehensive understanding of the Muslim Brotherhood's democratic capacity.

## II. DEMOCRATIC TRANSITION

### A. DEFINING DEMOCRACY—THE FOUNDATIONAL ELEMENTS

In early 2011, Egyptian's gathered in Tahrir Square to protest President Hosni Mubarak's authoritarian regime. Spurred on by the ousting of Tunisia's dictator, protestors gathered by the millions and demanded for Mubarak to relinquish control of Egypt's government. What the people wanted was justice and change from a regime that had become increasingly repressive. In its effort to maintain power and control over Egypt, during the last two decades "the ruling clique expanded the reach of the internal security and intelligence agencies, employing hundreds of thousands as informants, thugs, police officers, and other personnel to conduct ever more extensive monitoring of the citizenry."<sup>33</sup> The protestors were successful and the past two years has witnessed unprecedented political change within Egypt. The Muslim Brotherhood has successfully elected their candidate to the Presidency. The question of the day is what will this Muslim Brotherhood led, Post-Mubarak transition look like? At this point, the Muslim Brotherhood and their political arm of the FJP appear to be setting the stage for a transition to some form of democratic government. While the merits of preliminary conclusion will be addressed in the foregoing chapters, there needs to be an understanding of what democracy and its scope to begin the discussion. Therefore, this chapter will provide the baseline foundational elements which can be used as the framework with which to measure the Muslim Brotherhood's democratic capacity and intention via objective and subjective evidence.

The first objective for this chapter is to identify a workable definition for democracy. Samuel P. Huntington's *The Third Wave* suggests that over time scholars have developed three prominent frameworks that define the modern notion of democracy "in terms of sources of authority for government, purposes served by government, and

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<sup>33</sup> Chris Toensing and Jeannie Sowers, *The Journey to Tahrir; Revolution, Protest, and Social Change in Egypt* (London: Verso, 2012), 4.

procedures for constituting government.”<sup>34</sup> Huntington’s work disregarded the first two definitional frameworks due to significant issues regarding lack of fidelity and precision in their application.<sup>35</sup> For *The Third Wave*, as will be for the purposes of this thesis, a procedural definition was used to encapsulate the meaning of democracy.<sup>36</sup> Huntington argues that while other models of governance rely upon a system within which the leadership is ascended to power via “birth, lot, wealth, violence, cooptation, learning, appointment, or examination”—the democratic model is unique.<sup>37</sup> Democracy is different from these other models because it is characterized as government system whereby “[t]he central procedure... is the selection of leaders through competitive elections by the people they govern.”<sup>38</sup>

Therefore, this thesis specifically adopts the following definition of democracy: “a political system... [within which] its most powerful collective decision makers are selected through fair, honest, and periodic elections in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote.”<sup>39</sup> The benefit of this procedural definition of democracy is that it sets forth measurable benchmarks that allow for a meaningful discussion regarding the democratic nature of a particular country.<sup>40</sup>

In order to develop a full appreciation for the aforementioned benchmarks of democratic governments, Robert A. Dahl’s *On Democracy* is instructive. In it, Dahl argues convincingly for the recognition of five fundamental elements or criteria required by democracy:

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<sup>34</sup> Huntington, *The Third Wave*, 6.

<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid., 7.

<sup>40</sup> Ibid.

1. Effective participation
2. Voting equality
3. Enlightened understanding
4. Control of the agenda
5. Inclusion of adults <sup>41</sup>

These criteria are imperative to ensure that all participants in the political arena are equal in terms of their respective ability to determine policy.<sup>42</sup> A discussion of these criteria is important because a key underlying theme for this thesis is determining the Muslim Brotherhood's capacity to adopt these processes and effect a meaningful transition to democracy within Egypt. In essence, these processes are instrumental to the sharing of power and are vital to any democratic transition. The first of these criteria is the requirement that there be effective participation within the political system.<sup>43</sup> This necessitates that prior to the point that a decision is made "all members must have equal and effective opportunities for making their views known to the other members as to what the policy should be."<sup>44</sup> The second criterion simply means that all members of the political system shall enjoy equal rights with regard to access and counting of votes.<sup>45</sup> A more esoteric concept, the third criteria of gaining enlightened understanding essentially requires that "[w]ithin reasonable limits as to time, each member must have equal and effective opportunities for learning about the relevant alternative policies and their likely consequences."<sup>46</sup> The fourth criteria, providing the opportunity for final control over the agenda, is a safeguard against a closed process that would prevent members from the political system from participating in deciding "how and, if they choose, what matters are

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<sup>41</sup> Dahl, *On Democracy*, 38.

<sup>42</sup> Ibid.

<sup>43</sup> Ibid., 37.

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

to be placed on the agenda.”<sup>47</sup> The fifth and final criterion is the necessary requirement to include all adults permanently residing within the geographic territory of the state the benefit of citizenship.<sup>48</sup>

In summary, while there have been numerous definitions for what comprises a democracy, this thesis will adopt a procedural definition. Relying upon the frameworks provided by Huntington and Dahl, the baseline definition will be a system of governance characterized by a fair, periodic, and competitive process of elections wherein the right to vote is made available to all adults. Additionally, this baseline procedural definition will be used in conjunction with the aforementioned five criteria set forth by Dahl to ensure that all participants in the political arena are equal in terms of their respective ability to determine policy.<sup>49</sup> Identifying these foundational elements of what encompasses a democracy and how to measure the democratic character of a particular political system will be applied in the foregoing chapters against the objective and subjective evidence relative to the Muslim Brotherhood’s capacity to effect a meaningful transition to democracy within Egypt.

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<sup>47</sup> Ibid., 38.

<sup>48</sup> Dahl, *On Democracy*, 38.

<sup>49</sup> Ibid.

## **B. THE SCOPE OF DEMOCRACY—WHAT A POST-TRANSITION DEMOCRACY MAY LOOK LIKE IN EGYPT**

With the definition of democracy established the next necessary step is to examine the scope of democracy. Essentially, the baseline definition and the five criteria provide the foundation for a theoretical process that can be used to characterize a governing system as democratic. However, within that framework there is a broad spectrum of democracy and there are numerous democratic systems of government currently being used throughout the world that ostensibly meet this baseline definition, yet the nature of democratic rule varies greatly from one country to the next. In order to provide a fuller appreciation of what a post-transition democracy may look like in Egypt under the Muslim Brotherhood, the scope of democracy in its actual application must be discussed. The following will address what are essentially the left and right lateral limits of democracy in order set forth the range of democratic governance. Additionally, given the inherently problematic relationship between Islamism, the conservative expression of political Islam, and the comparatively far more liberal idea of democracy, an examination of this dynamic is important to frame the most probable and conceivable expectation for the context of Egypt's democratic future.

### **1. Liberal Democracy**

To expand on the forgoing discourse, “democracy is multidimensional concept, ranging from definitions based exclusively on institutional frameworks... to complex and integrated measures that include political and civil rights, democratic practices, values, and finally a diverse set of institutional arrangements in society.”<sup>50</sup> Democracy is in many ways an exercise in power sharing. For there to be any meaningful sharing of power in a political system that includes such a complex association of diverging interests there needs to be a culture of inclusion. This is the very essence of a liberal democracy. It is “a project of inclusion of a plurality of people, classes, values, and

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<sup>50</sup> Susanne Karstedt, “Democracy, Values, and Violence: Paradoxes, Tensions, and Comparative Advantages of Liberal Inclusion,” *Democracy, Crime, and Justice* 605 (May 2006): 56–57.

practices.”<sup>51</sup> However, within this project of inclusion is an inherent tension that pits a political system that relies on inclusionary procedures against the rights of individual freedom granted by the same system.<sup>52</sup> Going beyond the basic requirement for free elections, a liberal democracy requires on the outset vertical accountability which is “the absence of reserved domains of power for the military or other actors not accountable to the electorate, directly or indirectly.”<sup>53</sup> Secondly, a liberal democracy also demands that there be horizontal accountability between the various leaders of government.<sup>54</sup> This requirement provides a check on the powers of the executive and serves to protect the rule of law and the democratic processes.<sup>55</sup> Lastly, “it encompasses extensive provisions for political and civic pluralism as well as for individual and group freedoms, so that contending interests and values may be expressed and compete through ongoing processes of articulation and representation, beyond periodic elections.”<sup>56</sup>

Safeguarding all of the requirements for a liberal democracy is a robust and mature respect for the “rule of law.”<sup>57</sup> Typically, the base document that forms the foundation for the “rule of law” within any country is a constitution. Indeed, the notion of “liberalism is essentially a doctrine devoted to protecting the rights of the individual to life, liberty, property, and the pursuit of happiness.”<sup>58</sup> Government is the only institution with the capacity to protect those rights, yet this is a double edged sword because governments are also the most well positioned (and willing) institution to violate those rights as well.<sup>59</sup> As a result, a constitution represents the essential tool within a liberal democracy that protects the people from their own governments. In this regard, the

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<sup>51</sup> Karstedt, “Democracy, Values, and Violence,” 57.

<sup>52</sup> Ibid.

<sup>53</sup> Larry Diamond, *Developing Democracy: Toward Consolidation* (Baltimore: The Johns Hopkins University Press, 1999):10.

<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

<sup>56</sup> Ibid., 10–11.

<sup>57</sup> Ibid., 11.

<sup>58</sup> Plattner, “Liberalism and Democracy,” 79.

<sup>59</sup> Ibid., 79.



constitution is the first incarnation of what is now recognized as human rights law. This body of international law rose to prominence following the conclusion of World War II and is central facet to the mission of United Nations. The noble purpose of human rights law is simply to protect citizens from their own governments. The constitution represents the same protection for the citizens of a country in that it provides a limit on the government's power to infringe upon the rights and liberty of the governed. And indeed, "for almost a century in the West, democracy has meant *liberal* democracy—a political system marked not only by free and fair elections, but also by the rule of law, separation of powers, and the protection of basic liberties of speech, assembly, religion, and property."<sup>60</sup> This collection of freedoms, protected by the rule of law, is the hallmark of liberal democracy.

## **2. Illiberal Democracy**

Within the spectrum of democratic regimes, if liberal democracy occupies the left, to the right is the notion of illiberal democracy. The characterization of a government, assuming it meets the previously established baseline definition for democracy, as illiberal correlates directly with the number of individual liberties that government protects. Essentially, the fewer protected freedoms, the more illiberal the government. Consequently, "[i]n most of the democratization literature [these] pseudo-democracies are defined negatively, by referring to what they are not."<sup>61</sup>

Although the term "illiberal democracy" evokes a pejorative connotation in that suggests a government that adopts merely an empty shell of democracy within the western understanding of the word, however, "to go beyond... [this] minimalist definition and label a country democratic only if it guarantees a comprehensive catalog of social, political, economic, and religious rights turns the word democracy into a badge of

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<sup>60</sup> Zakaria, "The Rise of Illiberal Democracy," 22.

<sup>61</sup> Volpi, "Pseudo-Democracy in the Muslim World," 1063.

honor rather than a descriptive category.”<sup>62</sup> Moreover, it is significant to recognize the fact that arguably “half of the ‘democratizing’ countries in the world today are illiberal democracies.”<sup>63</sup>

### 3. Islamists and Democracy

Having delineated the democratic framework in both definition and scope for the purposes of this thesis, a discussion regarding the inherent tension between Islamism and Democracy is required in order to acquire a complete contextual understanding of the major thesis question. Any evaluation of the Muslim Brotherhood’s penchant for democracy would be remiss without addressing the problematic relationship shared between political Islam and democratic governance. To begin, “[t]he issue of contested cultures and civilizations is especially important in assessing the prospects for democracy in the Arab world.”<sup>64</sup> Indeed, “Huntington argues that Islam creates special obstacles to democratization: ‘To the extent that governmental legitimacy and policy flow from religious doctrine and religious expertise, Islamic concepts of politics differ from and contradict the premises of democratic politics.’”<sup>65</sup>..These obstacles Huntington describes are becoming more and more relevant as two growing tides have been rushing toward one another.<sup>66</sup> From the west, Democracy has come in high demand behind the wake of failed authoritarian regimes around the globe.<sup>67</sup> And from the East, “Islamic revival and its extension as a political formula have also arisen, in reaction to the failures of modernism and secular socialism in developing countries.”<sup>68</sup>

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<sup>62</sup> Zakaria, “The Rise of Illiberal Democracy,”25.

<sup>63</sup> Zakaria, “The Rise of Illiberal Democracy,” 24.

<sup>64</sup> Dale F. Eickelman, “Muslim Politics,” edited by John P. Entelis in *Islam, Democracy, and the State in North Africa* (Bloomington and Indianapolis: Indiana University Press, 1997), 19.

<sup>65</sup> John O. Voll, “Sultans, Saints, and Presidents: The Islamic Community and the State in North Africa.” in *Islam, Democracy, and the State in North Africa*, (Bloomington & Indianapolis: Indiana University Press, 1997): 7.( citing Huntington, Samuel P. 1991a . “A New Era in Democracy: Democracy’s Third Wave.” *Current*, no. 335 (September). (Reprinted from *Journal of Democracy* [Spring 1991].))

<sup>66</sup> William I. Zartman, “Democracy and Islam: The Cultural Dialectic,” *Political Islam* 524 (1992): 182, <http://www.jstor.org/stable/1046715>.

<sup>67</sup> Ibid.

<sup>68</sup> Ibid.

One of the most compelling arguments in support of the proposition that Islam is incompatible with democracy is the conflicting values between the two systems. There are many western scholars who “assert that democracy and Islam are incompatible... [because] democracy requires openness, competition, pluralism, and tolerance of diversity.”<sup>69</sup> In contrast, the Islamic faith has been characterized by an intolerance of intellectual freedom and absolute obedience for authority.<sup>70</sup> Furthermore, “Islam is said to be antidemocratic because it vests sovereignty in God, who is the sole source of political authority and from whose divine law must come all regulations governing the community of believers.”<sup>71</sup> Because of this belief that the authority to rule is essentially imparted by God and must be accepted with without dissent, some scholars have argued that political Islam can only support a totalitarian government.<sup>72</sup> The question of sovereignty and where it originates is instructive from a standpoint of fundamental values. This is because “Islamism is focused on the capture and the remoulding of the state in accordance with what is believed to be Islamic law.”<sup>73</sup> This is a key concept within this debate because the Islamist believes that “Islamic law is seen to supersede man-made laws, challenging the legitimacy of the political and legal frameworks that have maintained incumbent regimes in the Muslim world.”<sup>74</sup> Indeed, for the Islamist, human reasoning and logic are discounted to the extent that the exercise of such attributes would potentially interfere with the divine design of God’s vision of a true Islamic

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<sup>69</sup> Mark Tessler, “Islam and Democracy in the Middle East: Impact of Religious Orientation on Attitudes Toward Democracy in Four Arab Countries” *Comparative Politics*, 34, no. 3 (April 2002): 338.

<sup>70</sup> Ibid.

<sup>71</sup> Ibid.

<sup>72</sup> Ibid.

<sup>73</sup> Shahram Akbarzadeh, “The Paradox of Political Islam,” in *Routledge Handbook of Political Islam*, edited by Shahram Akbarzadeh (London & New York: Routledge, 2012), 3.

<sup>74</sup> Ibid.

state.<sup>75</sup> In essence, “[t]he Islamist vision of a perfect society is diametrically opposed to the model of democracy, as the latter rests on the sovereignty of the people as the source of legitimacy.”<sup>76</sup>

These contrasting values have been played out over and over again in the last few years. For example, democracy values the protection of personal freedoms over the community. Islam values the community over individual rights and the freedom of expression. The freedom of expression is attacked by the Islamists every time there is individual expression of an idea that offends the Islamic communities’ collectively delicate sensibilities. The outcry over Salman Rushdie’s novel *The Satanic Verses* was banned in Muslim countries throughout the world because Islamic leaders found the work to be morally offensive.<sup>77</sup> In fact, the Ayatollah of Iran issued a *fatwa* in 1989 that essentially called for Rushdie’s execution for the crime of blasphemy.<sup>78</sup> This death sentence was doled out for a crime under Islamic law that, under democracy, would be a fiercely protected freedom of speech.

A counter argument to the preceding theories suggesting that Islamic values are in direct conflict with democracy include the proposition that these theories have been created simply for the sole purpose of creating a divide between the East and West.<sup>79</sup> In fact, critics of these theories opine that the view that Islamists are inherently predisposed to restricting expressions of personal freedom due to God’s inherent sovereignty “is a misreading of the sources of religion and represents a capitulation to extremist discourse.”<sup>80</sup> Instead, the correct interpretation of Islam is that the protection of such personal freedoms is the sacred intent of God’s law.<sup>81</sup> In fact some would argue that

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<sup>75</sup> Ibid.

<sup>76</sup> Akbarzadeh, “The Paradox of Political Islam,” 3.

<sup>77</sup> Ali A. Mazrui, “Islamic and Western Values” *Foreign Affairs*, 76, no. 5 (September/October, 1997), 120, <http://www.foreignaffairs.com/articles/53386/ali-a-mazrui/islamic-and-western-values>.

<sup>78</sup> Ibid.

<sup>79</sup> Anwar Ibrahim, “Universal Values and Muslim Democracy” *Journal of Democracy*, 17, no. 3 (July, 2006), 6, <http://www.journalofdemocracy.org/articles/gratis/Ibrahim-17-3.pdf>.

<sup>80</sup> Ibid.

<sup>81</sup> Ibid., 7.

“Islam has always expressed primacy of ‘*adl*,’ or justice, which is a close approximation of what the West defines as freedom.”<sup>82</sup>

Yet, notwithstanding Huntington’s assertions, democracy is not inherently incompatible with Islam.<sup>83</sup> In fact, the Quran is no different than the Bible in that “it can be interpreted to support many different types of political behavior and systems of government.”<sup>84</sup> The Islamic text does not offer any specific support for democratic governance. Far more of the Quran’s guidance in the area of government is concerned with the “pious qualities expected of a ruler than on the way in which rulers should be chosen.”<sup>85</sup>

While not inherently incompatible, when Islamists infringe upon the free exercise of the democratic process, Islam clashes with democracy.<sup>86</sup> This incompatibility arises in situations “when political Islam, in the name of cleaning out the stables of corruption and alienation, promises to install a system where only those who subscribe to the true path are allowed into the contest for power.”<sup>87</sup> In essence, democracy and its institutions are at risk any time the Islamists party in power places itself as the keeper of the state religion because this powerful position affords the ruler the ability to delegitimize its opposition.<sup>88</sup> However, “[w]hen parties led by devoted leaders inspired by religious beliefs vie among others for a role in government, there is no incompatibility.”<sup>89</sup> In fact there are a growing number of fundamental Islamists that accept democracy as a form of government that is consistent with the Quran’s notion of *shura* and are “prepared to go as

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<sup>82</sup> Ibrahim, “Universal Values and Muslim Democracy,” 7.

<sup>83</sup> Zartman, “Democracy and Islam,” 188.

<sup>84</sup> Ibid.

<sup>85</sup> Ibid., 189.

<sup>86</sup> Ibid.

<sup>87</sup> Ibid.

<sup>88</sup> Ibid.

<sup>89</sup> Ibid.

far as possible to support democracy—with the notable reservation that it should be maintained only within the limits set by *shari'a*.”<sup>90</sup>

In summary, the preceding hypothetical transition is the exact scenario that set the conditions for the Muslim Brotherhood’s unlikely rise to power in Egypt after the January 25th Revolution. President Hosni Mubarak represented the corrupt authoritarian regime that needed to be removed. The Muslim Brotherhood emerged as the people’s choice to clean out the stables of corruption. Consequently, the Muslim Brotherhood is currently in the position that, if arranges the system in a way that nullifies competition from other parties and it takes for itself the role of Islam’s guarantor, it may be able to deny the opposition any meaningful role in the new Egyptian government. However, if the Muslim Brotherhood allows for the free exercise of the requisite democratic processes and chooses not to silence the voice of the political competition, then Egypt may have an opportunity to experience democracy with Islamists at the helm

### **C. POST-AUTHORITARIAN DEMOCRATIC TRANSITION**

With the foundational elements for democratic rule established, the last part of this chapter will address the *transition* to democracy. To begin the discourse it is necessary to examine what exactly constitutes a transition to democracy. In the most basic understanding, a transition is simply the interim period separating two consecutive regimes.<sup>91</sup> More specifically, “[t]ransitions are delimited on the one side, by the launching of the process of dissolution of an authoritarian regime and, on the other, by the installation of some form of democracy, the return to some form of authoritarian rule, or the emergence of a revolutionary alternative.”<sup>92</sup>

A key indicator that a democratic transition is on the cusp of occurring within a country is the gradual loosening of the regime’s chains that inhibit the exercise of basic

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<sup>90</sup> Abdou Filali-Ansary, “Muslims and Democracy,” in *The Global Divergence of Democracies*, edited by Larry Diamond and Marc F. Plattner, (Baltimore: The Johns Hopkins University Press, 2001), 44.

<sup>91</sup> Philippe C. Schmitter and Guillermo O’Donnell, *Transitions from Authoritarian Rule*, (Baltimore: The Johns Hopkins University Press, 2007), 6.

<sup>92</sup> *Ibid.*

liberties and freedoms for individuals and groups.<sup>93</sup> Essentially, there will be the creation of some measure of space to freely associate and communicate in way that is consistent with basic human rights law. This has a domino effect on the regime in power because “[o]nce some actors have dared to exercise those rights publicly and have not been sanctioned for doing so as they were during the zenith of the authoritarian regime, others are increasingly likely to dare to do the same.”<sup>94</sup> And the reason for this is because these unchecked liberal actions effectively lower the transaction cost of exercising such freedoms.<sup>95</sup> Additionally, while liberalization of a regime is certainly reversible given that a regime maintains the ability to crack down arbitrarily and capriciously on such rights during the transition, if the regime does not feel threatened by this expanding bubble of freedoms, “they tend to accumulate, become institutionalized, and thereby raise the effective and perceived costs of their eventual annulment.”<sup>96</sup>

The last central concept relative to the transition of an authoritarian regime is democratization. Related to the concept just previously discussed, democratization is a term that refers to the processes adopted to protect the liberties and freedoms that develop during the liberalization. It generally denotes the following set of developments that are integral to a democratic transition:

The processes whereby the rules and procedures of citizenship are either applied to political institutions previously governed by other principles (e.g., coercive control, social tradition, expert judgment, or administrative practice), or expanded to include persons not previously enjoying such rights and obligations (e.g., nontaxpayers, illiterates, women, youth, ethnic minorities, foreign residents), or extended to cover issues and institutions not previously subject to citizen participation (e.g., state agencies, military establishments, partisan organizations, interest associations, productive enterprises, educational institutions, etc.).<sup>97</sup>

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<sup>93</sup> Schmitter and O’Donnell, *Transitions from Authoritarian Rule*, 7.

<sup>94</sup> Ibid.

<sup>95</sup> Ibid.

<sup>96</sup> Ibid.

<sup>97</sup> Ibid., 8.

Indeed, there is no hard and fast rule regarding the time at which either liberalization or democratization take place during a transition.<sup>98</sup> Moreover, they may not even happen simultaneously.<sup>99</sup> However, a meaningful transition to democracy requires both elements to eventually occur and mature.

#### **D. THE IMPORTANCE OF PACTING AND THE EGYPTIAN TRANSITION TO DEMOCRACY**

If there is one word that captures the essence of Egyptian politics, it would be polarization. Currently, the Muslim Brotherhood finds itself caught between diametrically opposed political forces. There is scant maneuver space for compromise. A polarized political climate such as the one currently in Egypt requires flexible and dynamic leadership that can find middle ground and build bridges of trust between opposing political forces such as the Salafis and the secularists. Unfortunately for the Brotherhood, consensus building has never been their forte. Notwithstanding, “since President Morsi won the election, the Muslim Brotherhood [has] adopted more of a conciliatory tone and made an effort to reach out to non-Islamists.”<sup>100</sup> Whether or not the Brotherhood’s efforts have been successful remains to be seen. However, some critics have opined that “it hasn’t [;]... It’s deep-seated [and] neither side trusts the other.”<sup>101</sup> According to Egyptian publisher and political commentator, Hisham Kassem, “the people had quickly lost trust in the Brotherhood, which reneged on a promise not to run a candidate for president this year [;] they concluded it was willing to say anything to secure power.”<sup>102</sup> Indeed, with regard to parliamentary politics, the Brotherhood’s attempts to “build an inclusive coalition—whether formal or informal—however sincere, are likely to be far more difficult to realize, as the FJP’s performance has intimidated its

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<sup>98</sup> Schmitter and O’Donnell, *Transitions from Authoritarian Rule*, 9.

<sup>99</sup> *Ibid.*

<sup>100</sup> Rod Nordland, “Egypt’s Islamists Tread Lightly, but Skeptics Squirm.” *New York Times*. July 28, 2012, accessed August 31, 2012, <http://www.nytimes.com/2012/07/29/world/middleeast/egypts-islamists-tread-lightly-but-skeptics-squirm.html>.

<sup>101</sup> *Ibid.*

<sup>102</sup> *Ibid.*



rivals and led them to regard the Brotherhood's strength as their biggest concern."<sup>103</sup> Consequently, the new Egyptian Parliament will a public stage on which the Brotherhood can share "its vision and perhaps to pursue selected legislative projects, but it will not be a place from which it will be able to govern or forge clear alliances."<sup>104</sup>

This dynamic is critically important in the case at hand because successful democratic transitions, particularly in situations of polarized politics, depend upon the creation of political pacts. Within in the present context, the concept of a pact "can be defined as an explicit, but not always publicly explicated or justified, agreement among a set of actors which seeks to define (or better redefine) rules governing the exercise of power on the basis of mutual guarantees for the 'vital interests' of those entering into it."<sup>105</sup> Essentially, both sides of must come to terms with the fact that they will not be able to achieve total victory and will consequently be forced to "see democracy as a second-best solution to intractable conflicts of interest."<sup>106</sup> Once this determination has been made by both sides, the mechanisms of democratic transition will begin to develop as the stakeholders begin to bargain for a piece of the pie. This bargaining process will often be achieved by participants with "no experience and little philosophical commitment to democracy."<sup>107</sup>

In practice, this "pacting" toward democracy occurs in a three step process. First the relevant stakeholders will be identified and mobilized during a lengthy and contentious political battle that will frame the polarized positions.<sup>108</sup> This initial process will set the conditions whereby democratic tactics are adopted as a matter of necessity to achieve a given end-state.<sup>109</sup> The second step is the point in time during which the

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<sup>103</sup> Brown, "When Victory Becomes an Option" 9.

<sup>104</sup> Ibid.

<sup>105</sup> Schmitter and O'Donnell, *Transitions from Authoritarian Rule*, 37.

<sup>106</sup> John Waterbury, "Democracy Without Democrats?: The Potential for Political Liberalization in the Middle East," in *Democracy Without Democrats?: The Renewal of Politics in the Muslim World*, edited by Ghassan Salame (London & New York: I.B. Tauris Publishers, 1994), 34.

<sup>107</sup> Ibid.

<sup>108</sup> Ibid., 34–35.

<sup>109</sup> Ibid., 35.

stakeholders “recognize a no-win stalemate and negotiate compromises... [wherein] democratic rules and various quid pro quos are agreed upon.”<sup>110</sup> The final step is essentially the institutionalization of this give and take over time which eventually will create the expectation of democratic behavior by the stakeholders and the citizens whose interests they serve.<sup>111</sup>

This is a crucial concept for the purposes of this thesis because the evaluation of the data collected in Chapter III will be directly correlated with the extent to which the stakeholders outside of the Muslim Brotherhood believe that they have a fair possibility of gaining political ground at some point due to the Brotherhood’s perceived willingness to engage in compromising pacts. In essence, this perceived hope of future victory is the incentive to withdraw from the intractable position and come to the bargaining table. These fundamental transitional steps toward democracy are “carried out by non-democrats who had hoped to win everything, but learned through painful experience and stalemate that the *possibility* of winning something was better than the possibility of winning nothing at all or, indeed, losing everything, including one’s life.”<sup>112</sup> It is imperative to democracy’s development that the losers believe that the future includes a reasonable degree of hope that they will have opportunity to compete and win.<sup>113</sup> It is essential that the transition to democratic rule be the product from deliberate exercise of compromised agreements. It is only through “a bargained equilibrium that at once assures that no parties to the pact will be eliminated (part and parcel of winner-takes-all politics) and that the rules do not preclude the victory of a party in the future.”<sup>114</sup>

There are significant historical examples of this form of pacting during the transition from an authoritarian state to democratic rule. Many of these examples are found in the numerous democratic transitions experienced in Latin America and Europe

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<sup>110</sup> Waterbury, “Democracy Without Democrats,” 35.

<sup>111</sup> Ibid.

<sup>112</sup> Ibid., 34.

<sup>113</sup> Ibid., 35.

<sup>114</sup> Ibid.

where “political and economic elites have attempted to extricate themselves from the ruins of war or the reigns of tyrants.”<sup>115</sup> An example that is arguably germane to the current transition in Egypt would be the democratic transition of Uruguay in the late 1980s. Like Egypt, Uruguay was ruled by an authoritarian regime from 1973 until 1985. The Uruguayan Military was politically dominant as well and “ruled de jure by hierarchically led military from 1976 until a united military organization handed over power to a democratically elected president in 1985.”<sup>116</sup> Arguably, the democratic transition began in Uruguay when the military removed the president and issued a referendum to the people in order to ratify a new constitution in 1980 that, “if ratified, elections with a single presidential candidate, nominated by the two traditional parties and approved by the military, would be held in 1981.”<sup>117</sup> The political landscape changed almost overnight when the democratic opposition secured an unexpected victory at the polls and won the referendum.<sup>118</sup> Indeed the military’s political leverage was severely diminished given that there was no legitimate internal threat and they did not enjoy a base of support from preexisting alliances within the political or civilian communities.<sup>119</sup> Additionally, “with the loss of the plebiscite, whose results they said they would respect, the military-as-institution’s bargaining power with the politicians eroded significantly.”<sup>120</sup> The military was not completely powerless however and was still able to negotiate for several important concessions from the opposition via the Naval Club Pact and that curtailed the field of presidential candidates and extracted “guarantees concerning the National Security Council and their own autonomy.”<sup>121</sup> Additionally, it

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<sup>115</sup> Lisa Anderson, “Political Pacts, Liberalism, and Democracy: The Tunisian National Pact of 1988,” *Government and Opposition: An International Journal of Comparative Politics*, 26, no. 2 (April 1991), 244.

<sup>116</sup> Alfred Stepan and Juan J. Linz, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe* (Baltimore & London: The Johns Hopkins University Press, 1996), 151.

<sup>117</sup> *Ibid.*, 152.

<sup>118</sup> *Ibid.*

<sup>119</sup> *Ibid.*, 153.

<sup>120</sup> *Ibid.*, 153–154.

<sup>121</sup> *Ibid.*, 154.

was commonly known that an implicit agreement was made during the Naval Club Pact negotiations that military officers would be safe from prosecution for any crimes against the civilian population that were alleged to have occurred during military rule.<sup>122</sup> After this gentlemen's agreement was not honored the military attempted to test the states sovereignty by ordering the accused officers to ignore subpoenas to appear in court, the Uruguayan government quickly passed a law granting amnesty to "avoid the immediate crisis at the cost of the lowered prestige of democratic institutions."<sup>123</sup> Notwithstanding this apparent misunderstanding of the nature of the amnesty provision of the Naval Club Pact, taken on whole the negotiated settlement is largely viewed as a successful example of a pacted transition from an authoritarian regime to democratic governance. Indeed, "Uruguay is... consolidated *institutionally*; with the agreed-upon lapse of the Naval Club Pact, one year to the day after the inauguration of a democratic parliament, there were no de jure constraints on the policy freedom of the democratic government."<sup>124</sup>

Such pacts have also been used in the MENA as well in the recent past such as in Tunisia in 1988 with far more limited success. In November of 1987, the 84-year-old Tunisian dictator, President Habib Bourguiba, was declared incompetent by Prime Minister Ben Ali who then replaced the aged and ailing Bourguiba.<sup>125</sup> A year later, President Ben Ali would celebrate the one year anniversary of his Presidency by appearing before the National Assembly, reviewing a parade in his honor, and watching 16 of the elite representatives from within the Tunisian polity place execute the National Pact by placing their signatures of approval on the historic document.<sup>126</sup> While the specific details pertaining to the inner workings of the pact are highly complex and beyond the scope of this thesis, this pact is a relevant point for consideration because "the liberal cast of the Tunisian National Pact reflects the fact that of the two elements of

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<sup>122</sup> Stepan and Linz, *Problems of Democratic Transition and Consolidation*, 154.

<sup>123</sup> Ibid.

<sup>124</sup> Ibid., 159.

<sup>125</sup> Anderson, "Political Pacts, Liberalism, and Democracy," 247.

<sup>126</sup> Ibid.

democracy identified by Dahl—contestation and participation—it is contestation, not participation which is the novel and difficult element in the Arab world.”<sup>127</sup>

Ultimately, negotiated pacts such as the previous two examples are unilaterally not dispositive indicators of a successful democratic transition or future democratic consolidation. There are many examples, including Tunisia, wherein such pacts were not enough to secure a successful transition to democratic rule. However, pacts are a proven enabler that set the conditions for success. The failure to develop such pacts places the transition to democracy at great risk. This is because the stakeholders will invariably lose the hope for future victory and will retreat to intractable positions. The “winner,” left without the democracy enabling tools of compromise and negotiation, will be inevitably fall back on the tried and true means for imposing their will upon the opposition. Left without viable alternatives, the “winner” will have no rational choice left but to adopt authoritarian methods that will extinguish any reasonable hope for the successful transition to democracy.

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<sup>127</sup> Anderson, “Political Pacts, Liberalism, and Democracy,” 259.

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### **III. OBJECTIVE ANALYSIS–THE MUSLIM BROTHERHOOD IN THE CONTEXT OF DEMOCRATIC CAPACITY**

#### **A. MUSLIM BROTHERHOOD’S HISTORY AND EVOLUTION OF ISLAMIST POLITICAL IDEOLOGY**

The Muslim Brotherhood was founded by Hassan al-Banna in March of 1928 in the town of Isma’iliyya when he was approached by six men employed by the Suez Canal Company. These humble laborers had been so affected by al-Banna’s Islamic tutelage that they offered to be his loyal servants of Islam if he would be their leader in the name of Allah. It was at this moment that the Muslim Brotherhood was conceived when “Banna, duly moved, accepted the burden imposed on him, and together they took an oath to God to be ‘troops... for the message of Islam.’”<sup>128</sup> From these very humble beginnings the Muslim Brotherhood would grow exponentially and “by the outbreak of the second world war, into one of the most important political contestants on the Egyptian scene.”<sup>129</sup> It would be during this period of growth through the first ten years of the society’s existence that al-Banna would call a series of conferences in which the embryonic mission and political philosophy of the Brotherhood would be articulated. At the fifth of these initial planning conferences al-Banna proclaimed that the scope of the Muslim Brotherhood’s purpose was as follows: “[t]he idea of the Muslim Brotherhood includes in it all categories of reform’; in specific terms he defined the movement as ‘a Salafiyya message, a Sunni way, a Sufi truth, a political organization, an athletic group, a cultural-education union, an economic company, and a social idea.’”<sup>130</sup>

With the movement’s purpose clearly defined, the Muslim Brotherhood’s development as an Islamist political organization occurred against the backdrop of a growing dissatisfaction with the British colonial presence. This period of political activism was marked by escalations of violence against the Egyptian government and

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<sup>128</sup> Robert P. Mitchell, *The Society of the Muslim Brothers* (New York & Oxford: Oxford University Press, 1969): 8.

<sup>129</sup> *Ibid.*, 12.

<sup>130</sup> *Ibid.*, 14.

British military personnel following the end of World War II.<sup>131</sup> While from the very beginning the Muslim Brotherhood was primarily concerned with Islamic reformation with a particular emphasis on education, the “political turbulence during the years of Egypt’s constitutional monarchy (1928–52) and the persistence influence of the previous mandate-power Britain over the country’s domestic affairs set the framework of the Brotherhood’s evolution into a political mass-movement.”<sup>132</sup> This era was characterized by the gratuitous use of violence by a special paramilitary cell, called the Nizam al-Khass, which reported directly to the Muslim Brotherhood leadership, including al-Banna himself.<sup>133</sup> While the level of al-Banna’s knowledge and consent is still debated to this day, the Nizam al-Khass committed several terrorist attacks that culminated in the killing of Sa’adi Prime Minister Muhammad al-Nuqrash at the end of 1948.<sup>134</sup> This was shortly followed thereafter by the Egyptian Secret Service’s retaliatory killing of al-Banna in January 1949.<sup>135</sup>

As the founding father of the most important Islamist organizations in modern history, al-Banna’s influence appears to resonate loudly within today’s Muslim Brotherhood. Arguably, al-Banna’s most important contribution to the Muslim Brotherhood’s longevity was his profoundly pragmatic approach to dealing with the opposition.<sup>136</sup> As a matter of course, “he repeatedly proved his willingness to be flexible in his principles for the good of the greater cause.”<sup>137</sup> This strategy of patient accommodation would be played out on numerous occasions on the battlefield of Egyptian politics as al-Banna was a skilled politician who was willing to compromise his

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<sup>131</sup> Mohammed Zahid, *The Muslim Brotherhood and Egypt’s Succession Crisis: The Politics of Liberalisation and Reform in the Middle East* (London & New York: Tauris Academic Studies, 2010): 76.

<sup>132</sup> Barbara Zollner, “The Muslim Brotherhood,” in *Routledge Handbook of Political Islam*, edited by Shahram Akbarzadeh (London & New York: Routledge, 2012), 52.

<sup>133</sup> *Ibid.*

<sup>134</sup> *Ibid.*

<sup>135</sup> *Ibid.*

<sup>136</sup> Alison Pargeter, *The Muslim Brotherhood: The Burden of Tradition* (London & Saint Paul: Saqi Books, 2010), 22.

<sup>137</sup> *Ibid.*



beliefs and ideology for the greater good of advancing the Muslim Brotherhood's long term policy goals.<sup>138</sup> In fact, although "he was explicit in his condemnation of political parties in Egypt, referring to those that existed as 'the parasites of the people' and the 'greatest threat to our development', at one point he proposed that the Ikhwan join Hizb al-Watani (the Nationalist Party)... because he believed the party's immense popularity would assist his own movement."<sup>139</sup>

A very good example of al-Banna's proclivity for pragmatism is the 1942 parliamentary elections whereby the Muslim Brotherhood attempted to place 17 brothers on the ballot, including al-Banna (running to represent Isma'ailia).<sup>140</sup> Campaigning on a platform of moral reform and the advancement of the Islamist agenda, al-Banna "came under intense pressure from the government to withdraw the Ikhwan's candidacies and to make a written statement declaring his loyalty to the government and the 1936 Anglo-Egyptian Treaty, which was the legal foundation for the British presence in Egypt."<sup>141</sup> Such a request was ostensibly unthinkable given the Muslim Brotherhood's hardline stance on the immediate removal of Britain's imperialist influence over Egyptian affairs.<sup>142</sup> Notwithstanding, al-Banna went against the Muslim Brotherhood's Guidance Office, and negotiated a compromise with the Egyptian government.<sup>143</sup> The terms of the deal were that "in return for publishing an open letter supporting the treaty and withdrawing from the elections, he extracted a promise from Prime Minister Mustafa Pasha al-Nahas that the government would allow the movement to operate freely and that it would take action against the sale of alcohol and prostitution."<sup>144</sup> This example of al-Banna's penchant for pragmatism offers significant insight into how far he would go to

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<sup>138</sup> Pargeter, *The Muslim Brotherhood*, 23.

<sup>139</sup> Ibid., 23 (citing Brynjar Lia, *The Society of the Muslim Brothers in Egypt: The Rise of an Islamic Mass Movement 1928–1942* (Reading: Ithaca Press, 1998), 203.).

<sup>140</sup> Pargeter, *The Muslim Brotherhood*, 24.

<sup>141</sup> Ibid.

<sup>142</sup> Ibid.

<sup>143</sup> Ibid.

<sup>144</sup> Ibid.

negotiate a pact or compromise with the opposition of the day in order to protect the Muslim Brotherhood's continued existence<sup>145</sup>

The period following al-Banna's death was characterized by the rise to power of the Special Unit, or Nizam al-Khass. While a prominent Egyptian Judge, al-Hudaybi, was named as al-Banna's successor, he was relegated by the Nizam al-Khass as nothing more than a public figurehead and was reportedly told by the elite military arm of the Brotherhood that "we want nothing from you; you need not even come to the headquarters. We will bring the papers for you to sign or reject as you will...We only want a leader who will be a symbol of cleanliness."<sup>146</sup> This dynamic created confusion within the Muslim Brotherhood as the members were unsure of the direction the society was truly headed. On the one hand, al-Hudaybi was publicly renouncing violence and the secret agenda of the Nizam al-Khass. Yet, on the other hand, the Nizam al-Khass was extremely powerful and nearly ubiquitous with the Muslim Brotherhood movement.

As the Muslim Brotherhood was being pulled into these two camps, President Gamal Abdel Nasser gained control over the Egyptian government following the revolution of 1952. On the outset, President Nasser enjoyed the support of the Muslim Brotherhood due to their hope that Nasser would make Egypt an Islamist state. That hope soon disappeared and the Brotherhood began to actively resist the agenda of the Nasser regime. This would prove to be a devastating turn of events as Nasser's government responded by dissolving the Muslim Brotherhood in January 1954 and arresting members of the society in large numbers. The Nizam al-Khass was enraged and, when Nasser negotiated a treaty for evacuation with the British, they threatened to take action against the government. Ten months later, an assassin attempted to kill Nasser while he gave a speech in Cairo to commemorate the recently executed treaty with the British government. Although Nasser escaped unscathed, the Muslim Brotherhood would not be so fortunate and "the consequences for the Brotherhood were severe: the regime

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<sup>145</sup> Pargeter, *The Muslim Brotherhood*, 24.

<sup>146</sup> Ibid., 32, (citing Brynjar Lia, *The Society of the Muslim Brothers in Egypt: The Rise of an Islamic Mass Movement 1928-1942* (Reading: Ithaca Press, 1998), 87.).

retaliated by hanging six men and arresting thousands of Ikhwan, essentially crushing the organisation.”<sup>147</sup> The assassination attempt on Nasser marked a 20-year long persecution of the Muslim Brotherhood.

During Nasser’s regime, another influential leader within the Muslim Brotherhood emerged with a far less pragmatic approach than that espoused by al-Banna. Sayyid Qutb was a member of the Guidance Council and the editor of *al-Ikhwan al-Muslimun*, the Brotherhood’s weekly newspaper.<sup>148</sup> Following the failed assassination attempt on Nasser, Qutb was arrested and spent the next ten years in a state prison. However, due to poor health, much of that time was spent in a hospital bed from where he would author some of the most influential writings on radical Islamic activism. Among the most widely known was his authorship of the book *Milestones*. This book would eventually serve as a “theological guidebook for radical Islamist groups which first evolved in the 1970s and which eventually progressed to today’s a Jihadist networks in and beyond Egypt.”<sup>149</sup>

As far as the ideological impact of Qutb’s writings, there are mixed interpretations on how influential his conception of Islam was with respect to the Muslim Brotherhood’s political development. In this regard, Muslim Brothers have argued that Qutb’s legacy should not be limited to the ideas proffered in his seminal work, *Milestones*.<sup>150</sup> Certainly, “[t]he diversity of his work is indeed impressive and encompasses several genres of literature, such as autobiography, poetry, literary criticism, religiously inspired analytical work and, last but not least, Islamist propaganda.”<sup>151</sup> However, the breadth of his literary works notwithstanding, there are significant suggestions that Qutb’s concept of the state includes the notion of authoritarian rule.<sup>152</sup>

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<sup>147</sup> Pargeter, *The Muslim Brotherhood*, 34.

<sup>148</sup> Barbara H.E. Zollner, *The Muslim Brotherhood: Hasan al-Hudaybi and Ideology* (London & New York: Routledge, 2009), 50.

<sup>149</sup> *Ibid.*

<sup>150</sup> *Ibid.*

<sup>151</sup> *Ibid.*

<sup>152</sup> *Ibid.*, 61.

This is clearly evident by the fact that Qutb's writing articulates the need for a strong central leader that unilaterally delineates an inflexible interpretation of shari'a law upon the people.<sup>153</sup> Qutb's political concept of the authoritarian government model is important because in the area of Islamic legal scholarship, the body of law relative to non-religious matters is typically regarded as a matter in which common man have the legitimate freedom to determine acceptable regulations or laws.<sup>154</sup> Overall, characterizing Qutb's concepts of Islamic governance of society as a fascist theocracy is well deserved.<sup>155</sup> In application, Qutb's "approach to Islamic law could lead to the totalitarian control of a group that claims to have the rightful and true understanding of the Qur'an and of the law."<sup>156</sup>

However, as influential as Qutb's writings may have been, they appeared to resonate more forcefully within the more extremist Islamist groups within Egypt. In fact, by the time of Nasser's death in 1970 the Muslim Brotherhood had largely renounced violence and committed to "peaceful political and social engagement... in stern contrast to the violent activities of Egyptian terrorist groups... such as *al-Takfir wa al-Hijra*, *al-Jama'a al-Islamiyya* (GI) or *Jama'at al-Jihad* (JJ) [which] were inspired by Qutbian ideas."<sup>157</sup> The Muslim Brotherhood's pragmatism of this period was led by the once marginalized al-Hudaybi and coincided with a dramatic change in policy as the new Egyptian President Anwar al-Sadat attempted to garner for the Brotherhood's support by declaring a general amnesty.<sup>158</sup> With Sadat's regime marking a period of conciliation and "the end of persecution, the *Murshid* Hasan al-Hudaybi, and, after his death in 1973, his successor 'Um al-Tilmisani, began to rebuild the Brotherhood's public and political power."<sup>159</sup> This was only possible because, unlike Nasser who had a wealth of natural

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<sup>153</sup> Zollner, *The Muslim Brotherhood: Hasan al-Hudaybi and Ideology*, 61.

<sup>154</sup> Ibid.

<sup>155</sup> Ibid.

<sup>156</sup> Ibid.

<sup>157</sup> Zollner, "The Muslim Brotherhood," 53.

<sup>158</sup> Ibid.

<sup>159</sup> Ibid.

charisma, Sadat was forced to develop an institutionalized base of support.<sup>160</sup> Sadat was widely known as a religious man and he used this to counter the leftist and remnant Nasserist opposition. It was through “this process of legitimation [that] he accommodated the Brothers, but did not officially recognize their existence.”<sup>161</sup>

While the Muslim Brotherhood’s creation and pragmatic beginning was due to the leadership of al-Banna, without question “Qutb and al-Hudaybi were important contributors who elaborated further the Brotherhood’s ideological, theological and juridical foundations.”<sup>162</sup> Owed largely to the influences of these three men, the Muslim Brotherhood would over the course of the last 70 years develop their strategic posture that has been characterized by institutional patience and willingness to compromise. And although Qutb’s ideological contributions have undoubtedly led to the periodic use violence, such extreme methods of political expression appear to have fallen into disfavor over the past several decades.<sup>163</sup> Indeed, “[a]t the center of internal discussions since the early 1970s are issues such as its position with regard to democracy and the Egyptian nation-state; related to these are also questions regarding the Brotherhood’s participation in elections and its view on economic liberalization and privatization.”<sup>164</sup> Regarding these cornerstone issues, to date the Muslim Brotherhood appears to have embraced a highly cooperative approach that seeks to advance its objectives through democratic means instead of radical extremism.<sup>165</sup>

The Muslim Brotherhood’s strategic posture continued to develop and mature under the Mubarak regime. During this period “[t]he relationship between Mubarak and the Muslim Brothers... [was] shaped largely by their simultaneous pursuit of

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<sup>160</sup> Hesham Al-Awadi, *In Pursuit of Legitimacy: The Muslim Brothers and Mubarak, 1982–2000* (London & New York: Tauris Academic Studies, 2004), 35.

<sup>161</sup> *Ibid.*, 36.

<sup>162</sup> Zollner, “The Muslim Brotherhood,” 55.

<sup>163</sup> *Ibid.*

<sup>164</sup> *Ibid.*

<sup>165</sup> *Ibid.*

legitimacy.”<sup>166</sup> Mubarak was far more tolerant of the Muslim Brotherhood in the 1980s because he believed that this would provide a solid foundation for the political legitimacy of the regime.<sup>167</sup> This policy of tolerance would be reversed during the 1990s when the Mubarak regime cracked down on Islamist activism. Instead of seeing the Muslim Brotherhood as a potential benefit to his own legitimacy to govern, Mubarak began to perceive the growing power and influence of the society as a threat to his regimes’ existence.<sup>168</sup> This is became a significant issue for Mubarak because of the way in which the Muslim Brotherhood was able to manufacture its growing legitimacy as not only an Islamic movement, but as a legitimate Islamist political organization that was capable of competing and winning elections to seats within the Egyptian parliament.<sup>169</sup> In essence, “Mubarak was threatened by the fact that, despite their denial by the state, the Brothers were able to pursue an alternative ‘resource of legitimacy’ based on the recognition of society rather than on recognition of the state, and that this legitimacy was used in mass mobilisation.”<sup>170</sup> However, the Mubarak regime misunderstood the end-state of the Muslim Brotherhood’s political mobilization and wrongly believed that they were intent on throwing out the government when in fact, all the Brotherhood was attempting to accomplish was to force the Egyptian government to formally recognize the Islamist as a legitimate political organization.<sup>171</sup> This marked a significant departure from the Muslim Brotherhood’s attitude toward participation within the Egyptian political framework and “during the 1980s the movement began to consider the idea of engaging in formal politics by establishing an alliance with a legal party.”<sup>172</sup>

During this period of resurgent political activism, there were two significant developments of the Muslim Brotherhood’s political ideology that occurred during the

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<sup>166</sup> Al-Awadi, *In Pursuit of Legitimacy*, 3.

<sup>167</sup> Ibid.

<sup>168</sup> Ibid.

<sup>169</sup> Ibid.

<sup>170</sup> Ibid.

<sup>171</sup> Ibid.

<sup>172</sup> Zollner, “The Muslim Brotherhood,” 56.

early part of Mubarak's rule. The first development was the affirmative decision to compete in Egyptian parliamentary elections as an organization instead of running independent individual campaigns.<sup>173</sup> The second development was the decision to compete in for seats in parliament "in alliance with a political party that was promoting another political trend in society."<sup>174</sup> In 1984, the Brotherhood would show signs of their capacity to compromise and pact with their political opposition by forming an alliance with the New Wafd Party.<sup>175</sup> While the Muslim Brotherhood was still not able to enjoy the freedom of forming their own independent and legitimate political party, in an attempt to legitimize the 1984 Parliamentary elections, Mubarak allowed the Brothers to join in a political alliance with the New Wafd Party.<sup>176</sup> The intent of the Brothers' foray into the formal political process was that it would gain access to lawmakers within parliament that would enable them the ability to potentially reform the Egyptian government from the inside out.<sup>177</sup> At the same time, this approach would also allow the Brotherhood to "show the officials and the public that the movement has adopted a non-violent approach to the state and to society."<sup>178</sup> The Brotherhood's newfound willingness to form coalitions broadened further in 1987 when the society "extended its strategy to initiate a tripartite coalition between MB, liberal Wafd and socialist Labour (winning 36 seats)."<sup>179</sup> Although the election results produced by these political alliances were notable, the alliances presented a threat to the Mubarak regime and the National Democratic Party (NDP).<sup>180</sup> Mubarak, fearing the rising tide of the opposition, "changed the electoral law form a party-based system to one based on individual candidacy for seats in constituencies."<sup>181</sup> This attempt by the regime to control the

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<sup>173</sup> Zollner, "The Muslim Brotherhood," 56.

<sup>174</sup> Ibid.

<sup>175</sup> Ibid.

<sup>176</sup> Al-Awadi, *In Pursuit of Legitimacy*, " 78.

<sup>177</sup> Ibid., 80.

<sup>178</sup> Ibid.

<sup>179</sup> Zollner, "The Muslim Brotherhood," 58.

<sup>180</sup> Ibid.

<sup>181</sup> Ibid.

election results was met by a complete boycott of the next election by all of the regime's opposition parties.<sup>182</sup> The next three elections were characterized by a crack-down on the Muslim Brotherhood by the regime, yet the Brotherhood slowly and steadily increased its representation in parliament culminating in the election of 2005 wherein the society achieved a "landslide victory, winning 88 seats or 20 percent of the total, making it the largest opposition bloc in the history of the Egyptian republic."<sup>183</sup>

The Muslim Brotherhood's alliance with the New Wafd Party and the social Labour party is particularly helpful in developing a contextual understanding of the development of the society's political ideology. It was at this precise time "that the movement had managed to redefine its stand with regard to the complexities of the political reality and of Muslim society, in contrast to the position of Sayyid Qutb, which continued to exert a powerful influence until the late 1970s."<sup>184</sup> Creating distance from the hardline set down by Qutb that strictly defined what it meant to be a Muslim, the Muslim Brotherhood adopted a far more flexible approach as it entered the political arena in the 1980s.<sup>185</sup> The movement was able to gain a foothold in parliament by cooperating with long-standing political opponents. Additionally, the Brotherhood made the tactical decision to concentrate their efforts in support of broader issues of national concern while subordinating more contentious religious issues in order to accomplish the primary objective of bringing the Muslim Brotherhood from out of the shadows and into the mainstream world of Egyptian politics and society at large.<sup>186</sup>

This is a clear example of the Muslim Brotherhood's evolution from an outcast Islamist movement to a savvy political organization that recognized the necessity and utility of compromising and pacting with the opposition in furtherance of legitimacy and the opportunity to achieve long-term policy goals. Of particular importance is the fact

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<sup>182</sup> Zollner, "The Muslim Brotherhood," 58.

<sup>183</sup> Ibid.

<sup>184</sup> Al-Awadi, *In Pursuit of Legitimacy*, 80.

<sup>185</sup> Ibid.

<sup>186</sup> Ibid.



that the Wafd Party had historically self-identified “itself as a secular nationalist party that rejected the mixing of religion and politics, and since 1924 this had created animosity between the Wafd and the Muslim Brothers.”<sup>187</sup> The simple fact that the Muslim Brotherhood would chose to advance forward into the political arena allied with a secularist political organization speaks volumes about the extent to which the Brotherhood had evolved as an organization. Ultimately their strategy of compromise and pacting proved to be successful as the unlikely alliance between the Muslim Brotherhood and the New Wafd Party ultimately election of a total of 58 seats within parliament with eight belonging to the Brotherhood outright.<sup>188</sup> Defying the expectations of critics, the Brotherhood’s performance in parliament continued to exhibit a compromising and progressive approach that shied away from divisive religiosity and focused on the pressing more immediately pressing socio-economic issues affecting their respective constituencies.<sup>189</sup>

## **B. DEMOCRATIC CAPACITY OF THE MUSLIM BROTHERHOOD’S ORGANIZATIONAL STRUCTURE**

Another consideration that is germane to the discussion of the Muslim Brotherhood’s democratic capacity is the central controlled organizational structure. The Brotherhood is “loosely structured on Egypt’s national Boy Scout movement, beginning with neighborhood ‘families’ of five members and ascending in scope to local, regional and provincial-level affiliates.”<sup>190</sup> In contrast to most of the contemporary political organizations within Egypt that are comparatively far less difficult to join in terms of becoming a participating member, “becoming a full-fledged Muslim Brother is a five-to-eight-year process, during which aspiring members are closely watched for their loyalty

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<sup>187</sup> Al-Awadi, *In Pursuit of Legitimacy*, 80.

<sup>188</sup> *Ibid.*, 81.

<sup>189</sup> *Ibid.*, 82.

<sup>190</sup> Stephen Glain, “Brothers in Power,” *Institutional Investor* (April 2002), 75, <http://www.stephenglain.com/wp-content/uploads/2012/05/Institutional-Investor-MB-22-02-21-copy1.pdf>.

to the cause and are indoctrinated in the Brotherhood's curriculum."<sup>191</sup> The lengthy vetting process for membership is complimented by a highly complex and tightly controlled recruiting and promotion process that ensures those who become members of the Brotherhood are fully devoted to the society's organizational goals.<sup>192</sup> For an organization that was essentially targeted as threat to the regime for decades with its leadership imprisoned and its very existence criminalized, the Muslim Brotherhood's organizational structure provided a foundation of strength and patience that enabled it to survive in a highly hostile environment. Indeed, the formalization of the recruitment process "became an important tool for ensuring that the state security services could not infiltrate the organization, which is precisely what happened to most other opposition groups and parties under President Anwar al-Sadat and Mubarak."<sup>193</sup>

At the helm of the Brotherhood is the Supreme Guide who leads the 15 member Guidance Office. The Guidance Office is organized by functional area with each member responsible for a specific area of Brotherhood activities. The Guidance Office leadership is selected by the Shura Council, a secondary level of Muslim Brotherhood leadership that is comprised of about 100 senior members of the society.<sup>194</sup> The Shura Council leadership is responsible for debating important issues and deciding a course of action that will then be passed on to the Guidance Office for execution.<sup>195</sup> The execution of the Shura Council's agenda is then carried out as "[o]rders are passed down through a chain of command: the Guidance Office calls its deputies in each regional sector, who call their deputies in each subsidiary populace, who call the heads of each local usra, who then transmit the order to their members."<sup>196</sup>

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<sup>191</sup> Eric Trager, "The Unbreakable Muslim Brotherhood" *Foreign Affairs*, Vol. 90, Issue 5, (September/October 2011), 114–122,124–126, <http://libproxy.nps.edu/login?url=http://search.proquest.com.libproxy.nps.edu/docview/885100339?accountid=12702>.

<sup>192</sup> Ibid.

<sup>193</sup> Ibid.

<sup>194</sup> Ibid.

<sup>195</sup> Ibid.

<sup>196</sup> Ibid.

This level of centralized command and control provides the Muslim Brotherhood leadership with an extremely secure line of communication with its membership. This pyramid shaped organizational flow chart, along with the strictly enforced recruitment and vetting process, largely accounts for the Muslim Brotherhood's institutional strength, patience, and ability to create and mobilize a devout following of members. However, while this organizational structure is well built to withstand attacks from authoritarian regimes, it is arguably less capable of *participating* in a democracy. In a democratic system of government, a political party cannot expect to successfully participate with a "winner takes all" approach to policy making. Consequently, democracies reward political parties that are flexible and agile enough adapt to a fluid environment and compromise with the opposition. The most significant national political issues facing the Egyptian government, such as the economy, the reinstatement of parliament, and the drafting of the new constitution require immediate attention and action. Such political issues are highly time sensitive and stalwart patience and resolve will not be enough to solve these complex problems. In essence, the very characteristics that enabled the Muslim Brotherhood to survive years of persecution are the same characteristics that may hinder its ability to participate efficiently and effectively within a democratic system. The Brotherhood's patient and strict adherence to rigid policy goals may be simply too slow, inflexible, and unresponsive for Egyptian politics within the new democracy.

Additionally, given the rigid stricture described above along with the strict ideological agenda that is seeking the singular and uncompromising end-state of an Islamic state, simple logic seems to prevent the Muslim Brotherhood from sincerely and genuinely adopting democracy as a long term political framework from which to advance their policy goals. In order to do so, the Muslim Brotherhood would necessarily have to negotiate and compromise with political opponents that have completely disparate visions for the foundation of Egypt's government. While competing interests are present in any political system, for an organization to participate in a democracy it must be able to negotiate and compromise with adversaries without the expectation of a total victory or capitulation. In the case, of the Muslim Brotherhood, there is arguably no end-state but total victory if that end-state means that Egypt becomes an Islamic state. In essence, the

Muslim Brotherhood's DNA is inherently undemocratic because its entire purpose and mission is in furtherance of a goal that does not allow any room for compromise with those that are opposing that same goal.

### **C. FREEDOM AND JUSTICE PARTY—POLITICAL MANEUVERING OF THE MORSI ADMINISTRATION SINCE THE 2012 PRESIDENTIAL ELECTION**

An examination of the Muslim Brotherhood's ideological development has revealed significant support for the proposition that movement has shown an inclination for pragmatic and progressive participation within a democratic system to include the demonstrated willingness to negotiate, compromise, and pact with political opponents in furtherance of a long term political strategy. Today this long term strategy includes full participation in party politics with the inception of the FJP because “[f]or the first time ever, the Muslim Brotherhood has formed a political party that is theoretically ‘separate’ from the group, although it remains a part of it in practical terms.”<sup>197</sup> The two organizations remain very closely tied with all of the leadership having been selected from the Brotherhood's Guidance Council.<sup>198</sup> However, there is at least a modicum of circumstantial evidence to suggest that the Brotherhood's long term political strategy in one that is inclusive and sympathetic to the forming of pacts with rivals. For example, the founding members of the FJP totaled just over 9000, of which a third were non-Brotherhood members and included within its ranks Coptic Christians as well.<sup>199</sup> Additionally, in an apparent attempt to create the impression that the FJP will attain a degree of independence and impartiality, the society “has asked movement leaders who take a prominent political role to step down from their Brotherhood positions.”<sup>200</sup>

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<sup>197</sup> Amr Elshobaki, “Building Democracy or Confronting the Islamists? The Case of the Muslim Brotherhood” in *Egyptian Democracy and the Muslim Brotherhood*, Report No. 10, edited by Esra Bulut Aymat, (Paris: European Union for Security Studies, 2011), 18, [http://www.iss.europa.eu/uploads/media/Egyptian\\_democracy\\_and\\_the\\_Muslim\\_Brotherhood.pdf](http://www.iss.europa.eu/uploads/media/Egyptian_democracy_and_the_Muslim_Brotherhood.pdf).

<sup>198</sup> Ibid.

<sup>199</sup> Ibid.

<sup>200</sup> Nathan J. Brown and Thomas Carothers, “The Real Danger for Egyptian Democracy,” (Washington DC: Carnegie Endowment for International Peace, November 12, 2012), 3, <http://www.carnegieendowment.org/2012/11/12/real-danger-for-egyptian-democracy/eg5z>.

This is significant because since the Presidential Election of 2012, the Brotherhood, via its political surrogate, the FJP, has enjoyed its strongest position in terms of leverage and political power since inception. It would seem fairly predictable, after suffering nearly 80 years of persecution by one authoritarian regime after another, that the Brotherhood would be inclined to take immediate bold policy changes given their mandate by the Egyptian people. However, the opposite appears to be the case, and in keeping with the institutional patience cultivated during decades of imprisonment and political marginalization, the Brotherhood has made slow and deliberate moves on the political chess board since President Morsi took office. While Morsi has been criticized by some for his rather measured moves, his subjugation of the Supreme Council of the Armed Forces (SCAF) was a comparatively shocking display of the new elected President's executive powers. Yet this step was also a crucial step in furtherance of Egypt's democratic transition. In situations such as the one Egypt currently faces, where the military represents an enormous institution of both political and economic might and has historically enjoyed virtually unfettered access to the political decision making process, a newly democratic government can find itself in an untenable position.<sup>201</sup> In order to effect a meaningful transition to democracy, the key initial challenge for Morsi and the Muslim Brotherhood was to establish civilian control over the Egyptian military. Under normal circumstances, such an endeavor is a "complex and typically protracted process, requiring... skilled political leadership, unity among civilian political forces (across partisan and other divides), civilian expertise (both inside and outside government) on national security matters, and luck (in the form of divisions within the military, and military rebellions too partial and inept to succeed)."<sup>202</sup>

However, the circumstances within Egypt following the fall of Mubarak were hardly ordinary regarding the relative position of power enjoyed by the military. The Egyptian military commands a very large interest within the national economy. Although the Egyptian Trade Ministry recently provided that the military controls about 10 percent

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<sup>201</sup> Diamond, *Developing Democracy*, 113.

<sup>202</sup> *Ibid.*

of the economy, “Amr Hamzawy, a former research director for the Carnegie Middle East Center recently elected to the new Egyptian Parliament, pegged the military’s economic activity at up to 30 percent of Egypt’s total economy, or about \$60 billion.”<sup>203</sup> The problem is exacerbated by the fact that the Egyptian military and its economic activities have been nearly free from civilian control since the 1979 enactment of “Law 32” which essentially granted it complete independence from the any governmental budgetary oversight and provided the military the ability to maintain a private commercial bank account.<sup>204</sup> This is led to the military’s transformation into an economic juggernaut as “profits from the military’s economic activities were returned to its own coffers, making it impossible for Egyptians or civilian government officials to have meaningful input on budget priorities or oversight of expenditures.”<sup>205</sup>

While the military’s control over the Egyptian civilian government has been minimized by President Morsi’s recent political maneuvering, the military’s leadership clearly maintains a desire to remain independent from civilian budgetary control.<sup>206</sup> Specifically, “it wants to ensure that it preserves control of U.S. military assistance (\$1.3 billion annually) and does not have to make public the details of the military budget... [while ensuring] that its extensive business interests are not investigated or limited.”<sup>207</sup> While the scale of the military’s economic empire is unknown, its enormity is without question considering “the army was able to afford to give the Central Bank of Egypt \$1 billion to boost its dwindling foreign exchange reserves in 2011.”<sup>208</sup>

Additionally, the Egyptian civilian economic sector has become saturated with, and dominated by, its retired officers and can accurately be ascribed “par excellence a

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<sup>203</sup> Daniel Kurtzer and Mary Svenstrup, “Egypt’s Entrenched Military,” *National Interest*, August 22, 2012, accessed September 6, 2012, <http://nationalinterest.org/article/egypts-entrenched-military-7343>.

<sup>204</sup> Ibid.

<sup>205</sup> Ibid.

<sup>206</sup> Maha Azzam, “Egypt’s Military Council and the Transition to Democracy,” (London: Chatham House, 2012), 6, [http://www.chathamhouse.org/sites/default/files/public/Research/Middle%20East/bp0512\\_azzam.pdf](http://www.chathamhouse.org/sites/default/files/public/Research/Middle%20East/bp0512_azzam.pdf).

<sup>207</sup> Ibid.

<sup>208</sup> Ibid.

republic of retired generals.”<sup>209</sup> In what can only be characterized as an institutional system of patronage, the retiring Egyptian general officer can expect to be appointed to any one of many high paying civilian positions such as governor, factory manager, or director of a public works facility.<sup>210</sup> Consequently, this has created “the ‘officers’ republic,’ the self-perpetuating military networks that permeate virtually all branches and levels of state administration and of the state-owned sectors of the economy.”<sup>211</sup> This “officers’ republic” must be dismantled for there to be any hope of civilian control over the Egyptian military. Unfortunately, given the economic entrenchment of the military, separating the generals from politics will not be quick or easy. This fact was made abundantly clear during a July 2012 visit by U.S. Secretary of State, Hillary Clinton, the former leader of the SCAF, Field Marshall Tantawi stated that “Egypt will not fall... it is for all Egyptians, not for a certain group—the armed forces will not allow that.”<sup>212</sup> Tantawi’s statement was clearly understood by all as a reassurance to the secularists that the Muslim Brotherhood’s Islamist agenda would not be carried out unchecked. In essence, “many secular and Christian Egyptians, even some who participated in the revolution, have come to see the military as a guarantor against Islamist excess, a role the military has claimed for itself.”<sup>213</sup>

Given the aura of invincibility and almost limitless power over the Egyptian state since the fall of Mubarak, it was an incredible turn of events when on August 12 President Morsi announced that the head of the SCAF and minister of Defense, Field

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<sup>209</sup> Zeinab Abul-Magd, “The Egyptian Republic of Retired Generals,” *Foreign Policy*, May 8, 2012, accessed November 12, 2012, [http://mideast.foreignpolicy.com/posts/2012/05/08/the\\_egyptian\\_republic\\_of\\_retired\\_generals](http://mideast.foreignpolicy.com/posts/2012/05/08/the_egyptian_republic_of_retired_generals).

<sup>210</sup> Ibid.

<sup>211</sup> Yezid Sayigh, “Above the State: The Officers’ Republic in Egypt,” (Washington, DC: Carnegie Endowment for International Peace, 2012), 3, [http://carnegieendowment.org/files/officers\\_republic1.pdf](http://carnegieendowment.org/files/officers_republic1.pdf).

<sup>212</sup> Kareem Fahim, “After Meeting With Clinton, Egypt’s Military Chief Steps Up Political Feud,” *New York Times*, July 15, 2012, accessed September 1, 2012, <http://www.nytimes.com/2012/07/16/world/middleeast/clinton-treads-carefully-amid-egypts-fractionous-politics.html>.

<sup>213</sup> Rod Nordland, “Egypt’s Islamists Tread Lightly, but Skeptics Squirm,” *New York Times*, July 28, 2012, accessed August 31, 2012, [http://www.nytimes.com/2012/07/29/world/middleeast/egypts-islamists-tread-lightly-but-skeptics-squirm.html?pagewanted=all&\\_r=0](http://www.nytimes.com/2012/07/29/world/middleeast/egypts-islamists-tread-lightly-but-skeptics-squirm.html?pagewanted=all&_r=0).

Marshall Hussein Tantawi, would be retiring and replaced by General Abdel Fatah Said El Sissy. Additionally, Morsi retired and replaced another senior member of the SCAF and the Chief of Staff, Lieutenant General Sami Annan. Morsi would also rescind the “SCAF’s June 17 addendum to the constitutional declaration, thus reacquiring full presidential powers.”<sup>214</sup> This move by Morsi was a critical first step in returning the Egyptian Army back to the barracks. Moreover, while it may not have represented what O’Donnell and Schmitter would call “The Military Moment,” there are some helpful similarities with this paradigm and the current state of the Egyptian civil-military relationship.<sup>215</sup> Essentially, this is the moment in a democratic transition whereby the new civilian leadership pacts with the military establishment that has, up until this point, maintained the daily functions of government on behalf of the state. The common elements of such a pact are that “in exchange for... tolerating some civic contestation over policy, the leader obtains an agreement from notables and/or moderate opponents that they will neither resort to disruption or violence, nor press too insistently or immediately their claim to govern, nor seek sanctions against military officers for “excesses” committed under the... authoritarian regime.”<sup>216</sup> Indeed, circumstantial evidence seems to suggest that President Morsi and the Brotherhood have engaged in just such a negotiated settlement with the Egyptian military’s leadership. Yet, distinguished from O’Donnell and Schmitter’s “Military Moment” where the military establishment essentially turns the keys of the government over to the new civilian authority, the Egyptian military and the Muslim Brotherhood appear to have negotiated more of a gentleman’s agreement to partition the state between them.

Two factors weigh heavily in favor of this conclusion. First is the inexplicable change of tone by the SCAF which, only months before, was the self-declared defender of the state against the encroachment of Islamists. It is well documented that Field

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<sup>214</sup> Marina Ottaway, “Slow Return to Normal Politics in Egypt” *Carnegie Endowment for International Peace*, October 26, 2012, accessed November 14, 2012, <http://www.carnegieendowment.org/2012/10/26/slow-return-to-normal-politics-in-egypt/e75o>.

<sup>215</sup> Schmitter and O’Donnell, *Transitions from Authoritarian Rule*, 39.

<sup>216</sup> *Ibid.*, 40.



Marshall Tantawi and the military have been uncompromising political foes of the Muslim Brotherhood during the post-revolution transition. Given this fact, what is remarkable is the lack of comment or response by the SCAF or the military's leadership immediately following Morsi's power grab. This would suggest that the SCAF was involved in a negotiated withdrawal from the political stage.

The second factor that seems to indicate that there was some level of negotiated pact was the fact that the military leadership has faced negative public criticism from the Egyptian public for their heavy hand toward civilian protestors during the revolution and after the fall of Mubarak. Reports of "virginity tests" committed by the military police against female protestors and the excessive use of force against civilians have tarnished a once highly regarded Egyptian institution. Additionally, Field Marshall Tantawi is a remnant of the Mubarak regime and has prospered significantly due to real-estate investments and other commercial ventures that are closely tied to the military sector. Yet, with all of these potentially damning threads to pull notwithstanding, President Morsi honored the retiring Field Marshall and his General's with the Egypt's highest military honors at their retirement and has showed no interest in investigating or prosecuting any senior members of the Egyptian military for violations of human rights committed during the Mubarak regime. The events surrounding President Morsi's subjugation of the SCAF overwhelmingly suggest that there was indeed a negotiated pact between the most senior leadership of the military and the Muslim Brotherhood whereby there would be a peaceful transfer of executive authority in return for amnesty.

Morsi's bold bargain with the SCAF has been well received as a step in the right direction in terms moving the Egyptian civil-military relationship closer to what would be expected in a democracy. However, it may also be problematic for Egypt's long-term prospects for democratic consolidation if the bargain is in fact a negotiated partition of the state between the Muslim Brotherhood and the military establishment. Such an agreement is challenging because while it normalizes the civil-military relationship it would also, by default, create what is essentially territory within Egypt that is ungoverned by the democratically elected government. This is particularly important in Egypt's case because the military is more than just a security force. It represents a cornerstone of the

Egyptian political economy. Given the current state of the economy, this fact makes the military's half of the partition an extremely powerful and influential "ungoverned" piece of political real-estate. Therefore, the partition agreement may actually prove to be "one step forward, one step backwards" with respect Egypt's transition to democracy.

In addition to President Morsi's removal of the SCAF, an examination of Morsi's prime minister and cabinet selections may appear to be inclusive at the outset. Yet, at the same time there is a compelling argument to be made that Morsi's attempts to appear pluralistic were insincere and made without any intention of genuine power sharing with the opposition. Morsi's selection of Hesham Kandil as Egypt's prime minister was seen by some as a weak choice given his inexperience in the area of Egypt's most pressing national concern—the anemic economy. As a U.S. educated irrigation and water resources management expert, Kandil was a surprising choice for many Egyptians given that he had little name recognition.<sup>217</sup> And although Kandil has never been a member of the Muslim Brotherhood, he will be the first bearded Prime Minister in Egypt's history which is a clear indication of his strong Islamic faith and may suggest that he would be highly sympathetic to the Muslim Brotherhood's agenda.<sup>218</sup> The most likely conclusion to be drawn about Morsi's selection of Kandil is that he was chosen because he would be unlikely to challenge the President or the Muslim Brotherhood's political agenda.<sup>219</sup>

As far as the rest of Morsi's cabinet is concerned, it may be difficult on paper to make the accusation that the Muslim Brotherhood overreached in that there were only four Muslim Brothers appointed to fill the 35 positions available. Moreover, the exact composition of the new Egyptian cabinet "includes 29 technocrats (seven of whom served under El-Ganzouri), four ministers from the Muslim Brotherhood's Freedom and Justice Party, one minister from the moderate Islamist Al-Wasat Party, and one from the

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<sup>217</sup> Simon Denyer, "Egypt's President, Mohamed Morsi, Chooses Little Known Hesham Kandil As Prime Minister," *Washington Post*, July 24, 2012, accessed November 14, 2012, [http://www.washingtonpost.com/world/egypts-morsi-chooses-little-known-technocrat-as-prime-minister/2012/07/24/gJQAcXkg6W\\_story.html](http://www.washingtonpost.com/world/egypts-morsi-chooses-little-known-technocrat-as-prime-minister/2012/07/24/gJQAcXkg6W_story.html).

<sup>218</sup> Ibid.

<sup>219</sup> Ibid.

Salafist Al-Nahda Party.”<sup>220</sup> However, there are legitimate concerns regarding the technocrat heavy cabinet as articulated by “Egyptian liberal thinker and head of the Ibn Khaldun Center for Development Studies, Saad Eddin Ibrahim [who] said that though most ministers of the newly formed cabinet are not part of Islamist movements, they are, still, representatives of a pro-Islamism current.”<sup>221</sup> Criticism notwithstanding, there is no denying that “Morsi assembled a cabinet that is more technocratic than ideological and has thus far used its authority to issue decrees sparingly.”<sup>222</sup> Yet, while used sparingly, Morsi’s most recent decree to deny judicial review of the either the President or the Constituent Assembly is highly suggestive of the Muslim Brotherhood true ambition to “game-the-game” and push through a pro-Islamic constitution given that nearly all of the non-Islamic and secularist members of the Constituent Assembly have resigned or abstained in protest.

Another process that has received significant attention since President Morsi was elected has been the highly politicized Constituent Assembly. Charged with drafting Egypt’s new constitution, the Constituent assembly has had tumultuous short history. Elected by parliament, the First Constituent Assembly was found to be unconstitutional by the Egyptian Supreme Court on the basis that parliament had essentially elected themselves to serve on the panel as members. While it has been reformed and continues to work on drafting the new constitution, critics have voiced dissent over the composition of the Assembly as it was seen by many as overrepresented by Islamists with the Muslim Brotherhood’s FJP making up a majority of the membership. The result of this criticism has been that nearly all of the non-Islamist members of the Assembly have recused themselves from the process altogether. Given this simple fact, the Muslim Brotherhood and the Islamists have been rightly accused of “dominating the process and are likely to

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<sup>220</sup> Ahram, “Muslim Brotherhood Earns More Skeptics Over Qandil’s Cabinet” *Ahram Online*, August 3, 2012, accessed November 14, 2012, <http://english.ahram.org.eg/NewsContent/1/64/49454/Egypt/Politics-/Muslim-Brotherhood-earns-more-skeptics-over-Qandil.aspx>.

<sup>221</sup> Ibid.

<sup>222</sup> Brown and Carothers, *The Real Danger for Egyptian Democracy*, 2.

see a constitution that reflects their interests.”<sup>223</sup> However, the Brotherhood and the FJP have countered their critics with the assertion that they have not overreached during regarding the draft constitution.<sup>224</sup> There is some support for the Islamists position as to date they have only pressed for “limited and subtle textual changes in religion-state relations compared to the 1971 constitution [and]...the issues on which there has been most controversy, such as explicit mentions of the Islamic sharia, changes will be particularly light.”<sup>225</sup>

Furthermore, the Constituent Assembly has also been hindered by the polarization of the multitude of competing interests that have imparted their influence on the process. While a constitution is supposed to provide the authority to govern, they are most effectively written *by the governed* through an assembly of representatives elected to perform this task on their behalf.<sup>226</sup> The problem facing Egypt is that in their case “political authorities are helping draft the constitution from which they will draw their own future authority.”<sup>227</sup> This dynamic has created the situation whereby very powerful institutions of the state, now unencumbered by a repressive regime, have become intimately involved in the process.<sup>228</sup> The methods of participation vary as “[s]ome such bodies (such as al-Azhar) have formal representatives in the Constituent Assembly, but others make their voices heard by directly negotiating with assembly leaders, airing their opinions in the press, issuing statements, and even suggesting that they might resort to strikes or demonstrations.”<sup>229</sup>..Essentially these institutions are fighting for the sovereignty protected by the constitution to conduct their respective business without

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<sup>223</sup> Nathan J. Brown, “Egypt’s Constitution: Islamists Prepare for a Long Political Battle,” (Washington, DC: Carnegie Endowment for International Peace, 2012), <http://carnegieendowment.org/2012/10/23/egypt-s-constitution-islamists-prepare-for-long-political-battle/e4wv>.

<sup>224</sup> Ibid.

<sup>225</sup> Ibid.

<sup>226</sup> Nathan J. Brown, “Egypt’s State Constitutes Itself,” *Foreign Policy*, November 19, 2012, accessed December 5, 2012, [http://mideast.foreignpolicy.com/posts/2012/11/19/egypts\\_state\\_constitutes\\_itself](http://mideast.foreignpolicy.com/posts/2012/11/19/egypts_state_constitutes_itself).

<sup>227</sup> Ibid.

<sup>228</sup> Ibid.

<sup>229</sup> Ibid.

external interference. More specifically, they want “to know that they will be able to govern their own affairs, make their own judgments, appoint their own members, select their own leaders, and spend their budgets freed of the heavy hand of presidential control that weighed so much on them in the past.”<sup>230</sup>

Notwithstanding personality conflicts such as the ones by the recent and public rifts between President Morsi and political opponents such as the Prosecutor General Abd al-Magid Mahmud and the Chief Justice of the Supreme Constitutional Court, in practice the FJP has been highly attentive in closing the distance with such important institutions.<sup>231</sup> In such cases where the FJP has met resistance from such opponents, the Brotherhood’s institutional patience may rely on the passage of time and “hope that over the long term these institutions might gradually pass into more genial hands.”<sup>232</sup> Furthermore, compromises between the Muslim Brothers and these state institutions may be readily foreseeable given that the recent political and electoral victories.<sup>233</sup> The Brotherhood and the FJP may likely consider these political compromises well worth the end-state of a new Egyptian constitution drafted by a Islamist leaning Assembly.<sup>234</sup>

#### **D. SUMMARY OF OBJECTIVE ANALYSIS**

In summary, upon an examination of the Muslim Brotherhood’s history with respect the development of an identifiable political ideology, as well as the more recent political maneuvering of the Brotherhood’s FJP that has occurred since the election of President Morsi, there are several objective conclusions that can be drawn with respect to the society’s capacity to enable a democratic transition within Egypt. The first objective conclusion is that the Muslim Brotherhood has developed a political ideology that, highly consistent with democratic governance. Without question, over the course of the Muslim Brotherhood’s history, due largely to the influence of Qutb’s writings, there have been

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<sup>230</sup> Brown *Egypt’s State Constitutes Itself*.

<sup>231</sup> Ibid.

<sup>232</sup> Ibid.

<sup>233</sup> Ibid.

<sup>234</sup> Ibid.

periods punctuated by the use violence as a means of political expression. However, al-Hudaybi was instrumental in disavowing the Muslim Brotherhood from violent protest and a more accommodating and progressive approach that was far more consistent with al-Banna's original vision for the society as a political movement. The key take away from this examination of the Muslim Brotherhood's political lineage is that, over time, the organization has objectively proven through its action to have the capacity to compromise and pact with political opponents in furtherance of long term policy goals.

Additionally, the Muslim Brotherhood and its political party, the FJP, have clearly demonstrated a capacity for democratic governance. In a very short time frame, President Morsi has made the critical first step in Egypt's democratic transition by subjugating the SCAF and securing the civilian control over the government. Although the Egyptian military industrial complex remains an extremely powerful political force due to its ubiquitous relationship with the national economy, President Morsi's bold moves to replace the old guard of the military leadership holds well for the development of civil-military relations that are in keeping with democratic ideals. Additionally, given the lack of protest of any kind by the SCAF or other senior military leaders, there appear to be very strong indications that the Muslim Brotherhood and the military negotiated a pact prior to the public replacement of Field Marshall Tantawi and other top level general officers and security services leadership. Finally, with regard to the selection of the new Egyptian prime minister and cabinet, Morsi has faces some criticism from rivals who have suggested that the relatively unknown Kandil and the technocrat heavy cabinet is a clear attempt by the Brotherhood to pack the government with weak Islamist leaning pawns. However, that criticism appears to be a bit misplaced given the fact that the FJP has been willing to include rivals within the cabinet and other high level government appointments. In consideration of the foregoing, "[t]hus far, the Brotherhood can hardly be accused of throwing its weight around" and has objectively demonstrated an modest level of democratic capacity.<sup>235</sup>

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<sup>235</sup> Brown and Carothers, *The Real Danger for Egyptian Democracy*, 2.

#### **IV. SUBJECTIVE ANALYSIS—MUSLIM BROTHERHOOD’S DEMOCRATIC INTENTIONS AS PERCEIVED BY THE EGYPTIAN POLITY SINCE THE 2012 PRESIDENTIAL ELECTION**

The fourth chapter of this thesis will attempt to distinguish the Muslim Brotherhood’s democratic intentions via subjective analysis. The intention is to examine the reactions to the Muslim Brotherhood’s and the FJP’s political activities by the key political stakeholders within the Egyptian polity over the last 18 months. This data set has been collected from print and Internet news sources covering the political relationship between the Muslim Brotherhood and these key stakeholders in order to get a subjective sense of the Brotherhood’s perceived penchant for democracy. These sources will provide the basis for the anecdotal subjective evidence of the perception of the Muslim Brotherhood’s willingness to share power, compromise, and participate in “pacting” with the elite of Egyptian politics. Given the lack of first hand access to the leadership of the Muslim Brotherhood, a comprehensive review of the Muslim Brotherhood’s political inclusiveness as perceived by these key stakeholders will provide subjective evidence to fill in this gap of understanding regarding their democratic intentions.

The following groups have been selected as a barometer of the democracy within Egypt because of their respective significance and because, taken together, they will capture a comprehensive and complete perception of the Muslim Brotherhood. The military establishment represents an extremely powerful piece of the political landscape and the quality and scope of the evolving civil-military relationship is important to fully understand the potential for Egypt’s democratic transition. The Salafis, Secularists, and Copts represent three groups within the electorate that are important because they are, for the Muslim Brotherhood, the source for one of the most polarizing issues within Egyptian politics, the Islamization of the state. Therefore, the perception of each of these political groups is valuable evidence in terms of the Brotherhood’s democratic capacity. The Media, Judiciary, and Labor Unions have been included for the fact that each of these groups personifies a key element of democracy. The Media is crucial because its views on the Muslim Brotherhood will be a key indication of transparency and the free flow of

information from the government to the electorate. The judiciary is the custodian of the rule of law—what could be considered the life-blood of a democracy. And the Labor Unions (while the dire state of the economy is certainly related to the Union’s importance to this study) need to be examined because of they can only exist if the government permits and protects the fundamentally democratic liberty to freely associate. Finally, throughout the world, and especially within the MENA, woman’s rights have been an area of human rights law that has been problematic for many nations. Furthermore, democratic governance has been a champion for the advancement of woman’s rights. Therefore, the perception of woman’s rights organizations within Egypt is critically important to assess the inclusiveness and acceptance of what the modern democracies have deemed as a basic human right.

#### **A. MILITARY ESTABLISHMENT’S PERCEPTION**

As previously discussed, the Egyptian military complex is an immeasurably large force within the nation’s polity given its control of such a large percentage of the state’s economy. Additionally, the military was the self-appointed guardian of the state following the fall of Hosni Mubarak with the SCAF assuming plenary powers over the government. Any examination of the Egyptian transition to democracy should begin with a discussion of the perception of the civil-military relationship between the newly elected President Morsi and the leadership of the Egyptian security forces. To that end, the most significant event that has transpired since the presidential election is, without question, the retirement and replacement of the senior military leadership. And, as the preceding chapter illuminated, there are measurable objective indications that the Muslim Brotherhood and the FJP have the will and the capacity to make the necessary changes to establish a civil-military relationship that is in keeping with democratic ideals and governance. The purpose of this chapter will be to examine the subjective evidence relative to the military establishment’s perception of the Muslim Brotherhood’s capacity to effect a democratic transition. In this case, the identification of such a perception is made more difficult given the notoriously secretive Egyptian military that has a long history of tightly controlling the outflow of information.



That fact notwithstanding, subjective determinations can often be deciphered from silence just as clearly as they can be learned from what is actually said. In the case at hand, this might very well be true as the military leadership's silence may be quite meaningful. The SCAF had been a vocal and politically active opponent of the Muslim Brotherhood prior to the Presidential election. And Field Marshall Tantawi defiantly claimed in thinly veiled language that the military would be the defender of the state against Islamist forces. Within Egypt, and the international community at large, there was a clear understanding that, although the FJP may have won the presidential election, the country was still very much held within the grasp of the SCAF.

Then the most unexpected thing occurred virtually without warning. On Sunday August 12th, 2012 President Morsi "ordered the powerful head of the army and defence minister, Field Marshall Hussein Tantawi, and several senior generals into retirement and canceled constitutional amendments issued by the military restricting presidential powers."<sup>236</sup> The move was a bold power grab by President Morsi whose executive powers had been significantly reduced by the SCAF prior to him swearing into office on June 30th. Before that point in time there were some doubts as to how much influence and authority the newly elected president and the FJP would be able to wield within the government given the SCAF's publicly defiant posture toward the President and the Muslim Brotherhood.

Nevertheless, President Morsi and the FJP were able to very skillfully and tactfully remove the leadership of the SCAF and establish the President as the civilian leader of the both the Egyptian government and the Egyptian armed forces. While the public response to this event has been overwhelmingly positive and vocal, the military and the SCAF have been deathly silent in response to Morsi's shake-up of the military. The clear conclusion being drawn is that, at a minimum, this silence indicates consent. Indeed, "[p]olitical and military experts say that Morsy's radical decision to cast aside Tantawi and Anan, who remained on top of the military institution for decades, indicates

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<sup>236</sup> AlJazeera, "Crowds in Cairo Praise Morsi's Army Overhaul" *ALJAZEERA.COM*, August 13, 2012, accessed October 16, 2012, <http://www.aljazeera.com/news/middleeast/2012/08/201281215511142445.html>.

that the president is consolidating his power over the military establishment in a tactful manner, without necessarily ending the legacy of the military state.”<sup>237</sup> This is necessary a move in the right direction with regard to Egypt’s transition to democracy because the “military is now serving as an instrument for the Muslim Brotherhood... [a]nd Morsy’s move institutionalizes normal civilian control over the military.”<sup>238</sup>

From a subjective standpoint, the silent response is instructive of the both the SCAF’s and the military establishment’s perception of the Muslim Brotherhood and the FJP because it strongly suggests that there was a deal brokered prior to the Morsy’s reshuffling of the military leadership. Indeed, “Morsy had to first guarantee authority over the Presidential Guard and Central Security Forces to defend the president against any street riots that might take place as a reaction to the military leaders shuffle.”<sup>239</sup> To do this it appears highly probable that President Morsy has at least the tacit support of the mid-level leadership within the Egyptian military’s officer corps.

As a general rule, the Egyptian military is extremely close-hold when it comes to its inner workings and dealings, so any subjective analysis of the military’s perception of the Brotherhood as an institution will necessarily be gleaned from circumstantial evidence. With this in mind, the local reports strongly suggest that there was in fact some negotiated pact given that many believe that “[i]n his purge of Egypt’s top general’s, President Mohamed Morsi leaned on the support of a junior officer corps that blamed the old guard for a litany of problems within the military and for involving the armed forces too deeply in the country’s politics after the uprising that ousted... Hosni Mubarak.”<sup>240</sup>

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<sup>237</sup> Rana Khazbak and Heba Afify “Morsy Grooms a New Rank of Officers, Experts Say,” *Egypt Independent*, August 13, 2012, accessed October 16, 2012, <http://www.egyptindependent.com/news/morsy-grooms-new-rank-officers-experts-say>.

<sup>238</sup> *Ibid.*, (quoting Professor Robert Springborg).

<sup>239</sup> *Ibid.*, (quoting Professor Robert Springborg).

<sup>240</sup> Mayy El Sheikh and Kareem Fahim “Egypt Lifts a Junior Corps Impatient Over Military Failure” *New York Times*, August 13, 2012, accessed October 16, 2012, [http://www.nytimes.com/2012/08/14/world/middleeast/purge-by-morsi-shows-impatience-within-egypts-military.html?pagewanted=all&\\_r=0](http://www.nytimes.com/2012/08/14/world/middleeast/purge-by-morsi-shows-impatience-within-egypts-military.html?pagewanted=all&_r=0).

This presumption is further corroborated by the fact that on the following “Monday, a day after the generals’ ouster, there were no signs that the military was mobilizing in protest.”<sup>241</sup>

These events and the military’s silence in response have led to the conclusion by many analysts “that the president had reached an accommodation with a new generation of military leaders who were seeking to restore the armed forces’ credibility, enhancing their own positions, and preserve the military’s privileged and protected place in society.”<sup>242</sup> Further support for this conclusion is found in the observations of *Democracy Now!* correspondent Sharif Abdel Kouddous who opined that Morsi’s move was “really a personnel reshuffle, a major personnel reshuffle, within the Supreme Council of the Armed Forces, rather than any major transformative institutional change that has taken place, and it’s really a reconfiguration of the relationship between the army and the president, whereby it seems the military has protected its vast economic and business interests.”<sup>243</sup>

While the subjective evidence presented does support the conclusion that President Morsi has presumably normalized the civil-military relationship in a way that is more consistent with democratic ideals, the method in which it was achieved may be problematic for Egypt’s long-term democratic prospects. This is because the subjugation of the military appears to have been accomplished via a negotiated partition that, as previously discussed, allows the military to maintain control over its vast industrial complex which accounts for a significant portion of the fragile Egyptian economy. This partition agreement may be a double edged sword for Egypt’s democratic transition because, while it served to legitimize Morsi’s presidential power and authority over the government, it simultaneously carves out a significant portion of “political-economic

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<sup>241</sup> Sheikh and Fahim “Egypt Lifts a Junior Corps Impatient Over Military Failure.”

<sup>242</sup> Ibid.

<sup>243</sup> Truth-out.org, “Egypt’s Morsi Ousts Top Generals, But Key Military Insiders Tapped to Fill the Gaps” Sharif Abdel Kouddous, interview by Amy Goodman, *Democracy Now!*, August 15, 2012, accessed October 16, 2012, <http://truth-out.org/news/item/10917-egypts-morsi-ousts-top-generals-but-key-military-insiders-tapped-to-fill-the-gaps>.

territory” that remains firmly within the military’s control. Finally, while there is some risk of a negative reaction from within the officer corps to President Morsi’s decree of November 22, 2012, that risk is minimal due to the fact that the new constitution protects the military industrial complex partition and their expansive commercial empire.

## **B. SALAFIS’ PERCEPTION**

The term Salafism references a highly conservative form of Islam that wishes to return the Islamic faith to the form in which it is believed to have been practiced during the time of Muhammad.<sup>244</sup> Traditionally, the Salafis have not been an active or meaningful political institution within Egyptian politics. Under the Mubarak regime, the Salafis were reticent to engage in political activism due to religious beliefs that held such behavior to be haram or forbidden.<sup>245</sup> Relying on classical Sunni texts that preached political quietism, the Salafis adhered to the proposition that “Muslims must not rebel against their ruler no matter how unjust or impious he is, and the Muslim masses have no rights to political participation.”<sup>246</sup>

However, much has changed since the Arab Spring of 2011 and the Salafis are no exception. Indeed, “the spectrum of political Islam in Egypt is no longer limited to the Muslim Brotherhood and the parties that derived from it, such as the Brotherhood’s official Freedom and Justice Party and the Wasat Party... [;] it now includes several conservative Salafi parties, of which the al-Nour is by far the most prominent.”<sup>247</sup> Although the Muslim Brotherhood enjoyed significant success in Egypt’s most recent parliamentary contest, the election also showcased a new more politically active undercurrent within Salafism as the al-Nour Party was elected to over 30 seats.<sup>248</sup>

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<sup>244</sup> Jonathan Brown, “Salafis and Sufis in Egypt” (Washington, DC: Carnegie Endowment for International Peace, 2011), 3, [http://carnegieendowment.org/files/salafis\\_sufis.pdf](http://carnegieendowment.org/files/salafis_sufis.pdf).

<sup>245</sup> Ibid.

<sup>246</sup> Ibid.

<sup>247</sup> Ibid., 1.

<sup>248</sup> Ibid.

While the Muslim Brotherhood and the more progressive Salafism of today's Egypt are both Islamist organizations, "these Islamically motivated organizations have different approaches and beliefs and are taking distinctly divergent positions."<sup>249</sup> These differences have led to the development of a somewhat strained relationship between the two organizations. Due to the natural overlap of Islamic values, the Muslim Brotherhood and the Salafis have made limited attempts to leverage the unity of Islam and share resources where possible.<sup>250</sup> However, there is still a significant distinction between the two organizations as "the Brotherhood has a pragmatic streak that makes it an unlikely ally for Salafis who only recently ventured from preaching into politics and whose strict ideology offers little scope for compromise."<sup>251</sup> A senior leader of the Salafis, Sheikh Mohammed Farahat, succinctly proffered their differences, stating that "The Ikhwan tends to maneuver politically, while we follow scripture literally."<sup>252</sup> Moreover, the leader of the al-Nour party, Emad Abdel Ghaffour, has also spoken out about the relationship between Salafis and the Muslim Brotherhood and stated in plain terms that the Salafis would not be subservient to the Brotherhood's agenda.<sup>253</sup> In a recent interview, Ghaffour explained that "we hate being followers... they always say we take positions according to the Brotherhood but we have our own vision... There might be a consensus but... we will remain independent."<sup>254</sup>

Most recently, the Salafis have been vocal critics of the Constituent Assembly and the process of drafting of Egypt's new constitution. Holding a hard line with regard to the wording of certain provisions, Salafist leaders have appeared uncompromising in regard to their position on the inclusion of Sharia Law as the constitution's guiding principle. Recently the senior member of the Salafist Asala Party, "Adel Afify said that there are

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<sup>249</sup> Brown, "Salafis and Sufis in Egypt," 1.

<sup>250</sup> Ibid.

<sup>251</sup> Tamim Elyan and Muhammad al-Yamani. "Egypt Salafis want no pact with Muslim Brotherhood." *Reuters*, December 4, 2011, accessed September 1, 2012., <http://www.reuters.com/article/2011/12/04/us-egypt-salafi-idUSTRE7B30MN20111204>.

<sup>252</sup> Glain, "Brothers in Power," 77.

<sup>253</sup> Elyan and al-Yamani. "Egypt Salafis want no pact with Muslim Brotherhood."

<sup>254</sup> Ibid.

several issues with the current draft of the constitution that are unacceptable, such as the wording of Article 2, which states that ‘Islam is the state religion, its official language Arabic and the principles of Islamic Shari’a are the main source of legislation.’<sup>255</sup> The position of Afify and the Salafis is that Article 2 must “stipulate that the ‘provisions’ of Islamic law, rather than the ‘principles’ of Islamic law, are the primary source of legislation.”<sup>256</sup> This is a major source of contention and a position that is not shared by a many of the Islamists within the FJP. The exact wording of the new constitution is largely going to be determined by how effectively the Muslim Brotherhood can close the ideological and theocratic gap between the Salafis and their secularist opponents.<sup>257</sup>

Any assessment of the Salafis perception of the FJP and the Muslim Brotherhood must consider the fact that the “relationship between Egypt’s Salafis and the more moderate Brotherhood has always vacillated between periods of reluctant cooperation and friction... [and these] two ‘frenemies’ share the long-term objective of establishing an Islamic state, but they disagree on the timeframe and tactics for achieving that goal.”<sup>258</sup> While the Brotherhood’s political strategy has included a slower and more compromising approach that has been comparatively more willing to negotiate with secularist opponents, “Salafis, meanwhile, have accused the Brotherhood of backstabbing and dragging their feet on the application of sharia.”<sup>259</sup>

Consequently, the analysis of the Salafis’ perception of the Brotherhood, in terms assessing their democratic capacity, is a complex question. Subjectively, the Salafis arguably perceive the Muslim Brotherhood as unwilling to advance the Salafis’ ultra-conservative Islamist agenda. However, the Muslim Brotherhood is essentially drawing

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<sup>255</sup> Luis Sanchez, “Salafi Constituent Assembly Member Denies Calling for ‘Shari’a Friday’ Protest” *Daily News Egypt*, October 17, 2012, accessed November 28, 2012, <http://dailynewsegypt.com/2012/10/17/salafi-constituent-assembly-member-denies-calling-for-sharia-friday-protest/>.

<sup>256</sup> *Ibid.*

<sup>257</sup> Magdy Samaan and Mara Revkin, “Egypt’s Salafis Revert to Their Authoritarian Roots,” *Foreign Policy*, November 5, 2012, accessed November 28, 2012, [http://mideast.foreignpolicy.com/posts/2012/11/05/egypt\\_s\\_salafis\\_revert\\_to\\_their\\_authoritarian\\_roots](http://mideast.foreignpolicy.com/posts/2012/11/05/egypt_s_salafis_revert_to_their_authoritarian_roots).

<sup>258</sup> *Ibid.*

<sup>259</sup> *Ibid.*

criticism from the Salafis because, since Morsi's election, they have pragmatically attempted to find common ground with the Salafis' political opposition. On face value, this perception appears to support the conclusion that the Muslim Brotherhood has been unwilling to negotiate and compromise with their fellow, yet more conservative, Islamists. However, the fact that the Muslim Brotherhood has received such strong criticism would also seem to indicate that the Brotherhood has made pluralistic and inclusive overtures to members of the Egyptian polity such as the Secularists who oppose the Salafis' agenda.

### C. SECULARISTS' PERCEPTION

Whatever solidarity was shared between secular Egyptians and the Muslim Brotherhood appears to have waned since they joined together at Tahrir Square in protest of Hosni Mubarak's regime during the outset of the January 25th Revolution. There are several reasons for the growing distance between these two political groups. First there is a mounting level of distrust between the two groups that was publicly articulated following the Muslim Brotherhood's rescinding of their pledge to abstain from running a candidate for President in 2011. The Brotherhood's political ambition has prompted accusations by Egyptian secularists that the society is "seeking to monopolize power after the Islamist group reversed course and nominated a candidate for the presidential vote."<sup>260</sup> In a statement via e-mail, Ahmed Saeed, a leading secularist and head of the Free Egyptians Party disclosed that the Muslim Brotherhood's announcement of Khairat el-Shater nomination was expected "after the Brotherhood indicated that it would 'follow in the footsteps' of the former ruling National Democratic Party in seeking to control decision-making."<sup>261</sup> The decision to put a candidate in the race for the Presidential office appears to have created a perception within secularist groups that the Muslim Brotherhood is moving to dominate the entire political spectrum. According to former Presidential candidate Amre Moussa who served as Mubarak's Arab League head, "a win

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<sup>260</sup> Tarek El-Tablawy, "Egypt's Secularists Criticize Brotherhood Presidency Run," *Bloomberg.com*, April 2, 2012, accessed October 16, 2012, <http://www.bloomberg.com/news/2012-04-01/egypt-s-muslim-brotherhood-nominates-president-candidate.html>.

<sup>261</sup> *Ibid.*, (quoting Ahmed Saeed).

by el-Shater, coupled with the Brotherhood's dominance in parliament and on the committee charged with drafting the country's new constitution, would make it seem as though 'the revolution had never happened.'"<sup>262</sup>

This theme of secular distrust of the Muslim Brotherhood's democratic intentions continued to grow after the election of President Morsi in June of 2012. While there was wide agreement and praise within Egypt and the international community following President Morsi's removal of the SCAF leadership and asserting the primacy of civilian rule over the powerful Egyptian military (a necessary condition for any meaningful transition to democracy), the positive perception of the Muslim Brotherhood has failed to gain traction with secular Egyptians. Shortly after Morsi retired Field Marshal Tantawi, former International Atomic Energy Agency director, and Egyptian secularist, Mohamed ElBaradei tweeted that "ending military rule is a step in the right direction[.]... [h]owever, he added that Morsy's reclamation of legislative as well of executive powers from the Supreme Council of the Armed Forces should be temporary, saying that it would otherwise be at odds with the essence of democracy."<sup>263</sup> According to head of foreign affairs for the secularist Social Democrat Party, Hussein Gohar, "the presidential election was wakeup call to a lot of the players... [and] [p]eople panicked after Morsy became president and they're still panicking."<sup>264</sup>

Most recently, Morsi has faced strong public disapproval due to his Presidential Decree of November 22, 2012. Secularists are stridently protesting in opposition to the President's most recent executive decision. In what has been self-justified as an effort to ensure the successful drafting of a new constitution by the highly flawed and criticized Constituent Assembly, President Morsi has granted "himself sweeping powers and

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<sup>262</sup> El-Tablawy, "Egypt's Secularists Criticize Brotherhood Presidency Run," (quoting Amre Moussa).

<sup>263</sup> Al-Masry Al-Youm, "ElBaradei hails Morsy's Military Reshuffle, Sahry Rules Out People's Assembly Revival," *Egypt Independent*, August 18, 2012, accessed October 15, 2012, <http://www.egyptindependent.com/news/elbaradei-hails-morsy-s-military-reshuffle-sahry-rules-out-people-s-assembly-revival>.

<sup>264</sup> Ashraf Khalil, "As Egypt's Islamists Cement Their Rule, Can Secularists Reclaim the Revolution?" *Time*, September 4, 2012, accessed October 16, 2012, <http://world.time.com/2012/09/04/as-egypts-islamists-cement-their-rule-can-secularists-reclaim-the-revolution/>.



immunity from judicial challenges over any laws he may pass until a new parliament is elected and a constitution is in place.”<sup>265</sup> Additionally, President Morsi’s decree extended immunity to the constituent assembly (the membership of which is heavily represented by Salafi and FJP Islamists) and sacked Egypt’s general prosecutor.<sup>266</sup> While President Morsi claims his decree was only intended to cement the foundation of democracy by enabling the Constituent Assembly the freedom to finish drafting Egypt’s constitution, secularists are clearly unnerved. Across Egypt the decree has been received as a “tightening of Morsi and his Muslim Brotherhood party’s grip on power has been broadly condemned.”<sup>267</sup> Mohamed ElBaradei responded to the President’s new powers by tweeting that “Morsi today usurped all state powers [and] appointed himself Egypt’s new pharaoh[;]...[a] major blow to the revolution that could have dire consequences.”<sup>268</sup>

Although President Morsi has publicly stated that his decree is limited in its duration, lasting only until a new parliament and constitution are in place, the decree itself has been perceived by secularists as a highly problematic consolidation of power. Given the secularist reaction to President Morsi’s political maneuvers over the past 18 months, it is abundantly clear that the current perception is that the Muslim Brotherhood does not have inclusive and pluralistic democratic intentions with regard to the governance of Egypt.

#### **D. COPTS’ PERCEPTION**

As the largest minority religious demographic within Egypt, the Coptic Christian Church represents only 10 percent of the population within the predominately Muslim state. Objectively, this fact alone would seem to be enough to raise concerns after the Muslim Brotherhood’s candidate won the Presidential election in June of 2012. Indeed,

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<sup>265</sup> Abdel-Rahman Hussein, “Egyptian Protests Over Mohamed Morsi Decree Expected to Draw Thousands” *The Guardian*, November 26, 2012, accessed November 28, 2012, <http://www.guardian.co.uk/world/2012/nov/26/egyptian-protests-mohamed-morsi-decree?intcmp=239>.

<sup>266</sup> Ibid.

<sup>267</sup> The Week, “Morsi Decree Makes Him Egypt’s ‘New Pharaoh’ Say Critics” *The Week*, November 23, 2012, accessed November 28, 2012, <http://www.theweek.co.uk/middle-east/50241/morsi-decree-makes-him-egypt%E2%80%99s-%E2%80%98new-pharaoh%E2%80%99-say-critics>.

<sup>268</sup> Ibid.

such reasonable and foreseeable concerns were manifested as “Egypt’s Coptic Christians met the recent assumption of the presidency by the Muslim Brotherhood’s Mohamed Morsi with trepidation, even panic—some even made plans to leave the country.”<sup>269</sup>

However, some members of the Coptic community initially opined that such panic was premature and unwarranted given President Morsi’s record during the first few months of his administration. A Coptic expert and editor of *Al-Watan*, a Christian periodical recently commented that “Copts were mortified when Morsi won. It was as if the sky had fallen,...[b]ut such fears appear to be overblown. Since assuming the presidency, Morsi hasn’t done anything—at least until now—to justify such alarmism.”<sup>270</sup> In fact, President Morsi seemed at least initially willing to share some power with the Coptic community when he pledged to pick a Coptic woman as his vice president.

Although at first there was may have been sense that at least some within the Coptic community were willing to have an open mind and give President Morsi an opportunity to be judged by his actions and not conjecture, that grace period appears to have expired. Today there exists a measurable level of distrust within the entire Coptic community as President Morsi “has failed to deliver on his election campaign promise to name a Christian as one of his vice president’s... [while] [h]is Cabinet [only] includes a single Christian.”<sup>271</sup> There are many within the Coptic Church that believe these fears are completely justified because, as a Christian minority in a country run by Islamists, there is the perception that the Coptic Community will not be protected by the Muslim Brotherhood and as a result they will be subject to increased prejudice and violence from Muslim extremists. During the Mubarak regime, Copts’ “enjoyed the protection of a regime that had reserved its worst for Islamists, particularly militants with ideological

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<sup>269</sup> The Arab American News “Coptic Christians Wary of Future Under Muslim Brotherhood Leadership” *Arab American News*, September 22, 2012, accessed October 16, 2012, <http://www.arabamericannews.com/news/index.php?mod=article&cat=ArabWorld&article=5970>.

<sup>270</sup> *Ibid.*, (quoting Youssef Sidhoum).

<sup>271</sup> Youssef Hamza, “New Government has Failed Us, Says Egypt’s Copts,” *The National*, October 14, 2012, accessed October 14, 2012, <http://www.thenational.ae/news/world/middle-east/new-government-has-failed-us-say-egypts-copts>.

convictions that called for Christians to be disenfranchised.”<sup>272</sup> However, since Mubarak was ousted, the Copts “have suffered a wave of attacks on their churches, homes and businesses.”<sup>273</sup> Moreover, the election of President Morsi has created what many Copts perceive to as a dangerous security vacuum for Egypt’s largest religious minority. Shadi Ramsy, a Coptic engineer from Cairo recently expressed these fears and observed that “[t]he culture has changed,... and [a]ny problem no matter how small, that has anything to do with Christians is quickly turned into a cause for jihad.”<sup>274</sup> Recent protests over a independent movie filmed in the United States that portrayed Islam and the Prophet Muhammad in a highly negative light has coincided with a rise in the use of “contempt for religion” charges being brought against Egyptian Christians as “[t]here have been 17 court cases involving that charge since January last year, about a third of them in recent weeks... [where] [a]nyone convicted of showing contempt for religion can face up to five years in jail.”<sup>275</sup>

Another area of great concern for the Coptic Church has been the controversial process surrounding the Constituent Assembly. The distress for many within the Coptic Church is that the Constituent Assembly, dominated by Islamists, will not adequately protect their interests within the new Egyptian constitution. This fear has caused large numbers of Coptic Christians to demonstrate in protest of the Assembly. Included among these critics is Hani Abdellah, a legal committee member for, the Maspero Youth Union, a political organization whose mission is to protect the civil right of the Coptic community.<sup>276</sup> Abdellah recently commented that the purpose behind the demonstrations “is to put pressure on the Church leadership to withdraw from the Constituent Assembly because the Muslim Brotherhood and Salafi groups are turning this into a religious

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<sup>272</sup> Hamza, “New Government has Failed Us, Says Egypt’s Copts.”

<sup>273</sup> Ibid.

<sup>274</sup> Ibid.

<sup>275</sup> Ibid.

<sup>276</sup> Connor Molloy, “Copts Demonstrate Against Constituent Assembly,” *Daily News Egypt*, July 29, 2012, accessed November 29, 2012, <http://dailynewsegypt.com/2012/07/29/copts-demonstrate-against-constituent-assembly/>.

constitution.”<sup>277</sup> The distrust of the process for drafting the new Egyptian constitution culminated in the Coptic churches recent withdrawal, in late November 2012, of their only the representatives from the Constituent Assembly. Pope Bishop Pachomius for the Coptic Orthodox Church spoke about the reasons behind these actions and stated that “the Egyptian churches [have] sensed discomfort at the trends that prevailed [while] drafting the constitutional provisions. The constitution... in its current form does not reflect the pluralistic identity of Egypt, [which has been] entrenched across generations.”<sup>278</sup> Additionally there is increased anxiety over the expectation that the Muslim Brotherhood and the Islamist dominated government will be influenced by “the ultraconservative Salafis [who] are tirelessly advocating a strict implementation of Sharia that could reduce Christians to the status of second-class citizens by barring them from certain jobs or forcing them to pay a special tax historically known as “jizyah.””<sup>279</sup>

While there was initially an indication that at least some members of the Coptic Church were open to giving the Muslim Brotherhood and President Morsi a chance to prove they were willing to govern inclusively, upon examining the Church’s reactions to the most recent political events, the predominate perception of the Coptic community is that President Morsi and the Muslim Brotherhood are not trustworthy. There is a justifiable fear that the Muslim Brotherhood has Islamized the government to the extent that is now threatens the Coptic community’s status as citizens who no longer believe they will receive equal protection under the law. Additionally, given the Church’s withdrawal of its only three members from the Constituent Assembly, it appears quite clear that the Coptic community does not have any hope that the Muslim Brotherhood or the FJP will be willing to compromise in a democratic way. Finally, given that the most prominent Coptic member of the Muslim Brotherhood, Rafiq Habib, has departed the

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<sup>277</sup> Molloy, “Copts Demonstrate Against Constituent Assembly.”

<sup>278</sup> Egypt Independent, “Egyptian Churches Withdraw From Constituent Assembly” *Egypt Independent*, November 17, 2012, accessed November 28, 2012, <http://www.egyptindependent.com/news/egyptian-churches-withdraw-constituent-assembly>.

<sup>279</sup> Hamza, “New Government has Failed Us, Says Egypt’s Copts.”

organization and the new Secretary to the Pope has publicly rejected the new constitution, the distance between the Muslim Brotherhood and the Coptic community has never been so vast.

## **E. MEDIA'S PERCEPTION**

A free and unbiased media corps is essential for Egypt's transition to democracy. It is critical for the electorate to have transparent access to information. In essence, this is the third of Dahl's five fundamental elements or criteria required by democracy—the “enlightened understanding.”<sup>280</sup> In a functioning democracy, the electorate and their representatives must have a full and unencumbered understanding of the issues and events that shape the political landscape. The source of this understanding comes from the media and press whom are typically the custodians of the “enlightened understanding” required by Dahl. Under Mubarak, the media and the outflow of state information was tightly controlled and manipulated by the regime. If the Muslim Brotherhood and the FJP are truly intent on transitioning Egypt to a democracy, there must be a change in the state's approach to controlling the media and the outflow of information to the Egyptian populace.

In terms of democratic perception by the press, the Muslim Brotherhood and President Morsi appear to have earned a negative reputation. In fact, the first few months of Morsi's administration have been characterized by Mubarak-like attempts to restrict and control information. Indeed, there have been “[s]everal recent moves by government authorities against Egyptian journalists [that] have drawn sharp criticism from the news media and led to accusations that the country's new Islamist president is willing to tolerate—if not employ—the same heavy-handed tactics used by former President Mubarak to stifle dissent.”<sup>281</sup> By way of example, in August of 2012, the Morsi government shut down a satellite television channel because one of its programs was

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<sup>280</sup> Dahl, *On Democracy*, 38.

<sup>281</sup> Mayy El Sheikh and Kareem Fahim, “Egypt's Islamist Leaders Accused of Stifling Media,” *New York Times*, August 15, 2012, accessed October 17, 2012, [http://www.nytimes.com/2012/08/16/world/middleeast/egypts-islamists-accused-of-limiting-press-freedom.html?\\_r=0](http://www.nytimes.com/2012/08/16/world/middleeast/egypts-islamists-accused-of-limiting-press-freedom.html?_r=0).

hosted by Tawfik Okasha.<sup>282</sup> An ardent critic of President Morsi, Okasha used threatening language that suggested the use of violence against Morsi and the Brotherhood.<sup>283</sup> And although Okasha's words were certainly over the line, "the government's actions have revived concerns about the methods the Islamists are willing to employ in order to strengthen their hold on power."<sup>284</sup>

Additionally, organizations such as Reporters Without Borders have issued concerns over the Morsi administration's actions that have restricted the printed media as well.<sup>285</sup> These concerns were related to the Morsi administration's confiscation of a recent edition of *Al-Dustour* "from the streets because of an editorial on its front page that warned of the Muslim Brotherhood 'emirate' taking over Egypt and calling for Egyptians to join with the military to fight back against encroaching Islamism."<sup>286</sup> The Egyptian media's response to President Morsi's use of prior restraint and censorship is in keeping with the concerns raised by Reporters Without Borders as "[e]ditors of independent newspapers and high-ranking members of the Press Syndicate—a union for journalists—have decried the recent attacks of the media."<sup>287</sup> In protest "three independent newspapers ran white boxes on their editorial pages to protest against what they say are the Brotherhood's attempts to quell free speech for political purposes."<sup>288</sup>

The Morsi Administration has also been criticized for its perceived prejudicial appointments of the state owned media leadership and its editors. Only a month after taking office, President Morsi "got the Shura Council—in which the Muslim Brotherhood's Freedom and Justice Party (FJP) has 60 per cent of the 174 directly-

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<sup>282</sup> El Sheikh and Fahim, "Egypt's Islamist Leaders Accused of Stifling Media."

<sup>283</sup> Ibid.

<sup>284</sup> Ibid.

<sup>285</sup> Reporters sans Frontieres, "Egypt: Newspaper Editor Detained, Muslim Brotherhood Take Control of State Media," *AllAfrica.com*, August 23, 2012, accessed October 17, 2012, <http://allafrica.com/stories/201208240256.html>.

<sup>286</sup> Bradley Hope, "Morsi 'is Sacrificing Free Speech' to Prevent Criticism: Egyptian Media" *The National*, August 13, 2012, October 17, 2012, <http://www.thenational.ae/news/world/morsi-is-sacrificing-free-speech-to-prevent-criticism-egyptian-media>.

<sup>287</sup> Ibid.

<sup>288</sup> Ibid.

elected seats—to appoint new CEOs and editors to the state-owned media on August 8[, 2012].”<sup>289</sup> These appointments were not well received by the Egyptian media and press corps given that a number of “well known FJP allies were appointed, marking a major break with the past, when the state media were extremely hostile to the then-banned Muslim Brotherhood... [and] were nonetheless contrary to the wishes expressed by journalists and media that they should be made by an independent body.”<sup>290</sup>

President Morsi has received its most recent and vehement attacks by the press in response to his Presidential decree of late November that facilitated the Islamist dominated Constituent Assembly’s completion of a new draft constitution. Egyptian media outlet Al Ahram Online reported on December 4, 2012, “that 12 Egyptian newspapers will not go to print and five TV channels will go off air Tuesday. Some of them run a media strike poster that reads in Arabic ‘a constitution that terminates rights and restrains freedoms. No to dictatorship.”<sup>291</sup> Moreover, Egypt Independent’s website issued the following statement: “You are reading this message because Egypt independent objects to continued restrictions on media liberties, especially after hundreds of Egyptians gave their lives for freedom and dignity.”<sup>292</sup>

One of the areas that has evoked such strong criticism is that the “draft constitution which will be set to vote on Dec. 15 allows for the imprisonment of journalists in cases related to freedom of expression, and this has prompted wide discontent among the media.”<sup>293</sup> However, some members of the media have observed that this criticism is excessive and that the constitutional provision is supported by a need to protect the state:

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<sup>289</sup> Reporters sans Frontieres, “Egypt: Newspaper Editor Detained, Muslim Brotherhood Take Control of State Media.”

<sup>290</sup> Ibid.

<sup>291</sup> Al Arabiya News “Egyptian Newspapers Go on Strike to Protest Draft Constitution,” *Al Arabiya News*, December 4, 2012, accessed December 4, 2012, <http://english.alarabiya.net/articles/2012/12/04/253299.html>.

<sup>292</sup> Ibid., (quoting Egypt Independent website).

<sup>293</sup> Ibid.

Farrag Ismail, a veteran Egyptian journalist, criticized Egyptian media going on strike, saying their demands were not realistic. “They do not want journalists who defame and slander people to be imprisoned, this is unrealistic,” he said, adding that “if such door is opened, even in cases involving public figures, Egypt will plunge further into chaos.”<sup>294</sup>

Without question, the recent actions of prior restraint on the television and print media taken by the Morsi administration have been categorically rejected by the independent Egyptian press corps and the international community as reminiscent of the authoritarian tactics employed by Hosni Mubarak’s regime. The media’s perception of the Muslim Brotherhood and the FJP is one that is seen as “perpetuating government control of the state-owned media, which must stop... [because] Media independence is one of the guarantees of freedom of information in a country that wants to establish a democratic system”<sup>295</sup> The most recent political moves by President Morsi have been categorically rejected as completely inconsistent with democracy. Consequently, there does not seem to be any hope for change from the old regime’s controlling policies with respect to freedom of the press that would be indicative and supportive of a democratic transition.

## **F. JUDICIARY’S PERCEPTION**

The development of an independent and unbiased judiciary is necessary precondition for democratic rule. It is the foundation for the rule of law. Moreover, in a modern democracy, the base document that forms the rule of law for any nation is its constitution. The constitution is critically important because it provides the basic protection for the civil liberties that are the hallmark of democratic society. And without a strong and viable judiciary, there is no forum within which constitutional grievances can be adjudicated and remedied. In contrast, Egypt’s judicial tradition is one that has experienced significant restrictions. Under Nasser, the judiciary was subject to a number

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<sup>294</sup> Al Arabiya News “Egyptian Newspapers Go on Strike to Protest Draft Constitution,” (Quoting Farrag Ismail).

<sup>295</sup> Reporters sans Frontieres, “Egypt: Newspaper Editor Detained, Muslim Brotherhood Take Control of State Media.”



of political measures that insured the Judges would not interfere with the regime's policies and activities.<sup>296</sup> The Nasser regime shaped legal the battlefield in a way that would protect its agenda from scrutiny from activist judges.<sup>297</sup> Over time, the Judiciary has been able to regain some autonomy.<sup>298</sup> The judiciary gained political ground to maneuver "through open confrontation—though some critical voices did emerge, particularly in the Judges Club, a social organization that at times provided a protected space for judges to articulate their positions—and more through steady lobbying on specific issues."<sup>299</sup> These efforts notwithstanding, the Sadat and Mubarak era were characterized by the similar attempts to subjugate judicial independence and place the courts well within the grasp of the executive office.<sup>300</sup> Among the most common methods used to control the legal system were via the "emergency law, the use of military courts (allowing the regime to pluck any case away from the regular judiciary and assign it to more reliable judges), [and] shuffling detainees (to avoid court-ordered releases)."<sup>301</sup>

While the January 25th Revolution and the fall of Mubarak ushered in a new wave of hope for judicial reform that would free the courts from the former regime's restrictive measures, the most recent maneuvers of the Morsi administration has caused great concern within the Egyptian Judiciary. As previously discussed, Morsi has faced strong public disapproval due to his Presidential Decree of November 28, 2012. The most vehement critics include "Egypt's highest judicial body, the Supreme Judicial Council, [which] is condemning the decrees granting President Mohamed Morsi sweeping powers, branding them 'an unprecedented attack' on the independence of the judiciary."<sup>302</sup>

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<sup>296</sup> Nathan Brown, "Still Fighting the Last War? Egypt's Judges After the Revolution" *Carnegie Endowment for International Peace*, October 16, 2012, accessed November 28, 2012, <http://egyptelections.carnegieendowment.org/2012/10/17/still-fighting-the-last-war-egypts-judges-after-the-revolution>.

<sup>297</sup> Ibid.

<sup>298</sup> Ibid.

<sup>299</sup> Ibid.

<sup>300</sup> Ibid.

<sup>301</sup> Ibid.

<sup>302</sup> Edward Yeranian, "Egypt's Top Judges Resist Morsi Decrees" *Voice of America*, November 24, 2012, accessed November 28, 2012, <http://www.voanews.com/content/egypt-morsi-protests/1552138.html>.

Across the board the reaction by the judicial community has been exceedingly negative. A consortium of respected judges that recently formed a self-titled organization known as the “current of independent judiciary” criticized the Morsi decree and released a statement declaring the following: “We were confident that maintaining the independence of the judiciary’s service was the starting point for achieving a state that respects the rule of law, and a genuine democratic state would be the foundation for the prosperity of the nation.”<sup>303</sup> Additionally, the “current of independent judiciary” criticized the decree on the grounds that President Morsi’s decisions were essentially immune from judicial review and argued that “[t]he immunisation of political decisions, whether previous or subsequent, albeit for a limited period, is not expected to support democracy in any way because it will inevitably lead to the first steps on the road to tyranny, not freedom.”<sup>304</sup>

President Morsi insists that his decree was only intended to cement the foundation of democracy by enabling the Constituent Assembly the freedom to finish drafting Egypt’s constitution. Unfortunately the perception of the Egyptian judiciary is that Morsi’s decree was a power grab that has had the effect of restricting the powers of the court. Such a perception leads to the conclusion that, within the highest levels of the Egyptian legal community, President Morsi and the Muslim Brotherhood are following in the footsteps of the preceding authoritarian regimes and have not expressed the intent to transition to democratic governance.

## **G. LABOR UNION’S PERCEPTION**

One of the unsung heroes of the January 25th Revolution was the Egyptian worker. These laborers were “quick to mobilize in the early stages of the groundswell that eventually unseated President Hosni Mubarak, and they deserve more credit for his ouster than they are typically given.”<sup>305</sup> One of the most significant contributions to

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<sup>303</sup> Basil El-Dabh, “Judges Reject Morsy’s Decree” *Daily News Egypt*, November 24, 2012, accessed November 29, 2012, <http://dailynewsegypt.com/2012/11/24/mahmoud-refuses-morsys-decree/>.

<sup>304</sup> El-Dabh, “Judges Reject Morsy’s Decree.”

<sup>305</sup> Joel Benin, “The Rise of Egypt’s Workers,” (Washington, DC: Carnegie Endowment for International Peace, June, 2012), 7, <http://carnegieendowment.org/2012/06/28/rise-of-egypt-s-workers/coh8>.

Egypt's Arab Spring was the creation of the Egyptian Federation of Independent Trade Unions (EFITU).<sup>306</sup> This new organization was an important step for Egyptian workers and the transition to democracy because it represented a direct challenge to the state controlled Egyptian Trade Union Federation (ETUF).<sup>307</sup> The ETUF was created in 1957 and, under the provisions of Law 25 of 1976, it was the only labor union legally recognized by the government.<sup>308</sup> Historically, the ETUF has been “an arm of the state, notwithstanding the dramatic changes in economic and social policy since the 1950s.”<sup>309</sup> This is an important consideration given that one of the most fundamental civil liberties for any aspiring democracy is the freedom to assemble.

Through the regime's restriction of the formation of labor unions, it was able to control the Egyptian workforce through the ETUF. During the Mubarak regime, the tight grip would begin to slip as the Egyptian labor force found its voice and “[f]rom 1998 to 2010, well over 2 million and perhaps as many as 4 million Egyptian workers participated in some 3,400 to 4,000 strikes and other collective actions.”<sup>310</sup> The use of the labor strike would prove to be a decisive weapon during the January 25th revolution. On February 8, the newly formed EFITU called on the workers of Egypt to strike in an attempt to force Mubarak from the presidency.<sup>311</sup> The EFITU's call was answered as “[t]ens of thousands of workers—including those employed at large and strategic workplaces like the Cairo Public Transport Authority, Egyptian State Railways, the subsidiary companies of the Suez Canal Authority, the state electrical company, and Ghazl al-Mahalla —... engag[ed] in some 60 strikes and protests in the final days before Mubarak's fall on February 11.”<sup>312</sup> Clearly the EFITU, and the organized labor

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<sup>306</sup> Benin, “The Rise of Egypt's Workers,” 7.

<sup>307</sup> Ibid.

<sup>308</sup> Ibid., 3.

<sup>309</sup> Ibid.

<sup>310</sup> Ibid.

<sup>311</sup> Ibid., 7.

<sup>312</sup> Benin, “The Rise of Egypt's Workers,” 7.

organizations that have followed in their independent footsteps, represent important and powerful groups within the Egyptian polity and are key indicators of the transition to democratic rule.

With the preceding in mind, the Egyptian labor movement has had a problematic relationship with the newly elected President Morsi. In October 2012, the movement “released a damning report accusing President Morsi and his government of betraying their promises to Egyptian workers during his first 100 days in office.”<sup>313</sup> The report accused the Morsi administration of using the media to disparage workers, of firing 39 union activists, and of prosecuting over 30 others for participating in recent strikes.<sup>314</sup> The labor unions also criticized the Muslim Brotherhood and the Morsi administration for failing to pass badly needed labor reform legislation.<sup>315</sup> The report stated that Muslim Brotherhood and President Morsi have failed to keep its political pledges that were made prior to the elections.<sup>316</sup> Furthermore, the labor movement expressed displeasure with the fact that “[d]espite winning the most seats in the first post-revolution parliament, the Brotherhood had still failed to issue the much sought after Independent Syndicate Law... even though there are now 1,200 independent syndicates in the country.”<sup>317</sup>

The labor union’s perception of President Morsi as a proponent for democratic transition is weakened further by the fact that the FJP and the Muslim Brotherhood appear to be pushing for strengthening the ETUF by reintroducing Law 35/1976 and abstaining from enacting laws to protect the freedom of labor associations. <sup>318</sup> These efforts have received harsh criticism by independent labor union activists such as Abdel

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<sup>313</sup> Ahram, “Egyptian Labor Movement Accuses President of Betrayal,” *Ahram Online*, October 8, 2012, accessed October 16, 2012, <http://english.ahram.org.eg/NewsContent/1/64/55075/Egypt/Politics-/Egyptian-labour-movement-accuses-Morsi-of-betrayal.aspx>.

<sup>314</sup> Ibid.

<sup>315</sup> Ibid.

<sup>316</sup> Ibid.

<sup>317</sup> Ibid.

<sup>318</sup> Jano Charbel, “New Labor Measures Respond to Rising Tide of Strikes” *Egypt Independent*, September 24, 2012, accessed October 16, 2012, <http://www.egyptindependent.com/news/new-labor-measures-respond-rising-tide-strikes>.

Rahman who argued that “plurality and diversity of local unions in each workplace promotes competition and genuine democracy. It is in the interest of workers to be able to pick and choose the union that best represents them, and that best protects their rights.”<sup>319</sup> Others within the labor force are concerned about the Brotherhood’s support for the ETUF and have suggested that the Muslim Brotherhood desires “to maintain one monolithic trade union federation, because in this way it is easier to monopolize and manipulate the union movement for their benefit, to shape it according to their own political interests, just like [former President Hosni] Mubarak’s party did.”<sup>320</sup>

Most recently, both the ETUF and the EFITU have joined together with other Brotherhood political opponents in denouncing the November 21st Presidential Decree. Across the board, labor unions decried Morsi’s decree as a blatant frontal assault on the current union leadership. The decree changed the standing labor law by cancelling Article 23, permitted unrestricted age limits for membership. This is a highly contentious move because “:Decree No. 97 stipulates that board members of the state-controlled Egyptian Trade Union Federation (ETUF) over the age of 60 are to be replaced by newly appointed members.”<sup>321</sup> The labor union leadership has taken issue with Morsi’s decree because they see it as “attempt to replace old members of the National Democratic Party (NDP) with newer members of from the now-ruling regime: the Muslim Brotherhood and its Freedom and Justice Party.”<sup>322</sup> Given that most of the ETUF board members are older than 60, critics argue that “Decree 97 directly targets tens of ETUF unionists over the age of retirement, 60 years, ‘not because of their age but, because of their political affiliations and associations with the Mubarak regime.’”<sup>323</sup>

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<sup>319</sup> Charbel, “New Labor Measures Respond to Rising Tide of Strikes,” (quoting Abdel Rahman).

<sup>320</sup> Ibid.

<sup>321</sup> Jano Charbel, “Labor Activists; New Decree Eyes ‘Brotherhoodization’ of Unions” *Egypt Independent*, November 26, 2011, accessed December 4, 2012, <http://www.egyptindependent.com/news/labor-activists-new-decree-eyes-brotherhoodization-unions>.

<sup>322</sup> Ibid., (quoting EFTU board member, Wael Habib).

<sup>323</sup> Ibid.

Independent labor union members have joined the ETUF and voice their opposition to the new decree. A member of the EFITU executive board, Fatma Ramadan expressed the following concerns in an interview following Morsi's changes to Egyptian labor law:

“Morsy’s first decree, following his complete takeover of state powers on 22 November, is a labor decree. This is a clear indicator that Morsy is seeking to monopolize the labor movement by first ‘Brotherhoodizing’ the Ministry of Manpower, and now the ETUF.” “Morsy is clearly preparing a systematic crackdown against Egypt’s union movement, against the right to strike, against the right to organize and against union plurality,” Ramadan argues. “Morsy is attempting to put on a mask of democracy as he points out that the ETUF leadership was appointed by the Mubarak regime. Yet he is not seeking democracy in the ETUF, he is only looking to fill the federation’s seats with members of his own regime.”<sup>324</sup>

From the preceding, it is abundantly clear that the labor union leadership’s perception of President Morsi has suffered a serious injury due to the belief that it is intended to purge the unions of their legacy leadership and replace them with Islamists that are sympathetic to the Muslim Brotherhood and the FJP.

The labor unions represent an important body of organizations within the Egyptian polity and serve quite well as a litmus test for democratic transition. Currently, the perception of this powerful segment is that the Muslim Brotherhood is not trustworthy, has acted in a way that is consistent with the previous authoritarian regime, and does not intend to protect the freedom of association—a common denominator for any democratic government. Consequently, the subjective analysis of the labor union’s perception of the Muslim Brotherhood is quite negative in terms of measuring their democratic intent.

#### **H. WOMAN’S RIGHTS ORGANIZATION’S PERCEPTION**

Like the Egyptian worker in the preceding section, woman’s organizations within Egypt were instrumental during the January 25th Revolution and contributed greatly to

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<sup>324</sup> Charbel, “Labor Activists,” (quoting EFITU board member , Fatma Ramadan).

the fall of Mubarak.<sup>325</sup> However, a full understanding of feminist's perception of the Muslim Brotherhood's current democratic intentions is complicated by the fact that there is a "tension that exists between what it means to be a *secular feminist* in Egypt and what it means to be an *Islamic feminist*."<sup>326</sup> These two paradigms are distinctly different in that "[u]nlike the campaigns of secular feminism, which demand equal rights, Islamic feminism does not seek to compete with men in all levels of society, because they concur that men and women are not equals."<sup>327</sup>

Given this dynamic it is not surprising that the perception of President Morsi and the Muslim Brotherhood differs greatly between the two divergent groups. Among the secular feminists, the perception of the new Egyptian President and the Muslim Brotherhood is largely negative. According to secular feminine activists, the "Muslim Brotherhood in fact has a shameful record of marginalizing women in the group, until it needs to abuse them to beautify the group's image."<sup>328</sup> And although the FJP has posted women to the supreme committee, the sincerity of these moves by the FJP leadership is discounted by secular feminists due to the fact that all of these women were relatives of key members of the Muslim Brotherhood.<sup>329</sup> Critics charge the Muslim Brotherhood with attempting to appear supportive of women's issues with false pretenses.<sup>330</sup> There is a residual distrust that emanates from the Muslim Brotherhood's long history of marginalizing women that leads some in the secular feminist community to believe that "they show respect to women rights only to hunt a political gain and then they go back to mistreating them."<sup>331</sup>

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<sup>325</sup> Ariel Brinkman, "Egypt's New Feminism," *Diwaniyya Dayan Center Podcast*, July 26, 2012, accessed October 15, 2012, <http://www.diwaniyya.org/2012/07/egypts-new-feminism.html>.

<sup>326</sup> Brinkman, "Egypt's New Feminism."

<sup>327</sup> *Ibid.*

<sup>328</sup> Dalia Ziada, "Egypt's Islamists: Much to Prove on Women's Rights" *CNN*, June 28, 2012, accessed October 15, 2012, <http://www.cnn.com/2012/06/28/opinion/egypt-womens-rights/index.html>.

<sup>329</sup> *Ibid.*

<sup>330</sup> *Ibid.*

<sup>331</sup> *Ibid.*

This fear appears to be justified given the lackluster representation of women on Morsi's presidential advisory team. In fact, "[t]he women's rights coalition—which includes 16 different organizations and Egyptian feminist associations—described the number of women on the presidential team... as 'not satisfying the ambitions and demands of women's organizations, whose goal it was to increase the number of women serving in leadership posts within the state.'"<sup>332</sup> Additionally, many see the failure of Morsi to appoint a female vice-president as a broken promise leading many secular Egyptian women to perceive the FJP as an organization that is intent on "[i]gnoring Egyptian woman and ostracizing them from playing an active role in society [which] has led [women] to... losing all hope of a better future."<sup>333</sup> Moreover, the founding member of the Egyptian Feminist Union, Hoda Badra, recently "criticized the Muslim Brotherhood for... encouraging its female members to drop their identities as a women and conform to the ideology of the party."<sup>334</sup>

On the other side of the spectrum are Muslim feminists and they are comparatively more forgiving of the Muslim Brotherhood and the FJP. One of the most prominent women within the FJP is Azza El Garf. Finding common ground with secular feminists, Garf does speak out against such flagrant violations of human rights such as the "virginity tests" that were widely reported to have been committed by the military against female protestors during March of last year.<sup>335</sup> However, Garf also contends that, contrary to claims made by secular feminists, "Islamists will uphold women's rights."<sup>336</sup>

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<sup>332</sup> Amina Kheiry, "Mostly Male Presidential Team Worries Egypt's Feminists" *Al-Monitor*, September 11, 2012, accessed October 15, 2012, <http://www.al-monitor.com/pulse/politics/2012/09/egyptian-women-are-half-the-revo.html>.

<sup>333</sup> Ibid.

<sup>334</sup> Christiana Renfro, "Who Represents the Women of Egypt?" *Human Rights First*, July 2, 2012, accessed October 15, 2012, <http://www.humanrightsfirst.org/2012/07/02/who-represents-the-women-of-egypt/>.

<sup>335</sup> MS Magazine, "A Muslim Sister in Egypt's Muslim Brotherhood—Feminist Friend or Foe?" *msmagazine.com*, March 29, 2012, accessed October 15, 2012, <http://msmagazine.com/blog/blog/2012/03/29/a-muslim-sister-in-egypts-muslim-brotherhood-feminist-friend-or-foe>.

<sup>336</sup> Ibid.



The difference is that Muslim feminists are far more conservative and the family is considered paramount in their world view:

‘Family is the most important part of life,’ El Garf said. She said the husband’s job was to feed his wife and care about his family because together they are one. ‘The woman’s job is to make him happy,’ she added. ‘In Western society everybody is an individual. That system doesn’t work here.’... She said Islam, which preaches equality between the sexes as well as traditional gender roles in marriage, promotes the education of women and their place in the work force.<sup>337</sup>

In terms of perception, the women’s organizations that were so important during the Revolution and the fall of Mubarak observe the Muslim Brotherhood through two lenses. From the secular feminist lens, the Muslim Brotherhood is viewed with distrust due to a historical track-record of minimizing the role of women in society. Additionally, President Morsi is viewed with distrust because of his perceived failure to post women in adequately sufficient numbers to his presidential advisory team and his failure to appoint a female vice president as promised. In contrast, from the Muslim feminist lens, Morsi and the Muslim Brotherhood are held in much higher regard due to their conservative political agenda that places the priority on traditional gender roles—an agenda with which the Muslim feminist is far more comfortable.

## **I. SUMMARY OF SUBJECTIVE ANALYSIS**

The subjective analysis of the Muslim Brotherhood’s democratic intentions, as perceived by the most important stakeholders within the Egyptian polity, indicates that the Brotherhood does not have the capacity to negotiate, compromise and pact with political opponents. Only the perceptions of the military establishment and the Salafis offer any evidence that the Brotherhood is capable of compromise and willing to negotiate and share power. With regard to the military, there does appear to have been a negotiated settlement between the senior military leadership and the Muslim Brotherhood. However, this partition agreement is problematic because it removes a huge piece of political ground, namely the economic might of the military industrial complex,

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<sup>337</sup> MS Magazine, “A Muslim Sister in Egypt’s Muslim Brotherhood—Feminist Friend or Foe?”

from the realm of democratic control. Additionally, the partition agreement may also be a short-term tactical maneuver in furtherance of the Muslim Brotherhood's long-term objective of achieving ultimate control. Egypt's history is full of examples of the same approach used by Mubarak, and the other presidents before him, whereby they entered into similar agreements in furtherance of maintaining authoritarian control.

Additionally, as fellow Islamists, the Salafis should be natural allies and have been one of the few organizations within the Egyptian polity that appears willing and able to work with the FJP. Yet the Salafis have not been silent partners and have often criticized the Brotherhood's slow and cautious approach regarding the social reform and the Islamization of Egypt's government. Most notably the Salafis' have taken a hard line on amending Article 2 of the draft constitution—a position that has not been shared or supported by the Brotherhood or the FJP. Consequently the Muslim Brotherhood and the FJP have taken political fire from the Salafis because of the Brotherhood's soft approach with regard to the Secularists and Coptic opposition. As a result, while the Salafis may have a neutral to negative perception of the Muslim Brotherhood, it may be due to the fact that the Brotherhood is not "Islamist" enough toward the opposition for the Salafis' non-pluralistic agenda. Notwithstanding, as the Egyptian polity becomes more and more polarized between the Islamists and the Secularists (as recent events indicate will most certainly be the case), it is foreseeable that the Salafis and the Brotherhood will be united by their shared Islamic ideology.

Overwhelmingly, the perception of the Muslim Brotherhood held by the remainder of the Egyptian polity examined in Chapter IV does not inspire confidence in terms of democratic capacity or intention. The recurring and pervasive theme within the subjective reactions of these groups is that they all share a fundamental lack of trust in the Muslim Brotherhood. There is simply a deficit of trust that appears almost insurmountable in terms of creating enough maneuver space to negotiate and compromise on the fundamental issues that separate the Muslim Brotherhood from these opposing groups. The secularists and the Copts are united by their fear that the Brotherhood, and their Islamist agenda, represents a direct threat to their civil liberties. The media's perception is highly negative due to President Morsi's failure to make measurable

changes in the state's control over the free flow of information and his willingness to use censorship in a way that harkens back to the Mubarak regime. The judiciary, jaded by the authoritarian measures and policies instituted to control the courts by the Nasser, Sadat, and Mubarak regimes, objects to President Morsi's decrees as a direct attack on democracy and their legal independence. And, as two of the most important participants in the January 25th Revolution, labor organizations and woman's rights organizations have been vocal critics of the new administration's policies that they perceive to be oppressive and dismissive of their most pressing political issues. Consequently, the subjective analysis of the data examined in Chapter IV is decidedly negative in terms of the Egyptian polity's perception of the Muslim Brotherhood's and the FJP's capacity, capability and intent to transition to democracy.

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## V. CONCLUSION

### A. THESIS FINDINGS

#### 1. Summary and Analysis of the Objective Finding's Regarding the Muslim Brotherhood's Democratic Capacity and Democratic Intentions

In Chapter III, this thesis conducted a comprehensive review of the Muslim Brotherhood's history, structure, and most recent political maneuvers since the fall of Hosni Mubarak. This examination revealed several objective conclusions with respect to the society's capacity to enable a democratic transition within Egypt. The first objective conclusion is that the Muslim Brotherhood has developed a political ideology that is consistent with democratic governance. Although the influence of Qutb's writings, and the use violence used by Brothers in the past as a means of political expression, have troubled many observers, the Brotherhood appears to have disavowed such an extreme and violent political ideology. Within Egypt, today's Muslim Brotherhood has fully adopted the philosophy of al-Hudaybi who disdained violent protest in favor of a more accommodating and progressive approach that is more consistent with al-Banna's original vision for the Brotherhood as a political movement. It is important to note that, although the Muslim Brotherhood's renunciation of violence and extremism is consistent with democracy, it is not dispositive. While the Muslim Brotherhood's political lineage has certainly evolved over time, a democratic ideology requires more than peaceful pragmatism. It requires a pluralistic mind-set that accepts the reality there will be bargained for exchanges and compromise with political opponents.

With these considerations in mind, the Muslim Brotherhood is an organization that can point to its political history and show that it has exhibited the capacity to compromise and pact with opponents in furtherance of long term policy goals. Examples include the Brotherhood's willingness to form alliances with the Wafd Party and the Labor Party during the 1980s in order to gain a foothold in parliament. Yet, during that time, the Muslim Brotherhood was a political outsider and a threat targeted by the regime. Today, the Muslim Brotherhood *is* the regime and since President Morsi was

elected, it has shown far less willingness to compromise and pact with political opponents than it did 30 years ago. This unwillingness to cooperate politically has been exacerbated by the polarization of the Muslim Brotherhood's political opponents and their growing level of distrust. All of these factors have greatly diminished any realistic chance that Brothers will be willing or able to negotiate political compromises with their rivals. At this point, the danger is that any efforts made by the Muslim Brotherhood to form political pacts will be rejected as insincere and disingenuous tactics in furtherance of a long-term strategy to Islamize the government. Any hope for compromise in the future would require substantial and substantive concessions by President Morsi and the Muslim Brotherhood. While such concessions do not appear likely at the time of writing, it may become a political necessity if the current level of fervent protest against President Morsi and the Muslim Brotherhood escalates and threatens the stability of the country. This political necessity will be a certainty if the military and the security forces show signs that they are leaning sympathetically toward the protestors.

While during the 1980s the Muslim Brotherhood's appears to have been at least capable (if not willing since taking power) of democratic governance, the structure and organization of the Brotherhood appears far less suited for such an endeavor. Due to a highly centralized command and control structure, the Muslim Brotherhood leadership enjoys an extremely secure line of communication with its membership. Additionally, a pyramid shaped organizational flow chart, along with the strictly enforced recruitment and vetting process, largely accounts for the Muslim Brotherhood's institutional strength, patience, and its many thousands of devout followers. Yet this this organizational structure is problematic because, while it is well built to defend itself, it is far less capable of effectively and efficiently *participating* in a democracy. The reason is that, within a democratic system of government, a political party cannot expect to successfully participate with a "winner takes all" approach to policy making. Democratic systems favor political parties that have the flexibility and agility to adapt to a highly fluid environment. Additionally, this organizational structure does not foster the development of political savvy members that can meet with political opponents at the bargaining table and craft negotiated compromises that address issues in a pluralistic way. Such

agreements rely upon communication between opposing groups and the Muslim Brotherhood's organization structure does not support the development of this critically important political skill set. As a result, due to its organizational structure, the Muslim Brotherhood will have a difficult time compromising with adversaries.

This is an essential characteristic for a political party in Egypt given the number of difficult and pressing issues which include an anemic economy, a dismissed parliament, and a highly contentious draft constitution—all of which require immediate attention and action. Such political issues are extremely time sensitive. Unfortunately the institutional patience and resolve inherent in the Muslim Brotherhood's structure and organization work against solving these complex problems within a timely fashion. But at the same time the MB moved quickly and with resolve when it saw openings. So patience was clearly a tactic and not suggestive of moderation. In essence, the very characteristics that enabled the Muslim Brotherhood to survive years of persecution are the same characteristics that will negatively affect its ability to participate within a democratic system because to do so requires institutional flexibility and adaptability. The Brotherhood's patient and strict adherence to rigid policy goals may be simply too slow, inflexible, and unresponsive for Egyptian politics within the new democracy.

The third objective conclusion is that the Muslim Brotherhood and its political party, the FJP, have a limited capacity for democratic governance. President Morsi has made the critical first step in Egypt's democratic transition by subjugating the SCAF and securing the civilian control over the government. His bold moves to replace the old guard of the military leadership bodes well for the development of civil-military relations and are in keeping with democratic ideals. Furthermore, there appear to be very strong indications that the Muslim Brotherhood and the military negotiated a pact prior to the public replacement of Field Marshall Tantawi, and other top level general officers and security services leadership, that provides at least some evidence of that the Brotherhood is willing to compromise. However, the pacted agreement between the Muslim Brotherhood and the Egyptian military appears to have effectively partitioned the state between the two opponents in a way that may be problematic for a democratic transition. Additionally, President Morsi's cabinet selections have been criticized by political

opponents for stacking the deck with technocrats that are sympathetic, if not actively supportive, of the Brotherhood's Islamist agenda, while largely excluding rivals within the cabinet and other high level government appointments.

Additionally, President Morsi has recently received intense scrutiny and criticism over his November 22, 2012 decree that removed his executive actions, and the Constituent Assembly's proceedings, from judicial review. President Morsi has argued his drastic measures were necessary to free the Constituent Assembly from external interference so that they may conclude their work and draft a constitution that is desperately needed in order to continue Egypt's transition to democracy. Additionally, President Morsi has pledged that his decree will only be in effect until the new constitution is ratified, at which time it will be rescinded. Although the Muslim Brotherhood's political opponents may have reason to distrust President Morsi and the removal of the constitutional drafting process from judicial review, it is undeniably true that the Constituent Assembly has been stalled for months by infighting and litigation of differences in the courts. Moreover, just days after Morsi's decree (regardless of the motivation) the Constituent Assembly was able to approve a draft constitution that will go to the Egyptian people via plebiscite on December 15, 2012.

Notwithstanding, the President Morsi's decree ensured that the Islamist dominated Constituent Assembly would not face interference from the courts or other political opponents. This has had the effect of creating a draft constitution that cannot be challenged, that is favorable to the Muslim Brotherhood's agenda, and that does not represent a pluralistic work product in keeping with democratic ideals. The legitimacy of Egypt's new constitution will largely depend upon its acceptance by the populace. Therefore, the Constituent Assembly and its proposed constitution represent a litmus test for the Muslim Brotherhood's ability to pact with the political opposition. Given the current draft constitution approved by the Assembly offers no compromise of substance with the Brotherhood's political opponents, there is no reason to believe they will be inclined to negotiate political pacts in the near future. In consideration of the foregoing,



an analysis of the objective evidence indicates that the Muslim Brotherhood and FJP have demonstrated a capacity for governance that would be consistent with an illiberal democracy.

## **2. Summary and Analysis of the Subjective Finding's Regarding the Muslim Brotherhood's Perceived Democratic Intentions**

The subjective analysis of the Muslim Brotherhood's perceived democratic intentions is even less favorable than the objective analysis. Only the Military establishment and the Salafis offer any scant of evidence that the Brotherhood is capable of compromise and willing to negotiate and share power. With regard to the military, there appears to have been a negotiated settlement between the senior military leadership and the Muslim Brotherhood to send the Army back to the barracks. As discussed, the civil-military relationship in a democracy demands that the civilian leadership maintain positive control over the state's security forces. President Morsi has appeared to accomplish this task and it seems highly probable that he did so with at least the tacit support of the mid-level leadership within the Egyptian military's officer corps. And, in this case, the perception of the Muslim Brotherhood is based entirely upon *what has not been said* as that there has been no objection from the senior military leadership—a telling sign given the fact that the military had until that point been a rather vocal opponent of the Muslim Brotherhood.

At the same time, assuming that the subjugation of the military was essentially a negotiated partition agreement, this may be a double edged sword for Egypt's democratic transition because, while it served to legitimize Morsi's presidency, it simultaneously carves out a significant portion of "political-economic territory" that remains firmly within the military's control.

The Salafis' perception of the Muslim Brotherhood is nearly as complex. Although, as fellow Islamists, the Salafis should be natural allies and have been one of the few organizations within the Egyptian polity that appears willing and able to work with the FJP. However, the Salafis and the Muslim Brotherhood are not politically synonymous—nor are their respective political agendas. Consequently, the Salafis'

perception of the Brotherhood is a mixed bag. The Salafis openly criticized the Brotherhood and the FJP because of the perception that they are not willing to advance the Salafis' ultra-conservative Islamist agenda. At first glance, this perception appears to support the conclusion that the Muslim Brotherhood lacks the capacity or willingness to negotiate and compromise with their fellow, yet more conservative, Islamist party. However, the fact that the Muslim Brotherhood has received such strong criticism also suggests that the Brotherhood has made pluralistic and inclusive overtures to members of the Egyptian polity such as the Secularist's who oppose the Salafis' agenda.

Beyond the military and Salafis, the perception of the Muslim Brotherhood held by the remainder of the Egyptian polity examined in Chapter IV is overwhelmingly negative and does not inspire confidence in terms of democratic capacity or intention. The recurring and pervasive theme within the subjective reactions of these groups is that they all share a fundamental lack of trust in the Muslim Brotherhood. There is simply a deficit of trust that appears almost insurmountable in terms of creating enough maneuver space to negotiate and compromise on the fundamental issues that separate the Muslim Brotherhood from these opposing groups. The secularists and the Copts are united by their fear that the Brotherhood and their Islamist agenda represent a direct threat to their civil liberties. The media's perception is highly negative due to President Morsi's failure to make measurable changes in the state's control over the free flow of information and his willingness to use censorship in a way that harkens back to the Mubarak regime. The judiciary, jaded by the authoritarian measures and policies instituted to control the courts by the Nasser, Sadat, and Mubarak regimes, object to President Morsi's decrees as a direct attack on democracy and their legal independence. And, as two of the most important participants in the January 25th Revolution, labor organizations and women's rights organizations have been vocal critics of the new administration's policies that they perceive as oppressive and dismissive of their most pressing political issues. Consequently, the subjective analysis of the data examined in Chapter IV is decidedly negative in terms of the Egyptian polity's perception of the Muslim Brotherhood's and the FJP's capacity, capability and intent to transition to democracy.

### **3. Conclusion**

The findings of this thesis lead to the conclusion that hypothesis number two has been largely substantiated. The subjective analysis indicates that the key members of the Egyptian polity do not perceive the Muslim Brotherhood to be democratically inclined. However, the objective analysis supports the conclusion that the Muslim Brotherhood possesses at least some modicum of capacity to facilitate a transition to an illiberal democracy. Therefore, while the Muslim Brotherhood has subjectively failed to create the perception that it intends to commit to a democratic transition, the objective findings lead to the conclusion that the Muslim Brotherhood, due to internal or external forces, may potentially be compelled to make concessions that will provide the foundation for a gradual democratization of the Egyptian government. Assuming that the Muslim Brotherhood is not able to complete control over the Egyptian government, an illiberal democratic transition is possible so long as there is sufficient political engagement between the Muslim Brotherhood and its political adversaries. If these conditions are satisfied, the Muslim Brotherhood may be forced to become reluctant democrats—without total control to dictate policy, the Brothers and their political rivals may be politically forced to the bargaining table to negotiate pacted agreements with their rivals.

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