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# Reform and Repression in Mubarak's Egypt

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## INTRODUCTION

This article will examine selected facets of the leadership of one of the Middle East's authoritarian technical bureaucrats,<sup>1</sup> Hosni Mubarak, at the helm of the Egyptian state since 1981 and Egypt's longest serving leader since 1850. Often described as cautious and reserved, President Mubarak exudes none of the charismatic appeal of his predecessors, Gamal Abdel Nasser and Anwar Sadat, and has not generated the mass popular following of Nasser, or even the considerably lesser levels of constituent support enjoyed by Sadat. His caution and moderation have however made him a solid, if not visionary leader, who has guided Egypt through the turbulence of the post-Sadat era. These qualities have also endeared him to the United States, which has frequently called upon him to act as an intermediary in regional affairs, particularly the Palestinian-Israeli negotiations. On the domestic plane, Mubarak's personality has had more pernicious consequences. His wary, careful nature—an asset in interstate negotiations—has translated into a dearth of innovation and a lack of desperately needed domestic political reform initiatives. Moreover, lacking the personal appeal to generate a popular base of support, President Mubarak has been loath to undertake the systemic political reforms that Egypt desperately requires.

In any discussion of the role of the executive persona and the political system in Egypt, one must confront the long-standing realities of Egyptian politics, which is characterized by an extremely powerful executive, weak institutional balances on executive prerogative and low-levels of popular inclusion in the political domain. These structural characteristics tend to be far more important than the personality of the all-powerful President and serve to minimize, to some extent, the importance of personal traits. This is of course not meant to suggest that personality plays an insignificant role: the personal styles of Egypt's three

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postrevolutionary leaders could not differ more, and these styles have certainly shaped policy orientations and national priorities, particularly in the realm of foreign affairs. By contrast, on the domestic plane, it is quite easy to discern a distinct similarity in the goals and actions of the three leaders. Constrained by domestic realities and concerned with maintaining stability, the leaders of Egypt have all governed in a remarkably similar fashion. An examination of President Mubarak's leadership in the political domain (including his handling of the Islamist opposition) suggests that unique personality traits notwithstanding, he falls squarely within the patterns of Egyptian leadership common to his more famous, charismatic predecessors, Anwar Sadat and Gamal Abdel Nasser. Indeed, while he has at times taken great pains to distinguish both his leadership style and substantive policies from those of his predecessors, commonalities nevertheless seem to far outnumber differences. The pervasive strength of the ruling party, professions of reform and liberalization and subsequent deliberalization, and vacillating policies towards Islamist elements are fittingly descriptive of not just the Mubarak regime but of all the regimes of post-revolutionary Egypt.

#### **MUBARAK'S PREDECESSORS**

Important because of its central geostrategic position and its lengthy and rich cultural history, Egypt has historically played a pivotal role in the political life of the Middle East and North Africa. In the past half-century, Egypt has been firmly at the center of turbulent regional politics, partially due to its historical hegemonic role, but equally because of the highly charismatic, personalist leaders who have left indelible imprints upon the domestic, regional and international arenas. Certainly, the flamboyant leadership style of Gamal Abd al-Nasser remains etched in the collective memory of Egyptians and foreigners alike. His bold defiance of Western powers along with his deeply sentimental bid for pan-Arab unity earned him a place among the ranks of the 20th century's most notable political figures. Domestically, Nasser instituted ambitious modernizing reforms designed to rectify the massive social and economic inequities plaguing pre-revolutionary Egypt. Nasserism, however, was more than the sum of political maneuvers; it was "a feeling, a sense of excitement, a hope for a new Arab future"<sup>2</sup> and despite its many flaws, was a source of pride for Egyptians and Arabs alike. While there can be little question that Nasser's reform in many ways represented a marked improvement upon oppressive British-dominated and monarchical forms of government, the implementation of his reformist schemes was effected in a highly paternalistic and authoritarian manner. Nasser thus set in motion, in the post-revolutionary period, tendencies that long predated his rule and that surely have long outlived him.

Following Nasser's death in 1970, the advent to power of Anwar Sadat ushered in a new era in Egyptian politics. Sadat, unlike his more charismatic

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predecessor, displayed far more restraint in his style of leadership, yet displayed a decided penchant for political adventurism, often garnering him great admiration abroad, particularly in the West, but which failed to fully endear him to his domestic constituency. His decision to dismantle many Nasser-era policies and his ground-breaking trip to Jerusalem, which made possible the Camp David accords, earned him acclaim from Western governments and a Nobel Prize, but incurred the ire of segments of the Egyptian populace as well as the larger Arab-Islamic world. The confluence of internal discontent springing from the failed promises of his economic opening (*infitah*)<sup>3</sup> coupled with the ostracism of Egypt in the Arab world, its increasing reliance on American support, growing interclass inequality and repressive anti-opposition measures eventually undermined any residual popularity Sadat enjoyed following the relatively successful Egyptian performance in the 1973 War with Israel. On October 6, 1981, individuals associated with the Islamist al-Jihad organization assassinated Anwar Sadat.

#### SADAT'S SUCCESSOR

Largely overshadowed by his two predecessors, Hosni Mubarak, vice-president under Sadat, does not display the charismatic qualities so characteristic of Nasser, nor does he display the adventurism or personal flamboyance of Sadat. However, during his presidency, which has now exceeded in length the terms of both Nasser and Sadat, Mubarak has carefully used a combination of cautious restraint and limited reform to chart a course for Egypt that is solidly grounded in the Arab world but is equally responsive to international, particularly American, influence.

Mubarak, like his predecessors and many other Egyptians of modest means, began his career in the Egyptian armed forces. Born in 1928 in the Nile delta village of Kafr al-Musaliha, Mubarak graduated from the Air Force Academy in 1950.<sup>4</sup> In 1937, the Royal Military Academy, which was later to become a hotbed of anti-royalist sentiment, opened its doors to candidates of all classes, eventually becoming an important vehicle of merit-based social mobility for the lower and middle classes. Like many of his contemporaries from the lower and lower-middle classes, Mubarak saw in the newly expanded armed forces a means of social and economic advancement, and after graduation in 1950, he entered the Egyptian air forces. Serving first as a fighter pilot from 1950-1954 and later as the director of the Air Force Academy, Mubarak received training in the Soviet Union in the early 1960s. Following the decisive Arab defeat in 1967, Mubarak was appointed chief of staff of the air force in 1969 and deputy war minister in 1972, eventually rising to the rank of commander of the air force during the October War.<sup>5</sup> In April 1975, Sadat appointed him to the position of Vice-President, a position he would hold until Sadat's assassination in October 1981.

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Despite his long career of public service, upon coming to power in 1981 Mubarak remained a relative unknown, and few knew what to expect of him at the helm of the Egyptian nation. Often depicted in terms reflecting his unassuming style, President Mubarak has been variously described as “a technician, not a systematic thinker or a visionary,”<sup>6</sup> “quiet and courteous”<sup>7</sup> and an “honest—if plodding—manager.”<sup>8</sup> According to Mubarak, he never desired the position of President and would have much preferred to be named ambassador to Paris or London.<sup>9</sup> Unlike Sadat who, upon coming to power, immediately set about dismantling the programs of Nasser, Mubarak remained highly loyal to the policies instituted by his predecessor. The *infitah*, the controversial peace treaty with Israel and Sadat’s programs of limited political liberalization remained largely intact, though over time, Mubarak refashioned and modified these initiatives, though characteristically, his modifications were by no means radical. Displaying the cautious and graduated approach that would come to characterize his mandate as President, Mubarak early on made clear that his goals for Egypt would not be categorized by the dramatic nature of his predecessors. Instead, he would concentrate steadfastly on domestic stability, economic and political reform and the reintegration of Egypt into the Arab fold.

#### THE SADAT LEGACY: MUBARAK’S DOMESTIC AGENDA

Mubarak inherited a checkered political legacy from Sadat. As early as 1974, in his “October Working Paper,” Sadat made expansive but vague promises about Egypt’s political future, asserting that Egypt’s political and socioeconomic advancement could only come about by additional and greater political freedoms. Yet in practice, his commitment to authentic political liberalization can, at best, be characterized as wavering. Initially concerned with dismantling the structural and institutional bases of Nasser’s monolithic state apparatus, Sadat inaugurated a limited program of political liberalization in the mid-1970s, culminating in his 1976 decision to permit the establishment of political platforms (*manabir*) in Egypt, representing centrist, rightist and socialist tendencies. Although these platforms would eventually become nominally competitive political parties, critics charged that the multiparty system was mere window-dressing to enhance Sadat’s progressive image in the West. The limited initiatives did indeed prove largely symbolic with control of the parties often residing in the hands of loyal Sadatists. However, elements of the newly-created parties, in addition to the still officially unrecognized groups such as the Islamists, profited from this relative political openness to express their discontent with the President’s political and economic helmsmanship, still perceived by many as rule by fiat despite the liberalization scheme. The Camp David agreements, the social and economic dislocations from the *infitah*, coupled with the expulsion of Egypt from the Arab camp

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provoked an unprecedented torrent of criticism of the Sadat government, prompting it to respond with the suppression of oppositional parties and the arrest of perceived opponents of the regime—a move that effectively signaled the demise of the short-lived and superficial liberalizing trends inaugurated by President Sadat.<sup>10</sup> Arrests of opposition figures became commonplace, and with sectarian and secular opposition to the regime steadily mounting, Sadat undertook to further eviscerate this burgeoning opposition, in what has been called the “Autumn of Fury,” instituting ever more repressive measures including the wholesale arrest of opponents, the closure of religious organizations and the censorship of independent political publications. Approximately one month after this widespread and indiscriminate crackdown, Sadat was assassinated by a member of the Islamist al-Jihad organization.

Having to build upon this rather unstable foundation, President Mubarak pledged a return to the promises of expanded political participation made in the October Paper. Unlike Sadat before him and consistent with his cautious and highly loyal personality, Mubarak stressed the importance of continuity of his predecessor's programmatic goals. In a November 1981 speech to the People's Assembly, which highlights the restraint and balance so integral to his personality, Mubarak asserted that “Egypt is for all society—not for a privileged few or the chosen elite or the sectarian dictatorship” and that accordingly, opposition parties would be allowed to participate in the national government. He cautioned however that opposition should emphasize, “differences not conflict, without creating confusion; it should be an exchange of views, not an exchange of accusations.”<sup>11</sup> According to insiders, “Mubarak sincerely desires democracy for Egypt, but is equally insistent that democratization proceed in an orderly fashion; hence his constant references to the rule of law.”<sup>12</sup> As his early terms as Egypt's President have shown, President Mubarak, perhaps owing to his military background and staid nature, or because he was a first-hand witness of a breakdown of public order, was concerned with political opening but not at the cost of stability. In keeping with his envisaged program of limited liberalization, the multiparty system was reinstated, the officially outlawed Muslim Brotherhood was allowed to ally itself with legally recognized parties, and independent candidates were allowed to run for office.<sup>13</sup>

Likely due to his perceived lack of charismatic appeal, President Mubarak recognized early on that his popularity would be more closely tied to his policy choices than were those of Nasser or Sadat. His early efforts to expand the political arena gave hope to many domestically and abroad. Moreover, under President Mubarak, opposition presses enjoyed a liberty uncommon in the Arab world, and the government has largely respected the independence of the judiciary, even taking measures to strengthen its independence.<sup>14</sup> President Mubarak, particularly in the earlier stages of his leadership, displayed a more

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evident commitment to greater political inclusiveness and respect for the rule of law than either of his predecessors.

Importantly, however, like his predecessors, Mubarak harbors a deep-seated mistrust of popular participation and thus remains unwilling to effect the deep reforms of political and economic structures and institutions necessary for Egypt's political and economic renaissance. Egypt's domestic political environment has not undergone major structural reform for decades and remains a highly restricted autocratic political system, controlled by a dominant executive and his political supporters. The limited reforms introduced, though welcome, have been insufficient and feeble, consistently failing to effect any significant liberalization of Egyptian political life.

Instead of political reform, President Mubarak has since the early 1990s—and particularly since beginning his fourth term as President—focused his attention on the resurrection of the moribund, ossified Egyptian economy.<sup>15</sup> “The world is business now .... Politics is working for business,” according to the President in a recent interview. In the same interview he blames his more famous predecessors for the state of the Egyptian economy: “I received the country in the most terrible situation,” Mubarak states, “Economy zero. Debts high. Infrastructure nothing. No hope to invite anybody to invest his money. No telephone lines. No electricity. No water or sewage. No, no, no, no, no.”<sup>16</sup> Undoubtedly, President Mubarak has enjoyed moderately more success in improving Egypt's economic health than in reforming the political system.

Almost universally described in terms reflecting his risk-averse, reflective nature, President Mubarak has displayed a surprising passion for undertaking a broad economic reform program. This is the area in which President Mubarak has sought to distinguish himself: “Nasser liberated Egypt; Sadat gave it peace; I wish to rebuild it,”<sup>17</sup> asserts Mubarak. Nearly a decade ago, Mubarak embarked Egypt on the International Monetary Fund's (IMF) economic reform and structural adjustment program aimed at macroeconomic stabilization, corrective social policy (such as reworking the extensive programs of subsidies) and creating a social safety net for the poor.<sup>18</sup> While the initial phase of the reform package was considered successful—Egypt had large foreign reserves and a relatively strong currency—it was equally clear that the reform program would be hindered by the leadership's uncertain commitment to full-fledged reform in light of the potentially disruptive social transformations engendered by reform and the tampering with vested financial interests of public companies and the government-controlled labor unions.<sup>19</sup> Privatization of the huge public sector occurred at a pace far slower than anticipated, and by 1997, privatization schemes only amounted to 15 percent of the known public sector.<sup>20</sup> It would be grossly unfair however to dismiss Mubarak's economic reforms as wholly unsuccessful. Growth rates are quite respectable at between three and five percent per year, private sector earnings now

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account for fully 70 percent of the gross domestic product (GDP), and by 1997, Egypt had earned an investment-grade bond rating.<sup>21</sup> Additionally, some progress has been made in effecting limited reforms in the areas of trade liberalization and financial sector reorganization. Nonetheless, President Mubarak's commitment to economic reform has been attenuated by his desire to maintain personal control. President Mubarak has so involved himself in the control of Egypt's economic reform that "[he] sometimes seems to run the government almost single-handedly, personally approving major investment projects and, in one recent case, issuing an order for playground equipment in rural villages"<sup>22</sup>—and short-term stability even at the expense of long-term prosperity. His unwillingness to decisively confront the economy's structural deficiencies, many of which are inextricably linked to Egypt's larger political issues, has hindered progress in this realm in which the President sees himself as visionary. For this reason, this article will concentrate on President Mubarak's performance in the political realm, where unfortunately, there have been fewer successes in reforming the outmoded, ineffective structures of national governance.

#### EXECUTIVE DOMINATION OF THE POLITICAL ARENA

A country possessing enormous human capital, Egypt has yet to realize its vast potential as a political and economic actor in the region and further afield. Its progress on this path is severely hampered by political lethargy and economic stagnation, largely the result of almost absolute executive domination of the political arena. Egypt continues to be a state dominated by an extremely powerful executive who enjoys expansive constitutional (and extra-constitutional) grants of authority, thereby exerting significant control over all facets of government from the nominally autonomous legislature to the judicial branch, though almost all observers agree that executive control of the latter is far more attenuated. Despite promises of political and economic liberalization, the Mubarak regime can now be easily situated in the deeply rooted Egyptian political tradition characterized by a paternalistic "pyramidal" hierarchical structure, which harkens back to previous regimes, if not far more ancient antecedents.

Although sources from the early period of his presidency note that he was "highly consultative" and "respect[ed] public opinion" without "seeking to impose his own,"<sup>23</sup> in later years, President Mubarak has earned a reputation among his critics for imperiousness. As a president serving his fourth six-year term in a country with a long history of extremely powerful presidents, Mubarak has been accused of attempting to rule the country as his personal fiefdom. One critic charged in 1995 that the President has "no advisers" and "since the Gulf War, [he] has tended to tell people what to do .... He has become cocky. Ruling Egypt looks easy to him."<sup>24</sup> While seemingly incongruent with Mubarak's

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restrained personality, it is quite easy to see that the vast amount of political control enjoyed by the President and the powerful party he represents might well lead to arrogance, even in the most personally conservative of leaders.

The control enjoyed by the President and his party, the National Democratic Party (NDP), over the legislature, known as the People's Assembly (*majlis al-sha'ab*) cannot be questioned. As a threshold matter, the Egyptian Constitution provides that both the President and the People's Assembly shall share equally in the right to propose legislation.<sup>25</sup> This normative goal however fails to fully reflect the reality of lawmaking in Egypt, where the Executive has become the chief engine of legislation: legislation proposed by the Executive is far more likely to be codified as law by the Assembly than proposals emanating from the Assembly itself. A 1995 study published by the Cairo-based Ibn Khaldun Center for Development Studies illustrates this point. In 1990, 214 laws proposed by the executive were passed, while during the same period, only seven were proposed by the Assembly itself, of which only one was adopted. Similarly, in 1991, 451 executive-proposed laws were adopted and only one proposed by the Assembly was passed out of a total of seven originally presented.<sup>26</sup>

This is hardly surprising given the control wielded by the executive branch over the legislature; as one constitutional scholar noted, "with 96% of the seats, the NDP has ceded all legislative powers to the executive."<sup>27</sup> Moreover, in addition to its other legislative functions, the People's Assembly is also charged with the nomination of the President,<sup>28</sup> thereby perpetuating the recurrent cycle of presidential dominion, re-election and subsequent legislative domination which promises to be an enduring feature of Egyptian politics. A review of the percentages of parliamentary seats held by the ruling NDP vividly illustrates the control wielded by the NDP over the legislature:

**TABLE I:**

Year	Percentage of Seats Held by NDP
1979	89
1984	87
1987	69
1990	86
1995	94 <sup>29</sup>

The consistent and overwhelming NDP legislative (and by extension, presidential) domination led various opposition groups to boycott the 1990 elections, protesting legislation favoring NDP candidates and granting the government exceptionally broad supervisory powers over the campaign process.<sup>30</sup> Reflecting widespread popular apathy towards the political system, voter turnout in the 1990



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elections has been approximated at slightly more than 20 percent of all eligible voters.<sup>31</sup> Moreover, while voter participation may have increased, subsequent elections have hardly been more representative or procedurally more orthodox than those of 1990. Declining voter turnout, lackluster participation in party politics, coupled with single-party domination of the legislature, plainly reveal that in addition to its other defects, the legislature lacks widespread legitimacy as a representative body of the Egyptian people. The 1995 parliamentary election, which might be taken in some respects as a fairly typical parliamentary election under President Mubarak, illustrates the degree of political dysfunction in Egypt.

Candidates opposing the NDP in the 1995 elections reportedly suffered severe handicaps in their electoral campaigns: legally denied equitable access to broadcast media—an indispensable resource in a country with a significant level of illiteracy—and other critical campaign resources, they were essentially prohibited from publicizing their platforms. According to one election analyst, state-controlled news coverage of the elections “left Egyptians with the impression that the NDP was the only party running” for election.<sup>32</sup> Opposition parties were further handicapped by the NDP’s ability to mobilize in its support the multitudes of public sector employees who depend at least tangentially on NDP largesse. The fact that the NDP has always won in the parliamentary elections is not lost on voters, most of whom depend on NDP patronage and who “know that to receive any services the NDP candidate must win.”<sup>33</sup> Moreover, electoral irregularities were alleged to be widespread and calls by opposition parties for international election monitors were rejected by the government as inviting foreign “meddling” in internal affairs.<sup>34</sup> Furthermore, calls for constitutionally mandated judicial supervision went largely unheeded, although at the behest of several opposition groups, an Independent Commission for Election Review (ICER) was established against the wishes of the government. ICER and other election monitors observed numerous improprieties in the conduct of the elections:

Representatives of ... opposition candidates were also expelled or turned away from polling stations, where ballot boxes arrived stuffed with voting papers or else disappeared prior to the count. Numerous polling stations were ransacked by paid thugs, and several opposition candidates were prevented from voting while the police stood by. Finally, candidates were declared elected by the minister of the interior without any indication of the number of votes or percentages they had received.<sup>35</sup>

Findings such as these played a critical evidentiary role in the legal challenges brought against the government alleging electoral improprieties: Egyptian administrative law courts would later invalidate the elections in 109 of the country’s 222 electoral districts.<sup>36</sup> Moreover, in a move to appease domestic discontent arising from the conduct of the elections, President Mubarak rearranged his cabinet,

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appointing Kamal al-Ghazouli as Prime Minister and charging the new Prime Minister and his cabinet with the improvement of standards of living and reinvigorating the processes of economic reform.<sup>37</sup> Despite this cabinet-level shuffle, discernable improvements in the Egyptian political economy occurred at a glacial pace, if at all. President Mubarak's well-known caution and wariness, which have typically placed him in good stead in the turbulent world of Middle Eastern politics, have proved a significant liability in Egyptian domestic politics, where his reluctance—or unwillingness—to make meaningful changes to arouse the Egyptian political system from its vegetative state is producing dire economic, political and as we shall see, social obstructions.

### MUBARAK AND CIVIL SOCIETY

The creation and the existence of ICER hints at the importance and potential viability of independent organizations and voluntary associations as channels of political expression despite executive domination of remaining mechanisms of popular political participation. Various enclaves have been carved out of the restrictive corporate body by these organizations of civil society, which have, over time, become relatively influential actors on the periphery of the NDP-dominated political space. Such organizations are not newcomers on the political scene.<sup>38</sup> Egypt has long enjoyed a vigorous associational life, which has provided its citizens with some measure of meaningful participation in a public life which has historically been highly circumscribed, either by colonial powers or the extraordinary degree of political centralization that has characterized post-revolutionary Egypt.

Voluntary civil society organizations, particularly professional syndicates, such as those comprised of lawyers, doctors and journalists have been of growing political importance particularly since the liberalization schemes heralded by Sadat in the 1970s. These organizations, which today total more than 25,000,<sup>39</sup> have played key oppositional roles, using their relative independence from the control of the state as a platform for constructive—but still restricted—debate and criticism of government political and economic policy. To his credit, President Mubarak has implicitly permitted the proliferation of these organizations, because on one level, they are demonstrative of his commitment to expansion of the political arena and thus serve important symbolic goals, particularly for foreign donor governments. Tellingly however, he has not sought to eliminate intrusive government oversight of this private sphere, evincing a decided willingness to further restrict its scope when it appears to exercise too great an independence. This of course militates against any meaningful conceptualization of an autonomous civil society; in the absence of other institutions, the agencies of civil society serve to mediate between the ruling elite and the people. In Egypt, however, civil society

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exists in many respects solely at the sufferance of the government, and thus remains incapable of acting as any sort of social intermediary against the hegemonic, intrusive tendencies of the central government. Mubarak, it would appear, is engaged in a balancing act of sorts with regard to these organizations: given the government's inability to satisfy the needs and wants of large segments of the population, it becomes imperative to appease in some manner the discontent that such circumstances invariably breed while at the same time maintaining firm control over the political process. Concern over the destabilizing effect of free and open discourse must be balanced with the need to provide some "safety valve" in an essentially closed, unresponsive political system.<sup>40</sup> The civil society organizations that President Mubarak has permitted to operate fulfill this role as social safety valves for some. However, the values typically inculcated by civil society organizations—moderation, respect for institutional processes, the utility and inevitability of compromise—are all inherently antagonistic with continued single-party rule in a "multiparty" state and therefore necessitate close governmental oversight.

Of special concern to President Mubarak has been the creeping *Islamicization* of these civil society organizations, particularly among the influential professional syndicates. In a language highly reminiscent of his predecessors, Mubarak tends to paint all Islamists as terrorists and Islamic movements as terrorist movements. For instance, of the Muslim Brotherhood—generally considered the most moderate and innocuous of Islamist groups—he has stated, "They say they are moderates (but) they are not moderates. They are working ... to support violence in this country," cautioning that should Islamists come to power—through whatever channel—an Iran-like state might result. "It was a mistake to persuade the Shah to leave," opines President Mubarak.<sup>41</sup> This personal hostility on the part of Mubarak to Islamists of all stripes and the consequent lack of differentiation among the varying groups has led him to instigate a number of punitive measures which affect Egyptian civil society as a whole.

Owing at least in part to their more democratic internal electoral processes, several of these syndicates have come to be dominated by Islamists, particularly the Muslim Brotherhood, thus provoking ever more restrictive measures against the Muslim Brotherhood in particular and civil society organizations in general. Government regulation has become all the more restrictive in light of the highly popular social assistance these syndicates and other voluntary associations provide in the breach of their provision by the government. Syndicates routinely furnish social welfare services to members and non-members alike, including loans, insurance and educational programs. Moreover, through the collection of fees and dues, the syndicates generate considerable income to be used in mobilizing constituents; for instance, it is estimated that the Engineer's Association's total assets in 1995 amounted to some 60 million Egyptian pounds or approximately U.S. \$15 million dollars.<sup>42</sup> In reaction to the legitimization, mobilizing potential

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and sectarian bent of these voluntary organizations, President Mubarak has undertaken various measures to subvert their political influence. In 1993, for instance, in an attempt to stave off any Islamic "take-over" of the syndicates, the Mubarak government enacted legislation ironically entitled "Law to Guarantee Democracy within the Professional Syndicates," (Law 100/1993) which required a minimum first-round voter turnout of 50% of the members in the syndicate, or at least 33% in a second round; failure to meet these standards results in a voiding of the vote and the placement of the syndicate under the supervisory control of a panel of government-appointed judges for a six-month period, pending new elections.<sup>43</sup> While the Islamist presence in the syndicates may appear to Mubarak as emblematic of the rise of Islamic sentiment (categorically equated with an anti-government outlook), far more prosaic forces may be at work. At least one source suggests that the preponderance of Islamists in the engineers, physicians, teachers and particularly lawyers syndicates was largely due to low voter turnout, "which in the elections to the board of the lawyers' syndicate in 1992, hardly exceeded ten percent."<sup>44</sup> Whatever the cause of the Islamist presence in the syndicates, the promulgation and enactment of such legislation is an unequivocal indication of government antipathy towards competing power structures, particularly those enjoying a high degree of popular legitimacy, financial means and an activist agenda.

Consistent with the growing hostility towards civil society organizations, the Mubarak government dealt a debilitating blow to civil society, immediately prior to the 1995 elections, by arresting 81 members of the Muslim Brotherhood (Egypt's largest non-governmental civil association) and other Islamists on what are widely considered specious charges of "planning to incite armed rebellion,"<sup>45</sup> leading to the inescapable conclusion that the arrests were prompted to preclude participation in the upcoming elections.<sup>46</sup> In what is perhaps a telling personal concern of the President, he stated in a 1995 interview that the Muslim Brotherhood is inextricably linked with the more violent terrorist organizations in Egypt and that "they tried to kill Nasser, and they killed Sadat because he gave them room for dialogue."<sup>47</sup> Negad al-Borai, secretary-general of the Egyptian Organization for Human Rights (EOHR), intimates that had the candidates—who represented the emergent youthful leadership of the group—been allowed to participate in the elections, they may have won a significant amount of parliamentary seats and thus become a "major irritant" for President Mubarak.<sup>48</sup> Placed on trial before one of the military tribunals set up in response to the upsurge in political violence in 1992, 54 of the defendants were sentenced to up to five years in prison.

Leaving aside the seriousness of arresting political opponents, trials of civilians before military tribunals also raise a great deal of concern for the future of political openness in Egypt. Offering far less procedural due process than the

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civilian judiciary, these military tribunals have been soundly criticized by domestic and international human rights organizations for their harsh brand of justice, which dispenses with many critical procedural safeguards enshrined in domestic and international conventions. In what is perhaps a testimony to the independence of the civilian judiciary, military tribunals have since 1992 become the government's forum of choice, particularly in high-profile cases because of the rapidity of adjudication and the severity of punishments handed down. Since 1992, one thousand civilian defendants have been tried in proceedings usually characterized by inadequate and delayed access to counsel and other procedural irregularities.<sup>49</sup> Arguing that these tribunals are more efficient than the more independent-minded civilian judiciary, the government has used the military courts, which offer highly limited avenues of appeal, to try both violent and non-violent opponents.<sup>50</sup> Government pronouncements notwithstanding, the military courts are appealing alternatives to the civilian judiciary because of the control enjoyed by the Executive branch over the judicial process in these tribunals. For instance, military judges unlike their civilian counterparts are chosen directly by an Executive branch official for a two-year term and enjoy no immunities while serving on the bench, remaining constantly subject to dismissal and transfer by the presidentially-appointed Minister of Defense. Moreover, gutting the very meaning of judicial independence, President Mubarak himself performs the functions of appellate review in high profile and death penalty cases.

The round-up of the opposition forces on the eve of the elections and the use of military tribunals to try civilians provides yet another illustration of the leadership's hostility to increased participation—particularly on the part of Islamists—in matters of governance. Furthermore, it is revealing of President Mubarak's failure, much like that of his predecessors, to distinguish among the various political tendencies present in Egyptian civil society; indiscriminately grouping all those who seek greater involvement in public life with those who actually resort to the use of violence has a decidedly chilling effect on an already narrow range of permitted political expression; a consequence likely expected and desired by the government. If observers of Egypt, whether domestic or abroad, have expected greater power sharing, meaningful electoral processes and enhanced concern for human rights and the rule of law as part of President Mubarak's scheme for Egyptian development, the policies and practices of the government certainly indicate how much ground has yet to be covered in the liberalization and democratization process in Egypt.

Despite his reflective and reserved style, in the realm of civil society and the development and deepening of the rule of law in Egypt, President Mubarak has responded to threats to centralized presidential power in a manner that would not be wholly unfamiliar to his more flamboyant predecessors. His responses to the proliferation of Islamist tendencies in civil society organizations have ranged from

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the creation of enervating legal impediments to more suppressive measures. Nonetheless, President Mubarak has certainly acted with greater restraint in most cases than could be expected of his predecessors in similar circumstances, as the continued, albeit circumscribed, functioning of Egyptian civil society suggests.

### VIOLENT ISLAMIST OPPOSITION: THE GAMA'A AL-ISLAMIYYA AND GREATER POLITICAL RESTRAINT

While the government's sense of vulnerability constrains it to repress any perceived opposition, regardless of the quarter from which this opposition may emerge, the government is most evidently concerned, and perhaps rightfully so, with Islamist opposition to its rule. Strained relations with sectarian elements of Egyptian society were another legacy of the Sadat era inherited by President Mubarak. President Sadat, in his campaign to undo Nasserism in Egypt sought to employ the venerable Islamic opposition group, the Muslim Brotherhood, to eviscerate his leftist political opponents. However, in affording them an opening into the political realm, he did not fully anticipate the success they would enjoy as a political force, and by the late 1970s, the Muslim Brotherhood had firmly established itself on Egyptian university campuses, providing much needed assistance to students in the underfunded and understaffed institutions.<sup>51</sup> Outside of the universities, the Islamic organizations proved themselves to be an important independent sociopolitical force—particularly in the poor quarters of Cairo and rural Upper Egypt—unreceptive to Sadat's attempts at cooptation in his struggles against the pro-Nasser political forces. Moreover, Sadat's conclusion of a peace treaty with Israel and the dislocations engendered by the *infitah* were particularly unpopular with Islamists; reacting to the increasingly strident attacks on his leadership, Sadat responded with heavy-handed repression of the Muslim Brotherhood, other Islamic activists and prominent intellectual and religious figures. Beginning on September 3, 1981, Sadat ordered a roundup of opponents and by the fifth of September, security forces had arrested 1,536 people; his assassination followed one month later.<sup>52</sup>

Asserting his support for the key policies of his predecessor, shortly after being proclaimed President on October 13, 1981, Mubarak ordered the arrest of members of various Islamic organizations (particularly those of *al-Takfir wa'l-Higra*) and dismissed a number of officers and enlisted men suspected of Islamist leanings from the armed forces. In his characteristically balanced fashion, he tempered these measures with the release of some of the luminaries arrested during Sadat's "Autumn of Fury" sweep of opponents. President Mubarak early on treated the problem of domestic militancy as one to be dealt with by the security forces and the judiciary, which, more or less free of political influence, often acquitted defendants or ordered their release from detention.<sup>53</sup> Consistent with his accommodative leadership style, President Mubarak attempted to integrate the more

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moderate elements of the Islamist opposition, allowing Muslim Brotherhood participation in politics, albeit in a highly restricted manner. However, as other more militant Islamic organizations stepped up their anti-government campaigns, Mubarak became far less apt to seek distinctions among the Islamic groups, indiscriminately branding them as threats to public order and stability. This pattern of reform and repression seems to characterize President Mubarak's cautious style of governance: initially accommodative to limited reform, Mubarak strikes out vigorously when it appears reformist measure engender disorder.

By 1992, Egypt's chronic demographic and socioeconomic problems coupled with the blocked political system had produced extremely high levels of discontent throughout Egyptian society. With few meaningful channels to express discontent, the pressing problems of an ever-increasing population straining an already overtaxed infrastructure, high levels of political discontent, rampant unemployment, particularly among university graduates, fueled opposition to the regime, most notably expressed in the outbreak of anti-government violence in 1992 by the *Gama'a al-Islamiyya*, or Islamic Group, a militant organization which contested the legitimacy of the Mubarak government. Propagating its anti-government message outside of the limited public channels of political discourse, the Islamic Group used a country-wide network of mosques and social institutions to spread its message of violent action. Targeting the lucrative tourism industry, which along with remittances from abroad constitutes one of Egypt's chief sources of foreign exchange, by injecting up to U.S. \$3 billion into the economy<sup>54</sup>, the Islamic Group has sought to destabilize the government by attacking its fiscal foundation. Moreover, in the context of the austerity measures imposed by the International Monetary Fund (IMF), the Islamic Group's subversion of such an important source of income was expected to severely weaken the government's ability to maintain control over the country.<sup>55</sup> After issuing an initial warning in September 1992, the Islamic Group began attacking tourists and tourism-related targets in Upper (Southern) Egypt. By early 1993 the Group had expanded its activities into the Cairo region, and three foreign tourists were among the many wounded and killed in the Group's anti-government assaults. Mubarak, perhaps fearing a return to the political violence of the late 1970s and 1980s, halted the dialogue with the Islamists and implemented a harsh nationwide security clamp-down. He ordered the arrest and detention of thousands of suspects, closing unauthorized places of worship and vastly increasing security forces' presence in suspected Islamist strongholds. Such severity was an unequivocal indication that attacks on the important tourism industry would not be tolerated, but the cycle of violence had already been set in motion and 1993 saw the "worst bout of political violence since the assassination of Anwar Sadat in 1981."<sup>56</sup>

The severe government response and growing popular discontent with the Group's tactics combined to weaken it. On several occasions it conditionally

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pledged to halt its activities subject to the fulfillment of several demands, such as the release of prisoners and the discontinuation of military trials.<sup>57</sup> In light of the government's perceived intransigence, the Group's campaign continued—albeit in a much reduced fashion—throughout the mid 1990s. Nonetheless, by 1995 an emerging consensus held that government forces had essentially quelled the Islamic Group's domestic campaign. By July 1997 the jailed leadership issued an appeal for the cessation of violence, an overture that was ratified by the Group's exiled leadership in March 1999.<sup>58</sup>

Though the handling of internal violence rarely earns a leader much praise, President Mubarak's handling of the crisis was roundly criticized on both the domestic and international planes. Though President Mubarak has been said to have felt "revulsion" towards the Soviet Union's treatment of its citizens during his stay there,<sup>59</sup> critics of his regime point to the heavy-handed and counterproductive modalities of repression employed by the government to eradicate the Islamic Group and other suspected opponents. While the severity of the repression may not seem in keeping with the cautious and reserved Mubarak, it is indicative of an important facet of the President's leadership style: dissent is permissible to a limited extent but any transgression of these limits provokes a harsh rebuke. In an interview in the Kuwaiti newspaper, *al-Siyassi*, Mubarak justified the ruthless tactics: "Terrorists' despair comes from the feeling that the noose is tightening around them on the one hand by the Egyptian people, who have joined to eliminate them, and on the other hand by the security agencies which effectively and courageously confronted these terrorists."<sup>60</sup> Since the declaration of a state of emergency following the assassination of Sadat in 1981, Egyptian authorities have detained thousands of persons suspected of belonging to or sympathizing with Islamic organizations. Although the exact number of detainees is not known, human rights organizations' estimates are as high as 16,700 at the height of the government's crackdown on the Islamic Group, and it is thought that up to 8,000 of these detainees may have been imprisoned without trial at the behest of the executive branch.<sup>61</sup> The Emergency Law allows President Mubarak to declare a state of emergency "whenever security or public order are jeopardized within the Republic or any of its regions, whether due to war or to circumstances threatening war, national unrest, general disasters or the outbreak of an epidemic."<sup>62</sup> Article 3 of the Emergency Law provides that the President and his delegate, the Minister of the Interior, are empowered during a state of emergency to, "restrict freedom of assembly, movement and residence, arrest and detain suspects or those dangerous to security and public order, permit the search of persons and places unrestricted by the provisions of the Code of Criminal Procedures."<sup>63</sup> Leaving aside the important issue of time limitations on states of exception, there is significant credible evidence that the comportment of the Egyptian government fails to meet domestic and international standards of conduct.

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The loosely-worded legislation allows for arbitrary and capricious law enforcement, while, at the same time, denying the courts a meaningful standard by which to judge the conduct of the defendant and the state. According to reports by human rights groups, detention orders issued by the Executive branch are frequently found lacking any legally justifiable grounds for detention, merely justifying detention with generalities such as "danger to national security."<sup>64</sup> Compounding the problem of weakly founded arrests and detentions is the labyrinthine system established for challenging one's detention. Detainees are frequently ordered released by one judicial body only to have a new administrative detention order issued, invalidating the prior judicial decree. Amnesty International details the plight of one detainee who was ordered released from prison 21 times but remained in custody because the Ministry of the Interior continually issued new detention orders. The defendant languished in detention without ever being charged with any crime or being brought to trial.<sup>65</sup>

The war against the Islamic Group has caused further inroads to be made on political and civil rights. For instance, legislation such as the now repealed Law 93/1005 penalized journalists and writers "for insulting public officials or state institutions" or "for harming the peace or economy" and violators were subject to five year- imprisonment and a heavy fine.<sup>66</sup> Any reporting on Islamist activities, however factual, was construed as harming the economy and public peace, as it discouraged tourism and subjected the author to the provisions of Law 93.<sup>67</sup> Moreover, in order to impede Islamists or their sympathizers from coming to power in the many villages sprinkled throughout the country, the Mubarak Government abolished the long-standing participatory tradition of allowing the election of village chiefs at the local level, transferring that power to the Minister of the Interior in Cairo.<sup>68</sup>

Though such conflicts are rarely won on the basis of brute strength and are emblematic of deeper societal rifts, President Mubarak has chosen the far easier option of attacking the visible manifestations of his country's more pervasive ills, instead of making the difficult personal and political sacrifices, for which Egypt's dire circumstances so evidently call. Like Sadat and Nasser before him, Mubarak has broadly branded all Islamists as terrorists, all opposition as anti-government, all competition as a threat and has dealt with them accordingly. Indiscrimination of this sort merely engenders hostility, and the government's sense of vulnerability is heightened, thereby prompting it to behave in a still more restrictive and indiscriminate manner, thus creating a cycle culminating in a siege mentality on the part of the government and the widespread alienation of large segments of the population. No doubt the government's response to the threat posed by the Islamic Group was justified by the need to maintain security and order, yet given the expansive nature of the response, one might plausibly argue that the government reaction stemmed in large part from the larger nonviolent threat posed by

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the Muslim Brotherhood and other Islamist-controlled civil society organs. Government attacks against the Muslim Brotherhood and other organizations alleging security rationales, even in the face of a much diminished violent campaign by the Islamic Group, tend to buttress the notion that the extension of emergency legislation, the use of administrative detention, military courts and other legal and juridical maneuvers are not merely antiterror weapons but are important tools of domestic political control. Whereas narrowly tailored security legislation that, while allowing the government to combat internal violence, also safeguarded civil and political rights could hardly be considered objectionable, the far-reaching and intrusive legal and law enforcement regime that has been constructed has had disastrous effects on the already debilitated civil and political rights of Egyptians. The continued use of these measures, after the most significant threats of violence have passed, plainly reveals the extent of government unwillingness to engage in even minimal power-sharing arrangements.

## CONCLUSION

Twentieth century Egyptian history is inextricably entwined with the personal qualities of its leaders, particularly Gamal Abdel Nasser, and to a lesser extent, Anwar Sadat. Few observers of the Egyptian political scene will contend that President Mubarak, a political unknown before being chosen by Sadat to serve as vice-president, enjoys any semblance of the popular appeal of Nasser or even that of Sadat. Notoriously cautious and reserved, he has been reluctant to undertake clearly needed reforms of Egyptian political processes. His cautious and conservative nature tends to equate stability with the prevailing status quo, and the political reforms that have been undertaken during his tenure as president have typically been quite limited and subject to revocation at the slightest hint of societal instability.

It would be incorrect, however, to conclude that President Mubarak's personality makes him an ineffective leader or one that is absolutely adverse to change. To his credit it must be recalled that President Mubarak faces an almost unimaginable matrix of social and economic woes, on a scale that few Western leaders can imagine. And while it is highly tempting to judge from afar and make sententious pronouncements about his shortcomings in leadership of Egypt, a country whose actions have long been closely scrutinized regionally and internationally, one must recall that dire domestic circumstances notwithstanding, President Mubarak has had the courage to make slow, incremental changes to the Egyptian political and economic landscape. Most indications suggest that he is a fairly popular leader among Egyptians and in fully open and fair elections would certainly make a very respectable showing.<sup>69</sup> Moreover, examination of the socioeconomic improvements that Egypt has experienced

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since 1980 surely indicates that his leadership has brought significant tangible changes to the lives of most Egyptians.

On the other hand, however, we must consider the political stagnation that has characterized the Mubarak Administration. The President's highly circumspect character does not lend itself to the bold and innovative initiatives that will be required to revitalize politics and economy in Egypt. The few changes made to the political system under President Mubarak have been largely cosmetic, and have not brought about any significant reform of the inert political structures that have long needed regeneration. In spite of early reforms broadening the political spectrum, the President and his party, the NDP, continue to exert monopolistic control over the political arena, allowing or disallowing other contenders at their sufferance. Organs of civil society, which might serve a compensatory role in such a restricted system, are themselves invasively regulated and thus fail to act as a viable bulwark against complete state domination of the realm of political expression. President Mubarak has repeatedly indicated that economic reform must be the first priority; however as has recently been seen elsewhere in the world, economic reform, even if successful, does not stave off the need for a rehabilitation of the political system. Economic success does not necessarily eradicate political discontent or exclude the possibility of political upheaval. Successful economic reform in Egypt has been hampered, not surprisingly, by the failings of the political system, which in addition to undermining investor confidence also impeded incipient investment schemes through bureaucratic unresponsiveness.

Islamic opposition to the Mubarak government has only enhanced the President's intransigence regarding political reform. Combating a five-year internal war costing over 1,000 lives and untold amounts in lost revenue has taken its toll on the government's already limited tolerance for opposition. Long-standing emergency legislation and its progeny have criminalized many forms of political expression, chilling any impetus to greater political activism on the part of civil society and other public interest organizations. The draconian government response, while apparently successful in quelling the Islamic Group's paramilitary challenge, has entailed a further erosion of civil and political rights for all Egyptians and has surely fueled greater anti-government sentiment among new segments of the population. Causation of violence and its relation to Islam is a very complex issue, likely irresolvable by the mere relaxation of legal strictures or political liberalization. These measures, however, would certainly go a long way in permitting disaffected Egyptians, of whatever ideological persuasion, to channel and express their discontent in legal and productive discourse. However, given President Mubarak's evident antipathy toward the interface of Islam and politics, it appears that meaningful liberalization will be long in coming.

The solution to Egypt's many problems requires much hard work on the part of the whole of Egyptian society. Endowed as it is with huge, almost unfet-

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tered powers, the Executive branch is the logical engine of reform. However, given the conservative character of the President (and institutional impediments of course), it is highly unlikely that the risky business of reform will be undertaken under Mubarak. It remains to be seen whether any Egyptian president, irrespective of temperament, will be willing to be run the risk of potential short-term instability to obtain long-term political progress. Personal traits seem to play a far more important role in the realm of Egypt's international relations, which can be managed by the powerful Presidency without many of the fears attending forthright domestic reform. Moreover, the government's almost hermetic exclusion of Egyptian society from this process of reform and rehabilitation impedes the creativity and the synergy that will no doubt underpin Egypt's successful transition to the 21st century, regardless of who is leading the nation. ■

## NOTES

<sup>1</sup> Unlike the transcendent, personalist charismatic forms of leadership, bureaucratic leadership is predicated upon the application of modern technological and managerial principles to the business of government. Governmental legitimacy derives from the degree of successful application of these principles to the needs of society; bureaucratic leaders are thus theoretically subject to popular evaluation of their performance of the task of governance. While this holds true in democratic systems of governance, technical bureaucracy also lends itself to more authoritarian manifestations, in which the leadership does not subject itself to a public assessment of its performance, thereby establishing exclusive control over political processes. See Roy R. Andersen, Robert F. Seibert, and Jon G. Wagner, *Politics and Change in the Middle East*, 4th ed., (Englewood Cliffs, NJ: Prentice-Hall, 1993), 202.

<sup>2</sup> William L. Cleveland, *A History of the Modern Middle East*, (Boulder: Westview Press, 1994), 302.

<sup>3</sup> *Infitah*, Arabic for "opening" signifies the economic liberalization scheme initially designed by Sadat to encourage foreign (initially Arab) investment in Egypt. When the initial Arab response proved lackluster, Sadat then sought to encourage investment by foreign investors of any nationality. The results of the *infitah* were mixed, with some important investment flows into Egypt, although at levels far below those anticipated. The *infitah* also had important social consequences. For a more detailed treatment of the *infitah* and some of the social implication of foreign direct investment in Egypt see, Jeswald Salacuse, "Back to Contract: Implications of Peace and Openness for Egypt's Legal System," *American Journal of Comparative Law* 28 (1980): 315-333; Jeswald Salacuse, "Foreign Investment and Legislative Exemptions in Egypt: Needed Stimulus or New Capitulations," in *Social Legislation in the Contemporary Middle East*, Michalak and Salacuse, eds. (1986), 241.

<sup>4</sup> Biographical information on Mubarak has been drawn from various sources but principal biographical information can be found in Dilip Hiro, *Dictionary of the Modern Middle East*, (New York: St. Martin's Press, 1996), s.v. Mubarak; Derek Hopwood, *Egypt: Politics and Society 1945-1990*, 3rd ed. (London and New York: Routledge, 1993), 184-185.

<sup>5</sup> Hopwood, 184.

<sup>6</sup> Thomas W. Lippman, *Egypt after Nasser: Sadat, Peace, and the Mirage of Prosperity*, (New York: Paragon House, 1989), 221.

<sup>7</sup> Martin Sieff, "Mubarak Stature in Mideast Enhanced," *Washington Times*, 31 July 1996, A17.

<sup>8</sup> Stanley Reed, "The Battle for Egypt," *Foreign Affairs* 72, no. 4 (September-October 1993), 94.

<sup>9</sup> Howard Schneider, "Mubarak's Method: Overshadowed by Predecessors Nasser and Sadat, Egypt's Leader Has Served Longer, Honed Economy," *Washington Post*, 27 June 1999, A23.

<sup>10</sup> By 1980, President Sadat had become intolerant of dissent in any form. In 1980, for instance, he introduced the law of *aitb* (shame or vice) making it against the law to criticize the regime; pursuant to this legislation prosecutors were empowered to bring accused violators to trial before a "Court of Values." The law provoked a storm of controversy—notably among lawyers and judicial officials—and the People's Assembly (Egypt's legislative body) passed a highly diluted version of the originally proposed *aitb* law, though it still remained a criminal offense to advocate "disloyalty" to the state. Hopwood, 116.

<sup>11</sup> *Ibid.*, 184.

- <sup>12</sup> Kirk J. Beattie, "Prospects for Democratization in Egypt," *American-Arab Affairs* No.3, (Spring 1991): 33.
- <sup>13</sup> Paul Schemm, "Dialogue Along the Nile: Mubarak's Government Calls a Conference to Address Nation's Problems—Opposition Hopeful Yet Skeptical," *Middle East Insight* 10, no.2, (1994): 30.
- <sup>14</sup> Michael Farhang, "Terrorism and Military Trials in Egypt: Presidential Decree 375 and the Consequences for Judicial Authority," 35 *Harvard Journal of International Law* 227 (1994). Law 35 of 1984 amended an earlier law vesting the power of judicial appointments in a Supreme Judicial Council, a consultative body of practitioners, senior judges and jurists. This authority previously resided with the presidentially-appointed Minister of Justice, who was charged with the authority to make all decisions relating to the appointment, transfer and promotion of judges.
- <sup>15</sup> It is interesting to note that as late as 1991, commentators were unable to discern any coherent long-term economic program on the part of President Mubarak. See for instance, Beattie, 33.
- <sup>16</sup> Schneider, A23.
- <sup>17</sup> Igor Man, "The Rifts in Egypt's Village," *World Press Review* 40, No. 7 (1993): 7.
- <sup>18</sup> Dieter Weiss and Ulrich Wurzel, *The Economics and Politics of Transition to an Open Market Economy: Egypt*, (Paris: Organization for Economic Co-operation and Development, 1998), 23.
- <sup>19</sup> *Ibid.* 27.
- <sup>20</sup> Figures given are approximations since the Egyptian government has not fully revealed the extent of public sector holdings. See Weiss and Wurzel, 131; see also *The Economist*, *Egypt: Political and Economic Analysis* v. 351, 8123.
- <sup>21</sup> David Hirst, "Un capitalisme à l'indonésienne : L'Egypte aux pieds d'argile" *Le Monde Diplomatique* (Paris), (October 1999), 15, available at <<http://www.monde-diplomatique.fr/1999/10/HIRST/12543.html>>.
- <sup>22</sup> John Lancaster, "Despite Plaudits of the West, Mubarak Regime is Stumbling; The Real Egypt/Bureaucratic Paralysis and Social Unrest," *International Herald Tribune* (Neuilly-sur-Seine, France), March 15, 1995, available in Lexis-Nexis Academic Universe.
- <sup>23</sup> Ali E. Hillal Dessouki, "The Primacy of Economics: The Foreign Policy of Egypt," in *The Foreign Policies of the Arab States: The Challenge of Change*, eds. Baghat Korany and Ali E. Hillal Dessouki (Boulder: Westview Press, 1991), 169.
- <sup>24</sup> John Lancaster, "Despite Plaudits of the West, Mubarak Regime is Stumbling; The Real Egypt/Bureaucratic Paralysis and Social Unrest," *International Herald Tribune* (Neuilly-sur-Seine, France), March 15, 1995, available in Lexis-Nexis Academic Universe.
- <sup>25</sup> See for instance Section 2, and Article 108 of the 1971 Constitution of Egypt.
- <sup>26</sup> Larry P. Goodson and Soha Radwan, "Democratization in Egypt in the 1990s: Stagnant, or Merely Stalled?" *Arab Studies Quarterly* 19, no.1 (1997), 7.
- <sup>27</sup> Hirst, "Un capitalisme à l'indonésienne : L'Egypte aux pieds d'argile" *Le Monde Diplomatique* (Paris), (October 1999), available at <<http://www.monde-diplomatique.fr/1999/10/HIRST/12543.html>>
- <sup>28</sup> Constitution of Egypt, art. 76.
- <sup>29</sup> Goodson and Radwan, 10.
- <sup>30</sup> Reed, "The Battle for Egypt," 94.
- <sup>31</sup> Seymour Martin Lipset, ed. *The Encyclopedia of Democracy*, (Washington, D.C: Congressional Quarterly, 1995), s.v. Egypt, 400.
- <sup>32</sup> Eberhard Kienle, "More Than a Response to Islamism: The Political Deliberation for Egypt in the 1990s," *Middle East Journal* 52, no. 2 (1998): 226. Kienle notes that the tactics went so far as to steal opposition party office furniture.
- <sup>33</sup> Goodson and Radwan, 11.
- <sup>34</sup> Saad Eddin Ibrahim, "Reform and Frustration in Egypt," *Journal of Democracy* 7 no. 4 (October 1996): 133.
- <sup>35</sup> Kienle, 226.
- <sup>36</sup> Ibrahim, 133-134.
- <sup>37</sup> See Goodson and Radwan, 6; Weiss and Wurzel, 76.
- <sup>38</sup> Mona Makram-Ebeid, "Democratization in Egypt: The Algeria Complex," *Middle East Policy* 3, no. 3 (1994): 120. For a detailed treatment of civil society in Egypt, see Sami Zubaida, "Islam, the State & Democracy: Contrasting Conceptions of Society in Egypt," *Middle East Report* 22, no.6 (1992): 2-10.
- <sup>39</sup> Ibrahim, 130.

<sup>40</sup> Some analysts suggest that the Mubarak government's apprehension of a more evolved civil society is grounded, at least in part, in its fear of the emergence of an Algeria-like situation in Egypt. See for instance, Makram-Ebeid, 121; Cassandra, "The Impending Crisis in Egypt," *Middle East Journal* 49, no. 1 (1995): 16. Indeed, the Egyptian government has long gone to pains to distinguish its circumstances from those of its strife-ridden neighbor. See for instance Economist Intelligence Unit Country Report, Egypt, no. 1 (1992): 9. However, while this "Algeria complex" may play some role in the government's hostility toward the instruments of civil society, Egypt is not Algeria and the conflicts are highly dissimilar, a fact that cannot have escaped the Egyptian leadership. The "Algeria Complex" is more likely a method for the government to justify its stranglehold on political life, justifying its increasing intrusiveness with vague references to "national security" and "public order." The 1997 Presidential decree, extending the duration of the state of emergency an additional three years, was approved by the NDP-dominated People's Assembly, which stated that it would be inappropriate to repeal the legislation while "the remaining dens of corruption are still lurking and waiting to seize any opportunity to undermine security and stability by damaging tourism and causing sedition among the people's communities." *People's Assembly Extends Emergency Law for Further Three Years*, February 23, 1997, MENA News Agency, BBC Worldwide Monitoring, available from Global NewsBank.

<sup>41</sup> Lally Weymouth, "Mubarak Merits U.S. Support," *St. Louis Post-Dispatch*, (July 27, 1995), 13B.

<sup>42</sup> Joel Campana, "From Accommodation to Confrontation: The Muslim Brotherhood in the Mubarak Years," *Journal of International Affairs* 50, n. 1, (1996), 278.

<sup>43</sup> Cassandra, 15.

<sup>44</sup> Kienle, 229.

<sup>45</sup> James Bruce, "Country Briefing: Egypt," *Jane's Defence Weekly* 25, no. 9 (February 28, 1996), 19. One source does indicate that the view that the Muslim Brotherhood did in fact have some involvement with more violent strands of the Islamist movement was given enhanced credibility when the group issued a statement that one of its members had contacts with figures in the *Talaeh al-Fatah*. This latter group has been implicated in assassination attempts on senior government figures. See Arab Press Service Organization, "Challenges Facing the Muslim Brotherhood," (August 5, 1996), in IAC Newsletter Database.

<sup>46</sup> Eric Rouleau, "Les impasses des mouvements islamistes en Egypte," *Le Monde Diplomatique* (Paris), (January 1998), available at <<http://www.monde-diplomatique.fr/1998/01/ROULEAU/9771.html>> accessed February 2000.

<sup>47</sup> Lally Weymouth, "Mubarak Merits U.S. Support," *St. Louis Post-Dispatch*, (July 27, 1995), 13B.

<sup>48</sup> David Gollust, "Egypt: Muslim Trial," Transcript of Voice of America Broadcast, September 18, 1995, available in Global NewsBank.

<sup>49</sup> Defense attorneys claim that they are given insufficient time to review case files prior to trial and are prevented from meeting with their clients until trial, and are thus denied the opportunity to prepare an adequate defense. On these points, see CHRLA, "Military Courts" Part 2, Section II, available at <http://www.chrla.org/reports/mil-court/mil5.htm>, accessed August 26, 1998; Joseph Kechichian and Jeanne Nazimek, "Challenges to the Military in Egypt," *Middle East Policy* 5, no. 3 (1997): 132.

<sup>50</sup> Khaled Dawoud, "Egypt's Militants Down Arms, Cairo Eases Tough Stance," *Deutsche Presse Agentur News Service*, June 23, 1999, available in Lexis Academic Universe.

<sup>51</sup> See for instance, Reed, "The Battle for Egypt," 94-108. Reed notes that the Islamist provided services such as private transportation for female students, and cheap copies of textbooks and tutorials in lieu of the more expensive ones offered by faculty. The Islamists also called for the segregation of classrooms by gender to prevent the sexual harassment of female students by their male colleagues.

<sup>52</sup> Lippman, *Egypt after Nasser: Sadat, Peace, and the Mirage of Prosperity*, 219. Lippman quotes noted Middle East scholar, John Waterbury who states that "leftists, Nasserists, rightists, Wafdists, extremists, and gadflies" were among those arrested. According to Waterbury, "anyone, it seemed, who had ever seriously, crossed swords with Sadat was picked up."

<sup>53</sup> See P.J. Vatikiotis, *The History of Modern Egypt from Muhammad Ali to Mubarak*, 4th ed., (Baltimore: Johns Hopkins University Press, 1991), 441.

<sup>54</sup> "Tourists are the Latest Victims of Egypt's Civil Strife," *Africa Report* 38, No. 1 (1993): 10.

<sup>55</sup> See for instance, Martin Sieff, "Mubarak Stature in Mideast Enhanced," *Washington Times*, 31 July 1996, A17. Sieff notes that without U.S. aid (which amounts to some U.S.\$2 billion in military aid and another U.S.\$800 million in development aid), some analysts believe that the Egyptian government burdened by its social and demographic problems, could collapse.

<sup>56</sup> Economist Intelligence Unit, Country Report, Egypt, no.2, (1993): 8.

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- <sup>57</sup> "Islamic Group Considers Truce with Government," *Rose al-Yusuf*, April 18, 1994, reported in Foreign Broadcast Information Service (FBIS), April 25, 1994, 9.
- <sup>58</sup> Mideast Mirror, "Cairo Frees 1,200 Gama'a Members Following Cessation of Violence," vol. 13, No. 79 (April 27, 1999).
- <sup>59</sup> Vatikiotis, 444.
- <sup>60</sup> Sarah Gauch, "Terror on the Nile," *Africa Report* 38, No. 3 (1993): 33.
- <sup>61</sup> "Egypt Has Nearly 17,000 Political Prisoners," Agence France-Presse (AFP), June 16, 1997, available in Global NewsBank. Other sources close to the government place the number of detainees at approximately 10,000 while the Islamist opposition places the number at more than 30,000. See Rouleau, "Les impasses des mouvements islamistes en Egypte," *Le Monde Diplomatique* (Paris), (January 1998), 22.
- <sup>62</sup> Economist Intelligence Unit, Country Report, Egypt, no. 2 (1993) quoting text of Emergency Law 162/1958.
- <sup>63</sup> Amnesty International, *Arbitrary Detention and Torture under Emergency Powers*, Amnesty International (AI) Index: MDE 12/01/89 (May 1989), 4. The Emergency Law further affords the President the power to order censorship or confiscation of any means of expression, the right to specify opening and closing times for shops, and the right to evacuate or seal off areas of disturbance.
- <sup>64</sup> Amnesty International, *Egypt: Recent Human Rights Violations under the State of Emergency*, AI Index: MDE 12/07/96 (October 1996), 13.
- <sup>65</sup> Amnesty International, *Egypt: Indefinite Detention and Systematic Torture: The Forgotten Victims*, AI Index: MDE 12/13/96 (July 1996), available at <http://www.amnesty.org/ailib/aipub/1996/MDE/51201396.htm>.
- <sup>66</sup> Mamoun Fandy, "Egypt Nears Twilight Zone after Undemocratic Elections," *Christian Science Monitor*, 11 December 1995, 19. The law was repealed by President Mubarak in 1996.
- <sup>67</sup> Ibid.
- <sup>68</sup> Kienle, 228.
- <sup>69</sup> Ashraf Khalil, "Grand Political Theater in Egypt," *Baltimore Sun*, 23 September 1999, 2A.
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