Guardians of the state or the regime? Examining the behaviour of the Egyptian military during the 2011 uprising.

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Abstract

The Arab military has long been a key player within the institutions of the state, particularly in Egypt. It was no surprise then that when the Arab Spring took hold in Cairo in January 2011 and President Hosni Mubarak was overthrown, that the military stepped in to fill the power vacuum. This thesis investigates the role of the Egyptian military in the 2011 uprising. To understand how this situation eventuated, it provides an in depth analysis of the role of the military in the Egyptian state since 1952 when Egypt first became a republic. It explores the deep roots that the military has set throughout the institutions of the state under the guidance of three authoritarian Presidents. By examining the modern institutional history of the Egyptian military, it provides tools for understanding why it is now behaving in the way it is. Primarily this is based on its attempts to either remain in power, or entrench itself further in Egyptian politics so that it is able to maintain its position of privilege once a democratically elected President comes to power.

Key words: Arab Spring, SCAF, Egypt, Military, New Institutionalism, Sultanistic regime, Non-democratic civil-military relations, Mubarak, Freedom and Justice Party, Muslim Brotherhood.

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Chapter 1: Introduction

On the 11th of February 2011, as a result of large-scale and persisting public demonstrations, Vice President Omar Suleiman announced that Egyptian President Hosni Mubarak would be stepping down as President and turning power over to the Supreme Council of the Armed Forces (SCAF).[1][2] Soon after, the military junta headed by the effective head of State, Mohammed Hussein Tantawi, released a Communiqué in which they announced that the Egyptian Constitution would be suspended, both houses of Parliament dissolved, and that the military would rule for six months until elections could be held.[3] This was a pivotal point in Egyptian and Arab history: after 29 years in power Mubarak was unceremoniously removed from the Presidency and it seemed that Egypt ended almost 60 years of authoritarian military-based dictatorship. This thesis seeks to explain the circumstances that allowed for this situation to occur, and explores the behaviour of the Egyptian military and the SCAF in the context of the Egyptian social and political unrest of 2011 and 2012.

The Middle East is currently in the midst of social upheaval with popular anti-Government protests spreading throughout much of the region as a result of frustration towards corrupt rulers and escalating social issues. Since the 18th of December, 2010, there have been uprisings resulting in the ousting of Governments in Tunisia and Egypt; a civil war in Libya resulting in the fall of its regime; civil uprisings in Bahrain, Syria, and Yemen; major protests in Algeria, Iraq, Jordan, Morocco, and Oman, and minor protests in Kuwait, Lebanon, Mauritania, Saudi Arabia, Sudan and Western Sahara. Clashes at the borders of Israel in May 2011 have also been inspired by the regional Arab Spring. Militaries have been key actors in these uprisings. Some militaries have supported the protesters such as in Tunisia, while others have violently opposed them as was the case in Libya, Bahrain and Syria. [4] [5]

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[1] The 'Egyptian military' as I use in this thesis encompasses the SCAF, Army, Navy, Air Force, Police, Military Police, Para-military forces, and all conscripted soldiers.

[2] Al Jazeera Live blog, February 12th, 2011. Op. Cit.

[3] Lisa Anderson, 'Demystifying the Arab Spring', *Foreign Affairs*, 90, no. 3, (2011), p. 3.

[4] Ibid, p. 2.

[5] This is not entirely clear cut however, for instance, many (number) of people have left the Libyan military out of disagreement to the cause and so the army has had to recruit African mercenaries to quell the protests. Alex Thurston, 'Libya's Mercenaries Pose Difficult Issue to Resolve' *Christian Science Monitor*, February 28th, 2011. Retrieved September 10th, 2011 from http://www.csmonitor.com/World/Africa/Africa-Monitor/2011/0228/Libya-s-mercenaries-pose-difficult-issue-to-resolve.

Continuing uprisings throughout the most oil-rich region in the world is having and will continue to have significant ramifications on the rest of the world relating to oil supply, aid money, and even foreign military involvement through NATO in Libya. It is currently unknown what regimes will replace the overthrown governments or whether any governments will be able to persevere with the unrest and remain rulers. There is speculation that the new regimes could follow Iran's Islamic lead, continue as corrupt authoritarian military-based regimes with new leaders, operate in the form of a Western democracy, or find an entirely different form of Government.[6] It is also unclear what this will mean for the West. What is certain is that there will be significant changes for the Arab world and beyond. As the most populous Arab nation and the head of the Arab League, Egypt's changing status will likely be at the forefront of these changes.

Peter Mansfield described Egypt as the Arab world's "centre of gravity," and the events of 2011 have only served to prove that statement correct. One of the most significant movements of the Arab Spring took place in Egypt, where popular protests successfully resulted in the ousting of Mubarak. On January 25th, 2011, tens of thousands of people crowded in Cairo's Tahrir Square and began 18 days of protests. On the 11th of February, after several attempts at negotiations and many promises made, Egyptian Vice President Omar Suleiman announced President Hosni Mubarak's resignation and the dissolution of the Government. This move signalled the beginning of the transformation to what many are anticipating as Egypt's first democratic Government following nearly 60 years of a military-supported authoritarian regime since 1952.[7] Egypt is now at a crossroads with an interim Government run by the SCAF under the command of Field Marshal Tantawi alongside the democratically-elected Parliament headed by the Freedom and Justice Party led by a majority of Muslim Brotherhood members. Presidential elections are currently scheduled for the end of May 2012, and if they operate as planned it will mean that Egypt is the first nation affected by the Arab Spring to host democratic Presidential elections.[8]

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[6] Jeremy Sharp, 'Egypt in Transition', *Congressional Research Service,* Washington, September 21, (2011), p. 16; Cengiz Gunay, 'Mubarak's Egypt: Bad Paternalism, and the Army's Interest in Managed Transition'. February 3rd, 2011. Retrieved June 12th, 2011 from: http://www.opendemocracy.net/cengiz-g%C3%BCnay/mubaraks-egypt-bad-paternalism-and-armys-interest-in-managed-transition.

[7] See note on definitions, pages 5-6.

[8] Tunisia held democratic parliamentary elections, but President Moncef Marzouki was installed by the Parliament rather than through elections.

Egypt's military played a significant role in its revolution and continues to do so. For the first days of the uprising, they officially supported Mubarak's regime, but refused to fire on the protesters or enforce the Government imposed curfews. This position dramatically changed 10 days into the uprising when the military, led by the SCAF, announced they would be supporting the Egyptian people and called for long-reigning President Hosni Mubarak to step down. They also called for the ruling National Democratic Party to be dissolved. It is widely believed that were it not for the military's support of the protesters, President Mubarak would have been able to remain in power.

The Egyptian military has long been deeply involved in politics and it is well known to be the power behind the throne.[9] Because of this, it came as a surprise to many when it reversed its support of the Government and began supporting the protesters during the 2011 uprising. However, the Egyptian Constitution of 1971 (amended 2007) explicitly states: "the State alone shall establish Armed Forces which owe their allegiance to the people" and that "their duty shall be to protect the country and safeguard its territory and security".[10] This does not explicitly state whether the military is to act as guardians of the state or the regime. The first section states that the military owes its allegiance to the people, which would suggest that it is legally mandated to guard the state. Conversely, the second statement can be interpreted as suggesting the military's Constitutional duty is to defend the Egyptian Government and maintain its security, making the military the guardians of the regime. In addition to these two seemingly conflicting obligations for the military, there is also the inherent nature of the military as a self-interested institution, which seeks to influence the policies and actions of the Government to maintain its position of privilege in Egypt.[11] Although an organisation is considered to be an institution does not mean there is internal cohesiveness. The military as an institution is discussed throughout this thesis, but it actually consists of a variety of competing institutions that are all vying for supremacy, further funding, and higher recognition.

The military has played a dynamic role in the ensuing temporary administrative governmental unit. On the one hand, the military expressed a degree of public sympathy with the protestors

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[9] Harb, Op. Cit. p. 272.
[10] The Constitution of Egypt 1971 (Amended 2007). Retrieved November 20th 2011 from: http://www.Constitutionnet.org/files/Egypt%20Constitution.pdf, p. 35.
[11] Andrew Heywood, 'Politics', Second Ed. Hampshire and New York: Palgrave McMillan, (2002), p. 272.

and refrained from quelling the uprising by force. On the other, it took a hard line with protesters with a resolve that it would end the State of Emergency only if the protestors went home and the situation returned to normal.[12] The military played such a pivotal role in the uprising that it is likely that Mubarak's rule may have continued without their support for the people. It is little surprise that the Egyptian military were the institution that filled the power vacuum when Mubarak left and the Parliament was dissolved. Since the 1952 *coup d'état* staged by the Free Officers Movement, the Egyptian military has remained deeply entrenched in the Governmental regime, growing, diversifying and professionalising to such an extent that it also operates as a business entity, producing various public goods and services.[13]

Their role has not been uncontroversial. A year has passed and the SCAF remain in power. Elections have been held for the People's Assembly and the Shura council, but Presidential elections are not scheduled to take place until May 2012. The military has also attempted to retain their position as the preeminent institution of the state through the proposal of 22 Supra-Constitutional Principles to guide the process of drafting Egypt's next Constitution.[14] The Principles would have allowed the military to remain in a significant position of power without any checks and balances in place. The SCAF's willingness to have these Principles put in place in the Constitution is very telling of the position they have now taken: they are acting neither as guardians of the state or the regime, but rather as guardians of their own material interests.

The reason it's important to explore the Egyptian uprising – as I have done in this thesis - is because Egypt is the Middle East's center of gravity. Therefore, what happens in Egypt gives us insight into the way in which events may unfold for other nations affected by the Arab Spring. Making up almost a quarter of the Arab world's population with 82 million residents, [15] Egypt has been at the forefront of almost every social, intellectual and political movement in the Arab world. The Egyptian military is the largest defence force in the African continent, and the tenth largest in the world.[16] Egypt is widely viewed as the leader of the Arab world because of its

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[12] Ibid.

[13] Imad Harb, 'The Egyptian Military in Politics: Disengagement or Accommodation?' *Middle East Journal*, 57, no. 2, (2003), p. 272.

[14] IkhwanWeb, 'Text of Selmi's Controversial Supra-Constitutional Principles, in English and Arabic'. 3 November 3rd, 2011, retrieved November 14th 2011 from: http://www.ikhwanweb.com/iweb/index.php?option=com_content&view=article&id=32662:the-basic-principles-of-the-new-Constitution&catid=10387:newsflash&Itemid=858

[15] CIA World Factbook, 2011. Retrieved March 4th, 2011 from: https://www.cia.gov/library/publications/the-world-factbook/geos/eg.html.

[16] CIA World Factbook, Op. Cit.

status as head of the Arab league, its close relationship with the United States, the historic 1979 Camp David peace accords with Israel, and large geographical area. Napoleon called it the most important country in the world;[17] King Farouk I of Egypt declared it "the keystone in the arch" of the Arab world;[18] Arnold Toynbee declared that "there is a great Arabic-speaking world of which Egypt is the cultural centre";[19] Israeli Prime Minister Benjamin Netanyahu named it the "most important Arab country";[20] and Barak Obama chose Cairo for his 2009 address to the Muslim world because Egypt "represents the heart of the Arab world".[21] Post-independence Arab history often seems to involve Egypt in a crucial way. Along with Egypt's political significance, it also plays a key role socially. Its entertainers, actors, musicians and writers feature prominently in Arabic popular culture.[22] Since the 1980s, the Egyptian people themselves have seen their country's role as a bridge between the Middle East and the Western world.

Egypt holds great religious significance. Around 90% of Egypt's population are Muslims, the majority of who are Sunni, as well as Coptic Orthodox and Oriental Orthodox Christians comprising between 5% and 10% of the population.[23] Egypt hosts two major religious institutions: Al-Azhar University, the chief centre of Arabic literature and Islamic learning in the world, and the Coptic Orthodox Church of Alexandria.[24] Under President Anwar Sadat, Islam became the official state religion and Sharia the main source of law in Egypt. Educationally, Egypt has remained at the forefront of Middle Eastern nations, with the largest overall education system in the region. It is home to the American University of Cairo, the Arab Academy for Science and Technology, and Al Azhar University – all highly regarded private universities. It has played an important role in international relations; significantly in its role as a third party mediator between Israel and Palestine. Most recently it has served as an inspiration to other Arab nations to begin and continue their civil uprisings, signifying to them that if Egypt can topple its President, then any nation can. Although the initial spark that set off the Arab

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[17] Tarek E. Masoud, 'Egypt' in *The Middle East*, ed. Ellen Lust, Washington DC: CQ Press. (2011), p. 387.
[18] L. C. Brown, 'Diplomacy in the Middle East: The international Relations of Regional and Outside Powers', London: IB Taurus, (2004), p. 101.
[19] Arnold J. Toynbee, 'The Present Situation in Palestine,' *International Affairs* 10, 1, (1931), p. 42.
[20] Egypt State Information Service,'Mubarak: Peace is Made by Strong, Brave Leaders', May 11, 2009.
[21] Helene Cooper, 'Obama to Speak from Egypt in Address to Muslim World', *New York Times*, May 8th 2009. Retrieved November 28th 2011 from: http://www.nytimes.com/2009/05/09/world/middleeast/09prexy.html.
[22] Malik, Op. Cit.
[23] CIA World Factbook, Op. Cit.
[24] Berkley Centre for Religion, Peace & World Affairs, 'Egypt'. Updated December 14th, 2011. Retrieved February 28th, 2012 from: http://berkleycenter.georgetown.edu/resources/countries/egypt.

Spring began in Tunisia, it has been Egypt that has inspired the Arab psyche.[25] With Egypt's prominence in mind, it is fitting that many are observing the events unfolding closely and anticipating the follow-on effects they will have on the rest of the Arab world.

Besides population and politics factoring into Egypt's prominent status within the Middle East, Egypt is also culturally significant in the wider Middle East. Many Egyptians are excited at the prospect of reviving the Egyptian culture that dominated the media in the 1980s. One Egyptian commentator, minutes after Mubarak resigned, said that Egypt could return to penning the literature, music and drama that had produced Egyptian cultural icons such as actor Omar Sharif, director Youssef Chahine, and writer Naguib Mahfouz.[26] He explained that the toppling of the Mubarak regime signalled the end of the era of "fallen art and kitsch popular culture".[27] The chant that resonated around the Arab world was "*ahom, ahom, el masriyeen ahom*"**,** meaning 'here, the Egyptians are here'. As Malik explains, the uprising heralded not the arrival, but the return of Egypt.[28]

The social upheaval in Egypt in particular has left many unanswered questions. Egyptians are wondering what form that the new Government will take and who the President will be. There is great uncertainty about whether it will become a democracy with free and fair elections or if the authoritarian military-based style of governance will continue. There are fears about whether the Egyptian Constitution which is due to be completed mid-2012 will promote genuine change or if it will open the door to further corruption and oppression of civil liberties. Since Mubarak's resignation, Egypt's relations with Israel, America, and the rest of the world are also uncertain, and there are concerns that these relationships could be severed with a new Government. This raises great uncertainty about what this means for the US$2.2 billion in economic and military aid Egypt receives annually.[29]

At this point, it remains to be seen what the SCAF will do; they could remain in power, or they may hand over to the democratically elected Parliament led by the Freedom and Justice Party

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[25]Malik, Op. Cit.

[26] The comments were taken out of context and seem rather condemning of the Government. However the Mubarak regime never placed any restrictions, prohibitions, or sanctions against creativity and the arts, rather, it directed its focus towards economic and military matters rather than developing the creative industries, so Egypt lost its dominance in the Arts industry of the Middle East.

[27] Nesrine Malik, 'Egypt Has Returned From the Cultural Backwaters' *The Guardian Online.* February 24th, 2011. Retrieved November 30th, 2011 from: http://www.guardian.co.uk/commentisfree/2011/feb/24/egypt-culture-revival.

[28] Ibid.

[29] Michael P. Todaro and Stephen C. Smith, 'Economic Development', 10th edition, Boston: Pearson Addison Wesley, 2009.

(FJP) when the President is elected. It is unclear if the FJP will be making drastic changes to the institutional landscape of Egypt by overhauling it politically and economically as well as shrinking the military, or if it will maintain the status quo and allow the military to remain in its position of privilege as part of a power-sharing agreement. The military's role as an economic actor will also be a key issue for the new Government to consider: they could choose to leave these relatively successful industries alone or they may seek to untangle its roots in the economy and wider Egyptian society.

The various roles of the Egyptian military have played out in a complex set of events from the beginning of the political movement through to Mubarak's resignation and well into 2012. This thesis will investigate the complex nature of the political role of the Egyptian military and its actions during the uprising up until April 2012, reflecting on whether they acted as guardians of the state or the regime, or themselves, and why.

1.1   Note on definitions

Theoretical concepts are thinking tools - they should be 'put in motion' and 'made to work'.[30] Throughout this thesis, I will draw on many concepts with which to think about the role of the Egyptian military in the 2011 revolution. This section seeks to outline the meanings of some of the terms used throughout this thesis as I have used them to build my argument.

The terms rebellion, uprising and insurrection are used fairly interchangeably, though they all suggest a display of a refusal of obedience or order. They may, therefore, be seen as encompassing a range of behaviours aimed at destroying or replacing an established authority such as a Government or a regime. The difference between this type of movement and a revolution is the outcome. A nation will go through a period of rebellion, uprising, or insurrection and, if it is successful in changing or replacing the established authority, it becomes a revolution.

While a revolution generally results in a change of regime, defining it in greater depth is particularly difficult as it is both a political and cultural phenomenon. Scholarly debates about

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[30] Pierre Bourdieu and Loic J. D. Wacquant, 'An Invitation to Reflexive Sociology', Chicago: University of Chicago Press, (1992), p. 228.

what does and does not constitute a revolution centre around several issues, particularly whether or not violence is a necessary component and if it encompasses only political events or can include cultural, social and economic events as well.[31] Focusing solely on the political aspects of a revolution, Aristotle defined it as a modification or complete change of an existing Constitution.[32] Similarly, Heywood explained it as a process of "dramatic and far-reaching change, involving the destruction and replacement of an old order".[33] Goodwin explained that revolutions entail not only mass mobilisation and regime change, but also a more or less rapid and fundamental social, economic and/or cultural change during, or soon after, the struggle for state power.[34] This is in contrast to a *coup d'état*, which is the sudden, extrajudicial deposition of a Government, usually by a small group of the existing state establishment—typically the military—to replace the deposed Government with another, either civil or military.[35] This distinction can be exemplified by the deposition of the Egyptian monarchy in 1952. It is celebrated as a revolution in state propaganda, but it was in fact a military *coup d'état* with revolutionary implications.

The key difference between a revolution and a *coup d'état* is that a revolution generally comes from a populous uprising, whereas a *coup d'état* is carried out by a small institution within the state apparatus, generally the military or the police. Also, a *coup d'état* generally seeks to change or replace the Government rather than the regime, or bring about broader social change, whereas a revolution seeks to replace a regime.[36]

Regime and Government also have two distinct definitions which are often conflated. Government is the mechanism through which ordered rule is maintained. Its central feature is having the ability to make collective decisions and the capacity to enforce them.[37] A regime, on the other hand, is a political system that encompasses not only the mechanisms of government and the institutions of the state but also the structures and processes through which these interact with the society. While governments can be changed by elections, succession, and *coup*

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[31] Isaac Kraminick, 'Reflections on Revolution: Definition and Explanation in Recent Scholarship'. *History and Theory,* 11, no. 1, (1972).

[32] Aristotle, 'The Politics V', tr. T.A. Sinclair, Baltimore: Penguin Books, (1972), p. 190.

[33] Heywood, Op. Cit. p. 215.

[34] Jeff Goodwin, 'No Other Way Out: States and Revolutionary Movements, 1945-1991', Cambridge: Cambridge University Press, (2001), p. 5.

[35] E. Luttwak. 'Coup d'état: A Practical Handbook', London: The Penguin Press, (1979).

[36] Heywood, Op. Cit. p. 387

[37] Ibid, p. 26.

d'état, regimes can only be changed from internal revolutionary upheaval or from external state (generally military) intervention. This was evidenced by the changes in Government in Iraq in 1979, Syria in 1966 and 1970, and Egypt in 1970 and 1981 where the Governments changed, but the political regimes certainly did not. In fact, between 1952 and 2011, the only Middle Eastern revolution and successful regime change since was during 1979 in non-Arab Iran. The issue is that in the Middle Eastern context, the theoretical distinction between these concepts is often blurred in practice. Owen explains that the best way to understand this in terms of the Middle East is as a spectrum:[38] On one end, Egypt has a clear distinction between regime and government which is evidenced by the way the country has been able to continue operating after the dissolution of the ruling regime; whereas, at the other end, the Gulf states have regime and government so closely identified that if a regime disappeared, the entire governmental structure and state institutions would likely collapse.

Finally, the term democracy will be used throughout this thesis. Democracy has a variety of different definitions and forms. Broadly, a democracy is a form of Government in which all people have an equal say in the decisions that affect their lives. Ideally, this includes equal (and more or less direct) participation in the proposal, development and passage of legislation into law.[39] It can also encompass social, economic and cultural conditions that enable the free and equal practice of political self-determination.[40] This thesis will use this definition, referring to a state in which free and open elections are conducted, with the actual results determining the next government.

1.2   Thesis structure

Chapter Two of this thesis will construct a conceptual framework for examining the role of the military, state, as well as civil-military relations in theory. The conceptual framework will then be applied to the wider Middle East and, more specifically, Egypt. Additionally, two of the three branches of New Institutionalism – rational choice and historical institutionalism – will comprise the primary framework used to analyse the role of the Egyptian military's behaviour in the 2011

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[38] Roger Owen, 'State, Power and Politics in the Making of the Modern Middle East', Oxon: Routledge, (2004), p. 3.
[39] Heywood, Op. Cit. p. 27.
[40] Hannah Arendt, 'What is Freedom? Between Past and Future: Eight Exercises in Political Thought', New York: Penguin, 1993.

revolution. Chapter Three will outline the methods used throughout this thesis to conduct research and analyse findings. This will be followed by Chapter Four, which investigates the history of the Egyptian military and state from the end of the monarchy era through to the fall of Mubarak. The section will discuss and analyse modern Egypt's military genesis, the significant position of power the military has maintained within the state over the past 60 years, and the shape the state has taken under the guidance of the military institution. Chapter Five will address Egypt's current situation by focusing on the actions of the Egyptian military and the SCAF from 2011, beginning with an investigation into its role in the revolution and the state post-Mubarak. It will focus on the way in which the SCAF has institutionalised its power, and seek to understand why it has operated in the way that it has. The findings of all these sections will be contemplated and summarised in Chapter Six, where I will conclude that the Egyptian military first acted as guardians of the regime, then the state, but are now operating as guardians of their own material interests.

Chapter 2: Conceptual Framework

This Chapter will outline out a conceptual framework which will be used throughout this thesis to analyse the behaviour of the Egyptian military in the 2011 revolution. It will draw on theories from three different areas: the state; the military and civil-military relations; and New Institutionalism. It will begin by detailing general theories of the state, and then looking specifically at capitalist state theory and Sultanistic regimes. This analysis will be followed by an explanation of theories specific to Middle Eastern states. This discussion is a useful tool to conceptualise the contexts from which the Arab militaries arose in the post-colonial era, and more specifically Egypt, where the military has been given a position of extreme privilege amongst the state institutions. It will then move on to a discussion of general theories of civil-military relations. This will begin with an explanation of the seminal works of Samuel Huntington and Morris Janowitz,[41] [42] and be followed by contemporary general theories. It will then focus specifically on the Middle East. These theories will play a significant role in explaining not only the deep entanglement of the Egyptian military in society, but also framing how Egypt's current situation came to be.

This will be followed by an explanation of New Institutionalism and its three sub-theories that seek to assist in understanding the roles that institutions play, their interactions with each other, and their determination of social and political outcomes. While theories of the state broadly detail the form that the state and its institutions take, New Institutionalism seeks to understand the varying interactions of the institutions within the state. I have elected to use New Institutionalism as it is a useful tool to shed light on the Egyptian military as an institution seeking to find its way amongst the other competing institutions of the state in the wake of the Arab Spring. Militaries are central institutions in modern states and this is even more so the case in Egypt, where the military is also intricately bound within economics and politics. New Institutionalism illuminates the behaviour of the Egyptian military during and since the uprising through its explanations of institutions as self-interested parties that seek to enhance their own material well-being, as well as through its theories of the influence institutions have on actors' behaviour and politics. The conceptual tools laid out in this Chapter will be used throughout the

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[41] Samuel P. Huntington, 'The Soldier and the State', Cambridge: Belknap Press of Harvard University Press, (1957).
[42] Morris Janowitz, 'The Professional Soldier', Glencoe, Illinois: Free Press, (1960).

thesis to determine whether the Egyptian military acted as guardians of the state or the regime in the 2011 Egyptian uprising.

2.1 The State

Modern theories of the state go back in European political thought at least as far as Machiavelli. The most significant developments in the notion of the state, however, came about in the nineteenth century, where the concept was defined and redefined by a series of political philosophers from Georg Hegel to Max Weber. Weber's definition has remained the most influential, where he explains the state is "a human community that [successfully] claims the monopoly of the legitimate use physical force within a given territory".[43] This definition has been widely used but it is purely descriptive; it does not explain what the state should and should not do, nor determine the ideal relationships between the state and civil society: it simply provides a normative definition of the state.

The word 'state' itself has two distinct meanings, though they are often conflated. As Roger Owen explains, one meaning refers to sovereign political entities, such as states with their own boundaries, flag, seat at the United Nations and international recognition. Heywood supports this by explaining that the state is a "political association that establishes sovereign jurisdiction within defined territorial borders, and exercises authority through a set of permanent institutions".[44] Luciani provides a similar definition, explaining that the state is "the authoritative political institution that is sovereign over a recognised territory".[45] The second meaning of state refers to "that set of institutions and practices which combines administrative, judicial, rule-making and coercive powers".[46] The use of the word in the first sense is clear; however when the nature of state power and the interests that the state represents are considered it is not as straight forward.

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[43] Max Weber, 'Politics as a Vocation', 1919 retrieved July 2nd, 2011 from:
http://www.ne.jp/asahi/moriyuki/abukuma/weber/lecture/politics_vocation.html.
[44] Owen, Op. Cit. p. 86.
[45] Giacomo Luciani, 'Introduction', in *The Arab State*, ed. G. Luciani, London: Routledge, (1990), p. xviii.
[46] Owen, Op. Cit. p. 1.

The term 'state' has a place within a set of binary opposites – state/society, public/private, formal/informal – all indispensible aspects of contemporary political discourse.[47] This presents a series of conceptual problems, as it can be argued that each is its own separate entity and that there should be a boundary between each, yet they largely overlap in practice. Owen explains that this definition focuses on three core elements: it considers the state to be authoritative and sovereign and an accepted focus of identity and politics; it regards the state as an institution; and it sees the state as associated with a particular territory. The theory ties in well with New Institutionalism as it views institutions as "formal or informal procedures, routines, norms, and conventions embedded in the organisational structure of the polity or political economy".[48] Owen's explanation and definition of the state allows us to look at the embeddedness of the military in the Egyptian political structure as an institution itself, separate from the military entity as an institution alone. It is this definition that I will be basing my analysis off throughout this thesis.

Most political writing of the state took place in Europe, on the basis of a purely European experience. Though the historical and cultural experience of the Middle East is distinct from that of Europe, the same conceptual frameworks were applied with little thought about whether it made sense in the different context.[49] Due to the difficulty of fitting Middle Eastern states into Western frameworks, I have had to use so many various concepts in this Chapter. There are some similarities between Middle Eastern and Western states, however, as Zubaida explains, from the nineteenth century onward they both followed what he calls the same trajectory by establishing new political units outside Europe.[50] There is also similarity in modernity, in the sense that the Middle Eastern states rest on socio-economic foundations such as urbanisation, industrialism, capitalism, secularisation, as well as the nation-state and its constituent forms of surveillance which is the necessary outcome for modern capitalist development.[51] In spite of these similarities, the Middle East and the West came into existence from quite different historical circumstances, and therefore require different frameworks to best understand the nature of the state.

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[47] Ibid, p. 86.
[48] Ibid
[49] Owen, Op Cit. p. 2.
[50] Sami Zubaida, 'Islam, the People and the State', London and New York: Routledge, (1989).
[51] Chris Barker, 'Cultural Studies: Theory and Practice', London: Sage, (2005), p. 444.

In the book *Orientalism* by Edward Said, he effectively redefined the term "Orientalism" from the study of Middle East and East Asian cultures to mean a constellation of false assumptions underlying Western attitudes toward the Middle East. He explained that the current body of scholarship is marked by a "subtle and persistent Eurocentric prejudice against Arab-Islamic peoples and their culture."[52] Migdal provides a definition that is better tailored to analysis of non-Western states in that it is general enough so as not to identify elements specific to Western notions of the state, but sufficiently broad to capture the fundamental characteristics of the notion of the state. He explains that a state is:

> an organisation, composed of numerous agencies led and coordinated by the state's leadership that has the ability to make and implement the binding rules for all the people as well as the parameters of rule making for other social organisations in a given territory, using force if necessary to have its way. [53]

The origins of the modern Arab states are all different and can be traced back, in most cases, to a period before the nineteenth century. Owen explains that at that point most of these states were locally rooted and enjoyed legitimacy in the eyes of their people; and they also had recognisable boundaries or at least a core territory where their authority endured. For the seventeenth, eighteenth, and first half of the nineteenth centuries, these states faced only limited foreign intervention, which mostly came in the form of inspiration for governance from the Sultan of the Ottoman Empire.[54] The nineteenth century saw two major forces acting on the Arab states: European penetration on one hand, and the reassertion of Ottoman power on the other. The history of the Arab states is of particular importance to this project, as it sheds light on the political systems that the Arab people revolted against in 2011, as well as how the military came to have such a massive presence in the Governmental structure of many of these nation's regimes.

The Arab world today consists of twenty-one states, officially members of the Arab League. Three of them, Mauritania, Somalia and Djibouti are peripheral, with the latter two more African

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[52] Edward Said, 'Orientalism: Western Conceptions of the Orient', London: Penguin Books, (2007).
[53] Joel Migdal 'Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World', Princeton: Princeton University Press, (1988), p. 3.
[54] Some may point to the Ottomans as an imperialist agent involved in the process, however Arabs under Ottoman rule did not perceive themselves as subjects of foreign rulers, rather they identified with the Ottomans and looked upon the Sultan as the Muslim head of an Islamic commonwealth of which they were a part. Harik, Op. Cit. p. 9.

than Arab.[55] The remaining eighteen have gained their political independence only recently. The earliest Arab state to achieve independence was Yemen in 1918, and the most recent was the United Arab Emirates in 1971. The various states contain a considerable degree of diversity amongst themselves. Some of the states enjoy extremely high levels of wealth, while others face adverse poverty. The modes of life vary from tribalism, particularly in the Gulf States, to sophisticated, modern urban life as seen in parts of Cairo, Beirut and Tunis. What binds all of these different states together is a degree of shared language, culture and religion. Modern Arab states have drawn their sense of national identity from Islam and a collective sense of unity that has overlapped with nationalism at times. Harik suggests that both nationalism and Islam are ideologies that generate a sense of identification that cuts across state boundaries and supersedes local considerations.[56]

There is little question that every authoritarian Government's first priority is to remain in power, and it will bend every effort to direct its revenues toward programmes that help it achieve its goal. This is often seen in the modern Middle East, where many of the ruling regimes have followed a dictatorial, non-democratic path, with little focus on political transparency and legitimate elections, and more recently, succession by the leaders' sons, as was the case particularly in Egypt, Tunisia, Algeria, Syria, and Libya. Humphries suggests that since World War II, these regimes have been haunted by the spectre of illegitimacy, by the fear that in the eyes of their neighbouring states and subjects they have no right to rule.[57] They are afflicted by a kind of rational paranoia, induced by the military and/or revolutionary roots of so many regimes, the Arab-Israeli conflict, internal ethnic tensions, the colonial origin of national borders within the region, their involvement in the politics and conflicts of the Cold War and more recently the Global War on Terror, and the social turmoil provoked by intensely felt and perpetually frustrated popular aspirations. To a large degree, therefore, the policy of Governments throughout the region has been driven first and foremost by the quest for security. The economic and fiscal consequences are clear: the last four decades have witnessed an

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[55] Although no globally-accepted definition of the Arab world exists, all countries that are members of the Arab League are generally acknowledged as being part of the Arab world. The Arab League defines an Arab as a person whose language is Arabic, who lives in an Arabic-speaking country, and who is in sympathy with the aspirations of the Arabic-speaking peoples. Dwight Fletcher Reynolds, 'Arab folklore: a handbook', Westport: Greenwood Press, (2007), p.1.
[56] Ilyia Harik, 'The Origins of the Arab State System' in *The Arab State*, ed. Giacomo Luciani, London: Routledge, (1990), p. 2.
[57] R. Stephen Humphreys, 'Between Memory and Desire: The Middle East in a Troubled Age' Berkley: University of California Press, (1999), p. 11.

extraordinary rate of military expenditures by almost every Middle Eastern country. [58] The clear irony in this is that by far the greatest danger to these regimes came not from the armies of hostile foreign adversaries, but rather from *coup d'état*s, revolution and subversion.

2.1.1 The capitalist theory of the state

There are several different theories of the state which move beyond description, such as those presented in the previous section, to more normative conceptions of state institutions. The capitalist theory is one of these and provides a good theoretical position with which to understand the situation in the Middle East, and more specifically modern Egypt. Capitalist theory of the state comes from Marxist theory and suggests that the state institution cannot be understood separately from the economic structure of society, and thus not as a neutral arbiter or umpire. It began as viewing the state as only an instrument of class oppression, with the state emerging out of and reflecting the class system. This theory was later developed by Antonio Gramsci, who emphasised the degree to which the domination of the ruling class is achieved by ideological manipulation rather than open coercion. This takes place through intellectual leadership of cultural control, with the state institutions playing an important role in the process.[59] The theory continued to develop from the late 1960's with writers such as Ralph Miliband and Nicos Poulantzas presenting rival views of the same position. Ultimately neo-Marxists have had to abandon the idea that the state institution is merely a reflection of the class system, and the classic bourgeoisie/proletariat model is a radical oversimplification of a deeply complex system. The theory now views the state not as an instrument used by a particular group, but rather as a dynamic entity that reflects the balance of power within society at any given time.[60]

This has been the case in Mubarak's Egypt, where the control and distribution of economic resources gave the regime the opportunity to control most of Egypt's public and private economic activity. These types of activities can be understood with Richards' and Waterbury's definition of a rentier economy. It explains that the state undertakes all the resource mobilisation and infrastructure development functions, but captures the surplus of its own

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[58] Ibid
[59] Heywood, Op. Cit. p. 91.
[60] Ibid.

activities - a substantial portion of private-sector profits and external rents (such as remittances of Egyptians living abroad) in order to finance its own expansion.[61] The goal for the state is to dominate all aspects of resource allocation and to seize, once and for all, the commanding heights of the economy. Thus, the actions of Mubarak and the Egyptian State intuitions under his regime in relation to the economy can be understood through a Neo-Gramscian lens because the regime was able to compose a network of clients through the allocation of economic means and licences. This resulted in politically-connected business people often receiving generous bank financing and they reaped the rewards of privatisation deals, foreign franchise distribution rights, Government contracts, and land deals.[62] Since the economic system has made up an essential part of the regime's authority and power, Mubarak's radius of action concerning reforms in the economic field had to remain limited.[63] He simply could not reform the Egyptian economy significantly, as it was the economy and the military (which are themselves deeply entangled) that supported his position as President.

2.1.2 Sultanistic regimes

While state theories such as Capitalism broadly look at the mode of rule a state falls under, regime specifies the political system that encompasses not only the mechanisms of Government and the institutions of the state, but also the structures and processes through which these interact with the society. The concept of the Sultanistic regime was initially coined by Max Weber, who explained that it was an "extreme case of patrimonialism, and it arose where traditional domination develops an administration and a military force which are purely personal instruments of the master".[64] The term was largely neglected by scholars until it was used in Linz's comparative analysis of nondemocratic regimes which explored the differences between totalitarian and authoritarian forms of rule.[65] Chehabi and Linz explain that Weber's

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[61] Alan Richards and John Waterbury, 'A Political Economy of the Middle East', Second Edition, Boulder, Colorado: Westview Press, (1996), p. 183.

[62] Jeremy Sharp, 'Egypt in Transition', *Congressional Research Service,* Washington, September 21, (2011), p. 16.

[63] Cengiz Gunay, 'Mubarak's Egypt: Bad Paternalism, and the Army's Interest in Managed Transition'. February 3rd, 2011. Retrieved June 12th, 2011 from: http://www.opendemocracy.net/cengiz-g%C3%BCnay/mubaraks-egypt-bad-paternalism-and-armys-interest-in-managed-transition.

[64] Max Weber, 'Economy and Society: An Outline of Interpretive Sociology', Vol. 2., eds. Guenther Roth and Claus Wittich, Berkeley and Los Angeles: University of California Press, (1978).

[65] H. E Chehabi and Juan J. Linz, 'A Theory of Sultanism 1: A Type of Nondemocratic Rule', in '*Sultanistic Regimes'* eds. H. E. Chehabi and Juan J Linz, (1988). Baltimore, Maryland: The John Hopkins University Press, p. 6.

theory was updated in the 1970s, at a time where political democracies were few but there was a significant range of nondemocratic regimes.

At that point, many scholars were grouping all nondemocratic regimes into the 'authoritarian' category, though there was a wide range of regimes with distinctive characteristics. Linz used Weber's concept of the Sultanistic regime to make a distinction from authoritarian or totalitarian regimes. The essential reality in a Sultanistic regime is that all individuals, groups and institutions are permanently subject to the unpredictable and despotic intervention of the Sultan, and thus all pluralism is precarious.[66] Linz explains that the difference between authoritarian and Sultanistic rule was not only a matter of degree, but rather it lies in the rulers' conception of politics, power structures, the relation to the social structure and the economy, and ultimately the subjects of such rule. Similarly, Goldstone explains that Sultanistic regimes are a specific type of dictatorship that often proves extremely vulnerable, "rarely retaining power for more than a generation. Such Governments arise when a national leader expands their personal power at the expense of formal institutions".[67] The leaders have no ideology and have no purpose other than maintaining their personal authority and amassing great wealth. Linz provides the cases of Haiti under the Duvaliers, the Dominican Republic under Trujillo, the Central African Republic under Bokassa, the Philippines under Marcos, Romania under Ceauşescu, and North Korea under Kim Il Sung as the clearest examples of Sultanistic regimes.[68] In this thesis, I seek to build the case for adding Mubarak's Egypt to this list.

The Sultanistic model can be used in the cases of the Middle Eastern non-democratic regimes that have remained in power since the cold-war era. The model applies to many of these regimes, specifically Egypt, Syria, Tunisia, Algeria and Libya as their leaders had developed an administration and a military force which were purely personal instruments of the leader of the regime. This notion ties in with rational choice institutionalism, which portrays the state under the control of the regime as an independent and autonomous entity that pursues its own interests and seeks to maximise its material well-being. Goldstone focuses on Middle East specific Sultanistic regimes, explaining that in order to maintain relations with the West and to continue ruling with limited foreign interference, they may preserve some of the formal aspects

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[66] Juan J. Linz and Alfred Stepan, 'Problems of Democratic Transition and Consolidation, Southern Europe, South America, and Post-Communist Europe', Baltimore, Maryland: The John Hopkins University Press, (1996), pp. 52 – 53.

[67] Jack Goldstone, ' Understanding the Revolutions of 2011' *Foreign Affairs*, 90, no. 3, (2011), p. 8.

[68] Ibid, p. 51.

of a democracy – elections, political parties, a national assembly, or a constitution - but this is largely a facade. They subvert these institutions' authority by installing compliant supporters in key positions and sometimes by declaring State of Emergency's as was the case in Egypt, which they justify by appealing to fears of external (or internal) enemies.

Goldstone further explains that because the Sultanistic rulers need resources to encourage patronage they typically promote economic development through industrialisation, commodity exports, and education. They also seek relationships with foreign countries promising stability in exchange for aid and investment. However, when the aid money and wealth comes into the country, most of it is funnelled to the Sultan and his cronies. The Sultan's control their militaries by keeping its leadership divided, preventing it from gaining strength and posing a *coup d'état* threat, but also happy by keeping both the leaders and the military well resourced. As in most other nations, the security forces are separated into several commands (army, air force, police, intelligence) – each one reporting directly to the leader. This allows the Sultanistic leader to not only monopolise contact between the commands, but also between the military and civilians, as well as with foreign Governments, a practice that makes the Sultan essential for both coordinating the security forces and channelling foreign aid and investment.[69] Prior to the Arab Spring, this was the case in Algeria, Egypt, Syria, Tunisia, and, in part, Libya, however Libya had no reliance on foreign aid.

Egypt followed the Sultanistic regime model, where Mubarak and his cronies not only sought to expand their personal power and wealth through the Office of the President (which, in practice, holds most power in Egypt), but also used the institutions of the state (including the military for security) in pursuit of these goals. The key example of how this power was exercised in day to day life was through Mubarak's continual extension of the State of Emergency, which gave the state, regime, police and military significantly more power than they would have generally been afforded. Under the law, Constitutional rights were suspended and censorship was legalised. It provides the government the ability to imprison individuals for an undetermined period of time and for virtually no reason. Thus, people can be imprisoned without charge or trial for any length of time. The use of these laws reflected the extension of Mubarak's power as it became clear that he was ultimately placing himself above the law. He changed parts of the Constitution

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[69] Goldstone, Op. Cit. p. 12.

and various laws to suit. Non-Governmental political activity, street demonstrations, non-approved political organisations, and unregistered financial donations were formally banned. Some 17,000 people were detained under the law, and estimates of political prisoners run as high as 30,000.[70] He also manipulated the structures of the military and maintained control of it by using tactics such as pitting generals against each other and withholding information from some and sharing it with others. This was all in an effort to fracture internal relations and prevent unity that could lead to a build up of power and thus a *coup d'état* threat against him.[71]

2.1.3 The state and the monopoly of violence

The Sultan controls the state in their capacity of the Head of State, and with that they control the military, and therefore they hold the monopoly of violence. Weber argued that a central feature of the modern experience was the successful expropriation of the means of violence from individuals by the state. He explained that in the modern world, as opposed to the medieval period in Europe and elsewhere, only states could legitimately use violence and coercive force; all other wielders of violence must be licensed by the state to do so. Therefore, the unlicensed were deprived of the freedom to employ violence against others. [72] Young provides a normative vision of the relationship between the soldiers, the police, the state, and violence, claiming that although professional soldiers perform an essential service to the client (the state) their 'management of violence' can only be considered legitimate in the context of service to the Government. Thus, the military professional constitutes a 'moral unit', and as such, has a singular social responsibility to the state and civil society. If they use their skills for personal benefit then that soldier is immediately transformed from society's protector into a criminal threat to social stability.[73]

Young's argument assumes that the goals of the military and the government will remain in-line, however, which is not always the case. By claiming that the management of violence is only legitimate in the context of servicing the government, Young is suggesting that the military's

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[70] Amira Howeidy, 'Enough is still enough', Al Ahram weekly (759) September 8-14th, 2005 retrieved September 23rd, 2011 from: http://weekly.ahram.org.eg/2005/759/eg8.htm.

[71] Thanassis Cambanis, 'Succession Gives Army a Stiff Test in Egypt', *New York Times*, September 11th, 2010. Retrieved July 4th 2011 from: http://www.nytimes.com/2010/09/12/world/middleeast/12egypt.html?_r=1&ref=global-home&pagewanted=all.

[72] Max Weber, '*From Max Weber*', edited and translated by Hans Gerth and C. Wright Mills (2003). New York: Oxford University Press, p. 334.

[73] Thomas-Durell Young, 'Military Professionalism in a Democracy, in *Who guards the guardians and How,* eds. Thomas C. Bruneau and Scott D. Tollefson, Austin: University of Texas Press, (2006), p. 21.

role is as guardians of the regime, rather than the state. He then states that the responsibility of the military is to the state and civil society, which would suggest that he believes that the military is to operate as guardians of the state. The issue is that the military cannot operate as the guardians of the state and the regime] when the goals of the government and the people of the state diverge and the military becomes involved. In the case of Egypt, the military had the option of supporting the state and civil society, or acting in the legitimate context ordered by the government, but could not achieve both – they were binary opposites. Young's argument would suggest that the actions of the military were illegitimate; that without governmental support they were acting as a threat to civil society, however, the military claimed that they acted to stop the threat the government was posing to civil society – they acted as guardians of the state. It would also seek to suggest that the actions of the Syrian and Libyan military's throughout 2011 and 2012 were legitimate, and that the soldiers that attempted to support the protesters were a criminal threat to the state.

2.3 The Military

One of the key institutions of the state is the military. In the modern state, the primary role of the military is to serve as an instrument of national defence. There is no real debate around this particular element of the military's duties or obligations. It is in their various other roles as political and economic actors that lines get blurred and debate forms.[74] Owen accepts that the primary function of the military is to defend the state against external threats, which links to Weber's definition of the state as having the monopoly on the legitimate use of physical force within a given territory. He conceptualises the role of the military with focus on three specific features, which he claims are typical of militaries found throughout the world. He explains it is a special type of organisation with its own particular form of hierarchy, well defined boundaries and its own type of professionalism. Typically, militaries will want complete control over who they recruit, train, and the autonomy to promote their own officers. They will also seek to protect themselves from any influence that threatens their institutional integrity, such as the

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[74] It was during the 19th century that the military became a socialised institution with a professional leadership separate from the rest of society. European colonialism saw this model followed throughout the world, turning the military into a near universal component of state organisation. It is also the relationship between the military and the emerging ideology of nationalism which has defined the military as a key branch of almost every state over the last couple of centuries.

accelerated promotion of politically favoured officers, or the politicisation of other ranks.[75] This adheres to historical institutionalisms view that institutions are autonomous in that no other party or organisation is to interfere with its decisions. However, this line has been blurred in Egypt, particularly over recent years while it was looking probable that Gamal Mubarak would succeed his father as the President. In various interviews high ranking military officials expressed reservations about Gamal Mubarak and stated that without iron-clad guarantees about the maintenance of their position of privilege in Egypt they would not support his bid for leadership.[76]

Edmonds conceptualised the armed forces of a state as the specialists in the application of violence that is used either as a threat or applied through an established, legally recognised organisation that is both managed and controlled by a superior state authority. He explains that the existence of the military profession presupposes conflicting human interests and the use of violence to further those interests.[77] Heywood continues, explaining that Governmental regimes remain in power not on the basis of their political legitimacy or their administrative efficiency alone; they require coercive power through the institutions of the military and the police. He explains that in different regimes, militaries may function only as instruments of foreign policy, or they may play a domestic role, through quelling civil unrest or at times supporting unpopular regimes.[78] In some instances they operate as powerful interest groups or, through the construction of military regimes, provide an alternative to civilian rule.

Heywood outlines four factors which distinguish the military from other institutions and offer it a distinct and overwhelming advantage over civilian organisations. The first component is, as an instrument of war, the military has the legitimacy to use force and the professional ability to do so, as well as a monopoly over weaponry and substantial coercive power emerging from what Harold Lasswell termed "the management of violence".[79] With this power it holds the capacity to prop up or topple a regime, and therefore its loyalty is essential to state survival. Huntington's work expands on this, stating that a society that acquires a military capability, either to defend itself against predators or to maintain and enforce law and stability internally.

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[75] Owen, Op. Cit. p. 179.
[76] Thanassis Cambanis, 'Succession Gives Army a Stiff Test in Egypt', *New York Times*, September 11th, 2010. Retrieved July 4th 2011 from: http://www.nytimes.com/2010/09/12/world/middleeast/12egypt.html?_r=1&ref=global-home&pagewanted=all.
[77] Edmonds, Op. Cit. p.23.
[78] Heywood, Op. Cit. p. 379.
[79] Huntington, Op. Cit. p. 11.

It also builds itself the option to use force as a means to achieve any number of political objectives. This is reflected through the use of police, prisons, and the coercive power afforded to only certain members of the state, and taken from the rest of society.[80] The second feature Heywood outlines is that armed forces are tightly organised and highly disciplined bodies, characterised by a hierarchy of ranks and a culture of strict obedience not found in other organisations, even state run, which is related to their ability to manage violence. Third, the military is invariably characterised by a distinctive culture and set of values which prepare its personnel to fight, kill, and die. Finally, the armed forces are often seen, and generally regard themselves as being above politics in the sense that because they guarantee the security and integrity of the state, they are the repository of the national interest.[81] This notion has been exemplified by the SCAF in Egypt. By establishing itself as the temporary government, it demonstrated its belief that the military can guarantee the security of the state, and their role as the repository of the national interest.

Acemoglu, et. al. follow on from this with their work on the roles militaries play in non-democratic regimes.[82] They explain that soldiers are often conflicted as they realise that when the opportunity arises, democracy will reform the military reducing their budget. Since democracy cannot commit to not reforming the military when it has the chance to do so, it can only make current concessions to soldiers (as promises of future concessions are not credible) and current concessions may not be sufficient to compensate soldiers for the prospect of a military dictatorship. They face a catch-22: as public citizens it is likely that many would prefer democratic rule for the development and equality that democracy entails, yet it would result in the military reducing their rents and thus the loss of their jobs. Therefore, societies in which nondemocratic regimes in the past have chosen large militaries may have difficulty consolidating democracy and may instead end up with military dictatorships. They also point out that in non-democratic regimes, the elite - of which the military's leadership are members, generally hold a lot of political sway, and this is arguably the case in Egypt. There, the desire of the wealthy to prevent democratisation can often be strong, as in a transparent, democratic regime, they

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[80] Ibid.
[81] Heywood, Op. Cit. p. 379 – 386.
[82] Daron Acemoglu, Davide Ticchi, and Andrea Vindigni, 'A Theory of Military Dictatorships' *American Economic Journal,* 2, no. 1, (2010), p.1.

would no longer be able to continue their practices which got them to an elite status – often through corruption.

Focusing solely on the repressive internal aspects of a military, whether a Government prefers to maintain a large military depends on its effectiveness and the extent of societal inequality. When the military is ineffective or social inequality is limited, the elite prefer to allow a smooth transition into democracy because repression is likely to fail. However, when repression is likely to be effective, the elite may prefer to develop a large military and deal with the threat of a military *coup d'état* by paying higher wages to officers and soldiers. The result is that the military becomes an agent of the elite, rather than the guardian of the state.[83] This changes how militaries are organised, in that they are no longer serving the people, but catering to the demands of the politically motivated elite. The effects of this can be demonstrated through the uprisings of Libya and Syria. Though the militaries of these nations were constitutionally mandated to serve the people, they have been forced to shoot at protesters, or face severe punishment (including death in the case of Syria) for refusing.[84]

Creating a powerful military is a double-edged sword for the elite. On the one hand, a powerful military is more effective in preventing transitions to genuine democracy, on the other, it necessitates greater concessions to the military or raises the risk of a military *coup d'état*.[85] The presence of a large military changes both democratic and nondemocratic politics: if a democracy inherits a large military from the previous nondemocratic regime, then it will also be confronted with a choice between making concessions to the military and facing a *coup d'état* threat. Acemoglu, et. al. explain that in some instances the elite have used the military as an agent of repression but not paid a high wage to soldiers and as a result military *coup d'état* have occurred against the regime. This was the case in Mubarak's Egypt to an extent, where soldiers were working in unpleasant conditions for relatively low wages, and when the opportunity came to remove the President they took it.[86]

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[83] Ibid. p. 4.
[84] Joe Sterling, 'Syrian Protesters Hail Resistance', CNN. February 20th, 2012. Retrieved February 21st, 2012 from: http://edition.cnn.com/2012/02/17/world/meast/syria-unrest/index.html.
[85] Acemoglu et al, Op. Cit, p. 1.
[86] From personal correspondences with people living in Egypt, I have found that career soldiers in Egypt earn between 300 and 500 Egyptian pounds a month; Officers around 1000 Egyptian Pounds per month; and conscripts around 100. Personal correspondences with Mia Ayoub, November 24th, 2011; Adel Yousef, December 2nd, 2011.

2.4 Civil-Military relations

This section investigates civil-military relations, exploring the often tense and challenging but also dynamic and interdependent relationships between the state and one of its key institutions – the military. Civil-military relations include direct and indirect dealings that people and institutions have with the military. This comprises legislative negotiation over the funding, regulation, and use of the military, as well as complex bargaining between civilian and military elites to define and implement national security and military policy. These relationships vary in form and consequence depending on the sort of state they are found in: strong democratic or weak authoritarian states, developed or under-developed states, or in states at war or in peace.[87] Edmonds expands on this point, explaining that all nations will have differing civil-military relations, though they will share many common features. Because each society has a different culture and faces different issues and challenges in the international arena, there is a strong case for avoiding any overarching theory about civil-military relations.[88] Herein lays a significant gap in the literature: there was much writing on civil-military relations in the 1960s and 1970s, yet recent studies on the subject have been few and far between, and most have focused on civil-military relations in the context of democracies. For the few that have included non-democratic regimes there is a distinct lack of conceptual framework to guide the research; rather, it is analysed on a case by case basis.[89] While I begin with an investigation into theories written in the context of the US in the post Cold-War era, there are elements from these theories that translate to non-democratic regimes and are useful in analysis on Middle Eastern civil-military relations. In particular, their work on civilian versus military control of state institutions, as well as theories on professionalisation.

In 1957 Samuel Huntington presented his book *The Soldier and the State,* which detailed the intersection of military values (largely conservative) and the civilian population (generally more liberal). In 1960, in response to this piece, Morris Janowitz released his work entitled *The Professional Soldier.* These two pieces of work were written in the context of the Cold-War and focus on the civil-military relations of the United States at the time. They are often challenged,

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[87] James Burk, 'Theories of Democratic Civil-Military Relations', *Armed Forces and Society*, 29, 7, (2002), p. 7.

[88] Martin Edmonds, 'The Armed Services and Society', Leicester: Leicester University Press (1988), p. 70.

[89] K'Amrava, Op. Cit.; A. R. Luckham, 'A Comparitive Typology of Civil-Military Relations', *a paper presented to the Working Group on Armed Forces and Society at Varna, Bulgaria*, (1970).

with some suggesting that the models and theories are no longer applicable in the post-Cold-War world.[90] However, they are recognised as exemplary accounts of the subject and have guided research for over a generation. While new, updated theories have emerged, most are generally grounded in the works of Huntington and Janowitz.[91] The field has shifted to a current trend in which there is a normative belief that the military should protect and sustain democratic values. Burk explains that this means that the notions of civilian control, professionalisation, and the citizen–soldier ideal presented by Huntington and Janowitz are still relevant, though they are heading in new directions.[92] Scholars that write about the military's role in protecting democratic values have focused on how to maintain a strong and effective military that poses no threat to the civilian political elite. Though some of Huntington and Janowitz' work is now dated and no longer applicable, the work on professionailsation and civilian and military control are enduring and provide an excellent conceptual framework for understanding the workings of the Egyptian military.

The priority of the state is to protect the liberties and rights of citizens under Huntington's theory, which reflects Hobbes' liberal theory of democracy. There is an assumption of an existing social contract between the citizens and the state, which implies that the Government's purpose is to secure its citizens' natural rights to life, liberty, and the pursuit of happiness.[93] The military play a pivotal role in the states' ability to offer protection to its citizens, and Huntington focuses on the ways in which the military and civilian spheres should interact. The key theme underlying his theory is objective civilian control. This suggests civilian leaders should command the military's security policy, but not interfere with the armed forces' independence in determining what military operations were required to secure the policy objectives.[94] Huntington argues that with the achievement of objective civilian control there would be a balancing distribution of political power between the civilian and military spheres.[95] Huntington's work is in line with the theory of rational choice institutionalism and its view that

[90] Burk, Op. Cit. p. 11.
[91] For just a few examples both Huntington and Janowitz' models form a basis of argument in Jeremiah I. Williamson, 'Seeking Civilian Control: Rule of Law, Democracy and Civil Military Relations in Zimbabwe', *Indiana Journal of Global Legal Studies*, Vol. 17, 2, (2010), pp. 389 – 410; Peter D. Feaver and Christopher Gelpi, 'Choosing Your Battles: American Civil-Military Relations and the Use of Force', New Jersey: Princeton University Press, (2005); Nilufer Narli, 'Concordance and Discordance in Turkish Civil-Military Relations, 1980 – 2002', *Turkish Studies*, Vol. 12, 2, (2011), pp. 215-225.
[92] Burk, Op. Cit. p. 10
[93] Thomas Hobbes, 'Leviathan', ed. Richard Tuck, Cambridge: Cambridge University Press, (1991).
[94] Burk, Op. Cit. p. 10
[95] Samuel P. Huntington, 'The Soldier and the State', Cambridge: Belknap Press of Harvard University Press, (1957) p. 83.

individuals and organisations are self-interested parties that seek to maximise their material well-being, but he explains this needs to be kept in check by the governing body.

Huntington further defines the military in terms of its civil-military relations. He explains that the military institutions of any nation are shaped by two forces: a functional imperative which originates from threats to the society's security, and a societal imperative that arises from the social forces, ideology, and the states dominant institutions. He suggests that it is impossible to contain military institutions shaped entirely by functional imperatives, yet militaries that reflect only social values will not capably carry out their military function. The degree to which they conflict depends upon the intensity of the security needs and nature of the society. It is the interaction of these two forces that is the focal point of the problem of civil-military relations; and Huntington claims that it is articulated through the relations of the officer corps to the state:

> "The officer corps is the active directing element of the military structure and is responsible for the military security of society. The state is the active directing element of society and is responsible for the allocation of resources among important values including military security. The social and economic relations between the military and the rest of society normally reflect the political relations between the officer corps and the state." [96]

There is also a difference in the institutional apparatus that emerges within the different contexts if internal and external threats to the state and the military. External threats are clearer in regards to what the military needs to do. The primary role of the military is to act as a means of defence, and in the case of external threats to a nations' security, the military is necessary to be prepared for the defence of the state. Internal threats, on the other hand, are less straight forward. Threats, particularly terrorism, are fairly clear in regard to what the military's role and position is; the line gets blurred when it is an internal threat towards the institution arising from public dissatisfaction towards the military's actions, presence or position in society, as is the case in Egypt currently. Because the military hold the monopoly of violence, they can turn on the Egyptian people and seek to repress them. With this comes the risk of civil war. If societies

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[96] Huntington, Op. Cit. p.3.

where the military remain under civilian control as Huntington advocates, this would not likely become an issue. Although the military have the monopoly of violence and weaponry, the ways in which it could be used would be heavily restricted by a stronger state Government, unless it has internal divisions. Internal threats against the military can ultimately divide a society and a country, as was the case in Libya and Syria.

Similarly to Huntington's, Janowitz's work began by emphasising the role of the citizen-soldier and how the military institution reflected the larger society.[97] He addressed the issue of how to preserve the ideal of the citizen-soldier in an era where the changing nature of war no longer necessitated the volume of soldiers it once did, but the state still wished to maintain a large standing force of professional soldiers He maintained that citizen-soldiers as well as citizens should participate in public life for the good of the community, and argued that citizens and citizen-soldiers are a "refraction of civil society wrought by the recruitment system, and by the education and military experiences of a professional career".[98] He followed a Machiavellian school of thought that military service was a positive obligation that enhanced one's citizenship.[99] He explained that with the changes in technology, society, and missions, the role of the professional soldier has become "inevitably more political"; however, he accepted that in times of peace it was difficult to justify having a large military.[100] Janowitz's notion that the professional soldier has become more political ties into the case in Egypt because of the deep entrenchment of the military in social and economic life. The nation maintains a large military, but has not gone to war in 39 years.

Janowitz agreed with Huntington that separate military and civilian worlds existed, but disagreed about the ideal of civilian control as a solution for preventing threats to liberal democracy. Convergence theory suggested that either a civilianisation of the military or a militarisation of society was necessary. However, despite this convergence, Janowitz insisted that the military world would retain certain essential differences from the civilian and that it would remain recognisably military in nature. To compensate for the loss of mass military

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[97] Patricia M. Shields, 'Civil military relations: changing frontiers', *Public Administration Review* 66, no.6, (2006), p. 927.

[98] Morris Janowitz, 'The Professional Soldier', Glencoe, Illinois: Free Press, (1960), p. 234.

[99] Burk, Op. Cit. p. 11.

[100] Andrew Cottey, Timothy Edmunds, and Anthony Forster, 'The Second Generation Problematic: Rethinking Democracy and Civil-Military Relations'. *Armed Forces & Society* 29, no.1, (2002), p. 33.

service while still encouraging civic participation, he argued for a national service program with a military component. He believed that an explicit programme in political education to connect professional military training to national purposes would serve the nation well. Janowitz recognised that the boundaries between the military and political spheres were blurred and as a consequence there would be new forms of tension between military and political elites. In this sense, his work followed the path of sociological institutionalism and its understanding of both the convergence and severe overlap of various institutions of the state.

Although these theories have guided research for over a generation, they are not perfect. One of the key criticisms of Huntington's work is that the view of the military as the protector of democratic values is no longer applicable to the post WWII era.[101] Another criticism comes from his claim that the role of the military professional was to master the requirements of war; to organise and train the military to meet them; and to lead the military to fight when commanded by political authorities to do so. This is consistent with the military's aim to protect democratic society – to operate as guardians of the state - but it assumes that there is a clearly defined military sphere that is separate to the political and social worlds. This is in conflict with the very nature of professionalisation he discussed earlier. With the professionalising of militaries throughout the world since the end of the Cold War era, militaries have operated as a key institution of the state, and that in itself inherently blurs the line between purely military and political spheres.

A common challenge on Janowitz work comes from his argument that democratic values and practice ought to be sustained by cultivating the citizen-soldier ideal. During periods when the democratic state maintains a large standing force, requiring the mass mobilisation of citizens, this normative ideal was possible to fulfil, though he never explained how it can be sustained in the absence of mass mobilisation. This is critical because his work led him to believe that after WWII mass mobilisations were unlikely. Instead, in the case of the US and other Western democracies, only a smaller (though still significant) and continuously mobilised professional force was required for military security. Finally, both theories overlook a major aspect: Huntington's work focuses on protecting democracy, but neglects the issue of sustaining

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[101] Burk, Op. Cit. p. 12.

democratic values and practices, whereas Janowitz's theory looks into protecting democratic values and practices, but not the state.

Scholars that have expanded on the field of civil-military relations have largely disregarded the notion of a confrontation between the military's 'functional imperatives' and the Government's 'societal imperatives'. Rather, they assume that the military and political spheres are interdependent, which makes them useful for analysis of non-democratic regimes. They focus on explaining how the blurring of civilian and military spheres affects the military's accountability to society. Michael Desch writes that "the best indicator of strength of civilian control is who prevails when civilian and military preferences diverge".[102] He explains that he does not suppose that civilian control is either strong or weak; rather, he developed a structural-cultural model that links variation in the intensity of international and domestic threats to identify conditions where the strength of civilian control is likely to vary. He maintains that when internal and external threats are both low, the situation is "structurally indeterminate" and favours a weakening of civilian control.[103]

Peter Feaver follows a principal-agent model that explains why the military (the agent) is not likely to comply with the commands of the civilian Government (the principal). He provides a series of points that the civilian and military spheres are likely to remain conflicted on, and argues that there is no room for bargaining between them. He explains that ideally, civilian leaders should need to monitor the military, and the military will work to implement civilian policies.[104] However, this is an idealised view that assumes neither party would seek to maximise their own material interests given the opportunity, rather than work together towards the common good. He addresses this, explaining that since the end of the Cold War, civilian leaders in the US have had strong incentives to monitor military activity closely, whereas military leaders have had every incentive to attempt to 'shirk'. This occurs when civilians believe the costs of monitoring is low, the gap between civilian and military policy preferences is wide, and the military believes their chances of being punished for shirking are low. When this happens, he predicts that civil-military relations are bound to remain in conflict.

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[102] Michael C. Desch, 'Soldiers, States, and Structures: The End of the Cold War and the Weakening of US Civilian Control', *Armed Forces and Society*, 24, Spring, (1998), p. 391.
[103] Ibid.
[104] Peter Feaver, 'Civil-Military Relations', *Annual Review of Political Science*, 2, (1991), 216.

David Rappaport presented a historical institutionalism-based analysis of civil-military relations, suggesting that the relationship between the armed forces and society is a determining influence on the type of society that emerges. His argument was premised on two factors: the power that armed services have at their disposal; and the function that they are called upon or expected to perform. Similarly, sociologist Stanislav Andrzejwski (now Andreski) addressed the problem of the influence military organisations had on the structure and development of society. He concluded that the "military organisation influences social structure mainly by determining the distribution of naked power, or, the ability to use violence".[105] He explains that society is pyramidical in shape, with a few forming the elite at the top, enjoying power, wealth and status, with the rest below increasing geometrically in number as they go down the social scale. He concluded that those at the top gained and retained their positions because of their access to, and control over coercive power.

Theories on civil-military relations have largely been based upon democratic regimes, particularly focusing on the United States. Because of this context, it is difficult to transpose these models onto the modern Middle East. Middle Eastern civil-military relations cannot be overlooked, however, as the intimate relationship between the state and the armed forces one of the most salient features of Middle Eastern politics. Since the late 1960s to early 1970s, many Middle Eastern leaders have professionalised the armed forces, though they have been unable and/or unwilling to reduce their connections with and reliance on the military institutions.

Kamrava explains that modern pre-2011 Middle Eastern nations settled into four specific patterns with their armed forces. First, he explains that there are the civil-military relations found in democratic regimes, where the state dominates the military but allows them to play an important role in domestic politics. This includes Israel and Turkey. Then there are the civil-military relations of inclusionary states, in which the regular military's political aspirations are kept in check by a largely volunteer nationalistic militia force. This was the case of Iran, Iraq and Libya. Third, there are exclusionary states, in which once ideological officers are still in power but have now civilianised themselves and much of the machinery of the state, having in the process become non-ideological civilian autocrats. This model applies to Egypt, Algeria, Syria, Sudan, Tunisia, and Yemen. Finally, there are Monarchies, either whose small demographic size

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[105] Stanislav Andreski, 'Military Organisation and Society', Los Angeles and Berkeley: University of California Press, (1968), p. 2.

compels them to rely on foreign mercenaries, which include Bahrain, Oman, Qatar, and the UAE, or those which rely on one of more loyal tribal contingents to counterbalance the influence and potential autonomy of the regular military, which encompasses Jordan, Kuwait, Morocco, and Saudi Arabia. For the latter three types, military professionalisation has been largely problematic as it increased the possibilities for successive *coup d'état* by enhancing the corporate identity of the officer corps institution at the expense of civilian politicians. Professionalisation has developed the military into a professional institution providing it more clout to push its way into other state institutions. In the case of many modern Middle Eastern nations, and specifically Egypt, it has entrenched itself in politics and operated as an economic actor. Ultimately, professionalisation has meant partial or, at best, skewed civilianisation of these militaries.

Civil-military relations shed light on the actions of the SCAF and its actions since Mubarak's departure. Though many have been surprised at the strength of the movements and the level of military intervention, it is not out of place once these states' military genesis is considered. Many of the nations involved in the Arab Spring uprisings found their post-colonial independence at the hands of the military and it has remained a significant branch of the state since. Once the various regimes came to power, there was no Huntington-esque model of civilian control, and the military eventually turned the nations from imperialist monarchies to authoritarian military based dictatorships, headed by what Goldstone refers to as Sultanistic rulers. They led their nations with an oppression and ruthlessness which can only be achieved with the support of the military, and they generally followed the Sultanistic model of controlling the military by keeping its branches of command separate in order to prevent them becoming too powerful and posing a *coup d'état* threat. Nasser, Sadat, and Mubarak also followed a path that can be illuminated by Janowitz' model of militarising society, where the leaders deeply entrenched the military in political and economic life. In developing officer-politicians and deeply entrenching the military in the nations' economies, they blurred the lines between the military and civilian worlds and deeply intertwined them, ultimately giving the ruler and the military significant control over the nation. This was particularly heightened in Egypt. For much of its modern history, Egypt has flirted with the notion of democratic governance, but since 1952 the nation has been fundamentally been an authoritarian regime with strong support from the military.

2.5 New Institutionalism

The previous sections have detailed the state, the military and civil-military relations in general terms, and looked more specifically to the Middle East and Egypt. This section focuses on new institutionalism, which details the interactions of the institutions of states. The purpose of using new institutionalism in this thesis is to provide a framework for looking at both the military as an institution, as well as the military's embeddedness in the Egyptian political structure as an institution in itself. Institutionalist theory was developed by sociologists in the late nineteenth and early twentieth century. Weber, a leading scholar in this field, focused on the ways in which bureaucracy and institutions were coming to dominate society with his notion of the 'Iron Cage' that institutionalisation created. The iron cage was a concept that referred to the increased rationalisation in social life, particularly Western capitalist societies. He explained it traps individuals in systems based purely on teleological efficiency, rational calculation and control.[106] In Britain and the United States, the study of political institutions dominated political science until after the post-war period. This approach, sometimes called 'old' institutionalism, focused on analysing the formal institutions of Government and the state comparatively. After the behavioural revolution brought new perspectives such as positivism, rational choice theory and behaviouralism to analysing politics, the focus on institutions themselves was discarded as it was too narrow. Instead, the focus moved to analysing the individual actor rather than the institutions which surrounded them. This individual-centred trend was reversed during the 1980s however, as institutionalist theory saw a revived focus on the study of institutions as a way in which to work across a number of disciplines including economics, sociology, international relations and political science. It is this revival of the theories and the additions to them that has given the field the title of New Institutionalism.

New Institutionalism consists of a variety of sub theories that all "seek to elucidate the role that institutions play in the determination of social and political outcomes".[107] Hall and Taylor explain that an 'institution' is best defined as "formal or informal procedures, routines, norms, and

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[106] Max Weber, 'Political Writings: Cambridge Texts in the History of Political Thought'. Ed. Peter Lassman. Trans. Ronald Speirs, Cambridge: Cambridge University Press (1994), p. xvi.
[107] Rosemary C. R. Taylor and Peter A. Hall. 'Political Science and the Three New Institutionalisms'. *Political Studies*, (1996), p. 936.

conventions embedded in the organisational structure of the polity or political economy".[108] Similarly, March and Olsen describe institutions as a collection of norms, rule understandings and routines.[109] Sahu agrees, defining institutions as "everything from formal structures like parliament to very amorphous entities like social class, law, and markets".[110] He continues to explain that it also encompasses other formal organisations, such as military institutions, corporatist bodies linking political leaders, bureaucrats, and interest groups that dominate decision making in specific areas, as well as powerful political leaders that control the state and society. In this sense, they view institutions as living, evolving beings with agency, rather than fixed and inanimate. It must also be remembered that just because an organisation is considered to be an institution does not guarantee cohesiveness within it. The military as an institution is discussed throughout this project, but it actually consists of a variety of competing institutions that are all vying for supremacy, further funding and higher recognition.

March and Olsen explain that a key characteristic of institutions is their logic of appropriateness. If an institution is effective in influencing the behaviour of its members, those members will think more about whether an action conforms to the norms of the organisation than about what the consequences will be for themselves. There is a mechanism through which institutions shape the behaviour of individuals, and a mechanism through which individuals are able to form and reform institutions.[111] The relevance of this to the Egyptian military is significant; the SCAF as an institution have sought to influence the behaviour of the larger military to maintain their loyalty and prevent an internal revolution; the military as a larger institution have sought to reform the institutions of the state by further entrenching themselves in politics to the point that they are able to maintain their position of privilege.

There are three key theories that comprise new institutionalism: historical institutionalism, rational choice intuitionalism, and sociological institutionalism. Historical institutionalism is a key theory of New Institutionalism which forms part of the conceptual framework for this thesis. It opposes the conceptualisation of the state as a neutral arena where groups struggle, an instrument of the elite, or the natural product of social needs, as Heywood explains most

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[108] Ibid

[109] James B. March and Johan P. Olsen, 'Rediscovering Institutions: The Organisational Basis of Politics', New York: Free Press, (1989).

[110] Sonal Sahu, 'Institutions and Institutionalism' in *Grand Theories and Ideologies in the Social Sciences*, ed, Howard J. Wiarda, Palgrave MacMillan: New York, (2010), p. 117.

[111] March and Olsen, Op Cit.

theories of the state are based around.[112] Followers of historical institutionalism argue that the state is comprised of a set of dynamic and relatively autonomous institutions that could affect the structure and outcome of competition between groups. The view of interests and preferences differs from that of rational choice institutionalism, where historical institutionalists accept the idea that institutions shape actors' strategies, insisting that preferences and goals are also affected by institutional frameworks, which also links the theory to sociological institutionalism. It also stresses the idea that power is central to politics, and that power relationships are a key engine of social and political outcomes. These power relationships are structured by institutions and therefore struggles for power follow different patterns and produce different outcomes, partly as a result of institutional factors. Although they draw attention to the role of institutions in political life, historical institutionalists maintain that institutions are not the only causal influence on politics. They seek to locate institutions amongst other influencing factors, notably socioeconomic development and the diffusion of ideas, which has roots in sociological institutionalism.

Institutions are seen to be one of the central factors pushing development along a certain sets of paths. A key focus of historical institutionalism is the problem of explaining how institutions produce paths - the way that they structure a nation's response to certain challenges. Some analysts investigated the impact of existing state capacities and policy legacies on subsequent policy choices.[113] More recently, others have stressed the way in which past lines of policy have influenced subsequent policy by "encouraging societal forces to organise along some likes rather than others, to adopt particular identities or to develop interests in policies that are costly to shift".[114] Here, historical institutionalists show the unintended consequences and inefficiencies generated by existing institutions in contrast to images of institutions as more autonomous and efficient. Continuing on this point, Taylor and Hall explain that followers of historical institutionalism also divide the flow of historical events into periods of continuity punctuated by critical junctures, which they explain are "moments when substantial institutional change takes place thereby creating a branching point from where historical development moves onto a new

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[112] Heywood, Op. Cit. p. 85.

[113] Margaret Weir and Theda Skocpol, 'State Structures and the Possibilities for 'Keynesian' responses to the Great Depression in Sweden, Britain, and the United States in, *Bringing the State Back In*, ed. Peter B. Evans, Cambridge: Cambridge University Press, (1985), p. 109.

[114] Taylor and Hall, Op. Cit. p. 937.

path".[115] The events of 2011 in the Middle East adhere to this definition; the Arab Spring resulted in substantial institutional change and sent many Middle Eastern nations, particularly Egypt's, paths along new trajectories.

This framework illuminates the institution of the Egyptian military. The military elite at the apex of the power pyramid can affect the behaviour of its members, having them conform to the ideals of the institution. The larger ramification this has is its effect on Egyptian society. As an institution in itself through the military's embeddedness in Egyptian and political and social life, it is able to influence the behaviour of others through various policies, rules and norms. A key example of this is the Emergency Laws Egypt has primarily remained under since 1952, which provide significant rights to the state security apparatus, and challenge human rights. This also affects the behaviour of the Egyptian people in that if they are unhappy with the military's role as a political governance institution, they could choose to revolt again – an issue the SCAF must be aware of.

Rational choice institutionalism forms another key theory of New Institutionalism that will operate as a framework for this thesis. It was developed by William Riker in the 1980s and it views actors (individuals and organisations) as self-interested parties that seek to maximise their material well-being. He further explains that actors engage in "a highly sophisticated strategic calculus and institutions are the product of this rational thinking".[116] Followers of rational choice institutionalism maintain that institutions affect political outcomes primarily in a strategic context – institutions shape strategies, choices and political behaviour, and the expectations that rational actors have regarding the behaviour of other actors are conditioned by the institutional environment.[117] Ultimately, institutions impose constraints on political actors, or they offer them opportunities for action. According to Taylor and Hall, rational choice institutionalists see politics as a series of collective action dilemmas – instances when individuals acting to maximise the attainment of their own preferences are likely to produce an outcome that is collectively sub-optimal.[118] Typically, what prevents the actors from taking a collectively-superior course of action is the absence of institutional arrangements that would guarantee

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[115] Ibid.
[116] William Riker, 'Implications from the Disequilibrium of Majority rule for the Study of Institutions', *American Political Science Review*, 75, (1980), p. 436.
[117] Ellen M. Immergut, 'The Theoretical Core of the New Institutionalism', Politics and Society, 26, no. 5, (1998), p. 6.
[118] Taylor and Hall, Op. Cit. p. 943.

complementary behaviour by others.[119] They explain the classic examples of these issues are the prisoner's dilemma[120] and the tragedy of the commons, and that political situations present a variety of such problems. For example, the tragedy of the commons is a dilemma arising from the situation in which multiple individuals, acting independently and rationally consulting their own self-interest, will ultimately deplete a shared limited resource, even when it is clear that it is not in anyone's long-term interest for this to happen. This is a key point of divergence from historical institutionalism, where rational choice institutionalism maintains that an actor's behaviour is not driven by historic forces, but rather by a strategic calculus, and the calculus will be deeply affected by the actor's expectations about how others are likely to behave as well. A key drawback of this approach, however, is that rational choice institutionalism is a deductive approach which relies on theoretical model building to explain real word policy outcomes. Due to its foundation on abstraction and clear lines of reasoning, it oversimplifies human motivation and interaction.

This strategic calculus extends to institutional structures by affecting the range and sequence of alternatives on the choice-agenda, or by providing information and enforcement mechanisms that reduce uncertainty about the corresponding behaviour of others. It also allows 'gains from exchange', leading actors towards particular calculations and potentially better social outcomes. Rational choice institutionalism also emphasises the role of strategic interaction in the determination of political outcomes using the principal-agent model. The concept assumes that the principal enters into a contractual relationship with a second party, the agent, and delegates responsibility to the latter to fulfil certain responsibilities or a set of tasks on behalf of the principal. Problems occur due to an asymmetric distribution of information which favours the

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[119] Taylor and Hall, Op. Cit. p, 946.
[120] The prisoner's dilemma is an example of game theory that shows why two individuals might not cooperate, even if it appears that it is in their best interest to do so. A classic example is: Two people are arrested, but the police do not possess enough information for a conviction. Following the separation of the two prisoners, the police offer both a similar deal—if one testifies against their partner (defects/betrays), and the other remains silent (cooperates/assists), the betrayer goes free and the cooperator receives the full one-year sentence. If both remain silent, both are sentenced to only one month in jail for a minor charge. If each 'rats out' the other, each receives a three-month sentence. Each prisoner must choose either to betray or remain silent; the decision of each is kept quiet. If it is supposed that each player is only concerned with lessening his time in jail, the game becomes a non-zero sum game where the two players may either assist or betray the other. In the game, the sole worry of the prisoners seems to be increasing their own reward. The interesting symmetry of this problem is that the logical decision leads both to betray the other, even though their individual 'prize' would be greater if they cooperated.

agent and enables the agent to pursue its own interests and engage in opportunistic behaviour at the cost of the principal's interests.[121]

This can be linked to the Supreme Council of Armed Forces ruling Egypt, and its attempts to alter the Egyptian Constitution to work in its favour. Deputy Prime Minister Ali al-Selmi proposed a document outlining 22 Supra-Constitutional Principles to guide the process of drafting Egypt's next Constitution. The stipulations were of great concern to many Egyptians as they ultimately left the military in a significant position of power without any checks and balances in place. One of the principles stated that the military would have only a single figure in the overall national budget, which meant that there would be no detailed breakdown of the military's proposed expenditures. It would also allow the military to maintain its 'off the books' economic activities. The stipulations also gave the SCAF the right to determine the role that the constituent assembly would play in creating the new Constitution, as well as the power to interfere in the drafting process itself.[122] Though this was rejected, it demonstrated the SCAF attempting to maintain their position of privilege and maximise its material well-being. The military (the principal) attempted to enter a contractual relation with a second party (the agent – Egypt's remaining political powers). The SCAF sought to delegate responsibility to the agent to fulfil the tasks of the agent; however, there was a significant gain to be made by the SCAF, and little to no visible gain for the agent, and the people of Egypt who would be affected by this altering of the social contract, so it was rejected.

Sociological institutionalism is the third branch of new institutionalism to be used in this thesis. It extends the definition of institutionalism to view identities and preferences as the product of the institutional forms, images and signs encountered in social life. It holds that institutions embody the cultural practices and symbolic content of a particular context and produce symbolic codes, scripts, models and categories that have a great influence on political behaviour.[123] These are similar to myths devised by many other societies and assimilated into organisations as a result of the kind of processes associated with the transmission of cultural

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[121]John Harris, 'Institutions, Politics and Culture: A Case for 'Old' Institutionalism in the Study of Historical Change', in *Understanding Change, Models, Methodologies and Metaphors*. Ed. Andreas Wimmer and Reinhard Kossler. Hampshire and New York: Palgrave Macmillan, (2006).

[122] IkhwanWeb, 'Text of Selmi's Controversial Supra-Constitutional Principles, in English and Arabic'. November 3rd, 2011, retrieved November 14th, 2011 from: http://www.ikhwanweb.com/iweb/index.php?option=com_content&view=article&id=32662:the-basic-principles-of-the-new-Constitution&catid=10387:newsflash&Itemid=858.

[123] Sahu, Op. Cit. p. 120.

practices more generally.[124] They argue that forms and procedures used by modern organisations were not adopted because they were necessarily the most efficient for the tasks at hand; rather the forms and procedures should be seen as culturally-specific practices. This is a key point of divergence from historical and rational choice institutionalism.

Sociological institutionalism has a distinctive understanding of the relationship between institutions and individual action. Followers believe that institutions influence behaviour by providing cognitive scripts, categories and models that are indispensable for action, as without them the world, as well as the behaviour of others cannot be interpreted. Institutions influence behaviour not simply by specifying what one should do, but by specifying what one can imagine oneself doing in a given context.[125] This means that institutions do not simply affect the strategic calculations of actors, but their most basic preferences and very identity. As Sahu explains, the self-images and identities of social actors are said to be constituted from the institutional forms, images and signs provided by social life.[126] Because sociological institutionalism extends its definition of institutions beyond formal institutions to cultural and symbolic systems, it is not necessarily the best framework to utilise for a political analysis. However, in the case of Egypt it can be used to view the ways in which symbols, icons, chants, graffiti amongst other social symbols sought to inspire and maintain the protests, influencing others to join and perhaps even playing a part in encouraging the military to support the state rather than the regime. The various chants that came from the crowds in Tahrir square are included in this, where the people sang "here, the Egyptians are here"[127] and chanted "the army and the people are one hand".[128]

Between these three schools of thought there is an element of interchange, particularly between historical and sociological institutionalism, though they were all developed independently of each other. Each theory seeks to advance the understanding of the political world, yet each in different ways. Rational choice institutionalism focuses on the relationship between institutions and behaviour and provides a highly useable set of concepts that can be applied easily to an analysis of the Egyptian military's actions during the 2011 Arab Spring and

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[124] Taylor and Hall, Op. Cit. p. 946.
[125] Immergut, Op. Cit. p. 14.
[126] Sonal Sahu, Op. Cit. p. 119.
[127] Bahaa Hashem, 'The Military's Legitimacy Crisis' *A project of the Atlantic Council's Rafik Hariri Centre for the Middle East*. November 17th, 2011. Retrieved November 19th, 2011, from: www.acus.org/egyptsource/militarys-legitimacy-crisis.
[128] Ibid.

the ongoing political situation. The drawback is that the theory oversimplifies very complex human motivations and interactions; it assumes that actor's only motivation is self-interest. Historical institutionalism, on the other hand, focuses on both calculus and cultural approaches to understanding the relationship between institutions and behaviour. However, it devotes less attention than the others to developing an understanding of how institutions affect behaviour. This sheds light on the way in which the SCAF is able to manage the military institution; by determining the goals and preferences of the institution, it is able to affect the behaviour of the wider military. Historical institutionalism also maintains that institutions shape actors' strategies, insisting that preferences and goals are also affected by institutional framework, which gives the theory common ground with sociological institutionalism. The drawback is that the theory provides little more information on how this happens in practise. Sociological institutionalism fills this void by explaining that institutions influence behaviour by providing cognitive scripts, categories and models that are indispensable for action. While all three of these theories have a small overlap, they each provide distinctive and useful tools for analysing institutions of the state.

2.6 Conclusion

In order to conceptualise the actions of the Arab and Egyptian militaries during the 2011 Arab Spring, I will use several key identifiers from the frameworks discussed in this Chapter. Rational choice institutionalism will be the theory most applied to instances in which institutions and actors make decisions that allow them to be categorised as self-interested parties that seek to maximise their own material wellbeing. Its focus on the strategic calculus of the choice-agenda, and the series of collective-action dilemmas facing the institutions of the state, provides a useful tool to conceptualise the current power-struggle between the SCAF and the democratically elected Freedom and Justice Party. Its use of the principal-agent model will also be inherently useful in analysing the SCAF's attempt at amending the Egyptian Constitution to maintain its position of privilege, as well as the public's unwillingness to accept it. Historical institutionalism is also relevant for viewing the Egyptian political institutions, through its focus on the way in which institutions produce paths and structure institutions responses to certain challenges. Sociological institutionalism is also a useful analytical tool, particularly for viewing the ways in which the SCAF seeks to shape institutions and actors strategies.

The theories of New Institutionalism also illuminate the theoretical frameworks of the state and the military, as they are institutions themselves. According to historical institutionalism, the state as an institution separate from the regime operates as a neutral, dynamic, and autonomous arena where historical events fall into periods of continuity punctuated by critical junctures, which they explain are "moments when substantial institutional change takes place thereby creating a branching point from where historical development moves onto a new path", such as the events of 2011 in Egypt.[129] At the same time, rational choice institutionalism sheds light on the governing regime (both Mubarak's NDP and the SCAF as a ruling party). They have both operated as self-interested parties seeking to maximise their own material well being, in this way new institutionalism also speaks to the theory of Sultanistic regimes, where the Sultan expands their personal power at the expense of the state institutions to maximise their own material interests.

New institutionalism also ties in with the theories of soldiers operating in non democratic regimes, because of its belief in the logic of appropriateness. There is a mechanism through which institutions shape the behaviour of individuals, and a mechanism through which individuals are able to form and reform institutions.[130] The relevance of this to the Egyptian military is significant; the SCAF as an institution has sought to influence the behaviour of the larger military to maintain their loyalty and prevent an internal revolution; the military as a larger institution has sought to reform the institutions of the state by further entrenching themselves in politics to the point that they are able to maintain their position of privilege.

Civil-military relations theories also relate to the theories of New Institutionalism, as at their core they question which state institution should prevail over the others. Both models connect with historical and sociological institutionalism, in the way that the dominant institution would influence behaviour by providing cognitive scripts, categories and norms. Huntington and his followers argue that the military institution should be controlled by the civilian-sphere, whereas Janowitz and his followers would maintain that society and the state should be militarised. Although, with a Sultanistic ruler in power, genuine civilian control of the military is not a viable option, as the leaders' power base is the military; conversely, in a democracy in the Western sense, civilian control of the military is a much more common case. This framework will operate

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[129] Ibid.
[130] James B. March and Johan P. Olsen, 'Rediscovering Institutions: The Organisational Basis of Politics', New York: Free Press, (1989).

throughout this thesis to illuminate the actions of the Egyptian military during the 2011 uprising, and assist in determining whether the military has operated as guardians of the state or the regime.

Chapter 3: Methodology

This project began just weeks after the SCAF took power in Egypt. Throughout the process of research, the situation has been constantly evolving and changing direction. As a result, it is necessary to examine and justify the methods used in this thesis. The central question this thesis seeks to answer is whether the SCAF and the wider Egyptian military acted in the best interests of the state or the regime in the uprising of 2011.

To develop a theoretical framework to conceptualise these answers, I have primarily relied on qualitative data. The qualitative tradition relies on inductive as well as deductive logic, appreciates subjectiveness, accepts various perspectives and realities, understands the power of research on both participants and researchers, and does not shy away from political agendas.[131] It also strongly argues the value of depth over quantity and works at delving into social complexities in order to explore and understand the interactions, processes, experiences and belief systems of individuals and institutions. The quantitative tradition, however, is based on the belief that the study of society is no different to scientific study of any other element of the world including particles and animals. It views the social sciences as subject to the same rules as core sciences such as chemistry and biology. At the essence of this tradition, there is a belief in the power of numbers and their ability to represent the world accurately.[132] I have relied on a small amount of quantitative data to establish some figures and statistics to assess the military's contribution to the economy and its composition of Government, yet there is no fieldwork involved in this thesis, and that is as far as my need for quantitative data extends in this project.

To understand general theories of the military, state, Sultanistic regimes and new institutionalism, as well as the history of the role of Egypt's military and its relationship with the state, I have relied on books and journal articles. It has been more difficult to learn about the constantly evolving situation in the Middle East however. Due to the contemporary nature of the subject, I had to utilise grey literature – including published and unpublished materials such as conference papers, unpublished theses, and newspaper articles, as well as contemporary resources such as reports from websites including Wikipedia, Facebook, Twitter and online blogs

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[131] Zena O'Leary, 'The essential guide to doing your research project' 3rd ed. Los Angeles: Sage, (2009), p. 113
[132] Ibid, p. 106.

as peer-reviewed journal articles by scholars in the field had simply not emerged yet. Wikipedia is a source of information that can be freely altered by anyone with the inclination and has a limited fact-checking process, however, it provides extremely up to date information about unfolding events and details that can be difficult to find simply by looking through newspapers. To verify facts and information found on these websites - particularly from Wikipedia - I went to the original references to confirm the information. If the link to the original source did not work and I was unable to verify the information in any other way I simply disregarded it. The use of Wikipedia, Facebook and Twitter in this project also reflects the significant role these websites had throughout the Arab Spring. The speed at which information can be put up and disseminated to millions of people throughout the world is credited for the role it played in the success of the movements.

The use of online blogs also provides the same benefits of up to date information that Wikipedia, Facebook and Twitter have, yet they also have their own limitations. Most significant is that these forms of media are often biased and written in an overly emotional manner, where no attempt is made by the writer to counter this. They are also often written by reporters and people with a general interest in the matter rather than scholars of Middle Eastern politics, so in some instances the background or reasons for an issue provided will be incorrect or taken out of context. This bias can be overcome by researching multiple reports on the same topic and comparing them, looking for common threads. Using these methods has the advantage of easily accessing vast amounts of up-to-date reports. I will analyse my data by looking for the themes of my research questions reflected within it.

I have utilised some of the strategies for achieving credibility in qualitative studies that O'Leary outlines including: saturation – I only finished collecting data when additional data no longer added richness to understanding the situation; persistent observation – to look for readings of a situation beyond the initial, superficial level; and triangulation – using more than once source of data to confirm the authenticity of the information.

There is a lack of Arabic sources throughout this thesis because of the language limitation. It was frustrating knowing that there were a series of useful resources I could not personally tap into because of my lack of fluency in Arabic. Relatives fluent in Arabic kindly translated documents

that I felt would be beneficial, which gave me the ability to assess whether or not I had already found the information it encased in English.

Some academics argue that research should not be value free, and the quest to achieve objective and value-free research is a logical impossibility and, in fact, an undesirable end.[133] On the other hand, others writers argue that it is important we strive to achieve objective research, and that it is entirely possible.[134] Upon consideration of both sides of the debate around objectivity and values in research in relation to my own project, I am also of the belief that producing objective, value-free social science research is both an unattainable and undesirable goal. Rather than focusing on the elimination of value-laden claims and striving for objectivity, attention should instead be paid to ensuring personal biases do not become incorporated in the research.

One of the key challenges I faced as a researcher throughout this process was attempting to remain objective and prevent my own biases from being incorporated into my research. It was all too easy to become 'carried away' with the rational choice institutionalism view that actors are self interested parties that seek to maximise their own material benefits. This in itself was fine, but coupled with the SCAF's portrayal in the media from October 2011 onwards, discussions I have had with young Egyptians affected by the Arab Spring, and my own Egyptian background it was not a significant leap to begin to see the SCAF is an evil, greedy institution eager to take all it can get from the Egyptian state with no thought or consideration of what it meant for the future of the nation. I had work at keeping my own views and biases out until I had researched enough that I felt confident I could draw my own meaningful conclusions.

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[133] T. May and M. Williams, 'Introduction to the philosophy of social research', London: UCL Press, (1996); E. Montuschi, 'The objects of social science', London: Continuum, (2003); Zena O'Leary, Op. Cit.
[134] As cited in Zena O'Leary Op. Cit.; as cited in T. May, Op. Cit. p. 57.

Chapter 4: Egypt from the Monarchy to Mubarak

Since the 1952 *coup d'état* Egypt has seen three long term Presidents reign, and as a result of the 2011 uprising the country is currently under temporary military administration. Investigating the legacies of each of Egypt's Presidents and their relationships with the military is of key importance to understanding how Egypt got to the political space that it is currently in: a nation without a President that remains in a state of uncertainty under the rule of a military council that is engaged in a power-struggle with the democratically elected Parliament led by members of the Muslim Brotherhood. This Chapter will investigate each leader's reign, first by looking at their ascension to power. This will be followed by an analysis of each President's use of and relationship with the Egyptian military, focusing on the size of the forces they established and why, as well as their ways of controlling the military. This section will be framed by the theories of new institutionalism, which demonstrate the ways in which these leaders pushed the nation along different paths of development, utilising the institutions of the state. It will also shed light on how the leaders became self-interested parties that utilised the state institutions to achieve their own material interests. It will also draw on the civil-military relations theories detailed in Chapter two, which investigate civilian and military control of society.

This will be followed by a section on the political character of the state under the three regimes and the way in which the leaders developed and changed this through various economic policies, changes and alterations to the Constitution and electoral processes. This will be illuminated by theories of capitalism, Sultanistic regime and new institutionalism to investigate the way in which the rulers manipulated the institutions of the state, with particular focus on the military, for their own material benefits. This chapter sets the scene for understanding how the Arab Spring took off so spectacularly in Egypt, and helps to explain why the military was the institution that filled the power-vacuum and took over leadership of the nation in 2011.

Each of Egypt's three long term Presidents have come from the military: President Gamal abd al Nasser, in office 1956 – 1970, was the leader of the Free Officers Movement and a soldier that fought in the 1948 Arab-Israeli war; President Anwar al Sadat, in office 1970 – 1981, was also a senior member of the Free Officers Movement and soldier in the Egyptian military; and his successor President Hosni Mubarak, in office 1981 – 2011, was a Commander in the Egyptian Air

Force. The leaders' military genesis is important as it partially explains why the military in Egypt has been afforded such a position of privilege amongst the other state institutions. All three Presidents' have handled their militaries differently: Nasser initially deeply entrenched the military in political life, establishing scores of officer-politicians that dominated the various institutions of the state, until he realised the *coup d'état* threat this posed and began to undo this process. Sadat on the other hand sought to keep the military out of politics, and separated the military command structures in an attempt to manipulate the institution and prevent it from gaining too much power. Conversely, Mubarak found that he was able to leave the military out of the state institutions and have it develop its own economy. Under Mubarak the military elites developed a series of political ties, but during his reign for the most part it largely stayed out of domestic politics.

If a single characteristic was to be used to define each President's reign, it would be vision, or lack there-of. Vision is also what separated Mubarak from his predecessors Nasser and Sadat. Regardless of the outcomes, Nasser had a vision of Egypt as an independent nationalist country with socialist principles that provided everyone a share in Egypt's prosperity and wealth; Sadat had visions of Egypt restoring its military pride after the humiliating defeat of 1967, as well as aligning the country with the West and gaining significant amounts of aid money. These were articulated through his *infitah* (meaning open door) liberal economic policies. Mubarak never had the same visions – he maintained the status quo with Sadat's failing economic policies, and as time went on and his and Egypt's elites' personal wealth increased, it became abundantly clear that his vision was based more around maintaining his position and growing his wealth than on the prosperity of Egypt.[135] He continued to renew the State of Emergency, which allowed him to use the military to oppress citizens and act as guardians of the regime. He blatantly hijacked the electoral process and over the years began to act more like a Sultan than the democratically elected President he once tried to portray himself as.[136] It was from this corruption, arrogance and sense of entitlement that Egypt's political unrest was borne, and a key cause for the Arab Spring catching on so spectacularly in Egypt in January 2011. What

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[135] For instance, President Mubarak and his family reportedly built up a personal fortune of between $40 and $70 billion USD, and 39 officials and businessmen close to his son Gamal are alleged to have made fortunes of over $1bn US each. Goldstone, p. 11.
[136] Mariz Tadros, 'Egypt's Election All About Image, Almost', *Middle East Report Online*, September 6th, 2006; Joshua A. Stacher, 'Parties Over: The Demise of Egypt's Opposition Parties', *British Journal of Middle Eastern Studies*; 31, no. 2, (2004), p19; Mona El-Ghobashy, 'The Metamorphosis of the Egyptian Muslim Brothers', *International Journal of Middle East Studies*, 37, (2005), p375.

allowed Mubarak to reach this point was the electoral and military path his predecessors Nasser and Sadat laid out for him.

4.1 The 1952 Free Officers Movement and end of Egypt's monarchy

In 1936 King Farouk of Egypt came to power at the age of sixteen, succeeding his father Fu'ad. Egypt had been under monarchical rule since the 1500s with Sultans ruling; however the title was changed to King in 1922 when the Kingdom of Egypt was established under the Muhammad Ali Dynasty. This followed the recognition of Egyptian independence by the United Kingdom. Farouk's legacy was marred by public dissatisfaction of his allowance of the ongoing British occupation, Egypt's lack of ability to prevent 78% of Palestinian land becoming the newly formed State of Israel, and a reputation for excess, great corruption and largely immoral behaviour. On July 23rd, 1952, the Free Officers Movement under Muhammad Naguib and Gamal Abdel Nasser staged a military *coup d'état* that launched the Egyptian Revolution of 1952. Farouk was forced to abdicate to his two year old son, and went into permanent exile in Monaco and Italy. For all intents and purposes Egypt was then governed by Naguib, Nasser and the Free Officers. On 18 June 1953, the revolutionary Government formally abolished the monarchy, ending 150 years of the Muhammad Ali dynasty's rule, and Egypt was declared a republic.

During the monarchical era, the Egyptian parliament came to be seen as an abode of corruption. The guiding principals of the 1952 revolution were to correct this through "establish[ing] sound democratic life" which Nasser maintained was not to be found in parliaments, but rather in the life of the people.[137] He implemented a series of socialist reforms, and systematically hollowed out the existing political institutions. He banned political parties, and the Constitution was abolished and redesigned in 1956, ultimately created to support Nasser's policies. In the aftermath of the *coup d'état* Nasser succeeded in gaining almost total control over the state institutions. He abolished the monarchy and outlawed the Muslim Brotherhood, which at the time was the only potential rival for power. Ultimately, he turned Egypt into a socialist nation with an authoritarian military based regime.

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[137]Owen, Op. Cit. p. 62.

4.2 Nasser and the beginnings of the authoritarian military-based Egyptian regimes

The absence of a strong middle-class, along with a significant public satisfaction with the ousting of the King, allowed the revolutionaries to seize power and institute radical political, economic, and social changes. Nasser turned Egypt into a socialist dictatorship with absolute power in the hands of the President, supported strongly by the military. During his tenure, all of his vice Presidents were military men. The military and army officers formed the core of the ruling elite; a pyramid of power with Nasser at the apex.[138] He followed Janowitz' model of militarising society, entangling society and the military so deeply together that through his control of the military, he gained even more control over Egypt. This control was primarily institutionalised through Nasser's appointment of military officers to important ministerial posts.

As leaders of the revolution, guardians of the regime, and staffers of various state institutions, the soldiers remained true to their *esprit de corps*: obedient and disciplined. They had every reason to; they benefitted immensely from their loyalty. Nasser found the best way to control the military was through rewarding them with various political and economic benefits, allowing many officers to enjoy positions of great privilege within state institutions. The ministries of War, War production, Interior, and National Guidance were given to officers. Editorial boards of press organisations such as al-Ahram and al-Hilal were controlled by officers, and military men were dominant in the Foreign Ministry. For example in 1962, of 100 top positions 72 were occupied by military men, and all ambassadors to Europe except for three were also from the military. What is interesting about these officer-politicians is that many of them were from various Egyptian intelligence services, which meant that secrecy governed the organisations' work and conformity was the norm.[139]

Nasser and his Government quickly steered Egyptian politics in a new direction. As Harb explains their mandate was to defend the regime and participate in governing. He explains that Nasser's decision to staff the cabinet, ministries, and state machinery with military personnel came from two reasons: his belief that the military alone had the bureaucratic organisational skills to run the affairs of the state; and it also assured control over a traditionally independent

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[138] Eliezer Beeri, 'Army Officers in Arab Politics and Society', New York: Praeger, (1970), p. 426.
[139] Ibid.

bureaucracy.[140] Historical institutionalism sheds light on Nasser's decision and the new path Egypt was taking. Followers of historical institutionalism divide the flow of historical events into periods of continuity punctuated by critical junctures, which they explain are "moments when substantial institutional change takes place thereby creating a branching point from where historical development moves onto a new path".[141] Nasser had been instrumental in reshaping Egypt's direction; he participated in the ousting of Egypt's monarchy which no longer enjoyed legitimacy in the eyes of the general public, and turned it into a socialist nation led by a Sultanistic ruler who instilled the military to support his position.

Field Marshall Abd al-Hakim 'Amr was one of the Free Officers and the military Commander. He remained a close friend of Nasser's, but he constantly challenged Nasser's leadership and was a cause of great concern for the President. On many occasions Nasser had sought to retire him for ineptitude and insubordination, but was dissuaded each time by his professions of loyalty or by Nasser's fear of the military's response out of loyalty to 'Amr. In 1967, after the Six Day War, Nasser and 'Amr handed in their resignations; however popular demonstrations throughout both Egypt and the Arab world forced Nasser to withdraw his. 'Amr attempted to do the same and his loyalist officers staged a mutiny at military headquarters. Nasser used this as an opportunity to rid himself of the problems 'Amr posed and had him arrested. After 'Amr's suicide in military custody, Nasser shifted the path of the military once again. He focussed on a lessening of the political role of the military in the institutions of the state, and worked towards professionalising the military and preparing for a long war to recapture the Sinai lost in 1967, He did not quite follow Huntington's model of civilian control of the military, but after the lessons learnt with 'Amr, he certainly lessened military control and refocused on using the military as an instrument of defence and war, rather than political actors. In 1967 Nasser appointed General Mohammed Fawzi as Commander-in-Chief and purged the ranks of all that opposed Nasser and Fawzi's leadership. Aside from Fawzi, the new officer corps was now second generation with no direct link to the Free Officers Movement. He ultimately depoliticised the military and separated it from its revolutionary genesis and ethos.

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[140] Imad Harb, 'The Egyptian Military in Politics: Disengagement or Accommodation?' *The Middle East Journal*, 57, no. 2, (2003), p. 272.
[141] Ibid.

4.2.1 The 1956 Suez nationalisation and ensuing crisis

Until 1956, most of the equipment used by the Egyptian military had come from Britain, though Nasser sought to break British influence in Egypt. Instead of siding with either the United States or the Soviet Union, Nasser tried to play off the super-powers in order to have them compete with each other in attempts to buy his loyalty. His first choice for buying weapons was from the United States, but his frequent anti-Israeli speeches and his sponsorship for the *fedayeen*[142] that were making raids into Israel had made it difficult for the Eisenhower administration to get the approval of Congress to sell weapons to Egypt. Nasser had let it be known in 1954-55 that he was considering buying weapons from the Soviet Union as a way of pressuring the Americans into selling him arms he desired. He had hoped that he was calling America's bluff and they would provide him arms faced with the prospect of the USSR supplying them instead. Nikita Khrushchev, the first secretary of the Soviet Union Communist party at the time was very keen to win the Soviet Union influence in the Middle East and was prepared to arm Egypt if the Americans proved unwilling. The US was unwilling so from 1956 until around 1971 the Soviet Union provided arms to Egypt at low cost in exchange for cotton.[143] At the same time, Egypt had been seeking loans from the World Bank to finance the construction of the Aswan High Dam. A tentative agreement with the World Bank, the US and Britain indicated that US$ 70 million would be provided for the project. However, Nasser's dealings with the Soviet Union for arms supply angered the United States and the British Government. Consequently, the US and Britain withdrew their offers of funding, and the World Bank went back on the tentative agreement.

In July 1956, Nasser nationalised the Suez Canal after the withdrawal of the offer from the US, Britain and the World Bank. In response to the nationalisation Britain, France and Israel led a diplomatic and military confrontation against Egypt in October 1956. Less than a day after Israel invaded Egypt, Britain and France issued a joint ultimatum to Egypt and Israel, and then began to bomb Cairo. Anglo-French forces withdrew before the end of the year, but Israeli forces remained until March 1957, prolonging the crisis. The canal was re-opened in April 1957. In the wake of the 1956 Suez War, Nasser's popularity soared as he came to embody Arab nationalism

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[142] Palestinian refugees and freedom fighters living in Egypt, Syria and Jordan that mounted attacks on Israel from its surrounding borders.

[143] Jim Paul, 'The Egyptian Arms Industry' in *The Arms Race in the Middle East, Middle East Research and Information Project,* 112, (1983), p. 26.

in the post-colonial era. Nasser did not hesitate to flaunt his newfound authority and developed a strong Egyptian foreign policy that attempted to destabilise pro-Western Governments in Jordan, Iraq, and Lebanon; support Palestinian guerrilla action against Israel; create a unified Arab state by merging briefly with Syria (the United Arab Republic 1958-1961); and intervening against the Saudi-backed royalists in the Yemeni civil war.

4.2.2 Nasser and the socialist era

Nasser sought to eradicate class structures and develop an equitable society. He banned all political parties and established the Liberation Rally in 1957, which was replaced with the Arab Socialist Union in 1962.[144] The ASU focused heavily on nationalisation policies, which saw $7 billion Egyptian pounds of private assets transferred into the public sector. Banks, insurance companies, many large shipping companies, major heavy industries and major basic industries were converted to public control. Land reforms saw the maximum area of private land ownership successively reduced from 200 to 100 *feddans.*[145] A 90% top rate of income tax was levied on income over ten thousand Egyptian pounds. Boards of directors were required to have a minimum number of workers, and workers and peasants were guaranteed at least half of the seats in the People's Assembly, which is still the case today.[146] The nationalisation policies were intended to provide the capital resources for an industrialisation drive that could make Egyptian economic independence possible. Richards and Waterbury explained that Egypt's drive was a typical import-substitution-industrialisation pursued by many developing nations.[147] While Egypt's efforts showed positive results between 1960 and 1964, it bogged down in inefficiency and lack of capital in the late 60s.

Richards and Waterbury also noted that there was more to the construction of the ASU than simply establishing a political party, they maintain that Nasser "had to build up the ASU as a civilian counter to the military" in response to the growing influence of Field Marshall 'Amr.[148] This parallels with Mubarak's relationship with the military, he also felt he had to develop the

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[144] The Liberation Rally was replaced by the National Union in 1957, which was replaced by the Arab Socialist Union in 1962.
[145] 1 feddan = 1.038 acres
[146] Rami Ginat, 'Egypt's Incomplete Revolution: Lutfi Al-Khuli and Nasser's Socialism in the 1960s', London: Routledge (1997).
[147] Alan Richards and John Waterbury, 'A Political Economy of the Middle East', Second Edition, Boulder, Colorado: Westview Press, (1996), p. 183.
[148] Ibid.

military and his own Central Security Forces to contain the threat posed by opposition organisations – in his case it was the Muslim Brotherhood, as well as general public dissatisfaction. Acemoglu et al. explain that because of the military's control of weapons and men, the military is always a potential threat to any regime, even when the leaders come from the military themselves. The two organisations, therefore (the military and the ASU) served as a left-right balance within the regime, though Blades suggests Nasser was also balancing left-right elements within the ASU simultaneously.

Historical institutionalism explains that the combination of rules, routines, norms, and identities that describe institutions change over time in response to historical experience.[149] In a relatively short period of time, Nasser had changed the Egyptian political and institutional system dramatically, more than once through changing its rules, norms, routines and identities. He first did it when he overthrew the monarchy, installing the military as the preeminent institution of the state and having officer-politicians control the states other institutions. He did it again when he professionalised and depoliticised the military, separating it from its embeddness in state institutions. March and Olsen suggest that significant institutional changes like this are neither instantaneous nor inherently desirable in the sense of improving institutions, and these changes can have drastic results for institutions. The matching of institutions, behaviours and contexts takes time and has multiple, path-dependent equilibria. Institutional adaptation is less automatic, less continuous, and less precise than it would be had the institution been left alone. Ultimately, dramatic and frequent institutional change does not necessarily improve efficiency and survival. However, rational choice institutionalism suggests that Nasser was less concerned with the effectiveness of the institutions of the state than maximising his own material interests, which he felt could only be realised through the military disengaging from Egyptian politics.

4.2.3 The Six-Day war with Israel

In 1967, during a period of long political unrest, President Nasser led Egypt along with several other Arab nations into the Six-day war against Israel, which dealt a devastating blow to Egypt's political and military leadership. At the end of it, Egypt was left with little militarily: she lost

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[149] James G. March and Johan P. Olsen, 'Elaborating the "New Institutionalism"', *University of Olso Centre for European Studies*, Working Paper no. 11, March 2005. Retrieved January 3rd, 2012 from: http://www.cpp.amu.edu.pl/pdf/olsen2.pdf, p. 13.

diverse committee: feminists, Islamic legal scholars, liberals, socialists, nationalists, and representatives of the Christian Church were all represented. On the whole, the group moved the Constitution in the direction Sadat wanted: weakening the ASU, nominally strengthening legal institutions, and promising Egyptians a move away from the harshest aspects of Nasserist authoritarianism.[151] Most significantly, the Constitution legally enshrined the preeminent position of the President over other Government and state institutions. It combined legal prerogatives with personal political judgement and enabled the President to remain unchallenged at the apex of Government structure.[152] By asserting his dominance over state institutions, he was ultimately preventing the military from gaining too much power and challenging his authority as President. It also meant he had the power to change electoral laws, which would prevent him from being voted out in elections should he choose not to go. Historical institutionalism illuminates Sadat's actions here. It maintains that power is central to politics, and that power relationships are a key driver of social and political outcomes. These power relationships are structured by institutions and therefore struggles for power follow different patterns and produce different outcomes, partly as a result of institutional factors. In separating the institutions of the state and placing himself at the top of the power-pyramid, he secured his position by preventing any other institution, particularly the military, from becoming too powerful and ousting him.

Sadat had a different relationship with the Egyptian military than Nasser did. Knowing he was widely disliked by the military, he began the 'Corrective Revolution' of May 1970, where he purged, tried and imprisoned the officer-politicians who opposed him.[153] He got rid of several officer-politicians that had established their own 'centres of power' within the regime and posed a *coup d'état* threat, including General Mohammed Fawzi, Minister of the Interior Saad Jumaa, Minister for Presidential Affairs Sami Sharaf, and ASU President Ali Sabri.[154] Sadat ousted these men by using officers that were loyal to him such as Chief of Staff General Mohammed Sadiq and Commander of the Presidential Guard al-Laythi Nassif, which created a significant divide within the ranks and sent a very clear message that any disloyalty, or even a hint of it, would

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[151] Ibid.
[152] Maye Kassem, 'Egyptian Politics: The Dynamics of Authoritarian Rule'. Boulder, Colorado: Lynne Rienner Publishers Inc, (2004), p. 24.
[153] Harb, Op. Cit. p. 8.
[154] Maye Kassem. Op. Cit. p. 41.

have harsh consequences.[155] He even dismissed Sadiq, after he had ousted Sadat's enemies in 1971. He was replaced with apolitical General Ahmad Hasan 'Ali. He also used his new-found Constitutional powers to dismiss top ranking officers that disagreed with him, generating a culture of fear and uncertainty within the military. This process of sidelining and easy dismissals made the military totally subordinate to the civilianised leadership of Sadat as they feared for their positions and the prospect of potential imprisonment. One year after Sadat's instatement, the Egyptian military pledged allegiance and loyalty to their new leader.

This process saw a significant lowering in the number of military personnel in Government. In 1967, military presence in the cabinet ranged between 41% and 66%, yet in 1972 Sadat had it dropped to 22%, which exemplified his process of civilianising Egyptian politics.[156] During the eleven years of his presidency, he had six Prime Ministers, which comprised of four civilians and two ex military officers.[157] He sought to control the military in a different way to Nasser; both leaders feared the threat the military posed. While Nasser sought to control the military by rewarding them with gifts and political and military honours, Sadat manipulated the officer corps and would play individual officers off against each other to eliminate growing unity and reduce the threat of a *coup d'état*.

With the military leadership subordinate, Sadat focused on further professionalising and developing the military. He was supplied up to date military technology and weaponry from the USSR to match the Israeli's capabilities. The military underwent a significant transformation at this point, improving equipment, training and education levels. This was evident in the 1973 war with Israel that Sadat led. During Nasser's reign only around one in sixty officers held university degrees however in 1973 this figure improved to around 60%.[158] The 1973 war did not regain the Arab lands that were lost in 1967, nor Palestinian land and status, though this was never part of the plan, it was only about attempting to regain the Sinai. However, Egypt's excellent performance against Israel in the early days of the war before US support arrived led it to be viewed as a great victory by Egyptians, which is why the state puts significant emphasis on *al abur* (the crossing), which was a great success, rather than the war per se. Egypt's ability to inflict significant damage on Israeli troops inspired a sense of pride in the armed forces. The

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[155] Ibid.
[156] Harb, Op. Cit. p. 276.
[157] Muhammed Heikal, 'The Road to Ramadan', London: Collins, (1975), p. 23.
[158] Harb, Op. Cit. p. 278.

boost in morale allowed him to roll out a series of domestic and international economic and political initiatives reasonably unchallenged. For the most part the military had a new respect for the President, and remained loyal and professional.

1976 saw the beginning of Sadat's instatement of political pluralism in Egypt, where he allowed three political platforms to form within the Arab Socialist Union— the socialist *Tagamuu* party, the free-market Liberal party, and centrist National Democratic Party (NDP). Sadat joined the National Democratic Party and soon after some 250 MPs of the People's Assembly hurried to join the President's new party, making it the dominant party in Egyptian politics. In 1978 Sadat legalised political parties and the platforms were allowed to become fully independent political parties, so the ASU was disbanded. In 1979 Sadat held Egypt's first multiparty parliamentary elections since the end of the monarchy, of which the NDP won. Dr. Maye Kassem of the American University in Cairo explains that Sadat did not make the changes out of a concern for the political character of Egypt, but rather for his own political self-preservation, as many members of the ASU were still not pleased with Sadat's succession. He lacked the charisma that defined Nasser, and had no political base of his own. He ultimately inherited Nasser's 'hero' legacy, which many military members and civilians felt he did not deserve. Kassem explains that the mass conversion from 'socialist' to 'democratic' ideology implied not only the desire to remain under direct Presidential patronage, but also that the emergence of the ruling NDP was no more reflective of constituency interests than the ASU was under Nasser's party system.[159] Historical institutionalism links with what happened to the political character of Egypt. Historical institutionalists accept the idea that institutions shape actors' strategies, insisting that preferences and goals are also affected by institutional frameworks. By changing the direction of the institutions of the state to having them operate in a democratic, capitalist framework, it filtered down and affected the ideology of those within the institutions, and also much of the wider Egyptian public.

4.3.1 Egypt's economic restructuring under Sadat – the *infitah* policies

One of the most significant events of Sadat's Presidency with long-lasting and far-reaching consequences was his economic liberalisation. He sought to turn Egypt from a socialist country

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[159] Maye Kassem. 'In the Guise of Democracy: Government in Contemporary Egypt*',* Ithaca Press. (1999), p. 41.

with heavily nationalistic policies to one broadly aimed towards export-oriented industries that would reintegrate the nation with the world's developed market economies. The policy was called *infitah* which translates to 'open door'. He introduced economic incentives to attract private foreign capital in joint ventures. Loans and tax policies created a favourable climate for domestic entrepreneurs, and allowed them re-entrance in foreign trade. The policies waived tariffs on imported equipment for foreign firms.[160] Those investing in food producing agricultural projects, among other sectors, gained tax advantages and were promised easy repatriation of profits and protection against nationalisation. Having gained the International Monetary Fund's blessing, the new policies also ensured Egypt's credit-worthiness in the global economy.

The policies were directed at moving closer to Washington to attract aid money and foreign investment, as well as military aid and the rights to purchase US military equipment. By realigning its regional and global alliances, Egypt eventually estranged itself from most of the Arab world. The liberalised economy opened the door to a more consumption-oriented society, exploitable by private domestic and foreign interests, and subject to the hazards of international trade and the influence of foreign creditors and aid donors, a situation that clearly took a toll on the nation. In 1961, only 7% of Egypt's food supply was imported, though this figure rose to around 20% ten years later. By 1981, Egypt's food deficits were staggering, and it had become one of the world's most economically dependent countries. The value of imports exceeded exports by some $3 billion, and Egypt relied on foreign suppliers for about half of its total food consumption. Foreign capital accounted for 90% of the financing of all public projects.

Sadat's policies were a significant turn away from Nasser's welfare-based socialist policies, and they placed significant strain on the social contract. While Nasser had focused on ending the legacy of foreign leadership over Egypt and nationalising the country, Sadat reintroduced foreign involvement and high rates of imports. Sadat deserted Nasser's socialist focus of 'solidarity with the poor',[161] and rewarded his cronies and allies, many of whom became extremely wealthy. They helped him built a loyal power base of Egyptian elite to add to the military in return for concessions on land, goods and commodities; mandates and contracts to agencies and dealerships. The millions of previously poor Egyptians who had joined the middle class under the Nasser regime through education and jobs as doctors, engineers, teachers,

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[160] Structured in Public Law 43, enacted in June 1974 and amended in 1977.

[161] Tarek Osman, 'Egypt on the Brink, From the Rise of Nasser to the Fall of Mubarak', Ontario: York University Press, (2011), p. 6.

lawyers, and journalists for the Government were left stuck in an "increasingly marginalised, stagnant and low-paying public sector" under *infitah*.[162] At the same time the public sector continued to dominate the economy. The proportion of the population working for the state grew from 3.8% at the height of the Nasser's era, to 10% (about 35% of the country's entire labour force) after the full thrust of *infitah* in the early 1980s. *Infitah* was never particularly successful: it had lofty ambitions however it never worked as a solution to the problem posed by the losses of Nasser's socialist experiment. Rather, it produced a consumption boom that failed to stimulate investment in productive or export-oriented industries.

4.3.2 Egypt's era of financial aid from the United States

After the 1973 war with Israel, Sadat focused on increasing Western investment and US Government aid in the nation. US officials appreciated Sadat's dire economic predicament and his political vulnerability at home, and were willing to support Egypt financially in return for an effort towards a peace with Israel. Sadat required immediate, tangible evidence of US support to improve domestic economic conditions sufficiently to allow him to risk political fall-out in the disengagement of Egyptian and Israeli forces and participation in a more comprehensive regional peace. In 1974 the US announced the commitment of US$85 million for an initial program to help clear the Suez Canal of war debris and to begin the reconstruction of the canal cities. He had hoped for economic aid to around the same amount that Israel was receiving from the US, and found opportunity to press his case directly in March 1975 during the Kissinger shuttle diplomacy between Egypt and Israel. Kissinger had already approved raising assistance to Egypt to US$500 million, of which a total of $300 million was to be for commodities but this was increased to US$750 million.[163] Weinbaum explains that the negotiations for levels of aid were not based on any careful assessment of Egypt's budgetary and development needs, but rather the dollar amount symbolised even-handedness in US economic aid policy between Egypt and Israel. It also set a precedent for subsequent years and amounts: any reduction in aid would be interpreted by the Egyptian Government as a softening of American backing for the regime or a changed expectation about Egypt's role in the region's peace. As a reward for reaching a peace accord with Israel at Camp David, the US Congress agreed to supplement the aid to Egypt

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[162] Tarek Osman, Op. Cit. pp. 120-21.
[163] Marvin G. Weinbaum, 'Egypt's "Infitah" and the Politics of US Economic Assistance', *Middle Eastern Studies*, 21, no. 2, (1985).

by $300 million over a three-year period. To this day, the US continues to donate $2.2 billion per annum to Egypt in economic and military aid, second only to Israel which receives $3 billion per annum.[164]

In 1979, in a deeply controversial move, Sadat signed the US brokered Camp David peace agreement between Israel and Egypt. The peace deal has had significant benefits for Egypt that are still being seen today. It established a reliable source of modern weaponry from the US as well as substantial financial assistance of $2.2 billion US per annum.[165] Since then, the Egyptian military has been better equipped and trained, though the transition from Soviet hardware to Western sources was slow and difficult. It is estimated that in the mid-1990s, 50% of Army equipment was of Soviet design, much of it over 20 years old.[166] Though Sadat had an iron-fist control over the military, his end came at their hands. By 1981, the Islamic groups that had initially supported him grew disillusioned with his relations with the West and peace with Israel. There was also social unrest coming from the poorer regions badly hit by Sadat's free market *infitah* policies. He was assassinated by a group of religious conspirators at a military parade on the eighth anniversary of the 1973 war.

4.4 Hosni Mubarak's reign

After Sadat's death, Vice President Hosni Mubarak, who had been seated next to him on the podium when he was shot, ascended to the Presidency. Mubarak had significant respect from the military because in 1967 Nasser named Mubarak director of the Air Academy, giving him the crucial task of rebuilding the Air Force after it was destroyed during the Six Day War. Like his predecessors Nasser and Sadat, Mubarak was a military man, but unlike them he was a professional that emerged from a lower middle class background. He never faced the power-struggles that Nasser and Sadat did on his ascension to office; however, what he faced was arguably more challenging. He inherited Egypt in the midst of a state of ideological, socioeconomic and political disillusionment.[167] The 1967 war had ultimately shattered the notion of Arab power, nationalism and unity, and Sadat's peace treaty with Israel had isolated

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[164] Michael P. Todaro and Stephen C. Smith, *'Economic Development'*, Tenth ed., Boston: San Francisco, New York: Pearson, (2009), p. 748.
[165] Egypt is the United States' second largest donor nation, behind Israel which receives around $US3 billion annually Todaro & Smith, 2009, p. 748.
[166] Timothy Mitchell, 'Rule of Experts', Berkeley, Los Angeles, London: University of California Press, (2002), p. 40.
[167] Maye Kassem, Op. Cit. p. 26.

Egypt from the Arab world and created a divide within the country. Nasser's socialist policies left the country in debt, and Sadat's *infitah* policy did little to help that.

As Mubarak's rule reached the mid 1980s, the characteristics of his leadership became clear; he adhered to more or less the same political formula as Sadat had established. He made some amendments to the *infitah* policy, giving it a bit more discipline, but it fundamentally stayed the same. The deficits in the balance of payments and the state budget continued, which had immediate social repercussions. He also continued along Sadat's path of alignment with the West, which ensured continued foreign aid money and the longevity of the peace with Israel. At the same time, he was able to gradually improve Egypt's relations with many Arab nations. One of the aspects of Mubarak's leadership that has stood out is his relationship with the military. The Egyptian military has remained a significant size, yet the country has not been to war in three decades. Mubarak developed the military to a point where it played a significant role in the nation's economy, and entangled it so deeply with the institutions of the state that when departed as President in 2011, the military were in the position to take power of the nation.

Under President Mubarak's leadership, Egypt never went to war, and it adhered to its peace treaty with Israel established by Sadat. Though it has often been referred to as a 'cold peace' there has been no relapse into conflict. In a 1987 interview, then-minister of defence and war production, Field Marshal Muhammad Abd al-Hakim Abu Ghazalah, delineated the two main principles of Egyptian military strategy: "military balance in relation to surrounding countries, and deterrence".[168] He further elaborated that military policy was "...designed to preserve the independence of the state, the safety of its territory, and the security of its borders, coasts, territorial waters under the sovereign jurisdiction of a nation or state, including both marginal sea and inland waters and economic interests."[169] These principles adhere to the widely accepted view that the first priority of the military is to act as an instrument of defence. They are also illuminated by Weber and Edmond's conceptualisation that the armed forces of a state are the specialists in the application of violence that is used either as a threat or applied through an established, legally recognised organisation that is both managed and controlled by a superior state authority.[170] The military's goal at the time was ultimately to exist to maintain the

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[168] Joseph Kechichian and Jeanne Nazimek 'Challenges to the Military in Egypt', *Middle East Policy Council,* XVIII, no. 4, (1992), p. 2.
[169] Ibid.
[170] Edmonds, Op. Cit. p.23.

balance of power in a region that was politically and militarily unstable. However, creating a powerful military is a double-edged sword for the elite. On the one hand, a powerful military is more effective in preventing transitions to genuine democracy. On the other, it necessitates either greater concessions to the military or raises the risk of a military *coup d'état*.[171]

It was during the Mubarak era that the military as an institution became central to the state's control and power. Mubarak's focus on institutional stability finally established what Nasser and 'Amr could only dream of: the military institution under the President's control. He gained this by ceding certain independent functions to it, significantly allowing for its non-taxed economic activities. The Egyptian military was the pre-eminent institution in the country because of the supremacy of the presidency. Mubarak's military background has ensured the dominance of the institution and he has protected its interests. In this sense, the military was still deeply entrenched in Egyptian politics, though it did not have the amalgamations of officer-politicians that the Nasser period did. Brooks explains that the Egyptian military was content to accept a subordinate political role as long as it retained autonomy in running its own economy.[172] Thus, the civil-military relations of Egypt under Mubarak were based on the principal of reciprocity; while the regime maintained both military and corporate interests, the military used its stature and power to support the regime. As of 2010, the Egyptian Armed forces had 468,500 active soldiers and an additional 479,000 on reserve.[173] These figures are approximately what remain today. As Figure 1 displays, the army is the most significant branch, followed by the Air Force and the Navy.

[171] Acemoglu et al, Op. Cit, p. 1.
[172] Ibid
[173] James Hackett, 'The Military Balance 2010', *International Institute for Strategic Studies*; London: Routledge, (2010), p. 248.

Figure 1: The structure of the Egyptian military as of 2010

Army	The Army is the largest service branch within the military and holds power in the current Egyptian Government through the Supreme Council of Armed Forces. It is commanded by Field Marshall Mohammed Hussein Tantawi, and it is estimated to number around 379,000 current soldiers in addition to 479,000 reservists for a total of 858,000 strong.
Air Force	The Air Force is the aviation branch of the Egyptian Armed Forces. It has approximately 50,000 full-time Airmen and 20,000 on reserve. It is commanded by Air Marshal Reda Mahmoud Hafez Mohammed.
Navy	The Egyptian Navy is the maritime branch of the Egyptian Armed Forces. It is the largest navy in Africa and the Arab World, and is the ninth largest in the world. The navy's missions include protection of more than 2,000 kilometres of coastline of the Mediterranean Sea and the Red Sea, defence of approaches to the Suez Canal, and support for army operations. It maintains around 18,000 full-time Sailors as well as 2,000 in the Coast Guard. It is commanded by Vice Admiral Mohab Mamish.
Air Defence	The Egyptian Air Defence Command is Egypt's military command responsible for air defence. It was developed according to the Soviet Air Defence Forces, which integrated all its air defence capabilities – anti-aircraft guns, rocket and missile units, interceptor planes, and radar and warning installations. It is commanded by Lt. General Abd El Aziz Seif-Eldeen. It consists of approximately 30,000 soldiers plus 40,000 conscripts.

Military Agencies

Arab Organisation for Industrialisation	The Arab Organisation for Industrialisation is an Egypt-based Arab military organisation established in 1975 by Egypt, Qatar, Saudi Arabia and the United Arab Emirates to supervise the collective development of the Arab defence industry. Following a gradual deterioration in relations between the AOI member-states, Egypt became sole owner of AOI in 1993. It also operates in the commercial sphere. It maintains approximately 16,000 employees - a combination of soldiers and civilians. It runs and completely owns 10 factories. It is run by a Supreme Committee including the President of Egypt and Cabinet ministers.

Government Paramilitary agencies

Central Security Forces	The 350,000 strong General Security and Central Security Forces is responsible for assisting the Egyptian National Police for the security of Governmental fixed sites, foreign embassies and missions, riot and crowd control, publicly crowded events, high risk arrests, disaster response and SWAT operations. It is the President's private preserve, headed by a Minister of Cabinet.
Border Guard Forces	The Egyptian border guard protects Egypt's borders along Israel, Libya and Sudan. Employment and command details were unavailable.
Revolutionary National Guard	The Egyptian National Guard is mainly used during ceremonies and parades, to protect Presidential sites and important public buildings in Cairo, providing Honour Guard and security services for the highest national personalities and important foreign dignitaries; and responding to any rebellion, *coup d'état*, or other threat to Presidential power. Members were (mainly but not exclusively) highly motivated volunteers rather than conscripts. They received bonuses, new cars and subsidised housing, and received greater training than the regular army. Command details were unavailable.

Source: James Hackett, 'The Military Balance 2010', *International Institute for Strategic Studies*; London: Routledge,

(2010), p. 248.

Since 1952, Egypt has had mandatory conscription for males between the ages of 18 and 30. Prior to this point, one was able to buy their way out of service; however Nasser's regime ended that in the name of equality. Conscripts are enlisted at the rate of around 80,000 per year and usually serve a three-year term and an additional nine years on reserve rolls. Service is postponed for students until the completion of their studies. Those with no male siblings or dual citizenship are exempt from service. Conscripts with University degrees are offered to remain in the career after the obligation period, and they are positioned in special ranks amongst the other conscripts.

The full time volunteer force can be divided into two sections: one is the officers who come from either a technical background such as medicine or engineering, or politically connected families. They graduate from universities or specialised military academies. The draw card to the military for these professionals is that it is a guaranteed Government job that pays a relatively good salary and pension, and comes with many perks, such as use of army clubs and increased social status. The other section is the lower rank soldiers, who are generally people from lower social classes, with no tertiary education. They tend to join the military for the same reasons as the officers; it is a secure, paying job. The lower rank soldiers can later go up to the first few ranks of officers but are not widely respected because of their social status. There is a tension within the military, particularly between the low ranking permanent staff, and the conscripts that have better education, respect, and career prospects. This structure can be illuminated by Andrzejwski's explanation that society is pyramidical in shape, with a few forming the elite at the top, enjoying power, wealth and status, and the rest below increasing geometrically in number as they go down the social scale. He concluded that those at the top gained and retained their positions because of their access to, and control over coercive power. This is the case in the micro-society of the Egyptian military; the top ranking officers from 'good backgrounds' enjoy power and status at the top; followed by the lower-middle class career soldiers and officers who are relatively resentful of those above and below them in the power pyramid, followed by the temporary conscription force who find themselves at the bottom of the structure, but often they have better social status and prospects than their direct officers.

In addition to regular forces, Egypt maintains a 300,000 strong paramilitary force, the Central Security Force (CSF) staffed with conscripts. They primarily deal with domestic disturbances,

though many speculate that the CSF was established out of Sadat's fear of the military growing too powerful and were potentially close to staging a *coup d'état*. The CSF failed to meet the minimum standards for armed services, largely because the rank and file was made up of poor, uneducated Egyptians who were paid minimum wage. In 1986, the suggestion that conscripts would have to increase their time in CSF from three to four years resulted in a riot that was so significant, it has been suggested that it almost brought down the regime. The riots were quelled by the Egyptian army.[174]

With the high force levels and conscription rate, Egyptians do not generally resent the benefits given to the military because most families have at least one member in the armed forces at least one point in time. The benefits included the socialisation aspect, in which they provided training for 12.3% of young Egyptian males, which gave them a sense of citizenship, national pride, and responsibility as well as exposing millions of people to modern technologies and lifestyles.[175] However, on a state institution level, the size of the military caused a set of tensions in Egypt. The expanded role of the armed forces has led to a competition between the military on the one hand, and the police and civilian intelligence agencies on the other, as to which was best able to apprehend plotters and maintain the peace. There has also been great public unease at the army's domestic presence which has been justified under the enduring State of Emergency. This presence was keenly felt through the continued use of military courts to try civilians, particularly Islamic fundamentalists that were accused of plots against the state.[176] Some 17,000 people were detained under the law, and estimates of political prisoners run as high as 30,000.[177] Under State of Emergency, the Government has the right to imprison individuals for any period of time, and for virtually no reason, thus keeping them in prisons without trials for an undetermined period.

The presence of a large defence force has also led to the development of a military industrial complex outside of the control of the Government's general accounting organisation. It is run by powerful civilians that negotiate joint ventures with foreign companies and make their own arrangements for the sale of their products to other Arab regimes. Unfortunately, the details

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[174] Kechichian and Nazimek, Op. Cit. p. 128.
[175] Harb, Op. Cit. p. 282.
[176] Owen, Op. Cit. p. 185.
[177] Amira Howeidy, 'Enough is still enough', Al Ahram weekly (759) September 8-14th, 2005 retrieved September 23rd, 2011 from: http://weekly.ahram.org.eg/2005/759/eg8.htm.

about the size and structure of this economy are not readily available; it remains a Latourian 'black box'.[178] This has bought the army into competition with a wide variety of civilian ministries involved in planning, the economy and foreign relations. Focusing solely on the repressive internal aspects of a military, whether a Government prefers to maintain a large military depends on its effectiveness and on the extent of societal inequality. According to Acemoglu et. al. when the military is ineffective or social inequality is limited, the elite prefer to allow a smooth transition into democracy because repression is likely to fail. However, when repression is likely to be effective, the elite may prefer to develop a large military and deal with the threat of military *coup d'état* by paying higher wages to officers and soldiers. The result is that the military becomes an agent of the elite, rather than the guardian of the state. This is the situation that arose in Egypt during Mubarak's tenure through the maintenance of a large military in times of peace.

4.4.1 Egyptian military economic function

During the Mubarak era, the political roles taken by the military have been further consolidated through their increased role in economic functions. Egypt's military has been productive since the 1940s, producing or assembling a wide variety of products including artillery, mortar and small arms ammunition. Since the 1979 Camp David agreement the military has been involved in the production and assembly of indigenously produced armoured personnel carriers, US M1A1 Abrams tank, British Lynx helicopters, Aerospatiale Gazelle helicopters, European AlphaJet aircraft, Chinese F-7 fighter aircraft, aircraft engines, and a wide variety of military electronics including radars and night vision devices.[179] In fact, during the 1980s, Egypt expanded this economic role even further through the work of Abu Ghazalah, Sadat and Mubarak's Minister of Defence. He also developed the National Service Project Organisation (NSPO) into an active, military controlled industrial organisation that produced goods for both military and civilian uses.[180] Active-duty military personnel became involved in large scale food production with the military operating dairies, poultry farms, cattle feedlots, farms, fisheries which contribute to its

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[178] Bruno Latour, 'Science in Action: How to follow scientists and engineers through society'*, Cambridge, MA: Harvard University Press. (1987).

[179] Stephen Gotowicki, 'The Military in Egyptian Society,' in Phebe Marr, ed., *Egypt at the Crossroads: Domestic Stability and Regional Role,* Washington, DC: National Defense University Press, 1999, pp. 112.

[180] Kechichian and Nazimek, Op. Cit. p.3.

goal of 100% self-sufficiency in agriculture to avoid food production and distribution problems for the military and the wider Egyptian public.

The military also became involved in the manufacturing of goods to be sold to the civilian market such as televisions and refrigerators, doors and window frames, washing machines, heaters, clothes, stationary, pharmaceuticals, and microscopes among other things. It has its own companies that compete for public projects such as the building of bridges, schools, roads, overpasses, and other infrastructure.[181] Ultimately Abu Ghazalah and Mubarak created a separate, highly effective infrastructure and developed a significant civilian production capability which subsidised its military developments, equipment and high-ranking officers' lifestyles. This exemplifies the way in which Mubarak controlled the military as a Sultanistic ruler and used it to maximise his, and the military's own material interests. Goldstone explains that because Sultanistic rulers need resources to encourage patronage, they typically promote economic development through industrialisation, commodity exports, and education, and also seek relationships with foreign countries promising stability in exchange for aid and investment. However, when the aid money and wealth comes into the country, most of it is funnelled to the Sultan and his cronies. The new Sultans control their countries military elites by keeping them well resourced and thus happy. Egypt followed the Sultanistic regime model, where the President used the military institution in pursuit of these goals.

As of 2000, the Defence Industries employed more than 75,000 people and contributed around $500 million a year to the gross domestic product.[182] It operated sixteen factories with half the output directed towards the domestic market.[183] What makes the military truly economically independent is the fact that all of the income from its activities reverts to its own accounts and is off budget; it does not pay tax on its income nor is it subject to the state auditor. Law 32 of the 1971 Constitution gave the military the financial and institutional independence from the Government's budget and allowed it to open special accounts in commercial banks.[184] The economic role of the military is not limited to corporate benefits but has a private angle also; while the military as an institution performs an independent economic role, the officer corps is provided with individual benefits ranging from higher salaries to housing and transportation to

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[181] Ibid.
[182] Sharp, Op. Cit. p.3.
[183] Masoud, Op. Cit. p. 403.
[184] Ibid.

better medical care and access to scarce consumer goods. Individual officers benefit from direct ties to the private sector and from payoffs and bribes when they are involved in procuring weapons systems. This is illuminated by Andrzejwski's discussion of the problem of the influence military organisations had on the structure and development of society. He concluded that the "military organisation influences social structure mainly by determining the distribution of naked power".[185] In this instance the military's 'naked power' comes not from their monopoly of violence, but rather their economic interests and political connections.

Since Abu Ghazzaleh increased the size and the economic function of the military in the 1980s, it has faced significant controversy, particularly around accusations that its emphasis on economic activity had reduced its military efficiency, its factories were not cost effective, military cooperatives were exempt from taxation, and that the close links between officers and civilian businessmen were a breeding ground for corruption.[186] As a result, the military became viewed as a separate elite group that has successfully sidelined civilian influences in the political operation of the state and the military, and from that has been able to become dominant over other state institutions. The domination comes from its economy and its political connections. It is a state institution that benefits from a separate economy and significant amounts of military aid – with this extra income it is afforded the ability to expand and flourish more than any institution reliant on its budgeted allotment. It also contains a series of political connections from its officers' relationships with foreign military officers and politicians, providing it even more benefits – generally financial. With more money and power, and a greater size than the other institutions of the state, it remains dominant.

Though Abu Ghazzaleh had been significantly instrumental in deeply entrenching the military in political and civil life, he was dismissed in April 1990 after he lost American support due to his association with an attempt to smuggle rocket parts into Egypt. This was strictly against the principals of the 1979 Peace Treaty, and adherence to the Treaty ultimately allowed Egypt to continue receiving its significant amounts of US aid. With Abu Ghazzaleh gone, Mubarak was able to take greater control of the military budget and arms purchases from the US. He used his power to promote a process of 'enclavisation', which focused on the retreat of the armed forces

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[185] Stanislav Andreski, 'Military Organisation and Society', Los Angeles and Berkeley: University of California Press, (1968), p. 2.
[186] Owen, Op. Cit. p. 184.

into areas which are largely cut off from civilian life. As of 2001 there were at least 17 military cities throughout Egypt established to isolate the military from the civilian population.[187] They attained and used their own hotels, sports facilities, clubs and retirement villas. What he achieved in doing this was further separating the military from civilian life, thus disconnecting their political embeddedness. Mubarak had the sole command of promotions to senior postings, so he strategically selected officers that he felt would remain loyal to him, and possibly support his planned successor Gamal Mubarak. This was necessary as the only political position the officers retained was the power of veto in Mubarak's choice of successor. One of the implications of his promotion of officers is that he alone promoted all of the members of the SCAF. This poses a set of concerns, as they were, at least at one point of time, loyal to Mubarak and institutionalised in his ways of leadership.

4.4.2 Egypt under Emergency Law

For much of Egypt's modern history it has operated under Emergency Law. Since the end of the Ottoman Empire and the invocation of the first State of Emergency at the beginning of WWI in 1914, Egypt has had only 19 years without a State of Emergency in force. Since the end of colonial rule and the evacuation of British and French forces from Egypt after the Suez crisis of 1956, Egypt has been under an almost constant State of Emergency. There have been a few brief gaps in this state, though they add up to four and a half years over a fifty-two year period. The 1956 State of Emergency was lifted for 40 months, but re-invoked in the wake of the six-day war against Israel. That state maintained until mid-1980, but was reintroduced 18 months later with the assassination of President Sadat. Since that point, Egypt has remained under emergency law, which has been policed and enforced by the Egyptian Governments most considerable branch of state, the military including the police and the CSF. The issue with the law is that it ultimately restricts civil liberties in the name of maintaining public order. Under the laws, political activity such as protests and demonstrations are heavily regulated, where any political gathering of five or more people required a permit, and opposition activists were frequently detained by security services. The Government has the right to imprison individuals for any period of time, and for virtually no reason, thus keeping them in prisons without trials

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[187] Hillel Frisch, 'Guns and Butter in the Egyptian Army', *Middle East Review of International Affairs*, 5, no. 2, (2001), p.3.

for any period. It also allows for the trial of civilians in military court.[188] The Egyptian Government used the claim that opposition groups, particularly the Muslim Brotherhood, could come into power in Egypt if the current Government did not forgo Parliamentary elections, confiscate the group's main financiers' possessions, and detain group figureheads, actions which would not have been possible without emergency law and judicial-system independence prevention. This is a key example of how Mubarak followed the Sultanistic regime model, where the President and his cronies not only sought to expand their personal power and wealth through the Office of the President (the real power in Egypt), but used the institutions of the state, particularly the military, in pursuit of these goals.

Pro-democracy advocates argue that this goes against the very principles of democracy, which include a citizen's right to a fair trial and their right to vote for whichever candidate and/or party they deem fit to run their country. Egypt is in violation of its obligations under Article Four of the International Covenant on Civil and Political Rights, as well as the rights which are required to safeguard the fundamental rights regarding Article Six – right to life, and Article Seven - prohibition against torture to mention just a few. In 2002 the Human Rights Committee stated that it was "disturbed by the fact that the State of Emergency proclaimed by Egypt in 1981 is still in effect, meaning that the State party has been in a semi-permanent State of Emergency ever since".[189] They called on Egypt to review the need to maintain the state; however, Mubarak stated that "the right of a State to declare a State of Emergency... is a principle recognised in every legal system".[190] The continued extension of the State of Emergency seeks to prove that while the Governments of Nasser, Sadat and most specifically Mubarak have attempted to portray Egypt as a democratic nation, at its core it was an authoritarian regime that relies on the military to suppress its citizens that pose threats to the regime.

4.4.3 Mubarak and the electoral process

Under the 1971 Constitution established by Sadat, authority is vested in an elected President who must stand for re-election every five years.[191] Up until 2005, this was not so much an

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[188] Jean Allain, 'International Law in the Middle East: Closer to power than Justice', Wiltshire: Antony Rowe Ltd, (2004), p.207.
[189] Ibid.
[190] Ibid.
[191] Jeremy M. Sharp. 'Egypt: 2005 Presidential and Parliamentary Elections', *CRS Report for Congress*, September 21, 2005. Retrieved November 11th, 2011 from: http://fpc.state.gov/documents/organization/54274.pdf.

election as a referendum on a single candidate; Egyptians were only able to approve or reject a candidate appointed by parliament, which was dominated by Hosni Mubarak's NDP. The Egyptian President appoints the cabinet, which generally drafts and submits legislation to the legislature, the People's Assembly (lower house) and the Shura Council (upper house). The People's Assembly has 508 members, 498 members elected for a five-year term by both proportional representation and single-seat constituencies, as well as ten members added by the President, typically to give a voice to Coptic Christians and women in Egypt. Elections to the People's Assembly take place in three phases by governorate with two separate days for the proportional and constituency elections, with runoffs 15 days later if needed.[192] The core role of the People's assembly is to debate legislation proposed by Government ministries and calls for amendments to Government sponsored bills but rarely initiates its own bills. The Shura Council has 264 members, 174 of which are directly elected and the remaining 90 are appointed by the President, giving him significant control over what the Government will look like, and allowing him to install those loyal to him rather than those that the public want. Council members serve six-year terms, with one half of their number being renewed every third year.[193] The Shura Council has modest legislative powers and must ratify treaties and Constitutional amendments. The Shura Council's legislative powers are limited; on most matters of legislation, the People's Assembly retains the last word in the event of a disagreement between the two houses. The powers that the President has to appoint the cabinet - adding ten members to the People's Assembly and ninety to the Shura council - makes it easy for them to potentially install a series of people that are loyal to the President and will in the interests of the regime rather than the state.[194]

The previous sections have established how the military became entrenched in Egyptian society and was in the position to take power of the nation and begin to safeguard their interests. This next section will focus on explaining the electoral changes Mubarak instituted, which shows the evolution of his position as the President that appeared to be an advocate for democracy in 1983, to a Sultan by 2000, where it was widely accepted that the elections were a farce. Understanding the electoral history under Mubarak is equally important to paint a picture of the

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[192] Jeremy Sharp, 'Egypt in Transition', *Congressional Research Service,* Washington, September 21, (2011), p. 1.
[193] Ibid.
[194] Tarek E. Masoud, 'Egypt' in *The Middle East*, ed. Ellen Lust, Washington DC: CQ Press, (2011), pp. 393 – 394.

political climate that the nation was operating in, and why the uprising took off so significantly in Egypt in 2011.

In Mubarak's early years as President he focused on portraying the guise of democracy, largely through rhetoric. He stated that "democracy is the best guarantee of our future" and that he had "no wish to monopolise decision-making"; he even declared his disapproval of long-term Presidential rule.[195] Several years later in 1987, however, he argued that democracy cannot be achieved overnight and that as a developing nation Egypt's priority was economic development: "If we cease economic activity and grant freedom...we consequently place people in an unstable state".[196] This drastic change in position demonstrated that he only operated under the guise of an advocate for democracy in the beginning of his presidency to legitimise his position and consolidate his power; though he soon began acting as a Sultanistic ruler. Goldstone explains that Sultanistic regimes are a specific type of dictatorship that arises when a national leader expands their personal power at the expense of formal institutions.[197] Mubarak achieved this when he cast aside the nation's democratic institutions and electoral process in exchange for retaining his position of privilege in the state. His actions were also illuminated by rational choice institutionalism, as it is clear that Mubarak was seeking to maximise his own material well-being, rather than what was necessarily best for the nation.

Mubarak's changes to the Egyptian political system began in 1983 with an amendment to the 1971 electoral law, where he established an entirely new system of representation. The system still favoured the NDP but left some scope for small official opposition and helped maintain the façade of democracy. It called for the creation of 48 large constituencies rather than the existing 195 smaller ones.[198] Parties that wished to stand in the election were only able to enter through offering lists in each constituency, which was designed to prevent an attempt to concentrate parties' limited resources on few constituencies where they would have most support. It also banned candidates from standing as independents in case people were allowed into the Assembly when their political affiliations were unknown by the Government. The then Prime Minister and key architect of these amendments Fuad Muhieddin explained that he did this so

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[195] Kassem, Op. Cit. p. 27.
[196] Ibid.
[197] Jack Goldstone, ' Understanding the Revolutions of 2011' *Foreign Affairs*, 90, no. 3, (2011), p. 8.
[198] Sharp, Op. Cit. p. 3.

'new men' would not be able to stand for election when "we [the Government] don't know them".[199] This was clearly a subversion of democratic principles, and this statement showed that the regime was no longer hiding behind the guise of democracy. 43% of the Egyptian population went to the polls that year with the NDP winning 73% of the votes.[200]

The 1983 election was riddled with administrative issues; registers were not kept up to date and many people were unable to find their polling stations. The opposition also made allegations of official interference in the results, and claimed that only one quarter of the polling stations had neutral observers.[201] In 1987 an earlier election was held as a result of a successful legal challenge to the ban on independent candidates, as it violated individual rights guaranteed by the 1971 Constitution. Mubarak realised that this threatened to undermine the legality of the Assembly, which he needed to re-elect him. So he altered the rules to allow one independent to stand in each constituency. He won 70% of the votes in this election, but faced the same allegations and criticism from opposition parties about ballot-stuffing and corruption.[202] As Owen explains, however, given that these claims were true, it cannot be taken to mean that if the elections were truly fair and open the NDP would have lost.[203]

Similarly to 1987, the 1990 elections were held early in response to a successful legal challenge about the prior one. The result was the return of two-member constituencies and the removal of all remaining barriers to independent candidates. There were also efforts by the opposition to lift the State of Emergency, which allowed for the banning of certain political parties and imposed considerable constraints on their activities during electoral campaigns. It was unsuccessful and led to a boycott by the Wafd party and all the members of the Socialist Labour, Socialist Liberal and Muslim Brotherhood alliance. This encouraged the regime to interfere more than ever in the election, and they engineered an exceedingly high victory by the NDP of over 90%.[204] The results were similar in 1995, where the NDP won 94% of the votes.[205] Part of the cause was the weakness of the opposition parties, who were not organised enough at this point to present candidates for half of the 444 seats in parliament, but also regime intervention was a

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[199] Owen, Op. Cit. p. 136.
[200] Ibid.
[201] Cook, Op. Cit. p. 81.
[202] Owen, Op. Cit. p. 137.
[203] Ibid.
[204] Sharp, Op. Cit. p. 13.
[205] Ibid.

key factor, which included the harassment and imprisonment of members of the Muslim Brotherhood who posed a threat to the regime's seats.

At this point, for all intents and purposes Egypt became a one-party state that still sought to maintain the guise of democracy, but with election 'victories' as high as they were in the 1990s, it was clear they were not trying too hard to make it seem legitimate. Mubarak announced parliamentary elections for 2000, and he pledged to uphold a Supreme Constitutional Court ruling calling for judicial supervision of elections. Although the 2000 elections were the first to be supervised by judges, and by most accounts more credible than the 1990 and 1995 elections, there were still widespread arrests of Muslim Brotherhood candidates and supporters, as well as intimidation of voters outside polling stations.[206] Surprisingly, the NDP seemingly suffered an embarrassing defeat at the hands of independent candidates, who secured more than half of the 444 seats up for election against the NDP's 39%.[207] However, 181 of the independents were "NDP independents" – members who had run in the elections despite not having received the party's nomination. These 181 independents and an additional 35 actual independents joined the NDP after winning, giving the party a combined 88% parliamentary majority.[208] The poor performance of the NDP in the 2000 parliamentary elections afforded Mubarak's son Gamal Mubarak an opportunity into party politics. His mother and father had allegedly been grooming him to take over the presidency in the mid-term, and this was an excellent opportunity to get involved and become known within the political arena. His most significant work was his proposed overhaul of the NDP in an effort to make it look and function more like a modern political party rather than a tool for recruiting support for the regime in exchange for Government patronage.

In 2005, Mubarak opened the elections up, taking the radical step of allowing the first multicandidate elections for the presidency, though the outcome was an exceedingly high 88.6% for Mubarak.[209] Under the law change, parties proposed candidates for the election, which were reviewed by the Presidential Election Commission. Of the 30 proposed candidates, only 10 were

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[206] Ibid.
[207] Ibid.
[208] Ibid.
[209] After the September 11, 2001, terrorist attacks and the ensuing U.S. focus on promoting democracy in the Middle East, the Mubarak regime came under increasing U.S. pressure to accelerate political reforms and make Egypt more democratic. In an effort to control the reform agenda without relinquishing their grip on power, Mubarak and the ruling National Democratic Party (NDP) instituted some political reforms, while emphasising the need for economic growth as a precondition for democratic change.

allowed to participate.[210] Mubarak's key opponent, Ayman Nour of the Tomorrow Party officially received 7.3% of the vote and Numan Gumaa received 2.8%, however Nour claimed that prior polling results showed that he had received over 30%.[211] Nour, along with others, accused the Government of not using indelible ink to stamp the hands of voters, which allowed voters favouring Hosni Mubarak to remove stamps and return to vote again. Indelible ink was used only in major boxes, while non-permanent ink was used in many other boxes, and there were rumours of certain voters that had no ink at all which would make voter fraud even less difficult.[212] Turnout figures from 2005 have been hotly contested, with the NDP claiming that it was 52%, and a group of Egyptian judges that oversaw the process claiming it was closer to 5% in reality.[213]

Nour also alleged that there was widespread vote-buying, a charge supported by the Egyptian Organisation for Human Rights. The organisation, while supporting Nour's claims, has stated that the irregularities were insufficient to require a rerun of the election.[214] Other criticism of the election process has centred on the process of selecting the eligible candidates, and on alleged election-law violations during voting. Egypt's largest Islamic group, the Muslim Brotherhood, was not permitted to field a candidate for the election because the organisation is still banned by the Government, which prohibits political parties with a stated religious agenda. The Brotherhood had not backed any of the other candidates, but they encouraged Egyptians to go to the polls and vote for anyone other than Mubarak.[215] The December 2010 elections were markedly similar to the 2005 round, with the NDP winning 81% of the votes. A handful of seats went to the Wafd party, but the Muslim Brotherhood was completely shut out receiving no seats.

Overall, analysts considered Egypt's legislative branch to be weak. The ruling party constituted an overwhelming majority, suffrage is universal and compulsory for every Egyptian citizen over 18, and failure to vote can result in fine or even imprisonment. In spite of these regulations, only about 32 million voters were registered as of 2004, which was approximately 40% of the total

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[210] Sharp, Op. Cit. p. 12.
[211] Ibid.
[212] Owen, Op. Cit. p. 136.
[213] Ibid.
[214] Ibid.
[215] Mariz Tadros, 'Egypt's Election All About Image, Almost,' *Middle East Report Online*, September 6th, 2006.

population.[216] Based on low voter turnout in recent elections, almost no choice on Presidential candidates and perceived corruption within the electoral office, there has been a strong lack of public confidence in the Parliament and the electoral process. Through the ongoing extension of the Emergency Laws, arrests and detainment of political opponents for questionable reasons, Mubarak's landslide victories in 'democratic' elections,[217] combined with the massive personal wealth the family has built up,[218] the Egyptian people were aware that they were under the leadership of an authoritarian dictator that used the military to support his position. They generally had no faith in either the corrupt Government or its façade of an election process.[219] These factors support the notion that Mubarak's rule was, in fact, a Sultanistic regime.

The Capitalist theory of the state illuminates the contemporary Egyptian political system as it is a nation that has both abject poverty and extreme wealth. Capitalist theory suggests that the state cannot be understood separately from the economic structure of society, and thus not as a neutral arbiter or umpire. It views the state not as an instrument used by a particular group, but rather as a dynamic entity that reflects the balance of power within society at any given time.[220] This has been the case in Mubarak's Egypt, where the control and distribution of economic resources gave the regime the opportunity to control most of Egypt's public and private economic activity. Blaydes' work on Egypt follows this as she argues that Egypt has a series of political and economic ties between the regime and the elite. This of course is not specific to Egypt, but the level of connection between these spheres is very significant in this case; it has shaped the nation and has both partially caused and heavily influenced the events of 2011. She explains that in Egypt, members of the elite that operate in bureaucratic channels seek political appointment to high-level positions that afford them influence and opportunities for rents.[221] Beattie expands on this point explaining that since the 1970s period of economic liberalisation, a class of "parasitic capitalists who sought ties to the state to improve their economic fortunes"[222]

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[216] Ibid.

[217] Joshua A. Stacher, 'Parties Over: The Demise of Egypt's Opposition Parties', *British Journal of Middle Eastern Studies*; 31, no. 2, (2004), p19; Mona El-Ghobashy, 'The Metamorphosis of the Egyptian Muslim Brothers', *International Journal of Middle East Studies*, 37, (2005), p375.

[218] For instance, President Mubarak and his family reportedly built up a personal fortune of between $40 and $70 billion USD, and 39 officials and businessmen close to his son Gamal are alleged to have made fortunes of over $1bn US each. Goldstone, p. 11.

[219] Heywood, Op. Cit. p. 379.

[220] Heywood, Op. Cit. pp. 379 – 386.

[221] Lisa Blaydes, 'Authoritarian Elections and Elite Management: Theory and Evidence from Egypt'. *Paper for the Princeton University Conference on Dictatorships,* (2008), p. 5.

[222] Kirk Beattie, 'Prospects for democratization in Egypt', *American-Arab Affairs*, 36, 1, (1991), p. 36.

emerged and the NDP has remained a "steering committee of Egypt's private sector".[223] The result of this is the extreme imbalance of wealth currently found in Egypt. At the time of Mubarak's ousting, it was estimated his family had a net worth of approximately US$70 billion, more than enough to pay off the nations US$32 billion in foreign debt.[224] [225] In fact, as of 2005, the highest 10% of earners controlled 27.6% of the nation's wealth, in contrast to the lowest 10% of Egypt's earners which controlled around 3.9% of it.[226] The figures on the proportion of this controlled by the military's elites is unknown, though it is generally accepted that the uniformed elites of Egypt make up a significant portion of this top 10%.[227] As of 2010 approximately 20% of the population were living below the poverty line.[228]

4.5 Conclusion

All three leaders' reigns can be summarised by their vision, or lack there of. Regardless of its outcome, Nasser had a vision of a strong, socialist Egypt which focused heavily on nationalism and pan-Arabism. Though these policies did not strengthen the position of Egypt, it was a vision he worked to achieve. Sadat had a vision of a liberal, capitalist Egypt with strong connections to the West, and an end to the conflict with Israel. He also achieved these goals, undoing Nasser's socialist policies and turning Egypt into America's second largest donor nation, only behind Israel. Mubarak's reign cannot be characterised by any obvious vision. As far as the Egyptian state is concerned, he largely maintained the status quo established by Sadat during his 29 years in office. He advanced his own personal interests, securing a massive wealth for himself, his family and those he wished to support. It could be argued that the President's ability to change the Constitution and remain in power for lengthy periods of time was the fundamental cause of Egypt's governmental problems. The way in which Nasser redesigned the Constitution to provide himself almost ultimate power over the nation changed the political character of the

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[223] Robert Bianchi, 'Businessmen's Associations in Egypt and Turkey', *Annals of the American Academy of Political and Social Science*, 482, (1985), p. 15.

[224] Simon Moss, 'Egypt's Stolen Billions', Global Poverty Project, 17 February, 2011. Retrieved 12 January 2012 from: http://www.globalpovertyproject.com/blog/view/321.

[225] Phillip Inman, 'Mubarak Family Fortune Could Reach $70bn, Says Expert', The Guardian Online, February 4th, 2011. Retrieved 13 January 2012 from: http://www.guardian.co.uk/world/2011/feb/04/hosni-mubarak-family-fortune.

[226] CIA World Factbook, 'Egypt'. Retrieved from: https://www.cia.gov/library/publications/the-world-factbook/geos/eg.html, November 11th, 2011.

[227] Marwa Awad, 'Special Report: In Egypt's Military, a March for Change', Reuters Online, April 10th, 2012. Retrieved April 12th, 2012 from: http://www.reuters.com/article/2012/04/10/us-egypt-army-idUSBRE8390IV20120410.

[228] Ibid.

nation. It gave Sadat and Mubarak the chance to come to power, and retain control of the state institutions. It was not long for any of the Presidents before complacency and corruption came to define their legacy. Sadat and Mubarak found ways in which to give the guise of democracy, and maintain relations with Israel enough so that the United States would continue to provide massive amounts of aid money and ultimately look the other way to their undemocratic policies.

For much of its modern history, Egypt has flirted with the notion of democratic governance, but since 1952 the country has ultimately been under the rule of an authoritarian regime with strong support from the military. The crucial part of the President and their party's ability to remain in power and act in the capacity of a Sultanistic regime came from their control of, and therefore support from the military, which acted as guardians of the regime throughout these three reigns until 2011. All three leaders' reigns can be framed around rational choice institutionalism. They all used the state institutions at the expense of the nation in the quest to maximise their own material interests. Egypt's three Presidents all sought to deeply entrench the Egyptian military in all aspects of Egyptian politics to maintain control over the nation. Nasser and Sadat had significantly different political aspirations, but they both required the military to support their positions as President. Nasser achieved this by creating a series of officer-politicians to rule over the state institutions at first, and later attempted to separate the military and political spheres. Sadat, on the other hand kept different branches of the military command separate, and cut the military's presence in state institutions down in order to prevent them from gaining too much power and posing a *coup d'état* threat to him. When Mubarak came to power, he re-bolstered the military's presence in society and began the era of the military's significant involvement in the Egyptian economy. By having the military operate as businesses that gained revenue, he was able to justify maintaining such a massive military force in times of peace. However, the large military served as the power behind the throne and appeared to act as the guardian of the regime rather than the state. It was in 2011 that this position changed. Mubarak's greatly amassing wealth in the light of Egypt's growing social issues, as well as the choke-hold the military had on society through the Emergency Laws, and their position of privilege within the state were the catalysts that set off the massive uprisings in Egypt in 2011.

Chapter 5: The Arab Spring

To understand the actions of the Egyptian military during and after Egypt's uprising, it is necessary to explore the actors involved and events that took place in Egypt between January and February 2011 in detail. In doing so, the military's role becomes clear. The most interesting point that arises from this is the reversal made by the Egyptian military. They initially operated as guardians of the regime, although they refused to follow orders that would have hurt the protesters. After a week and a half, they began acting in the capacity of guardians of the state, ousting President Mubarak. They then moved on to acting as the guardians of their own material interests, seeking to maintain their position of privilege in the Egyptian state. Rational choice institutionalism helps to understand this turn of events as it maintains that institutions shape strategies, choices, and political behaviour, as well as the expectations that rational actors have regarding the behaviour of other actors that are conditioned by the institutional environment. Initially, the military institution sought to impose constraints on political actors by officially supporting the regime and attempting to quell the protests, which it was obliged to under the 1971 Constitution. Later, it conversely offered opportunities for political actors when it switched its support to the protestors and led the deposition of Mubarak. Rational choice institutionalism also offers an explanation of the path that the military has since taken in pursuit of attempting to maintain its position of privilege in the Egyptian state. This Chapter will begin with an investigation into the events that took place in the uprising, followed by an examination of the role that the military and the SCAF has taken both during the uprising preceding the fall of Mubarak and in the year that has passed since his ousting. It will analyse the actions of the SCAF during the 2011 Egyptian uprising, showing that it acted as guardian of the regime first, and then the state, and then changed focus to maximising its own material interests.

The uprising in Egypt was part of a wider movement in the Middle East. The Arab Spring began on the 17th of December, 2010, after Mohammed Bouzazi, a Tunisian street vendor, committed self-immolation in protest of the confiscation of his wares and the harassment and humiliation that was reportedly inflicted on him by a municipal official and her aides. His act became a catalyst for the Tunisian Revolution, inciting demonstrations and riots throughout Tunisia in protest of social and political issues in the country. These protests inspired the movement that spread throughout the Arab World. On Tuesday the 25th of January 2011, two weeks after

Tunisian President Ben Ali's ousting, popular protests began in Cairo's Tahrir Square. The uprising was mainly a campaign of non-violent civil resistance which featured a series of demonstrations, marches, acts of civil disobedience, and labour strikes. Grievances of Egyptian protesters were focused on legal and political issues including the hated Emergency Laws, lack of meaningful elections, political oppression, rampant corruption, the probable succession by Mubarak's son Gamal, and the police brutality that took place in Alexandria.[229] They were also based around economic issues including high unemployment, food price inflation, and low minimum wages.[230] However, in spite of the various issues the Egyptian people faced, the primary demand from protesters was the end of Hosni Mubarak's military-supported regime. Many believed that once legitimate democratic elections occurred, the elected Government would work to resolve the grievances facing the Egyptian people, particularly ending the Emergency Laws that had plagued the nation since the end of World War II.

The effect of these demands, if resolved, would be to limit the military's power within Egyptian society. All of this was coordinated to make fundamental changes to Egypt on the institutional level. The protesters' wishes can be framed by historical institutionalism. They hoped to set Egypt's development on a new path by removing the Sultanistic ruler and his regime that represented corruption and oppression. They also envisioned limiting the military's control over state institutions and society. Finally, they hoped to break with history and establish legitimate democratic representation and civilian control over the nation for the first time.

Unlike in Tunisia, there is no one person to attribute the beginning of the political movement in Egypt to. However, there were several people whose actions were recognised as both catalysts at the start of the uprising and provided momentum throughout the movement. Two of the people most commonly cited for organising events through social media that mobilised the protesters were Wael Ghonim and Asmaa Mahfouz. Ghonim founded a Facebook page in 2010 titled 'We Are All Khaled Said', which gave recognition to a young Egyptian who was earlier tortured to death by police in Alexandria. The page generated a significant amount of followers, meaning Ghonim was able to reach a wide audience through it. He developed an event entitled: (translated) 'January 25: Revolution against Torture, Corruption, Unemployment and

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[229] Amira Al Hussaini, 'Egypt: A List of Demands from Tahrir Square' 10 February 2011. Retrieved 20 February 2011 from: globalvoicesonline.org/2011/02/10/egypt-a-list-of-demands-from-tahrir-square/.
[230] Ibid.

Injustice'.[231] The invitation received widespread attention with hundreds of thousands sharing the invitation and responding that they would attend. Ghonim was modest about his role in the revolution, claiming that it could not be attributed to any single person. He made an appearance on the current affairs television show 60 Minutes, where he stated:

> Our revolution is like Wikipedia, okay? Everyone is contributing content, [but] you don't know the names of the people contributing the content. This is exactly what happened. Revolution 2.0 in Egypt was exactly the same. Everyone contributing small pieces, bits and pieces. We drew this whole picture of a revolution. And no one is the hero in that picture.[232]

At the same time, 26 year-old Asmaa Mahfouz, a Business Administration graduate was instrumental in sparking the protests. In a video blog she urged the Egyptian people to join her on the 25th of January in Tahrir Square to bring down Mubarak's regime. She stated: "as long as you say there is no hope, then there will be no hope, but if you go down and take a stance, then there will be hope."[233] Mahfouz's messages went viral and the accompanying Facebook group set up for the event attracted 80,000 attendees.[234]

Many political movements, opposition parties, and public figures supported the day of revolt. Political movements who were involved included the Youth for Justice and Freedom, Coalition of the Youth of the Revolution, the Popular Democratic Movement for Change, and the National Association for Change. The 6 April Youth Movement organisation, of which Mahfouz was a member, was a major supporter of the protest and distributed 20,000 leaflets saying: "I will protest on 25 January to get my rights".[235] Several opposition political parties including the Ghad, Karama, Wafd and Democratic Front also supported the protests. The Muslim Brotherhood, Egypt's largest opposition group, was particularly active both in their participation and in their mobilisation of protesters, encouraging people to attend after Friday prayers.

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[231] Charles Levinson, Margaret Coker and Jay Solomon, 'How Cairo, U.S. Were Blindsided by Revolution'. *The Wall Street Journal*, February 2nd, 2011. Retrieved November 1st, 2011 from:
http://online.wsj.com/article/SB10001424052748703445904576118502819408990.html.
[232]Nancy Ghonim: 'Our Revolution is like Wikipedia' February 14th 2011. Retrieved November 10th, 2011 from:
http://techPresident.com/blog-entry/ghonim-our-revolution-wikipedia.
[233] Mona El-Naggar, 'Equal Rights Takes to the Barricades' 1 February 1st, 2011. Retrieved September 3rd, 2011 from:
http://www.nytimes.com/2011/02/02/world/middleeast/02iht-letter02.html?_r=2.
[234] Ibid.
[235] Heba Afify, 'Activists hope 25 January Protest will be start of 'something big'' Almasry Alyoum, English Edition online. January 24th, 2011. Retrieved October 10th, 2011 from: http://www.almasryalyoum.com/en/node/304368.

Strikes by labour unions added to the pressure on Government officials. Egypt's movement was largely conducted by young, educated, cosmopolitan Egyptians who organised themselves through social media – primarily Facebook and Twitter. Several Egyptian public figures also attended including novelists, writers and actors.[236]

One of the most politically influential and identifiable people involved in the protests was former Presidential candidate Mohammed El Baradei. El Baradei is a Nobel-Prize winner, former head of the International Atomic Energy Agency (IAEA), and an Egyptian law scholar and diplomat. On January 27th, 2011, he returned to Egypt amid ongoing turmoil and declared himself ready to lead a transitional Government if that was the will of the nation, saying: "If [people] want me to lead the transition, I will not let them down."[237] El Baradei arrived in Tahrir Square to join thousands of other protesters and spoke directly to the people, stating that they "[had] taken back [their] rights" through starting this movement and that there was no going back.[238] A number of Egyptian political movements called on El Baradei to form a transitional Government and he was mandated by the Muslim Brotherhood and four other opposition groups to negotiate an interim 'National Salvation Government'.

El Baradei's potential appointment as President was controversial because of the long periods that he has spent outside the country, although his international work was also seen as recognition of the importance of various Western nations' support of the revolts because of the relationships he had built with many Western Governments as President of the IAEA. On January 14th, 2012 El Baradei announced he would no longer be running as a Presidential candidate, explaining it was because "the former regime did not fall."[239] He stated that the SCAF that took power in the name of the revolution had instead proved to be an extension of the Mubarak government, and that his "conscience does not permit me to run for the presidency or any other official position unless it is within a real democratic system."[240] The SCAF never made any comment about El Baradei dropping his candidacy; however it is fairly likely they were pleased

[236] Ibid.
[237] Mark Memmott 'El Baradei Back In Egypt; Says It's Time For A New Government'. *National Public Radio*. January 27th 2011. Retrieved November 14th 2011 from: www.npr.org/blogs/thetwo-way/2011/01/27/133275390/el-baradei-back-in-egypt-says-its-time-for-a-new-Government.
[238] David D. Kirkpatrick, 'Nobel Laureate Drops Bid for Presidency of Egypt', *The New York Times,* January 14th 2012. Retrieved February 2nd, 2012 from: http://www.nytimes.com/2012/01/15/world/middleeast/mohamed-elbaradei-pulls-out-of-egypts-Presidential-race.html?_r=2&hp.
[239] Ibid.
[240] Ibid.

to have him out of the way. Some analysts have explained his actions were not based around the SCAF's position, but rather because of the polls, which showed many Egyptians harboured doubts about him and his ability to lead.[241]

The support El Baradei had as a Presidential candidate and the willingness of various political organisations to negotiate with him indicated the Egyptian people's general wish for a change in civil-military relations. For the past 60 years, Egypt's civilian institutions and social life has remained under military control. However, if a non-uniformed candidate such as El Baradei was to be successful in becoming President, it would mark Egypt's first leader that had no strong military background since the Free Officers Movement overthrew the monarchy in 1952. This would be significant: the previous leaders have all come from a military genesis, which largely explains why the military has been afforded such a position of privilege among the other state institutions.

If a non-uniformed candidate was successful, it is likely that one of their first priorities would be disentangling the military's involvement with, and control over the institutions of the state. The civilianised Government would have little choice in this matter, and be forced to extricate the military, which has been such a significant part of the Egyptian state for sixty years, from society. The reasons can be illuminated using a principal-agent model: the military (the agent) is not likely to comply with the commands of the civilian Government (the principal).[242] Problems occur between the principal and the agent when there is an asymmetric distribution of information which favours the agent and enables the agent to pursue its own interests and engage in opportunistic behaviour at the cost of the principal's interests.[243] This is a key issue Egypt's government and SCAF may end up facing – though the Parliament has been democratically elected, many members of the SCAF have established a series of political connections domestically and internationally during their careers, and it is possible that these relationships would result in the SCAF gaining more information than the lesser known members of the Government.

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[241] David D. Kirkpatrick, 'Nobel Laureate Drops Bid for Presidency of Egypt', *The New York Times,* January 14th 2012. Retrieved February 2nd, 2012 from: http://www.nytimes.com/2012/01/15/world/middleeast/mohamed-elbaradei-pulls-out-of-egypts-Presidential-race.html?_r=2&hp.

[242] Peter Feaver, 'Civil-Military Relations', *Annual Review of Political Science*, 2, (1991), 216.

[243] John Harris, 'Institutions, Politics and Culture: A Case for 'Old' Institutionalism in the Study of Historical Change', in *Understanding Change, Models, Methodologies and Metaphors*. Ed. Andreas Wimmer and Reinhard Kossler. Hampshire and New York: Palgrave Macmillan, (2006).

This tension that would likely arise connects to rational choice institutionalism, where the principal and the agent can both be viewed as self-interested parties that will seek to maximise their material goals, rather than independently work toward the common good. In Egypt, there are a multitude of points that the civilian and military spheres would be likely to remain conflicted on such as foreign policy, the military's economic activities, the size and scope of the armed forces, and the budget afforded them. There is not likely to be room for bargaining between them. Rational choice institutionalism views actors (individuals and organisations) as self-interested parties who engage in "a highly sophisticated strategic calculus and institutions as the product of this rational thinking" that seek to maximise their material well-being.[244] Rational choice institutionalists see politics as a series of collective action dilemmas – instances when individuals acting to maximise the attainment of their own preferences are likely to produce an outcome that is collectively sub-optimal.[245] Typically, what prevents the actors from taking a collectively-superior course of action is the absence of institutional arrangements that would guarantee complementary behaviour by others.[246] In Egypt, the goals of the SCAF and the Government at their core will diverge. They may agree on some aspects of policy, but the SCAF's focus on self-preservation will not be in line with the Government's goal of disentangling the military from Egyptian society; even if they do allow the military to maintain a majority of its benefits it simply cannot allow the SCAF to stay in power. With the tensions that this brings communication between the parties will likely be low and restrained, and both parties could make a series of sub-optimal decisions to maximise their own material well-being at the expense of the institutions of the state.

As a result of the growing pressure amassing from the protests, on the 11th of February 2011 Vice President Omar Suleiman announced that Mubarak would be stepping down as President and turning power over to the Supreme Council of the Armed Forces.[247] The military junta, headed by effective Head of State Mohammed Hussein Tantawi, released Communiqué number four on the 13th of February in which they announced that the Constitution would be suspended, both houses of Parliament dissolved, and that the military would rule for six months

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[244] William Riker, 'Implications from the Disequilibrium of Majority rule for the Study of Institutions', *American Political Science Review*, 75, (1980), p. 436.

[245] Taylor and Hall, Op. Cit. p. 943.

[246] Ibid. p, 946.

[247] Al Jazeera Live blog, February 12th, 2011. Op. Cit.

until elections could be held.[248] It also pledged that Egypt would remain committed to all international treaties, meaning it had every intention of remaining cooperative to the 1979 treaty with Israel which would ensure US support for the SCAF.[249] The prior Cabinet, including Prime Minister Ahmed Shafik, was to serve as a caretaker Government until a new one was formed. However, Shafik resigned on the 3rd of March, 2011, the day before major protests to get him to step down were planned. He was replaced by Essam Sharaf, the former Transport Minister. Sharaf had served as Egyptian Minister of Transportation from mid-2004 until the end of 2005. He resigned due to differences between him and then Prime Minister Ahmed Nazif. Following his resignation, Sharaf remained a vocal critic of Mubarak and the NDP. Sharaf was present and active during the 2011 uprising, which endeared him to the leaders of the Democratic Alliance and led them to suggest his name to the Military Council as a possible replacement for Shafik. The replacement of Shafik with Sharaf was significant as it signalled a key change in the institutional environment of Egypt - the politicians that were legacies of the NDP were replaced by opposition members.

With the handover of power to the SCAF, the military institution also became the ruling regime of the state rather than its historical role as key, entangled institution. Historical institutionalism asserts that institutions shape actors' strategies, and that preferences and goals are also affected by institutional frameworks. It also stresses the idea that power is central to politics, and that power relationships are a key engine of social and political outcomes. These power relationships are structured by institutions and, therefore, struggles for power follow different patterns and produce different outcomes, partly as a result of institutional factors. With the military acting as guardians of the state, as well as filling the role of the Governmental regime, it inherently has a significant influence on the institutional environment of Egypt. It asserted this influence through its dissolution of Parliament, changes to the electoral system, and its attempted reconstruction of the Constitution of Egypt.

March and Olsen explain that a key characteristic of institutions is their logic of appropriateness. If an institution is effective in influencing the behaviour of its members, those members will think more about whether an action conforms to the norms of the organisation than about what

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[248] Lisa Anderson, 'Demystifying the Arab Spring', *Foreign Affairs*, 90, no. 3, (2011), p. 3.
[249] Al Jazeera Live blog February 12th, 2011. Op. Cit.

the consequences will be for themselves. While institutions shape the behaviour of individuals, individuals are also able to form and reform institutions.[250] With regard to the Egyptian military, the SCAF as an institution have sought to influence the behaviour of the larger military to maintain their loyalty and prevent an internal revolution; the military as a larger institution has sought to reform the institutions of the state by further entrenching themselves in politics to the point that they are able to maintain their position of privilege.

5.1 The role of the Egyptian military and the SCAF in the 2011 uprising

The military played a significant role in the Egyptian revolution. At the first signs of the protest's beginnings, Mubarak and his Government had the police and the Central Security Forces on the ground in Tahrir square. Their job was to attempt to quell the protests and send the people home; however, it was not long before they were overrun. The CSF was accused of leading a campaign of violence and has been blamed for causing many of the deaths and injuries that occurred during this time.[251] In the initial days of the protests, the police and CSF used tear gas and water cannons to attempt to disperse the crowds, witnesses even claimed they fired live ammunition into the air to scare people.[252] The protesters fought back by picking up rocks and broken bits of pavement to throw at the forces, resulting in the deaths of several police and security officers.[253] On February 2nd, Mubarak's loyalists and security detail unleashed extensive violence on the protesters and ultimately destroyed the small amount of legitimacy his regime still had with the people. Actions that day let to 1,500 people being injured and at least three deaths.[254] It was alleged that this happened because the CSF allowed thousands of pro-Mubarak supporters armed with sticks and knives to enter the square. They further alleged that the pro-Mubarak supporters were hired thugs paid by the regime – called the *Baltagiya* – to cause

[250] James B. March and Johan P. Olsen, 'Rediscovering Institutions: The Organisational Basis of Politics', New York: Free Press, (1989).
[251] Ibid.
[252]'Timeline- Egypt's Revolution' Al Jazeera, February 14th, 2011. Retrieved February 20th, 2011 from:
http://www.aljazeera.com/news/middleeast/2011/01/201112515334871490.html
[253] Ibid
[254] Ibid

violence and instability within the crowds, with the hopes that they would then focus on turning on each other rather than the regime.[255]

In early February, the presence of Egypt's CSF was gradually replaced by more restrained military troops in a decision made by Mohammed Tantawi and his Generals. It is important at this point to again distinguish the CSF from the Egyptian military. The CSF is loyal to Mubarak and led a violent campaign against the protesters in the initial days before the President was ousted. The military and the Egyptian police, however, acted throughout as a source of security that generally avoided violence. For the first two and a half weeks of the uprisings, Egypt's military elites waited to see how the situation would unfold until it could accurately determine which side it should be on to maximise its benefits. Soldiers were ordered to use live ammunition and to shoot at the protesters if necessary, but the army refused the order on the grounds that its role was as the guardian of the state, not the regime.[256] The military never sought to prevent the 'illegal' demonstrations and they never meaningfully enforced the Government imposed curfew, although some army units did detain protesters and enabled the police to assault them.[257]

On February 2nd, the military stated that it supported the protesters' 'legitimate demands' and would not use force against the people.[258] This statement marked a significant turning point in the revolution – if Mubarak ever had any hope of clinging on to power it was now dashed. The ruling regime had officially lost the support of the military, and it was likely that the military would now be instrumental in his ousting. This was a difficult time for both Mubarak and the military. Mubarak had built himself a Sultanistic empire – he had accumulated himself, his family and those around him massive wealth. He had remained in power for almost three decades and he had hoped to pass his Presidency on to his son, Gamal Mubarak.[259] The uprising was more complicated for some members of the armed forces, as Acemoglu, Ticchi and Vindingi explain. Soldiers are often conflicted as they realise that when the opportunity arises, democracy will

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[255] Leela Jacinto, 'Enter the Baltagiya: How Mubarak's Security Forces Intimidated Opposition for Decades by Using Hired Thugs', Al Jazeera: Cross-Cultural Understanding. February 9, 2011. Retrieved August 11th, 2011 from: http://www.aljazeerah.info/News/2011/February/9%20n/Enter%20the%20Baltagiya,%20How%20Mubarak%27s%20Security%20Forces%20Intimidated%20Opposition%20for%20Decades%20by%20Using%20Hired%20Thugs.htm.
[256] 'Timeline- Egypt's Revolution' Al Jazeera, February 14th, 2011, Op. Cit.
[257] Ibid.
[258] Egyptian military spokesman Ismail Etman's address to the nation, state television, Cairo, 31 January 2011.
[259] Ibid.

reform the military meaning a reduction in their budget.[260] This was all the more challenging for the lower-ranking soldiers that were operating as the force behind the military elite; they had to make a decision to support either the state or the regime. They faced a catch-22: as public citizens it is likely that many would prefer an alternative to authoritarian rule because of the development and equality that democracy entails; however, it would result in the military reducing their rents and thus the loss of the some of the permanent forces' jobs, although those facing the prospect of conscription may welcome any lessening of military duty. Although details have not emerged, it is fairly clear the military leadership understood that many soldiers would simply refuse orders to violently defend the regime and quell the protests, so the military elite turned on Mubarak in order to maximise their hold on the SCAF and institutional unity.

It was clear from the military's actions and inactions that the soldiers would not defend the regime. The military believed in the protesters' cause or at least in their own individual and collective self-interest, and saw no benefit in allowing the campaign of violence to continue. They knew that Mubarak's mix of concessions [261] and repression had failed, and felt that rising violence and disorder would only hurt the military's legitimacy and influence.[262] They remained in Tahrir Square during the uprising acting as security and even support for the protesters. Helicopters monitored the protests and fighter jets repeatedly flew low over Tahrir Square, although it did not have the intimidating effect that the regime had hoped for. After the first pass of the two Egyptian Air Force F-16s the crowd cheered and subsequent passes triggered louder chants, as well as laughing and waving. Meanwhile, the highest ranking officers were seeking ways to advance the military's position in the Government and, as soon as the chance arose, the Generals seized the opportunity to oust Mubarak.

On February 10th the Supreme Council of the Armed Forces (SCAF) assumed control of the country and, the next day, persuaded a reluctant Mubarak to resign and head for internal exile.[263] Barany explains there were three key reasons they had to push him out: first, they greatly disliked his son Gamal, a businessman with a series of associates that extensively exploited his family's status and his Governmental position in order to profit monetarily. If he

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[260] Acemoglu et al. Op Cit. p.2.
[261] (agreeing not to seek re-election or have his son succeed him)
[262] Barany, Op. Cit. p. 32.
[263] Amin Saikal 'Authoritarianism, revolution and democracy: Egypt and beyond' *Australian Journal of International Affairs*, 65, no. 5, (2011).

were to succeed his father, many Egyptians felt that he would take Mubarak's Sultanistic regime to a much deeper level, further exploiting the nation. Secondly, they felt the continuation or expansion of such a regime could result in increased youth alienation and even perhaps the spread of radical Islam. Finally, as Acemoglu et al. also assert, the Generals' understood as Egyptian citizens the soldiers were tired of the deeply corrupt thirty-year rule by a man who continued to pass privileges to a large police and security apparatus to maintain his own position.[264] Though it had positive effects for the military institution and secured their employment, it held the nation's development back and resulted in oppression and corruption. The Egyptian army, particularly its conscripts, has intrinsic ties to civil society meaning that it was unlikely that the soldiers would have shot at the protesters, even under order.[265]

It is not entirely surprising that the Generals' took this position, and rational choice institutionalism offers a good framework for understanding why they acted in such a manner. The military had previously acted both as an institution deeply entangled in most aspects of Egyptian political and social life for almost 60 years as well as an institution intent on maximising its material well-being. It was understood by the SCAF that if the military chose to support Mubarak, it would lose legitimacy in the eyes of the Egyptian people and was likely to have to violently confront the protestors. A better option for the military was to oust Mubarak, appear to be the guardians of the state, and continue in their position of privilege for the short- to mid-term in Egypt. Historical institutionalism also points to a way of understanding the significant events that divert development along a new path. At this point, it is clear that the actions of 2011 diverted Egypt's path of continuing the regime through the succession of Gamal Mubarak to a new course which saw the SCAF gain governmental power. Though its long-term new path is still undetermined, the actions of the regime and the military as institutions, alongside the popular protests, have very clearly given the nation a new trajectory.

5.2 The SCAF after the honeymoon period

The SCAF has been in a difficult position since assuming power. It is fundamentally a military council, with no experience or qualifications to act as a Government, though it has taken on the

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[264] Acemoglu et. al. Op. Cit. p.2.
[265] Barany, Op. Cit. pp. 28-29.

leadership role and as time passes it is becoming clear that it is not equipped for this position. Since February 2011, it has sought to act as an arbiter of Egyptian politics and a source of guidance in to the 'new' Egypt. It has had to balance the competing forces of youth revolutionaries and Islamists against each other, all the while vying for the support of the rest of the Egyptian population. It has provided demonstrators with symbolic actions to meet their calls for justice and accountability; notably, it has arrested many former regime officials and corrupt businessmen. It also allowed for Mubarak and his two sons to be arrested and put on trial, and froze their enormous wealth. Mubarak appeared in court in August 2011 on charges of malpractice including responsibility for the killing of almost 1,000 protestors during the Arab Spring. This was a defining moment in Egyptian history, which witnessed the first time an Arab leader had been publicly tried and held accountable for their actions, and been humiliated by his people. This action was significant, as some of the military officers that comprise the SCAF were appointed by Mubarak and it is possible that some wanted to remain loyal to him or at least see him no harm. The SCAF's actions exemplified its commitment to hearing the calls of the protesters and holding the President accountable for the state he left the country in.

The SCAF has also established a civilian Transitional Government, set up a commission to amend the Egyptian Constitution, ratified a referendum on 19 March 2011 which limits the duration of presidency to two four-year terms (it gained 77% of votes cast), and dissolved the parliament and the National Democratic Party.[266] The SCAF upheld their commitment to holding democratic parliamentary elections which were conducted between December 2011 and January 2012. They even liberalised laws governing the formation of political parties, leading to the formation of new groups including the Freedom and Justice Party which won the most seats in election. At the time, these actions significantly appeased the protesters as the SCAF appeared to be a driving force behind the democratisation of Egypt. It has also attempted to pursue a more independent foreign policy and it has remained silent throughout the growing anti-US and anti-Israeli sentiment in street protests and the Egyptian media.[267] This has had the significant benefit of ensuring continued US aid money throughout the crisis.

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[266] Jeremy Sharp, 'Egypt in Transition', *Congressional Research Service,* Washington, September 21, (2011), p. 1.
[267] Amin Saikal, 'Authoritarianism, Revolution and Democracy: Egypt and Beyond', *Australian Journal of International Affairs*, 65, no. 5, (2011), p. 540.

Despite these moves, the military has also shown a degree of repression and heavy-handedness during this process, which has challenged their position as guardians of the state. There have been reports of the arrest and torture of a number of pro-democracy protesters, with some allegedly still in prisons. Protesters have been decrying the SCAF's use of detentions and quick military trials. The SCAF has repeatedly warned against illegal protests and industrial strikes, and used force on occasion to break them up.[268] After crowds attacked the Israeli Embassy in Cairo, the SCAF were forced to intervene and did so by threatening to maintain the Emergency Laws that allow the military to increase its use of prolonged detentions.

October 2011 was the point where the SCAF began to lose their legitimacy in the eyes of the Egyptian people. As Bahaa Hashem explains, gone were the days of the crowds chanting "the army and the people are one hand".[269] The image of the SCAF as the saviours of the January 25th movement had been so deeply tarnished by their actions that Tantawi and his councillors have been labelled as the hijackers of the revolution.[270] A significant turning point occurred on the 9th of October when scores of Egyptians, mainly Coptic Christians, marched toward the state television building (Maspero) in protest of the tearing down of Mar Girgis church in Edfu, Aswan, on the 30th of September. Aswan Governor Major General Mustafa al-Sayedhe claimed that the building was not a church but in fact a guesthouse that was illegally transformed, so it needed to be demolished. The protesters who intended to stage a peaceful sit-in were attacked by security forces and the army, resulting in 27 deaths and around 300 injured. Most of the casualties were from the Coptic protestors but three soldiers were also killed.[271]

Reports suggest that the army began using violence even before the protesters reached Maspero. Witnesses claim to have seen two armoured personnel carriers crushing protesters to death, and soldiers firing wildly at the congregation, followed by riot police throwing tear gas. These incidents were documented by video and later broadcast on CNN.[272] According to an official statement by the Egyptian military, it was the protesters who first attacked the army resulting in the death of 3 police officers. They allegedly responded by firing blank cartridges, as

[268] Barany, Op. Cit. p.30.
[269] Bahaa Hashem 'The Military's Legitimacy Crisis' A project of the Atlantic Council's Rafik Hariri Centre for the Middle East. 17 November 2011. Retrieved 19 November 2011 from: www.acus.org/egyptsource/militarys-legitimacy-crisis.
[270] Ibid
[271] Ibid
[272] Yolande Knell 'Cairo Clashes Leave 24 Dead After Coptic Church Protest' BBC News Online, October 9th, 2011. Retrieved November 22nd, 2011 from: http://www.bbc.co.uk/news/world-middle-east-15235212.

military personnel were pulled out of their armoured vehicles and attacked by rioters which caused other military personnel to panic and unintentionally mow down some protesters as they drove off. Human rights organisations have dismissed the Army's response as partial.[273] Public figures, including prominent Muslim and Coptic leaders, have demanded the prosecution of army generals. The military council then called for the civilian Prime Minister to investigate the incident and identified 15 suspects to be tried in military courts.[274]

If the reports are accurate, these actions demonstrate how the SCAF have followed a trajectory which can be understood with rational choice institutionalism. Although they initially acted as guardians of the state by supporting the protesters and refusing to take major action against them, they could have done this because it suited them at the time in the attainment of their goals. Their goals coincided with those of the protesters for a very short period of time, yet they were never the same: they simply met for a while before diverging again. Both the SCAF and the protesters hoped to set Egypt's development on a new path by removing the Sultanistic ruler and his regime that represented corruption and oppression. However, the goals diverge where the SCAF wishes to maintain its position of privilege in the nation, yet the protesters want to limit the military's control over other state institutions and society. Instead, the protestors hope to create a democratic, civil society; free from corruption and military oppression, which is not in-line with the SCAF's goal of self-preservation. At a time when the SCAF were seeking to maintain their position of privilege in the nation and remain as the Egypt's most powerful institution, the protesters were proving to be obstacles to their goals and the SCAF were more willing to take action against them. It does make their initial actions seem extraordinarily less noble and exemplifies the way in which they were not acting as guardians of the state but rather seeking to maximise their own material interests.

The most provocative move from the SCAF came at the end of October 2011 when Deputy Prime Minister Ali al-Selmi had a meeting with most of the nation's political powers (with the exception of the Muslim Brotherhood who boycotted the event) where he proposed a document outlining 22 Supra-Constitutional Principles to guide the process of drafting Egypt's

[273] Amnesty International Report 'Egypt Rises – Killings, Detentions and Torture in the '25 January Revolution'. Retrieved December 4th 2011 from: http://www.amnesty.org/en/library/asset/MDE12/027/2011/en/b33cf2ea-e057-4a34-905b-46a897c4fe6d/mde120272011en.pdf.
[274] Ibid.

next Constitution. Of the Principles, Article Nine was the most concerning, ultimately allowing the military to remain in its position of privilege. It stated (translated):

> The State alone shall establish the Armed Forces, which belong to the people and whose mission is to protect the country and its territorial integrity as well as its security and preserving the unity and the protection of the Constitutional legitimacy. No organisation, group or party is allowed to carry out the formations of military or paramilitary forces.

> The Supreme Council of the Armed Forces - without any other [state institutions] - is in charge of handling all the affairs of the armed forces and discussing its budget. Such budget should be set as one item and one figure in the State budget. The Supreme Council of the Armed Forces - without any other - is also concerned with the approval of any legislation relating to the armed forces before issuing it.

> The President is the Supreme Commander of the Armed Forces; and the Minister of Defence is the commander of the armed forces. The President of the Republic declares war after approval of the Supreme Council of the Armed Forces and the People's Assembly.[275]

These stipulations were of great concern to many Egyptians as they would have left the military in a significant position of power without any checks and balances. The single figure in the overall national budget meant that there would be no detailed breakdown of the military's proposed expenditures. It would also have been allowed to continue its 'off the books' economic activities. It also gave the SCAF the right to determine the role that the Parliament would play in creating the new Constitution, as well as the power to interfere in the drafting process itself. The response from the public was overwhelmingly critical, insisting that the military should not enjoy special privileges above the state. Bahaa Hashem explains that this shows the SCAF has an absolute inability to depart from the policies they practised during the three Presidential reigns since 1952. He explains that the 'we know what is best' attitude has

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[275] IkhwanWeb, 'Text of Selmi's Controversial Supra-Constitutional Principles, in English and Arabic'. 3 November 2011, retrieved November 14th 2011 from: http://www.ikhwanweb.com/iweb/index.php?option=com_content&view=article&id=32662:the-basic-principles-of-the-new-Constitution&catid=10387:newsflash&Itemid=858.

been preserved by the military generals, but the strategy is not working successfully. The military's attempts at achieving its own set of goals and aspirations in this case at the expense of the open, transparent society the Egyptian people are pushing for can be illuminated by rational choice institutionalism. The SCAF sought to position the military as 'above' or 'outside' of the constraints of the new Egyptian Constitution of 2011, thereby maximising its own material interests, rather than those of the state.

The protests continued amid concerns about how long the military junta will last in Egypt with many afraid that the military will rule the country indefinitely. On the 19th of November, the most violent clashes since Mubarak's overthrow occurred in Tahrir Square. Hundreds of thousands of protesters gathered and rallied out of frustration of the actions of the military council, which they feel is clearly focused on maintaining its position of privilege. Three days after, in an interview with Reuters, the SCAF declared its commitment to its roadmap for transition, with Mohamed Hegazy, a cabinet spokesman explaining "we are all insisting on having the election on time; the Government, parties and the Supreme Council of the Armed Forces".[276] However, the protesters feel that the SCAF is ill-equipped to run the country and that it is drawing out the transition process in the hopes of installing 'Mubarak 2.0' - another leader and regime that maintains the military in its current positions.[277] This looked to be the role Omar Suleiman was seeking to fill through his application for Presidential candidacy, which had the support of the SCAF. The SCAF's actions are understandable in light of the fact that a model of civilian control of the state would significantly alter the military's position, and that free and fair democratic elections would ensure this process. Suleiman's candidacy never went ahead however; the Presidential Elections Commission (PEC) senior judges issued a final ruling that Suleiman, Al-Salmi and El-Shater, along with seven other high-profile Presidential candidates were excluded from the contest. The PEC's decisions are final and cannot be appealed, according to the controversial Article 28 of the Constitutional Declaration issued by the SCAF.[278]

Although a Parliament has now been democratically elected, executive powers remain with the SCAF. El Baradei recently stated that "the prime responsibility for the situation of the country is

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[276] Al Arabaya News Online 'Egypt's Cabinet Resigns, Army Council Seeking New Prime Minister'. 22 November 2011. Retrieved 26 November 2011 from: http://english.alarabiya.net/articles/2011/11/21/178463.html.
[277] Ibid.
[278] See Appendix for the 2011 Provisional Constitution of Egypt.

the SCAF, who [has] admitted they cannot run the country".[279] This follows the attempted resignation of the Government of Prime Minister Essam Sharaf on the 21st of November. Hegazy announced that Sharaf handed his resignation to the SCAF following the violent clashes in Cairo; however they rejected it as it would likely derail the elections scheduled for November 28th. It is likely that the SCAF's concern came from a situation that can be framed around historical institutionalism. Had Sharaf departed, it would have 'shaken-up' the institution, changing the path that it was originally heading on. His resignation would have resulted in great uncertainty and concern about his replacement, and it could likely have centred on allegations of corruption by the SCAF and their determination to remain in power, thus taking the focus off the elections and placing it on the SCAF's intentions.

5.3 The transition to Egypt's uncertain future

The SCAF are attempting to push Egypt's political transition forward, but it is the shape of that transition that is remaining largely unknown at the moment. Interestingly, some American commentators are speaking about *when* Egypt transitions into a democratic nation (presumably following the Western model) rather than *if* Egypt heads down that path.[280] Initially, the transition to an elected parliament and President was expected to happen much sooner, within six months of Mubarak's departure. However, the transition has been extended well into 2012 perhaps due to the SCAF's prerogatives to ensure the maintenance of its own position of privilege in Egyptian state.

The SCAF has been drawing out this process since February 2011, and could continue to extend the timeframe and postpone the May 2012 Presidential elections. It is difficult to discover the reasons for the continual extension of the timeframe, though the possibilities can be framed around rational choice institutionalism. The SCAF is an institution seeking to maximise its own material interests. It could have expanded the timeframes to realise these interests through further entrenching itself in Egyptian society and remain in power; or to provide time to establish a candidate that will allow for the SCAF to maintain its position of privilege, much like Omar Suleiman seemed poised to do. However, it may be that their intentions are genuine and

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[279] 'Presidential Hopefuls Condemn Military Attack on Tahrir', *Egypt Independent*, November 21st, 2011. Retrieved December 21st, 2011 from: http://www.egyptindependent.com/news/Presidential-hopefuls-condemn-military-attack-tahrir.
[280] Sharp, Op. Cit, p. 1.

they were simply ensuring the process operated smoothly and efficiently. What is clear is that the SCAF's rule is wearing thin; they have lost legitimacy in the eyes of the Egyptian public and if the process continues to be drawn out another uprising could occur. It must also be kept in mind that the SCAF, while no longer associated with the Mubarak regime, had most of its officers appointed by Mubarak. Mubarak had instilled a hierarchy of what he had believed to be 'yes-men' that would remain loyal and overlook rampant corruption in exchange for benefits, largely monetary. This is not to suggest that they are particularly loyal to the Mubarak, but it is possible that they have found their positions by being 'yes-men' to the hierarchy and some of them could potentially be very corrupt. These are not the rulers that the young Egyptian revolutionaries in Tahrir Square had hoped to be in power one year on from Mubarak's fall, seeking to advance their position and maintain their privilege in the state.

Parliamentary elections did eventually take place between December and January 2011 – 2012. For the People's Assembly, voters elected a total of 498 members, two thirds (332 seats) through a Proportional Representation system and one third (166) through an Individual Candidacy system. For the Shura council, the elections determined who won 180 seats while the SCAF appointed the remaining 90 seats. Essentially, voters cast three votes on two ballots, one for a party list and then two votes for individual candidates who may either by independents or party members running outside a list. Run-off's were required so voters had to return to the polls. Altogether, 6,591 candidates were vying for individual seats, and 590 for the party list seats in the lower house. In the upper house, there were 2,036 candidates for the individual seats and 272 candidates for the party list seats. The SCAF upheld the law that Party lists are required to have 50% workers and farmers. This was controversial as many retired politicians and members of the NDP qualify as workers or farmers because of their land ownership.[281] It is entirely possible that the SCAF left this law in place to potentially enabling former members of the NDP to re-enter the political arena.

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[281] Jadaliyya, 'Egypt's Elections: Results' January 9th, 2012. Retrieved March 3rd, 2012 from:
http://www.jadaliyya.com/pages/index/3331/egyptian-elections_preliminary-results_updated-#Stage_3.

Figure 2: The results of the 2011/2012 Egyptian Parliamentary elections

Party	Ideology	Votes	Vote %	Total Seats	Component Parties: (members)
Democratic Alliance for Egypt (led by Freedom and Justice Party)	Leftist Democratic Islamist	10,138,134	37.5	235	Freedom & Justice Party: 213 Dignity Party: 6 Ghad El-Thawra Party: 2 Civilization Party: 2 Islamic Labour Party: 1 Egyptian Arab Socialist Party: 1 Egyptian Reform Party: 1
Islamist Bloc (led by Al-Nour Party)	Islamist - Salafi	7,534,266	27.8	121	Al-Nour Party: 107 Building & Development Party: 13 Authenticity Party: 3
New Wafd Party	National liberal	2,480,391	9.2	38	
Egyptian Bloc	Social liberal	2,402,238	8.9	35	Social Democratic Party: 16 Free Egyptians Party: 15 Progressive Unionist Party: 4
Al-Wasat Party	Moderate Islamist	989,003	3.7	10	
Reform and Development Party	Liberal	604,415	2.2	9	
The Revolution Continues Alliance					Freedom Egypt Party: 1 Equality and Development Party: 1
National Party of Egypt	NDP offshoot	425,021	1.6	5	
Freedom Party	NDP offshoot	514,029	1.9	4	
Egyptian Citizen Party	NDP offshoot	235,395	0.9	4	
Union Party	NDP offshoot	141,382	0.5	2	
Conservative Party	NDP offshoot	272,910	1	1	
Democratic Peace Party	NDP offshoot	248,281	0.9	1	
Justice Party	Centre	184,553	0.7	1	
Arab Egyptian Unity Party	NDP offshoot	149,253	0.6	1	
Independents	Independents	-	-	21	
Total elected	**Elected MPs**	**27,065,135**	**100**	**498**	
SCAF appointees	non-elected MPs	-	-	10	
Total	**MPs**	-	-	**508**	

Source: Jadaliyya, 'Egypt's Election Results'.[282]

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[282] Jadaliyya, 'Egypt's Elections: Results' January 9th, 2012. Retrieved March 3rd, 2012 from:
http://www.jadaliyya.com/pages/index/3331/egyptian-elections_preliminary-results_updated-#Stage_3

The FJP won the election, receiving 37.5% of the votes. Since their success in the parliamentary elections, tensions have been high with the SCAF, with a power-sharing 'tug-of-war' emerging. There is also competition emerging within the Brotherhood between members of varying levels of Islamic ideals. The Muslim Brothers had hoped that the SCAF would allow their vice general guide Khairat El-Shater to form a Government.[283] The SCAF, however, did not support this and allegedly demanded the right to continue playing a political role even after completion of the transition through appointing several ministers in the future cabinet.[284] It also is said to have requested a preferential, quasi-autonomous status in the new Constitution, similar to the Principles it attempted to change in Article nine of the Constitution.[285] This tension has not been kept behind closed doors; a Brotherhood parliamentarian said "the SCAF was taking a series of steps to circumvent the will of the people, prevent us from forming a Government, prevent parliament from playing its role, undermining the constituent assembly".[286] A Muslim Brotherhood member added:

> The SCAF hopes to remain a key political player which has the upper hand in all the vital decisions. They are mistaken, however, to think they can play that role moving forward. The balance of power is decidedly not in their favour. They can sense their own weakness, which is why their demands are suddenly growing, and their attempts to dominate the political process are becoming more desperate.[287]

Whichever party is successful in gaining control over the state institutions will shape the path that the institution takes, and affect the behaviour of other actors as well. Sociological institutionalism explains that institutions influence behaviour not simply by specifying what one should do, but by specifying what one can imagine oneself doing in a given context.[288] This means that institutions do not simply affect the strategic calculations of actors, but their most basic preferences and very identity. As Sonal Sahu explains, the self-images and identities of

[283] Patrick Werr, 'Analysis: Egypt's Brotherhood Raises Stakes by Excluding IMF', *The Daily News Egypt*, April 13th, 2012. Retrieved April 15th, 2012 from: http://www.thedailynewsegypt.com/analysisegypts-brotherhood-raises-stakes-by-excluding-imf.html.
[284] Jadaliyya, 'Egypt's Elections: Results' Op. Cit.
[285] IkhwanWeb, 'Text of Selmi's Controversial Supra-Constitutional Principles, in English and Arabic'. Op. Cit.
[286] International Crisis Group, 'Lost in Translation: The World According to Egypt's SCAF', Middle East Report 121, April 2012, p. 8.
[287] Ibid.
[288] Immergut, Op. Cit. p. 14.

social actors are said to be constituted from the institutional forms, images and signs provided by social life.[289]

Tensions have been further heightened over a proposed loan from the International Monetary Fund. The SCAF arranged the loan, but the FJP has proven to be an obstacle, with El-Shater stating that the group would not accept the loan unless its terms were changed or a new Government was formed to monitor how it is spent - demands that are highly unlikely to be met.[290] However, this loan is fairly necessary for the nation; since Mubarak's departure the SCAF has been supporting the economy largely by drawing down reserves and borrowing from domestic banks, with interest rates having risen to historic highs as funds grow tighter. They have allegedly spent more than $20 billion in foreign reserves to prop up the currency. Reserves fell by another $600 million in March to $15.12 billion. The IMF, however, has demanded broad political support before it signs any agreement, in particular from the Muslim Brotherhood. El Shater said he was not opposed to a deal in principle, but only to the plan to disburse part of it while the army-backed transitional Government remained in power. He said the Brotherhood might accept an IMF loan if the first instalment was reduced to $500 million from the current plan of paying out more than $1 billion immediately upon signing. [291]

This tension is particularly difficult, because both parties believe that they control the institutions of the state, and it appears they are both threatening to utilise the state institutions (the SCAF's military and their ability to dissolve parliament; the Brotherhood's ability to mobilise the masses) to achieve their own goals. According to Taylor and Hall, rational choice institutionalists see politics as a series of collective action dilemmas – instances when individuals acting to maximise the attainment of their own preferences are likely to produce an outcome that is collectively sub-optimal.[292] Typically, what prevents the actors from taking a collectively-superior course of action is the absence of institutional arrangements that would guarantee complementary behaviour by others.[293] This is the case for both the SCAF and the Brotherhood;

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[289] Sonal Sahu, Op. Cit. p. 119.
[290] Patrick Werr, 'Analysis: Egypt's Brotherhood Raises Stakes by Excluding IMF', *The Daily News Egypt*, April 13th, 2012. Retrieved April 15th, 2012 from: http://www.thedailynewsegypt.com/analysisegypts-brotherhood-raises-stakes-by-excluding-imf.html.
[291] Ibid.
[292] Taylor and Hall, Op. Cit. p. 943.
[293] Ibid. p. 946.

currently they are not cooperating because their goals, preferences and ideology differ substantially.

In spite of the tensions, it is likely that a power sharing agreement will be reached as both sides simply have too much to lose if they cannot. The SCAF holds the military resources to repress the Brotherhood and prevent the Presidential elections, yet they do not hold the legitimacy in the eyes of the public that the Brotherhood do. Rational choice institutionalism maintains that an actor's behaviour is not driven by historic forces, but rather by a strategic calculus, and the calculus will be deeply affected by the actor's expectations about how others are likely to behave as well. The strategic calculus that the SCAF and the FJP are utilising currently could end in a zero-sum game. The ongoing tensions the Brotherhood is having with the SCAF are representative of the general shift in civil-military relations that the general Egyptian public is calling for. Michael Desch explains that "the best indicator of strength of civilian control is who prevails when civilian and military preferences diverge".[294] Currently Egypt's political system is at this point, and it is unclear whether the Brotherhood or the SCAF will emerge on top.

The Muslim Brotherhood's success in the elections carries its own set of concerns for the United States, the four million Coptic Christians and many moderate Egyptians that would prefer secular rule. It is difficult to know what the Muslim Brotherhood's stance is so early on in the process, particularly with the SCAF remaining in temporary administrative control. They may be 'muted' by virtue of being a coalition, or they may continue to be the dominant voice in the party. On the one end the organisation has some very conservative, militant members who would wish to instate Sharia law in its purist form and emit all things Western from the nation; conversely there are those who are concerned mostly with social issues such as raising literacy rates and furthering women's position in society. As I mentioned earlier, institutions do not guarantee internal cohesiveness. Their position on Israel is also particularly cloudy, which is of concern to the US. A spokesperson for the FJP and member of the Brotherhood, Waleed al-Haddad, recently stated that Egypt's peace treaty with Israel is not set in stone and is susceptible to change. He explained that Bedouin community leaders have been expressing concern over the lack of security in the Sinai desert due to stipulations in the 1979 agreement

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[294] Michael C. Desch, 'Soldiers, States, and Structures: The End of the Cold War and the Weakening of US Civilian Control', *Armed Forces and Society*, 24, Spring, (1998), p. 391.

that renders much of it a demilitarised zone.[295] He continued that it is necessary to change the stipulations in the agreement to allow the maintenance of routine life for Bedouin people in the Sinai. Regarding the Israeli peace, he explained "Egypt ruled by the Muslim Brotherhood could accept the existence of the State of Israel if it makes a significant contribution to resolving the Palestinian problem".[296] This uncertainty causes concern for the US, Israel, moderate Egyptians, as well as the massive amounts of US aid that Egypt relies on, and the US is currently still providing.

Now that the FJP is in power, they will likely seek to restructure the economic system. This will reflect the population's long-standing rejection of unfettered capitalism, as neoliberal economic policies had become synonymous with corruption and the crony capitalism that flourished in the Sadat and Mubarak eras. The turn away from the ruthlessly capitalist state Mubarak developed creates issues for the United States. Previously, the US ultimately purchased influence in the nation with its massive amounts of aid donations. Regardless of who comes to power, it also possible that it will be a Government far more sensitive to popular political sentiment. That sentiment may run contrary to US priorities, primarily regarding the Israel peace agreement. Sharp explains that foreign aid may no longer be of significant influence, and US policymakers may find themselves in greater competition with other foreign powers vying for influence inside Egypt. [297] However, some suggest that Egypt may have no alternative to maintaining the peace treaty as it is significantly outmatched by the Israeli Defence Forces and Egypt's delicate economy could not bear the Western isolation that would likely result.[298]

5.4 Conclusion

The future is uncertain for Egypt's military and government. There is little need for a large military in times of peace, and the only way Mubarak was able to justify its massive size was because it was economically self-sustaining. If a new democratic Government comes to power and changes the economic system, it will be difficult for the military to continue operating as an

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[295] Roman Frister, 'Muslim Brotherhood Official: Egypt's Peace Deal with Israel must be Changed', *Hareetz Online*, April 26th, 2012. Retrieved April 28th, 2012 from: http://www.haaretz.com/news/middle-east/muslim-brotherhood-official-egypt-s-peace-deal-with-israel-must-be-chaned-1.426647.
[296] Ibid.
[297] Sharp, Op. Cit. p. 13.
[298] Ibid.

economic actor; the jobs are likely to be civilianised. If it becomes a democracy complete with transparent institutions under civilian control, at some point the military will have to show just how far entrenched in the Egyptian economy it actually is. This will mean it will have to reveal its privileges such as subsidies and tax breaks, and they could lose their social clubs, complexes, villages and various other luxuries granted under the Mubarak regime. Alternatively, the new ruling regime may allow them to remain as they are as part of a bargain. They may wish to retain the large military forces for security purposes, an employment scheme, or perhaps for fear of another public uprising, or a resurrection of the war with Israel. The issue is that as Acemoglu et. al. explain, maintaining a large military in times of peace does not really align with principles of Democracy. Militaries can be used as tools of repression; and the result is that the military becomes an agent of the regime, rather than the guardian of the state. Nasser, Sadat and Mubarak utilised the military in this way, and it was the cause for the uprisings that took place in 2011. The new Egyptian Government may well be a façade with the military still operating as the power behind the throne, though after 60 years of authoritarian military supported rule, it is unlikely the people of Egypt will allow another military-supported regime to take power.

Chapter 6: Conclusion

The intervention of the military in Egypt's popular uprising has, and will continue to have, significant ramifications for the state. Although some Western observers have been surprised that the SCAF assumed temporary administrative control of the Egyptian government, once the history of the Egyptian military's entanglement in the state is considered, their ascension to power was somewhat predictable. Egypt's independence from Britain was gained by the military when the Free Officers Movement overthrew King Farouk's monarchy in 1936. Since the coup, the military has remained the most prominent state institution in Egypt. During the reigns of the three Egyptian Presidents – Nasser, Sadat, and Mubarak – there has been little civilian control of state affairs. The institution of the military has always been the power behind the regime, helping the rulers establish authoritarian military-based dictatorships headed by Sultanistic rulers. Nasser, Sadat and Mubarak led the nation, in many cases in a way contrary to the wishes of the general public, which was only achievable with the support of the military. They all sought to establish and maintain the military as the key institution of the state. This entanglement with the military can be understood using Acemoglu et. al.'s model whereby, while using the military institution to secure their power, the Presidents also sought to ensure the branches of the military remained separate in order to prevent them from becoming too powerful and posing a *coup d'état* threat. They institutionalised its importance within the Egyptian state by installing a series of officer-politicians as well as allowing the armed forces to operate as a private economic actor. In doing this, they blurred the lines between the military and civilian worlds, making the military the preeminent state institution.

In Chapter Two, I explained that sultanistic regimes are a specific type of dictatorship that occurs when a national leader expands their personal power at the expense of formal institutions.[299] Egypt exemplifies this category as Mubarak and his cronies sought to expand their personal power and wealth through the institutions of the state, including the military, economy, the Office of the President, the Constitution, and the electoral institutions. Mubarak also continually extended the State of Emergency, which gave the state, regime, police and military significantly more powers than they would have generally been afforded. Along with this extension of

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[299] Goldstone, Op. Cit. p. 8.

power, constitutional rights were suspended and censorship was legalised. These methods worked together to extend Mubarak's personal power – he used the institutions of the state to maximise his own material well-being.

The rampant corruption committed by Mubarak and his regime and the probable succession of Mubarak's son Gamal alongside public frustration at a lack of meaningful democratic elections, hatred of the continuation of the oppressive Emergency Laws, and Egypt's rising unemployment and costs of living all led to the massive uprisings in Egypt. The determination of the protesters and the longevity of the rallies exemplify the public's seething frustration and hatred of how Mubarak and his predecessors had used Egypt and its institutions to maximise their own material well-being with little regard for the state and its people. The fact that Mubarak's personal wealth was enough to clear the nation's debt twice-over was a particularly sore spot for many. Mubarak and his Government's actions can be understood with the model laid out by rational choice institutionalism: they were self-interested parties focused on maximising their own material well-being, rather than working towards the common good.

While the SCAF came to power after ousting Mubarak and, despite claiming democratic elections would happen within six months, it has remained in power for over a year at the time of writing. It has played a dynamic role in the uprising: it officially acted as the guardian of the regime for the initial days of the protest, although in title only. Later, it came out in support of the protesters and announced its position as the guardian of the state. Initially, the military and the SCAF were seen as the saviours of the movement – without their support, Mubarak would have probably been able to remain in power. Yet, as the initial timeframe for democratic elections passed, it lost legitimacy in the eyes of the Egyptian public. The protesters' calls to remove Mubarak and the NDP regime can be framed with historical institutionalism. They hoped to set Egypt's development on a new path by removing the sultanistic ruler and his regime that represented corruption and oppression, and limit the military's control over other state institutions and society. Instead, the protestors sought to create a democratic, civil society; free from corruption and military oppression.

The SCAF is now acting in a dual role as guardians of the state and as Governmental regime, which has had a significant influence on the institutional environment of Egypt. The military was able to occupy its dual position primarily through its suspension of Parliament, changes to the

electoral system, and its attempted reconstruction of the Constitution of Egypt. Historical institutionalism asserts that institutions shape actors' strategies, and that preferences and goals are also affected by institutional frameworks. It also stresses the idea that power is central to politics and that power relationships are a key engine of social and political outcomes. These power relationships are structured by institutions and therefore struggles for power follow different patterns and produce different outcomes, partly as a result of institutional factors. In taking on their dual role, the SCAF have removed the corrupt NDP regime and established legitimate democratic Parliamentary elections in the nation. There is also much anecdotal evidence that suggests that since the SCAF took power, corruption in Egypt in general has significantly decreased.[300]

Tensions between the Supreme Council of Armed Forces and the Freedom and Justice Party have been high following FJP's election into Parliament. Both are competing for control over the institutions of the state, and they are both threatening to utilise the state institutions to achieve their goals. The SCAF's advantage is their military and their ability to dissolve parliament while the Brotherhood's ability to mobilise the masses grants them a legitimacy the SCAF does not have as the public becomes increasingly frustrated at their continuing rule. As a result of the fact that each cannot predict the other's future actions with certainty, neither the SCAF nor FJP is likely to achieve their goals. The framework of rational choice institutionalism views politics as a series of collective action dilemmas – instances when individuals acting to maximise the attainment of their own preferences are likely to produce an outcome that is collectively sub-optimal.[301] Typically, what prevents the actors from taking a collectively-superior course of action is the absence of institutional arrangements that would guarantee complementary behaviour by others.[302] This is the case for both the SCAF and the Brotherhood: currently they are not cooperating because their goals, preferences, and ideologies differ substantially. These tensions were heightened during the IMF controversy, for example. The SCAF arranged the loan but the Brotherhood refused to accept the IMF's terms, which stipulated that it must have broad political support before it signed any agreement. The Brotherhood would not accept the loan unless its terms were changed or a new Government was formed that excluded the SCAF,

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[300] Personal Correspondences with Mia Ayoub, November 24th, 2011; Adel Yousef, December 2nd, 2011.
[301] Taylor and Hall, Op. Cit. p. 943.
[302] Ibid, p. 946.

to monitor how the loan money was spent. These were all demands that were highly unlikely to be met.

Though the Egyptian Parliament has been democratically elected, the SCAF have stayed in power significantly longer than expected. As a result, violent outbreaks have occurred, particularly in the case of Maspero, where on the 9th of October 2011 scores of Egyptians, mainly Coptic Christians, marched toward the state television building in protest of the tearing down of a Church in Edfu, Aswan. The protesters who intended to stage a peaceful sit-in were attacked by security forces and the army, resulting in 27 deaths, and around 300 injured. Most of the casualties were from the Coptic protestors but three soldiers were also killed.[303] This, along with the SCAF's attempt at having the principles outlined in Article nine entered in to the Constitution was of great concern to many Egyptians as they would have left the military in a significant position of power without any checks and balances. The single figure in the overall national budget meant that there would be no detailed breakdown of the military's proposed expenditures. It would also have been allowed to continue its 'off the books' economic activities. It also gave the SCAF the right to determine the role that the Parliament would play in creating the new Constitution, as well as the power to interfere in the drafting process itself. The SCAF's willingness to have this put in place in the Constitution was indicative of their position: while they initially acted as guardians of the state rather than the regime, it appears that they are now acting as the guardian of the military's best interests under the SCAF, rather than the guardian of the state or the regime.

New Institutionalism was a good framework for understanding the case of the SCAF coming to power because of the priority it places on self-interested actors. I took aspects from the three branches of new institutionalism - historical, rational-choice, and sociological institutionalism - in order to explore the complex factors influencing the military's actions. Rational choice institutionalism's focus on the way in which actors seek to maximise their own material well-being illuminated the case of the SCAF in Egypt, as well as framing the three Presidents' of Egypt's reigns. It provided a tool to understand the actions of the SCAF and the prior President: they acted not in manners best suited to the nation, but rather for their self-preservation and the maximisation of material benefits. The theory maintains that actors are self-interested

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[303] Ibid

maximisers who engage in highly sophisticated strategic calculus. The drawback of using rational choice institutionalism is that the theory is a deductive approach which relies on theoretical model building to explain real word policy outcomes. Due to its foundation on abstraction and clear lines of reasoning, it oversimplifies human motivation and interaction; it assumes that an actor's only motivation is self-interest, and can fail to take intention into account in favour of a focus on outcomes. In the case of this thesis, this posed the problem of making all the actions of the SCAF seem to be motivated by self-interests, rather than by what could have been a genuine drive to work toward the development of Egypt.

Historical institutionalism filled this void with its emphasis on both calculus and cultural approaches to understanding the relationship between institutions and behaviour. It maintains that institutions shape actors' strategies, insisting that preferences and goals are also affected by institutional frameworks. In this sense, the theory reaches further than rational choice institutionalism and provided a way to understand how the SCAF were able to maintain the support of the wider military. The military elite at the apex of the power pyramid were able to affect the behaviour of its members, having them conform to the ideals of the institution. As an institution in itself through the military's embeddedness in Egyptian and political and social life, the SCAF is able to influence the behaviour of others through various policies, rules and norms.

A key drawback of historical institutionalism was its lack of explanation of how institutions affect actors' strategies in practice. I had hoped to use sociological institutionalism to fill this void because it explains that institutions influence behaviour by providing cognitive scripts, categories and models that are indispensable for action. This framework was unable to be tested in this thesis, however, because the ways in which the SCAF are seeking to influence the behaviour of the military are not publicly available knowledge. The way in which the military has supported the SCAF, even through the controversies of the proposed Constitutional amendments and the violence at Maspero, makes it clear that for the most part, the military and the SCAF are operating as a cohesive organisation.

Huntington and Janowitz's theories of civil-military relations also proved to be good frameworks for understanding of the role of the military in Egypt. As I discussed in Chapter Two, the works of Huntington and Janowitz are often accused of being dated and no longer relevant outside the US in the Cold-War era; however, there were several aspects which framed my work on the

military. Primarily, the notion of professionalisation was fundamental to understanding the dramatic turnaround of the Egyptian military in the post-1967 war era, and to explaining the way in which the military began acting as a political actor as well as a defence mechanism. The notion of civilian control over the military versus militarisation of society was also integral to this thesis. It illuminated the way in which Egypt had been dominated by the latter for the past 60 years, and conversely, the push by the protesters for civilian control and a detangling of the military's deep roots in Egyptian society.

The SCAF's official statement is that they are attempting to push Egypt's political transition to democratic rule forward, but it is the shape of that transition that remains largely unknown at the moment. Initially, the transition to an elected President was expected to happen much sooner. In response to public pressure, and perhaps the SCAF's prerogatives to ensure the maintenance of its own position of privilege in Egyptian state, the transition has been extended well into May 2012. It appears the SCAF continually extended the timeframe to provide it time to further entrench itself in Egyptian society and remain in power. Its attempted appointment of Omar Suleiman as a Presidential Candidate supports this view: in February 2011 he announced that Egypt was not ready for democracy, and stood by President Mubarak, indicating that he would continue the historical practice of keeping the military entangled in the Egyptian State. Suleiman was Mubarak's key advisor and therefore he is part of the NDP's legacy that the Egyptian people want to see ended. As the members of the Muslim Brotherhood explained, Suleiman's candidacy was an insult to all those that protested, fought, and worked to remove the regime. This, combined with the other actions discussed throughout this thesis, show the way in which the SCAF have transitioned from guardians of the state, to the guardians of their own material interests.

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Appendix

Egypt's provisional Constitution of 2011 [304]

Supreme Council of the Armed Forces Constitutional Declaration after reviewing the Constitutional Announcement of February 13 and the results of the referendum on Constitutional amendments of March 19 (which were announced in the affirmative on March 20), and in consideration of the SCAF statement of March 23, the following has been decided:

Article 1:

The Arab Republic of Egypt is a state with a democratic system, based on citizenship, and the Egyptian people are a part of the Arab nation working toward achieving its comprehensive unity.

Article 2:

Islam is the religion of the state, and the Arabic language is its official language. The principles of Islamic law are the chief source of legislation.

Article 3:

Sovereignty is from the people only, and the people are the source of authority. The people practice this sovereignty and protect it, safeguarding national unity.

Article 4:

Citizens have the right to form associations, unions, syndicates, and parties, according to the law. It is forbidden to form associations whose activities are opposed to the order of society or secret or militaristic in nature. It is not permitted to directly engage in political activity or form political parties on the basis of religion, race or origin.

Article 5:

The economy in the Arabic Republic of Egypt is based on developing economic activity and social justice and guaranteeing different forms of property and preserving the rights of workers.

Article 6:

Public property is protected, and its defense and support is a duty incumbent on every citizen, according to the law. Private property is safeguarded, and it is not permitted to impose guardianship over it except through the means stated in law and the judiciary. Property cannot be seized except for the public benefit and in exchange for compensation according to the law, and the right of inheritance is guaranteed.

Article 7:

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[304] Egypt's Government Services Portal, 'The Egyptian Constitution 2011', retrieved April 4th, 2012 from: http://www.egypt.gov.eg/english/laws/Constitution/default.aspx.

Law applies equally to all citizens, and they are equal in rights and general duties. They may not be discriminated against due to race, origin, language, religion, or creed.

Article 8:

Personal freedom is a natural right, safeguarded and inviolabe, and except in the case of being caught in the act of a violation, it is not permitted for anyone to be detained or searched or for his/her freedom to be restricted or for movement to be prevented, except by a warrant order compelling the necessity of investigation or to safeguard the security of society. This warrant order will be issued by a specialized judge or the general prosecutor, according to the law. The law also determines the period for which one may be detained.

Article 9:

Every citizen who is arrested or detained must be treated in a way that preserves his/her human dignity. It is forbidden for him/her to be abused in body or mind, as it is forbidden to detain him/her in places outside of those designated by the prisons law. Any statement proven to be extracted from a citizen under duress or threat will not be counted and is unreliable.

Article 10:

Homes are protected and it is not permitted to enter or search them without a warrant according to the law.

Article 11:

The life of citizens has special sanctity protected by law, as do messages sent by post, fax, telephone or other forms of communication, whose secrecy is guaranteed. It is not permitted to confiscate, read, or censor these, except by judicial order and for a limited time, according to the law.

Article 12:

The state guarantees the freedom of creed, and the freedom to practice religious rites. Freedom of opinion is also guaranteed, and every person has the right to express his opinion and publish it in spoken, written, photographed, or other form within the confines of the law. Personal criticism and constructive criticism are a guarantee for the safety of national development.

Article 13:

Freedom of the press, printing, publication and media are guaranteed, and censorship is forbidden, as are giving ultimatums and stopping or canceling publication from an administrative channel. Exception may be made in the case of national emergency or time of war, allowing limited censorship of newspapers, publication, and media on matters related to general safety or the purposes of national security, all according to the law.

Article 14:

It is not permitted for any citizen to be denied residence in a particular area, nor requiring him/her to reside in a particular place, except in cases designated by law.

Article 15:

It is not permitted to expel a citizen from the country or forbid him/her from returning, or to give up political refugees.

Article 16:

Citizens have the right of private assembly in peace without bearing arms without the need for prior notice. It is not permitted for security forces to attend these private meetings. Public meetings, processions and gatherings are permitted within the confines of the law.

Article 17:

Any attack on the personal freedom or sanctity of life of citizens or other rights and general freedoms which are guaranteed by the Constitution and law is a crime, which will be followed by a criminal or civil suit according to the statute of limitations. The state guarantees fair compensation for whoever experiences such an aggression. Any attack on the personal freedom or sanctity of life of citizens or other rights and general freedoms which are guaranteed by the Constitution and law is a crime, which will be followed by a criminal or civil suit according to the statute of limitations. The state guarantees fair compensation for whoever experiences such an aggression.

Article 18:

Public taxes will be instituted and their amendment or cancelation will take place by law. No one will be excluded from taxation except in cases stated in law. It is not permitted for anyone to charge another to pay taxes or fees except within the bounds of law.

Article 19:

Personal penalty. There will be no crime or penalty except according to the law. Punishment will not take place except by judicial ruling, nor will punishment occur for acts that take place before enactment of the relevant law.

Article 20:

The accused is innocent until proven guilty in a court of law that guarantees for him/her defense. Every accused in a crime is required to have an attorney to defend him/her.

Article 21:

Litigation is a safeguarded and guaranteed right for all people, and every citizen has the right to resort to his natural judge. The state guarantees close association of judicial apparatuses with litigants, in addition to a speedy trial of matters. The text of the law forbids any action or administrative decision from being absolved of judicial oversight.

Article 22:

The right to defend one's self in person or by proxy is guaranteed. The law guarantees those unable monetarily to defend themselves to resort to the judiciary for means to defend their rights.

Article 23:

Anyone arrested or detained will be notified of the reason for his/her detention immediately. He/she has the right to contact whomever he/she desires and inform them of the arrest and seek help, according to the law. It is necessary that accusations be announced with haste, and the detained has the right to appeal in front of the judiciary to determine the circumstances in which his/her personal freedom was suspended. The law organizes the right to present a grievance in order to guarantee a decision in a limited time period, or else the detainee's release is inevitably released.

Article 24:

Laws are issued and executed in the name of the people, Suspension or avoidance of their execution on the part of public employees is a crime punishable by law. The plaintiff has the right to bring the criminal case directly to a specialized court.

Article 25:

The President of the state is the President of the republic. He/She shall assert the sovereignty of the people, respect for the Constitution and sovereignty of the law, and defense of national unity and social justice, according to means stipulated in this Announcement and the law. He/shall shall undertake upon assuming his/her position responsibilities referred to in Article 56 of this Announcement, except for what is stipulated in provisions 1 and 2 of the Article.

Article 26:

It is required for whoever is elected President of the republic to be an Egyptian who has never held another citizenship, born of two Egyptian parents who have never held another citizenship, enjoying his/her political and civil rights, not married to a non-Egyptian, and not falling under the age of 40 years.

Article 27:

The President will be elected directly by general secret ballot. To be nominated for the presidency of the republic, a candidate must be supported by 30 members at least of the elected members of the People's Assembly and Shura Council, or the candidate may obtain the support of at least 30,000 citizens, who have the right to vote, in at least 15 provinces, whereby the number of supporters in any of the provinces is at least 1,000. In all cases, it is not permissible to support more than one candidate, and the law will stipulate the procedures for this matter. Every political party with members who have won at least one seat by way of election in either of the People's Assembly or Shura Council in the last elections may nominate one of its members for the presidency.

Article 28:

A supreme judicial commission named the "Presidential Elections Commission" will supervise the election of the President of the republic beginning with the announcement of the opening of candidate nomination and ending with the announcement of the election result. The Commission will be composed of the President of the Supreme Constitutional Court as the head, and a membership made up of the President of the Cairo Appeals Court, the most senior deputies of the President of the Supreme Constitutional Court, the most senior deputies of the President of the Court of Cassation and the most senior deputies of the President of the State Council. The Commission's decisions will be final and carry the force of law, and will not subject to objections from any party, in the same manner as it is forbidden

for the decisions to be stopped or canceled. The purview of the Commission will be by law. The Commission will form committees to supervise voting and counting according to the stipulations in Article 39. Draft legislation for Presidential elections will be shown to the Supreme Constitutional Court before being issued to determine the extent of compliance with the Constitution. The Supreme Constitutional Court will issue its decision on this matter within 15 days of receiving the draft legislation. If it decides that the text is unConstitutional, more work must be done before the law can be issued. In all cases, the decision of the Court will be obligatory for all authorities of the state, and will be published in the official gazette within three days of being released.

Article 29:

The period of the presidency is four years beginning from the date of announcing the result of the election, and the President of the republic may not run for more than one additional Presidential term.

Article 30:

The President will take the following oath before the People's Assembly before assuming his/her position: "I swear to God that I will faithfully preserve the republican order, that I will respect the Constitution and the law, and look after the interests of the people comprehensively, and that I will preserve the independence of the nation and the safety of its land."

Article 31:

The President of the republic will appoint within a maximum of 30 days after assuming his/her duties at least one vice President and determine his/her responsibilities, so that in the case of his/her stepping down from the position of President, another will be appointed in his/her place. The conditions that must be met by the President will apply, as will rules governing the accountability for vice Presidents of the republic.

Article 32:

The People's Assembly will be composed of a number of members determined by law to be at least 350, half of whom at least will be Workers and Peasants. The members of the People's Assembly will be elected by a direct, public and secret election. The law stipulates the definition of a Worker and Peasant, as well as the electoral districts that the state will be divided into. It is possible for the President of the republic to appoint in the People's Assembly a number of the members, not to exceed 10.

Article 33:

Immediately upon election, the People's Assembly will assume the authority to legislate and determine the public policy of the state, the general plan for economic and social development, and the public budget of the state. It will also oversee the work of the executive branch.

Article 34:

The People's Assembly's term will be 5 years starting from the date of its first assembly

Article 35:

The Shura Council will be composed of a number of members determined by law not to be fewer than 132 members, two-thirds of whom will be elected by direct, public and secret voting (at least half Workers and half Peasants), and one-third of whom will be appointed by the President of the republic. The law determines the electoral districts for the Shura Council.

Article 36:

The Shura Council's term of membership will be 6 years.

Article 37:

The Shura Council will assume its responsibilities upon election. It will study and recommend what it views as necessary to preserve support for national unity and social peace and protect the foundational elements of society and its highest values, in addition to rights, freedoms and general obligations. The Council will consider the following: 1) The project of general planning for economic and social development 2) Draft laws it refers to the President of the republic 3) Whatever the President of the republic refers to the Council on subjects related to the state's public policy or policies related to Arab and foreign affairs The Council will notify the President of the republic and the People's Assembly of its opinion on these matters.

Article 38:

The law will govern the right of candidacy for the People's Assembly and Shura Council according to the determined electoral system, including at a minimum the participation of women in both assemblies.

Article 39:

The law determines the conditions that must be met for members of the People's Assembly and the Shura Council, stipulating electoral and referenda provisions. A supreme commission made up entirely of judges will assume the responsibility of supervising elections and referenda, from the determination of electoral schedules to the announcing of election results, all as regulated by law. Voting and the counting of votes will take place under the supervision of members of judicial bodies nominated by their higher councils, and the decision in the process of choosing them will be undertaken by the supreme commission.

Article 40:

The Court of Cassation will be designated to determine the integrity of the membership of the People's Assembly and Shura Council, and objections will be presented to the court within 30 days of the announcement of election results. The Court will rule on the objection within 90 days of receiving it. The membership is considered void on the date on which the two assemblies are informed of the Court's decision.

Article 41:

Electoral procedures will begin within 6 months of the date of this Announcement. The Shura Council will assume its duties with elected members, and upon his/her election, the President of the republic will appoint the final third of the Council's membership, who will serve out the remainder of the term of the Council as regulated by law.

Article 42:

Every member of the People's Assembly and Shura Council will swear to conduct work in accordance with the following oath in front of his/her legislative body: "I swear to God that I will faithfully preserve the safety of the nation and the republican order, that I will look after the interests of the people and respect the Constitution and the law."

Article 43:

It is not permissible for any member of the People's Assembly or the Shura Council during his/her tenure to buy or rent anything using state money, or to rent out or sell anything with said money, or barter with it or enter into a contract with the state as an entrepreneur, importer, or contractor.

Article 44:

It is not permissible to remove the membership of any members of the People's Assembly or Shura Council unless he/she has lost confidence and esteem, or any of the conditions of membership, or his/her position as Worker or Peasant on the basis of which he/she was elected, or if he/she has breached any of the responsibilities of membership. A decision to remove membership must be issued by a two-thirds majority of the respective assembly.

Article 45:

It is not permissible in any case except that of flagrant violation to take any criminal proceedings against a member of the People's Assembly or Shura Council, except with prior permission from his/her assembly. In the case of the assembly's recess, permission will be taken from the head of the assembly and will be subsequently presented to the assembly upon resumption of work.

Article 46:

Judicial authority is independent and invested in courts of different varieties and degrees. Rulings will be issued according to the law.

Article 47:

Judges are independent and not subject to removal. The law regulates disciplinary actions against them. There is no authority over them except that of the law, and it is not permissible for any authority to interfere in their issues or matters of justice.

Article 48:

the Council of the State is an independent judicial body that specializes in adjudication of administrative disputes and disciplinary claims. The law determines its other responsibilities.

Article 49:

The Supreme Constitutional Court is an independent and autonomous judicial body, uniquely tasked with judicial oversight over the Constitutionality of laws and regulations. It deals with the interpretation of

legislative texts, all as stipulated in the law. The law also designates other responsibilities for the Court and regulates the procedures followed in front of it.

Article 50:

The law determines judicial bodies and their responsibilities and regulates their formation, in addition to stipulating conditions and procedures for appointing their members and their transfer.

Article 51:

The law regulates the military judicial system and stipulates its responsibilities in line with Constitutional principles.

Article 52:

Court sessions are to be public except in the case that the court decides to make them secret in the interest of public order or morals. In all cases, the verdict is announced in a public session.

Article 53:

The armed forces are the property of the people. Their mission is the protection of the country and the safety and security of its lands. It is not permissible for any body or group to establish military or paramilitary formations. The defence of the country and its land is a sacred responsibility, and conscription is mandatory according to the law. The law stipulates the conditions for military service and promotion in the armed services.

Article 54:

A council entitles "The National Defence Council" will be established. It will be headed by the President of the republic and tasked with evaluating affairs concerned with means of securing the country and its safety. The law will stipulate its other responsibilities.

Article 55:

The police are a civil order body whose responsibility it is to serve the people. The police guarantee for the people tranquillity and security and provide for the maintenance of order, public security and morals, according to the law.

Article 56:

The Supreme Council of the Armed Forces deals with the administration of the affairs of the country. To achieve this, it has directly the following authorities:

- Legislation
- Issuing public policy for the state and the public budget and ensuring its implementation
- Appointing the appointed members of the People's Assembly
- Calling the People's Assembly and the Shura Council to enter into normal session, adjourn, or hold an extraordinary session, and adjourn said session.
- The right to promulgate laws or object to them.

- Represent the state domestically and abroad, sign international treaties and agreements, and be considered a part of the legal system of the state.
- Appoint the head of the cabinet and his/her deputies and ministers and their deputies, as well as relieve them of their duties.
- Appoint civilian and military employees and political representatives, as well as dismiss them according to the law; accredit foreign political representatives.
- Pardon or reduce punishment, though blanket amnesty is granted only by law.
- Other authorities and responsibilities as determined by the President of the republic pursuant to laws and regulations. The Council shall have the power to delegate its head or one of its members to take on its responsibilities.

Article 57:

The Cabinet shall assume executive authority in all that pertains to it, and will undertake the following responsibilities in particular:

- Participate with the Supreme Council of the Armed Forces to put in place public policies of the state and supervise their implementation, according to the laws and resolutions of the republic
- Direct, coordinate, and follow the work of the ministries and their related fronts, in addition to public institutions and bodies.
- Issue administrative and executive orders according to laws, regulations, and decisions, and see to their implementation.
- Prepare draft legislation, regulations, and decisions.
- Prepare a draft public budget for the state.
- Prepare a draft public plan for the state.
- Contract and grant loans according to Constitutional principles
- Note the implementation of laws, preservation of state security, and protection of citizen rights and state interests

Article 58:

It is not permissible for a minister during his/her tenure to engage in an independent profession, buy or rent anything using state money, rent out or sell anything with state money, or barter with state money.

Article 59:

The President of the republic, after taking into account the opinion of the cabinet, can announce a State of Emergency as stipulated in law. He/she must present this announcement to the People's Assembly within the seven subsequent days to decide its view on this matter. If the State of Emergency is announced in a period of recess, the Assembly must be called back to session immediately to review the matter, taking into account the time limit mentioned above. If the People's Assembly is dissolved, the matter will be reviewed by the new Assembly at its first meeting. A majority of the members of the People's Assembly must agree to the announcement of a State of Emergency. In all cases, the announcement of a State of Emergency will be for a limited time period not exceeding 6 months. It is not permissible to extend it, except after a people's referendum on the matter and their agreement to an extension.

Article 60:

The members of the first People's Assembly and Shura Council (except the appointed members) will meet in a joint session following an invitation from the Supreme Council of the Armed Forces within 6 months of their election to elect a provisional assembly composed of 100 members which will prepare a new draft Constitution for the country to be completed within 6 months of the formation of this assembly. The draft Constitution will be presented within 15 days of its preparation to the people who will vote in a referendum on the matter. The Constitution will take effect from the date on which the people approve the referendum.

Article 61:

The Supreme Council of the Armed Forces will continue directly with its limited responsibilities following this Announcement, until a time at which the People's Assembly and the Shura Council assume their responsibilities and the President of the republic is elected and assumes his/her position.

Article 62:

All laws and regulations decided upon before the publication of this Announcement remain valid and implemented; however, it is possible to cancel laws or amend them according to the rules and procedures adopted in this Announcement.

Article 63:

This Announcement will be published in the official gazette and will be in effect on the day following its publication.