

Turmoil in Egypt

The struggle for the soul of a country

The army has put a brake on democracy. But could it still do a deal with the Muslim Brotherhood?



Jun 23rd 2012

THERE is more than a bit of farcicality to Egypt's predicament. This was well displayed in a recent newspaper headline: "Mubarak Dead and Alive, Shafiq and Morsi President". The words referred to firm official reports, later firmly denied, that Egypt's 84-year-old ousted president, Hosni Mubarak, had died on June 19th, and to vehement, rival claims of victory in the presidential elections held on June 17th, given the peculiarly lingering absence, several days later, of an official count.

Unusually for a country famed for its humour, few in Egypt are laughing. Seventeen months after the uprising that toppled Mr Mubarak, the most populous Arab country remains tangled in a web of rumour, mistrust and Byzantine legal convolutions. The latest twists appear to many to have set the country back where it was at the beginning of its hoped-for transition from dictatorship to democracy. At the time of what many now shy of calling a revolution, Egypt's army stepped in to fill the vacuum left by Mr Mubarak's fall. Its role was widely welcomed; its promise of a swift handover to elected civilians widely believed. A referendum

in March 2011 stamped public approval on plans to hold parliamentary elections, followed by the naming of a constitutional assembly, followed by the election of a president.

On paper, the 24-odd generals of the Supreme Command of the Armed Forces, or SCAF, have kept much of their word. Free elections last winter brought in a proper parliament, dominated by the Muslim Brotherhood. The parliament did belatedly name a constitutional assembly, after several angry walk-outs by secularists alarmed by Islamist attempts to dominate that body. And bitterly polarised but more-or-less free presidential polls did produce, via a first round in May and this month's run-off, a generally accepted winner by a slim margin, the Brotherhood's candidate, Muhammad Morsi, though his rival, General Ahmed Shafiq, a Mubarak-era prime minister, still challenges this. The army has promised a nice ceremony on June 30th to swear in a new head of state, once the election commission it appointed decides whom to endorse.

But none of this is working in practice. The parliament, mired in bickering and thwarted by the SCAF from doing much, was summarily dissolved on the eve of the presidential election by a court order. This has happened twice before in Egypt, and the judgment did have a legal nit-pickers' basis. Yet the timing of the judgment, plus the sweeping move to shut the legislature rather than call a partial re-election, suggested at least a disregard for democracy, and at worst skulduggery. Such suspicions soon deepened.

Just before the presidential run-off, the SCAF-appointed justice minister decreed that army officers have the right to arrest civilians, in what appeared, in effect, a return to Mr Mubarak's hated emergency laws. And as the presidential polls closed, the SCAF issued an innocuous-looking annex to the rules it had set for the transition. In the absence of a parliament, this grants the SCAF itself continuing power to legislate, the state budget included. It gives the generals total autonomy, excluding any oversight by the future president.

In addition it permits the SCAF, in the event of trouble in convening the constitutional assembly chosen by the now-disbanded parliament, to appoint its own body to write the constitution. It also states that new parliamentary elections cannot be held until a constitution is drafted. And to ensure an even tighter grip, the SCAF issued a separate decree forming a National Defence Council to oversee all military and security affairs. It will include a handful of civilian officials and is nominally chaired by the president-to-be, but two-thirds of its members are generals, and decisions will be made by a simple majority.

So Egypt's incoming head of state may be able to appoint a cabinet, but will have no authority over budgets, internal security, foreign affairs or the army. The SCAF will almost certainly find an excuse to pick its own constituent assembly. The order of the belaboured transition has been reshuffled, with the presidential poll coming first, then a constitution, then a parliament. Mohamed ElBaradei, the former UN nuclear chief whose principled attacks on Mr Mubarak helped launch Egypt's revolution, abandoned a hoped-for presidential bid because in the absence of a constitution the race, he said, would be open to manipulation. How prescient he now looks.

Not surprisingly, many Egyptians are crying foul, describing the SCAF's dodgy refereeing as a power grab or soft coup. The Brotherhood, which strengthened its claim to the presidency

by publishing facsimiles of all 13,000-plus official local voting tallies, insists that parliament should stay in session. It called a rally in Cairo's Tahrir Square on June 19th, threatening pressure from the street unless the SCAF backs down.

Should the electoral commission go so far as to rule Mr Shafiq the actual winner, in the face of evidence to the contrary, violence will probably erupt. Rumours are rife of army deployments around cities, and it is widely believed that the news of Mr Mubarak's death was a trial balloon, sent up in an effort to calm the streets with a whiff of *Schadenfreude*.

Yet amid the understandably heated rhetoric and absurd legal tap-dancing, some detect another episode in the struggle between the Brotherhood and Egypt's "deep state" driven by the security services. Behind the scenes, it is widely assumed that bargaining is going on, with the SCAF offering to accept Mr Morsi's win in exchange for reducing his and the Brothers' role in shaping the constitution. Many Egyptians would reluctantly accept this so long as the generals restrain their greed and do eventually retreat to their barracks.

The Brotherhood-dominated parliament is not hugely mourned. Though some cheating is suspected, Mr Shafiq did win millions of votes with his scaremongering against the Islamists. But overall the mood among millions of Egyptians who have patiently queued again and again in the past year to have a say in their future is one of weary disgust with the whole messy business. The doleful quip making the rounds is that Mr Mubarak, gravely ill, is having the last laugh.