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Why Did the Egyptian Muslim Brotherhood Year-Long Rule Fall?

1 Introduction

On July 3, 2013, after Mohammed Morsi had been in power for just one year, Egypt's generals overthrew their first elected civilian president in the country's history. The Muslim Brotherhood (MB) found itself facing the most serious crisis in its eighty-five-year history. Seeking to crack down on the MB and its allies, the military-backed government of General Abdel Fattah al-Sisi immediately started an aggressive campaign that resulted in the killing of hundreds of MB supporters and the arrest of thousands of its members, sympathizers and allies, including Morsi and other top leaders. On September 23, the Cairo Court ordered via a preliminary injunction and as an urgent matter the closing down of the Brotherhood movement. The ruling banned »all the activities of the Muslim Brotherhood organization, the groups [affiliated with] it, its associations, and any institution that branches from it or follows the group or receives financial support from it«.² On December 25, the movement was officially declared a »terrorist group« by Egypt's interim Cabinet.³

Despite the court decision and the labeling of the movement as a »terrorist group«, the Brotherhood has the potential to remain an active movement, as it did under the rule of Gamal Abdel Nasser, Anwar al-Sadat, and finally Hosni Mubarak. This could be assured not least by its core constituency of supporters, networks, and ideological believers who have not deserted it. The crucial question that remains, however, is: Why did the well-structured and powerful MB fail to maintain power even though it won all of the elections in the post-Mubarak era? From the Brotherhood's viewpoint, the failure of Morsi's year-long rule came as a result of what the MB leaders describe as Egypt's »deep state« which includes the military, security services, bureaucracy, media, and judiciary. Egypt's deep state has sought to resurrect the military dictatorship that Egyptians overthrew after the January 25th Uprising. During Morsi's tenure, according to the MB, the deep state conspired against him by undermining the overall quality of Egyptian life in

1 This article is based on the author's doctoral research which focuses on the ideological transformation of the Turkish Justice and Development Party and the Egyptian Muslim Brotherhood under the supervision of the late Christoph Schumann.

2 Stephanie McCrummen, »Egypt's Muslim Brotherhood is banned, and crackdown could broaden«, in: *Washington Post*, September 23, 2013 (<http://www.smalllinks.com/1AHV>).

3 BBC, »Egypt's Muslim Brotherhood declared »terrorist group«, December 25, 2013 (<http://www.smalllinks.com/1AHU>).

order to prepare for the coup. By adopting this narrative, the MB has tried to define the conflict as being between the remnants of the old regime and the »25th of January Revolution«. Employing this discourse, the MB has sought to do three things: 1) to appear as the innocent victim of state aggression, 2) to avoid blame and accountability, and 3) to convince a large part of the Egyptian people and its supporters that the coup had been unavoidable.

However, this narrative falls short of fully accounting for the political realities of Egypt. It is true that the Egyptian deep state is one of the reasons for the overthrow of the MB, but emphasis on the strategic mistakes of the MB in the post-Mubarak era is also imperative. When Morsi came to power, only few Egyptians were in opposition to the rule of the MB, and the majority was in support as is argued by Ibrahim el-Houdaiby, a former member of the MB. For instance, only around 1,500 people showed up when Mohamed Abu Hamed called for a million-man march against Morsi in August 2012. Furthermore, although the media did have an effect in inciting anti-MB sentiments, they had little bearing on the political outcome that emerged. The media had been present and had tried to exert influence even before the Uprising, during anti-Mubarak protests and during presidential elections, but to no avail.⁴ The MB leaders also were aware of the power of Mubarak's regime and its attempt to return to the political scene.⁵ Shortly after the January 25th Uprising, Marina Ottaway, a Middle East analyst at the Carnegie Endowment for International Peace, alongside many others, warned that the »old regimes—the submerged icebergs of personal connections, institutions, and common interests of which the presidents and their immediate entourage were the visible tips—are still there and they are fighting back to retain as much power and control as they can.«⁶

This article argues that resistance by the deep state is only one reason for the ouster of the MB. Other factors are associated with the MB's miscalculations and strategic choices. The MB's mistakes did not start only after Morsi won the presidency but go back to the days after the ouster of Mubarak. Instead of focusing on building consensus within Egypt's political system in order to unite the various ideological and religious divisions in the country, the MB was quick to assert control over the state and its bureaucracy – or what Michael Mann refers to as the »political network« – in an attempt to dominate the other crucial sources of power (economic, military and ideological). Therefore, the MB rallied behind the Supreme Council of the Armed Forces' (SCAF) plan to hold parliamentary elections prior to drafting a new constitution even though that meant creating a rift with the revolutionary forces who favored creating a new constitution before the elections. At this point, the Brotherhood made another serious miscalculation by failing to remedy its detachment from the revolutionary forces and by choosing to demonstrate its power vis-à-vis the parliament, the government and, finally, the presidency. The actions of the Brotherhood were highly ineffective and further added to its isolation. It not

4 Ibrahim el-Houdaiby, »Egypt: Nothing was inevitable«, in: *Abramonline*, September 13, 2013 (<http://www.smalllinks.com/1AHW>).

5 See the official website of the Muslim Brotherhood (<http://www.smalllinks.com/1AHX>).

6 Marina Ottaway, »The president left, the regimes are still here«, in: *Carnegie Endowment for International Peace*, February 14, 2011 (<http://www.smalllinks.com/1AHY>).

only failed to expand its electoral support basis beyond its hard-core constituencies, but it also failed to entrench itself within the state and its bureaucracy, to fortify itself economically and to weaken the influence of the military. With the MB kept out of positions of power for decades, Morsi and his group faced stiff resistance from an establishment that continued to view them as outsiders. The establishment, in particular the army and the »deep state«, therefore wasted no time in their attempts to block Morsi's government's policies and programs.

The article proceeds as follows: The first section traces the MB interaction with Egypt's power networks prior to the January 25th Uprising. By using Mann's theory of social power, it sheds light on the ideological, political, and economic aspects of the MB's project, arguing that over the course of Egyptian history the MB was excluded from Egypt's power sources. The second section begins with an analysis of the MB's political development in the post-Mubarak era, explaining its strategic mistakes during this period. The next section discusses the MB's attempt to increase its influence over the military and the challenges it faced in trying to do so.

2 Michael Mann's Theory of Social Power

In order to explain why the MB failed to shift from the old sources of power to different ones supporting a new regime dominated by its members and supporters, this article will draw on Michael Mann's theory of social power. Mann defines a regime as »an alliance of dominant ideological, economic and military power actors, coordinated by the rulers of the state«. ⁷ According to Mann's theory, social and historical development within Western civilization was mainly the outcome of the four overlapping and intersecting power networks: ideological, economic, military, and political (IEMP model). These overlapping networks generate power. They offer organizational means of social control and domination over political and social spheres. In Mann's words, »[t]hey give collective organization and unity to the infinite variety of social existence. They provide such significant patterning as there is in large-scale social structure (which may or may not be very great) because they are capable of generating collective action. They are ›the generalized means‹ through which human beings make their own history«. ⁸ In other words, these power networks are a chain of connections linking people and social actors together. As Mann underlines, the four power networks differ in every country and time. Depending on the society, its structure and history, one or more of these power networks usually dominates the others. Although each one of these presupposes the existence of the others, it is recognized that they may not be equal in their importance. »Some net-

7 Michael Mann, *The sources of social power* (Vol. 2). Cambridge, Cambridgeshire / New York, Cambridge University Press, 1993, p. 18.

8 Michael Mann, *The sources of social power* (Vol. 1). Cambridge, Cambridgeshire / New York, Cambridge University Press, 1986, p. 28.

works have greater capacity for organizing intensive and extensive, authoritative and diffused, social cooperation than others«. ⁹

Mann proposes that humans develop their own power networks, independently from existing institutions, in order to further their goals. These power networks may develop as a direct challenge to existing institutions, but they may also emerge unintentionally in what Mann refers to as the »interstitial emergence« of the established power networks. The emergence of these new power networks within the gaps of the established networks brings about new power relations and institutions, which may have unanticipated consequences for the established power networks. ¹⁰ In Mann's words:

[The processes of interstitial emergence] »are the outcome of the translation of human goals into organizational means. Societies have never been sufficiently institutionalized to prevent interstitial emergence. Human beings do not create unitary societies but a diversity of intersecting networks of social interaction. The most important of these networks form relatively stably around the four power sources in any given social space. But underneath, human beings are tunneling ahead to achieve their goals, forming new networks, extending old ones, and emerging most clearly into our view with rival configurations of one or more of the principal power networks.« ¹¹

3 *The Egyptian MB Prior to the January 25th Uprising*

The Egyptian Muslim Brotherhood, often known simply as al-Ikhwān or the Brothers, is the oldest and most influential Islamic religious movement, not only within Egypt but also in the Arab World. It currently boasts millions of members and supporters. Hassan al-Banna (1906–1949), a schoolteacher and imam, established the MB in 1928 as a revivalist mass movement. He wanted to create an Islamic State among Muslim countries and to rid Egypt and the entire Muslim world of foreign domination. He advocated a return of the Islamic caliphate, viewing it as a religious imperative that would unify the Muslim world and be a symbol of Muslim unity. ¹² Therefore, al-Banna prioritized the establishment of the caliphate (or »regime«, in Mann's terminology) and placed it at the top of his program. ¹³ Al-Banna consequently sought to influence Egypt's four power networks by trying to promote an ideological hegemony, to access the political network, to develop an economic program, and to establish the »Special Apparatus« (*al-Nizam al-Khass*) as a major means of power.

In keeping with Mann's model, al-Banna promoted a new ideology based on a discourse of Islamic revival. He believed that reviving Islam as an identity and returning to

9 Mann, *The sources of social power* (Vol. 1), op. cit. (FN 8), p. 27.

10 Mann, *The sources of social power* (Vol. 1), op. cit. (FN 8), p. 15.

11 Mann, *The sources of social power* (Vol. 1), op. cit. (FN 8), p. 16.

12 Hassan al-Banna, *Majmua arrasa'il lali'imam Hasan Albana, taba mazida wamniqha*, Masr, Dar alkalma lalnshr waltawzi, 2005.

13 A. Z. al-Abdin, »The political thought of Hasan al-Banna«, in: *Islamic Studies*, Islamabad, 28 (3), 219–233, 1989, p. 222.

the ideas and practices of Prophet Muhammad and the first generation of Muslims (*al-sahaba*) were the only possible remedy for the ills of society and their consequence for the Muslim Nation (*al-Ummah*). The MB used, and still uses, Islam as an ideological framework of identity, a framing device, and a mobilization call in order to achieve the ultimate goals of establishing its version of Islamic society. Using Islam as a political ideology has facilitated the spread of the MB message among people just as religion has provided a source of symbols, a collective identity, and a motivation for actions. Al-Banna saw in Islam a comprehensive system that dealt with all aspects of life. For him it was both religion and state (*din wa dawla*).¹⁴

According to Mann's theory, there is an interdependent relationship between the four power networks. Ideology, along with the other three power networks: military, economic and political, is crucial for shaping social change and, more specifically, for generating people power.¹⁵ We can expect, therefore, that after building the MB's ideological foundation, the political, economic and coercive (or military) networks would receive increased attention from al-Banna. The changes brought about by the Sixth Conference of the MB, held in 1941, allowed the Brothers to compete in parliamentary elections. Thus, al-Banna joined the race in the 1942 elections along with seventeen other MB members who ran as candidates. These changes enabled al-Banna to adopt a more open political approach¹⁶, intended to allow the MB to access the political network. Furthermore, in the mid-1940s, al-Banna started to pay attention to the Egyptian economy. Rather than waiting to control power and then implement its economic program, the MB moved quickly to take measures to penetrate the economy from below.¹⁷ Al-Abdin points out that al-Banna set up seven business enterprises in the areas of trade, industry, and printing services, wishing to highlight the benefits and effectiveness of an Islamic economy. Collections from shareholders who were Brotherhood members provided capital for al Banna's businesses, with numbers rising and falling between 4,000 and 60,000 Egyptian pounds.¹⁸

Al-Banna did not rely only on ideology and on political and economic power networks, but also wanted to achieve military (he called it »physical«) strength or power.¹⁹ According to Mann, the military network is one of the most powerful of the four power networks.²⁰ In 1937, during the Fifth Conference al-Banna argued quite frankly that the use and show of force is deemed acceptable according to Islamic belief

14 Hassan al-Banna, *Five tracts of Ḥasan Al-Bannā' (1906–1949): A selection from the Majmū'at rasā'il al-Imām al-shahīd Ḥasan al-Bannā'*, Berkeley, University of California Press, 1978, pp. 46–47.

15 Mann, *The sources of social power* (Vol. 1), op. cit. (FN 8), p. 1.

16 Mohammed Zahid, *The Muslim Brotherhood and Egypt's succession crisis: The politics of liberalisation and reform in the Middle East*, London / New York, Tauris, 2010, p. 75.

17 Johurul Bari, *Re-emergence of the Muslim Brothers in Egypt*, New Delhi, Lancers Books, 1995, pp. 22–27.

18 Al-Abdin, »The political thought of Hasan al-Banna«, op. cit. (FN 13), p. 227.

19 Al-Banna, *Majmua arrasa'il lali'imam Hasan Albana, taba mazida wamnqba*, op. cit. (FN 12), p. 116.

20 Mann, *The sources of social power* (Vol. 1), op. cit. (FN 8), Ch. 1.

in order to defend Muslims against their enemies, i. e. against God's enemies. Al-Banna argued that force was confined not just to physical strength but also constituted a show of faith and unity. A group that did not possess these qualities was considered fragile and weak. Though al-Banna's speeches were influential, it was the actions of the Brotherhood that were more likely to be conceived as a threat to the stability of the government. In the early 1940s, the Special Apparatus was established by al-Banna as a militia,²¹ with the purpose of performing jihad against the Zionist forces in Palestine and the occupation of the Suez Canal Zone by the British Army.²² In addition to *al-Nizam al-Khass*, al-Banna had created »cells« within the army and the police force, aiming to penetrate the military from below. Al-Banna had funded a military section (*al-wahdat Al-Askariyya*) with the intent of recruiting and organizing members from the regular forces under the watchful gaze of police official, Salah Shadi. In addition, the MB established ties with some of the secret groups and associations operating in Egypt that were determined to bring about change in the country. As an example, the MB created ties with the Free Officers group that toppled King Farouk in the Revolution of 1952, via Anwar al-Sadat who was an unknown junior officer at the time.²³

During the 1940s, the MB worked to cement its political, economic and power networks. It does not come as a surprise, therefore, that after the coup of 1952, the MB was the largest and the most organized of all political groups, presenting a major challenge to Nasser's regime. The 1954 assassination attempt against Nasser by an alleged member of the Brotherhood ended the relative calm that had existed since 1951. The revolutionary government's support for the Brotherhood ended, and thus began the political crack-down and repression of the Brotherhood's members. Nasser responded by dissolving the movement in January 1954 after claiming that the movement had attempted to seize power by force and had tried to assassinate him. By the end of the Nasser era, the MB was, to a large degree, excluded, having no influence over the sources of Egypt's power.

After Nasser's death, in an attempt to fortify the Islamic movement against supposed threats from communism, President Anwar al-Sadat freed many members of the Brotherhood, leading to a new chapter of hope and opportunity for the group.²⁴ In contrast to Nasser, al-Sadat tolerated the Brotherhood to some extent and allowed it to resume some of its activities. This worked in the MB's interests, leading the Brotherhood to change its strategy from confrontation to infiltration. In other words, opening the political and economic spaces, the MB believed, would help it to access the political and

21 Richard P. Mitchell, *The Society of the Muslim Brothers*, New York, Oxford University Press, 1993, p. 205.

22 Al-Abdin, »The political thought of Hasan al-Banna«, op. cit. (FN 13), p. 230.

23 Anwar al-Sadat, *Al-Baht 'an al-dat: Qissat hayati*, Al-Qahira, al-Maktab al-misri al-hadit, 1978. See also Barbara Zollner, *The Muslim brotherhood: Hasan al-Hudaybi and ideology*, London / New York, Routledge, 2009, p. 26; Gudrun Krämer, *Hasan al-Banna*, Oxford, England / New York, 2010, p. 74.

24 Mariz Tadros, *The Muslim Brotherhood in contemporary Egypt: Democracy redefined or confined?* London, Routledge, 2012, p. 6.

economic networks from below and to use it as »a tool for keeping its mission alive«. ²⁵ Consequently, as independents, the MB was allowed to take part in the elections and to expand its social networks. ²⁶ It was absolutely clear that the MB was now a force within Egyptian society and politics, although the state was still officially denying that it existed. Alongside its political achievements, the MB, while having a capacity to deliver impressive services to sectors of the lower middle class, also rose quickly to powerful roles in significant syndicates for professionals, faculty clubs for teachers, and student unions. ²⁷

Not only did the MB enjoy the new political spaces, but also after the »open door« (*Infitah* policy), the MB members and sympathizers benefited from the economic opportunities. ²⁸ With the progression of economic liberalization in the decade following the mid-1970s, it was evident that Islamic activity was significantly expanding in economic matters. With the diminishing state role in economic management and planning, Islamic groups were participating in the growth of banks, investment companies and personal business ventures. ²⁹ In the 1980s, the *Infitah* policies helped Islamic banks and investment institutions to prosper, bringing about a burgeoning financial sector.

Al-Sadat's successor Hosni Mubarak adopted al-Sadat's policy towards the MB: toleration but no legalization that would allow the organization to become strong enough to alter the status quo. As independents, the MB was allowed to take part in the elections and to expand its social networks. ³⁰ However, mistrust was starting to build between the Brotherhood and Mubarak as the former grew in influence. This mistrust was due to the MB's attempts to increase its sway not only over the political but also over the economic sources. In an attempt to overhaul the economy and recover its authority over economic resources and capital, the Mubarak's regime took a vigorous position against Islamic investment companies in the year following its agreement with the IMF in 1987. ³¹ The Islamic investment companies had increased greatly during the 1980s and had been able to offer a higher return of profits, resulting in their increasing influence over the economic network. ³² Mubarak's suppression of the Islamic investment companies amounted to a severe attack on the MB and its largest source of finance; more than 40 % of the owners of the Islamic investment companies were MB members and supporters. Both organizations and private businesses owned by MB members were confiscated in an attempt to further weaken the Brotherhood's power within the economic network. Senior members

25 Abd al-Monein Said Aly / Manfred W. Wenner, »Modern Islamic reform Movements: The Muslim Brotherhood in contemporary Egypt«, in: *Middle East Journal*, 36(3), 336–361, 1982, p. 353.

26 Hesham al-Awadi, *In pursuit of legitimacy: The Muslim Brothers and Mubarak, 1982–2000*, London / New York, Tauris, 2004, p. 111.

27 Al-Awadi, *In pursuit of legitimacy: The Muslim Brothers and Mubarak*, op. cit. (FN 26), p. 111.

28 Cihan Tuğal, »Fight or acquiesce? Religion and political process in Turkey's and Egypt's neo-liberalizations«, in: *Development and Change*, 43(1), 23–51, 2012, p. 35.

29 Al-Awadi, *In pursuit of legitimacy: The Muslim Brothers and Mubarak*, op. cit. (FN 26), pp. 66–71.

30 Al-Awadi, *In pursuit of legitimacy: The Muslim Brothers and Mubarak*, op. cit. (FN 26), p. 111.

31 Robert Springborg, *Mubarak's Egypt: Fragmentation of the political order*, Boulder / Colo, Westview Press, 1989 p. 58.

32 Al-Awadi, *In pursuit of legitimacy: The Muslim Brothers and Mubarak*, op. cit. (FN 26), p. 132.

of the MB, Khairat Al-Shatir and Hasan Malek, were arrested during a security services raid on their company, Salsabil Computer Company in February, 1992. The men were accused of membership in a secret group, using private gatherings within the company to conspire to overthrow the government.³³ According to Abdel Moneim Abdel Maq-soud, the MB's attorney, more than 1,400 business enterprises owned by the MB or its members were closed under Mubarak.³⁴

4 *The January 25th Uprising*

During the January 25th Uprising, the MB was not only taken by surprise but also had little influence over Egypt's power networks. It was totally excluded from the political, economic³⁵ and military networks. However, during the eighteen-day Uprising, the MB attempted to create a new pattern of social power on top of the old social system that was collapsing and needed a new ideological discourse that would facilitate this process.

By comparison with other sources of power (military, economic, and political), ideology has the ability to spread, penetrate and extend its influence throughout society, among the masses, and around the world more extensively than any other power organization.³⁶ This is also true in the Egyptian case. As Nadine Sika from the American University in Cairo argues, during the Uprising »none of the revolutionaries' chanted slogans had religious connotations«. ³⁷ The popular and famous slogans in Tahrir Square were: »Bread, freedom and social justice«, »The people want to topple the regime«, and »Raise your head, you are an Egyptian«. These slogans represented the unified nationalistic spirit of the demonstrators, uniting them to work collectively to bring down Mubarak's rule. The MB members and leaders also appeared to be more democratic, to have a more secular attitude, and to be willing to compromise with other secular and liberal political forces. In order to unite the demonstrators, it changed its slogan to a democratic-

33 Al-Awadi, *In pursuit of legitimacy: The Muslim Brothers and Mubarak*, op. cit. (FN 26), p. 162.

34 See in Islammemo (<http://www.smalllinks.com/1AHZ>).

35 After it won the presidential election, the MB had to tackle the major challenge of Egypt's economy. Egypt's Uprising was largely the result of public dissatisfaction with the high level of unemployment, inflation of food prices, low income and rising inequality. The recovery of Egypt's economy was not going to be an easy task for the MB. Its failure to improve the economy and the lack of a clear economic roadmap caused more hardship and suffering among ordinary Egyptians, particularly among the poor. Not only were people's expectations not met, but also the MB's attempt to liberalize Egypt's economy and to expand its economic network beyond its traditional base by attracting local and foreign investments was perceived by the Mubarak's affiliated bourgeoisie and the military as a possible threat to their political and economic interests. For more information see Mahmoud Jaraba, »Moderation or transformation: Explaining the different ideological trajectories of the Egyptian Muslim Brotherhood and the Turkish Justice and Development Party«, (unpublished doctoral dissertation), University of Erlangen-Nuremberg, Germany, 2013.

36 Mann, *The sources of social power* (Vol. 1), op. cit. (FN 8), pp. 20–22.

37 Nadine Sika, »Dynamics of a stagnant religious discourse and the rise of new secular movement in Egypt«, in: Bahgat Korany / Rabab el-Mahdi (eds.), *Arab spring in Egypt* (An AUC Forum for International Affairs ed., pp. 63–81), Cairo / New York, The American University in Cairo Press, 2012, p. 63.

sounding one: »Freedom is the Solution and Justice is the Application«.³⁸ Instead of brandishing a Quran and shouting Islamic slogans, »religious symbols have been conspicuously absent« from MB activity.³⁹

However, the spirit of Tahrir Square changed dramatically months after the Uprising, which led to a major split among the revolutionary forces. Directly after the Uprising, the Supreme Council of the Armed Forces (SCAF) faced a massive dilemma. The SCAF had to decide either to proceed to elections in order to end the post-revolutionary rule of the military, or slow down the electoral timetable and prioritize the writing of a new constitution. The SCAF decided to hold parliamentary elections before drafting a new constitution⁴⁰, a move perceived by the MB as an opportunity to move quickly to penetrate the political network. Subsequent to the fall of Mubarak and the collapse of the regime's National Democratic Party, the only party capable of taking control was the MB. The other remaining actors had to reorganize or, in some cases, start from scratch. Consequently, whereas the other revolutionary forces primarily favored creating a new constitution before the elections, the MB rallied behind the SCAF's plan to hold parliamentary elections prior to drafting a new constitution.⁴¹ Therefore, the MB immediately seized the opportunity to win power by abandoning the street protests, deciding to embark on an election campaign even though that meant creating a rift with the revolutionary forces. Because the secular and liberal groups feared the relatively better organized Islamists, they preferred to delay the elections, with the goal of obtaining a greater share in the re-writing of the new constitution prior to the elections.⁴² Consequently, the secular and liberal groups opposed the SCAF's plan and »called for a vote with NO on the constitutional amendments«.⁴³ This led not only to political division within the revolutionary forces but also to a new phenomenon: »vote division based on secular-religious polarization«.⁴⁴

By mid-2011, the split between the Brotherhood and the youth coalitions and the secular and liberal groups deepened. After several previous gatherings, following appeals for a million people to demonstrate in Tahrir Square, known as a »*Millioniyya*«, July 29

38 Ruth Starkman, »The concept of Brotherhood: Beyond Arendt and the Muslim Brotherhood«, in: *Critical Review of International Social and Political Philosophy*, 1–19, 2012, p. 4.

39 Carrie Wickham, »The Muslim Brotherhood after Mubarak«, in: *Foreign Affairs*, February 3, 2011 (<http://www.smalllinks.com/1AI0>).

40 Nathan J. Brown, »When victory becomes an option: Egypt's Muslim Brotherhood confronts success«, in: *Carnegie Endowment for International Peace*, January, 10, 2012 (<http://www.smalllinks.com/1AI1>).

41 H. A. Hellyer, »Partisanship can still sink Egypt's national project«, in: *The National*, March 23, 2011 (<http://www.smalllinks.com/1AI2>); Daniela Pioppi, »The Muslim Brotherhood and the illusion of power«, in: *The German Marshall Fund of the United States*, Op-Med, July 2012 (<http://www.smalllinks.com/1AI3>).

42 Michele Dunne, »Egypt: Elections or constitution first?«, in: *Carnegie Endowment for International Peace*, June 21, 2011 (<http://www.smalllinks.com/1AI4>).

43 Georges Fahmi, »Egypt presidential election 2012: The survival of the July 1952 regime«, in: *Arab Reform Initiative*, (60) July, 2012, p. 2 (<http://www.smalllinks.com/1AI5>).

44 Fahmi, »Egypt presidential election 2012: The survival of the July 1952 regime«, op. cit. (FN 43), p. 3.

saw impressive numbers of people, according to some sources an estimated six million people participate.⁴⁵ The number had not been this high since the demonstrations against Mubarak. On this occasion, many protestors chanted »Islamiyya, Islamiyya« calling for the creation of an Islamic State with a clear Islamic identity, adhering to Islamic principles.⁴⁶ It became clear after the July 29th demonstration that the need for relationships with non-Islamic groups had diminished. The Islamic demonstrators shouted »Islamic, Islamic, neither secular nor liberal«. Although the rally was peaceful, as Anthony Shadid writes, »the few secular activists who attended contended that they were silenced; some said they were escorted from the square. Most of them decided to boycott the event, in protest of the demonstration's tone, ceding the square to the more religious«.⁴⁷

Not only had the MB tried to exclude its former liberal and secular allies but also the movement's reformers. The Brotherhood's rigid ideology, general inflexibility, and top-down leadership structure led it to lose »some of its reformists and young talent«.⁴⁸ As a number of influential members within the MB favored a more moderate and liberal form of Islamic politics, leadership among the group's youth movement has also begun to detach itself from the Brotherhood, creating its own political party. Calling itself the Egyptian Current Party (Hezb Al-Tayyar Al-Masry), this splinter group supports freedom of the individual to adopt Islamic values without being subject to Islamic religious law.⁴⁹ In short, it advocates the separation of religion and politics. Several of the group's more prominent leaders, namely Mohamed El-Kasaas, Islam Lotfy, and Mohamed Abbas, played prominent roles in leading the first day of the anti-Mubarak protests which ended his presidency.⁵⁰ Furthermore, after declaring his intention to run independently for the presidency, the popular and liberal leader, Abdel Moneim Aboul Fotouh, the MB's iconic reformist leader, was expelled from the movement.⁵¹ The group had vowed to refrain from any involvement in the first post-Mubarak election, and Aboul Fotouh, who was held in high regard by the group's youth movement, had supposedly disregarded its plan of action.⁵² As al-Anani points out, the movement had not only maintained its rigid hierarchy but went to the lengths of marginalizing those who sought change.⁵³

45 See al-Mokhtar (http://www.smalllinks.com/1AI7).

46 See al-Jazeera, July 31, 2011 (http://www.smalllinks.com/1AI6).

47 Anthony Shadid, »Islamists in Egypt mass in square to demand religious state«, in: *New York Times*, July 29, 2011 (http://www.smalllinks.com/1AI8).

48 Jeffrey Martini / Dalia D. Kaye / Erin York, *The Muslim Brotherhood, its youth, and implications for U.S. engagement*, Santa Monica, CA, RAND, 2012, p. 7.

49 Noha el-Hennawy, »Brotherhood divided over Friday's protests«, in: *Egypt Independent*, May 26, 2011 (http://www.smalllinks.com/1AI9).

50 *New York Times*, »In Egypt, youth wing breaks from Muslim Brotherhood«, June 22, 2011 (http://www.smalllinks.com/1AIA).

51 Yasmine Saleh, »Egypt's Muslim Brotherhood expels presidential hopeful«, in: *Reuters*, June 22, 2011 (http://www.smalllinks.com/1AIB).

52 Noha el-Hennawy, »Brotherhood reformist launches campaign, reveals divisions«, in: *Egypt Independent*, May 13, 2011 (http://www.smalllinks.com/1AIC).

53 Khalil al Anani, »Old habits die hard!«, in: *Foreign Policy, The Middle East Channel*, January 31, 2012 (http://www.smalllinks.com/1AID).

4.1 Elections First

Instead of focusing on building consensus within Egypt's political system, the MB was quick to try and control parliament in an attempt to dominate the other power sources and to impose its own plans in the post-Mubarak era. Though the Egyptian MB has been in existence since 1928, it formally submitted a request to be officially recognized as political party only on May 18, 2011. The Freedom and Justice Party (FJP) was established in June 2011, with around 10,000 founding members.⁵⁴ For the first time in its history, the MB was recognized not only as a legitimate organization but was also accorded equal opportunity⁵⁵ to increase its influence over the political sources. The FJP would serve to present the political front of the MB and to be a major means to control the political network. It started its election campaign by promising to contest only a third of the parliamentary seats. This was subsequently increased to a half, and then, at the time of the election, the FJP actually contested almost all the seats,⁵⁶ intending to win and rule legitimately.

To gain control of the political sources, the MB, in the period after the Uprising, tried to rapidly expand and fill any gaps that opened within the political structure. In the post-Mubarak era, in June, a group made up of twenty-eight Egyptian political parties and calling itself the »Democratic Alliance for Egypt« formed under FJP domination. The parliamentary elections of late 2011 and early 2012 led to the MB's dominance over the parliament. The Democratic Alliance won a total of 235 out of 498 (47.2 %) lower house seats, making the FJP the clear victor in the election. The ultraconservative, Salafi al-Nour Party won 24 % of the seats and placed second. The remaining seats were won by several non-Islamist groups, including al-Wafd (8 %), Egyptian Bloc (7 %) and al-Wasat (2 %); the Revolution Continues party, despite its alignment with the principles of the protestors, took a mere 2 % of the seats.⁵⁷

However, after dominating the new parliament, the MB found itself powerless, having no real, effective influence over the political network. The March 2011 Constitutional Declaration, imposed by the SCAF, left the parliament with limited power⁵⁸; thus, the Brotherhood found itself at the head of a powerless legislature. Though the transitional constitutional setup permits parliament's participation in the country's legislation, it must work in unison with the SCAF in the lawmaking process.⁵⁹ The SCAF wanted to confine the power of the Brotherhood. Confrontation thus became inevitable between the two as the Brotherhood realized its predicament after a year of being both unable to

54 See Ikhwanwiki (<http://www.smalllinks.com/1ALM>).

55 Mona Farag, »Egypt's Muslim Brotherhood and the January 25 Revolution: New political party, new circumstances«, in: *Contemporary Arab Affairs*, 5(2), 214–229, 2012.

56 Brown, »When victory becomes an option: Egypt's Muslim Brotherhood confronts success«, op. cit. (FN 40), p. 5.

57 See al-Jazeera, January 22, 2012 (<http://www.smalllinks.com/1AIE>).

58 Nathan Brown / Kristen Stilt, »A haphazard constitutional compromise«, in: *Carnegie Endowment for International Peace*, April 11, 2011 (<http://www.smalllinks.com/1ALO>).

59 Brown, »When victory becomes an option: Egypt's Muslim Brotherhood confronts success«, op. cit. (FN 40), p. 10.

hold ministers answerable for their actions or to dismiss government. The Brotherhood made another serious miscalculation at this point by failing to remedy its detachment from the revolutionary forces and by choosing to demonstrate its power vis-à-vis the parliament. This was clear in the Mohamad Mahmoud street violent clashes near Tahrir Square in November 2011 that left 47 dead. While the clashes erupted, the MB was working on its elections campaign, refusing to participate in the protest against SCAF and condemning the protesters who opposed SCAF.⁶⁰ The actions of the Brotherhood were highly ineffective and further added to their isolation. The SCAF succeeded in casting the Brotherhood in the role of a »wild«, power-hungry party that seeks to control everything: parliament, the Constituent Assembly, the government, and finally the presidency.⁶¹

After finding itself powerless, the MB shifted its strategy towards the »power center«, focusing its intentions on the office of the presidency. Egypt's president had always been a major player in controlling the political network. During the time immediately after the ejection of Mubarak, the Brotherhood declared that it would not enter a candidate in the presidential election. However, the movement changed its objectives and decided to stand once it realized that it had to counter the forces that allegedly aimed to disrupt the election process and its path to control the political network. Consequently, the MB nominated a presidential candidate, aiming to access the »power center«.

Although Morsi was not the MB's first choice as its presidential candidate,⁶² the movement threw its weight behind him. May 23 and 24, 2012, saw, for the first time, a free and fair presidential election, and Egyptians flocked to the polling stations. Although there were thirteen candidates in the first round representing a variety of political trends, the last round ended in a contest between only two candidates: Morsi of the MB and General Ahmed Shafik, the last prime minister under President Mubarak. The run-off ended with Morsi finishing as the winner and becoming the first post-revolution president of Egypt.⁶³

4.2 *Morsi, Egypt's Bureaucracy and Judiciary*

Although Morsi won the elections, it was becoming increasingly evident that the tenure of the MB was fraught with obstacles to control a bureaucracy whose history goes back more than 200 years.⁶⁴ To secure full and unchallenged domination over the political network, the MB attempted to insert its supporters and loyalists into the state and its

60 See Ahramonline (<http://www.smalllinks.com/1ALP>).

61 Khalil al-Anani, »The embattled Brothers«, in: *Egypt Independent*, April 19, 2002 (<http://www.smalllinks.com/1AIF>).

62 Initially, longtime leader Khairat Al-Shater was expected to take the reins before being disqualified by the election commission.

63 The Carter Center, »Presidential election in Egypt: Final report«, May-June 2012 (<http://www.smalllinks.com/1ALH>).

64 For a fuller account of growth and transformation of the Egyptian bureaucracy after 1952 coup, see Nazih Ayubi, *Bureaucracy & politics in contemporary Egypt*, London, Ithaca Press, 1980.

bureaucracies. The MB wanted to make the bureaucracy loyal by appointing its supporters to top positions. However, the Brotherhood's attempt to dominate Egypt's bureaucracy was strongly challenged. Though the leadership was changed, the Brotherhood was not able to utilize the existing state institutions that, remaining loyal to the old regime, were still unaltered by the uprisings and the ensuing changes in the government.⁶⁵ They wasted no time in their attempts to block Morsi's government's policies and programs.

In his attempt to undermine and control Egypt's bureaucracy, Morsi was challenged by Egypt's judiciary which, according to Maha Azzam, »served the dictatorial state and had been loyal to it from Nasser onwards«. ⁶⁶ Seemingly, Morsi and his colleagues viewed the judiciary as a group that could be controlled and defeated through intimidation and the use of legislation and other forms of executive maneuvering.⁶⁷ Morsi chose to direct his attention to strengthening his position within the judiciary, disregarding the importance of much of the civilian opposition. But after coming to power, Morsi had many altercations with the judicial authority, initially in dispute for issuing a decree to reinstate the parliament in defiance of an earlier court decision to dissolve it. The president also defied constitutional norms and the rule of law by removing the supplemental constitutional declaration. This declaration literally defined the power-sharing agreement between the president and the SCAF. Ironically, it was on this declaration that Morsi had sworn his oath. Its removal enabled Morsi to hold unrivalled executive and legislative powers. Furthermore, Morsi challenged the law of judicial authority by deciding to dismiss the attorney general; under Egyptian law, the president was not allowed to remove the attorney general from his post even if he appointed him.

There have been various attempts over the previous decade to draft an agreeable piece of legislation regarding judicial independence. Several of these previous attempts involved judges who favored reform, and who had hoped to liberate the judiciary from the stranglehold of the executive. A new law that would decide whether or not the judiciary shall be guaranteed independence had been, unsurprisingly, a main source of discord between Morsi and the Islamists on the one hand and the judiciary and the opposition on the other.⁶⁸ In April 2013, the composition of the judiciary was broken when the upper house of parliament, which was heavily influenced by the MB, joined the undertaking. As Brotherhood leaders widely vocalized their disdain for the stubborn and unwieldy judges, other MB members arranged significantly sized rallies in favor of the suggested law. Meanwhile, the judiciary was well aware that any of the house's claims in favor of judicial independence were meaningless and deceptive, and that the reality of their involvement would compel the retirement of many senior judges. It became incre-

65 Silvia Colombo, »The ›Bearded Elites‹ and the sad state of Egyptian state institutions«, in: *Istituto Affari Internazionali (IAI)*, Rome, Italy, 2012.

66 Maha Azzam, »Egypt's Military Council and the transition to democracy«, in: Chatham House, *Independent thinking on international affairs*, 2012 (<http://www.smalllinks.com/1AIH>).

67 Nathan J. Brown, »The battle over Egypt's judiciary«, in: *Sada, Carnegie Endowment for International Peace*, May 8, 2013 (<http://www.smalllinks.com/1AII>).

68 Brown, »The battle over Egypt's judiciary«, op. cit. (FN 67).

asingly clear that the Islamists would argue they were freeing the judiciary from the yoke of the entrenched older judges while, in reality, they were engaged in an act of deliberate and systematic culling. The Islamists would then be able to weaken the influence of a small number of families that had dominated the judiciary by filling the positions with a diverse group of younger judges.⁶⁹

Another distinct area of discord involves the office of the public prosecutor.⁷⁰ Since the public prosecutor has the authority to pursue certain types of prosecutions with determination while disregarding the importance of others, it was a critical position and one that previously was used to circumvent judicial sovereignty. The lack of focused and successful prosecutions against members of the old regime by Abdel Meguid Mahmoud, Egypt's former prosecutor-general, resulted in calls for his removal. It was not surprising that Mahmoud, who had survived the demise of the Mubarak regime, would understandably be targeted by Morsi and the MB.⁷¹

Morsi eventually opted to take advantage of the exceptional measures that already existed in Egypt, allowing the president to disregard the mechanisms and laws in place, by establishing an interim constitutional system. On November 22, 2011, Morsi did issue such an interim constitutional declaration giving him extensive and far-reaching powers.⁷² Article 2 of the declaration stated that all laws and decrees issued by Morsi »cannot be appealed or canceled by any individual, or political or governmental body until a new constitution has been ratified and a new parliament has been elected. All pending lawsuits against them are void«. ⁷³ In addition, the judiciary did not have the power to dissolve the Constituent Assembly and the upper house of parliament, the Shura Council. Article 5 stated, »No judicial authority can dissolve the Constituent Assembly or the Shura Council«. ⁷⁴ The Supreme Constitutional Court was accused of bowing to the bidding of the liberal and secular groups by questioning the legitimacy of the Constituent Assembly. The Egyptian opposition claimed that the Assembly was dominated by Islamists and did not truly reflect current Egyptian society.⁷⁵

The declaration of Article 6 went as far as granting the president the power »to take any measures he sees fit in order to preserve and safeguard the »revolution«, national unity or national security«. ⁷⁶ The MB and Morsi claimed that the far-reaching powers enabled a true transition to full constitutional democracy and was what the majority of the people desired. However, after four days of protests, the president cooperated with the judicial authorities to limit the scope of the decree. His subsequent actions would remain trans-

69 Brown, »The battle over Egypt's judiciary«, op. cit. (FN 67).

70 See al-Jazeera, »Morsi-appointed public prosecutor resigns«, December 17, 2012 (<http://www.smalllinks.com/1AIJ>).

71 Brown, »The battle over Egypt's judiciary«, op. cit. (FN 67).

72 See BBC, »Egypt: Who holds the power?«, in: *BBC News*, December 10, 2012 (<http://www.smalllinks.com/1AIK>).

73 See Egypt Independent, »Morsy issues new constitutional declaration«, November 22, 2012 (<http://www.smalllinks.com/1AIL>).

74 Egypt Independent, »Morsy issues new constitutional declaration«, op. cit. (FN 73).

75 BBC, »Egypt: Who holds the power?«, op. cit. (FN 72).

76 Egypt Independent, »Morsy issues new constitutional declaration«, op. cit. (FN 73).

parent and subject to review by the courts. He would preserve the power to protect the Constitutional Assembly from dissolution, but the scope of the decree would be restricted to »acts of sovereignty«. ⁷⁷

Simply put, although Morsi was able to adopt an interim constitution, affording him wide-ranging powers, his self-serving decision further isolated and weakened Morsi and his government. After Morsi's constitutional declaration, Egypt's opposition was united under the umbrella of the National Salvation Front (NSF), seeking to undermine and challenge Morsi's authority.

4.3 Majoritarian Politics: The 2012 Constitution

The MB's political inflexibility during the drafting process of the 2012 constitution further split the Egyptian people between the two sides: Islamists and non-Islamists. On December 26, 2012, Morsi ratified a new constitution. However, this came after months of discord, which had led to a sharp polarization among Egyptians and meant that the signing of this new constitution would be far from a reassuring and pleasant event. The extent of the country's discord, the likes of which has not been seen in recent Egyptian history, clearly demonstrates the extent of the rift that exists, socially and politically, within the political class. ⁷⁸

The constitutional process had not progressed in a way that analysts and observers of Egypt had expected. As Nathan Brown, stated, it was a »[s]hambolic mess« during the year before the crisis occurred. This was evidenced by the lack of desire for national consensus, lack of dialogue with the people, and the absence of any attempt to reach any type of political agreement that would require looking beyond political interest. Numerous non-Islamist members of the Constituent Assembly resigned in response to its Islamist domination, and the process received scathing criticism in the media and on the streets. Behind the scenes, debates raged regarding the authority of state institutions as well as the loftier arguments on the role of Islam and public freedom. ⁷⁹

The diagnosis of the nature of the crisis was, in itself, controversial. Michael Wahid Hanna argues that Morsi and the Brotherhood appeared to aspire to domination rather than to building a consensual political system, taking their electoral victory as a mandate for majoritarian politics. He points to the greater analytical significance of the absence of any institutional constraints, making the fears of such alleged Brotherhood ambitions difficult to contain. With the Brotherhood and Morsi repeatedly seeming to break their word and escalate the situation, and with blood in the streets and furious words everywhere, no consensus seemed remotely possible. ⁸⁰

77 BBC, »Egypt: Who holds the power?«, op. cit. (FN 72).

78 Marc Lynch, »The battle for Egypt's Constitution«, in: *Foreign Policy, The Middle East Channel*, January 11, 2013 (<http://www.smalllinks.com/1AIM>).

79 Nathan J. Brown, »Egypt's state constitutes itself« in *Foreign Policy, The Middle East Channel*, November 19, 2012 (<http://www.smalllinks.com/1AIN>).

80 Michael W. Hanna, »Monopolizing power in Egypt«, in: *Foreign Policy, The Middle East Channel*, August 15, 2012 (<http://www.smalllinks.com/1AIO>).

Though Morsi managed to pass the constitution, it served to widen the divisions between the various political camps instead of unifying them. This rift caused feelings of indignation and disenfranchisement by non-Islamist groups including secularist left-wing groups and Coptic Christians. These groups seem increasingly focused on bringing changes to the constitution. Many Egyptians feel compelled to demonstrate again in order to prevent the emergence of an Islamic autocracy instead of the previous military one. The newly adopted constitution may not blatantly impose Islamic *sharia*, but references to »preserving the true nature of the Egyptian family«, and the obligation of the state to »protect ethics and morals and public order«, have led to significant concerns about critical rights. According to Human Rights Watch, this language »is overly broad, open to interpretation, and available to justify wide-ranging limitations on key rights«. ⁸¹

5 *Containing the Brotherhood*

In the days after Mubarak's downfall, when demonstrations and disorder were rife, it became increasingly clear that the most influential party from the streets must be included in order for the SCAF-devised plan for transition to proceed. The military had come to realize that the Brotherhood constitutes a political reality, no longer outlawed and worthy of their cautious regard. Furthermore, it was fully aware that the MB was the only viable political group to whom the military must pay adequate attention. ⁸² Muhammad Habib, a former deputy guide of the Brothers who has now left the group, was explicit in his reading of the situation: »The military realized they could not control domestic stability yet still uphold unpopular foreign policies. They are using the Brothers to serve as this domestic source of stability«. ⁸³ It can be argued that the alignment between MB and the armed forces over the constitutional referendum of March 2011 was crucial for both of them. The MB together with the Salafists utilized their vast resources and an extensive number of mosques to encourage a »yes« vote. The determination of the MB to push for a »yes« vote was, of course, much favored by the elite within the military.

The Brotherhood, for its part, wanted to be legalized and to participate formally in the political affairs of Egypt, in short, legitimization. In order for the Brotherhood to achieve its goals, it, too, had to cooperate with the military, knowing that its history of conflict could easily be repeated if it provoked the SCAF, which would again distance it from its objectives of dominating the political source and expanding in the economic one. A tolerant and restrained approach would be the best course of action for the Brotherhood, which would not lose too much by adopting a conciliatory approach. ⁸⁴

81 See Human Rights Watch, »Egypt: New constitution mixed on support of rights«, in Human Rights Watch, November 30, 2012 (<http://www.smalllinks.com/1AIP>).

82 International Crisis Group, »Lost in transition: The World according to Egypt's SCAF«, April 24, 2012, p. 13 (<http://www.smalllinks.com/1AIQ>).

83 Joshua Stacher, »Egypt without Mubarak«, in: *Middle East Research and Information Project*, April 7, 2011 (<http://www.smalllinks.com/1AIR>).

84 International Crisis Group, »Lost in transition: The World according to Egypt's SCAF«, op. cit. (FN 82), pp. 13–14.

Consequently, the MB's stance vis-à-vis the military was one of non-confrontation. It recognized that the country needed the military in order to provide security and stability during the period of protests. Thus, the MB and its FJP did not condone or support the protests against the SCAF and honored the schedule set out for the parliamentary and presidential elections. There has even been talk of a secret agreement between the MB and the military to ensure that each other's objectives were respected.⁸⁵ However, this stance came at a price; it not only alienated the bulk of protestors on the ground, but it also disillusioned younger activists within its own movement.⁸⁶

The relationship between the MB and the military entered into a new stage on June 30, 2012, when Morsi officially began his presidential term. As the handing over of power by the SCAF signaled the end of a volatile period in Egypt's transition, it also signaled the start of another phase which was complicated and unstable. When Morsi assumed power as Egypt's first democratically elected head of state, he had relatively little power. Only two weeks prior to the election, the SCAF installed the interim constitutional declaration amending the 30 March 2011 declaration.⁸⁷ This declaration was put in place following the ousting of Hosni Mubarak and was meant to be in force only until the elections had taken place.⁸⁸

However, immediately after the inauguration, Morsi challenged the generals of the SCAF and on August 12, 2012, revoked the interim declaration⁸⁹, thereby transferring power back to the president, including absolute legislative authority. He also felt he had to make substantial changes to the hierarchy of the SCAF. He not only reinstated himself, the president, as the head of the SCAF, but also forced the retirement of the head of the armed forces and defense minister, Field Marshal Mohammed Hussein Tantawi, along with almost seventy of his senior officers.⁹⁰

These changes were, in large part, welcomed by the Egyptian people. However, Egypt's generals continued to influence economic and administrative functions of the government and hampered Morsi's exercise of power. The retired members of the Egyptian military occupy critical positions across the political and economic networks, protecting themselves with an organized network. Any attempt to introduce extensive reform would likely be met with increased opposition towards Morsi and his cabinet.⁹¹ It was clear that the SCAF would not relinquish its power easily. Expressing its intention to defend itself, it had cautioned against any attempts to challenge its status. It was certainly not demonstrating any intent to retreat, having attempted to impose conditions in the 2012 constitution that would assure its permanent military guardianship. In this

85 See al-Jazeera, December 26, 2012 (<http://www.smalllinks.com/1AIS>).

86 Azzam, »Egypt's Military Council and the transition to democracy«, op. cit. (FN 66), p. 5.

87 See Carnegie Endowment for International Peace, »The constitutional declaration«, June 17, 2012 (<http://www.smalllinks.com/1AIT>).

88 BBC, »Egypt: Who holds the power?«, op. cit. (FN 72).

89 Al-Ahram, »English text of President Morsi's new Egypt Constitutional Declaration«, August 12, 2012 (<http://www.smalllinks.com/1AIU>).

90 See al-Jazeera, March 29, 2012 (<http://www.smalllinks.com/1AIV>).

91 Yezid Sayigh, »Morsi and Egypt's Military«, in: *Al-Monitor*, 2012 (<http://www.smalllinks.com/1AIW>).

event, civilian authorities could not introduce policies independently and thus would be powerless to overcome the social and economic issues facing Egypt.⁹² Prior to the December 2012 referendum on the draft constitution, some form of agreement was reached, permitting the military to continue benefiting from its well-established entitlements and allowing it to remain independent. Article 195 of the constitution stated that any minister of defense must be a military officer. The effect of this clause means that the defense budget would be approved by the National Defense Council, as article 197 stipulates, and not as a matter for consideration by parliament. Furthermore, only the Council would monitor how the military uses the annual \$1.3 billion in US military assistance and the military's formal economy.⁹³

Although Morsi made these concessions to ensure the military's commitment during a period when the MB and its Islamic partners navigated the transition process, Egypt's generals did not consider themselves subject to the restraints faced by other power networks but rather as a privileged entity with a unique political role. Abdel-Fattah al-Sisi, the Defense Minister, demonstrated this when he made a bold political move on December 11, inviting Morsi and cabinet ministers, among others, to what he termed a »social dialogue«. ⁹⁴ Despite protestations to the contrary, according to Yezid Sayigh, al-Sisi's independent act could be described only as a political maneuver and not the »national political dialogue« as he presented it. ⁹⁵ By refusing to attend, Morsi forced al-Sisi to reverse course, using his deputy to assert that the military wanted to facilitate »a gathering of an Egyptian family«, and stating that it had no inclination to encroach on the area of politics. The military, therefore, wasted no time after the June 30 anti-Morsi demonstrations by removing Morsi, suspending the 2012 Constitution and installing an interim government.

6 *Concluding Remarks*

As this article has argued, the ouster of the MB had to do not only with Egypt's deep state and with the remnants of the old regime but, just as critical, with the strategic mistakes made by the Brotherhood in the post-Mubarak era. After the January 25th Uprising, the MB had a unique opportunity to expand its dominance to Egypt's political, economic and military power sources. However, it failed to do so. It was evident that the Brotherhood would have had to make – but, ultimately, did not make – a fundamental change in its approach that had been highly ideologically and organizationally limited. This led the MB to lose not only general popular support but also its influential alliances with a large segment of the revolutionary youth that had started the revolution and initially

92 Yezid Sayigh, »Above the state: The officers' republic in Egypt«, in: *Carnegie Endowment for International Peace*, August 1, 2012, p. 3 (<http://www.smalllinks.com/1AJJ>).

93 Sayigh, »Morsi and Egypt's Military«, op. cit. (FN 91).

94 Al-Ahram, »Egypt's defence minister calls for >dialogue meeting< Wednesday«, in: *al-Ahram*, December 11, 2012 (<http://www.smalllinks.com/1AIX>).

95 Sayigh, »Morsi and Egypt's Military«, op. cit. (FN 91).

supported Morsi against Shafiq. It was crucial that the MB accept other social and political forces as equals; but it was hesitant to do so.

Instead, the MB devoted its main efforts to gaining hegemony over the institutions of political power, seeking to impose its agenda in the post-Mubarak era. Although it had won all of the elections after the Uprising, it became increasingly evident that its tenure was fraught with obstacles and that taking apart or gaining control over a bureaucracy whose history's goes back in excess of 200 years was a daunting task. Though the leadership had changed, the Brotherhood was not able to utilize the existent state institutions that remained tainted with corruption and were still unaltered by the uprisings and the ensuing changes in the government. In addition, Egypt's generals did not welcome any measures that constituted a threat to their own political and business interests, including efforts to bring about further political and economic liberalization. Egypt's military had widespread influence across many sectors of the economy and political networks, and the senior officers wanted to maintain the benefits and entitlements that they had historically enjoyed. Consequently, the elite and civilian-military bureaucracy did everything possible to topple Morsi and crackdown on the MB.

Summary

Why did the well-structured and powerful Egyptian Muslim Brotherhood fail to maintain power for more than a year even though it won all of the elections in the post-Mubarak era? From the viewpoint of the Brotherhood, the ouster of Mohammed Morsi, the first elected civilian president in the history of Egypt, by General Abdel Fattah al-Sisi came as a result of what Brotherhood leaders describe as Egypt's »deep state,« which includes the military, security services, bureaucracy, media and judiciary. This article argues that resistance by the deep state is only one reason for the ouster of the Brotherhood and that other factors are associated with the Brotherhood's miscalculations and strategic choices in the post-Mubarak era.

Zusammenfassung

Warum ist es der gut organisierten und einflussreichen ägyptischen Muslimbruderschaft nicht gelungen, für mehr als ein Jahr an der Macht zu bleiben, obwohl sie sämtliche Wahlen in der Post-Mubarak-Ära gewann? Aus Sicht der Bruderschaft war die Amtsenthebung von Mohammed Mursi, dem ersten gewählten zivilen Präsidenten in der ägyptischen Geschichte, durch General Abdel Fattah al-Sisi das Ergebnis dessen, was führende Muslimbrüder als Ägyptens »tiefen Staat« beschreiben, der das Militär, die Sicherheitskräfte, die Bürokratie, die Medien und den Justizapparat umfasst. In diesem Artikel wird dargelegt, dass der Widerstand seitens des tiefen Staats nur einer von vielen Gründen für die Verdrängung der Bruderschaft ist und andere Faktoren mit Fehlein-

schätzungen und strategischen Entscheidungen der Muslimbrüder in der Post-Mubarak-Ära zusammenhängen.

Mahmoud Jaraba, *Warum hat die ägyptische Muslimbruderschaft ihre Macht nach nur einem Jahr schon wieder verloren?*

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Der Jurist und Politikwissenschaftler Gerhard Leibholz (1901–1982) ist eine der prägenden Figuren in der Staatsrechtslehre des 20. Jahrhunderts. Seine umfassende Auseinandersetzung mit dem Repräsentationsbegriff und der Parteienstaatlichkeit, mit Gehalt und Bedeutung des Gleichheitssatzes sowie mit der institutionellen Stellung der Verfassungsgerichtsbarkeit hat bis heute nichts an Aktualität verloren.

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