

# **RESTORING THE ANCIENT ORDER**

## **PRESIDENTIAL ELECTIONS IN EGYPT**

After the victory of Abdel Fattah el-Sisi in Egypt's latest Presidential elections, the military establishment holds again the office of the State President and thus renewed its direct political rule of the country.

**By Sofian Philip Naceur**

Abdel Fattah el-Sisi – former Minister of Defence and Army Chief, who had a leading role in the ouster of the Islamist President Mohamed Mursi, a former member of the Muslim Brotherhood, in July 2013 – has won the Presidential elections in Egypt with a landslide victory. According to official figures, el-Sisi gained 96.9 per cent of the votes. His only opponent, the leftist politician and head of the Dignity Party (Hizb al-Karama) Hamdeen Sabahi, won only 3.1 per cent. Three and a half years after the dawn of Egypt's revolution and eleven months after Mursi was toppled, the political order in Egypt, dominated by its powerful military apparatus is completely restored.

The ballot was largely quiet. The National Alliance to Support Legitimacy (NASL), a coalition of several Islamist forces lead by the Muslim Brotherhood, has called for nationwide protests against the election, but the presence of their supporters in the streets remained weak. Shortly before the election, supporters of the ousted Islamist president gathered in several governorates for the first time within weeks to protest against the – in their view – illegitimate ballot. In Helwan south of Egypt's capital Cairo, at least two protesters died in clashes with security forces. Tensions remained high during the election and clashes continued after polling stations were closed. In Fayoum, a Muslim Brotherhood stronghold south of Cairo, and in Cairo's Heliopolis district, some explosive devices detonated without causing appreciable damage.

Sabahi's official election campaign complained on the first day of the vote of massive violations against Egypt's Presidential Election Law. Army and police forces, deployed at polling stations to secure the ballot, refused members of Sabahi's campaign entrance to polling stations to observe the elections and prevented some Sabahi supporters from casting their vote in favour of their candidate, according to Sabahi's campaign. In some polling stations, members of Sabahi's campaign were temporarily arrested. Sabahi filed an official complaint to the Presidential Elections Committee (PEC), the legislative body in charge of supervising the elections and validating the results, against the provisional turnout figures published by the PEC. Sabahi also complained about the campaigning inside polling stations in favour of el-Sisi, which is strictly forbidden by law; the detention of some of his supporters, and the controversial extension of the vote for one day. The PEC objected all official complaints.

Despite such objections, the European Union Election Observation Mission (EU EOM) stated that «Presidential Election was administered in line with the law», although the EOM criticized the political environment of the poll as well as the controversial extension of the vote. Finally, the EU legitimized the election as desired by the interim government and the ruling military. Criticism of the obvious manipulation of figures on voter turnout and an adequate presentation of the questionable immunization of the PEC by a decree issued by Interim President Adli Mansour was sought in EOM statements in vain. With the decision to carry out the mission of the unfair and unfree electoral process, the EU had conferred a significant amount of external legitimacy for the election, Lars Brozus and Stephan Roll wrote in DIE ZEIT. For now, Egypt can expect political stability. With el-Sisi in office, Egypt's Armed Forces guaranteed its direct access to Egypt's formal centre of power and restored the ancient political order. However, it remains questionable whether el-Sisi will be able to pacify the country in the long run. To solve Egypt's economic and social problems he has to provide more than simple nationalistic rhetoric and the demonisation of the Muslim Brotherhood.

## **OFFICIAL FIGURES ABOUT THE VOTER TURNOUT CONTESTED**

Approximately 54 million eligible voters were called to elect a new head of state – but the turnout remained humble. The interim government, Egypt's state-controlled press as well as most of the private media outlets in the country campaigned for a high turnout. However, many voters stayed absent in a race the results of which were already known in advance. For many who voted in favour of el-Sisi, the decision to vote for him was primarily a call for stability. Therefore, a high approval for el-Sisi was widely expected even before the polls.

The government left no stone unturned to encourage the people to vote. Finally, due to the virtually predetermined outcome, the turnout is the most important indicator of legitimacy for the new president. At short notice, the PEC announced an extension of opening hours for polling stations nationwide; declared the second day of the ballot a national holiday, and extended the vote for a third day. Elections were originally scheduled for 26 and 27 May. In addition, the interim government announced that the PEC will impose a fine of 50 Euro on those who do not vote. The final turnout achieved 47.5 per cent, according to official figures, but the number is likely to be rigged. Sabahi doubted the figures quoted by the PEC. People only queued in the early morning of the first electoral day. The turnout decreased significantly during that day. Alternative figures about the turnout say it did not exceed 7.5 or 28 per cent. In contrast, the first round of the presidential elections in 2012 had an official turnout of 46 per cent, while 51 per cent went to the polls in the run-off won by Mursi.

## **LEGAL FRAMEWORK AND POLITICAL CONTEXT OF THE ELECTION**

With the elected Head of State Abdel Fattah el-Sisi, Egypt's military has a partially democratically legitimized representative in the State Presidents office in its favour for the first time since the ouster of Egypt's former President Hosni Mubarak in 2011. His successor, Hussein Tantawi, wasn't democratically legitimized as Interim President Mansour wasn't. However, el-Sisi's election is legally controversial. The legal basis for Egypt's latest presidential election is the new constitution approved in a referendum on 18 January as well as the presidential decree issued by Mansour on 8 July 2013, which contains a roadmap for the transitional period. Nevertheless, Egypt's new constitution has not democratically evolved. The Constitutional Assembly, the legislative body instructed with drafting the constitution, was not elected, but appointed by Mansour. Moreover, he was appointed himself as interim head of state on 3 July 2013 by el-Sisi, the then acting leader of the Supreme Council of the Armed Forces (SCAF). The SCAF is the highest board of Egypt's Armed Forces and considered to be a powerful shadow government. Moreover, Mansour never ran for elections.

Although the constitution was approved in the referendum with a landslide acceptance of 98%, the political environment before and during the ballot lacked of any democratic background. At the time of the referendum, Egypt's domestic political stage was considered to be highly unsettled. After Mursi's ouster and the appointment of Mansour as Egypt's Interim President, the country saw solid nationwide protests by the Muslim Brotherhood and its supporters lasting for months; the bloody dispersal of the two protest camps organised by the Brotherhood in Cairo's Nasr City district and in Giza, followed by a state of emergency. After the interim government pronounced the state of emergency, Egypt's Ministry of Interior and the Ministry of Defence launched a massive crackdown against the Brotherhood, which was soon extended towards secular opposition forces. According to unofficial figures, around 41000 people were arrested since then. In the midst of this crackdown and that highly tense political environment, Mansour appointed the Constitutional Assembly. State institutions and Egypt's private media launched a massive campaign in favour of the draft constitution, including a systematic demonisation of the Brotherhood linked to the counter-terrorism-campaign lead by the Ministry of Interior. The Brotherhood was henceforth equated with radical Islamist groups, although there is no evidence for the involvement of the Brotherhood in terrorist attacks in Egypt.

After the approval of Egypt's new constitution, Mansour issued a presidential decree in March 2014, which stipulated the legal framework for the upcoming presidential election. Shortly after, he issued a highly controversial second decree that immunized all decisions made by the PEC. The contested immunisation of the PEC caused severe criticism, but the decree remained in force unchanged. The 6 of April Movement was the only political force in Egypt that called for a boycott of the presidential election for constitutional

reasons. Leading members of the movement emphasized that Mansour's latest decree violates article 97 of the newly approved constitution that stipulates that «it is forbidden to grant any act or administrative decision immunity from judicial oversight». According to the 6 of April Movement, the most recent presidential election is therefore unconstitutional.

## **CONTROVERSIAL PERFORMANCE OF THE EU ELECTION OBSERVATION MISSION**

The EOM was the first official observer mission in Egypt conducted by the EU. However, the EOM almost failed due to Cairo airport security's refusal to release technical equipment imported by the EOM into the country. The EOM announced it will transform the observer mission into an election assessment team with a different scope of work. One day later, the blocked equipment was released by Cairo airport security's and EU-chief observer Mario David notified that the EOM could still take place as planned nationwide after the EU had recently declared the time frame for a full-fledged mission was too brief. A plausible explanation for this sudden change of mind was not provided by the EOM.

The question about the purpose the EU attaches to its official observer mission remains as well. Ahead of the polls, the EOM declared that it will not interfere in the election and will not legitimise an electoral process nor validate any election results. However, a first statement by the EOM after the ballot indicates that in fact the EU wanted to grant some legitimacy to el-Sisi's election as the country's new president, because the EOM consequently ignored numerous irregularities during the election as well as contentious decisions of the PEC. The EU has previously used observer missions to legitimise controversial ballots elsewhere. «The invitation of Egyptian authorities to the EU to conduct a major election mission, could have been guided by fears of a weak turnout in the face of the lack of popular support for el-Sisi. For Egypt's regime, the more important is the external legitimacy given by the EU. It may compensate the lacking internal legitimacy», said Brozus and Roll in ZEIT Online.

In contrast to the questionable statements of the EU EOM about Egypt's most recent presidential election, the US-based human rights organisation Democracy International (DI) published a more credible report about the preliminary election results. DI described the political environment as "repressive" and explicitly criticized the extension of the vote as well as the controversial protest law and the one-sided and biased media coverage in favour el-Sisi. Likewise, the Carter Center observed the election and criticized the tense political climate and called for an inclusive political process.

## **BOYCOTT CAMPAIGNS REMAINED QUITE**

While many opposition forces from the liberal and leftist current have joined Sabahi's campaign, the NASL and the Strong Egypt Party (Misr al-Qaweya), lead by the Muslim Brotherhood dissenter Abdel Moneim Abu Fotouh, who ran in the presidential elections in 2012, decided to boycott the latest polls. He described the ballot a "farce", while the banned liberal 6 of April Movement remained Egypt's single political force who boycotted the election for constitutional reasons. In a statement, the group described the polls as a theatrical play for the coronation of Sisi, who has already been ruling the country de facto. The Democratic Front, a splinter group of the 6 of April Movement, «announced that it would take no official decision on the presidential elections and would let its members decide whether to vote for Sabbahi or boycott.» Quite recently, 6 of April and the Democratic Front were banned in a controversial court case due to their alleged involvement in «acts that tarnish Egypt's image as well as espionage.» Both groups as well as the Revolutionary Socialists and other secular political fractions joined forces in a campaign, which brings together political forces who may hold differing opinions on whether to take part in the presidential election, but who all reject el-Sisi as the president and believe he represents Egypt's counter-revolution.

## **«DEMOCRACY IN THE MIDDLE EAST» – ABDEL FATTAH EL-SISI**

considered to be the candidate of the military apparatus, but what are his political objectives? His official election campaign as well as his policy paper »Democracy in the Middle East" are more than enlightening for an assessment of its political orientation. As he was the head of the country's military intelligence, el-Sisi was a leading member of the Egyptian Armed Forces even before the revolution 2011. As the new head of state, he is likely to preserve the influence of the army on the political sphere in Egypt. He was

appointed as Minister of Defence and head of SCAF on 12 August by the then acting President Mursi. El-Sisi is considered to be conservative and religious, a fact, which might have influenced Mursi's decision to appoint him as the youngest SCAF member and finally install him on its top position. From Mursi's perspective, the appointment of a conservative candidate with alleged Islamist tendencies to these posts appeared to be the best choice for him at that time. However, Egypt's military is well known for its sharp opposition towards the Brotherhood. Obviously, el-Sisi was no exception as his policy paper »Democracy in the Middle East“, written at the US Army College in Pennsylvania in 2006, indicates.

The essay deals with challenges and risks of a democratic form of government in the Middle East, which el-Sisi basically rejects for now. Fragments and leitmotifs pointed out in this paper, appeared in el-Sisi's election campaign several times, which means that the content of this paper is to be taken seriously. In his opinion, the huge natural gas and oil reserves in the Middle East, the Arab-Israeli conflict and the strategic importance of the Suez Canal are key factors for world superpowers to maintain a keen focus on the area and their attempts to influence and dominate the region. For el-Sisi, this might slow down the emergence of democracy. All these issues »need to be resolved before democracy can be more fully accepted by the people.“ Based on this assumption, el-Sisi warns to implement democratic reforms to early. Middle Eastern country's should »move towards democracy in a logical, steady and controlled manner“ and this might need more time, el-Sisi writes. His view about the threat posed by emerging powers for the political sphere in the region is enlightening, since he is obviously referring to the Muslim Brotherhood in Egypt and other Islamist movements in the region. Furthermore, he writes: »Many of the nation's police and military forces are loyal to the ruling party. If a democracy evolves with different constituencies, there is no guaranty that the police and military forces will align with the emerging ruling parties. In essence, the security forces of a nation need to develop a culture that demonstrates commitment to a nation rather than a ruling party.« Finally, this scenario took place in Egypt since December 2012, when the country's army used the evolving mass protests against Mursi and the Brotherhood and refused instructions by their Islamist government. Egypt's Armed forces gradually prepared and pushed towards Mursi's ouster.

## **THE REGIME CANDIDATE ABDEL FATTAH EL-SISI AND HIS POLITICAL PROGRAM**

Fragments of this paper appeared again in el-Sisi's election campaign. According to el-Sisi, Egypt's society is not able to adopt democratic principles for now. Two weeks ahead of the election, el-Sisi said Egypt would need at least 20 to 25 years or even more to achieve democracy. Furthermore, el-Sisi refused to clarify his political program multiple times during his campaign. He could not share his platform, citing »national security“ concerns, an opinion which illustrates el-Sisi dubious understanding of democracy. Moreover, he indicates a lack of commitment towards political transparency and human rights principles. In his first TV-interview in early May, he defended the controversial protest law approved in November 2013 and made clear that »irresponsible protesting“ can bring down the country even without violence. On his official election campaign website, he emphasized that the army would not be involved in politics if he would become Egypt's next president. In contrast to that, he said later that month, that he would not like to discuss the army's military or political matters in public because this might be extremely dangerous.

As a matter of course, el-Sisi promised in his campaign reforms, investment programs for the educational system and the economy as well as a strict austerity program to stabilize the fiscal situation of Egypt's struggling economy. However, his ideas for financing these investment programs are adventurous. The financial resources for the implementation thereof are to be covered with remittances of expatriate Egyptian citizen, foreign direct investments and donations from friendly countries like Saudi Arabia. El-Sisi's suggestions to solve Egypt's obvious energy crisis: saving energy and using energy saving bulbs. However, the main pillar of his campaign was the war against terror and the demonisation of the banned Muslim Brotherhood. He re-echoed again and again that the country must defeat terrorism, a statement designated to blame the Brotherhood for terrorist attacks and political instability. El-Sisi said, the Brotherhood would cease to exist if he should win the election. Meanwhile, it is remarkable that el-Sisi neither campaigned in public nor hold public speeches, not even once. He campaigned only through the media and executed a virtual campaign.

Even ahead of the polls, el-Sisi was able to form a broad coalition of political forces in his favour. Beside the liberal Free Egyptians Party and other neoliberal parties, he was backed by the Salafist el-Nour Party.

Before Mursis ouster, the el-Nour party was his closest political ally but had changed alliance in favour of el-Sisi shortly before Mursis removal from office. The state-controlled Egyptian Trade Union Federation (ETUF) joined el-Sisi's campaign as expected, while the position of the Egyptian Federation of Independent Trade Unions (EFITU) and the Egyptian Democratic Labour Conference (EDLC) remained neutral.

El-Sisi's official election campaign invested at least 1.2 million Euros in its activities in favour of the former army chief, while Hamdeen Sabahi's budget for his nationwide campaign did not exceed 100,000 Euros. Due to the biased media coverage by Egypt's state-controlled press as well as most of the private media outlets in the country in favour of el-Sisi, the election campaign was deeply unfair. El-Sisi's image change during the election campaign was remarkable. »After 3 July 2013, posters of el-Sisi appeared everywhere in the country, he was omnipresent in public. On these pictures el-Sisi was presented as the strong leader. He was shown in military dress, with sun glasses, the view forward-looking to the side", said Sarah Wessel, PhD student at the Faculty of Political Science at Hamburg University and a long-time observer of the political environment in Egypt. »In his campaign, el-Sisi inverted this image. The military uniform was replaced by civilian clothes. On official election posters, he presented himself demonstrative friendly, smiling and facing the viewer. Thereby, he created a twofold fiction: thus of the strong leader, which is complemented by the image of the popular civilian president", Wessel added. El-Sisi was obliged to change his image. According to Egyptian law, serving members of the Armed Forces are not allowed to run for presidency. On 26 March, el-Sisi stepped down from his post as Minister of Defence and head of SCAF to fulfil the legal requirements for his presidential bid. In fact, this procedure was only symbolic. El-Sisi is expected to rule the country on behalf of Egypt's Armed Forces. Egypt's military will remain the most influential institution in the country.

## **HAMDEEN SABAHİ – STRATEGIC OR HOPELESS COUNTER CANDIDACY?**

El-Sisi's hopeless rival candidate Hamdeen Sabahi was widely criticized for his participation in the recent election farce in Egypt, although, the popular leftist politician decided to do so. Sabahi already ran in the presidential elections in 2012 and missed the run-off scarcely. Since then, he became one of the most influential opposition figures in the country. While el-Sisi's election campaign only took place in the media, Sabahi sought contact to the people on the ground and led a nationwide popular campaign despite his slim financial resources. He called for civilian control of the army, criticized the repressive actions of the security apparatus against strikes and student protests, insisted on a reform of the Ministry of Interior, and called for a revision of the controversial protest law. With these popular demands, Sabahi gained support by numerous revolutionary and leftist political forces. Beside his own party, Sabahi was supported by the Constitution Party (Hizb el-Dostour), the Socialist Popular Alliance Party and others. El-Dostours spokesperson Khaled Daoud said, the massive media campaign in favour of el-Sisi had prevented many potential candidates from running in the election. It is therefore even more important to participate in the ballot and defy the regime candidate, he said. Mohamed Saleh, leading member of the Popular Socialist Alliance Party, emphasized that el-Sisi's victory was widely expected. However, the party campaigned in favour of Sabahi and participated in the controversial ballot, mainly because the substantial mobilisation of voters on the ground during Sabahi's campaign could be useful and considerably important in the near future, Saleh highlighted. One purpose of Sabahi's campaign was to create awareness on behalf of Sabahi's political program.

## **STATUS QUO IN EGYPT ENSURED – THE SCAF REMAINS THE COUNTRY'S MOST POWERFUL POLITICAL PLAYER**

For now, el-Sisi's election as Egypt's new president is considered to be the last step of the counter-revolution. With the official inauguration of the former SCAF member, Egypt's military has again a partially democratically legitimized representative from its ranks in the presidential palace in Cairo for the first time since the ouster of Mubarak in 2011. As el-Sisi announced in his campaign, he will keep the controversial protest law in effect, denying Egypt's society the qualification to be ruled democratically, and will persist with arguable economic concepts. It is widely expected that Egypt's military will expand its political and economical influence in the country under el-Sisi's rule. After the status quo was questioned during the last three years, with el-Sisi in office, the military has stabilized the political order and can count on support by the EU. The rudimentary democratisation in Egypt after the dawn of its revolution in 2011, has been stalled

for now. In the short term, Egypt's domestic political situation will be stabilized. El-Sisi knows Egypt's state institutions intimately, and they are willing to cooperate with him from the first day, said Abdulbar Zahran from the Free Egyptian Party. Therefore, el-Sisi is mostly credited to create domestic political stability, he added. However, another outbreak of Egypt's social, political and economic tense environment is only a question of time. El-Sisi's rise took place in the context of an immense nationalistic propaganda, which was based on the war on terror and the demonisation of the Brotherhood. But now, the Brotherhood is removed from power and el-Sisi has to prove that he is able to enhance the social and economic situation for many people who are affected by the weakened economy in Egypt. This seems to be difficult for him to deliver, because of his non-existent political vision.

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