

**LOST IN TRANSITION:  
THE WORLD ACCORDING TO EGYPT'S SCAF**

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## LOST IN TRANSITION: THE WORLD ACCORDING TO EGYPT'S SCAF

### EXECUTIVE SUMMARY

Since it assumed power after Hosni Mubarak's ouster, the performance of the Supreme Council of the Armed Forces (SCAF) has been, at times, head-scratching. Extolled in the wake of the uprising as the revolution's protector, many have come to view it as an agent of the counter-revolution. It often has been obstinate, before abruptly yielding to pressure. It values its long ties with Washington, from which it receives much assistance, but seemed willing to jeopardise them by targeting U.S.-funded NGOs. Suspected by Islamists of seeking to deprive them of opportunity to govern and by non-Islamists of entering a secret pact with the Muslim Brotherhood, it finds itself in the worst of both worlds: an angry tug-of-war with liberal protesters and a high-wire contest with Islamists. It displays little interest in governing, wishing instead to protect privileges, but erratic behaviour threatens even that. On the eve of presidential elections that have become a high-stakes free-for-all, the SCAF should take a step back and, with the full range of political actors, agree on principles for a genuine and safe political transition.

What has the SCAF been thinking? Understanding the Egyptian military's mindset is difficult and requires modesty in reaching conclusions. At the core of the SCAF's outlook is the conviction that its principal complaints against the Mubarak regime – the slide toward hereditary government; the excesses of neoliberal policies; ostentatious corruption by networks associated with the president's family – faithfully reflected the public's. Once it had ousted the president, it follows, it felt it had accomplished the revolution's goals. As a corollary, the SCAF was and is inclined to view any who continued to protest after Mubarak's fall as serving either their own narrow self-interests or, worse, those of foreign powers (read: the U.S.) aiming to weaken and fragment a proud Arab nation. No doubt, the latter notion has been a tool used by the SCAF to discredit its critics; but it would be a mistake to see it as that alone, for it is also a deeply-held belief within the military.

As a corollary to the corollary, the SCAF considers itself the sole actor possessing the experience, maturity and wisdom necessary to protect the country from domestic and external threats. In contrast, virtually all political parties

are regarded with scorn, self-centred in their demands, narrow-minded in their behaviour. The Muslim Brotherhood stands as an exception of sorts, treated by the military with guarded respect. But it is a respect born of the long-term, hard-fought battle waged against an outlawed organisation that faced decades of persecution. Because the Brotherhood represents the only organised political force with which it must contend, the SCAF has treated it seriously – which does not mean sympathetically.

The interests the SCAF wishes to defend are a mix of the national and more parochial, but insofar as the military is persuaded it alone can protect Egypt, it has a tendency to conflate its well-being with that of the country. With the spread of internal insecurity, volatility in the Sinai and uncertainty in Libya and Sudan, it hardly sees this as a time to trust untested civilians. But it also hardly sees this as a time for others to challenge its privileged status – such as a secret budget sheltered from civilian oversight; de facto immunity from prosecution; and vast business ventures that affect key sectors of the economy. It almost certainly has no wish to remain in the political spotlight, governing the nation and thus blamed for what inevitably will be a taxing period of social and economic distress. But nor does it intend to be sidelined, lose its self-ascribed role as guarantor of constitutional legitimacy, be stripped of its economic privileges or see political institutions in the hands of a single (Islamist) party. Its objective is to stay in the background yet remain an arbitrator; and shun the limelight even as it retains decisive influence.

The trouble is that virtually all the SCAF has been doing and that has occurred since it took power has placed that objective further out of reach. Playing secularists against Islamists and Islamists against secularists alienated both. After a period of at least implicit understanding, the two leading forces – the SCAF and the Muslim Brotherhood – appear locked in a zero-sum game. The degree of uncertainty is striking. Egyptians elected a parliament and are scheduled to choose a president without enjoying either well-defined or commonly accepted powers. The committee due to oversee the drafting of a new constitution, which already had lost much of its credibility, has been suspended

by court order. The issue of civil-military relations, at the centre of controversy both before and after the uprising, remains open. Of greatest concern, perhaps, is the risk the transitional process, despite having checked all the boxes (parliamentary and presidential elections and a new constitution), will end up doing so in ways that undermine the new institutions' legitimacy, yield an unstable political system and fail to resolve any of Egypt's many questions.

From the SCAF's perspective, this cannot be welcome news. Its goal, from the outset, was to preserve what it could from the previous system for the sake of continuity, restore normalcy, marginalise a protest movement it viewed with considerable suspicion as well as both work with and contain the Islamists. Not only are the odds for success declining by the day; in the process, it also increasingly is alienating a range of political forces while diminishing its leverage and capacity to pursue its goals.

Given growing political polarisation, the presidential election has become pivotal. Fearing that the military would impose a strong presidential system, void parliament of real influence and thus rob it of its historical opportunity to govern, the Muslim Brotherhood has thrown its weight into this race, reneging on its repeated pledge not to do so. Remnants of the old regime sought to respond in kind. The presidential electoral commission has thrown out some of the highest-profile candidates – from the former regime; from the Brotherhood; and from the Salafi movement – but that has done little to mollify passions, as both Islamists and non-Islamists, suspecting a regime attempt to shape the electoral outcome, are renewing their protests.

The election may well be the SCAF's last chance to peacefully produce a "balanced" political system, reflecting the Muslim Brotherhood's parliamentary supremacy, yet also protecting interests critical to the military. Should Egyptians elect an Islamist without a prior understanding between the political forces and the military, the SCAF could well find itself at once powerful and helpless, unable to influence the process save by unconstitutional – and highly risky – moves. The prospect of renewed, widespread confrontation and an abrupt halt to the transitional process, once remote, no longer is unthinkable. The end result could be a presidential election that further inflames the situation, gives rise to institutional and extra-institutional challenges, jeopardises the transition and settles nothing.

Neither the SCAF nor the Muslim Brotherhood wanted it to come to this. For the two, the clash is premature. Both would have benefited from a compromise agreement, safeguarding essential military prerogatives while setting the country on a clear path toward full civilian rule, allowing the Islamists to govern but ensuring it happens gradually and inclusively, consistent with the Brotherhood's own fear of grabbing too much too soon. But, because the tran-

sition increasingly has taken on a winner-take-all quality, neither appears to feel it has a choice.

It is not too late. What is urgently needed is what the SCAF was either unwilling or unable to do from the outset: consult broadly and seriously with representatives from the entire political class and reach agreement on key parameters of a future political system – the powers of the presidency, the constitutional committee's make-up and the basis of civil-military relations. By clarifying what precisely is at stake in the presidential elections, defining checks and balances and ensuring that fundamental guarantees can protect various interests at play, such a deal would de-dramatise the contest. It would make it less of an uncontrollable existential exercise – and more of a manageable political one.

**Cairo/Brussels, 24 April 2012**

## LOST IN TRANSITION: THE WORLD ACCORDING TO EGYPT'S SCAF

### I. INTRODUCTION

As this report goes to press, the political situation is experiencing dizzying developments – from the collapse of the process designed to draft a new constitution, to the apparent disqualification of three of the most significant presidential candidates, to mass demonstrations against remnants of the old regime, to the possibility that presidential elections could be postponed. The Supreme Council of the Armed Forces (SCAF), perhaps mindful of the risks of loss of control, has begun discussions with political parties – though their outcome is still uncertain. Regardless of how those events unfold, the question of Egypt's military will remain central.

Understanding the SCAF's mindset is difficult, and requires modesty in reaching conclusions. Egypt's military is famously hierarchical in its structure and opaque in its dealings – meaning the top echelon engage in key deliberations and those deliberations are hidden from public view. The individuals who were interviewed for this report – some of them acting generals, most retired – know a great deal. But what they say cannot be taken at face value and the report should be read with those limitations in mind.

Nonetheless, a broad and relatively consistent picture emerges regarding how the SCAF views the uprising, the protesters and political parties, and how it defines its own role as well as its core interests. To relate these perspectives is neither to endorse nor dismiss them; but they need to be taken into account if a more consensual political process is to see the day.

### II. EGYPT'S MILITARY AND A SOCIETY IN REVOLT

When army tanks and armoured vehicles swarmed Cairo's public squares and main streets on the eve of 28 January 2011 to enforce a curfew imposed by then-President Hosni Mubarak, the protesting crowds immediately, and perhaps instinctively, embraced them.<sup>1</sup> As it turned out, the troops did not fire on demonstrators. Nor did they truly seek to enforce the curfew.<sup>2</sup> On 31 January, eleven days prior to Mubarak's ouster, the military stated unequivocally that the "demands of the people are legitimate" and that the army would not resort to violence against protesters.<sup>3</sup> With this and similar statements, the military made clear it was at a minimum neutral in the demonstrators' fight against the regime and possibly even on their side.<sup>4</sup>

As a large number of Egyptians saw it then, the military's posture was the critical factor in facilitating a relatively peaceful transfer of power.<sup>5</sup> That the 10 February meeting of the SCAF was chaired by the defence minister, Field Marshal Muhammad Hussein Tantawi, even though Mubarak technically remained Supreme Leader of the Armed Forces at the time, conveyed the unmistakable message that the old president's role in effect had come to an end. The sentiment was further confirmed by the communiqué

<sup>1</sup> For background, see Crisis Group Middle East/North Africa Report N°101, *Popular Protest in North Africa and the Middle East (I): Egypt Victorious?*, 24 February 2011.

<sup>2</sup> According to a retired general, the military had contingency plans designed to protect government buildings in the event of "rioting", but had received clear instructions from the then defence minister, Field Marshal Muhammad Hussein Tantawi, not to fire on the demonstrators. Crisis Group interview, Cairo, 26 May 2011.

<sup>3</sup> "The Egyptian military: we will not resort to force against the Egyptian people", Reuters, 31 January 2011.

<sup>4</sup> A SCAF general stressed that, after the police had "failed" in their mission on 28 January, the military chose to step in and decided not to "fire on our people. We decided to be on the people's side and not that of a president who had lost his legitimacy". Crisis Group interview, Cairo, 13 December 2011.

<sup>5</sup> Crisis Group interviews, residents, Cairo, Beni Sueif and Alexandria, February-October 2011.

the military council issued that day.<sup>6</sup> By the time Mubarak had been toppled, the military and its leadership enjoyed unparalleled popular good-will, a reflection of both its historical prestige and its more recent posture toward the uprising.

Perhaps slightly intoxicated by its immense popularity, but also confronted for the first time with the need to openly rule, the SCAF moved relatively quickly – and with relatively scant consultation with any of the political groupings – to map out its preferred roadmap for the political transition. It assumed full executive and legislative powers, having dissolved parliament and suspended the 1971 constitution two days after Mubarak stepped down. It also maintained some of the more controversial aspects of the former president's rule, including the state of emergency and trial of civilians before military courts. Finally, it put forward a roadmap that was to guide the transition, even as it made clear the end-result would be transfer of power to an elected civilian authority.<sup>7</sup>

Until November 2011, the SCAF had failed to come up with a clear and consistent timetable for this power transfer, instead zigzagging and shifting the goalpost. On 16 February 2011, it announced its desire to complete the transition by handing power over by mid-August,<sup>8</sup> before revising that date to October; likewise the SCAF indicated that presidential elections were to be held in August following parliamentary elections scheduled for June.<sup>9</sup> Then, on 23 March 2011, it issued a constitutional declaration that “procedures for the elections of the People's Assembly (lower house of parliament) and the Shura” (Council, the upper house of parliament) would begin after six months, ie, around 23 September, while saying nothing about the presidential election date and giving parliament a year to

form a constitution-drafting committee and submit its draft to a referendum.<sup>10</sup>

In a May statement published in the defence ministry publication *Al-Difa'*, the SCAF again opted for vagueness, stating it would continue to rule until completion of “free and fair parliamentary and presidential elections and a new constitution which aims to realise the aspirations of the country and people”.<sup>11</sup> No dates were set for any of these processes.

In parallel, the SCAF appointed a committee on 15 February 2011 tasked with recommending constitutional changes in advance of the parliamentary and presidential elections. On 26 February, the committee – headed by Tareq El-Beshry, an Islamist-leaning legal expert – proposed a set of amendments to the Constitution that would regulate elections for the president (through eligibility criteria for candidates and a limit of two consecutive four-year terms) as well as parliament (through judicial oversight), while laying out procedures for drafting a new constitution (a joint session of parliament to select a 100-member committee charged with writing the text).<sup>12</sup> The amendments were approved by popular referendum on 19 March and integrated into a SCAF-issued constitutional declaration on 23 March.

As a result of the elusive nature of the SCAF's plans and its repeated shifts, many among the street protesters and a number of the more secular, liberal forces that had been active during the uprising began to eye it with mounting suspicion. Their critique was multi-faceted and not always internally consistent: the military was faulted both for an overly speedy electoral calendar (which critics feared

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<sup>6</sup> Crisis Group interview, SCAF general, Cairo, 13 December 2011. In the communiqué, the SCAF spoke “in affirmation and support for the legitimate demands of the people”. “Communiqué Number 1: The Supreme Council of the Armed Forces is in continuous convening to protect the people”, *Al-Ahram*, 10 February 2011. The following day, then-Vice President Omar Suleiman announced that the SCAF was in charge.

<sup>7</sup> When SCAF General Mohsen El-Fangary addressed the nation following Mubarak's resignation, he declared that the Council was not a “substitute to the legitimacy which the people choose”. This vague declaration subsequently was followed by Message #28, which appeared on SCAF's Facebook page and affirmed its desire to “hand over the state to the civilian authority which will be elected by this great people”, <http://www.facebook.com/Egyptian.Armed.Forces>.

<sup>8</sup> “No return to the arrangements prior to 25 January”, *Al-Ahram*, 16 February 2011.

<sup>9</sup> *Al-Masry Al-Youm*, 1 March 2011.

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<sup>10</sup> According to Article 41 of the Constitutional Declaration, “the procedures for the elections of the People's Assembly and the Shura begin six months after the date when this declaration comes into effect”. “The Constitutional Declaration”, State Information Service, [www.sis.gov.eg/Ar/LastPage.aspx?Category\\_ID=1638](http://www.sis.gov.eg/Ar/LastPage.aspx?Category_ID=1638).

<sup>11</sup> “The Supreme Council of the Armed Forces: A Part of Egypt's Population Affirms its Loyalty to it and Siding with its Revolution”, *Al-Difa'*, vol. 298, May 2011.

<sup>12</sup> The amendments also placed restrictions on the president's ability to impose the emergency law for extended periods. See “The Amended Constitution Articles”, State Information Service, [www.sis.gov.eg/Ar/LastPage.aspx?Category\\_ID=1638](http://www.sis.gov.eg/Ar/LastPage.aspx?Category_ID=1638); also *Al-Arabiyya*, 26 February 2011. The amendments (as well as the subsequent constitutional declaration) were silent on modalities for choosing the constituent assembly. This ambiguity has contributed to the current standoff between Islamists – who argue that 50 members of parliament should sit in the 100-person assembly – and non-Islamists, who advocate more diverse participation by political, religious and social groups not adequately represented in the legislature. The amendments also implied that a president would be elected prior to the drafting of a new constitution, though they did not explicitly state so.

would favour the far better-organised Muslim Brotherhood) and for prolonging its hold on power (by rejecting the demand that power immediately be turned over to an interim, unelected civilian leadership). The sequence of the transition likewise dismayed non-Islamists: by holding elections prior to the adoption of a new constitution, they feared that the SCAF was seeking to maintain the old one and/or that the Muslim Brotherhood would dominate the drafting exercise.

Some went so far as to suspect that the SCAF and the Brotherhood had entered an alliance pursuant to which the Islamists would gain power and have a relatively free hand in drafting a new constitution (by dint of their parliamentary weight),<sup>13</sup> while leaving military privileges untouched; SCAF detractors pointed to El-Beshry's selection to lead the constitutional committee as proof.<sup>14</sup> A more nuanced view suggested the SCAF was trying to contain protests by appeasing the Muslim Brotherhood, the largest, most disciplined political movement in the nation. Liberal activists campaigned against the proposed constitutional amendments that the SCAF had put up for a referendum on 19 March; in their eyes, a better course would have been a complete constitutional rewrite through a different process: popular election of a constitution-drafting assembly charged with a more thorough redrafting of the text.<sup>15</sup>

The results of the referendum were unambiguous – and an unambiguous rebuke to the non-Islamist opposition. The changes were approved by 77.3 per cent of participants, a clear setback for more liberal forces and a no less clear endorsement of both the SCAF's and the Islamists' position in favour of a speedy transition under which parliamentary elections would be held after six months, followed by presidential elections. A new constitution was to be drafted within a year of elections for the two parliamentary houses.<sup>16</sup> The Islamists had warned that opposing the amendments would be tantamount to rejecting Article II of the 1971 constitution, which describes Islamic jurisprudence (Sharia) as “the principal source of legislation”; the referendum thus had the added effect of further polarising society along secular and/or Coptic versus Islamist lines.<sup>17</sup>

The SCAF saw the results as vindication of its view that the overwhelming majority of the population was on its side and, conversely, that its critics constituted a relatively small group intent on weakening the military and illegitimately usurping authority.<sup>18</sup> A SCAF general said, “the amendments were largely approved in the referendum; the people were on the army's side”.<sup>19</sup> More importantly perhaps, the referendum marked the SCAF's first overt move away from its purported caretaking role toward a more political one, insofar as it clearly sided with one group against the other. This in turn triggered vigorous criticism by the so-called revolutionary youth, liberals and parts of the media, all of whom portrayed the amendments as a mere face-lift to the existing authoritarian constitution. Likewise, they spoke of an alleged deal between the SCAF and the Islamists to hold early elections, for which the latter were considered better prepared.<sup>20</sup>

Unaccustomed to such condemnation, troubled by the prospect of greater street unrest and alarmed at the Islamists' growing power and influence – and notably the possibility that an Islamist-dominated parliament could dictate the new constitution – the SCAF began to shift course. Despite expectations of imminent parliamentary elections, it issued a “constitutional declaration” on 23 March 2011 that, among other things, prolonged the transitional period. Pursuant to this renovated roadmap, initial procedures for parliamentary elections were to begin in six months.<sup>21</sup> The provision's loose wording in effect made it possible for the SCAF to extend the transition by delaying the elections' start date and stretching the procedure over several months from late September (start of lower house candidacy applications) to late February 2012 (last round of voting for the upper house).<sup>22</sup> The goal allegedly was to give non-Islamist groups additional time to organise and campaign.<sup>23</sup> In practice, the SCAF was acting according

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ing about Article II, Islamists mobilised voters by arguing that amending parts of the 1971 constitution in effect would preserve the rest and thus guard against attempts to scrap the article in question. Crisis Group interview, Emad Gad, Social Democratic Party, Cairo, 5 October 2011.

<sup>18</sup> Crisis Group interviews, retired generals, Cairo, 18 October 2011; Giza, 14 October 2011.

<sup>19</sup> Crisis Group interview, Cairo, 13 December 2011.

<sup>20</sup> Crisis Group interview, Shahir Ishaq, Cairo, 2 October 2011.

<sup>21</sup> “The Constitutional Declaration”, *op. cit.*

<sup>22</sup> The SCAF announced that candidate applications would be accepted as of 30 September; elections were to begin on 28 November, with the last round of polling for the upper house to be held on 22 February 2012. “The Schedule for the Elections of the People's Assembly and the Shura Council”, [www.elections2011.eg](http://www.elections2011.eg).

<sup>23</sup> Crisis Group interview, retired general, Cairo, 17 October 2011.

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<sup>13</sup> A Muslim Brotherhood member later agreed that the organisation had viewed a fast transition as a way to ensure both a quick exit from power by the military and substantial Islamist electoral gains. Crisis Group interview, Cairo, 20 December 2011.

<sup>14</sup> Crisis Group interview, liberal activist, Cairo, March 2011.

<sup>15</sup> Crisis Group interview, Shahir Ishaq, founding member of the Egypt Freedom Party, Cairo, 2 October 2011.

<sup>16</sup> “Egypt's Referendum”, March 2011, [www.referendum.eg/referendum-results.html](http://www.referendum.eg/referendum-results.html).

<sup>17</sup> “Constitutional Proclamation”, [www.cabinet.gov.eg/AboutEgypt/Egyptian\\_constitution.aspx](http://www.cabinet.gov.eg/AboutEgypt/Egyptian_constitution.aspx). Although the text said noth-

to the general objective of the “Yes” vote but with a pace slightly closer to the one desired by the “No” vote.<sup>24</sup>

As the date of parliamentary elections drew closer (voting was scheduled to begin on 28 November), the SCAF appeared to harbour additional doubts about its original roadmap. It reportedly feared facing an Islamist-dominated parliament that would control the drafting of the constitution. Indeed, although it had lengthened the timeline, the SCAF had maintained the basic sequence: according to Article 60 of its declaration, parliamentary elections were to precede writing the constitution, and parliament enjoyed overall responsibility for selecting the constitution-drafting committee.<sup>25</sup> A retired general suggested:

This is happening [the extension of the transitional period] in part because the SCAF recognises the mistake of the constitutional declaration which placed elections ahead of the constitution. The SCAF blames its consultants and advisers for that, and they were mostly from the Muslim Brothers. They may have wanted to guarantee a quick win for the group and a chance to write a new constitution. The SCAF's goal at the time was to calm down the streets, and with the Brothers being the most organised and numerous group, they naturally felt it made sense to let them have a critical say.<sup>26</sup>

As a result, the SCAF attempted yet another course correction, altering the transitional sequence via media statements. On 20 October, General Mahmoud El-Assar suggested that presidential elections could be delayed until mid-2013, the deadline for adoption of a new constitution.<sup>27</sup> By extending its time in power until a constitution had been adopted, the SCAF seemingly wished to be in a position

to influence parliament and ensure that certain principles – including the army's privileged position and the non-theocratic nature of the state – be included in the text.<sup>28</sup>

The prospect of an unstable and protracted transitional period, during which the military would maintain an overarching role, alarmed Egyptians across the political spectrum. The SCAF's tinkering with the roadmap alienated two core constituencies: Islamists, who saw it as an attempt to thwart popular will, and non-Islamists, who viewed it as an effort to entrench the military's hold over civilian institutions.<sup>29</sup>

The SCAF took other decisions that further alienated various political forces. First, it stuck to electoral rules widely viewed as intended to favour ex-members of the old ruling National Democratic Party (NDP), disdainfully referred to as *fulool* (literally remnants, ie, of the former regime), such as the constitutional provision reserving half of parliament's contested seats for representatives of “labourers and farmers”.<sup>30</sup> It also rejected demands from some of the so-called revolutionary movements for a law barring ex-NDP members from standing for office and to introduce full proportional representation.<sup>31</sup> Some activists accused it of plotting the old regime's comeback by manipulating the electoral process<sup>32</sup> – a charge that reflect-

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<sup>24</sup> Crisis Group interview, Moataz Abdul Fattah, former advisor to Prime Minister Essam Sharaf, Cairo, 21 December 2011.

<sup>25</sup> According to the Constitutional Declaration, op. cit., “unappointed [ie, elected] members of the People's Assembly and the Shura are set to convene in a joint meeting upon the invitation of the Supreme Council of the Armed Forces within six months of the date of their election to elect a founding committee [composed] of one hundred members in charge of preparing the draft of a new constitution for the country within six months of the date of its forming”. The People's Assembly is the lower house of parliament, responsible for legislation and government oversight. The Shura (upper house) enjoys only limited authority, such as advising the lower house on allocations in the state budget, reviewing bills proposed by the president and appointing editors-in-chief of state-owned newspapers.

<sup>26</sup> Crisis Group interview, Cairo, 17 October 2011. Sources within both the military and Muslim Brotherhood assert that the selection of Islamist-leaning legal consultants did not result from a secret deal between the two but from the SCAF's political inexperience and unpreparedness. It also might have stemmed from a desire to satisfy the most organised group on the streets.

<sup>27</sup> See “El-Assar and Hegazy: Transfer of power to civilians not before the summer of 2013”, *Al-Fagr*, 20 October 2011.

<sup>28</sup> Crisis Group interview, retired general, Cairo, 17 October 2011.

<sup>29</sup> Crisis Group interview, Shahir Ishaq, Cairo, 2 October 2011.

<sup>30</sup> This rule was first introduced under Gamal Abdul Nasser's presidency (1954-1970); its purported goal was to diminish the influence of upper class members of the *ancien régime*. The quota was maintained by President Anwar al-Sadat in the 1971 constitution. After Mubarak's fall, many political parties advocated its cancellation, arguing it was obsolete and fearing they did not have sufficient competitive candidates who met the requirement. They also believed it would favour the *fulool*, who traditionally have dominated these categories – with land-owning retired military and police generals classified as peasants, and factory-owning businessmen running as labourers. The SCAF insisted on maintaining the rule, claiming it lacked authority to change such a fundamental aspect of the political system during a transitional period. Crisis Group interviews, George Ishaq, founder of the Kifaya movement and National Council for Human Rights member, Cairo, 3 October 2011; retired general, Cairo, 17 October 2011.

<sup>31</sup> The SCAF initially had advocated preserving the first-past-the-post system. Pressed by political parties and the protest movement, it gradually relented, first suggesting that two thirds of parliament be elected that way, then half and finally, in September 2011, one third. “Ratification of the amended parliamentary elections' law today amid widespread rejection from political parties”, *Al-Masry Al-Youm*, 27 September 2011; Crisis Group interview, George Ishaq, Cairo, 3 October 2011.

<sup>32</sup> The *fulool* ultimately fared poorly, undermining the SCAF's purported goal of checking the Islamists and providing the military with allies in the constitution-writing process. Crisis Group



ed the level of mistrust in the military leadership by that stage. Again facing tough criticism, the SCAF reluctantly backtracked, first on the electoral system in September 2011 – when it issued an electoral law under which two thirds of parliament would be elected proportionally and the rest via the old majoritarian system<sup>33</sup> – then in late November on the “corrupting of political life” law.<sup>34</sup>

If non-Islamist forces took issue with the electoral rules, Islamists were up in arms when, in November, Vice Prime Minister Ali El-Selmi suggested adoption of supra-constitutional principles<sup>35</sup> that would have granted the SCAF the right to appoint most members of the constitution-drafting committee (if the joint parliamentary session failed to agree on its composition); protected the military budget from detailed parliamentary oversight; preserved the military’s power in effect to veto decisions pertaining to war and laws dealing with the military; defined the state as “civil and democratic” – purportedly to guard against a theocracy;

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interviews, retired general, Cairo, 17 October 2011; senior Salafist leader, Cairo, 8 October 2011.

<sup>33</sup> One third of the seats for the lower house was elected according to a majoritarian “two-round system”, used during the Mubarak era, whereby a winning candidate needs to obtain more than half the votes to claim the seat, or else faces a run-off, against the candidate receiving the second highest number of votes. These majoritarian seats were contested in two-member constituencies, each of which had to return at least one labourer or farmer. Elected members of the Shura, the upper house, are elected according to a similar parallel system, with two thirds decided by proportional representation and one third by the two-round system.

<sup>34</sup> In November, facing mounting criticism over its violent crackdown against a Tahrir Square sit-in, the SCAF issued its version of the political isolation law (literally, the law on corrupting of political life). It stated that those indicted for having “corrupted” politics (by profiting from their public position or aiding in election rigging) would be barred from public office. See *Al-Ahram*, 22 November 2011.

<sup>35</sup> The SCAF first floated this idea in mid-August through verbal communications between the vice prime minister, Ali El-Selmi, and heads of political parties, but kept updating its proposals in response to strong opposition from Islamists, who decried an attempt to deny parliament’s right to draft the constitution. Putting these principles in one text, called El-Selmi’s document, was the most serious effort, following months of protests by non-Islamists who advocated modifying the transitional process so that the constitution would be drafted by a technocratic or elected expert panel rather than parliament. That said, their demands were unclear regarding how such a committee would be formed or who would qualify for membership and how. The Tunisian model of direct election was cited as a possible example. See “ElBaradei calls for the postponement of the parliamentary elections ... prefers the German constitutional model”, *Al-Masry Al-Youm*, 6 May 2011. Rather than simply disregard a process that had been overwhelmingly approved by voters, the SCAF thus sought to circumvent it through issuance of a separate legal document.

and formalised the military’s role as guardian of “constitutional legitimacy”.<sup>36</sup> The plan reportedly was for most parties to endorse the document, which would then become part of another SCAF-issued constitutional declaration.<sup>37</sup> Whether trial balloon or well-thought out plan, it backfired. Islamists, but also non-Islamists, united in opposition, the former because it undermined parliament’s role in drafting the constitution, the latter because it threatened to expand the military’s power and influence.

Significantly, this political tug-of-war was occurring amid deteriorating security and economic conditions. Insecurity was spreading, a function both of the police’s virtual absence from parts of the country and of several high-profile violent incidents. Prime among them was the 10 September 2011 attempted storming of the Israeli embassy, which saw panicked embassy staff flee the area and resulted in the death of three protesters.<sup>38</sup> Then, on 10 October, clashes between Copts and security forces at the Radio and Television Building (Maspiro) left 25 dead and 272 wounded.<sup>39</sup> In November, clashes followed the security forces’ aggressive break-up of a sit-in at Tahrir Square and attacks against protesters they claimed were planning to storm the interior ministry. In the midst of continued instability, authorities prosecuted activists before military tribunals, which handed them harsh sentences.<sup>40</sup>

Political uncertainty and the precarious security situation exacerbated the economic crisis. The economy slowed to a

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<sup>36</sup> The text, formally called “The basic principles of the constitution”, is widely referred to as “El-Selmi’s document”. See “The Text of Dr Ali El-Selmi’s Document”, *Masrawy*, 2 November 2011.

<sup>37</sup> See *Al-Youm Al-Sabe’*, 3 September 2011.

<sup>38</sup> This incident dashed any hope that the state of emergency soon would be lifted. Instead, the SCAF announced its intention to enforce “all of the emergency law’s articles”, *Al-Arabiya*, 10 September 2011.

<sup>39</sup> Thousands of Coptic Christians had marched on Maspiro to protest the tearing down of a church in the southern city of Aswan that the authorities claimed had been illegally built. As protesters reached the building, violent clashes broke out with military units stationed there. Crisis Group observations and interviews, Cairo, 10 October 2011.

<sup>40</sup> Human Rights Watch estimates that more than 12,000 Egyptians, many of whom political activists charged with rioting or “insulting the military establishment”, were sentenced to prison by military courts following the uprising. See “Egypt: After Unfair Military Trials, More than 12,000 Persons should be Retried or Released”, Human Rights Watch, 10 September 2011. A senior SCAF general disputed that figure and claimed that those tried before military courts were guilty of non-political criminal acts. He blamed the estimates on attempts to “defame Egypt”. Crisis Group interview, Cairo, 10 January 2012.

virtual halt,<sup>41</sup> forcing the government to borrow money at exorbitant interest rates;<sup>42</sup> as the central bank resorted to dramatic measures to shore up the pound,<sup>43</sup> foreign reserves plunged by 80 per cent.<sup>44</sup> Other indicators were equally distressing: the stock market lost almost 50 per cent of its value in 2011,<sup>45</sup> and tourism, a vital source of income for millions, dropped by more than 30 per cent in a year.<sup>46</sup>

For the SCAF, a difficult situation was becoming increasingly untenable. The protracted, contentious transition was beginning to take a heavy toll, eroding its image and weakening popular support and respect.<sup>47</sup> On 19 November, in the wake of a massive, predominantly Islamist demonstration against the supra-constitutional principles, security forces violently evicted a Tahrir Square sit-in by families of protesters who had been killed or injured during the uprising. Within a week, large numbers of Tahrir Square demonstrators began demanding the SCAF's ouster and prosecution of its leaders, reprising chants last directed at Mubarak. For its part, the military leadership accused demonstrators of being foreign-inspired and seeking to sow chaos and destabilise the nation. Activists, political parties and the independent media broke taboos by openly criticising the military's decisions, finances and legitimacy, while state-run media sought to turn public opinion against the protest movement by blaming it for the political and economic crisis.<sup>48</sup>

The massive crowds that took to the streets to protest the security forces' excessive use of force prompted Field Marshal Tantawi to announce that power would be transferred to an elected president no later than 30 June 2012, thereby setting an end-date for the transition.<sup>49</sup> A SCAF

general insisted the deadline was final and would be upheld even if there were no new constitution by that time.<sup>50</sup>

When, on 25 November, a large number of protesters gathered at Tahrir Square to call for an immediate transfer of power from the SCAF to a civilian government, the Muslim Brotherhood and Salafis stood aside.<sup>51</sup> They suspected the motivation behind the demonstration was in part to derail parliamentary elections due to begin three days later.<sup>52</sup> Besides, the Islamists had just scored a major achievement by forcing the authorities to withdraw the draft of the supra-constitutional principles.

Although elections proceeded as planned, their results came as something of a shock. Observers had expected the Brotherhood to do well in the lower-house election, which it did. Its political branch, the Freedom and Justice Party (FJP), captured nearly 36 per cent of the vote and 43 per cent of the seats. Far more surprising was the performance of Al-Nour, the Salafist party, which secured an impressive 27 per cent of the vote and 24 per cent of seats. In contrast, "The Revolution Continues" – an electoral coalition of movements that had participated in the uprising – won a meagre 3 per cent of the vote and 1.4 per cent of seats.<sup>53</sup>

<sup>41</sup> Egypt's gross domestic product grew by a meagre 1.2 per cent in 2011. See "The World Economic Outlook: Slowing Growth, Rising Risks", The International Monetary Fund, September 2011.

<sup>42</sup> "Arab Spring leaves Davos investors skeptical one year after revolution", Bloomberg, 26 January 2012.

<sup>43</sup> These were necessary in order to curb inflationary pressures on imported items, including food.

<sup>44</sup> "El-Ganzoury: we have lost more than 80% from our monetary reserves", *Al-Shorouk*, 2 April 2012.

<sup>45</sup> "Arab Spring leaves Davos investors skeptical", op. cit.

<sup>46</sup> "Egypt leaves benchmark rate unchanged at 9.25% after requesting IMF loan", Bloomberg, 2 February 2012. A distraught hotel music performer confided: "I have not had a single pound enter my pocket since the revolution. There are simply no tourists to entertain". Crisis Group interview, Cairo, November 2011. A hotel chain owner explained that his hotels had a 40 per cent occupancy rate, mostly cheap tourism from Eastern Europe. Crisis Group interview, Cairo, December 2011.

<sup>47</sup> Crisis Group interview, Egyptian official, Cairo, 12 December 2011.

<sup>48</sup> Crisis Group observations, Cairo, 19-28 November 2012.

<sup>49</sup> The SCAF opposed protesters' calls for the appointment of an interim civilian executive authority (presumably to be led by Mohammed ElBaradei, former director of the International Atom-

ic Energy Agency and an early leader of the anti-Mubarak movement), stressing that elections alone could ensure a legitimate transfer of power. In addition to the principle at stake, the military had strong reservations about Baradei himself. Crisis Group interviews, SCAF general, Cairo, 13 December 2011; retired general, Cairo, 19 December 2011.

<sup>50</sup> Crisis Group interview, Cairo, 13 December 2011.

<sup>51</sup> Salafis encompass a multifaceted group of adherents to literal interpretations of Islamic law, particularly in relation to rituals, such as dress codes and manner of eating. Egyptian Salafis used to refrain from politics, citing religious dictates on obedience to rulers. This changed following the uprising, and several Salafi political parties were established, most prominently, *Al-Nour*. For background, see Crisis Group Middle East Report N°37, *Understanding Islamism*, 2 March 2005.

<sup>52</sup> The Islamists' reluctance to join protests that could potentially have led to delay or cancellation of parliamentary elections should be viewed in light of their decades-long struggle to become legitimate political actors. See "The Brotherhood Guide: the choice of El-Ganzoury is suitable", *Al-Masry Al-Youm*, 27 November 2011.

<sup>53</sup> "Egypt's Islamist parties win elections to parliament", BBC News, 21 January 2012; also Crisis Group's calculations based on the Election Commission's website, [www.elections2011.eg](http://www.elections2011.eg). Each party's percentage of votes is calculated based on the votes cast for its list in the proportional representation elections (note that media reports differ as to the exact results, as a number of "independents" were in fact affiliated to political parties or joined coalitions after the elections). An academic expert on Islamism commented: "The results of the elections were less a rebuke to the revolutionaries than an embrace of cautious reform. The people after all did not vote for the *fulool*. They

The elections transformed the political landscape but did not put an end to its tensions and contentious character – to the contrary. Non-Islamist, revolutionary groups continued to advocate an immediate transfer of power to civilians – ie, in advance of presidential elections.<sup>54</sup> The military authorities took a hard line toward such protests – including a massive one on the anniversary of the 25 January uprising – arguing that legitimacy had shifted decisively from the street to state institutions; they also hoped that popular frustration would target civilian politicians, not the SCAF.<sup>55</sup>

By March 2012, the Brotherhood had joined the fray, using harsh language in criticising the SCAF for arguing that parliament could not withdraw confidence from the military-appointed cabinet and name its own. On the 24th, the Brotherhood issued a scathing statement criticising the SCAF for holding onto the “failed” cabinet; it also suggested the SCAF might be plotting to rig the presidential elections.<sup>56</sup> The SCAF responded the following day by broadcasting a statement on state television asserting its impartiality and warning the organisation in ominous terms that it was failing to learn the lessons of the past – an unobvious reference to the 1954 military crackdown against the Muslim Brothers.<sup>57</sup> For many, this sounded like an oblique threat of a military coup.

All eyes are now turned to the presidential contest – the first round of which is scheduled for 23-24 May.<sup>58</sup> It is developing into a free-for-all – intense and potentially destabilising competition among Islamists<sup>59</sup> and between

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wanted new political actors who embrace reform, but are less confrontational than the protest movement. People are just not willing to incur the high cost of radical changes”. Crisis Group interview, Ashraf El-Sherif, Cairo, 27 March 2012.

<sup>54</sup> Crisis Group interviews, protesters and activists, Cairo, October 2011 and March 2012.

<sup>55</sup> Some Egyptians directed their anger at the Islamist-dominated parliament for failing to enact any meaningful measure that might improve their daily lives. Crisis Group interviews, Cairo, 10 March 2012.

<sup>56</sup> See “Statement from the Muslim Brotherhood Concerning the Obstacles that Obstruct the Transfer of Power to People’s Civilian Representatives”, Ikhwan (online), 24 March 2012. Later, a Brotherhood member of parliament suggested that the authorities’ crackdown against domestic and foreign NGOs was intended to prevent monitoring of the elections. Crisis Group interview, April 2012.

<sup>57</sup> See “The SCAF responds with dismay to the Muslim Brotherhood’s criticisms”, Reuters, 25 March 2012.

<sup>58</sup> If the leading candidate in the first round fails to win more than 50 per cent of votes, he will face his closest competitor in a run-off on 16 and 17 June.

<sup>59</sup> The Muslim Brotherhood appeared anxious at the prospect of possible victory by one of its Islamist rivals – the salafi candidate, Hazem Salah Abu Ismail, or Abd al-Moneim Abou al-Futouh, a former Brotherhood member who left the movement amid ran-

Islamists and non-Islamists,<sup>60</sup> as well as between Islamists and the SCAF. The latter struggle could be the more ominous. The Muslim Brothers had hoped that the SCAF would allow their vice general guide, Khairat El-Shater, to form a government, in return for backing a consensual non-Islamist candidate (believed at one time to be the late President Sadat’s former media minister, Mansour Hassan). The SCAF, on the other hand, reportedly demanded the right to continue playing a political role even after completion of the transition by appointing several ministers in a future cabinet;<sup>61</sup> it also is said to have requested a pref-

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cour over his decision to run at a time when the movement made clear it was determined not to field a candidate.

<sup>60</sup> This was previewed by the highly contentious issue of selecting members of the constituent assembly. On 24 March 2012, in accordance with procedures decided by the Islamist-dominated legislature, a joint parliamentary session appointed 100 members for the constituent assembly: 50 from within the two houses of parliament and another 50 from without. The 50 parliamentarians selected for the assembly roughly reflected the parliament’s partisan make-up, with 36 combined belonging to the Islamist Freedom and Justice and Nour parties; the other 50 included many figures viewed by critics as Islamist (though they identified themselves as independent thinkers, legal experts and the like). Objections quickly were raised by non-Islamists regarding perceived under-representation of women (five members, including two Muslim Brotherhood-related figures), Copts (six, one of whom is the Freedom and Justice party vice president), protest movement figures such as Dr Mohamed ElBaradei and others. There were no Sinai Bedouins or Nubians from Upper Egypt and only one student representative – a Muslim Brotherhood student union head. The outcome prompted a wave of resignations from the assembly by non-Islamists as well as members of the Supreme Constitutional Court, Al-Azhar (the highest-level Sunni religious institution) and the Coptic Church (altogether about a third of assembly members). As the Muslim Brotherhood saw it, it was only natural for the assembly to comprise a majority of Islamists, given the electoral results. See “Egypt’s new constitution is in the hands of Islamists”, Reuters, 25 March 2012; “The process of drafting a new constitution is in Islamists’ hands”, *Al-Quds Al-Arabi*, 25 March 2012. The SCAF unsuccessfully intervened on 27 and 29 March, seeking to persuade those who resigned to return in exchange for a commitment by Islamists to respect the state’s non-theocratic character. The entire process was thrown into jeopardy by the 10 April court ruling suspending the constituent assembly on grounds that the mode of selection – in which parliament members occupied half of the assembly’s seats – violated the constitutional declaration. Associated Press, 10 April 2012. Political parties are presently engaged in broad consultations over the establishment of a new constituent assembly that might not necessarily reflect parliament’s composition.

<sup>61</sup> According to a Brotherhood member, these included the defence, interior, justice and media ministers. Crisis Group interview, Cairo, March 2012. A retired colonel argued the SCAF’s approach to the Brotherhood merely sought to ensure that Islamists did not enjoy a free rein by dominating all branches of government. Crisis Group interview, Cairo, 28 March 2012.

erential, quasi-autonomous status in the new constitution, not dissimilar to that envisaged in El-Selmi's document.<sup>62</sup>

Disagreements – over these terms or others – coupled with veiled military threats to either dissolve parliament or marginalise it and thus deprive the Islamist movement of the fruits of its victory purportedly are what pushed the Muslim Brothers to renege on their word with the 31 March announcement that El-Shater would stand for the presidency. A Brotherhood parliamentarian said, “the SCAF was taking a series of steps to circumvent the will of the people, prevent us from forming a government, prevent parliament from playing its role, undermining the constituent assembly. We had no choice but to react”.<sup>63</sup>

A Muslim Brotherhood member added:

The SCAF hopes to remain a key political player which has the upper hand in all the vital decisions. They are mistaken, however, to think they can play that role moving forward. The balance of power is decidedly not in their favour. They can sense their own weakness, which is why their demands are suddenly growing, and their attempts to dominate the political process are becoming more desperate.<sup>64</sup>

In yet another move in this unpredictable gambit, and in reaction to El-Shater's candidacy, President Mubarak's former intelligence chief – and short-lived vice president – General Omar Suleiman announced he too would vie for the presidency, a decision taken almost certainly with the blessing of key SCAF members.<sup>65</sup> In response, the Brotherhood's Freedom and Justice party issued a statement saying, “the revolution rejected him as vice president, and he still wants to run for president”.<sup>66</sup> El-Shater went further: “This is an offense to the revolution and a

failure to realise the changes that have happened in the Egyptian people. This is an attempt to steal the revolution”.<sup>67</sup> Upping the ante, Suleiman accused the Brotherhood of burning police stations during the uprising and warned that he was in possession of dark secrets on the organisation's history that he would reveal in due course.<sup>68</sup>

Much more was to follow. On 12 April, parliament passed an amendment to the law on the “practice of political rights” that would, among other matters, bar many of Mubarak's former associates and appointees, such as Omar Suleiman and former Prime Minister (and presidential candidate) Ahmed Shafiq, from elected office on grounds of their executive positions in the old regime.<sup>69</sup> The following day, Islamists organised a massive demonstration to denounce former regime elements' efforts to come back to power. Instead of ratifying the law, and perhaps to stall its implementation, the SCAF sent it to the Supreme Constitutional Court to determine its compatibility with the constitutional declaration.<sup>70</sup> The Court promptly ruled such a determination was not within its authority.<sup>71</sup>

The country soon faced another dramatic development: on 14 April, the presidential electoral commission disqualified ten candidates, including three major ones – Suleiman (on grounds that he lacked the requisite notarised statements of endorsement);<sup>72</sup> El-Shater (because he had not been fully cleared from a Mubarak-era conviction); and Abu Ismail, the Salafi (because his deceased mother had been a U.S. citizen). In the wake of the announcement, the SCAF hastily organised meetings with the advisory council and with political parties; during the meeting, Tantawi

<sup>62</sup> Crisis Group interview, Muslim Brotherhood member, Cairo, 26 March 2012.

<sup>63</sup> Crisis Group interview, April 2012. As noted, other reasons appear to have motivated the decision, notably the desire to maintain internal cohesion – many rank-and-file members risked defying their leadership by voting for Abol Fotouh or Abu Ismail. Crisis Group interview, Muslim Brotherhood member, Cairo, 24 March 2012. See also “The Brotherhood announces nominating El-Shater for the presidency”, *El-Badil*, 31 March 2012. Signalling an intensification of the conflict with the SCAF, the Freedom and Justice Party simultaneously took steps to withdraw confidence in El-Ganzoury's government.

<sup>64</sup> Crisis Group interview, Cairo, 26 March 2012.

<sup>65</sup> A senior SCAF leader said in December 2011 that the body remained in close touch with Suleiman, with whom it consulted frequently. Crisis Group interview, Cairo, December 2011. On his way to the Presidential Elections' Committee to submit his application documents, Suleiman was escorted by a military police unit headed by a SCAF member, General Hamdi Badeen. Other candidates were not afforded such treatment.

<sup>66</sup> *Al-Ahram* (online), 7 April 2012.

<sup>67</sup> Associated Press, 9 April 2012. In reply, Suleiman said, “those who think that my candidacy for president means reinventing the former regime must realise that being the head of the General Intelligence Agency or vice president for a few days does not mean that I was part of an institution against which people revolted”. Ibid.

<sup>68</sup> *Al-Ahram* (online), 13 April 2012.

<sup>69</sup> *Al-Dostor Al-Asly*, 12 April 2012.

<sup>70</sup> See “The Egyptian military council refers the political isolation law to the supreme constitutional court”, United Press International, 19 April 2012. Although the current constitutional declaration does not provide the SCAF with a formal role in ratifying laws, Article 56 evokes a vaguely-defined “right to object to laws” for the military council. The SCAF has maintained the legal custom of ratifying laws passed by parliament based on the now-suspended 1971 constitution. See also “The Constitutional Declaration”, op. cit.

<sup>71</sup> *Al Arabiya*, 21 April 2012.

<sup>72</sup> In the wake of the collective disqualifications, several analysts speculated that Suleiman's candidacy in effect had been a ploy to dilute the impact of the more significant decision – the eventual disqualification of the two candidates the SCAF considered most threatening, Abu Ismail and El-Shater. Crisis Group interviews, member of the El-Adl party, Cairo, 17 April 2012; Middle East analyst, 18 April 2012.

is said to have advocated a novel format for the constituent assembly and ratification of a new constitution prior to the presidential election.<sup>73</sup>

The Brotherhood, in anticipation of El-Shater's possible disqualification, had also registered Mohamed Morsi – chairman of the Freedom and Justice Party – as a candidate, and so will still be represented. Still, El-Shater had strong words, warning that the military was not serious about ceding power to civilians<sup>74</sup> and vowing continued mass protests in order to “complete the revolution against Mubarak's still-governing regime”.<sup>75</sup> Simultaneously, rumours have been flying about the State Council (Majlis al-Dawla) ruling that the law under which parliamentary elections were held was unconstitutional.<sup>76</sup> At this stage, in short, the constitution-drafting process is in disarray, serious questions hang over the presidential elections, parliament has had no say regarding the government, some are even doubting parliament's legitimacy, and hundreds of thousands of protesters occasionally descend on Tahrir Square to express disenchantment with the transition process.

At core, Egypt's divisive and confused transitional roadmap reflects the fact that none of the principal actors – the groups that initiated the uprising; the military authorities

who sought to shape it; and the Islamists who inherited it – are familiar with the role they currently are playing, as well as the fact that the game itself lacks rules. Unsure about their own intentions and ignorant about those of their counterparts, each has tended to expect the worst. To this day, the Muslim Brotherhood suspects that the SCAF, perhaps with the acquiescence of so-called liberal parties, might decide to empty the parliament of power or dissolve it (for example, by ensuring the Supreme Constitutional Court pronounces the electoral law unconstitutional); non-Islamist forces fear the Muslim Brotherhood is seeking monopoly power to impose its religious agenda; and the military is unconvinced that its core interests will be preserved if and when it relinquishes power.<sup>77</sup>

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<sup>73</sup> Ibid. An independent member of parliament with close ties to the SCAF, Mostafa Bakry, went further. He suggested that if the parties failed to reach agreement on a new constitution within roughly three weeks, the military council might issue a new constitutional declaration making the upcoming president merely an interim one, or even establishing an unelected presidential council instead. “Bakry: There will be no president prior to the constitution”, CBC, 15 April 2012. Bakry arguably sought to test the receptiveness of non-Islamist political groups to the ideas. In the event, they were virtually unanimously decried by political groups from all ideological stripes. Crisis Group interview, Shahir Ishaq, Cairo, 17 April 2012.

<sup>74</sup> “Disqualified Egyptian candidate says military rulers don't intend to cede power”, *The Washington Post*, 18 April 2012.

<sup>75</sup> “El-Shater calls on Egyptians to descend on squares”, *Al-Masry Al-Youm*, 17 April 2012. A Muslim Brotherhood member explained the escalation in the group's rhetoric: “The SCAF and the deep state [various branches of security agencies] do not wish to have a president who could make radical changes. This is why they disqualified El-Shater. The Muslim Brotherhood has a strong conviction the SCAF would like to replicate the Pakistani model, where they do not govern, but [in effect] rule”. Crisis Group interview, Cairo, 18 April 2012.

<sup>76</sup> Commenting on several recent judicial decisions, including El-Shater's and Abu Ismail's disqualifications, a member of one of the parties born of the uprising said, “the SCAF is using the judiciary as a political tool to strike at its opponents. It could not form a political party through which it could achieve its political and economic goals, and the Muslim Brothers are not a reliable political ally for the generals. As a result, it is resorting to the judicial system”. Crisis Group interview, El-Adl party member, Cairo, 17 April 2012.

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<sup>77</sup> A well-informed politician said, “the SCAF is quite keen not to hand over power without first guaranteeing the preservation of the military's privileges in the next constitution. To them, this is the real battle. They tested the political parties' willingness to extend the transitional period in order to first ensure an acceptable constitution. But the reaction was a unanimous ‘no’. I don't think they will be able to get what they want. A constitution cannot be written in less than a month”. Crisis Group interview, Cairo, April 2012.

### III. THE VIEW FROM THE SCAF

#### A. PERCEPTIONS OF THE UPRISING

The disconnect between the SCAF and the protesters began with their respective assessments of the uprising. Although the military leadership was neither behind nor necessarily sympathetic to the unrest, it believed it understood the uprising's root causes and, indeed, that it shared the bulk of the demonstrators' grievances.

By the time the first demonstrations began, the senior officers had become more and more impatient with Mubarak's policies and fearful of, perhaps even hostile to, plans to hand power over to his son. During the latter years of the president's rule, he visibly was favouring the interior ministry and police force, whose influence and power swelled. The police budget grew rapidly from an annual average of 3.5 billion Egyptian pounds (approximately \$583 million at today's rate) in the decade before 2002 to twelve billion pounds (\$2 billion) in 2005, roughly twenty billion pounds (\$3.3 billion) in 2008 and was projected by the finance ministry to reach 22 billion pounds (\$3.7 billion) in fiscal year 2011/2012.<sup>78</sup> Although the military's budget consistently has exceeded those sums in absolute terms, its growth rate over the past decade has been comparatively meagre.<sup>79</sup> In effect, the police budget was multiplied by a factor of more than six over the past decade, whereas the military's barely doubled.

During the same period, senior police officials, both active and retired, amassed fortunes from interior ministry-related businesses; this included performing work on behalf of foreign companies that supplied the ministry with equipment and obtaining large tracts of heavily-subsidised farmland.<sup>80</sup> Such favouritism led generals to feel increasingly sidelined.<sup>81</sup> After criticising the size of the interior ministry's staff (almost double the military's),<sup>82</sup> one said,

<sup>78</sup> See "The State's General Budget for FY 2011/2012", finance ministry, [www.mof.gov.eg/English/Papers\\_and\\_Studies/Pages/budget11-12.aspx](http://www.mof.gov.eg/English/Papers_and_Studies/Pages/budget11-12.aspx); also "The 20 billion pounds annual budget of the interior ministry lost in the backdoors of the general budget", *Al-Ahaly*, 5 October 2011.

<sup>79</sup> The defence budget rose from 13.2 billion pounds (\$2.2 billion) in 2003 to about 25.4 billion pounds (\$4.2 billion) in 2012. See "The State's General Budget for FY 2006/2007" and "The State's General Budget for FY 2011/2012", finance ministry; also Crisis Group interview, retired general, Cairo, 17 October 2011.

<sup>80</sup> Crisis Group interview, retired senior police general, Giza, 26 December 2011.

<sup>81</sup> Crisis Group interviews, retired military and police generals, Cairo, June, October, December 2011 and January 2012.

<sup>82</sup> In 2012, there reportedly were over 800,000 interior ministry employees; in 2010 active military troops numbered approximately 468,500. See *El-Badil*, 27 February 2012; *The Military*

"it is inconceivable that the police can obtain this much armoured vehicles and high-end weaponry. Does this mean that our domestic enemies are stronger than our external ones?"<sup>83</sup>

The military viewed the police's rising role as directly related to the grooming of Gamal Mubarak as the president's putative successor. A former general said:

Mubarak could never get Tantawi to sign off on his succession plan; that's why the president circumvented him and built a robust police force to ensure the transfer of power from father to son could be carried out as smoothly as possible.<sup>84</sup>

The military considered the younger Mubarak unsuitable for the presidency for several reasons. He lacked a military background – a pedigree considered a prerequisite since Gamal Abdel Nasser's rule; was relatively inexperienced; and, perhaps worse, owed his position to his family. For a military caste for whom constitutional appearances matter deeply and that had risen up in 1952 against dynastic rule, turning Egypt into yet another family-run oligarchy was a bridge too far.<sup>85</sup> Too, and importantly, Gamal was associated with neoliberal policies that threatened the army's economic status by promoting a class of rich private businessmen at the expense of not only average citizens but also the public sector elite, military officers included. In a sense, that would call into question the pillars of the Nasserite socio-political system established in the early 1950s, which relied on military control over key aspects of the economy and state bureaucracy.

Gamal, moreover, was considered excessively close to individuals suspected of corruption, such as Ahmed Ezz, a steel tycoon, and seen as seeking to dominate both the executive and legislative branches via associates.<sup>86</sup> Tanta-

*Balance 2010*, International Institute for Strategic Studies, (London, 2010).

<sup>83</sup> Crisis Group interview, retired general, Cairo, 26 May 2011.

<sup>84</sup> Crisis Group interview, Cairo, 17 October 2011.

<sup>85</sup> Since the 1950s, the military has professed fealty to two fundamental pillars: political legitimacy based on the constitution, as well as defence of a republican (ie, non-hereditary) system of government. A central objective of the 1952 coup was to overthrow the monarchical system, replacing it with a republican – albeit military-dominated – system.

<sup>86</sup> The last government of the Mubarak era, led by Ahmed Nazif, reportedly was hand-picked by Gamal, who is said to have selected friendly businessmen for significant ministerial posts. Generals purportedly were incensed by the unabashed way in which Gamal and his allies asserted control through Nazif and an NDP-dominated parliament. Crisis Group interview, retired general, Cairo, June 2011. After the revolution, Ahmed Ezz was charged by the public prosecutor of illegally acquiring licenses to build a factory in Suez and other corruption-related activities. Reuters, 16 May 2011; Richard Leiby, "The Rise and Fall

wi reportedly frequently spoke out during cabinet meetings against privatising state-owned companies<sup>87</sup> and is said to have personally intervened to block the sale of the Bank of Cairo and other public sector assets.<sup>88</sup> Tellingly, one of Mubarak's attempts to mollify the military as protests raged was to announce his son's resignation as secretary general of the NDP's Policies Committee on 5 February; likewise, he ousted most of Gamal's associates from government.<sup>89</sup> Unsurprisingly, one of the SCAF's first decisions after the president's ouster was to put those associates on trial on corruption charges.

In the SCAF's eyes, its main complaints (against hereditary government; the excesses of neoliberal policies; and perceived ostentatious corruption by networks associated with the president's family) faithfully mirrored the protesters'.<sup>90</sup> It followed that, by ousting Mubarak, it presumed to have accomplished the bulk of the revolution's goals. The military considered the uprising an event (the top-

pling of the leader), rather than a process – the thorough transformation of a political system.

Emad Gad, a parliament member representing the newly-founded left-of-centre Social Democratic Party, put it as follows: "The SCAF achieved its main objective of putting an end to the succession plan; on top of that, they ensured that future presidents could rule for only two four-year terms. To them, that was enough, and life should carry on".<sup>91</sup> Overhauling or purging institutions, such as the judiciary, the interior ministry and other security bodies or the state media – as opposed to rebuilding and strengthening them – was not part of the deal; such steps were viewed as threatening the authorities' ability to function or, worse, part of a conspiracy designed to sow chaos and undermine the state.<sup>92</sup>

## B. PERCEPTIONS OF THE PROTESTERS AND POLITICAL PARTIES

### 1. Disparaging politics

The SCAF's assessment of the protesters flows from its outlook on the protests: once the removal of Mubarak was completed, their job was done. Instead, as unrest persisted and demonstrators turned their ire on the new authorities, the military developed profound resentment toward those they deemed ungrateful for the army's role.<sup>93</sup> Such disdain extends to political parties, viewed dismissively by the SCAF as serving their narrow self-interest rather than that of the nation as a whole.<sup>94</sup> The majority of Egyptians, the military believed, backed the revolution but trusted the SCAF to carry on with the transition. In a retired gen-

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of Egypt's Most Despised Billionaire, Ahmed Ezz", *The Washington Post*, 9 April 2011. In a letter to U.S. Secretary of State Hillary Clinton, Ms Afaf Ezz, daughter of the arrested businessman, denied the charges and claimed her father was a victim of show trials orchestrated to appease the public's anger. "Mubarak's allies fear they are targets", *The Washington Times*, 15 March 2011.

<sup>87</sup> According to a former colleague, at one of those cabinet meetings Tantawi asked: "Are you selling the country piece by piece behind our backs?" Ibid.

<sup>88</sup> Crisis Group interview, retired general, Cairo, 26 May 2011. This account was later confirmed by former Prime Minister Ahmed Shafiq. See "Ahmed Shafiq: They chose me as a vice president before Omar Sulleiman", *Al-Fajr*, 16 January 2012; also "The Supreme Council of the Armed Forces: A Part of Egypt's Population Affirms its Loyalty to it and Siding with its Revolution", *Al-Difa'*, vol. 298, May 2011.

<sup>89</sup> See *Al-Arabiya*, 5 February 2011. On the morning of 29 January, Mubarak also appointed Air Force General Ahmed Shafiq, a retired military figure, to head the government in a further unsuccessful effort to placate the SCAF. See *Al Jazeera*, 29 January 2011. In a way, the SCAF may well have considered Mubarak's ouster as inevitable collateral damage resulting from his son's misdeeds. Some two months after he was forced to leave office, *Al-Difa'* – an official defence ministry magazine – published an article that portrayed him favourably, writing: "[T]he people know that President Mubarak is a soldier of the Armed Forces. He participated in all of Egypt's wars since his graduation and until the October War of 1973, when he led the Air Force, risking his life for his country". General Kamal Aamer, "Together for Egypt." *Al-Difa'*, vol. 297, April 2011; also Crisis Group interview, retired general, Cairo, 19 December 2011.

<sup>90</sup> Crisis Group interview, retired senior police general, Giza, 26 December 2011. See also Staff General Mosed El-Sheshtawy, "A Reading in the Events of the January 25th Revolution and the Armed Forces' Role in Securing It", *Al-Difa'*, vol. 297, April 2011.

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<sup>91</sup> Crisis Group interview, Emad Gad, Social Democratic Party, Cairo, 5 October 2011. An academic argued that most Egyptians shared the SCAF's view: "For most Egyptians, getting rid of Mubarak was enough". Crisis Group interview, Walid Kazziha, Cairo, March 2012. He added: "The SCAF sees nothing wrong with the Mubarak regime, as it was prior to Gamal Mubarak's entry onto the political scene".

<sup>92</sup> Crisis Group interview, retired military intelligence general, Cairo, 24 October 2011. The army's relationship with the police is both complicated and sensitive, given their decade-old rivalry for power and influence. Military generals had been dismayed by the police's growing authority and role in assisting Gamal Mubarak's seeming rise to power. However, even though the army observed the police force's humiliation at the uprising's outset with some satisfaction – particularly at a time when military officers were hailed as heroes – it soon grew alarmed at the security vacuum caused by the police's absence. Crisis Group interviews, retired senior police general and retired military generals, Cairo, May, October and December 2011.

<sup>93</sup> Crisis Group interview, retired general, Cairo, 18 October 2011.

<sup>94</sup> A retired general said, "all elites, parties and revolutionary groups are working exclusively for their own parochial interests". Crisis Group interview, Cairo, 17 October 2011.

eral's words, "the SCAF works under the assumption that it is the only party that truly cares about Egypt's interests. The parties and other groups have merely pounced on the political spoils".<sup>95</sup>

The suspicion in which the military holds politicians at times has translated into scorn for – and impatience with – the very process of politics itself, as its largely unilateral approach to governing illustrates. As a result, the SCAF has tended to resist political concessions, acquiescing in them only belatedly and grudgingly, thereby negating any positive effect they might have produced.<sup>96</sup>

Equally central, if at times difficult to fathom, is the SCAF's conviction that protesters and some political actors are instruments of a foreign plot designed to weaken or, worse, fragment the country. To an extent, the military has used this argument as a convenient means to discredit opponents and rally public opinion to its cause; Mubarak himself (and, both before and after him, the likes of President Ben Ali in Tunisia; Sheikh Hamad in Bahrain; and President Bashar Assad in Syria) resorted to the same argument. There is little doubt that the authorities were hoping to deflect blame for deteriorating security conditions and a stagnating economy,<sup>97</sup> seeking to shift the narrative from criticism of the SCAF to anger at foreign plots.

But there is more than that. As both current and former military leaders make plain, it is a belief profoundly anchored in the security establishment that foreigners, and in particular the U.S., are seeking to undermine the state. It did not take much for the SCAF to feel vindicated: thus, in late November 2011, as clashes between security forces and demonstrators (angered by the violent crackdown on a Tahrir Square sit-in) escalated, costing the lives of dozens, the White House issued a statement urging the military to hand over power to a civilian government.<sup>98</sup> Deeply offended by this public request, the SCAF felt Washington was siding with a movement of provocateurs and agitators intent on destabilising the country.<sup>99</sup>

Speaking of the continued protests, a retired general said, "there is a Western conspiracy against Egypt in which many European embassies are involved to tear down the institutions of the state. The United States and Israel seek to turn Egypt into another failed state like Iraq, so that

Israel could continue to dominate the region. We will not allow it".<sup>100</sup> A businessman with close ties to the SCAF said, "you might think it is merely a pretext. It is not. There is a widespread conviction that Washington wants a weak, divided Egypt – that the U.S. wants to do to Egypt what it did to Iraq albeit through non-military means".<sup>101</sup>

The conflation of its role as protector of stability with the national interest has led the SCAF to view criticism of its performance as attacks against the country's last standing institution – and, it follows, as the work of those who wish Egypt ill. A retired general echoed the views of his active colleagues:

The backbone of Egypt right now is its armed forces. If they break, so does Egypt. They are the state's protector, and if they fail, the state will collapse. This would duplicate the example of Iraq with one big difference: we don't have the oil that would allow us to get back on our feet.<sup>102</sup>

Understanding this outlook is critical to understanding why the SCAF acts as it does, at times seemingly against its own interests. This was most apparent in the treatment

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<sup>100</sup> Crisis Group interview, Cairo, 19 December 2011.

<sup>101</sup> Crisis Group interview, Cairo, January 2012. Suspicion of U.S. motives went so far as to lead members of the military leadership, but also political activists, to hint that Washington had pressured Gulf Arab countries to withhold aid to Egypt. Crisis Group interviews, military official, political activist, Cairo, February 2012. According to the head of a human rights organisation, "the lack of foreign aid and the conditionality of U.S. annual aid has served to convince [the SCAF] that Washington is trying to make Egypt fail and fall into chaos. Every time protests break out, the SCAF becomes even more convinced of that conspiracy". Crisis Group interview, Cairo, 24 February 2012. On 27 May 2011, the G-8 pledged approximately \$20 billion to Egypt and Tunisia. It has yet to be delivered. In addition, Saudi Arabia promised Egypt \$3.5 billion in aid, of which it has delivered only \$500 million. On 19 April, Prime Minister El-Ganzoury unveiled a \$2.7 billion package of financial assistance from Riyadh aimed at propping up the economy, though he did not mention a date for its delivery. See Bloomberg, 27 May 2011; *Egypt Independent*, 29 February 2012; And "\$2.7 billion in Saudi financing packages to assist Egypt", *Al-Ahram*, 20 April 2012.

<sup>102</sup> Crisis Group interview, Cairo, 17 October 2011. The military police prosecutor general repeatedly has summoned journalists and media figures, including famous talk-show host Reem Maged, due to their harsh criticism of the SCAF. Authorities reportedly intervened to block Alaa' al-Aswany, a world-renowned novelist, from participating in a television show, prompting the host to indefinitely suspend the program. See *Al-Masry Al-Youm*, 29 September 2011. In reaction, SCAF General Isma'il Ettman evoked an "organised campaign to attack SCAF, which is to be distinguished from objective criticism". "General Ettman urges Fouda to return", ONTV, [www.youtube.com/watch?v=lr3XUO1SMck](http://www.youtube.com/watch?v=lr3XUO1SMck).

<sup>95</sup> Ibid.

<sup>96</sup> As seen, the SCAF repeatedly refused to budge on issues like the electoral law, elections date and issuance of supra-constitutional principles before ultimately relenting in the face of vigorous criticism.

<sup>97</sup> Crisis Group interview, retired senior police general, Cairo, 28 January 2011.

<sup>98</sup> See *The Guardian*, 25 November 2011.

<sup>99</sup> Crisis Group interview, retired general, Cairo, 19 December 2011.



of foreign NGOs. On 29 December 2011, the authorities took the unprecedented step of conducting coordinated raids on the offices of more than a dozen U.S., European and domestic NGOs, thereby potentially jeopardising the \$1.3 billion in annual military aid Egypt receives from Washington.<sup>103</sup>

## 2. The case of the Muslim Brotherhood

If the SCAF's attitude toward political groupings on the whole has been one of scorn, this has differed in the case of the Muslim Brotherhood. Some local and foreign observers at one point evoked a possible alliance between the two; as exhibit A, they pointed to the facts that the head of the committee formed to amend the constitution (Tareq El-Bishry) was a Brotherhood sympathiser, and one of its members (Sobhi Saleh) belonged to the movement. Too, they pointed out that initially the military authorities and the Islamists joined in backing the transitional roadmap, and the Brotherhood was extremely guarded in its criti-

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<sup>103</sup> Among the charges was "serving U.S. and Israeli interests and possessing maps for dividing Egypt". On the seized maps, the legally-disputed Halaib region to the south east is not shown as part of Egypt but rather as disputed territory (in accordance with UN map demarcations). See *Al-Ahram* (online), 11 February 2012. The raid was followed by intense state media coverage, including hyperbolic nationalist discourse to warn of foreign (read U.S.) attempts to subvert the state, claiming the organisations were encouraging and financing protesters whose activities threatened state institutions. Egyptian authorities at times linked the dearth of foreign aid to the raids on NGO offices, citing purported U.S. pressure on Arab countries not to give Egypt assistance. See "Government confirms American pressures on Arab states to cease aid to Egypt", *Al-Masry Al-Youm*, 1 February 2012. On the evening of 2 March, non-Egyptian NGO employees were hastily ushered out of the country by the authorities; the presiding judge had resigned to protest what he described as pressure from the president of the Cairo Court of Appeals to release the defendants. This abrupt turnabout raised eyebrows and prompted intense criticism – from parliament and the independent media – particularly given how adamant the government and state media had been about the NGOs' culpability. Prime Minister El-Ganzoury earlier had asserted that Egypt would not yield to pressure. The authorities subsequently asked Interpol to arrest and return the defendants without ever explaining why they had been released in the first place. See "Washington calls upon the Interpol to reject Egypt's request to hand over defendants in the NGOs' case", *Al-Youm Al-Sabe'*, 7 April 2012. An Egyptian diplomat defended the decision to go after the NGOs: "The Americans were acting arrogantly and needed to be taught a lesson. They were spending millions of dollars on political activities in Egypt without permission from the authorities, while ignoring Egypt's more urgent economic needs. They had also linked continued military aid to the conduct of the transition; this was unacceptable to the military. Ultimately, when all is said and done, the military's interests were preserved and bilateral relations recalibrated in Egypt's favour". Crisis Group interview, 14 April 2012.

cism of the SCAF, withdrawing its members from Tahrir Square relatively quickly following Mubarak's ouster.<sup>104</sup>

There is little doubt that the military views the Islamist movement with guarded respect – though this is less a result of sympathy than an outgrowth of the long and hard-fought battle it has waged against an organisation that, until recently, was outlawed.<sup>105</sup> In its eyes, the Brotherhood is the only organised political force with which it must contend and whose interests must be taken into account.<sup>106</sup>

This was apparent in the immediate aftermath of Mubarak's ouster, when the military was determined to restore

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<sup>104</sup> Crisis Group interviews, analysts, Cairo, Washington DC, February-June 2011. Both strongly rejected the suggestion of an alliance. A SCAF general said, "we know the media says we side with one party of another. But that is completely untrue". Crisis Group interviews, Cairo, January 2011; Freedom and Justice Party official, Cairo, 4 October 2011.

<sup>105</sup> Though initially backing the Free Officers following the 1952 coup – which ended the monarchy, abrogated the multi-party system and essentially freed Egypt from British rule – the Muslim Brotherhood collided with the military over its role in the emerging political order. Nasser used heavy-handed measures to suppress the movement, which was his and the military's most potent, organised rival. In 1954, following a purported Brotherhood attempt on his life and again in 1965 (when Sayyid Qutb, one of the group's ideological founders, was sentenced to death), Nasser ordered a crackdown. Shortly after Sadat came to power in 1970, he released many Muslim Brothers from prison, hoping they would balance the Nasserists who were a challenge to his rule. The honeymoon was again short-lived. In 1981, in response to the Brotherhood's vocal opposition to the peace treaty with Israel as well as to a constitutional amendment permitting Sadat to stand for a third term, the late president ordered another crackdown. Mubarak dealt with the Islamist organisation in a complex manner. Although it refused to legalise the Brotherhood and held it in check, the regime allowed it to fill unmet social needs in health, education and other service sectors; it also allowed it some parliamentary representation, even as it suppressed the secular opposition. All this had the advantage of enabling the regime to depict the Islamists as its only alternative. As time for succession neared, the relatively conciliatory attitude changed; intent on preventing a repeat of the Brothers' strong 2005 electoral showing, the authorities arrested dozens of members in 2010, including Essam El-Erian (current head of the Foreign Relations Committee in the People's Assembly) and Mahmoud Ezzat (then the Brotherhood's vice general guide) on charges of belonging to an outlawed organisation. Although the authorities could not prevent other Brothers from standing as independents, elections almost certainly were rigged, and NDP candidates won over 90 per cent of the seats. Reuters, 8 February 2010. For background on the Muslim Brotherhood, see Crisis Group Briefing N°13, *Islamism in North Africa II: Egypt's Opportunity*, 20 April 2004; and Report N°76, *Egypt's Muslim Brothers: Confrontation or Integration?*, 18 June 2008.

<sup>106</sup> Crisis Group interview, retired senior police general, Giza, 26 December 2011.

stability and feared continued protests and chaos. Getting the most disciplined and powerful party off the streets was a priority, as was gaining its acquiescence to the SCAF-devised transition plan. A retired general explained: "When you enter a new block, you usually look to see who is the strongest thug with whom you could have an understanding. The SCAF was the newcomer, and the thug was the Muslim Brothers".<sup>107</sup> For the Brotherhood, its most urgent goals – legalisation; legitimisation through formal participation in the political process; recognition of expected electoral gains – required a deal with the military. Besides, its unhappy history with the security forces – and the even unhappier experience of Islamists in Algeria – fuelled worry that, should it prematurely provoke the SCAF, it could again become victim, this time precisely when it seemed to be approaching its goal.<sup>108</sup> Patience and an implicit understanding with the military seemed by far the wiser, safer and not overly costly course.

The pattern continued for a time. The SCAF tended to reach out to the Brothers whenever it perceived its position, core interests or objectives to be in peril. This occurred immediately after Mubarak's downfall (when the Islamists asked their followers to cease their protests and in return were given a key role in devising the transitional process); and in the wake of the large November anti-SCAF protests, as well as during the 16 December anti-SCAF protests near cabinet headquarters (when, on both occasions, the Islamists sat back, watched the SCAF and revolutionary youth engage in a war of attrition and benefited from their mutual weakening).<sup>109</sup> For the military, ensuring the Brotherhood was off the streets and did not

join calls for an immediate transfer of power to civilians was imperative. The Islamists for their part ensured that parliamentary elections would go ahead, that the document embodying supra-constitutional principles was withdrawn and that open confrontation with the military was avoided.

Such tactical convergence undeniably masked deeper tensions and a longer-term divergence of views as to the exercise of power, much of which has come out in the open since.<sup>110</sup> The Muslim Brotherhood clearly presents the most serious threat to continued military control over security matters, just as the military remains the most credible hurdle to an orderly handover of power to the Brotherhood.<sup>111</sup> For the most part, however, each side appeared to know how far not to go: the SCAF seemed likely to permit the Islamist movement to gain political power and achieve its immediate goals; in return, the Brotherhood seemed prepared to only gradually and cautiously challenge military interests and assert its authority over sensitive areas of national security.

Indeed, to the extent military prerogatives are challenged by non-Islamist forces during repeated rounds of protest, the Brotherhood gains on both fronts: avoiding a clash with the SCAF while chipping away at its authority. As a member put it, the question is "how do you eat an elephant? One mouthful at a time"<sup>112</sup> stated differently: refrain from

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<sup>107</sup> Crisis Group interview, Cairo, 17 October 2011.

<sup>108</sup> An Egyptian academic said, "in many ways, the Muslim Brotherhood is a hostage to their history of conflict with the military. They are convinced the best approach for now is a conciliatory one – at least until power formally is transferred to them". Crisis Group interview, Khaled Fahmy, chair of the history department, American University in Cairo, Cairo, 6 March 2012. Nathan Brown writes that, when he met Khairat El-Shater after his 2011 release from prison, "he was clearly haunted by the experiences of Algeria's Islamists (FIS) and Palestine's Hamas. (In his mind, both groups were denied the fruits of their electoral victory by domestic and international actors who preferred a coup to democracy.) Thus, the Brotherhood's path to power would be gradual, he said". "Egypt's Muddy Waters", *The National Interest*, 4 April 2012.

<sup>109</sup> An Egyptian analyst remarked: "The Muslim Brotherhood has no interest in challenging the SCAF today both because it fears a backlash and because it stands to benefit from the military's and secular forces' mutual weakening". Crisis Group interview, Cairo, January 2012. The Brotherhood's cautious approach was reflected in the views of a senior movement leader: "We see the SCAF in two dimensions. As ruler of the army, we give them full respect. As ruler of the nation, they have made some mistakes, which we point out and let them know". Crisis Group interview, Cairo, January 2012.

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<sup>110</sup> Even prior to the latest crisis, these disagreements periodically surfaced. The SCAF repeatedly has sought to assert control of the constitution-drafting process; each time it was strongly and effectively opposed by the Brothers. A senior Brotherhood leader said, "we took a strong stance against those who wanted to enshrine military power above the constitution in a special document. We even went to Tahrir Square to reject this. There can be nothing above the constitution – not theocracy and not military rule". Crisis Group interview, Cairo, January 2012. The two sides likewise have disagreed over whether the current parliament has the right to form the government; so far, the SCAF has prevailed on this despite the Brothers' relentless campaign to head a national unity government. The Freedom and Justice Party has called for a no-confidence vote on Ganzoury's cabinet, but has not pushed the issue to a vote. Its hope has been to pressure the cabinet to resign on its own accord or for the SCAF to dismiss it. Neither has occurred. As mentioned, Muslim Brotherhood members allege that the SCAF privately indicated its readiness to let the Brotherhood form a government but insisted on appointing two vice prime ministers and ministers to key positions. Crisis Group interviews, Muslim Brotherhood members, Cairo, 11 February, 26 March 2012.

<sup>111</sup> Crisis Group interview, senior Freedom and Justice Party official, Cairo, 13 December 2011. Professor Fahmy added: "However conciliatory they may appear at the moment, let's not forget that a year or so ago many senior Muslim Brotherhood members were behind bars. They cannot and will not forget what the interior ministry – and sometimes military courts – did to them". Crisis Group interview, Cairo, March 2012.

<sup>112</sup> Crisis Group interview, Cairo, 20 December 2011.

provoking the military at least until constitutionally-sanctioned institutions have been built and strengthened. A senior movement leader said, “some among the youth are prone to haste. They feel that to work with [the lower house of] parliament, the Shura, the presidency, the military – all that is too slow. They want to move immediately. But history does not work at such a pace”.<sup>113</sup> The Brotherhood hopes that by the time the transition period is completed, it will enjoy a parliamentary majority, a constitution that suits its interests and, perhaps, a president with whom it is comfortable.<sup>114</sup>

The late March 2012 exchange of critical statements, the Islamist group’s decision to nominate its strongman, Khairat El-Shater, for the presidency and the immediately following announcement of Omar Suleiman’s candidacy (both of whom subsequently were disqualified), could signal the end of this stage. At a minimum, it has brought to light the two actors’ intensifying tug-of-war over the post-transitional balance of power.

### C. PERCEPTIONS OF PUBLIC OPINION

From the outset, the SCAF has proceeded on the assumption that the general public’s primary goals are restoration of stability, safety and a functioning economy – objectives the military places far ahead of the demonstrators’ demands for quick and thorough democratisation. It has grounds to feel that way; both interviews with a wide range of Egyptians and opinion polls lend credence to that view and to the notion of a broad – albeit far from unanimous – consensus that ongoing protests are to be blamed for harsh economic conditions and lack of security.<sup>115</sup>

That perception both bolstered the SCAF’s sentiment that the people – their internal religious, social or ideological divisions aside – overwhelmingly supported it<sup>116</sup> and

strengthened its inclination to take decisions more or less unilaterally, without consulting political forces. In the words of a retired general, “the SCAF has not involved political parties in the decision-making process because it does not believe them to be representative of Egypt’s great non-partisan majority”.<sup>117</sup> Tellingly, when Tahrir Square protesters called on Tantawi to step down following deadly clashes on 18 November, the field marshal replied that he was willing to hold a national referendum on whether or not the people wanted the SCAF to rule during the transition.<sup>118</sup> No less tellingly, activists promptly rejected the offer.<sup>119</sup> The so-called revolutionary youth’s dismal showing at the polls (where they failed to win more than 5 per cent of parliamentary seats)<sup>120</sup> only further shored-up the military’s view that, in its words, “Tahrir is not Egypt”.<sup>121</sup>

Reality is more nuanced. To begin, although the military dismisses the protesters as a relatively insignificant minority among a very large population, the nation’s demographic size means that even a small percentage – if mobilised – can present a considerable and visible problem. Tahrir protesters undeniably possess the ability to hold downtown Cairo to a virtual standstill.<sup>122</sup> That most of the protest movement’s cadres come from the educated middle class further ensures that its views are well-reflected in the media. In contrast, pro-SCAF demonstrations at al-Abaseyya Square have been sparsely attended and their messages broadly uninspiring (including the demand that independent media figures be hanged or that Tantawi stand for the presidency).<sup>123</sup> As an analyst put it, “they thought that by grouping a bunch of people in a square to chant for the SCAF they would get the ‘honourable Egyptians’ – as they like to call them – to create a counter-Tahrir front. They did not”.<sup>124</sup>

Moreover, popular support for the SCAF – virtually wall-to-wall at the outset, when criticism of the military or its leadership was rare and considered taboo<sup>125</sup> – has waned,

<sup>113</sup> Crisis Group interview, Cairo, January 2012; also, Muslim Brotherhood member, Cairo, 20 December 2011.

<sup>114</sup> Professor Fahmy said, “the Brothers are going about this rather wisely. They are going to get what they want (domination over the government and security agencies) slowly but surely. The dilemma for them is how not to antagonise ‘the street’ while temporarily appeasing the SCAF”. Crisis Group interview, Cairo, 6 March 2012.

<sup>115</sup> 70 per cent of Egyptians polled reported fearing “anarchy” more than emergence of a military or theocratic dictatorship. See *Al-Ahram*, 9 October 2011; also Crisis Group interviews, Cairo, Giza and Beni Sueif, October 2011-January 2012.

<sup>116</sup> Crisis Group interview, retired general, Cairo, 17 October, 2011. Again, this belief apparently was borne out by an October 2011 poll conducted by the Al-Ahram Center for Strategic Studies, which found that 89.8 per cent of respondents had faith in the SCAF. That said, some 63 per cent also said they trusted the Coalition of Young Revolutionaries, the most organised grouping of young protesters. See *Al-Ahram*, 9 October 2011.

<sup>117</sup> Crisis Group interview, Cairo, 24 October 2011.

<sup>118</sup> [www.youtube.com/watch?v=SySuNqBp8TA](http://www.youtube.com/watch?v=SySuNqBp8TA).

<sup>119</sup> They argued that the SCAF had no right to hold a referendum on remaining in power, since it had not held a referendum on exercising power. Crisis Group interviews, activists, Cairo, 19-23 November 2011.

<sup>120</sup> “Egypt’s Islamist parties win elections to parliament”, BBC News, 21 January 2012.

<sup>121</sup> Crisis Group interview, SCAF general, Cairo, 13 December 2011.

<sup>122</sup> See Crisis Group Conflict Risk Alert, “Egypt: The Revolution Returns”, 23 November 2011.

<sup>123</sup> Crisis Group observations, Cairo, 25 January 2012.

<sup>124</sup> He added: “The SCAF dangerously overestimates its popularity”. Crisis Group interview, Khaled Fahmy, Cairo, March 2012.

<sup>125</sup> Crisis Group interviews, Cairo and Alexandria, February-April 2011.

particularly in reaction to the security forces' violent crackdown against protesters between October and December 2011.<sup>126</sup> Notably in Cairo, voices increasingly can be heard raising questions about the SCAF's role and behaviour;<sup>127</sup> protests have been spreading to universities and high schools across the capital.<sup>128</sup> Alarmed by these developments, the SCAF began placing pro-military posters on public buses<sup>129</sup> and dispatching retired generals to deliver lectures on campuses in an effort to improve the military's image; on several occasions, however, they were booed by students chanting "down with military rule".<sup>130</sup> The SCAF also has initiated efforts to provide free tours of Panorama October, the military museum, to school students.<sup>131</sup>

This is not to say that most Egyptians have turned against the SCAF; overall, they still seem suspicious of protesters, whom they typically hold responsible for chaos and instability. Even those sympathetic to the revolutionaries' lofty goals often are wary of the security and economic costs associated with street activism and violent confrontation. Too, there are geographic and social variations: for the most part, support for the military appears strongest in the countryside and among older, wealthier or very poor Egyptians, many of whom stand to lose most from lax security and economic turmoil.<sup>132</sup>

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<sup>126</sup> Some who previously rejected any criticism of the military's political role began to question its motives. Crisis Group interviews, Cairo, Beni Sueif, February 2011-February 2012.

<sup>127</sup> Activists repeatedly broadcast footage of the worst abuses perpetrated by security forces in streets and public squares across the country using makeshift screens and projectors. They titled these so-called documentaries "Lying Military Officers". Crisis Group observations, Cairo, Beni Sueif, December 2011-March 2012.

<sup>128</sup> University and high-school students organised numerous protests in 2012, in public and private universities alike, including Cairo University, Ain Shams University, Helwan University, the American University in Cairo and the German University in Cairo. The graduation ceremony at the American University in Cairo turned into a protest of sorts, with shouts of "Down with military rule!" chanted by both parents and students. Crisis Group interview, Khaled Fahmy, Cairo, 6 March 2012.

<sup>129</sup> Armoured vehicles across Cairo also bear stickers saying "The People and the Army are One!" and "Protecting the People". Crisis Group observations, Cairo, 12 February-5 April 2012.

<sup>130</sup> "For the Fifth Time in Universities: Suhag Students Kick Out Two Military Generals from a Panel Discussion with the Chant Down with Military Rule!", *El-Badil*, 29 February 2012.

<sup>131</sup> See *Al-Masry Al-Youm*, 12 March 2012.

<sup>132</sup> Crisis Group interviews, Cairo and Beni Sueif, October 2011-February 2012. A tourism sector employee said, "I do not care about all these protests and all of this political rubbish. We want authority transferred to civilians through elections, but we also want stability. I realise that the SCAF may have something to fear from handing over power. I know they were Mubarak's men, but I have not had a single pound of income since January

## IV. WHAT DOES THE SCAF WANT?

### A. MAKING SENSE OF CONFUSION

Since Mubarak's ouster, the SCAF's at times dizzying zigzag approach to politics has made divining its intentions difficult. It has oscillated from an apparently heartfelt desire to transfer power in a timely manner, so as to get out of the business of governing, to taking steps extending the process seemingly in order to safeguard its interests. It has stood firm on a number of issues – only to grudgingly relent in the face of street protests. It has appeared to reach understandings with the Muslim Brotherhood and then reacted in alarm at the movement's growing political and electoral muscle.

Such apparent inconsistency has a number of explanations. It stems, to begin, from the challenge faced by an old, tradition-oriented and risk-averse military institution in confronting fast-moving events. Another important factor is the military's deeply-ingrained conception of its own role as protector of stability and the national interest – a role it has grown to believe it alone has the experience, maturity and wisdom to play. Then, there are its more parochial concerns, such as defending its special budgetary status, de facto immunity from prosecution and now vast business interests in areas touching some of the most critical parts of the economy. Balancing this mindset, these national priorities and self-interested concerns has been made all the more difficult insofar as the SCAF – like all of Egypt's political actors – is operating in an entirely new, unpredictable and fluid arena lacking established rules of the game, in which a new generation of politicised activists demands a say and in which no single player can fully know, let alone fully trust, what others are planning.

As a result, it has been easier for the SCAF to decide what it does not want rather than what it does. By all appearances, it has no desire to be at the political vanguard, governing and thus inheriting much of the blame for what inevitably will be a trying economic period. But nor does it intend to be sidelined, lose its self-ascribed role as guarantor of constitutional legitimacy, be stripped of its economic privileges or allow political institutions to fall into the hands of a single party.

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[2011]. Thank God, I had some savings, but what about others? This Tahrir nonsense has to end". Crisis Group interview, Giza, 24 November 2011. A professor at Beni Sueif University echoed the sentiment, warning that protests in Cairo were hampering the military's ability to improve the security situation. A taxi driver from the same city blasted the protests as chaos-inducing, demanding instead a "president like Saddam Hussein who can bring real control and order to the country". Crisis Group interviews, Beni Sueif, 21-23 February 2011.

It aspires to somehow both remain in the background and be an arbitrator; shun the limelight yet retain influence. It has, at times, expressed such preferences and dislikes by evoking hope for a vaguely defined “balanced political system”<sup>133</sup> and, more practically, by seeking (mostly unsuccessfully) to influence the results of parliamentary elections so as to ensure a strong showing for the *fulool* and curtail Islamist gains,<sup>134</sup> and ultimately to shape the constitution-drafting process. Its critics see in Omar Suleiman’s presidential candidacy its latest, desperate gambit to protect its interests – with some fearing that it will resort to electoral manipulation if necessary.<sup>135</sup>

Its attempts to sway electoral results signally failed, as voters overwhelmingly supported the Freedom and Justice Party, which won roughly 37 per cent of the vote and, as previously noted, approximately 43 per cent of the parliament’s lower house seats, while the Salafist Al-Nour party came second with roughly 24 per cent of the seats. The *fulool* – the former members of Mubarak’s old NDP, who ran as independents or on various party lists – scored less than 5 per cent of lower house seats.

As to the constitutional process, the SCAF’s push for the so-called supra-constitutional principles also faltered, as Islamists mobilised hundreds of thousands of demonstrators on Tahrir Square to protest the document on 18 November – the first time Islamists from both the Muslim Brotherhood and Salafist parties openly broke with the SCAF over its management of the transition. The following day, the SCAF orchestrated an ill-fated violent operation to remove a sit-in at the square. Footage of security forces shooting at protesters, pulling dead bodies from the street and placing them near garbage canisters shocked a segment of the public. Thousands soon joined a several

days-long confrontation.<sup>136</sup> To contain the political fallout, the SCAF hastily retreated from the document, accepted the resignation of the Essam Sharaf government and set a 30 June 2012 deadline for presidential elections.

The SCAF’s latest attempt to advance the supra-constitutional measures surfaced in late November, when it set up an extra-constitutional Advisory Council comprising politically-diverse civilian politicians. As the SCAF saw it, the council was supposed to be a credible civilian body issuing guidelines on the constitution-drafting process.<sup>137</sup> Boycotted by the Freedom and Justice Party, it soon fell into disarray.<sup>138</sup> Several high-profile members, including the vice chairmen, Abul Ela Madi, and the secretary general, Muhammad Nour Farahat, resigned in protest against a violent crackdown in December as well as against the body’s vague mandate; subsequently, the council announced that it did not intend to impose guidelines for the constitution-drafting process.<sup>139</sup> Although some members sought a more significant role by encouraging a speedier schedule for presidential elections,<sup>140</sup> it has largely receded to the shadows, as the SCAF and cabinet exercise executive powers, while legislative authority has been assumed by the elected parliament.

These events point to the fundamental dilemmas that have plagued the SCAF. Eager to remove itself from the political limelight, it nonetheless has worked hard to ensure its concerns and interests would be protected once it stops ruling. Its ensuing efforts to manage the outcome of the transition undercut the trust it enjoyed.<sup>141</sup> And, finally, its inability to achieve its goals led it to prolong its stay in power, which further eroded its credibility and thus ability to promote its objectives.

<sup>133</sup> Crisis Group interview, retired general, Cairo, October 2011.

<sup>134</sup> From the SCAF’s perspective, a balanced system is one in which no individual party or political movement dominates parliament. By insisting on preserving at least part of the majoritarian electoral system, as well as maintaining the 50 per cent quota for labourers and farmers, the SCAF had hoped to dilute Islamist electoral gains. It mistakenly anticipated that those rules would boost the chances of candidates of the former ruling party, who enjoyed patronage networks, tribal affiliation and financial support and thus were thought to perform better in a system of individual candidates running in single districts. In contrast, the SCAF felt – wrongly it appears – that a proportional representation system would give the Islamists a clear advantage. Crisis Group interview, retired general, Cairo, October 2011.

<sup>135</sup> Abul Ela Madi, head of the moderate Islamist *al-Wasat* Party, claimed to have information proving that the SCAF had ordered state officials – including governors – to help Suleiman obtain the necessary signatures to file his candidacy by pressuring government employees to sign. See An-Nahar TV, 8 April 2012.

<sup>136</sup> See [www.youtube.com/watch?v=JeN-0z9BzdM&feature=fvst](http://www.youtube.com/watch?v=JeN-0z9BzdM&feature=fvst); [www.youtube.com/watch?v=tuXxVw4xTlo](http://www.youtube.com/watch?v=tuXxVw4xTlo).

<sup>137</sup> Crisis Group interview, retired military intelligence general, Cairo, December 2011.

<sup>138</sup> A party leader warned that “people would return to Egypt’s squares, if the advisory council intervened in the formation of the constitution-drafting Committee”, *Al-Masry Al-Youm*, 9 December 2011.

<sup>139</sup> Mansour Hassan, chairman of the Advisory Council, announced that the establishment and work of the Constitution-Drafting Committee fell within parliament’s sole authority. “Mansour Hassan: The constitution-drafting committee is the parliament’s authority”, *Shorouk Newspaper*, 27 December 2011.

<sup>140</sup> See Reuters, 4 February 2012.

<sup>141</sup> While liberals should have been the SCAF’s natural allies, at least when it came to heading off the Islamists’ gains, they had deep misgivings about the council’s intentions following its insistence on maintaining antiquated electoral laws viewed as benefiting the *fulool*, as well as on playing a supra-constitutional role after the transition. Crisis Group interviews, Cairo, 15 October–22 November 2011.

## **B. A CONSERVATIVE INSTITUTION IN A CHANGING WORLD**

One of the SCAF's most arduous challenges has been to adapt its cultural conservatism and ingrained outlook to the fast-paced changes of the post-Mubarak era. However instrumental it may have been in ousting the former president, it could not break easily with its past, nor is it willing to fundamentally overhaul a political system built by – and, to a large extent, for – the military in July 1952.<sup>142</sup> If, during the Nasserist era, the young officers who toppled the monarchy represented a generation of political outsiders gaining for the first time access to power and resources, the SCAF today is a far older, status quo-oriented actor bent on perpetuating its worldview, protecting its vision of the national interest and preserving its institutional privileges against a new generation of (civilian) contenders.<sup>143</sup> A retired general observed: “The average age of SCAF members is 60, and the head of the [SCAF] has coexisted with the former regime for twenty years. Naturally, their way of thinking and approach has been deeply influenced by the former regime's”.<sup>144</sup> A colleague put it as follows:

Field Marshal Tantawi spent at least twenty years in Mubarak's government. When the revolution took place, he had the choice of siding with Mubarak or with the Egyptian people. To his credit, he opted for the latter. But it is rather difficult to shake off the governance practices instilled by Mubarak in his associates.<sup>145</sup>

Several core characteristics of the military have shaped its behaviour since the uprising: its profound adversity to change; predilection for secrecy; hostility to dissent; and strict hierarchical structure. All have contributed to the growing divergence with activists and protesters and raised questions about its longer-term objectives.

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<sup>142</sup> According to an academic, “this was not a revolution against Mubarak. It was very much against the military regime of July 1952. The July regime had outlived its usefulness in the 1960s, when Egypt was humiliatingly defeated by Israel, and the state-led economy started to collapse. It survived the 1960s and 1970s because of the continued Egyptian-Israeli conflict; and it survived the 1980s and 1990s because of the fight against violent terrorism in Egypt. But by the 2000s, it was plain that it had run out of steam”. Crisis Group interview, Ashraf El-Sherif, Cairo, 27 March 2012.

<sup>143</sup> Tellingly, SCAF members are almost all over 60, although they are managing a transition that initially was propelled by a youth-led uprising. The three transitional cabinets have not had a single minister under 35, with the latest government being led by 78-year-old Kemal El-Ganzoury.

<sup>144</sup> Crisis Group interview, Cairo, 17 October 2011.

<sup>145</sup> Crisis Group interview, retired staff general, Cairo, 18 October 2011.

Wary of radical change, it has relied on strict adherence to existing constitutional principles and laws, regardless of how outmoded or at odds with new political realities. This purported faithfulness to legal rules almost certainly was invoked by the SCAF as a pretext to resist progressive measures. But there also is more than that: a visceral institutional allergy to abrupt transformations cut off from any recognisable framework because the SCAF considers such moves overly risky. According to Hassan Naf'a, an academic and former Advisory Council member, “the generals have pursued reforms rather than a revolutionary overhaul, because the military institutionally is both traditional and conservative. It prefers fixing what was wrong with the old system rather than building a new one”.<sup>146</sup> In words echoing the views of his active colleagues, a retired general said:

Egypt is a poor country with limited resources, whose fortunes already have been stolen. We cannot change everything at once, because our means are finite. If we heed all the demands of the revolution, we will fail. Libya and Iraq can afford to adapt to revolutionary demands, because they are energy-rich. We cannot.<sup>147</sup>

During a SCAF meeting, Tantawi is reported to have said: “It will not go down in history that I have taken any exceptional measures or acted in contravention of [the existing body of] law”.<sup>148</sup> The SCAF's resistance to deeper change has not been confined to issues of high-politics – such as preserving the 50 per cent quota for “peasants and labourers”; resisting calls to set up so-called revolutionary courts to try former regime members; and denying parliament's right to appoint and dismiss cabinets. To the exasperation of many reformists, it also adamantly objected to changes of far lesser political consequence, such as giving faculty staff the right to elect university presidents or imposing a ceiling on government pay.<sup>149</sup>

Guiding the SCAF's attitude appears to be the fear that introducing even such modest changes would pave the way for more profound and comprehensive reforms. As it were, the SCAF took refuge in its genuine and deeply ingrained attachment to the status quo. On several matters, it ultimately gave in when faced with sustained protests that threatened to inflict even greater harm – disorder and unruliness. Yet, by acting almost exclusively reactively rather than proactively, in response to popular anger, it lost thrice: by retreating; by failing to earn any credit for finally acquiescing; and by validating the view that it was intent on safeguarding the Mubarak-era order.

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<sup>146</sup> Crisis Group interview, Cairo, 9 October 2011.

<sup>147</sup> Crisis Group interview, Cairo, October 2011.

<sup>148</sup> Crisis Group interview, retired general, 17 October 2011.

<sup>149</sup> Crisis Group interview, Moataz Abdul Fattah, adviser to former Prime Minister Sharaf, Giza, 21 December 2011.

Examples abound. The SCAF ceded ground on its preference for a majoritarian electoral system (in favour of a mixed system including proportional representation); on the right to organise strikes and sit-ins (by often failing to enforce a law penalising these activities); and on the timeline for parliamentary and presidential elections (by delaying the former and expediting the latter, responding to demands of the non-Islamist protest movement), as well as for the drafting of the constitution (by withdrawing the proposed El-Selmi document and allowing parliament to decide on guidelines for the selection of the constituent assembly, key demands of the Muslim Brotherhood). The overall impression has been of an authority bereft of a clear vision and intent on preserving as much as possible of the former system, yet prone to give in when confronted with heightened public pressure.<sup>150</sup>

Compounding this tendency has been its penchant for endless deliberation, itself a legacy of the former regime. In a “message to the Egyptian people”, the SCAF took pride in this: it “runs the country with prudence and rationality without excessive emotions or zeal, and ... it carefully studies all matters big and small, because rushing harms the interests of the nation and citizens”.<sup>151</sup> An adviser to Essam Sharaf’s government recalled that SCAF generals typically would “sit and listen politely and for a long time to our concerns and recommendations. By the time they finally would make a decision, events would have far outpaced them”.<sup>152</sup>

Rigid notions of hierarchy and a military-like chain of command likewise run through the body’s worldview. This is true within the institution itself – Tantawi clearly enjoys pre-eminence, and reports suggest colleagues are leery of contradicting him<sup>153</sup> – as it is for how it rules the

country at large. Generals often refer derisively to the “kids of Tahrir”, a description that reflects deep-seated patriarchal notions<sup>154</sup> and the conviction that young people lack the experience and wisdom necessary to run affairs of state.<sup>155</sup>

The SCAF similarly expects the government to follow its instructions; after former Vice Prime Minister Ali El-Selmi reported that neither the prime minister nor the interior minister knew about the 19 November violent crackdown against the Tahrir Square sit-in,<sup>156</sup> a former general replied: “The day that the SCAF or a president would have to ask the prime minister for permission before taking such measure is yet to come. This is Egypt”.<sup>157</sup> And, just as military officials expect obedience from lower-ranking officers and soldiers, they resent questioning and personal attacks from civilians,<sup>158</sup> dismissing them as foreign-inspired attempts to sow distrust between public and army.<sup>159</sup>

Secrecy is another hallmark of the SCAF’s mode of operation that it has brought to government. Several generals claimed that it had a clear transitional plan but would not reveal it for fear of “sabotage by internal and external enemies”.<sup>160</sup> In the words of a retired general, “the SCAF and the armed forces carry out what is in the interest of the nation in silence. Those who attack it are either unpatriotic or seeking merely to advance their political interests”.<sup>161</sup>

### C. SAFEGUARDING STABILITY

The SCAF sees itself as the sole institution still standing that is in a position to maintain stability and order. Indeed, under its view, not only was the task of the revolution more or less completed on 12 February, but the very act of maintaining protests after that day was tantamount to betraying the national cause. The SCAF stepped in to dis-

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<sup>150</sup> Speaking of the SCAF’s concession on the electoral system, a Freedom and Justice Party official said, “the SCAF has agreed to give up so much of the single-district system because it lacks a vision or a convincing political plan. This makes it vulnerable to popular and political pressure”. Crisis Group interview, Cairo, 4 October 2011.

<sup>151</sup> “The Supreme Council of the Armed Forces: A Part of Egypt’s People, It Affirms its Loyalty to the People and Siding with the People’s Revolution”, *Al-Difa’*, vol. 298, May 2011.

<sup>152</sup> Crisis Group interview, Abdul Fattah, Giza, 21 December 2011.

<sup>153</sup> An Egyptian diplomat said, “it does not matter if there are differences of opinion within the SCAF, as long as all members abide by hierarchy and the field marshal’s orders. What they think individually is irrelevant”. Crisis Group interview, Cairo, December 2011. According to a U.S. official, Egypt’s handling of the NGO controversy largely was shaped by this. “Tantawi was convinced by [Planning and International Cooperation Minister Fayza] Aboulnaga that going after U.S.-funded NGOs would be good politics. Many of his colleagues privately told us they thought it was a bad idea, that it would create a crisis in bilateral relations. But none felt it was appropriate to raise ob-

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jections”. Crisis Group interview, Washington DC, March 2012. Abdul Fattah, the former prime ministerial adviser, said the combination of indecisiveness and hierarchy was particularly lethal: “Everything goes to die at the office of the field marshal”. Crisis Group interview, Giza, 21 December 2011.

<sup>154</sup> Crisis Group interviews. Cairo, October-December 2011.

<sup>155</sup> In contrast, young revolutionaries speak of the “old people’s state”; see Gaber Asfour, *Al-Ahram*, 2 January 2011. After El-Ganzoury was named prime minister in November 2011, a popular status message on Facebook wondered: “Is this a government or an assisted living facility?”

<sup>156</sup> See *Al-Masry Al-Youm*, 18 December 2011.

<sup>157</sup> Crisis Group interview, Cairo, 19 December 2011.

<sup>158</sup> The SCAF generals have tended to appear irate and short-tempered during press conferences and media interviews. Crisis Group observations, October-December 2011.

<sup>159</sup> *Al-Difa’*, vol. 298, May 2011.

<sup>160</sup> Crisis Group interviews, military and police generals, Cairo, October 2011.

<sup>161</sup> Crisis Group interview, Cairo, 18 October 2011.

miss Mubarak when it did in large part because it felt that the country could ill afford more of the turmoil experienced for some eighteen days. A SCAF general said, “we gave Mubarak a chance to fix the deteriorating situation, but he could not. So we had to intervene”.<sup>162</sup> In particular, the military council was alarmed by the near-complete breakdown of domestic security (caused by the police force’s collective withdrawal); paralysis of the financial system (due to the bank and stock market shutdown); impediment to transportation routes (a result of sit-ins at rail-ways); as well as by escalating labour strikes that extended to military production factories.<sup>163</sup> With Mubarak gone, the SCAF felt the time had come to put all this to rest.

The unrest only compounded what the military saw as an unwanted burden – the duty to ensure security in light of the police’s virtual vanishing act after 28 January.<sup>164</sup> This meant that, on top of protecting critical state buildings, it had to respond to thousands of phone calls reporting criminal acts throughout the country.<sup>165</sup> Such a role came reluctantly to an institution that traditionally has defined its mission as defender of national sovereignty and thus has sought to steer clear of day-to-day policing or arresting fellow citizens.<sup>166</sup> With problems in Gaza on the eastern border, northern Sudan on the southern one and Libya to the east, the SCAF was desperate for the police to assume its former role and relieve its troops from responsibility for securing the streets.<sup>167</sup>

In like manner, the SCAF considered protests, strikes and sit-ins as undesirable obstacles to economic and security recovery, “harming the interests of the people and the na-

tion’s security”.<sup>168</sup> Reflecting a widespread view within the military, a retired senior police general said, “Egypt will need three to five years until it will be in a position to practice true democracy. Right now, there does not seem to be a line separating freedom from chaos. Everyone with a demand feels he has the right to block off a street, obstruct the railroad or interrupt work at government buildings”.<sup>169</sup>

Ultimately, the SCAF is persuaded that continued protests risk plunging the country into anarchy.<sup>170</sup> Alarm bells sounded most loudly when, on 9 September, protesters tried to storm the Israeli embassy – an act that could have had immense repercussions on Egyptian-Israeli and Egyptian-U.S. relations – and then attack both the Saudi embassy and a nearby police headquarters.<sup>171</sup> Its self-defined role, in other words, was to prevent the kind of descent into chaos and instability ostensibly desired by its foreign foes.

#### D. PROTECTING CORPORATE INTERESTS

The military has been in power in one form or another since the 1952 coup. The three presidents that ruled prior to the 25 January uprising – along with their defence ministers – all had military backgrounds and bestowed unrivalled powers and benefits upon the armed forces. Overall, such perks both ensure loyalty from officers rewarded for their services and war-time sacrifice and engender an *esprit de corps*. The military informally has been anointed guarantor of constitutional legitimacy since 1952 – a loose term meant to suggest the institution would ensure respect for the principles of the republican revolution and fend off attempts to undo them.

On a more practical level, privileges include political appointments to head local government offices and businesses and an autonomous (and secret) budget.<sup>172</sup> Retired generals traditionally have been named to head provincial governments – a practice both designed to reward loyalty and service and reflective of the Nasser-era conviction that the army alone could effectively and reliably run public affairs. Active and retired army officers likewise enjoy a generous package of benefits, such as treatment at special

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<sup>162</sup> Crisis Group interview, Cairo, 13 December 2011.

<sup>163</sup> See “Military production workers go on strike...”, *Al-Wafd*, 7 February 2011.

<sup>164</sup> Attacks on police stations resulted in the theft of thousands of weapons and the mass withdrawal of police officers, who were targeted by demonstrators for their perceived role in propping up Mubarak’s regime. SCAF General Mohamed El-Assar described the security situation as “the country’s main problem”. Crisis Group interview, Cairo, 13 December 2011.

<sup>165</sup> Staff General Mahmoud Mohamed Khalil, “The Egyptian Armed Forces’ Role in Supporting Comprehensive Development and the Securing of the 25 January Revolution”, *Al-Difa’*, vol. 298, May 2011.

<sup>166</sup> In the transition’s early stages, Tantawi reportedly expressed deep reluctance to use troops to chase any Egyptian, including criminals. Crisis Group interview, Abdul Fattah, former prime ministerial adviser, Giza, 21 December 2011.

<sup>167</sup> Reports abound about massive drug and arms trafficking through the Libyan borders and of armed groups seeking to take advantage of the security vacuum in the Sinai Peninsula. See “The Egyptian Military Confronts the Challenges of the Post-25 January Period”, *Al-Nassr* (defence ministry magazine), vol. 862, April 2011.

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<sup>168</sup> General Kamal Aamer, “Together for Egypt”, *Al-Difa’*, vol. 297, April 2011.

<sup>169</sup> Crisis Group interview, Cairo, 24 October 2011.

<sup>170</sup> Crisis Group interviews, Egyptian diplomat, Cairo, 12 December 2011; retired military general, Cairo, 17 October 2011.

<sup>171</sup> A retired general said this was the moment the SCAF decided it no longer could tolerate demonstrations in critical areas. Crisis Group interview, Cairo, 17 October 2011.

<sup>172</sup> Military officers argue that to allow civilians to review military budgets would risk exposing the institution to cuts in the context of an economic downturn – thereby enabling civilian encroachment on the institution’s historical privileges. Crisis Group interview, retired colonel, Cairo, 18 December 2011.



military hospitals, subsidised housing, vacation accommodations, membership in exclusive social clubs, subsidised wedding ceremonies (including for their families) and free Ramadan food boxes.<sup>173</sup>

At the same time, vast businesses run by the military typically have helped bolster its coffers, while serving as an important means to materially and socially reward retiring generals by appointments as chairmen and board executives with generous salaries.<sup>174</sup> This pattern began in the wake of the 1952 coup, when President Nasser nationalised numerous enterprises and embarked on an ambitious industrialisation program; these so-called national companies were (and still are) headed by active and retired generals and colonels.<sup>175</sup> But the army also oversees numerous subsidiaries of state-owned holding companies and owns shares in public-private ventures. In many cases, these smaller operations are embedded in transnational conglomerates.

The trend initiated in 1952 accelerated after the signing of the peace agreement with Israel in 1979, insofar as parts of the large army staff gradually could demobilise and be reassigned to non-combat duties. With a struggling war-battered economy, the military's leadership expanded its definition of national security to encompass economic security as well, arguing its help was needed to stabilise the situation.<sup>176</sup> Then as now, it asserted that much of the profits made from its economic activities went towards meeting defence budget requirements.<sup>177</sup> In this vein, a SCAF general claimed that production from military-run enterprises ensured a degree of military self-sufficiency and that surplus products were strategically channelled to the marketplace as a means of providing affordable commodities and controlling inflation.<sup>178</sup> That said, there is reason to believe that by venturing into economic activities, the military wished to take care both of its active corps and of the large pool of demobilised soldiers. A retired colonel said:

The armed forces delved into the economic arena after the peace treaty with Israel ... the military could not just let go of its officers and staff, end of story. It had to find them decent, well-paid jobs. The private sector could not absorb the large numbers of retiring officers. Instead, the military prepared them, offered them training and the means to manage various businesses that benefit the military as an institution and the country as a whole. As an army major in my late 30s at the time, I could not afford an apartment, except in shantytowns and under-developed areas. When Field Marshal Abu Ghazala [defence minister, 1982-1989] surveyed the officers about their residence needs, almost all of them responded that they could not afford decent housing.

This is how the military began its residential construction activities. The military imported the best building materials and sold the officers apartments at reduced rates. It was the only way for us to lead a dignified life, both while in service and after, and be able to find a place in which to get married and start a family.<sup>179</sup>

Over time, the focus of military activities shifted. Under Nasser's statist economic policies, military-run businesses emphasised aluminium- and steel-based industrial products, such as water heaters, stove ovens and cars as a means of complementing a parallel push for public-sector-led industrialisation.<sup>180</sup> This changed under Mubarak. His more neoliberal orientation and privatisation drive led the military to alter its focus to component-assembly projects – including assembly of imported television sets, rail passenger carriers and vehicles, such the Jeep Cherokee. The military likewise invested in food and drink-related industries, including bottling of mineral water.<sup>181</sup> Given Mubarak's emphasis on building infrastructure, the military also got involved in projects such as constructing the Cairo-Ein Sokhna highway in 2004.<sup>182</sup>

<sup>173</sup> Ibid; Crisis Group observations, Cairo, October 2011-January 2012.

<sup>174</sup> Crisis Group interview, retired general, Cairo, June 2011.

<sup>175</sup> "The military's oldest commercial interests are the factories run by the Ministry of Military Production, the Arab Organization for Industrialization (AOI) and the National Service Projects Organization. Shana Marshall and Joshua Stacher, "Egypt's generals and transnational capital", MERIP Report 262, Spring 2012.

<sup>176</sup> General Khalil, "The Egyptian Armed Forces' Role", op. cit.

<sup>177</sup> The share of the budget allocated to defence in the 2011-2012 general budget was 4.2 per cent, half that of education, an amount the generals claimed was inadequate. See "The SCAF: Our projects are the sweat of the Ministry of Defence", *Al-Shorouk*, 27 March 2012.

<sup>178</sup> Ibid.

<sup>179</sup> Crisis Group interview, Cairo, March 2012. He added: "For example, we started farming in order to feed our under-nourished soldiers who would only eat meat once a week, if that. Now, they have protein in their diet on a regular basis by eating eggs and more meats. Look also at the status of regular subsidised bread; it is virtually inedible. The military provides bakeries as a public service, where you can get a decent, healthy and filling loaf of bread for five piasters. They [the military officers] do not do this to become millionaires. It is a service to a population under-served by its governments".

<sup>180</sup> Crisis Group interview, Khaled Fahmy, Cairo, 6 March 2012.

<sup>181</sup> See Mohamed Al-Khalsan, "The Military and Economy in Egypt", *Jadaliyya*, 21 December 2011.

<sup>182</sup> See "El-Ein El-Sokhna", State Information Service, [www.sis.gov.eg/Ar/LastPage.aspx?Category\\_ID=541](http://www.sis.gov.eg/Ar/LastPage.aspx?Category_ID=541). Speaking of this period, a retired general said, "it is important to consider the economic conditions in the late 1970s and early 1980s. The highway network was crumbling or destroyed. Telecommuni-

In the last decade or so of Mubarak's rule, the military's economic sphere grew substantially, becoming a multi-billion pound industry. Although estimates vary widely, reports suggest that in 2009 it earned some 1.8 billion pounds (about \$300 million) from civilian-oriented products (exceeding earnings derived from military-oriented goods by some 100 million pounds).<sup>183</sup> The military also controls a significant share of the real estate sector. Land that is not owned by the government, investors or individuals, as well as unoccupied land – especially in coastal and border areas – typically is in the army's hands.<sup>184</sup> The military's "vast empire"<sup>185</sup> touches other key economic areas, including food stuffs (such as "Queen" pasta; "Sinai" olive oil; subsidised bread production lines and baking ovens; various types of red and white meats; recycling of biodegradable and non-biodegradable waste (118 facilities); and the supply of refined gas and fuel via "Wata-neyya" gas stations.<sup>186</sup>

As free-market policies and privatisations affected the purchasing power of many Egyptians – reducing the supply of cheap public-sector goods and floating the pound's value – military-run businesses became an essential source of basic products neither the private nor decaying public sector could provide at affordable prices. Vast segments of society were being neglected; the military-run economy helped fill the gap. It supplied cheaper foodstuffs, while its petrol stations offered products not serviced by the private sector, such as the relatively cheap (but lower-grade) 80-octane petrol, as well as diesel fuel. Such goods typically

were purchased by military families, but also by lower-middle-class and lower-class civilians.<sup>187</sup>

These economic activities for the most part help meet unfulfilled demands, but they also typically fail to respect the most basic norms of accountability or oversight. Finances are buried in the military's overall, non-itemised budget and are not subject to any independent or external review.<sup>188</sup> Fear of uncovering shady practices – plus resolute opposition by the military to any civilian oversight – has ensured continued opposition to greater transparency. Furthermore, military-run businesses employ conscripts at meagre wages and sometimes utilise subsidised energy. As a result, they can cut prices and out-compete others seeking to invest in the same areas.<sup>189</sup>

To an extent, the military's hostility toward Gamal Mubarak was rooted in political and economic calculations. It arguably feared the social consequences of an overly hasty and comprehensive privatisation of the public sector.<sup>190</sup> But of equal importance, the policies promoted by the president's son potentially threatened the military's position – not so much because it opposed free market practices per se (it actually benefited from partaking in many public-private business partnerships), but rather because it worried that the kind of privatisation Gamal had in mind would disproportionately redound to his allies' benefit.<sup>191</sup>

Although it likely recognises that some accommodation will be required, the SCAF on the whole is anxious at this stage about any potential upending of civilian-military relations, chipping away at the military's economic and political benefits or, arguably more dangerous still, holding of the military accountable before civilian courts for its actions since the uprising. This explains in part its re-

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cation lines needed to be installed across the country. There were multiple infrastructure deficiencies. Seeing that there was no private sector to perform these tasks – or, if there was one, it was not very reliable and lacked capacity – the military and political leaderships found it fit to dedicate the energies of the post-war military towards these activities. Only an ungrateful person would deny the military its historical role in rebuilding this country". Crisis Group interview, Cairo, March 2012

<sup>183</sup> See Mamdouh Sha'ban, "Mesh'al: Sales of the military production sector reached 3.6 billion pounds", *Al-Ahram*, 24 October 2009.

<sup>184</sup> How these large tracts of lands are run and to what end is not known, although a portion at least is used as military bases, farms and military-related service centres. Crisis Group interview, economic and political researcher at the Egyptian Initiative for Personal Rights, Cairo, 3 April 2012. Tellingly, amid the recent unrest, the military has been at pains to prevent any encroachment on these so-called "state-owned" lands. See *Al-Masry Al-Youm*, 24 February 2011, 4 March 2011, 13 March 2011, 21 March 2011, 11 January 2012 and 28 February 2012.

<sup>185</sup> Crisis Group interview, Egyptian analyst, Cairo, January 2012.

<sup>186</sup> See Mamdouh Sha'ban, "Mesh'al: Sales of the military production sector reached 3.6 billion pounds", *Al-Ahram*, 24 October 2009.

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<sup>187</sup> Crisis Group observations and interviews, Cairo, October 2011-January 2012. "The army is known to manufacture everything from olive oil and shoe polish to the voting booths used in Egypt's 2011 parliamentary elections, but no one knows for sure how much of the country's economy the military industries control". Marshall and Stacher, op. cit.

<sup>188</sup> A researcher accused the military of lying about subjecting its businesses to review by the government-run Central Agency for Accountability: "No one outside of the highest ranks in the ministry of defence has the balance sheet of the military's economic activities". Crisis Group interview, economic and political researcher at the Egyptian Initiative for Personal Rights, Cairo, 3 April 2012.

<sup>189</sup> Crisis Group interview, researcher at a pro-labour organisation, 10 March 2011.

<sup>190</sup> Even the Gamal-friendly government of Ahmed Nazif was aware of this risk as early as 2008. Crisis Group interview, economic and political researcher at the Egyptian Initiative for Personal Rights, Cairo, 3 April 2012.

<sup>191</sup> Marshall and Stacher, op. cit.

luctance to transfer power to a civilian authority until it obtains requisite guarantees, despite its oft-repeated desire to step away from the limelight.<sup>192</sup>

How the SCAF intends to protect such interests is another matter – and one that it does not seem to have fully determined itself. But it has made its position relatively clear; on 27 March 2012, the assistant to the defence minister for financial affairs, General Mahmoud Nassr, warned that “this money is not the state’s ... but the result of our sweat from 30 years of labour” and that the “armed forces would fight ... in order not to allow any party whatever it might be to come near our projects”.<sup>193</sup> Some observers go so far as to question whether, assuming the SCAF is prepared to relinquish important military prerogatives, members of lower ranks would sit idly by.<sup>194</sup>

The SCAF also has at times suggested its determination to play the role of guarantor of constitutional legitimacy, codeword for its right to define the boundaries within which any civilian authority could govern;<sup>195</sup> signalled it would object to civilian oversight or interference;<sup>196</sup> sought repeatedly to shape the constitution-writing process; insisted privately that the defence minister should be a military figure, possibly empowered to appoint the chief of staff;<sup>197</sup> claimed it would play a role in selecting key ministers;<sup>198</sup> and opposed granting parliament the right to review detailed military budgets.<sup>199</sup> A senior SCAF member put it bluntly: “The SCAF is here, it is present, it is part of the formula, and it will continue to be part of the formula”.<sup>200</sup>

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<sup>192</sup> Robert Springborg, an expert on Egypt’s military, argued that the SCAF’s extension of the transitional period suggested that, so far, it had been unable to find a partner that “forswears any meaningful control over the military”. See *Al-Masry Al-Youm*, 26 October 2011.

<sup>193</sup> See “The SCAF: Our projects are the sweat of the Ministry of Defence”, op. cit.

<sup>194</sup> Crisis Group interview, retired colonel, Cairo, 30 December 2011.

<sup>195</sup> Crisis Group interview, retired intelligence general, Cairo, 24 October 2011.

<sup>196</sup> In a meeting supposed to hammer out details of the “guiding principles of the constitution”, the SCAF-appointed government introduced a draft whose ninth provision stipulated: “The Supreme Council of the Armed Forces is the only party authorised to examine all affairs pertinent to the armed forces and the discussion of its budget, which would be listed as one figure in the state’s budget. It (the SCAF) is also the only party authorised to agree on any legislation related to the armed forces”. See *Al-Dostor*, 1 November 2011. As discussed above, public opposition forced the SCAF to retreat.

<sup>197</sup> Crisis Group interview, retired military intelligence general, Cairo, 24 October 2011.

<sup>198</sup> Crisis Group interview, SCAF general, January 2012.

<sup>199</sup> Crisis Group interview, retired military intelligence general, Cairo, 24 October 2011.

<sup>200</sup> Crisis Group interview, Cairo, January 2012.

Others have made similar points. General Mamdouh Shatin, a SCAF member, reportedly told representatives of various political parties that the armed forces should enjoy a “special position” in the new constitution, ensuring they are not subject to the “whims of the president who might be a civilian”. He stressed that under existing laws a civilian cannot become defence minister and cited the Turkish constitution that bars parliament from overseeing military budgets.<sup>201</sup> Such views were echoed by a retired general with close ties to the SCAF:

We expect and accept a presidential appointment of a minister of defence, but we don’t think Egypt is ready for a civilian minister of defence at this stage. The chief of staff has to be a military person appointed by the minister of defence. Detailed military budgets should not be the subject of discussion outside military circles. We would almost be giving our enemies an intelligence gift by doing so. Perhaps the parliament could discuss the overall budget, but that’s about it.<sup>202</sup>

All military figures interviewed found the idea of civilian politicians – not to mention Islamists – discussing military expenses inconceivable.<sup>203</sup> Some saw this simply as an unacceptable infringement on the military’s special status; others feared eventual subordination of the army to civilian rule or the end of its political and economic privileges. Virtually all suggested that, at a minimum, a quota of governorships ought to be reserved for retired generals – a position they defended by highlighting the national security dimensions of sensitive governorates abutting the desert, including Matrouh and northern Sinai.<sup>204</sup>

Issues pertaining to civilian-military relations, long considered taboo, only recently have come to the fore. Questions such as whether the military ought to manage billions of dollars worth of businesses; whether officers could be tried before civilian courts; and whether the military ought to have a predominant voice in national security affairs are now openly debated – in part, a reaction to the SCAF’s attempt to enshrine military prerogatives in its proposed, but now withdrawn, supra-constitutional principles.<sup>205</sup> Until recently at least, the Muslim Brotherhood and its political branch, the Freedom and Justice Party, had sent reassuring signals to the SCAF regarding the military’s “unique status” on budgetary questions, matters of national

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<sup>201</sup> See *Al-Youm Al-Sabe’*, 26 May 2011.

<sup>202</sup> Crisis Group interview, retired military intelligence general, Cairo, 24 October 2011.

<sup>203</sup> Crisis Group interviews, retired generals, Cairo, May 2011-January 2012.

<sup>204</sup> Ibid.

<sup>205</sup> Such issues for the most part were absent from the public debate only a few months ago. Crisis Group interviews, Cairo, September-January 2011.

security and immunity from prosecution before civilian courts.<sup>206</sup> Whether the recent deterioration in their relations affects that remains to be seen.

## V. CONCLUSION

Hailed in the early days of the uprising as its protector, the SCAF finds itself routinely derided by protesters and in the independent media as a counter-revolutionary force. In defiance of its orders, millions marched across Cairo and other cities on the first anniversary of the 25 January revolution. Although the violence deployed against demonstrators on previous occasions undoubtedly played a major part in exacerbating anti-SCAF sentiments, the military's at times maladroit, often opaque and almost always high-handed management of the transition was the principal culprit. Today, although large sectors of the public still view it as a symbol of authority and guarantor of stability, it has lost the confidence and support of virtually all organised political forces, significant segments of the middle class and the urban youth.

The SCAF's troubles are neither unexpected nor entirely of its making. From the outset, its task was complex and somewhat paradoxical. It has been charged with overseeing the very process that is meant to undo the system from which the military historically has benefited. And it has been charged with doing so in a wholly unfamiliar political landscape, one in which both new and old actors play new parts while lacking agreed rules of the game and are thus prone to misunderstanding and mutual suspicion. What is more, it is an old, conservative institution, deeply attached to notions of stability and continuity, wary of radical change and understandably (if not always entirely legitimately) desirous to protect the military's corporate interests.

Yet, despite all that, things did not have to turn out as they did. With a strong initial reservoir of popular support, and with most political actors hesitant to challenge it, the SCAF could have negotiated the roadmap of a stable transition that met the various constituencies' core objectives: a gradual move toward full civilian control of a non-theocratic, democratic state, coupled with acknowledgment of the military's special role on defence matters and agreed oversight of its budget and economic activities. Some ideas have been floated, such as establishment of a national security council, comprising civilian and military leaders, to deal with matters of war-and-peace and selection of key defence-related officials, including the defence minister. Parliament's Defence and National Security Committee could be tasked with approving the military's budget and finances, thereby ensuring transparency and accountability without exposing that data to public view and debate. Although highly sensitive, even some form of limited immunity for acts by military leaders before and after the uprising has been evoked.

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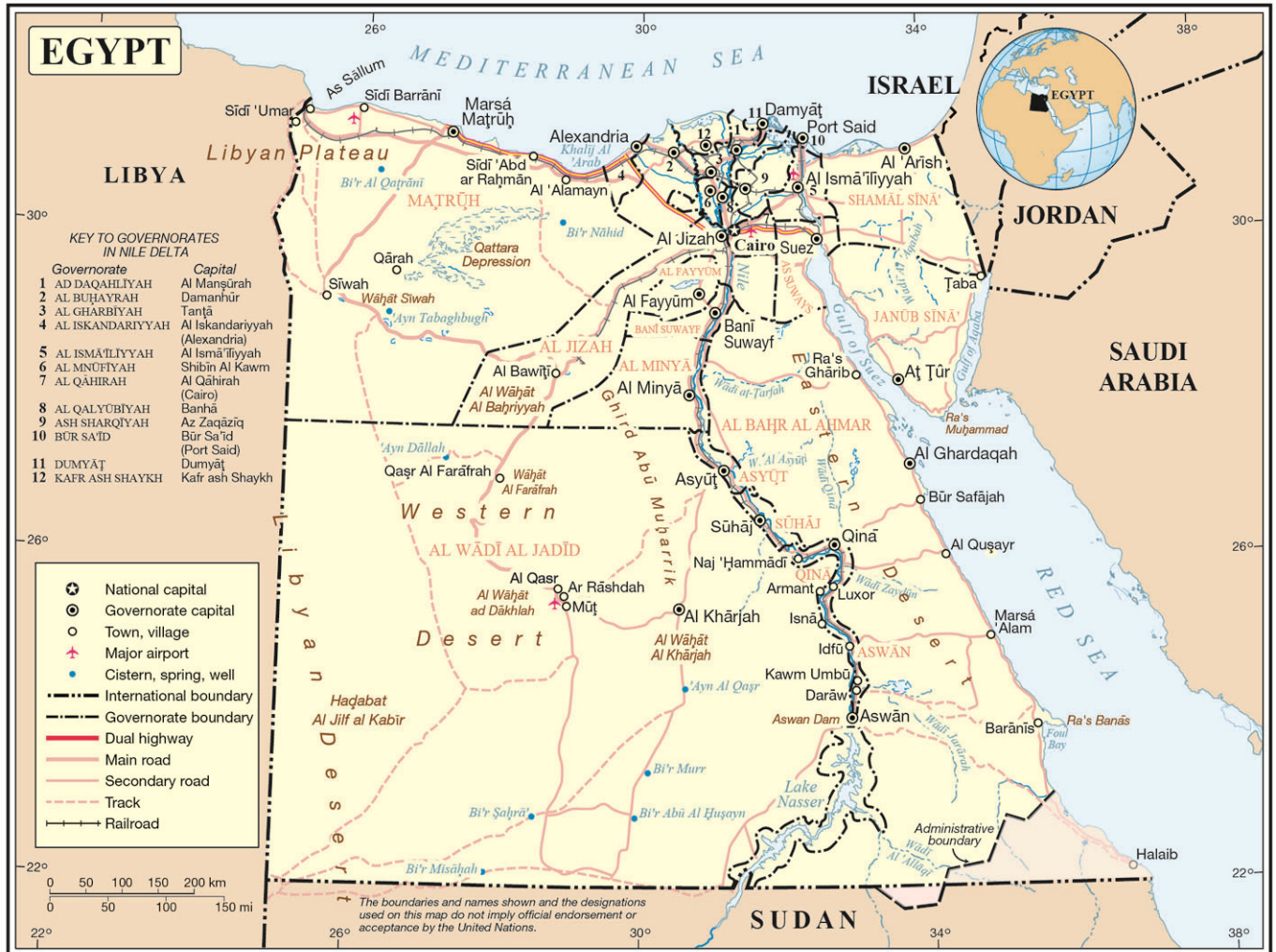
<sup>206</sup> A senior Freedom and Justice Party leader said, "Egypt shall have a civilian government, neither military nor theocratic. We have discussed with the SCAF the specific position of the military. With regards to its budget, for example, our position is that nobody can be outside or above the law. But there could be some matters that are best discussed behind closed doors, within parliamentary circles but not in public – for example through a specific parliamentary committee as occurs with the intelligence budget in the U.S. On foreign and national security policy, this must be decided by the president and parliament. Of course the military must have its say during a transitional period given its experience – it will have an important say, but not decision-making power. Its economic privileges should fall under civilian supervision. Taxation is a difficult matter, but why not?". Crisis Group interview, Cairo, January 2012.

A compromise that convinces political forces of the depth and irreversibility of political change without exacerbating the military's fears remains possible. It certainly is preferable to its likely alternative: growing political polarisation in which the military lacks the legitimacy to govern or rule and civilians lack the wherewithal to firmly establish themselves in power. It also is preferable to either a forceful attempt by the military to retain its position – or the military's humiliating, hasty exit, which could plant the seeds of longer-term instability. The security challenges – including inter alia the breakdown of the police force, the vacuum in the Sinai and unrest in Libya – are such as to require effective, motivated armed forces. Ultimately, a successful transition will require the SCAF's exit from power – an exit that, in order to be safe, also will need to be dignified.

**Cairo/Brussels, 24 April 2012**

## APPENDIX A

### MAP OF EGYPT



Based on UN Map No. 3795 Rev. 3, March 2012

Egypt and Sudan cite conflicting colonial-era British documents to lay claim to the Halaib Triangle, which is currently under de facto Egyptian administration pending resolution of the dispute.

## APPENDIX B

### ABOUT THE INTERNATIONAL CRISIS GROUP

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**April 2012**

## APPENDIX C

### CRISIS GROUP REPORTS AND BRIEFINGS ON THE MIDDLE EAST AND NORTH AFRICA SINCE 2009

#### Israel/Palestine

- Ending the War in Gaza*, Middle East Briefing N°26, 5 January 2009 (also available in Arabic and Hebrew).
- Gaza's Unfinished Business*, Middle East Report N°85, 23 April 2009 (also available in Hebrew and Arabic).
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- Palestine: Salvaging Fatah*, Middle East Report N°91, 12 November 2009 (also available in Arabic).
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- Squaring the Circle: Palestinian Security Reform under Occupation*, Middle East Report N°98, 7 September 2010 (also available in Arabic and Hebrew).
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11 February 2009 (also available in Arabic).

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- Lebanon's Elections: Avoiding a New Cycle of Confrontation*, Middle East Report N°87, 4 June 2009 (also available in French).
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- Trial by Fire: The Politics of the Special Tribunal for Lebanon*, Middle East Report N°100, 2 December 2010.
- Popular Protest in North Africa and the Middle East (I): Egypt Victorious?*, Middle East/North Africa Report N°101, 24 February 2011 (also available in Arabic).
- Uncharted Waters: Thinking Through Syria's Dynamics*, Middle East Briefing N°31, 24 November 2011 (also available in Arabic).
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- Lebanon's Palestinian Dilemma: The Struggle Over Nahr al-Bared*, Middle East Report N°117, 1 March 2012 (also available in Arabic).

*Now or Never: A Negotiated Transition for Syria*, Middle East Briefing N°32, 5 March 2012 (also available in Arabic).

*Syria's Phase of Radicalisation*, Middle East Briefing N°33, 10 April 2012.

#### North Africa

- Popular Protests in North Africa and the Middle East (IV): Tunisia's Way*, Middle East/North Africa Report N°106, 28 April 2011 (also available in French).
- Popular Protest in North Africa and the Middle East (V): Making Sense of Libya*, Middle East/North Africa Report N°107, 6 June 2011 (also available in Arabic).
- Holding Libya Together: Security Challenges after Qadhafi*, Middle East/North Africa Report N°115, 14 December 2011 (also available in Arabic).

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- Iraq's Provincial Elections: The Stakes*, Middle East Report N°82, 27 January 2009 (also available in Arabic).
- Yemen: Defusing the Saada Time Bomb*, Middle East Report N°86, 27 May 2009 (also available in Arabic).
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<b>Victor Chu</b>	<b>Matthew McHugh</b>	<b>Simone Veil</b>	
	<b>Miklós Németh</b>	<b>Shirley Williams</b>	
	<b>Christine Ockrent</b>		