

# MEMORY OF NATIONS

## Democratic Transition Guide

[ The Egyptian Experience ]



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# MISSED OPPORTUNITY: HOW POST-JANUARY REVOLUTION REFORM OF SECURITY SECTOR IN EGYPT FALTERED?

ASHRAF AL-SABAGH

## INTRODUCTION

The 25 January revolution provided a good opportunity to create a new horizon for radical change in Egypt. This is not only through toppling the Mubarak regime, but by also dismantling the authoritarian regime and rehabilitating the notion of radical change by involving numerous sectors in managing authority on various levels and creating room for the establishment of democratic organizations and diverse intermediary institutions. These would enable citizens to have oversight of authority, take part in formulating and implementing policies and legislation, and defend their political, economic and social rights. Indeed, the period that immediately followed the overthrow of Mubarak witnessed great momentum, manifested in the emergence of a large number of new parties and movements, a flurry of activity by civil society and student action at universities, and the emergence of a number of new media channels and platforms, both private and independent, and research and study centers. Additionally, there was large room for newcomers who are interested in political and community work. It appeared as though Mubarak had been a great barrier to a living domain that was only waiting for the opportunity of the death of the deity that had a tight grip on power.

At the time, many headings and initiatives were proposed concerning the form of society and state within their new framework, key of which were: Reforming security agencies and civil-military relations as main headings to dismantle authoritarianism that had dominated Egyptian society for decades. The aim was to reestablish the security system to operate in a manner that is more consistent with the standards of democracy and good governance. Also, this system should be qualified and subject to accountability before a democratically elected civil political authority.

In the first months of the revolution, reform of the police overshadowed reform of the military establishment, perhaps because the context of the scene was linked to the revolution against the practices of the security agencies under Mubarak and because the army had been absent from the political scene before the revolution. Of course, the army dominated the scene when the revolution broke out as it was the establishment that sided by the key demands of the revolutionaries; namely, toppling Mubarak and the symbols of his ruling regime. It later transpired that this was done in form only and that it actually allowed the military establishment to reposition itself within the components of the state. This started with partial administration of the state and ended in full control in the wake of the changes that followed 3 July 2013.

The opportunity created in January for taking serious steps vis-à-vis the file of “security reform” after the revolution was

greatly reduced because of the growing political polarization and the lack of political-community consensus to push for reforming the security system as an important step toward democratization. This was reinforced by the weakness of the opposition and its failure to build a popular democratic political alternative. The opportunity was then completely eliminated when the military establishment imposed its control on the administration of the entire political process after ousting President Mohammed Morsi and removing the Muslim Brotherhood-backed government from power on 3 July 2013.

Political and community polarization increased dramatically and pro-regime government and private media alike were mobilized against any political or civil activity. In addition, security policies and measures – not witnessed by Egypt even under the Nasserite state – were introduced. Thus, the movement of the opposition in the street was completely restricted and the Interior Ministry was again used as a heavy stick to restrict the space that was largely opened to return it to its pre-revolution situation. The police establishment took advantage of this counterrevolutionary wave to try to restore its lost prestige. Consequently, it stepped up its repressive practices. Also, tight control was imposed on any political and social activity. This trend was reinforced by the practices of the judicial establishment, which was politicized in a crude manner. It handed down tough sentences across the board against thousands of political opponents and lost its status and position as a neutral authority to a large extent in the eyes of the opposition and the street. As time went by, the grip of the regime – with the military establishment at its core – has become tighter on the political and economic tracks. It has become clear, due to repressive practices that went hand in hand with legal and constitutional amendments that toppled freedoms in Egypt, that the post-3 July 2013 situation is much worse than what the situation was, even under Mubarak.

The weak positive aspect in this extremely bleak picture is that most of those who were involved in revolutionary struggle, which has extended throughout the post-revolution era, came to the conclusion that reviving the political situation in Egypt once again was dependent on a broad political reform agenda, the key part of which is clearly linked to radical structuring of the police establishment and a review of the status of the army and its role in the political and social sphere based on a clear perception of civil-military relations.

It has clearly emerged that issues linked to the achievement of a transitional justice system and the fulfillment of some of its measures, such as the creation of a fact-finding committee to examine crimes committed by the regime and hold those responsible accountable, the revolution establishing institutions that ensure serious care for the victims and their families, reviewing the documents of the various security agencies and subjecting

them to an oversight committee formed by popular authorities, and others have actually not been realized. This is in light of the absence of the conditions that are linked to completing the process of democratization, most important of which are a broad civil coalition and the existence of revolutionary momentum to push for achieving the goals of the revolution. This has not been achieved due to the growing polarization and the lack of a civil democratic alternative that has the necessary conditions to compete and exercise pressure.

This paper analyzes the reasons that led to the failure of the reform of the security agencies in Egypt after the revolution. It also tries to analyze the structure of the political regime on which the revolution was based and the reactions of its various institutions and agencies, particularly security apparatuses, to the revolution. Moreover, the paper seeks to explore the reasons that have “relatively” led to the failure of the idea of documenting the events of the revolution and the failure of the “fact-finding” committees that were formed after the revolution to achieve their main aims. This has been one of many reasons for the lack of actual investigation of the crimes of the Mubarak regime and the lack of purging and taking action against the members of the security agencies who caused human rights crimes before and during the revolution.

## **PART ONE: THEORETICAL FRAMEWORK OF STUDY**

There is no single path for achieving democratic transition. Successful political experiences in South and East Europe, Southeast Asia, Latin America, and Africa over the past few decades suggest that there are numerous ways for this transition. Besides, relevant academic studies have offered a long list of reasons that explain the shift toward democracy in these experiences.<sup>1</sup>

Achieving democracy here means, in its simplest definition, establishing a system whereby there is a great measure of equality, law enforcement, expanding public participation, subjecting state officials and representatives to oversight and accountability, and creating justice that guarantees the equality of all citizens in rights and duties, regardless of differences in race, religion, and gender.

In general, the period of democratic transition goes through three main phases. In the first phase, there is social and political action against an authoritarian regime. In this period, the experience of this activity accumulates and there is ebb and flow. There are successes in achieving different (political or social) demands. This action could also suffer failure and perhaps wane, giving way to another alternative movement in the street after some period of interruption, and so on and so forth.

When different reasons come together, including internal reasons related to the old age of the regime or its extreme faltering in managing the state, and external reasons related to the rising action in the street, and perhaps others, such as loss in wars, foreign pressure, and new alliances, the time becomes ripe for the dismantlement and collapse of the regime. The pace increases when there is revolutionary action that seeks to remove or dismantle the regime and its institutions as a whole (when there is a large-scale radical revolution) or partial (if there is a short popular uprising) to bring pressure to bear on the regime to make large concessions. This is the second phase. The third phase is the one that follows the fall of the authoritarian regime or its leaders making major concessions. Here, political and social

forces agree to the structure of “supra-constitutional” principles that lay the groundwork for the form of the new regime, the assignment of authorities between the institutions, the role of each institution in it, the form of administration of authority, and others. The situation will end up with a democratic regime (it is important to note that there is disagreement over the very term of democracy and the idea of the democratic system as will be explained later).

According to Gary A. Stradiotto and Sujian Guo, the concept of “democratic transition” refers, in its broadest sense, to processes and interactions associated with transition or shift from an undemocratic ruling regime to a democratic ruling regime. It is known that there are several modes or patterns for the undemocratic regimes. They could be totalitarian, closed authoritarian, civil or military, autocracy or rule by a few individuals, etc. Also, there are several states and levels of the democratic regime to which there is transition. A closed authoritarian regime might shift to a semi-democratic regime that assumes the form of electoral democracy; a semi-democratic regime could turn into a liberal democratic regime or be close to it. Besides, the transition to a democratic regime could be top-down, which means that it is based on an initiative by the ruling elite in a nondemocratic regime or the reform wing in it; or bottom-up by the opposition forces, which have broad popular support; or through bargaining and negotiation between the ruling elite and the opposition forces; or through foreign military intervention.<sup>2</sup>

Burhan Ghalioun says that what is meant by democratic transition is “seeking to absorb major and violent contradictions and reduce the high tension that cannot be tolerated and that threatens the democratic process before it begins.”<sup>3</sup> Schmitter defines it as “the process of applying the democratic rules, whether at institutions in which they were not applied before or extending these rules to include individuals or subjects that they did not include them before.” Based on this, the process of democratic transition refers to integrating or reintegrating competitive and institutional multi-party practices into the political body. This includes constitutional, organizational, value, and intellectual amendments. It also includes redistributing power and influence and expanding the circle of participation in it and the emergence of different centers.<sup>4</sup>

Samuel Huntington identifies three patterns and mechanisms for the transformation, summed up as follows:

### **A. TRANSFORMATION FROM ABOVE**

This process takes place when the regime leaders allow for the greatest measure of popular participation and provide an opportunity to political parties and civil society institutions to be present and largely reduce censorship of newspapers and media. The leaders of authoritarian regimes often resort to this track in view of the growing social demands or even external pressures for bringing about democratic reforms. The regime often tolerates

1 Abdel Fattah Madi, *Post-Revolution Violence and Democratic Transformation*, Cairo: Al Bashir House for Culture and Science, 2015, 17.

2 Sodfa Mohamed Mahmoud, Concept of Democratic Transition and Concepts Closely Related To It, in *Academia website* (researcher's page), date of visiting link 11 June 2017: <https://goo.gl/KvmhxE>

3 Eman Ahmad, *Theoretical Readings: Democracy and Democratic Transition*, Egyptian Institute for Political and Strategic Studies, 28 February 2016: <https://goo.gl/hHE3dP>

4 Ibid.

these demands so that it can continue. This response is usually parallel with the arrival of new elite from within the regime itself that supports transition toward more political and economic liberalism.<sup>5</sup>

Also, there is often something similar to a conflict of interests all the time between the new forces and the old forces over influence within the regime. The new group that came to power shows its smartness by taking advantage of the card of political reforms to enhance its influence and get closer to the street or to establish coalitions with internal forces (for example businessmen) or external forces (friendly countries). The last formula was somewhat closer to the set of “limited” reforms that occurred in Egypt after 2004 after the pressure put on the Mubarak regime by the U.S. Administration to open the political sphere more. It is the same period that witnessed the greater rise of businessmen to power and partial marginalization of the men of the old guard, and then holding presidential election (even if it was formal and rigged) and parliamentary elections in which the Muslim Brotherhood won a large number of seats in parliament. However, the political sphere soon witnessed a great decline, especially during the period that followed the revolution, which is the period that witnessed the return of Mohamed ElBaradei and the establishment of the National Association for Change and then the outbreak of the revolution in 2011.

## **B. DEMOCRATIC TRANSFORMATION THROUGH NEGOTIATION**

Huntington means by this the initiative that arises through negotiation between the ruling regime and the opposition. This negotiation ends in offering concessions by the authoritarian leaders. It often happens when political and economic conditions deteriorate, along with the legitimacy of the political regime. However, the opposition might be too weak to create a political alternative to allow it to be in power. Thus, the process ends in flexible negotiation that allows for partial amendments and reforms in phases, and so on.<sup>6</sup>

## **C. DEMOCRATIC TRANSFORMATION OR CHANGE FROM BELOW**

Democratic transformation from below happens as a result of huge popular action and accumulation of a large movement of organized public protests and strikes by different popular organizations. Then, the leaders of the authoritarian regime yield to public demands in order to contain the crisis by introducing political reforms to the structure of the regime. Alternatively, public action could develop and become very violent and take the form of large-scale “radical revolution.” Consequently, the leaders of the regime will give up power voluntarily or be forced to give it up.<sup>7</sup>

The situation develops after the revolution based on the power of the opposition and its organizations, the size of its presence, and its closeness to the street. This also depends on the flexibility of some wings within the regime itself (for example the army) in dealing with the revolution or not. There are other factors that affect the form and structure of the new regime, such as foreign intervention. A revolution might be very close to toppling a certain regime, but some major foreign powers might intervene to abort the revolution and cause its failure. Or these powers could intervene to side with one opposition party at the expense

of another; or they might support the army, which is reluctant to deal with the revolution, to turn against the revolution and curb it.

Other scholars speak about other points of entry that contribute to the process of change and transformation, such as foreign intervention, which has many forms, including diplomatic and various intelligence forms, as well as conditional economic instruments and direct military intervention to change the ruling regime. The use of direct military intervention often causes a lot of acts of violence, as happened in the examples of Iraq and Afghanistan. The U.S. occupation led to the outbreak of civil war in the two countries and the fall of hundreds of thousands of people. The wounded are almost double the number of the dead. The Japanese and German cases are exceptions as other factors played a role in their success, chief of which is the generous Western support.<sup>8</sup>

When talking about the idea of transition from an authoritarian or despotic regime to a democratic regime, there are differences over the question of “democracy” itself and its definition and form, according to different academic and political schools. A democratic system in liberalism means something different for Marxism and so on. Marxists, for example, criticize liberal democracy and believe that the idea of democracy that is confined to changing elected governments and electing limited elite representative groups is a fragile idea that only expresses “procedural democracy.” They also believe that “representative democracy” only leads to limited elite groups getting to elected parliaments, which later control leading political positions in view of their ability to coordinate with a huge network that owns capital and media or that has tribal and factional links (as is the case in local communities that are primarily tribal). All of these are instruments that represent strong levers for being present at oversight, legislative, and executive institutions in the state. Therefore, decision-making, even with the existence of representative democracy, remains in the hand of particular elite groups. Meanwhile, large sectors of the masses remain incapable of participating in political decision-making or controlling decisions linked to their economic, social, or cultural interests in light of the existence of laws, institutions, or frameworks that hamper their participation or restrict their presence in or near decision-making institutions. Consequently, talking about a radical democratic issue, from their point of view, can only happen when there are decentralized representations, coming from below, of the masses and their interests.

The methodology of the study will focus on the vision of democratic transition and transformation stage. A part of this vision focuses on analyzing the positions of key players, explaining their positions and choices. It also examines the impact of selecting these positions on the process of democratization.

Here, the study focuses on the security establishments of the regime (military and police). The researcher will speak about an important player, which is the Muslim Brotherhood group, in view of its pivotal role, which is connected to it being in power for a short period and before that as a political actor that influenced the whole scene with a number of coalitions that it established with the Military Council and other political groups.

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5 Sodfa Mohamed Mahmoud, *Ibid* (paraphrased).

6 *Ibid*.

7 *Ibid*.

8 Abdel Fattah Madi, *Ibid*.



## **PART TWO: PRE-REVOLUTION POLITICAL REGIME IN EGYPT**

### **FIRST: ARMY OFFICERS AND THE CREATION OF THE JULY STATE**

The regime that managed the Egyptian state before the January revolution had a complex structure, at the helm of which was a president who came from the military establishment as a key element representing a part of the legacy of the July state whose foundations were laid down by military persons who staged a coup on 23 July 1952. They changed the structure of the political system of the state completely and put in place political and social rules that are completely different from the situation of the liberal monarchical period that followed 1952. Therefore, it is important here to speak about the features of the political regime of the July state whose architect was Gamal Abdel Nasser and the form of the regime that Sadat created later before discussing the form of the political regime under Mubarak.

In March 1945, after the defeat of the democratic and popular forces and the parties (Al Wafd, the communists, unions, and student movement), besides the Muslim Brotherhood group, Gamal Abdel Nasser and the officers who sided by him against the return of the army to the barracks monopolized power. The stage of clearing out the public and political sphere started with a number of decisions that completely eliminated the public and political sphere in Egypt. The national sphere was completely nationalized by eliminating parties, unions, and student and labor movements. An authoritarian regime was created based on Gamal Abdel Nasser's monopoly over power, helped by executive agencies and a sole formal political agency (National Union which later was renamed as Socialist Union) whose sole job was to mobilize the street behind the various decisions of the leader.

The specific mission of the July state was to establish a unified power that works for central objectives linked to the building of a new state. The project was present only in the mind of Abdel Nasser. It was a project to be built by the person at the helm of the state, from top to bottom, and not the other way around. It was a project that centered on his own vision and his person.

Consequently, Abdel Nasser and the group of army officers that rallied around him rejected the idea of self-organization by the forces of the people. His hatred toward political parties was visible. He also sought to have flexibility and absolute freedom of movement for his authority. This is why he refused to restrict his movement by committing to a specific ideology and a genuine political party that leads a project for comprehensive social change from below. Therefore, Abdel Nasser preferred to rely on personal leadership and the class of army officers, which mostly had the inclinations of petty bourgeoisie, lack of competence, security mindset, and hostility to politics. He also relied on bureaucracy, which became very large under his regime. At the center, there was a network of security establishments (specifically belonging to the army and intelligence), which controlled these relations.<sup>9</sup>

The movement of the 23 July officers did not have a political organization that can contribute directly to implementing the decisions of the revolution. Therefore, it had to dominate the existing apparatus of the state through its military officers who came from the heart of the army, in order to move this apparatus and to move through it. To tighten this domination, it had to purge this apparatus and ensure its loyalty, with a shadow of legitimacy

from this apparatus [...]. On the other hand, the conflict between the organized political forces and the path chosen by the nascent authority, in using the tools of the state in this conflict, dictated that it pay attention to the security agencies [...]. Because the new authority emanated from the army, the army became its major pillar in the conflict of that new authority.<sup>10</sup>

The security agencies were re-formed through control by the security agencies affiliated directly with the army, such as the military police, which carried out different operations against the various components of the opposition that opposed the expansion of the officers' movement, such as the arrest of the officers of the Cavalry, the Brotherhood, the communists, and others.

To control the state and society, it was not enough to dominate the state administration apparatus and to own the security agencies and strike the party movement. It was also necessary to close windows and make things harder for the emergence of opposition, whether to the revolution (23 July coup) in terms of the aims and objectives, or to the new authority. This meant tightening control over the establishments that were known to have produced certain shades of opposition or resistance; namely, universities, unions, and old parties, especially the majority Al Wafd Party, newspapers, civil organizations, and others.<sup>11</sup>

The Nasserite regime faced several upheavals, key of which was the failure of the unity with Syria. Economic conditions became difficult in the 1960s, and then there was the harsh defeat it sustained on 5 June 1967, which slightly affected its centers of power. However, the internal components of the regime remained intact, along with its political and economic perceptions. Abdel Nasser tried to curb the army, which was under the control of Abdel Hakim Amer and his group, and the General Intelligence after the defeat, to be under his full control.

### **SECOND: SADAT, ARMY, AND OPENNESS**

After the death of Gamal Abdel Nasser in September 1970, Anwar Sadat, the vice president, assumed the presidency of the Republic. He was a man with rightist leanings in the Nasserite regime. Sadat removed Abdel Nasser's men within a short period. The man completed the building of the army to confront Israel. After the October War and in the middle of the 1970s, major changes happened in the July state in its political and economic line.

Sadat turned his back on the Soviet Union. Before that, he had expelled Soviet experts from the army. Sadat also relatively liberalized the economy. The policy of economic openness, which he adopted, sought to give free rein to the activities of private and foreign capital in various economic domains. The "age of openness" was reflected in several pieces of legislation passed during that period, including a major law, which is Law No. 43 of 1973, known as Investment of Arab and Foreign Capital and Free Zones. This law allowed foreign capital to operate in large areas. There was also Law No. 93 of 1974, which approved the right of individuals to represent foreign companies and open dealerships to import from them. Law No. 118 of 1975 opened the door for exports and imports to the private sector. Law No. 97 of 1976 on

9 Ashraf Al Sharif, *Kamal Al Din Hussein and the Faces of the Conservative July State*, 1 October 2015: <https://goo.gl/0aARQd+>

10 Tareq Al Bishri, *Democracy and the 23 July Regime (1952-1970)*, Beirut: Arab Research Foundation, 1987, 92, 93.

11 Ibid, page 95.

Foreign Currency allowed individuals to possess foreign currencies from any source.<sup>12</sup>

However, Sadat's open policy was not controlled at all. It distributed import licenses and foreign exporter dealerships to people who were loyal to the authority. A parasitical class emerged, which became abnormally rich, taking advantage of a random economic climate. It soon merged into authority.

The role of the intelligence and the military police in subduing the opposition ended after the death of Abdel Nasser. Sadat relied on the police establishment as an instrument to subdue domestic opposition and control any social movement in the street. This trend gained strength under Mubarak later.

Sadat moved the army two steps back and the status of the military as the sole ruling elite that monopolized power declined a little. The military had to agree to share power with a rising class of parasitical businessmen who were close to Sadat and his family and who benefited from the new economic policies.<sup>13</sup> But fortunately, the peace agreement with Israel came to save the military elite from this situation and restore to it a lot of what it had lost. After the war ended and Sadat signed the Camp David agreement, it was not possible to demobilize the huge number of army officers and soldiers who were highly trained on combat. Therefore, an agency was established called National Service Project Organization. It set up different projects and appointed army major generals and colonels as directors of it. Armed Forces projects were given privileges above the legal and accounting powers of the government since they were exempt from taxes and not subject to laws and regulations that everybody in the public and private sectors were subject to.<sup>14</sup>

### THIRD: MUBARAK REGIME

The Mubarak regime inherited the Sadat regime with its manifold contradictions. The regime was despotic and contained pluralism that was lacking, represented in some parties described as "cardboard parties." Mubarak also inherited from Sadat his political line and economic vision of capitalist economy whose resources are essentially founded on rentier sources, fragile system of production, and budget that is permanently in trouble. The deteriorating situation of this budget was not improved by donations and financing from abroad or domestic debt. Mubarak had sought to curb the openness policy versus a somewhat larger role of the state to reduce the losses to the economy.

Under Mubarak, the role of the army receded and took two steps back. Mubarak tightened his grip on the army in a stronger way after he removed Abdel Halim Abu Ghazala in the wake of accusations that referred to the latter's involvement in a project to develop and produce missiles for the army, in cooperation with Argentina and Iraq, at the end of the 1980s. Before that, the budget of the Ministry of Defense had been reduced gradually in favor of other establishments, such as the Ministry of Interior. At the same time, the army kept hold of a share in executive positions in the state and managed entire economic sectors affiliated with it, as was mentioned before.

Field Marshal Abdel Halim Abu Ghazala, who occupied the post of defense minister toward the end of Sadat's term and the beginning of Mubarak's term for several years until 1989, used the National Service Project Organization, which was established as soon as the peace treaty between Egypt and Israel was signed, as his base of operations. One year after his appointment as defense minister, Abu Ghazala issued a ministerial decision to

amend the bylaw of the organization to give him the right to establish any kind of companies and expand his activities inside and outside Egypt, in cooperation with the capitalists of openness, Egyptians and foreigners alike.

The decision of the field marshal stated that "the organization will carry out all economic, industrial, agricultural, administrative, trade, and financial services and activities inside and outside... To achieve its aims, the organization may establish all kinds of companies, whether unilaterally or with the participation of national or foreign capital." Moreover, Abu Ghazala issued a decision making the activities of the organization "secret" and exempt from the control and inspection of the Accountability State Authority.<sup>15</sup>

In his important book "Strong Regime and Weak State," scholar Samer Suleiman says that the Egyptian state under Mubarak had proceeded according to specific mechanisms that defined the form of the composition of authority and the weight of the forces within it. This equation could be analyzed accurately when studying the paths of state spending and distribution of resources. Suleiman says that the financial resources of the Egyptian state had increased in favor of some sectors at the expense of other sectors. Public spending increased in certain paths for a major aim, which is basically to strengthen the ruling regime. In this context, Suleiman refers to two main paths in state spending. These are: Security agencies (specifically the police and its hard core, the State Security Service), and the ideological agencies that morally control the minds of citizens in support of the physical control that is carried out by the security agencies. These ideological agencies are represented in the Ministry of Culture and Ministry of Awqaf. The latter oversees the appointment and monitoring of mosque preachers throughout the Republic.<sup>16</sup>

The resources allocated to the Ministry of Interior were also raised, starting in the 1990s. Meanwhile, the resources of the Ministry of Defense had previously declined in the 1980s, especially with the growing confrontation between the state and jihadist groups at the time. However, the army was given a free hand to establish its own economic sectors after the reduction of the resources it received from the state. The idea was closer to an unwritten deal between the head of the regime and the army whereby the latter would not be present directly in authority provided that it is given space to move through quality appointments in the administrative apparatus of the state, such as municipalities and public and holding companies, and to establish its own companies.<sup>17</sup>

With the beginning of the new millennium, and the arrival of businessmen, the Mubarak regime turned relatively from a traditional capitalist system (market system with state intervention and the existence of public sector, free education and health sector and subsidy umbrella, even if these were worn-out sectors) into a free market economy in a larger manner, even if it had kept some of the features of the old system just to avoid angering

12 Ibrahim Hajjaj, Economic Changes in Egyptian Society in Openness Period, in *Al-Hewar Al-Mutamaddin*, 12 November 2010: <http://www.ahewar.org/debat/show.art.asp?aid=236568>

13 Zainab Abu al Majd, Army and Economy in Egypt, in *Jadaliyya*, 21 December 2011: <https://goo.gl/gxkceG>

14 Ibid.

15 Zainab Abu al Majd, Beautiful Time of the 80s... Days of Abu Ghazala (2-3), in *Al Manassa*, 12 January 2016. <https://almanassa.com/ar/story/675>

16 For more, see: Samer Suleiman, *Strong Regime and Weak State*, Cairo: General Organization of Culture Palaces, 2013, Third Edition.

17 Ibid.

the street and to maintain social grassroots that it feared losing. Also, reliance on the Ministry of Interior increased. This organ had the upper hand in drawing up many features of political life up until the revolution.

Mubarak headed the National Party, which had the majority all the time in parliament. It is the old party, which was dissolved immediately after the revolution. However, most of its grassroots became active again after 3 July 2013. The party represented a large gathering of the interests of businessmen and families whose interests were linked to the interests of the regime.

As for the government, it represented the executive organ of the regime. It mostly comprised technocrats coming from the administrative organ of the state or who had organizational ties with the National Party. In the last years of the Mubarak rule, a group of new businessmen controlled the government. Most of them came from the National Party or had ties with it. They were part of the wing of Gamal Mubarak, who led the Policies Committee in the National Democratic Party, which ruled at the time. It was helped in this context by businessman Ahmad Ezz, who had occupied the post of secretary of the organization of the party itself. In the recent years of the Mubarak rule, the influence of Ezz grew larger to the extent that he had controlled those who represented the party in the legislative elections.

Ahmad Ezz represented a very important segment whose influence increased with the emergence of Gamal Mubarak, the younger son of Mubarak, who was groomed to succeed his father. The presence of this group became larger with the major economic transformations in the mid 1990s. Their influence grew with the beginning of the millennium and the emergence of Gamal Mubarak, who set up a large Policies Committee within the National Party, which mostly comprised businessmen who controlled the government in the last decade of the Mubarak regime. They clearly supported Gamal Mubarak to make him get to the presidency. The military establishment objected to this. However, the outbreak of the revolution disrupted the inheritance of power and greatly minimized the domination and power of the group.

Strengthening the pillars of power as a part of the strategy of the Mubarak regime was done through a large network of close associates. The calculations were clear and enjoyed the sanctity of continuation: The more jobs the leader granted, the greater loyalty to him. While the state was being modernized and new laws were activated, the administrative divisions and ministries on the level of the old state were expanding and new entities were created, while only a small part was canceled. As a result of this expansion, the wages of civil servants accounted for 90 % of the current expenditures of local administration, compared with 60–70 %, which is the prevailing standard worldwide. Also, the ratio of workers in the local administration to the number of citizens totaled 1:21, while the ratio in Western Europe, which has decentralization, is between 1:70 and 1:80.<sup>18</sup>

There were two main groups controlling the local administration apparatus. They were the members of the old National Party, who controlled junior and middle executive positions and part of senior positions, but most senior positions in municipalities were controlled by men who originally came from the army, especially the governors and their aides.

In his important study “Above the State: Republic of Officers in Egypt,” Yazid Sayigh says that the military had almost total control over local administration. He says: “Retired army personnel occupy all government echelons and operate as an executive and security arm, which is affiliated with the president of the Republic

through the local governors, who are also appointed by the president. They make huge gains from these honorary posts, besides the end of service compensation that they receive as officers as bonuses for their early retirement. For example, in the mid 1990s, 50–80 % of the governors of the regions were retired officers, while 20 % came from the police or the security services. Retired officers also occupied other jobs that assist the governor on the level of the governorate. This pattern was also reflected on the lower levels of administration.”<sup>19</sup>

This system, which was made up of army officers, businessmen, members of the old National Party, and the security agencies, existed within a social coalition that changed slightly depending on certain political fluctuations. Thus, one group would advance at the expense of another or one segment would disappear from a certain group due to exceptional circumstances. In the revolution, for example, the group of businessmen in authority retreated, along with a large segment of the National Party, in favor of greater presence of the military establishment.

The current pattern of coalitions, according to some people, is very narrow (limited segment of businessmen and a limited number of civil and military bureaucracy). This coalition relies on a rentier economy that spread cultural patterns that give higher value to consumption and make the standard of social status the wealth that one has, while the value of productive work is wasted.<sup>20</sup>

All in all, the Mubarak regime, and Sadat before him, consisted of a loose coalition that included the military and civil bureaucracy, along with a class or segment of businessmen that overlapped with senior figures of the existing political organization (National Party or Socialist Union), and a segment of cultural and media elites. These coalitions were supported by marriage relations and broad trade partnerships.

This composition in the Mubarak regime (the same composition now) relies on a structural base of large families that have roots in the governorates, villages, and rural areas. These families have strong community presence, economic weight, and links with major state organizations through their members, whether in the army, police, or administrative apparatus of the state. They also have political representation through the old party of the authority (the dissolved National Party) or parties and groups that are close to the state and its organizations after the revolution, some of which were formed by former officers of the military establishment and the intelligence.

## **PART THREE: POSITION OF STATE AND ITS INSTITUTIONS VIS-À-VIS JANUARY REVOLUTION**

### **FIRST: WHY DID THE ARMY REFRAIN FROM CRACKING DOWN ON 25 JANUARY DEMONSTRATIONS?**

Tackling the demonstrations in the first days of the revolution was based on the same security mentality of crude handling of

18 Tadamun, *Why Did the Revolution Stop at the Municipal Level?*, in *Tadamun website*, 25 June 2013, see link: <https://goo.gl/bC3VNL>

19 Yazid Sayigh, *Above the State: Republic of Officers in Egypt*, *Carnegie Middle East Center*, 1 August 2012: <http://carnegie-mec.org/2012/08/01/ar-pub-48996>

20 Abdel Mouti Dhaki, *Deep State in Egypt: Characteristics and Pillars*, *Egyptian Institute for Political and Strategic Studies*, 11 June 2016: <https://goo.gl/hETJZY>



any protest that appeared in the Egyptian street, especially in the latter years of Mubarak's rule. At the beginning, the Ministry of Interior adopted systematic tactics to eliminate demonstration before it occurs and to dry up its sources by arresting the symbols of revolutionary and political movements before and during the first days of the revolution. Then, the regime, through its security apparatus, put pressure on telecommunication companies to cut off Internet and disrupt mobile phone connections. In the early days of the demonstrations, the main metro stations that lead to Tahrir Square were closed and a militia of thugs was mobilized to deter demonstrators. The Ministry of Interior had used these groups before during the parliamentary elections.

The situation not only involved cracking down on demonstrators, but more than 1,000 people died in the first 18 days of the revolution, let alone tens of thousands of injured.

Some revolutionaries had fears that the military establishment would play a role in cracking down on demonstrators, who took to the streets in the millions. However, in view of the composition of the Egyptian army, which is basically set up through compulsory military service, it would be very difficult for soldiers to open fire on demonstrators. This not only concerned rank and file, but also officers of junior and middle ranks, and even some senior ranks. Perhaps, the situation would have developed into a rebellion and splits within the army itself on a class basis. This would have strengthened the revolution more.<sup>21</sup>

On 28 September 2013, an edition of *Al Watan* newspaper was confiscated. It is a private newspaper known for being close to el-Sisi's regime. The edition contained the first part of the memoirs of General Sami Anan, who was the army's chief of staff when the revolution broke out. He also occupied the position of deputy chairman of the Military Council, which led the country after Hosni Mubarak stepped down. The memoirs reveal how the military establishment handled the revolution and how the reaction of the army command was at the time.<sup>22</sup>

The memoirs of Sami Anan clearly reveal the muted hostility between the military establishment on the one hand and the group of businessmen leading the dissolved National Party and the government on the other in the wake of the rejection of the former of policies linked to the file of bequeathing power and the reservations of the senior commanders of the military establishment over the manner in which the government ran the parliamentary elections in 2010. The elections were marred by great fraud and were a reason for increasing tension in the street and between the regime and opposition, which boycotted the parliamentary elections at the time.

Anan also talks about a conversation he had with the former minister of defense, Field Marshal Hussein Tantawi, in the wake of the outbreak of the Tunisian revolution about the reaction they are supposed to have if a similar revolution erupts in Egypt. The former told the field marshal that it would be difficult for him to take a decision to strike Egyptian demonstrators, justifying this by saying that the army commanders themselves had previously turned down a request by the political leadership to use a heavy hand when the Palestinians invaded Rafah while Israel was striking Gaza, let alone firing army bullets on Egyptian demonstrators.<sup>23</sup>

Anan says that the Egyptian revolution broke out while he was in the United States. Anan was asked, according to his memoirs, by Alexander Vershbow, a U.S. official on a committee that supervised military and security cooperation and coordination between Egypt and the United States, about the reaction of the army

to the demonstrations that broke out in Egypt and what would happen if the army went down to the street. Anan answered that the army would go down only to secure vital installations and that if the political leadership gave orders to strike the demonstrators, military commanders would reject them.<sup>24</sup>

Sami Anan expressed reservations about the first speech by Mubarak after the revolution, in which Mubarak used the words "I have asked the government to submit its resignation today." Anan was of the opinion that a stronger expression should have been used, suggesting that he would respond to the demands of the revolutionaries in the street and that he should talk about dismissing the government due to its failure to run the affairs of the state.<sup>25</sup>

It is noticed here that Anan – the military establishment had the same view – did not hold Mubarak directly responsible for the failure to run domestic affairs. Instead, he blamed groups from the regime, chief of which, of course, were the groups run by Gamal Mubarak and Ahmad Ezz, secretary of the former organization of the dissolved National Party, as well as the group of businessmen who had controlled the party and government. Anan says: "The aides and advisers to the president are to blame. It is either that they did not have sufficient information, which is a disaster, or that they had it, but could not analyze it well in a mature scientific manner, which would be a bigger disaster."<sup>26</sup>

The viewpoint raised by Anan carries a superficial military view that links political, economic, and social failure to administration and overlooks other things, such as corruption and the absence of democracy.

The interesting thing about the "memoirs" is Anan's praise of his former commander, Hosni Mubarak, and his talk about his emotional speech after 28 January, which appealed to the masses had it not been for the plotting by known domestic and foreign powers, which did not wish for stability for their own interests, according to Anan.

Anan also spoke in a tone that reflects the "conspiracy theory," which military commanders and the security agencies are known for. It states that Hamas and Hezbollah were the ones who raided the prisons of the Ministry of Interior and freed the prisoners. He also leveled implausible accusations against the Muslim Brotherhood group, saying that it prevented demonstrators from leaving the square. He further accused the United States of leaking news to the Qatari Al Jazeera TV to the effect that he had cut short his visit to the United States and returned to Egypt to stir up tension, by which it would maintain its interests. He used the Egyptian expression "a person who uses a cover provided by the Americans is naked."

The strange thing is that the tone of military and government officials had changed all the time. They used dual rhetoric when talking about the United States. The rhetoric addressed to the domestic audience demonized America and accused it of meddling and financing civil society groups and institutions. The rhetoric addressed to the United States during official visits

21 Ibrahim Al Sahari, Military Council Leads Counterrevolution, in *Socialist Papers*, Summer 2011, Number 22, 13.

22 Salah al Din Hussein, *Al Watan Publishes Memoirs of General Sami Anan About Secrets of 25 January Revolution*: <http://www.elwatannews.com/news/details/331085> (link accessed on 7 May 2017)

23 Ibid.

24 Ibid.

25 Ibid.

26 Ibid.

considered it a strategic ally and permanent military and political supporter of Egypt.

On 29 January 2011, the day that followed the “Friday of Anger” and the army going down to the street, Sami Anan, former chief of staff, proposed to Field Marshal Tantawi, the former minister of defense, that the army stage a “soft coup” against Mubarak – one that achieves stability without the fall of victims or bloodshed. The coup would heed the people’s demands on the one hand and preserve the status of the presidential position through free and fair elections on the other. Tactically, this would take place by asking groups from the commando forces, paratroopers, and military police to pass by the troops at Tahrir Square and Maspero. From there, the decisions adopted by the Supreme Council of the Armed Forces would be announced to maintain the unity of the country and avoid conflicts and problems. Anan thought that this soft coup would be welcomed by the people, especially in view of the popularity gained by the army after going out to the street and the demonstrators shouting then “the army and people are one hand.” Field Marshal Tantawi rejected this and waited to see how the situation would unfold and what the reaction of the presidency would be. Some resignations and changes in the National Party and the government occurred to absorb part of the popular anger.<sup>27</sup>

On 29 January 2011, and amid the protests that demanded, among other things, removing Ahmad Ezz, he resigned from the National Party to absorb some of the anger in the street, which rose up against a regime that Ahmad Ezz represented par excellence.<sup>28</sup>

Prior to that, the ousted president, Hosni Mubarak, had issued a republican decision, appointing Omar Suleiman as vice president of the Republic. He had also issued a decision, designating Ahmad Shafiq as prime minister.<sup>29</sup>

All these concessions that were made through the change of the government and resignation of Ahmad Ezz, who was responsible for the disaster of parliamentary elections, were not enough for the street. The army remained in place, waiting for escalation by the revolutionaries and the reaction by Mubarak and his group in power.

On 31 January, Major General Ismail Othman, spokesman for the Armed Forces, announced that the Armed Forces would not use force against the protesters and that freedom of expression was guaranteed for all citizens who use peaceful means.<sup>30</sup> This step fueled the enthusiasm of the revolutionaries, who saw the announcement as one of two things: First, that they should rest assured that they can continue with the demonstrations without fear that the army would intervene and suppress them. Second, that the statement implies that the army had a different opinion of the moves in the street, away from the presidential palace. Indeed, the army gained popularity in the streets and squares at the time because of this statement.

Meanwhile, the army had thought, as Anan explained, that the step of dismissing the Ahmad Nadhif government and appointing Ahmad Shafiq and Omar Suleiman was good, but late. Mubarak summoned Anan and Tantawi to a private meeting, which was not announced in the media. The two army commanders went to the meeting, which was attended by Mubarak; Omar Suleiman; Ahmad Shafiq, the new prime minister; Interior Minister Mahmoud Wajdi; Major General Najib Rashwan, commander of the Republican Guard; and Major General Hasan Abdel Rahman, chief of the State Security Investigations. According to Anan, Mubarak was assured that the first statement

by the army was not meant to incite against him; it was simply to assure the street that the army would not shed the blood of demonstrators. Mubarak told Tantawi and Anan at the time that “the army is responsible for safeguarding legitimacy.”<sup>31</sup>

It appeared from Anan’s statement about Mubarak’s second speech, which he delivered on 1 February 2011 and in which appealed to the sentiments of the street, and even some demonstrators, that the army commanders welcomed the fact that things would proceed calmly when Mubarak announced that he would not run in the elections and that the army was interested in maintaining calm and stability in the street.

Army commanders thought that the concessions that Mubarak made in his speech on 1 February 2011 were more than enough. This included his announcement that he would not run again and ridding the army of bequeathal of power by toppling Gamal Mubarak and before that Ahmad Ezz, secretary of the organization, the government of businessmen, and Interior Minister Habib Adili. However, things went out of control when the infamous “Camel Battle” took place. Huge groups of thugs stormed Tahrir Square and the situation took another turn in favor of the revolutionaries after the Mubarak speech was about to pull the rug from under the feet of the revolutionaries.

The important and last point in Sami Anan’s memoirs – this is the first part only because the edition was confiscated and the other episodes of the memoirs were not completed – is that Anan responded to the accusations made against the military establishment after Mubarak stepped down. He first refuted the accusation that the army handed power over to the Brotherhood, noting that there was tension and hostility between the army and the Brotherhood and that the army removes people who have political inclinations from its ranks before joining military colleges. He said that when the Supreme Council ran the country after Mubarak stepped down, it was an unexpected and surprising development and without precedents or constitutional provisions that gave the military establishment this right. He said that the military establishment wanted to hand over power to civilians immediately. This is why it pushed for elections. It did not want a constitution to be drafted during that period because it did not want people to say that the constitution was drafted under a military administration. He added that civil opposition and youth of the revolution were the cause of the crisis because they were so weak and failed to establish parties that would enable them to compete with the Muslim Brotherhood. The historic responsibility assumed by the army made them speed up the constitutional track to hand over power to an elected administration. The elections that were held under their supervision were fair, as both opponents and supporters of the army have testified. According to Anan, the army was very keen on not getting involved in politics; its main task was to safeguard the state against any foreign aggression.<sup>32</sup>

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27 Ibid.

28 Mahmoud Musallam, Sharif Announces Ezz Resignation from National Party, in *Al Masry Al Youm*, 30 January 2011. <http://today.almasryalyoum.com/article2.aspx?ArticleID=286979>

29 Chronology of Most Important Developments in Egypt Since 25 January Revolution, in *Reuters*, 24 January 2012. <http://ara.reuters.com/article/topNews/idARACAE80N07N20120124?sp=true>

30 Chronology of Most Important Developments... 25 January 2011–2014, in *Aswat Masriya*, 23 January 2014. <http://www.aswatmasriya.com/news/details/48779>

31 Salah al Din Hussein, Ibid (paraphrased).

32 Ibid (paraphrased).

## SECOND: POST-REVOLUTION CRISIS OF POLARIZATION

The March 2011 referendum on the constitutional amendments was the beginning of the unfolding of real polarization between political and revolutionary groups on the political scene. It was followed by several other developments, which completely did away with any consensus between the political forces.

The Muslim Brotherhood group, along with its allies from other Islamic movements and parties, participated in the first referendum that immediately followed the revolution on the constitutional amendments proposed by the Military Council at the time. Despite the wide rejection by the other political forces, the Brotherhood and the Islamic parties and groups mobilized support for the constitutional amendments because the implicit meaning of passing these amendments was the early entry into elections and winning them before the other forces get ready to build their parties. The referendum itself was the first real station for striking national consensus. It also served as a warning to the revolutionary and civil forces that clearly stated that the group intends to almost fully monopolize the administration of the transitional stage, based on partnership with the Military Council, as a prelude to a stage in which it will almost completely run the Egyptian state after the transitional stage.

Meanwhile, the Military Council wanted indeed to reduce the pace of the revolution by creating a legitimate cover for other reform forces with whom there can be negotiations and common ground to put pressure on it through them. The Military Council achieved what it wanted. That was the first and biggest mistake of the Brotherhood.

The Brotherhood group succeeded in mobilizing people for the first referendum. It then succeeded in the parliamentary elections and did not find a suitable candidate for the presidency of the state with whom it can establish an alliance. It hastened to nominate its candidate to compete for the most important executive position in the state, which is the position of president. The group initially controlled the People's Assembly – before dissolving it – and then the Shura Council and the Presidency. It finally controlled the composition of the last Brotherhood government that was led by Hisham Qandeel.

In the wake of the short experience in governance, be it the “almost total” control, along with the rest of the Islamic factions, of the two chambers of parliament (People's Assembly and Shura Council) or the Presidency or controlling the administration of the government, it can be said that the Brotherhood group, just as it was pushed by force toward revolutionary participation, seemed as if it was pushed by force to accept democracy in its procedural form, and not democracy as values and practice. Therefore, the governing framework with which the group dealt with its allies was exclusion and total control. It failed to adopt a consensual national discourse or take the initiative in accommodating all other revolutionary and political parties to take part in bearing the burden of running a state. This is because it would be difficult for a group with no experience in administration and governance to run this state on its own.

Moreover, the Brotherhood adopted a non-pragmatic political discourse, which is even more radical than that of some groups and parties that belong to the Salafi trend. Its crude media rhetoric was literally exploited by its opponents to discredit it with the public through media outlets, most of which were owned by businessmen loyal to the Mubarak regime. All of this made

the Brotherhood lose the chance of creating new coalitions after getting to power.

The crisis of the 2012 constitution was an example of this situation. The Brotherhood, along with their Islamist allies, drafted the constitution on their own after the resignation of most liberal, leftist, and independent political groups from the committee. Consequently, the composition of the constitutional committee received wide criticism as it did not seriously reflect any political or community consensus. On the other hand, the new revolutionary and political groups failed to build organizations that express broad grassroots or organize interest groups to take them to parliament or to power. Almost all the battles they fought were without the public or any real popularity.

## PART FOUR: LACK OF PRESSURE FOR REFORMING THE SECURITY SECTOR

Based on the Huntington classification of the paths of democratic transition, the model of the Egyptian revolution follows the third case specifically, which is transformation through change from below. However, it was an incomplete state of democratization. The experience in Egypt faced failure in view of a large number of reasons, most significant of which is that the largest security establishment in the country (the military establishment) took control of the state after Mubarak stepped down and led the counterrevolution all the time and worked to exhaust different groups, one after the other.

The active factor in the political crisis that faced the democratic transformation in Egypt – which was aborted at an early stage – is that the military establishment managed sovereign files. There were no opposition institutions or parties that benefited from the revolutionary momentum in the street to get organized and assume and manage these files.

Contrary to many radical revolutions and democratic transformations that have occurred in some countries that were ruled by dictatorial regimes where reforms involved all branches of security establishments (police-army-intelligence), this did not happen in Egypt after the January revolution. We can exclude the police service, which witnessed simple partial reforms and changes in its key commanders. These changes soon witnessed a setback after 3 July 2013.

Of course, there was no rhetoric that spoke about the importance of rehabilitating the military establishment to be consistent with democratic practice and the new national goals for the stage that will follow 25 January 2011. The reason for this is simple, which is that the military establishment itself was the one that was actually in control of the administration of the transitional stage. Most political groups considered it a partner, and not a party that is the subject of reform, except for some very few voices, such as the group of Revolutionary Socialists.

The second point is that immediately after the revolution and despite the fact that the key demands raised by the masses in the streets included holding Interior Ministry officials accountable for their crimes in connection with torture and other violations and fabrication of cases, no path was adopted to reform the security establishment on a political and popular level in a manner that would allow for a real process of change at the heart of the police service. There were some very minor changes. Also, some views were raised by different entities, mostly think tanks and public political studies centers, and some of which by parties.



But all these papers were ignored because political groups were busy later with the elections, drafting of the constitution, and other issues. There was enough time, and the conditions allowed for pushing for some reform as the revolutionary momentum was still alive in the street, but this momentum was directed toward the elections, which were held early.

The strong state of polarization between political groups, which started appearing more visibly after the march 2011 referendum, increased the fragmentation of secular and Islamic political groups alike. Most parties with a reform inclination had clear reservations over any proposals that spoke about reshaping civil-military relations under the new political regime or demanding radical reform of the security agencies.

There was no consensus at all on the question of reforming security sectors. In fact, some sectors of the political groups did not have any clear vision of the question of structuring itself or dealing with the Interior Ministry. There was almost total absence of a specific view of civil-military relations on the part of most political groups that dominated the scene after the revolution, let alone a blurred and conservative vision associated with was called “the importance and centrality of the patriotic and historical role of the military establishment in the Egyptian state.” This vision was adopted by some political groups in a bid to curb the rhetoric that had demanded completely keeping the military establishment away from political life. The issue was only raised by small political or academic elite groups. Although these groups struggled to convey their voice to the larger political groups, they failed for different reasons, including the fact that political and revolutionary groups were busy with different procedures of the transitional process and faced attrition due to their involvement with these procedures and the internecine conflict they had.

In view of the situation of the revolution, there was room for the democratic forces and civil society to dominate and to have the upper hand vis-à-vis the old state and its institutions by creating a constitutional and legal status that would allow for public oversight of executive agencies and stripping them of their authoritarian situation. However, this did not happen. There was a reversal with regard to the status of the military establishment in the two constitutions of 2012 and 2014, which were drafted directly after the revolution. Thus, the military establishment assumed greater powers compared with the pre-January revolution constitutions.

For example, a new article was introduced into the 2012 constitution, which is Article 195. It stipulated that “the defense minister is the commander in chief of the Armed Forces and he shall be appointed from its officers.” Also, the constitution, which was drafted under a consensual government appointed by the Military Council and based on agreement with the Brotherhood and some civil forces, set a condition that the approval of the National Defense Council must be obtained in the case of declaring war or dispatching the Armed Forces to war outside the Egyptian state. This was previously tied to the approval of parliament.<sup>33</sup> This article was kept in the 2014 constitution, drafted under interim President Adly Mansour, who took power after the ouster of President Mohammed Morsi. This was the period in which the military establishment completely dominated the political scene.

The revolution did not address the space of civil-military relations, which discusses, among other things, the presence of military persons in the administrative sectors of the state and

the effect of this on military domination of the political realm and the obstacles to the democratic transition. The matter aggravated with the increase in the members of the military in civil jobs and sectors immediately after the revolution. It then exacerbated after 3 July 2013. The year in which the Supreme Council of the Armed Forces took power after the departure of Mubarak witnessed a noticeable increase in the number of officers appointed to civil posts. The Military Council, chaired by former Defense Minister Hussein Tantawi, took advantage of its presidential power to appoint a growing number of retired officers to many civil posts. The two post-revolution prime ministers, who were stripped of power, happily signed the letters of appointment of those officers.

The law on civil servants in the Egyptian state allowed this situation to develop. The president was given sole authority to appoint and dismiss holders of senior positions, including governors and directors general. Sadat issued Law No. 47 of 1978 in a bid to end the Nasser legacy and minimize the presence of the army in the government. Mubarak used the same law to reinstate them. Article 16 of that law stipulates that “appointment to senior jobs shall be by a decision by the president of the Republic.” Although the law stipulates that the employee must have a medical checkup to determine his fitness to assume the position, Article 20 exempts those appointed by the president from this checkup. This fits retired and old army officers.<sup>34</sup>

In late 2015, Abdel Fattah el-Sisi issued a decision, allowing the army to establish companies with national capital or through partnership with foreign capital. This decision was deemed the cornerstone in the domination of the military establishment and interference in investment in all sectors. In February 2015, el-Sisi had allocated land south of the Cairo-Suez road for the Armed Forces Land Agency to establish the new administrative capital. In July 2015, el-Sisi issued a decision allowing the Egyptian army and police to establish private security companies, let alone the approval of establishing the first language school in Suez, which is Badr International School, affiliated with the military establishment, in 2013. A decision was issued by the Higher Council of Universities to stop all public bids and tenders for medicines and medical supplies to buy them from the medical services administration of the Armed Forces. The Egyptian army largely expanded its sales of food products through cars in the streets within the context of an announcement by el-Sisi about the intervention of the Armed Forces to control prices, although this is not its responsibility.<sup>35</sup>

It became abundantly clear that civil-military relations had tilted in favor of the military establishment. This is much worse than the pre-revolution situation.

On the level of reforming the police service, all that happened was simply canceling some internal divisions, such as the administration that was involved in religious and political activity, which is affiliated with State Security. However, this division, which followed religious and political activity, was reinstated in 2014. Also, the Ministry of Interior changed the name of the “State

33 Sharif Muhyi al Din, *Development of the Military Establishment in Constitutional Pacts-Prospects for Democratic Oversight of Armed Forces in Egypt*, Arab Reform Initiative, January 2016.

34 Zainab Abu al Majd, Republic of Retired Generals, in *Al Wafd*, 13 May 2012: <https://goo.gl/N7jMvm>

35 Studies and Research Unit, *Successive Crises of Egyptian Economy... Will They lead to Collapse of el-Sisi Regime?* Fiker Center for Studies, 18 November 2016: <https://goo.gl/tpuc6v>

Security Investigations Service” and called it “National Security Service.” The Ministry of Interior further issued a code of conduct and ethics for police work, in which it highlighted the mission, goals, rights, and duties of the Egyptian police. The aim was to change the police doctrine and make them respect human rights and rule of law. There were some amendments to the provisions of Law No. 109 of 1971 concerning regulating the police service, which was approved by the People’s Assembly in June 2012, key of which were curtailing the powers of the Higher Police Council with regard to disciplining officers and giving this right to the interior minister while considering the opinion of the council to be “advisory.”<sup>36</sup>

Following the overthrow of President Mohammed Morsi on 3 July, the security establishment and its personnel returned to the same old ways. The crimes of torture, detention without judicial warrant, expanding the scope of suspicion, and the lack of a dividing line between political and nonpolitical conduct were repeated. Thus, police violence and violations again became systematic.

## **PART FIVE: HOW DID NATIONAL SECURITY ARCHIVE DISAPPEAR?**

### **FIRST: IMPORTANCE OF REVOLUTION ACCESSING ARCHIVE OF SECURITY REGIME**

The content of the classified documents of the security agencies – these are seized after revolutionary uprisings or received from the government of the former regime under public pressure during the process of democratic transition to be used by transitional justice and fact-finding committees – is of paramount importance as it shows the magnitude of violations that were committed against the victims who fell at the hands of the regime before and during uprisings or revolutions. These documents also help in knowing the real culprits who took part in these violations either personally or through issuing orders, and tracking down corrupt officers and officials who are involved in cases of financial, criminal, or legal corruption; persons accused of taking part in torturing ordinary citizens or politicians; or security personnel or political officials who had a hand in putting pressure on judicial or local institutions to rig elections. Furthermore, the importance of these documents is that they represent an archive for preserving the popular and historical memory of the people to show the atrocities committed by the authoritarian regime that had ruled before the revolution.

All of this did not take place in the Egyptian revolution due to the lack of the necessary objective conditions to bring about the process of radical democratic change and transformation. These conditions included the following:

First: The political power imbalance between the forces of the revolution and the establishments that represented the counterrevolution or the old regime. There was some balance at the outset of the revolution, but it later disappeared and the military establishment managed to take control quickly.

Second: The revolutionary and political groups did not possess the conditions of systematic political change (the ability to put pressure on the regime, developing visions for managing the transitional stage, how to handle civil-military relations, developing supra-constitutional principles for managing the transitional stage and the stage that comes after it, etc.)<sup>37</sup>

All of this did not happen in Egypt due to the collapse of the civil alliance between the revolutionary and political forces opposed to the Mubarak regime. In addition, the power of the protests and revolutionary momentum in the street waned before reaching the limit that would allow for continuing pressure on the establishment that ran the transitional stage (military establishment) to carry out a revolutionary program with clear features.

Of course, the failure of the party experience or any other alternative civil experience is a main reason for the lack of a political base to be relied on to bring about the stage of transformation. Then, the stage of transformation itself became under the rule of the Brotherhood, who are known for their extreme weakness when it comes to how they envision the necessary standards and goals to bring about a full-fledged process of democratic transformation. This has led to their downfall because of mistakes in their rhetoric and strategy and other mistakes in the political process and on the part of its different parties. This paved the way for summoning the military establishment, which found great room for intervention and halting the entire process of democratization.

### **SECOND: STORMING HEADQUARTERS OF NATIONAL SECURITY**

In the January revolution, the masses managed to have access to some documents of the “State Security” Service. It is the agency that had controlled political and religious activity in Egypt. It represented the heavy stick through which the regime controlled the political and social scene. Its power reached the extent of rejecting the nomination of persons to specific ministries; rejecting the appointments of some names to sensitive ministries, such as the Foreign Ministry, and the state-owned TV; reviewing the lists of appointments of mosque preachers, university professors, and employees in government administrations; and handling political parties and movements. The State Security Service, which became “National Security” Service after the revolution, was a terrifying entity, given the wide influence it was granted by the head of the regime.

The revolutionaries managed to have access to a part of its files, while the larger part was burned and destroyed by the officers of the service, as will be detailed later. The revolutionary groups that stormed the State Security buildings or the political groups to whom the documents were leaked failed to handle the files that were seized as most of them were handed over to the army. Some individuals managed to get hold of some of these documents and leaked a small number to the media, but they were quickly suppressed after the army and government demanded not publishing any of their contents. As for the documents in the possession of other security agencies affiliated with the army and intelligence, of course they remained intact because the protests in the 25 January revolution only affected the institutions affiliated with the Ministry of Interior, specifically State Security branches in the different governorates.

The first headquarters of National Security – the military establishment known for its terrifying influence – to be burned

36 Karam Saeed, Security System in Egypt: Opportunities and Problems of Reform, in *Masr Alarabia*, 2 January 2016: <https://goo.gl/O4ZYql>

37 Mohamed Boraik, lecture on public policy and strategic administration, Mohamed Boraik channel on *Youtube*, 4 February 2013: <https://www.youtube.com/watch?v=faBSh-2XqyM>



was its branch in Buheirah on the “Friday of Anger” on 28 January 2011. Other incidents occurred on 4 March 2011, less than a month after former President Hosni Mubarak was toppled, and on the day that followed the dismissal of Prime Minister Ahmad Shafiq.<sup>38</sup>

Hassan Mustafa, an Egyptian activist from Alexandria, had observed that large vehicles were transporting huge quantities of documents from the State Security (currently National Security) building in the Governorate of Alexandria. Activists and revolutionary citizens headed to the headquarters and besieged it, fearing that National Security officers would destroy the classified documents of these agencies, which might contain information about the involvement of some officials of the service or of the Ministry of Interior or other state officials in criminal or other acts.<sup>39</sup>

The State Security headquarters in Alexandria was besieged and some of its officers were detained. On the next day, 5 March 2011, similar incidents took place. The National Security headquarters in Cairo, Giza, Faiyum, and other governorates were stormed.<sup>40</sup>

### THIRD: LEAKS OF STATE SECURITY DOCUMENTS

In an interview on 5 March 2011, conducted by Mona el-Shazly, a famous Egyptian TV host, on the “10 PM” talk show, Belal Fadl, a well-known Egyptian screenplay writer, revealed that he had received a large quantity of documents taken from “State Security” headquarters that were stormed. The documents showed that the service had committed several grave crimes under Mubarak as follows:

- Reports that include the names of journalists collaborating with state services; some of it includes reports submitted by those journalists themselves to these services about the progress of work at their establishments and the activities of fellow journalists and subordinates.
- The documents also contained the names of State Security officers who communicate with the journalists. Revolutionary young people deleted the names of journalists collaborating with these agencies in the leaked reports “so as to give them a lifeline,” as Fadl put it.
- Letters from the State Security Service to the Central Agency for Public Mobilization and Statistics asking it to issue cards for officers and informers allowing them to collect information about certain citizens. Letter No. 259 of 2005, which has the serial number 3, speaks, according to Belal Fadl, about recruiting some judges and members of the prosecution to seek their help in rigging some of the procedures of the electoral process that was held in 2005.<sup>41</sup>
- Documents and files that prove the attempt to hack the email of some political activists through some technical arrangements.
- Documents showing that the State Security Service put pressure on the Tax Authority to examine the tax status of some political activists who own some businesses.
- Papers showing letters sent by the State Security Service to some ministries to obstruct some services offered by members of the Muslim Brotherhood and opposition deputies (Parliament of 2005) to influence their popularity in their districts.
- Belal Fadl also spoke about obtaining a document, in which the director of State Security in Beheira asks Engineer Ahmad Ezz, secretary of the organization in the former National Party, to intervene to cause the father of Emad Jildah (political activist

imprisoned during Mubarak’s term), who ran in the elections then for Shubrakhit, to lose the election in favor of the candidate of the National Party.<sup>42</sup>

- Other documents spoke about the involvement of State Security officers in the fire at the Accountability State Authority. The latter was supposed to deliver papers to the judiciary, proving the involvement of some officers of the security service in corruption relations and bribes, some of it related to their intervention in the appointment of employees in oil companies. Of course, Belal Fadl said that most of these very important and sensitive documents were shredded and destroyed and that what he had read and analyzed is only what the revolutionaries managed to obtain after a great deal of effort and that most of these documents were later handed over to the army.<sup>43</sup>

On 6 March 2011, the Supreme Council of the Armed Forces asked all citizens to hand over the documents in their possession pertaining to the State Security Investigations Service to the Armed Forces immediately to adopt the necessary measures toward them and not to circulate them in the media. The council noted that, first, this stems from national responsibility, and, second, it is meant to avoid legal liability. It confirmed that these documents could contain issues that compromise the security of the country and its citizens.<sup>44</sup>

Newspapers entered a race with each other to publish the leaked documents. Some analysts, most of whom were close to the military establishment and the security services, claimed that the documents were forged. Those include, for example, former Intelligence Major General Sameh Seif el-Yazal. These newspapers did not even wait for their print copies and started immediately posting photos of the leaked papers on their websites. At the same time, some pages were established specifically for these documents on Facebook.

On 6 March 2011, the day when the military establishment and the Egyptian Cabinet<sup>45</sup> asked Egyptian citizens not to publish the documents found at the State Security headquarters that were stormed two days before, *Al Masry Al Youm* newspaper published what it said were the minutes of a meeting at State Security to draw up a plan to destroy the secret documents before the storming of the headquarters.<sup>46</sup>

38 Al Ahran Gate, Resignation of Shafiq and Designation of Essam Sharaf to Form Government, in *Al Ahran*, 3 March 2011: <http://gate.ahram.org.eg/News/45423.aspx>

39 Egypt in a Week: Telephone Call with Belal Fadl-Collapse of State Security 1/3, in ON Channel website, *Youtube*, 5 March 2011: [https://www.youtube.com/watch?v=IIWC\\_wGsKyE](https://www.youtube.com/watch?v=IIWC_wGsKyE)

40 BBC, Egypt: Saving Documents of State Security Service, in *BBC website*, 5 March 2011: [http://www.bbc.com/arabic/multimedia/2011/03/110305\\_cairo\\_doc.shtml](http://www.bbc.com/arabic/multimedia/2011/03/110305_cairo_doc.shtml)

41 Telephone call of Belal Fadl with host Mona el-Shazly on the following two links on *Youtube*: <https://www.youtube.com/watch?v=Xfs9Hj6DfEQ> and <https://www.youtube.com/watch?v=Un38Ho5H21A>

42 Ibid.

43 Ibid.

44 Dalia Othman, Military Council Asks Citizens To Hand Over State Security Documents to Army, in *Al Masry Al Youm*, 6 March 2011: <http://www.almasryalyoum.com/news/details/117537> (link visited on 7 May 2017)

45 Reported by Middle East News Agency, Cabinet Appeals to People Who Obtained Documents From State Security Headquarters To Hand Them Over to Army, in *Al Masry Al Youm*, 6 March 2011: <http://www.almasryalyoum.com/news/details/117514>

46 Ahmad Abdel Fattah, *Al Masry Al Youm Publishes Minutes of Meeting of State Security To Draw Up Plan To Destroy Secret Documents*, 6 March 2011: <http://www.almasryalyoum.com/news/details/117506>

The newspaper noted that the minutes were in two documents, which it published along with an archival photo that explained their content. The first document includes instructions to the branches of the service to shred, rather than burn, all the archives of the offices of the administrations and geographic branches, while transferring information that was not available at the administration or branch to the archive of the administration or branch, in addition to:

- Doing business at the offices in the case of requesting names by contacting the administration or branch, with the knowledge of one of the officers, to meet the request.
- Removing the “Top Secret” archive at the administrations and geographic branches and shredding its content, and coordinating with the “Top Secret” archive at the State Security Service in the event of requesting information.
- Not keeping copies of “Top Secret” correspondence in the future and using the original only for that purpose.<sup>47</sup>

The second document contained the minutes of a meeting given to Al Masry Al Youm by a young man called Asem Emam after finding it inside one of the offices at the State Security headquarters in Nasr City. It explained the measures that the service decided to take to destroy its entire archive of documents that bears the classification “Top Secret.”<sup>48</sup>

According to the minutes of the meeting held on 21 February 2011 in the wake of the eruption of the 25 January revolution and the former president stepping down, the meeting was attended by a group of key commanders of the service to study securing the archive of the administrations and branches in light of the recent demonstrations witnessed in the country. The participants in the meeting decided to ask all the branches to provide archive rooms with concrete walls, armored doors, and internal steel locks. It also obliged each branch to develop an emergency evacuation plan that includes getting rid of the archive by shredding, rather than burning, in the event of a breach and once the branch chief ascertains that the archive cannot be salvaged. The participants in the meeting also studied seeking the help of one of the technical experts to study the possibility of destroying files with a chemical substance (in the case of danger) instead of a fire.

The participants in the meeting further stressed the need for transferring all the “Top Secret” correspondence to the electronic archive, which will take a year. The period can be cut to four months in the case of increasing the number of personnel working on data entry from 40 to 120. The minutes of the meeting revealed that the number of personal files at the regular archive of the service amounted to 354,000, while thematic files amounted to 500,000. The service also established an electronic archive on which it uploaded data from 1998 to 2011. Uploading the data before 1998 had been work in progress.<sup>49</sup>

On its personal account on Twitter, the website WikiLeaks asked Egyptians not to throw away the papers and documents that the officers at the headquarters of the various agencies throughout the republic shredded when they feared that Egyptian revolutionaries could storm the headquarters and seize them. The WikiLeaks message said that the website had devices that could identify the documents anew. However, the call was greatly deplored by Facebook youth who called for handing over the papers to the army and not handing them over to any foreign parties or Arab or international media.

Some pages on Facebook called for ignoring foreign calls for handing over the documents and papers to foreign parties under the guise of reconstructing them.<sup>50</sup>

Inspired by WikiLeaks, a website specialized in publishing secret documents, many Egyptians sought to publish photocopies of documents and papers of the State Security Service by creating several pages and groups on Facebook. The creators of these pages assumed the personality of Julian Assange, founder of WikiLeaks. Their aim was to have all these documents in one place to make it easy to access them and to expose the tasks of the service in the years that followed the 25 January revolution. These pages and groups had different names, such as “Scandals and Leaks of State Security Page,” “State Security Documents for History,” “Publish State Security Documents,” “State Security Files,” “State Security Investigations Documents-Top Injustice,” “Together To Expose State Security,” “As of Today, There Is No State Security; We Are security and We Are State,” “State Security WikiLeaks,” and “Amn Dawla Leaks.”<sup>51</sup>

The interesting thing is that these groups and pages attracted members estimated at thousands then although they had been created only two days after storming the National Security headquarters. Curiosity prompted people to learn about the secrets of the State Security Service, which virtually controlled the country under the former Mubarak regime, and to watch photos and videos of rooms where papers were shredded at State Security headquarters in Cairo and the governorates.<sup>52</sup>

#### FOURTH: HANDING OVER DOCUMENTS TO PROSECUTION

On 10 March 2011, activists and rights advocates submitted a statement to the Egyptian attorney general to investigate cases related to the corruption of State Security officers in the country, based on the documents that they obtained after citizens stormed the headquarters of the State Security Service in a number of Egyptian governorates. They considered these documents to constitute material evidence of crimes committed by State Security officers against citizens. Lawyers and activists headed to East Cairo Public Prosecution where Statement No. 4098 was written and the documents were given to the public prosecutor of East Cairo, who formed a team comprising five members of the prosecution to receive and secure the documents by placing them under heavy security.<sup>53</sup>

The committee succeeded in collecting 83,000 documents of State Security, which were placed in more than 40 boxes and handed over to the attorney general. The documents included files of spying on public figures and documents confirming the involvement of the commanders of the service in arms trade; smuggling antiquities, alcohol, and prostitution; selling state land; and interfering with the boards of companies. Sayid Ibrahim, head of the popular committee for protecting documents and files, said that the attorney general asked the committee to submit the documents to secondary prosecution offices.

47 Ibid.

48 Ibid.

49 Ibid.

50 Farraj Isma'il, State Security Documents About Media and Journalism Celebrities on Cairo Sidewalks for Two Pounds, in *Al Arabiya Net*, 6 March 2011: <https://www.alarabiya.net/articles/2011/03/06/140418.html>

51 Mohammed Ajam and Shaaban Abdel Sattar, Marathon Between Egyptian Newspapers and Facebook To Publish State Security Documents, in London-based *Al Sharq Al Awsat newspaper*, 7 March 2011: [http://archive.aawsat.com/details.asp?section=4&article=611312&issue\\_no=11787#.WQ9QMfEmM8](http://archive.aawsat.com/details.asp?section=4&article=611312&issue_no=11787#.WQ9QMfEmM8)

52 Ibid.

53 Mahmoud Jum'ah, State Security Documents Before Prosecution of Egypt, in *Al Jazeera Net*, 10 March 2011: <http://cutt.us/bbb4i>

The committee thought that this was “very dangerous as it would be difficult to transport the documents for long distances in light of the absence of security.”<sup>54</sup>

The attorney general, according to the statements of the members of the committee, then assigned a room for these documents with heavy security around the clock. He also assigned Counselor Hatem Zayyat and his assistants at the public prosecution the task of conducting investigations. After delivering the documents, the committee held the public prosecution responsible for protecting them. The committee warned it of the fires that destroy many documents and evidence of corruption. After delivering the documents, the public prosecution interrogated activists who were present when the National Security headquarters were stormed and asked them how the documents were obtained and about the persons who had access to them. The committee included some lawyers as members. Those lawyers had visited the National Security headquarters at the request of citizens after storming the State Security Service headquarters in Nasr City and the refusal to hand over the documents to legal and rights figures.

The notion of secrecy persisted. It involved obtaining any documents or statements, or even the memoirs of some commanders who witnessed some events. This even happened with the key commanders of the Military Council, which ran the country in the immediate aftermath of Mubarak's fall. The same military establishment confiscated Al Watan newspaper when it published the memoirs of Sami Anan, the former chief of staff. He occupied this post in the recent years before the revolution and afterward until he was dismissed by President Mohammed Morsi. He was a deputy to Field Marshal Tantawi in the Supreme Council of the Armed Forces, which ran the country immediately after the revolution.

Anan's memoirs spoke about the decisions that were taken concerning the revolution, the position of the Military Council on the overthrow of Mubarak, and the circumstances surrounding the visit of Sami Anan to the United States around the time of the revolution. They also spoke about the position of Anan and the military command toward the question of handling the demonstrators and other details related to backstage developments in the rooms of the highest leadership entity in the Egyptian army at the time of the revolution. The first part of these memoirs was published in Al Watan newspaper, which is not known for opposing the regime.<sup>55</sup> However, the edition in which the memoirs were published was immediately confiscated.

Afterward, an army spokesman made a statement to the effect that “the information and statements circulated by some media outlets during this period as memoirs of some former military officials create a state of confusion and sensationalism in a manner that affects the security and safety of the Armed Forces and that affects the national security of the country under extremely delicate and sensitive circumstances.” The official Egyptian Middle East News Agency carried statements by War Staff Colonel Ahmad Mohammed Ali, former official military spokesman, in which he stressed that “it is extremely important to be careful and to beware of handling this information without adopting the necessary legal measures, in coordination with the relevant agencies in the Armed Forces, given the risks that this could pose, especially since all countries ban the publication of issues that could affect their national security and set appropriate periods and laws to regulate this subject to legal accountability.”<sup>56</sup>

At a later stage, after the domination of the “counterrevolution” that followed 3 July 2013, and in a wave of “settling scores” with political figures who belong to various political groups that

took part in the revolution, some activists who stormed State Security headquarters were pursued. A famous pro-regime lawyer filed lawsuits against some activists who witnessed these developments, accusing them of endangering state security.<sup>57</sup> The reputation of others was tarnished by leaking some of their personal calls to satellite channels affiliated with businessmen loyal to the regime, as happened with Mustafa Najjar, former MP who represented the Adl (Justice) Party. The same thing happened to activists from the April 6 Movement, such as Asmaa Mahfouz, Ahmad Maher, Mohammed Adil, and others.

The researcher tried to speak to a former activist who witnessed the storming of the main headquarters of the State Security Service in Nasr City in Cairo, but she declined, saying that this could make her criminally liable or cause security action against her, as happened to some revolutionaries previously.

## **PART SIXTH: LUSTRATION, INVESTIGATION, AND PROSECUTION INVOLVING REGIME CRIMES**

### **FIRST: LACK OF SPECIAL COURTS**

Contrary to the tradition in the experiences of revolutions and democratic transformation, which allow for quick special courts to hold corrupt officials of former regimes accountable for economic corruption, political crimes, or rights violations, the cases related to the crimes of the key figures of the Mubarak regime were referred to the ordinary judiciary, which is known for its extreme bureaucracy. Besides, some of its measures, which are full of loopholes, allow suspects to easily beat the cases against them. This is indeed what happened as Mubarak and the symbols of his authority were acquitted in all the major cases they were accused of a few months after the revolution. The complete opposite happened to political and community activists who received harsh prison sentences between 3 and 10 years after they were charged in connection with violating the Protest Law, passed under interim President Adly Mansour. The same applies to activists and members of the Muslim Brotherhood group and other Islamists, who received severe prison sentences, ranging from 5–7 years to long sentences and even death sentences under extremely exceptional judicial and political circumstances. This has led to accusations that the judicial system in Egypt has been politicized and totally controlled by the executive authority.

Therefore, it was important to set up “special judiciary” in the transitional phase of the revolution. It is special judiciary, and not extraordinary judiciary or outside the domain of law and constitution. This would allow for fair trials. The lack of such judicial entities allowed Mubarak and the symbols of his regime, as well as police officers accused of committing crimes against demonstrators and before that against victims in the pre-25 January phase, to escape justice. What helped in this is the lack of

54 Ibid.

55 Salah al Din Hussein, Ibid.

56 Abdel Sattar Jalilah, Egyptian Army Warns Against Publishing Information by Former Military Persons “Harming National Security”, in *Al Sharq Al Awsat* international edition, 29 September 2013, See link: [http://archive.aawsat.com/details.asp?section=4&article=744981&issue\\_no=12724#.WQ9PnflEmM8](http://archive.aawsat.com/details.asp?section=4&article=744981&issue_no=12724#.WQ9PnflEmM8)

57 Asmaa Abu Bakr, Statement Accuses Former MP Mustafa Najjar of Leaking State Security Documents, in *Masr Alarabia*, 5 February 2017: <http://cutt.us/wcJP0>



a legislative framework that allows for such trials and that lays the foundations of a stable system of transitional justice.

A report issued by the Arabic Network for Human Rights Information, an Egyptian rights organization chaired by rights activist Jamal Eid – a recent ruling was issued to confiscate his funds and those of the organization he heads – about transitional justice stated that political will in the countries of the Arab Spring had seen a general trend of impunity and the lack of a systematic approach of transitional justice. This has led to the faltering of reform and democratization and the lack of restructuring of state institutions that are accused of corruption and holding officials accountable for the crimes committed against peoples.<sup>58</sup>

## SECOND: FACT-FINDING COMMITTEES

There are two main parties when it comes to knowing the violations against citizens, whether in times of peace or war or civil conflicts or revolutions. The first party is the person against whom violations are committed, and his parents and relatives. This is based on the updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity, which stated the following: “Irrespective of any legal proceedings, victims, their families and relatives have the imprescriptible right to know the truth about the circumstances in which violations took place, and, in the event of death or disappearance, the victim’s fate.” The right of victims and their parents to know the truth is linked to their right to reparation and fair judicial satisfaction and bringing the perpetrators of violations to account.<sup>59</sup>

Of course, the second party that has the right to know is society, which makes up the nation and state, because it is a public party to the conflict as a whole and because it represents the popular sum of a nation whereby the right of a group of its individuals have been violated. The violations that occurred are a small part within a system of conflict that represents a part of the context of the history of this society and its collective memory, which must be preserved for different reasons, most important of which is: Bringing the perpetrators of these crimes to trial, no matter how long the conflict lasts and regardless of the length of litigation and bringing the violators to justice. Also, this is meant to let new generations know about how much older generations suffered during conflict, war, or revolution, and to prevent the repeat of the same crimes and violations. Bringing violators or criminals to a fair trial or popular hearing committees is part of the punishment, which serves as a lesson for others.

The fact-finding committees formed after the revolution have failed for different reasons. The only thing that has changed in the regime is the fall of one of its wings. The state was run with a stronger wing, which is the military establishment. This establishment curbed the revolution completely throughout different phases, through its partnership with the Ministry of Interior. This was also the result of the weakness of civil parties and movements and the grave mistakes committed by Islamists. On the procedural level, these committees, which were formed several times, have failed for several reasons, either because of deliberately failing to mention the results reached by these committees or because they lacked the powers and necessary tools to facilitate their work, or because of their composition and the quality of the institutions that supervised them.

Naturally, an authority whose heart is the counterrevolution, as well as establishments that took part in the violations all the time, such as the police and army, would not form a transitional justice

committee or a fact-finding committee in a way so that the reports or decisions of this committee can be trusted.

Here, we will focus on the first fact-finding committee as a case study, the form and circumstances of its creation, and the conclusions it reached for several reasons, most important of which is that it was the first committee formed immediately after the revolution. The committee was formed amid the revolutionary action of the Egyptian revolution and the existence of popular momentum in the street that put pressure on the authority then. Therefore, it was expected that its recommendations would be taken, at least compared with other committees. This committee could have been a step toward establishing a path for transitional justice had its recommendations been built on and its work completed and had a political-popular-media agreement been reached on it. However, it failed due to the control of the military establishment over the management of the transitional process after the revolution and also due to the absence of political will on the part of the different groups of the revolution.

## THIRD: EVALUATING RESULTS OF FIRST FACT-FINDING COMMITTEE

The first fact-finding committee was formed immediately after the revolution based on Decision No. 294 of 2011 issued by the Cabinet under the rule of the former Military Council concerning the incidents and crimes that took place during the revolution 26 January – February 2011. The committee was formed to investigate the events of the revolution. It comprised a group of judicial counselors and some of their assistants, who are rights specialists. The committee was given some fact-finding powers and asked to take the necessary measures that it deems fit vis-à-vis the incidents that took place on the Egyptian scene between 25 January 2011 when the revolution broke out and until the committee was asked to start its work on 9 February 2011. Some of these important powers included finding facts concerning the illegal practices that made the said events deviate from the civilized nature of the peaceful demonstrations of young people. They also included doing what it deems necessary, such as hearing witnesses, collecting information, summoning anyone involved in the said events, and having access to papers, documents, and minutes that it deems necessary. The committee had the power to receive correspondence from citizens and civil society organizations and others, including statements or information about the said events. Article 3 of the said Cabinet decision obliged state agencies and the competent bodies to provide the committee with all the information and data it requests in relation to the tasks assigned to it. Article 7 of the Cabinet decision stipulated that the committee shall submit its report and recommendations to the attorney general.<sup>60</sup>

The committee submitted its report to the first post-revolution government, led by Essam Sharaf; the Supreme Council of Armed Forces, which ruled the country at the time after Mubarak stepped down; and the attorney general, Counselor

58 Hiba Abdel Sattar, Transitional Justice... How Is it Achieved?, in *Al Ahram*, 18 September 2014: <http://www.ahram.org.eg/NewsPrint/326473.aspx>

59 Minna Al Masri (and others), *The Right to Know the Truth and Human Rights Violations: Fact-Finding Committee Without Truth, Association for Freedom of Thought and Expression*, November 2013.

60 Wael Ali, *Al Masry Al Youm Publishes Full Text of Summary of Report of Fact-Finding Committee on 25 January Revolution*, in *Al Masry Al Youm*, 19 April 2011: <http://www.almasryalyoum.com/news/details/126472>

Abdel Majeed Mahmoud. The report reached the following important conclusions:

The committee established in its report that “policemen fired rubber bullets, blanks, and live ammunition in the face of demonstrators; or there was sniping from rooftops overlooking Tahrir Square, especially from the Ministry of Interior building, from the top of Nile Hilton Hotel, and from the top of the building of the American University. This was confirmed by the statements of those interviewed by the committee and by medical reports, which stated that the deaths were primarily caused by bullets and blank cartridges in the head, neck, and chest. Firing bullets requires permission from a committee chaired by the interior minister and including senior officers in the Ministry of Interior. Then, orders go down the chain of command to police officers, who carry them out.”<sup>61</sup>

The committees issued a number of important recommendations, including drafting a new constitution to establish the foundations of democratic rule through a constituent committee, reconsidering all the laws that restrict freedoms in Egypt, reconsidering the Parties’ Law and all the laws that regulate rights and public freedoms, and reconsidering the tax exemptions given to businessmen while imposing progressive taxes on income. The recommendations also included passing a law to combat all forms of religious, ethnic, economic, or social discrimination among citizens; ensuring the real independence of the judiciary; canceling all forms of intervention by the executive authority in the work of the judiciary; canceling all forms of extraordinary judiciary; facilitating the administration of effective justice; and modernizing the security service to ensure its professional competence and its respect for the law and for human rights. Besides, security agencies must not be the sole party to solve the problems of citizens, and they must be qualified professionally and psychologically. Moreover, the administrative apparatus of the state must be modernized to increase its efficiency and eliminate corruption in it and open routes for transparency to preserve public funds. A health insurance system must be put in place by providing free health care to all citizens; development policy must be linked to social justice; the post of president of the republic must be separated from the leadership of political parties; a national anti-corruption agency, which has immunity, must be established; the principle of respect for the law must be asserted, while subjecting all citizens to its provisions; judicial rulings must be respected, especially by the government; and freedom to establish political parties must be granted.<sup>62</sup>

However, the conclusions reached by this committee – and the committees that followed it later – concerning blaming the Mubarak regime for the situation of political and economic corruption and also blaming it and its executive agencies – chief of which is the Ministry of Interior – for the fall of victims during the 25 January revolution were all in vain as Mubarak, the symbols of his rule, and police officers were acquitted of all charges. Likewise, most of the recommendations made by the committee to the new ruling authority in Egypt were not implemented on the ground and faced different problems and obstacles.

## **PART SEVEN: WHY WAS THE EGYPTIAN REVOLUTION NOT SUFFICIENTLY DOCUMENTED?**

Immediately after the January revolution, there was a pressing need for documenting the action witnessed by the 25 January

revolution, which means preserving the historical memory of the revolution and its scenes and preserving the collective memory of a generation that witnessed the revolution and its interactions, events, actors, and the establishments and persons who committed crimes against victims who fell or whose bodies or rights were violated.

There were several initiatives that were launched either through official establishments – none of them succeeded – and initiatives by individuals and unofficial establishments, civil society organizations, or activists who saw that it is important to work on this issue, especially given the continuing attrition in various events and the fall of victims or imprisonment of others who were witnesses to the events.

First: Committee for Documentation of 25 January Revolution

The “Committee for the Documentation of the 25 January Revolution” is an initiative that emerged from the “official” Egyptian National Library and Archives a few months after the ousting of Mubarak on 11 February 2011. The National Library and Archives then assigned the job to Dr. Khalid Fahmi, a renowned Egyptian researcher and historian, former history professor at the American University, and the author of a book that resonated a great deal about the era of Muhammad Ali Pasha, founder of modern Egypt.

The committee set for itself several objectives at the time, including implementing a project that aims at collecting the material related to the revolution to make it available later to the public. The committee considered its work on this project to be a right for the Egyptian people, the one who triggered the revolution, and the right of future generations to see the documents and the pictures, films, and testimonies related to different aspects of the revolution, whether in the period that preceded the revolution or during the 18 days that it took until the former president stepped down or during the later weeks whose events are still unfolding until now. This is a part of the mission of the National Library and Archives, which is to safeguard the documents of the country and make them available to interested people and researchers studying Egypt’s history.

The committee developed a vision to establish an archive, which is as perfect as can be. It should be indexed and maintained in accordance with the standards followed in this domain. The target archive includes all digital and physical media, including documents, libraries, pictures, films, posters, publications, songs, works of art, and jokes. This is in addition to recording the testimonies of those who took part in the revolution, such as the testimonies of those who formed the popular committees throughout the Republic.<sup>63</sup>

To implement this, the committee thought that there were several methods that it could follow to collect testimonies related to the events of the revolution, including collecting personal testimonies of the people who took part in the revolution, whether by planning, walking amid demonstrations, and staging sit-ins at squares. This also includes the testimonies of those who did not take part directly in any of the demonstrations or sit-ins at squares and the testimonies of those who did not take part directly in any of these events, but they witnessed it or were affected by it in any manner.<sup>64</sup>

61 Ibid.

62 Ibid.

63 *Constituent Paper of the Committee for the Documentation of the 25 January Revolution*, unpublished paper.

64 Ibid.



The committee also sought to collect pictures, videos, and audio recordings that accompanied the events of the revolution during the 18-day period from 25 January until 11 February; collect posters, banners, publications, and works of art produced or distributed in the streets and squares during the days of the revolution; collect newspapers, magazines, and TV recordings that accompanied the days of the revolution; contact the different fact-finding committees that were formed in the wake of the revolution; collect the documentary material produced by these committees during the period of their work; contact human rights organizations and collect the reports they issued about human rights violations that occurred during the revolution; collect the slogans, shouts, songs, and jokes that circulated during the days of the revolution; monitor the role of religious establishments and groups (official and unofficial) and their position toward the revolution and collect the publications attributed to them or press interviews of people affiliated with them during the days of the revolution; and monitor the role of political parties and professional associations and collect reports, publications, and press interviews by people affiliated with them during the days of the revolution.<sup>65</sup>

Of course, the committee faced some fundamental questions at the beginning of its work. The members of the committee then saw that these questions would define the notion and question of documentation itself, such as: When did the revolution end? When do we stop documenting? Is it when the referendum was held on constitutional amendments? Or when the parliamentary elections were held? Or when the presidential elections were held? Since we found ourselves walking in one funeral after the other for one of our martyrs, hold one protest after the other to champion one of our friends, and make one visit after the other to the Zeinhom morgue out of sympathy with the families of the victims of the Ministry of Interior, then it is right for us to ask: "Has the revolution really ended or is it still continuing?" Also, there is another question: "When did the revolution exactly break out?" Is it on 25 January? Or is it on 14 January 2011 when (Zine El Abidine) Ben Ali fled and the Tunisian revolution succeeded in removing the man who had ruled Tunisia for more than 20 years, inspiring hope in the hearts of some Egyptians? Or did the revolution start through previous events that made anger boil until it reached a climax on 25 January? That climax was the targeting of the Two Saints Church in Alexandria in late 2010. Or it could be the repressive practices of the Ministry of Interior, most infamous of which was the killing of the youth Khalid Saeed in the city of Alexandria in the same year, or even way before that in the uprising in el-Mahalla in 2007, the creation of the Kefaya Movement in 2004, or the demonstrations that erupted against the Gulf War in 2003, etc.<sup>66</sup>

In the end, these events were crucial. They accumulated until they reached a climax in the beginning of 2011. They only lacked self-ignition whose focus was hundreds of kilometers away in Tunisia.

The committee worked for two years, 2011–2012, before it dissolved itself at the beginning of 2013. The work of the committee during that period was to collect documents related to the events of the revolution. All of the documents were later handed over to the National Library and Archives, such as electronic proofs of the last editions of the newspapers pertaining to the 18 days since the eruption of the revolution and until Mubarak stepped down and recording testimonies of a group of citizens and politicians

based on an announcement made by the committee to the participants in the revolution or those who witnessed some of its events to submit their testimonies about these events. The aim of the committee was not to explain the events or to confirm its own vision. This is why the members agreed in the work methodology on giving anyone who wants to give his testimony 20 minutes, which could be increased. The key question was: "What did you do on such and such a day?" Then, they would leave the person to tell the story.<sup>67</sup>

The committee did not document any of the cases, in connection with the revolution, which were examined by the courts at the time. However, the members of the committee thought that the best way to document these cases was to collect the records of the case itself and the testimonies of the parties if possible, regardless of the legal outcome reached by the court. Of course, this is assuming that the court agrees to this. The short duration of the work of the committee and the climate of polarization that emerged later obstructed the work of the committee and prevented it from continuing any later paths that its members had intended to pursue.<sup>68</sup>

The fate of the Committee for the Documentation of 25 January was dissolution in early 2013, just a few months prior to the toppling of President Mohammed Morsi. The dissolution of the committee was a decision taken by its chairman and members, who volunteered to work with it. The reasons for the dissolution were either subjective or objective. Most of these reasons had to do with obstacles created to the committee to disrupt its work. The most serious obstacle that faced the committee had to do with citizen fears of security breaking into the place where the documents are held and using their testimonies as evidence to convict them of carrying out acts during the revolution that could form grounds for incriminating them now. Thus, they requested guarantees from the committee to protect their testimonies and keep them for years and not release them except with their consent according to a contract with the committee. The advisers of the National Library and Archives denied the possibility of achieving this. In the end, the failure of the revolution caused the work of the committee to stop because every action that will be documented might be used later against the people involved in it. This is because the counterrevolution is in power now. Khalid Fahmi, chairman of the committee, put it as follows: "If we think philosophically, we will discover that the tragedy of the committee is that the revolution was not completed, and consequently, revolutionary acts have become criminalized now."<sup>69</sup>

There were other bureaucratic measures that made the work of the committee difficult, such as the refusal of the National Library and Archives to give the committee the documentary material and newspapers proofs – which the members of the committee obtained and collected through their personal connections – to upload to the committee website, and so on. In the end, the project, which brought together volunteer researchers and historians to carry out a national project to document a very important stage ended in failure.

65 Ibid.

66 Safa Srour, Khalid Fahmi: Viewing the Revolution as a Conspiracy "Firm Conviction" by "Interior Ministry". Interview, in *Al Masry Al Youm*. 28 January 2015: <http://www.almasryalyoum.com/news/details/644110>

67 Safa Srour, Ibid.

68 Ibid.

69 Ibid.

## SECOND: DOCUMENTATION INITIATIVES

There were several attempts and initiatives, either individually or by civil society organizations or research groups, which considered documentation important in light of the great attrition due to successive and fast developments. They considered the idea of documentation itself to be a revolutionary act since documentation is important to monitor events so as not to cover up the crimes that were committed by the regime or by the establishments that are leading the “counterrevolution” during the period that followed the fall of Mubarak. A 14-year-old girl did the necessary documentation for the 18 days on which the website “25 January Revolution... Full Documentation” depended.<sup>70</sup> According to the creators of the website, the girl, who was outside Egypt during the revolution, saved what people circulated online, including pictures, video recordings, articles, and even blogs and personal thoughts, and classified it chronologically.<sup>71</sup>

The importance of the website lies in that it contains a search specialized in the events of the revolution. It is divided into several categories, including “violence and clashes,” “million-man marches,” “revolution harbingers,” “army deployed,” and another specialized search under the name “personalities” containing around 183 names, including public figures that stood with or against the revolution and figures who became prominent during the revolution. In addition, the website documents press articles and videos that include revolutionary songs from the field, clashes, and media statements by officials and public figures. Under the same name “25 January Revolution,” another website documented its events. It included an important section that had the testimonies of citizens who were invited to participate under the section “tell your story in the revolution.”<sup>72</sup> The last update of citizens’ testimonies dates back to June 2012.<sup>73</sup>

## THIRD: REVOLUTION MUSEUM... INCOMPLETE PROJECT

Immediately after the revolution, Hisham Ali Jreisha, an Egyptian professor who heads the architecture department at one of the Egyptian universities, presented a project to Essam Sharaf, the first prime minister to be selected by the revolution, to eternalize the memory of the 25 January revolution and its martyrs by turning the burning building of the former National Party into a museum. This museum would embody the revolution and its various narratives. Also, the roof of a car park near the Omar Makram Mosque at the heart of Tahrir Square would be turned into a marble square to remind people of the martyrs of the revolution through transparent crystal pillars.

The idea of the proposed project was partly based on covering the building of the “dissolved National Party” from outside with transparent glass so as to keep the traces of the fire on the building from outside as a witness to the most important moments of the Egyptian revolution, which is the day of “Friday of Anger.” It is considered a crucial day in the Egyptian revolution. The second phase of the project would include renovating the building of the defunct National Party and restoring it from inside and providing it with central air conditioning. Thus, it will turn into a museum that documents the revolution of the Egyptians against their ousted president through displaying everything that is connected to the revolution, such as the belongings of the revolutionaries and the clothes of the martyrs when they were killed. It will also show some aspects of the practices of the defunct regime

against Egyptians, including the injustice and persecution for almost three decades. The second part of the project Shumu’ al-Shuhada (Martyrs’ Candles), as explained by the person who conceived its idea, is to use the roof of a car park under construction near the Omar Makram Mosque at the heart of Tahrir Square as a large marble monument to commemorate the martyrs of the revolution.<sup>74</sup>

However, the project did not see daylight. The building of the National Party was later demolished by the army despite the repeated appeals by political groups to maintain the building as a historical vestige of the revolution and of an important phase in the history of the country.

## FOURTH: REVOLUTION MUSEUM IN PHARAONIC VILLAGE

It is a project that seems to have been fulfilled on the ground, but it actually does not exist now. It has totally disappeared without clear reasons. It is the inauguration of a museum about 25 January in the famous Pharaonic Village in Giza. The museum was established immediately after the revolution. It was opened by a number of famous media persons, artists, and politicians, some of whom turned against the revolution and its line after 3 July 2013.

The museum, according to the London-based *Al Sharq Al Awsat* newspaper, was opened on Monday, 7 March 2011, on the banks of the Nile, one month after the fall of Mubarak. The museum contained pictures of the martyrs of the revolution and their clothes and belongings. Also, a monument was inaugurated for them at the entrance of the museum. A large number of photos and portraits eternalizing the events of the revolution over 18 days were hung on the walls of the museum, which was established by the Pharaonic Village under the title “So That We Will Not Forget.” The photos and portraits captured slogans raised by the demonstrators and shots of their joy and sorrow. It resembled a historical recording, in the Pharaonic way, which used to record events on walls. The museum also contained items that the revolutionaries considered “spoils of war.” They are some live bullets fired on the demonstrators and different types of tear gas thrown by security forces at them. All of the items were put on display inside glass boxes, just as international museums do.<sup>75</sup>

When we access the website of the Pharaonic Village now, we find links and pictures of only eight museums inside it. These are: Boats of Ancient Egypt, Mummification Exhibit, Pyramids and Sphinx Exhibit, Dr. Hassan Ragab’s Exhibit, Art and History of Islam, Coptic Exhibit, Cleopatra’s Exhibit, and Ancient Arts and Beliefs. There is no single reference to anything by the name “Revolution Museum,” as if it was a temporary project that ended when its time was over.

70 Link to the website “25 January Revolution... Full Documentation”: <http://www.egyptrev.net/>

71 Basma Mahdi, Story of 25 January Revolution... Who Writes History?, in *Al Manassa website* (link accessed on 1 May 2017) <https://almanassa.com/ar/story/863>

72 See link to website: <http://www.revolution25january.com>

73 Ibid.

74 Khalid Shamt, Museum Eternalizing Memory of Revolution, in *Al Jazeera Net*, no date provided: <https://goo.gl/ibMQIL>

75 Mohammed Abdu Hasanain, First Museum of 25 January Revolution on Banks of the Nile in Giza, in *Al Sharq Al Awsat*, 11 March 2011 (link accessed on 3 May 2017): <https://goo.gl/4fAeAi>

## FIFTH: HEADQUARTERS OF THE OLD NATIONAL PARTY

Several political groups launched appeals, demanding turning the headquarters of the National Party on the Nile, located at the entrance of Tahrir Square, into a museum. The headquarters was set on fire on 28 January 2011 by the revolutionaries; this was a declaration at the time of tearing down the most prominent symbol of the rule of the old National Party. However, the building remained like this without a clear idea about how to benefit from it after the revolution. During the first three years after the fall of Mubarak, there were calls for turning it into a museum that symbolizes the defunct era. However, when the army took power after the ousting of President Mohammed Morsi, the government of Ibrahim Mihlib, the second government to be formed after 3 July 2013, agreed to demolish the building provided that Cairo Governorate would proceed with measures to demolish the building, while assigning the demolition works to the Armed Forces Engineering Authority. Once the demolition is over, the site would be used based on a decision by the Cabinet, without setting a date for the first step in the demolition process.

In March 2014, the government approved of the demolition of the burned building. Then, Cairo Governorate announced that it would demolish it and turn the site into a park. Former Minister of Antiquities Mohammed Ibrahim said that the building would be attached to the Egyptian Museum in Tahrir Square. A third statement was made by the former government about turning the building into a large hotel. However, some activists had demanded keeping the building intact to commemorate the revolution.<sup>76</sup>

Some Egyptian activists are of the opinion that the Egyptian government, which is supported, they believe, by the military regime, had saved National Party leaders from penalty and decided only to demolish the building perhaps “to obliterate the symbol of the collapse of the regime in the face of the uprising of the people and to conceal evidence that had existed on the banks of the Nile that reminded everyone who saw it that the people of Egypt one day staged a revolution.”

The National Party, which had dominated the scene throughout the Mubarak era, was formed by former President Anwar Sadat and was considered during Sadat’s time and the Mubarak era to be the authority’s party. The party was chaired by the two presidents, both of whom belonged to the military establishment. The party was officially dissolved by the judiciary immediately after the January revolution.

## SIXTH: GRAFFITI... POPULAR DOCUMENTATION

One of the archival projects, which constituted spontaneous popular documentation of the revolution and its slogans and key political messages, involved graffiti on the walls of Cairo. These drawings depicted the martyrs of the revolution and the symbols of the old regime and the counterrevolution. They also expressed some of the demands of the revolution, such as social justice and the trial of the leaders of the Mubarak regime. They symbolically embodied some of the significant events of the revolution, such as the fall of Mubarak, the events of Mohammed Mahmoud Street, and others. Graffiti murals marked a visual development in the Egyptian revolution; they depicted the faces of Field Marshal Tantawi and Mubarak; processions of martyrs, angels, and bodies; a Pharaonic warrior destroying the myths of tyrants; and a child eating street food with tears in his eyes.<sup>77</sup>

In May 2012, under the authority of the Military Council, a part of the graffiti was removed on the pretext of a cleanup carried out by workers of Cairo Municipality. The same thing happened during the rule of President Mohammed Morsi as graffiti was removed from Mohammed Mahmoud Street, off Tahrir Square, late at night. The walls of the street were painted in yellow. Many people expressed dissatisfaction with this on social media sites at the time.

In 2013, when Mohammed Morsi was ousted and the Muslim Brotherhood-backed government was removed, and within the context of the war by the regime on the revolution, a systematic policy was adopted to eliminate anything that had any connection with the 25 January revolution. A law was enacted preventing demonstrations. This allowed for the arrest of peaceful demonstrators. Also, many graffiti artists were arrested. An artist known by the name “Ganzeer” had to leave the country after a smear campaign. The same year and the following years witnessed repeated attacks on freedom of opinion and expression. This included campaigns against cultural centers and publication houses and the imprisonment of novelists and writers on charges that violate freedom of opinion.<sup>78</sup>

Things did not stop at this point. Erasing the popular and official memory included removing most scenes of the Egyptian revolution from the page on the website of the State Information Service, which is known to be affiliated with the Egyptian Intelligence. The website initially made no mention of some significant events during the revolution, such as the 28 January incidents, the escape of the police, and the burning of the headquarters of the old National Party. At a later stage, the page became inactive for unknown reasons.

## SEVENTH: REMOVING THE REVOLUTION FROM CURRICULA

The movement staged by the July 1952 officers strengthened the notion of politicizing school curricula. The July 1952 coup deleted everything related to the family of Muhammad Ali Pasha, which had ruled Egypt for more than a century and a half. It also used the curricula to distort the liberal period that followed 1952. The symbols of the era were erased and their persons were crudely smeared.

The same thing was repeated with the 25 January revolution, which was initially welcomed by state institutions and media. However, in the years that followed the ouster of President Mohammed Morsi and the Muslim Brotherhood-backed government, these entities completely turned against the revolution. After 3 July, a state of confusion swept the educational process in Egypt. This process was affected by the political crises in the country. Thus, school curricula saw amendments, additions, and deletions as they were connected to political changes.

For example, the Egyptian Ministry of Education announced that the curricula had been completely “purged” of the additions introduced by the Muslim Brotherhood regime to it after they took power. The ministry had also amended the curricula at the beginning of the school year by removing one of the lessons

76 Mohammad Rida, Headquarters of National Party, from Moral Collapse to Forced Demolition, in *Al Youm Al Sabi*, 15 April 2015: <https://goo.gl/zEZtNN>

77 Mohammed Sabbagh, The Guardian, Tahrir Graffiti... Erasing What Remains of the Revolution, in Zahma website (taken from *The Guardian*) 1 April 2016: <https://goo.gl/IP1xWg>

78 Ibid.

taught to high-school students under the heading “Difference Between Revolution and Coup.” The ministry stopped the printing of the textbook on Psychology and Sociology to high-school students before it reached the printing press. The lesson spoke at length about the difference between a popular revolution and a military coup. The amendments to the curricula also included reprinting the National Education textbook for high-school students because the line it contained did not agree with the political line of the 3 July regime. The chapter on legitimacy was deleted; it was part of the National Education textbook.<sup>79</sup> Entire chapters of the textbooks on Psychology and National Education for high-school students were deleted on the pretext that they contained violating lessons. They were deleted and reprinted.<sup>80</sup>

## CONCLUSIONS AND LESSONS LEARNT

This paper attempts to review the factors that led to the losing of the opportunity for reforming the security services; it being the largest obstacle that hampered the Egyptian revolution. This paper discusses the problems faced with this kind of reform, including the growing political polarization between the opposition forces after the ousting of Mubarak, and the failure of those opposing powers to reach a political and societal agreement on the importance of reform as an essential effort in the democratization process.

Also, the paper attempts to reflect on the political system, which managed the Egyptian state before the revolution: its main structures, elements of configuration and its internal and external alliances.

The paper addresses the performance of the fact-finding committee that was formed directly after the ousting of Mubarak, and how it failed to achieve its basic goals. This failure indirectly impacted investigations into the crimes of the Mubarak regime, and eventually the inability to prosecute members of the security services.

This paper analyzes the reasons several projects to document the Egyptian revolution have been unsuccessful. The researcher particularly focuses on the government-led project through the Egyptian National Archive, as well as other initiatives by individuals, research centers, and civil society organizations.

The lesson learnt from the aborted Egyptian revolution is that restoring or building a strong democratic process in Egypt is contingent on having a broader political reform agenda; the most integral component of which is a clear path for transitional justice and the reform of the security services.

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79 Walaal Hussein, Egyptian Curricula Provide Room for Political Wrangling... With Change in Regimes, in *al-monitor*, 2 January 2014: <http://www.al-monitor.com/pulse/ar/originals/2014/01/egypt-curriculum-dictated-ruling-regime.html#>

80 Ibid (slight change in wording).



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