

Egypt After Elections: Towards the Second Republic?

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ABSTRACT

While Mohamed Morsi was being named as the fifth president of the Republic of Egypt and the first person to occupy the post since the January 25 revolution, a harsh battle was going on among different political actors to decide the political future of the nation. Elected on the basis of a complementary constitution created solely by a military that had grabbed power over a wide range of political and security issues, Morsi is torn now between both the constitutional and the revolutionary legitimacies and as a result he needs to make compromises to satisfy all actors. Will he be able to do so?

Can he harness the military, the intelligence, the presidency, and other deep institutions in a country where his political affiliation was for six decades considered illegal? Will Morsi meet regular Egyptians' high expectations in the political, economic, and social spheres? These questions will be examined in this paper as part of an analysis of the implication of latest the presidential election in Egypt.

It was a watershed moment in Egypt's transition to democracy when the Supreme Presidential Electoral Commission (SPEC) announced that Mohamed Morsi was elected as the fifth president of the Republic of Egypt since its establishment in 1952. President Morsi came to occupy the post that, for the first time in Egypt's modern history, had been vacant for 16 months. Since the ousting of Mubarak on February 11, 2011, filling the post of the presidency has been thought of as one of the pillars of Egyptian stability and required for a successful move to democracy. Morsi won the presidency following a competitive runoff election, in the end receiving 51.7 percent of those who turned out in long lines to cast their ballots, defeating Ahmed Shafiq, a hardliner with a military background and the last prime minister during Mubarak's era. The presidential election was not a normal one; instead it was a harsh battle and

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has many implications for the future of Egyptian politics. Pushing Egyptians to

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choose between two extremes in the runoff, delaying the official announcement of the winner for three days, and the rumors of *behind the scene* deals between the Muslim Brotherhood (MB) and the Supreme Council of the Armed Forces (SCAF) are but some of controversial events of the election. This paper will describe the electoral process, analyze the results and voting behavior, and examine the implications for Egypt's political future.

The Presidential Electoral Process: An Unfair Game?

In one of the longest multi-candidate elections in modern Egyptian history, the presidential electoral process officially took more than 100 days, from March 10, 2012, when registration started, to June 24, 2012, when Morsi was announced as the winner and the fifth president of Egypt. On the ground, however, the contest took much longer. Following the March 30, 2011 referendum on the SCAF-endorsed constitutional declaration, which was approved by 77.2 percent of the registered voters after the Islamists rallied behind it,

unofficial campaigns for the presidency were started by many potential candidates. Initially, the MB declared that it would not compete for the post.

Following the approval of the constitutional declaration, it became obvious that some of the rules on the presidential electoral process were not fair. The rules stipulate that candidates have to be born in Egypt to Egyptian parents, not have dual nationality, and not be married to a foreigner. Thirty MPs or at least 30,000 eligible voters in 15 different governorates, with at least 1,000 voters in each governorate, also must endorse them.¹ However, the most controversial rule was Article 28, which stipulates that the decisions of the SPEC are final and cannot be appealed. This article was debated and opposed by activists and potential candidates, including Mohamed ElBaradei, the former director-general of the International Atomic Energy Agency. But when Islamists rallied behind the declaration, blocking any moves to change the rules, ElBaradei was forced to pull out of the election, claiming the rules were not fair.²

A total of 23 candidates officially registered for the race, including two from the MB which had changed its mind and decided to run candidates for the post. The SPEC disqualified 10 candidates, including Khayrat Elshater, a hard line member of the MB, Hazem Salah Abo Ismail, a popular Salafist figure, and Omar Suleiman, the former

director of Egyptian intelligence who was also the first and last vice president under Mubarak. The Islamists, who have accused the SPEC of politicizing its decisions, harshly opposed these rulings but it was too late for them to realize that the rules of the game had never been fair. A few weeks before the first round, the SCAF ratified a law adopted by the Islamist-dominated People's Assembly (the lower house of the Egyptian parliament) that formally barred the last prime minister of the Mubarak era, Ahmed Shafiq, from running for the presidency by stipulating that "any president, vice president, prime minister or leader or (senior member) of the now-dissolved National Democratic Party is barred from exercising political rights for 10 years." However, two days later the SPEC accepted an appeal filed by Shafiq against his exclusion and allowed him back into the contest; again according to Article 28 any SPEC decision was final.

The results of the first round of the election (May 23 and 24) shocked many Egyptians as Mohamed Morsi came first, out of total of 13 candidates, with 24.9 percent of votes, and Ahmed Shafiq came second with 23.4 percent. Hamdeen Sabahi (a popular leftist activist), Abul Fotouh (a former MB figure), and Amr Moussa (the former secretary general of the Arab League) came third, fourth, and fifth in that order. Now voters had to select between extremes: it was either the MB or the old regime, the

same political equation of the Mubarak era. The initial reaction of many political forces to the results of the first round, including the revolutionary youth, was to either boycott the election or to demand that the results were invalidated, a call that spread around the country.

Between the first and second rounds, two main events took place. First, Mubarak was jailed for life, but protests erupted at the exoneration of four interior ministry officials and two local security chiefs who were on trial alongside Mubarak and cleared of complicity in killing protesters. Second, only two days before the second round of voting, the High Constitutional Court

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(HCC) dissolved the People's Assembly and ruled that the impeachment law, which had eliminated Shafiq from the race, was unconstitutional. Both events were thought to benefit Morsi as many political forces started to realize that there might be a real chance for Shafiq and that old regime was fighting to get back into politics. Subsequently, many decided to vote for Morsi in order to exclude Shafiq.

Finally the second round of voting took place on June 16 and 17. While voters were casting their ballots in the last minutes of the second day, the

SCAF announced a complementary constitution declaration that returned to it all legislative powers and gave it

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a veto over a wide range of political and security issues, changing the balance of power in its favor. Finally, after much delay where both candidates claimed victory, the SPEC announced that Morsi was the winner of this long and controversial contest, a result that was welcomed in the street.

Egyptian Voting Behavior: The Unexpected

Only one description could be said for Egyptian voting behavior: “unexpected”. Almost all the polls, analyses, and TV talk shows failed to predict the way Egyptians would cast their ballots. According to a wide range of polls and analyses before the election, some prepositions on Egyptian voting behavior were as follows: First, the turnout would be high and would exceed the 62 percent turnout for the parliamentary elections that were held earlier in the year. Second, the contest would be mainly between Abul Fotooh, a centrist candidate with an Islamic background and who is close to liberals and was promised to get the Salfists’ votes, and Amr Moussa, who is close to the Copts and has the support of the remnants of the old regime. The other candidates

would not have a real chance. Third, the MB would be painfully punished by voters, and their candidate, Morsi, who was initially nominated as an alternative for the strong man Khayrat Elshater, would not have a chance. And four, the voters in rural areas would

go conservative, while those in urban areas would vote either liberal or progressive.

The results of both rounds, however, were much different. First, the turnout in the first round was low, barely reaching 46 percent.³ It is true that turnout surged in the last few hours of the second day in the second round, ultimately reaching 50 percent, but the turnout in both rounds was lower than expected when compared to the turnout in the parliamentary election. There are not yet clear reasons for this low participation, but some refer to the fact that most Egyptians were fed up with politicians, due to the prolonged transitional period. Another reason might be that the disappointing performance of the parliament has shocked Egyptians and pushed them away from voting in the presidential election. A third reason might be that a large number of youth and other liberal and social forces decided to boycott this election since many of them saw it as an unfair contest, or simply many did not find their choice among the 13 candidates.

Second, another surprise was that Abul Fotooh and Amr Moussa came fourth and fifth respectively. This result went against the expectations that



Photo: REUTERS, Mohamed Abd El Ghany

A supporter of Egypt's first Islamist President Mohamed Mursi cheers with an effigy of Mursi during a rally at Tahrir Square in Cairo.

the two would be the most likely to ultimately win the presidency. The failure of both candidates needs some research in order to explain how Egyptians made up their minds while voting.

Both of them tried to market themselves as centrists. Abul Fotooh tried to play a centrist role between the Islamic and liberal spheres, while Amr Moussa tried to do the same between the old regime actors and revolutionary forces. However, these compromises did not convince Egyptians who decided in the end to vote in more extreme ways. For Egyptians, it was either too right or too

left on the continuum and there was no room for centrists. Moreover, the fact that the first and only presidential TV debate in Egyptian and Arab history was

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between those two candidates decreased their chances. It was not only that they did not perform well in the debate, but it was also that the *pharaoh image* of the president that most Egyptians still have

was contradicted by the humble image of both politicians defending their positions and seeking public approval.

Third, it is true that the MB was punished in the presidential election. Comparing the first round of the presidential election and the earlier People's Assembly election shows that about 30 percent of those who voted for the

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MB in the People's Assembly election voted for other candidates in the presidential election. However, Morsi was still first in both rounds. In contrast to many analysts, voters seemed to give the MB another chance after their weak performance in the parliament. Still, the MB has mobilizing capabilities and they seem to be the most professional entity in electioneering.

Fourth, in the first round, the coastal areas and big cities like Cairo and Alexandria voted for the popular socialist candidate Hamdeen Sabahei. The rural governorates, such as Qualibyea, Mounfyeya, Sharquyeya, and Gharbiyeya, which were the bases for the MB in the parliamentary election, voted for the former prime minister and the so-to-speak liberal Ahmed Shafiq in a large way, a big surprise to all observers. In the runoff voting, the second choice of

voters was confusing. The coastal areas and big cities, which are mostly liberal, went in different directions in the second round. While Cairo and Port Said voted for Shafiq, Alexandria and Suez voted for Morsi. The rural governorates, which are mostly conservative, continued to vote for Shafiq, while Upper Egypt, where tribes were thought to have mobilized for Shafiq, voted for Morsi. It is too early to explain such contradictory behavior; however, it is clear that analysts need to revise their old theories and prepositions about how Egyptians make their decision in casting their votes.

Fifth, as for the Copts, it had always been thought that they would vote as a bloc for old regime figures, which did not happen in the first round. The older generation's votes were divided between Shafiq and Moussa (the old regime), while their youth voted for a progressive in Hamdeen. In the second round, the older generations continued to vote for Shafiq, while the youth opted to either invalidate their vote or simply boycotted the election.

Finally, one out of three Egyptians decided their choice only in the last minute. Many voters confessed that they made their mind up only after they turned out to cast their ballots. Others said that media, rumors, and TV talk shows had influenced their decision.

The only way to explain Egyptian voting behavior is to understand the environment in which the electoral process

took place. Simply, it took place under conditions described by Freedom House as “against a profoundly undemocratic background.” It went on to note that “Egypt’s highest court disbanded the freely elected parliament. The ruling SCAF subsequently arrogated to itself sweeping powers of arrest, detention, and lawmaking, and asserted veto power over the constitution drafting process.”⁴ Moreover, the insecure and impoverished environment that most voters faced could help us understand the confusing and unexpected way Egyptians voted in the presidential election.

Towards the Second Republic: The Compromising Man Show

Now with Morsi in power as the first politician associated with the MB to reach this post, and as he has resigned from both the MB and their political arm, the Freedom and Justice Party (FJP), several challenges are waiting for him. Many of these challenges are simply the outcomes of the prolonged electoral process, while others relate to the current balance of power between the prominent actors in the Egyptian political scene, especially after the dissolution of the People’s Assembly and the complementary constitutional declaration imposed by the SCAF. In the light of this election, the main challenges for Egypt’s near future are:

The first set of challenges concerns the presidency. Morsi is expected to

face harsh challenges inside the presidency institution as the administrative, financial, and security staff who work within this sensitive institution view Morsi as an outsider. Moreover, he has been an active member of the MB and was just before the inauguration, the chairman of the FJP, and therefore Egypt’s deep institutions (for example, the intelligence community, military, etc.) could view him with suspicion. As a result of these suspicions, a few hours before Morsi was announced as Egypt’s fifth president, the SCAF appointed a military officer as chairman of the administrative and financial task unit within the presidency, showing its desire to keep the office of the president under its control. To what extent will Morsi gain the trust of the office of the president and other deep institutions? To what extent will presidency *insiders* cooperate with him and accept some of the changes that Morsi seeks to intro-

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duce their staff? These are some questions that will be important for Morsi’s political future.

Secondly the future role of the SCAF is also marred with several challenges. After the complementary constitution was introduced, there have been two legitimacies in the country. The first one is the constitutional legitimacy which

constrains the president as a political actor and gives large powers to both the SCAF and HCC, while the other is the revolutionary legitimacy that is derived from the hundreds of thousands of Egyptians who have protested in Tahrir square and other places nation-wide and mobilized votes for Morsi, the main reason for his victory in the second round.

Will Morsi keep the Camp David agreement intact? To what extent will Morsi maintain the same political ties with the USA for the peace process in the Middle East?

Morsi is torn between the two. He cannot ignore the SCAF and the legitimacy of the complementary constitution upon which he was officially elected. Simultaneously, he also needs to secure the revolutionary legitimacy which supported him against all the deep institutions in the country. The extent to which Morsi will be able to avoid clashing with the SCAF while at the same time retain the support of the revolutionary forces will be a major test of his leadership.

Another area of challenges lies with the revolutionaries. Revolutionary forces are raising a number of demands including canceling the complementary constitution, preventing the dissolution of the People's Assembly, removing the SCAF from politics, and more. These demands clash with Egypt's prominent actors, especially military, intelligence, and judicial groups. Now that Morsi defeated Shafiq as the *revolution can-*

didate, he has to adopt these demands or otherwise he will lose confidence in the street. To what extent will Morsi be able to meet the revolutionary demands while keeping the deep institutions satisfied?

The judicial power and its exercise will likely present many challenges to Morsi. One repercussion of the electoral process is the clash of judicial power, especially the HCC and SPEC, with political actors. Both are distrusted by revolutionary forces, the MB, and the FJP, Morsi's main supporters.

Those forces have accused the judges in both institutions of being biased and part of the plan formed by remnants of the old regime to return to the political scene. Now that he is in power, Morsi has to reconcile relations with the judges before whom he had to take the presidential oath. According to the complementary constitution, the HCC will play a major role in the transitional period especially with its power to have a final say in the case of a SCAF veto on a new constitution draft. The extent to which Morsi will be able to rebuild confidence with judges is another big challenge that needs to be answered in the very near future.

Managing economic and security issues is another area of challenge for Morsi. According to Morsi's program, security will be regained in the first 100 days, crime will be down, and measures will be taken to enhance economic performance. The people in the street are

all waiting for such reforms, considering that in the transitional period their lives have been under threat and they have suffered from economic hardships. To what extent will Morsi be able to increase Egypt's economic performance while the country is in debt? How will Morsi be able to regain security with his distorted relationship with the ministry of interior and its reluctance to cooperate with the MB? These are crucial questions that will determine Morsi's success in running the country.

Last but not least, foreign policy issues will exert yet another set of challenges for Morsi's presidency. Once Morsi is in office, he has to answer many questions related to Egypt's foreign policy. Will Morsi keep the Camp David agreement intact? To what extent will Morsi maintain the same political ties with the USA for the peace process in the Middle East? Will he maintain Egypt's policy of silence towards Al-Assad's massacres in Syria? How will he react to the revolution-sensitive Arab Gulf? He has to address these questions quickly. The puzzle here is that Morsi needs to prioritize his actions in an environment where domestic issues are more pressing, but he has to take foreign policy issues into consideration due to Egypt's influence in the region. How the president will solve this puzzle is another question that needs to be answered soon.

Conclusion

On June 29 and 30, 2012, Morsi gave four speeches, one before the revolutionaries in Tahrir square, one before the HCC after he took the oath of office, one at Cairo University where he had called political forces together for a grand meeting, and one before the SCAF at a ceremonial meeting to hand over power at a military base near Cairo. In these four speeches, Morsi presented himself as a compromising man. Morsi emphasized his respect for all state institutions (the SCAF, HCC, SPEC, police, etc.) as well as the revo-

Morsi presented himself as a compromising man. Morsi emphasized his respect for all state institutions as well as the revolutionaries as a sign that he respects both the constitutional and revolutionary legitimacies. But both legitimacies never intersect and have contradicting rules of the game

lutionaries as a sign that he respects both the constitutional and revolutionary legitimacies. But both legitimacies never intersect and have contradicting rules of the game. How can Morsi satisfy all actors and play the role of the compromiser? Will compromises satisfy the revolutionary forces and get the trust of deep state institutions? It is too early to have definite answers for these questions, but the presidential decree on July 8 to recall the People's Assembly, after

it was dissolved by the HCC, and what this decision means for withdrawing the legislative powers again from SCAF, and insisting that new elections for the People's Assembly be held 60 days after the adoption of the new constitution by the public, which contradicts Article 60 of the complementary constitution which stipulates that new elections must be held 30 days after the adoption of the new constitution, reveal that the election of Morsi was only part of the transition, and the actors will keep competing and might even be clashing in the very near future, perhaps postponing or

even destroying the dream of the second republic.

Endnotes

1. Articles 26 and 27 of the constitutional declaration.
2. On why he withdrew from the race see: Salma Shukrallah, "ElBaradei withdrawal from presidential race sows confusion among activists," *Ahram Online*, January 14, 2012.
3. All statistics are adopted from SPEC official website. Data retrieved from <http://www.elections.eg/>.
4. For the full comment, see: Freedom House, "Freedom House Welcomes Peaceful Presidential Election", retrieved July 5, 2012, from <http://www.freedomhouse.org/article/freedom-house-welcomes-peaceful-presidential-election-egypt> > .

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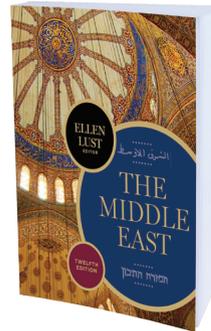
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