



# The Egyptian Experience of the Muslim Brotherhood in Power 2012-2013

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9 Bedford Row  
London  
WC1R 4AZ  
0044 207 489 2727  
[www.9bri.com](http://www.9bri.com)



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# CHAPTER 1

## Introduction



## 1.1 Subject Matter of Report

1. This report is the second in a series of reports commissioned from members of the 9 Bedford Row International Practice Group, by the State Lawsuit (Litigation) Authority of Egypt which aim to present an independent and comprehensive review of the Muslim Brotherhood and its allied groups and organisations. The first report, entitled "The History of the Muslim Brotherhood" was released on 2 April 2015.<sup>1</sup> Further reports are due for completion in 2015 including a report on "The Egyptian Revolution against the Muslim Brotherhood 2013."
2. This second report provides an overview of the presidency of Mohamed Morsi and an analysis of the key events that unfolded during the Muslim Brotherhood's year in power that brought about its eventual downfall.
3. Chapter 2 of this report reviews the Egyptian presidential election campaign of 2012 and discusses the various presidential candidates, their campaign policies and performance during the election campaign. The review analyses Mohamed Morsi's campaign, the establishment of the Freedom and Justice Party and the manner and influence of the Muslim Brotherhood in propelling Morsi to success in the ballots.
4. Chapter 3 discusses the key decisions taken by the Morsi government

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<sup>1</sup> "The History of the Muslim Brotherhood", 9 Bedford Row, 2 April 2015.



including the notorious decree of 21 November 2012 and its consequences, as well as the controversial new constitution, which passed a nationwide referendum and was signed into law on 26 December 2012. The chapter reviews the influence of the Muslim Brotherhood in key decisions made by Morsi during his presidency and looks at the appointment of key cabinet members and local governors affiliated with the Muslim Brotherhood that led to the suppression of a wide range of civil rights and freedoms.

5. Chapter 4 goes on to examine the consequences of the government's actions and the public protests that resulted in its eventual downfall followed by a brief discussion of the impact and legacy of the Muslim Brotherhood's rule on Egypt in Chapter 5.

## 1.2 Methodology

6. This report was wholly produced using open-source materials, drawing heavily on news reports and other public sources. Where reference is made to sources freely available on-line, hyperlinks have been inserted for ease of reference.
7. Further information as to the purpose and objective of these reports, as well as a glossary of terms is provided in the first report.



## CHAPTER 2

**Mohamed Morsi:**

**An Unlikely Presidential Candidate**

**(Build-Up to 2012 Elections)**



## 2.1 Introduction

*“We can see how the dream of the Islamic Caliphate is being realized, Allah willing, by Dr. Mohamed Morsi and his brothers, his supporters, and his political party. We can see how the great dream, shared by us all - that of the United States of the Arabs [...].”*

8. This was the address used to launch Mohamed Morsi’s presidential campaign<sup>2</sup> at a rally aired on al-Nas TV on May 1, 2012. The Muslim Brotherhood’s intention to oversee an Islamist government was undoubtedly clear from the outset. However, in the following six weeks Morsi with the support and efforts of the Muslim Brotherhood sought to run a voter-friendly campaign, reinventing itself as the sole defender of democratic values and equality rights. Having re-shaped its policies at every opportune moment, Mohamed Morsi was declared as the surprise winner of Egypt’s presidential election on 24 June 2012.

## 2.2 The founding of the Freedom and Justice Party

9. Prior to 2011, the Muslim Brotherhood was technically barred from entering any parliamentary elections as an Islamist political party.<sup>3</sup> However, the group had been trying to get a foothold in Egypt’s

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<sup>2</sup> “Egyptian Cleric Safwat Higazi Launches MB Candidate Mohamed Morsi’s Campaign: Morsi Will Restore the “United States of the Arabs” with Jerusalem as Its Capital”, Memri, 1 May 2012.

<sup>3</sup> See for example Kienie, E., “A Grand Delusion: Democracy and Economic Reform in Egypt”, I. B. Tauris (2001), page 57.



political arena for decades.<sup>4</sup>

10. Under the regime of former President Hosni Mubarak, the Muslim Brotherhood was, for the most part, permitted to participate in the political arena without an official legal status.<sup>5</sup> As a result, the group began to field candidates, running as independents, in the 1984 Egyptian parliamentary elections.<sup>6</sup> The Muslim Brotherhood had secured its largest electoral victory in 2005 when it won 88 of the 454 seats in the People's Assembly, Egypt's parliamentary house.<sup>7</sup> Although the group's 150 candidates officially ran as independents, their affiliation to the Muslim Brotherhood was openly advocated.<sup>8</sup>

11. The Muslim Brotherhood had considered launching a political party in 1996<sup>9</sup> and then again in 2007,<sup>10</sup> but no tangible steps were taken until June 2011 when the Hurreyah wa' Adala, translated as the Freedom and Justice Party was officially established (hereinafter "FJP").<sup>11</sup> Although the registration of political parties with a religious identity was still banned, the Muslim Brotherhood was able to register the FJP

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<sup>4</sup> "Freedom and Justice Party", Ahram Online, 3 December 2011.

<sup>5</sup> "Freedom and Justice Party", Ahram Online, 3 December 2011.

<sup>6</sup> Carnegie Endowment for International Peace, "Egypt Elections: Freedom and Justice Party", Cairo Review of Global Affairs, 24 November 2011.

<sup>7</sup> Traub, J., "Islamic Democrats?", New York Times, 29 April 2007.

<sup>8</sup> Otterman, S., "Muslim Brotherhood and Egypt's Parliamentary Election", Council on Foreign Relations, 1 December 2005.

<sup>9</sup> "Freedom and Justice (Hurreyah we Adala) Party", Egypt Electionnaire.

<sup>10</sup> Michael, M., "Egypt's Brotherhood party details platform akin to that of Iran", The Boston Globe, 11 October 2007.

<sup>11</sup> "Freedom and Justice Party", Ahram Online, 3 December 2011. See also, "Without Borders – thoughts on establishing the Muslim Brotherhood's political party", Al-Jazeera, uploaded on YouTube on 15 August 2007.



by presenting it as a ‘civil party’.<sup>12</sup> FJP was one of several new parties which entered the political arena following the 25 January 2011 revolution.<sup>13</sup>

12. FJP is repeatedly described as the political arm or wing of the Muslim Brotherhood.<sup>14</sup> This close association is also acknowledged by the Muslim Brotherhood itself, with various joint statements issued on the Muslim Brotherhood’s official website.<sup>15</sup> The joint submissions of the Muslim Brotherhood and FJP before the Human Rights Council dated 3 November 2014 admitted that “the Muslim Brotherhood launched a civil political party called the Freedom and Justice Party (FJP) in order to participate in the political democratic processes underway in post revolution Egypt.”<sup>16</sup>

13. Despite this undisputed association between the Muslim Brotherhood and FJP, attempts have been made by the Muslim Brotherhood to portray FJP as a distinct and independent entity. In particular, efforts have been focused on maintaining that FJP is not subservient to the Muslim Brotherhood’s Guidance Council.<sup>17</sup> These steps were

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<sup>12</sup> Carnegie Endowment for International Peace, “Egypt Elections: Freedom and Justice Party”, Cairo Review of Global Affairs, 24 November 2011.

<sup>13</sup> Shukrallah, S., and el-Abbasy, N., “January Revolution generates a new Egyptian political map”, Ahram Online, 4 March 2011.

<sup>14</sup> “Q & A About Freedom and Justice Party”, Freedom and Justice Party. See also, “Engaging With the Freedom and Justice Party: Protecting American National Security Interests in Post-Arab Spring Egypt”, Harvard University Institute of Politics, September 2012.

<sup>15</sup> See for example, “Muslim Brotherhood and Freedom and Justice Party Statement on Egypt’s Presidency”, IkhwanWeb, 1 April 2012.

<sup>16</sup> “Muslim Brotherhood & FJP Report to UN Humans Rights Council”, IkhwanWeb, 5 November 2014.

<sup>17</sup> “Freedom and Justice Party”, Ahram Online, 3 December 2011.



undertaken to minimise concerns from both Egyptian electoral voters and the international community with regard to the 'Islamist' ties of the newly established political party.

14. However, in practice the Muslim Brotherhood and FJP did not act as separate entities and the Guidance Council clearly had some influence over the development and progress of FJP. Members of the Muslim Brotherhood were instructed to vote for FJP candidates and barred from joining any other party other than FJP.<sup>18</sup> Those members which failed to comply with these directions were expelled from the Muslim Brotherhood. This included youth members of the Muslim Brotherhood who were expelled from the group following their establishment of their own party entitled *Hizb al-Tayyar al-Masri*, translated as Egyptian Current Party.<sup>19</sup>

15. The Muslim Brotherhood's Shura Council<sup>20</sup> also had a direct involvement in the selection of FJP's leadership. It appointed Mohamed Morsi, Essam el-Erian and Saad el-Katatni as FJP's president, vice-president and secretary-general respectively.<sup>21</sup> At the time, all three men were members of the Muslim Brotherhood's Guidance Council – the movement's highest leadership and

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<sup>18</sup> "Freedom and Justice Party", Ahram Online, 3 December 2011.

<sup>19</sup> Carnegie Endowment for International Peace, "Egypt Elections: Freedom and Justice Party", Cairo Review of Global Affairs, 24 November 2011.

<sup>20</sup> For breakdown of the Muslim Brotherhood's leadership structure see "The History of the Muslim Brotherhood", 9 Bedford Row, 2 April 2015, para. 128.

<sup>21</sup> El-Hennaway, N., "Egypt's Muslim Brotherhood selects hawkish leaders", Egypt Independent, 30 April 2011.



administration body.<sup>22</sup>

16. Although the Muslim Brotherhood's Shura Council required Morsi, el-Erian and el-Katatni to relinquish their positions in the Guidance Council, observers were not convinced of the reality of FJP's autonomy.<sup>23</sup> In particular, whilst announcing the appointment of FJP's new leadership, the Muslim Brotherhood confirmed the coordination between FJP and the Muslim Brotherhood with el-Erian publically announcing that, "[a]ny party that ignores the coordination with the Muslim Brotherhood, given its historical role and geographical expansion, threatens its own chances."<sup>24</sup> Youth members of the Muslim Brotherhood were also convinced of the Shura Council's active involvement in deciding on FJP's platform and bylaws.<sup>25</sup> However, any attempt of dissent from decisions of the Shura Council were swiftly dismissed, with el-Erian confirming that youth members were only appreciated "in the contexts of the organisation and not outside of it",<sup>26</sup> in spite of their efforts during the revolution.

17. Although described as a 'civil' party, the Muslim Brotherhood's stronghold over FJP meant that the latter was nothing more than an Islamist political party.

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<sup>22</sup> El-Hennaway, N., "Egypt's Muslim Brotherhood selects hawkish leaders", Egypt Independent, 30 April 2011.

<sup>23</sup> El-Hennaway, N., "Egypt's Muslim Brotherhood selects hawkish leaders", Egypt Independent, 30 April 2011.

<sup>24</sup> El-Hennaway, N., "Egypt's Muslim Brotherhood selects hawkish leaders", Egypt Independent, 30 April 2011.

<sup>25</sup> El-Hennaway, N., "Egypt's Muslim Brotherhood selects hawkish leaders", Egypt Independent, 30 April 2011.

<sup>26</sup> Hamid, S., "Brother President", Cairo Review of Global Affairs, 2012.



## 2.3 Selecting a Presidential candidate

### 2.3.1 Breach of promise

18. On 21 January 2012, it was announced that FJP, leading the Democratic Alliance for Egypt, had won 235 of the 498 available seats in the People's Assembly election.<sup>27</sup> However, in accordance with the Egyptian Constitution,<sup>28</sup> the FJP's win did not automatically guarantee that it would take office, as it is the President of Egypt that appoints both the Prime Minister and Council of Ministers.<sup>29</sup>

19. The attention of the Muslim Brotherhood therefore turned to the presidential election. However, before it could select a candidate the group had to first deal with the fact it had repeatedly stated it would not endorse an FJP presidential candidate.<sup>30</sup> The Muslim Brotherhood's Shura Council announced this position on 10 February 2011 and 29 April 2011,<sup>31</sup> fearing that a premature rush to the polls would threaten the Islamist organisation as it had done in other states during the Arab Spring.<sup>32</sup> It was as part of this policy that Abdel Moneim Aboul-Fotouh, a prominent Muslim Brotherhood member, was expelled for

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<sup>27</sup> "Egypt's Islamist parties win elections to parliament", BBC, 21 January 2012. <http://www.bbc.com/news/world-middle-east-16665748>.

<sup>28</sup> See Article 141 of the Egyptian Constitution 1971 (as amended 2007); and Article 139 of the Egyptian Constitution 2012 (notably the 1971 constitution was annulled while the 2012 was later suspended).

<sup>29</sup> "Legal Research Guide: Egypt", Law Library of Congress.

<sup>30</sup> Awad, M., and el-Madany, S., "In U-turn, Egypt's Brotherhood names presidential candidate", Reuters, 31 March 2012.

<sup>31</sup> Tadros, M., "The Muslim Brotherhood in Contemporary Egypt: Democracy Redefined or Confined?", Routledge (2012), page 64.

<sup>32</sup> Hamid, S., "Brother President", Cairo Review of Global Affairs, 2012.



indicating that he would run for presidency in spite of the group's pledge.<sup>33</sup>

20. In a statement dated 31 March 2012, two months after the results of the People's Assembly election, the Muslim Brotherhood and FJP issued a joint statement citing various reasons for its complete change in position. The statement referred to a "very real and imminent threat to the revolution" and that after some deliberation the Muslim Brotherhood's Shura Council had decided to, "field a candidate for the presidency, and it hereby authorize[d] the Guidance Bureau in coordination with the Executive Office of the FJP to take all the executive and follow-up actions as necessary."<sup>34</sup>

21. The Muslim Brotherhood went to great extremes to assert its "selfless pursuit of the sublime goals" and assure the "noble people that the Brotherhood does not seek power in order to obtain high office or to achieve private gains or prestige, but certainly seek to achieve the purpose for which it was founded and for which it worked for many years [...]."<sup>35</sup> This remark was made in the same FJP-Muslim Brotherhood joint statement, with the political party making no efforts to disassociate itself from the Muslim Brotherhood's long-held goals and aspirations.

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<sup>33</sup> Awad, M. and el-Madany, S., "In U-turn, Egypt's Brotherhood names presidential candidate", Reuters, 31 March 2012.

<sup>34</sup> "Muslim Brotherhood and Freedom and Justice Party Statement on Egypt's Presidency", IkhwanWeb, 1 April 2012.

<sup>35</sup> "Muslim Brotherhood and Freedom and Justice Party Statement on Egypt's Presidency", IkhwanWeb, 1 April 2012.



22. Nonetheless, the joint efforts of the Muslim Brotherhood and the FJP caused observers to remark that the Muslim Brotherhood's "reversal of its oft-repeated pledge not to run a presidential candidate also suggests that it cannot be trusted if it decides there is an advantage to be won."<sup>36</sup>

### 2.3.2 *First choice for presidency*

23. On the same day as issuing the joint statement, the Muslim Brotherhood and FJP announced its presidential candidate. Rather than opting for Mohamed Morsi, President of FJP, the Muslim Brotherhood's General Guide announced Khairat el-Shater as its presidential candidate.<sup>37</sup> The FJP also announced that "[t]he parliamentary bloc of the FJP will nominate Khairat al-Shater as a candidate for the presidency."<sup>38</sup>

24. As Deputy General Guide of the Muslim Brotherhood,<sup>39</sup> el-Shater is reputed to be the group's chief whip and one of the group's key financiers,<sup>40</sup> as well as being linked to the financing of other militant

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<sup>36</sup> Trager, E., "Egypt's Muslim Brotherhood Pursues a Political Monopoly", The Washington Institute, 4 April 2012.

<sup>37</sup> "Egypt's Muslim Brotherhood names Khairat al-Shater as presidential candidate", Al Arabiya, 31 March 2012.

<sup>38</sup> "Egypt's Muslim Brotherhood names Khairat al-Shater as presidential candidate", Al Arabiya, 31 March 2012.

<sup>39</sup> For further information on Khairat Shater see "The History of the Muslim Brotherhood", 9 Bedford Row, 2 April 2015.

<sup>40</sup> "Egypt's Muslim Brotherhood names Khairat al-Shater as presidential candidate", Al Arabiya, 31 March 2012.



Islamist groups.<sup>41</sup>

25. Described as the “Ironman of the Muslim Brotherhood”,<sup>42</sup> el-Shater had proved himself to be wholeheartedly committed to Hassan al-Banna’s initial cause, which formed the foundation for the creation of the Muslim Brotherhood.<sup>43</sup> In a speech on 21 April 2011, el-Shater reiterated the teachings of Hassan al-Banna and the need to follow,

“a number of stages or secondary objectives which, after their completion, will eventually lead to the achievement of [the] overall mission. Thus [the Muslim Brotherhood has] learned [to start with] building the Muslim individual, the Muslim family, the Muslim society, the Islamic government, the global Islamic State and reaching the status of Ustathiya (eminence).”<sup>44</sup>

26. In particular, el-Shater discussed the Muslim Brotherhood’s efforts to,

“restore Islam in its all-encompassing conception to the lives of people” and warning of systems imported from the West or East and the need to establish political parties which are of a “particular nature within particular limitations; [...] designed and conceived, as manifested by everything from its philosophy

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<sup>41</sup> See also, “The History of the Muslim Brotherhood”, 9 Bedford Row, 2 April 2015, paras 347-348.

<sup>42</sup> “Khairat al-Shater on the rise of the Muslim Brotherhood”, Hudson Institute.

<sup>43</sup> See also, “The History of the Muslim Brotherhood”, 9 Bedford Row, 2 April 2015, chapter 2.

<sup>44</sup> Khairat al-Shater lecture entitled “Features of Nahda: Gains of the Revolution and the Horizons for Developing” at Alexandria, Egypt 21 April 2011. Transcript is reproduced at “Khairat al-Shater on the rise of the Muslim Brotherhood”, Hudson Institute.



to its methods, for the political process."<sup>45</sup>

27. The selection of Khairat el-Shater as the Muslim Brotherhood and FJP's presidential candidate is indicative of the fact that the group wanted a hardline Islamist to steer a post-revolution Egypt. This leads to considerable doubt as to the FJP's democratic aspirations as put forward in its party platform in 2011. Ultimately el-Shater, who was released from prison in 2011, was disqualified from entering the presidential race in accordance with Egyptian electoral law that provides candidates can only run in elections six years after being released or pardoned.<sup>46</sup>

### 2.3.3 *Second choice for presidency*

28. Following the disqualification of Khairat el-Shater's candidacy, the Muslim Brotherhood selected Mohamed Morsi as its presidential candidate for the FJP. This led many to question the Muslim Brotherhood's selection with Morsi described as a believer by inclination and not a leader, in contrast to el-Shater's depiction as a tough, charismatic businessman.<sup>47</sup> Whilst many acknowledged Morsi as a "competent manager who got things done", it remained unclear as to which other qualities qualified him for the presidency.<sup>48</sup> The media

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<sup>45</sup> Khairat al-Shater lecture entitled "'Features of Nahda: Gains of the Revolution and the Horizons for Developing'" at Alexandria, Egypt 21 April 2011. Transcript is reproduced at "[Khairat al-Shater on the rise of the Muslim Brotherhood](#)", Hudson Institute.

<sup>46</sup> Suleiman, O., "Egypt bars 10 candidates from election", Al Jazeera, 15 April 2012.

<sup>47</sup> Graham, P., "What makes Egypt's Mohamed Morsi tick: Is it a time bomb?", [The Globe and Mail](#), 4 May 2013.

<sup>48</sup> Hamid, S., "Brother President", [Cairo Review of Global Affairs](#), 2012.



repeatedly picked up on Morsi's so-called uninspiring campaign<sup>49</sup> considering him to be a poor stand-in for el-Shater and dubbing him the 'spare tyre'.<sup>50</sup>

29. However, the selection of Morsi was not all that dissimilar to the Muslim Brotherhood's previous appointment of Hassan al-Hudaybi as the General Guide to succeed Hassan al-Banna. Al-Hudaybi was also considered to be a 'weak' leader but one that could be controlled by the hardliners.<sup>51</sup> Similarly, Morsi was considered to be a conservative member<sup>52</sup> of the Muslim Brotherhood who would allow the group to control the political scene from behind. In short, Morsi was considered to be merely a personification of the Muslim Brotherhood, "something very bland and incompetent, but with a beard."<sup>53</sup>

30. Of note is the fact that it was Khairat el-Shater who had plucked Morsi from relative obscurity to join the Muslim Brotherhood's General Guide.<sup>54</sup> In turn, Morsi vowed to carry out the 'renaissance' programme that el-Shater had devised to overhaul Egypt's ministries. Both men did little to dispel the assertions of critics that "[el] Shater and the Muslim Brotherhood would wield the true power in a Morsi

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<sup>49</sup> Weaver, M. et al., "Egypt's historic election – Wednesday 23 May", The Guardian, 23 May 2012.

<sup>50</sup> Weaver, M. et al., "Egypt's historic election – Wednesday 23 May", The Guardian, 23 May 2012.

<sup>51</sup> See also, "The History of the Muslim Brotherhood", 9 Bedford Row, 2 April 2015.

<sup>52</sup> Shehata, S., "Profile of Egypt's New President Mohamed Morsi", Woodrow Wilson Center.

<sup>53</sup> Petrou, M., "Newsmakers 2012: Mohamed Morsi, an unlikely peacemaker", Macleans, 4 December 2012.

<sup>54</sup> Hamid, S., "Brother President", Cairo Review of Global Affairs, 2012.



government.<sup>55</sup> Morsi in turn ensured that he campaigned not as an individual but rather “as an executor of the [Muslim] Brotherhood’s platform.”<sup>56</sup>

31. Furthermore, Morsi was also considered to be an icon of the extremists in the Muslim Brotherhood, “someone who not only pushed the Brotherhood to adopt a more extreme agenda, but advocated for purging those leaders who disagreed with it.”<sup>57</sup> Indeed, the controversial draft party platform adopted by the Muslim Brotherhood in 2007 was drafted and strongly defended by Morsi.<sup>58</sup>

#### **2.4 Mohamed Morsi’s chance of success**

32. Mohamed Morsi was not considered to be a front-runner amongst the other presidential candidates. He had little practical political experience and was not considered to be an established figure.<sup>59</sup> Even after the two-month presidential campaign, Morsi was still considered to be an unfamiliar figure to most Egyptians.<sup>60</sup>

33. In various public opinion polls conducted in the run up to the 2012

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<sup>55</sup> Kirkpatrick, D., “Named Egypt’s Winner, Islamist Makes History”, New York Times, 24 June 2012.

<sup>56</sup> Kirkpatrick, D., “Named Egypt’s Winner, Islamist Makes History”, New York Times, 24 June 2012.

<sup>57</sup> Trager, E., “Meet the Islamist Political Fixer Who Could Be Egypt’s Next President”, New Republic, 27 April 2012.

<sup>58</sup> Kirkpatrick, D., “Named Egypt’s Winner, Islamist Makes History”, New York Times, 24 June 2012.

<sup>59</sup> Smith-Spark, L., “The rise and rapid fall of Egypt’s Mohamed Morsy”, CNN, 4 July 2013.

<sup>60</sup> Kirkpatrick, D., “Named Egypt’s Winner, Islamist Makes History”, New York Times, 24 June 2012.



presidential elections, Morsi was considered to be far behind the other candidates, including Ahmed Shafiq.<sup>61</sup> Ahmed Shafiq was a long-time minister in former President Mubarak's government and was appointed prime minister in the final days of Mubarak's rule.<sup>62</sup> As further discussed below, Shafiq was intrinsically linked to Mubarak and considered an unpopular choice.<sup>63</sup>

34. In contrast, the two front-runners were considered to be Abdel Moneim Aboul-Fotouh and Amr Moussa.<sup>64</sup> Both candidates were invited to a public TV debate as "they were ahead in the polls."<sup>65</sup> The historical four-hour long debate was held on 10 May 2012 and viewed by millions both in Egypt and abroad.<sup>66</sup>

35. Amr Moussa was considered by many to be the only candidate capable of unifying Egypt following the revolution.<sup>67</sup> As a former Foreign Minister (1991-2001) and former Secretary-General of the Arab League (2001-2011), Moussa was considered to be strong contender who, unlike Morsi, was a popular figure with the necessary political

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<sup>61</sup> See for example, Telhami, S., "What Do Egyptians Want? Key Findings from the Egyptian Public Opinion Poll", Brookings Institute, 21 May 2012.

<sup>62</sup> Fathi, Y., "Ahmed Shafiq", Ahram Online, 2 April 2012.

<sup>63</sup> Fathi, Y., "Ahmed Shafiq", Ahram Online, 2 April 2012.

<sup>64</sup> Telhami, S., "What Do Egyptians Want? Key Findings from the Egyptian Public Opinion Poll", Brookings Institute, 21 May 2012.

<sup>65</sup> Perry, T. and Zayed, D., "Egypt rivals trade barbs in historic debate", Reuters, 10 March 2012.

<sup>66</sup> "Egyptian expatriates vote in presidential election", BBC, 11 May 2012. See also, Al-Amin, E., "Egypt's Presidential Election: The U.S. Pushes for Amr Moussa", International Policy Digest, 22 May 2012.

<sup>67</sup> Khalaf, R. and Saleh, H., "Egypt candidate faces confused electoral map", Financial Times, 4 May 2012.



experience.<sup>68</sup> Moussa was also a known character on the international platform and had the support of the international community, including much-needed support from the US.<sup>69</sup> Such support came in part due to Moussa's secular position which was viewed as the only effective counterweight to the influence of Islamists who dominated the new parliament.<sup>70</sup>

36. In contrast, Abdel Moneim Aboul-Fotouh was a charismatic and popular Islamist who gained a widespread following through his brand of moderate, inclusive Islam and liberal politics.<sup>71</sup> Aboul-Fotouh was formally a prominent figure in the Muslim Brotherhood but was forced out of the group in 2011 after his insistence to run for presidency despite the group's wishes.<sup>72</sup> At the time, Mohamed Morsi was a key player in mobilizing the Muslim Brotherhood to remove Aboul-Fotouh.<sup>73</sup> However, Aboul-Fotouh played on the former support he had amongst grassroots Islamists and youth members of the Muslim Brotherhood and subsequently emerged as a significant challenge to the group.<sup>74</sup> In turn, he was considered a more agreeable Islamist candidate than Morsi.

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<sup>68</sup> Maher, H., "Amr Moussa", *Ahram Online*, 2 April 2012.

<sup>69</sup> Al-Amin, E., "Egypt's Presidential Election: The U.S. Pushes for Amr Moussa", *International Policy Digest*, 22 May 2012.

<sup>70</sup> Knell, Y., "Egypt candidate: Veteran diplomat, Amr Moussa", *BBC*, 10 March 2012.

<sup>71</sup> Mabrouk, M., "Egypt's Difficult Choice: The First Round Is Over, Now Comes the Hard Part", *Brookings Institute*, 29 May 2012.

<sup>72</sup> Hamid, S., "Brother President", *Cairo Review of Global Affairs*, 2012.

<sup>73</sup> Trager, E., "Meet the Islamist Political Fixer Who Could Be Egypt's Next President", *New Republic*, 27 April 2012.

<sup>74</sup> Hamid, S., "Brother President", *Cairo Review of Global Affairs*, 2012. See also Knell, Y., "Egypt candidate: Moderate Islamist, Abdul Moneim Aboul Fotouh", *BBC*, 13 April 2012.



## 2.5 Reasons for Mohamed Morsi's presidential victory

### 2.5.1 First-round voting

37. On 29 May 2012, Egypt's Supreme Presidential Electoral Committee confirmed Mohamed Morsi and Ahmed Shafiq as the final presidential candidates having won the first round of the presidential elections.<sup>75</sup>

The official figures revealed the breakdown as follows:<sup>76</sup>

Candidate name	Total number of votes	Percentage of valid ballots
Mohamed Morsi al-Ayyat (Mohamed Morsi)	5,764,952	24.77%
Ahmad Mohamed Shafiq Zaki (Ahmad Shafiq)	5,505,327	23.66%
Hamdeen Sabahi	4,820,273	20.72%
Abdel Moniem Aboul-Fotouh	4,065,239	17.47%
Amr Moussa	2,588,850	11.13%
All other candidates	520,875	2.25%

38. The results were a shock to many not least because neither of the two popular candidates made an appearance in the top two slots.<sup>77</sup>

<sup>75</sup> Black, I. and Hussein, A., "Egypt confirms Mohammed Morsi and Ahmed Shafiq in election runoff", The Guardian, 29 May 2012.

<sup>76</sup> "Egyptian Presidential Elections", Arab Center for Research and Policy Studies, 28 August 2012.

<sup>77</sup> "Egyptian Presidential Elections", Arab Center for Research and Policy Studies, 28 August 2012.



39. The TV debate between Moussa and Aboul-Fotouh has been described as the cause of the downfall of both leading contenders. Moussa was reflected as being arrogant and elitist whilst Aboul-Fotouh came across as significantly more Islamist than he had in prior campaign appearances.<sup>78</sup>

40. Following the TV debate, undecided voters leaning toward either Moussa or Aboul-Fotouh in opinion polls were dissuaded from voting for either candidate.<sup>79</sup> For Aboul-Fotouh in particular, liberal voters previously minded to vote for him were alarmed by his Salafist-backing even though on polling day, the Salafists failed to cast their vote for him.<sup>80</sup>

41. Others have described the confused electoral map as being a force behind the victory of Morsi and Shafiq.<sup>81</sup> Although voters had thirteen candidates to elect from, voters could only really choose between an Islamist candidate, or a former-regime prospect.<sup>82</sup> Even the popular Amr Moussa had distinct ties to the former regime.<sup>83</sup> As a result, Egyptian voters were able to flit between the two categories.

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<sup>78</sup> Mabrouk, M., "Egypt's Difficult Choice: The First Round Is Over, Now Comes the Hard Part", Brookings Institute, 29 May 2012.

<sup>79</sup> Mabrouk, M., "Egypt's Difficult Choice: The First Round Is Over, Now Comes the Hard Part", Brookings Institute, 29 May 2012.

<sup>80</sup> Mabrouk, M., "Egypt's Difficult Choice: The First Round Is Over, Now Comes the Hard Part", Brookings Institute, 29 May 2012.

<sup>81</sup> Khalaf, R. and Saleh, H., "Egypt candidate faces confused electoral map", Financial Times, 4 May 2012.

<sup>82</sup> Khalaf, R. and Saleh, H., "Egypt candidate faces confused electoral map", Financial Times, 4 May 2012.

<sup>83</sup> Knell, Y., "Egypt candidate: Veteran diplomat, Amr Moussa", BBC, 10 March 2012.



42. Allegations of election fraud during the first round of voting have also been raised leading some to doubt the accuracy of the results. In particular, lawyers for Hamadan Sabahi, one of the 13 candidates, submitted an appeal to the Supreme Presidential Electoral Committee alleging electoral fraud, citing a serious of voting irregularities.<sup>84</sup> A similar appeal was lodged before the Committee, by Aboul-Fotouh and Moussa with both separately calling for an investigation into alleged voting fraud.<sup>85</sup> In particular, the Muslim Brotherhood was accused of bribing voters in poor and rural districts under the guise of charitable donations.<sup>86</sup>

43. However, all appeals were dismissed by the Committee, as it had already released the confirmed results and declared a presidential election run-off between Morsi and Shafiq.<sup>87</sup> In accordance with Egyptian electoral law, the Committee's findings could not be appealed.<sup>88</sup>

44. Ultimately, the result of the first round vote was due to the type and

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<sup>84</sup> El-Sadany, M., "Egypt Presidential Election Results: LIVE", MIC, 28 May 2012. See also, Mabrouk, M., "Egypt's Difficult Choice: The First Round Is Over, Now Comes the Hard Part", Brookings Institute, 29 May 2012.

<sup>85</sup> "Sabbahi, Moussa seek election suspension, citing voting irregularities", Egypt Independent, 26 May 2012. See also, Mabrouk, M., "Egypt's Difficult Choice: The First Round Is Over, Now Comes the Hard Part", Brookings Institute, 29 May 2012.

<sup>86</sup> Abou-Bakr, A., "Mohamed Morsi, the Muslim Brotherhood, and Why the Revolution Continues", E-International Relations, 23 August 2012.

<sup>87</sup> Mabrouk, M., "Egypt's Difficult Choice: The First Round Is Over, Now Comes the Hard Part", Brookings Institute, 29 May 2012.

<sup>88</sup> Mabrouk, M., "Egypt's Difficult Choice: The First Round Is Over, Now Comes the Hard Part", Brookings Institute, 29 May 2012.



number of the voter turnout. Morsi and Shafiq were the only two candidates out of the thirteen to enjoy “countrywide support”, with Morsi having access to the Muslim Brotherhood vote and Shafiq the National Democratic Party support.<sup>89</sup>

45. In particular, the Muslim Brotherhood was a sizeable organisation with over 80 years experience as a political force and a tightly managed network of leaders able to secure both support and funds.<sup>90</sup> In contrast, the remaining candidates were new, highly disorganized, decentralized and had little financial backing.<sup>91</sup>

46. With no pre-existing support group, the 11 candidates had to share the remaining voting pool. It has been observed that even with the Muslim Brotherhood’s “extraordinary mobilization tactics and overwhelming voter outreach network [...] [the Muslim Brotherhood/FJP] gained less than half the votes they had won during the Parliamentary elections a mere six months ago.”<sup>92</sup>

47. The Muslim Brotherhood therefore had a substantial advantage over the remaining candidates and sought to profit from the upheaval facing their opponents.

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<sup>89</sup> “Egyptian Presidential Elections”, Arab Center for Research and Policy Studies, 28 August 2012.

<sup>90</sup> Abou-Bakr, A., “Mohamed Morsi, the Muslim Brotherhood, and Why the Revolution Continues”, E-International Relations, 23 August 2012.

<sup>91</sup> Abou-Bakr, A., “Mohamed Morsi, the Muslim Brotherhood, and Why the Revolution Continues”, E-International Relations, 23 August 2012.

<sup>92</sup> Mabrouk, M., “Egypt’s Difficult Choice: The First Round Is Over, Now Comes the Hard Part”, Brookings Institute, 29 May 2012.



### 2.5.2 *Second-round voting*

48. Following the 2011 revolution, the electoral voters were eager to see a change being implemented in Egypt's governance. However, for many the results of the first-round provided them with little choice or chance for change.<sup>93</sup> Bearing in mind that over 50% of voters in the first-round had not voted for either Morsi or Shafiq, voters were now faced with what has been described as the "worst possible outcome of the elections."<sup>94</sup>

49. Voters inevitably felt 'boxed-in' and facing a very difficult choice - in order to prevent the continuation of the previous regime's ideals with Shafiq, they would need to vote for the more radical Morsi of the Muslim Brotherhood.<sup>95</sup> Consequently, Morsi secured support from voters who feared a return of the former regime.

50. The Muslim Brotherhood took advantage of this position and relied on presenting Ahmed Shafiq as a convincing enemy.<sup>96</sup> Given that the second-round vote was scheduled for 16 to 17 June 2012, the Muslim Brotherhood was able to use the verdict against the former President Mubarak issued on 2 June 2012 to strengthen Shafiq's ties to the former

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<sup>93</sup> Bokern, F., "Egypt's Hard Choice", *Arab-West Report*, 15 June 2012.

<sup>94</sup> Ottaway, M., "Egypt Elections: Setback for the Transition", *Carnegie*, 27 May 2012.

<sup>95</sup> Prowse, A., "Elections the start of Egypt's democracy", *Nouse*, 21 June 2012.

<sup>96</sup> Hamid, S., "Brother President", *Cairo Review of Global Affairs*, 2012.



regime.<sup>97</sup> Even during the run-up to the verdict, the Muslim Brotherhood was able to play on voters' fears of a return to the pre-revolution Egypt.

51. Morsi was therefore able to ensure he would gain the Islamist vote as the only remaining Islamist candidate,<sup>98</sup> and secure the secular vote from those adamant in preventing a return to the former regime.<sup>99</sup>

52. The Muslim Brotherhood propaganda machine also played up the group's role in the January 2011 revolution with Morsi casting himself as "defender of the Egyptian revolution",<sup>100</sup> and the "only candidate which can save the revolution."<sup>101</sup> This rhetoric was employed despite the fact that the Muslim Brotherhood did not initially embrace the revolution.

53. The evidence shows that before the protests on 25 January 2011, the Muslim Brotherhood announced that it would not be taking part in the challenge to the Mubarak presidency and the leadership of the group

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<sup>97</sup> Al-Labbad, M. and al-Saeed, F., "Predicting Egypt's Runoff Elections", *Al-Monitor*, 29 May 2012.

<sup>98</sup> "Egypt's presidential elections: a choice between a feloul- or ikhwan-regime?", *Din wa dawla*, 11 June 2012.

<sup>99</sup> "Egyptian Presidential Elections", Arab Center for Research and Policy Studies, 28 August 2012.

<sup>100</sup> "The program of Mohammed Morsi: economic development in an Islamic democracy", *Din wa dawla*, 21 June 2012. See also for example, Alianak, S., "The Transition Towards Revolution and Reform: The Arab Spring Realised?", Edinburgh University Press (2014), page 86.

<sup>101</sup> "Egypt's presidential elections: a choice between a feloul- or ikhwan-regime?", *Din wa dawla*, 11 June 2012.



stood back as the revolution unfolded.<sup>102</sup> Once it saw the protests gain traction, the Muslim Brotherhood decided to join, in spite of criticism for its initial hesitance.<sup>103</sup> Although it played a relatively limited role in the 25 January 2011 revolution, it was its “biggest beneficiary by far.”<sup>104</sup>

54. As mentioned earlier, up until March 2012, the Muslim Brotherhood was insistent that it would not field a presidential candidate. This decision was reversed when it became apparent that a presidential win would mean that it would dominate both the executive and legislative arms of the government.<sup>105</sup>

55. These tendencies were also exposed during the parliamentary elections. Shortly after the ousting of former President Mubarak in February 2011, the FJP and the Muslim Brotherhood attempted to allay secularist fears of an Islamist takeover by appearing to adopt a cooperative political approach and tempering its pursuit of power.<sup>106</sup>

56. In doing so, the Muslim Brotherhood asserted that it would not seek to dominate Parliament with Mohamed Morsi stating that the FJP “do not seek a monopoly on power, nor do we wish to control the

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<sup>102</sup> Shenker, J., “Egypt protesters play down Islamist party's role”, The Guardian, 31 January 2011.

<sup>103</sup> “Freedom and Justice Party”, Ahram Online, 3 December 2011.

<sup>104</sup> Goodenough, P., “Clinton Avoids Criticizing Decision of Egypt’s Muslim Brotherhood to Run for Presidency”, CNS News, 2 April 2012.

<sup>105</sup> Goodenough, P., “Clinton Avoids Criticizing Decision of Egypt’s Muslim Brotherhood to Run for Presidency”, CNS News, 2 April 2012.

<sup>106</sup> Trager, E., “Egypt’s Muslim Brotherhood Pursues a Political Monopoly”, Washington Institute, 4 April 2012.



parliament.<sup>107</sup> As part of its efforts, the Muslim Brotherhood and FJP stated it would not compete for more than 50% of parliamentary seats available.<sup>108</sup> Subsequently, in June 2011, the FJP assisted in the creation of the National Democratic Alliance for Egypt, which at its height consisted of 43 parties, including secular groups.<sup>109</sup>

57. However, by October 2011, the Muslim Brotherhood insisted that 40% of the Democratic Alliance's parliamentary candidates come from within its own ranks, thereby reportedly catalysing the defection of thirty parties.<sup>110</sup> Shortly thereafter, the FJP presented more than 500 candidates thereby contesting over 70% of available parliamentary seats.<sup>111</sup>

58. Apparently, the Muslim Brotherhood's assurance that it did not seek to monopolise parliament was nothing more than a façade. Following its parliamentary election win, in a reversal of its pledge, the Muslim Brotherhood went on to appoint Muslim Brotherhood-aligned chairs to fourteen of nineteen parliamentary committees.<sup>112</sup> In doing so, the Muslim Brotherhood was able to dominate the legislatively appointed Constituent Assembly, tasked with drafting Egypt's new constitution.

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<sup>107</sup> Trager, E., "Egypt's Muslim Brotherhood Pursues a Political Monopoly", Washington Institute, 4 April 2012.

<sup>108</sup> "Freedom and Justice Party", Ahram Online, 3 December 2011.

<sup>109</sup> "Democratic Alliance (Freedom and Justice)", Ahram Online, 18 November 2011.

<sup>110</sup> Trager, E., "Egypt's Muslim Brotherhood Pursues a Political Monopoly", Washington Institute, 4 April 2012.

<sup>111</sup> "Democratic Alliance (Freedom and Justice)", Ahram Online, 18 November 2011.

<sup>112</sup> Trager, E., "Egypt's Muslim Brotherhood Pursues a Political Monopoly", Washington Institute, 4 April 2012.



Saad al-Katatni, at the time FJP's Secretary-General,<sup>113</sup> was named as chairman of the assembly which was composed of 65 Islamist members (27 from the Muslim Brotherhood); 16 secularist seats; 5 Christian seats and 6 seats for women. By the time the Assembly's first session took place on 28 March 2012, 25 members had resigned with representatives from the Coptic Orthodox Church resigning shortly thereafter.<sup>114</sup> Having got into power, the Muslim Brotherhood made no effort to keep its promise and ensure that the drafting of the Constitution was a collaborative effort.<sup>115</sup>

59. The Muslim Brotherhood's attitude during the parliamentary process reveals a strategy of attempting to conceal its true objectives in order to gain enough support to propel Morsi to presidency. The Muslim Brotherhood undertook the same process in relation to its political agenda, distorting the true intentions of its political platform to appease the concerns of secular and Christian sects.

60. In its 2011 election programme, FJP made brief mention to "equality between women and men in rights and duties" and the need to promote women's "active participation in elections and membership of

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<sup>113</sup> Saad al-Katatni subsequently replaced Mohamed Morsi as President of FJP in October 2012 see for example, "BREAKING: Egypt's El-Katatni becomes new head of Muslim Brotherhood's FJP", Ahram Online, 19 October 2012.

<sup>114</sup> Trager, E., "Egypt's Muslim Brotherhood Pursues a Political Monopoly", Washington Institute, 4 April 2012.

<sup>115</sup> Trager, E., "Egypt's Muslim Brotherhood Pursues a Political Monopoly", Washington Institute, 4 April 2012.



the elected legislative and local councils.<sup>116</sup> The FJP even went on to assert its support for women's "demands for fundamental free and dignified life fit for their human and social status."<sup>117</sup>

61. Such assertions came out as a surprise. Actually, they were inconsistent with the FJP platform. The Muslim Brotherhood itself does not allow women to participate in internal voting and in practice neither the Muslim Brotherhood nor the FJP have female leaders.<sup>118</sup> Muslim Brotherhood and FJP officials have also both indicated that they would not support a female presidential candidate.<sup>119</sup> Notably, in its draft party platform distributed in 2007, the Muslim Brotherhood clearly excluded women from senior positions in the state.<sup>120</sup> Having drafted the 2007 platform,<sup>121</sup> Morsi staunchly defended it, advocating, "Islam required the president to be a male Muslim, in part because the head of state should promote the faith."<sup>122</sup>

62. In the same 2007 draft platform, the Muslim Brotherhood had also excluded non-Muslims from running for President and proposed the

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<sup>116</sup> "FJP 2011 Program on Human Development", Freedom and Justice Party, 4 December 2011. FJP's full 2011 party platform available [here](#).

<sup>117</sup> "FJP 2011 Program on Human Development", Freedom and Justice Party, 4 December 2011. FJP's full 2011 party platform available [here](#).

<sup>118</sup> "Freedom and Justice Party", Ahram Online, 3 December 2011.

<sup>119</sup> "Freedom and Justice Party", Ahram Online, 3 December 2011.

<sup>120</sup> Brown, N. and Hamzawy, A., "The Draft Party Platform of the Egyptian Muslim Brotherhood: Foray Into Political Integration or Retreat Into Old Positions?", Carnegie, January 2008. See also, "The History of the Muslim Brotherhood", 9 Bedford Row, 2 April 2015., paras 174 and 376.

<sup>121</sup> Fisher, K. and Stewart, R., "Transitional Justice and the Arab Spring", Routledge (2014), page 140.

<sup>122</sup> Kirkpatrick, D., "Named Egypt's Winner, Islamist Makes History", New York Times, 24 June 2012.



creation of a clerical committee tasked with reviewing legislation for compliance with Islamic law.<sup>123</sup> This was consistent with the Muslim Brotherhood's hostile approach towards Coptic Christians.<sup>124</sup> Even in 2012, the FJP used heavy tactics to isolate the Christian members ultimately leading to their resignation from the Constituent Assembly.<sup>125</sup>

63. Yet, in stark contrast, FJP's 2011 electorate programme promised to "realise full civil rights for the brothers Copts and full legal equality for them as Egyptian citizens."<sup>126</sup> In doing so, the Muslim Brotherhood sought to alleviate the concerns of the Coptic sect and played on their fear of further discrimination after the revolution.<sup>127</sup>

64. In the run-up to the second-round vote, it became clear that the Muslim Brotherhood and FJP would need to fight hard to alleviate concerns of minorities. In light of this, Morsi adopted the new slogan "Our power in our unity" as part of his electoral campaign and issued promises of electing a Christian vice-president in the event of victory.<sup>128</sup>

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<sup>123</sup> Carnegie Endowment for International Peace, "Egypt Elections: Freedom and Justice Party", Cairo Review of Global Affairs, 24 November 2011.

<sup>124</sup> See also, "The History of the Muslim Brotherhood", 9 Bedford Row, 2 April 2015, paras 174 and 324.

<sup>125</sup> Karon, T., "Why the U.S. May Be Secretly Cheering a Muslim Brotherhood Run For Egypt's Presidency", Time, 4 April 2012.

<sup>126</sup> "The program of Mohammed Morsi: economic development in an Islamic democracy", Din wa dawla, 21 June 2012.

<sup>127</sup> "Egypt's presidential elections: a choice between a feloul- or ikhwan-regime?", Din wa dawla, 11 June 2012.

<sup>128</sup> Ultimately, Morsi failed to elect a Christian Vice-President, see Armanious, M., "Egypt: Morsi Engineering a Train Wreck", Gatestone Institute, 6 December 2012.



65. However, reports of Muslim Brotherhood-led violence targeting Christians were rife, with allegations that Christians were being prevented to vote at gunpoint.<sup>129</sup> Despite Morsi's apparently inclusive election campaign, this violent reality was more aligned to the Muslim Brotherhood's ideological position, which advocates for *jihad* against all non-believers.<sup>130</sup>

66. This reality also extends to the Muslim Brotherhood's position with regard to democracy. Throughout its history, the Muslim Brotherhood has repeatedly distinguished between 'Western democratic values' and 'Muslim Brotherhood democracy'.<sup>131</sup> Despite this, during a CNN television appearance days before the vote, Morsi sought to present a contrary position stating that "[t]here is no such thing called an Islamic democracy. There is democracy only."<sup>132</sup> The strategy of Morsi's campaign became immediately apparent in November 2012 with the new President granting himself absolute power in order to force through a constitution favoured by the Muslim Brotherhood.<sup>133</sup> This is discussed in more depth in Chapter 3.

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<sup>129</sup> "Hizb Al-Tagmea: Brotherhood Prevented Copt From Voting", Ahram Daily, 21 June 2012.  
Note this article is in Arabic.

<sup>130</sup> See also, "The History of the Muslim Brotherhood", 9 Bedford Row, 2 April 2015.

<sup>131</sup> See also, "The History of the Muslim Brotherhood", 9 Bedford Row, 2 April 2015, paras 261-267.

<sup>132</sup> Levs, J., "Islamic presidential candidate promises democracy in Egypt", CNN, 15 June 2012.

<sup>133</sup> "Mohamed Morsi's betrayal of democracy", Washington Post, 13 May 2013.



## 2.6 Conclusion

67. Many viewed the promises for full equality between citizens made by the FJP and the Muslim Brotherhood with suspicion.<sup>134</sup> Those who did not want to vote for Shafiq and did not want an Islamist government ultimately boycotted the second-round vote,<sup>135</sup> deciding to do so immediately after the announcement of the first-round vote.<sup>136</sup> This coincided with calls for a boycott from several quarters including a number of prominent political figures.<sup>137</sup>

68. As a result, official figures have recorded the voter turn-out as 51.85% with Morsi securing 51.73% of the vote against Shafiq's 48.27%.<sup>138</sup> Ultimately, the Muslim Brotherhood's best efforts, against the even more unpopular choice Shafiq, resulted in a marginal victory for Morsi and one which is hard to describe as reflective of the will of the majority of Egyptians.

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<sup>134</sup> "Egypt salutes president: Tahrir goes mad as Morsi addresses the nation", RT, 24 June 2012.

<sup>135</sup> "Egyptian Presidential Elections", Arab Center for Research and Policy Studies, 28 August 2012.

<sup>136</sup> "Egyptian Presidential Elections", Arab Center for Research and Policy Studies, 28 August 2012.

<sup>137</sup> "Egyptian Presidential Elections", Arab Center for Research and Policy Studies, 28 August 2012.

<sup>138</sup> "Egyptian Presidential Elections", Arab Center for Research and Policy Studies, 28 August 2012.



## CHAPTER 3

### **The Muslim Brotherhood In Power:**

### **Key Events Leading To Public**

### **Distrust & Discontent**



### 3.1 Introduction

69. In this chapter we review the presidency of Mohamed Morsi and the Muslim Brotherhood in 2012-2013 and look at the key decisions and events that led to its downfall. At the heart of the conflict was the subversion by his presidency of the authority of the courts and attempts to prevent himself from being subject to the law.

### 3.2 The Muslim Brotherhood in power

#### 3.2.1 *Early indications of Morsi's 'real' political aspirations*

##### 3.2.1.1 *Defiance of the judiciary*

70. Following the election of Morsi as president, the Muslim Brotherhood was keen to assert its newfound authority.

71. As president, Morsi was required to take the oath of office, traditionally taken before parliament. However, the Supreme Constitutional Court had ordered the dissolution of parliament<sup>139</sup> in June 2012.

72. As a result, a constitutional addendum to the March 2011 constitutional declaration, issued by the Supreme Council of the Armed Forces on 17 June 2012, stipulated that the Supreme

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<sup>139</sup> "Egypt: Supreme Constitutional Court Decision Dissolves One-Third of the Parliament", Library of Congress, 18 June 2012.



Constitutional Court would substitute parliament as the body to which the new president would swear the oath.<sup>140</sup> Article 30 of the addendum states, “In the event that parliament is dissolved, the president will be sworn into office before the High Constitutional Court's general assembly.”<sup>141</sup>

73. Morsi refused to accept the addendum, protesting that the earlier decision by the court to dissolve parliament was unlawful (this is discussed further below).

74. In a gesture of defiance<sup>142</sup>, on the eve of his inauguration speech on 29 June 2012, Morsi accordingly ‘swore’ an oath of office in a symbolic ceremony before tens of thousands of supporters<sup>143</sup> in Tahrir Square. This was a calculated ‘show of force’ orchestrated by the Muslim Brotherhood to demonstrate that it (through Morsi) was now in control.

75. Not wishing to further antagonize matters until he was sure he had a proper grip on power, Morsi finally agreed to take the formal presidential oath before the Supreme Constitutional Court<sup>144</sup> the following day, on 30 June 2012. His continued defiance of the

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<sup>140</sup> “Ambiguity overshadows airing of Morsi oath at Constitutional Court”, Ahram Online, 30 June 2012.

<sup>141</sup> “High Court or Tahrir Square: Morsi's presidential oath dilemma”, Ahram Online, 19 June 2012.

<sup>142</sup> Farrington, D., “Egypt's First Civilian President Takes Oath Of Office”, NPR News, 30 June 2012.

<sup>143</sup> Saleh, H., “Morsi promises a new Egypt”, Financial Times, 30 June 2012.

<sup>144</sup> Farrington, D., “Egypt's First Civilian President Takes Oath Of Office”, NPR News, 30 June 2012.



judiciary<sup>145</sup> and constitutional protocol (and fear of being seen to be bowing to pressure thereby appearing weak) was evident, in that it was only after intervention of members of the Supreme Constitutional Court's General Assembly, that Morsi accepted that the oath be televised.<sup>146</sup>

76. Any belief that this represented a concession on Morsi's part was short lived. On 10 July 2012, Morsi reinstated the Islamist-dominated parliament that had previously been disbanded by the Supreme Constitutional Court on the grounds that it was unconstitutional as its membership was too unrepresentative.

77. The court's original ruling was a significant setback for the Muslim Brotherhood's FJP which had just under half of the seats in Parliament. Morsi defied the court's decision<sup>147</sup> and ordered the return of legislators, a majority of whom were members of the FJP and other Islamist groups.

78. The decision to defy the court's ruling and reconvene Parliament raised concerns that Morsi was acting beyond his authority. While at this point Morsi still enjoyed a degree of popular support from the election victory there was a real sense that people were beginning to question his motives, and those of the Muslim Brotherhood.

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<sup>145</sup> "Ambiguity overshadows airing of Morsi oath at Constitutional Court", Ahram Online, 30 June 2012.

<sup>146</sup> "Ambiguity overshadows airing of Morsi oath at Constitutional Court", Ahram Online, 30 June 2012.

<sup>147</sup> "Court overrules Egypt's president on parliament", CNN, 11 July 2012.



79. Yussuf Auf, a judge in the Giza governorate and constitutional scholar, stated that Morsi had exceeded his power by reconvening parliament<sup>148</sup> and that this represented “a severe problem for the rule of law in Egypt”.

80. The Supreme Constitutional Court itself, also firmly rebuked Morsi’s decision to reconvene Parliament<sup>149</sup> and insisted,

“All the rulings and decisions of the Supreme Constitutional Court are final and not subject to appeal ... and are binding for all state institutions.”

81. Further defiance of the Egyptian legal system by Morsi also came about when he tried to assume control over the government’s Prosecutor General Abel-Meguid Mahmoud<sup>150</sup> first by dismissing him and thereafter refusing to adhere to the Cairo Court of Appeal’s judgment to reinstate him.

82. The challenge to the Prosecutor-General’s position within the legal system was flawed from the start and Morsi was forced to rescind his original decision when he found that the powers of his office did not permit him to exercise his authority in such a way. To get round the law, Morsi then decreed that the Prosecutor-General could serve in

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<sup>148</sup> “Egypt’s top court rebukes president’s decree”, Al Jazeera, 10 July 2012.

<sup>149</sup> “Egypt’s top court rebukes president’s decree”, Al Jazeera, 10 July 2012.

<sup>150</sup> El-Rashidi, Y., “Egypt: Whose Constitution?”, The New York Review of Books, 3 January 2013.



office only for four years and with immediate effect on Abel-Meguid Mahmoud who had held the post since 2006. Morsi swiftly replaced Mahmoud with Talaat Abdullah,<sup>151</sup> a senior judge with reported Islamic leanings.

83. In December 2012, hundreds of public prosecutors staged a sit-in outside Abdullah's office in Cairo demanding he resign.<sup>152</sup> They complained that his appointment by Morsi was improper and that the Supreme Judicial Council should have been the one to nominate him in order to ensure a separation of powers. Abdullah initially tendered his resignation in the face of the protests but was persuaded by Morsi and Muslim Brotherhood supporters to retract the resignation,<sup>153</sup> which he subsequently did.

84. Morsi's reaction to those who challenged him was immediate and forceful. In an interview on State television,<sup>154</sup> he stated,

"I have sent warnings to many people who know who they are, who may be committing crimes against the homeland...If anybody tries to derail the transition, I will not allow them."

85. In a speech<sup>155</sup> to supporters that revealed his determination to seize

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<sup>151</sup> "Egypt's Morsi grants himself far-reaching powers", CNS News, 22 November 2012.

<sup>152</sup> "Egypt's Chief Prosecutor Retracts His Resignation", New York Times, 20 December 2012.

<sup>153</sup> "Egypt's Chief Prosecutor Retracts His Resignation", New York Times, 20 December 2012.

<sup>154</sup> "Amid Egypt's Duel on Democracy, Morsi Calls for Vote", New York Times, 1 December 2012.

<sup>155</sup> "Amid Egypt's Duel on Democracy, Morsi Calls for Vote", New York Times, 1 December 2012.



control of the government, Morsi's tone was aggressive. He warned,

“To the corrupters who hide under respectable cover, I say, never imagine that I can't see you...I'm on the lookout for them and will never let them go.”

86. Hossam Bahgat, Executive Director of the “Egyptian Initiative for Personal Rights” commented,<sup>156</sup>

“The Muslim Brotherhood has adopted a tone of open threats and intimidation.”

### *3.2.1.2 Morsi reclaims power for the presidency*

87. In mid-June 2012, Morsi won a strategic victory by revoking the constitutional declaration<sup>157</sup> that was issued by the interim military government in March 2011. The declaration was originally designed to restrict the powers of the next president<sup>158</sup> following decades of near-dictatorship under Mubarak.

88. Morsi transferred power back to the presidency<sup>159</sup> - a move his supporters stated demonstrated that he was pursuing democratic

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<sup>156</sup> “Amid Egypt's Duel on Democracy, Morsi Calls for Vote”, New York Times, 1 December 2012.

<sup>157</sup> Constitutional Declaration 2011 (English text).

<sup>158</sup> Brown, N.J. and Stilt, K., “A Haphazard Constitutional Compromise”, Carnegie Endowment for International Peace, 11 April 2011.

<sup>159</sup> “Egypt: Who holds the power?”, BBC News, 3 July 2013.



reform, whilst others were concerned that Morsi was deliberately weakening the position of the army<sup>160</sup> as it was the only real counterbalance to his authority.

89. A new picture was emerging on the political landscape. The army's political influence was now diminished and the path was paved for Morsi (and the Muslim Brotherhood) to consolidate power in Egypt.

### *3.2.1.3 Morsi pardons and releases convicted Islamic extremists*

90. In a sign of things to come, one of the first decisions Morsi made as the president, was to release and pardon a significant number of convicted Islamic extremists.<sup>161</sup>

91. In early August 2012, Egypt's Shura Council, under Morsi's direction, took steps to release Islamist convicts. This included several held under tight security and on death row for committing especially heinous acts of terror in Egypt under Mubarak's era.<sup>162</sup> Those pardoned included members of the Muslim Brotherhood, and Islamist militant groups Gamaa al-Islamiya and Islamic Jihad, the latter known for its association with the 1981 assassination of President Anwar Sadat (more information on these groups and their involvement in terrorist

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<sup>160</sup> Isaac, S. K., "Egypt's Transition: How is it under Brotherhood Rule?", ISPI, No.138, October 2012.

<sup>161</sup> Ibrahim, R., "Egypt: Pardon Revoked For All Jihadis Granted Amnesty Under Morsi", From the Arab World, 3 August 2013.

<sup>162</sup> Reuters, "Egypt: President Frees Islamists", The New York Times, 1 August 2012. See also, Ibrahim, R., "Egypt: Pardon Revoked For All Jihadis Granted Amnesty Under Morsi", From the Arab World, 3 August 2013.



activity is documented in the report on "The History of the Muslim Brotherhood", released on 2 April 2015.<sup>163</sup>).<sup>164</sup>

92. One of those released was convicted for his role in the murder of prominent Egyptian human rights activist Farag Foda.<sup>165</sup> Another, Tarek al-Zomor - who was convicted and subsequently pardoned for his role in the assassination of President Sadat - was reported to have claimed at the time that some 40 prisoners from Islamic Jihad and Gamaa al-Islamiya were to be released.<sup>166</sup>
93. The selective and secretive release of Islamists caused controversy in Egypt and was seen by some commentators as a bid by Morsi to secure the political support of Islamist hardliners, or looked at in another way was bowing to their pressure.<sup>167</sup>
94. Notably, the pardon of the Islamists occurred independently from the committee established by Morsi to specifically consider the release of civilians tried and convicted in military courts for their roles in the 2011 revolution. Morsi, however, maintained that the release of those civilians arrested in Tahrir Square during the 25 January 2011

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<sup>163</sup> "The History of the Muslim Brotherhood", 9 Bedford Row, 2 April 2015.

<sup>164</sup> Perry, T., "Egypt's Mursi frees Islamists jailed by Mubarak", Reuters, 31 July 2012.

<sup>165</sup> "Egyptian Islamist Justifies His Assassination of Secularist Intellectual Farag Foda in 1992", Middle East Media Research Institute, 14 June 2013.

<sup>166</sup> Ibrahim, R., "Egypt: Pardon Revoked For All Jihadis Granted Amnesty Under Morsi", 3 August 2013.

<sup>167</sup> Rahim, A., "Morsi's Pardon of Islamists Stirs Controversy in Egypt", Al Monitor, 1 August 2012. See also, "Moderate" Egyptian President Morsi releases Islamic terrorists from prison to walk the streets free", The Hesperado (citing a Reuters report), 1 August 2012.



revolution occurred through this commission.<sup>168</sup> The separate consideration and preferential treatment given to the Islamists stoked the embers of discord among the population and distrust in Morsi's new 'democratic' government grew stronger.<sup>169</sup>

95. Concern about the decision to release Islamists independently of others was not confined to the general population. Former Deputy of State Security General Fouad Allam voiced his concern about the release of Islamists many of whom were convicted for their involvement in violent crimes against Egyptian officials. He held that if their crimes were guided by particular beliefs, "there must be a guarantee that their ideas have changed", something upon which Morsi had failed to provide any assurance.<sup>170</sup>

96. Under pressure, in early October 2012 Morsi announced he would pardon all 'revolutionaries' charged or convicted between the Revolution of 25 January 2011 and his election on 30 June 2012.<sup>171</sup> However, human rights lawyers complained that the wording of the decree was vague and did not immediately free any of those civilians brought before military trials during this period who remained in

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<sup>168</sup> Rahim, A., "Morsi's Pardon of Islamists Stirs Controversy in Egypt", Al Monitor, 1 August 2012. See also, "Moderate" Egyptian President Morsi releases Islamic terrorists from prison to walk the streets free", The Hesperado (citing a Reuters report), 1 August 2012.

<sup>169</sup> Rahim, A., "Morsi's Pardon of Islamists Stirs Controversy in Egypt", Al Monitor, 1 August 2012.

<sup>170</sup> "Morsi's selective release of political prisoners prompt criticism", Ahram Online, 1 August 2012.

<sup>171</sup> "Egypt's President Mursi pardons 'revolutionaries'", BBC News, 9 October 2012.



custody.<sup>172</sup> This led to concerns that the freeing of wrongfully detained non-Islamist citizens was simply not a priority for Morsi or the new Muslim Brotherhood government.<sup>173</sup>

#### 3.2.1.4 *The Muslim Brotherhood “power-grab”*

97. Following the 2011 revolution, a Constituent Assembly was formed but was criticized by many observers due to the predominance of Islamist members. It was eventually dissolved by order of the Supreme Administrative Court<sup>174</sup> in April 2012.

98. A second Constituent Assembly was established on 7 June 2012, days before the presidential election.<sup>175</sup> This Constituent Assembly, like the first one, also contained members of Parliament who had either voted for their own constituents or themselves. As this was against the procedural rules its legitimacy became subject to review and final determination by the judiciary.<sup>176</sup>

99. The court’s decision on whether to dissolve the Constituent Assembly was postponed several times. This allowed the Constituent Assembly

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<sup>172</sup> “English text: President Morsi’s pardon decree for revolution prisoners”, Ahram Online, 8 October 2012. See also, “Egypt’s President Mursi pardons ‘revolutionaries’”, BBC News, 9 October 2012.

<sup>173</sup> “Morsi’s selective release of political prisoners prompt criticism”, Ahram Online, 1 August 2012.

<sup>174</sup> “Egypt court suspends constitutional assembly”, BBC News, 10 April 2012.

<sup>175</sup> Aboulenein, A., “Constituent Assembly carries on”, Daily News Egypt, 28 June 2012, accessed at <http://www.dailynewsegypt.com/2012/06/28/constituent-assembly-carries/>.

<sup>176</sup> Aboulenein, A., “Constituent Assembly carries on”, Daily News Egypt, 28 June 2012, accessed at <http://www.dailynewsegypt.com/2012/06/28/constituent-assembly-carries/>.



(which continued to function) to finish drafting the new constitution before the courts could declare it unconstitutional.<sup>177</sup>

100. Morsi issued a constitutional declaration<sup>178</sup> to this effect on 21 November 2012 (this decree is discussed in more detail in section 3.2.2 below) granting himself almost total power while effectively neutralizing a judicial system that had emerged as a key opponent. He did so by declaring that the courts were barred from challenging his decisions and in particular barring the Constituent Assembly from being dissolved rendering any dissolution ruling by the courts moot.<sup>179</sup>

101. This decree marked a defining point in the growing tide of public opinion against the Morsi government as his conduct was now aimed at putting himself above the law.<sup>180</sup> The rule of law within Egypt had thereby been demonstrably challenged.

102. The new constitution was to be drafted by an undemocratically chosen Constituent Assembly, where Islamists were in the majority and therefore wielded the most influence. This heightened an already growing sense of unease amongst secular Egyptians.

103. Liberal politicians criticized the decree as dictatorial<sup>181</sup> and

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<sup>177</sup> Ibrahim, E., "Administrative Court non-decision gives assembly ample time to finish constitution", *Ahram Online*, 23 October 2012.

<sup>178</sup> "Egypt's Morsi assumes wide powers", *Al Jazeera*, 23 November 2012.

<sup>179</sup> "Egypt's Morsi assumes wide powers", *Al Jazeera*, 23 November 2012.

<sup>180</sup> "Egypt's Morsi assumes wide powers", *Al Jazeera*, 23 November 2012.

<sup>181</sup> "Egypt's Morsi grants himself far-reaching powers", *CNS News*, 22 November 2012.



noted that it even exceeded the powers once enjoyed by Mubarak. Pro-reform leader Mohamed el-Baradei captured the public's concerns when he stated,<sup>182</sup>

“Morsi today usurped all state powers [and] appointed himself Egypt's new pharaoh.”

104. In early November 2012, prior to the 21 November declaration, the remaining secularists on the Constituent Assembly resigned, citing a “lack of collaboration” from the Islamists and that the latter were trying to impose their Islamic views on the new constitution. Nobody however, expected such a sweeping power grab.<sup>183</sup>

105. There was an increasing public perception that Morsi and his government had no intention of fulfilling their campaign promises and, moreover, that the Muslim Brotherhood was seizing its chance to cement its new status to enable it to implement its own ideological vision.<sup>184</sup>

106. Author and political commentator, Yasmine el-Rashidi, echoed this sentiment,<sup>185</sup>

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<sup>182</sup> “Egypt's Morsi grants himself far-reaching powers”, CNS News, 22 November 2012.

<sup>183</sup> See previous paragraph. “Egypt's Morsi grants himself far-reaching powers”, CNS News, 22 November 2012.

<sup>184</sup> El-Rashidi, Y., “Egypt: The Rule of the Brotherhood”, *The New York Review of Books*, 7 February 2013.; “Egypt's Morsi grants himself far-reaching powers”, CNS News, 22 November 2012.

<sup>185</sup> El-Rashidi, Y., “Egypt: The Rule of the Brotherhood”, *The New York Review of Books*, 7 February 2013.



“In the press you could read that the [Muslim] Brotherhood was engaged in one “power grab” after another—of the parliament, the cabinet, the press itself. And beginning last spring, there was another power grab during the drafting of the constitution for the new, democratic Egypt. What was meant to be a “representative” one-hundred-member Constituent Assembly had been turned, by the Islamist-led parliament, into an Islamist-dominated one, and one in which the Islamists—the Muslim Brotherhood members but also ultra-orthodox Salafis—were trying, increasingly, to impose their own rigid, radical views.”

### ***3.2.2 Morsi's 21 November 2012 constitutional declaration***

#### *3.2.2.1 Morsi assumes vastly extended powers*

107. The pursuit of absolute power continued when on 21 November 2012, Morsi issued a constitutional declaration that granted him as the president far-reaching powers.<sup>186</sup> This decree was instrumental in determining the course, and eventual collapse, of the Morsi government as public resistance to what was now taking place began to take hold.

108. Morsi justified the decree by claiming that it was necessary to

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<sup>186</sup> “Egypt's Morsi assumes wide powers”, Al Jazeera, 23 November 2012.



secure a peaceful and effective democratic transition. The declaration came just days before the Supreme Constitutional Court was set to rule on the legitimacy of both the Islamist-dominated house of parliament and the Constituent Assembly, and it was widely anticipated that the Court would annul both. Morsi's decree had the effect of pre-empting those decisions<sup>187</sup> and ensured that even if the Court moved to dissolve them, he could overrule it.

109. The decree's highly controversial Article V stated simply,

"No judicial body can dissolve the Shura Council or the Constituent Assembly."<sup>188</sup>

110. With this one clause, Morsi had placed himself and his government, and by extension the Muslim Brotherhood, beyond reproach of the courts and the rule of law.

111. Article VI of the 21 November decree further allowed the president to take "appropriate procedures and measures" to protect the country and the goals of the revolution "as regulated by law".<sup>189</sup> Such "procedures and measures" were not defined and since Morsi, with the decree, had effectively placed himself above the law, the concern now was that he was attempting to legitimize his authority to crush any opposition by any means, including force.

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<sup>187</sup> El-Rashidi, Y., "Egypt: Whose Constitution?", *The New York Review of Books*, 3 January 2013.

<sup>188</sup> Article V of Constitutional Declaration issued 21 November 2012.

<sup>189</sup> Article VI of Constitutional Declaration issued 21 November 2012.



*3.2.2.2 Decree of 21 November 2012 marked the turning point for Muslim Brotherhood rule*

112. The decree attracted considerable criticism from the judiciary, non-Islamist parties and large sections of the media and general population who were growing increasingly concerned about what it considered to be an Islamification of the government.

113. The Supreme Judicial Council (the body responsible for administrative affairs and judicial appointments) called the decree an “unprecedented assault”.<sup>190</sup>

114. Moderate Islamists such as the former Muslim Brother and presidential candidate Abdel Moneim Aboul-Fotouh also condemned the decree. Liberal and secular politicians viewed Morsi even more unfavourably to Mubarak: “[Morsi] is worse than Mubarak.”<sup>191</sup>

115. The National Salvation Front, an opposition coalition formed days after the 21 November decree was issued and headed by former International Atomic Energy Agency chief Mohamed el-Baradei, called on people to stand up against “the dictatorship.”<sup>192</sup>

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<sup>190</sup> El-Rashidi, Y., “Egypt: Whose Constitution?”, The New York Review of Books, 3 January 2013.

<sup>191</sup> El-Rashidi, Y., “Egypt: Whose Constitution?”, The New York Review of Books, 3 January 2013.

<sup>192</sup> El-Rashidi, Y., “Egypt: Whose Constitution?”, The New York Review of Books, 3 January 2013. See also, “Morsi ‘power grab’ angers Egypt opposition groups”, The Guardian, 23 November 2012.; Kirkpatrick, D., and El-Sheikh, M., “Citing Deadlock, Egypt’s Leader Seizes



116. The decree marked the start of a wave of mass protests against the Morsi government. Even those whom el-Rashidi labels “the silent majority”, referring to the people who during the 2011 revolution and its aftermath mostly stayed home, were now driven to the streets against Morsi and, in particular, against the Muslim Brotherhood.
117. Despite the decree purporting to remove the courts’ power to dissolve the Constituent Assembly,<sup>193</sup> the deputy chairman of the Constitutional Court, Maher Sami, announced on 28 November 2012 that the Supreme Constitutional Court would rule on whether the Constituent Assembly should be dissolved on 2 December.
118. Morsi remained defiant and announced that a draft constitution would be ready within days. Those members of Parliament who had resigned or boycotted the vote were replaced by others who were in favour of the new constitution to ensure there was a necessary quorum for it to be passed.
119. El-Rashidi noted<sup>194</sup> the urgency imposed on the Constituent Assembly to complete the draft so it could be adopted before the Constitutional Court had the opportunity to convene to dissolve the

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New Power and Plans Mubarak Retrial”, The New York Times, 22 November 2012; “Top judges, opposition protest Morsi’s power-extending decree”, RT News, 24 November 2012.; Sabry, B., “Absolute Power: Morsi Decree Stuns Egyptians”, 22 November 2012.

<sup>193</sup> “Egypt assembly votes on constitution.” BBC News, (29 November 2012), <http://www.bbc.co.uk/news/world-middle-east-20536323>

<sup>194</sup> El-Rashidi, Y., “Egypt: Whose Constitution?”, The New York Review of Books, 3 January 2013.



body,

“In the scramble to finish before the next working day—before there was time for the assembly to be dissolved or Morsi’s decree to be rescinded or the presidency to fall—the head of the Constitutional Assembly, Hossam al-Ghiryani, an Islamist and career judge, impatiently pushed the members to finish, haranguing them for arguing over some of the clauses.”

120. On 30 November 2012 the draft constitution was approved by the Constituent Assembly and on 2 December, the day the Supreme Constitutional Court was to rule on the legitimacy of the Constituent Assembly, Islamists and Muslim Brotherhood supporters surrounded the court refusing to let any of the judges in.<sup>195</sup>

121. Unable to enter the court building due to the protests, the Supreme Constitutional Court was effectively incapacitated and announced that it would suspend its work indefinitely.

122. El-Rashidi reported on the polarized camps, with Islamists and Muslim Brotherhood supporters on one side and everyone else on the other. She stated,<sup>196</sup>

“The Islamists’ TV channels and press called the completion of

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<sup>195</sup> “Egypt’s top court on indefinite strike”, Al Jazeera, 2 December 2012.

<sup>196</sup> El-Rashidi, Y., “Egypt: The Rule of the Brotherhood”, The New York Review of Books, 7 February 2013.



the draft constitution an “achievement,” “historic,” “an occasion,” “another step toward achieving the goals of the revolution.” The independent and opposition press described it as “an Islamist coup.” Morsi was cast both as a pawn of the Brotherhood’s Guidance Bureau and as a knowing player in their game.”

### 3.2.3 *The “Muslim Brotherhood” constitution*

#### 3.2.3.1 *Constitution is approved and passed in a national referendum*

123. The Muslim Brotherhood propaganda machine was deployed once more to persuade voters to vote for the new constitution. As was the case when it orchestrated the election of Morsi as president, the Muslim Brotherhood demonstrated its campaign prowess.

124. To appeal to the increasingly impatient and conflict-weary voters, many of whom had now turned against Morsi, the Muslim Brotherhood stressed that rejecting the charter would delay things indefinitely while accepting it would mean people could finally get back to their lives and jobs<sup>197</sup> – a prospect that resonated with many after a long period of social and political turmoil.

125. The charter passed in a referendum held from 15 to 22 December 2012. Results reported by state media suggest that some 63%

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<sup>197</sup> El-Rashidi, Y., “Egypt: Whose Constitution?”, The New York Review of Books, 3 January 2013.



of voters backed the constitution<sup>198</sup> over two rounds of polling with a turnout estimated at around 33%. With such a low mandate of acceptance from the overall constituency of voters, President Morsi passed the new constitution into law on 26 December 2012.

126. There were rising concerns that the Islamists had got their way, which led to the constitution being dubbed<sup>199</sup> “the Muslim Brotherhood constitution.”

127. The most divisive aspect of the new constitution was the unanimous agreement that the principles of Islamic law were now to be the main source of legislation.<sup>200</sup> Al-Azhar, Egypt’s highest religious institution, was brought in as the body charged with interpreting constitutional matters in line with Islamic principles. While it stopped short of directly implementing *sharia*, many expressed fear that the new constitution was the first step in that direction.

128. El-Rashidi expressed the concerns<sup>201</sup> held by many when she stated,

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<sup>198</sup> “Egyptian constitution 'approved' in referendum”, BBC News, 23 December 2012.

<sup>199</sup> “Egypt assembly adopts draft constitution”, Al Jazeera, 30 November 2012.

<sup>200</sup> El-Rashidi, Y., “Egypt: Whose Constitution?”, The New York Review of Books, 3 January 2013.

<sup>201</sup> El-Rashidi, Y., “Egypt: Whose Constitution?”, The New York Review of Books, 3 January 2013. See also, “Morsi 'power grab' angers Egypt opposition groups”, The Guardian, 23 November 2012.; Kirkpatrick, D., and El-Sheikh, M., “Citing Deadlock, Egypt’s Leader Seizes New Power and Plans Mubarak Retrial”, The New York Times, 22 November 2012; “Top judges, opposition protest Morsi’s power-extending decree”, RT News, 24 November 2012.; Sabry, B., “Absolute Power: Morsi Decree Stuns Egyptians”, 22 November 2012.



“The constitution’s references to Arabization and the Muslim world show the Islamists to be more preoccupied with laying the groundwork for an Islamic caliphate than with promoting the interests of Egypt.”

129. Equally disturbing was the fact that the constitution decreased the number of members on the Supreme Constitutional Court from eighteen to eleven, a move designed to exclude from office the outspoken, secular members of the Court.<sup>202</sup>

130. The constitution also failed to address women’s rights<sup>203</sup> and it was feared that existing rights would be restricted due to the pressure imposed by the government and the Muslim Brotherhood to comply with a more conservative interpretation of Islam.

### ***3.2.4 “Ikhwanization” of state institutions and consolidation of power***

#### *3.2.4.1 Autocracy, not democracy*

131. The course taken by the Muslim Brotherhood during its brief period in power shows a pattern of consolidation of an autocratic rule.

132. Morsi’s pledge of forming a government for all Egyptians based on the principles of democracy and equality enabled him to win the

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<sup>202</sup> “Former top court judge challenges Egypt’s new constitution”, CBC News, 8 January 2013.

<sup>203</sup> El-Rashidi, Y., “Egypt: Whose Constitution?”, The New York Review of Books, 3 January 2013.



election, but once in power his strategy changed markedly. Democracy and equality were relegated and replaced by a strategy of Islamification, publicly endorsed by Morsi and his government and controlled, from behind the scenes, by the Muslim Brotherhood (also known as 'Ikhwan').

#### 3.2.4.2 *The Muslim Brotherhood Prime Minister and Cabinet*

133. On 2 August 2012, Morsi appointed Hesham Qandil as Prime Minister. The first Cabinet consisted of 35 ministers, five of whom were either members of the Muslim Brotherhood or members of FJP. Other appointees consisted of members from other Islamic parties including the al-Wasat Party and the Salafist Renaissance Party.<sup>204</sup>

134. The appointment of Qandil, who was relatively inexperienced and unknown at the time, raised concerns as he was a self-described devout Muslim<sup>205</sup> with reported links to the Muslim Brotherhood and there seemed little other reason for Morsi to choose him ahead of other more experienced candidates.

#### 3.2.4.3 *Key members of new Cabinet all had ties to the Muslim Brotherhood*

135. Morsi and Qandil were cautious not to appoint too many members of the FJP for the first Cabinet (though, as discussed below,

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<sup>204</sup> Essam El-Din, G., "Egypt PM Qandil makes some surprise, controversial ministerial choices", *Ahram Online*, 3 August 2012.

<sup>205</sup> Nordland, R. and El-Sheikh, M., "Egyptian President Names Minister in Interim Cabinet as Premier", *The New York Times*, 24 July 2012.



this would come later). The non-Muslim Brotherhood members, many of them so-called “independents”, were carefully selected to ensure that they supported the Muslim Brotherhood’s views and ideology.<sup>206</sup> Taken by many to be a token gesture of “inclusiveness”, the Cabinet included two women, one of whom was a Coptic Christian.

136. Ahmed Mekki was appointed Minister of Justice on 2 August 2012 and was known to have had close ties with the Muslim Brotherhood.<sup>207</sup> Mekki, shortly after assuming office, set out plans to widen the conditions in which emergency laws could be imposed in situations where public order was disturbed or state security was threatened.

137. Following his appointment, he argued that Egypt is an Islamic state governed by Islamic traditions and in an interview claimed.<sup>208</sup>

“It is normal for the ruling system and judiciary [to] be influenced by Sharia.”

138. His brother, Mahmoud Mekki was appointed Vice President, a position he held until 22 December 2012. Mahmoud Mekki had reportedly been earmarked as a possible presidential candidate for the

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<sup>206</sup> “The Brothers of the Cabinet”, *Egypt Independent*, 10 August 2012.

<sup>207</sup> Essam El-Din, G., “Egypt PM Qandil makes some surprise, controversial ministerial choices”, *Ahram Online*, 3 August 2012.

<sup>208</sup> “Minister of Justice to MCN: It is normal for the ruling system and judiciary be influenced by Sharia with no discrimination between Muslims and Copts”, *MCN*, 12 August 2012.



Muslim Brotherhood.<sup>209</sup> The nomination instead went to the group's deputy leader, Khairat el-Shater, and then Morsi following el-Shater's disqualification (see Chapter 2).

#### 3.2.4.4 *The Muslim Brotherhood seized control of the media*

139. One of the most controversial appointments was that of Salah Abdel-Maqsoud, a Muslim Brotherhood member who was chosen to be Minister of Information. The appointment of Abdel-Maqsoud was considered to be a move by the Muslim Brotherhood toward imposing its control over state-owned media organisations.<sup>210</sup>

140. His appointment meant that the state-owned Television and Radio Union (hereinafter "TRU") fell, for the first time in its 50-year history, under the control of an Islamist. This was viewed as an attempt by the Muslim Brotherhood to censor the television media<sup>211</sup> as TRU employees had previously been accused of slander by several high-profile Muslim Brotherhood figures, including the General Guide of the Muslim Brotherhood, Mohamed Badie.

141. Immediate actions taken by the new government confirmed the non-Islamists' concerns. Only days after Abdel-Maqsoud's

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<sup>209</sup> "Profile: Egypt's Vice-President Mahmoud Mekki", BBC News, 22 December 2012.

<sup>210</sup> Essam El-Din, G., "Egypt PM Qandil makes some surprise, controversial ministerial choices", Ahram Online, 3 August 2012. See also "The Brothers of the Cabinet", Egypt Independent, 10 August 2012.

<sup>211</sup> "Media under Morsi: chains remains in place", Daily News Egypt, 18 September 2012 Accessed at <http://www.dailynewsegypt.com/2012/09/18/media-under-morsy-chains-remain-in-place/>



appointment, several journalists at state-owned publications reported that they were facing severe internal censorship when it came to criticizing the president and the Muslim Brotherhood.<sup>212</sup> A satellite television channel was shut down and several journalists were charged and prosecuted for defamation of the president. Articles by renowned liberal writers were also censored.

142. The decision of the Islamist-dominated Shura Council to appoint around 50 editors of national newspapers<sup>213</sup> was also seen as an attempt by the Muslim Brotherhood to dominate the press and added to the growing concerns over freedom of expression under Muslim Brotherhood rule.

#### *3.2.4.5 Appointment of Muslim Brotherhood-affiliated governors*

143. The deliberate 'Ikhwanization' of the government became increasingly obvious.
144. On 5 January 2013, ten ministers were replaced, leading to an increase in the number of those who were members of the FJP in the Cabinet, bringing the total to eight.<sup>214</sup> On 7 May 2013, nine ministers were replaced, further increasing the number of the FJP members in

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<sup>212</sup> "Media under Morsi: chains remains in place", Daily News Egypt, 18 September 2012 Accessed at <http://www.dailynewsegypt.com/2012/09/18/media-under-morsy-chains-remain-in-place/>

<sup>213</sup> Geiger, K., "Vying for Egypt's Media", Muftah, 17 August 2012.

<sup>214</sup> Fouly, M., "News Analysis: Egypt's 10-minister cabinet reshuffle meets with opposition dissatisfaction", Xinhua News, 7 January 2013.



the Cabinet to twelve.<sup>215</sup>

145. Together with the Cabinet changes, the appointment by Morsi of several new governors who were affiliated to the Muslim Brotherhood sparked further criticism of him and his government.

146. Such criticism was warranted. One of the appointees, a senior member of the Muslim Brotherhood and the new governor in Kafr al-Shaikh, Saad al-Husseiny was, upon taking office, reported as stating that his prime task was to “call people to the true Islam” rather than serve his community and provide public services. During his time as governor, al-Husseiny also caused uproar in Kafr al-Shaikh when he ordered that the cultural palace should be used for Islamic preaching.<sup>216</sup>

147. Morsi also appointed Adel Mohamed al-Khayat as governor of Luxor in June 2013.<sup>217</sup> Al-Khayat is a founding member of Gama’a al-Islamiyya,<sup>218</sup> a militant Islamic group currently designated a terrorist organisation in Russia, the United States and the United Kingdom, whose members killed 58 tourists at a temple in Luxor in 1997. His appointment by Morsi was seen by commentators as an attempt to garner support from conservative Islamists<sup>219</sup> in the face of growing

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<sup>215</sup> “Egypt’s Morsi Brings More Islamists into Cabinet”, Reuters/Voice of America, 7 May 2013.

<sup>216</sup> “Kafr El-Sheikh governor’s ‘preaching at cultural palace’ comment causes uproar”, Ahram Online, 7 March 2013.

<sup>217</sup> Fick, M., “Ex-militant to run bloodied Luxor tourist region”, Reuters, 17 June 2013.

<sup>218</sup> Fletcher, H., “Jamaat al-Islamiyya”, Council on Foreign Relations, 30 May 2008.

<sup>219</sup> “Egypt’s presidential woes”, The Economist, 18 June 2013.



opposition against his government.

148. Following immediate condemnation from locals and widespread demonstrations in Luxor against al-Khayat, the newly appointed governor was forced to resign.<sup>220</sup>

149. However, there was a broad expectation that the Muslim Brotherhood would effect further government changes as part of a continual and gradual process to 'Ikhwanize' the state. There was an obvious disconnect between Morsi's views on the nature of these positions and the qualities required for the governance of a region, its people, the economy and infrastructure.

#### *3.2.4.6 Minister of Religious Endowment promoted radical views of Islam*

150. The newly appointed Minister of Religious Endowment (*Awqaf*), Talaat Afifi, was widely criticized for his conservative Islamic views and his attempts to radicalize the al-Azhar institution. His radical views culminated in September 2012 with demonstrations organised by the Independent Syndicate of Preachers and Imams and the al-Azhar Independence Movement against Afifi.<sup>221</sup>

151. Afifi's hard-line Islamic views were also reflected in the

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<sup>220</sup> "Controversial new Luxor governor quits", Al Jazeera, 23 June 2013.

<sup>221</sup> Isaac, S. K., "Egypt's Transition: How is it under Brotherhood Rule?", ISPI, No.138, October 2012.



website<sup>222</sup> associated with his office which demonstrates contempt for non-Muslims while mocking Christianity and Judaism, and hailing Islam as the only universal religion. It further categorizes all non-Muslims as “potential Muslims”. It reads,

“Alone among all the religions of the world, Islam created a state dominated by religious and moral motives, thereby demonstrating that political power can and ought to be subordinated to ethical ends and that religion must not be allowed to serve the ends of any political system devoid of moral ideals...

Islam alone constitutes a complete, all-embracing, comprehensive way of life where the individual versus his society and material versus the spiritual are balanced into a perfect harmony. The laws of Islam are called the Shariahh [*sic*] that provides an infallible Guidance of all aspects of individual and collective life...

Islam abhors the doctrine of secularism. The Muslim can thrive only in an Islamic environment which is his duty to establish...

The racism and nationalism of Judaism makes a mockery of its ethical teachings while Christianity's propagation of the doctrine of the Trinity and the vicarious atonement of mankind's sins by

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<sup>222</sup> Official website for Arab Republic of Egypt: Supreme Council for Islamic Affairs



Jesus Christ...nullifies all its moral values. In Islam there are no such loopholes.”

*3.2.4.7 Muslim Brotherhood crackdown on human rights and persecution of minorities*

152. The new appointments to the National Council on Human Rights, previously chaired by former United Nations Secretary General Boutros Boutros Ghali, included a majority of Islamist members. Internationally accepted human rights instruments, in so far as they affected Egypt, would accordingly be superseded by the Muslim Brotherhood’s views and principles.

153. As part of the Morsi government’s crackdown on national human rights organisations and NGOs, a draft law was produced which severely restricted their ability to function without strict oversight and approval from the authorities.

154. In February 2013, the Cairo Institute for Human Rights Studies (hereinafter “CIHRS”) claimed that the draft legislation to regulate NGOs was “oppressive” and would dramatically restrict the work of civil society in Egypt. It accused the government of attempting to nationalise civil society and turn it into a governmental body.<sup>223</sup>

155. The new draft law restricted NGO activities and reclassified

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<sup>223</sup> “Draft NGOs bill 'more repressive' than Mubarak era law: CIHRS”, Ahram Online, 7 February 2013.



human rights groups, as well as law and constitutional awareness organisations, “political parties.”<sup>224</sup>

156. CIHRS stated,<sup>225</sup>

“The draft law bespeaks attempts by President Morsi’s government to hold the whip over NGOs, bypassing all international human rights accords and standards of rights to form NGOs and stand up for human rights.”

157. It also banned<sup>226</sup> foreign funding of NGOs and forbade them to conduct opinion polls, field research or from carrying out any development or humanitarian-oriented activities without first obtaining consent from the government.

158. The issue of foreign funding of NGOs in Egypt had become controversial as the government was accused of implementing this rule as an indirect way to diminish the growth and influence of anti-government advocates and civil and human rights groups.

159. Another concern was the continuing rise in attacks by Muslims on Christian Copts since the collapse of the Mubarak regime in 2011.

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<sup>224</sup> “Draft NGOs bill 'more repressive' than Mubarak era law: CIHRS”, Ahram Online, 7 February 2013.

<sup>225</sup> “Draft NGOs bill 'more repressive' than Mubarak era law: CIHRS”, Ahram Online, 7 February 2013.

<sup>226</sup> “Draft NGOs bill 'more repressive' than Mubarak era law: CIHRS”, Ahram Online, 7 February 2013.



As a result, a large number of Copts left Egypt for fear of persecution by an Islamist-controlled government.<sup>227</sup>

160. During a protest in Cairo on 16 August 2012, a Sky News Arabic journalist reported,<sup>228</sup>

“protestors belonging to the Muslim Brotherhood crucified those [mainly Copts] opposing Egyptian President Muhammad Morsi naked on trees in front of the presidential palace while abusing others.”

161. In one incident in October 2011, a Coptic church in Upper Egypt was burned<sup>229</sup> which led to clashes between security forces and Christian protesters resulting in the death of 28 people, most of whom were Copts. In April 2013, Muslim extremists laid siege to Egypt’s main Coptic Cathedral in Cairo.<sup>230</sup>

162. Morsi was blamed for what was perceived as the government’s “indifference” toward the issue of violence by Islamists against Coptic Christians.<sup>231</sup> The Copts’ spiritual leader, Pope Tawadros II, accused Morsi and the Muslim Brotherhood of “delinquency”.

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<sup>227</sup> Glain, S., “Christians Uneasy in Morsi’s Egypt”, New York Times, 15 May 2013.

<sup>228</sup> “Muslim Brotherhood and the killing and persecution of Christians in Egypt”, One With Them.

<sup>229</sup> Glain, S., “Christians Uneasy in Morsi’s Egypt”, New York Times, 15 May 2013.

<sup>230</sup> Glain, S., “Christians Uneasy in Morsi’s Egypt”, New York Times, 15 May 2013.

<sup>231</sup> Glain, S., “Christians Uneasy in Morsi’s Egypt”, New York Times, 15 May 2013.



163. Morsi issued a “statement of regret” following the attacks that struck many observers as rehearsed. Morsi’s view of the Copts as, at best, an insignificant minority group, was evident when he sent a low-level functionary as his representative to the Easter Mass led by the pope.

164. The fear of the threat of physical violence among Coptic business leaders was high, as was their anger that they were being singled out for punitive enforcement of the tax code.

#### *3.2.4.7 Curtailment of freedom of expression*

165. Egypt’s prosecutors had been flooded with blasphemy complaints<sup>232</sup> since 2011 as Islamists, exercising their new societal clout following the overthrow of Mubarak, pushed for prosecutions. Courts increasingly handed down strict penalties (including prison terms) for insulting religion. Morsi as a result, was accused by journalists of using heavy-handed tactics to stifle dissent and restrict freedom of speech. In what became a clear Islamist censorship of the media, most blasphemy cases (many of which lacked clear evidence) were directed against Egypt’s Christian Copt minority and were filed by Salafis, the ultraconservative Islamists whose members now shared power alongside the Muslim Brotherhood.

166. Specific incidents revealed the extent of the Islamist

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<sup>232</sup> Hubbard, B., and El Sheikh, M., “Islamists Press Blasphemy Cases in a New Egypt”, New York Times, 18 June 2013.



government's efforts to stifle dissent and suppress freedom of expression.<sup>233</sup> One such example occurred in August 2012 when the government suspended a satellite television station that featured a popular programme whose host, Tawfik Okasha, was a fierce opponent of Morsi.

167. In another incident during the same month, the authorities confiscated copies of the daily newspaper *Al Dustour*,<sup>234</sup> which had published articles condemning various Islamist groups including the Muslim Brotherhood.

168. Hani Shukrallah, the editor of Ahram Online, stated,<sup>235</sup>

*[Referring to the Muslim Brotherhood]...“What’s happening is very serious. We’ve got an organization that is not interested in democratizing the press, or freeing the press...It’s interested in taking it over.”*

169. This pattern was to continue throughout the Muslim Brotherhood's time in power. In April 2013, an Egyptian court sentenced an anti-Islamist activist, Ahmed Douma, to six months in prison on charges that he insulted President Morsi and presented false

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<sup>233</sup> Fahim, K. and El-Sheikh, M., “Egypt’s Islamist Leaders Accused of Stifling Media”, *New York Times*, 15 August 2012.

<sup>234</sup> “Egypt’s retreat from democracy”, *A Grain of Sand* (Undated).

<sup>235</sup> Fahim, K. and El-Sheikh, M., “Egypt’s Islamist Leaders Accused of Stifling Media”, *New York Times*, 15 August 2012.



news on television.<sup>236</sup>

170. Douma had been a vocal critic of Morsi and the Muslim Brotherhood. His arrest and conviction prompted human rights groups to accuse Morsi and his allies of targeting their critics in politically motivated prosecutions.

### 3.3 The Muslim Brotherhood - “the power behind the throne”

#### 3.3.1 *Morsi tried to secure release of convicted Islamic terrorist*

171. Morsi’s allegiance to the Muslim Brotherhood, and his faithful obedience to the views and orders of its leadership, steered his decisions as president.

172. In his first public speech on the eve of his inauguration in June 2012, Morsi promised to work to free Omar Abdel-Rahman, the spiritual leader of those convicted in the 1993 World Trade Center bombing (see also section 3.2.1.3. above on Morsi’s decision to pardon a larger group of Islamists previously convicted for violent offences).

173. The United States government issued a stern rebuke to his vow to free Omar Abdel-Rahman<sup>237</sup> and New York’s mayor responded<sup>238</sup> that he would oppose any effort to undermine the sentence of life

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<sup>236</sup> Hubbard, B., “Egypt: Critic of Morsi Is Jailed”, The New York Times, 1 May 2013.

<sup>237</sup> “Egypt’s new president vows to free blind sheikh tied to 1993 WTC bombing”, Daily Mail Online, 29 June 2012.

<sup>238</sup> “Mohamed Morsi vows to free blind sheikh jailed in US”, The Guardian, 30 June 2012.



imprisonment he had received. Another Obama administration official also responded by saying there was “zero chance this would happen.”<sup>239</sup>

### 3.3.2 Morsi's call for jihad in Syria

174. In a bid to bolster popular support at home and from the international community, Morsi declared in June 2013, at a rally packed with hardline Islamists, his support for the Syrian opposition and announced that the Syrian ambassador to Egypt had been expelled and the embassy closed.<sup>240</sup>

175. Nodding approvingly to sectarian comments and calls for *jihad* against Syria by hardline clerics, Morsi called for military intervention on behalf of the opposition<sup>241</sup> and pledged to provide financial aid and moral support<sup>242</sup> to the Syrian rebels.

176. Mazhar Shahin, a Cairo-based Imam and staunch critic of the Muslim Brotherhood, described Morsi's move as a “flirtation” with the United States,<sup>243</sup> following the disastrous speech at the start of his

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<sup>239</sup> Kirkpatrick, D., “Egypt’s New Leader takes Oath, Promising to Work for Release of Jailed Terrorist”, New York Times, 29 June 2012.

<sup>240</sup> “Morsi role at Syria rally seen as tipping point for Egypt army”, The Irish Times, 4 July 2013.

<sup>241</sup> International Crisis Group, “Marching in Circles: Egypt’s Dangerous Second Transition”, Policy Briefing – Middle East/North Africa Briefing No. 35, 7 August 2013.

<sup>242</sup> Mohsen, M., “Egypt to aid Syrian rebels”, Daily News Egypt, 15 June 2013 accessed at <http://www.dailynewsegypt.com/2013/06/15/egypt-to-aid-syrian-rebels/>

<sup>243</sup> “ ‘Morsi 1st president to declare war in a football stadium’: Egypt's revolutionary sheikh”, Ahram Online, 17 June 2013.



presidency in which he vowed to free Omar Abdel-Rahman, who was one of the men convicted in the 1993 World Trade Center bombing.

177. Sectarian comments by Mohamed al-Arifi,<sup>244</sup> a radical Saudi Sheikh banned from entering Switzerland<sup>245</sup> and the UK<sup>246</sup> for his extremist views, were never repudiated by Morsi.

178. The ease with which the Muslim Brotherhood and its Islamist supporters could control Morsi was easily observable. Morsi's public denunciation of the Assad regime and his call to arms came immediately after the Muslim Brotherhood endorsed a call for jihad in Syria.<sup>247</sup>

179. Much of the language used by Morsi and other Islamists during the rally is recognizable from terms regularly employed by the Muslim Brotherhood, such as *jihad* and *infidels* prompting Mazhar Shahin to criticize the Muslim Brotherhood for "turning every battle into a battle between Islam and infidels."<sup>248</sup>

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<sup>244</sup> Nada, G. & Al Sulayman, F., "Twitter Sheikhs of Saudi Arabia", AI Monitor, 18 December 2013.

<sup>245</sup> Milmo, C., "Sunni vs Shia... in Gerrard's Cross: New Mosque highlights growing tensions among British Muslims", The Independent, 24 June 2013.

<sup>246</sup> Morris, S., "Father of Cardiff jihadists says his sons were radicalized in 'pop-up' schools", The Guardian, 23 June 2014.

<sup>247</sup> Mohsen, M., "Brotherhood supports calls for jihad in Syria", Daily News Egypt, 15 June 2016 accessed at <http://www.dailynewsegypt.com/2013/06/15/egypt-to-aid-syrian-rebels/>

<sup>248</sup> "'Morsi 1st president to declare war in a football stadium': Egypt's revolutionary sheikh", Ahram Online, 17 June 2013.



### 3.4 Concluding remarks

180. The involvement of the Muslim Brotherhood in making the key policy decisions in Mohamed Morsi's presidency is unmistakable. The speed by which these policies were sought to be implemented and their nature such as, the challenges to the legal system and the Islamification of the government, resulted in widespread anger that eventually manifested itself in waves of massive protests against his government.

181. Chapter 4 will discuss these protests and how they brought about the inevitable downfall of the Morsi government.



## CHAPTER 4

# Downfall of the Morsi Government



#### 4.1 Popular uprisings and continuous mass protests

182. When Morsi was elected President on 24 June 2012, he pledged to be a “president of all Egyptians, equally.” He promised to realise the objectives of social justice, freedom and human dignity, and called upon “you my people to support me as long as I establish justice and righteousness among you...If I don’t do so,...and I do not adhere to what I promised you, you are not obliged to obey me.”<sup>249</sup>

183. On 29 June 2012, the day before he was formally sworn in as President, he reiterated, in a televised speech to crowds in Tahrir Square,

“I believe that you are the source of power and legitimacy. There is no person, party, institution or authority over or above the will of the people... You grant power to whomsoever you choose, and you withdraw power from whomsoever you choose.”<sup>250</sup>

184. In contrast to those declarations, the acts of Morsi whilst in office caused opposition to grow against him throughout his presidency that eventually stretched across every sector of Egyptian society. By 30 June 2013, after a year of increasing protests, millions

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<sup>249</sup> Morsi, M., “I have today become president of all Egyptians”, The Guardian, 25 June 2012. See also “Profile: Egypt’s Mohamed Morsi”, BBC, 18 December 2013.

<sup>250</sup> “President Morsi’s Speech in Tahrir Square, 29 June 2012”, Ikwaneb, 30 June 2012. See also “Egypt’s President-elect Mohamed Mursi hails Tahrir crowds” BBC, 29 June 2012.



were reported to have taken to the streets<sup>251</sup> and 22 million people were reported to have signed a petition calling for early presidential elections,<sup>252</sup> more than the 13 million votes Morsi earned in the presidential election.<sup>253</sup>

185. Writing in 2011, scholar Mona el-Ghobashy observed that,
- “for at least a decade before Mubarak’s ouster, Egyptians were doing their politics outdoors” and she predicted that, “street mobilization will continue to be the prime mover in Egyptian politics...Egyptians know that remaining on the streets during the long intervals between elections will be the only way they can bend the state to their will...they will continue to take to the streets to keep their new rulers in check.”<sup>254</sup>
186. The Egyptian Center for Economic and Social Rights (hereinafter “ECESR”) released reports on social and economic protests in Egypt in 2012 and in 2013. The 2012 report states that there was “an unprecedented rise” in levels of protests in 2012<sup>255</sup> with the rate of protests more than doubling after Morsi became president.
187. A report issued by the Egyptian presidency on 19 June 2013

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<sup>251</sup> “Millions flood Egypt’s streets to demand Mursi quit”, Reuters, 30 June 2013.

<sup>252</sup> “Jadaliyya coverage of Egypt on 30 June 2013”, Jadaliyya, 30 June 2013.

<sup>253</sup> “Muslim Brotherhood’s Morsi urges ‘unity’ in first speech as Egypt’s president-elect.”, CNN, 25 June 2012.

<sup>254</sup> El-Ghobashy, M., “Politics by Other Means: In Egypt, Street Protests Set the Agenda”, Boston Review, 1 November 2011.

<sup>255</sup> Wael, G., “Ordinary folk versus politicians”, Ahram Online, 7 February 2013.



estimated a total of 24 million people had taken part in 7709 protests and 5821 demonstrations during the year of Morsi's rule.<sup>256</sup>

188. The ECESR interpreted the rise in protests as indicative of "the clear failure of Morsi's administration" to resolve the social and economic issues,<sup>257</sup> such as access to clean drinking water, access to electricity, good-quality education, better health services, better wages and salaries, and many other entitlements.<sup>258</sup>

189. The ECESR reported that the state response towards the protesters and strikers was one of repression, on the one hand, and ignoring the popular demands of the people, on the other. More than 200 protesting workers were arbitrarily dismissed from jobs during the first three months after President Morsi came to power, and more than 100 workers were detained after they were arrested whilst demonstrating peacefully.

190. Those involved in protests faced, "dismissal, suspension, transfers outside or inside headquarters, detention, beatings and lynching, pay cuts, investigation by administrative or general prosecution, threats and terror, assault

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<sup>256</sup> "Analysis of Egypt's June 30 protests", Al Arabiya Institute for Studies, 30 June 2013.

<sup>257</sup> Egyptian Center for Economic and Social Rights, "2012 Social Protests: Cry of the People", ECESR, 1 January 2013.

<sup>258</sup> The Egyptian Center For Economic and Social Rights (ECESR), Egypt, and The Center For Economic and Social Rights (CESR), USA, "Submission to the Committee on Economic, Social and Cultural Rights, On the occasion of the review of Egypt's Periodic Report by the Pre-Sessional Working Group of the Committee's 51<sup>st</sup> Session, 21-24 May 2013", page 5.



by thugs at the incitement of business owners, and threatening or actually closing down companies.”<sup>259</sup>

191. Likewise, women’s activists and human rights defenders have been increasingly victim to instances of rape, sexual assault and abduction, many of which the state institutions, now controlled by an Islamist government, failed to condemn, address or investigate.<sup>260</sup>

192. Alongside these social and economic protests, from November 2012 mass protests against the Morsi regime galvanized around constitutional issues and the perception that the new “Muslim Brotherhood government” favoured Islamists rather than the population as a whole.

#### 4.1.1 Key protests

##### 4.1.1.1 Constitutional Declaration, 21 November 2012

193. On 21 November 2012 President Morsi issued a Constitutional Declaration in the name of the objectives of 25 January 2011 revolution,

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<sup>259</sup> Wael, G., “Ordinary folk versus politicians”, *Ahram Online*, 7 February 2013. See also The Egyptian Center For Economic and Social Rights (ECSR), Egypt, and The Center For Economic and Social Rights (CESR), USA, “Submission to the Committee on Economic, Social and Cultural Rights, On the occasion of the review of Egypt’s Periodic Report by the Pre-Sessional Working Group of the Committee’s 51<sup>st</sup> Session, 21-24 May 2013”, page 5.

<sup>260</sup> “Position Paper on Sexual Violence Against Women and the Increasing Frequency of Gang Rape in Tahrir Square and its Environs”, *Nazra for Feminist Studies*, February 2013. See also The Egyptian Center For Economic and Social Rights (ECSR), Egypt, and The Center For Economic and Social Rights (CESR), USA, “Submission to the Committee on Economic, Social and Cultural Rights, On the occasion of the review of Egypt’s Periodic Report by the Pre-Sessional Working Group of the Committee’s 51<sup>st</sup> Session, 21-24 May 2013”, page 6.



purportedly to “establish a base for a new legitimacy, crowned by a constitution...based on the principles of freedom, justice and democracy”.

194. The decree, discussed earlier in Chapter 3, granted the President far-reaching powers to legislate without judicial oversight and prevented the judicial dissolution of the Constituent Assembly.<sup>261</sup>

195. Following the announcement of the declaration, the remaining non-Islamist representatives withdrew from the Constituent Assembly in protest, bringing the total number of resignations to 22 members and 7 reserve members.<sup>262</sup>

196. The 21 November 2012 decree was received with anger and prompted mass protests and political and social unrest. Sameh Ashour, head of the Egyptian Lawyers syndicate, said Morsi had committed a “coup against legitimacy” and with Amr Moussa, former foreign minister and Arab League chief and Mohamed el-Baradei “call[ed] on all Egyptians to protest in all of Egypt’s squares on Friday.”<sup>263</sup>

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<sup>261</sup> “English text of Morsi’s Constitutional Declaration”, Ahram Online, 22 November 2012. See also Spencer, R., “Mohammed Morsi grants himself sweeping new powers in wake of Gaza”, The Telegraph, 22 November 2012.

<sup>262</sup> “Six more Constituent Assembly members resign after Morsy decree”, Egypt Independent, 25 November 2012. See also “Non-Islamist members withdraw from Constitutional Assembly”, Daily News Egypt, 24 November 2012 accessed at <http://www.dailynewsegypt.com/2012/11/24/all-civilian-parties-withdraw-from-constitutional-assembly/>

<sup>263</sup> Beaumont, P., “Morsi ‘power grab’ angers Egypt opposition groups”, The Guardian, 23 November 2012.



197. Over 30 opposition political groups were reportedly behind the “Eyes of Freedom” rallies planned for 23 November 2012, initially called to commemorate the year anniversary of the “Mohamed Mahmoud Street” clashes between protesters and security forces, now refocused to protest Morsi’s declaration.<sup>264</sup>
198. On 23 November 2012 tens of thousands of protesters gathered in Tahrir Square, Cairo demanding that Morsi quit. Protesters from more than 20 different groups began a week-long sit-in and called for a huge protest on 27 November 2012.<sup>265</sup>
199. Former Constituent Assembly spokesman Wahid Abdel-Meguid, who had resigned from the Constituent Assembly on 21 November 2012, reportedly led a Liberal Wafd (Party) march to Tahrir Square, whilst former presidential candidate Hamdeen Sabbahi and Mohamed el-Baradei were also in Tahrir Square.<sup>266</sup> Samer Morqous, presidential aide for issues regarding democratic transformation, resigned in protest to the “undemocratic” decree.<sup>267</sup>
200. Violent clashes between protesters and police were reported

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<sup>264</sup> “Live Updates 1: Rival protests erupt across Egypt”, Ahram Online, 23 November 2012. See also “Live Updates 2: Rival Protests across Egypt, fierce fighting near Tahrir, Ahram Online, 23 November 2012.

<sup>265</sup> “Egypt President Mursi defends new powers amid protests”, BBC, 23 November 2012.

<sup>266</sup> “Live Updates 1: Rival protests erupt across Egypt”, Ahram Online, 23 November 2012.

<sup>267</sup> “Live Updates 1: Rival protests erupt across Egypt”, Ahram Online, 23 November 2012.



throughout Cairo.<sup>268</sup> Clashes between pro-and anti-Morsi protesters were also reported in Alexandria, Ismailia, Assyut, Port-Said, Suez, Mahalla, Domiate, Menya and Aswan. Muslim Brotherhood and FJP offices were reportedly attacked in Alexandria, Suez, Port Said and Ismailia<sup>269</sup>

201. On 24 November 2012 at least 35 political groups<sup>270</sup> formed the National Salvation Front, an opposition coalition led by Mohamed el-Baradei, Amr Moussa and Hamdeen Sabhi calling for the President to rescind his decree, and demanding a more representative Constituent Assembly.<sup>271</sup> El-Baradei said,

“We will have to continue to escalate our level of expressing resistance, peaceful disobedience.”<sup>272</sup>

202. The Supreme Judicial Council announced work would be suspended in all courts and prosecution offices until the decree was reversed.<sup>273</sup>

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<sup>268</sup> “Live Updates 1: Rival protests erupt across Egypt”, Ahram Online, 23 November 2012. See also “Live Updates 2: Rival Protests across Egypt, fierce fighting near Tahrir, Ahram Online, 23 November 2012.

<sup>269</sup> “Live Updates 2: Rival Protests across Egypt, fierce fighting near Tahrir, Ahram Online, 23 November 2012. See also “Mohammed Morsi’s backers and opponents clash across Egypt after president grants himself sweeping powers”, The Independent, 23 November 2012.

<sup>270</sup> “National Rescue Front in action”, Daily News Egypt, 25 November 2012, accessed at <http://www.dailynewsegypt.com/2012/11/25/national-rescue-front-in-action/>

<sup>271</sup> “Profile: Egypt’s National Salvation Front”, BBC, 10 December 2012. See also “Egypt’s Baradei to address Tahrir rally, list demands of new ‘National Front’, Ahram Online, 30 November 2012.

<sup>272</sup> “Profile: Egypt’s National Salvation Front”, BBC, 10 December 2012.

<sup>273</sup> “Egypt’s top judges condemn Mohamed Morsi power grab”, The Guardian, 24 November 2012.



203. Protests on the streets of Cairo continued on 24 and 25 November 2012 and clashes between pro-and anti-Morsi protesters were reported in Damanhur, killing a 15-year-old and injuring between 40 to 60 people.<sup>274</sup> The Egyptian health ministry said 444 people had been injured since Morsi's announcement.<sup>275</sup>

204. In contrast, the Muslim Brotherhood in Egypt called for a mass demonstration in Cairo and in public squares across the country in support of Morsi.<sup>276</sup>

205. In an attempt to quell the protests, on 25 November 2012 Morsi announced that the decree was only "temporary"<sup>277</sup> and on the following day 26 November after meeting with representatives of the Supreme Judicial Council the presidency stated that Morsi would use the new powers only for "sovereign matters".<sup>278</sup>

206. On 27 November 2012, in the largest protest since the rallies prior to Mubarak's overthrow, tens of thousands of people rallied

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<sup>274</sup> "Brotherhood member killed in Damanhour clashes with anti-Morsi protesters," Ahram Online, 25 November 2012.

<sup>275</sup> "Mohammed Morsi 'very optimistic' over deal to resolve Egypt crisis", The Telegraph, 26 November 2012.

<sup>276</sup> Gallagher, P., "Embattled Morsi calls out his backers", The Independent, 25 November 2012.

<sup>277</sup> Hutchinson, B., "Egyptian protesters clash with President Mohammed Morsi's Muslim Brotherhood over decree giving Islamist head of state 'unprecedented' powers", New York Daily Times, 25 November 2012.

<sup>278</sup> Hussein, A., "Egypt: protesters descend on Tahrir Square", The Guardian, 28 November 2012.



against Morsi in Tahrir Square.<sup>279</sup> The protesters chanted, “[t]he people want the downfall of the regime”.<sup>280</sup> The protesters included senior politicians from the National Salvation Front, scholars from al-Azhar and members of the Christian minority, showing that Morsi’s decree had galvanised and united the opposition. Rallies also occurred in Alexandria, Suez, Mansura, Tanta, Mahala, Assyut, Sohag and Menya. Clashes between pro- and anti-Morsi protesters were reported in el-Mahalla and Port Said.

207. On 28 November 2012, whilst low-level rallies were reported in Tahrir Square,<sup>281</sup> the judges of the Court of Cassation and Court of Appeal said it would suspend all work until the decree was rescinded. Following a blockade of the court building by members and supporters of the Muslim Brotherhood (see Chapter 3), the Supreme Constitutional Court followed suit on 2 December 2012, the day they were due to rule on the dissolution of the Constituent Assembly.<sup>282</sup>

#### *4.1.1.2 Draft Constitution Adopted, 29 - 30 November 2012*

208. Following the adoption of the draft constitution on 29 November 2012, Morsi told state television that his decree would “end

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<sup>279</sup> Elyan, T., “Egyptians challenge Mursi in nationwide protests”, Reuters, 27 November 2012. See also Hussein, A., “Egypt: protesters descend on Tahrir Square”, The Guardian, 28 November 2012; and “Mass anti-Morsi rally in Egyptian capital”, Al Jazeera, 28 November 2012.

<sup>280</sup> Elyan, T., “Egyptians challenge Mursi in nationwide protests”, Reuters, 27 November 2012.

<sup>281</sup> “Egypt appeals courts launch anti-Mursi strike action”, BBC, 28 November 2012.

<sup>282</sup> “Timeline of Morsi and the Judiciary: One Year in Power, Daily News Egypt”, 29 June 2013 accessed at <http://www.dailynewsegypt.com/2013/06/29/timeline-of-morsi-and-the-judiciary-one-year-in-power/>



as soon as the people vote on the constitution.”<sup>283</sup>

209. The following day saw tens of thousands of protesters march to Tahrir Square chanting “Constitution: void” and “The people want to bring down the regime”, objecting to the constitution, the Constituent Assembly and the Constitutional Declaration. Clashes broke out between pro- and, anti-Morsi supporters in Alexandria.<sup>284</sup>

#### 4.1.1.3 *Constitutional Referendum announced, 1 December 2012*

210. Tensions rose to new levels after 1 December 2012 when Morsi announced that a snap referendum would be held on the draft constitution on 15 December 2012. UN Human Rights Commissioner Navi Pillay asked Morsi to reconsider his decree warning,

“that approving a constitution in these circumstances could be a deeply divisive move.”<sup>285</sup>

211. Morsi’s supporters heeded the Muslim Brotherhood’s call and gathered outside Cairo University for “the day of legitimacy and sharia” to show public support for him, whilst protesters entered their ninth day of demonstration in Tahrir Square. Other clashes between

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<sup>283</sup> “Egyptians protest after draft constitution raced through”, Reuters, 30 November 2012.

<sup>284</sup> “Cairo’s Tahrir Square fills with anti-Morsi protesters”, BBC, 30 November 2012. See also “Egyptians protests after draft constitution raced through”, Reuters, 30 November 2012; and “Egyptian assembly rushes to vote on new constitution”, Washington Post, 29 November 2012.

<sup>285</sup> “Egypt crisis: Islamist rally for President Morsi”, BBC, 1 December 2012.



demonstrators were reported in Alexandria.<sup>286</sup>

212. On 4 December 2012 twelve newspapers and five television channels announced they would strike for one day to protest the limits on protections for freedom of expression in the draft constitution (the government's clampdown on the media and on freedom of expression generally is covered in more depth in Chapter 3).<sup>287</sup>

213. More than a hundred thousand protesters reportedly took part in "The Last Warning" protests against Morsi outside the Presidential Palace, chanting "erhal" (leave) and "the people want to topple the regime", while tens of thousands gathered in Tahrir Square and in Alexandria. Protests were also reported in Assyut, Mahallah and Suez.<sup>288</sup>

214. On 5 to 6 December 2012, street battles erupted in Cairo when hundreds of Muslim Brotherhood and FJP members and supporters marched to the presidential palace and attacked 300 protesters who were staging a peaceful sit-in.<sup>289</sup> Violence escalated with stones, Molotov cocktails, rubber pellet rifles and handguns reportedly used by both sides whilst the riot police and security forces failed to

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<sup>286</sup> "Egypt to hold December referendum on new constitution", BBC, 1 December 2012. See also "Hundreds of thousands of Islamist rally in support of Morsi, Sharia Law", Ahram Online, 1 December 2012.

<sup>287</sup> "Egyptian newspapers go on strike to protest draft constitution" Al Arabiya News, 4 December 2012.

<sup>288</sup> "Protest at Egypt president's palace turns violent", Washington Times, 4 December 2012. See also "Egypt Protests: At Least 100 000 Egyptians Demonstrate outside Presidential Palace in Cairo," The World Post, 4 December 2012.

<sup>289</sup> "Morsi addresses Egypt amid ongoing unrest." Al Jazeera, 6 December 2012.



intervene. Seven people were killed and over 770 injured.<sup>290</sup>

215. During the clashes, FJP Deputy Secretary Essam el-Erian gave a live television interview where he called upon everyone to “go now to Ettihadiya [presidential palace] and surround the thugs and separate the real revolutionaries out [...]”<sup>291</sup> At least 49 protesters were detained and beaten by Muslim Brotherhood and FJP supporters.

#### 4.1.1.4 Constitutional Referendum, 15 – 25 December 2012

216. On 8 December 2012, in the wake of the continuous mass protests, Morsi issued a Constitutional Declaration that rescinded the 21 November 2012 Constitutional Declaration. The move was seen as an attempt to quell dissent.<sup>292</sup>

217. Not wishing to give up power, Morsi retained the effects of the decree and continued to protect the Constituent Assembly and Shura Council from dissolution. Moreover, he insisted that the referendum on the constitution would go ahead.<sup>293</sup>

218. The opposition’s National Salvation Front complained that Morsi’s compromise was, “a continuation of deception in the name of

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<sup>290</sup> “Morsi addresses Egypt amid ongoing unrest.” Al Jazeera, 6 December 2012.

<sup>291</sup> “Egypt: Investigate Brotherhood’s Abuse of Protesters”, HRW, 12 December 2012. See also “Egypt constitutional vote: ‘Things are definitely worse than under the old regime’”, The Telegraph, 22 December 2012.

<sup>292</sup> “Egypt crisis: Morsi offers concession decree annulment” BBC, 9 December 2012.

<sup>293</sup> “Egypt crisis: Morsi offers concession decree annulment” BBC, 9 December 2012.



law and legitimacy.”<sup>294</sup> As set out in more detail in Chapter 3 of this report, many people complained that the draft constitution neglected social and economic needs, did not reflect the aspirations of the Egyptian people and would enforce a “presidential dictatorship.”<sup>295</sup> Islamist supporters maintained that the constitution would provide the stability needed to help a fragile economy and the transition to democracy.<sup>296</sup>

219. Both pro-and anti-Morsi rallies were called in Cairo on 11 December 2012 prior to the referendum.<sup>297</sup> Protests also took place in Alexandria, where clashes were reported,<sup>298</sup> and in Assyut.<sup>299</sup> Further protests were called on 18 December 2012 with around 2000 protesters gathering outside the presidential palace.<sup>300</sup> Further disturbances were reported in Alexandria.<sup>301</sup>

220. Morsi had ordered the military to maintain security and protect state institutions until the results were announced, and had given the army the power to arrest citizens,<sup>302</sup> a move that commentators regarded as an indication of the government’s concern over tension

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<sup>294</sup> Spencer, R., “Egypt’s opposition rejects Mohammed Morsi compromise on constitution”, The Telegraph, 9 December 2013.

<sup>295</sup> Spencer, R., “Egypt’s opposition rejects Mohammed Morsi compromise on constitution”, The Telegraph, 9 December 2013.

<sup>296</sup> “Egyptians back new constitution in referendum,” Reuters, 23 December 2012.

<sup>297</sup> “Clashes as Egypt prepares to vote on constitution” The Telegraph, 14 December 2012.

<sup>298</sup> “Egyptians back new constitution in referendum,” Reuters, 23 December 2012.

<sup>299</sup> “Egypt Crisis: Morsi supporters and opponents rally”, BBC, 12 December 2012.

<sup>300</sup> “Egypt opposition calls for protests against referendum”, BBC, 17 December 2012. See also “Egypt protesters rally against draft charter”, Al Jazeera, 18 December 2012.

<sup>301</sup> Tait, R., “Egypt: Islamists and opposition fight in Alexandria,” The Telegraph, 21 December 2012.

<sup>302</sup> “Egypt: Morsi gives army arrest powers before vote,” BBC, 10 December 2012.



and unrest in the lead up to the referendum.<sup>303</sup>

221. Hamdeen Sabahy, member of the National Salvation Front and former presidential candidate said, “[t]here is no consensus on this constitution. It has split the country and [the low election turnout of around 31%] indicates it is not acceptable as the constitution of Egypt.”<sup>304</sup>

222. On 26 December 2012 Morsi signed the constitution into law reiterating that, “the power is with the people” and calling for “stability,” “dialogue”, “unity”, and a “focus on the economy”.<sup>305</sup>

#### *4.1.1.5 Second anniversary of the Revolution, 25 January 2013*

223. On 25 January 2013, the second anniversary of the 2011 revolution, tens of thousands of demonstrators protested in Tahrir Square to demand the fulfilment of the revolution’s goals of bread, freedom and social justice, and to protest the economic failings and the ‘Ikhwanization’ of the state.<sup>306</sup>

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<sup>303</sup> Spencer, R., “Egypt’s opposition rejects Mohammed Morsi compromise on constitution”, The Telegraph, 9 December 2013, “Egypt: Morsi gives army arrest powers before vote,” BBC, 10 December 2012.

<sup>304</sup> Hussain, A., “Egypt Referendum: Opposition calls for fraud inquiry,” The Guardian, 23 December 2012.

<sup>305</sup> Beaumont, P., “Mohammed Morsi signs Egypt’s new constitution into law”, The Guardian, 26 December 2013.

<sup>306</sup> Kirkpatrick, D., “Deadly Riots Erupt across Egypt on Anniversary of Revolution,” The New York Times, 25 January 2013. See also Rabie, D. “On 25 January, one anniversary but two commemorations”, Egypt Independent, 24 January 2013.



224. Unrest was reported in 12 out of 27 of Egypt's provinces, with street battles reported in Cairo, Alexandria, Suez and Port Said.<sup>307</sup> Protesters set fire to the FJP headquarters and stormed the governorate headquarters in Ismailia. Seven people were killed and more than 450 were wounded in the unrest across Egypt.<sup>308</sup>

#### 4.1.1.6 Port Said

225. The situation was exacerbated on 26 January 2013 when a court in Port Said recommended the sentencing of 21 people to death for a riot after a soccer match on 1 February 2012 that had killed 74 people. The recommendation sparked clashes between police and protesters in which 42 people, including two police officers, were reported to have died and 874 people were reported injured between 26 and 28 January 2013.

226. Police were reported to have used indiscriminate and excessive live fire during confrontations, including shooting an unarmed man in a wheelchair. Police also fired tear gas at a funeral procession on 27 January 2013 for some of those who had died during the clashes the day before.<sup>309</sup>

227. On 27 January 2013 Morsi responded by thanking the police "for

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<sup>307</sup> "Egypt unrest: Death sentences over football riots spark violence", BBC, 27 January 2013.

<sup>308</sup> "Egypt unrest: Death sentences over football riots spark violence", BBC, 27 January 2013.

<sup>309</sup> "Egypt: Protesters defy Morsi's curfew – Tuesday 29 January 2013", The Guardian, 30 January 2013.



their efforts to protect the country”<sup>310</sup> and instructed them to respond with “the utmost firmness and strength” to any insecurity and violence.<sup>311</sup> He declared states of emergency in Port Said, Suez and Ismailia, subjecting the cities to a 30-day curfew between 9pm and 6am each night, which residents ignored with nightly marches and football matches.<sup>312</sup>

228. Reacting to the events, UN High Commissioner for Human Rights Navi Pillay called for Morsi’s government,

“to urgently rethink its responses to the unrest which have ranged from excessive use of force on the one hand, to complete failure to protect people, especially women, on the other” [and] “to take urgent measures to ensure that law enforcement personnel never again use disproportionate or excessive force against protesters.”<sup>313</sup>

229. On 29 January 2013, then head of the Egyptian Armed Forces and Defence Minister, Lieutenant-General Abdul Fattah al-Sisi warned that the current political crisis “could lead to a collapse of the state and threaten future generations”.<sup>314</sup>

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<sup>310</sup> “President Morsi declares state of emergency in Suez canal cities”, Ahram Online, 27 January 2013.

<sup>311</sup> “Egypt: Officials Turn blind eye to Port Said Police Abuses” HRW, 2 March 2013.

<sup>312</sup> “Mohamed Morsi declares emergency in three Egyptian cities”, The Guardian, 27 January 2013.

<sup>313</sup> “Egypt: Pillay urges serious dialogue and end to use of excessive force”, Office of the High Commissioner for Human Rights, 29 January 2013.

<sup>314</sup> “Egypt army chief warns of ‘state collapse’ amid crisis”, BBC, 29 January 2013.



230. Violent demonstrations broke out again at the start of March after the police transported the defendants in the soccer riot case from Port Said to Cairo ahead of the court verdict on 9 March 2013. The acquittal of seven security officials on 9 March further fuelled local resentment.<sup>315</sup> At least 7 people died and over 500 people were injured in the unrest, which saw protesters throwing rocks and petrol bombs and police firing tear gas and birdshot.<sup>316</sup>

#### 4.1.1.7 Video of naked man beaten by police, 1 February 2013

231. On 1 February 2013 several thousand protesters marched to the Presidential palace. Fighting broke out with protesters throwing stones, shoes and fireworks and security forces using water cannons and tear gas.<sup>317</sup> One person was killed and more than 50 people were reportedly injured.<sup>318</sup> Rallies were also held in several other cities.

232. The video of a naked, middle-aged man, Hamada Saber, being dragged over tarmac near the presidential palace and beaten by police was shown on television, galvanizing the protesters against what the opposition considered to be government-sanctioned police brutality.<sup>319</sup>

233. This view is supported by Morsi's response to the violence.

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<sup>315</sup> "Unrest in Egypt over Port Said football riot sentences", BBC, 9 March 2013.

<sup>316</sup> "Protests rage in Egypt's Port Said for fourth day", Reuters, 6 March 2013.

<sup>317</sup> "Egypt protesters attack Morsi palace", The Telegraph, 1 February 2013.

<sup>318</sup> "Egypt protesters clash with police at presidential palace" BBC, 1 February 2013.

<sup>319</sup> Urquhart, C., "Egypt protests galvanized by video of police beating naked man", The Guardian, 2 February 2013.



Whilst he promised an investigation, he held political opponents responsible for the violence and said that, “the police have responded to these actions in a restrained manner.”<sup>320</sup> He said security forces would continue to “act decisively to protect state institutions.”<sup>321</sup>

234. Whilst protests and unrest continued throughout Egypt, the scale of the protests was significantly reduced until the Tamarod (Rebellion) campaign was able to unify the opposition to Morsi’s rule.

#### 4.2 The Tamarod (Rebellion) Campaign, 1 May – 30 June 2013

235. On 1 May 2013, in Tahrir Square, five young organisers, some of whom had previously been part of the Kefaya (Enough) movement, launched the Tamarod (Rebellion) campaign.<sup>322</sup> The grassroots initiative aimed to gather 15 million signatures for a petition, outnumbering the 13.2 million votes Morsi won in the presidential polls.

236. It is reported that Tamarod collected two million signatures in the first ten days alone,<sup>323</sup> and that it had collected more than 22 million signatures by 29 June 2013.<sup>324</sup>

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<sup>320</sup> Urquhart, C., “Egypt protests galvanized by video of police beating naked man”, The Guardian, 2 February 2013.

<sup>321</sup> “Egypt protesters attack Morsi palace”, The Telegraph, 1 February 2013.

<sup>322</sup> “Tamarod campaign gathers momentum among Egypt’s opposition,” The Guardian, 27 June 2013.

<sup>323</sup> “Rebel Egyptian Movement defies Morsi Through Petition”, Al Monitor, 17 May 2013.

<sup>324</sup> “Tamarod campaign gathers momentum among Egypt’s opposition,” The Guardian, 27 June 2013.



237. The petition called for the ousting of Morsi and for early presidential elections, under the supervision of the Supreme Constitutional Court.<sup>325</sup> The campaign also aimed to build momentum towards a massive protest on 30 June 2013, the first anniversary of Morsi's inauguration, to create popular pressure to see through their demands for snap presidential elections.<sup>326</sup>

238. The text of the petition explained the grievances,

“The campaign was launched because the president is no longer able to manage the country...

Because security has not returned, because the poor have no place, because I have no dignity in my own country...we don't want you anymore.”<sup>327</sup>

239. Mahmoud Badr, a co-founder of Tamarod, explained the campaign further,

“due to President Morsi's failures politically, economically and socially, and after all the Egyptian blood which has spilled during his [and the Muslim Brotherhood] era...[h]e has proven

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<sup>325</sup> “Tamarod campaign gathers in Tahrir, Daily News Egypt, 1 May 2013 accessed at <http://www.dailynewsegypt.com/2013/05/01/the-tamarod-campaign-gathers-in-tahrir/>. See also “Anti-Morsi petition gathers steam: Organisers”, *Ahram Online*, 13 May 2013.

<sup>326</sup> “Tamarod: Egypt's Revolution Hones its Skills”, *Jadaliyya*, 30 June 2013.

<sup>327</sup> “Sign up for Mursi's ouster, urges Egypt 'rebellion' group”, *Al Arabiya News*, 14 May 2013.



that he can't achieve any of the goals of the revolution, so we Egyptians decided to establish a campaign to demand the withdrawal of confidence from Mohamed Morsi."<sup>328</sup>

240. Tamarod thus adopted a discourse that was adversarial to President Morsi and the ruling Muslim Brotherhood but avoided alienating any single individual group.<sup>329</sup> The movement was able to rejuvenate Egypt's secular opposition<sup>330</sup> and develop an extremely large platform of support from across the opposition's political spectrum.<sup>331</sup>

241. Many influential activists and protest groups backed Tamarod, including the opposition coalition the National Salvation Front, the April 6 Youth Movement, the Kefaya Movement<sup>332</sup> and the Strong Egypt Party, led by former Islamist presidential candidate Abdel-Moneim Abul-Fotouh.<sup>333</sup>

242. The campaign quickly gained momentum through a decentralized network of volunteers, spread throughout Egypt's provinces, who gathered signatures on the streets, on university

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<sup>328</sup> "Egypt: One year of Mohamed Morsi," Al Jazeera, 1 July 2013.

<sup>329</sup> "Tamarod: Egypt's Revolution Hones its Skills", Jadaliyya, 30 June 2013.

<sup>330</sup> "Tamarod campaign gathers momentum among Egypt's Opposition," The Guardian, 27 June 2013.

<sup>331</sup> "Tamarod: Egypt's Revolution Hones its Skills", Jadaliyya, 30 June 2013.

<sup>332</sup> "Reactions vary to Tamarod's 30 June plans", Daily News Egypt, 5 June 2013 accessed at <http://www.dailynewsegypt.com/2013/06/05/reactions-vary-to-tamarods-30-june-plans/>

<sup>333</sup> "Strong Egypt Party supports protest on 30 June, opposes military coup" Ahram Online, 18 June 2013.



campuses, in government offices, in factories and in the countryside.<sup>334</sup>

243. On 26 June 2013, Tamarod launched the 30 June Front to coordinate the planned protests on that date as well as the political demands of the protests and “to continue on the path of January 25 Revolution,” by peaceful and popular means. It set out its political roadmap for a transitional period after Morsi’s departure. It also called on the Egyptian people to join its planned mass protests across Egypt on 28 June 2013, entitled “Leave”, against President Mohamed Morsi and the Muslim Brotherhood.<sup>335</sup>

244. During the 26 June 2013 Tamarod initiative, nine members of Egypt’s Shura Council resigned, stating that they would participate in the events of 30 June 2013, citing their reasons as being the control of the Council by one political current (i.e. the Islamists).<sup>336</sup>

245. In the lead up to 30 June 2013, thousands of protesters on both sides rallied in Cairo, Alexandria and several Egyptian governorates, including Daqahliya, Sharqiya and Zagazig. Clashes between protesters broke out in Alexandria.<sup>337</sup>

246. On 30 June 2013, in the largest demonstration since the 2011

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<sup>334</sup> Kouddous, S.A., “Egyptians to Morsi: We don’t want you,” The Nation, 26 June 2013.

<sup>335</sup> “Tamarod launches 30 June Front, proposes post-Morsi roadmap”, Ahram Online, 26 June 2013.

<sup>336</sup> “Shura Council members resign”, Daily News Egypt, 30 June 2013 accessed at <http://www.dailynewsegypt.com/2013/06/30/shura-council-members-resign/>

<sup>337</sup> “Ahram Online breaks down playbook for 30 June anti-Morsi Protests”, Ahram Online, 29 June 2013.



revolution, unprecedented numbers of people took to the streets across Egypt.<sup>338</sup> Estimates of numbers varied widely: blogger Shereef Ismail calculated a maximum of 4.9 million protesters on the streets on 30 June.<sup>339</sup> According to a military source, the protesters numbered 14 million on 30 June. Tony Blair wrote that there were 17 million people on the street between 30 June and 3 July 2013,<sup>340</sup> whilst former Egyptian army general, Sameh Seif Elyazal, told CNN that the number of protesters on the street between 30 June and 3 July 2013 was 33 million.<sup>341</sup>

247. A crowd of 500,000 gathered in Cairo's Tahrir Square and outside the Ittihadiya presidential palace. The crowd chanted, "the people want the fall of the regime!" and "Get out!" Fireworks were let off and the atmosphere was largely peaceful and festive.<sup>342</sup> Hundreds of thousands of protesters marched through Alexandria and large protest were reported in at least 20 towns.<sup>343</sup>

248. Five people were shot dead and more than 200 were injured in clashes between pro-and anti-Morsi supporters in Beni Suef, Fayoum

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<sup>338</sup> "Live updates 2: Millions on street for anti-Morsi protests; 4 dead in Upper Egypt", *Ahram Online*, 30 June 2013.

<sup>339</sup> Ismail, S., "Mathematics and Egyptians don't mix: June 30 Protest Figures," *Egypt Reborn*, 13 July 2013. See also

<sup>340</sup> Blair, T., "Democracy on it's own doesn't mean effective government", *The Guardian*, 6 July 2013

<sup>341</sup> "Egyptian President Ousted by Military; Interview with Former Egyptian Army General Sameh Seif Elyazal", *CNN live broadcast*, 3 July 2013

<sup>342</sup> Fayed, S. and Saleh, Y., "Millions flood Egypt's streets to demand Mursi quit", *Reuters*, 30 June 2013.

<sup>343</sup> Fayed, S. and Saleh, Y., "Millions flood Egypt's streets to demand Mursi quit", *Reuters*, 30 June 2013.



and Assyut.<sup>344</sup> In Cairo, young protesters threw petrol bombs and rocks at the Muslim Brotherhood's headquarters in Muqattam. Those inside retaliated by firing at the protesters, reportedly killing five.<sup>345</sup>

249. The 30 June Front rejected the presidency's statement on 30 June 2013 which announced, "President Morsi recently called for national dialogue; we fully welcome all initiatives applied through the constitution and law<sup>346</sup>.

250. The 30 June Front responded that despite the fact that millions of people peacefully protested,

"the presidency has released a statement belittling us and our legitimate demands and our million man marches all over Egypt's squares."

It called for continuing the national strike involving,

"the use of all democratic means to demonstrate, hold sit-ins and strikes and besiege all state institutions and we demand the trial [of] all those responsible for torture, killing and announcing edicts inciting against the people and calls for terrorism which

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<sup>344</sup> Fayed, S. and Saleh, Y., "Millions flood Egypt's streets to demand Mursi quit", Reuters, 30 June 2013. See also "Young protesters attack Muslim Brotherhood headquarters in Cairo", CBS News, 30 June 2013.

<sup>345</sup> "Young protesters attack Muslim Brotherhood headquarters in Cairo", CBS News, 30 June 2013.

<sup>346</sup> Sabry, M., "Millions of Egyptians demand Morsi's downfall", Al Monitor, 30 June 2013.



was called for by the Muslim Brotherhood.”<sup>347</sup>

251. The National Salvation Front opposition coalition released "Revolution Statement 1", calling on protesters across Egypt to,

“maintain their peaceful [rallies] in all the squares and streets and villages and hamlets of the country... until the last of this dictatorial regime falls.”<sup>348</sup>

### 4.3 Islamist response to Tamarod

252. On 12 May 2013, Assem Abdel-Maged, a leading member of al-Gamaa al-Islamiya (mentioned in Chapter 3) launched the Tagarod (impartiality) campaign aimed to counter the Tamarod campaign.<sup>349</sup> He called on Morsi’s supporters to sign a petition to keep the “legitimately elected president in his post”, condemned the “instability and chaos” that Tamarod sought to bring and said that Tamarod was a plot devised by communists, extremist Coptic Christians, and remnants of the former regime.<sup>350</sup>

253. The Tagarod petition stated,

“We, the signatories, agreeing or disagreeing, with Dr

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<sup>347</sup> “Live updates 2: Millions on street for anti-Morsi protests; 4 dead in Upper Egypt”, Ahram Online, 30 June 2013.

<sup>348</sup> “Egypt crisis: Mass Protest over Morsi grips city”, BBC, 1 July 2013.

<sup>349</sup> “Anti-Morsi petition gathers steam: Organisers”, Ahram Online, 13 May 2013.

<sup>350</sup> El-Dabh, B., “June 30: Tamarod and Its Opponents,” Middle East Institute, 26 June 2013.



Mohamed Morsi, the elected president, insist that he should complete his term as long as we do not see from him outright blasphemy; we have in him a sign from God, may God bless him and guide his footsteps.”<sup>351</sup>

254. By the start of June 2013, Tagarod announced that it had collected 2 million signatures<sup>352</sup> and on 30 June 2013 a Tagarod spokesman, Ahmed Hosni, said the campaign had gathered about 26 million signatures in support of Morsi.<sup>353</sup> However, the accuracy of these figures is not verified.

255. At a rally at Cairo Stadium on 17 June 2013, and attended by President Morsi, the Muslim Brotherhood’s Sheikh Mohamed Abdel-Maqsoud described those planning to take part in anti-Morsi rallies on 30 June 2013 as “infidels.”<sup>354</sup>

256. On 21 June 2013, the Muslim Brotherhood organised a “million man” march as a show of strength before the Tamarod campaign’s protest on 30 June. Tens of thousands to hundreds of thousands of Morsi supporters turned out under the banner of “denouncing violence” in front of Rabaa al-Adawiya mosque in Cairo’s Nasr City to

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<sup>351</sup> “Tagarod campaign to counter Tamarod”, Daily News Egypt, 13 May 2013 accessed at <http://www.dailynewsegypt.com/2013/05/13/tagarod-campaign-to-counter-tamarod/>

<sup>352</sup> “Tagarod collects more than 2 million signatures”, Daily News Egypt, 2 June 2013 accessed at <http://www.dailynewsegypt.com/2013/06/02/tagarod-collects-more-than-two-million-signatures/>

<sup>353</sup> “Tamarod v. Tagarod, The Egyptians in virtual war”, Saudi Gazette, 2 July 2013.

<sup>354</sup> “Morsi 1st president to declare war in a football stadium’: Egypt’s revolutionary sheikh”, Ahram Online, 17 June 2013.



voice their support for the President.<sup>355</sup> The crowd chanted, “Islam is the solution” and “the Quran is the constitution.”<sup>356</sup>

257. The FJP spokesman stated,

“We seek to promote peaceful means of demonstrating, denounce the opposition's calls for violence and – most importantly – support Egypt's freely elected president and defend his democratic legitimacy.”<sup>357</sup>

258. In contrast to the message of peaceful demonstration, the rally saw a martial arts performance by Islamist youths wearing chest guards typically worn in martial arts matches.<sup>358</sup> Muslim Brotherhood members armed with green staves said they were ready to protect demonstrators from “thugs”.<sup>359</sup> Moreover, during the rally Tarek al-Zumar, a member of Gamaa al-Islamiya, told the crowd,

“We promise them, they will be crushed on this day,” ... “It will be the final blow to anyone who claims that they have tens, thousands or hundreds of thousands with them.”<sup>360</sup>

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<sup>355</sup> “Live Update, part 2: Hundreds of thousands at pro-Morsi rally in Cairo; 2 dead in Alexandria clashes”, Ahram Online, 28 June. See also “Egypt Islamists warn opponents with huge pro-Mursi rally”, Reuters, 21 June 2012.

<sup>356</sup> “Updated: Egypt’s Islamist rally to support President Morsi”, Ahram Online, 21 June 2013.

<sup>357</sup> “Updated: Egypt’s Islamist rally to support President Morsi”, Ahram Online, 21 June 2013.

<sup>358</sup> “Updated: Egypt’s Islamist rally to support President Morsi”, Ahram Online, 21 June 2013.

<sup>359</sup> “Egypt Islamists warn opponents with huge pro-Mursi rally”, Reuters, 21 June 2012.

<sup>360</sup> “Egypt Islamists warn opponents with huge pro-Mursi rally”, Reuters, 21 June 2012.



259. On 26 June Morsi made a three-hour-long televised speech in which he blamed his failures on Egypt's external and internal enemies and remnants of the old regime who hated to see Egypt on the democratic path.<sup>361</sup>

260. However, the rhetoric from his supporters demanded harsher measures as on the 28 June 2013 at a rally outside Rabaa el-Adawiya Mosque in Cairo, the Muslim Brotherhood preacher, Safwat Hegazi, called for,

“Mr. President, use a heavier hand, your kind heart won't be any use. ...We want to complete our revolution and purify our country.”<sup>362</sup>

261. On 27 June 2013 eleven Islamist political parties launched the “National Alliance for Legitimacy Support” to “protect the Egyptian people's democratic gains”. Its aim was to support Morsi's “constitutional legitimacy” to continue his presidential term by coordinating efforts to “protect the choices of the Egyptian people.” It planned to hold demonstrations across Egypt allegedly to “denounce violence, resist thuggery and continue the people's revolution... using peaceful and legal means”<sup>363</sup> and announced an open-ended

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<sup>361</sup> Excerpts from Egyptian President Morsi Wednesday 26 June Speech, Ikhwanweb, 28 June 2013. See also “Ahran Online breaks down playbook for 30 June anti-Morsi Protests”, Ahran Online, 29 June 2013,

<sup>362</sup> “Mohammed Morsi Supporters Rally In Egypt's Cairo Ahead Of Mass Opposition Protests”, The World Post, 28 June 2013.

<sup>363</sup> “11 Islamist parties launch “Legitimacy Support Alliance””, Ahran Online, 28 June 2013.



demonstration titled “Legitimacy is a Red Line,” that was to begin on 28 June 2013 to defend the president.<sup>364</sup>

262. On 28 and 30 June 2013, tens of thousands of Morsi supporters, mainly Islamists, filled a public square outside the Rabaa al-Adawiya Mosque in Cairo.<sup>365</sup>

#### 4.4 Concluding Remarks

263. It had become apparent by November 2012 that Morsi was making decisions as President of Egypt in the sole interests of the Muslim Brotherhood. It was this grievance that galvanised and united both the disparate political opposition and the general public to demonstrate their discontent. By 30 June 2013, in a massive display of no confidence, “the will of the people” that Morsi had recognised a year earlier as “the source of power and legitimacy” had chosen to withdraw power from him.<sup>366</sup>

264. On 1 July 2013, crowds continued to fill the streets and Tamarod issued a statement calling for Morsi to resign by 5 pm on 2 July for the Egyptian State institutions to prepare for early presidential elections. The Tamarod threatened a general civil disobedience if he did not comply and warned that the protests could drag the country into civil

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<sup>364</sup> Kouddous, S. A., “Egyptians to Morsi: 'We Don't Want You'”, The Nation, 26 June 2013.

<sup>365</sup> “Millions flood Egypt's streets to demand Mursi quit”, Reuters, 30 June 2013.

<sup>366</sup> “President Morsi's Speech in Tahrir Square, 29 June 2012”, Ikwanweb, 30 June 2012. See also “Egypt's President-elect Mohamed Mursi hails Tahrir crowds” BBC, 29 June 2012.



war.<sup>367</sup>

265. Later on 1 July, on state television, Lieutenant General Abdel Fattah al-Sisi described the protests as an “unprecedented” expression of the popular will and said that the military would have to take responsibility for a plan for the future if the people's demands were not met within 48 hours.<sup>368</sup> This public warning followed a private warning given several days before by al-Sisi to Morsi and el-Katani to be “more inclusive”.<sup>369</sup>

266. On 2 July 2013, on the third day of demonstrations and amidst six ministerial resignations since the protests began, Morsi rejected the army’s ultimatum stating that, “if the price of protecting legitimacy is my blood, I’m willing to pay it.”<sup>370</sup>

267. On 3 July 2013, on the fourth day of mass protests and following the expiration of the army’s ultimatum, al-Sisi made a televised address, accompanied by Ahmed al-Tayyeb, the Grand Imam of al-Azhar University, Pope Tawadros II of Egypt's Coptic Church, political leaders and youth leaders. He said the military was taking up its “patriotic duty to the Egyptian masses” and announced a political roadmap, which was previously tabled and agreed upon by all parties

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<sup>367</sup> “Is the clock ticking for Mursi? Opposition sets deadline for his ouster”, Al Arabiya News, 1 July 2013.

<sup>368</sup> “In translation: the army’s first #30 June decree,” The Arabist, 3 July 2013.

<sup>369</sup> “Brotherhood refused to follow advice: Egypt Defence Minister El-Sisi”, Ahram Online, 8 October 2013.

<sup>370</sup> “Morsi Defies Egypt Army’s Ultimatum to Bend to Protest”, New York Times, 2 July 2013.



involved, suspending the constitution, forming an interim government and leading to elections. As part of the road map, the Chief Justice of the Constitutional Court, Adly Mansour, was declared interim president with “full powers of decree”.<sup>371</sup>

268. A further report due for completion in 2015 is “The Egyptian Revolution against the Muslim Brotherhood 2013” and will cover events subsequent to 30 June 2013 in detail.

269. Chapter 5 will briefly discuss the impact and legacy of the Muslim Brotherhood’s rule in Egypt.

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<sup>371</sup> “Mohammed Morsi ousted in Egypt’s second revolution in two years”, The Guardian, 4 July 2013.



## CHAPTER 5

# The Impact and Legacy of Muslim Brotherhood Rule in Egypt



## 5.1 Legacy of Muslim Brotherhood Rule

### 5.1.1 *Legacy of Muslim Brotherhood Rule on Social Relations in Egypt*

270. As discussed in Chapter 2, during his presidential election campaign, Morsi was presented by the Muslim Brotherhood as the candidate embodying the spirit of the 25 January 2011 Revolution. The legacy of his presidency, however, was the exposure of a hidden Islamist agenda driven from behind the scenes by the Muslim Brotherhood - an agenda destined to fail.

271. In his inauguration speech in June 2012, Morsi pledged to be a president for all Egyptians.<sup>372</sup> One year later, those promises appear to have been entirely breached. Morsi's presidency was characterized by continuously alienating<sup>373</sup> large parts of Egyptian society in an attempt by the Muslim Brotherhood to monopolize power and to realise its ambition of establishing an Islamic caliphate.

272. The infamous 21 November 2012 decree was the tipping point for the Morsi government. From that date, anti-Morsi demonstrations started and continued throughout December 2012 and the first half of 2013, until the eventual collapse of the government in July 2013.

273. The failure to live up to those promises and the deception of the

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<sup>372</sup> Kirkpatrick, D., "Named Egypt's Winner, Islamist Makes History", The New York Times, 24 June 2012.

<sup>373</sup> Kirkpatrick, D., "Opponents and Supporters of Egypt's President Clash", The New York Times, 12 October 2012.



electorate by Morsi resulted in another revolution - this time against his government and the Muslim Brotherhood.<sup>374</sup> The Morsi era was over.

### 5.1.2 *Legacy of Muslim Brotherhood Rule on the Economy in Egypt*

274. Although only in office for a year, Morsi's presidency oversaw the worst economic crisis in Egypt since the 1930s,<sup>375</sup> with almost half of Egyptians living close to or below the poverty line.<sup>376</sup>

275. Under Muslim Brotherhood rule, the unemployment rate rose dramatically and economic growth more than halved.<sup>377</sup> The downturn in the economy and the autocratic rule of the Muslim Brotherhood-led government damaged Egypt's reputation abroad. This adversely affected tourism thereby cutting off yet another source of income for the country.

276. In order to address the economic problems Morsi needed to implement tough reforms and secure a \$4.8 billion loan from the International Monetary Fund (IMF).<sup>378</sup> However, despite a preliminary agreement with the IMF, Morsi caved into the demands of the Muslim

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<sup>374</sup> Hill, E., "How did we get here?", [EvanCHill.com](http://EvanCHill.com), 30 June 2013.

<sup>375</sup> Kingsley, P., "Egypt 'suffering worst economic crisis since 1930s'", [The Guardian](http://TheGuardian.com), 16 May 2013.

<sup>376</sup> "Egypt's Poverty rate rises to 26% in 2012/13: CAPMAS", [Ahram Online](http://AhramOnline.com), 28 November 2013.

<sup>377</sup> Halime, F., "Egypt's Long-Term Economic Recovery Plan Stalls", [The New York Times](http://TheNewYorkTimes.com), 2 May 2013.

<sup>378</sup> Black I., "Mohamed Morsi: the Egyptian opposition charge sheet", [The Guardian](http://TheGuardian.com), 3 July 2013.



Brotherhood leadership and postponed the loan and the agreed reforms in an attempt to appease the public and to expand his popular support during the referendum.<sup>379</sup>

277. Morsi's refusal to work with opposition parties also prevented the development of effective economic policy. As mentioned by the visiting IMF delegations, Morsi needed to build "broad support" in order for reforms to be effective.<sup>380</sup> Instead, Morsi alienated not just the opposition, but also large employers<sup>381</sup> and trade unions by operating in political isolation by only cooperating with his Muslim Brotherhood allies.<sup>382</sup>

278. In the absence of a broad coalition, Morsi struggled to stem the downward spiral of the economy.<sup>383</sup> Policy changes proposed by his government were either unsuccessful, such as a new income tax law,<sup>384</sup> or if implemented, had little effect, such as tax rises on peripheral imports like shrimp and nuts, or closing shops early at night to save electricity.<sup>385</sup>

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<sup>379</sup> Halime, F., "Egyptian Economy Caught in a Political Bind", The New York Times, 19 December 2012.

<sup>380</sup> "Egypt's Economy: Going to the dogs", The Economist, 30 May 2013.

<sup>381</sup> Halime, F., "Egypt's Big Businesses Feel Neglected Amid Turmoil", The New York Times, 30 January 2013.

<sup>382</sup> Charbel, J., "In opposition to Morsy, Mahalla declares autonomy", Egypt Independent, 12 December 2012.

<sup>383</sup> Farid, D., "Egypt's economy over three years of turmoil", Daily News Egypt, 20 September 2014.

<sup>384</sup> "Egyptian Parliament Deals Blow to IMF Loan", Voice of America, 29 April 2013.

<sup>385</sup> Kingsley, P., "Egypt 'suffering worst economic crisis since 1930s'", The Guardian, 16 May 2013.



279. It is undeniable that the economic impact of the Muslim Brotherhood's rule was disastrous.

### 5.1.3 *Legacy of Muslim Brotherhood Rule on International Relations*

280. After Morsi was elected president in 2012, concerns were expressed by the United States<sup>386</sup> and Europe<sup>387</sup> as well as the wider international community, about what a Muslim Brotherhood government would bring in respect of Egypt's foreign policy.

281. Morsi's foreign policy track record included a few notable successes and failures. Amongst his successes were a historic visit in August 2012 to Iran - the first by an Egyptian head of state since 1979<sup>388</sup> - and his role in bringing about a cease-fire between Israel and Hamas in November 2012.<sup>389</sup>

282. However, other actions by Morsi did not receive similar praise and revealed the extent of his submission to the views of the Muslim Brotherhood. Examples, as discussed in Chapter 3, included his vow to free Omar Abdel-Rahman, the sheikh imprisoned in the United States for his role in the 1993 World Trade Center bombing and his support for the Syrian opposition forces at a Muslim Brotherhood rally which

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<sup>386</sup> Pellerin, C., "Dempsey Addresses Concerns With Egyptian Military Leaders", US Department of Defense, 12 February 2012.

<sup>387</sup> El-Amrani, I. and Zarwan, E., "What Europe should tell Mohammed Morsi", European Council on Foreign Relations, 13 September 2012.

<sup>388</sup> "Egypt's Morsi to make historic trip to Tehran", Al Jazeera, 19 August 2012.

<sup>389</sup> "Egypt and Morsi proved 'pivotal' in Gaza cease-fire talks", CNN, 22 November 2012.



was widely seen on one hand as a flirtation with the United States to boost his international standing, and, on the other, as his position as a political channel for the Muslim Brotherhood to enforce its views.<sup>390</sup>

## 5.2 Impact on Muslim Brotherhood as an Organisation

283. The Morsi presidency was the culmination of the Muslim Brotherhood's 85-year quest for political power. Its failure left the Muslim Brotherhood at a crossroads.<sup>391</sup> Time will tell whether it will regroup and try to reassert itself on the political scene.

284. The route of violence has historically been the Muslim Brotherhood's *modus operandi* and in 2013 it precipitated its downfall. Rather than holding its leadership to account,<sup>392</sup> it has, since the 2013 Revolution, focussed on maintaining the cohesion of the rank and file<sup>393</sup> by conceding to the will of the radical majority among its members, to confront (with violence if need be) the new Egyptian government.<sup>394</sup>

285. The leadership of the Muslim Brotherhood has done little to calm tensions. Slogans such as "anything aside from bullets is

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<sup>390</sup> "Egypt's new president vows to free blind sheikh tied to 1993 WTC bombing", Daily Mail Online, 29 June 2012.

<sup>391</sup> Brown, N., "Where Does the Muslim Brotherhood Go From Here?", New Republic, 3 July 2013.

<sup>392</sup> Al-Adnani, K., "The Muslim Brotherhood After Morsi", Doha Institute for Graduate Studies, 2 October 2013.

<sup>393</sup> Al-Adnani, K., "The Debacle of Orthodox Islamism", Rethinking Islamist Politics, 11 February 2014.

<sup>394</sup> Hashem, M., "A Generational Battle Among Brothers", Sada, 29 January 2015.



peaceful<sup>395</sup> coupled with “innovative ways” to express its opposition to the new government (such as burning government buildings) suggests little has changed in its philosophy or ambitions.<sup>396</sup> Indeed, former spokesman for the Ministry of Religious Endowments under Morsi even issued a *fatwa*, declaring the murder of government leaders as an act that brings one closer to God and if a person were killed trying to do so, would be come a martyr.<sup>397</sup>

### 5.3 Concluding remarks

286. The Egyptian experience of the Muslim Brotherhood in power has been devastating. The Morsi presidency brought the country to the brink of collapse and civil war, winning unfavourable comparisons with the previous Mubarak regime.

287. Report 3 will discuss the 2013 Revolution, its aftermath, and its consequences for the Muslim Brotherhood.

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<sup>395</sup> Hashem, M., “A Generational Battle Among Brothers”, Sada, 29 January 2015.

<sup>396</sup> Hashem, M., “Sinai Campaign a Boon to Islamic State”, Sada, 5 December 2014.

<sup>397</sup> Hashem, M., “A Generational Battle Among Brothers”, Sada, 29 January 2015.