

Security and Insecurity in the Middle East

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Edited by

Imad El-Anis, Natasha Underhill
and Sahra Joharchi

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Fig. 1 The transit of crude oil and petroleum products through Bab el-Mandeb (2010-2014)

LIST OF ABBREVIATIONS

A2/AD—Anti-Access/Area Denial
AIIB—Asian Investment and Infrastructure Bank
AQAP—Al-Qaeda in the Arabian Peninsula
AQS—Al-Qaeda in Syria
ASEAN—Association of South East Asian Nations
AWACS—Airborne Warning and Control System
BRI—Belt Road Initiative (New Silk Road)
C4—Command, control, communications, computer
C4I/BM—Command, control, communications, computer and intelligence
battle management
CIA—Central Intelligence Agency
C-TPAT—Custom Trade Partnership Against Terrorism
DHS—the Department of Homeland Security
ECO—Economic Cooperation Organization
FMF—foreign military financing
GCC—Gulf Cooperation Council
GDP—Gross Domestic Product
IRGC—Islamic Revolutionary Guard Corps
IS (ISIS)—Islamic State
ISI—Islamic State in Iraq
ISP—International Ship and Port
JCPOA—Joint Comprehensive Plan of Action
JFS—Jabhat Fateh Al-Sham
MENA—Middle East and North Africa
NATO—North Atlantic Treaty Organisation
NGOs—Non-governmental organisations
OIC—Organization for Islamic Cooperation
PSF—Peninsula Shield Force
RSC—Regional Security Complex
SCO—Shanghai Cooperation Organisation
SNSC—Supreme National Security Council
SSI—State Security Investigations
THAAD—Terminal High-Altitude Area Defence

FOREWORD

This edited collection draws together a collection of research papers presented at an interdisciplinary conference organized by Nottingham Trent University's Middle East and North Africa Research cluster in April 2016. The conference was titled "Security, Insecurity and Prospects for Peace in the Middle East and North Africa" and was held at the Nottingham Conference Centre at Nottingham Trent University. In what may be termed the 'post-Arab Spring' era, the Middle East and North Africa (MENA) is experiencing unprecedented national and transnational challenges. Conflict, instability, radicalisation and the mass displacement of people have become increasingly salient features of the political and economic landscape of the region. Middle Eastern Studies has a long tradition of examining these security issues in terms of state interests, and inter-state politics focusing primarily on 'high politics'. There is clear value in this type of approach but this conference adopted a broader approach to examining the challenges facing both state and non-state actors in the region. The conference also considered the prospects for peace in the MENA as a whole and in its sub-regions.

The papers presented at the conference analysed a range of political, economic, security, socio-cultural and environmental issues that lay at the heart of the instability the region is currently experiencing. Re-thinking issues of security and insecurity in the MENA not only allows us to explain what might have led to current instability, but also allows us to posit possible solutions to security issues, and to broad-ranging peace in the region. In doing so, the conference went beyond the concepts of security and insecurity as a standard account of perpetrator versus victim, in a state-centric and violence-centric manner, to a broader and more complex understanding of the underlying processes informing security and insecurity in the contemporary MENA. Understanding how, why, where and when instability arises in the region is perhaps more important now than at any other time in the region's modern history. Likewise exploring the prospects for peace and the means to achieving it has clear policy implications at a time when international involvement in the region is at its most intense since the end of the Cold War. The conference brought together scholars from different fields of study to consider these issues by using varying theoretical and methodological approaches.

The conference included researchers working in different fields including Politics, International Relations, International Political Economy, Middle Eastern Studies and History, to explore various security issues and the ways in which insecurity is experienced through discourse, conflict and the post-Arab Spring structures shaping the region. This volume presents six of the research papers presented at the conference. Each chapter included here investigates some of the most salient security-related issues in the contemporary MENA.

The first chapter, titled “Securitization in Egypt: Between Discourse and Reality”, examines the nature of securitization in Egypt from 2011 to 2016. Rather than analysing Egypt’s political landscape through a “civil-military” lens, the relationship between state and society is conceptualised as one that is increasingly securitized through public speech establishing the state’s mandate to combat terrorism. This chapter considers a variety of domestic and international actors and interests, and examines the implications for perpetuating a sustained period of securitization. The case of Egypt demonstrates that where extraordinary measures become the norm, securitization engenders instability. Chapter two, titled “Rebel Intellectuals and Reconceptualising Security in the Middle East”, investigates whether the Arab Spring represented the decline of traditional intellectuals and the rise of a new social actor: ‘rebel intellectuals’. The chapter demonstrates that traditional intellectuals have declined in terms of their influence, whilst a new social actor has emerged as the agent of a revolutionary action that was accepted by those who had been part of the intellectual class for the last century or more. Moreover, this chapter assesses how this new social actor affects the post-Arab Spring political environment.

In the third chapter, “Countering the Threat from the Islamic State”, explores the counter-terrorism strategy of key actors in the international coalition combatting ISIS. The focus on airstrikes as the core counter-strategy has not worked as well as was envisioned in eradicating the group. This chapter analyses the strategy against ISIS and puts forward recommendations as to how policies could be re-focused to make greater long-term gains against the group as its territorial control dwindles and it changes into a more conventional terrorist organisation. Chapter four continues this more traditional security focus by analyzing the internationalisation of the civil war in Yemen. Titled, “Instability in Yemen: A Critical Analysis of Iranian Strategy in the "Proxy War" with Saudi Arabia”, this chapter argues that an understanding of proxy wars, as widely accepted in International Relations and International Security Studies, applies to the current struggle in Yemen. The author argues that

Yemen – one of the least-analysed struggles between Iran and Saudi Arabia – falls under Deutsch’s understanding of a proxy war. The main goal of this paper is to analyse this conflict from the Iranian point of view, including Tehran’s strategy towards Yemen vis-à-vis Saudi Arabia.

Chapter five, “Military Cooperation in the Gulf Cooperation Council”, explains how the GCC’s military cooperation has evolved; the extent to which the GCC is capable of ensuring adequate security for its members; and the causes of its weakness. It concludes by offering suggestions on what needs to be done to enhance the military planning, command and training capacity of the GCC states. The main hypothesis of this chapter is that security both binds and divides. There are security concerns that integrate GCC members and there are security issues that disintegrate them. The final chapter also considers Iran as a central actor in the region’s security dynamics. Titled “A Tacit Alliance: Iran and China in the 21st Century”, this chapter uses a Holistic Constructivist approach to apply Tacit Alliance Theory to contemporary Iranian-Chinese relations. Tacit Alliance Theory offers interesting insights regarding why and how states engage with each other in cooperative ways. China and Iran’s long history of diplomacy affects the images and assumptions they hold of one another. Critical discourse analysis of Iranian and Chinese government-endorsed media coverage of relations between the two states is used to assess the narrative of relations between these two important states with regard to the extent that relations are constructed within, and underpinned by, a tacit commitment to support for the status quo.

The conference and this subsequent volume would not have been possible without the work of Nottingham Trent University’s Department of Politics and International Relations, and its MENA Research Cluster. The cluster offers established scholars, early-career researchers and postgraduate researchers the platform to develop analyses that explore the politics, international relations, society and political economy of the MENA. The cluster has rapidly expanded in scope and membership since 2013 and now draws together scholars conducting internationally recognized research on various aspects of the historical and contemporary MENA from a range of theoretical and methodological approaches. As a research group, the MENA cluster has benefitted from the financial support of Nottingham Trent University’s School of Social Sciences, the International Studies Association, the British International Studies Association, the British Society for Middle Eastern Studies, the European Consortium for Political Research, and the European International Studies Association.

CHAPTER ONE

SECURITIZATION IN EGYPT: BETWEEN DISCOURSE AND REALITY

ALLISON MCMANUS

From Tahrir to Today

Cairo is dense; a few kilometers of the city overlays years of political struggle. Tahrir Square, in the revolutionary heyday of 2011, was a literal and symbolic space to challenge the corrupt military order that had governed Egypt for decades. By 2013 mass protests, once calling for the downfall of the military regime and many times calling for democratic civilian rule, called for Muslim Brotherhood president Muhammad Morsi's removal by any means. The Tamarod Campaign, which led to Morsi's eventual ouster by the military, decried a persistent lack of security and an economic crisis as key concerns for his removal. The campaign (which was later criticized for its ties to the security apparatus) called for the police and military to join the side of the popular mobilization. On June 30, 2013 protesters carried officers on their shoulders. Days later, the military removed Morsi from power and suspended the constitution.

By 2017 Tahrir Square gave no indication of the revolutionary fervor of only a short three years earlier. In the center of the Square flies a solitary and imposing Egyptian flag, which can be seen from any entrance; planted by the state in early 2015, it stakes the territory and affirms control. The tangible presence of the security state permeates Cairo's revolutionary sites, indeed the entire country. How did this happen so quickly after the massive, globally-lauded uprisings to dismantle it? Did Sisi usher in a new era of authoritarianism after the democratic opening in 2011?

This chapter examines the nature of securitization in Egypt from 2011 to 2016. Rather than analysing Egypt's political landscape through a "civil-military" lens, I conceptualize the relationship between state and society as one that is increasingly securitized, particularly during an accelerated period after Sisi's *tafweed* speech establishing the state's

mandate to combat terrorism in 2013. This chapter considers a variety of domestic and international actors and interests, and examines the implications for perpetuating a sustained period of securitization. Where, in their seminal text on security, Barry Buzan, Ole Waever and Jaap de Wilde (1997) suggest that securitization calls for extraordinary measures, the case of Egypt demonstrates that where extraordinary measures become the norm, securitization engenders instability.

Conceptualizing the Egyptian Security State

Does the resurgence of the security apparatus signal the victory of counter-revolutionary forces? The uprisings of 2011 unseated more than Mubarak: in removing a top echelon of political and business elites, and in banning the National Democratic Party (NDP), the revolution upended state-society dynamics. As new (and some old) factions scrambled to gain their political footholds, power vacancies emerged and counter-revolutionary forces gained the upper hand. But, counter-revolution is not adequate to describe the processes that led to that point. Securitization did not necessarily happen in response to the revolution, rather the revolution provided a disruption that created new threats and opportunities. In many ways, securitization was an established discursive strategy in Egypt that never really left, and which revolution inadvertently accelerated.

In their pivotal text, Buzan, Waever and de Wilde describe securitized issues as those which are “staged as existential threats to referent objects by a securitizing actor who thereby generates endorsement of emergency measures beyond rules that would otherwise bind” (Ibid., 5). The state securitizes an event, process, or phenomenon in order to justify extraordinary measures, convincing a public through a speech act of the necessity of these measures to survival (Waever 1995). Thierry Balzacq (2016) countered this perspective on the speech act, establishing a discursive practice whereby the intersubjective nature of securitization requires only agreement on the existence of the threat, regardless of its actual existence.

The Egyptian case highlights a variety of threats, objects and interests that have underpinned securitizing discourses and security behaviour, and which may explain, for instance, the uneven extension of different components of the intelligence apparatus or the military’s penetration into the economy. The accumulation of wealth is not essential to the maintenance of power, but can be considered as a driving interest that inspires a securitizing discourse. The relative primacy of intra-state institutions, jockeying for authority in a state system, may also present a

motive for securitization. In each of these cases, however, the “state” presents existential threats to its own interests.

In his famous lecture series: *Security, Territory, Population*, Michel Foucault outlines the concept of security and *governmentality* – the ways in which the state exercises power in the governance of a population – that establish the frameworks of power articulation in a modern state and society (Foucault 2004). Foucault’s lectures are important as they call to mind the techniques of power and its institutions, rather than centre the actor as the subject of analysis. This is particularly useful here to counter a recent tendency to view developments in Egypt vis-à-vis the actions of an actor (the “Morsi” or “Sisi” regime, for instance) or through the counter-revolution/failed revolution framework.

The late Samer Soliman highlights the contradictory nature of the security state ecosystem, where security institutions act as protectors not necessarily of a state, but rather of interests within it: “When the police turn a blind eye to acts of corruption committed by public officials loyal to the existing regime, they effectively contribute to the erosion of the efficacy of the state” (Soliman 2011, 56). And Mariz Tadros alludes to the very same in her analysis of civil society relations with the former State Security Investigation service (SSI): “In authoritarian regimes, the intelligence agency serves to preserve the power base of the ruling power, rather than protect the security interest of the country” (Tadros 2011, 82).

Adding a consideration of the actors internal to a state and acting as securitizing agents builds on the concept of securitization to address the potential implications for regime stability; adding a consideration of governmentality highlights why a framework of analysis that considers only “revolutionary” and “counterrevolutionary” forces, or individual actors, will miss an understanding of the deep roots of the securitizing process. Finally, Egypt’s experience leading up to and after 2011 demonstrates that the perpetuation of securitization inherently does not provide security, and in fact undermines stability.

1952-2011: A (Very) Brief History of the Egyptian Security State

The embeddedness of Egypt’s security forces in its society, economy and political matters is perhaps no surprise considering the pivotal beginnings of its modern statehood: after all, the establishment of Egypt as a republic began with the political ambitions of a group of military officers. The 1952 Free Officer’s revolution may have ended monarchic rule and British occupation, but it ushered in a seemingly inescapable era of

military rule. Since the revolution, Egypt has experienced one year of governance under an elected civilian president (that under Morsi, who was ousted from power by the military).

Not only did the political sphere come under the military's jurisdiction in 1952, but with Nasser's nationalization policies, so did the economy. As private industries were nationalized, they were *de facto* brought under the authority of military leaders (many of whom were unfit to manage them), in a system of state-management that would become indistinguishable from spoils-sharing (Abul Magd n.d.). Soon after the coup, the primacy of the security state in the ostensibly socialist economy was established: in August 1952, the military repressed a textile workers' strike and referred the demonstrators to military court (Alexander and Bassiouny 2014).

Over the next decades, the *intifah* policies under Sadat and later the liberalization that occurred under Mubarak (both at times at the behest of the International Monetary Fund) privatized the Egyptian economy, "opened" it to global trade, and imposed austerity measures. Even during periods of accelerated economic growth, poverty remained very high and on several occasions – notably in 1977 and 2008 – riots erupted in response to the price increases. Yet, high state expenditure on the military, police and other agencies involved in Egypt's security operations persisted (Soliman 2011). The military also benefitted disproportionately in other ways: as Robert Springborg highlights, the Armed Forces expanded their role in the private economy at this time (Springborg 1989).

Thus, the "liberal" policies after the 1970s, as well as the "socialist" policies of the Nasserist era, must be understood as part and parcel of Egypt's security state: they allowed the state to siphon revenue and direct it to the military and security apparatus, while at the same time necessitating this very same apparatus to quell any uprising in response to the inequitable conditions left in their wake. However, the policies also created a competing power centre, with the "Mubarak clan" – a group of businessmen including Hosni Mubarak's sons Gamal and Alaa – gaining in influence as they amassed wealth and power in the state NDP (Guirguis 2017). Thus, while military rule has been the defining characteristic of Egyptian governance for sixty-five years, it is not the only characteristic, and military rule has signified far more than the military's holding of certain political positions.

In 1954, Nasser also outlawed the Muslim Brotherhood. The decision was somewhat ironic, given the Free Officers' (including the first president General Muhammad Naguib and Nasser) membership in the Society prior to the revolution, as well as the similarities in their political visions (Cook 2012). In a famous 1966 speech, Nasser joked about one

“demand” that the Brotherhood had put forth in 1953: that women be made to wear the headscarf. The crowd responded with uproarious laughter. For Nasser, opposition to the Brotherhood was mobilized as anathema to Cairo’s liberal development, but they were not cast as the terrorist or criminal elements as they are today, as will be explored later in this chapter. Still, only a few short years after Egypt’s declared independence from British rule, Nasser created a state of exception, establishing that without a paternalistic security state (and specifically military rule) Egypt would face the harbinger of threat to its state-defined identity.

The approach to the Muslim Brotherhood, and to other opposition groups, would vary under Sadat (who in turn instrumentalized them against socialist opposition) and Mubarak, who tolerated some controlled political liberalization to allow them into formal politics (Guirguis 2017; Cook 2012). But, this state of exception was codified in 1958 legislation that outlined the legal definition of emergency rule, although a state of emergency would not be formally declared until 1967 (during the Arab-Israeli War) lasting until 1980. The state of emergency was lifted then for a mere 18 months, until Sadat’s assassination by the Egyptian Islamic Jihad group on October 6, 1981. Mubarak re-enacted the emergency law in the wake of his predecessor’s assassination, and it was continuously extended in multi-year periods.

The emergency law is arguably the clearest marker of the Egyptian security state, outlining not only the state’s extraordinary powers, but in its very name – “emergency” – highlighting the oxymoronic nature of a sustained period of exception. The law allowed sweeping restrictions of movement, press and assembly, and established special state security emergency courts that could hold citizens indefinitely and without trial (FIDH 2001). The courts were tied to Egypt’s notorious State Security Investigations service (SSI), an arm of its police that was established in 1913 but reformulated under Nasser in 1954. The declared mandate of the SSI was to “protect Egypt,” although, as Soliman and Tadros described, their role had always been to protect the regime. In 2011, Mariz Tadros argued that the SSI had achieved “political supremacy” over the executive branch of the state, and was the institution that set the rules for participation in power sharing, whether between state bodies or between the state and civil society (Tadros 2011).

The SSI was but one of the many arms of Egypt’s security apparatus, most of which remain intact and are housed under the Ministries of Defence and Interior, although with surveillance bodies found even in the Ministry of Social Solidarity. The SSI largely operated on its own jurisdiction as one of Egypt’s three major intelligence branches, along

with the Military Intelligence (under the Ministry of Defence), and the General Intelligence, or *mukhabarat*, created by Nasser in 1954 and which remains under the supervision of the Presidency. All of these agencies have grown in power and size since their inception, with no small amount of competition for primacy among them.

Thus, all of the techniques of the Egyptian security state – military occupation of seats of power, the armed forces’ control over economic matters, a controlled public sphere and neutralized opposition, an expansive police and surveillance apparatus, and a constant state of exception – endured through the Sadat and Mubarak eras, although they metamorphosed.

2011-2013: (Partial) Disruptions

The masses of protesters that flooded Tahrir and other squares around the country marked, explicitly or implicitly, the rejection of all aspects of the security state. The pivotal Facebook page credited with sparking revolutionary fervour – “We Are All Khaled Said” – raised awareness about the brutal death of an educated, middle class young man at the hands of the police. The demands around the removal of Mubarak rang out as calls of “*yaskut yaskut hukum al-askar*”: “Down down with military rule!” Police were rejected from the square, and new forms of civilian stewardship and safety units were formed. On March 5 and 6, 2011, demonstrators stormed the SSI headquarters in Nasr City, Cairo, in Alexandria, and elsewhere.

The revolutionary events extended beyond the Square and well after the 18 days that eventually brought Mubarak’s removal from power. By March 15, 2011 the SSI had been dissolved. On April 16, 2011 the regime’s NDP was dissolved by court order. Dozens of corruption cases were brought against Mubarak era officials, and others were later tried for their hand in the suppression of protests, including a (later overturned) accessory to murder conviction against Mubarak himself. New and independent media formed, as well as new associations. One young activist described to me how “taboos were broken and space was opened” for the possibility of new civil society formations; he went on to found a human rights NGO. Parliamentary elections were organized in 2011 and presidential elections in 2012. By the end of 2012, the emergency law had expired and the country had elected its first civilian president in Morsi, in an election that was, though flawed, freer than any that had been held in the country before.

Yet, while the revolutionary events undoubtedly showed a rejection of the security state, from the beginning this was not a complete break, and

certainly not a dismantling of it. Despite the dissolution of the SSI, a new security body was formed – the Department of Homeland Security (DHS), known in Egypt as *amn a-dawla* – and absorbed most of the former SSI officials and adopted the functions of SSI (Roddy and Greene). While the State Security Emergency Courts were formally disbanded, the use of military courts almost immediately increased. By September 2011, Human Rights Watch had estimated 12,000 civilians were tried in military courts since the revolution, more than in the prior 30 years of Mubarak’s rule (Human Rights Watch 2011).

Presciently, in 2011 Tadros posited that “the political environment of fear and subjugation created by the SSI is so deeply entrenched that even if the Emergency Law was removed tomorrow, both civil society organisations [sic] and state security officers would not know how to act differently” (Tadros 2011, 93). Most NGOs operated in a legal grey area during the Mubarak era, opting not to formally register as such and thus avoid regulations giving the state excessive oversight over their activities (Ibid.). True, Egyptian civil society had become emboldened after 2011, but at the same time the state continued its securitization of the public sphere, most notably in the form of Case 173. In July 2011, a fact-finding committee was established to review those NGOs operating outside of the regulatory requirements, and the DHS (the former SSI) and general intelligence collaborated in the investigation. On December 29, security services stormed the offices of several foreign-funded NGOs, and in the ensuing trial 43 NGO workers, including 19 Americans and even the son the US Transportation Secretary, were handed down sentences between one and five years in prison.

For its part, the military economy continued to function relatively as it had, largely through private sector proxies and its control of land, extending into the civilian economy, though not dominating any sector (Bayaraz 2016). While several public initiatives were launched after 2011 that aimed to increase budget transparency, address the issue of Egypt’s foreign debt, and to influence 2012 negotiations around a potential IMF loan, no real disruption was seen in the military economy. This was, in part, due to obscurity of the military’s engagements to this end, as well as the symbolic and physical power of the military (Chayes 2015).

“Tafweed” and Resecuritization

Thus, the institutions and techniques of the security state were established and transformed in the years leading up to the 2011 revolution, and partially disrupted in the years after, as the regime’s interests changed

and discursive strategies were upended. Tenaciously, they remained, exposed at moments from the vantage of the state's rhetoric of democracy and representation. But, a new discursive strategy was needed in order to re-establish a threat and re-secure Egyptian society.

Such a moment came on July 24, 2013. Magnificent in full military regalia, his dark sunglasses completing the picture of the quintessential strongman Arab dictator, then-Defence Minister General Sisi delivered a speech to the graduating class of the Alexandria Naval Academy. Sisi opened his remarks: "Today I will deliver a serious message not only for the cadets and the Armed Forces, but also for all Egyptians." His speech then describes the honesty and trustworthiness of the military and its earnest efforts to advise former president Morsi, who (as Sisi explained) never listened, driving the country to a "dangerous cliff." Morsi, he said, declared his intention to use violence, in the form of armed groups backed by the Muslim Brotherhood, to sow havoc among the Egyptian people protesting his rule in the street. Sisi finally called on the Egyptian people to provide the security bodies with a mandate – in Arabic a *tafweed*, the moniker by which the speech became known – to confront terrorism.

"If violence is sought, or terrorism is sought, the military and police are authorized to confront that violence or terrorism!"

Undoubtedly, Egypt was facing an escalated security threat at the time of Sisi's speech, in the grip of a wave of violence that began with Morsi's ouster – that day, nine attacks were reported across Egypt, killing three security forces and injuring fifteen (Tahrir Institute for Middle East Policy n.d.). But, Sisi's speech did nothing to outline a plan to combat that threat, did nothing to recognize the root causes of the attacks that were occurring across the country, and did nothing to suggest actionable policy measures – whether through the police or otherwise – to address these. Rather, the speech marked the moment where a renewed discursive strategy of securitization was established for Egypt. His speech set the parameters for the Egypt that was to be protected: that made of the "brothers and sisters" of the Army and who embrace the legitimacy and patriarchal authority of "the Church, with Al-Azhar, with the Judiciary, with the Police, with the media and even with the Egyptian public opinion." And, it determined the threat to that Egypt: nominally the Muslim Brotherhood, but also anyone who would dare to question or challenge the unity of the army, and its representation of the people.

The period that followed the speech, particularly from 2013 to late 2016 (at which point a new Parliament had completed its first session, the structure of the Muslim Brotherhood had been completely demolished,

Donald Trump had been elected to the presidency of the United States, and a refugee crisis occupied the attention of European world leaders (see below for more on this)) saw the reformation of the strategies and techniques of securitization present since the inception of Egypt, as well as a new and more aggressive application of power through them. The military occupied new seats of power; the armed forces extended more widely and visibly its control over economic matters; the public sphere was repressed to degrees unseen for decades (perhaps ever); any form of political opposition (especially Muslim Brotherhood related, but others as well) was crushed; the police and military expanded their surveillance; and, consequently, all of the legal elements of the state of emergency were reformulated and established as norms.¹

This reformation happened not as much in response to the revolutionary events from 2011 to 2013 – although in some cases they did blatantly exemplify the regime’s paranoia vis-à-vis a politically engaged public – but rather it exploited the disruptions. In the months and years following Sisi’s speech, the security state continued to employ this discursive strategy, until almost every aspect of the political, economic and social sphere had come under its control. As Laure Guirguis describes: “[i]n a few statements the president defined enemies and prohibitions, orienting in this way the actions of state agents and drawing the limits of all possible debates” (Guirguis 2017).

2013-2015: Reestablishment and Reformation of the Security State

Crushing the Muslim Brotherhood and the Opposition

In September 2013, the Cairo Court for Urgent Matters, a court intended to litigate matters that require immediate or temporary rulings banned the Muslim Brotherhood and froze the assets of its members (El Sadany 2014). A December 25 cabinet announcement declared them a terrorist organization. Having risen from a banned group to occupying the

¹ Indeed, by April 2017 the Emergency Law had been reapplied throughout Egypt. In the wake of a dual bombing on churches in Alexandria and Tanta, President Sisi called for the reenactment of the law, which saw no opposition in its approval in parliament. Despite constitutional requirements that allow only a one-time extension, the law has since been renewed throughout the country three times, as it was allowed to “expire” for mere hours before a “new” application was announced.

highest seats of power, the Muslim Brotherhood now found itself a terrorist entity, subject to Egypt's sweeping anti-terror laws, including lengthy periods of pre-trial detention and trial by military tribunal.

The effect of the designation had a wider reaching significance, however, than the labelling of the group. The security apparatus interpreted the designation widely: membership to the Muslim Brotherhood had meant a specific status to the group, but police forces went on a rampage, arresting almost anyone with antagonistic sentiments toward the state and labelling them as Muslim Brotherhood, and therefore terrorists. In fact, after the designation of the Muslim Brotherhood, incidents of arrests of "terrorists" skyrocketed, although many of these were arrested for similar activities as were carried out during the period from 2011 to 2013 – anti-state graffiti, creating road blocks, setting off pyrotechnics, etc. From June 1, 2011 to May 31, 2013, 63 individuals were reported arrested as "terrorists", from June 1, 2013 to May 31, 2015, this figure shot up to 15,798 (Tahrir Institute for Middle East Policy n.d.).

The discourse securitizing political opposition extended as well beyond the Brotherhood: the April 6 Youth Movement, which had been instrumental in organizing mobilizing action leading up to and during the revolutionary events after January 2011, was banned in 2014 for "espionage" and attempting to tarnish Egypt's image. Its co-founders, Ahmed Maher and Mohamed Adel, were sentenced to time in prison for "thuggery" for their participation in protests; though Maher was released in January 2017, his probationary conditions require that he spend every night from 6 p.m. to 6 a.m. in detention for three years (Abdel Kouddus 2017).

The 2015 Parliamentary Elections

Egypt's 2015 parliamentary elections marked what Sisi had declared to be the last step in Egypt's democratic roadmap, and which he had announced in his *tafweed* speech would take place "within months." Long-awaited after several delays in their organization, the elections took place in the presence of international monitors, who declared them more-or-less "free and fair." But the trappings of procedural democracy did little to mask the forces that established the rules of power.

In a brilliant March 2016 investigative report on the elections, journalist and activist Hossam Bahgat wrote about the General Intelligence's formation of the For the Love of Egypt coalition that would dominate the elections, while the military intelligence – loyal to Sisi – would construct a new political party in the Nation's Future (Bahgat 2016). The military

officer's corps was represented not only by its own party, the Protectors of the Nation, but also by the strongest presence of officers holding seats in the parliamentary body and especially disproportionate representation on leadership seats in powerful committees (Tahrir Institute for Middle East Policy 2017). On July 25, when representative Muhamed Anwar Sadat dared to question the wisdom of an increase to officers' pensions, the speaker of the house Ali Abdel 'Al cut him off, shouting that he would tolerate no affront to the armed services. His outburst was met with resounding applause from the chamber (YouTube, 2016).

Thus, after its predecessor had reflected some openness to pluralism in political visions and ideologies, the current Egyptian parliament itself had become a forum for the security state, an arena where competing security bodies would vie for influence but where actual governing existed primarily to push through ever more repressive security legislation. In November 2016, after members of parliament had spent months drafting and lobbying on behalf of a new law to regulate civil society, a version of the law drafted by the security apparatus was passed in a matter of days, after it had quietly gained the signatures of more than two-thirds of parliamentarians (Okail and McManus 2016).

While under the NDP scheme politics were conducted in an environment controlled by the state apparatus, the lines of power were far clearer: ironically, the dissolution of the NDP created power vacuums filled by the next-best-organized body – first the Muslim Brotherhood, and after their neutralization, the security apparatus. In the current system of competing power, each actor operated only in the hopes of securing power in the future. When asked why he added his signature to the repressive civil society draft legislation, one (supposedly liberal) MP said “[w]e get drafts all the time and we sign them, because it is always good to have friends.”

Giulio Regeni: All Eyes on the Egyptian Intelligence

In anticipation of the anniversary of the uprisings, in the days leading up to January 25, 2016 police were present everywhere in downtown Cairo. That day, Giulio Regeni, a 28-year-old Italian in Cairo to study labour movements, left his apartment to meet a friend for a party. As the hours passed and Regeni failed to arrive, his friend grew concerned, calling around to see if the Cambridge doctoral student had checked in with anyone else. As the hours turned to days, concern mushroomed into alarm. A full-scale international campaign was launched to locate Regeni, with the Italian government demanding answers. Tragically, on February 3, the

young man's body was found on the Cairo-Alexandria highway, brutally battered and disfigured. Investigations began into the murder and severely (though temporarily) strained Italian-Egyptian relations as it became clear that Regeni had been apprehended into police custody on the day he went missing.

The fact that Regeni was ever picked up and the fact that either he was not immediately recognized as a student or was still thought to be a threat, reveal the extent to which the Egyptian intelligence services were operating (and continue to operate) in the country. Even if Regeni had been apprehended by chance, the later media narratives constructed about his activities in the country, particularly regarding his exact whereabouts and the individuals with whom he spoke during his research, revealed that he was undoubtedly under surveillance. By all accounts, the vicious marks that were carved into his body and the brutality of his torture were also characteristic of the SSI that had been disbanded years earlier. Where police had blatantly beaten Khaled Said to death in the street, the clear torture of a foreign national – a student, no less – by the security apparatus marked an escalation, a message that the intelligence services could operate without bounds and with impunity.

That Regeni was killed and his body so casually deposited by the side of the road, even bearing clear marks of torture, also demonstrated a lack of coherence within the regime. As tensions mounted between Rome and Cairo, Italy pulled its ambassador; desperate to resolve the case, the Egyptians first tried to claim that Regeni had been killed in a homosexual encounter gone wrong, that he was a spy, and finally, they claimed to have identified his murderers, who they shot in an extrajudicial execution. Clearly, Regeni's murder had caused massive international and domestic headaches for the regime, raising the question of how the police (especially DHS, who were the last to have allegedly been in custody of Regeni), could have been so careless. One (largely discredited) theory is that Regeni's murder was the result of turf wars between the intelligence bodies – whether or not this is true, it clearly shows how a lack of coherent intelligence coordination and intelligence bodies operating without bounds, resulted in not only the tragic death of a bright, innocent, young man, but also undermined the state's legitimacy on the international stage.

The Egyptian Military and Mother's Milk

On September 3, 2016 the Egyptian armed forces published a statement declaring that they would be, in coordination with the Ministry of Supply, providing infant formula to pharmacies at a discounted rate.

The entry into the formula market came after spontaneous protests erupted when mothers faced a shortage of the formula, tied to the dollar crisis Egypt was facing at the time. The shortage, the statement explained, was the result of “greedy traders” and the military would intervene (Spokesman of the Egyptian Armed Forces 2016).

Not only present in the infant formula market, the Egyptian military had taken an increasingly visible role in the economy by late 2016. At this time, I heard several anecdotes that suggested coercive measures on the part of the military to take over businesses, including the interruption of power to factories as a means of blackmail. Publicly, at a conference in November 2016, President Sisi said that the military comprised 1-1.5% of the Egypt’s GDP, a figure which did not include its private ventures, which, according to a report in the independent media outlet *Mada Masr*, had expanded to include healthcare, roads, education, electricity, energy and fish farming, among others (Attalah and Hamama 2016).

While many analysts have highlighted the fact that the Egyptian military’s economic ventures are not necessarily out of the norm, they reveal how the securitization of the economy is intrinsically tied to the military’s activities. This intervention into the formula market was later justified not only as a necessary measure to ensure security for mothers and their babies, but tied to the military’s overall intervention into the economy as a measure of security for all of Egypt. Sisi referenced the armed forces’ omnipresent economic activity as a sign of its ability to deploy anywhere in the country “within six hours” in a September 2016 speech.

Case 173: “War” on Civil Society

Case 173, never closed after the sentencing of the NGO workers in the highly-publicized trial, again reared its head after the *tafweed* speech, along with other legal and policing techniques employed to curtail freedom of association, all in the name of ensuring security.

In September 2014, in the absence of a seated parliament at the time, Sisi signed into law amendments to the penal code that the receipt of foreign funding “with the intention to harm national security” would be punishable by life in prison. The action followed threats from the Ministry of Social Solidarity that it would be tightening its grip on civil society by seeking to more closely follow strict regulations regarding registration of NGOs, particularly that requiring examination of their sources of funding. By March 2016, notices of summons to appear for investigations related to Case 173 were issued to two of the main non-governmental organizations

in Egypt that worked on human rights issues: the Cairo Institute for Human Rights Studies and Nazra for Feminist Studies; an urgent memorandum circulated among civil society mentioned 37 organizations that could potentially be affected by the case and investigations.

The reopening of Case 173 and the actions of the state, which have only escalated since and have seen the shuttering of the Nadeem Center for Rehabilitation of Torture Victims and the freezing of funds of prominent activists like Hossam Bahgat and Gamal Eid, clearly demonstrates the state's securitization of civil society. Along the same lines, the Egyptian parliament passed the aforementioned law stipulating new restrictions on freedom of association. By early 2017, most civil society actors were living in fear of, at best, losing their jobs and life's work or, at worst, life imprisonment. Ironically, the Egyptian government has justified the crackdown as a means of ensuring security, either of the institutions it seeks to prosecute (by encouraging them to become compliant with the law) or of society at large. The charges for which Negad el-Borai, a human rights lawyer, was being investigated included "deliberately spreading false information with the purpose of harming public order" after he submitted draft legislation to the parliament that would criminalize torture (Okail and El Sadany 2016).

A New State of Emergency

The processes and modes of securitization described here occurred, in many cases, outside of Egypt's legal frameworks, however, the period after 2013 also saw legislation that increasingly facilitated the very same conditions present under the emergency law that had been allowed to expire in the wake of the 2011 uprising. Notably, in North Sinai, where Islamic State militants continued to carry out attacks against the state in an ongoing insurgency, the emergency law was put in place in October 2014, and renewed consistently in three-month periods after that time.

Even in the rest of Egypt, shortly after the *tafweed* speech, legal mechanisms reappeared to recreate the conditions of the emergency law. A restrictive anti-protest law was put into place in November 2013 that placed strict regulations on assembly, stipulated severe oversight from the Ministry of Interior, and outlined harsh penalties. By some counts tens of thousands have since been arrested under this law (U.S. Department of State 2017). New counter-terrorism measures were repeatedly proposed, implemented under Sisi in the absence of a parliament, and then passed with little discussion once parliament was seated (Tahrir Institute for Middle East Policy 2017). These laws criminalize reporting figures other

than the governments and provide overly broad definitional language for what constitutes a terrorist entity, allowing the state legal justification for crackdown not only on potential terrorist threats, but also on nonviolent opposition and the media (El Sadany 2015). The aforementioned changes to the Penal Code and the NGO law have also severely restricted freedom of association.

Thus, the “emergency law” that had been in place for decades was indeed reformulated in a codified system that no longer claimed its extraordinary nature. In legal terms, through a series of decrees and legislation, the extraordinary became the norm.

A Global Securitizing Turn

Egypt’s escalated securitization after 2013, and the securitized environment that was developed up to 2011, cannot be understood in isolation from global events, particularly a securitizing turn after the September 11, 2001 attacks, the War on Terror that ensued, and a renewed securitization of relations after the rise of the Islamic State. The 9/11 attacks, the aftermath of the invasion of Iraq and Afghanistan, and a global manhunt for Al Qaeda operatives set the stage for the United States’ (and its allies’) engagement in the Middle East from 2001 to 2011. In Egypt, the Central Intelligence Agency collaborated with its Egyptian counterparts, whom then-CIA Director A.B. Krongard described as “our friends in Arab cultures” to establish “black sites” where suspected terrorists were rendered extraordinarily and presumably tortured with the same notoriously brutal mark of the SSI that Regeni’s body bore (Mayer 2007).

After the 2011 uprisings, the United States’ position on Egypt to some degree mirrored the changes that were occurring in the country, albeit on a delayed timeline, and not necessarily because of them. President Barack Obama, who had addressed the threat of Islamist extremist violence in Cairo in a 2009 speech, and Secretary of State Hillary Clinton hesitated at first to embrace the revolutionary events that were occurring. The desire to “lead from behind” that would become a hallmark of Obama’s foreign policy doctrine was salient. The United States recognized the parliamentary and presidential elections after 2011 that brought the Muslim Brotherhood to power (elections that were observed by US monitors) and continued to support the Egyptian leadership, though making strong statements on human rights issues.

Of course, the United States’ support for “our friend” Egypt is most obviously seen in the hefty foreign military financing (FMF) package that provides Egypt around \$1.3 billion annually for military equipment and

training. Despite any changes in the political reality on the ground, in only one instance was aid suspended: when, in August 2013, then-Field Marshal Sisi oversaw what Human Rights Watch described as “one of the most bloody incidents of mass unlawful killings of largely peaceful protesters in recent history” (Human Rights Watch 2014).

But by early 2015, the bilateral relationship had, by all appearances, returned to business-as-usual. In a National Security Council memorandum, the US executive branch announced its intentions to resume the delivery of materiel held in the wake of the Rabaa massacre, although it outlined some changes to the funding package for future years, including the elimination of a cash flow financing package that allowed the Egyptians to buy weapons on credit (National Security Council Press Office 2015). While the State Department and members of Congress still made statements of concern regarding Egypt’s human rights record, particularly the failure to overturn the sentences of the US-funded NGO workers, noticeably higher-level security delegations travelled to Cairo.

In May 2016, Secretary of State John Kerry met with President Sisi. The State Department read-out of the meeting described Kerry’s praise of Egypt’s efforts in advancing the peace process with Israel (what Kerry viewed as a cornerstone of his efforts during his tenure as Secretary), as well as his declaration of the “importance of Egypt’s role as a regional partner and [reiteration of] U.S. commitment to help Egypt fight terrorism, increase economic growth, strengthen democratic institutions and bolster regional security” (State Department Office of the Spokesperson 2016). These four objectives highlight the renewed warmth in the US position, which must be understood as a response to its interests in a newly-securitized framework in the Middle East after the advancement of the Islamic State, rather than any real reform or embrace of shared values under Sisi.

Indeed, if 2011 provided a momentary honeymoon period where Western politicians and mass media applauded what were characterized at the time as youthful revolutions clamouring for democracy and freedom from authoritarianism, by 2014 the tone had changed. The deterioration of the situation in Syria had become a thorn in the side of the Obama administration, and the rise of the Islamic State shone a most brutal light on the failures of the policies toward the region in achieving any semblance of either security and stability or freedom and democracy. The cruel and, at times, genocidal actions of the Islamic State, the ongoing attacks on Western targets, and the mass of refugees that plagued even the best-intentioned European policy-makers all shifted the balance of policy