



# **Discussing Citizenship in Egypt: A comparative study of the post-2011 political debate**

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## INTRODUCTION

Having simultaneously evolved theoretically and in political practice over centuries, the concept of citizenship is one of the most complex in political and social sciences. It correlates and intersects with another set of concepts and values, especially the rule of the law and democracy. Its historical evolution, thanks to individuals and citizens' movements' struggle to gain equal rights in their political communities, needs to be captured by theory.

Citizenship is by nature a multi-dimensional concept. Legally, it refers to the equal legal status of individuals, for instance the equality between men and women. The political dimension is related to the practice of politics, joining parties, and participation in general. The religious dimension relates to the rights of all religious groups to practice their religious customs and rituals equally. The economic dimension is related to the non-marginalisation of different social categories, for instance women.

Therefore, there are various alternatives when it comes to defining citizenship. Some approaches see citizenship as a synonym for democracy. Another approach considers citizenship to be the process of creating a good citizen. There are more definitions of citizenship that regard it as the full and equal membership of the society of individuals, with all the rights and obligations this entails, regardless of one's religion, gender, ethnicity, economic status, or political and intellectual affiliation.<sup>2</sup> Finally, there are approaches that define it in a dynamic way, as the everyday practice of and by the people to gain their economic, political, cultural, civil, and social rights without discrimination and based on the inclusion of citizens in the production process, which allows the fair distribution of resources.<sup>3</sup>

In deconstructing the concept of citizenship, civil society has been the main incubator for the development of citizenship as a concept and as a value, which is why civil society plays the role of intermediary in the social space. This means that it can form an intermediate space in the triangle of the state, market, family or clan, i.e. among the political regime, economic interests and the civil community. Thus, the task of this social incubator is to preserve the balance between the public and

<sup>2</sup> For more information: "Bashier Nafea. Samir El-shimary. Ali Khalifa El-kwari. "Citizenship and Democracy in Arab countries". Center for Arab Unity Studies, 2001.

<sup>3</sup> For more information: Samir Morcos, "The citizenship and changing: concept authentication and activating the practice", Shorouk international Bookshop, 2006.

the private, the individual and the group, and between freedom and authority, to prevent despotism of the state or greed of businesses and a specific clan.<sup>4</sup>

Citizenship as a legal concept assumes the rights and obligations of citizen in the public political context. The social fabric in all developing states was - and still is – based on clan, cultural, religious, linguistic, or ethnic ties. This is reflected in the weakness of patriotic affiliation and fragility of national institutions, as well as in the discrimination of individuals of the same country in law and practice.<sup>5</sup> However, the formation of the modern state in the developing world frequently took place without an analogous process of individual awareness and rise of individuality. The rigidity of the traditional factional public awareness slowed down the pace of founding and consolidating the modern state and delayed the creation of discrimination-free legislation and practices.<sup>6</sup>

At the core of citizenship lies the principle of equality before the law.<sup>7</sup> Its content is about gaining rights and practicing them,<sup>8</sup> indiscriminately, and about acceptance and tolerance, which must be reflected in the set of economic, social, cultural, and civil rights that each citizen must have.

In addition, beyond a narrow perspective of citizenship as only useful in solving conflicts or problems between different groups, it can ascribe value to the equality among individuals of different religious, ethnic or ethical affiliation, who are to be considered only as citizens of the nation state. The organic link between the effectiveness of citizenship in practice and the legitimacy of the existing political regime can also be detected. The more the political regime is able to deal with citizenship challenges and find solutions to them to guarantee and safeguard the rights of citizens, the greater its ability to enjoy legitimacy and broad social satisfaction. Historically, in the emergence of the nation state in Europe, economic and social change were a major engine for the development of citizenship. Conversely, the emergence of the nation state in Egypt was the outcome of modernisation efforts, which redesigned social structures through coercion. These efforts had consequences for state-society relations, at least from two points of view: overlapping

<sup>4</sup> Ali Harb, “The world and its Dilemma: logic of clash and the circulation language”, Casablanca: the Arab cultural center, 2002, P: 138

<sup>5</sup> Fadia Kiwan, “The civil society in Lebanon and founding a democratic state”, in Lebanese studies dedicated to Josseff Meghazil, Darannahar for publishing and Jossef Meghazel’s Foundation, Beirut, 1996, P:109.

<sup>6</sup> El-Hermasi Abdel Baqi, “The civil society and the state in the political western practice: From 19<sup>th</sup> Century till today: Comparative study” in “The civil society in the Arab Region and its role in achieving Democracy”, Center for Arab Unity studies, 1992, P:102

<sup>7</sup> Wagih Kawthrani, “The civil society and the state in the Arab history”, in the “The Civil society and its role in achieving democracy”, Center for Arab Unity Studies, Beirut, 1992, P:119.

<sup>8</sup> Ibrahim Ghanim, “The theoretical framework of citizenship and democratic transition relations”, Ibrahim Ghanim (Editor), “The citizenship and Democracy in Egypt”, Cairo: The National Center for Social and Criminal Researches, 2009, P:3

relations between some social classes and the state, and the ability of the social groups to self-organise and raise their demands.

This study identifies how different political currents in Egypt envision this multi-dimensional concept of citizenship by focusing on the following elements:

- Nature of the state (identity, political regime, equality)
- Liberties and rights (election laws, political party laws)
- Right to assembly and organize (Syndicates, associations)
- Freedom of expression and speech (right to protest, sit-in, strike, etc.)
- Public and individual liberties (freedom of belief, personal issues, etc.)
- Rights of marginalised groups (women, minorities, etc.)

The positions of the political factions will be analysed based on their intellectual currents. The Islamic current, for instance, includes the Freedom and Justice Party, the *Al-Nour* Party, the *Bena* Party, the *Wasat* Party and the Strong Egypt Party), while the liberal current includes the Free Egyptians Party, the New *Wafd* Party and the Democratic Front Party, the *Dostour* Party). Then there's the national current, consists of the *Karama* Party and the Arabic-Nasri Party); and finally, the Leftist current, which includes the *Tagmao* Party, the Popular Alliance Party and the Egyptian Social Democratic Party. This selection has taken into consideration the differences between these parties as some are old and others newly founded after the January 25 revolution. Research also focused on the work of individuals engaged in the debates related to citizenship, examining contributions from the Islamic movement (Abbud al-Zumor, Tariq al-Zumor, Mohammed El-Beltagy, Yasser Borhammy, Abul-ElaMadi) and from the liberal current (Wahid Abdel Meguid, Mustafa El Nagar, Mohamed El Baradei and Amr Hamzaw). It also included economically influential public figures (Naguib Sawiris and Al Saied Al Badawi), alongside the national current (Sameh Ashur, Hamden Sabahy, and Nader Fergany), and the leftist current (Hazem Beblawi, Khalid Ali, Wael Gamal and Wael Khalil). These individuals have varied backgrounds in finance and economics, academia and political activism, and played an important role in the political debate after the revolution on the topics addressed in this study.

## CITIZENSHIP AND THE NATURE OF THE STATE

The nature of the state provides the bigger picture wherein the concept of citizenship and its practices is situated. In the Egyptian context, the religious component is a prominent factor in all political debates between the different currents, more so during the past four years.

The Islamic current agrees upon the centrality of Islamic law (Sharia 'a) and Islam in its intellectual thesis. However, even though most Islamic parties have a similar position when it comes to Islamic law being a decisive factor in defining their identity, some consider Islamic law to be limited to a moral reference, while others see it as a legal and religious reference. This is reflected in these parties' programmes. The Freedom and Justice Party, and the *Nour* and *Benaa'* parties all agree on the Islamic identity of Egypt. The Freedom and Justice Party even adopts the concept of Islamic state, and emphasises that the only civilisation in which Islamic law organises all aspects of people's lives, and hence defines the nature of the state, is the one built on the principles of *Shura*. They believe Islamic law is the source that sets certain rules for government and the drafting of the constitution of the state. Democracy as well is a mechanism of *Shura*; it means transferring power, allowing people to choose their governors and representatives, as well as accountability. Hence, the state is a civil state with no military power, and is non-theocratic in that it is based on citizenship.<sup>9</sup> The programme of the party explains that the state is based on equality and equal opportunities and does not allow any discrimination of citizens based on their religion, gender, or ethnicity, and allows freedom of expression, the pursuit of public positions, and the right to form and join political organisations, to education, and to work in order to preserve the main values of the society.

The *Nour* party sees the Egyptian identity as an Arabic Islamic identity. In addition, since Islam is the chosen religion of a majority of the Egyptian people, they believe that Islam is the religion of the state. It affirms the importance of the second article of the constitution that Sharia is the main reference for the Egyptian political regime and for preserving public order, and it applies to all political, legal, social, and economic matters. It states that its objective is to build a modern state that respects the right to peaceful coexistence among all citizens away from the theocratic model or the irreligious model, and hence seeks to achieve democracy along the lines of the Islamic law.<sup>10</sup>

The *Benaa'* party on the other hand states that its objective is the preservation of the Islamic identity of Egypt; hence the application of Islamic law should be the legal translation of this. In another point, the programme of the party states that its objective is to establish a state based on justice,

<sup>9</sup> Freedom and Justice party's platform, <http://is.gd/nEsggh>

<sup>10</sup> El-Nour party's platform, "The Egyptian parties programs, <http://is.gd/XKBB2Z>

equality, and plurality, in which power is transferred, and citizenship is made the base for rights and obligations in a context characterised by plurality and variety. Thus, it adopts a version of the state that is democratic (*Shura*) and ensures liberties to all citizens, with no exclusion of any individual or group.<sup>11</sup>

The *Wasat* and Strong Egypt parties have a different vision. The *Wasat* party also believes that Egypt belongs to the Arabic Islamic civilization, but it does not prescribe an identity model or engage Islamic law in the way the previously discussed parties do. It also states that citizenship is the basis of relations between people, guarantees equal rights and obligations, and favours free and open access to public positions, including the presidency.<sup>12</sup> The Strong Egypt party does not conceptualise an Islamic model, but believes in a set of values, such as justice and equality. Thus, it believes that the identity of a nation lies in its common values, history, culture, and language, of which moderate Islam is an essential component. They denounce parties that monopolise Islam and believe in participatory democracy at the same time.<sup>13</sup>

Among the liberal parties, the *Wafd* party believes that Islam is the religion of the state and that Islamic law concepts are the main source for legislation. It also guarantees the right of people of other religions to run their personal affairs according to their own religious laws. Moreover, it confirms that citizenship is the basis for all rights and obligations and that democracy is based on the presence of a multi-party system, human rights, and transfer of power.<sup>14</sup>

The Free Egyptians Party believes that Egyptian identity is the collective identity of all Egyptians, thereby confirming the civil nature of the state with respect to all religions and the preservation of Egyptian traditions, of which religion is an essential component. This means they stand for the separation between religion and the state in the rule of law, equality, and full citizenship for every Egyptian. It is also committed to democracy and the Universal Declaration of Human Rights of 1948, and accepts the second article in the constitution as long as it remains open to the interpretations of liberties and rights.<sup>15</sup>

The *Dostour* party skips the issue of identity as it denies the duality of modernity and authenticity, and supports the idea of a modern state based on communication, integrity, and tolerance instead. It adopts the democratic republican regime model based on popular sovereignty, fair elections, and equality of all citizens, in all their rights. Furthermore, the Democratic Front Party believes in the

<sup>11</sup> Construction and development party's platform (Banaa w Tanmia), <http://is.gd/ysq5jE>.

<sup>12</sup> Al Wasat party's platform, <http://is.gd/3674Ah>

<sup>13</sup> Strong Egypt (Masr ELqawiya) party's platform, Official Facebook page, <http://is.gd/U9y9ql>

<sup>14</sup> El-Wafd party's platform, <http://is.gd/kbybrt>

<sup>15</sup> Free Egyptians party's platform, <http://is.gd/khFPCz>

need to build a democratic system, the rule of law, and citizenship. It has also confirmed its commitment to all international conventions of human rights.<sup>16</sup>

National parties, specifically *Karma* and Arabic democratic parties, also agree upon the second article of the constitution that is related to the Islamic law. They agree as well on the Islamic identity of Egypt, even though they believe that Islam is just one of the components of the Arabic identity.

As for the Arabic-Nasri Democratic Party, its programme respects human rights and calls for regaining the achievements of the 1952 revolution, which were progress and development, independent national economy, and the formulation of a code of ethics that would commit all institutions and political powers to refrain entirely from the use of violence and terrorism. In addition, the president of the party has said more than once that he would not accept any change in the second article of the constitution.<sup>17</sup>

The *Karama* party believes in the collective identity of all Egyptians. Its programme states that “we are proud of the heritage of the nation, and we emphasise the unity of the people, Muslims and Christians and the unity of the social fabric”. It believes in the right to full citizenship, and “we perceive our movement as an extension of the line of creative interaction between Egyptian and Arab nationalism and Islam, and openness to all currents and the science and technology revolutions”. The party announced its bias for the majority of the people, the poor and manpower and claims to “seek to rebuild Egypt on the rules of independence and democracy, competence and justice, and qualify it to lead the unification of the Arab and Islamic solidarity movement, and build a coalition of the oppressed from civilizations of the East and the South in the face of tyranny of the American Western hegemony. Our first quest is to create a historic block that includes the vast majority of people to express their legitimate interests in renaissance, progress, and justice, and we emphasise the collective identity, there is no contradiction between belonging to the country, Arabism, or religion. One’s love for Egypt does not deny one’s faith as a Muslim or a Christian; belonging to Egypt does not deny belonging to the Arab nation. All are equal partners in the Arab-Islamic civilisation, with overlapping and integrated affiliation; these are layers in the geology of the nation.”<sup>18</sup>

All three Leftist parties explicitly mention the civil state in their programmes. The *Tagmao* party for instance did not mention basis of the state except for preserving popular social achievements and

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<sup>16</sup>El-Dostour (Constitution) party’s Platform, <http://is.gd/xNzcRJ>

<sup>17</sup> Sameh Ashour: We agree on the roadmap and reject any change to Article 2”, 24<sup>th</sup> August 2013, <http://is.gd/Kttmrh>

<sup>18</sup> Mohamed El-agati, Omar Samir, “State and political regime in Egypt post the revolution: Parties and reform issues”, Arab Forum for Alternatives, December 2013, P:21, <http://is.gd/tLYw69>



solidarity with Arab people in general and the Palestinian people in particular, and refuse the normalisation of relations with Israel. It also emphasises national independence, respect for freedom, democracy, and monotheistic religions. The party has not explicitly stated that the state should be a 'civil state', but in its programme for the 2005 elections, it assured that it supported the freedom to form political parties under the supervision of the judiciary, and that party membership should be open to all Egyptians. It also mentioned that the party should commit to the rules of democracy within the context of a civil constitution.

As for the Popular Alliance Party, it has been very clear about the nature of the political regime it pursues: "Our party pursues a democratic civil state based on citizenship and accountability, and popular participation". The programme of the Egyptian Social Democratic Party stated as well that citizenship is based on the equality of all citizens, in all their rights and obligations, without discrimination.<sup>19</sup>

As for the legal status of citizens, none of the parties' programmes or any of the constitutions of 2012 and 2014 denied citizens - regardless their gender, ethnicity, language, origin or religion - of their fundamental rights.

These statements and practices of each political current reflect how deeply - or not - ideas of citizenship are rooted within their ideological framework. The public personalities who belong to these currents try to confirm the main themes of each current concerning the identity of the state. For instance, those who are affiliated to the liberal, national, and leftist affirmed their vision of a civil state that does not conflict with religion and in which all citizens are equal before the law. This was expressed in statements of public figures such as Amr Hamzawy and Mohamed El Baradei (liberal current), Hamden Sabahy (national current), and Khalid Ali (leftist current) in an attempt to overcome the polarisation on the basis of identity and to shift the attention towards more substantive and complex issues, such as those of economic and social rights,<sup>20</sup> and transferring power from the military council in Egypt.<sup>21</sup><sup>22</sup> This was evident at certain occasions; after the March 2011 referendum on constitutional amendments, there were comments by personalities such as Wael Khalil.<sup>23</sup>

<sup>19</sup> Mohamed El-Agati. Omar Samir, "The state and the political regime in Egypt post the revolution: political parties and reform issues". *The Arab Forum for Alternatives*, 2013, P:39

<sup>20</sup> Khalid Ali: January was a preparation for the revolution and the civil state's blasphemy is mind disregard, *Aswatmasriya*", 21<sup>st</sup> April 2012, <http://is.gd/0AXGds>

<sup>22</sup> Waheed Abel Meged, "non-religious, non-civic, and non- military", *almasryelyoum*", 2<sup>nd</sup> December 2012, <http://is.gd/Me1DFk>

<sup>23</sup> Wael Khalil, "the referendum has ended, let's start the work", 20<sup>th</sup> March 2011, <http://waelk.net/node/43>

In the 2012 discussions on the drafting the constitution, the liberal, national and leftist parties defended their views about the identity of the state and the political regime against attempts to limit consensus on this issue. For instance, the Nour party sought to pass an alternative article stating that the Islamic law is the main source of legislation, not just its inspiration. Academics such as Dr. Nader Fergany tried to convince the Islamic current to follow the steps of the *Nahda* movement in Tunisia with respect to the Tunisian Constitution, without insisting on a specific text about the application of Islamic law.<sup>24</sup> This debate took place in the margins of other events, such as the 2012 presidential elections, whereby there was a consistent and clear emphasis by candidates like Hamden put a clear emphasis on the need to uphold the principle of the civil state.<sup>25</sup>

However, the Islamist parties in power at that time, represented by the *Nour* party and the Muslim Brotherhood, pursued a confrontational and authoritarian path. During the discussions of the 2012 Constitution, the *Nour* party sought to pass an alternative article stating that the Islamic law is the main source of legislation. It also supported Article 219, which stipulates that "principles of Islamic law include its total evidence, rules of fundamentalism and jurisprudence, and sources considered in the doctrines of the Sunni Community", as well as Article 6, which combines Shura and democracy as a system of rule. The *Wasat* party paradoxically did not object to these articles, whereas Assembly.<sup>26</sup> The Strong Egypt Party did not leave the Assembly but rejected the 2012 Constitution nonetheless. Other political currents attempted to discourage the emphasis on Islamisation by referring to the Tunisian experience.

A number of political Islam groups - particularly the Freedom and Justice Party - were, due to the changing balance of power in the wake of 30 June 2013, severely hindered by the media, civil society and political parties in promoting the principles they believed in. Therefore, they tried to portray the war against them as an attack on Islam by secular currents, spread sectarian slogans and blamed the Christian and Muslim religious leaders for the political battle against them. These practices reached their peak in what is known as the 'uprising of November 28', also known as the Muslim youth uprising.

<sup>24</sup> Nader Fergany's FaceBook account, 27<sup>th</sup> March 2012, <http://is.gd/x2PEhN>

<sup>25</sup> Hamdeen Sabahy in Assuit "Religion is for Egyptians' not political parties' ", Al-Ahram website, 12<sup>th</sup> May 2012, <http://is.gd/mXII3N>

<sup>26</sup> Eman Kandil: withdrawn from the constituent assembly aim to stop the constitution" "Akhbar El-youm" website, 16<sup>th</sup> November 2012, <http://is.gd/iIvLfe>

The *Nour* party continued to put all its efforts into trying to pass articles related to Islamic law in the 2014 Constitution, even though this had already been rejected by the other political currents during the debate on the 2012 Constitution. Other political currents responded to these attempts by withdrawing public figures who represented them from the 2012 Constituent Assembly, like Abul-Ghar, Wahid Abdel-Maggid, Ayman Nour, several representatives of the churches and Amr Moussa.<sup>27</sup> The Islamist current, the Freedom and Justice Party and *Nour* party at the forefront, countered these statements by claiming that secular forces were aiming to embarrass the Islamic current.<sup>28</sup> This attitude reached its zenith when a member of the Constitutional Assembly - Sheikh Mohammed Kurdi - described these forces as a minority within the assembly and Egyptian society, which should be given no weight: the best way to deal with them is to totally ignore them.<sup>29</sup> This raised several concerns about how social minorities would be treated if they were seen in such a way.<sup>30</sup>

However, the Islamic current has seen much disagreement between its own elements and with a group that supported their path and accused opponents to be secularists attempting to evade Islamic law. It also attempted to pass articles related to Islamic law in the constitution and write it off as a reflection of the wishes of the majority, at least according to a statement made by Abbud Al-Zumar, a member of the *Shura* Islamic Community Council.<sup>31</sup> Mohammed El Baradei responded by declaring that democracy does not mean the tyranny of the majority.<sup>32</sup> Others, such as Nageh Ibrahim, were less critical of the mixing between what is political, and what is legal.<sup>33</sup>

The debate on the identity of the state did not end with the Islamists' exit from the scene after the June 30 events. Public debates and discussions on the constitution in 2013 saw the return of the identity question. Political forces and their representatives in the committee sought to pass articles preventing parties with a religious basis from being formed, an issue which was already addressed in the constitution, although not thoroughly enough for these currents.

A number of figures such as Nader Fergany saw that, despite the quality of this article, it does not end the manipulation of references to the Islamic law, due to the absence of any serious discussions about the state's identity, especially about an article that defines the "civil state". In the 2014

<sup>27</sup> Moussa: we reject the midnight constitution”, almasryelyoum, 4<sup>th</sup> December [2012.http://is.gd/VRO35F](http://is.gd/VRO35F)

<sup>28</sup> The residuum and the withdrawn from the Egyptian constituent assembly, Alarabyia website, 21<sup>st</sup> November 2012, <http://is.gd/Gnmue3>

<sup>29</sup> Salafists open the fire on the civil current after its withdrawal from the constituent assembly, youm7 website, 21<sup>st</sup> November 2012, <http://is.gd/9vQfh1>

<sup>30</sup> The residuum and the withdrawn from the Egyptian constituent assembly, AlArabyia website, 21<sup>st</sup> November [2012.http://is.gd/Gnmue3](http://is.gd/Gnmue3)

<sup>31</sup> Aboud El-zoumr: Some opponents covet the power. Some rejects the constitution as it doesn't respond to Sharia's issue”, elWatannews, 27<sup>th</sup> December 2012, <http://is.gd/yVNzvn>

<sup>32</sup> Mohamed el-Baradei's official Facebook page, 25<sup>th</sup> February 2012, <http://is.gd/uu9oWZ>

<sup>33</sup> Nageh Ibrahim, “The preacher and the politician”, Almasryalyoum newspaper, 6<sup>th</sup> February 2012, <http://is.gd/6H43qj>

constituent Assembly *Nour* showed its preference for the religious dimension of the state.<sup>34</sup> Most political forces did not have strong disagreements about the nature of the state except for the Islamists (excluding the *Nour* party) who rejected the entire political process altogether and perceived it as illegal, being too close to the 1971 Constitution tradition with the same problematic articles, such as 2 and 3.

Reviewing the perceptions of the nature of the state in the intellectual system of different political currents reveals a number of important aspects concerning citizenship. There is some convergence among different political currents (except for Islamists) on the role of Islamic law in Egyptian political life. This is reflected in their agreement on the definition of the civil state as well as on the second article of the Egyptian Constitution of 1971, which stipulates that the principles of Islamic Law are the main source of legislation. This leads us to the conclusion that Islamic Law principles and their presence in politics and the public sphere is a political taboo. Political and religious public opinion ensured that this principle became fundamental code, and none of the politicians will change it or support its abolishment out of fear of losing popularity. In addition, the second article of the constitution is seen as a balanced and acceptable formula. Still, there were some political groups such as the Free Egyptians Party, who advocated adding another article that addresses other religions, which could be interpreted as a form of protection against rising Islamic currents at that time.

It is also evident from the Islamists' party programmes that they could possibly damage the concept of citizenship, because of their adoption of 'Islamic state' and 'Islamic identity' concepts that are based on the numerical dominance of Muslims. Moreover, it implies replacing loyalty to the state with loyalty to religion, as a condition in order to get your rights as a citizen, which contradicts the idea of citizenship and could put followers of other religions in danger.

A number of the political currents embrace a conception of the state that is based on *Shura*. This implicitly puts the question of citizenship and equality of all citizens at stake (not just on the basis of religion). *Shura*, according to this system, is the value of faith in contrast with democracy, which is a pure human jurisprudence. *Shura* is based on the presence of a specific people or group of people who are considered to be experts, play a key role in the management of public affairs, and do not depend on normal citizens or the layman.<sup>35</sup> This in turn questions the ability of individual citizens to equally influence the decision-making process and politics. Hence, it is different from the concept of democracy, which automatically gives these rights to all citizens. On the other hand,

<sup>34</sup> Nader Fergani, "Be aware of sacrificing the state's civil nature", Al-Ahram website, 4<sup>th</sup> November 2013, <http://is.gd/pgsvCb>

<sup>35</sup> Mohamed ben Shaker EL-Sherif, "Between Shura and Democracy", El-bayan magazine, 21<sup>st</sup> May 2013, <http://is.gd/MPN3K3>

these currents have recognised the value of democracy as a political system, - even though they consider its procedures, such as free elections, citizenship and equality, as a necessity imposed by the political context after the Egyptian revolution. It is not possible to enter the political sphere without incorporating these values in political programmes without a genuine belief in these values and ideas. The analysis of the discussions within the same political grouping showed generational differences. Political parties with a majority of youths, including Islamist ones, have different approaches to the relationship between religion and the state, which is known as 'ost-Islamism'. This is the case with Strong Egypt<sup>36</sup> and *Dostour*, which are beyond the traditional dualism of authenticity and modernity. It also applies to the Egyptian Social Democrat Party and the Popular Alliance Party, despite their different intellectual affiliations. They have more convergence on the value of citizenship and association, and citizenship being based on nationality. In addition, they emphasise the equality of all citizens, without discrimination based on religion, gender or language.

<sup>36</sup> Ismail Alexandrani, "Institutionalizing an Egyptian model overcomes Islamic-Secular polarization: Post-Islamism from theoretical debate toward organization", Arab Forum for Alternatives, 2002, P:3

## EQUALITY IN RIGHTS AS AN APPROACH TO CITIZENSHIP

Historically, civil and political rights are considered to be the rights that are most related to citizenship. Despite the relation between civil and political rights, they differ slightly in that political rights are rights that are granted by the authority or the state to a group of citizens or individuals within its territorial boundaries. Political rights are closely linked to the individual and his ability to take the initiative, which is what distinguishes political from civil rights, which are achieved automatically once the state refrains from interfering with individual liberties of citizens.<sup>37</sup> This study only focuses on certain aspects of political rights, and more specifically, on the political debate on citizenship. The aforementioned aspects are related to political parties, elections, and laws, and in what degree they are accepted by the different political groups.

With the exception of *Nour*, Islamist parties agree on pluralism in political and public life as well as on the freedom of establishing and forming political parties. *Nour* does support the freedom to establish political parties, provided that the commitment to the nation, its constitution, public order, and transfer of power through fair elections are a means to achieve democracy in the framework of Islamic law.<sup>38</sup> However, none of these parties addresses internal party management in terms of its formation, internal democracy, or the presence of young men and women. Many of these parties' programmes denounce parties based on religion, yet announce their Islamic reference, with the exception of the *Wasat* party, which adopts Islam as a cultural reference, not as a party agenda.<sup>39</sup> The Strong Egypt Party uses the Islamic reference to check the behaviour of its members rather than the community as a whole, refusing to monopolise the religious reference.<sup>40</sup> The Freedom and Justice Party on the other hand, refers to the freedom to establish political parties through notification only (in other words, without official permission), provided their programmes do not promote discrimination among citizens. None of these parties mentioned anything about the rules governing political parties in their programmes. As for the electoral laws, most Islamist parties mentioned free and fair elections as the means and mechanism for achieving democracy, as well as for the transfer of power (*Nour*, *Bena'a*, the Freedom and Justice Party). The Strong Egypt Party stated to support the freedom for all Egyptians to run for public office and participate in politics, while the *Wasat* party advocated direct free elections.

<sup>37</sup> Fundamental concepts on social and cultural rights-Do the social, economic, and cultural rights differ in the core from the civic and political ones?, Higher commissioner for human rights, United Nations, <http://is.gd/w5pAFV>

<sup>38</sup> El-Noura party's platform, <http://is.gd/XKBB2Z>

<sup>39</sup> Al Wasat Party's platform, <http://is.gd/3674Ah>

<sup>40</sup> Strong Egypt party's platform, <http://is.gd/U9y9ql>

The liberal parties support multi-party politics and intellectual freedom. The Free Egyptians Party stated that "it is not allowed for any person to perform any political activity or establish political parties based on religion or based on discrimination among different genders, or origins," and that "all citizens are equal before the law". *Dostour* too emphasises the freedom to establish political parties and the right to create them, but without specifying religion as an impediment to partisan and political work. It does, however, state that "it should not be based on a reference contrary to the fundamental rights of citizens".<sup>41</sup> The Democratic Front stipulates that it supports the freedom to form political parties and the removal of all legislative and administrative obstacles preventing that, with a commitment to all conventions of human rights and non-discrimination of citizens based on religion, ethnicity, and gender.

Concerning elections, most of the parties emphasised the importance of free and fair elections. The Wafd party for instance, stressed the relevance of transfer of power, while the Free Egyptians Party stressed that "everyone has the right to participate in the management of public affairs of his country, directly or through chosen representatives by free choice, and each person has the right to equal access to public positions in his country". They also emphasised that the will of the people is the source of the authority of government, and this will be reflected through fair elections conducted by secret ballot and on an equal basis among all citizens or by equivalent voting procedures. In another statement, the party programme refers to the right of Egyptians abroad to enjoy political rights without discrimination, including the right to vote.<sup>42</sup> *Dostour* party stressed the equality of all citizens in exercising popular sovereignty through public and fair elections according to procedures that ensure the right to run for public office and vote for all citizens, without discrimination.

As for the nationalist parties, the *Karama* party, of course, stressed the need for political and intellectual pluralism and the freedom to establish parties with a law forcing the transfer of power every four years. The Arab Nasserist Party did not mention any of these organisational rights regarding establishing political parties. With regard to elections, the *Karama* party emphasised that the transfer of power should take place through fair and free elections; this is a condition for democracy.<sup>43</sup> The *Karama* party have a very particular view of elections. They advocated the judicial supervision of the whole electoral process and redefining of the electoral districts under the supervision of the judiciary. In addition, *Karama* gives the judiciary the right to settle disputes relating to the electoral process, and to promote the constitutional system based on electoral rolls, in

<sup>41</sup> El-Dostour party's platform, <http://is.gd/xNzcRJ>

<sup>42</sup> Free Egyptians' party's platform, <http://is.gd/7pXhn6>

<sup>43</sup> Moahmed El-Agati. Omar Samir, "The state and the political regime in Egypt post the revolution: Political Parties and the reform issues", Arab Forum For Alternatives, December 2013, P-P: 21-22.



order to promote political awareness among citizens, something which has not been mentioned in the Arab Nasserist party programme.

To the left, the Popular Alliance Party backs the freedom of establishing political parties by notification. The *Tagammu* party stated in its electoral programme in 2005 the importance of the freedom to form political parties under the control of the judiciary and that party membership should be open to all Egyptians. It also stressed its adherence to the rules of democracy in the context of a civil constitution. The Egyptian Social Democratic Party stressed these rights by stating that "the party believes in freedom of thought, freedom of belief, freedom of expression, and freedom of association. As all are rights inherent in the human soul and are recognised and endorsed by all international agreements and conventions, and no state or government or parliamentary majority shall restrict these rights in any means, except to prevent attacks on these legitimate and constitutionally protected rights".<sup>44</sup> They also have a well-rounded idea about the governance of political parties, advocating the "introduction of a legal system to prevent corruption in political parties funding and to prevent conflicts of interest between private and party work, in addition the separation between private interests of members of parliaments and local councils and requirements of their parliamentary work."

The Popular Alliance Party stated that elections should be organised according to unconditional proportional electoral rolls, abolishing the individual system whereby independent candidates can stand without party affiliation.<sup>45</sup> The Egyptian Social Democratic Party called for the "establishment of an independent Electoral Commission to supervise all local, parliamentary, and presidential electoral processes."<sup>46</sup> In the context of reviewing the stances of political currents regarding the topic of elections and its challenges, Khalid Ali, a Leftist, tackled the issue of fortifying decisions of the Supreme Committee for Elections at the time of presidential election in 2012. He stated that it might be more appropriate if there is a judicial commission to supervise the work of the Supreme Committee for Elections. In addition, he called for monitoring fiscal spending during the election campaign, with the assignment of judges to supervise elections abroad. By contrast, the Freedom and Justice Party exercised pressure on the Military Council during the parliamentary elections of 2011 to block the increase in the numbers of women candidates in mixed electoral rolls beyond the existing limit of one woman.<sup>47</sup> No counter-pressure was exerted by the non-Islamists to modify the percentage of women or their presence on the electoral rolls.

<sup>44</sup> The social democratic party's platform, P-P: 7- 9

<sup>45</sup> Popular Alliance party's platform, P:2.

<sup>46</sup> The Egyptian social democratic party's platform, P: 9

<sup>47</sup> Nouran s. Ahmed, "The structural civil, political rights' dilemma and woman: view from the Egyptian citizenship context", "Citizenship and women rights in Egypt after the revolution", Arab Forum for Alternatives, 2014, P-P:12-13



There was a common position on the importance of votes of Egyptians abroad and it was taken up by figures from the National current, such as Hamden Sabahi, who was a supporter of the decision of the Administrative Court in October 2011 to compel Egyptians abroad to vote, as this decision is a recognition of Egyptians abroad as being equal to their fellow citizens at home.<sup>48</sup> Sabahi also invited and urged Egyptians abroad to participate in the presidential elections in 2012.<sup>49</sup> Moreover, he requested that the institutions facilitate the voting procedures for Egyptians abroad.<sup>50</sup>

One of the most controversial issues at this time was the Supreme Constitutional Court's decision to ban members of the police and armed forces from voting in elections. This was a major source of division between the different political currents. Some, mostly non-Islamic groups, accepted giving them the right to vote as a consequence of citizenship and equality,<sup>51</sup> and in light of the existing rules on fairness and supervision of elections.<sup>52</sup>

The question of nationality was even more controversial, because it could have prevented a number of liberals to stand as candidates in elections. Amr Hamzawy abandoned his German nationality to be able to run in the legislative elections of 2011-2012. He therefore supported the right of Egyptians abroad to vote and to stand as a candidate, because he believed their communities should have parliamentary representation, as is the case with elections in many other countries.<sup>53</sup> As a response, Mohamed El Baradei rejected the requirement of nationality purity to be able to stand for election.<sup>54</sup>

The debates on the electoral law and its associated problems have been ongoing for the past four years and continued with the Egyptian presidential elections 2014 law, which included a provision that strengthens the Supreme Election Commission's decisions and considered these decisions final – meaning that an appeal was no longer possible –, which contradicts Article 97 of the constitution.<sup>55</sup> The 2014 electoral law was rejected by people from various political groups, including the liberal Mustafa El Naggar,<sup>56</sup> Hamdeen Sabahy and Abdul-khafar Shukr (the president of the Popular Alliance Party)<sup>57</sup> – a similar pattern to Morsi's attempt with the Constitutional Declaration of 2012.

<sup>48</sup> Hamdeen Sabahy's twitter account, <http://is.gd/cOkKRG>

<sup>49</sup> Hamdeen Sabahy's Twitter account, <http://is.gd/7j0LJa>

<sup>50</sup> Hamdeen Sabahy's Twitter account, <http://is.gd/WFgSjL>

<sup>51</sup> Political dispute on the Police and Military officers voting in elections, Masress, 27 May 2013, <http://is.gd/KwXhqh>

<sup>52</sup> Sameh Ashour's Twitter account, <http://is.gd/9DXOqH>

<sup>53</sup> Amr Hamzawy, "SCAF lost its legitimacy", 'Majalla' magazine, 27<sup>th</sup> November 2011, <http://is.gd/wwivPj>

<sup>54</sup> Mohamed el-Baradei's official Facebook page, 4<sup>th</sup> April 2011, <http://is.gd/iCjVXL>

<sup>55</sup> Egypt: debate on the immunization of the presidential election committee's decisions, AL-hayat newspaper, 9<sup>th</sup> March 2014, <http://is.gd/kroGmg>

<sup>56</sup> Mustafa El-Naggar, "The law does know "Zeinab", Almasryalyoum, 13<sup>th</sup> March 2014, <http://is.gd/XaNqeo>

<sup>57</sup> Immunization of the election committee...Transparency is questionable", Akher sa'aa newspaper, 11<sup>st</sup> March 2014, <http://is.gd/WQStx6>

Some public personalities disagreed with the political parties on some issues related to electoral processes. Wahid Abdel Meguid, for example, rejected the individual electoral system because it has the same philosophy as the individual system (50% +1), which gives insufficient opportunities to other competitors.<sup>58</sup>

The involvement of public figures was more obvious in the debate legislation related to elections and parties than on regulating the parties themselves. This is reflected in the most recent law regulating parliamentary elections. Despite the agitation expressed by parties towards this law, they were not specific in their criticism, whereas a number of public personalities close to these groups were direct in their critique, such as Hamdi Qandil.<sup>59</sup> As for legislation on the workings of political parties,<sup>60</sup> after 30 June there has been a major convergence among non-Islamic currents on the ban on the establishment of parties based on religion.<sup>61</sup> These groups managed to pass the ban in Article 74 of the 2014 Egyptian Constitution. Islamists definitely rejected the ban on the establishment of political parties based on religion. In that regard we find a kind of agreement among the Islamists and some liberal personalities on rejecting the ban of religious parties. They are, however, in favour of banning parties based on ethnicity and/or language, which was included in the Constitution of 2012.<sup>62</sup>

The right to vote and form political parties are at the heart of citizenship and the different groups confirmed their attachment to citizenship rights and equality. Nonetheless, the review of the positions of the various political groups does reveal different approaches. More specifically, it reveals how superficially these groups deal with these rights and citizenship in general. For example, many of political groups do not have a clear procedural perception of the details of these rights. There were no detailed discussions on how to guarantee Egyptians abroad the right to vote, whether and which conditions are to be met to ensure this right, and whether there are other examples to draw from. French citizens living abroad can vote when they reach the voting age. By contrast, Canada links the voting right for citizens abroad to policies and decisions affecting them directly and is denied to citizens who live abroad continuously for a number of years. In the United States, voting is linked to taxes and both are imposed on citizens regardless of their place of residence.<sup>63</sup> This discussion also did not address more fundamental questions about Egyptian

<sup>58</sup> Waheed Abdel Meged, "The confused election coalitions...and their disturbed dilemma", 14<sup>th</sup> August 2014, <http://is.gd/QBmg28>

<sup>59</sup> HamdyKandil's twitter [account,http://is.gd/36w3FI](http://is.gd/36w3FI)

<sup>60</sup> Mustafa El-Nagaar, "on the political castration of parties", Almasryalyoum, 4<sup>th</sup> July 2014, <http://is.gd/8fxjXt>

<sup>61</sup> Nader Fergany, "The people is the backbone of changing according to the revolutionary interpretation of the core of Islam", Al-Ahram website, 23<sup>rd</sup> December 2013, <http://is.gd/k19mo3>. Also you can see:

Hamdy Kandil's Twitter account, <http://is.gd/Nkzf9H>

<sup>62</sup> Abolishment of religious political parties, Al-Ahram Website, 30<sup>th</sup> August 2012, <http://is.gd/zxwr43>

<sup>63</sup> Ibrahim El-Houdaiby, "Citizenship in the constitution", Al-shorouk newspaper, 9<sup>th</sup> March 2012, <http://is.gd/20JQ7E>

citizenship, such as whether it is tied to being born on Egyptian territory, or to having another nationality, or dual nationality.

This issue was also present in the discussion on the police and armed forces being able to vote in elections or not. This was addressed with such superficiality that it can be said that there was no real debate about citizenship and associated rights. Other political considerations formed the opinions of most groups, such the Islamists' concerns with state security forces. In addition, the political debate did not go beyond the procedural assertion of 'free and fair election', whereas the deep political and societal changes of the past four years would have required more substantive debates on the nature of democracy. This has alienated many citizens, young people especially.

This confusion did not end with election laws but extended to the status of political parties. The problem with banning political action on religious grounds leads to other problems with the definition of citizenship, the organisation of the state, religion and political action. The absence of a clear vision about this nexus was reflected in the dispute over whether to prevent parties that have a religious basis or reference. These issues were a source of polarisation and hostility on part of the Muslim Brotherhood towards Egyptian society in the wake of the Morsi's ousting on 3 July 2013.

The integration of women and youths in the party structures as a way to achieve citizenship and democracy was another area that has not been discussed by any of the parties or political movements, except for the *Karama* party, which advocated political parties introducing internal elections every four years.

The lack of attention to a regulatory framework for political parties acts as a deterrent to the implementation of civil and political rights. For instance, the law banning 'religiously based' parties does not define what constitutes a 'religious basis'. The requirement to publish the names of 5,000 members of each newly-established party in two daily newspapers is an obstacle for small parties or social groups that want to commit to a party but do not have the financial and economic influence, especially since the abolition of state financial support to parties and the restrictions on private or external financing.<sup>64</sup> Only the Egyptian Social-Democratic Party drew attention to the sometimes problematic relationship between funding and politics in its programme.<sup>65</sup>

<sup>64</sup> Shimaa El-Sharkawy, "Problematic of Egyptian political parties' law", under publishing, Arab Forum for Alternatives, 2014.

<sup>65</sup> The Egyptian Social Democratic Party's platform, P: 27.

## FREEDOM OF ASSEMBLY AND ASSOCIATION AS AN ASPECT OF CITIZENSHIP

Freedom of assembly and association are considered to be some of the core political liberties that contribute to the deepening and entrenchment of the concept of citizenship and its practices. They play a key role in the empowerment of citizens, enabling them to express their interests and values, and in strengthening citizenship by creating common interests and ties between citizens.

Among Islamic parties, the Freedom and Justice Party affirmed the freedom to establish civil society associations, such as syndicates, unions, associations, and groups. The relationship between state and society is mediated by the partnership between state and civil society organisations (political parties, professional associations, unions, business and industry associations, student unions, and non-governmental organisations). Most party statements affirmed the plurality and independence of these organisations, with an emphasis on the right of each group to form its own union, and of peasants especially, since they represent the majority of the Egyptian people.<sup>66</sup> The *Nour* party only included a simple statement on legitimate liberties and the right to establish nongovernmental organisations.

As for the *Benaaf* party, it supports the empowerment of civil society organisations, professional associations and trade unions and their ability to play a role in community development, without restrictions on their movement.<sup>67</sup> They addressed the relationship between civil society and the state, and emphasised that the state cannot impede on the independence of the civil society, provided that the organisations are based on principles of cooperation, social solidarity and voluntary work according to Islamic history. These organisations can only be funded by civil and charitable communities and not by foreign funds or aid from foreign countries that impose their values and ideas on Egyptian society. According to the party's programme, the role of civil society should not be limited to intellectual, cultural or human rights activities, but it has to play an economic and social role as well (improving the lives of citizens, preservation of the environment, creating job opportunities for youths, etc.). The *Wasat* party stated it supports the right to establish associations and civil society institutions and administrative institutions to help the government in performing its duties. It also believes the judiciary should be the reference to determine what is contrary to public order and what are the basic components of societal peace and its internal security. The party programme also mentioned the need to activate the nation's institutions, such as syndicates, trade unions, associations, and clubs, and free and fair elections for professional

<sup>66</sup> Freedom and Justice party's platform, <http://is.gd/nEsggh>

<sup>67</sup> Construction and development party's platform, <http://is.gd/ysq5jE>

associations and unions.<sup>68</sup> As for the Strong Egypt Party, it stipulates that it backs the freedom of collective organisation on a geographic and sectoral level and by that, they mean creating opportunities to form unions and associations at both the regional level and the local level (province - city - village, without restrictions). Moreover, it supports trade union pluralism, with an emphasis on creating peaceful political assemblies in various forms, as well as the promotion and protection of civil society organisations, and support of pluralism and independence as a fundamental pillar of a proper democratic society.<sup>69</sup>

Among the Liberal parties, the *Wafd* party did not address the rights of assembly and association in detail, but it did mention public liberties in general. Alongside its principles of neo-liberalism and market liberalisation, it only briefly referred to the adoption of new laws to protect the interests of workers and trade unions. Its programme also refers to the need for trade unions and federations of workers and peasants to participate in the Constituent Assembly.

By contrast, the Democratic Front Party sees the "freedom of political and trade union organisations and non-governmental organisations, and abolition of all restrictions on freedom of establishment and exercise of its activities in the within the legal context and the constitution" as one of the main characteristics of a democratic system.<sup>70</sup> The Free Egyptians Party stated that everyone has the right to freely assemble in a peaceful way and form associations (including trade unions and professional associations).<sup>71</sup> They stated as well that no one should be forced to belong to an association or a group. They also mentioned the need to develop legislation that prevents interference of religion-based institutions and associations in political action or in organising things that will mobilise civil society for political purposes. They added that there is also a need of legislation that removes all illegal articles that represent an obstacle to a citizen enjoying his political rights, or to the formation of independent unions, political parties, associations and institutions.

The *Dostour* party stated that they support the right to form trade unions, in line with the agreements of Trade Union Freedoms and the Right to Organise signed by Egypt (Conventions 87 and 98). They ensured the right of workers and entrepreneurs to form organisations and trade unions, with an emphasis on the need to abolish restrictions on the establishment of associations

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<sup>68</sup> AlWasat party's platform, <http://is.gd/3674Ah>

<sup>69</sup> Strong Egypt party's platform, <http://is.gd/U9y9ql>

<sup>70</sup> Mohamed El-Agati. Omar Samir, "The state and the political regime in Egypt post the revolution: Political parties and the reform issues, Arab Forum for Alternatives, December 2013. P: 32-33

<sup>71</sup> Free Egyptians Party's platform, <http://is.gd/khFPCz>

and civil society institutions, cooperation between the state and institutions, and the expansion of mandates of these associations, especially syndicates.<sup>72</sup>

As for Leftist parties, the *Tagmao* party stated in its electoral programme for 2005 the need to "abolish state control once and for all over professional and trade unions, non-governmental organisations and civil society organisations seeking a civil community that is able to contribute to building democracy and progress to ensure its independence and pluralism". They supported the full freedom of the private sector and a commitment in the constitution guaranteeing non-interference in the affairs of trade unions and other civil society institutions. The Popular Alliance Party stated it backed the freedom of establishing trade unions and professional associations, peasant and student unions, the unemployed and all forms of trade union and organisations by notification. It confirmed its support of civil society organisations as one of the pillars of democracy, which depend on national funding to achieve giving full human, political and social rights to all citizens.<sup>73</sup>

The Egyptian Social Democratic Party "believes in freedom of thought, freedom of belief, freedom of expression and freedom of association as all are rights inherent in the human soul. These rights are recognised and endorsed by all international agreements and conventions, no state or government or parliamentary majority can restrict it in any way, but it should prevent attacks on the legitimate rights of others". The nationalist Karama and Arab Nasserist parties, did not mention any of these rights in their programmes.

One of the most important moments in the debate on these rights was the campaign against civil society in 2011, when there were raids were against the local offices of American and German human rights organisations, and Egyptian centres working on human rights issues, such as Hesham Mubarak centre.<sup>74</sup> Then the Islamic current was closer to the government's decision. This wave was followed by another set of raids in 2012 against the Centre for Independence of Judiciary and Attorneys and the Hisham Mubarak Centre,<sup>75</sup> and the Egyptian Centre for Economic and Social Rights in 2013. None of these actions were seriously condemned by the majority of political groups despite the fact that a number of these human rights organisations have been working to provide expertise in building the internal capacity of political parties to be able to contribute significantly to the consolidation of rights and liberties.

<sup>72</sup> El-Dostour party's platform, <http://is.gd/xNzcRJ>

<sup>73</sup> Mohamed El-Agati. Omar Samir, "The state and the political regime in Egypt post the revolution: The parties and reform issues", December 2013, P-P: 42-43

<sup>74</sup> Egyptian security strikes civil society's offices, BBC Arabic, 29<sup>th</sup> December 2011, <http://is.gd/kqgA0B>

<sup>75</sup> Civil society foundations deplore Security forces raids on the Egyptian center for rights, 19<sup>th</sup> December 2013, <http://is.gd/eDGF6N>

Not all currents remained silent, however. Nader Fergany expressed his disapproval of the selective raids, which ignored human rights organisations known for their affiliation to remnants of the old regime and extremist Islamists associations, which receive millions in funding from abroad.<sup>76</sup> Mohamed El-Baradei said that funding in itself is not a problem, but that the real issue is transparency. He also stated that civil society organisations should publicise their funding as well as their activities. Being in favour of their legalisation, he stated that they are useful in fields of development, education, and human rights and that the state itself has limited resources.<sup>77</sup>

This controversial issue leads to another open question on the regulation process of the political, religious and advocacy roles of civil society organisations. Non-Islamist political and intellectual personalities, such as Nabil Zaki (vice-president of the Tagammu party),<sup>78</sup> has called for the Muslim Brotherhood to legalise its status as a group, be subject to the law, and to disclose its sources of funding, number of members, and its activities in the country and abroad, as part of an attempt to establish the rule of law and equality among all the actors in civil society.<sup>79</sup> The Muslim Brotherhood, at that time in power, ignored this call. Islamic groups rejected them because they were based on secular claims, meant to help separate religion and the state. The Muslim Brotherhood was forced to comply to these restrictions just before the administrative Judicial Court decided whether the Brotherhood would be dissolved or not.<sup>80</sup>

Under Morsi's presidency a deeply conservative law for non-governmental organisations was discussed, which would have allowed the government and the police to monitor activities of civil society and to restrict local and foreign funding of civil society organisations,<sup>81</sup> thereby violating Article 53 of the 2012 Egyptian Constitution.

The past four years have shown that the authorities do not respect the independence of unions. That was relatively clear in the time of Morsi, who only communicated with the General Federation of Trade Unions, under state control, and ignored independent trade unions.<sup>82</sup> Government interference in the General Federation of Trade Unions became legal with decree 97 of 25

<sup>76</sup> Nader Fergany's Facebook account, 30<sup>th</sup> December 2011, <http://is.gd/vgCICL>

<sup>77</sup> El-Baradei's interview for Al-shorouk newspaper: 6 months after the revolution (3-3), 1<sup>st</sup> September 2011, Mohamed El-Baradei's official Facebook page, <http://is.gd/P37Lot>

<sup>78</sup> Politicians: It is time to legalize Muslim brotherhood's status", 3<sup>rd</sup> September 2012, Al-Ahram website, <http://is.gd/kOPfGx>

<sup>79</sup> Amr Hamzawy, "Legalizing the Muslim Brotherhood's status", 27<sup>th</sup> August 2012, el Watannews, <http://is.gd/Amk4MX>

<sup>80</sup> "Muslim Brotherhood has legalized its status and has become an association", El-Mukhales network, 20<sup>th</sup> March 2013, <http://is.gd/IyT0sT>

<sup>81</sup> Critiques to the Egyptian civil society regulating legislation, Sky news Arabic, 31<sup>st</sup> May 2013, <http://is.gd/zQwOBZ>  
Mohamed El-Agati. Omar Samir, "The state and the regime in Egypt post the revolution: Political parties and the reform issues", Arab Forum for Alternatives, December 2013, P:11-12

<sup>82</sup> Mohamed Abdel Gawad, "strife on syndicates legitimacy recognition", 6<sup>th</sup> August 2012, Al-Ahram newspaper, <http://is.gd/FSVMfg>



November 2012, which allows the Minister of Labour to appoint trade union representatives.<sup>83</sup> A number of public figures affiliated with non-Islamists political groups have taken it upon themselves to defend the rights of social groups organised in a union. Khaled Ali, for instance, supported the right of street vendors to establish a union<sup>84</sup> by helping them acquire their legal rights and denouncing law No. 105, which put strict sanctions on street vendors.<sup>85</sup> He also ensured the right of subway workers to strike to improve their living conditions.<sup>86</sup> In this situation he agreed with Hamdi Qandil, who called for the establishment of a union for those who work in media to protect it from the Ministry of Information.<sup>87</sup>

After 30 June most of the political groups were divided over the rights of organisations with respect to associations, political parties, and trade unions. What followed was a general indifference of many parties towards oppressive decrees and decisions that were passed on unions' and nongovernmental organisations' liberties. The reactions of public personalities varied. Nader Fergany objected to the strict sanctions on civil society workers who receive foreign funds. He also voiced his opposition to the attempts of the government to accuse those who accepted foreign funds from independent trade unions and members of international organisations such as the International Labour Organisation as traitors and foreign agents.<sup>88</sup> Many political groups were divided, while nationalists and leftists frequently expressed sympathy towards workers' protests, such as those of the Delta steel workers.<sup>89</sup>

The Islamists movements on the other hand, particularly the Muslim Brotherhood, supported the trade unions' struggles as a way to attack the then-current regime in Egypt rather than out of a genuine belief in those rights. Government policies after 3 July – in which the Egyptian Social Democratic Party played a prominent and important role – aimed to prohibit and prosecute some political organisations, notably the Muslim Brotherhood. The new government continued to ignore the issue of pluralism of trade unions and used force to respond to social protests. Decisions were made that financially restricted a number of institutions thought to be tied to the Muslim Brotherhood, such as the Egyptian Food Bank, Ansar al-Sunna Muhammadiyah and Al- Jam'iya Al-

<sup>83</sup> Jaul Benin, "The Egyptian labor syndicates After the new constitution", 1<sup>st</sup> December 2014, Midanmisr, <http://is.gd/fAhlxU>

<sup>84</sup> Khaled Ali's Twitter account, <http://is.gd/Quz3XI>

<sup>85</sup> Khaled Ali's Twitter account, <http://is.gd/gxvY94>

<sup>86</sup> Khaled Ali's Twitter account, <http://is.gd/atirxM>

<sup>87</sup> HamdyKandil's Twitter account, <http://is.gd/z8hZJH>

<sup>88</sup> Representative of the labor independent syndicates: The government accused us of being traitors and the victim is the worker, Masralarabia website, 1<sup>st</sup> May 2014, <http://is.gd/EnIVpT>

<sup>89</sup> Nader Fergany's Facebook account, 30<sup>th</sup> November 2014, <http://is.gd/4HpDsu>



Shar'iya. By putting restrictions on these organisations, desperately needed aid to the poor, normally provided by these organisations, was halted.<sup>90</sup>

These positions show a set of key ideas. Those who defended the right to assembly were not necessarily representing the party's commitment to those rights, but were instrumentally using them to support corporative privileges or the interests of single professions. This shows that interests motivate the defence of rights, but also that there is a lot of confusion about the freedom of assembly and association. Moreover, even though the programmes of parties and the statements of public figures dealt with the freedom of association, they assumed that each profession must have only one union or syndicate to speak on its behalf. Only the Strong Egypt Party mentioned the need for pluralism of unions and syndicates explicitly.

The existence of only one union or syndicate for each profession may end up as an attempt to nationalise the voice and interests of this class or profession into a single entity for the benefit of one of the political groups at a given moment. Participation rates in unions or syndicates may decline if individuals are not offered a choice, as the 2012 Constitution stipulates that there can only be one union per profession.

Associations usually do not face the same difficulties as unions, especially if they were charitable and traditional in nature. Charitable associations alone do not benefit from strengthening the values of citizenship, because of the logic of aid and charity, and because they do not enhance values of social integration of participants or employees. In addition, political parties are biased in which associations they support. For instance, today Islamic and charitable associations face more difficulties. This also applies to non-Islamist groups that focus more on human rights, as demonstrated by the numerous raids of on many human rights organisations during 2011-2013, as well as Islamic charities such as *Jam'iya Shar'iya*, and *Ansar al-Sunna Muhammadiyah*.

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<sup>90</sup> Freezing the capital of NGO in Egypt. Who pay for it? BBC Arabic, 27<sup>th</sup> December 2013, <http://is.gd/1AYS42>

## FREEDOM OF OPINION AND EXPRESSION AS CORE VALUES OF CITIZENSHIP

Islamic parties claimed to embrace the freedom of opinion and expression, of movement and assembly. The Freedom and Justice party propagated freedom for all citizens on the basis of nondiscrimination. The *Nour* Party supported freedom of opinion, of expression, and freedom of media, press and publication, in the framework of Islamic *Shari'a*,<sup>91</sup> meaning that there might be restrictions on discussing or adopting certain views as they might be incompatible with the *Shari'a*. The Strong Egypt Party stated in its programme that "the only way to achieve freedom is through an open environment in which opinions are discussed and arguments are presented without fear and without interference from the authorities, hence by supporting political and civil liberties". The party also backs the protection of freedom of press and media in accordance with the law that allows circulation of information. In addition, it proclaims to support individual liberties, freedom of creativity, expression, media, and writers, artists, intellectuals and general citizens being able to exercise their civil rights. The party did not mention the right to organise strikes or demonstrate. As for the *Bena'a'* party, they did not mention anything about freedom of opinion and expression. The *Wasat* Party promoted freedom of opinion and expression, and emphasised freedom of access to information. It also supported the right to organise demonstrations and strikes, peaceful public meetings, advocacy and political participation.<sup>92</sup>

Among the liberal parties, the Free Egyptians Party stated it supported the right to freedom of opinion and expression, including the freedom to hold opinions, to seek information and ideas, and receive and broadcast any media with no regard to borders.<sup>93</sup> It also emphasised the freedom of establishing press, television channels, radio stations, web sites and blogs for all Egyptian citizens without discrimination. The *Wafd Party*, on the other hand, did not mention any of these rights. The Democratic Front Party confirmed its commitment to civil and political rights and liberties as well as economic, social and cultural rights for all citizens, particularly freedom of expression and exchange of information as well as literary and artistic work and scientific research. It also assured that it backs the right to liberty, security and bodily integrity, and compliance with all international conventions on human rights, including non-discrimination of citizens based on religion, gender, or any other criterion. They emphasised the importance of freeing the press and media from government control, the abolition of state ownership of newspapers, the freedom to publish

<sup>91</sup> El-Nour party's platform, Egyptian parties programs, <http://is.gd/XKBB2Z>

<sup>92</sup> Wasat party platform, Official website, <http://is.gd/3674Ah>

<sup>93</sup> Free Egyptians' Party's platform, <http://is.gd/khFPCz>

newspapers, launch television channels and satellite radio stations, and the abolition of all restrictions to the freedom of information.<sup>94</sup>

The *Dostour* party stated that "every citizen has the right to freedom of opinion, expression, and peaceful assembly. Egyptian citizens have the right to express their opinions and ideas in complete freedom; they have the right of assembly and demonstration, as well as that of writing, publishing and publication of newspapers". They added that "the citizen is the one capable of knowing his interests better than the state and the government, none of which have the right to direct his thoughts or prevent his activities, where the state's role is limited to the protection of public liberties from hatred, violence, and discrimination among people".<sup>95</sup>

The nationalist parties showed they had a different take on these rights. The Arab Nasserist Party did not mention them, while the *Karama* party emphasised the importance of the freedom of press and establishing radio stations and TV channel, and the right to freely assemble, and organise peaceful strikes, demonstrations, and sit-ins".<sup>96</sup>

Among the Leftist parties, we find that the *Tagmao* party advocated freedom of newspapers and media ownership for all Egyptians, as well as the liberalisation of media and national press from the control of the executive branch and the ruling party in its electoral programme of 2005. It also advocates equal opportunities in terms of media access for political parties and their leaders, and to allow all views and ideas to be represented in the media. To this end, the radio and television law needs to ensure media independence from the executive branch, and establish an independent body to govern them. The Popular Alliance Party called for freedom of the press and satellite channels, freedom to publish without restriction, and highlighted the danger of using imprisonment for cultural creativity.<sup>97</sup> The Egyptian Social Democratic Party asked for the freedom of private media and the restructuring of state media – owned by the Egyptian people and not controlled by the government – , making media independent, but under the supervision of public bodies.

There is great unpredictability in the attitudes of the political groupings. For instance, the Islamic groups only supported the demonstrations that were in favour of their own objectives and opposed any other demonstrations, such as those to commemorate the one-year anniversary of the January 2012 Revolution, as well as the attack on protesters in front of Itihadya Palace.<sup>98</sup> In the wake of 30 June, when the Beblawi government issued the protest law, there was no consensus. Its supporters

<sup>94</sup> Mohamed El-Agati. Omar Samir, "The state and the regime in Egypt post the revolution: political parties and the reform issues", Arab Forum for Alternatives, December 2013, P: 33

<sup>95</sup> El-Dostur party's platform, <http://is.gd/xNzcRJ>

<sup>96</sup> Mohamed El-agati. Omar Samir, "The state and the regime in Egypt post the revolution: political parties and the reform issues", Arab Forum for Alternatives, December 2013, p: 25

<sup>97</sup> Popular Alliance Party's platform, P:2

<sup>98</sup> Two years since EL-Itihadia incident, Al-Shorouk newspaper, 5<sup>th</sup> December 2014, <http://is.gd/ehO6E5>

used the threat of terrorism as an argument, such as Hamdi Qandil, who asked to postpone any amendments to the law, declaring that any demands to amend this law must be postponed,<sup>99</sup> but later changed his opinion.<sup>100</sup> This example illustrates how freedom of expression, assembly and association are used as tools by political parties whenever the political context calls for it, rather than being seen as fundamental principles of the democratic state.

Those who rejected the law as being oppressive included the June 30 coordinators, such as the Egyptian Social Democrats, the Free Egyptians, the Arab Nasserist Party, the Democratic Front Party and the *Kefaya* movement, which called for a demonstration against the protest law in Talaat Harb Square in November 2013. They declared in a statement that "no one can support this law, except a tyrant or a hater of change or someone in search of power, as there is no justification and no need for this law, unless it is required to stop the Egyptian people's movement and their fair demands in change that they sacrificed for and gave martyrs."<sup>101</sup> For instance, Mr. Sameh Ashour called for the amendment of the protest law, the release of detainees, and the protection of all demonstrators.<sup>102</sup> Hamden Sabahi too declared his support for a number of labour strikes,<sup>103</sup> such as those at Tanta Linen Company, Shebin textiles and Al-Nasr,<sup>104</sup> while activists such as Wael Khalil have condemned the violence of both the state and the Muslim Brotherhood during the events after 30 June 2013,<sup>105</sup> rejecting the protest law on the grounds that it does not regulate the freedom of assembly but constrains it, allowing for the detention of protestors, like activist Khaled Ali.<sup>106</sup> These rights were part of the electoral campaign of candidate Khalid Ali for the presidency,<sup>107</sup> in which he promised procedures to deal peacefully with these cases and committed his support to the right to strike, and the rights of marginalised categories, such as street vendors.<sup>108</sup> He condemned law No. 105 and its related sanctions on street vendors,<sup>109</sup> as well on the subway workers wanting to improve their livelihood.<sup>110</sup> He and Wael Gamal also supported the strike in Mahalla in May 2012.<sup>111</sup>

<sup>99</sup> Hamdy Kandil's Twitter account, <http://is.gd/rq6dbl>

<sup>100</sup> Hamdy Kandil's Twitter account, <http://is.gd/1SFYi>

<sup>101</sup> Parties of 30<sup>th</sup> June call for demonstrating today afternoon against the demonstration act, AswatMasryia, 28<sup>th</sup> November 2013, <http://is.gd/UFUhPf>

<sup>102</sup> Sameh Ashour's Twitter account, <http://is.gd/n20CyL>. Also you can see: Sameh Ashour's Twitter account, <http://is.gd/6cw3vI>

<sup>103</sup> Hamdeen Sabahy's Twitter account, <http://is.gd/t1M8ui>, <http://is.gd/hD4P1T>

<sup>104</sup> Hamdeen Sabahy's twitter account, <http://is.gd/ATyug6>

<sup>105</sup> Wael Khalil's twitter account, <http://is.gd/1SE9X2>

<sup>106</sup> Khaled Ali's account, <http://is.gd/ZNXbha>

<sup>107</sup> Khaled Ali for Al-Ahram: "My popularity in streets is great, and my votes would be a surprise", AswatMasryia, 18<sup>th</sup> May 2012, <http://is.gd/p0UaFk>

<sup>108</sup> Khaled Ali's Twitter account, <http://is.gd/Quz3XI>

<sup>109</sup> Khaled Ali's Twitter account, <http://is.gd/gxvY94>

<sup>110</sup> Khaled Ali's Twitter account, <http://is.gd/atirxM>

<sup>111</sup> Wael Gamal's Twitter account, <http://is.gd/pxqddQ>

Some personalities affiliated with the liberal current did not show a similar enthusiasm for the right of assembly, especially when it came to Islamist assemblies, seeing them as terrorist activities. Naguib Sawiris announced that the advancement of the country depended on halting sit-ins and demonstrations.<sup>112</sup> This being said, the majority supported the right of assembly and condemned the excessive use of force by security forces to disperse demonstrations. Mohamed ElBaradei and others also called for the release of detainees.<sup>113</sup>

Regarding the freedom of the media, personalities affiliated with the liberal parties had more clashes with the media, especially at the time of the Muslim Brotherhood and during the 2012 Constituent Assembly debates.<sup>114</sup>

Restrictions on the media remained - as was clear in the case of Bassem Youssef who was charged with insulting the president and defamation of religion -<sup>115</sup> and continued after 30 June. Bassem Youssef's TV-programme was banned amidst a wave of protest, including, among others, Nader Fergany<sup>116</sup> and Abdullah Sinawi.<sup>117</sup>

Overall, on freedom of expression, a monopolistic perception of its related rights and liberties prevails among political parties. It is evident among the Islamist movements, for which these rights are not a goal in themselves. That has been shown on several occasions, such as the sit-in of Maspero in October 2011 by Christians in protest at the continued attacks on churches. Leaders of the Islamist groups, who saw these sit-ins as attempts to demand more social and political space and as a provocation to state institutions and the Muslim majority community,<sup>118</sup> responded with counter-propaganda using hate speech, thereby justifying the use of violence to disperse gatherings. For Islamist parties, these rights are not absolute and accessible to all citizens, but are governed by considerations and political balances, primarily as a tool in political conflict. This explains to a great extent the ability of these political groups to use these rights only if they are associated with their interests. The Muslim Brotherhood frequently called for demonstrations to express its own interests, but harshly criticised demonstrations organised by other political groups, even accusing them of blasphemy.

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<sup>112</sup> Naguib Sawiris's Twitter account, <http://is.gd/cYHOld>

<sup>113</sup> El-Baradei official/ Personal twitter account, <http://is.gd/aInZ55>. Also you can see: Naguib Sawiris appeals the president for penalty mitigation on Douma, Ahmed Maher, and Adel. 7<sup>th</sup> April 2014, <http://is.gd/wksya6>

<sup>114</sup> Waheed Abdel-Meged, "Darkness birds...and the media freedom", Almasryalyoum, 22<sup>nd</sup> November 2012, <http://is.gd/OMIu4i>

<sup>115</sup> Investigation with sarcastic broadcaster for insulting president Mohamed Morsi, Masress, 31<sup>st</sup> March 2013, <http://is.gd/Usa4cP>

<sup>116</sup> Nader Fergany, "Freedom and creation abolishment overthrow the future", Al-Ahram website, 18<sup>th</sup> November 2013, <http://is.gd/ePtIcX>

<sup>117</sup> Abdallah sennawy's Twitter account, <http://is.gd/zDu4Y7>

<sup>118</sup> Sheikh Khaled Abdallah's comment on Maspero incident, 11<sup>th</sup> October 2011, <http://is.gd/TG7WVF>

Non-Islamic currents too accused Islamic currents as opportunistic and anti-liberal. The situation changed after 3 July when Islamists were accused of sabotage, and the violence security forces used against them was ignored. This leads us to conclude that non-Islamic groups discriminate as well when dealing with freedom of opinion and expression, which is inconsistent with the essence of these rights and of citizenship. This is reflected in the ways the various political parties dealt with these rights and liberties.

The left was in the forefront in terms of supporting the right to strike and demonstrate. It has a more procedural and detailed perception about these rights and is more consistent in applying it to all sectors and occupations. Nationalists are close to this position but have a weaker procedural approach, and depending on the political context, either endorse or reject security and authoritarian practices. As for the liberal groups, they were inconsistent in supporting these rights, and even condemned some protests. This supports our interpretation that these rights were seen as a kind of "perfect prescription" without being rooted in the beliefs of these parties. This also puts into question whether the liberals can really be put in this category and whether they are not closer to the conservatives.

Political parties have a variety of positions on public and individual liberties, especially on freedom of belief, and personal status. Islamic parties, such as *Nour* and *Bena'a* wanted the Islamic law (*Shari'a*) to approve the right of non-Muslims to perform their rituals. The Freedom and Justice Party stated that there is no discrimination of citizens based on religion, gender, and ethnicity. Citizens' rights should ensure freedom of belief, with the assurance that Islamic law guarantees the right of non-Muslims to practice their religion.<sup>119</sup> *Nour* and *Bena'a* refer to women's rights and empowerment in line with the social and humanitarian roles of women according to Islamic law.<sup>120</sup> The Strong Egypt Party stated that "commitment to principles of Islamic law means respect for freedom of belief for all Egyptians without interference from the state, except in the case of threat to individuals' freedom and assault on others".<sup>121</sup> This was close to *Wasat*'s position, which further emphasised the importance of ensuring freedom of religious belief and religious practice for all. Among the nationalist parties, *Karama* stated that citizenship is granted for all citizens and emphasised the importance of human rights, freedom of belief, expression, and communication, principles that were absent from the Arab Nasserist party programme, despite its signing of the Covenant in June 2012, which included principles of the rule of law, citizenship and civil state.<sup>122</sup>

Liberal parties confirmed their support for citizenship for all. They mentioned the need to spread values of tolerance, as was stated in the *Wafd* party programme, which emphasises freedom of belief and faith for all, the right of followers of other religions to construct houses of worship according to their needs and without hindrance or discrimination of Egyptians based on religion, race or gender. The Democratic Front Party emphasised the need to enhance respect for cultural diversity and the principle of tolerant coexistence among religions, as well as paying special attention to confirming freedom of opinion and belief as stated by all the laws and constitutions.

The Free Egyptians Party stated in the section on the philosophy of their party: "...every Egyptian should live in a social atmosphere that tolerates differences among members of the community in the framework of its inherited customs and traditions. Society should be characterised by equality, peaceful coexistence, and stability under the umbrella of a civil state that respects law and order and preserves the rights of citizenship, without discrimination, achieves justice, and maintains the

<sup>119</sup> Freedom and Justice Party's platform, <http://is.gd/EwUvze>

<sup>120</sup> El-Nour party's platform, Egyptian parties programs, <http://is.gd/XKBB2Z>

<sup>121</sup> Strong Egypt Party's platform, <http://is.gd/U9y9ql>

<sup>122</sup> Mohamed El-Agati. Omar samir, "The state and the political regime in Egypt post the revolution: the parties and the reform issues", Arab Forum for Alternatives, December 2013, P: 25



dignity and respect for religion and belief and acts of worship. The Free Egyptians Party believes that Egypt is worthy of civilian rule based on a citizenship that is for all citizens and protect the rights of each individual".<sup>123</sup>

As for the *Dostour* Party, it sees the need to "erase every discrimination in educational curricula as well as building curricula that develop respect for citizenship, human rights, acceptance of diversity and different values". It believes "that the community can grow only when it is recognised that individuals have the right to equality and active participation in cultural and community building, and there should be respect for values, diversity of our communities and the nature of the differences of its members".<sup>124</sup>

The Popular Alliance Party also mentioned the need to eliminate all administrative procedures that could lead to the discrimination of citizens based on religion, such as mentioning religious affiliation on identity cards and other official documents. It underlined the freedom of worship for all religions, whether through religious practice, establishment of houses of worship, or commitment to particular religious attire, with an emphasis on ensuring the freedom of citizens in administration of religious activities and associations without interference.<sup>125</sup> Moreover, the Egyptian Social Democratic Party platform states that the country should be modelled along the lines of a modern civil state in which all citizens are equal in rights and duties, regardless of their race, ethnicity, religion, wealth or political affiliation. The *Tagammao* party is close to this perception when it asserts in its programme that its party "upholds national unity, defends it, and sticks to the right of all Egyptians in citizenship". It also believes in equality before the law, and that the state should fully abolish discrimination in official practices to achieve the principle of citizenship and equal rights for all citizens, in terms of either jobs or building houses of worship or other rights.

Based on these statements, there are a lot of positions to be noted and insights to be highlighted in this regard. First, Mohamed El Baradei adopted a non-militant opinion in dealing with religion and identity, as is the case in many countries. He gave a lot of attention to more critical issues.<sup>126</sup> As for the Islamic groups, they sought to legalise their doctrine in the Constitution of 2012 in which they passed articles that allow building houses of worship to monotheistic religions only. Salafis were more conservative: besides holding a campaign against international conventions, accusing them of

<sup>123</sup> Free Egyptians' Party's platform: <http://is.gd/khFPCz>

<sup>124</sup> El-Dostour party's platform, <http://is.gd/xNzcRJ>

<sup>125</sup> Popular Coalition Party's platform, P:3

<sup>126</sup> El-Baradei: Egypt didn't divorce Mubarak regime till now. And the Islamists groups don't annoy me but the extremism", 14<sup>th</sup> August 2011, <http://is.gd/iU59rp>



spreading homosexuality and premarital sex,<sup>127</sup> they pressured President Mohamed Morsi into banning the Iranian tourists' delegations from visiting Egypt.<sup>128</sup>

The critical aspects of these rights are related to how these rights are perceived and dealt with by political groups and their answers to the question of identity. The first of these problems is embodied in the discrimination of women and, in the context of personal status laws, inequality before the law between men and women, with the law being biased towards men – based on religious and socially conservative visions. Moreover, it manifests itself in the absence of equality and unity in the institutions dealing with the personal status of citizens in the community, the lack of regulation on the personal status of Christians is in the legislative and legal structure of the state, as well with restriction of this right to the only representative entity of Christians in Egypt, 'the church'. This is a vision that is adopted by Islamic currents and is based on the logic of sects.

It is not clear whether other groups, particularly the liberals, possess a detailed vision on how to deal with the issues of regulating the personal status of non-Muslims to guarantee equality. They do not possess a clear vision, and out of fear of Islamists, emphasised the need for a constitutional article that allows citizens from other religions to resort to their religion in personal status. Leftist parties managed to get passed this by stating they support full citizenship and equality before the law for all Egyptians, regardless of their ethnicity, gender, language, and religion. However, the problem of discrimination in the law extends even further, to the Egyptian citizens who are not affiliated with monotheistic religions. This matter is usually accompanied by denial, refusing to recognise them in legal and constitutional statements by the Islamic and liberal groups. The *Wafd* Party, for example, held that monotheistic religions have the right to hold religious rituals.<sup>129</sup> This is not just about the status of the followers of non-monotheistic religions, as it was codified in Articles 2 and 3 of the 2012 Constitution, which also included the 2014 Constitution. It also extends to Muslims affiliated with other doctrines, as it was codified in Article 219 of the 2012 Constitution. Here conservatism pervades all the political currents despite their ideological differences, which prevents them from engaging properly with these critical issues.

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<sup>127</sup> see the official Facebook page for al Banaa w Tanmiaa party, 29<sup>th</sup> December 2013, investigation on coup's constitution, <http://is.gd/V6SWQx>

<sup>128</sup> Salafist-Muslim brotherhood dispute on the Iranian tourism, Akhbar website, 27<sup>th</sup> May 2013, <http://is.gd/A8zJjh>

<sup>129</sup> El-wafd party's platform, <http://is.gd/kbybrt>

Islamic parties' programmes emphasise the principles of equality, and perhaps the principle of citizenship in the most progressive Islamic formulas, which involves reference to Islamic law and an emphasis on acting as a guarantor of the rights of non-Muslims to worship and perform their religious rituals in safety and protection by the state. These parties have different positions on the role of *Shari'a*. The *Nour* and *Bena'a* parties have conservative and dogmatic positions in dealing with Christians who privately have the absolute freedom and the right to perform their rituals. However, in public life, the legal basis derived from Islamic law applies to them as it does to Muslims. The *Nour* party's programme stipulates that "we must maintain integrity of relationship between all races and groups of the Egyptian nation with all its components of Muslims and Copts, Tribes and Nubians, workers and peasants, doctors and engineers, intellectuals and others."<sup>130</sup> All in one fabric gathered by one political and cultural discourse, and based on truth, justice and responsible freedom." The *Bena'a* party has a different way of handling both Islamic and Christian institutions.<sup>131</sup> As for FJP and the Strong Egypt parties, they emphasised the principles of citizenship and equality based on their perception of Islamic law that respects the rights of other religions. The *Wasat* party has provided a more progressive proposal with its emphasis on freedom of practicing religious rituals for all.

As for women in these parties, both the *Nour* and *Bena'a* parties emphasised that Islamic law honours women, gives them their rights and empowers them. . It also defines what is suitable within her social and humanitarian roles (as in the case of the *Nour* party). Based on this rule, granting women their core political rights – running for election, being appointed to the higher ranks of public services, even her right to work – would be questionable. , as they would diminish their natural roles as mothers and wives. They support empowerment to achieve a balance between family obligations and the right of the nation in accordance with Islamic law and values of society. They stated that they seek to "promote the role of the girl in the community through additional programmes of study that are suitable with the role and nature of the duty which God created her for and they should put into consideration the special nature of women at putting curricula and teaching methods developed with the consideration that what fits men does not necessarily fits women". The Freedom and Justice Party advocates the empowerment of women and wants to see them have all the rights that are consistent with the fundamental values of society and to find a

<sup>130</sup> El-Nour party's platform, Egyptian parties [programs.http://is.gd/XKBB2Z](http://is.gd/XKBB2Z)

<sup>131</sup> Construction and development party (bena'a w Tanmiaa) platform, <http://is.gd/ysq5jE>

balance between the duties and rights of women. The Strong Egypt Party does not address women as an individual case, which deals with the issue of social inclusion, regardless of gender, ethnicity, race, and religion. This is an advanced position in which the party converges with *Wasat* party, which recognises the principle of citizenship and equality, and the possibility for all citizens to pursue public office, including president of the republic, regardless of religion, gender, and ethnicity.<sup>132</sup>

The liberal parties' position mostly derives from international conventions and universal values, particularly the rights of citizenship and equality of all citizens regardless of their religion, language, race, and gender. They emphasise the values of tolerance, freedom of belief, and the right of followers of monotheistic religions to establish houses of worship under a civil state that respects all religions. There are some different interpretations or distinctions between these parties: the Democratic Front Party, for instance, confirmed its commitment to the International Convention on Civil and Political Rights, the International Convention on Economic and Social Rights, as well as conventions on fighting discrimination against women. The Free Egyptians Party stated to support the right of all Egyptians to receive citizenship in a civil state, without discrimination, and their right to worship, regardless of any intellectual, as well as sectarian limitations. The *Dostour* party mentioned a procedural point by emphasising the need to work on educational curricula and courses to consolidate the values of citizenship.<sup>133</sup>

The nationalist parties were more explicit in addressing this issue through their emphasis on the principle of full citizenship and equality of all citizens, regardless of religion, gender, language, and race. They emphasised the emancipation of women, and equality between men and women in pursuing public office. This is especially evident in the programme of the *Karama* party, which sees equality as a developing extension of the interaction between Egyptian nationalism, Arab nationalism and civilised Islam. Concerning equality, they emphasise women's freedom from restrictions, confirm the equality of women to pursue public positions, and asserted that we should not take Islamic law as a pretext for confiscation of citizenship rights for non-Muslims.

Leftist parties likewise emphasise the principle of citizenship for all citizens regardless of religion, language, gender, and race. For instance, the *Tagmao* party underlines the need to adhere to the rights and principles of citizenship, equality before the law, and in pursuing public office. They support a unified law for personal status based on justice and equality in accordance with the principles of *Shari'a*, as well as non-discrimination in work conditions between men and women. This requires a review of the Labour Act of 2003, which includes a severe waste of these stable

<sup>132</sup> Al-Wasat party's platform, <http://is.gd/3674Ah>

<sup>133</sup> El-Dostour party's platform, <http://is.gd/xNzcRJ>

rights of workers in Egypt for many years.<sup>134</sup> The Popular Alliance Party emphasised the need for the equality of all citizens, regardless of religion or gender, and the struggle for values of citizenship, extending this struggle to social groups who suffer from oppression, like Nubians and Bedouins, with references to the need to remove all administrative procedures that distinguish between Egyptian citizens. The Egyptian Socialist Democratic Party believes that "citizenship: [is] based on a modern civil state in which all citizens are equal in rights and duties regardless of gender, colour, religion, race, wealth or political affiliation. Citizenship is also founded on the right of every Egyptian to have access to basic public services provided by the state, such as security, education, and health without discrimination. Citizenship also includes rights of political participation for Egyptians abroad, as it should seek to activate the participation of people with special needs in the economy and politics."

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These visions for the rights of marginalised groups have found their way to application, starting from the beginning of the parliamentary elections law, which was amended in 2011 ahead of parliamentary elections, in which the Muslim Brotherhood put pressure to limit the number of women in electoral rolls to one. The *Nour* party succumbed to this article of the electoral law and introduced women in their electoral rolls, but by putting an icon of a rose in the list, with no pictures and even using their husbands' names. This approach became even more apparent within the parliament, which sought to pass articles lowering the age of marriage and legalising female genital mutilation, causing waves of protest of all opposition forces and civil society.<sup>136</sup> They passed articles such as Article 10 of the 2012 Constitution, which regulates the balance between women's family, work and public duties and the state's role in ensuring it. These reflect a conservative, masculine, and traditional perception women's rights, based on women's 'natural' roles, not their social or public ones. In the framework of the position of marginalised and least advantaged groups' issues, we need to mention the massacre of Maspero in October 2011, in which a number of leaders and public figures affiliated with the Islamic current joined in the incitement against Copts, accusing them of trying to kill Egyptian army troops, vandalism and destruction.<sup>137</sup> This situation did not end when the Islamists were eclipsed from the political scene after 30 June 2013. It continued in the form of a series of attacks on Christians in Upper Egypt after the Rabia sit-

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<sup>134</sup> Mohamed El-Agati. Omar Samir, "The state and the political regime in Egypt post the revolution. Political parties and reform issues", December 2013, P:46

<sup>135</sup> The Egyptian social democratic party's platform, P:12

<sup>136</sup> Duaa Mansour, "commenting on the marriage age average's reduction law: Nehad Abou el-Kumsan: the Parliament leads women trafficking", 14<sup>th</sup> May 2012, Masress, <http://is.gd/TUp1Wx>

<sup>137</sup> Commenting on Maspero incident- Sheikh Mohamed Hassan, 9<sup>th</sup> October 2011, <http://is.gd/tzUxAd>  
Also: Tough comments by Sheikh Khaled Abdallah on Maspero incident, <http://is.gd/V6OZEU>

in.<sup>138</sup> Attacking marginalised groups did not stop at Christians and women, but went further with Essam el-Erian's – leader of the FJP - statement that Nubians were invaders, a statement that then required an apology by Morsi, still the president at that time. Instead of apologising, Morsi described Nubians as a separate community.<sup>139</sup>

The way in which political parties deal with marginalised groups, particularly women and Christians, lead to important conclusions: most parties have traditional positions, and address the rights of women, Nubians and other groups in their party programmes but without providing any details. Others are left out even though there are marginalised individuals and groups within sectors, occupations, and geographic areas in Egypt, such as the Sinai and Matarouh regions. For instance, the issue of Sinai and its inhabitants is at the heart of the citizenship paradox in Egypt. Sinai's inhabitants are considered 'incomplete' citizens by the state's policies, which are based only on security concerns. As a consequence, citizens from the Sinai have poor chances to access the state apparatus and have limited access to public services in their territories. Terrorist incidents in Sinai are usually followed by a request from some of the parties and public figures to participate in a communal and political dialogue on Sinai to manage the situation.<sup>140</sup> The way Sinai is managed leads to the creation of a number of internal problems for Sinai and its citizens, who are not being paid enough attention and whose rights are ignored.<sup>141</sup>

The traditionalism of this proposal extends further because the Islamic parties deal with women and Christians as separate issues, disconnected from the community context and the social functions they perform. Their treatment should be included in the concept of citizenship and the rights of citizens as a whole, not just as marginalised social groups isolated from the broader society. Moreover, these parties see women and Christians as vulnerable groups that need to be protected by the permanent guardianship of the strongest group (adult male Muslims), rather than fellow citizens who should be treated equally. This appears clearly in the *Nour* party's statement on the need to have curricula "suitable for women". This vision did not survive political events, yet it took a series of violent attacks against women and Christians who participated in political activities against the Islamic parties to turn the tide. They practiced violence against them also because they are the weaker element in response to the State as well as events that followed the dispersing of Rabia sit-in. In addition, there are no clear procedural perceptions on how to activate citizenship and protect

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<sup>138</sup> Killing weeks: State violence, the communal violence, and sectarian attacks in the summer of 2013, the Egyptian Initiative for Personal Rights, June 2014, <http://is.gd/wXVK0y>

<sup>139</sup> Morsi calling the Nubians as an ingathering and apologizing for Al-Aryian's call for them as invaders, el-balad, 11<sup>th</sup> June 2012, <http://is.gd/vGUZS7>

<sup>140</sup> El-Nour party: the political currents should be engaged in confronting against terrorism, Alarabyia website, 1<sup>st</sup> November 2014, <http://is.gd/S25SVY>

<sup>141</sup> Gathering for the political currents and parties to tackle Sinai's inhabitants' issues", Albawabhnews, <http://is.gd/gdG9yy>

these categories from discrimination or oppression. The only exceptions are the Popular Alliance and *Dostour* parties, who believe that citizenship can be activated and encouraged through education, and the organisation of legal issues. However, one of the main points that has started to garner attention from the different political groups is how to deal with disadvantaged groups, such as people with disabilities. In this regard, it is important to refer to one of the good signs in anti-discrimination efforts; Article 53 of the 2014 Constitution, which codifies the founding of a commission for anti-discrimination.

## CONCLUSION

Reviewing the attitudes of various political currents towards citizenship leads us to a set of key conclusions. The first is linked to disparities and moments of consensus within each political current. Despite the differences that have been highlighted, we can generally refer to a set of features or a trend that combines and connects every current and its various components to each other. These components largely affect their vision and intellectual discourse towards citizenship. For instance, the Islamic current gathers around the importance of Islamic law and its centrality - to some degree or another - in influencing public and political work. These parties face a major dilemma over the importance of the reference to Islamic law or *Shari'a*. In addition, they are struggling with integrating citizenship as a comprehensive and global value in their intellectual organisation. This is reflected in the classic and traditional groups among the Islamists themselves, in terms of ideas, party programmes, and their political attitudes towards post-revolution events. We should pay attention to the attempts of some of the currents within the mainstream to provide proposals that are more progressive as a basis for establishing citizenship, as in the case of the *Wasat* party.

There were attempts to develop an approach that could transcend the question of *Shari'a* as a framework for ideas and movement. It is also an approach that perceives *Shari'a* as an ethical way of life, as a translation in behaviours and attitudes of individuals affiliated with this current, as was the case with the Strong Egypt Party.

The liberals do not adhere to an Islamic reference, but derive their position on rights and freedoms from international conventions. They put an emphasis on respect for religion as a general and cultural framework, without restricting itself to Islamic *Shari'a*. But this does not prevent the liberals from being conservative on public and private rights and liberties. Their lack of involvement with these ideas poses questions about the intellectual "liberal" affiliation of these forces, and thus their vision of rights and liberties. Nationalist parties were dominated by the extreme belief of the national and Nasserist experience. They see the public as a single block that should be mobilised to serve a national project without considerations of criteria and sub-cultures. This led the nationalists to adopt a position that was more accommodating to citizenship; only the *Karama* party tried to deal with citizenship and individual rights and values. The left approaches citizenship in a manner similar to the nationalists, by emphasizing equality and full citizenship of citizens. It does, however, have a more vocal stance on equality, explicitly, and citizenship



implicitly. It also deals with rights and liberties, particularly economic and social rights and issues of discrimination, according to preliminary and traditional considerations.

These differences did not prevent the existence of an intellectual set of commonalities between them with regard to citizenship. There are a range of considerations related to the political context which these currents are aware of, including the multiplicity of intellectual foundations and starting points and references of these trends, which reflect, in one degree or another, an implicit consensus. First, with regard to the relationship between religion and the state, all the parties agreed that recognising the role of religion in the public and the political sphere cannot be overcome or rejected. The actual and procedural manifestation for that may be the consensus on the importance of the continuation of the second article of the Egyptian Constitution of 1971, a manifestation of these perceptions that only mentioned principles of *Shari'a*. The other thing that these currents agree upon is the similar response to the political and public context in Egypt after the revolution of 25 January. They adopted similar thoughts with regard to fundamental rights and liberties, political and civil rights and, to a lesser degree, economic and social rights. This reflects a clear understanding of how these rights were mistreated, and also that any party or political personality cannot enter the public sphere and mobilise supporters without acknowledging them in their programmes, even if they do not have to reflect on them in-depth and undergo intellectual discussions to adopt these attitudes and these rights. There also is a strong generational factor; younger generations are better able to provide new theses for differences between groups. Despite their different affiliations, their theses were closer to each other, which made it easier to overcome classic dichotomies, and more of a possibility that parties could agree and find common spaces with respect to rights and liberties, and to political work. The nature of the 25 January Revolution brought them together.

The consensus among public figures and parties is not necessarily broad and changed according to political developments. This can be attributed largely to the fact that the public personalities affiliated with these groups are not necessarily intellectual leaders, and they did not actually engage in the formulation of the programmes and ideas of these groups and their parties, but came to identify with it because of their historical struggle outside party frameworks. Yet the intellectual factor itself cannot interpret differences and commonalities between parties and public figures within the same current, but also their position on rights and liberties in a way that is different from the mainstream in the party. Other pragmatic factors, economic standards as well as professional background come into play for those public figures. These are overlapping and complex factors that affected their perceptions and responses to different regimes and governing forces put the



revolution in a particular light that complicates our understanding of their positions and differences. On the other hand, we need to note an important factor as well, which is a common topic of discussion between public figures affiliated with different currents as well as parties: the nature of the state and the relationship between religion and the state. In general, these forces converge with each other about this aspect as stated before. Yet in this regard, we shall refer to other aspects such as public and personal rights liberties. Public figures appear to be more explicit in dealing with or adopting a clear and unequivocal position with regards to public rights and liberties as opposed to controversial issues, such as identity, personal rights, and individual liberties.

This general feature can be attributed to limitations imposed by factors such as the framework; affiliation and restrictions that make parties more conservative in adopting attitudes towards these rights and liberties, as well as their eagerness to keep a distance from public figures and their attitudes from these rights to not count on them. Here we note an important observation, which is that the stances of political parties towards rights and liberties were usually reflected in an institutional dimension and were an expression of the direction of the party. This primarily driven by considerations of pragmatism. This is the same situation some public figures found themselves in, towards rights as they were engaging with categories demanding these rights for considerations as profession and historic background that explains disparities of these currents from defending these rights from a category to another.

Over the past four years, the revolution appeared as an occasion to reveal many sectorial, functional, societal issues, and many societal marginalised groups, that did not use to have access to the official channels and procedures prior to the revolution. The political currents did not expose these issues, not even in their programmes, which were generally published within the revolution's first year, motivated mainly by an aim to participate in the political process at that moment.

Thus, these social updates represent the main challenge; they have to overcome their current discourse in order to adopt another, more serious, coherent, and moderate one, which includes a serious debate on marginalised groups and such issues as informal economic activities, individuals' rights, the status of peripheral governorates and their inhabitants' civil and political rights. Thus, the evolution of the discourse on citizenship of different political currents depends on their perception that these rights and previously mentioned aspects are related to each other, and that concept of citizenship is by nature a comprehensive concept. The success and stability of this concept in the political, cultural and institutional spheres depends on the realisation and application of this concept. In addition to the ability of each political current to develop their own practices through engaging with different social groups that defend these rights and becoming eager to practice rights

to find the best formula for these rights and their exercise in a more pragmatic and balanced manner.