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No Brothers in Arms in Egypt

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In late May, Egypt will ostensibly hold its first open presidential elections in nearly six decades. But the Muslim Brotherhood suspects treachery. This past Tuesday's disqualification of ten presidential candidates, including Brotherhood leader Khairat al-Shater, has convinced the group that the Supreme Council of the Armed Forces (SCAF), which has ruled Egypt since Hosni Mubarak resigned last year, is conspiring against it to ensure the election of a non-Islamist president who would restore the country's autocratic order. In response, the Brotherhood has vowed to "protect the revolution." It is directing its energies against the SCAF, running a replacement presidential candidate and calling for mass demonstrations. This aggressive approach is undermining the legitimacy of Egypt's transition.

The Brotherhood's animosity toward the SCAF is a relatively recent development. For the first 12 months following Mubarak's fall, the Brotherhood appeared to be working in tandem with the military junta. The SCAF legalized the Brotherhood's newly formed political party, Freedom and Justice, and administered parliamentary elections that the Brotherhood won handily. Meanwhile, the Islamist organization refrained from criticizing the SCAF, even endorsing the March 2011 constitutional amendments that legitimized the SCAF's control of Egypt's transition, and, after assuming control over the parliament in January 2012, appointing a retired general to chair the legislative committee that handles military issues. Cooperation seemed so smooth that many assumed that the SCAF and Brotherhood had agreed to accommodate each other's needs and thereby control Egypt's political transition jointly.

Despite this reciprocal relationship, however, the Brotherhood continues to mistrust the SCAF. To begin with, the group remembers that when it last cooperated with Egypt's military rulers during a political transition -- after the 1952 Free Officers Revolution -- the military soon turned on it, banning it and imprisoning its leaders en masse. The Brotherhood also fears that the SCAF intends to retain its grip on Egyptian politics to protect its perquisites, which include autonomy over its budgets and control over major industries that, according to various estimates, comprise between 15 and 40 percent of the Egyptian economy. At times, the SCAF's actions have validated this concern about its

goals: it has tried to secure its financial equities by influencing the writing of Egypt's next constitution, in which it hopes to carve out an autonomous niche for itself so that it is protected from parliamentary or civilian scrutiny.

The Brotherhood's concerns about the SCAF's autocratic intentions may be understandable. But the organization's recent response is damaging the credibility of Egypt's political transition.

The first of signs of a break between the Brotherhood and the SCAF came in March, when the Brotherhood-dominated parliament hinted that it might pass a no confidence vote against the SCAF-appointed government and demanded the right to pick Egypt's next prime minister and cabinet. This represented a major overstep of the parliament's authority: under Egypt's provisional constitution, only the junta can select and remove ministers. And when the SCAF rejected the Brotherhood's demand, the Islamist group doubled down on its power grab, using its parliamentary strength to pack the constitution-writing committee with Islamists, leaving only 16 out of 100 seats for secularists, five for Christians, and six for women. When one-quarter of the committee walked out to protest the Brotherhood's actions, the Brotherhood became increasingly paranoid, blaming the backlash on a vicious media campaign and SCAF pressure. The Brotherhood then intensified its illegal attempt at removing the SCAF-appointed government, and, seeking executive power, reversed its pledge to stay out of the presidential race by nominating its own candidate, Khairat al-Shater.

The group made this decision despite knowing that al-Shater's candidacy faced a major legal hurdle. In 2007, al-Shater was convicted of money laundering and belonging to a banned organization -- the Brotherhood -- and sentenced to five years imprisonment. Although the case was clearly politicized, Egyptian law prevents convicts from running for elections irrespective of why they were convicted. Thus, when the Presidential Elections Committee (PEC), which determines eligibility for the upcoming elections, disqualified al-Shater, it did so according to its legal mandate. The PEC, after all, can only apply the black-letter law, and thus has no authority to reevaluate convictions. Indeed, the Brotherhood anticipated this outcome: shortly after nominating al-Shater, it put forth a second candidate, Brotherhood political leader and former parliamentarian Mohamed Morsi, as a backup in case the PEC deemed al-Shater ineligible.

Al-Shater, of course, was one of only ten candidates disqualified by the PEC. But in all cases, the PEC appears to have acted on solid legal ground. Former Egyptian intelligence director Omar Suleiman, the presumed SCAF candidate, was disqualified for failing to accumulate the requisite number of authorizations to appear on the ballot. The PEC's ejection of Salafist presidential candidate Hazem Abu Ismail was similarly sound: Abu Ismail's mother was a dual Egyptian-American citizen and, under Article 26 of Egypt's constitutional declaration, the Egyptian president must be "born of two Egyptian parents who have never held another citizenship." Still other candidates were disqualified for outstanding criminal convictions, disputed party leaderships, lack of parliamentary support, evasion of military service, and foreign citizenship.

Yet the notion that the PEC essentially did its duty seems to have few adherents in Cairo. And a variety of conspiracy theories regarding the disqualifications are taking hold. According to the most popular of these notions, the SCAF ran Omar Suleiman only to boot him from the race, thereby making the disqualification of Abu Ismail and al-Shater appear unbiased. Another theory contends that the United States, fearing the prospect of a

Salafist Egyptian president, forged the documents that demonstrate Abu Ismail's mother's American citizenship. To some extent, these conspiracy theories are not surprising: they are the product of an Egyptian society long accustomed to behind-the-scenes political manipulations during 60 years of autocratic rule. Moreover, Egyptian administrative bodies, especially ones as powerful as the PEC, rarely stick to their limited purviews, so it is understandable that Egyptians would doubt that the PEC acted within its authority.

However incredible the theories, they will certainly undermine the legitimacy of the elections. The Brotherhood is contributing to this problem: rather than simply encouraging its supporters to vote for Morsi, it has harshly attacked the PEC's integrity and used al-Shater's exclusion from the race to intensify its assault on the SCAF. Al-Shater, immediately following his disqualification, said, "there are attempts to abort the revolution by remnants of the Mubarak regime in all state institutions," and later accused PEC chairman Farouk Sultan of being "loyal to Mubarak." (It is worth noting the disingenuous nature of this accusation: although Mubarak did appoint Sultan president of Egypt's Supreme Constitutional Court, his chairmanship of the PEC is enshrined in the very constitutional declaration that the Brotherhood helped draft, and for which the Brotherhood aggressively campaigned during the March 2011 constitutional referendum.) Meanwhile, after largely avoiding demonstrations in Tahrir Square since last year's revolt, according to a statement that the Brotherhood released on Wednesday, it is suddenly using mass protests to "protect the revolution" from the SCAF's "attempts at a coup" against it. The Brotherhood will participate in today's mass demonstration, which is expected to draw tens of thousands of protesters, and has hinted that the protests could extend indefinitely, in the words of al-Shater, "until the revolution is completed."

Moreover, by running Morsi, a much weaker candidate than al-Shater, the Brotherhood is preparing to blame its likely election loss on the SCAF. To address Morsi's unpopularity, the Brotherhood has sought to downplay his importance by tweeting that the group is "tied to is project, and not to an individual." The organization's sudden participation in anti-SCAF demonstrations is an insurance policy: if Morsi cannot win, it will claim that the elections were rigged by a SCAF that, as al-Shater charged on Tuesday, "wants a president who is loyal to it."

The Brotherhood will no doubt make this claim if Ahmed Shafiq, a presidential candidate and a former Egyptian Air Force commander who served as Mubarak's final prime minister, is elected. As Murad Mohamed Aly, a Morsi campaign official, told me, "The Egyptians did not revolt to get rid of Mubarak...to get another Mubarak -- Shafiq or someone." And this same logic could apply to Amr Moussa, Mubarak's former foreign minister who currently leads most national polls. "We have strong doubts that Egyptians will elect someone who is connected to the previous regime," said Aly. "If [Moussa is elected] through interference, we will protest."

The Muslim Brotherhood's recent behavior suggests that whenever possible, it will embrace conspiracy theories to justify its aggressive approach towards Egypt's transition. So unless Morsi, or perhaps another Islamist, wins the presidency, the Brotherhood's fight for Egypt's future -- and its attempts to delegitimize those institutions that it does not control -- will likely continue well beyond the elections this May.

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