# DELAYED OR DENIED: EGYPTIAN EXPECTATIONS ABOUT JUSTICE IN POST-MUBARAK EGYPT

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## INTRODUCTION[1]

Until a wave of uprisings swept through the Arab region in 2011 and 2012, some analysts argued for Arab "exceptionalism" in describing why Arab countries have lagged behind authoritarian states in other regions in transitioning to more democratic and accountable forms of governance.[2] This study bolsters findings from other surveys showing strong support for democracy and refutes the notion of Arab exceptionalism by demonstrating that a substantial cross-section of Egyptians endorses key principles that underpin transitional justice and democratic governance.[3] At the same time, the study addresses key debates in transitional justice by indicating Egyptians' strong preference for local versus international justice and for institutional reforms over trials and truth telling.[4]

Egypt's transition has faced many setbacks since President Hosni Mubarak was deposed in February 2011. Youthful revolutionary activists unsuccessfully challenged the power of the Supreme Council of the Armed Force's (SCAF) transitional government

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[1] The Institutional Review Board for the Protection of Human Participants of the American University in Cairo approved this project on 19 October 2011.

[2] For discussion about this debate, see Iliya Harik, "Arab Exceptionalism" and Social Science," *Middle East Journal* 60 (4) (2006): 664-684.

[3] See Mark Tessler et al., "New Findings on Arabs and Democracy," *Journal of Democracy*, 23(4) (2012): 89-103.

[4] For more about international versus local justice, see Laura Arriaza and Naomi Roht-Arriaza, "Social Reconstruction as a Local Process," *International Journal of Transitional Justice* 2(2) (2008): 157-172; Alexander Betts, "Should Approaches to Post-conflict Justice and Reconciliation Be Determined Globally, Nationally or Locally?" *The European Journal of Development Research* 17(4) (2005): 735-752; Aaron P. Boesenecker and Leslie Vinjamuri, "Lost in Translation? Civil Society, Faith-Based Organizations and the Negotiation of International Norms," *International Journal of Transitional Justice* 5(3) (2011): 345-365; Patricia Lundy and Mark McGovern, "Whose Justice? Rethinking Justice from the Bottom Up," *Journal of Law and Society* 35(2) (2008): 265-292; Kieran McEvoy and Lorna McGregor, *Transitional Justice from Below: Grassroots Activism and the Struggle for Change* (Oxford: Hart Publishing, 2008). For discussion about legal accountability versus other interventions and reforms, see Laurel E. Fletcher, Harvey M. Weinstein and Jamie Rowan, "Context, Timing and Dynamics of Transitional Justice: A Historical Perspective," *Human Rights Quarterly* 31(1) (2009): 163-220.

and the autonomy of the military. The electoral triumph of Islamist parties and candidates eclipsed weak and inexperienced secular parties and brought to power Islamist leaders who have largely coexisted with *filoul* (remnants) of the Mubarak regime and the military.[5]

Deep divisions among the opposition forces and the disappointing performance of the Morsi government in its early months suggest that the struggle to achieve justice and create accountable government will be prolonged.[6] Nonetheless, the ground has shifted fundamentally and the dangers of failure are clear. Millions of Egyptians have voiced their aspiration to live in a democratic society governed by the rule of law, and many continue to work toward that dream even as instability is fed by economic decline and dashed expectations of reform.

**THE RESEARCH DESIGN**

This exploratory study, based on interactions with 169 Egyptians, probed Egyptian values and expectations relating to justice and accountability in post-Mubarak Egypt.[7] It included:

- A quantitative survey consisting of 35 questions (completed by 99 respondents);
- A reduced version of the same survey consisting of nine questions (completed by 70 respondents); and
- In-depth qualitative interviews with 50 individuals, including a limited number who joined focus group discussions. Nearly all interviewees were well educated, middle class residents of Cairo who also completed the survey.

Features of the sample are summarized in Table 1.[8] Since selection was not random or representative and the sample was not large enough, we cannot, formally speaking, draw conclusions from the sample to the population at large. The situation in Egypt is also extremely dynamic, and the attitudes depicted in this research represent a snapshot of views at a particular phase in Egypt's transition. Nonetheless, the study provides

[5] Mohamed Waked, "The Scared Islamists and Their Frightened Majority, Part 2," *al Masry al Youm*, 4 November 2012, http://www.egyptindependent.com/opinion/scared-islamists-and-their-frightened-majority-part-2.

[6] SCAF's steps toward justice and accountability were limited and unconvincing. See Judy Barsalou, "Transitional Justice in Egypt: One Step Forward, Two Steps Back," *NOREF Policy Brief*, June 2012, http://www.peacebuilding.no/var/ezflow_site/storage/original/application/fca860d3d7c23f44b3b865ce0dd98bf5.pdf. Also see "Report: 88 Tortured, 34 Killed in Morsy's First 100 Days," *al Masry al Youm*, 14 October 2012, http://www.egyptindependent.com/print/1176116.

[7] Survey responses and most of the interviews were collected between 21 November 2011 and 9 March 2012, although a few interviews were conducted after that. A snowball sampling technique was used to build the sample. See Patrick Biernacki and Dan Waldorf, "Snowball Sampling: Problems and Techniques of Chain Referral Sampling," *Sociological Methods and Research*, 10(2) (1981): 141-163. Some anonymous respondents did not provide any identifying information.

[8] All tables and charts are located in the Appendix.

insights into views likely to be held by many Egyptians and yields preliminary conclusions deserving further research.[9]

## MAIN FINDINGS

### I. Due Process and the Rule of Law

The Egyptian uprising, which challenged the legacy of authoritarian rule, suggests that millions have embraced concepts associated with human rights and democratic governance. Our survey findings bolster that impression.

Survey Results

We asked a series of questions designed to reveal Egyptian values with respect to due process and the rule of law. Chart 1 displays the mean scores for the whole sample.

The findings reveal that the respondents supported due process and the rule of law as general principles. More precisely, respondents agreed with the statement that alleged wrongdoers have the right to defend themselves through trials. Respondents even more strongly endorsed the principle that all wrongdoers should be held accountable—not just those who craft wrongful policies but also those who carry out their orders. Consistent with these views, respondents generally did not support protection from prosecution in exchange for testimony, although there was relatively high disagreement among respondents on that question.

The views held by respondents on these issues did not differ with respect to their gender, age, place of residence or religion. Working class respondents, however, were much less supportive than middle class respondents of the right of alleged wrongdoers to defend themselves through trials and more likely to think that people who broke the law should be held accountable. These differences are statistically significant at $p < 0.0001$.[10]

Those who believe that the Egyptian public will endorse international justice processes should note that the survey that did not reveal enthusiasm for this.[11] Further research is needed to determine why working class respondents were more supportive of "outside" justice than middle-class respondents (although this difference was not statistically significant).

Illustrative Interview Comments:

Survey findings give the strong impression that Egyptians are unbendable on the question of holding all wrongdoers accountable. But interview comments reflect

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[9] Given the size of the sample and the fact that respondents were asked the same questions that were coded and analyzed statistically, the results are very precise about the views of this particular sample of Egyptians, and their responses can be compared along demographic lines.

[10] The term "statistically significant" means that the results reported would occur by chance in one in 20 occasions or less frequently. Statistical significance is measured by "probability values" ("p" for short), so that the value where p is "one in 20" is written as "$p = 0.05$". In the case above, where $p < 0.0001$, the probability is less than one in 10,000 that the result would occur by chance and is therefore highly statistically significant.

[11] See findings in Chart 5 that suggest, however, that many Egyptians are somewhat unfamiliar with how other transitional countries have handed justice and accountability challenges.

awareness that millions were swept up in corruption, making justice for all unfeasible and possibly undesirable, especially when job survival translated into complicity with illegal behavior.

Contradictory emotions about this were evident in a professor's observation, who said, "All should be held accountable. Civilians attacking the police should be held accountable." But then he noted, "People's emotions are with the victims and they don't see the police as victims. There are 1.7 million people in the security forces and not all are bad."

Interviews with young revolutionaries revealed complex views on the issue of law breaking and the mechanics of overthrowing a hated regime. One argued,

> Attacking police stations to get documents—that's absolutely fine. [The police] kept slapping us for 30 years and dragging us by the hair. That is why people are trying to take justice into their own hands. Attacking the police station is the final scene in the movie. Let's watch the movie from the beginning. If people hadn't stormed the Ministry of Interior, we wouldn't be where we are today.

Some Egyptians clearly see justice in terms of revenge. An illiterate security guard in Aswan said, "I earn LE 250 per month, while Mubarak stole millions. I want to see him hung. If no one is willing to do it, I volunteer to execute him myself."[12] Elaborating on this point, an arts manager said,

> This is a culture of punishment. People believe any wrongdoing should be punished. Yet, Egyptians don't trust the police and the judicial system. If a shopkeeper catches someone stealing, he doesn't see the need to take the person to the police station. He and people in the street feel entitled to punish the person directly. This attitude isn't limited to Egyptians or Muslims; it's found in any society where there is a gap between the people, the government and the legal system.

A number of interviewees expressed the fear that the failure to reform the police and the justice systems will strengthen a tendency toward revenge and vigilantism. Indeed, vigilantism was widely evident during the 18-day uprising that led to Mubarak's resignation. Egyptians set up barricades designed to protect their neighborhoods from looters and thugs (*baltagiyya*), and routinely beat men on the spot suspected of criminal behavior. Since then, the dangers of mob justice have been manifested by large, sometimes violent, gatherings outside courthouses and by responses to sexual harassment of women.[13]

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[12] At July 2012 exchange rates of US $1 = LE 6.05, this amounts to about $41.

[13] See Abigail Hauslohner, "Egypt's Islamist Revival Most Evident at the Grassroots," *The Washington Post*, 16 October 2012, http://www.washingtonpost.com/world/middle_east/egypts-islamist-revival-most-evident-at-the-grass-roots/2012/10/16/064652b0-158f-11e2-ba83-a7a396e6b2a7_story.html; and Kareem Fahim, "Harassers of Women in Cairo Now Face Wrath of Vigilantes," *The New York Times*, 5 November 2012,

Despite the strong emphasis on accountability revealed by the survey, several interviewees suggested a softer side of Egyptian culture. A newspaper publisher said,

> Forgiveness is a characteristic of Egyptians except on issues of honor or life. There are various Egyptian proverbs saying, 'It's generous to be forgiving.' Yet, if Mubarak gets the death sentence, 96 percent of Egyptians will be overjoyed.

Yet, a diplomat noted, "Egyptians are tenderhearted people. There is a saying in Arabic: 'Give mercy to al Aziz, the honorable person, who was humiliated.' So some cried when they saw Mubarak in prison."

Egypt is not a signatory of the 1998 Rome Statute establishing the International Criminal Court (ICC), despite the stated intention of Nabil al-Araby during his brief stint as Foreign Minister in the transitional government. Many respondents were skeptical that it is legitimate to seek justice outside Egypt if it is not accessible locally. Indeed, some interviewees used strong language to denounce any who might embrace this course of action. One university student said it would be an "act of treason" and another suggested it would "undermine the authority of the Egyptian state." The latter continued,

> We have to rely on Egyptian resources to promote justice and accountability. Look at Libya—they wouldn't allow Saif al Islam [Mu'ammar Qhaddhafi's son] to be sent to the ICC outside Libya. We don't have a shortage of judges or courts. The problem is who is running the show.

His friend added, "we need to handle justice on our own terms and not rely on outside institutions."

Indeed, Egyptian nationalism and rising xenophobia were expressed throughout the transition, notably by SCAF's campaign to discredit young revolutionaries and the civil society organizations that support them by accusing them of bowing to foreign agendas. SCAF's strategy featured a trial against foreign and Egyptian NGOs and television ads advising Egyptians against speaking to foreigners.

Family members of victims may have different views about seeking international justice. One interviewee noted that the mother of Khalid Said (who was beaten to death by Alexandria police seven months before the uprising began) threatened to approach the International Criminal Court if his murderers were not held accountable by Egyptian authorities. A leading activist also launched a campaign to give the International Criminal Court jurisdiction over crimes committed in Egypt.[14] But these views have not caught on widely.

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http://www.nytimes.com/2012/11/06/world/middleeast/egyptian-vigilantes-crack-down-on-abuse-of-women.html?pagewanted=all&pagewanted=print&_r=0.

[14] Rana Muhammad Taha and Connor Molloy, "Revolutionaries Demand Jurisdiction for International Criminal Court," *Daily News Egypt*, 30 October 2012, http://dailynewsegypt.com/2012/10/30/revolutionaries-demand-jurisdiction-for-international-criminal-court/.

## II. The Public Value of Trials

SCAF organized a number of trials of alleged wrongdoers, principally high officials and big businessmen close to the Mubarak family. While they did not address the longer legacy of abuse of power during the 30-year reign of Hosni Mubarak, and largely ignored torture and violence against demonstrators committed by lower-level officials, the public was keenly interested in them, as demonstrated by the survey findings and interviews.[15]

Survey Results

We posed a series of statements designed to measure perceptions about the trials. Results for the whole sample who answered the questions are displayed in Chart 2. Overall, respondents acknowledged that they were following the trials with strong interest, and believed that they were attracting attention outside Egypt. On a number of other questions, respondents perceived the trials to have some value. Many, however, disagreed with the statement that trials of regime figures were "effectively investigating alleged wrongdoers."

Respondents' reservations about protecting wrongdoers from prosecution in exchange for testimony (Chart 1) hint at concerns about the judicial system, whose independence was under strong attack during the Mubarak era and the transition. Doubts about the quality of the investigations, in particular, point to respondents' distrust of the prosecutors and the police and forensic investigators upon whom they depend to build court cases against alleged wrongdoers. This finding helps explain two other results in Chart 2: most respondents did not strongly support the statement that the trials of regime figures are satisfying the public's desire for justice, and many respondents disagreed with the statement that the trials are helping heal Egypt and promote reconciliation.

We used factor analysis, a statistical technique that finds underlying structures in data, to delve deeper. If one social attitude tends to correlate closely with another, individual attitudes may form a cluster in which the individual items are virtually indistinguishable from one another and form a "general attitude." This was the case with respect to attitudes about the trials.

Eleven items were so closely related to one another that they formed a cluster of views, such that a high score on one attitude predicted a high score on all of the others.[16] This cluster (described here as Factor 1) can be thought of as representing the effectiveness

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[15] For information about an exceptional court case, see "Five Giza Policemen Sentenced to 10 Years in Prison for Killing Protestors," http://www.egyptindependent.com/news/5-giza-policemen-get-10-years-prison-killing-protesters . Another unusual verdict focused on events preceding the uprising. See "Court Upholds Prison Verdict for Police Chief in 2003 Torture Incident," *al Masry al Youm*, 22 May 2012 at http://www.egyptindependent.com/news/court-upholds-prison-sentence-police-chief-over-torture-chargesnews2.

[16] The items were: these trials are: 1) "effectively investigating alleged wrongdoers"; 2) "helping to limit or deter major human rights abuses"; 3) "helping to limit or deter corruption"; 4) "helping victims get acknowledgement that they were harmed"; 5) "helping victims and survivors get monetary compensation"; 6) "exposing how the system operated under Mubarak"; 7) "helping remove wrong doers from important positions"; 8) "deterring officials and big businessmen from breaking the law"; 9) "ensuring that the government won't operate the same way in the future"; 10) "satisfying the public's desire for justice"; and, 11) "helping to heal Egypt and promote reconciliation."

of the trials in delivering the rule of law. We found that perceptions of the value of the trials in this respect were strongly influenced by gender, age and class. In particular, women were more skeptical than men; younger people more skeptical than older people; and middle class people more skeptical than working class people. All of these differences were statistically significant ($p < 0.001$).

Moreover, each of the variables had an effect on the scale of "the trials are delivering the rule of law" independently of one another. This means that, overall, skepticism increased if the respondent was female, increased more if the person was younger, and still more if the person was middle class. A regression analysis showed that all of these factors had a statistically significant effect on the attitudes about the trials independently of one another. The group in the population with most faith in the value of the trials was comprised of older, working class men.

We were also interested in whether the time at which a respondent participated in the study affected their perception of the trials' value. To test this, we split the months during which the survey was administered into two periods. Scores showed that respondents perceived the trials to have greater value if they participated in the survey during the first period, but this finding was not statistically significant. Our impression of declining support for the trials was reinforced, however, by interviews conducted after the survey period ended, especially after six senior Ministry of Interior officials were found not guilty of orchestrating violence against demonstrators.[17]

Illustrative Interview Comments

Although working class respondents were more likely than middle class respondents to believe in the value of the trials, some doubted their wider significance. A Nubian cook originally from Aswan said,

> The majority of Egyptians don't really care about the trials. We have more important issues—no food, no work, no cooking gas. Our priorities are different. There have been problems with the judicial system for 80 years. It won't get fixed quickly. The most important thing is addressing social issues and economic demands raised during the revolution. Then we can turn to trials and accountability.

An office assistant listening to his comment disagreed:

> I understand this point, but I don't accept it morally. We need to set an example now. This is important now and for the future. Everyone needs to be held accountable for what they do.

Perceptions about the value of the trials were complex. Respondents agreed that the right people were on trial and/or in prison, but many worried that additional wrongdoers remained free. A young revolutionary observed, "Clearly the trials and detentions are

[17] See "Thousands in Egypt Protest Acquittals in Mubarak Trial," *al Masry al Youm*, 3 June 2012, http://www.egyptindependent.com/news/thousands-across-egypt-protest-acquittals-mubarak-trial.

meant to scapegoat some while ignoring others." Many interviewees complained about the limited charges. On this point, an engineer said,

> Mubarak corrupted the moral values of the country. He humiliated people and stole their dreams. That's what he should be tried for—not for accepting two villas in Sharm al Shaykh as a bribe.

Later developments suggest the need for further research about the perceived value of trials. Most of the trials of regime figures stretched out over many months in civilian courts. Moreover, many of the security officials and police put on trial were found "not guilty." Meanwhile, expedited trials of some 12,000 civilians, mostly youthful opponents of SCAF, were conducted in special military courts without due process, often resulting in long sentences. One engineer said, "It doesn't make sense that Hosni [Mubarak] and other [regime figures] are being tried in civilian courts while demonstrators are tried in military courts."

Nonetheless, many were amazed that the trial of Mubarak and his sons even took place. Commenting about its novelty, a human rights activist said,

> We will never forget seeing Mubarak in court on the first day of the trial when he first responded to the question of whether he was present: "*Afandim, ana mawgud*" (Sir, I'm here).

She noted that this phrase was downloaded as a mobile phone ring tone more than 12,000 times within 24-hours after Mubarak uttered it.[18]

Regarding the pace of trials of regime figures in civilian courts, an office manager remembered,

> On the first day of the [Mubarak] trial [in August 2011] I was on vacation in Sharm al Sheikh and 30 people gathered in one room [to watch the televised proceedings]. We couldn't believe the day would come when we saw Mubarak in court. Now [in January 2012] people have lost interest. We know the verdicts will be postponed.

A number of interviewees expressed distrust of the forensic investigations associated with the trials, both because of the limited capacity of the responsible authorities and their lack of independence. A filmmaker cautioned, "rough and quick trials do not satisfy people. When you have a serious crime you must have a serious process." An arts manager asked, "Why, should the police cooperate in protecting and investigating crime scenes when their own members are among the suspected perpetrators?" An NGO training manager asserted,

> Prosecutors don't inspire confidence that they are working seriously. I believed [in them] initially but my confidence is fading. The Ministry of Interior didn't cooperate in the [Mubarak

[18] Alexander Marquardt, "Mubarak Becomes a Ringtone," *ABC News*, 4 August 2011, http://abcnews.go.com/Blotter/mubarak-ringtone/story?id=14232084#.UJeuNmiRAfM.

> trial] investigation because they are part of the old regime, and the old players are still in their positions.[19]

A university student said,

> The trials are going in the right direction, but they're not transparent, so they don't appease the public. Some of these people have been in prison for six to nine months and nothing tangible has happened or changed. The trials are not affecting the way the country is operating. Not until we have a truly independent parliament and president, independent of the military, will we see real change.

Legal specialists and human rights activists expressed frustrations with the law itself, which they argued does not always criminalize wrongful acts. A human rights activist said, "criminal law isn't adequately developed for some political crimes," but argued, "there are adequate legal statutes to prosecute if the political will exists."

**III. Trial Priorities**

Given the prevalence of torture and illegal detention during the Mubarak era, as well as attacks on demonstrators during the uprising, one might expect that trials addressing these issues would feature importantly in Egypt's transition. Recognizing that prosecuting authorities could choose what kinds of trials to prioritize, we asked respondents for their views. These findings are represented in Chart 3.

Survey Results

Overall, we found respondents gave highest priority to trials focusing on human rights abuses and lowest priority to trials compensating victims. While there were differences in the rank ordering of types of trials depending on respondents' gender, religion and place of residence, the differences were not statistically significant. One significant difference emerged, however, in relation to class status. Working class respondents ranked trials addressing corruption and recovery of assets higher, placing it second in the rank order, and this difference was significant statistically ($p < 0.0001$).

Illustrative Interview Comments

A number of interviewees were troubled by the focus of the trials. A human rights activist said, "They're not going after the biggest crimes but responding to requests for specific prosecutions lodged with the prosecutor's office." She reflected the views of many when she argued that the key issue for trials should be torture, but cautioned: "Every policeman in Egypt was involved in torture, so you need to draw a line."

**IV. Transitional Justice Priorities**

In conducting the study, we were careful not to use the term "transitional justice" (*al `adala al intiqaliyya*) assuming that few Egyptians were familiar with it. This was

[19] Egyptians' suspicions about conflicts of interest were confirmed when prosecutor Mustafa Suleiman admitted that state security forces "deliberately refused to cooperate with the [Mubarak] prosecution." David D. Kirkpatrick, "Prosecutor Accuses Security Forces of Interfering in Mubarak Trial," *The New York Times*, 4 January 2012, http://www.nytimes.com/2012/01/05/world/middleeast/prosecutor-accuses-security-forces-of-interfering-in-mubarak-trial.html?_r=0 .

confirmed through interviews. In any case, findings from the survey indicated that respondents have clear views when it comes to ranking the importance of activities consistent with transitional justice.

Survey Results

Chart 4 shows respondents' rank ordering of possible activities that Egypt could implement to put it on the "right path." Respondents' priorities are striking: first and foremost, they endorsed security sector (police, intelligence and military) reform, followed by greater judicial independence and constitutional reform. High support for strengthening judicial independence echoes a similar finding from a recent Pew Research Center poll, in which Egyptians ranked a "fair judiciary" as their second highest priority, after "improved economic conditions."[20]

The fact that respondents ranked security sector reform as their top transitional justice intervention dovetails with their ranking of human rights trials first out of five possible trial options (see Chart 3). These findings clearly reflect the pervasiveness of abuses by security sector organizations during the Mubarak regime and the transitional government. It is no accident that the first day of the uprising was a national holiday honoring the police.

An unexpected finding was the relatively low priority given to the needs of victims/survivors. Two choices offered in the questionnaire addressed victims' needs: apologies to and compensation for victims (ranked ninth out of 11 options), and memorials and museums to honor victims and remember the past (ranked last). This finding was reinforced by how respondents ranked trials seeking reparations for victims/survivors as the lowest of five possible options (Chart 3). Does that mean that Egyptians do not care about justice for victims? Certainly it does not, as many other initiatives have highlighted the needs and demands of victims and survivors.[21] Another way to explain why victims' needs have taken lower priority is that Egypt's uprising has been much less violent than similar struggles preceding transitions to democracy.

While the age of respondents did not significantly affect how they rank-ordered the 11 options, their class status did. Working class respondents prioritized recovery of stolen assets and anti-corruption initiatives more highly ($p < 0.0001$). This reinforced a similar finding on an earlier question (Chart 3) relating to the priority of trials focused on corruption and asset recovery.

The religion of respondents also affected the rank ordering of priorities: Muslims gave higher priority to criminal prosecutions (reinforcing our finding in Factor 1), and to strengthening the judiciary ($p < 0.05$). Christians give higher priority to strengthening the media and drafting a new constitution ($p < 0.05$).

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[20] Pew Research Center, "One Year Later … Egyptians Remain Optimistic, Embrace Democracy and Religion in Public Life," Global Attitudes Project, 8 May 2012: 2, http://www.pewglobal.org/2012/05/08/egyptians-remain-optimistic-embrace-democracy-and-religion-in-political-life/?src=prc-headline.

[21] Judy Barsalou, "Post-Mubarak Egypt: History, Collective Memory and Memorialization," *Middle East Policy*, 19 (2) (2012): 134-147. For a shorter version, see "Recalling the Past: The Battle Over History, Collective Memory and Memorialization" in *Jadaliyya*, 22 June 2012, http://www.jadaliyya.com/pages/index/6007/recalling-the-past_the-battle-over-history-collect.

The gender of respondents made little difference. Women were more strongly supportive of preserving materials documenting past abuses ($p < 0.01$), but neither men nor women gave this high priority.

Illustrative Interview Comments

It is important to note that four of the top five priorities that emerged from the survey involve institutional reform. An Islamist professor said,

> Accounting for the past is very important to have a better future, but it's not everything. We have to look forward. We need to put a political and social justice system in place—that takes priority more than the past. To put a healthy system in place you need judicial reform, freedom of the press and constitutional guarantees. If major institutions, such as the Ministry of Interior, are reformed, I'll be satisfied.

Interviewees' comments reinforced the priority of security sector reform. According to one professor, abuse of power by police and other security officials made all Egyptians fearful.

> If you don't have political connections you're vulnerable and everyone has a horrible sense of insecurity and the feeling that no one has any rights and could be picked up by the police at any time. Parents are always afraid of getting a phone call that a child has been arrested.

Another professor, who described police brutality as a "trigger" of the uprising, agreed:

> There was fear or the realization that [running into trouble with the police] could happen to you; it was random, not political, and could happen to anyone. I came close to being abused once and could have been killed.

Views about how to handle security sector reform were mixed. An NGO manager observed,

> Corruption is endemic in the police system and it will not be easy to reform. We need radical change. We can't just put them all in jail, but we can't simply release them into society; they need to be rehabilitated and reintegrated. There would be conflict and disorder if they were simply purged.

A professor argued that reform has to start at the National Police Academy:

> There is physical abuse of cadets by officers and the hazing of younger students in the academy and the army—that's how they impose respect for the hierarchy. They are trained, not formally but informally, that they are beyond the law. A policeman is a pasha not to be questioned. So it [will] take a change in culture.

Others emphasized the importance of political will to impose reforms on recalcitrant security organizations. An NGO program officer said, "There is no way to reform the Ministry of Interior from inside." A diplomat agreed:

> Don't let a minister from the police lead the process. Pick a young person with vision who hasn't been contaminated by the system. If you go down the line, so many are corrupted, not just for having taken bribes; they are also mentally corrupted because they have risen up through a system based on brutality.

As crime rates continued to rise, an NGO program officer articulated his fear of "social apartheid" where the police protect well-off citizens against criminals and leave the poor to manage on their own:

> We've got a paradox: how to get the police to respect citizens and be effective law enforcers but not be too powerful again. They are aggressive against the poor because they don't perceive them to be human beings, although they are the majority of Egyptians, in fact. The middle and upper middle classes support police brutality against the poor.

Developing a better constitution was a priority for many survey respondents. An office driver felt that justice would be promoted if a new constitution clearly stated that, "wrongdoers who really harm people will be held accountable." An education expert said, "A new constitution will provide a roadmap and parameters for a new system. It will send signals about who we are and how we would like to be." But others found this naïve. A professor argued,

> Writing a new constitution is not key; it's always a reflection of the balance of power that already exists. You cannot assume that even a perfect constitution will be implemented without pressure. The [existing] constitution is not all that bad, but the good things were not implemented.

Further research is needed to probe Egyptians' views of the judiciary and the priority they placed on its independence. Some interviewees described the judicial system as deeply dysfunctional, while recognizing that a few courageous judges had resisted pressure from the Mubarak regime. Illustrating this point, a Nubian pharmacist who found squatters in his flat said the police first declined to assist, advising him to bring his relatives to intimidate the squatters, and then told him, "If you go to the courts, it will take 20 years."

A human rights activist described the judiciary as a "mixed picture," with some judges more competent and independent than others. She conceded she had "no fundamental faith" in Egyptian judicial independence, especially in corruption cases where judges

operate under "exceptional" pressure. An NGO program director suggested that building on customary law traditions prevalent in Upper Egypt could improve access to justice.[22]

Further research is also needed to clarify why respondents did not place higher emphasis on truth telling, a key component of transitional justice. Interviews yielded three different explanations. Some suggested that, in a repressive society such as Egypt, untruthfulness is a pervasive and deeply entrenched survival or coping mechanism. Illustrating that point, a human rights activist noted that Egyptian speech is replete with polite words and phrases intended to obscure intentions and the truth—such as *bukra* (implying "it will happen tomorrow, not today"), and *inshallah* ("God willing," suggesting that whatever is being proposed would be nice but is not absolutely certain). Others argued that Egyptians are skeptical that wrongdoers can be forced to tell the truth. Finally, several interviewees indicated that Egyptians feel they already understand how the system operated under Mubarak and SCAF, and a truth commission is not needed to reveal what is already obvious.

Some, however, saw a truth commission as a way out of judging the regime on limited issues. A professor said:

> I put more emphasis on a truth commission process that recognizes people's suffering. If we define justice and accountability in narrow legal terms this is a problem, because it is much more than that. Corruption was from top to bottom. Not everyone who was implicated really believed they were doing something wrong. It was part of the national culture, including the police culture. We live in a divided, class-based society with the top looking down at the lower classes. We need to address root causes, and trials won't be sufficient.

Another professor agreed:

> If the government won't sponsor a truth commission, it should be undertaken by civil society groups. Since the government isn't likely to take this up soon, civil society should take the initiative. Trials cause tension among police officers. I'm not against trials but they take a long time to complete, their operations aren't open to the public, and they may result in acquittals. So a truth commission might be a way out of this.

Without identifying a truth commission as the solution, an NGO program officer argued:

> The demonstrators in Tahrir targeted particular elites by name. Now we have to speak about and focus on the corrupted system, not on a limited number of corrupt persons. The majority of Egyptians participated in corruption. So you need other interventions, not just trials, to deal with systematic corruption. We feel the corruption but don't understand it

[22] For more about Egyptian customary law traditions, see Hans Christian Korsholm Nielsen, "State and Customary Law in Upper Egypt," *Islamic Law and Society*, 13 (1) (2006): 123-151.

> scientifically. We need to exert some efforts to understand how it operated.

A young revolutionary envisaged fact finding and truth telling as outcomes of a longer sequence of events:

> Fact finding won't happen in isolation. We have to bring the system down through mobilization and pressure. We can't just target individual wrongdoers. You need to bring the regime down and then fact-finding will be a byproduct of that. We have a revolution in the making; it's not yet finished.

Do Egyptians place a priority on collection and preservation of materials documenting wrongdoing? According to our survey, they do not. A professor couched the problem in terms of the broader lack of awareness about the right to information and to privacy. Referring to records held by Egypt's National Archive he said,

> Most people don't think they [the people] own these records. Most people don't question the right of the state to compile information about them and keep it in the Ministry of Interior.

Recent events tell us, however, than some Egyptians, especially victims of police abuse, are keenly aware of the importance of preserving documents. On 5-6 March 2011, hundreds of protestors stormed the Ministry of Interior and other security offices to rescue documents after reports that they were being shredded and burned.[23] Moreover, numerous civil society initiatives have focused on preserving materials documenting the uprising and government abuses.[24]

**V. Knowledge of Other Countries' Transitions**

To ascertain views about other countries' transitions, we asked two questions. Results for the whole sample who answered the questions are displayed in Chart 5.

Survey Results

Overall, we found strong interest in learning about other transitions, with a substantial number of respondents admitting they are not very knowledgeable about them. Respondents' class, gender, age, place of residence and religion had little bearing on scores for either question. There was a slight suggestion that level of education mattered: highly educated respondents gave higher scores on both questions.[25]

Illustrative Interview Comments

Relatively few respondents cited relevant examples of transitional justice interventions in other countries either through the survey or during interviews. Tunisia's transition was mentioned more frequently than any other. Only one respondent cited Morocco's truth commission but was unfamiliar with the details.

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[23] Liam Stack and Neil MacFarquhar, "Egyptians Get View of Extent of Spying," *The New York Times*, 10 March 2011, http://www.nytimes.com/2011/03/10/world/middleeast/10cairo.html?pagewanted=all .

[24] Judy Barsalou, Op. Cit.

[25] Although these results were statistically significant ($p < 0.01$), they are based on small numbers and need to be interpreted with caution.

No one referenced Lebanon's Special Tribunal relating to the assassination of Rafiq Hariri. Iraq's troubling experience with transitional justice also escaped mention by respondents. Several pointed to South Africa's Truth and Reconciliation Commission as a possible model for Egypt.

Is there a role for "outsiders" to play in promoting transitional justice in Egypt? International donors and development agencies may see value in the finding that Egyptians are eager to learn more about how other countries navigated their transitions to advance justice and accountability. However, the finding (Chart 1) that respondents were generally unsupportive of "outside" justice provides a clear warning to international transitional justice practitioners contemplating possible roles for international institutions. Indeed, strong Egyptian nationalism and xenophobia were reflected in the Foreign Ministry's denunciation of a UNDP conference on transitional justice as "an extension of the international conspiracy against Egypt."[26]

**VI. The Consequences of Holding Wrongdoers Accountable**

Do Egyptians see a relationship between accountability and conflict? Given the emergence of strong counter-revolutionary forces and rising crime rates during the transition, we wondered if Egyptians would believe that efforts to improve justice and accountability in post-Mubarak Egypt would increase conflict and insecurity.[27]

Survey Results

Scores on two questions relevant to these issues are represented in Chart 6. Overall, respondents did not see a strong relationship between accountability, on the one hand, and conflict and insecurity, on the other. Demographic features generally failed to predict respondents' views on these questions. Only one (religious affiliation) was linked to respondents' answers, with Christians much more likely than Muslims to believe that holding wrongdoers accountable would be divisive and cause conflict ($p < 0.05$). It is noteworthy that scores on these two questions reinforced findings from earlier questions showing strong support for the rule of law (Chart 1).

Illustrative Interview Comments

Many interviewees were troubled by the absence of police in the streets following the uprising and by pervasive lawlessness. An office assistant articulated a view held by many: Insecurity and crime will increase if wrongdoers are not held accountable and if the rule of law is not upheld." A party activist amplified this point: "We see the emergence of groups taking justice into their own hands [*magmu`at al qassas*] because they don't see perpetrators being held accountable." A statistician agreed: "If justice isn't delivered, people are more likely to … seek revenge." An Islamist political scientist argued,

> People take justice into their own hands because they lack confidence in the system. We have a history of not getting our rights through legal channels. Vigilantism (*gid`an*) is part of our culture. It's outside the realm of religious teachings.

[26] Sarah El Deeb, "Egypt: Rights Groups Say Excluded From EU Talks," *Associated Press*, 14 November 2012, http://abcnews.go.com/m/story?id=17708447.
[27] See "Fewer Feel Safe in Several Arab Spring Countries," 23 February 2012, http://www.gallup.com/poll/152894/Fewer-Feel-Safe-Several-Arab-Spring-Countries.aspx.

An NGO program officer saw a connection between holding all police accused of crimes accountable and rising conflict. He said, "If we put more police in prison, that will cause conflict to rise." A diplomat attributed the problem, in part, to low police morale and fear:

> If you call the police, they don't help because they're afraid to get involved. They also feel that people humiliated them, so why should they help citizens? They think that protecting themselves is more important than protecting citizens.

An engineer amplified this point:

> Police now feel humiliated and lack self-confidence. People are shouting at them and they're afraid. We need to get civilians and police to sit together and talk at the national level—put it on TV. We need to talk frankly to identify the problems.

He added, "Police now in prison prefer to stay there because if they were released they would be killed."

Nine months after Mubarak's removal, a diplomat noted,

> Many people just want stability. They got used to repression. 'Don't push too hard,' some people say. 'The country will break.' There is now more awareness among people about what is going on politically than before the revolution. But there is an unfortunate tendency to accuse the revolutionaries of creating circumstances in which crime is rising, although crime is not new.

A young revolutionary cautioned that the argument that Egypt should focus on the future, not the past, is part of a "hegemonic, counter-revolutionary discourse that goes like this: 'Trials will cause conflict; move on. We're too absorbed in the past. Egypt should think about the future.'"

**VII. Social Justice and Optimism About the Future**

Many analysts have noted the grounding of the uprising in a labor rights movement that gathered strength over the previous decade.[28] Prominent slogans during the uprising (famously, "bread, freedom and dignity") and the emergence of the term "social justice" (*al `adala al ijtima`iyya*) in Egyptian political discourse suggest that many Egyptians will not be satisfied with the transition unless it delivers concrete economic and social benefits alongside political rights. Three questions provide substance to that view, according to findings presented in Chart 7.

Survey Results

The survey confirmed that Egyptians believe that justice has important social and economic components, and is not just based on access to political and civil rights. Views

[28] See Joel Beinin, "The Rise of Egypt's Workers," *Carnegie Papers*, June 2012, http://carnegieendowment.org/2012/06/28/rise-of-egypt-s-workers/coh8. Also see http:/www.arabawy.org/2011/07/04labor-protests-intensify-during-first-half-of-2011/.

about the importance of social justice were widely held without significant variation in relation to respondents' age, gender, class or religion.

Factor analysis revealed two different underlying "factors" explaining the five items represented in Chart 7. The first is a "social justice" measure.[29] The second measure is one of "optimism."[30] Respondents with high scores on the three social justice questions tended not to be as positive about Egypt's transition or the future. Regarding optimism, there were also clear demographic differences. Women were much more pessimistic than men about the future ($p < 0.0001$). Moreover, age was an important predictor of optimism, with older persons significantly more optimistic than younger persons, as represented in Chart 8. Notably, respondents who perceived the trials to have value (Chart 2) were more optimistic about Egypt's future ($p < 0.001$).

Class divisions in Egypt are strong. The fact that working class and middle class respondents were similarly supportive of the notion that equal access to public services will strengthen justice is a finding around which needed reforms can be built. The results also suggest, however, that achieving social justice will be a significant challenge: respondents who think that justice must include social and economic aspects tend to be less optimistic about the future, perhaps because they think equity and fairness are a long way off.

Illustrative Interview Comments

Respondents provided a wide range of answers when asked to define the term "social justice." Some described it in terms of a culture of impunity. A filmmaker said,

> If there is due process, there is social justice, even if the decision goes against me. Due process means that I can try again. Presently in Egypt, there is no way to solve problems. If your plumber takes your money without buying the promised parts, or people are making too much noise in the street, the only ways to deal with this are either to get the power to destroy them or enter a mediation or negotiation in which you ask someone [more powerful] to help you. The latter makes you vulnerable to the people who help you; it permits them to judge you and it requires that you ask them a favor. This person who helps you can blackmail you later for something else. Also, if you don't please them, they won't help you in the future. Egyptians will start believing in justice if they see changes in the institutions that affect them in their daily lives.

[29] This measure is comprised of three elements: "I believe that justice in Egypt depends on expanding access to decent employment opportunities for all"; "I believe that justice in Egypt depends on creating a stronger social safety net to ensure that low-income people and the elderly live in dignity"; and "I believe that Egypt will be a more just society if it ensures equal access for all citizens, regardless of income, to better services, such as clean water and better health care."

[30] This measure is comprised of two elements: "I believe that Egypt has just begun its transition to being a more just and accountable society, and there is much work ahead"; and "I believe that Egypt is on the right path and I am optimistic about its future."

Several interviewees echoed the perception that social injustice is a dynamic operating between the strong and the weak in and among *all* social classes. A filmmaker said, "There is plenty of abuse among power brokers in the lower classes—people who abuse those who are weaker." A project manager characterized this problem in the following way:

> There is a mafia of oligarchs, including smaller figures working to build illegal structures in neighborhoods. Those engaged in corruption—whether big oligarchs or neighborhood figures—don't want a revolution; they want the old system to continue. Corruption is pervasive throughout all levels of society and in people's mentalities. It's not easy to change this. We can't put all corrupt people in jail—if we did 60 million would be imprisoned.

Describing the difficulty of achieving social justice in Egyptian society, an arts manager said,

> There is another value that stands in the way: obedience or respect for anyone in a position of power. This includes social power based on age, wealth or being in a position of authority. If you are rich, old or in a position of authority, people obey you and you become less accountable. People still aren't regarded as equal, even after the January 25 revolution, especially where age is concerned. Youth and the poor are especially disadvantaged. This is one reason why you see so few young people among those recently elected, even though it was Egypt's youth that were behind the revolution.

Many defined social justice in more conventional terms. An Islamist professor echoed a former government minister when she said that it means providing equal opportunities for all, regardless of social status or religion. Two poor boatmen in Aswan defined social justice in terms of a government that shares the wealth of the nation with them, providing them with education and job opportunities.

Several interviewees defined social justice in terms of equal access to better health care. A Nubian language instructor said, "I lost my grandmother because of poor medical treatment. [The government] killed millions over 30 years through poor medical services, poor education." A professor agreed:

> What gets to me more than anything else is the very debased healthcare system. It's just not fair. There is an Egyptian saying, "We want nothing in life but health and freedom from want." The implication is that if I have those things I have my dignity.

He added, "It's also heartbreaking to see men clamoring for work, waiting in the street for someone to drive by and pick them up, fighting with each other for a job."

An arts manager characterized the lack of social justice in terms of income inequality:

> Take [public] universities, for example. Deans are politically appointed and approved by state security. They get something like LE 50,000 per month, and they consider this a concession because they could earn more if they worked elsewhere. A full professor, on the other hand, gets LE 8,000 per month. This income inequity is found in every sector; there are huge discrepancies in salaries between the top and bottom. I know a private company security guard whose basic salary is LE 120 per month. After various incentive payments his total take-home pay is less then LE 600, of which only LE 120 can be counted upon; he works 12 hours per day. This is unbelievable. It's not a living wage for an individual, let alone a family.

Agreeing with this perspective, a professor noted that income inequality means that, "much of Egypt is not physically accessible to all Egyptians. In the UK, everyone can afford to sit in a nice café, but that's not true in Egypt." A university student said,

> Our policies toward subsidizing certain goods must change. Why must car gas be subsidized, for example? Upper classes should pay more in taxes and not have their gas subsidized while others cannot find clean water.

Social justice is clearly a preoccupation of Egyptians and a significant issue for the field of transitional justice. As it has spread to more countries, transitional justice has raised expectations among victims that it can and should address root causes of poverty and inequality that undermine the dignity of the underprivileged.[31] Given Egyptian perceptions of these issues, Egypt could prove to be an important country to watch if transitional justice ever takes hold.

**EMERGING PROFILES OF EGYPTIAN VIEWS ALONG DEMOGRAPHIC LINES**

The research suggests that there are clear differences in how Egyptians think about some aspects of justice and accountability based on their age, gender, class status, level of education, place of residence and religion. Differences that emerged most strongly are outlined below:

Age: Younger people (aged 39 and younger) are significantly more skeptical about the value of the trials than those aged 50 and above. Roughly the same goes for perceptions about how the transition is going and optimism about the future, although in this respect it is those aged 49 and younger who are much more pessimistic. Arguably, the January 25 revolution was a young persons' uprising. Many older Egyptians were unhappy with the Mubarak regime but it was mostly young labor activists and youth revolutionaries who laid the groundwork for the uprising. They were not able to translate their success into power at the ballot box, as older candidates and Islamists captured

[31] See Makau Mutua, "A Critique of Rights in Transitional Justice: The African Experience" in *Rethinking Transitions: Equality and Social Justice in Societies Emerging from Conflict,* ed. Gaby Ore Aguilar and Felipe Gomez Isa (Cambridge: Intersentia, 2011), 31-45; and Lars Waldorf, "Anticipating the Past: Transitional Justice and Socio-Economic Wrongs," *Social and Legal Studies* 21(2) (2012): 171-186.

nearly all the seats in November 2011 parliamentary elections. Moreover, since Mubarak was removed by the military, strong counter-revolutionary forces have emerged and few meaningful reforms have been enacted. Accordingly, it is not surprising that younger respondents in the survey see less value in the trials of regime figures (especially when they were conducted by an unreformed judiciary) and are more pessimistic about the future.

Gender: Like younger respondents, women were significantly more skeptical than men both about the value of the trials and the future. Perhaps they did not see much value in the trials because they did not address significant issues affecting women's status. Arguably, women are among those most likely to benefit from real reforms in Egypt, but they appear a long way off. Indeed, powerful Islamist leaders are campaigning to roll back Mubarak-era reforms related to women's rights to divorce, custody of children, age of marriage and other issues important to women. It is little wonder that women are less optimistic about the future.

Class Status: An important finding from the study is that working class respondents were significantly less supportive than middle class respondents of the right of alleged wrongdoers to defend themselves through trials, although they were similar in their views about the importance of holding wrongdoers accountable. Are working class Egyptians quicker to assume guilt of wrongdoers than middle class Egyptians? Our findings suggest that they are. This deserves further research.

Another issue requiring further study is why working class respondents, more than those from the middle class, were supportive of Egyptians' right to seek justice outside Egypt if it is not available locally. This may represent lower confidence in the policing and judicial systems among the working class, who arguably bear the brunt of police abuse and the miscarriage of justice. But if that is the case, why did working class respondents see significantly more value in the trials of regime figures than middle class respondents? Interviews suggest it is because many never expected to see Hosni Mubarak and other major figures in the dock. Even if this and other trials were flawed, to many working class Egyptians they represent previously inconceivable progress.

On another issue, working class respondents gave higher priority to trials addressing corruption and asset recovery, compared to middle class respondents. In some interviews, this was explained in relation to exaggerated estimates circulated by the media regarding the amount of funds stolen by the Mubarak family, raising unrealistic expectations of windfall reimbursements paid directly to Egyptian citizens. More broadly, working class Egyptians may have put higher priority on recovering the millions stolen by the old regime because they thought it would improve the quality of life in Egypt.

Finally, working class respondents were substantially more optimistic about the future than middle class respondents. This may reflect how Egyptians access information. Middle and upper class Egyptians are more likely than working class Egyptians to have regular access to a wide range of critical views and materials posted on the Internet, but this issue needs more research.[32]

[32] Household Internet penetration in Egypt is increasing rapidly, but still only about a third of the population has access. See "ICT Access and Use by Households and Individuals," Egypt ICT Indicators, http://www.new.egyptindicators.gov.eg/en/indicators/_layouts/view.aspx?id=528.

Place of Residence: Respondents living outside Cairo were more positive about the value of the trials, but disagreement among respondents on this question was high, and the result was not statistically significant. Nonetheless, it is a suggestive finding that could be solidified through further research. Those outside Cairo were also more supportive of the notion that Egyptians have a right to seek justice internationally if they cannot find it locally, perhaps because they have little confidence in local policing and courts. They were also much more optimistic about the future. Future research ideally would include a larger sample of residents outside Cairo.

Religion: On some questions, the religion of respondents appeared to be an important predictor of views. Notably, Christian respondents were less likely than Muslim respondents to feel that the trials were satisfying Egyptians' desire for justice. Interviewees suggest this was because of attacks against Christians for which there has been no legal accountability, such as the "Maspero massacre" of 27 Christian demonstrators in October 2011 as they protested earlier attacks against Coptic churches in Upper Egypt.

Perhaps because of a history of impunity that predates the uprising, Christian respondents were much more likely than Muslims to believe that holding wrongdoers accountable will cause conflict and increase insecurity. It is not surprising, therefore, to find that Christian respondents were less optimistic about the future than Muslim respondents.

At first glance, it seems counterintuitive that Muslim respondents were more likely than Christians to embrace the notion that Egyptians have the right to seek justice outside the country if it is not available locally. Thinking about this more deeply, this finding dovetails with the discovery that Christian respondents believed that pursuing accountability would increase conflict. Lack of support by Christians for Egyptians' right to seek "outside" justice may reflect fear of reprisals if they do. There is anecdotal support for the notion that Coptic Egyptians living in the West, safe from anti-Christian mob violence, are more inclined to appeal to international organizations for help. Indeed, a Coptic human rights association in Austria threatened to address international organizations if the Egyptian government did not retry a case involving a fight between Christians and Muslims in which 12 Coptic defendants received life sentences while the Muslim defendants were exonerated.[33]

Clearly, gender, age, class status, religion and place of residence affect how Egyptians think about some aspects of transitional justice. If and when Egyptian leaders develop the political will to implement transitional justice is a serious way, further research about this would help policymakers develop a transitional justice program that addresses Egyptians' priorities.

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[33] See "12 Copts Sentenced to Life In Prison, 8 Muslims Acquitted Over Abu Qurqas Violence," *al Masry al Youm,* 21 May 2012, http://www.egyptindependent.com/news/hold-12-sentenced-life-imprisonment-8-acquitted-abu-qurqas-sedition-trial. Also see "Egyptian Copts in Austria Speak Out Against Abu Qurqas Convictions," *Al Masry al Youm*, 31 May 2012, http://www.egyptindependent.com/news/egyptian-copts-austria-speak-out-against-abu-qurqas-convictions.

## FINAL REFLECTIONS

The study provides the basis both for hope and concern about Egypt's future. On the positive side, it is clear that many Egyptians strongly believe in the rule of law, due process and social justice—all values at the heart of establishing a more transparent and democratic government. They will not be satisfied by halfhearted measures designed to scapegoat only top officials, and they have high standards and expectations when it comes to building a political order based on justice and accountability. Even if President Morsi establishes alternative "revolutionary courts" for reliably delivering guilty verdicts, the study suggests that some Egyptians will remain skeptical if trials are not based on due process and convincing forensic investigations. The latter will be infeasible without substantial overhaul of, and cooperation from, the Ministry of Interior.

Egyptians' general unfamiliarity with international justice institutions and practices, coupled with strong nationalism, should caution those inclined to favor international over local justice interventions. Strategies based on Egyptian justice traditions and institutions appear more likely to win public support.

Moreover, international practitioners should note that many Egyptians clearly believe that fundamental institutional reforms should take priority over criminal prosecutions and truth telling. While international advice about how to craft such reforms might improve outcomes, clearly the impetus must lie with Egyptian, not international, actors.

Finally, the danger of raised public expectations in the context of Egypt's deepening economic crisis should not be underestimated. Persistent impunity, the government's failure to undertake meaningful reforms and reports of vigilantism and mob "justice" are worrying portents of future instability. Without needed reforms and the consistent application of the rule of law based on due process, Egypt's transition remains insecure and incomplete.

## APPENDIX: TABLES AND CHARTS

| | |
|---|---|
| Number | 169 Egyptians |
| Gender | Male (59%); female (41%) |
| Age | 15-29 (38%); 30-39 (25%); 40-49 (17%); 50-59 (11%); 60 and older (9%) |
| Last Degree Earned | Primary school (7%); secondary school (16%); secondary technical school (6%); technical diploma (13%); university degree (32%); post-graduate degree (26%) |
| Social Class[34] | Working class (41.3%); middle and upper middle class (58.8%) |
| Religion[35] | Muslim (74%); Christian (15%); not possible to determine by name (11%) |
| Place of Residence | Cairo: (82%); outside Cairo, primarily Menoufiya, Qalubiya and Helwan governorates (18%) |

[34] We constructed this category on the basis of the last degree earned and employment. "Working class" respondents included persons who had not completed a high school degree, as well as those with higher levels of education but performing low-skill and low-income jobs. All others were coded in a single combined group (middle class and upper middle class).

[35] We did not ask people their religion but inferred it from their names. If an inference could not be drawn or the respondent chose anonymity, we coded respondents' religion as "not applicable."

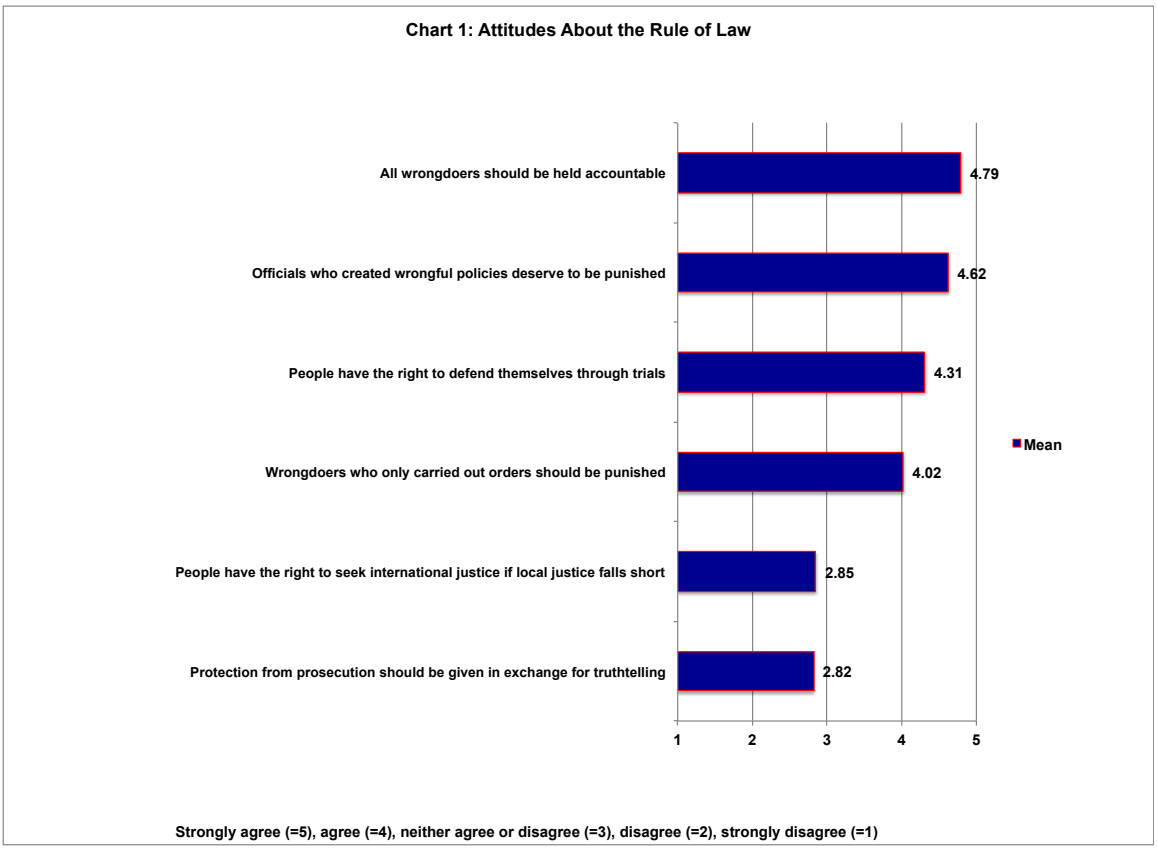
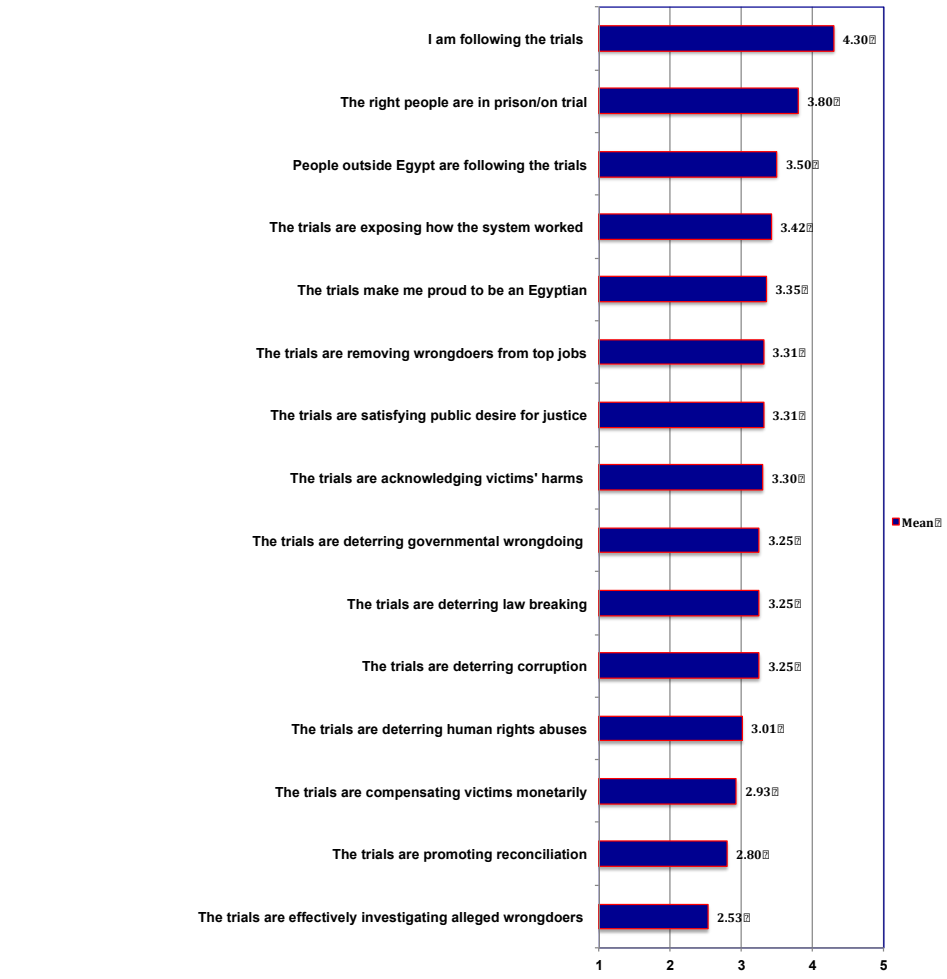


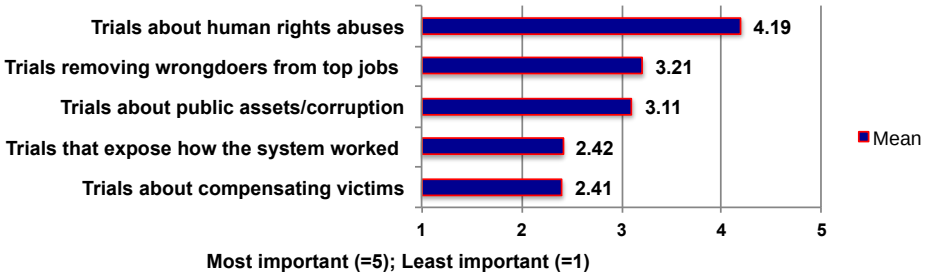
Chart 1: Attitudes About the Rule of Law
All wrongdoers should be held accountable
4.79
Officials who created wrongful policies deserve to be punished
4.62
People have the right to defend themselves through trials
4.31
Wrongdoers who only carried out orders should be punished
4.02
People have the right to seek international justice if local justice falls short
2.85
Protection from prosecution should be given in exchange for truthtelling
2.82
1
2
3
4
5
Mean
Strongly agree (=5), agree (=4), neither agree or disagree (=3), disagree (=2), strongly disagree (=1)

**Chart 2: Attitudes About Recent Trials**




Strongly agree (=5), agree (=4), neither agree or disagree (=3), disagree (=2), strongly disagree (=1)

**Chart 3: Relative Importance of Different Kinds of Trials**




Most important (=5); Least important (=1)

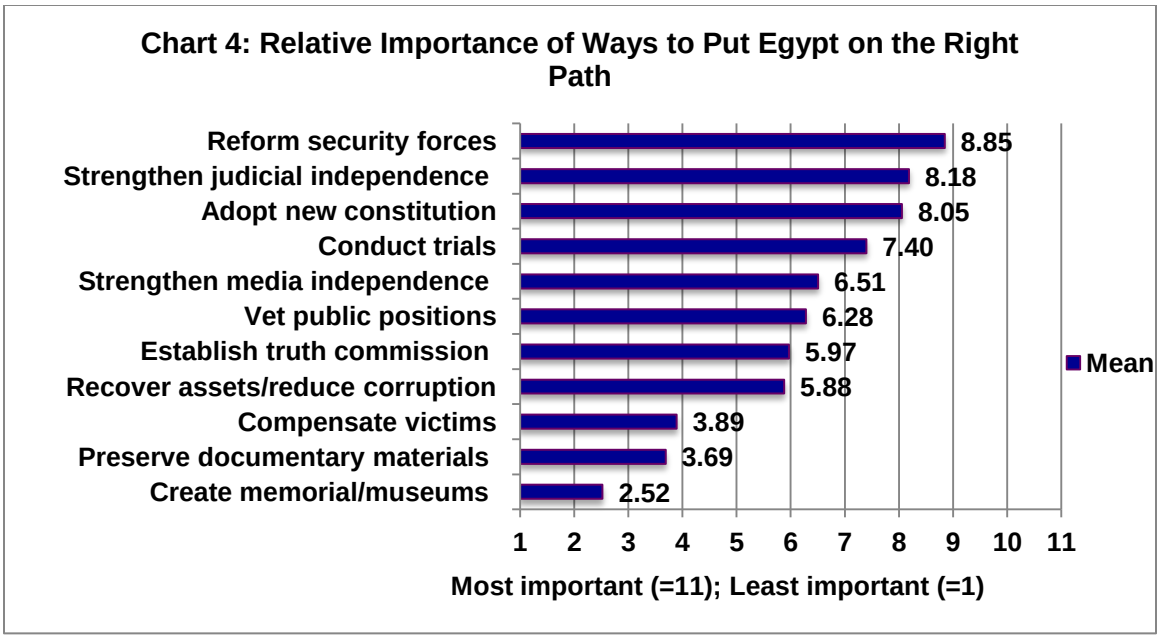


Chart 4: Relative Importance of Ways to Put Egypt on the Right Path
Reform security forces
Strengthen judicial independence
Adopt new constitution
Conduct trials
Strengthen media independence
Vet public positions
Establish truth commission
Recover assets/reduce corruption
Compensate victims
Preserve documentary materials
Create memorial/museums
8.85
8.18
8.05
7.40
6.51
6.28
5.97
5.88
3.89
3.69
2.52
Mean
1 2 3 4 5 6 7 8 9 10 11
Most important (=11); Least important (=1)

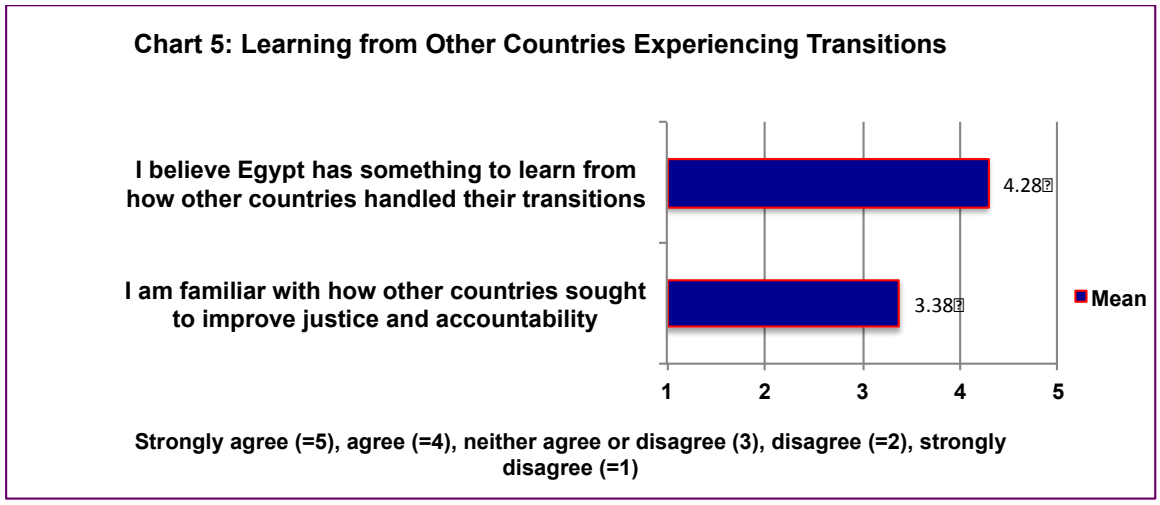


Chart 5: Learning from Other Countries Experiencing Transitions
I believe Egypt has something to learn from how other countries handled their transitions
I am familiar with how other countries sought to improve justice and accountability
4.28
3.38
Mean
1 2 3 4 5
Strongly agree (=5), agree (=4), neither agree or disagree (3), disagree (=2), strongly disagree (=1)

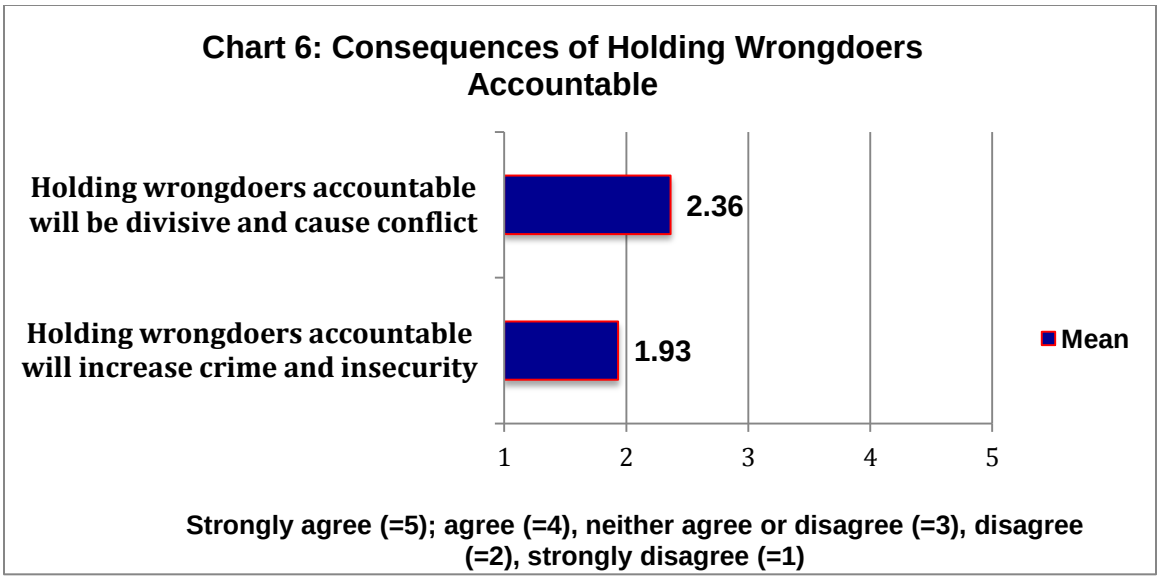


Chart 6: Consequences of Holding Wrongdoers Accountable
Holding wrongdoers accountable will be divisive and cause conflict
2.36
Holding wrongdoers accountable will increase crime and insecurity
1.93
Mean
1
2
3
4
5
Strongly agree (=5); agree (=4), neither agree or disagree (=3), disagree (=2), strongly disagree (=1)

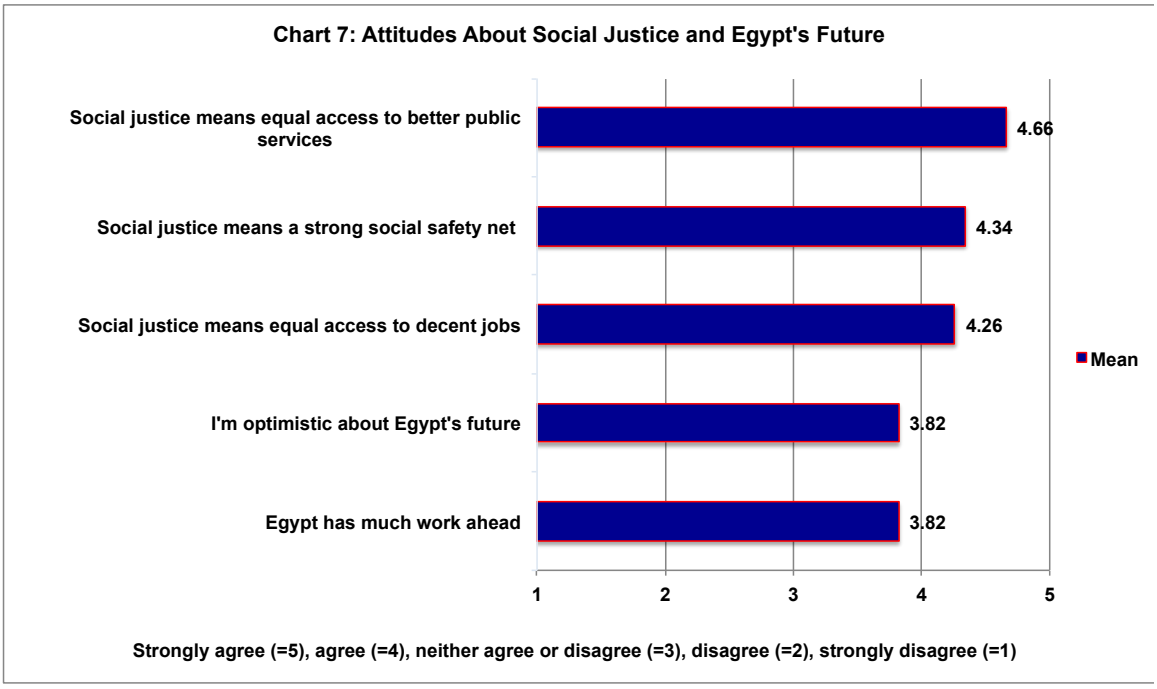


Chart 7: Attitudes About Social Justice and Egypt's Future
Social justice means equal access to better public services
4.66
Social justice means a strong social safety net
4.34
Social justice means equal access to decent jobs
4.26
I'm optimistic about Egypt's future
3.82
Egypt has much work ahead
3.82
Mean
1
2
3
4
5
Strongly agree (=5), agree (=4), neither agree or disagree (=3), disagree (=2), strongly disagree (=1)

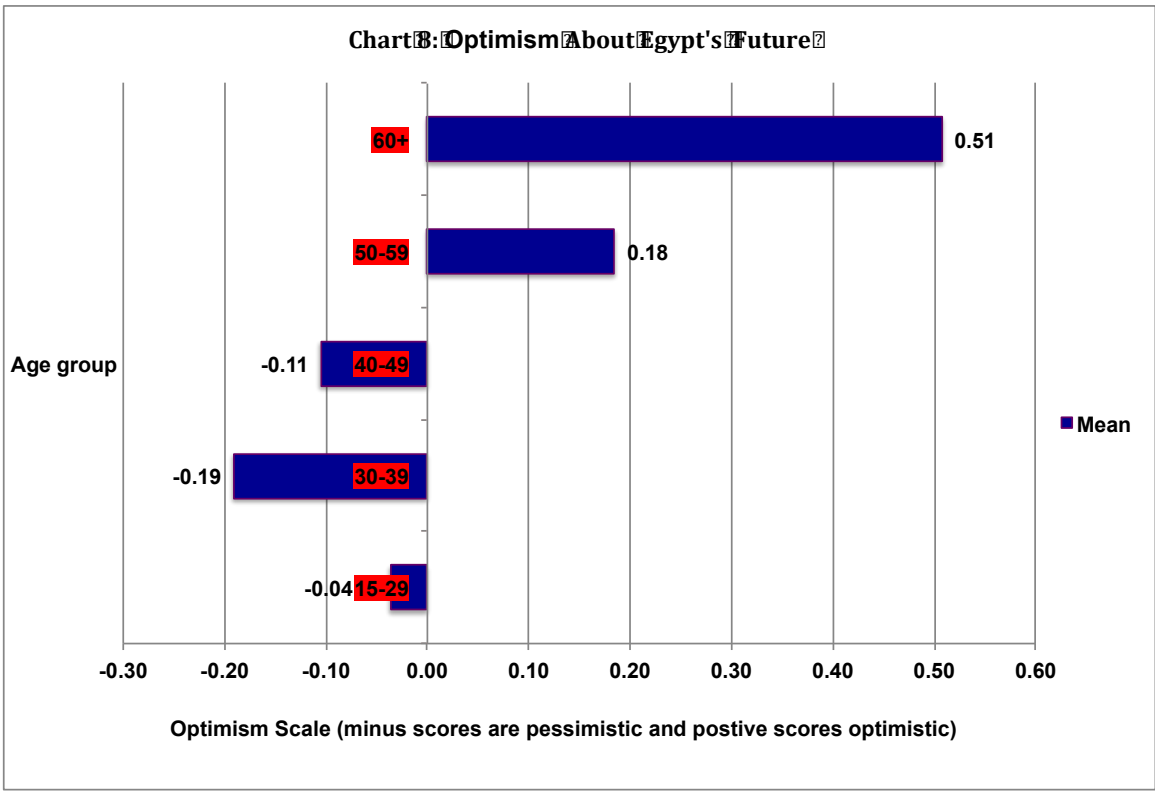


Chart 8: Optimism About Egypt's Future
60+
50-59
40-49
30-39
15-29
0.51
0.18
-0.11
-0.19
-0.04
Age group
Mean
-0.30
-0.20
-0.10
0.00
0.10
0.20
0.30
0.40
0.50
0.60
Optimism Scale (minus scores are pessimistic and postive scores optimistic)