

EU Non-PROLIFERATION CONSORTIUM

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Building Confidence vis-à-vis Transitional Egypt

DANIEL MÜLLER

Background paper

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About the Author

Daniel Müller is a research associate at Peace Research Institute Frankfurt (PRIF) and PhD candidate at the Johann Wolfgang Goethe University in Frankfurt am Main.

Abbreviations

ASEAN	Association of Southeast Asian Nations
MB	Muslim Brotherhood
CBM	Confidence Building Measures
CBW	Chemical and Biological Weapons
FJP	Freedom and Justice Party
MEW MDFZ	Middle East Weapons of Mass destruction Free Zone
NAM	Non-Aligned Movement
NNWS	Non Nuclear Weapons States
NPT	Nuclear Non-Proliferation Treaty
NWFZ	Nuclear Weapons Free Zone
OSCE	Organization for Security and Co-operation in Europe
WMD	Weapons of Mass Destruction
WMFZ	Weapons of Mass Destruction Free Zone Process

1. A New Uncertainty

Mutual distrust and suspicion is the gravest obstacle any cooperation on security matters faces.¹ The ‘Arab uprising’ that swept away autocracies from Tunisia to Egypt, bringing into power new governments, fundamentally changed the security structure of that region. Longstanding invariables have been lost, creating a new uncertainty about the future of the region's security architecture.² Most notably, scepticism concerning Islamist parties and policies currently affects decision-making in Israel but also the positions of major players outside the region.

Regarding arms control and regional security, all eyes are focused on transitional Egypt.³ If there are doubts about the future foreign and security policy of one of the region's most influential states and strongest advocates of a MEWMDFZ, this has an immediate effect on the regional security structure and thus on the negotiations over creating such a zone. Israel's perceptions of Egypt's current Islamist government range from open mistrust to scepticism, to put it politely⁴ – a perception that is not useful in arms control negotiations. The West has similar concerns and despite its approval of a clear shift to democracy, had grown used to Egypt being governed by a perhaps sometimes difficult but nevertheless predictable and responsible autocracy regarding WMD issues and regional security.⁵ The new Egyptian government – like any new political actor – has to face the fact that building confidence with others about its future political intentions is an important task if the policies of the other actors involved in the negotiation of an MEWMDFZ are not to be driven by misperceptions and mistrust concerning Egypt's intentions.⁶

But building confidence is a matter of reciprocity. There have to be credible signs of good will especially from Israel that are suited to convince also the society of transitional Egypt that the longstanding initiative for equal peace and security and a zone free of WMD is not only worthwhile, but also feasible. However, thus far the success of the decades-old initiatives for the creation of an NWFZ and a WMDFZ remains more than doubtful. As an ongoing stalemate might cause states in the region to conclude that turning away from arms control matters would better serve their interests, Israel and the other parties (especially the nuclear weapon states) involved in the negotiations should consider making credible concessions to the Arab states and especially to Egypt – and today, that increasingly also entails the societies of those states.

¹ Ariel Levite and Emily B. Landau, Confidence and Security Building Measures in the Middle East, in: *Journal of Strategic Studies*, 20:1, (1997), p.143-171, 144.

² Katherina Dalacoura, The 2011 Uprisings in the Arab Middle East. Political Change and Geopolitical Implications, in: *International Affairs*, 88: 1, (2012), p. 63-79.

³ E.g. Daniel Byman, Regime Change in the Middle East: Problems and Prospects, in: *Political Science Quarterly*, 127: 1, (2012), 25-46, 38f.

⁴ Dalacoura (2012), 77.

⁵ Joshua Muravchik, Neoconservatives and the Arab Spring. On the Potential Blessings and Lurking Hazards of a Much-Hoped-For Revolution, in: *Commentary* 132: 2, (2011), p.28-35.

⁶ Robert Jervis, *Perception and Misperception in International Politics*, Princeton/NJ: Princeton University Press, (1976).

2. Transition Phases, Arms Control, and the Middle East

To help evaluate possible effects of domestic changes on a country's foreign and security policy, a brief look at findings on transition phases is worthwhile. While fully institutionalized democracies are said to be reliable and trustworthy partners in international relations due to their transparent institutional design and the risk awareness and cooperativeness of their voters, the findings on states that are still in a transition phase are ambivalent. States in transition phases or partially democratized states tend to use nationalist appeals to gain widespread domestic support and may then fall prey to what has left Pandora's Box.⁷ Mistrust concerning Islamist governments is even greater. Either the democratic potential of Islamist parties, following the 'one man, one vote, one time'⁸ - prejudgment is being doubted per se (meaning that once elected, Islamist governments would pursue their agenda without heeding public opinion), evoking fears that the development might lead to the establishment of a radical authoritarian regime, or fears do exist that regional democracies will/might fall victim to aggressive public sentiments.⁹ Decades of defamation by the old autocracies that often justified their repression of opposing forces by evoking fears concerning Islamists, but also harsh statements by Islamist parties concerning Israel, the peace treaty and nuclear issues, have created strong prejudgements concerning Islamist parties.

A less pessimistic way of viewing the current domestic changes of Arab states would be also to take the more optimistic assumptions about the effects of the empowerment of civil societies serious. Where conditions (such as competent and impartial state institutions, the absence of deep intrastate divisions, and a greater degree of economic development) are more conducive and the domestic elections and reforms are carefully timed, the chances of transition without the above-mentioned negative side effects are fairly high.¹⁰ The empowerment of civil societies is even considered to have been crucial in fostering arms control efforts.¹¹ In addition, as young democracies are known trying to increase their stability by improving their international reputation,¹² democratic transition phases are also believed to even more strongly encourage a state's commitment to multilateral security agreements and international law.

⁷ E.g., Jack Snyder and Edward D. Mansfield, *Democratization and the Danger of War*, in: *International Security* 20: 1, (1995), p. 5-38; Jack Snyder and Edward D. Mansfield, *Democratic Transitions, Institutional Strengths, and War*, in: *International Organization* 56: 2, (2002), p. 297-337.

⁸ Lisa Blaydes, and James Lo, *One Man, one Vote, one Time? A Model of Democratization in the Middle East*, in: *Journal of Theoretical Politics*, (Nov. 14 2011), p. 1-37.

⁹ Stephen M. Walt, *The Good, The Bad, and the Ugly. Three Scenarios for the Middle East*, (2012), http://walt.foreignpolicy.com/posts/2012/07/20/the_good_the_bad_and_the_ugly_three_scenarios_for_the_middle_east, accessed on 16 October 2012.

¹⁰ Jack Snyder, *Elections as Milestones and Stumbling Blocks for Democratic Consolidation*, in: Friedrich Ebert Stiftung, *International Policy Analysis* (September 2010), library.fes.de/pdf-files/iez/07438.pdf, rev. 2012.10.16.

¹¹ Harald Müller and Andreas Schmidt: *The Little-Known Story of Deproliferation: Why States Give Up Nuclear Weapons Activities*, in: William C. Potter and Gaukhar Mukhathhanova, *Forecasting Nuclear Proliferation in the 21st Century. Vol. 1, The Role of Theory*, Stanford (2010), S. 124-158; cf. Robert S. Litwak, *Non-Proliferation and the Dilemmas of Regime Change*, in: *Survival* 45: 4, (2003), p. 7-32.

¹² Isabella Alcañiz, *Democratization and Multilateral Security*, in: *World Politics* 64:2, (2012), p. 341-339.

3. Opening the “Black Box”: Egypt’s Transition

To adjust the perception of the new Egyptian government and of its possible ambitions regarding foreign and security policy and its relations with Israel, a glance at the changes on the ground is at order. This makes it possible to assess potential changes in Egypt’s arms control policy and to identify what confidence-building measures could help advance relations between Egypt and other regional (and international) actors involved in the MEWMDZFZ negotiations

A first major change that might affect Egypt’s foreign policy is the ongoing empowerment of civil society. One indicator reflecting Egyptian sentiment in its relations with Israel is the stance taken within the Egyptian society towards the Egypt–Israel Peace Treaty. Polls show public opinion almost evenly divided, with a slightly stronger preference favouring the treaty. A Gallup poll survey in March 2012 showed 48 per cent of respondents in favour of the treaty (42% against)¹³ while a poll shortly before the elections in May found 46 % being in favor and 44 % against, with another 10 per cent preferring amending and thus not fundamentally calling the treaty into question.¹⁴ These survey figures by no means indicate Egypt feels overly cordial towards Israel, but instead probably show that any alternative to the last four decades of peace is seen as undesirable.

Another change is the election of the Freedom and Justice Party (FJP) that emerged from the Muslim Brotherhood (MB). For the first time, a party with an Islamist agenda critical of Israel has risen to power in Egypt. Harsh rhetoric on Israel, the peace treaty and possible changes in Egypt’s (non-) nuclear course in most cases date back to the pre-election phase of the FJP. After it assumed control of government, moderate voices in the new FJP-led government and within the heterogeneous MB¹⁵ have turned to a formula that already appeared in the FJP’s campaign platform and that lies somewhere between the full acceptance of international (treaty) obligations and an acceptance of obligations that (“finally”) would have to be brought in line – and, therefore, have to be amended – with the will of the Egyptian people.¹⁶ Even the call for amendments, as was also true of the party platform in the election, obviously mostly aims to re-negotiate how Egypt sells oil and natural gas to Israel or the agreed levels of troop deployments once again permitted in the Sinai for fighting insurgents.¹⁷ So far, these demands do not affect the peace treaty in its substance and are even less of an indication of wishes to end peace with Israel.

If the “one man, one vote, one time” bias against Islamist parties is not to be invoked, it remains to be seen if and how the FJP government will live up to its pledge to respond to the will of all the people. The level of institutional change in Egypt is quite advanced and in many respects has been carefully and cautiously implemented. But the process is not over and the new government and its institutions are far away from being uncontested: It will still be a difficult task to transform the new forms of activism in Egypt into solid checks and balances

¹⁴ <http://www.brookings.edu/events/2012/05/21-egypt-election>, rev. 2012/09/08.

¹⁵ Ashraf El Sherif, *Islamism After the Arab Spring*, in: *Current History* 110: 740, (2011), p. 358-363.

¹⁶ Cf. <http://www.fjponline.com/uploads/FJPprogram.pdf>, 35.

¹⁷ E.g. <http://www.thenational.ae/news/world/middle-east/israel-nervous-as-landmark-peace-treaty-with-egypt-comes-under-pressure>; <http://www.bbc.co.uk/news/world-middle-east-19694892>; <http://www.timesofisrael.com/will-egypt-cancel-peace-treaty-with-israel-a-former-envoy-thinks-it-might-but-most-experts-disagree/>.
<http://www.jpost.com/MiddleEast/Article.aspx?id=282434>, rev. 2012.10.24.

on authority.¹⁸ In any case, the transition will need additional time. But even if democratization took shape in an ideal manner, this does not mean that it will lead to (continued) pro-activism in (nuclear) arms control and disarmament, nor would it determine restraint when it come to WMD. Half of the current nuclear weapons possessors are democracies. Only given incentives favouring nuclear restraint, disarmament and non-proliferation efforts, successful societal empowerment can have a positive effect on a country's arms control policy.

Thus, how exactly the will of the people, the policy of the FJP-led government, and the transitional process in Egypt will develop depends on several other factors. As in the case of any opposition party that assumes governmental responsibility, the new political forces in Egypt will have to accommodate to political necessities and to adopt some kind of *realpolitik*. To face the urgent domestic challenges, it seems that there are not many alternatives for the new Egyptian government other than to follow what have become key basic elements of Egypt's policy ever since Anwar As-Sadat. When Sadat embarked on his peace initiative in the 1970s and chose an arms control approach vis-à-vis Israel he was not motivated by any affection towards Israel.¹⁹ It was because Nasser's pan-Arab policy, economic isolationism and nationalization had led to decades of regional instability and to a series of disastrous wars that had ruined the Egyptian economy.²⁰ Without any serious military option vis-à-vis Israel and faced with the standoff pan-Arab foreign policy had produced, Sadat felt it was time for a fundamental political re-orientation. Within the framework of his *infitah* (openness) – policy, he guided Egypt away from pan-Arab goals and costly regional conflicts, and pointed the country towards new Western partners.²¹ The aim was to face the economic challenges that lay ahead, and peace with Israel was *the* necessary precondition to make that strategy work.²² An arms control approach was seen as the best way to foster mutual confidence (in Egypt–US relations especially) while also encouraging economic cooperation.²³ Sadat's rethinking of his country's security dilemma prior to 1974 resulted in a novel way to oppose Israel's nuclear capabilities and restore credibility lost among Arab states by signing the peace treaty.

Compared to the present, the challenges the Egyptian government now has to address are not that different. The same holds true for the incentives to abide by the peace treaty and Egypt's longstanding diplomatic tradition: Egypt's economy is severely weakened and dependent on the international economic and, thus, normative sphere, on international cooperation, especially on tourism, and therefore probably even more vulnerable to (regional) instability than it was during the time of *infitah*. Financial support Egypt and especially the Egyptian Armed Forces have received from the US annually since 1985 also factors in here, a large amount of financial assistance that is directly dependent on stable relations with Israel.

¹⁸ Ashraf El Sherif, Islamism After the Arab Spring, in: *Current History* 110: 740, (2011), p.358-363, 361; Katherina Dalacoura, The 2011 Uprisings in the Arab Middle East: Political Change and Geopolitical Implications, in: *International Affairs* 88: 1, (2012), p. 63-79.

¹⁹ Maria Rost-Rublee, *Nonproliferation Norms. Why States Choose Nuclear Restraint*, Athens/GA: The University of Georgia Press, (2009), p. 117.

²⁰ Etel Solingen, *Nuclear Logics. Contrasting Paths in East Asia and the Middle East*, Princeton/NJ: Princeton University Press, (2007),p. 239.

²¹ Gawdat Bahgat, The Proliferation of Weapons of Mass Destruction: Egypt, in: *Arab Studies Quarterly* 29:2, (2007), p. 1-15.

²² Jason Brownlee, Peace Before Freedom. Diplomacy and Repression in Sadat ' s Egypt, in: *Political Science Quarterly* 126: 4, (2011), 648ff.

²³ Etel Solingen, Middle East Denuclearization? Lessons from Latin America's Southern Cone, in: *Review of International Studies* 27: 3, (2001), 375-394.

If the top priority of the new Egyptian government is to gain control of the economy, fight poverty, unemployment and other social maladies it actually cannot *afford* fundamental political changes.²⁴

But there are more than merely “rational” incentives for Egypt to remain faithful to its diplomatic legacy. For decades, Egypt has been nurturing its delicate diplomatic position as a regional partner to the United States alongside Israel, as an “Arab leader”²⁵ and strong NAM-country, which has made Egypt a diplomatic heavyweight enjoying widespread international respect. It even succeeded in framing its diplomatic approach towards Israel as a regionally accepted way to address the Arab state’s old rival, enabling it to act as a mediator and to benefit in many ways from its unique relationship with Israel.²⁶ A political identity such as this that is turned into various types of hard and soft power not only creates a strong rational, but also an ideational commitment to a political tradition. Although it remains to be seen whether the new government shares this self-perception, major elements among Egypt’s administrative officials, especially in the Foreign Service and the military corps, have been socialized in this manner. So while the breakup of authoritarian regimes is often assumed to threaten “powerful interests, including military bureaucracies and economic actors”,²⁷ in Egypt it is these forces that benefit most from a continuation of the (peaceful) arms control policy stance that has been favoured now for decades.

4. Confidence Building Measures and New Opportunities

In summary, there are many arguments in favour of the assumption that Egypt will continue its diplomatic tradition, making many bleak predictions appear exaggerated. However, the domestic changes in Egypt still require CBMs from both the Egyptian and Israeli governments, as well as from the international community, in order to foster progress in creating a MEWMDFZ.

4.1 Nuclear Concessions: Fostering Confidence in the Benefits of Multilateral Arms Control

If arms control efforts are not to lose their credibility and arms control arrangements (in this case especially of the NPT), thus, their cohesion, confidence in the benefits of multilateral arms control arrangements must be rebuilt. First, it is paramount to increase confidence among regional states in the willingness of the international community (of the NWS especially) to keep their promises when it comes to the benefits for NNWS within the ‘nuclear bargain’: nuclear disarmament, cooperation in the peaceful use of nuclear energy, and progress in the process for achieving a MEWMDFZ in particular. There is an urgent need for Israel to convincingly demonstrate good will and make concessions in negotiations over the nuclear issue. Gaining the confidence of the regional states may be harder now as broader

²⁴ Daniel Byman, Regime Change in the Middle East. Problems and Prospects, in: *Political Science Quarterly* 127: 1, (2012), p. 25-46, 126.

²⁵ Emily B. Landau, *Arms Control in the Middle East. Cooperative Security Dialogue and Regional Constraints*, Brighton (u.a.): Sussex Academic Press, (2006).

²⁶ *Ibid.*, 115.

²⁷ E.g. Jack Snyder and Edward D. Mansfield, Democratic Transitions, Institutional Strengths, and War, in: *International Organization* 56: 2, (2002), p. 297-337, 299.

elements of the respective societies have to be convinced. But considering the fact that the nuclear status quo nowadays is even less a given than it was in recent decades because new (especially Arab) governments are more responsive to pressure within their societies, Israel should consider to make political concessions – at least if it does not want to risk finding itself surrounded by several other nuclear weapons possessors in a few decades. As Nabil Fahmy puts it,

*“the best regional and international approach to deal with these new and transformative circumstances should be the embrace of an unwavering commitment to the application of the rule of law, as well as the application of regional and international norms and standards by all states, without prejudice or exception. This is of particular importance in the areas of conflict resolution, arms control, and disarmament. Open, vibrant societies striving for domestic equality will also ultimately take serious issue with political double standards and regional asymmetries, even if their preference will be to redress them through peaceful, diplomatic means.”*²⁸

4.1 Addressing Israel’s Security Needs

Egyptian politicians on the other hand should avoid leaving the impression that they could “attempt to use rivalry abroad to strengthen their shaky position at home”.²⁹ Harsh rhetoric or even threatening to make a change its non-nuclear course may have been a part of Egypt’s diplomatic toolbox against Israel for decades and may have done no harm because of stable Egypt–Israel relations never having really been questioned. In the uncertain situation today, any sign that Egypt’s government might want to alter the delicate balance of the public mood concerning Israel or the broader regional security structure would be counter-productive as that would further undermine mutual trust which is a necessary precondition for progress in arms control negotiations. Likewise, when Israel gave up the Sinai in exchange for Egypt’s signature of the peace treaty, it gave strategic depth in exchange for a legalized promise. Strong language undermining Israel’s trust in compliance behaviour within the region should be avoided if Israel is ever to make similar commitments again. If Egyptian leaders are really committed to the establishment of such a zone, not questioning the peace treaty in substance or Egypt’s stance as a NNWS but convincing the Egyptians that Egypt’s longstanding diplomatic approach is reasonable, would be a sound political strategy.

But Egypt’s new government might also have a window of opportunity to boost the country’s decades-long initiative for a NWFZ and MEW MDFZ. If ‘only Nixon could go to China’, meaning that particularly strong opponents with incontestable good standing in their domestic arenas can take steps towards peace: why should there not also be opportunities in the domestic changes currently unfolding in Egypt? The Egyptian government does not have to polarize its society in order to gain more legitimacy than any of its predecessors. What is more, it could always make the point that the will of its electorate demands equal peace and security, and perhaps even prestige. The current Egyptian government can afford both: to spearhead a responsible domestic discourse about regional security issues and, given that the FJP is hardly suspected of being an Israeli ‘proxy’, to abandon (futile) bargaining strategies

²⁸ http://wmdjunction.com/120614_arab_awakening.htm.

²⁹ Jack Snyder and Edward D. Mansfield, Democratic Transitions, Institutional Strengths, and War, in: International Organization 56: 2, (2002), 297-337, 303.

like linking nearly all regional political issues to the nuclear dispute, and to choose new, perhaps cooperative ways to address the idea of a WMDFZ.

4.2 Rediscovering Common Aims: Disentangling Non-nuclear Security and WMD Issues

Among tangible interests that are at odds with arms control efforts on both sides, the discussion which should come first – Israel's accession to the NPT as a NNWS or broad regional security guarantees for Israel – has been the ultimate obstacle for arms control efforts in the Middle East over the past few decades.³⁰ Both are matters of security, but the mutually exclusive positions on what sequence must come first has cost the parties their shared goal³¹ and become 'a recipe for doing nothing'.³²

But if the nuclear issue were excluded for a second, several common security interests would form a starting point for embarking on confidence-building measures – such as combating the proliferation of WMD but also of conventional weapons (especially to non-state actors), as well as counter-terrorism. The recent instability in the Sinai is probably the best proof of the common aims Israel and Egypt share, and virtually no one wants to see a proliferation of chemical weapons in case of a collapse of Assad's government in Syria.

The momentum of common goals that are necessary if CBMs are to work is being reduced to a minimum due to a linkage policy tying other WMD issues and efforts to increase regional security directly to the nuclear dispute. With Egypt in particular, decades of a policy intent on applying all means as leverage to induce Israel to make concessions have led to a kind of 'discursive enmeshment'³³ that is hard to break – although the linkage policy has not really fostered the creation of a MEWMDFZ so far. But discursive enmeshments are actor-bound. A new Egyptian government with its unequivocal stance towards Israel could decide to separate broader security issues from the nuclear dispute and engage in bilateral and – if Egypt were once again to 'lead' the Arab states – even multilateral consultations on issues of common interest. Institutionalization might evolve later: establishing institutions such as the ASEAN Regional Forum or the OSCE in the Middle East is hardly a new idea. That, indeed, would be a confidence-building measure that also addressed Israeli needs and could spill over to WMD arms control. But it would presuppose the willingness of the Arab states to separate several security questions from the nuclear issue. At the very same time, this would call for major concessions by Israel which credibly demonstrate of its willingness to bring its nuclear capabilities to the negotiating table, perhaps in terms of some kind of a step-by-step roadmap.

³⁰ Harald Müller and Claudia Baumgart, A Nuclear Weapons-Free Zone in the Middle East: A Pie in the Sky?, in: *The Washington Quarterly* 28, (2004), p. 45-58, 49.

³¹ Ariel Levite and Emily B.Landau, Confidence and Security Building Measures in the Middle East, in: *Journal of Strategic Studies* 20:1, (1997), p. 143-171, 144.

³² Rebecca Johnson, Back from the Brink? The 2007 NPT PrepCom Report, in: *Disarmament Diplomacy* 85, (2007).

³³ E.g. Andrew Hurrell, Norms and ethics in International Relations, in: Walter Carlsnaes/Thomas Risse/Beth A. Simmons (Eds.), *Handbook of International Relations*, (2002), p.137-154, 145.

5 Conclusion: At a Crossroads

The new Egyptian government, if it wants to foster the process of creating a MEWMDFZ, should promote CBMs in order to signal its good intentions to partners in the WMFZ process. But the 'older' actors, be they regional or international, also need to convince not only the Egyptian government but also the rest of the regional NNWS parties to the NPT of their serious interest in changing the status quo of imbalance in regional and international nuclear capabilities. Otherwise, the whole process of creating a MEWMDFZ will not develop any further than it has in the past. Bilateral and multilateral cooperation on issues of mutual concern – cooperation that probably would not be able to broach the most sensitive issues of the conflict at first – would be a next positive step towards more reciprocal confidence. A spillover first to CBW, later perhaps to a MEWMDFZ, would be more likely if all parties, but Egypt in particular, were willing to begin with moderate issues and not with the most intractable one.

If both sides were to carry on with their policies as they have done over the past four decades, this will ensure that nothing will change. But, as everyone should know from experience by now, it is (probably) a well-considered choice to start down the road towards establishing a WMDFZ – or not.