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FREEDOM OF EXPRESSION IN EGYPT POST 2011 UPRISINGS:

REPRESSION, SURVEILLANCE AND POLITICAL PRISONERS

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Abstract

In 2013, Abdel-Fatah Al-Sisi became the president of Egypt by military control. Since then, thousands of Egyptians have been detained for holding political and intellectual beliefs. Devastating humanitarian effects resulted from this approach. Anti-state sentiments are boosted, radicalization is encouraged, and the growth of the nation's economy and civil society is impeded. Restricting free speech in order to mask a regime's corruption does not result in the creation of a stable state; rather, this combination of variables results in a state that is intended to be unstable and chaotic. In order to maintain his hold on power, president Al-Sisi restricted the freedoms of speech and information dissemination, suppressing any resistance, in the name of anti-terrorism. He criminalized human rights defenders, scholars, journalists, activists and any voice against the state. In this thesis I seek to prove the systematic and massive repression in Egypt after the uprisings, looking at the 2011 uprising as a key historical event that made this repressing possible. I seek to prove the violation of freedom of expression as a fundamental human right by the Egyptian state using counter terrorism as a mask and advanced technological surveillance tools.

Key words: Free Speech, Repression, Surveillance, Political Prisoners, authoritarianism

En 2013, Abdel-Fatah Al-Sisi est devenu le président de l'Egypte par un coup d'état militaire. Depuis lors, des milliers d'Égyptiens ont été détenus pour leurs opinions politiques et intellectuelles. Cette approche a eu des effets humanitaires dévastateurs. Les sentiments antiétatiques sont stimulés, la radicalisation est encouragée et la croissance de l'économie et de la société civile du pays est entravée. Restreindre la liberté d'expression afin de masquer la corruption d'un régime n'entraîne pas la création d'un état stable; au contraire, cette combinaison de variables aboutit à un état censé être instable et chaotique.
Afin de maintenir son emprise sur le pouvoir, le président Al-Sissi a restreint les libertés d'expression et de diffusion de l'information, oppressant toute résistance, au nom de l'antiterrorisme. Il a criminalisé les défenseurs des droits de l'Homme, les universitaires, les journalistes, les militants et toute voix contre l'État. Dans cette mémoire, je cherche à prouver la répression systématique et massive en Egypte après les révoltes de 2011, en considérant les manifestations comme un événement historique clé qui a rendu cette répression possible. Je cherche à prouver la violation de la liberté d'expression en tant que droit essentiel de l'Homme par le président Al-Sisi en utilisant des outils de contre-terrorisme et de surveillance technologique avancée.

Mots clés : Liberté d'expression, Répression, Surveillance, Prisonniers politiques, autoritarisme

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Dedication

To every free mind fighting for freedom and justice.

To Patrick Zaki, to Alaa Abdel Fattah, to Sara Hegazi.

To my parents Daad and Hussein, to my siblings Mohamad and Yara thank you for your constant love and support.

Table of Content

Introduction:

In 2022, thousands of individuals are spending years in prison for expression their opinion. Freedom of expression is a fundamental Human right, essential for human dignity. This right is rooted in ancient history and it is essential to the pursuit of knowledge and justice. Numerous international instruments such as article 19 of the Universal Declaration of Human Rights guaranteed the right of freedom of expression and yet around the world human lives are at risk for speaking up.

The digital era brought a thorough transformation in how we live as people. The internet and social media platforms play a significant role in our daily lives as instruments for communication and expression. Guaranteeing the right of Freedom of expression in the digital age is a challenge for states around the world. Authoritarian governments constantly try to stifle political and social movements in the digital era by either completely shutting down the Internet or only allowing limited access to it. Additionally, it has been discovered that the surveillance and monitoring of online activity is how the freedom of expression on the Internet is constrained. Big technology companies imposed a new set of laws and restrictions on governments. Freedom of speech, access to information and dissemination are tools for democracy and justice. The advancement of technology was revolutionary, at the same time, surveillance and monitoring tools created by big telecommunications companies are purchased by authoritarian states to monitor citizens.

The world worst records in violating freedom of expression are in the Middle East and North Africa. The rule of law failed to protect Human rights in the region. Moreover, wars, foreign involvement, and instability have since rendered it an exceedingly dangerous environment for journalists, civil society, and human rights defenders, prompting millions to flee in search of safety. According to OECD, Middle East and North Africa (MENA) is a varied region with the potential for stronger and faster growth despite being impacted by economic and political changes. A favorable geographic location with access to sizable markets, a young population that is getting more education, and competitive advantages in a number of

industries, including manufacturing, renewable energy, and tourism, are all other advantages that the region enjoys. There's indirect collaboration between technology companies and authoritarian governments to oppress and captivate individuals that was revealed by the work of investigative journalists and non-governmental organizations working in the field of digital technology and Human Rights. The responsibility is not only on the repressive states but also on the international community and states supporting the governments in authoritarian regimes.

The Arab uprisings produced undeniable changes. Movements during the 2011 Arab Spring inspired hope for advancements. But as war and violence damaged infrastructure and significantly regressed development indicators across Yemen, Syria, Libya, and Iraq, repressive governments in Saudi Arabia, Iran, Egypt, and Bahrain have stepped up their anti-human rights policies, frequently in the pretext of national security. The rise in political incarcerations is brought on by the Middle East's rising authoritarian regimes. Repression has increased after many of the Arab Spring revolutions, as governments have tried to stifle most forms of political speech for fear that small breaches could someday widen and irreparably undermine the precarious structures of power and privilege already in existence. One negative outcome, among others, has been a rise in the number of people imprisoned for political activism, dissent, or even minor criticism of the government.

In this atmosphere, a generation of young people, activists, members of civil society, defenders of human rights, writers, bloggers, are at risk. They are increasingly being detained, imprisoned, tortured, and even executed as authorities tighten their control. In Egypt, post uprisings is a different era, the fall of the former dictator Hosni Moubarak was followed by the rule of the Muslim brotherhood president who was removed by a coup d'état lead by General Al Sisi. The change that was promised and waited for after the uprisings didn't happen. On the contrary, with the president Al-Sisi the wave of oppression and dictatorship contained and the promises of Human Rights strategies were replaced by surveillance, building of secure prison, restricting freedoms through unjust media laws and limiting the work of civil rights organizations.

The young generation in Egypt and different countries in the Arab World played a major role during the uprisings, and human rights violations increased after the uprisings, moreover

international Human Rights organizations, the United Nations office of High commissioner and Human Rights defenders around the world expressed deep concerns for the violations in Egypt.

The aim of the research is to prove that the freedom in expression in Egypt is continuously violated after 2011 uprisings more specifically with the rule of Al Sisi. The state is abusing anti-terrorism claims to arbitrary detain citizens living inside or outside the country. The state is abusing the law to put restrictions on freedom of expression and access to information. The state is hiding behind false claims and strategies that are supposedly present to protect rights but are doing the exact opposite.

Chapter One

Middle East and North Africa region post 2011 uprisings

1. Introduction

Eleven years after the 2011 Middle East and North Africa uprisings, we are still living the aftermath of this so called "Arab Spring". These uprisings have produced undeniable political changes. More significantly, the dynamic of the relationship between the citizen and the state has changed. During the uprisings, citizens were actively engaged in the political discourse reoccupying abandoned and secure public spheres from Syria to Morocco. In 2011, the historical events and protests started with people protesting simultaneously in several squares across multiple countries. People shared euphoric moments of freedom, courage and joy. The uprisings did not end in 2011, many countries witnessed similar movements years after, such as Sudan[1] in 2018 and Lebanon[2] in 2019. The Post uprisings is a different era, the level of individual insecurity, oppression and human rights violations augmented in many countries not to mention the brutal war in Syria. The uprisings had a contradictory effect: "Authoritarianism and economic hardship have rebounded at even higher levels of political tyranny and economic disparity" (Ahmed Abd Rabou 2017) .

The first chapter is seeking to look at the uprisings from the analysis of many scholars and try to understand how this historical uprisings impacted the MENA region leading to the rise of state oppression, particularly in Egypt. Marc Lynch and Curtis R. Ryan defined the uprisings in their article, The Arab Uprisings and international relations theory, as: "A series of loosely related national stories, happening simultaneously but successes and failures of

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[1] Protests in Sudan started on December 2018 in one city north of Khartoum the capital and rapidly the manifestations moved to different cities. People were repeating chants from the 2011 uprisings like *"the people want the fall of the regime."* https://studies.aljazeera.net/en/reports/new-arab-uprisings-how-2019-trajectory-differs-2011-legacy-part-2

[2] On October 17 2019, people in Lebanon gathered Beirut's martyr square in the capital Beirut asking for the fall of political, economic corrupt system. https://www.amnesty.org/en/latest/news/2021/10/lebanons-october-2019-protests-werent-just-about-the-whatsapp-tax/

which were essentially determined by internal factors" (Lynch and Ryan 2017). The uprisings were a series of large manifestations happening in succession or simultaneously. The highly secured and banned from the general public squares were liberated. People gathered in the capital cities and regions across the countries. The scenes are unforgettable, perfectly imprinted in the minds of young and old people in the MENA region, whether they were glued to their television screens or protesting in the streets, it is part of the Arab collective memory, a turning point that deconstructed many notions and concepts that needed to be analyzed. A fundamental point is the Arab new sense of unity and identity, trying to find a common ground, a cause, a voice, or a force to be united. The uprisings were not only acts of revolution against authoritative regimes but also an act of decolonization of what an Arab is, and what is the Arab world. Beyond all the western definitions and attributions and hand drawn maps and divisions of these countries. Without the need to define this world and put it in contrast to anything, or in opposition to made up meanings and analysis. These uprisings gave the people of the countries, a chance to rewrite and tell their stories.

2. Arab State formation and the Arab Spring

The foundations of Arab State book first published in 1987 and edited by the historian Ghassan Salame, offer a good reference and a detailed scientific research on the "convincing history of the moment, the ways, and the meanings of the birth of most of the Arab States" (Salame 1987).

In the introduction of the book, Salame posed a problematic answered in the book by different authors: "To what extent were these Arab states (the twenty-two members of the Arab League, including the Palestine Liberation Organisation (PLO), a non-territorial state apparatus) created by a foreign, alien, hostile will?" (Salame 1987) .

The book tried to analyze if the Arab states are western creations, and deconstruct why these countries are perceived as foreign creations, even if they are not foreign creations there's an engraved idea that they are and it was a question posed for academics to answer.

In the first part of the book, two authors Korany and Harik discussed the formation of the Arab States. Korany was close to the point of view of Arab Nationalists claiming the

formation of the states by colonial powers, he said: "external factors predominated in the territorial definition of Arab states" (Salame 1987). While Harik thought that Arab states are not just old societies but in fact old states, and does not attribute the creation of the states to the colonial powers, he said "colonialism affected the boundaries of Arab states, but it did not, with the exception of the Fertile Crescent cases, create them" (Salame 1987). This book dates back to 1987, and a lot of historical events and uprisings happened in the Middle East and North African area before the 2011 "Arab Spring". A few notable events from 1987 until 2011: the second Palestinian intifada[3] in 1987[4], Taif Accord[5] ends 25 years Lebanese civil war in 1990, the gulf war, the American Invasion of Iraq, etc. The debate on the formation of the states extended to another debate nowadays on the independence of these states from foreign control of internal political affairs. Reflecting back on the history and the series of events and decisions made by Arab leaders of this area helps in analyzing the broader picture of the region and the never-ending repression wave.

The book represents a good reference for an everlasting debate around the formation of Arab States which affected on the analysis of the uprisings and the state systems post Arab Spring. The problematic posed by Salame and answered by different scholars is a necessary start and an introduction to issues related to the Middle East and North Africa region. Historians like Salame are constantly deconstructing ideas about the Middle East whether by reflecting on the history of the area or by correcting the narrative dominated in the west.

3. Arab consciousness

3.1. New Arab consciousness and post-colonialism

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[3] Intifada means Uprising in Arabic more accurately it is the gesture of shaking something off. As Edward Said mentioned in his article Intifada and Independence, Intifada is "the only Arabic word to enter the vocabulary of the twentieth-century world politics"

[4] The First Intifada was a large series of Palestinian demonstrations, demonstrators throw stones at Israeli troops in the Occupied Territories. The Israeli military responds with rubber bullets and live ammunition. Curfews, arrests and deportations are imposed on Palestinians. More than 20,000 people, Israelis and Palestinians, were killed or injured from 1987 until 1993.
https://www.pbs.org/wgbh/globalconnections/mideast/timeline/text/time5.html

[5] According to UN peacemaking: Taif agreement or national reconciliation accord was signed in Saudi Arabia, the accords divided the power equally divided between the Muslims and Christians. And mentioned an agreement between Lebanese and Syrian forces for the withdrawal of Israeli forces in the south of Lebanon along with the disarmament of all Lebanese militias. https://peacemaker.un.org/lebanon-taifaccords89

In the book *Arab Spring: Modernity, Identity, and Change*, Dalia Fahmy and Eid Mohamed reflect on the rapid change in the political ideologies in the Arab countries post-colonies. They argue that the Arab states had to accept ideologies that conformed to the dominant world powers like liberalism, communism or socialism (Mohamed and Fahmy 2019). Fahmy and Eid relied on Hamid Dabashi[6]'s theory of the Arab consciousness explained in his book: *the Arab spring the end of post colonialism.* Dabashi tried to emphasize on the transformation of the Arab consciousness and the detachment of this consciousness from the ideologies fixated by colonial powers (Dabashi 2012) .This consciousness required the existence of new definitions beyond the pure binary meanings which are represented by the illusion of the East and the West. Dalia Fahmy explained: "The world of sheer binarism that marks the condition of postcoloniality" (Mohamed and Fahmy 2019). This is a critique of postcolonial optimism[7], as postcolonial condition by itself is creating definitions stuck between conditions of before and after. The critique of the postcolonial notion comes from many postcolonial scholars themselves[8] , the main argument in this subject would be the supposition that colonialism is over. As Dalia said: "*the false dawn of liberation from European colonialism and the decline of the Ottoman Empire, and its ideological formations and structures of domination*" (Mohamed and Fahmy 2019). Another criticism of postcolonialism theorists is the ignorance of the Middle East as geographical area.[9] Hamid is showing a new argument deconstructing all pre-conceived notion constructed with colonialism and the East vs West or postcolonialism with neglecting the Middle East as an area. He's giving the Arab Spring a needed historical role to put back this area of the world on the map of political willingness and ability to drive change.

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[6] Hamid Dabashi is the Hagop Kevorkian Professor of Iranian Studies and Comparative Literature at Columbia University in New York http://hamiddabashi.com/biography/

[7] Postcolonialism is the historical period or state that represents the aftermath of western colonialism.

[8] Many scholars showed an objection to the concept of *postcolonial*, using the argument that colonialism continued in different forms giving the example of the United States invasion of Iraq.
Read more about this subject in the book of Neil Lazarus, *The Postcolonial Unconscious*.
https://journals.openedition.org/ces/5975

[9] Read more in the book: the Edinburgh Companion to the Postcolonial Middle East by Anna Ball and Karim Mattar https://edinburghuniversitypress.com/book-the-edinburgh-companion-to-the-postcolonial-middle-east.html

3.2. Nationalism and the new Arab consciousness

Dabashi argues that during these uprisings and with this new Arab consciousness, national boundaries disappeared and new transnational connections appeared. This idea is connected to the political scientist Benedict Anderson's argument on nationalism. In his book, *imagined communities Reflections on the Origin and Spread of Nationalism,* Anderson emphasized on the fact that there's no scientific definition of a nation, he defined a nation as: "an imagined political community - and imagined as both inherently limited and sovereign" (Anderson 1983).

Anderson claims that the idea of a nation is fictional, at the same time limited. When Dabashi mentions the Arab consciousness that was created during the Arab Spring he is agreeing with this flexibility of the idea of a nation suggested by Anderson. A new political community is born and identified through a series of uprisings against authoritative regimes. This sense of unity and collectivity redefined the "Arab nation" in opposition to western conceptions and imposed ideologies. The anthropologist Partha Chatterjee in his book *the nation and its fragment colonial and post- colonial histories* completely opposed Anderson theory's on nationalism, although Dabashi's idea of the new Arab consciousness intersected with the flexibility in the imagined community suggested by Anderson. Chatterjee rejects Anderson's theory emphasizing on the concept of "Anticolonial nationalism", he refused the idea of imagined communities, saying that we cannot ignore the results of creative nationalist imagination against models of modern societies spread by the west in Asia and Africa (Chatterjee 1993). Dabashi suggests that the Arab Spring is the end of post colonialism, he is rejecting a fixed imagined Arab identity set by old colonial rules. Dabashi calls the uprisings "transnational revolutionary uprisings" (Dabashi 2012) . At the same time, he argues that all ideologies, even "anticolonial nationalism" were invented to be against a western modernity. Dabashi does not agree with Chatterjee on the importance of anticolonial nationalism and he's more leaned towards Anderson's idea of the nation as an imaged community adding to it the western influence and an imagination of "the Middle east", Dabashi says: "We must begin re-imagining the moral map of 'the Middle East,' first by discarding that very nasty colonial concoction that has cast the fate of millions to the middle

of some colonial officer's imagined East" (Dabashi 2012). What Hamid is suggesting is influenced by the work of Edward Said[10]. The point of orientalism was to highlight the western representations of the so called "East" put in opposition to everything modern and western. He showed how westerns produced work in art or literature and portrayed the "East" as inferior. As Said defines orientalism: "Orientalism is a Western style for dominating, restructuring, and having authority over the Orient" (Said 1978). According to Said what we know about "the East" is defined by western cultures and experiences. Using this definition and going back to Hamid's argument, the Middle East as an area is viewed as something motionless, and the same time unable to speak or write about itself. The uprisings by their rapid nature and fast spread showed the sense of motion and took back the agency in defining what this "Eastern" world wants and how it is defined geographically, culturally, politically and socially. When Hamid focused on the end of post-colonialism, and breaking the binary definitions and notions, he linked the binary definitions with Said's theory on orientalism saying that the national and transnational uprisings, helped in *"the discovery of a new worldliness"* (Dabashi 2012), and opened the possibility for limiting the consideration of the west as a global empire.

3.3. Critics of the New Arab consciousness post-Arab spring

Despite their clear reference to Hamid's theory, Eid and Fahmy found it extremely optimistic, especially when he claims the end of post colonialism as a movement or academic framework. In their collection of articles, they try to the understand the origin of post-colonialism, in particular *"The notion of the 'régime du savoir,' a construct utterly steeped in modernity and the nation-state system—through critical engagement with the Arab Spring and the consequent rise of political Islam"* (Mohamed and Fahmy 2019). The scholar Ahmed Abd Rabou conducted an extended analysis on the notion of democracy in academic writings of Middle Eastern studies. The aim of the study was to understand the Middle

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[10] A Palestinian academic who wrote the famous book called *Orientalism* in 1978.

Eastern studies point of view on Arab democracy and how this view changed throughout three main periods: "prior to 2011, between 2011 and 2013, and after 2013" (Ahmed Abd Rabou 2017).

According to the data analysis done by Abd Rabou, between 2011 and 2013, 55.2% of the academic studies focused on the issue of democracy in the Middle East. This growing interested in the Middle East studies in academia goes back to the question of the discourse spread around this area by foreign scholars. There's no denial that the Arab Spring and its aftermath impacted on the way academia treated the subject in this area. The Middle East gained more attention and in particular the notion of democracy inside the region was being research and studied academically. It is one the victories counted for the uprisings, shifting the direction and attention to the dynamics in the region and making them subjects of research. It is not just necessary to talk about the new Arab conciseness that will impose a discourse that Hamid in emphasizing on but the way the geographical area is observed in academia, in media, art, literature. The uprisings could have created moments of consciousness but the academic movement was measurable and prominent.

Another opposing position to Hamid's theory on the Arab spring as the end post-colonialism is the article *"Neo-Orientalism and the e-Revolutionary: Self-Representation and the Post-Arab Spring"* by the political historian Mohammad-Mahmoud Ould Mohamedou, he examined the ways the period post-Arab spring manifested neo-orientalism, he does not deny the role of the new actors, in particular the Arab youth or how he called them in the article "e-revolutionaries", but he argued that their role was not critically examined after the uprisings. He emphasized on this critical deep analysis concerning youth-led manifestations that ran a political transformation. At the same time, he focused on the examination of the historical significance of the fall of authoritative regimes in the Middle East and North Africa region, from the point of "representation and self-representation" (Mohamedou 2015). Mohamedou and Hamid's theory meet at the starting point. Both researchers agree on the idea that the Arab spring produced an undeniable shift in power dynamics and created a new discourse. Hamid's point of view is more optimistic, giving the revolutionaries a powerful impact by saying: *"Liberation movements that are no longer trapped within postcolonial*

terms of engagement and are thus able to navigate uncharted revolutionary territories" (Dabashi 2012) .Whereas Mohamedou suggested the appearance of some forms of neo-orientalism with the "e-revolutionaries". He specified three main methods of this neo-orientalism. First, from the representation of the Arab case as "exceptional". Second, the e-revolutionaries targeted the "West" with their political messages making the local political actors degraded to an inferior level. Lastly, *"Through the demonstration of at times intolerant politics, in the name of tolerance, a choice which set the stage for the return of some of the fallen regimes"* (Mohamedou 2015).

All of these theories on the "Arab Spring" and its impact are crucial to understand the post-Arab spring insecurity. According to Fahmy and Eid, the uprisings transformed the Middle East and North African region, not only through the new colonial free ideologies as explained by Hamid Dabashi but also reshaped the role of civil societies and religious institutions. The concept of building a state post Arab spring is related to the changed function of the religion as an ideology.

4. Human bodies in the revolutions

4.1. Bouazizi Tunisia

The uprising started in Sidi Bouzid, a city in Tunisia when the street vendor Mohamad Bouazizi set himself on fire. The act itself was the catalyst of a series of manifestations across the whole country. Bouazizi's self-immolation existed in a specific time frame and physical space, but he managed to create a symbolic act perhaps unintentionally and out of desperation and lack of hope. Marwan Kraidy[11], introduced the idea of human bodies as a medium, he mentioned examples from different countries such as Egypt and Syria. "To consider human bodies as instruments of political contestation. Young, human bodies figured prominently in Arab uprisings themselves and in the battle of representation surrounding the rebellions in Tunisia, Egypt, Syria and others" (Kraidy,2012).

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[11] Expert in global communication and specialist in Arab media and politics, Book to read: *Naked Blogger of Cairo, Creative Insurgency in the Arab World.*
https://www.hup.harvard.edu/catalog.php?isbn=9780674980051

Young men and women who were once just regular people became symbols of the uprisings and revolution icons. Bouazizi managed to be the spark of the uprising in Tunisia. This phenomena was repeated in other countries as well. In Egypt, the police tortured Khaled Said and the abuse was captured on video which later on lead to the start of an initiative against the brutality of the authoritative regime (Human Rights Watch 2010). As much as the revolution in Egypt was thought to be initiated by the internet and social media activists, the human body itself played a central role in igniting the anger and manifestations.

Bouazizi's act was a protest against the confiscating of his cart which he used to sell vegetables. He was a 27 years old street vendor, coming from a low socio-economic class. He was working to provide for his family and his act was out of desperation, not an intentional act to start an uprising. As the political scientist, Imad Salamey, in his article *Post-Arab Spring: changes and challenges* explains: "The story of Bouazizi enraged the largely educated and unemployed or underemployed youth throughout much of the Middle East and North Africa" (Salamey 2015).

Furthermore, In Egypt Khaled Said was killed by the police, his death was filmed and the footages were spread. A Facebook page was created called "we are all Khaled Said." This page attracted thousands of people online and called to the participation in the big manifestations against the government on the 25 of January 2011" (BBC News 2014). The 18 years old Syrian girl, Zaynab al-Hosni was found dead at a military hospital in Homs, Syria. According to Human Rights Watch and Amnesty International, Zaynab's family allegedly found her body completely distorted, "the head and arms had been cut off and parts of the body, including the face, were heavily burned" (Human Rights Watch 2011). Later on, Zainab al-Hosni appeared on TV alive, even though her story was complex, the facts were not clear, some believed that she was used as a tool by the security forces in order to reach her brothers. Like Khalid Said and Mohamad Bouazizi, Zaynab's story went viral, many people from Homs, Zaynab's hometown, believed that her story enraged the protesters and led to more manifestations. Going back to Kraidy's idea that human bodies are used as political contestation these example demonstrates to what extent young bodies captivated and tortured were important for the state seeking to control the uprisings.

4.2. Revolutionaries and E-Revolutionaries

For many political analysts, the sacrificial act of Bouazizi transcended his innocent work as a street vendor, uncovering layers of historical and significant events related to colonialism, the nature of the regimes, corruptions and the power of social media. Kirsi Pauliina Kallio & Jouni Häkli did a research entitled: *Geosocial Lives in Topological Polis: Mohamed Bouazizi as a Political Agent.* The researchers tried to put a single moment in the life of one person on the global geopolitical map. Kallio and Häkli used the example of Mohamed Bouazizi, they are suggesting that the act of Bouazizi and "the international politicization of Bouazizi's agency unfolded as an accomplishment of many individual and collective actors, including Bouazizi himself in his struggle to cope with emergent aspects of his everyday life" (Kallio and Häkli 2016).

The research tried to interpret why the act of self-immolation was considered a political act. In addition, the research mentions the opposite arguments that suggests the apolitical nature of one man's act. The most significant notion is "the idea of a geosocial constitution of political subjectivity" (Kallio and Häkli 2016). In the case of Bouazizi or other revolution icons the subjectivity is the good distance between the identity markers and subject. The identity of Bouazizi himself as a man from a low socio-economic background is different from him after the act of self-immolation, he became relatable and a representative of other people. When scholars explained the uprisings through seeing the act of Bouazizi from geopolitical perspective, taking into consideration the place of the Middle East and North Africa region in the world, they are helping in better understanding the different dimensions of a revolution and the stage of disorder that happened afterwards. Many national and international actors were involved: people on the ground and online, media professionals, civil society organisations, political activists inside and outside the countries, in addition to people in power, the police and countries political interests all interacting analyzing an act of a single man.

Kraidy underlined the role of the human body on the ground in the squares and the interaction between the online and offline world. The work of other scholars put the act of Bouazizi and

other "revolutions starters" in a bigger context. In order to study the theories on "the failure" of the revolution the revolutionaries should not be seen as detached from global interactions.

Mohamedou called the protagonists of the uprisings *"e-revolutionaries"* and explained the failure by saying that in post-Arab spring the protagonists did not focus on the transitions, and the post Arab Spring era made a shift from neo orientalism to neo authoritarianism. Another scholar who shares the same ideas is Asef Bayat[12], in the first chapter of his book *"Revolution without Revolutionaries"*, Asef Bayt tried to make sense of the "Arab spring" by making a comparison between the "Arab spring" and the Iranian revolution of 1979. He agrees with the political scientist Jack Goldstone who proposed that the "Arab Spring" is not exceptional, but it resembled to any other revolution. But Asef asked the important question: "Why was there no significant shift in the structure of power and state institutions or economic vision, even though a spectacular uprising did succeed in toppling an entrenched dictator?" (Bayat 2017) .

Asef argues that the uprisings or what he calls revolutions did not produce structural changes. In his opinion, the revolutionaries had a big street and social power which made them pluralist at the same they struggled with the effects of the counter revolution. "The protagonists were rich in tactics of mobilization but poor in vision and strategy of transformation; they adopted loose, flexible, and horizontal organization but one that suffered from fragmentation; they espoused civil opposition but overlooked the danger of restoration; they were concerned more with democracy, human rights, and rule of law than reallocation of property and distributive justice. What came to fruition then looked like revolution in terms of mobilization but like reform in terms of change" (Bayat 2017). Scholars like Asef Bayat and Mohamedou, did a clear analysis on the change produced after the uprisings, it is a rupture of authoritarianism but not a democratic transition with the lack of planning and a real structural change. The issue is looking at the revolutions or uprisings as exceptional phenomenon. Scholars must consider all the elements that lead to uprisings while putting the

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[12] Professor of Sociology, and the Catherine and Bruce Bastian Professor of Global and Transnational Studies at the University of Illinois https://sociology.illinois.edu/directory/profile/abayat

value on the people and their role. Either through social platforms or on the ground in mass protests.

In this research, the focus is on the revolutionaries, the people standing against oppressive states by speaking up and deciding to be political activists asking for social justice and political change. Freedom of expression is a human right. This right is constantly violated and individuals are detained and tortured for expressing their opinions. The concept of security in many Arab countries specifically for young people became nonexistent and the manifestation of it is the rise of arbitrary detentions of Human rights activists. The states are seeking to weaken the civil society by imprisoning individuals that played a major role during the uprisings. A starting point to better understand this phenomenon is by talking about security in the Middle East and North Africa post Arab spring.

5. Security post Arab Spring
5.1. Individual Security in the Arab World

Andreas Krieg[13], wrote a book called *Socio-Political Order and Security in the Arab World.* He argues that "the concept of security in the Arab World needs to be fundamentally re-examined" (Krieg 2017). The main point of his book is to understand the nature of security in the Arab world and shift the attention from state centered security to individual insecurity. According to Andreas Krieg, the core of the Arab uprisings was the outburst of the public resistance long suppressed by the authoritarian regimes. The revolution was buried in the individual group and feelings of insecurity in different levels (Krieg 2017). Kreig is suggesting that individual security in the Middle East was never a concern for the states. In fact, individual insecurity was masked by the "the macro-level assumed primacy of the state's security" (Krieg 2017). Krieg examined the point of view and writings of many scholars and policy makers mostly western about the uprisings. When examining their analysis, he noticed that for them the Arab Spring was not supposed to happen. The idea of individuals capable of being united against a regime without the approval of the regime was impossible. For Andreas, the Arab Spring existed in the shadows of the authoritarian regimes until it bursts

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[13] Professor at the School of Security Studies at King's College London, and fellow at the Institute of Middle Eastern Studies.

out in the public spaces, he said that the Arab spring is the: *"The individual socio-political emancipation in the public sphere"* (Krieg 2017).

The people's power was not given any significance, breaking the barrier of the regime's security system was impossible. However, what Krieg is suggesting cannot be completely detached from important events that were happening in the Middle East and North Africa region. More specifically, the United States of America's influence and intervention especially after 9/11, what Georges Bush's Administration called "freedom Agenda" (Farasin and Battaloglu 2017). In their Statistical research analysis Farasin and Battaloglu wanted to measure the concept of "the Arab masses alienation" used by Arab states. Measuring this required looking at data from the Bertelsmann Stiftung's Transformation Index (BTI) and the World Wide Governance Indicators. To better understand the alienation pre and post Arab spring, they measured "lack of political participation; unstable democratic institutions; lack of political and social integration; socioeconomic deprivation; and poor governance" (Farasin and Battaloglu 2017) .

Five years after the revolution, in 2016, the Arab Public Opinion Survey conducted a statistical research on the Arabic countries political situation, 55% of the participants had negative views of their countries' political situations, moreover, the public opinion towards the governments were devastatingly negative (Farasin and Battaloglu 2017).[14] In addition, according to the Arab Opinion Index "An aggregate 77 percent of respondents considered democracy to be the most appropriate system of government for their countries" (Arab Center Washington DC 2017). The graphs below demonstrated the citizens' attitudes towards

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[14] See more on: https://arabcenterdc.org/resource/the-2019-2020-arab-opinion-index-main-results-in-brief/

Democracy which is contradictory to the reality and political systems present in most Arab states.
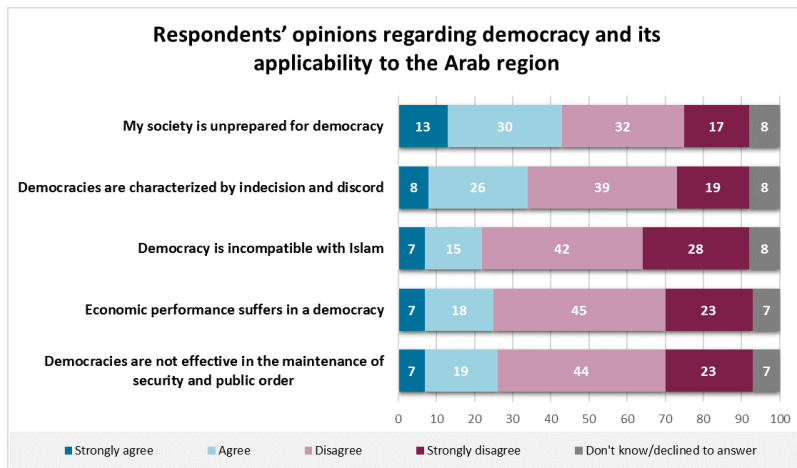

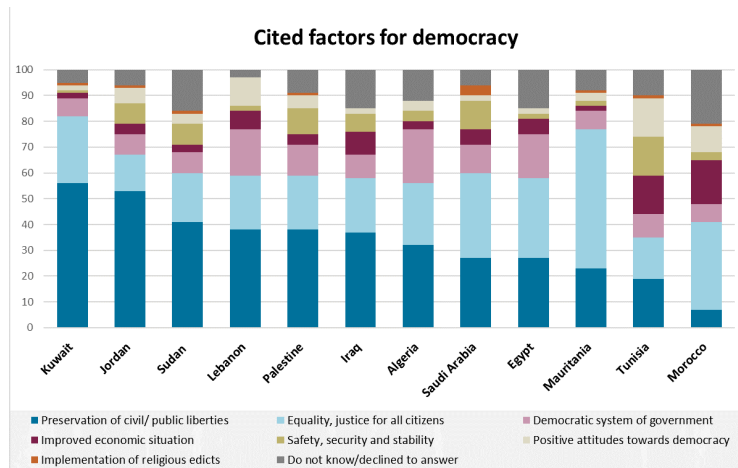Figure 1- 2016 Arab Opinion Index

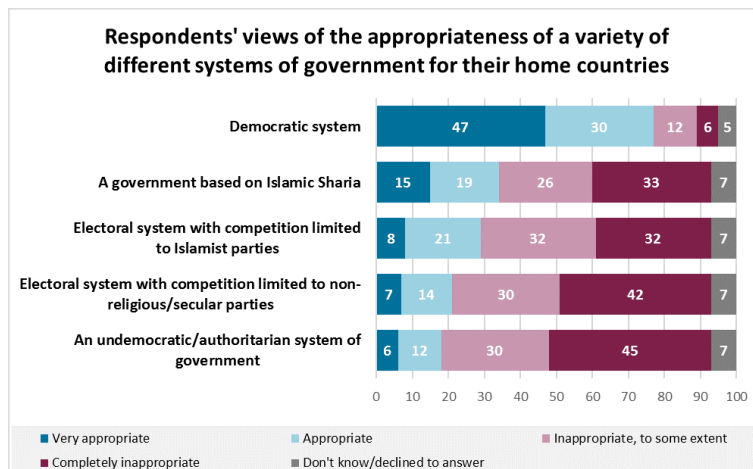Figure 2- 2016 Arab Opinion Index

Figure 3- 2016 Arab Opinion Index

According to Farasin and Battaloglu the alienation before and after the Arab spring is the same. The main difference is that before, the people were demanding "freedom, dignity, better governance, accountability and greater participation" (Farasin and Battaloglu 2017). Post Arab spring, people saw the tragedy and the atrocities committed by the states powers, they saw how the regimes held on to power, a big group of the people who were looking for political reform started to prioritize safety and security. This is related to the idea of security in the Middle East and North Africa mentioned by Krieg, notably economic security where liberal policies in the Arab world since the 1990s had broadened the gap between different socio-economic classes.[15] The state's power and security were the priority, Andreas is saying post-Arab spring made a shift to individual security whether it is social, economic or physical.

5.2. Individual security is a collective matter

The second chapter of Krieg's book: *"The Social contract: Providing Security as a Public good"* looked at security as a collective matter. Krieg relied on Rousseau's famous *"volonté générale"* or the general will, also mentioned in the declaration of the Rights of Man and citizen. In the social contract Rousseau claims that the legitimacy of a state comes from the general will. And, the legislative power should follow the general will when it's making the nation's laws so the state creates policies aligned with the public good. The *volonté générale* is not just the combination of all individual desires, but more about what individuals share in common. Furthermore, Krieg's explains this concept of *volonté générale* by saying Rousseau's general will is not harmful, always right and can never be unfair. Even though Rousseau considered the general will what individuals share in common, the concept of this will is manifested "in a superior entity to the emotional individual private will" (Krieg 2017).

Krieg's interpretation of the general will is "the formation of public opinion and ultimately the socio-political dialogue between patron and protégés" (Krieg 2017). The general will is a vehicle for governance separate from the public sphere or civil society, which particularly

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[15] According to Kreig, people's concerns about employment, food prices, costs of living and corruption are part of the individual economic security. In the Arab countries liberalization policies and corruption led to significant lack of economic security on an individual level.

for Rousseau is a platform for individuals to express their private will independently from the public volonté générale (SparkNotes n.d.). By using this interpretation Krieg, is deviating from Rousseau's definition of *volonté générale*, particularly concerning the public sphere, for Rousseau the general will is different from the civil society, for him the civil society is a way to manifest their private will which is different from the public general will. For Krieg, the general will is necessary in the public sphere, he defines the public sphere as the space for discourse between the governor and the society. Even if the security moved to an individual concern, the collectivity is necessary. The interaction between individual at this stage is powerful.

Arab states realized this collective power after the uprisings. This in-depth analysis presented by Krieg's using the volonté general reflect on the state of fear and fragility of government post-Arab spring where they are seeking to block people from gathering and expressing their opinion. In the second and third chapter this idea is explored furthermore with the example of freedom of expression in Egypt after the uprisings and with the president Abdel Fattah Al-Sisi.

5.3. Arab Revolutionary public sphere

In an article called *"The Revolutionary Public Sphere: The Case of the Arab Uprisings"* Marwan M. Kraidy and Marina R. Kerkorian critically analyzed the revolutionary public sphere, by looking at "Myths, ideologies, and histories that inspired slogans, murals, and poems of pointed social relevance and politically potency" (Kraidy and Krikorian, 2017).

In Haberma's theory, the public sphere is the area where the public opinion is formed. The "political public sphere" is important for discussions on different topics related to the state and the political practice. His theory is based on liberal democracy: a governance system, in which power is dedicated to elected representatives who they have to maintain represent the people who voted for them (Fenton 2018). This liberal model followed by Habermas is suggesting an ideal public sphere.[16] In their article, Kraidy and Krikorinan addressed the

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[16] This model relied on the bourgeoisie of 19th century, it is technically flawed and incapable to include all people more specifically minorities and women. Habermas wrote that the public sphere, *"can best be described*

"Arab public sphere" comparing between pre and post uprisings. According to them, before in 1996, the concept of the public sphere emerged in the Arab media with Al-Jazeera channcel. It grew later on with 9/11 attacks in the United States and the succeeding climb of the Arab public opinion. (Kraidy and Krikorian, 2017) As mentionned before, Haberma's liberal model of public sphere is. For example, Nancy fraser argues in her article *rethinking the public sphere,* that Habermas's theory is limited.[17] Other scholars critized the initial theory of the public sphere including Habermas himself by saying he has a "a eurocentrically limited view and his basic premises seem incommensurable with a revolutionary situation" (Kraidy and Krikorian, 2017). Kraidy and Krikorian are trying to show that the public sphere as explained by Habermas does not fit in the context of the Arab Spring.

Starting from the basic reason which is the revolution. Haberma's theory does not explain the public sphere in the time of revolution. The other reasons are historical and geographical, Kraidy and Krikorian argue that "Habermas' theory failed to include other, nonliberal, nonbourgeois, competing public spheres" (Kraidy and Krikorian, 2017). What they call "the revolutionary public sphere" is not researched, the actors which are the Arab revolutionaries represent a exceptional insight on culture that helps in filling a gap of the missing research on revolutionary public sphere. These manifestations of culture can be through street art, public political debates, social media activism or satire. This idea is directly linked to Krieg's notion on individual security as he explains that societal security in the Arab world and during and after the uprisings is related to indivudals more than the states. More precisely, it is related to the individual's identity within the socio-political context. This identity is expressed by the manifestations of the revolutionaly public sphere. Civil Society movements and organizations is one of these manifestations and they played a crucial role during before, during and after the uprisings. The role of civil society movement during the revolution is a

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as a network for communication, information, and points of view … the public sphere is reproduced through communicative action, for which mastery of a natural language suffices" (Kraidy and Krikorian,2017).

[17] Nancy said: "the specific form in which Habermas has elaborated his theory is not wholly satisfactory … [and] needs to undergo some critical interrogation and reconstruction if it is to yield a category capable of theorizing the limits of actually existing democracy" (Frazer 1990).

starting point to understand the repression on their freedom to work post-uprisings. The role of civil society movement in Egypt will be analyzed in forth chapter.

6. From Mubarak to Al Sisi: the state of Exception

Carl Schmitt[18], defined "the state of exception", in this state the ruler has the right to act outside the law. This right is recognized in most democratic constitutions, specifically for exceptional circumstances (Vinx 2019).In 2022, the COVID-19 pandemic required exceptional power and rules around the world, and a big number of them required suspension of the law. Schmitt was considered to have set out the baseline for a new form of authoritarian rule. He did not believe that crisis and emergency were exceptional. For him, the sovereign is permitted to implement rules above the law and create a state of exception. In MENA region the state of exception is a norm. Egypt provides a perfect example to show how a regime have ignored the rule of law by imposing constant emergency measures. Studying the Egyptian state of exception is enriching as it will give an overview on emergency legislations frequently used as control mechanisms.

Egypt chronology from 2011 to 2021 (Check Annex 1)

6.1. Giorgio Agamben State of Exception in Egypt

Lucia Ardovin and Simon Mabon wrote *"Egypt's unbreakable curse: Tracing the State of Exception from Mubarak to Al Sisi"* the aim of their research was to examine the state of exception in Egypt that was considered a norm for a long time and continues to be nowadays. They relied on the work of Giorgio Agamben the Italian philosopher who worked on the theory of state exception. According to Agamben, the state of exception "is neither internal nor external to the juridical order, and the problem of defining it concerns precisely a threshold, or a zone of indifference, where inside and outside do not exclude each other but rather blur with one another" (Ardovini and Mabon 2020). By saying this, Agamben is explaining that the state of exception is normalized. Ardovini and Mabon started with the era

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[18] Carl Schmitt was a conservative German legal, constitutional, political theorist and a member of the Nazi party. Schmitt is known as the most important critics of liberalism, parliamentary democracy, and liberal cosmopolitanism. https://plato.stanford.edu/entries/schmitt/

from 1922 until 1981, explaining that Egypt has been in a state of emergency for 30 years. And this state of emergency was legally constructed, through "laws, constitutional articles, amendments, decrees, and legislations that collectively grant the executive extensive discretionary powers" (Ardovini and Mabon 2020). Later on, in Mubarak's era the state of emergency continues, the authors argue that the state of emergency started with Nasser, and was removed for a brief time with Sadat to be reintroduced by Mubarak. Egypt was in a constant state of emergency from 1981 until 2011.Human rights abuses were getting higher by the year and the law wasn't made to rights and freedoms.

6.2.Abdel Fatah Al Sisi: The one and only dictator

Robert Springborg calls Egypt's current president Abdel Fatah Al Sisi "The one and only Egyptian dictator" (Springborg 2021), as explained above Egypt was under a state of emergency for years. An authoritarian regime lasted for decades, what makes Al Sisi different from his successors is that he has the ideal dictatorial political persona, Robert conducted a detailed analysis on his personality. He believes that even though the rulers before him were dictators, none of them "sought nor succeeded in imposing such thoroughgoing, brutal one-man rule as Sisi has done" (Springborg 2021). In 2012, the Muslim Brother Muhammad Morsi became Egypt's new president, Al Sisi declared loyalty for the president as a military head. Eventually, along with his movement *Tamarrud*, he managed to lead a coup d'état and overthrow Morsi. In 2013, *Tamarrud* published a fake petition claiming that Al Sisi collected twenty millions signatures in support of his coup d'état. Since the beginning of his rule Al Sisi's strategy was to install fear and control (Springborg 2021). He was actively killing his opposition, even people who protested peacefully against the coup. NGOs activists started to disappear, in 2016 a large campaign was launched for the "disappearing", the people who were opposing the regime notably NGO activists and human right defenders (Amnesty International 2016). These activists face imprisonment without legal justifications and they were denied access to lawyers. After these arbitrary arrests, Al Sisi announced a series of brutal legislations. From the beginning of his rule, Al Sisi demonstrated a level of authoritarian rule different than Mubarak at the same time he got inspired by Mubarak's rule. He used emergency measures when he was first elected. In 2014, even before his election he

conducted emergency measures and what is known as Raba'a Massacre[19] (Human Rights Watch 2014). This massacre was brutal and according to Human Rights Watch can be even considered as the largest killing of protesters in modern history. Al Sisi found the need to impose more emergency rules as a way to maintain in power facing the opposition and the backlash from the massacre.

6.3. After the 2017 Terrorist attacks on Coptic churches

In April 2017, a series of synchronized terrorist attacks hit Coptic churches across Egypt. The attacks came after the pope's visit to Egypt in one week. At first a bombing happened in "Al Mar jirjis" church in the town of Tanta between Cairo and Alexandria. The second bombing targeted the Patriarch of the Coptic Orthodox Church Tawadoros II, a suicide bomber targeted the church where a mass was held, 150 people were killed and 50 were injured after this incident. "Egyptian Islamic State" announced responsible of these attacks and promised more attacks on the religious Coptic Christian community (Policy Analysis Unit – ACRPS 2017).

These attacks lead to a serious of reactions, one from the Egyptian Coptic community and another from the state. The "public outrage amongst Coptic Egyptians appeared swiftly, born of the sense of a massive shortcoming on the part of the nation's police, particularly in the town of Tanta, where only 10 days prior a car bomb had been defused outside of the same church" (Policy Analysis Unit – ACRPS 2017). On the other hand, the president Abdel-Fattah Al Sisi did a meeting of the national defense council and publicly announced a "state of emergency" in the country. The initial announcement of the state of emergency was for three months. In addition, Al Sisi declared the creation of a "Higher Committee to Combat Extremism" (Policy Analysis Unit – ACRPS 2017). In *the Understanding the Praetorian Rule of Fatah al-Sisi in Egypt"* Arshad argues that after the Arab Spring Al Sisi established power by a military rule different than other previous rulers. He said it is a "ruler-arbiter type

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[19] Raba'a Killings are considered as crimes against humanity by international organisations such as Human Rights Watch. After the military take over and Al-Sisi coup d'état almost 85,000 protests organized manifestations against the military takeover. The police attacked the square using advanced heavy combat armory such as bulldozers, troops and snipers. They killed at least 1,150 demonstrators.

praetorian regime" (Arshad 2021). Al-Sisi maximized the use of military rule and made the constitution weaker by imposing the military rule. He used the army to control the opposition and made officers lead the government.

Amnesty's world report of 2022, documented how in 2011 the authorities have abused the rule of state of emergency. The Egyptian authorities are prosecuting thousands of peaceful protesters and activists. "Courts issued death sentences in mass trials, adding to the sharply escalating numbers of executions" (Amnesty International Report 2022).According to Human Rights Watch, the government established severe limitations on independent organizations (Human Rights Watch 2019). In addition, in North Sinai, the army proceeded in imposing severe travel restrictions and demolishing hundreds of buildings in the pretext of battling Wilayat Sina', a local Islamic State affiliate. Most certainly, these demolitions can be considered as war crimes. At the United Nations Human Rights Council, there was unusual international criticism of Egypt's ongoing human rights problems under President Abdel Fattah al-Sisi (Human Rights Watch 2019). The regime of Abdel Fatah Al-Sisi relied on sources of legitimacy different than Moubarak and his successor Morsi. After Moubarak and the Muslim brotherhood, Al Sisi felt the need to find "an alternative moral discourse" He needed to control the discourses that were spread during the revolution and find a way to legitimize his rule (Ardovini and Mabon 2020).

7. Political Islam

7.1.Egypt's revolution and Political Islam

Many factors make the situation in Egypt an interesting case study, one of them is the fast changes in the political leadership. To better understand the power of the current ruling regime, a focal point would be of understanding the shift in the role of religion. Fahmy and Eid emphasized on the role of religion as an ideology post Arab Spring, tracing back to the origin to find out how this ideology is rooted and how did it evolve with the change of the political system. In chapter 7 of their book, *The Struggle for Revolutionary Memory: Historiography and Documentation of the January 25 Revolution,* Abdou Moussa El-Bermawy tries to understand the challenges related to writing the immediate history of Arab revolutions. He argues that the revolution in Egypt is extraordinary since the creation of the

modern state. And the academics and scholars who tried to analyze and write about it didn't not have *a historical prospective,* or used a historical approach that didn't actually fit with the events. His approach is refusing the common discourse on the Egyptian revolution by saying that the historical roots of the uprisings can be traced. The exceptional individual events are significant but the focus on them and the physical manifestation of a revolution with the protest on the ground is not enough to understand the Egyptian anger.

In 2014, Ashraf Al Cherif wrote an article called*: the Muslim Brotherhood and the future of political Islam in Egypt*. His study case was Muslim brotherhood in Egypt in order to examine the dynamics of Egyptian Islamist organizations. Not only that, he analyzed the effects of the Muslim brotherhood on the democratization in Egypt. He started with the increased pressure on the Muslim brotherhood after the coup d'état against Morsi. From his point of view the coup d'état was an end of the history of political Islam in the way it was dominant (Sherif 2014).

7.2.   Abdel Fattah Al Sisi and Political Islam

Both domestically and internationally, there has been a great deal of interest in President Abdel Fattah's involvement in the religious sphere. He has gained some support on a global scale as a proponent of a "renewed Islamic discourse" (Brown and Dunne 2021). His regime not only ousted former president Mohamed Morsi and imprisoned thousands of Muslim Brotherhood members; it also seized thousands of independent mosques and hundreds of charities with ties to Islamist movements, making him a regional leader in the camp of those who want to eradicate political Islam. Western officials were delighted by Sisi's 2015 speech[20], delivered in front of a group of leading religious scholars, in which he called for a religious revolution at a time when the self-styled Islamic State was not only expanding through parts of Iraq and Syria but also inciting radicalization. As Fahmy and Eid perfectly explained in their book, the role of religion shifted after the uprising in Egypt. Moreover,

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[20] Extract from Al Sisi's speech in 2015 "I say and repeat, again, that we are in need of a religious revolution. You imams are responsible before Allah. The entire world is waiting on you. The entire world is waiting for your word ... because the Islamic world is being torn, it is being destroyed, it is being lost. And it is being lost by our own hands," https://edition.cnn.com/2015/01/06/africa/egypt-president-speech/index.html

during Al-Sisi era fighting terrorism is used as an argument to arrest individuals opposing the rule. Al-Sisi abused the strategy of intending to fight terrorists and gained approval from western state and in reality what he's doing is imprisoning innocent individuals.

The next chapter will explore in details the freedom of expression as fundamental Human Right guaranteed in international, regional instruments. Moreover, the chapter will explain how the digital age influenced on the practice of this freedom digital age. In Egypt, citizens are at risk for expressing their opinions, Chapter 2 will look at the media laws and regulations in Egypt, citizen journalism and the important role of digital technology tools in securing the freedom of thought and expression.

Chapter Two: Freedom of Expression

1. Introduction

After the "Arab spring" and the overall failure to establish states and governments that represents the desire of people in the streets, the shift to more oppressive and brutal regimes is noticeable in many countries. In Egypt, after 2011 the state realized how important is the freedom of expression as a tool for the younger generation using technology or even comedy to make political remarks and ask for change. An iconic example to start with is the story of Bassem Youssef, the cardiac surgeon who became known as the Arab Jon Stewart. Bassem presented political satire that became widely popular in Egypt and around the world. Bassem started by filming in Tahrir square during the revolution and moved to producing videos in his home studio and posting them online, after his huge success online Bassem moved to mainstream television, with his famous show "Al Barnameg" which means the show in Arabic (Gordon and Arafa 2016). Bassem started with his show on a private network owned by Naguib Sawiris[21] and as his audience grew he moved to a new format filming with a live audience inside the studio. In 2012, Bassem moved CBC and later on he have won "the International Press Freedom Award" by the Committee to Protect Journalists, as Jon Stewart said while giving Bassem this award: "He hosts his program in a country where freedom of expression is not settled law. He helps carve out space through his show to help that country understand the importance of dissent and satire's role" (Gordon and Arafa 2016). Bassem's case represent an interesting example on freedom of expression as it allows a comparison between Morsi and Al Sisi since the comedian was present in Egypt and giving materials of political satire during both eras. Starting with Morsi's era, for over a full year, Bassem was on television criticizing the elected president, as explained by Gordon and Arafa "Morsi proved to be more thin-skinned than he promised, but he never shut Bassem Youssef down" (Gordon and Arafa 2016). At the end of Morsi's era and with the rise of protests against him and in support of a military intervention, Bassem was launching a new season of his show

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[21] Naguib Sawiris is an Egyptian billionaire and comes from one of Egypt's wealthiest family. He made a fortune in telecom. He's chairman of Orascom TMT Investments, Sawiris owns 88% of pan-European pay TV and video news network Euronews.
https://www.forbes.com/profile/naguib-sawiris/?sh=30deb2db16e8

"*Al-Barnameg*" on October 25. During this episode, Youssef's political satire was much stronger, he criticized the military intervention and the protesters on the streets whether they were with or against the coup d'état.[22]After this famous episode the return on screen was impossible for Bassem, supporters of Al Sisi gathered against him outside the show's studio, as much as he was liked and supported in Egypt he surpassed a limit in political satire at a time of a drastic political system change for the second time after the 25 January revolution. Bassem Youssef wanted to continue his show but when he returned to the studio a week later with his team to film the following episode, CBC declared the cancellation of the show because of "editorial policy and contractual differences" (Gordon and Arafa 2016). After this cancellation, Bassem Youssef left the country to the United States where he's residing now. Bassem did not come back even since due to the fear of being arrested for mocking the General Abdel-Fattah Al Sisi. He didn't even return to Egypt for his father's funeral. In a recent interview by Africa news Bassem said: "I don't want to even say that I'm an exile. I have passed that, when you always tell yourself you're exiled, in your mind you're thinking about when you're going to go back. I don't think about that anymore" (Africa News 2021).

In *A Comic Revolution: "Comedian Bassem Youssef as a Voice for Oppressed Egyptians"* Kelly Opdycke explained the importance of Bassem's Youssef work in Egypt using comedy as a tool to speak up on the behalf of millions of Egyptians. She describes Youssef's work as a style of "comic journalism" (Opdycke 2013), and talks about how comedy as a form of freedom of expression is revolutionary. As Kelly argues, comedy opens the way to speak up against the dominant ideology, at the same time it is a space to exercise the freedom of speech during difficult times. Another significant role of comic or satire journalism is to fill a gap created by the news media. Since most media outlets are biased and controlled by the states or a large cooperation, the audience would prefer to trust a satire comedian rather than a news anchor. And more often, these comedians use the media biases as materials for their shows. Kelly gave the example of Jon Stewart in USA, the host of the daily show, she said for a period of time he was the "the most trusted man in America" (Opdycke 2013) and notably

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[22] During this episode Bassem did not mention General Sisi specifically but he mocked the military intervention by showing a woman played by one of men in his show who is willing to *"trade one lover (Morsi) for another (Sisi)"*

the role of Jon in supporting the 2011 revolution in Egypt. Using his show as a platform he managed to criticize the US media coverage of the "Arab Spring" particularly in Egypt. Youssef's role as a political humorist and a voice that gained attention in 2011 and went viral makes him to some extent a representative of Egyptian oppressed generation and his huge fast success gives a clear view of a momentum of hope post the fall of the dictator Moubarak. Freedom of expression whether it's political satire, protest in the streets, blog post, Facebook comment, or any form of art as an expression can influence masses of people to think critically and question the validity of regimes. The Egyptian state understood the power of this fundamental right and has been systematically and arbitrarily arresting activists, students, scholars, or any free voice against the regime.

Chapter 2 will seek to look at the freedom of expression as a root and basis for all other human rights. It is a right necessary for human dignity, we are made to express to communicate to progress through music, art, literature, dance, cinema, blogs, photography, Facebook posts, political discussions, research, information sharing and a simple morning coffee conversation. It a right guaranteed through multiple international and regional instruments that this chapter will explain.

The digital age led to a revolution in our lives as humans. The internet and social platforms are communication and expression tools that occupy a large space in our daily lives, as a matter of fact our daily life is documented and saved in the form of data on a digital cloud. This chapter will look at the freedom of expression in the digital age and examine how these tools expanded the exercise of this right. In addition to the international law, European and regional instruments this chapter will look at the freedom of expression in the Arab world, more particularly in Egypt.

2.Freedom of expression in political philosophy

2.1. The root of Freedom of expession

The freedom of thought is rooted and can be traced back to ancient times. Starting with Aristotle and his consideration of the human as a political animal.[23] Aristotle set the definition of speech, he defines speech in his Book 1 of *the Politics* as something specific for humans. Animals have the ability to communicate as a reaction to a physical need through sounds. What humans do is a manifestation of reason. As humans, we have an ability to reason, to think, to listen, to understand complex concepts and communicate using reason. This is a basic idea on human ability to express but it is essential to point out as a starting point to talk about speech, expression and liberty in the same context.

Another historical root of this freedom and particularly academic freedom of expression is the early Islamic thought notably in the madrassas[24]. The historian Georges Makdissi[25] argues that the madrassas of the 11th century "were fully developed colleges of law with all the basic structural traits which Western universities acquired much later" (Kreckel 2017). Makdissi talks about an academic freedom in teaching the four schools of Islamic law in the Sunni sect: "the Hanafi, Maliki, Shafi'i and Hanbali" (Kreckel 2017). He talks about the freedom the professors and students had in terms of teaching the principles of law. Then there are the philosophers of the Enlightenment who elevated and advanced the freed om of thought and expression. For example, Voltaire and his famous quote*:* "Sir, I do not share your views but I would risk my life for your right to express them." (Kreckel 2017). The German philosopher Immanuel Kant wrote a famous article called: *"What is Enlightenment?"* where he explained freedom of expression and its positive role in the

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[23] "Man is by nature a political animal" Aristotle acknowledge the human beings need to be social. And the difference that human possess is the ability of speech and expression which is extremely necessary for the establishment of a city or community.

[24] An institution of higher education in the Islamic sciences, https://www.britannica.com/topic/madrasah

[25] Georges Makdissi refused the idea that a university is a concept invented by Latin Europe. He argues that in the 11th century the Sunni Islamic Madrassa were law schools and later on that structure inspired western universities.

enlightenment movement. He argues that enlightenment most importantly required "freedom to make public use of one's reason in all matters" (Kant 1784).

Kant is defending a person's right to express reason freely in a public sphere of a society. The argument Kant represented on the importance of the freedom of expression is related to his argument on the particularity of human beings: "Human beings possess a particular dignity because they have the ability to take a step back and morally judge their own opinions and actions" (Stjernfelt and Lauritzen 2020).

By emphasizing on this idea, Kant is putting the freedom of expression at the center of individual rights.

2.2. Freedom of expression in liberal theory

The English philosopher John Stuart Mill developed the concept of free speech, he defended the concept by saying any principle should be allowed to be seen even if it seems "immoral" to other people. Mill focused on the freedom of speech and expression as a freedom that should be present in all aspects: "absolute freedom of opinion and sentiment on all subjects, practical or speculative, scientific, moral or theological" by saying that he attributed freedom of expression to human dignity (Mill 2002). Mill's famous work was concerning the harm principal. For Mill, harm is caused when a person's act can directly violate any of the individual rights. The harm principle was highly used to demonstrate human rights violations but at the same time it caused issues, especially when it comes to proving that the nature of the violation of the right is a direct result of the expression. A famous debate and example to demonstrate the application of the principal of harm is pornography, as some feminists' scholars made a link between pornography and violation of women's rights more particularly women's right to free speech.[26]

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[26] Catherine MacKinnon, the American legal feminist scholar takes about this violation, she says pornography represent a violation of the right to free speech by making women silent and putting their speech in a degrading position that may cause for them to be misunderstood.

3.Freedom of expression as a funndemental right in international, regional intruments

3.1. Freedom of expression in the Universal Declaraion of Human Rights

In 1948, the universal declaration of Human Rights announced the freedom of expression as a fundamental Human Right, the article 19 of the universal Declaration states: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers" (United Nations General Assembly 1948). The United Nations has many institutions to promote Human rights, including the freedom of expression, for example the UN Human Rights Council and the Office of the High Commissioner for Human Rights. Furthermore, the United Nations General Assembly has implemented many resolutions on freedom of expression. Within the UN system there's a special rapporteur on the promotion and protection of the right to freedom of opinion and expression.[27] As the mandate mentions: "Freedom of expression is the cornerstone of democracy, which allows individuals and groups to enjoy several other human rights and freedoms" (OHCHR 1993). The special rapporteur role is to monitor, promote and raise awareness on the freedom of expression and speech in order to open a universal discussion that can lead to concrete actions. The rapporteur main activities would be producing "thematic reports, conducting country visits, starting interactive dialogue, and writing letters of allegation and urgent appeals" (Arrojo 2020) .

Freedom of expression played a dual role, from one hand it is an individual human right necessary for human dignity, from the other hand, freedom of expression is the basis for other rights and freedoms. It is almost impossible to practice any other right without the freedom of expression, it is not possible to organize, inform, alert, or mobilize in defense of human rights and democracy. Political parties and legislatures cannot function properly without the ability of people to communicate freely with each other. Moreover, the individual right to freedom of expression is meaningless unless it can take public form, which requires an

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[27] Irene Khan is the currently the UN Special Rapporteur for Freedom of Opinion and Expression since June 2020 and is the first woman to hold this mandate. She's well-recognized advocate for human rights, gender equality and social justice. https://www.ohchr.org/en/special-procedures/sr-freedom-of-opinion-and-expression#:~:text=Irene%20Khan%20was%20appointed%20as,woman%20to%20hold%20this%20mandate.

independent media that offers a public platform for the exchange of views. In turn this is not conceivable if the freedom of expression is not guaranteed.

3.2. Freedom of expression and democracy

Freedom of expression is inevitably linked to democracy. The right to access information is part of the freedom of expression and speech. This access to information is important to democracy, a report by *"Asociacion por los Derechos Civiles"* explained the relationship between democracy and participation. As the essence of democracy is people's participation and in order for them to participate, they need access to information. The right to access to information provides several advantages needed for democracy. The first one is: *Accountability*, people need to have updates on the governments and politicians work in order for them to keep track of their work and hold them accountable and question their plans and campaigns. Another advantage is *Fighting Corruption*, when people have access to information they are more likely to be exposed to issues concerning corrupt politicians and representatives of the citizens and therefore this information access is by itself an anti-corruption tool. The third advantage is *development*, the process and measurement of development requires the involvement of all citizens, when people don't have the right to access information they are not in a position of power therefore will become more marginalized. In addition, for development, access to information is essential to understand studies and statistics and therefore, work on improving the indications of development in a country. The right to access information has limitations in international law and national laws in three main areas: "Reputation, national security and public health" (Asociacion por los Derechos Civiles n.d.). These exceptions protect the individual's right to privacy but can be used to limit the access of citizens to information and therefore purposely blocking their participation in a democratic state.

3.3. Freedom of expression in Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR)

The United Nations Human Rights Committee clearly stated the importance of freedom of speech and expression for any democratic society. In an article entitled *Freedom of*

Expression: Article 19 of the International Covenant on Civil and Political Rights and the Human Rights Committee's General Comment No 34 Michael O'Flaherty talked about the evolution of the freedom of expression as a fundamental Human Right, he mentioned the ancient roots and the philosophical ideas but continued further to the legal perspective. The freedom of expression moved from philosophical thoughts into rights when this freedom was mentioned in Declarations and international law documents, as O'Flaherty mentioned: "Enlightenment thought maintained an ambiguous double classification of freedom of expression as inhering in the person as autonomous subject and as a right in the service of society" (O'Flaherty 2012). Starting with the French declaration of the Rights of Man and the Citizen in 1789, where inalienable rights are mentioned such as freedom, ownership, security, resistance to oppression. [28] O'Flaherty talked about the conflict between "bourgeois and socialist human rights theory" (O'Flaherty 2012). The conflict was not solely from the freedom of expression but resulted from a difference in approaching universal human rights there's two essential covenants: the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).As Michael explained the tension between the two ideologies comes from the concept of prioritization the rights. For the freedom of expression: one viewed it as an essential human right and important for social progress while the other puts a limitation on this right. This limitation is manifested in the Soviet Union's statement during the drafting of the ICCPR saying that the right of political liberty can be given only "in accordance with the principles of democracy and in the interest of strengthening international cooperation and world peace" (O'Flaherty 2012).

As mentioned before the universal declaration of Human Rights guarantees the freedom of speech and expression. After this declaration many international law instruments such as Human Rights treaties guaranteed the protection of this right. Starting with the ICCPR, the

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[28] Article 11 of the declaration mentions freedom of expression:
"The free communication of ideas and of opinions is one of the most precious rights of man. Any citizen may therefore speak, write and publish freely, except what is tantamount to the abuse of this liberty in the cases determined by Law." https://www.elysee.fr/en/french-presidency/the-declaration-of-the-rights-of-man-and-of-the-citizen

article 19[29], is emphasizing on three main points: the right to have opinions without any intrusion; the right to pursue and take information and the right to communicate information (Media Defence 2020). The ICCPR as an international law instrument is a legally binding treaty, it helps in taking the essential measures to guarantee the protection of rights by adopting laws or any other needed measures. At the same time, it provides "an effective remedy" (Transatlantic Working Group 2019), when the right of freedom of speech has been violated. The United Nations Human Rights Committee is the ICCPR "quasi-judicial oversight body" (Transatlantic Working Group 2019). ICCPR and other United Nations treaties and documents even when they are legally binding by their nature, they require the states full commitment and engagement in ensuring the respect of the rights in the countries through laws and internal policies.

3.4. Freedom of expression in USA and Europe

In the United States, the right of freedom of expression is protected in the first amendment of the U.S.A Constitution, part of the 1791 Bill of Rights. The United States ratified the ICCPR but with a lot of reservations for example on the article 20[30] . The United States is considered a liberal democracy advocating for Human Rights but this country did not ratify critical human rights documents, such as: "the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC), the Convention on the Rights of Persons with Disabilities (CRPD), and the American

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[29] "*1. Everyone shall have the right to hold opinions without interference.2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:(a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order (ordre public), or of public health or morals.*" (General Assembly resolution 2200A 1966)

[30] *1. Any propaganda for war shall be prohibited by law.*
2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law. https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights#:~:text=Article%2020,-1.&text=Any%20advocacy%20of%20national%2C%20racial,shall%20be%20prohibited%20by%20law.

Convention on Human Rights, notwithstanding its endorsement of the American Declaration of the Rights and Duties of Man" (American Creative Liberty Union 2022).

Moving on to Europe, the European council and the European Union guarantee the freedom of expression. In addition, in the national constitutions of European countries this right is protected. In 1950, the European convention on Human Rights (ECHR) guaranteed the freedom of expression in the article 10[31], this protection of freedom of expression represents a regional protection and includes countries outside the European Union such as Turkey and Russia. The European Court of Human Right in Strasbourg examines the application of ECHR. Moreover, the council of Europe can issue non-legally binding recommendations concerning freedom of expression for member states. The European court of Human Rights presents an efficient instrument, or a "living instrument" (Transatlantic Working Group 2019). The ECHR considers all new situations that can impact the freedom of expression and the rights guaranteed by the ECHR including the freedom of expression, as it mentions that laws should be "practical and effective and not merely theoretical or illusory" (Transatlantic Working Group 2019). Still in European law, in the article 11 of the EU charter or the Charter of fundamental Rights of the European Union freedom of opinion and speech is protected.[32] The Charter was found in 2000 after the existence of many laws concerning freedom of expression in European countries. The charter contains new parts in the freedom of expression such as "intermediary liability and illegal content online" (Transatlantic Working Group 2019). These areas are significantly important as technological advancement posed severe problems on freedom of expression right.

In 2019, The Carr Center for Human Rights Policy at Harvard University along with Joris van Hoboken Vrije Universiteit Brussels and University of Amsterdam did a comparative analysis on freedom expression in European law and the United States. The basis of this

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[31] *Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.* https://www.echr.coe.int/documents/convention_eng.pdf

[32] *Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. 2. The freedom and pluralism of the media shall be respected.*
https://www.europarl.europa.eu/charter/pdf/text_en.pdf

research was to look at the freedom of expression from a wider perspective and compare the legal references and see the common ground and the differences between the European and United States laws. This analysis helped in understanding how "viral deception, extremism, and hate speech and their impact on freedom of expression" (Transatlantic Working Group 2019).

3.5. Freedom of expression Similarities and limitations:

The main key similarities between international law, European law and the United States constitution is in the following points: Freedom of expression is a right for all individuals without discrimination. The scope of application of this freedom include diverse fields such as: "political, cultural, and also commercial speech" (Transatlantic Working Group 2019). Mill's harm principal is applicable but the expression of ideas is protected even if they can be considered as offensive, shocking and disturbing. The freedom of expression includes the right to receive information, and the right to access information. Another common point is the medium used to express the ideas and access information, all individuals have the right to use any form of media to exercise this freedom.

The limitations on the freedom of expression are allowed in the international, regional and national laws but within a specific framework that limits the state's interference. The ICCPR provides a clear framework for this restriction. The Article 19(3) of the ICCPR[33], is suggesting that the interference of the states should be legitimate and aim to protect individual rights. In addition, the United State had reservations on article 20 of ICCPR[34] putting a limitation to freedom when it comes to issues related to discrimination or hate speech. As the ICCPR is not the only international law document that addressed the issue of

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[33] The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
(a) For respect of the rights or reputations of others;
(b) For the protection of national security or of public order (ordre public), or of public health or morals. https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights +

[34] Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law. https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights

Hate speech, the International Convention on the Elimination of Racial Discrimination (ICERD) asked for an active approach that requires action from the states. States should prohibit any organizations or activities that promotes discriminations based on race, group, color or origin, "with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention, inter alia"[35] (UN General Assembly resolution 2106 1965). The ICERD clearly offers more explicit framework concerning the limitation of the freedom of expression more specifically to include the intolerable types of speeches. Looking at the regional instrument particularly Europe, the approach adopted by the European court of Human Rights is similar to the ICCPR, on February 2022 the ECHR released a fact sheet on hate speech which says that the court adopts two approaches when it comes to freedom of expression and hate speech. The first one: "the approach of exclusion from the protection of the Convention, provided for by Article 17 (prohibition of abuse of rights), where the comments in question amount to hate speech and negate the fundamental values of the Convention" (European Court of Human Rights 2022) ; and the second one*:* "the approach of setting restrictions on protection, provided for by Article 10, paragraph 2, of the Convention, this approach is adopted where the speech in question, although it is hate speech, is not apt to destroy the fundamental values of the Convention" (European Court of Human Rights 2022).

4. Freedom of expression in the digital age

4.1. How the internet impacted the Freedom of expression

The digital age offered a new space for expression and communication and by default a new area to exercise the right of the freedom of expression. The development of the internet and

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[35] *Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another color or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;*
(b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;
(c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination. https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial

later on other advanced digital tools made communication revolutionary. The amount of information and content, produced, shared, listened to, communicated, tweeted, posted, liked, commented on, registered, every second of the day is unbelievable. The form of the Freedom of expression and opinion changed with this digital revolution. In 2016, UNESCO published a report entitled *Freedom of expression and the internet,* explaining the challenges of the freedom of expression in the internet age. The first challenge the internet posed is putting all the different areas and methods to exercise the freedom of expression in one medium. Before, it was divided between broadcast media, Radio, print media, cinema etc. Now the function of all these mediums together is found in one medium which is the internet (Puddephatt 2016). Another important difference between the internet and the other mediums is the ability of any person to be a content creator and publish content online, there's no requirement for a specific license or permission to publish within the tool itself. According to DataReportal,[36]
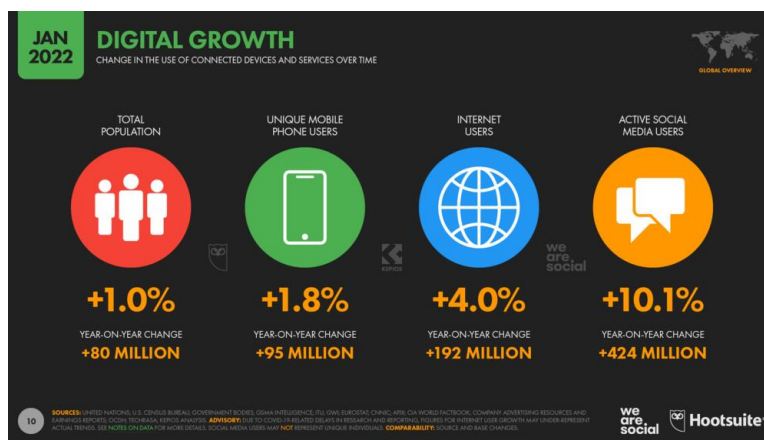

Figure 4-DataReportal2022

Digital 2022: Global Overview Report, the use of social media grew faster than the use of internet over the past decade, today a total number of 4.62 billion people are social media users (Kemp 2022).

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[36] https://datareportal.com/

Furthermore, the internet is a space to collect information and data that belongs to individuals. "The amount of data on the internet is estimated to be 467 billion gigabytes of data, the equivalent of a stack of books stretching from Earth to Pluto ten times (3.2 billion kilometres), and this amount of data is doubling every 18 months" (Kemp 2022). The storage is unlimited but the access to internet is extremely unjust with "70% of households in the global North connected but only 20% of households connected in the global South" (Kemp 2022).

The internet and its wide facilities including social media networks made communication easier and at the same time allowed space for political engagement through providing the average user with an access to information and the ability to share information as content creators. The old traditional media tools were limited by the division of roles and the gatekeepers[37]. Today, people on Social Media can write, edit, publish and gain followers and viewers in millions. The area of practice of freedom of expression in much wider, people are more aware of different types of content. At the same time, regulations and censorships posed a challenge along with big technology company and their algorithms and need to use data for consumerism and marketing purposes. Freedom of expression is a human right, as mentioned before, the right to access information is included but how is it applicable in the digitalized world?

4.2. Freedom of expression and social media

In the early 2000s, Youtube was the first social media platform with millions of users. Later on, other Social Media platforms started to exist for example: MySpace, Facebook, and Instagram. These tools were viewed as: "power tools to the people with radical social benefits" (Stjernfelt and Lauritzen 2020). Neil Postman[38] the author of the famous book *Amusing Ourselves to Death: Public Discourse in the Age of Show Business* published his book in 1985, and until this day his analysis and predictions are relevant. In the introduction

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[37] *"Gatekeeping is the process of selecting, and then filtering, items of media that can be consumed within the time or space that an individual happens to have. This means gatekeeping falls into a role of surveillance and monitoring data."* https://masscommtheory.com/theory-overviews/gatekeeping-theory/

[38] (1931- 2003) A professor of media ecology at New York University. https://neilpostman.org/

of the book, Portman referred to Georges Orwell's 1984 and said that the idea of big brother in a totalitarian society is not what should worry us the most about the future but ourselves as individual receivers of the information and users of the technology, he used Aldous Huxley[39] writings and explained in his words: "Orwell warns that we will be overcome by an externally imposed oppression. But in Huxley's vision, no Big Brother is required to deprive people of their autonomy, maturity and history. As he saw it, people will come to love their oppression, to adore the technologies that undo their capacities to think" (Postman 1985). Postman argues that humans have a never ending desire for distractions, big tech companies and social platforms precisely used this desire in an intensified digital world providing an illusion of freedom of expression in a form of a distraction. Another Part of Postman's idea is the impact of communications in the modern world on discourse, he starts with the effect of the first medium that revolutionized communication which is the telegraph[40], this tool transformed the transmit of information into an immediate and fast process. According to Postman, the "news" or information transmitted lost its effect on the receiver, the immediacy of the information made geographical and time differences disappear and this feature is what made the telegraph revolutionary but to Postman the news shared lost its impact. Moreover, with loss of impact come the inability to induce change. As explained in the book *"Your Post Has Been Removed"*: "The logic of the medium encourages short, self-contained messages that need no external context to understand, and which may be fed in a constant, incoherent stream where nothing is related to what came before or comes after" (Stjernfelt and Lauritzen 2020). Postman shared the same idea about the internet, in the same way the internet provides a huge platform of information therefore creating a *congestion of information*, causing an issue in the society especially in terms of filtering information between what is important and what is not, what is true and what is not. Postman definitely had a pessimistic point of view on the progress of communication methods from telegraph to

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[39] English novelist, his most famous novel is Brave New world (1932). The style of the novel is satire, Huxley comments on the 20th century trends in politics and technology. The novel talks about a future dystopian society. https://www.britannica.com/biography/Aldous-Huxley

[40] Samuel Morse built a telegraph system in 1843, the first message was: "What hath God wrought?" from Washington to Baltimore. https://www.elon.edu/u/imagining/time-capsule/150-years/back-1830-1860/

twitter, he predicted the internet's impact and addressed the issue of the overwhelming information which persists today. Postman's theory dismissed completely any good benefits from the development of the internet and digital technologies. Postman was criticized by many theorists and scholars who have constantly praised the importance of the internet and technology innovations. Postman is not completely right, and the technology optimists that only see the positive side of technology advancement are not right, but Postman's theory serve to look at the social media tools available nowadays from a wider perspective, especially that these tools are considered as the new platforms to practice the freedom of expression.

4.3. Freedom of expression and Big Tech Companies

The main issue with the internet and social platforms is tech companies' abuse of people information for the sole purpose of financial gain. Ironically, in august 2019 Facebook changed its slogan from "it's free and always will be" to "it's quick and easy" (Asenjo 2019).It may seem like an innocent change of a slogan of a hugely profitable corporation but as the digital lawyer José Castillo explained in an interview: "Facebook is not free nor has it ever been, Facebook's currency was and still is it's users' personal data. It's never been free, though, because data is worth a lot of money" (Moynihan and Asenjo 2019). The problem of advertising and commercialization is uncontrollable, social media became constructed of platforms controlled by advertisement and biased algorithms. Selling people's data, biased algorithms and advertisement oriented platforms lead us to a problem related to the exercise of the freedom of expression, as the internet is adopting the already existent power struggles "between commercial, religious, political and state actors" (Stjernfelt and Lauritzen 2020). The discussions and power struggles between different actors exist simultaneously on the ground and online. But for the online world Big Tech companies are controlling the discourse which poses issues concerning the freedom of expression in terms accessing information, academic freedom, censorship, protection and the right to privacy.

The data journalist Nicolas Kayser-Bril wrote an article called *How Big Tech Charms and Bullies European Politicians, Journalists and Academics,* in his article Nicolas tackled the topic of big Tech companies' infiltration of European institutions. To illustrate the level of

this infiltration Nicolas mentioned the story of Dr. Miller McClinktock[41], the director of Albert Russel Bureau for Street Traffic Research at Harvard University in the 1920s, this Bureau was funded by Studebaker.[42] Before taking this job position, Miller's previous research and arguments were focused on traffic problems from the perspective of advocating for limited automobile use (Kayser-Bril 2021). With Studebaker indirect interference and his work in the research institute Miller started taking the side of the automobile company and advocating for "more and larger roads" (Kayser-Bril 2021). According to Nicolas, Studebaker indirect interference in research through the funding was the first time a big company interferes in a researcher's work in an indirect way. Studebaker never asked McClinktock to change his view point he just did it as a consequence for Studebaker donation. Nicolas argues that today's big Tech Companies such as Facebook, Google and Microsoft follow the footsteps of Studebaker, these companies seek to invest in research therefore to influence on policies and decision making. In 2021, the New Statesman journal published an article called *how Google quietly funds Europe's leading tech policy institutes,* the article shows how Big Technology companies such as Google is putting millions of Euros in funding the research of academics seeking to investigate their business model. The investigative journalists who worked on the article, conducted a five years in depth research. In Europe, Six prestigious academic institutes took millions of euros of funds from Amazon, Microsoft, Google and Facebook. The research subjects were diverse such as: Data protection, Artificial intelligence, digital markets (Clarke, Williams and Swindells 2021). And these research institutions or professors hold significant roles not only in academia but as advisors for EU technology policies. An example is Luciano Floridi[43], he is considered one of the most powerful European Tech policy expert. Luciano "has advised the European Commission, the Information Commissioner's Office, the UK government's Centre for Data

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[41] Miller McClintock graduated with a Ph. D from Harvard. He was an expert in street traffic.

[42] Studebaker was an automobile manufacturer, the company gave the University of Harvard $10,000 per year to fund the research of the best methods of regulating street traffic.
https://www.thecrimson.com/article/1926/10/14/10000-a-year-for-traffic-study/

[43] Professor of Philosophy and Ethics of Information and the Director of the Digital Ethics Lab at the University of the Oxford. https://www.oii.ox.ac.uk/people/profiles/luciano-floridi/

Ethics and Innovation, the Foreign Office, the Financial Conduct Authority and the Vatican"
(Clarke, Williams and Swindells 2021). Luciano receives funding from many big tech
companies such as "Google, DeepMind, Facebook, Tencent[44] and Fujitsu."[45] The
investigative piece results does not confirm the direct interference of big tech companies in
the research results but it poses a question concerning the integrity of these companies and
the academic freedom of researchers in terms of topics researched. The result of research
cannot be altered in such high profile institutions but the limits of the research question can
be changed. The professor of law in the University of London Michael Veale, talked about
the reasons Tech companies seek to fund policy research he said: "By funding very pedantic
academics in an area to investigate the nuances of economics online, you can heighten the
amount of perceived uncertainty in things that are currently taken for granted in regulatory
spheres" (Clarke, Williams and Swindells 2021). Another Professor of Law shares the same
point of view and explains the patterns and techniques used by academics tackling Data and
ethics in policy, Oles Andriychuk[46], mentions that when it comes to research in these subjects
academics use technical terminologies to argue: "They discuss technicalities – very technical
arguments which are not wrong, but they either slow down the process, or redirect the focus
to issues which are less important, or which blur clarity" (Clarke, Williams and Swindells
2021). Another problem mentioned in the investigative article is the researcher's declaration
of the funding and the same example is the Director of the Digital Ethics Lab at the University
of Oxford, the professor does not declare directly the source of funding although most of his
research funding comes for Google. The declaration of the funding is a must in research. The
United States based organization, *Campaign for accountability*, published a report in 2017
named, *Google Academic Inc,* talking about the papers funded by Google between 2005 and
2017, Google funded 330 research papers on public policy subjects, all these researches were
conducted in the world high profile institutions such as Stanford, Harvard, MIT, etc. (Tech

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[44] Chinese Tech Company

[45] Japanese IT firm, this company was responsible for IT scandal in British Post Office. Horizon was an IT program created by Fujitsu from 2000 until 2014 2000 736 post office employees an average of one a week were prosecuted because of a bug in the system of computer created by Fujitsu
https://www.bbc.com/news/business-56718036

[46] Lecturer in Competition and Internet Law and Director of the Strathclyde Centre for Internet Law and Policy (SCILP) https://www.strath.ac.uk/staff/andriychukolesdr/

Tranparency Project 2017). According to the report 66% of the academics who received the funding by Google did not disclose the source of their fund and 26% of them were fully funded by Google. As the issue of finding funding for research projects is a big obstacle for researchers in academia and institutions encourage the researchers to ask for external funding in order for them to conduct the research. But academics should reveal the source of the funding especially if it is funded by a Big Tech Organization. Organizations like Campaign for accountability are asking for a disclosure of the source of funding to the readers. This is related to freedom of expression from the perspective of the right to access information, individuals does not have the right to access information when the information is hidden and not disclosed. It is undeniable that funding helps the academics to publish and work on their research projects but at the same time it produces an ethical dilemma because "the subject of research is also often the primary funder of it" (Clarke, Williams and Swindells 2021).

The digital age and big tech companies' control of the cyber space is impacting on freedom of expression in countries that this freedom is supposedly guaranteed. The right of freedom of expression in the cyberspace is a challenge for governments and policy makers. As the tech world is evolving rapidly, the need to produce laws that protect the human right of expression is increasing. Big tech companies control over information and publishing is dangerous and puts the academic freedom at risk. It is a risk on the future of freedom of expression therefore on other fundamental human rights.

The concept of freedom of expression is widely treated in multiple agreements and soft law tools. This freedom is considerably acknowledged in internal and regional laws. From the earlier work of philosophers to the modern day journalism, the freedom of expression with technological advancement became an essential tool against oppression. Protection and regulations are used to offer more space of freedom, and to fight harm and abuse. Censorship is an oppression tool used in authoritarian regimes. Understanding the limits of regulation and protection allow for a clearer view on fighting oppression of the freedom of expression.

5. Censorship
5.1 Censorship and Self-Censorship in the digital age

It's almost impossible not to talk censorship when speaking about freedom of speech and expression. Sue Curry Jansen[47] described censorship as "the knot that binds power and knowledge". This definition emphasizes on the effects of censorship on knowledge and any work produced. The origin of word Censor is Latin and indicates one of the Roman magistrates[48]. The word censorship is *censere* in Latin which means: "to give as one's opinion, to assess" (Public Broadcasting Service 2022).

In the Merriam Webster dictionary Censor is "One who supervises conduct and morals: as a) an official who examines materials (as publications or films) for objectionable matter; b) an official (as in time of war) who reads communications (as letters) and deletes material considered harmful to the interests of his organization", and censorship: "the institution, system or practice of censoring; the actions or practices of censors" (Public Broadcasting Service 2022).

David Bromell[49] wrote *Regulating free speech in a digital age: Hate, Harm and the limits of censorship,* David conducted his research in the Center for Advanced Internet Studies Bochum in Germany, the book offers an extensive research on the practice of freedom of expression in our digital age. David uses the term "regulations" as oppose to censorship and the use of this terminology separates between the two concepts, as the word censorship has a negative connotation and regulation is more related to law and policies used to protect citizens. The first part of the book is about *"Regulating harmful digital communication"*, according to Bromell, the internet definitely provided a high speed reach of information but this spread comes with consequences, as a matter of fact the internet advancement has led to government institutions loss of control, instead big tech companies are in charge. The abuse

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[47] Sue Curry Jansen is professor of media and communication. She teaches in the department of Sociology and focuses on freedom of expression and its obstacles.
https://www.muhlenberg.edu/academics/mediacom/facultystaff/suecurryjansen/
[48] The Romans didn't create censorship. In fact, early social and political limits on freedom of expression existed in Sumeria and Egypt

[49] Senior Policy advisor, Professor of Politics, Philosophy and Public Policy. His recent research focused on *"Christchurch Call, internet censorship, hate speech and de-platforming; and ideas that matter in politics and public policy."* https://www.wgtn.ac.nz/igps/about-us/staff/senior-associates/david-bromell David's writings are influenced by modern and classical liberal thinking.

of law or illegal content produced by users cannot be perfectly monitored therefore stopped. As David emphasized "governments are powerless", (Bromell 2022), furthermore platforms on the internet have their own rules and regulations, they try to have general guidelines for the users in order to abide by the national laws inside the countries. "Illegal content" varies depending on the country as the jurisdictions changes from one country to another but the internet is an open space. Abiding by guidelines offered by the companies does not necessarily mean users are immune from breaching the law, David describes it by saying: "The definition of "illegal" content varies across jurisdictions and online service providers shelter behind "safe harbour" provisions that generally grant them immunity when content transmitted over their platforms does breach local laws and regulations" (Bromell 2022). Governments have a duty to protect citizens' rights to express, and the right to be protected from cyber bullying, harassment or any form of discrimination at the same time authorities should protect people's shared information. The other a big responsibility falls on Tech companies, their strategies and their excellent mastering of the social platforms. Tech platforms are a step ahead from governments' control of the cyberspace. The users have to abide by regulations of the platforms without questioning the reason off all the rules and the authorities are unable to operate in the same speed as Tech companies. In fact, as seen in the section before they need them to conduct research and produce technology related policies.

5.2. Academic Censorship

Freedom of Expression Challenged: Scientists' Perspectives on Hidden Forms of Suppression and Self-censorship by Esa Valiverronen and Sampsa Saikkonen tackle in details the new unseen methods of oppression and self-censorship on scientists. They discuss the relationship between freedom of expression and freedom of academic research. In their analysis, they offer a distinction between four types of suppression: "political and economic control, organizational control, control between rival academics, and control from publics" (Valiverronen and Saikkonen 2020). In addition, they try to find out the reasons behind these suppressions. During the last few years, the attempts to silence researchers is on the rise,

Columbia Law School started an initiative called: "Silencing science tracker"[50], this initiative became a need to document all the restrictions on scientific research. According to Pippa Norris[51], the main reason behind the rise in restrictions is "authoritarian populism[52]" (Norris and Inglehart 2019). This phenomenon is present not only in the United States but also in Europe. Valiverronen and Saikkonen argue that scientists and academic experts became systematically targeted, in particular "because the world of academia is largely funded by the state, universities and researchers are particularly vulnerable to this development" (Valiverronen and Saikkonen 2020). They mention three methods for academic censorship, one of them is the direct censorship but it is not the only method, the direct censorship would be through legal sanctions, another effective method is on ideas and research topics, organizations can choose to agree on research topic or limit the researcher's work by limiting access to data needed to conduct the research. Another crucial method is self-censorship, especially when the research can put a risk on the scientist's reputation or in some case put their lives in danger. As mentioned before, in the research article four methods of repression were mentioned, one of them is political and economic control, this form of restriction is related to the role of big data companies and funding mentioned in the previous section, a manifestation of this restriction is limiting the researcher's access to funding or provide funding for projects within the same interest of big corporations and institutions. Academic freedom is the core of freedom of expression as the level of freedom of scientists and academics to conduct any research with appropriate funding and access to Data and information show the country will to push the boundaries and restrictions set for freedom of speech and expression.

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[50] This initiative started in November 2016 after the USA presidential elections. The Silencing Science Tracker, follow and document the government practices in restricting scientific research, prohibiting education or discussion, or the publication of any scientific information
https://climate.law.columbia.edu/Silencing-Science-Tracker

[51] Lecturer in Comparative Politics,

[52] It is a political ideology. Some beliefs of this ideology: *"cynicism about human rights, hostility to the state, opposition to immigration and an enthusiasm for a strong defence and foreign policy"*
https://www.macmillandictionary.com/dictionary/british/authoritarian-populism

5.3. Media and journalism Censorship

Censorship on media and journalism is not new. Today, the censorship on media includes citizen journalism and social media platforms. Joel Simon from the non-profit organization "Committee to Protect Journalists" talks about repression 2.0 saying it is the same form of repression used by the states but in an updated version. The censorship could be in the form of imposing censorship on users of social platforms and putting them in prisons. Joel talks about "a masked political control means a systematic effort to hide repressive actions by dressing them in the cloak of democratic norms" (Simon 2017). He's emphasizing on the practices of censorship by the governments, these acts are justified by saying they are necessary to protect against violence. As the next section will explain in details the case of Egypt this quote from Joel describes what the authorities in Egypt are trying to do: "They might cast the jailing of dozens of critical journalists as an essential element in the global fight against terror" (Simon 2017).

For authoritarian regimes around the world, censorship is a common practice. The challenge for these regimes is to benefit from technological tools, at the same time to maintain control. Simon gave the example of North Korea as the country witnessed "modest cracks in the wall of censorship" (Simon 2017). An indication of this crack is the AP bureau[53] and the rising in the use of cell phones. North Korea is on the bottom list of Reporters without borders concerning freedom of expression and technology managed to impose a crack.

Citizen journalism as the name indicates is a form of journalism where users of social media become the source of the information without prior professional training in journalism ethics. Courtney Radsch defines it "as an alternative and activist form of newsgathering and reporting that leverages networked social media and functions outside but in relation to mainstream media institutions" (Radsch 2016). She attributes the rise of such form of journalism to the limitations of mainstream journalism and the need to have an alternative

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[53] Associated Press opened news bureau in North Korea in 2012.
https://www.theguardian.com/world/2012/jan/16/associated-press-bureau-north-korea

source to legitimatize the news. Another advantage for citizen journalism is the ability to offer an image and tell a story without the gatekeeping of big news agency. During the 2011 uprisings, a new wave of citizen journalism began to rise, even mainstream media relied on footages from people on the ground to portray the protests. The youth and people online managed to portray a new image of the Arab world. A similar phenomenon happened in 2009 in Iran, after the presidential elections, a movement called *"the Iranian Green Movement"[54]* managed to show a new face for the country to western media. Iran was previously portrayed as a conservative extremist country but the youth and people gathering to protest which shattered an old image and created a new revolting image of Iranians before the Arab Spring (Dangerfield n.d.). Citizen journalism is one of the ways used by individuals to portray what is happening in the country far from the mainstream media coverage. Furthermore, it is a powerful tool for citizens to document Human Rights abuses committed by their governments when the authorities control media outlets. The example of Egypt will demonstrate the power of citizen journalism, online activism, and alternative media sources against government control and censorship. These tools are offering a new space for a generation to express their opinions, stand up against oppression and ask for their basic rights. Their battle is extremely difficult as they are risking their lives and spending years silenced in prison.

6. Freedom of expression in Egypt

6.1. An overview on Egyptian media

The Egyptian dialect is the most famous Arabic dialect across the Middle East and North African region and the reason for that is the wide spread of Egyptian culture through music, cinema and television. Le courier de l'Egypt was the first newspaper published in the Arab World. Hanan Badr[55] describes Egyptian media as paradoxical. The Egyptian media industry

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[54] A day after the presidential election, protesters gathered in Iran on June 25, with the slogan of "Where Is My Vote? which eventually became the beginning of an that is now called "Green movement". https://www.aljazeera.com/opinions/2013/6/12/what-happened-to-the-green-movement-in-iran

[55] Media and communication Professor, her research focuses on digital journalism, comparative media systems and transformation in the Arab region. https://digitalarabia.network/success-stories/hanan-badr

was leading in the Arab region in the 1940s until the 1960s.[56] Today more than ever, Egypt is suffering from restrictions on freedom of expression. The flourishing advancement in media and cinema that Egypt have witnessed in the past did not last long. The state's strategy throughout the years was to increase limitations on freedom of expression by issuing abusive laws. At the same time, the state governed the economy through what Hanan calls "indirect state capitalism" (Badr 2019)*, where the state owns media outlets or the ownership of big media corporations was left to few elitist business groups. Hanan is speaking about traditional broadcast media and how the outlets struggled to maintain a connection with a younger audience and be financially secure. In addition, independent media suffered to work in the midst of an economic crisis and gain credibility and support from a large audience that lost trust in media institutions.

As mentioned in Chapter one, some scholars attribute the success of the 25th of January uprisings to social media activism but Hanan and many academics refused this one dimensional look at the revolution. In fact, it is a mix of many aspects including the interaction between the public sphere on the ground and the online sphere. Post revolution and more particularly, the era of Al Sisi is exceptional. Starting 2015, there's a significant rise in internet control. The government does not tolerate any form of criticism or freedom of speech. The state have increased surveillance and police control. Not only that, the state is constantly imprisoning free media journalists and controlling media outlets using high tech surveillance technologies. In 2019, "more than 500 websites and news media are banned within Egypt" (Badr 2019).

In 2014, Rasha Abdulla[57] wrote an article for Carnegie called "Egypt's media in the middle of the revolution" the research was conducted in 2014 at the beginning of Al Sisi era and in the introduction the professor stared by saying that media reform is need. This research will

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[56] The golden age of Egyptian cinema. The cinema industry in Egypt was called *"Hollywood of the Orient"* and the *"Hollywood on the Nile"*. The Egyptian cinema was thriving because it was difficult to get movies from Europe or Hollywood during the Second World War.

[57] Associate professor and former chair of the journalism and mass communication department at the American University in Cairo.

serve as a starting point for the timeline of freedom expression in Egypt which will be 2014 until 2022.

Rasha mentions the Egyptian television system and the fact that broadcast media lacked political independence. This leads us back to the famous story of Bassem Youssef and how even though he was influential and viewed by millions on television, a political decision blocked his show from staying on Air. In 2014, Rasha emphasized on the importance to examine the possibility of a reform system in Egypt for the establishment of an independent media. Her research was conducted during a time of the start of a new repressive period in Egypt. And the laws and decision made post 2014 portrays this restriction on media in general and independent media in particular.

Iman Mohamed Mohamed Zahra and Hosni Mohamed Nasr wrote an article entitled *The Right to Know and Freedom of Expression in the Arab world in the Digital Age,* in their research they focused on the digital age, as in this age we witnessed the challenges concerning this human right. Their research paper aim to analyze the freedom of expression with the advancement of media technology tools. They argue that the problems of freedom of expression and the right to know in the Arab world are not merely a cause of authoritarian Arab regimes but also because the general public is unaware of the technological tool itself and are not fully equipped with the right to use it. This approach to the problem puts the blame on the users of the tool and undermine the power of authorities and security government agencies.

6.2. Freedom of expression in the Egyptian constitution and laws

In the Egyptian constitution the right of freedom of expression is guaranteed, the article 48 states "The law shall protect the inviolability of the private life of citizens. Correspondence, wires, telephone calls and other means of communication shall have their own sanctity and their secrecy shall be guaranteed. They may not be confiscated or monitored except by a causal judicial warrant, for a definite period and according to the provisions of the law" (Amin n.d.). But in reality the law is not executed. In fact, the government constantly issues laws to block the freedom of speech. As mentioned in the first chapter, Egypt is in a constant

state of emergency, therefore the state uses emergency laws and articles to limit the freedom of expression. Furthermore, the government continually seeks to censor media content and persecute Human rights defenders, activists, media professionals, bloggers, journalists, content creators and citizens criticizing the regime (Abdulla 2014).

Before 2016, the charter of the Radio and Broadcasting Union regulated broadcasting in Egypt. The charter was changed in 1989 in order to give full control to the minister of information, the charter itself gives an indication to how the power in decision making and media regulation is limited to one entity (Abdulla 2014).

In 2016, the Egyptian President Al Sisi approved a new media law. The law announced the creation of three new bodies to monitor Egyptian media from print, broadcast or electronic media (Allam 2018). This law announced three main articles: "Article 211 (The establishment of the Supreme Council for Media Regulation), Article 212 (The National Council for Print Media) and article 213 (The National Council for Broadcast Media)" (Allam 2018). After the 2011 revolution, people demanded the independence of media platforms from government control. But even with this law and the abolishment of the ministry of information in 2014, the freedom of expression is not in a better situation. In fact, the situation is much worse. In reality, the well-written laws are contradicts with reality. Amr Hamzawy[58] wrote a detailed research on the new era of repression in Egypt through *"legislating authoritarianism"*. He spotted two main methods used by the states, number one: in Egypt, there's on going trend to use legal methods and laws to settle political problems and force control. Number two: People in power care about their image abroad, actually political leaders want to use a façade of well-written laws to give an illusion of freedoms and to protect their image (Badr 2019). Amr argue that starting 2014, the new regulation and changes within the constitution is a clear indication of "re-autocratization and legislative authoritarianism*"* (Badr 2019).

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[58]   Senior Research Scholar at the Center on Democracy, Development and the Rule of Law in the Freeman Spogli Institute at Stanford University

6.3. Freedom of expression and the internet in Egypt

In 1993, the internet was present in Egypt. According to the Internet World Stats, in 2000 1% of the Egyptian population used the internet, the numbers kept on growing to reach 48.7% in 2008. The former president Hosni Moubarak made investments in an Internet and technologies plan (Badr 2019). These investments did not mean less control and censorship but it opened a door for foreign investments in Egypt. According to Hanan Badr, these investments helped the Human Rights activists and journalists during the 2011 revolution. After the fall down of the dictator Moubarak, the media in Egypt experienced "a political rollercoaster" (Badr 2019), the media like everything else in the country went from a big change in the system in 2011 then slowly and progressively degrading. People experience a rupture in the system shifting the outlook on the freedom of expression positively then slowly going downhill to reach the state of today.

In 2018, the Egyptian Parliament approved on a new law for cybercrime, this law legalized internet censorship (Mohsen and Atta 2018). The new law No. 175 ratified by the president Abdel Fatah Al-Sisi, was published in the Official Gazette and the purpose of this cyber-law was to fight extreme and terrorist organizations. However, with a general overview and a research on the application of this law, the aim of fighting terrorism does not come in the list of reasons why websites were blocked, youth were arrested, and civil society's work was blocked. The law is clearly legalizing oppression and restriction on freedom of expression. In the official law text, the main targets of the Anti-cybercrime law are divided into five categories: "Users of internet (natural and legal persons), managers of legal persons, service providers, web administrators and state officials" (Bälz and Mujally 2018). The Egyptian Association on the freedom of thought and expression published a full report on this new cyber law. This law allowed the government to use legislations in order to attack individuals expressing their opinion online. Not only that, it opens the door for more surveillance through the right to monitor citizens for a period of 180 days using designated monitoring and technology services. This new law specific for the crimes of information and technology contained 45 articles. While conducting the research Mohsen and Atta noticed that the lawmakers intended not to specify the exact meaning behind legal words leaving a window

for what they called "selective interpretation", (Mohsen and Atta 2018) this is particularly dangerous as the vagueness allows more control without any necessary legal justifications. For example, in the articles 27[59] and 35[60], *"public morals"* is not defined which makes the penalty on the crimes committed increase based on the interpretation. Article 7 indicated the "Procedures and decisions issued in respect of the site block writs" (Chawki 2020), this article gives the authorities power to block websites when the content "is a crime or threat to national security or jeopardizes the security of the country or its national economy" (Mohsen and Atta 2018). The number of websites blocked is increasing and the same rule applies to personal blogs and social media accounts with five thousands or more followers. (EuroMed Rights 2020). Association for Freedom of Thought and Expression (AFTE) publishes a periodical updates on the lists of websites blocked in Egypt[61], in their regular monitoring AFTE noticed six types of websites blocked: *Websites that were blocked as a result of editorial policies* for example Egyptian website like Masr al-Arabia[62], an Arabic independent platform called Rassef22[63], and a Lebanese newspaper site AlAkhbar[64] , *websites that were*

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[59] Unofficial translation by Dr. Mohamed Chawki: "*In cases other those stipulated herein, anyone who creates, manages, uses a website or a private account on the information network for the purpose of committing or facilitating a punishable crime shall be punishable by imprisonment for no less than two years and a fine of no less than one hundred thousand Egyptian Pounds and no more than three hundred thousand Egyptian Pounds, or by one of these two penalties.*"

[60] Unofficial translation by Dr. Mohamed Chawki: "*Each person responsible for the actual management of any legal person, if the website, private account, email or information system of the entity administered by such person exposes to any crimes stipulated herein and such person does not inform the competent official authorities when it becomes aware of such crime, shall be punishable by imprisonment for no less than three months and a fine of no less than thirty thousand Egyptian Pounds and no more than one hundred thousand Egyptian Pounds, or by one of these two penalties*"

[61] *AFTE used the Tor Project (OONI Probe), a free software and observatory that acts as a network to detect surveillance, control and interference with Internet traffic. OONI Probe enables testing the blocking of websites, as well as another spectrum of network tests. It also allows users to publish test results. AFTE compares the results obtained through the tool with the results of other tests published by users from Egypt*

[62] The story didn't not finish with the block on the website. The website editor in Chief was arrested for 3 months and he remains in prison until today waiting for investigation. https://afteegypt.org/en/blocked-websites-list

[63] After publishing an article called "The nature of the relationship between media and security in Egypt" the website was blocked in Egypt days later. https://afteegypt.org/en/blocked-websites-list

[64] The website was banned for a story called "Sisi dismisses intelligence chief: Failure in the Palestinian and Media portfolios"

blocked as a result of human rights content the most prominent example is Human Rights Watch, the website was blocked after publishing a research on torture by Al Sisi based on interviews with former detainees, *websites that were temporarily blocked, Websites that were blocked a short while after their launch* for example the website "Geem" that stopped shortly after being launched, the aim of the site was to tackle problems of sexuality, sex and gender for young adults in the Middle East and North Africa. The fifth type of website is: *Websites that stopped activity because of the blocking*, for example Huffington Post Arabic[65], the last type is: *Websites that were blocked by a decision of the Supreme Council for Media Regulation[66]*.

Blocking websites and individuals blogs is a clear breach of people right to freedom of expression by limiting their access to information online and participation in giving their opinions through personal articles in forms of blogs.

The national telecom regulatory NTRA is responsible for launching a decision to block a website based on authorities demand. The NTRA demands from the internet service provider INP to proceed in blocking the websites. The decision made by authorities and implemented by NTRA and INP is directly valid and executed but in the law the concerned authorities should submit a request to an investigative bodies in 48 hours, and later on to the court after 24 hours, the final decision is made in court after a maximum period of 72 hours (Mohsen and Atta 2018). To justify the reason behind blocking websites the cyber law mentions big vague terms open for interpretation such as: *"threat to national security"* these kinds of charges are not present just in cyber law, in fact many protestors, activists and civil society organizations were charged under the same allegations which is the threat to national security.

Surveillance and monitoring are also mentioned in the new law, the electronic crime act is directly asking telecommunications companies "to save and store customer usage data for a period of 180 days" (Mohsen and Atta 2018). Storing and saving users' data by companies

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[65] Three years after starting the website in Arabic Huffington was banned in Egypt, therefore losing a large audience the website decided to stop publishing in Arabic
[66] The Law n180 Media gives the Supreme Council for Media Regulation a power to block websites.

allows authorities an access to all their personal information which include their phones calls ad messages, their websites visits, their activities on all applications and social platforms. It is a direct invasion of a person's right to privacy since the authorities are asking for data collection before the proof of committing a crime.

In 2022, the media council is continuously restricting the work of media professionals, one of the remarkable incidents spotted by AFTE Egypt is the suspension of a Sports television presenter named Hossam Haddad, by the national media authority because of his comments on a football match between two Egyptian teams (AFTE's Monitoring and Documentation Unit 2022). Hossam was sent to investigations because his remarks were considered *"as fuelling football hooliganism"* (AFTE's Monitoring and Documentation Unit 2022). This incident happening in the beginning of 2022 portrays the extension of the repression on the freedom of expression that is not particularly limited to political, religious, sexual topics but also entertainment and sports.

Moving forward to digital rights and activists online, security services track online posts that criticizes the government policies (AFTE's Monitoring and Documentation Unit 2022). AFTE's research noted that the arresting is not limited to the activists and people with previous history of political activism. The security authority conducts random monitoring on social media accounts to check the attacks on the government to point that even supporters of the government were arrested because of "publishing posts about their living conditions or violations they were exposed to" (AFTE's Monitoring and Documentation Unit 2022).

However, for activists who are criticizing the regime or posting about violations the most common charge by the prosecution is "joining a terrorist group" or "spreading false news". The prosecutors are putting the people committing atrocious acts of violence against a population in the same category as a person posting their opinions online. As mentioned in the report by AFTE, by using vague terms to indicate a crime, the authorities are given themselves a legal escape to justify their human rights violations.

The extent of these violations are not limited to arresting people for an online posting from their homes or their offices but stopping people walking on the streets in the main squares

like Tahrir square to search their mobile phones and social media platforms[67]. In 2013, Egypt's interim President Adly Mansour, ratified a Protest law. Later on in 2016 the law was approved by the House of Representatives and in 2017, the Protest Law was modified by the cabinet and got the approval of the House of Representatives. The president himself ratified the law and then it was valid and was published in the official Gazette on April 30, 2017 (The Tahrir Institute for Middle East Policy 2018). This law added restrictions to people desiring to protest by prohibiting: "violations of general security [or] public order … as well as calling for disrupting public interests" (The Tahrir Institute for Middle East Policy 2018). This law puts power in the hand of the Ministry of Interior as they have the right to stop any manifestations of they suspected threats to national security. Furthermore the protest law allows police brutality as it authorizes the use of "water cannons, batons, and tear gas" (The Tahrir Institute for Middle East Policy 2018) in cases of disrespect of the law.

Egypt was a pioneer in the media industry and it not a surprise that "Arab blogging emerged from Egypt" (Radsch 2016). Other than fighting terrorism, spreading fake news and criticizing the state. The authorities are producing a form of oppression through imposing patriarchal control using the law. In the end of 2021 and beginning of 2022, there was an attack on young female Egyptian bloggers. The argument of the state is protecting "Egyptian Family values". According to Human Rights Watch, a famous content creator called "Manar Samy" was sentenced for three years in jail for her dance videos online (HRNJ-Uganda 2020). Authorities accused her for spreading immorality and inciting on sin. Another Content creator on TikTok called "Hadeer Al Hady" was arrested and sentenced for two years in prison with a fine to pay. An investigative report said that Hadeer was subjected to brutal violation of her rights though a virginity test. There's so many other examples of women and young blogger and TikTok content creators that are subject to arrest and unhuman torture. During the 2011 revolution women across the Arab countries played a major role standing in the front lines against police brutality and occupying a space that was for a long time occupied by men. Women manifested, protested, chanted and fought against authoritarianism. The

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[67] AFTE mentioned the case of Imad Al-Sayed Ali Radwan. Imad was arrested in January 2022 when the police approached him near Tahrir Square and search his social media accounts to find anti-government posts therefore proceeded to arrest him.

states and the society continuously tries to control women bodies and force patriarchal conceptions linking female's bodies to family's honor and societies morals. The feminist author Mona Eltahawy explains perfectly in her book *Headscarves and Hymens: Why the Middle East Needs a Sexual Revolution* the link between patriarchy and authoritarianism: "there is a fierce battle raging in Egypt, and it's not the one between Islamists and military rulers, the two factions that dominate the coverage of my country these days. The real battle the one that will determine whether Egypt will free itself from authoritarianism, is between patriarchy–established and upheld by the state and the street and at home –and women who will no longer accept the status quo" (Eltahawy 2015). Mona calls for men to stand up alongside women as women stood up against oppression in 2011. The freedom of expression of women online is a battle against patriarchy and oppression. It is a crucial to address issues related to states power from an intersectional approach by speaking up about limiting the freedom of individuals and the discrimination based on class, gender, sex and sexuality.

Individuals in Egypt are constantly monitored in their activities online and on the ground. The laws that are supposedly made to protect human rights are not being executed. The authorities are making laws that fits them. The rights of Freedom of expression in Egypt is definitely not respected according to international and national standards. Activists and young students are put in prison for years without access to simple basic needs, their crime is speaking their opinion and posting on social media. For young people inside, the fight against an oppressive system backed with advanced technological tools is brutal. The Egyptian state is using advanced technological tools to monitor individuals and at the same time the state is constantly trying to protect its image and deny the oppression. To better understand the new level of oppression, chapter 3 will explore in details prisons and prisoners of consciousness, the surveillance system historically and the new technological system used in Egypt. Today more than ever, prisons in Egypt became a place where free individuals spend years subjected to torture, psychological pressure and harm. They are denied from their basic needs and their stories are not acknowledged. The government is constantly making a link between Freedom of expression and the fight against terrorism, they are using all the tools to hide this oppression but the stories of prisoners of consciousness in Egypt are

essential to reveal the human rights violations and injustice, chapter three will analyze in details the Story of Alaa Abdel Fatah, one the Egypt's most famous Political prisoners.

Chapter three: Surveillance, Prisons and a Prisoner's Story

1. Introduction

Since the Arab spring protest movement in 2011, authorities have used changes to legitimize a new firm shift towards authoritarianism. As seen in the previous chapter freedom of expression is at risk everywhere in the world with the presence of technology companies controlling sources of information and governments depending on them to provide a clear direction in tech policy. The situation is more difficult in states where basic human rights are still not provided. People are deprived from their right to express their opinion and constantly monitored in order to be punish for speaking up. The concept of prisoners of consciousness in not new, people struggled for centuries against injustice and oppression. There's no doubt that surveillance affects one of the essential human rights which is the freedom of expression. Surveillance is not new to Egypt as it has always existed throughout many different eras and leaders but after the 2011 uprisings there's was an obsession of Egyptian regimes with monitoring online activities and blocking freedom of expression. Not to mention the arbitrary arrests and atrocious prison torture. Communications surveillance can be defined according to article 2(1) of the United Nations Draft Legal Instrument on Government-led Surveillance and Privacy (2018): "surveillance is any monitoring, collecting, observing or listening by a state or on its behalf or on its orders of persons, their movements, their conversations or their other activities or communications including metadata and/or the recording of the monitoring, observation and listening activities" (Farahat 2021). This definition will help in guiding the chapter as the word surveillance is repeated in the various parts.

Today, surveillance technology tools are used to monitor all free individuals expressing their opinions. This chapter will try to understand the surveillance system, prisons, and the systematic attacks on human rights activists, scholars, internet users and any voice against the regime in Egypt region while looking at the concept of surveillance and prisons from a historical point of view. A study case of the political prisoner Alaa Abdel-Fattah is mentioned in details to understand the exceptional legal framework and authorities decisions.

2. Prisoners of consciousness

2.1. Prisoners of consciousness and the role of Amnesty international

In the universal declaration of human Rights, the first human rights document endorsed by the United Nation 1948, the term *"prisoner of conscience"* is not present. The role of Amnesty International (AI) is essential in the rise of this term. In 1961, Peter Anderson a British lawyer wrote an article in the Observer newspaper speaking up about the unjust jailing of two Portuguese students. Benenson launched a campaign that gained a lot of attention, he called for action to release arrested students. In an article called *"Prisoners of Conscience: The Shaping of a New Human Rights Concept",* Edy Kaufman examines the historical context of the formation of Amnesty international and how this context helped in the development process of the term prisoners of consciousness in international law and international human rights standards. For AI "This inspiring moment didn't just give birth to an extraordinary movement, it was the start of extraordinary social change" (Kaufman 1991).

According to Eddy the term Prisoners of consciousness or "POC", became a popular used "expression in the human rights field" (Kaufman 1991). AI chose a clear strategy which is picking a clear list of priorities in its mandate and gradually expanding the mandate. At first, the organization focused on the POCs and later on moved to: the abolition of torture, inhuman and degrading treatment, and "disappearances" and the death penalty. What is interesting about the work of Amnesty International is that it didn't want to be involved in the debates of the priorities of rights, the civil and political rights from one hand and the socioeconomic rights from the other, but it fought for an essential human right which is the freedom of expression and the rights of people detained for expressing their opinions. Amnesty considers prisoners of Conscience: "Any person imprisoned or otherwise physically restricted (like house arrest), solely because of his/her political, religious or other conscientiously held beliefs, their ethnic origin, sex, color, language, national or social origin, economic status, birth, sexual orientation or other status, and who has not used violence or advocated violence or hatred " (Amnesty International 2020). The term political prisoners is not used by Amnesty, as prisoners of consciousness have a fixed meaning indicated in the mandate of

Amnesty international and used by international organizations and legal bodies. A political prisoner covers prisoners of consciousness as well can be any human rights defender or a prisoner of conscience (Asi 2022). In 2020, the USA department of State said that there's about 1 million political prisoners in the world. Countries would never admit the imprisonment of people on the basis of their expression or speech. Like the case of Egypt many other states try to find accusations and bend laws to imprison individuals opposing to the government. It is known that in international human rights law, no individual can be detained without a legitimate reason, the legitimacy is crucial as the person will deprived from his basic rights. At the same time, every person has the right for a fair trial, access to lawyers, examinations from doctors and contact with families. In the cases of prisoners of conscious or political prisoners the psychological pressure and torture can become devastating for prisoners leading many of them to attempt suicide or go on hunger strikers as a way to object on authorities decisions about their cases. It is a tremendous level of injustice as individuals are detained with false accusations and at the same time deprived from their basic needs.

2.2. Prisoners of consciousness in the MENA region

The Middle East and North Africa region inherited a legacy of imprisonment. Prisoners are not just the structural buildings or the imprisonment of individuals, but it a system of oppression. After the 2011 uprisings, the MENA region transformed into a more oppressive area. Arab governments became aware of the power of political organization online and offline, they want to control the space of freedom and maintain in power. People kept on protesting rejecting this level of oppression. During protests, police brutality and arbitrary arrests were a common phenomenon. In the online sphere, governments are using new technologies in order to control the digital sphere. The revolution in the internet helped them to outspread security and surveillance beyond physical boarders. People are detained for their activism in squares but also for a post on Facebook or a Tweet.

On February 2020, Amnesty published a report "MENA: Renewed wave of mass uprisings met with brutality and repression during 'year of defiance". The aim of the report was to investigate on Human Rights situation in 19 countries from the region. The report mentions the hope that is still alive for a change in the system with the massive protests that happened in 2019 in every country. This particular year showed that citizens are still active and what happened in 2011 was not an exception and even with devastating results of the uprisings in Syria and Yemen for example. People still had some faith in collective change. The MENA regional director of Amnesty international Heba Morayef said "instead of launching deadly crackdowns and resorting to measures such as excessive use of force, torture, or arbitrary mass arrests and prosecutions, authorities should listen to and address demands for social and economic justice as well as political rights" (Amnesty International 2020).Stories of detained individuals are countless. Today the most famous political detainee in Egypt is Alaa Abdel Fatah.

3. Alaa Abdel Fatah: You Have Yet Been Defeated
3.1.Abdel Fatah's family story

أعلمُ أنَّ ‏"اليأسَ خِيَانة"

I know that despair is treason

لَكِنَّ الثَّائِر في وطني

But the revolutionary in my country

– لَوْ كان نبيّاً مَعْصومَاً –

Even if he's a sinless prophet

و رأى .. تمكِينَ الطَّاغيةِ

When he sees the tyrant empowered

بأمْر المظلومِ

By the oppressed's command

و تهليلِ الفُقَراءِ

Amid the rejoicing of the poor

سيَفْقِدُ إيمَانَهْ!

He will lose his faith

On 24th of January 2014, Alaa Abdel Fattah wrote this poem on a piece of paper from his prison cell in Egypt's Tora Prison[68]. Alaa is a father, writer, intellectual, a software developer, a technologist and Egyptian revolutionary. He's a prominent figure in Egypt's 2011 revolution (El-Fattah 2022). Since 2013, Alaa has been detained repetitively for practicing his basic Human Right, expressing his opinion. After finishing a five years sentence in prison with a charge of "organizing a protest", Alaa was released with a six months probation period forced to sleep in a police station every night. In 2019, Alaa was arrested again, he's being held under maximum security prohibited from seeing daylight, walking, having access to any source of information including watching television or listening to the radio. As I'm writing this chapter on the 17th of May 2022, Alaa is on 42th day of hunger strike, his life is at risk and his family is asking for his immediate release. Alaa comes from a family of well-known revolutionaries in Egypt, his mother Leila Soueif, is a Human Rights activist, and a professor of Mathematics at the University of Cairo. Laila was born in London and Alaa obtained the British citizenship on April 2022 from inside prison after his family demanded it. Lina Attallah, the editor in chief of Mada Masr[69] described her as "the matriarch of a family of storied activists" (Attalah 2020). Other than Alaa, Leila has two daughters Mona and Sanaa. The middle child Mona is a researcher and an activist against military courts for civilians (Attalah 2020). Sanaa, spent 6 months in prison after organizing a manifestations to support her brother (Attalah 2020). Leila, her husband and her children are well known in Egypt for their activism and their continuous fight for freedom.

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[68] One of the most secure prisons in Egypt.
[69] An independent Egyptian media platform publishing content in English and Arabic.
https://www.madamasr.com/en

Alaa's father, Ahmad Seif is a famous Egyptian Lawyer and Human rights activist. Ahmad was imprisoned more than five times throughout different periods in Egypt. He was in jail during the times of Anwar el-Sadat and Hosni Mubarak. During the 1980s, Ahmad Seif was detained for five years because he joined Al-Matraqa group[70]. Ahmad called torture "a form of cancer that can eat up a country's youth and stifle its ability to change, criticize, reform and rebel" (Martin 2014). The remarkable achievement of Ahmad Seif was his continuous fight for justice, freedom and human rights. The lawyer defended the first Egyptian blogger arrested for his articles online, Karim Amer (The Guardian 2014). Before the 2011 uprisings, Seif fought for workers' rights in 2008[71] and was the founder and director of the Hisham Mubarak Law Center, in this center human rights activists gathered during the 2011 revolution and helped in defending activists who were detained during the protests (Human Rights Watch 2014).

3.2. Alaa Abdel Fatah's detention chronology

On The 28th of September 2020, a public communication report from the United Nations High Commissioner on human rights by the working group on arbitrary detention mentioned in details the case of Alaa Abdel Fattah.

June 2014: Alaa was sentenced to 15 years in prison because he violated the Egyptian law protest and assaulting a police officer.

February 2015: the sentence was reduced to five years in detention and five years of probation.

March 2019: Alaa was released from prison and started his probation period. He was required to visit the police station daily for 12 hours.

September 2019: Alaa was arrested again while doing his probation at a police station. He was then jailed into pretrial detention on accusations of belonging to a terrorist organization and spreading false news. Alaa was transferred to Tora Maximum Security prison. When he

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[70] A left-wing group that had split from the Egyptian communist party.
[71] On the 6th of April 2008, a workers strike and protests happened in the city of Mahalla, this protest can be considered one of the roots of 25th of January.

first arrived he was tortured and treated inhumanely. According to the report: "he was blindfolded, stripped of his clothing, kicked, beaten, insulted and threatened by prison guards" (Working Group on Arbitrary Detention 2020). Alaa was not allowed access to books or newspapers or to move outside. Moreover, he did not receive a mattress nor a blanket.

March 2020: Covid-19 pandemic hits the world. The Egyptian authorities decided to stop prison visits therefore cutting all means of communication with detainees. Alaa like many other detainees was deeply affected by this decision.

April 2020: Abdel Fattah started a hunger strike. And during the month of April and May, Alaa's family tried constantly to deliver food, medicine, vitamins and letters to Alaa but all their attempts were unsuccessful as Tora's prison was highly secure denying any access to Alaa.

May 2020: Alaa's pretrial detention was renewed. The decision was made without a court session and Alaa's lawyers were not allowed to forward any defense.

On 18 May 2020: Alaa ended his hunger strike and his family got a letter from him. He mentioned in the letter that the "pretrial detention hearings were being resumed by the court system" (Working Group on Arbitrary Detention 2020).

November 2020: The Cairo Criminal Court added Alaa Abdel Fattah in the "terrorist list" for five years, the Official Gazette published the decision as part of case No. 1781/2019 by the SSSP.

September 2021: Alaa was absent from court and the judge renewed his pretrial detention for 45 days.

January 2022: The Court of Cassation rejected the final appeal against on the criminal court's decision to include Alaa in the "terrorist list."

No.1356/2019 is Alaa's case number in the Supreme State Security Prosecution (SSSP)[72], according to Amnesty international, the SSSP used a strategy called *"rotation"* and opened another case No. 1228/2021 against Alaa with the same charges. The authorities use this strategy to extend the arrest of detainees. Since the limit of the pre-trial detention is two year in the Egyptian law (Amnesty International 2022).

The trial of Alaa in Case No. 1228/2021 started on 28 October 2021. The proceedings happened in emergency courts, Alaa did not have access to proper help as his lawyer was unable to contact him in private or have access to his case file. His lawyer submitted a complaint using the article 14 of the Emergency law for the president to remove the verdict but according to Amnesty international, on 3 January 2022, President Al-Sisi changed the verdict against Alaa and two other detainees. "The sentence commenced from the date of ratification, rather than the date of their arrests" (Amnesty International 2020).

Alaa is 40 years old and had spent 10 years of his life in prison. During his time in prison Alaa managed to continue writing whether diaries, poems or articles. *You Have Not Yet Been Defeated* is a book on the collection of Alaa's writings from 2011 until 2021 edited and collected by Naomi Klein[73] . For Alaa's mother, the book's target is Europe, the US, Canada and countries where there's an ability to make a change. Laila said in an interview: "We have been defeated. We haven't stopped. Even if you are defeated, you don't necessarily stop fighting" (Raileanu 2021). Laila is putting a responsibility on countries where making a change in the system is still possible. For Alaa obtaining a British citizenship while in prison was a way used by the family to gain international support, and put pressure on the Egyptian state by the British government to release him. As Laila said, the family have tried all the ways possible to save Alaa using the means available in the Egyptian law but the there's an urgent need for international intervention.

As mentioned in his book, on august 2019 when Alaa was released for a short period on probation, he posted on his Twitter account this sentence: "Only the innocent feel guilt." (El-

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[72] A branch of the Public Prosecution specialized in investigating national security threats. https://www.amnesty.org/en/documents/mde12/5621/2022/en/

[73] Canadian author, social activist, and filmmaker

Fattah 2022). After years of being detained for his activism on the ground and online, Alaa refuses for his mind and imagination to be captivated. Alaa acknowledges the fact that the repression in this period in Egypt is not like any other previous eras but at the same time he calls it fragile, and says: "Egyptian state seems unable to seriously control people's thought. What exists now has a very limited impact on people's imagination. There doesn't seem to be any broad popular engagement with it, but no-one knows how to posit alternatives or come up with tools to address people's imagination. I'm not even sure people still want this" (El-Fattah 2022).

3.3. The Egyptian Human Rights Council and Alaa's case

On the 19th of May 2022, Alaa was transferred to a new prison called Wady Al Natroun rehabilitation center[74]. The transfer came after a petition called "A mothers' Plea" that was initiated and signed by hundreds of Egyptian women to the Egyptian National Council for Human Rights or the NCHR[75] (The New Arab Staff & Agencies 2022).

In 2008, Anne Hawthorne posed a question concerning the NCHR: *Egypt's New National Council for Human Rights: Watchdog or Window Dressing?* The council was established in 2003 by the national Democratic Party policy secretariat ruled by Mubarak's son at the time, the council was established with other reforms aimed to restore Egypt's criticized image of Human rights record (Hawthorne 2008). Many Arab countries have established the council before such as Morocco, Algeria, Tunisia, in the 1990s. The aim of the national council is to develop a national plan for human rights and monitor Egypt's implementation of international treaties (Hawthorne 2008). In her research, Anne compared between the existing Human rights national councils in other Arab countries and the newly established

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[74] It is one of the largest transformation and rehabilitation centers in the world. Read more: https://www.egypttoday.com/Article/1/109324/Egypt%E2%80%99s-Wadi-El-Natron-Rehabilitation-Center-%E2%80%98managed-based-on-global

[75] According to their website, the national council for Human Rights *"aims to protect, promote and develop human rights in Egypt under the provisions of the Constitution. In the light of international conventions and covenants, we cooperate with local and international organizations to make human rights concerns a national priority."* https://nchr.eg/en/Vision-Mission

council in Egypt. As a matter of fact, in all countries studied the council does not effectively help in improving human rights conditions as it is intended to do. These councils face many issues like: "Inadequate investigatory powers, members without sufficient credentials, a lack of transparency, and excessive government control have prevented them from pushing the envelope on human rights issues" (Hawthorne 2008). Case studies showed that authoritarian regimes used National Human Rights institutes to silence criticism (Yefet 2021). By using this strategy the states are refusing to address problems or even acknowledge the existence of human rights violations which leads to having a figure institution without an ability to make a difference. This is the case of the National Human Rights Council in Egypt. For Alaa's situation the council played a harmful role. What the council did is deny that Alaa is on a hunger strike. On the 6th of June 2022, "Ahram online"[76] reported that members from the NCHR visited the Wadi Al-Natroun Prison or "Correctional and Rehabilitation Center" to check up on the inmates and evaluate their situations if it matches with a human rights strategy (Ahram Online 2022). Throughout the visit, the council was accompanied by a member of the interior minister for social protection explaining the fact that the new established rehabilitation center was "providing health care and adequate nutrition, ensuring the right to education and culture, allocating time for inmates to exercise and allowing direct visits between inmates and their families" (Ahram Online 2022). The NHCR completely denied that Alaa is on a hunger strike and the fact that his life is at risk. As the newspaper reported, the NHCR transferred Alaa to this center based on a request from his family and they confirmed that Alaa is in a stable condition and receiving food from prison. The human rights council is spreading false news about Alaa and other inmates as his family confirmed his hunger strike and his condition is critical. This council should have a credibility and a sense of responsibility towards the citizens. On the contrary, the NHCR is helping in spreading Egyptian authorities' propaganda.[77] Today, the council helps in the reestablishment of authoritarianism under Al-Sisi.

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[76] It is part of Al-Ahram newspapers managed by the Egyptian State.
[77] Propaganda is *"a deliberate and systematic attempt to shape perceptions, manipulate cognitions, and direct behavior to achieve a response that furthers the desired intend of the propagandist"* (Jowett and O'Donnell 2018).

The president, tried to show that promoting human rights is part of his plan[78]. But what Al-Sisi did is putting a mask of Human Rights protection and linking promotion of Human rights with fighting terrorism. Alaa and thousands of prisoners are fighting for freedom and are detained in prisoners for speaking up, the state is claiming a humane treatment of prisoners but the reality is completely different. According to several Human Rights organizations, Egyptians who oppose the state or share any news that could effect on the image of Egypt are persecuted. More specifically people who have a reach to a wide audience like media workers[79]. At the same time the Egyptian state used advance surveillance techniques to monitor and control the citizens living inside or abroad. The next part will discuss furthermore surveillance, cybersecurity and the prison system in Egypt.

4. Prisons

4.1. Punishment and Prisons

In her book *"are prisons absolute"*, Angela Davis[80] talked about the prisons in the 21st century and argued that they are a result of massive historical decisions. The act of imprisonment was not the main method used for punishment, until the 18th century in Europe and the 19th century in the USA. The European prison systems was introduced in Asia and Africa as part of the colonial rule. According to a research study by Rudolph Peters from the University of Amsterdam, in the nineteenth century the Egyptian Penal System developed drastically and imprisonment became the first source of punishment as opposed to physical torture and death penalty. What happened in Egypt, is similar to what happened in other parts of the world (Peters 2002). It is necessary to make this comparison because it is true that the

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[78] Read more on Al-Sisi Human Rights plan: https://orientxxi.info/magazine/egypt-al-sisi-a-human-rights-illusionist,5569

[79] Read more on "How Egyptian media workers are intimidated systematically", https://www.dandc.eu/en/article/egypts-regime-severely-restricts-freedom-expression-forcing-media-toe-its-line

[80] Angela Davis is a professor of History of Consciousness at the University of California, is one of the most known activists calling for prison abolishment. Through her teaching, writing and political activism Angela is advocating for a radical change in the United States Penal system, her focus is the prison industrial complex and the necessity of prison abolishment and social reforms. She co-founded Critical Resistance[80], they describe the prison industrial complex as: *"overlapping interests of government and industry that use surveillance, policing, and imprisonment as solutions to economic, social and political problems"* (Critical Resistance 1997).

situation in Egypt is exceptional and frightening but it doesn't come just as a result of one dictator but it is a result of a system of oppression and punishment that existed in the world and still does. In Egypt, this system is rooted and the consequence is massive violations of human rights, imprisonment and torture of thousands of citizens.

Michel Foucault's book *Discipline and Punish on the birth of prisons*, offers an analysis of the historical evolution of the modern penal system, and how this system moved from execution to incarceration and the intention of controlling criminals. Throughout his book Foucault demonstrated the failure of the prison system in fulfilling its main purpose which is reducing crime rates, at the same time showing the complexity of control and punishment by arguing how control moved from the body to the spirit. Foucault says: "One should recall that the movement for reforming the prisons, for controlling their functioning is not a recent phenomenon. It does not even seem to have originated in a recognition of failure. Prison 'reform' is virtually contemporary with the prison itself: it constitutes, as it were, its programme" (Foucault 1977). As Angela says that the concept of imprisonment is deeply rooted and it is advancing with technological development and innovative security systems. In her book, Angela explains how the procedure through which prisons became the main method of punishment is directly related to "the rise of capitalism and to the appearance of a new set of ideological conditions" (Davis 2003). The rise of prisons as a punishment is related to the value of labor which is attached to time and money, as the prison sentence is calculated in terms of time spent in prison.[81] This example is focused on the United States of America. In Egypt, the problematic is definitely related to capitalism's influence[82] and the military power. In 2020, Yezid Sayegh conducted a research on the military economy in Egypt. He explained how the involvement of the Egyptian Armed owners forces (EAF) in the economy and the rising concern of Al-Sisi to produce capital while maintain in power lead to a new version of Egyptian State capitalism (Sayigh 2020). Not only that, prisons in Egypt are not only aiming to punish and control criminals but punish and control everyone, every citizen. The concept of a flawed

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[81] Marxist theorists said that the era during which the commodity form appeared is the period in which penitentiary sentences were considered the main way of punishment.
[82] Read more on the development of Capitalism in Egypt by Patrick Clawson: https://matzpen.org/english/1981-10-10/the-development-of-capitalism-in-egypt/

penal system reached a new level in Egypt. What Al-Sisi's Egypt is trying to do is Imprisonment and criminalization of the human minds. According to word Prison Brief, there's a significant increase in the Prison population total and Prison population rate in Egypt between 2011 and 2016. As the number of prison population was 66,000 in 2011 it almost doubled by 2016 to reach 106,000 (World Prison Brief 2016).

4.2. Carcecal state

Dylan Rodríguez introduced the term *"prison system"*, and highlighted the fact that prisons are beyond physical buildings. Dylan emphasized that a prison is not a just an institution but it is a system of power and dominance. Therefore, the existence of this system can be manifested through many structures, the physical prison is one of them. And what is more important is the liberation from the system or else its existence will continue with other surveillance tools. Angela pointed out Capitalism, and other structures could be racism, white supremacy, patriarchy, heteronormativity, authoritarianism, colonialism. The combination of many structures is dangerous as the case of prisoners of consciousness. Another important concept to mention is the concept of the carceral state, in an article entitled *finding and defining the carceral state*, Dan Berger agreed with Dylan Rodríguez and expanded the use of the term "carceral state" which was limited to "the penal state" and talked about the complexity of having many institutions other than the prison. Dan mentions the work of Foucault as a remarkable work in history in terms of tracing back the start of prison and noted that other historians have failed to continue the work of Foucault. Dan said*:* "historians have not followed Foucault's move to locate the carceral as a fundamental component of Western authority, a form of power embedded in the state itself" (Berger 2019). Dan coined two main issues with historians tackling the carceral state, the first one is what he calls temporarily limited, related to the focus on the carceral state post slavery and the other one is conceptually limited and related the rise of criticism of the states and the police more recently in the 20th century. In the Arab world, more particularly in Egypt the authoritarian regimes discourse revolved mainly on criminalizing human rights activists by portraying them as "agents for foreign entities"*,* by accusing them of belonging to terrorist groups, or by censoring, imprisoning, and torturing them. As Diana Obeid said in her thesis on selected writings of

political prisons in Egypt and Syria: "In contrast to Michel Foucault's depiction of the Western prison as a disciplinary institution that reforms the soul, the Arab prison is designed to destroy the soul" (Obeid 2022)

4.3. The rehabilitation center

In the book *From Asylum to Prison*, Anne E. Parsons filled the historical gap that Dan mentioned after Foucault work, Anne's book talks about the developments in psychiatric treatment and imprisonment that have led to the system of prisons we have today. She looked back at the main practices and evolution in mental health treatments from the end of the WWI until today, she managed to link the decline of the mental health treatments in psychiatric hospitals to the growth of mass imprisonment. As if the prisons became the substitution of mental health institutions it terms of reforms, Anne argues that: "mental hospitals in the mid-twentieth century were carceral spaces—sites of social control that limited people's freedom" (Parsons 2018). These hospitals just like prisons were controlled by the sates, and during the 1960s and 1970s the violence and abuse exercised by the states was exposed to the public which pressured on the need to find rehabilitation or reform systems that nevertheless reinforced the state control through a system of punishment. Most importantly Anne tackled how the state controlled metal institutions until the late 50s and with the advancement of "psychiatric medications, legal challenges to confinement, and cost-shifting all led to the deinstitutionalization of mental illness" (Parsons 2018). Anne presented a perfect simulation between prison and mental institutions controlled by states and showed how this deprivation of individual rights is the result of the desire to control. She argues that with the advancement of psychiatry and the incapability of hospitals to accept patients, the states found the solutions or alternatives in building more rehabilitation centers such as: "prisons, diagnostic centers, and therapeutic programs like forestry camps. At the very moment that mental hospitals shrunk their role in the carceral state, the criminal legal system grew" (Parsons 2018). Not only that, the issue was not with the expansion of the rehabilitation centers but with the fact that they relied more on punishment, the power moved from doctors and medical professional to police, judges, prosecutors "the jail system increasingly absorbed people from the former mental health system" (Parsons 2018).

As explained above, the idea of rehabilitation center is not new. This system is flawed on many levels and yet it has been used and recreated around the world. In Egypt, the concept of rehabilitation centers is highlighted in the era of Al-Sisi. According to committee for Justice, Wadi-Al Natroun Egypt's new prison is a way "to Beautify, Not Reverse Violations" (Committee for Justice 2021). The comparison between the rehabilitation centers in the United States and Egypt relies on two main factors: from one hand, the Egyptian State is attempting to clean it's imagine regarding human rights violations and answer to international requests. The president announced on TV in 2021 that: "Wadi al-Natroun prison would be a full American-style prison that will be followed by seven or eight other similar projects across the country"[83] (MEE Staff 2022). The president clearly announced the adoption of this prison model or so called rehabilitation centers. On the other hand, the model of punishment is used to maintain in power and increase the state's control. In the case of the United States it was for the inability to treat patients and force control using inhumane methods. In Egypt the increasing number of prisoners are prisoners of consciousness. The same model of punishment is adopted. Almost half of the prison population are political prisoners, "at least 65,000 political prisoners being arbitrarily detained by the government in Egypt, out of a total approximate prison population of 120,000" (Peoples Dispatch 2022). Egyptian authorities must understand that the detentions centers and new prisons will not help in any sort to reform while the accusations are false and the method itself is questionable. The advertised prison as described by the government "a Model of Integrated Commitment to the Rights of Inmates"[84] (The Supreme Standing Committee for Human Rights 2021) is not a solution for any problem, there's an urgent need to release prisoners and end arbitrary arrests and never ending detentions.

4.4.Wadi Al Natroun prison complex

The international NGO We Record did an investigative report on the largest prison in modern history, Wadi Al Natrun prison. The report argues that the president has transformed a fertile

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[83] In Sinai, northeast of Egypt, the state is building a new prison to accommodate 20,000 inmates.
[84] See more in this article: https://sschr.gov.eg/en/highlights/wadi-el-natroun/

land to an exile (Annex 2). The prison was constructed in fast period of time, as the photos show in a course of 6 months the prison was built. The report explains in details the process of building the structure of the prison complex and reveals its capacity of keeping 34,000 prisoners. High security design is not the only feature of this prison but the prison is made in a way to be completely isolated from the outside world "mid existence of large agricultural greenhouses, huge water storage tanks, a hospital with major medical capacity, a court complex, buildings belonging to National Security Sector, the notorious internal intelligence service; an integrated security sector for the forces charged with securing the prison, in addition to several separate internal prisons with internal protection walls" (We Record 2021). The isolation from the rest of the city and the high security keeps the prison in another part of the city.

Moreover, Egypt suffers from accumulated debts, the NGO's report tried to estimate the cost of the prison. We record estimated the cost of 191$ per meter cubic. In a country suffering from economic instability building prisons is not a priority, other reforms are more important and necessary in addition to the release of the political prisoners which constitutes almost the half of the prisoners. The prison made as a rehabilitation center is not in any way a sing of advancement in human rights and freedom in Egypt. The political regime is as Alaa Abdel Fattah said "fragile" it is not stable therefore it is seeking to build prions to exile citizens opposing the system inside their state (We Record 2021).

5. Surveillance
5.1. The modern Panopticon

The Philosopher Jeremy Bentham, the founder of modern utilitarianism[85] invented the plan of the Panopticon. The Panopticon was first introduced by Foucault in the Book Punish and Discipline. And the design was implemented by Jeremy Bentham. He come up with an extremely detailed plan for a building named the Panopticon. The design is a round building

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[85] Utilitarianism comes from normative of the 18th and 19th century in England. The definition is that an action is considered right if it has tendency to promote happiness and wrong if it has a tendency to produce pain to just to person doing the action by anyone affected by it.
https://www.britannica.com/topic/utilitarianism-philosophy

with a guard tower in the middle. The inmates are kept on the borders, completely isolation. The main concept is that the guards observe the inmates but the prisoners could not see the guards. This concept keeps the prisoners in a constant state of terror acting as if they are constantly being watched. The result would be: prisoners would regulate or discipline themselves without any need for guards or the use of violence. The same building was meant to be used in different structures such as hospitals, schools and factories. The idea of the Panopticon was not replicated in many different ways around the world and the concept is used to analyze power and surveillance systems (Horne and Malay, 2014).

The Panopticon and panoptic theory has been used a lot in history to impose control on populations. Timothy Mitchell's book "Colonizing Egypt" written in 1988, explained the Foucaultian principles used in 19th century Egypt (Sheridan 2016). Mitchell's book has a significance in political history and anthropology. He mentioned how the settlements were modelled in Egypt and how the military schools formed men for military service using devotion and social controls (Sheridan 2016). The book presented a "well-documented case of historic panopticism in the traditional sense, where the gaze is a very physical, tangible one and the hierarchal power structure is in evidence" (Sheridan 2016).

However, in this thesis the argument is focused on the modern Panopticon. The modern surveillance system using technologies, and control imposed by cameras, monitoring tools, police control, technology spywares restriction of freedoms mainly freedom of expression and the constant imprisonment of activists. Today, the Panopticon doesn't exist as a physical structure but it is found in highly developed security systems. As Shoshana Zuboff[86], mentioned in her book about modern day surveillance: "The counterpart to the central observation tower has become a video screen. The web of windows is replaced by procedures for data entry such as microprocessors built into operating equipment, or the control interfaces that record operator inputs, or daily system updates provided by craftsworkers in

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[86] American Professor, Philosopher and author. She published her new book "The age of surveillance capitalism" in 2019. Her book provides an in-depth analysis of the 21st century society that uses surveillance and control to prioritize   profit over democracy, freedom, and Human Rights. Read more on her book: https://www.publicaffairsbooks.com/titles/shoshana-zuboff/the-age-of-surveillance-capitalism/9781610395694/

their remote field sites" (Zuboff 1989). Today, many states around the world use technology to restrict freedoms. For countries in the MENA region the situation is more complex as freedoms such as freedom of expression is limited and with the advancement of technology the realm of practice of this freedom was expanded but at the same time it allowed states to impose more control resulting in cases of arbitrary detentions as the case of Egypt.

5.2. Technological Surveillance in the MENA region

In the past decade, with the advancement of surveillance technologies, states in Middle East and North Africa relied on importing these technologies from big technology companies mainly based in United States or Europe. These technologies are diverse such as: spyware, monitoring centers, and deep inspections to track and redirect internet flow (TIMEP 2019). These tools supposed to be used by governments for protection and law enforcement. However, states in the MENA region used these tools to oppress political activists, journalists, and scholars. When using them to criminalize free citizens, states are violating essential human rights such as freedom of expression, freedom of privacy and by putting them in prison freedom of life (TIMEP 2019). In 2016, an important investigation was made by Citizen Lab[87] exposing MENA countries with the use of Pegasus, NSO's group spyware[88]. Pegasus is an advanced surveillance tool that infiltrates the smartphones and take all the information available: "every contact name and phone number, text message, email, Facebook message, everything from Skype, WhatsApp, Viber, WeChat and Telegram" (Kuchay 2021). The software has been used to spy on individuals in many countries. A collaborative investigative report led by Forbidden Stories[89] with the support of Amnesty International security lab, revealed that to have access to almost 50,000 phone numbers that where clients appointed for surveillance (Rueckert 2021). The investigative report revealed

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[87] "*The Citizen Lab is an interdisciplinary laboratory based at the Munk School of Global Affairs & Public Policy, University of Toronto, focusing on research, development, and high-level strategic policy and legal engagement at the intersection of information and communication technologies, human rights, and global security*" https://citizenlab.ca/about/

[88] An Israeli company, founded in 2010 and says on the website that it is a "technology that helps government agencies prevent and investigate terrorism and crime to save thousands of lives around the globe".

[89] A non-profit France-based organization. The NGO aims to ensure that journalists under threat can secure their information. Their website: https://forbiddenstories.org/about-us/.

appalling informations: more than 1 thousands persons from 50 countries around the world are selected by the company NSO for surveillance since 2016. The names revealed are not just journalists but politicians and individuals working for governments even people in high positions such as head of states for example the French president Emanuel Macron and the Pakistani Prime minister Imran Khan.

Citizens Lab's report revealed that the United Arab Emirates (UAE) used the technology Pegasus to spy of the famous Human Rights activist "Ahmed Mansoor"[90]. Moreover, the reports revealed that other Arab countries are using the spy technology such as Morocco, Bahrain, and Saudi Arabia along with UAE make up for almost half of the numbers targeted for surveillance which is 50,000 individuals (Access Now 2021). This report revealed the involvement of states in the region in the biggest spy technology scandal but there has been multiple tools and ways used in addition to such an advanced technology.

The most common used technology in the MENA region is a spyware which means a malicious software that could be in the users' devices without their knowledge. This technology will permit an access and registration of all data present on the devices including videos. The UAE is known to use a spyware called Karma to monitor citizens. In Bahrain, the authorities used a spyware that some reports revealed that it is provided by Nokia Siemens Networks[91]. The regime applied this technology to track the activist "Abdul Ghani al-Khanjar" who was captured and tortured (TIMEP 2019).

Other than using a spyware, there's Deep Packet Inspection (DPI) or information extraction used to monitor data flow on the internet.[92] This technology can block internet information. DPI is used in Egypt, in 2014 the Egyptian state confirmed the installment of a new DPI with

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[90] Read more on Ahmed Mansour Story in this Human Rights Watch Report:
https://www.hrw.org/news/2022/01/07/uae-state-security-retaliates-against-ahmed-mansoor
[91] More on the use of Nokia technology in Bahrain: https://www.dw.com/en/european-technology-company-accused-of-enabling-torture/a-15340523.

[92] DPI allows governments to "look into the content of web traffic as it moves over the network, allowing them to censor websites in real time and conduct detailed surveillance of citizen's activities on the web" (Brandom 2014).

a sister company to the American company Blue Coat systems (Brandom 2014). In 2018, citizen labs published a research called: "Bad Traffic", the report investigated the use of Sandvine/Procera Networks[93] DPI in Turkey and Egypt. The aim of this use was to produce a malware in Turkey and at the same time secretly raise money in Egypt by using "affiliate ads and Crypto-currency mining" (Marczak, et al. 2018). The technology and law community platform in Egypt *Masaar* called Sandvine "the surveillance Octopus in the Arab region" (Maasar 2020), as the company collaborated with many services across the Arab world. For example, in Jordan the telecommunications company Zain used DPI by Sandvine to block websites and force surveillance on internet users.

Francisco Partners the company that invested in Sandvine have many other investment in surveillance companies such as Blue Coats systems. Blue Coat was used by Arab governments: such as Syria, Iraq, Iran, Bahrain, Qatar, UAE, and others. The same company invested in Pegasus that was used by Lebanon, Egypt, Morocco, Lebanon, Jordan, Qatar, Bahrain, Saudi Arabia, and others.

Governments are relying on advanced tools of technologies bought from western countries to impose surveillance on citizens and detain activists.

5.3. Surveillance during the Covid-19 Pandemic

The global pandemic lead to an increase in the use of surveillance technologies for the sake of insuring public safety and health measures. From the other side, human rights violations increased and arbitrary imprisonment was one of the measures. A non-profit organization founded in 2009 for digital rights: Access now, published a report called: COVID-19 contact-tracing apps in MENA: a privacy nightmare. The report talked about tracking applications used during COVID-10 to monitor the virus. But with the vaccination and the use of less restrictions in the world surveillance tools maintained. The tracking applications helped authoritarian regimes in violating human rights (Samaro and Fatafta 2020).

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[93] Private equity firm called Francisco Partners owns Procera Networks and bought Sandvine for $444 million https://www.thefastmode.com/solution-vendors-m-a/10947-dpi-firms-sandvine-and-procera-networks-to-merge.

For example in Tunisia, during the pandemic the ministry of Health developed a mobile tracing application called "Ehmi" with the help of a digital startup. The app collected data from users using Bluetooth and GPS signals. In Qatar, the government developed also for tracing people contacted with the virus called "Ehteraz". The Qatari state insured that the application used for tracing is confidential and respecting people rights to privacy so the information acquired by the application will be viewed by health professionals. But Amnesty Technology security Lab revealed the application allowed for a clear access to users' personal information such as phones contacts, ID, location (Samaro and Fatafta 2020).

In the Gulf Cooperation Council (GCC) countries, the covid-19 pandemic made human rights violations increase drastically. By increasing surveillance, these countries are also increasing the pressure on civil society and human rights defenders. The United Arab Emirates introduced extraordinary measure that allowed government access to biometric identification. Furthermore, the surveillance technology allowed states to monitor individuals' activities online and the authorities used this technology to follow people who are spreading "false news", therefore with this access to personal information the alleged reasons of arresting are easily presented by the authorities. Freedom of privacy, opinion and expression is completely violated.

The surveillance system backed advanced technological tools helped authoritarian governments to impose more control and torture individuals. As the tools are imported from several countries around the world, international measures can be taken to stop human rights violations. Activists, civil rights organizations, academics plays a key role in finding a spot of hope and put real international pressure on governments to stop criminalizing people's minds .Most of the data and stories available is because of their work. The next chapter will explore the role of civil societies in Egypt and the role the international community can play. In addition, the chapter will include the story of a released scholar Patrick Zaki and how Italy and amnesty international play a positive role in his case, with of an interview conducted with Patrick 2 months after his release.

Chapter 4

Civil Society and Patrick Zaki's case in Egypt

1. Introduction

According to the World Bank, civil society includes "the wide array of non-governmental and not for profit organizations that have a presence in public life, express the interests and values of their members and others, based on ethical, cultural, political, scientific, religious or philanthropic considerations" (World Bank 2022). The ecosystem of civil society can contain:non-governmental organizations, online groups, social movements, faith communities or organizations, labour unions, social entrepreneurs, and grassroots movements (World Economic Form 2013).

In Egypt, the regime of the president Abdel Fattah Al-Sisi institutionalised antiterrorism actions to persecute human righs activists. Authorities issued travel bans laws, blocked websites, access to information and free speech. Civil organizations struggle to provide a safe space to defend freedoms. Moreover, the authorities used inhumane methods such as forced disappearances and detentions of activists (Brechenmacher 2017). There's a dominant theory in policy and governance that links the exsistence of civil society organization with democracy. In authoritarian regimes, civil society exsist, the example of Egypt shows the three different types of civil society organazations, two of those types could legitimize and stabilize authoritariam regimes if their work is endorsed by the state (Toepler, et al. 2020).

Around the world, states are trying to reduce the space for civil society's activism. This phenomenon extended beyond authoritarian regimes or geographical areas. In 2015, Ben Emmerson[94]said while presenting his report to the UN General Assembly's third Committee: "the abuse of counter-terrorism measures to stifle legitimate opposition and to choke public interest and human rights organizations around world is gathering pace, and has become a

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[94] UN Special Rapporteur on Human Rights and Counter-Terrorism

first rank priority for the UN human rights mechanisms" (UN News Global Prespective Human Stories 2015). According to Ben, from 2014 until 2016 more than 60 countries restricted freedom of assembly or banned civil society organizations from accessing foreign funding. There's many reasons for this restriction, one main reason is explained by Jonas Wolff and Annika Elena Poppe as the phenonemon of "closing space", which is a combination of decisions and actors that contributes in shrinking the civil oganizations's sphere (Wolff and Poppe 2015). In their research, the focus was on the external funding of civil society organizations and the argument used by the state: non-governmental organizations are "foreign agents" present in the country. As explained by Wolff and Poppe, non-liberal states displayed fear from civic activism. Uprisings in the Middle East and North Africa showed the fragility of the systems at the same time lead to a new wave of oppression aiming to control future movements. Moreover, there's a rising international worry about terrorism and multinational crimes. Governments use terrorism as an excuse to suppress civil society organizations and actors (Brechenmacher 2017).

State's oppression targets individuals and civil society groups. In Egypt, civil society movements were present during the revolution and after. Activists, journalists, human rights defenders used this space to defend their rights and contribute collectively to the fight against authoritarianism. International organizations defending human rights can contribute effectively to pressure governments to act, especially in the case of prisoners of consciousness. Patrick Georges Zaki was a student in the university of Bologna Italy, On February 7, 2020, he returned to Egypt for a short family visit. In Cairo's airport, he was arrested and interrogated about his work as a human rights defender and his studies in Italy. Patrick was arbitrarily detained for nearly two years. In chapter 4, civil society's role and growth in Egypt will be explained and analyzed along with the story of Patrick Zaki and the role of international support in his case and the other detained academics and human rights defenders.

2.Civil society in Egypt

2.1. Civil society's role

The role of civil society in Egypt was highlighted and studied in the period directly after 2011. The attention shift on the role of civil society came after the uprisings, but civil society actors were present long before the 2011 manifestations. Paul Gready and Simon Robins explained that: "Civil Society includes, but goes beyond, a set of organisations and institutions and 'spaces' of social relations which mediate between the individual and the state" (Gready and Robins 2017).

First, we will examine the role of civil society in the revolutionary public sphere. In an article called *The Arab revolutions; the emergence of a new political subjectivity,* Sari Hanafi focused on how the revolutions happened, relying on socio-economic and demographic factors. He started by listing four main characteristics that represented the Arab world: the unemployment rate, the inequalities within the Arab societies, the east Arab countries vulnerability to the climate change and the Arab region as an area of conflicts which meant less space for investments (Hanafi 2012).Although laws are different , Sari puts Egypt, Syria and Tunisia in the same category specifically concerning the leaders who acted as dictators, he argues that "Arab revolutions have shown that a reform process based on changing laws and regulations without a real political restructuring is a hollow process" (Hanafi, 2012). Most of the academics and scholars focused in their analysis on the youth revolutionaries but Sari pointed out the existence of two main groups, the first group included the "*educated independent youth*" (Hanafi, 2012). The other group was laborers, and members of unions. These two groups are part of civil society and were active in the revolutionary public sphere. The sphere contained a combination of groups and political parties.

Hosni Mubarak's regime allowed the existence of apolitical civil society organizations as part of '*al infitah'*[95] as a way to preserve his status-quo through what is known as "participative authoritarianism" (Plaetzer 2014). In this state, civil society organisations were

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[95] Arabic word that means new liberal thinking.

forced to work in an "unfavorable legal framework" (Ignacio Álvarez-Ossorio 2016). The state was seeking to control power and limit the political influence of civil organisations.

The figure below shows the different types of civil society organizations in authoritarian Regimes. The three types of organizations are: Claims-making NGOs, Loyal NGOs and
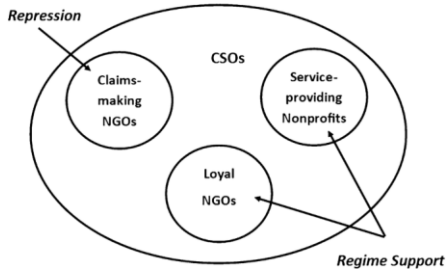

Figure 5- The Changing Space for NGOs: Civil
Society in Authoritarian and Hybrid Regimes

service providing not profit (Toepler, et al. 2020). According to Toepler and al. the claim making NGOs are the main target of oppressive actions in the closing space phenomenon. The claim making NGOs are "the human rights, environmental and other advocacy groups that are more political" (Toepler, et al. 2020).

The three forms of civil rights organisations mentioned above were given much credit in the start of the uprisings, for organizing and participating in daily manifestations in the squares (Ignacio Álvarez-Ossorio 2016). Some scholars intended to criticize the claim making NGOs such as Human Rights organizations. For example, Mohamed Hussein El Naggar, argues that Human Rights organizations were detached from the streets. They created an elitist bubble before the uprisings and like most of civil organizations their bubble was detached from the concept of revolutions (Naggar 2011). As Hussein mentioned: "the human rights movement pursues a reformist programme based on rectifying legislation and practice to become more humane and consistent with international human rights norms and basic liberties" (Naggar 2011). This elitist civil society is what Karl Marx called the "bürgerliches gesellschaft" or the bourgeois society. "Marx points to the isolated, bourgeois nature of man's existence in civil society, and the way citizenship is abstracted into the political community" (Neocleous 1995). Naggar's argument attacks the reformist approach adopted by these institutions, as the nature of revolution demands a radical change in the system. At the same time, Naggar

focused on the argument of socio-economic classes and the limited access to decisions making positions in the organizations without a certain level of education which is a valid point to criticize non-governmental organizations but it doesn't mean that the existence of these spaces are not a direct threat to an authoritarian regimes. Sari Hanafi focused on the people involved in the revolution, the actors. As he mentions, he wants to reveal "the people in the popular slogan the people want the fall of the regime" (Hanafi, The Arab revolutions; the emergence of a new political subjectivity 2012). Sari explained clearly the role of civil organizations, and gave a significant role to the labor movements as contrary to common analysis which pointed the start of the revolution with *Khalid Said* and *the Kefaya* movement. Hanafi argues that the date of the labor movement back to before the youth-led initiatives and "the revolution was sparked by the 6th April Movement that began as a youth group acting in solidarity with the labour strikes in al-Mahalla al-Kubra in 2008" (Hanafi, The Arab revolutions; the emergence of a new political subjectivity 2012). The youth-led initiatives are part of the ecosystem of civil society organizations, and collaborations between them both would be natural, states try to put more barriers and close the space of civil society by imposing strict rules and laws on the work of organisations at the same time monitor activist and detain them for speaking up.

Many scholars argued that the revolution in Egypt could not have been possible without the work of civil society organizations that started many years before the revolution. Ignacio Álvarez-Ossorio, pointed out the difficulty of studying Egypt's civil society because of the lack of statistics and the inconsistencies of the numbers in available sources. He talked about the crucial two months right after the fall of Mubarak's regime, when the civil society organizations maintained a relationship with the authorities and tried to convince them of a new legislation that respected human rights and freedoms. Director of the Arabic Network for Human Rights Information (ANHRI), Gamal Eid, said: "after the revolution, there were two vibrant months in which we thought that change was possible" (Ignacio Álvarez-Ossorio 2016).

In the three types of organizations present in an authoritarian regime, the government aim to destroy self-organized and independent organizations which can be the claim based

organizations and replace them with state-founded organizations with prescribed goals and tightly monitored activities which are the service providing NGOs and loyal NGOs.

2.2. Kefaya civil society movement example

One of the best examples of a civil society movements in Egypt is the Movement for Change, or *Kefaya* (enough) founded in 2004. Kefaya started with the need for a new political project, at the same time to unite different opposing forces against the dominant regime[96]. For Andreas Kreig Kefaya is: "a good example of a movement that publicly addressed societal security concerns" (Krieg 2017).

Kefaya represents a great example of a mobile revolutionary public sphere that was present before the uprisings and contunied during the revolution. *Kefaya* publicly spoke about societal security issues. As the Arab public sphere was grewing with the advancement of Pan Arab media outlets, Kefaya grew as a movement throught time. The movement voiced out significant political opinions through manifestations supporting the palestinan second intifada and opposing the United States intervention in Iraq. The first demonstrations were expressing feelings of individuals sociatal insecurities, later on in 2004 when the movement was officially founded they started "to addres individual economic insecurities domestically as well" (Krieg 2017).

Kefaya worked in the public sphere addressing social issues related to people's economic situation. Since 2004, this movement used social platforms to mobilise masses and call for protests. This interaction between activists online and on the ground created a fear during the time of president Mubarak and according to Human Rights organizations: "a massive campaign of arrests picked up over 1,000 people, including two MPs" (Abdullah 2019). One of the creative ways this movement used social platforms and the internet is by putting posts and political cartoons on their own online platforms and other people's blogs. In addition, the movement used photography to send and report violations by the police. Misr digital was one of the first digital journals in Egypt documented the work of Kefaya (Abdullah 2019).

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[96] The founders of Kefaya are an ideologically diverse group of activists who were all intensely involved under a variety of banners in the student movements in Egyptian Universities throughout the 1970s.

In 2006, hundreds of Egyptian bloggers and social media activists were detained. Most of those activists were part of Kefaya's movement (Abdullah 2019). In 2006, Reporters without Borders added Egypt to "Internet Enemies" list and in 2011 Egypt joined the list of "under surveillance" which was a step forward in ranking concerning freedom of expression. After 2011, the situation became much worse than before, the country is not progressing but the state is using brutal "legal and extrajudicial to persecute journalists, activists, and civil society" (Dada and Sayadi 2017).

2.2.Civil society's Growth

The growth of Egypt's civil society is remarkable and this growth in numbers of civil society organizations multiplied after the uprisings of 2011. In 2002, the law No. 84 of 2002 on Civil Societies and Institutions, was established and recognized "as civil society any grouping of natural or legal persons or both organized for non-profit-making purposes, without prejudice to those societies established by special decrees or under international agreements. Foreign non-governmental organisations may also exercise the activities allowed to civil societies under this law" (Al Jaridat Al Rasmiah 2002). After this law almost 600 new organisations were established in Egypt. The number of the civil rights organizations doesn't reflect the level of freedom and impact they had. In fact, the associations faced a big number of legal restrictions. For example, they were obliged to register in the "Ministry of Social Solidarity", the ministry controlled their role and can reject their registration, in addition to restricting their funds and impose sanctions or regulations (Ignacio Álvarez-Ossorio 2016).

The sociologist Saad Eddin Ibrahim argues that in order to have democratic organizations in the Arab World, the enforcement of civil society is necessary. In the Mubarak Era, the president tried to portray Egypt as a liberal democratic state, to please western societies. The concept of civil society in Egypt can be split into two definitions, the first one is connected to Saad Eddin Ibrahim and Mubarak's liberal state and another one is presented by Tariq al-Bishri[97]. According to Tariq a civil society is "an informal network of relationships" (Zubaida 1992). Al-Bishri gave the example of Islamic investment companies, he introduced the

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[97] a historian preciously a Marxist until he shifted to Islamist ideology

concept of informal networks and social relations to civil society making property and business the core of civil organizations. This element not present in Saad Eddin Ibrahim's conception on civil organisations in Egypt. Using these two different views of the civil society, Helen-Margaret Nasser wrote a thesis entitled *"Not by accident: How Egyptian Civil Society Successfully Launched a Revolution."* She argues that the Egyptian state under Mubarak had a weak structure, and the president tried to maintain a façade of strength. And his government faced multiple threats since in the 1990s so he decided to act more defensive against his opposition. Nasser said: "This highly reactive tactic shows that Mubarak was unable to truly suppress the stirrings of civil society" (Nasser 2014).

Helen's argument assumes the success of the revolution even though she acknowledged the so called "Authoritarian resilience" which is the democratic face of an authoritarian regime. The Mubarak regime tried to put civil society organizations against the political parties, in order to control both and the political public sphere. The parties were forced to do complex administrative tasks, and the civil society organisations could not operate in independent way. This method of "Authoritarian resilience" produced a hybrid regime. In this hybrid regime there's an illusion on the stability of repression made believe that that Mubarak's regime is to some extent stable.

The role of civil society in Egypt today, this perspective on actors of the revolution can give a clearer view on the era post revolution. As a lot of researchers focused on Al Sisi becoming the new dictator. The role of civil society was momentum, as the organisations were on the ground with people protesting and continued to work shortly afterwards.

2.3. Civil society in Al-Sisi's era

According to Human Rights Watch, in 2017 a new law was implemented to regulate the work of non-governmental organizations. This law presented a new level of oppression, and criminalizing the work of many NGOs in Egypt (Human Rights Watch 2019).

Under this new law 70 of 2017, NGOs were asked to provide a permission to work from a specific governmental entity and this unit will choose if the organizations can work or not (OHCHR 2017). Other than asking for a permission, civil society organizations have to

present to authorities detailed reports about all their activities, programs and the sources of their funding. After the implementation of this law in 2017 the NGOs which were leading any "civic activity" had one year to adjust registration or else they face closure (OHCHR 2017). In cases of disobedience of the law, organisations can face criminal charges such as five years' imprisonment and a fine of up to 1 million Egyptian pound (OHCHR 2017). In November 2018, national and international pressures pushed the president Abdel Fattah Al-Sisi to do a revision of the law but the situation did not get any better.

 In 2019, the Egyptian parliament adopted a new law known as the NGO law to keep the same limitations on the work of organizations[98] (Human Rights Watch 2019). The 2019 NGO Law holds improvements from 2017, the first one is the removal of the prison sanctions but the NGO law narrowed the role for civil society (TIMEP 2019). More specifically, the law limited "the activities of both domestic and foreign NGOs" (TIMEP 2019), using the argument of protecting national security. The authorities aimed to extend the oppression and dissolve civil society organizations (TIMEP 2019).

According to Tahrir Institute of Middle East Policy (TIMEP), the 2019 law is replacing the law of 2017 that was heavily refused internally and externally to the point that the European Union called the law an "additional burden on NGOs' activities" (TIMEP 2019) and the government in the United States suspended 195$ million in military aid for Egypt. The regulations for law No. 70 2017 were not accepted "creating a legal limbo which left many unsure as to which combination of law and implementing regulations governed the NGO space" (TIMEP 2019). The adoption of a new law left the civil society organizations with more repression, fear and ambiguity. At the same time, The 2019 NGO Law puts Egyptian authorities in the spot lights and bring the international community attention (TIMEP 2019). According to Euromed rights, since the implementation of the NGO, the Egyptian and international organisations continuously refused the 2019 NGO Law for two main reasons: the law violated the Egyptian Constitution and Egypt's responsibilities in international law

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[98] Law No. 149 of 2019, The Law Governing the Pursuit of Civil Work, was effective when "President Abdel-Fattah El Sisi ratified the law and it was published in the edition of the Official Gazette dated August 19, 2019" (TIMEP 2019).

specifically concerning the freedom of speech and the freedom of association (Euro Med Rights 2022).

In the article 75 of the Egyptian constitution, the right to establish associations[99] and the right to form NGOs is protected. In international law, Egypt has signed legally binding treaties such as the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, these treaties obliged to respect freedom of association (TIMEP 2019).

The Legal Agenda conducted a research on civil society organizations in Egypt and realized that there's a new phenomenon "whereby the state occasionally acts as though it is civil society" (The Legal Agenda 2022) . The state is using it uses tools and methods that belongs to civil society. In addition, as the state is clearly practicing the phenomenon of closing space, the Claims-making NGOs or NGOs defending human rights the work of civil society is restricted to, "al amal al-ahliy"[100] in collaboration and agreement with the government (The Legal Agenda 2022). As explained before the loyal NGOs and services providing non-profit are working with the state preserving the status quo, there's no chance for a natural development of different forms of collective action, there's an absence of active citizenship and real political organizations that express differences in the public sphere (The Legal Agenda 2022).

3. Patrick Zaki's case

3.1. Patrick's story

Patrick George Zaki is a 30 years old master's student at the Bologna University in Italy and a Gender and Human Rights researcher at the Egyptian Initiative for Personal Rights. In 2019, he moved to Italy to do his Master's in Gender Studies. On February 7th, 2020, he

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[99] "Citizens have the right to form non-governmental organizations and institutions on a democratic basis, which shall acquire legal personality upon notification. They shall be allowed to engage in activities freely. Administrative agencies shall not interfere in the affairs of such organizations, dissolve them, their board of directors, or their board of trustees except by a judicial ruling. The establishment or continuation of non-governmental organizations and institutions whose structure and activities are operated and conducted in secret, or which possess a military or quasi-military character are forbidden, as regulated by law" (Constitute Project 2022).
[100] Community-based work, charity work that relies on existing community ties (The Legal Agenda 2022).

went back to Egypt for the holidays. Patrick landed in Cairo's airport and was immediately arrested. According to his sister, Marise George, his family was informed over a phone call that Patrick is arrested by the National security and his passport was confiscated for security reasons (Egypt Wide 2022). Patrick remained detained in the security office of the airport for 16 hours. His phone, laptop and all his personal belongings were confiscated. Patrick was transferred to a police station, he was arrested with Case No. 7245/2019, Patrick was accused of joining a terrorist organization, misuse of social media, and spreading false news (Egypt Wide 2022).

On December 7, 2021, the Mansoura II State Security Misdemeanors Court (Emergency Court) ordered the release of Patrick George Zaki pending trial after 22 months of arbitrary detention in Tora prison in Cairo. The Court adjourned his case to February 1, 2022. Patrick was released from Mansoura police station in Cairo on December 8, 2021 (OMCT 2021).

The accusations against Patrick were based on a piece that Patrick George Zaki wrote and published in July 2019 on the independent digital publication Daraj. His article, "Displacement, Killing, and Restriction: A Week's Diaries of Egypt's Copts".

3.2. Patrick's interview:

The interview was conducted on May 2nd, Patrick was in Cairo Egypt and he is still is there.

-Do you know the real reason you were detained for almost two years?

Patrick: I was accused of spreading false news and being part of a terrorist group but the real reason for my detention is Human rights. I was a researcher part of the Egyptian Initiative for Personal Rights, I defended the rights of gender, sexual, and religious minorities. I wrote an article for Daraj in 2019 I don't know if you read it, it was the last reason for my detention. The article was about Christian Coptic minorities in Egypt, a day in the life of a Christian in Egypt or something like that. Not just the article, it was a combination of things, the terrorism accusations cannot be proved, the authorities wanted any reason to detain me, and they were inventing reasons such as spreading false news and terrorism. I was detained and I was tortured… after my detention many people were detained from the same organizations I worked in.

- Do you think researchers, scholars, and human rights defenders are more targeted now in Egypt?

Patrick: Any opposing opinion is a target. There's a plan aiming to silence anyone who opposes the regime. It was present before in Egypt but with Al-Sisi there's systematic oppression. There's no laws made to protect people, there's corruption, the constitution is not respected. I'm lucky I'm a researcher, an activist and a student, I am known, my story everywhere in the world but there's thousands of people in prisons that no one talks about them so no the repression is not just targeting students or researchers it is on everyone opposing the regime.

- It was overwhelming to see your photos all over Italy and an international organizations such as Amnesty continuously pressuring the Italian government to help in your case. What do you think was the role of Italy in your case?

Patrick: I was getting news from inside the prison and happy about the people's reactions and interactions with my case. I think the international community played a role, the EU parliament, different EU states, and Italy's honorary citizenship they all helped. I believe awareness was a key, the Italian senate approval of a proposal for granting me the Italian citizenship was a tool of pressure on Egypt. Amnesty's campaign and the big protests in the universities influenced as well.

- What about local NGOs? Do you think they played a role or does the responsibility falls on activists abroad because they are not risking their lives?

Patrick: Yes of course, we cannot just sit in France or Italy and speak about Egypt. In Egypt, we don't have the luxury of freedom of speech. The role of local NGOs is very difficult and dangerous. NGOs are writing reports without mentioning the names of the researchers on the article in order to protect them. There's a lot of pressure on them and the lawyers as well. They are constantly monitored, Egypt spends billions of dollars on companies and analysis technologies check the story of Alaa Abdel Fattah he's the oldest most famous detainee in Egypt and we have an economic crisis people cannot find food to eat.

-Do you think there's hope? How do you look at the future?

Patrick: I think the revolution is ongoing, it didn't stop. We have to secure a space for freedoms and change. I want to say that there's no priorities in rights, freedom of expression is important but I think about problems, rights and duties as one. We can't prioritize rights.

- I started my thesis with the MENA region after Arab Spring and the idea of Arab states in general and the western influence, what do you think about that?

Patrick: "The Egyptian people are not ready for democracy" write down this sentence. This was a famous discourse during the revolution I don't think it's true but the perception of us was that. We were seen as people who cannot make revolutions. We have some sort of an occupation that didn't end in this area, yes we have international laws that looks nice but nothing is executed. There's pressure in public from the United States on Egypt to reduce the oppression but unfortunately here's no efficient change. We have an oppressive patriarchal state. There's oppression of anything different, I was defending gender minorities I used to receive threats and questions about my sexual orientation, I used to hear lies told about me just because I'm a straight men speaking about the rights of sexual minorities. Maybe you heard about "the rainbow concert" where they arrested people for holding the LGBTQ+ flag and they were tortured as well.

- Yes I know the story of Sara Hegazi, it's heartbreaking.

Patrick: *Patrick looks sad for the first time during this interview* Yes.

- What's next for you? What happened in your case?

Patrick: I have my trial soon, I was released from prison but I'm still banned from travelling the country. My plan is to go back to Italy, go back to bologna, my university did a lot from me, and they are my home. I'm continuing my studies online until I get the chance to go to Italy again. I'm speaking in conferences, talks, with journalists about my story. I'm happy to speak with students, I'm happy to help.

Conclusion

Freedom of expression is an important tool to achieve the democratic shift needed in MENA region along with structural changes in the systems. This freedom is guaranteed in international and national law instruments. States around the world, in addition to international and regional governance instruments should be working to ensure an access to this freedom.

Human Rights violations are aggravating daily around the world. In Egypt, the situation is alarming. Oppression of the freedom of expression in Egypt is not an issue related to the Egyptian state alone. As discussed in chapter one the Arab uprisings revealed the need to re-examine the foundation of authoritarian regimes in the region. The uprisings gave extraordinary powers to the citizens and people in this area started to have a voice in the world. The role of Human Rights defenders, activists is essential to any form of development. Their voices are silenced, therefore any potential change is blocked.

The Middle East and North Africa witnessed historical changes throughout the years. The Arab Spring was a major one. The period after the 2011 uprisings was important as it shifted in the concept of security in the region from state to individual security, and opened space for the younger generations to act. 11 years after the revolution, free voices are punished. As a special rapporteur on extrajudicial killings to the United Nations said: "The regime has learnt the worst lesson — to nip any hint of freedom in the bud" (Deutsche Welle DW 2021). After the Arab Spring, states became more aware of the strength of Human Rights defenders and intended to systematically oppress them. In addition, even though the MENA region was considered an exceptional area where democracy and human rights are not an option. People proved they are aware of the importance of a democratic state but the regime continued the use the most brutal ways of oppression through imprisoning any opposition.

Egypt represented a case of authoritarianism in the MENA region using advanced tools in surveillance and technology. At the same time, the ruler is constantly changing the law in order to tighten the grip and control every platform of expression. The cases of both political

prisoners Alaa and Patrick showed the ruthlessness of this regime. It's a state attacking its own citizens for the sake of not breaking down when in reality it is falling apart from an economically and socially perspective. The former top commander Al Sisi tries to portray his nation as a bulwark of stability and a significant regional force in terms of politics and the military. He also cites the strong economy as providing excellent opportunities for global firms. But this façade cannot be maintain for a longer time, people are spending years in prison and losing their loved ones fighting for the right to express. The regime is receiving aid to continue the atrocities whether through direct support such as military funding or indirect such as allowing technology companies to produce the necessary tools such as spywares in order to help the state capture individuals. Egypt's president, Abdel Fattah Al Sisi, has managed the country in an extremely authoritarian way since he initially came to office in a 2013 coup. Since dissenting opinions might result in criminal charges and jail, meaningful political opposition is practically nonexistent. Civil freedoms, such as the freedom of the press and the right to assemble, are severely curtailed. Security personnel violate human rights without consequence. As well as a high rate of domestic violence, discrimination against women and minorities.

Every effort and act can contribute effectively in solving a deeply rooted problem such as oppression on the freedom of expression and the political prisoners. A starting point would be the role of every activists, journalists, independent media outlets, scholars and Human Rights defenders inside and outside the country to continue in providing access to information and continue to work on research and investigative reports that serves as a valid evidence for these violations. The second would be the role of individuals living outside Egypt in countries with close relationship to the Egyptian government to pressure their leaders in forcing a Human Rights agenda in an efficient way not as a cover up for violations. In addition to be aware of what their government is supporting directly or indirectly.

The third responsibility and needed effort would be of civil society organizations inside Egypt to seek collaborations and help from other organizations and for big organizations to support the civil society movements in Egypt.

Lastly, freedom of expression is supposedly protected in international law. People in Egypt and around the world should have the rights to exercise this right freely and without the consequence of imprisonment.

Annex 1

Chronology of Egypt 2010–2020, taken from the book: You Have Not Yet Been Defeated

June 2010: Khaled Said, 28, is dragged from a cyber café near his home in Alexandria by two plainclothes policemen and beaten to death. A new Facebook page, 'We are all Khaled Said', attracts hundreds of thousands of followers in a few days, becoming Egypt's largest dissident group online.

December 2010: 'We are all Khaled Said' calls for a protest on 25 January, a national holiday: Police Day. Inspired by the recent Tunisian revolution and en couraged by comments posted on the page, the admins change the event title to 'A revolution against torture, unemployment, corruption, and injustice'.

25 January 2011: On Police Day, demonstrations erupt in several Egyptian cities and towns. Security forces respond violently, killing at least one protester in Suez.

27 January 2011: In anticipation of planned protests the following day, the Mubarak regime orders the internet be shut down.

28 January 2011: Tens of thousands of demonstrators across the country march towards the centres of their cities after Friday prayers. In the ensuing battles with the police, at least 800 people are killed and 99 police stations are burned to the ground. By sunset, the revolutionists have won - and occupied Egypt's main city centres. The police retreat to desert barracks and the military deploy, taking up positions around key buildings.

11 February 2011: After eighteen days of protest that have paralyzed the country and fixed the world's attention on Tahrir Square, Mubarak steps down and tasks the Supreme Council of the Armed Forces (SCAF) with running the country.

13 February 2011: SCAF suspends the constitution and dissolves Parliament.

18 February 2011: Habib El-Adly and other NDP figures are arrested by order of the Public Prosecutor.

5 March 2011: Hundreds storm the buildings of the feared State Security agency in several cities, including the headquarters in Cairo, after word spreads that papers, case files and evidence of torture was being destroyed inside.

19 March 2011: National referendum on constitutional amendments. A 'yes' vote – promoted by the Brotherhood – would mandate holding parliamentary elections before drafting a new constitution. First major rift between Islamist and revolutionary groups. 'Yes' takes 77 per cent of the vote.

13 April 2011: Mubarak and his sons, Alaa and Gamal, are arrested by order of the Public Prosecutor.

5 May 2011: Habib el-Adly is sentenced to twelve years in prison for financial corruption, the first Mubarak-era official to be convicted and sentenced. 3 August 2011: Mubarak's trial, for corruption and complicity in the killing of some 900 protesters, begins and is aired live on television. Mubarak is wheeled into court on a hospital bed. 9 October 2011: The Maspero massacre. Thousands of Coptic Christians gather in Cairo to protest the burning of a church in Upper Egypt and the state's failure to protect Copts. The army attacks, killing 26 and injuring 350.

19–24 November 2011: The Battle of Mohammed Mahmoud Street. A siting held by families of the injured of the revolution in Tahrir is attacked by police. Thousands flock to the square and engage in a five-day battle that leaves sixty dead and several thousand injured. The Muslim Brotherhood are absent, concerned the unrest could disrupt upcoming elections.

24 November 2011: SCAF announces the appointment of Mubarak-era figure, Kamal El-Ganzouri, as Prime Minister. Some protestors split from Tahrir and begin an occupation of the street outside the Cabinet Building. 28 November 2011: Parliamentary elections begin.

16–20 December 2011: The army violently disperses the sit-in at the Cabinet Building, sparking four days of clashes that leave 17 dead and some 2000 injured.

21 January 2012: Parliamentary elections announced, with the Brotherhood winning 47 per cent of the seats and the Salafists, 25 per cent.

1 February 2012: The Port Said Massacre. 74 fans of Cairo football club al-Ahly, whose ultras are known as revolutionaries, are killed in al-Masry SC's stadium.

31 March 2012: Breaking an earlier pledge, the Muslim Brotherhood announces Khairat el-Shater – de facto leader of the organization and a known hardliner – will run in the upcoming presidential election, with Mohammed Morsi as a reserve candidate.

14 April 2012: The Supreme Presidential Election Commission disqualifies ten presidential candidates, including el-Shater and Omar Suleiman.

2 June 2012: Mubarak and Habib el-Adly are sentenced to life in prison for ordering the killing of protesters.

24 June 2012: Mohammed Morsi is declared winner of the presidential election, with 51.7 per cent of the vote. Ahmad Shafiq – the establishment's candidate –immediately leaves the country for the United Arab Emirates.

12 August 2012: Morsi replaces Minister of Defence Hussein Tantawi with General Abdel Fattah el-Sisi, and removes Army Chief of Staff, Sami Anan.

22 November 2012: Morsi makes a unilateral power grab, declaring his decisions immune from judicial review and precluding the courts from dissolving a new Constituent Panel.

15–22 December 2012: The new constitution hastily drafted by Islamists amid protests is approved by referendum with 63.8 per cent of the vote, but a turnout of 32.9 per cent.

June 2013: As Morsi's first anniversary in power approaches, attention turns to calls for protests on 30 June. Discontent in almost all quarters: reforms have ceased altogether, police violence continues unabated, sectarian attacks are on the rise, promised cooperation with the revolutionary groups that helped win the election has not materialized, and the country is ravaged by increasingly frequent electricity cuts due to mismanagement of fuel supplies. A new campaign by the name of Tamarrod ('Rebellion') claims to have gathered millions of signatures calling for Morsi's resignation and early elections.

30 June 2013: Millions take to the streets demanding Morsi's departure. Counter demonstrations are organized by Morsi supporters, developing into two sit-ins in Rabaa and el-Nahda Squares in Cairo.

3 July 2013: Defence Minister General el-Sisi removes Morsi from power and installs Chief Justice of the Constitutional Court, Adly Mansour, as interim president.

24 July 2013: Sisi calls for people to take to the streets to give him a 'mandate' to deal with 'terrorism': the Brotherhood. Tens of thousands oblige.

14 August 2013: Police attack the sit-ins at Rabaa and el-Nahda squares. More than 900 people are killed. At least 42 churches are attacked in response by Islamist mobs around the country. A roundup of Brotherhood leaders and supporters begins; opposition television channels are shut down or forced into exile.

4 November 2013: Morsi appears for the first time since his removal, on trial charged with inciting violence, the first of several court cases against him. Some charges carry the death penalty.

25 December 2013: The Muslim Brotherhood is officially designated a terrorist organization.

28 May 2014: Sisi wins presidential election with 96.9 per cent of the vote.

30 November 2014: In a retrial, Mubarak's case is dis missed and Habib el-Adly acquitted over the killing of protestors in 2011.

21 April 2015: Morsi is sentenced to twenty years for charges relating to the killing of protesters in 2012.

9 May 2015: Mubarak and his sons are sentenced to three years on corruption charges.

29 June 2015: A bomb kills the Prosecutor General, Hisham Barakat, as he leaves home on his way to work.

25 January 2016: Italian academic Giulio Regeni is killed in police custody under torture. He had been researching contemporary labour issues.

15 April 2016: Thousands demonstrate against Egypt's transfer of the two Red Sea islands, Tiran and Sanafir, to Saudi Arabia, in the largest protests since Sisi's election.

6 September 2017: Human Rights Watch estimates some 60,000 political prisoners now held in Egypt and that 'widespread and systematic torture by the security forces probably amounts to a crime against humanity'.

January 2018: Presidential elections for Sisi's second term. All potential opponents are arrested or pull out.

17 June 2019: Mohammad Morsi collapses during a court session and dies. All national newspapers report the story with the same news bulletin of forty-three words on page three.
20 September 2019: Small street protests erupt, the first in years, triggered by a building contractor revealing shocking details about government corruption. A massive sweep of activists begins.

Annex 2: Wady Al Natroun Before and After
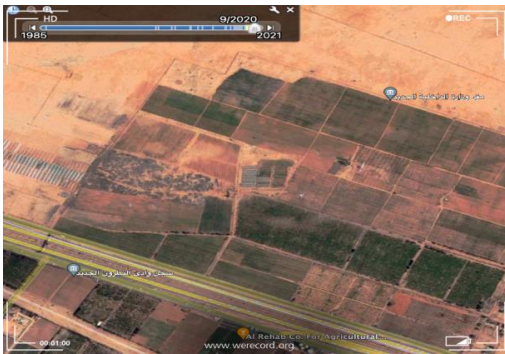
September 2020   March 2021

Bibliography

ADHRB Admin. 2020. *COVID-19: How the Pandemic used by GCC Governments to Double Down on Human Rights Violations.* Ngo Report , Bahrain: Americans for Democracy and Human Rights in Bahrain.

AFTE's Monitoring and Documentation Unit. 2022. *The first quarterly report on the state of freedom of expression in Egypt (January – March 2022).* NGO Report , Cairo: Association for Freedom of Thought and Expression.

Peoples Dispatch. 2022. *Rights groups urge Egyptian government to form inclusive plan for prisoners' release.* May 10. Accessed June 22, 2022. https://peoplesdispatch.org/2022/05/10/rights-groups-urge-egyptian-government-to-form-inclusive-plan-for-prisoners-release/#:~:text=According%20to%20estimates%20by%20human,approximate%20prison%20population%20of%20120%2C000.

TIMEP . 2019. *Use of Surveillance Technology in MENA.* NGO report, Washington: The Tahrir Institure for Middle East Policy.

Abdulla, Rasha. 2014. "Egypt's Media in the Midst of Revolution." *Carnegie Endowment for International Peace .*

Abdullah, Farhad Hassan. 2019. "Revolution in Egypt: Political Movements and Mobilisation of Recourses." *Sage .*

Access Now. 2021. *Pegasus Project Mena .* July 26. Accessed June 23, 2022. https://www.accessnow.org/pegasus-project-mena/.

Africa News . 2021 . *Egyptian satirist Bassem Youssef, the banished voice of Arab Spring.* 01 21. Accessed 05 09, 2022. https://www.africanews.com/2021/01/21/egyptian-satirist-bassem-youssef-banished-voice-of-arab-spring//.

Ahmed Abd Rabou. 2017. "Arab Spring and the Issue of Democracy: Where Does Middle Eastern Studies Stand?" In *Arab Spring: Modernity, Identity and Change*, by Eid Mohamed and Dalia Fahmy, 173-203. London: Palgrave Macmillan .

Ahram Online . 2022. *Ahram Online .* June 6. Accessed June 15, 2022. https://english.ahram.org.eg/News/467459.aspx.

Al Jaridat Al Rasmiah. 2002. *Database of national labour, social security and related human rights legislation.* June 5. Accessed April 27, 2022. https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=62678#:~:text=Name%3A-,Law%20No.,on%20Civil%20Societies%20and%20Institutions.&text=Abstract%2FCitation%3A,decrees%20or%20under%20international%20agreements.

Allam, Rasha N. 2018. "The Bureaucratic Broadcasting Governing Structure and Content Diversity: The Case of the Egyptian National Television System." *Global Media Journal.*

American Creative Liberty Union. 2022. *Human Rights Treaty Ratification .* Accessed 05 19, 2022. https://www.aclu.org/issues/human-rights/treaty-ratification.

Amin, Hussein. n.d. "Strengthening the Rule of Law and Integrity in the Arab World." *Arab Center for Developpement of the rule of Law and integrity.*

Amnesty International . 2016. *Egypt: Hundreds disappeared and tortured amid wave of brutal repression.* July 13. https://www.amnesty.org/en/latest/news/2016/07/egypt-hundreds-disappeared-and-tortured-amid-wave-of-brutal-repression/.

—. 2020. *MENA: Renewed wave of mass uprisings met with brutality and repression during 'year of defiance'.* February 18. Accessed June 2022. https://www.amnesty.org/en/latest/news/2020/02/mena-renewed-wave-of-mass-uprisings-met-with-brutality-and-repression-during-year-of-defiance/.

Amnesty International. 2022. *Censorship and Freedom of Expression.* May 17. Accessed May 17, 2022. https://www.amnesty.org/en/documents/mde12/5621/2022/en/.

—. 2020. *Prisoners of Conscience .* Accessed June 15, 2022. https://bidenhumanrightspriorities.amnestyusa.org/prisoners-of-conscience/.

Amnesty International Report. 2022. *The State of the World's Human Rights.* NGO report, Amnesty International.

Anderson, Benedict. 1983. *Imagined Communities.* New York : Verso.

Arab Center Washington DC . 2017. *2016 Arab Opinion Index : Executive Summary.* April 12. https://arabcenterdc.org/resource/arab-opinion-index-2016/.

Ardovini, Lucia, and Simon Mabon. 2020. "Egypt's unbreakable curse: Tracing the State of Exception from Mubarak to Al Sisi." *Mediterranean Politics.*

Arrojo, Pedro. 2020. *Being a Special Rapporteur .* UN report, OHCHR.

Arshad. 2021. "nderstanding the Praetorian Rule of Fatah al-Sisi in Egyp." *PanAfrican Journal of Governance and Development.*

Asenjo, Qayyah Moynihan and Alba. 2019. *Facebook quietly ditched the 'It's free and always will be' slogan from its homepage.* August 27. https://www.businessinsider.com/facebook-changes-free-and-always-will-be-slogan-on-homepage-2019-8#:~:text=The%20tagline%20has%20been%20changed,nothing%20to%20become%20a%20user.

Asi, Yara M. 2022. *"Free Them All": The Trampled Rights of Political Prisoners in the Arab World.* May 22. Accessed June 16, 2022. https://arabcenterdc.org/resource/free-them-all-the-trampled-rights-of-political-prisoners-in-the-arab-world/.

Asociacion por los Derechos Civiles. n.d. https://adc.org.ar/en/home/.

Attalah, Lina. 2020. "Laila Soueif." *Bidoun.*

Badr, Hanan. 2019. "Egypt's media system: historic legacies and blocked potentials for independent media." *MediendPolitik International.*

Bälz, Kilian, and Hussam Mujally. 2018. *The New Egyptian Anti-Cybercrime Law Regulates Legal Responsibility For Web Pages And Their Content.* September 19. Accessed June 05, 2022. https://www.mondaq.com/security/820028/the-new-egyptian-anti-cybercrime-law-regulates-legal-responsibility-for-web-pages-and-their-content .

Bayat, Asef. 2017. *Revolution without Revolutionaries: Making Sense of the Arab Spring.* Stanford: Stanford University .

BBC News . 2014. "Egypt police jailed over 2010 death of Khaled Said." *BBC News World-Middle-East .* March 3. Accessed April 4, 2022. https://www.bbc.com/news/world-middle-east-26416964.

Berger, Dan. 2019. "Finding and Defining the Carceral State." *Johns Hopkins University Press* 279-285.

Brandom, Russell. 2014. "Egypt launches deep-packet inspection system." *The Verge* , September 14.

Brechenmacher, Saskia. 2017. *Civil Society Under Assault .* NGO report, Carnegie Endowment for International Peace.

Bromell, David. 2022. *Regulating Free Speech in a Digital Age Hate, Harm and the Limits of Censorship.* Cham: Springer .

Brown, Nathan J., and Michele Dunne. 2021. "Who Will Speak for Islam in Egypt—And Who Will Listen?" *Carnegie Endowment for international peace .*

Chatterjee, Partha. 1993. *The nation and its fragments: Colonial and Postcolonial histories.* New Jersey: Princeton University Press .

Chawki, Mohamed. 2020. "Anti-Cyber and Information Technology Crimes Law "EGYPT" Law No. 175 of 2018 ." *International Association of Cybercrime Prevention.*

Clarke, Laurie, Oscar Williams, and Katharine Swindells. 2021. "How Google quietly funds Europe's leading tech policy institutes." *The Newstatesman.*

Committee for Justice. 2021. *Egypt: New Wadi Al-Natrun Prison An Attempt To Beautify, Not Reverse Violations .* November 1. Accessed June 6, 2022. https://www.cfjustice.org/egypt-new-wadi-al-natrun-prison-an-attempt-to-beautify-not-reverse-violations/.

Constitute Project . 2022. *Egypt's Constitution of 2014.* Constitution , constituteproject.org.

Critical Resistance. 1997. *The prison industrial complex.* Accessed 05 13, 2022.
https://criticalresistance.org/mission-vision/not-so-common-language/.

Dabashi, Hamid. 2012. *The Arab Spring the End of Postcolonialism .* London; New York : Zed Books.

Dada, Tinuola, and Emna Sayadi. 2017. *Egypt is blocking more websites: why it matters, and what you can do.* August 30. Accessed June 10, 2022. https://www.accessnow.org/egypt-blocking-websites-matters-can/.

Dangerfield, Micha Barban. n.d. "Power to the People: The rise and rise of Citizen Journalism." *Tate .*

Davis, Angela. 2003 . *Are Prisons obselete? .* New York : Seven Stories Press .

Deutsche Welle DW. 2021. *Egypt's Arab Spring: The bleak reality 10 years after the uprising.* https://www.dw.com/en/egypts-arab-spring-the-bleak-reality-10-years-after-the-uprising/a-56336238.

Egypt Wide . 2022. *Criminalizing Minds Egyptian Scholars in the Regime's Target .* NGO report , Cairo: Egypt Wide.

El-Fattah, Alaa Abd. 2022. *You Have Not Yet Been Defeated .* London: Fitzcarraldo Editions .

El-Haddad, Amirah. 2020. "Redefining the social contract in the wake of the Arab Spring:The experiences of Egypt, Morocco and Tunisia." *Elsevier* (ELSEVIER).

Eltahawy, Mona. 2015. *Headscarves and Hymens: Why the Middle East Needs a Sexual Revolution .* London: Orion.

Euro Med Rights . 2022. *Authorities must repeal the outrageous NGO Law.* January 10. https://euromedrights.org/publication/egypt-authorities-must-repeal-the-outrageous-ngo-law/.

EuroMed Rights . 2020. *Ngos Call on Egypt's Government to end internet censorship and website blocking.* November 04. Accessed 06 05, 2022. https://euromedrights.org/publication/ngos-call-on-egypts-government-to-end-internet-censorship-and-website-blocking/.

European Court of Human Rights . 2022. *Hate speech.* Presse Release , Strasbourg : European Court of Human Rights .

Farahat, Mohamed. 2021. *Surveillance Law in Africa: a review of six countries Egypt country report.* NGO report, Institute of development studies .

Farasin, Fadi, and Cihat Battaloglu. 2017. "Arab States and the Alienation of the Masses: Preand post Arab Spring." *The Canadian Journal for Middle East Studies.*

Fenton, Natalie. 2018. "Fake Democracy: The Limits of Public Sphere Theory." *Journal of the European Institute for Communication and Culture.*

Foucault, Michel. 1977. *Discipline and Punish: The Birth of Prison* . Pantheon Books.

Frazer, Nancy. 1990. "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing." *Duke University Press.*

General Assembly resolution 2200A. 1966. *International Covenant on Civil and Political Rights* . UN report , www.ohchr.org.

Gordon, Joel, and Heba Arafa. 2016. ""Stuck with Him": Bassem Youssef and the Egyptian Revolution's Last Laugh*." *Cambridge University Press.*

Gready, Paul, and Simon Robins. 2017. "Rethinking civil society and transitional justice: lessons from social movements and 'new' civil society." *The International Journal of Human Rights.*

Hanafi, Sari. 2012. "The Arab revolutions; the emergence of a new political subjectivity ." *Contemporary Arab Affairs* 198–213.

Hanafi, Sari. 2012. "The Arab revolutions; the emergence of a new political subjectivity." *Contemporary Arab Affairs* .

Hawthorne, Amy. 2008. "Egypt's New National Council for Human Rights: Watchdog or Window Dressing?" *Carnegie Endowment for Internationl Peace* .

HRNJ-Uganda. 2020. *Human Rights Network for Journalists* . September 20. Accessed June 6, 2022. https://hrnjuganda.org/?p=6454.

Human Rights Watch . 2019. *Egypt Crackdown on Civil Society.* https://www.hrw.org/tag/egypt-crackdown-civil-society.

—. 2019. *Egypt: New NGO Law Renews Draconian Restrictions: Disproportionately Huge Fines; Ban on Links with Foreign Groups.* June 24. https://www.hrw.org/news/2019/07/24/egypt-new-ngo-law-renews-draconian-restrictions.

—. 2010. *Egypt: Prosecute Police in Beating Death.* June 24. Accessed 2022. https://www.hrw.org/news/2010/06/24/egypt-prosecute-police-beating-death.

—. 2014. *Egypt: Rab'a Killings Likely Crimes against Humanity.* August 12. https://www.hrw.org/report/2014/08/12/all-according-plan/raba-massacre-and-mass-killings-protesters-egypt.

—. 2011. "Joint Amnesty International and Human Rights Watch statement on Zaynab al-Hosni." *Human Rights Watch* . October 5. Accessed April 4, 2022. https://www.hrw.org/news/2011/10/05/joint-amnesty-international-and-human-rights-watch-statement-zaynab-al-hosni.

Human Rights Watch. 2014. *Ahmed Seif Al Islam: In Memoriam.* August 28. Accessed June 07, 2022. https://www.hrw.org/news/2014/08/28/ahmed-seif-al-islam-memoriam.

—. 2019. *Egypt: New NGO Law Renews Draconian Restrictions.* July 24. Accessed july 04, 2022. https://www.hrw.org/news/2019/07/24/egypt-new-ngo-law-renews-draconian-restrictions.

Ignacio Álvarez-Ossorio. 2016. "Civil Society and Political Change in Contemporary Egypt." In *The Arab Spring, Civil Society, and Innovative Activism*, by Cenap Çakmak, 57-79. London: Palgrave Macmillan.

Jowett, Garth S, and V. O'Donnell. 2018. *Propaganda & Persuasion.* USA: SAGE Publishing.

Kallio, Kirsi Pauliina, and Jouni Häkli. 2016. "Geosocial Lives in Topological Polis: Mohamed Bouazizi as a Political Agent." *Routledge* (Routledge).

Kant, Immanuel. 1784. "What is Enlightenment?"

Kaufman, Edy. 1991. "Prisoners of Conscience: The Shaping of a New Human Rights Concept." *The Johns Hopkins University Press* 339-367.

Kayser-Bril, Nicolas. 2021. "How Big Tech Charms and Bullies European Politicians, Journalists and Academics." *Algortim Watch .*

Kemp, Simon. 2022. *Digital 2022: Global Overview Report.* DataReportal .

Kraidy, Marwan M. 2012. "The Revolutionary Body Politic: Preliminary Thoughts on a Neglected Medium in the Arab Uprisings." *Middle East Journal of Culture and Communication.*

Kraidy, Marwan M., and Marina R. Krikorian. 2017. "The Revolutionary Public Sphere: The Case of the Arab Uprisings." *Center for Advanced Research in Global Communication (CARGC).*

Kreckel, Reinhard. 2017. "On Academic Freedom and Elite Education in Historical Perspective: Medieval Christian Universities and Islamic Madrasas, Ottoman Palace Schools, French Grandes coles and 'Modern World Class Research Universities." *ResearchGate* (Martin Luther University Halle-Wittenberg).

Krieg, Andreas. 2017. *Socio-Political Order and Security in the Arab World.* London: Palgrave Macmillan.

Kuchay, Bilal. 2021. "Israeli spyware used to target journalists, activists: Report." *Al Jazeera*, July 18.

Lynch, Marc, and Curtis R. Ryan. 2017. "The Arab Uprisings and International Relations theory." *American Political Science Association.*

Maasar. 2020. *Sandvine … the surveillance octopus in the Arab region.* October 24. Accessed June 23, 2022. https://masaar.net/en/sandvine-the-surveillance-octopus-in-the-arab-region/.

Marczak, Bill, Jakub Dalek, Sarah McKune, Adam Senft, John Scott-Railton, and Ron Deibert. 2018. *Bad Traffic: Sandvine's PacketLogic Devices Used to Deploy Government Spyware in Turkey and Redirect Egyptian Users to Affiliate Ads?* NGO report, Torronto: University of Torronto.

Martin, Douglas. 2014. "Ahmed Seif, Who Was Tortured in Egypt and Became Rights Defender, Dies at 63." *New York Times* , August 29.

Media Defence . 2020 . *Key Principles of International Law and Freedom of Expression.* NGO reprort , London: www.mediadefence.org.

MEE Staff. 2022. "Egypt building new prison in Sinai with capacity to hold 20,000 inmates." *Middle East Eye*, April 18.

Mill, David van. 2002 . "Freedom of Speech." *Stanford Encyclopedia of philosophy* .

Mohamed, Eid, and Dalia Fahmy. 2019. *Arab Spring Modernity, Identity and Change.* London: Palgrave Macmillan.

Mohamedou, Mohammad-Mahmoud Ould. 2015. "Neo-Orientalism and the e-Revolutionary: Self-Representation and the Post-Arab Spring." *Middle East law and Governance* 120-131.

Mohsen, Sarah, and Wessam Atta. 2018. "Situation of Freedom of Expression in Egypt." *Association for Freedom of thought and expression* .

Moynihan, Qayyah, and Alba Asenjo. 2019. *Business Insider .* August 27. Accessed May 26, 2022. https://www.businessinsider.com/facebook-changes-free-and-always-will-be-slogan-on-homepage-2019-8?r=US&IR=T.

Naggar, Mohamed Hussein El. 2011. "Human Rights Organisations and the Egyptian Revolution." *Wiley Online Library* .

Nasser, Helen-Margaret. 2014. "NOT BY ACCIDENT: HOW EGYPTIAN Not By Accident: How Egyptian Civil Society Successfully Launched a Revolution." *The City University of New York.*

Neocleous, Mark. 1995. "From Civil Society to the Social." *The British Journal of Sociology* 395-408.

Norris, Pippa, and Ronald Inglehart. 2019. *Cultural Backlash: Trump, Brexit, and Authoritarian Populism.* New York: Cambridge University Press.

O'Flaherty, Michael. 2012. "Freedom of Expression: Article 19 of the International Covenant on Civil and Political Rights and the Human Rights Committee's General Comment No 34." *Human Rights Law Review.*

Obeid, Diana. 2022. "Political Prison Discourse in the Arab World: Selected Writings from Egypt and Syria ." *The Graduate School of Arts and Sciences of Georgetown University.*

OHCHR. 2017. *Repressive new NGO law deeply damaging for human rights in Egypt – Zeid.* June 01. Accessed 2022. https://www.ohchr.org/en/press-releases/2017/05/repressive-new-ngo-law-deeply-damaging-human-rights-egypt-zeid.

OHCHR. 1993. *Special Rapporteur on freedom of expression and opinion.* UN document , OHCHR.

OMCT. 2021. *Egypt: Release of Patrick George Zaki.* December 09.
https://www.omct.org/en/resources/urgent-interventions/egypt-release-of-patrick-
george-zaki.

Opdycke, Kelly. 2013. "A Comic Revolution: Comedian Bassem Youssef as a Voice for Oppressed
Egyptians." *Colloquy* 1-20.

Parsons, Anne E. 2018. *From Asylum to Prison: Deinstitutionalization and the Rise of Mass
Incarceration After 1945.* North Carolina : University of North Carolina Press.

Peters, Rudolph. 2002 . "Egypt and the Age of the Triumphant Prison: Legal Punishment in the
nineteenth century Egypt ." *Annales Islamologiques.*

Plaetzer, Niklas. 2014. "Civil Society as Domestication: Egyptian and Tunisian Uprisings beyond
Liberal Transitology ." *Journal of International Affairs.*

Policy Analysis Unit – ACRPS . 2017. "The April, 2017 Attacks on Egyptian Churches: ISIL Victimizes
an Egyptian Religious." *Arab Center for Research and Policy Studies.*

Postman, Neil. 1985. *Amuzing Ourselves to Death.* Penguin Books .

Public Broadcasting Service . 2022. *Culture Shock.* Accessed May 29, 2022.
https://www.pbs.org/wgbh/cultureshock/whodecides/definitions.html.

Puddephatt, Andrew. 2016 . *Freedom of expression.* UN report , UNESCO.

Radsch, Courtney. 2016. *Cyberactivism and citizen journalism in Egypt: Digital Dissidence and
Political Change.* London: Palgrave Macmillan.

Raileanu, Roxana. 2021. *Q&A Laila Soueif .* December 3. Accessed June 8, 2022.
https://www.chathamhouse.org/publications/the-world-today/2021-12/qa-laila-soueif.

Rueckert, Phineas. 2021. *Pegasus: The New Global Weapon for Silencing Journalists.* NGO report ,
Paris : Forbidden Stories.

Said, Edward W. 1978. *Orientalism .* London : Routledge & Kegan Paul Ltd.

Salame, Ghassan. 1987. *The foundations of the Arab State.* London: Routledge .

Salamey, Imad. 2015. "Post-Arab Spring: changes and challenges." *Third World Quarterly.*

Samaro, Dima, and Marwa Fatafta. 2020. *COVID-19 contact-tracing apps in MENA: a privacy
nightmare.* NGO report, Berlin: Access Now.

Sayigh, Yezid. 2020. "Egypt's Military as the Spearhead of State Capitalism." *Carnegie Middle East
Center .*

Sheridan, Connor. 2016. *Foucault, Power and the Modern Panopticon.* Senior Theses, Hartford:
Trinity College .

Sherif, Ashraf El. 2014. "The Muslim Brotherhood and the Future of Political Islam in Egypt."
    Carnegie Endowment for International Peace .

Shorbagy, Manar. 2007. "UNDERSTANDING KEFAYA: THE NEW POLITICS IN EGYPT ." *Arab Studies
    Quarterly* 39-60.

Simon, Joel. 2017. *Governments and non-state actors find innovative ways to suppress the media.*
    NGO Report , Committee to Protect Journalists .

SparkNotes. n.d. *The Social Contract Jean-Jacques Rousseau.*
    https://www.sparknotes.com/philosophy/socialcontract/characters/.

Springborg, Robert. 2021 . "The one and only Egyptian dictator (born 1954)." In *Dictators and
    Autocrats: Securing Power across Global Politics*, by Klaus Larres, 283-299. London:
    Routledge.

Stjernfelt, Frederik, and Anne Mette Lauritzen. 2020. *Your post has been removed: Tech Giants and
    Freedom of Speech.* Copenhagen : Springer Open .

Tech Tranparency Project . 2017. "Google Academics Inc." *Campaign for Accountability .*

The Guardian. 2014. "Ahmed Seif el-Islam, leading light of Egypt human rights, has died." *The
    Guardian*, August 27.

The Legal Agenda. 2022. "State and Civil Society in Egypt: Discourse vs Reality." *The Legal Agenda*,
    April 27.

The New Arab Staff & Agencies. 2022. *Jailed Egypt activist Alaa Abdel-Fattah moved to new prison,
    family says.* May 19. Accessed June 9, 2022. https://english.alaraby.co.uk/news/jailed-
    egypt-activist-abdel-fattah-moved-new-prison.

The Supreme Standing Committee for Human Rights . 2021. *Learn About the Correctional and
    Rehabilitation Complex in Wadi El Natroun... A Model of Integrated Commitment to the
    Rights of Inmates.* October 28. Accessed June 6 , 2022.
    https://sschr.gov.eg/en/highlights/wadi-el-natroun/.

The Tahrir Institute for Middle East Policy . 2018. "TIMEP Brief: Protest Law." *The Tahrir Institute
    for Middle East Policy* , September 09.

TIMEP. 2019. *Law No. 149 of 2019 NGO Law.* NGO Report, Washington: The Tahrir Institute for
    Middle East Policy .

Toepler, Stefan, Annette Zimmer, Christian Frohlich, and Katharina Obuch. 2020. "The Changing
    Space for NGOs: Civil Society in Authoritarian and Hybrid Regimes." *International Society
    for Third-Sector Research .*

Transatlantic Working Group. 2019. *Freedom of Expression: A Comparative Summary of United
    States and European Law.* Joint Research, Pennsylvania : The Annenberg Public Policy
    Center.

UN General Assembly resolution 2106. 1965. *International Convention on the Elimination of All Forms of Racial Discrimination.* UN Declaration, United Nations.

UN News Global Prespective Human Stories . 2015. *United Nations .* October 26. Accessed June 25, 2022. https://news.un.org/en/story/2015/10/513752-lawful-civil-society-groups-are-not-enemies-democracy-key-allies-says-un-expert#.WJJLU-VUrLcs.

United Nations General Assembly. 1948. *Universal Declaration of Human Rights.* UN document, Paris: United Nations.

Valiverronen, Esa, and Sampsa Saikkonen. 2020. "Freedom of Expression Challenged: Scientists' Perspectives on Hidden Forms of Suppression and Self-censorship." *Science, Technology, & Human Values.*

Vinx, Lara. 2019. "Carl Schmitt." *Stanford Encyclopedia of Philosophy.*

We Record. 2021. *The Exile.* NGO Report , Brussels : We Record.

Wolff, Jonas, and Annika Elena Poppe. 2015. "From closing space to contested spaces: reassessing current conflicts over international civil society support." *Peace Research Institute Frankfurt (PRIF) .*

Working Group on Arbitrary Detention. 2020. *Public Communication File.* UN Report, Geneva : OHCHR.

World Bank . 2022. *Civil Society.* February 28. Accessed June 26, 2022. https://www.worldbank.org/en/about/partners/civil-society/overview#1.

World Economic Form . 2013. *The Future Role of Civil Society.* NGO report, World Economic Form.

World Prison Brief. 2016. *World Prison Brief data.* Data Analysis, World Prison Brief.

Yefet, Bosmat. 2021. "Can national human rights institutions make a difference? Discourse, accountability, and the Egyptian National Council for Human Rights ." *Journal of Human Rights* 431-448.

Zubaida, Sami. 1992. "Islam, the state and Democracy Contrasting conceptions of society in Egypt ." *MERIP Middle East Report.*

Zuboff, Shoshana. 1989. *In The Age Of The Smart Machine: The Future Of Work And Power .* London: Heinemann Professional.