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Egyptian Death Sentences Reveal Deep Societal Rift

By Ralf Hoppe and Daniel Steinvorth

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Over 500 members of the Muslim Brotherhood were sentenced to death last week in the small Egyptian city of Minya. But what really happened? A visit to the town reveals the vast divide in Egyptian society.

It is 10 p.m. Both windows in lawyer Hussein Ali Tamam's office, located on the first floor of a building on Saa Square, are open. A warm evening breeze is ruffling the papers on his desk, where Tamam is sitting behind a pile of books and file folders. Tamam, a gangly 46-year-old, is considered to be one of the most experienced defense attorneys in Minya, a town on the Nile River in Egypt. But he looks stressed as he alternately reads, writes and smokes. Mostly, though, he is trying to calm himself down. He just suffered the largest defeat of his life.

Tamam heads up a team of attorneys that represented around 100 of the 529 defendants in the "Minya trial." Last week, every single one of them was sentenced to death, a collective penalty handed down after just one-and-a-half days. It is an Egyptian record.

Among those sentenced, several lawyers have said independently of one-another, were at least four minors who, according to Egyptian law, should have been tried in separate proceedings. It is also said that three dead men were among those sentenced to death.

Tamam points to a pile of papers that is at least 15 centimeters (6 inches) high. "That there is a quarter of the indictment. It is 3,500 pages in total, 14,000 appendices in four parcels. And do you know when exactly I was given these parcels? A quarter of an hour before the trial started. I ask you: What is happening in this country right now?"

He removes his black eyeglasses and rubs his eyes. "I will work through the night tonight and tomorrow morning I will meet with my colleagues," he says. "We need to find a new strategy."

The next morning, Michael Mahir -- a university student, Christian activist and graffiti artist -- unlocks a heavy wooden door in the small town of Bani Mazar, which belongs to the Minya administrative district. He is a short, young man, a bit chubby, quiet and intelligent; he studies business administration in Cairo and is currently focusing on marketing and social media. A small cross is tattooed on his right forearm.

Shards of Glass

He walks into the debris-filled courtyard of a burned-out church and makes his usual inspection rounds through the ravaged nave, climbing over blackened stones and shards of glass, remains of a chandelier.

When the church was attacked and set alight by a mob likely led by members of the Muslim Brotherhood on Aug. 14, 2013, Mahir reluctantly stayed with his sisters, his little brother and his parents in their apartment. The flat is located just one kilometer (0.62 miles) away from the church, as the crow flies. It was 7 a.m. and he says he could see the smoke rising out of the window and smell the pungent odor. Desperately, he tried to get the police and fire department to act. "But nobody lifted a finger for us Christians, they wanted the worst. And us? If we had tried to protect our church and our school, they would have stabbed us, hanged us, beat us to death."

Mahir agrees with the 529 death sentences handed down in Minya. "It is only fair that these people now be executed," he says.

And what if there are innocents among them? "There are no more innocents in this country," he says. "You have to decide, stand up for what you believe in. Either you belong to the one side or to the other."

As Mahir finishes his inspection of the church ruins, locks the door and carefully looks around outside to see if anyone is lying in wait, a woman named Maha Said, located just a five-minute drive away, is making breakfast for her two children, her father-in-law and her brother-in-law. But there isn't a moment when she isn't thinking about her husband. He is locked away in the Wadi Gidal prison, one of the 529 men sentenced to death. She has heard nothing from him since he was arrested on Jan. 25, neither a letter nor a phone call. Wadi Gidal is roughly 700 kilometers (435 miles) away.

After breakfast, Maha Said will wash up, make beds and vacuum, though the apartment is already spotlessly clean. "I have to keep busy so that I don't think too much," she says. "My

husband is innocent. On that Aug. 14, when the terrible things happened, he never left the apartment. I could swear to it if only I had been allowed to be there on the day of the trial."

More Death Sentences Coming?

On the morning of March 24, at 9:30 a.m., according to a report prepared by the attorneys, Presiding Judge Saeed Elgazar -- whose last name means "the butcher" -- had his bailiff announce his verdict in case No. 1842. It was just the second day of proceedings. The trial was held in the large hall on the ground floor of the Minya courthouse, a boxy, seven-story building.

Only 147 of the 529 defendants were present -- the others hadn't been arrested at the time of the trial and are apparently in hiding -- and they sat in a steel cage. Three dozen attorneys were in the spectators' gallery and at the defense counsel's table. Hussein Ali Tamam, the criminal defense lawyer who had only just received the indictment, sat in the front row. Judge Elgazar did not make an appearance in person -- due to security concerns, the defense attorneys were told.

Every one of the defendants was found guilty of having taken part in the August unrest during which the church of Christian activist Michael Mahir was burned, along with other churches and properties. The riot, which was triggered by security forces raiding Muslim Brotherhood protest camps in Cairo, also saw the storming of a police station, in the course of which one officer was killed and two others attacked.

Many of the newly convicted collapsed upon hearing the verdict, say lawyers who were present. Some cried, others bit their fingers until blood flowed. The building was secured by some 200 heavily armed guards and two armored personnel vehicles were parked outside.

Immediately following the verdict, Minya -- a faceless city of 220,000 four hours south of Cairo, one that had always been a hotbed of Muslim Brotherhood activity -- featured prominently in headlines around the world. It was a blow against the Muslim Brotherhood, but also against the concept of justice. A second mass trial in Minya, against almost 700 additional Islamists, including Muslim Brotherhood leader Mohammed Badie, is scheduled for April 28. Additional death sentences are to be expected.

The hard line followed in Minya likely comes from a man who has nothing directly to do with the trial, but who simultaneously announced he was stepping down as Egypt's commander-in-chief to run for the country's vacant presidency. In the same week as the death sentences were handed down, Field Marshal Abdel Fattah al-Sisi, who has played a key role in the military-backed interim government during the exactly eight months, three weeks and three days since the toppling of Muslim Brotherhood President Mohammed Morsi, announced he would "leave this uniform to defend the country."

'Unconscionable'

Sisi's declaration came late, after much indecision. Perhaps because he was waiting on important commitments from his allies -- in particular further funding pledges from Saudi Arabia, United Arab Emirates and Kuwait. Without billions in aid from these countries, Egypt would go

bankrupt and be politically incapacitated. Since Morsi's fall, the three Gulf countries have pumped more than \$12 billion into Egypt. In return for more aid, Sisi is now going after the Muslim Brotherhood and anyone else standing in the way.

The reactions to Sisi's candidacy have thus intersected with the commentaries regarding the drastic verdict from Minya.

Reactions from the West have been unanimous. A spokeswoman for the US State Department said that carrying out the death sentences would be "unconscionable." Comments from the United Nations and the European Union have been similar. In Egypt, by contrast, most seem to approve of the verdict. "I welcome the equitableness of our judiciary as it stands up to these murderers," is how well-known television host Ahmed Mussa opened his show. He then went even further: "Let it be not 500, but 10,000 or 20,000 death sentences!" One of the few personalities to oppose the verdict was blogger Abd al-Fattah, who was only just released from prison last week. Referring to his own case as well, he wrote: "One step up and 529 steps back."

And in Minya? Here, people act as though nothing happened, at least at first glance. There were no demonstrations here as there were last Friday in Giza and Asyut. A wedding was celebrated in the upscale Horus Resort on the coastal road; next door a dentists' convention got underway. But there are police everywhere.

Hardly a tourist is to be seen; Minya was long closed to foreigners. Europeans are initially eyeballed and then taken aside by tourist police and secret service, questioned, warned, released and then followed. An almost paranoid atmosphere weighs on the city, as though people are searching for a lost sense of normality. There is nothing left of the talkative friendliness that was once typical of Egypt, despite all the chaos and tension. Now, there is almost constant discord which seems on the cusp of exploding.

On this morning, a car is parked in front of the protestant church on Talaban Street, prompting overseers to call the police. Suddenly, the vehicle's owner appears -- a housewife who had stopped there to buy oranges and lettuce. An altercation ensues and more men appear and become involved. There is pushing and shoving and loud shouts of anger. It is over within a couple of minutes, when the police manage to calm tempers, but it shows that anything can happen here. In the wake of the verdict, Minya is a city frozen with fear, full of fury and free of mercy.

'He Dies Every Day'

The Christian activist Michael Mahir, for example, is actually quite friendly. But he has no sympathy for Maha Said, whose husband could be executed any day. Maha's brother-in-law for his part, coldly shrugs his soldiers when he is asked about attacks on Christians and their churches. Meanwhile, defense attorney Hussein Ali Tamam believes that his own arrest will soon follow. "Anything is possible after that unforgettable trial," he says.

What, though, really happened at the Minya trial? Was the collective verdict ordered by Cairo; did it come at the behest of the military? If one examines the statements of trial observers, who

have said roughly the same things independently of one another, the resulting image is not that of a conspiracy. More likely it was the kneejerk reaction of a single judge.

Everyone says that defense attorneys received the indictment far too late, which may have been sloppiness or it may have been the judge's intention. Furthermore, Judge Elgazar has a reputation for draconian verdicts. He could very well have been acting out of conviction. Or he may have been trying to attract the attention of those in power in Cairo.

Insiders in Minya say that some 85 percent of original jurisdiction judges are corrupt. Trials only become halfway fair once they reach the appellate courts, they say. And that process will begin once the Grand Mufti comments on the verdicts.

The Minya trial began to escalate right away. Judge Elgazar was brusque, even more so than is usual in Egyptian courtrooms. In response, defendant number 50, a man named Ali Hassuna, stood up and began reciting quotes from the Egyptian constitution in an agitated voice. The judge angrily ordered him to cease and desist, which triggered a protest from attorneys -- whereupon the judge ordered security to surround the attorneys and clear the courtroom. He shouted three times: I swear that I will reach a verdict in one day!

That, at least, is how a number of defense lawyers have recounted the scene, which makes it look as though a single judge lost his cool and handed down a verdict that will likely be overturned by a court of appeals. But that isn't a certainty.

For now, the convicts must live with their uncertainty. As do their families. Like Maha Said, who constantly cleans her apartment out of sheer desperation.

"This verdict," says attorney Hussein Ali Tamam, "is unbelievable. It is the eighth wonder of the world in Egypt." He laughs bitterly before adding: "A prisoner on death row awakes in the morning and dies. He dies every day."