

The University of Chicago

**Solving the Security–Rights Paradox:  
How to Re-Imagine Individual Politics Within the Confines of National Security**

By Hana Okamoto

August 2021

A paper submitted in partial fulfillment of the requirements for the Master of Arts degree in the  
Master of Arts Program in the Committee on International Relations

Faculty Advisor: Professor Terry Nichols Clark

Preceptor: Manuel Cabal

## Abstract

The notion that it is justified for states to violate individual rights in order to protect national security has sparked a furious debate amongst scholars and policymakers alike. Counterterrorism models in the post-9/11 era have infamously allowed a paradoxical invasion of the civic and human rights of the individual—such as freedom of protest and assembly, freedom from forced detention, and freedom from sexual and gender-based violence— all while in the name of defending the nation-state. This phenomenon, addressed within security theory as a matter of weighing the needs of the state against that of the individual, often leads to questions such as, “Should counterterrorism models focus more on security or human rights?” “How can international influence further limit national security agendas?” This paper argues that current security literature is misinterpreting the theoretical stakes, and thus the very nature, of the issue at hand— the basic conceptualization of “life to be defended” is woefully inadequate. By inserting notions of life and belonging from human rights discourse, I demonstrate that the required task is to move beyond *bare life* as the subject of the nation-state in a suspended state of emergency. Rather, we must find new ways to ascribe *political life*, or civic rights, to the individual within the paradigm of national security. The challenge is to grasp a political meaning which is not reliant on politics as produced by the securitization of the nation-state. By studying the case of the Egyptian Revolution and the larger Arab Spring, I show that merely merging the state-centered security with a personhood-based politics is not enough to form a balanced counterterrorism model; personhood must find a way to form separately from state-making, while remaining within the confines of its borders.

## **Introduction**

To what lengths can a sovereign state go in order to protect national security during a time of crisis? This question is deceptively complex, and the answer even more difficult to grasp. Scholars and policymakers alike concern themselves with this question due to a phenomenon observed in the last decades: during times of national emergency (defined in security theory as a crisis threatening the general security and wellbeing of citizens) governments, particularly non-Western democracies and autocracies, are increasingly deploying tools of force, surveillance, and detention which paradoxically infringe on the rights of individual citizens. In the last two decades (primarily post-September 11 attacks), national security in the West has largely focused on combating external terrorist threats. This has resulted in security language taking on a war-like tone, with the increasing perception in nations such as in the Middle East that security is a matter of combat and protecting state stability, rather than necessarily protecting human life. (Schofer, 2015) As such, a majority of human rights abuses committed by national security and military forces have been directly correlated to the use of counter-terrorist and security protection tools, as well as more directly justified by terms such as “threats to national stability” and “emergency situations.” (Gasper, 2005)

Different branches of security theory argue for either side of this balancing act; on one hand is the belief that upholding national security must, during emergency situations, take priority over all other initiatives. The ability to make appropriate decisions on the suspension of law and the use of force during such times of crises is, as democratic state theory poses, a fundamental sovereign right as per its fulfillment of the Rousseauian contract. This argument builds off of the assumption that, in being trusted to prioritize the protection of its citizens at all

times, governments are the elected decision-makers with the use of force at their disposal when deemed necessary.

On the other side of this logic is the rights-based argument to the debate. This line posits that not only is the violation of an individual's basic civil rights at any point counterproductive to the general democratic goal, but the assumption that every nation-state faithfully acts in complete favor of its citizens' protection is dangerous and faulty. As such, human rights must be the first and ultimate goal of the state. This would mean diagnosing emergency situations as those which threaten innocent lives, and to act on a national scale with the protection of civilian life and individual well-being in mind at all times. The tension between the brutal realism posed by the first argument and the humanistic urge of the latter is not easily reconciled. However, this paper positions itself with the belief of many scholars that, after almost a decade of such a line of argument, "To frame the tension between security and human rights in absolutist terms is fundamentally misleading." (Monshipouri 2012, 8) Rather, it provides nuance to the argument by revealing the notion of "bare life" (*zoē*), originating with Giorgio Agamben, which is produced by current counterterrorism models. By combining both human rights and security discourse, it identifies the task of alternatively converting "bare life" into "political life" (*bios*) within the modern state of emergency.

This paper builds on this Agamben-inspired notion of "political identity" which is unpacked in the work of John Lechte and Saul Newman, and demonstrates that the histories of violence and force for many non-Western states require specialized understandings of human rights and security, contrary to previous methods of generalized international intervention. I first take a look at three existing counterterrorism models by Mahmood Monshipouri, and offer

criticisms for the notions of life and belonging under the state posed by the third, “legal-diplomatic model” poses. Next, I introduce Agamben’s “state of exception” as the primary site of the modern state’s security agenda, and explain why I choose his conceptualization as relevant to the Egyptian case. This necessitates delving into the case study of Egypt as one of the most notorious legacies for human rights abuses in the Middle East, and unpacking an extended legacy of absolute control which has been fundamental to state-making and identity for many decades. Subsequently, I draw from Lechte and Newman’s argument that “political life,” as opposed to bare life, must be made the goal of rights-based security. This argument is in conjunction with the idea that a form of *language* and *expression* may be a suitable method for the alternative politics of the individual.

Finally, I delve into the case of gender-based and sexual violence in Egypt, to demonstrate the exact form of *re-defining individual life* which is being discussed, and which is organically taking root. By analyzing the relevance of social media and online expression both in this case and the revolution as a whole, I conclude that concepts drawn from human rights literature are most useful in recognizing language and media as a viable form of political expression— one that is not reliant on, but holds accountable, the modern state. It is at this point that I suggest how international intervention may be useful; in recognizing and uplifting the voices of citizens, and in shaping national security with a far more grounded and tethered approach.

## **The Puzzle: *The Nature of the Tension Between Human Rights and National Security***

In the wake of the September 11 attacks, the world saw a reconceptualization of security with the infamous rise of the “war on terror” rhetoric. As national security became synonymous with counterterrorism (the aspect of security which this paper mainly focuses on) and, to some extent, counterinsurgency<sup>1</sup>, state operations took on a heavily militarized and top-down nature in order to turn the eye of suspicion onto activities notoriously hidden amidst a civilian population. This “securitization of the state,” as Roberto Esposito observes, created a pattern in which a national state of war and emergency increasingly became the norm, and governments were free to deploy border policing, mass surveillance, and military tools with little to no restrictions. As a result, the lines between ‘enemy’ and ‘citizen’ became blurred, and a crisis-like environment allowed states to paradoxically infringe on the rights of the very civilians they had claimed to protect.

Within the canon of security theory, many explorations of this inherent tension with human rights are aimed at *how* such a precarious balance came about, or at advocating for the moral perils of continuing to sacrifice human rights. Moreover, different arguments have explored which side of this bipolarity to prioritize within national security models— this paper is interested in the conceptualizations of state-making and the state-citizen relationship which these models reveal. In the following sections, I delve into several of these models, briefly outlining two of the bipolar argument and more critically analyzing a third, progressive model. This is

---

<sup>1</sup> A term used to more broadly refer to state action against political revolutionaries and guerilla activity. This is in contrast to terrorist activities, which is fluid in its definition as any form of violence used to achieve a political aim, particularly if inflicted on civilian populations.

with the aim of revealing the shortcomings of current security theory in grasping the nature of the citizen–state relationship under the modern state, and to reorient the locus of the issue as one of problematizing individual belonging, rather than re-ordering national priorities.

## **Current Literature on Counterterrorism Models**

### *The Security Model*

The ways in which states form counter-terrorism approaches have been broadly categorized into several models. International relations scholar Mahmood Monshipouri summarizes the main formats in his “security model,” “social model,” and “legal-diplomatic model.” First, the security model reiterates that, particularly during times of crisis (as the threat of terrorism is often qualified), measures which sacrifice individual rights for the sake of the larger populations’ safety are justified and necessary. Tools commonly used in this strategy are that of preemptive use of force and military repression, most notably promoted by George Bush’s administration in the Iraqi and Afghan wars. Results under Bush’s leadership came in the form of short-term military victories at the direct expense of adhering to rule of law and human rights, as the global “war on terror” necessitated the large task of toppling “rogue states” and overcoming terrorist organizations by force, rather than protecting civilians on foreign land from such attacks or mitigating human suffering.

Under the security model, we see that national security and counterterrorism is framed purely in terms of military and political goals, with little regard to legal, diplomatic, or humanitarian intervention. As a result, the outcomes of this approach often take on a contradictory nature, such as in “trying to balance the security of the population under

occupation with the objective of defeating terrorist or insurgents hiding among the local people.” (Monshipouri 2012, 6) Thus, we see the failure of this approach in equally addressing both security and human rights concerns by utilizing a definition of security which, resting on success of military force and immediate tactical goals, thus pushes out the violation of human rights as an byproduct of little or no concern. Similarly, what are the theoretical stakes offered by the contrasting social model?

### *The Social Model*

The social model, or what others have explored in the forms of developmental aid, the “hearts and minds” approach, or the human rights agenda, focuses on re-defining security as concerning the individual citizen. “Human security”, as opposed to national security, acknowledges the need to address the broader socio-economic and developmental causes for terrorism and insurgency. Unlike the security model’s tendency towards military victories against terrorist states, it attributes terrorism to widespread social injustice and a lack of freedom in allowing democracy’s organic flourishing in many nations of the Global South. As such, it takes form in humanitarian aid and socioeconomic development, in order to boost investment in sanitation and medical infrastructure, improving quality of education, and the assimilation of immigrant and fringe communities. Unlike the notions of preemptive military action in the previous model, this approach imagines security as catering to needs on the ground, and aims to address the root causes of violence and insurgency in local populations.

However, the criticisms for this approach are equally harsh. While the social and human security model may seem to adequately counter for the security model's heavy focus on military and political force, it crucially lacks an understanding of the political and cultural dynamics which, alongside socioeconomic deterioration, contribute to regional tensions. As we will further unpack through Lechte and Newman's argument, this is because it attempts to transpose universalist and generalized notions of "rights," as well as heavily emphasizing state-centered belonging as the vehicle of delivering such rights. The European Union was faced with this precise puzzle when targeting radical Islamic movements in many of its member states, as it found the need to openly address tensions with the majority and Muslim immigrant communities following 9/11. While the realization that national security is much more dependent on the inclusion of these communities was a redefining moment for the EU, this sparked anew the debate of citizenship and assimilation, thus relocating the nexus of the security issue to an arguably more contentious field. It is clear that the two extremes of the security and social model are not conducive to the general puzzle— yet, it is questionable whether a third, more mediating approach grasps the issue as well.

### *The Legal-Diplomatic Model*

How, then, are scholars within the cannon of security theory imagining a possible balance with human rights? A common sentiment is in the push for increased multilateral cooperation and international enforcement in order to progress democratization, particularly in the Arab world. This argument aims for a collective re-imagining of security akin to the aftermath of 9/11, in which regional and international actors cooperate to realize an agreed-upon lexicon for

terrorism that is, to some extent, operative outside of individual situations. Mahmood Monshipouri offers a version of this in his third and most progressive “legal-diplomatic” model of counterterrorism, which focuses on the following characteristics: “cross-border cooperation fitting with a focus on the nation-state and rule of law, and which places legal and judiciary tools, such as treaties, conventions, and covenants as the nexus rather than military force.” (Monshipouri 2012, 8) Monshipouri’s main claim is that states must solidify a set of legal and judicial practices to defer to, integrate the human rights tradition *through*, as well as *during*, crises.

Drawing lessons in particular from the U.S. occupation of Iraq, the controversial practices of torture and interrogation at Abu Ghraib and Guantanamo Bay, and the continuous efforts against al-Qaeda, this model is aimed primarily in response to criticisms by legal experts that such an extractive definition of terrorism is impossible. In his view, a “commitment to liberty” must become perpetually embodied in the securitization of the state; the base argument is that care for the individual may only occur during emergent times if the tradition is established during non-emergent times as well. Thus, the role played by human rights plays within this model is that of “universality, identity, and enforceable commitment.” (Monshipouri 2012, 2)

As such, Monshipouri outlines several conditions needed to realize this legal-diplomatic model: 1) The close interlocking and shared responsibility on local, regional, and global actors; 2) The balance between times of crises and non-emergent, or non-emergency, situations to further human rights development; 3) The reconstruction of both collective and individual security within the state’s recognized legal and judiciary institutions. This paper’s key criticism is that current security theory, as with Monshipouri’s model, is crucially misunderstanding the

task as one of globalized enforcement. This is observable in two ways: the need for the Western notion of “liberty” to be at the heart of state-security model, and the “universality” of human rights as the catalyst for such a design. I diverge from this expectation that international design and enforcement is the locus of change—as political scientist Vera Axyonova points out, this is a dangerous precedent to set, as history has shown that non-compliance of states begins with a gap in Western and regional interpretations of security issues and threats. In her examination of regime security in Central Asia, Axyonova states:

“In established democracies with strong institutions, security challenges on the national level are broadly understood as serious, wide-ranging threats to the well-being of the citizenry that are best countered by concerted government action... while the dominant Central Asian understanding of security focuses on preserving political stability and status quo by maintaining the existing order embodied in the current regimes.” (Axyonova 2015, 160)

While Monshipouri’s third model attempts to open up the national understanding of security to the influence of universal and globalized values, it seems to overlook the inseparability of state legitimacy and identity from the current notion of security. As such, it is not simply a matter of “shifting” state focus to a general framework of legal and judiciary tools. Similarly, as Axyonova suggests, the international community is unable to grasp this context of the locality. What we *can* take away from Monshipouri, then, is his focus on the “emergent” and the crisis situation as the environment in which rights are uniquely shaped. In the following section, I elaborate on the notion that a “state of exception,” existing in many states and stretched for an

excessive period of history, has led to the stripping of the individual and their political rights within the paradigm of national security.

### **Agamben and the State of Exception**

Monshipouri's third model advocates for an extracted legal–diplomatic framework for the purpose of promoting universal human rights within the fabric of a state's security infrastructure, to account for the varied and extreme reactions during times of crisis and immediate threat. What this state view fails to take into account is the extension of a “state of emergency” in many states, which dates back to pre-9/11 times and which was used to posit the essence of national legitimacy and power as opposite to the declaration of individual rights. This is Giorgio Agamben's notion of the *state of exception*; in the face of a self-declared crisis, states may suspend their own legal and political norms, even going so far as to “strip” and limit their citizens of agency and autonomy.

The term “stripped” refers to one of two forms of life relevant to the state of exception: *zoē*, or the Greek conception of the biological body laid bare, devoid of identity outside of mere existence; and *bios*, or ‘good life’ made up of inclusion and participation in a political community.<sup>2</sup> One can almost equate the two to “human” and “citizen,” if the term “human” did not hold inherent political meaning (as we will later explore). Thus, in the theory of democratic states bound by the Rousseanean contract, the sovereign body– or government– is powerful due

---

<sup>2</sup> The tradition of equating civic identity with political participation originates with Aristotle's own distinction between *zoē* and *bios*, which Agamben subsequently builds upon to conceptualize the state of exception.

to its ability to define *zoē* and *bios*; inclusion and exclusion; member and non-member. Yet, the circumstances in which it may make such distinctions are limited to moments of threat or crisis, in which exercising power to determine matters of life or death— also known as *biopolitics*— become the state’s primary concern. Such times, when a sovereign may suspend its own laws, norms, and expectations in order to provide protection and security to its citizens— are what Agamben terms “states of exception.”

It is important to note that while I use the word *citizen*, during states of exception individuals are reduced to forms of life which must only be protected; the logic follows that no task is more urgent under threat than the protection of *zoē* so that *bios* may later follow. To conclude, the state has the lethal ability to declare a person as stripped of political existence (*bios*), and reduced to a form of meaning only through the fact of existence, or *bare life*. *Zoē* is an ontological category that is one step towards bare life, as the latter implies negative connotations for the individual devoid of political rights. The distinction between political and bare life is crucial to this paper’s investigation, as it is the latter’s conjuring which limits current security models in truly reinstating a citizen’s rights.

To be clear, Agamben’s picture of the modern state, in which sovereign, *bios*, and *zoē* are all at play, is certainly not the only way to view politics. In fact, Agamben has often been criticized for ascribing a totality and rigidity to state power, as he offers a limited view of revolution and opposition by the citizen. In order for the individual to protest against its identity *zoē*, it would need to reject the sovereign and the political state in its totality— this is certainly not an easy task. For this reason, many lean towards the likes of Michel Foucault, whose understanding of state power offers a more flexible possibility for revolution. Foucault’s view is

one of more reactionary opposition, so that it is possible to create a political identity which is defined in its opposition *to* current modes of political oppression, rather than in its complete rejection of these modes.

This paper chooses to utilize Agamben, rather than Foucault's, conceptualization, for the reason that protest in Egypt can fall into the trap which Agamben predicts; it tends to reinforce the very self-dominating politics which it is attempting to reject, by only being able to realize the individual as *anti*-citizen, *anti*-being; as "bare life." The following section demonstrates the extended nature of Egypt's state of exception, and the ways in which protest against the sovereign is made extremely difficult. In applying the state of exception to the security-rights puzzle, it would thus be simplistic to merely state that nations suspend human rights in the face of emergency terrorist threats. What is more complex, pervasive, and elusive is the ways in which states of exception completely strip and distort the ideas of citizenship, belonging, and individual rights.

### **Human Rights Following the 2011 Egyptian Revolution**

On January 25, 2011, the first mass protest erupted in the streets of Cairo, signaling the end of a 30-year-long regime and the beginning of a massive political upheaval in Egypt. In similar fashion to the Arab Spring revolutions occurring in neighboring countries, Egyptian citizens deployed civil marches, occupations of public spaces, and non-violent strikes to push the protestors' primary demand of ending Hosni Mubarak's presidency. Notable among the grievances cited were ending state-of-emergency laws, severely restricted political freedom and freedom of speech, mass corruption, high unemployment, and extreme police brutality. A variety

of youth groups rallied to instigate the protest on the day of January 25 so as to coincide with an annual “National Police Day” in particular opposition to this last item. It is only ironic that in the



Figure 1. Civilian protestors gather in Tahrir Square on January 2011 in Cairo, Egypt (My Student Voices, 2015)

next decade, the city of Cairo would be turned into a highly militarized landscape of top-down violence and chaos, unleashed both openly and covertly upon civilians by military and security forces. Needless to say, the tone of Egypt’s civil revolution relied heavily on universal and human rights rhetoric, fueled by individual acts of fatigue, anger, and passion– including the first self-immolation of Tunisian Mohamed Bouazizi in front of the Egyptian parliament on December 17, 2010. It is ironic that, despite such an impassioned agenda– with millions of young Egyptians mainly taking to Facebook and Twitter in an attempt to shed light on the violence and neglect of national security forces– what followed was a decade of Egypt’s worst and most blatant human rights abuses.

The Arab Spring presents a unique moment in history in which the global, regional, and local converge, as national security agendas and socio-political expressions took on strong identities across an extremely diverse political and economic landscape. This is not only due to the fact that the vast majority of the MENA region shared a common threat in terrorist and insurgent organizations, but because independent social revolutions and transformations arrived at a shared demand: to force their respective governments to re-imagine state identities to become more in line with the needs of their citizens. Thus, the original spark which called for better civic and human rights was not only a protest, but a demand for governments to re-imagine themselves as the rightful protectors of and leaders accountable to society. In more ways than one the Egyptian Revolution was deemed democratic and liberated in nature; yet the public was not calling simply for democratic reform, but for the ownership and accountability of decades of covert violence and oppression which had built the Egyptian state— what Axyonova calls a “need to qualify state sovereignty in matters of the human,” rather than the political and economic growth which had up to now dominated the state’s agenda. (Axyonova 2015, 10) Yet, nearly a decade after the first protest in Cairo, such a moment of reckoning has not come for the Egyptian people under President Abdel Fattah-el Sisi’s administration, and seems farther away than ever.

**Revealing the Egyptian State of Exception: *The Right to Freedom of Assembly and Expression***

The Egyptian Revolution, along with other civil protests of the Arab Spring, has often been interpreted as the local call for democratization and globalization. This is a fatally regressive and simplistic analysis; Egyptian citizens are not merely advocating for external or

foreign values, although from an external perspective these may be symptoms of widespread change. Rather, they are protesting against a decades-long system of oppression which often remains unseen by the Western eye. It is a system of oppression which locks citizens in place, and which fixes all forms of belonging, politics, and expression as rigid. This is due to an ideological and legal extension of a national state of exception, in which a thirty-year long war on political deviants is masked under the guise of security.

This phenomenon is best observed within the country's own legal evolution, which essentially does not distinguish between states of emergency and non-emergency. I will focus on one aspect of mobility and expression to trace this continued suspension of rights. In 1914, the first anti-assembly law (No. 10) was enforced in 1914, allowing security forces to crack down on any public gatherings which the government deemed a protest of the political order. Several iterations of the law have emerged across four presidencies including the Nasser, Sadat, Mubarak, and Sisi regimes; at different points the law has been justified in the short-term due to a nationally declared "state of emergency," such as during the Second and Third Arab-Israeli Wars under Nasser and Sadat. While the article's language has been updated, its power to deem any public gathering as a violation of the law only continues to grow. In April 25, 2017 this law was used to arrest around 1300 people in a peaceful protest in downtown Cairo, with police using tear gas and kidnapping protesters from their homes or the streets. The government under Sisi issued an official statement describing the peaceful protests as "an attempt to destabilize the state," with warnings issued from the Ministry of Interior. (Abozaid 2018, 8)

Similarly, an Anti-Terrorism Act (Law No. 94) passed in 2015 a year after Sisi's rise to power contains language that has outraged international organizations with its blatant vagueness.

According to Article (2), the act deems any of the following as acts of terror: “disturbing public order and social peace,” “harming national unity and national economy,” and “impeding the application of the provisions of the constitution and national laws.” (Eltahawy, 2014) The act has led to the silencing of persons such as human rights activists, journalists, political party members, and other peaceful protestors. The ability to jail and try individuals within such a large and vague margin of definition has prompted many organizations, such as Human Rights Watch and Amnesty International, to call for a reversal of the law. Yet, under the guise of the state of emergency which has in practice lasted since the early 1900s, the state continues to be able to wage a war of indefinite and pointless duration against its own citizens.

The ability for the Egyptian state to maintain political hegemony through monitoring citizens and covertly or blatantly restricting their protests has not only, as we have seen, been a source of power for more than a century, but was an integral component in forming its pan-Arab identity under President Gamal Abdel Nasser. His expansionist and regional agenda formed the modern Egyptian political state, and his need to prove the nation’s growth manifested in economic growth, political domination, and security reinforcement. As such, it is no easy task for the current Egyptian state to re-define its sovereign legitimacy upon vastly different criteria: its citizens, particularly because “the enemy” and “citizen” has become synonymous due to the crises of the revolution. What Egyptian citizens were and are calling for is a recognition of citizenship that is not informed by a “state of emergency.” With no difference between emergent and non-emergent times, citizens have become perpetual enemies, and their rights continuously extinguished. What is transpiring in this environment of exception is the stripping of individual rights and the reduction of existence as “bare life.” For the purpose of viewing this phenomenon,

it is useful in utilizing Agamben's all-encompassing view of the state, as I believe it is closest to the totalizing nature of power which is unleashed on Egyptian citizen. What follows is a conceptual development of how this power may be opposed, and what obstacle the individual citizen faces in their attempt to retake political life.

### **The Language of Human Rights and Human Security**

In tracing how the state of exception operates in Egypt, we have already seen that current security literature and the counterterrorism models it offers are lacking in its grasp of state-making and identity politics. Current security theory does not often ground itself in the same frameworks for language, identity, gesture, and violence (which all affect belonging and politics) which is utilized by human rights discourse. Subsequently, its understanding of how and where the site of change must originate differs. I will now rely on John Lechte and Saul Newman's thick conceptualization of the modern human rights situation to illuminate a common critique of the humanitarian project, which I believe applies to the previous counterterrorism models I outlined: in attempting to "save" the individual from the oppression of the state, current rhetoric only contributes to the production of *bare life* and the immobilization of the victim. In their book, Lechte and Newman concisely summarize a thesis that may be shocking to some: in order for human rights to overcome its current stagnation, it must be separated entirely from the nation-state and security paradigm. While this paper does not share the same conclusion, the intention behind this claim is extremely relevant to its examination of social protests and civil unrest in Egypt.

Lechte and Newman's argument is as follows: human rights rhetoric and enforcement tends to be more harmful than helpful to the claimant, as it draws upon universalist and generalized rights beyond a given political community. "Invoking only the abstract rights of man simply reduces the individual to 'bare life', to the face of biological existence, leaving him less than human." (Lechte and Newman 2013, 17) While it may intend for a globally standardized set of basic rights that every person is capable of possessing, the majority of rights being sought are in fact *civil* (such as the right to legal and medical attention, protection, and citizenship), and thus only enforceable within the confines of and by a nation-state. What is left without civil rights is simply the *zoē*; simply existence. Within the international system of nation-states, such an individual is thus rendered helpless—both Hannah Arendt and Lechte and Newman emphasize this point through their examinations of stateless persons, or refugees without a government to uphold their civil rights.

For this same reason, Lechte and Newman reject the notion of "human security", as is proposed by the aforementioned social model by Monshipouri. "The project of molding security around human rights concerns does not signify the pre-eminence of human rights, but rather the centrality and hegemony of security... this has raised the question whether there is a lack of a genuinely autonomous politics of human rights." (Lechte and Newman 2013, 10) The notion of human security, focusing on developmental and humanitarian aid, creates the same power dynamics over the subject as the nation-state and the security agenda which it is so critical of. It is ironic that the helpless and dependent light in which human rights projects portray victims contribute to their ideation as "bodies becoming the pure plaything of a sovereign power within the terrain of biopolitics." (Lechte and Newman 2013, 11) Thus the human rights debate finds

itself stuck in-between two impossible options; while it finds no validity in universality and international enforcement, it cannot hold weight by rejecting the civic and political participation that we now conflate with personhood.

Lechte and Newman leave us with a haunting question: “Can there be a conception of humanity that, on the one hand, transcends ‘bare life’ and, on the other, finds its fulfilment in forms of community and collective political life that no longer take the form of the nation-state?” (Lechte and Newman 2013, 18) If the current understanding of human rights is actually limiting, rather than uplifting, victims by reducing them merely to the fact of their existence, we must find a new way to inscribe political identity. Therefore, the scholars’ concerns are with re-inserting politics into human rights while circumventing the nation-state. The task they take on is shared to some extent in this paper: “that the notion of life itself is rethought in terms of a *form* or *way* of life that is irreducible to its biological substratum and that the human can reveal that part of itself that transcends mere existence.” (Lechte and Newman 2013, 74) While it is impossible to circumvent the nation-state completely, as security is fundamentally a matter of the nation and its boundaries, this is the task required of us. National security seemingly cannot guarantee privileging of the individual over the collective which traditional human rights requires. Yet, by drawing from Lechte and Newman’s conclusion, I propose that to take on the current humanitarian task and to find alternative methods to politicize the human (in the non-hegemonic, non-universal sense), not simply as *zoē*, but as active, engaged, and autonomous *bios*, is key to its reconciliation with security agendas.

## **Point of Departure**

This paper is attempting to pose a solution for the fundamental reconciliation between national security and individual rights. So far, we have examined the opinion on one hand that security agendas must be allowed to take priority, for political existence cannot begin without first securing life. My response to this, as with others, is that an individual reduced to the mere fact of their existence, suspended in a wait for their rights to be secured *without* those rights in hand, is made less than human. On the other hand, the argument that “human” rights must be separated from the nation-state entirely in order to form political meaning of its own is not conducive to reforming security, as it is inherently a matter of state enforcement— with terrorism in particular an issue confined within national borders. The challenge, then, is to find alternative ways for individuals to appeal to political rights *within* the modern state, without relying on the state. I propose that by observing the recent conversation on women’s rights and sexual violence in Egypt, we may land on an organic method by which Egyptian women are already attempting to re-invent political life, outside of the political meanings created by the state.

## **The Right to Freedom from Sexual and Gender-Based Violence**

The right to freedom from gender-based violence at first glance is a unique example from other human rights, as its link to sovereign legitimacy may not be apparent. In theory, violence against women may be committed by both citizens and government affiliates— the rise of sexual assault and harassment during the revolution is attributed to groups of men present during mass

gatherings in urban areas, which may suggest civilian activity. In its 2014 annual report, Human Rights Watch summarized that at least 500 Egyptian women were sexually assaulted by mobs alone between 2011 and 2014. Yet while it is difficult to prove, these acts are commonly attributed to police, military, and armed mobs “acting on behalf of” the Mubarak and subsequent regimes. Moreover, the ways which women are most significantly policed and oppressed—surveillance on social media, denial of prosecuting assaulters in court, and a lack of support from police following widespread gang assault— are inherently state-centric. For these reasons and more, there is perhaps no better area to explore the retaking of individual rights within a highly militarized and policed state.

To understand the methods by which women are reclaiming political life, we must first understand the dimensions of state legitimacy and authority which they are pushing against. How does the oppression and denial of women directly fuel and legitimize Egyptian sovereignty? The answer comes in different forms given the several different regimes and interim administrations following 2011. Under President Mohamed Morsi (2012-2013) and the Muslim Brotherhood (who was already being criticized for his affiliation with the Muslim Brotherhood and the influence of Islamism on state activity) the priority was to stabilize civil unrest and reinforce statehood, particularly against international criticism. In 2012, Morsi rejected the calls of a 2012 UN declaration to end violence against women, claiming it would lead to “a disintegration of society.” (Eltahawy, 2014)

Following the sexual assault of Egyptian journalist Hania Moheeb, who was outwardly opposed to the Islamist regime, the Shura Council’s ‘Human Right Committee’ released a statement that women must “bear the responsibility for harassment and assaults if they attend

protests in Tahrir Square.” (McRobie, 2014) The alignment of the Morsi regime with the notion that female protestors destabilize the Egyptian social order placed state solidarity as directly opposite to the “Western” notions of female liberty and voice. Moreover, this allowed both regime forces and Morsi supporters to unleash group-organized and targeted violence on individual women in the streets.

The current regime of President Abdel Fattah el-Sisi (instated in June 2014) presents a more complex case of state violence. Sisi’s eagerness to form new relations with Western powers, and to outwardly perform international standards of equality and freedom, has led to an implication that sexual violence was solely perpetrated by Morsi and Muslim Brotherhood actors, rather than “an epidemic in which the police, the military, and the judiciary (through widespread failure and willingness to prosecute) have all been complicit.” (McRobie, 2014) Most notably, significant allegations have arisen that women of the Muslim Brotherhood have been subjected to forced virginity tests for ideological reasons, a phenomenon initiated by Sisi during his role as head of military intelligence during the interim period following Mubarak’s resignation in 2011. On June 2014, Egyptian activist Mona Eltahawy wrote on the matter in the New York Times, “it does not matter where you stand on Egypt’s political spectrum: if you are a woman, your body is not safe.”

While Morsi took the stance that he was preserving Egyptian social integrity by quieting the female voice, Sisi aims to completely monopolize the political landscape through the use of female oppression as a tool to support his political ideology. Both are dangerous, but the women who navigate Sisi’s Egypt are faced with both covert and outward methods of silencing. It is clear that, in the effort to deeply root himself in the political supporters who share his beliefs,

Sisi will stop at nothing. Thus, when we think about ways in which women and citizens may reclaim their rights— the right to safety, to speech, and to expression— it is important to recognize that such individuals are pushing against extremism (in every sense of the word) which has become highly normalized, both by the state and an international audience. It is here that we turn to women-led examples of alternative political life: language and social media.

### **Politics as Transcendence: Expression Online and Through Media**

On July 1, 2020, women on social media began to post accusations of rape and sexual assault against an affluent university student in Cairo. Almost 100 accusers had come forward by the end of the day, with activists beginning to collect and publish testimonies on Twitter and Instagram. While the earliest allegations began in 2016, many women (some minors) spoke of meeting the assaulter during his time at an elite international high school, and at one of the most prestigious universities, the American University in Cairo. The man was subsequently expelled from a university in Barcelona in which he was enrolled for online business courses, and later arrested by Egyptian police. Prosecutors stated that he admitted to meeting at least six of the women who had come forward online.

The event sparked international attention due to the fact that several different campaigns began in which other sexual offenders were accused and stories of abuse in other elite schools were brought to light. The news was projected globally with the sentiment that “the Egyptian #MeToo movement has finally begun,” presumably due to its traction on social media under a government with a history of extreme surveillance and social media policing. Not even three

days prior to the event, the Egyptian court had convicted two women for “violating family values” with content on TikTok. (Walsh, 2020) The stark contrast between the two social media cases, in which one group of women were sentenced to a minimum of six years in prison for a vaguely worded claim of indecency while the other was praised, has gained much criticism. Additional critique has been directed at the international community, as AUC sociology professor Amro Ali tweeted, “that makes it sound like Egypt needed inspiration from abroad to realize it had a sexual violence problem and it finally woke up.”

The difference in reactions has been attributed to the backgrounds of the women— while the TikTok influencers were from middle-class families, the women who attended the prestigious institutions were of affluent upbringings. This would potentially pose an issue of its own— however, we may focus on the fact that the latter group, aware of their power and role on social media, purposely drew attention and spread the social media campaigns to collect testimonies from young women. In doing so, they not only demonstrate political agency and expression by leveraging their positions in social spheres which the state cannot easily penetrate— due to class, connections, and wealth— but a retaking of the social media landscape which seemed impenetrable for so long. The social media campaigns can by no means be described as elaborately crafted missions on par with the journalists and lone influencers which security forces had previously managed to subdue. A smattering of Instagram stories, Twitter hashtags, and word of mouth were the sole methods of reach. However, I propose that the young women created a narrative in which the culture of higher-level academic institutions which they had been raised in was the vehicle for the declaration of their rights.

The elite international schools and the social circles which these women represent has been an object of recent investigation, as both a representation of Egypt's aspiration as a globalized player, as well as a niche in its social fabric. As a member myself of this generation, I can confidently say that the young students who were raised to travel overseas and "represent" the country, to some extent, is often met with uneasiness and an unsureness by many members of society. Over time, it can be said that these young adults have found ways to leverage the question mark in which we are often boxed into. These can be seen in small, everyday occurrences, such as in shopping malls, in school, or in public spaces. The multilingual and multi-medium language of this generation who express themselves in English, Arabic, or French both online and in-person, has slowly led to a new identity of its own. The language associated with this identity is still new, particularly to the Egyptian state which is slow to reflect societal changes. The women of this movement understood their position perfectly, and utilized this language to bring attention to an issue unfolding under the noses of a Western education system, and under expat administrators and teaching staff which adhered to values separate to that of the Egyptian government.

The ways in which the women elevated stories, declared their rights, and created a new dialogue can be understood through traditional theories of language and expression. Agamben himself, in his invocation of German philosopher Martin Heidegger, states that the act of declaration is what wholly constitutes rights. "The right is in making the claim – in the very act of claiming... it does not exist a priori in a statute book, for example. Such rights, then, are not to be understood as those attributed to a pre-existing sentient being deemed to be either inside or outside the political community. Neither are these rights an *expression* of such a being." (Frost

2019, 3) Agamben is pointing to a well-established notion that it is not a pre-existing quality of the human or its existence which allows rights to be claimed—rights are claimed through the action of the claimant. Jacques Derrida embodies this idea in his examination of the United Nations’ Declaration of Human Rights, and the inherent notion that “people do not exist before the declaration”; the declaration is what makes up the content of rights. (Frost 2019) It is this working understanding of language which Lechte and Newman offer as the alternative method of political life.

In similar fashion, Egyptian women in the modern age are forcefully reclaiming rights outside of what has been previously acknowledged by the state. They are not demanding justice simply for the fact of being women, or Egyptian citizens, or even as humans. They have created a new category of being from which to call upon rights: that of the international student. The women’s affiliations with Westernized academic institutions, as sources of significant pride and capital for the Egyptian state, meant that the stories could not be kept quiet. Thus, this may be one example through which to view Egyptian citizens reclaiming an independent political identity devoid of the state: through imported means of language, education, and communication. The significance of this category of identity and the act of expressing language can only be grasped by understanding the confines of the securitized state, as well as the obstacles which language is pushing against. This new means of reclaiming political voice is most formidable due to the context of Egypt’s state of emergency, and the means by which censorship and media have previously circumvented identity realization and rights. For this reason, international intervention would best be recommended in focusing on communication and media as the site of

change, and utilize external influence to uplift the narratives which are already unfolding on the ground.

## **Conclusion**

In this paper, I demonstrate a fundamental issue with many democratic and semi-autocratic states outside of the West, such as in the Arab World, which main literature largely overlooks. This is the inextricability of violence from the history of state-making and legitimizing, and the difficulty of reversing security as defined as by the use of military force. To do this, I demonstrate the necessity of a step-by-step unpacking of current security models and the ideological foundations on life, the citizen-state relationship, and notions of belonging, so as to demonstrate why and which specific qualities are overlooked in comparison to Western democracies. While some policymakers and academics hold extreme beliefs that human rights and national security are naturally at odds with each other, and that the mutually exclusive nature of their relationship necessitate a choice for one or the other, a third, more well-balanced approach is necessary. However, this model also fails to grasp a far more complex picture, with even higher stakes. I claim that the origin of the tension between state security and individual rights, explored in their respective discourses, can be pinned to the ways in which they conceive the *political existence of the human*. In other words, there are several ways in which to view an individual's relationship to their government, to their political self, and to the political communities they participate in. Human rights discourse and security theory are viewing the

same issue, but disagree on this ideation— and without closing this ideological gap, there is no way of resolving the aforementioned paradox in practice.

I emphasize this fact through a case examination of Egypt and the deteriorating human rights situation following its 2011 civil revolution. By choosing two types of human rights to match to conditions necessary for the combined legal and diplomatic model of counterterrorism, I demonstrate that an “un-doing” of state ideology, institutionalized oppression, and collective imagining is necessary before anything. Because such preexisting conditions are not easily visible to the international and Western eye, it is imperative that communication and attention to local communities and young individuals, both within time periods of unrest and emergency but most importantly without, is needed. In doing so, we see answers that are organically taking root— learning from the civilians who put their lives at risk to communicate them is the future of security sector reforms.

## Works Cited

- Abozaid, Ahmed M. 2018. "Counterterrorism strategy and human rights in Egypt after the Arab uprising: A critical appraisal." *Aggression and Violent Behavior* (Elsevier ) 1-15.
- Aniruddha Bagchi, JomonA. Paul. 2009. "National security vs. human rights: A game theoretic analysis of the tension between these objectives." *European Journal of Operational Research* (Elsevier) 290: 790-805.
- Axyonova, Vera. 2013. "When Security Threatens Human Rights: Reviewing the Case of Central Asia." *Security and Human Rights* (Martinus Nijhoff Publishers ) 24: 159-168.
- Eltahawy, Mona. 2014. *Egypt Has a Sexual Violence Problem*. June 20. Accessed July 13, 2021. <https://www.nytimes.com/2014/06/21/opinion/mona-eltahawy-egypts-sexual-violence.html>.
- Frost, Tom. 2019. "The Dispositif Between Foucault and Agamben." *Law, Culture, and the Humanities* (Sage) 15 (1): 151-171.
- Gasper, Des. 2005. "Securing Humanity: Situating 'Human Security' as Concept and Discourse." *Journal of Human Development* (Taylor & Francis) 6 (2): 222-248.
- Kfir, Isaac. 2013. "A Regime in Need of Balance: The UN Counter-Terrorism Regimes of Security and Human Rights." *National Security and Armed Conflict Law Review* (University Miami) 7-47.
- Lazarus, Liora, and Benjamin J. Goold. 2007. "Security and Human Rights: The Search for a Language of Reconciliation." In *Security and Human Rights*, by Liora Lazarus and Benjamin J. Goold, 1-24. New York: Hart .
- Lechte, John, and Saul Newman. 2013. *Agamben and the Politics of Human Rights: Statelessness, Images, Violence*. Stockport: Edinburgh University Press .
- Lynch, Marc. 2018. "The New Arab Order: Power and Violence in Today's Middle East." *Foreign Affairs* (Council on Foreign Relations) 97 (5): 116-126.
- McRobie, Heather. 2014. "Sexual violence and state violence against women in Egypt, 2011-2014." *CMI Insight* 7.

Monshipouri, Mahmood. 2012. "Terrorism, Security, and Human Rights: Harnessing the Rule of Law." 27-123. Boulder, Colorado: Lynne Rienner.

Raghavan, Sudarsan. 2020. *Egypt's women are rising up against sexual violence. Others are still being jailed for TikToks*. June 31. Accessed June 14, 2021.

[https://www.washingtonpost.com/world/middle\\_east/egypts-women-are-rising-up-against-sexual-violence-others-are-still-being-jailed-for-tiktoks/2020/07/30/8514c3ba-c78e-11ea-a9d3-74640f25b953\\_story.html](https://www.washingtonpost.com/world/middle_east/egypts-women-are-rising-up-against-sexual-violence-others-are-still-being-jailed-for-tiktoks/2020/07/30/8514c3ba-c78e-11ea-a9d3-74640f25b953_story.html).

Schofer, Morgan. 2015. "Human Rights and National Security Post 9/11." *Security and Human Rights* (Brill Nijohh) 26: 294-307.

Walsh, Declan. 2020. *Egypt Sentences Women to 2 Years in Prison for Tiktok Videos*. July 28. Accessed 20 2021, March.

<https://www.nytimes.com/2020/07/28/world/middleeast/egypt-women-tiktok-prison.html>.