

## What you see is NOT what you get: Fluid, opaque, amoebic power

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Civil society-state relations in the highly authoritarian context of Egypt have always been volatile, constantly under ebb and flow. However, sometimes for NGOs, it is more difficult to read the signs of the times: are we going through an ebb or a flow? The political scene for NGOs is very different in 2009 than a decade ago. An even more restrictive NGO law is in place, and there is more state intervention in the day to day running of organizations - yet some NGOs report being able to get things done faster and more efficiently than before, as well as being able to engage more openly in contentious politics. Human rights organizations in particular report being able to address more critically and more openly human rights abuses committed by some of the more "sensitive" political and governmental actors. I was perplexed: how could it be true that there's more political repression of civil society, but at the same time many NGOs report more freedom to act, affect and engage? The immediate word that came to my mind was co-optation. Perhaps NGOs have been co-opted by the government in corporatist relations. This may apply for some NGOs, but it certainly does not characterise the whole diverse NGO sector. Nor does it apply to the many NGOs that I have been closely involved in.

The main change in the past decade has been that the role of the state security Investigations apparatus (SSI) in governing NGOs has expanded. The SSI is the domestic intelligence agency, which is part of the Ministry of Interior. Whereas previously, the SSI was a hidden actor exercising its powers on the hidden level, today, it is a highly visible actor, exercising its powers on a visible level as well as in hidden ways. The SSI visibility for NGOs is evident in its replacement of the Ministry of Social Solidarity (the executive ministerial agency responsible for overseeing the affairs of NGOs and implementing the NGO Law). The SSI has assumed the role of granting permission for the establishment of NGOs, deciding on their liquidation as well as determining who gets foreign funding, when, how much and from whom. It is also playing a key role in approving or turning down members of the board of NGOs, deciding which staff should be fired, as well as maintaining a keen interest on the day to day running of all active NGOs. No doubt this was a sign of increased repression? On one level, yes, on another, the situation on the ground was more blurred: human rights activists talked about having *more* negotiating power: there is a person with a mobile phone you can call.

The visibility and expanded role of the state security investigations in more recent years is felt in the discourse of NGOs: "Did you remember to send the workshop schedule and papers to Lieutenant X?". It is also evident in the day to day discourse of all public actors NGOs engaged with. The hotel response from an NGO request to book a room for a conference will now be: "Have you received the state security apparatus permit for it?". Five years ago, the hotel would never ask such a question and NGOs would not openly apply for permission from the state security apparatus. But it was also not unusual to have the hotel call you up one day before the conference was due to be held and inform you that they had double booked your conference and a wedding or a water pipe had burst. NGOs would read between the lines and understand the SSI had decided against allowing them to hold the event.

As someone watching these changes taking place, I wanted to understand: how do activists and practitioners in NGOs interpret these changes, and what does it mean for their work? In other words, what is the impact on state-NGO relations of the SSI moving from operating strictly as a hidden actor to one that is more visible? While all practitioners and activists fear the SSI - i.e. you cannot choose not to engage or co-operate with them - the SSI has also managed to

transform how it is perceived and engaged with. These are the nice guys, the “cultured/well-read” guys who never accept bribes, who remove every bureaucratic obstacle to NGO activity and who give you more freedom to do your work. In terms of the elements of good governance, the SSI set the perfect model: they exercise transparency (they will tell you which permits got accepted, which got rejected and why, in detail and straightaway), they play a watchdog role (which government official did you tell us was giving you a hard time again?), they engage with civil society organizations (mobile number available, call me anytime), no corruption (no bribes in money or in-kind). Yet the way in which they exercise invisible power had become deeper and more pervasive. NGOs voluntarily tell the SSI about their current work and future work, as if they have been computerized into informing them of what they need/should know. NGO practitioners and activists have also ceased to be aware of how much they have come to rely on the SSI for their day to day activities or negotiation of relations in the community.

### **Exploring the findings with NGO activists**

Using the terms visible, hidden and invisible helped me find an appropriate entry point to engage practitioners and activists whom I have known and worked with for years to reflect on the realities of their engagement with the SSI. The concepts although seemingly academic were easily understood, though they were interpreted differently by each actor in relation to their particular relationship with the SSI. This led to a deeper reflection for many on what is the impact of engaging with the SSI on their agency. They began to ask were: did they really have more freedom? What did it mean to have to constantly “inform” the SSI of on-going activities? Is there really a deeper level of government engagement with organizations or are NGOs collaborating because everyone knows what the SSI is capable of doing in cases of non-compliance? There is greater transparency but do we really know where the red line is?

The more subtle ways of SSI’s expanded invisible power began to surface, in little anecdotes of situations in the field or in the organization, in recollections of conversations with the SSI officers over coffee, in stories about other NGOs, and their activists.....Where the concepts of visible, invisible and hidden became particularly useful was in helping NGOs analyze the nature of their relationships with the SSI. The terms seemed neutral, in the sense that using them helped unravel deeper, more complex processes rather than single-handedly rule out the SSI officers as demonic monsters. Their role was far more complex, more nuanced, and their exercise of power far more “opaque”. Ruling out what they do as another manifestation of repression and inhibition of freedom would be a typical westocentric engagement with a highly complex reality where actors engage with realities in less predictable ways. Not knowing where the red line is may be a curse, but sometimes it is also a blessing, because the line is non-static, and ever-changing.

### **Developing the concepts further**

Yet the ways in which the NGOs engaged with the concepts as well as the way I sought to use them to interpret the reality before me and my own role in the NGOs and in relation to the SSI also exposed the need to take the concepts further, in three fundamental ways:

**1. Develop a more elaborate typology of what we mean by the visible, hidden and invisible forms of power.** One way to take this a step further is to differentiate between forms of power in terms of actor/agency and forms of power in terms of the process of exercising it. For example, with respect to our case study, the state security agency moved from operating as a

hidden agency to a visible actor, yet it exercised its power both in visible forms ('we have accepted/rejected your application for funding because...') as well as through hidden forms (influencing the National Council of Human Rights decisions as to which human rights organizations to invite to the next conference and which ones to exclude).

By making such a distinction, multiple possible scenarios emerge:

- Visible (actor/agency) exercising visible forms of power and invisible power
- Visible actor exercise hidden and invisible forms of power
- Visible actor exercising hidden, visible and invisible power
- Hidden actor working through the exercise of hidden power
- Hidden actor working through the exercise of visible power
- Hidden actors working through the exercise of hidden, visible and invisible power

Certainly these questions would multiply if we further differentiate to whom they apply. The SSI can exercise multiple forms of power in relation to different actors, even if they are all on the same level and in the same space. For example, the SSI engages differently with a Christian NGO than with an Islamist NGO than with a women's rights NGO, even if they all work in the same space (opaque: its closed but it is also open) and on the same level (local)

**2. Contest the assumed linearity in the relationship between visible, hidden and invisible power.** The other distinction that needs to be made is to contest the assumed unidirectional relationship between invisible, visible, and visible power. The existing literature on NGO strategies for engaging with existing forms of power seem to suggest that power is most pervasive on the invisible level, becomes less so on the hidden level and least so on the visible level. The visible level is believed to be as far away as possible from the invisible level of power. But in the case of the SSI's engagement with NGOs, the more they moved towards being visible, the greater their exercise of invisible power - in other words, the greater their impact on the conscience and mindset of those they engage with.

What is being referred to here is **opaque** power. No formula can determine whether a shift in the exercise of power is a move in a positive direction or not. Further, visibility in how power is used does not displace hidden power. In the case of the State Security Apparatus, they became a very visibly powerful agency- yet they never ceased to also exercise its power through hidden ways. For example, they would present themselves as an agency without any role in torture, and would not engage in torture themselves, but would give instructions secretly to other agencies to undertake this. This was a very opaque form of exercising power: visibility in the exercise of power not displacing their role in exercising hidden power, and certainly, always with ramifications for invisible power.

**3. Contest the positivistic assumptions guiding strategies appropriate for engaging with visible, invisible and hidden forms of power.**

This contestation needs to take place on two levels:

1. The level of relational analysis of invisible, visible, hidden forms. In terms of strategies for actors, there is a need to move beyond approaches that assume that greater visibility will make it easier for them to contest hegemonic power. In this case the SSI became more visible (read: more transparent in its decision-making, more engaged and approachable) however, this did not diminish its invisible power (i.e. it did not create more space for questioning, for accountability, for removing the fear that is deeply

embedded in all of us of what the repercussions would be of disengagement). On the contrary, its greater visibility and engagement was a reflection of its increased powers (especially invisible). Hence transparency does not mean accountability (the power to question, to take action again).

2. The level of strategic engagement for action for contesting hegemonic powers (such as the SSI). In existing literature, there is a focus on actors engaging in visible and invisible forms of power. NGOs engaging in hidden power is seen as unethical, and an indication of their “infection” with the same ills as the oppressor. In practical terms with respect to this case study, it would mean accepting NGOs exercising visible forms of power through transparent and open action: demanding policy reform, an end to the illegitimate exercise of power of the SSI, a more efficient and accountable Ministry of Social Solidarity. Or a role for them in the exercise of invisible power: through education and media about the importance of an autonomous civil society arena etc. But what about hidden exercise of power? Subverting the power of the local SSI by appealing to a higher authority in the national SSI body? Subverting the power of the SSI in one governorate by holding the event in another one altogether where the SSI is more relaxed? Subverting the SSI by increasing the *political* visibility of the NGO internationally so that they are less vulnerable for SSI repression: i.e. should they disappear, there will be someone who dares ask what happened to them or quietly letting partners elsewhere be “informed” of the situation domestically. In the case of Egypt, clearly where NGOs have been most effective in resisting and undermining the power of the SSI is in occasionally exercising power as a hidden actor or through the exercise of hidden power. What is suggested here is to delink assumptions of visibility and exercise of “good” power and hidden power equalling deceptive and unethical exercise of “bad” power.

So perhaps two ways in which we might think differently about power, is in its more fluid, translucent form, what I would call opaque power<sup>i</sup>. Opaque power is power with blurred and hazy elements. One way of looking at opaque power is to draw parallels from the SSI engagement with civil society. Civil society is given more space to exercise its agency and power, yet this space is governed, not by red lines or demarcations but by a one-way viewing mirror that gives the SSI continuous and pervasive sight/access to what they are doing in all realms at all times and the freedom to intervene through visible, hidden, and invisible forms of power. So two questions that may help take the debate further on opaque power are:

1. What does opaque power look like? How is it exercised? What are its elements, its shady nature?
2. If power moves in a non-linear way, like an amoeba, when one form of power expands, how does it affect the other forms of power?

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<sup>i</sup> I am grateful to John Gaventa for help in coining this term