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Why Egypt's Mubarak was smiling



When Hosni Mubarak was wheeled into court last week he was a different man from the one brought to court from a military hospital nearly a year ago. At that time, Mubarak lay flat on his back, hands folded on his chest, looking grim and resembling the dead. He was partially shielded from public, and TV camera, view by his equally grim and silent two sons.

This time around, Mubarak smiled, sat up to wave at his supporters inside the court room and chatted amiably with his sons, Gamal and Alaa. When he waived, as the New York Times Cairo correspondent David Kirpatrick observed, he even turned his wrist as he gestured; a signature recognizable from his tenure as Egypt's president.

A reason to smile, if not laugh

Ah, that famous smile, even as Egypt's Vice President, during the last years of the late President Anwar Sadat's rule, Mubarak was called "La Vache qui rit." The Cow that laughs –the name of a popular French processed cheese brand imprinted with the face of a grinning cow on its packaging.

Mubarak had reason to smile, if not laugh. He had been brought back to court for a hearing that was supposed to open a retrial on the charges leveled against him following the revolution, following a successful appeal. Charges are based on his failure to stop the killing of protestors during the 18 day Tahrir Uprising in 2011. The reason the first trial did not find him guilty of ordering the killings, and thus subject him to the death penalty, was because the prosecutor general, who was a Mubarak –era court appointment, failed to provide convincing evidence. Two key witnesses in pre-trial investigations suddenly - miraculously it would seem - changed their testimony when Mubarak went on trial. That prosecutor was the target of Tahrir's ire for failing to successfully convict a single police officer, over the past two years, for any of the killings during the 18 days of Uprising. He was replaced not long after the President Mursi took office. Mursi appointed a new prosecutor rather than following the procedure of asking a Mubarak-appointed judiciary to name a new prosecutor.

I suspect that if someone else had been elected president last year –the unsuccessful candidates, Hamdan, or Amr Mousa or al-Baradei (who was supposed to run for the post but, in the end, did not) and who now constitute the leadership of The Opposition –the pro-Opposition independent press might not have been so outraged by that reasonably evasive procedure.

Reasons to wear a grin

Mubarak was smiling because the presiding judge for the retrial was one who had, only a few months ago, found a batch of Mubarak- era officials, who were on trial for criminal behavior, not-guilty. The judge, no doubt sensitive to dealing not with Mubarak's underlings but with the man himself, quickly ended the session by recusing himself on the wise basis of a possible conflict of interest, and the retrial has been postponed.

Still, Mubarak found reasons to smile. His lawyers had entered a successful appeal for him to be released on bail since he had been held for more than two years without being successfully sentenced. But the new prosecutor had already entered other charges against Mubarak which allowed for the continued detainment of the former president –a slick move that would have been greeted with high praise by the anti- Mubarak, official Opposition - that is, if the new prosecutor were not one of Mursi's appointments and widely believed to be at the very least, a sympathizer of the Muslim Brotherhood.

A nostalgic public?

But Mubarak could smile because he has no doubt heard from his lawyers that an increasing percentage of the Egyptian public –weary of higher prices, greater unemployment ,the miserable state of security and the ongoing fuel shortage –are saying things were better under Mubarak than they are now under Mursi.

And finally Mubarak smiles because he must know that a lot of money has been put into play over the past year (a former CIA officer estimates close to a billion dollars, not coming from America). The aim of this cash is to first slow down, and then to bring down, the Muslim Brotherhood and its Freedom and Justice Party dominated government.

But it is in the post -1952 nature of Egyptian politics that whoever brings down a government, or at least its head of state, will not necessarily be the ones who replace him or set up the next regime. What Mubarak has going for him is that the next regime, if Mursi is brought down one way or another, will have far more dangerous enemies to deal with (i.e. the MB has a dues paying base of some 750,000 dedicated members) than pathetic Mubarak and his arrogant family.

Abdallah Schleifer is Professor Emeritus of Journalism at the American University in Cairo, where he founded and served as first director of the Kamal Adham Center for Television Journalism. He also founded and served as Senior Editor of the journal Transnational Broadcasting Studies, now known as Arab Media & Society. Before joining the AUC faculty Schleifer served for nine years as NBC News Cairo bureau chief and Middle East producer- reporter; as Middle East correspondent for Jeune Afrique based in Beirut and as a special correspondent for the New York Times based in Amman. After retiring from teaching at AUC Schleifer served for little more than a year as Al Arabiya's Washington D.C. bureau chief. He is associated with the Middle East Institute in Washington D.C. as an Adjunct Scholar. He was executive producer of the award winning documentary "Control Room" and the 100 episode Reality- TV documentary "Sleepless in Gaza...and Jerusalem."