LEGALIZING MAHARAGANAT

Recognition vs. Identity Erasure
Legalizing Mahraganat: Recognition vs. Identity Erasure

by Sarah Ramadan, researcher at The Association for Freedom of Thought and Expression (AFTE)
# Table of contents

Methodology 4

Introduction 4

The history of “lowbrow” music 5

A new era: The syndicate as a watchdog 6

The escalation of attacks on *mahraganat* 8

The latest dispute: The battle of “Bent al-Giran” [“The Girl Next Door”] 9

What is *shaabi* performance? 11

Conclusion 14
Methodology

The research conducted for this paper is based on the collection and analysis of data, including official statements and decisions issued by the Musicians’ Syndicate regarding mahraganat music, a review of the laws organizing the syndicate’s work, and interviews with four mahraganat artists.

Introduction

Tensions have recently escalated around mahraganat music, and attacks have taken on an encompassing nature. The Musicians Syndicate has issued a ban on mahraganat musicians, a decision the syndicate implemented for the public as well as the private sector. As of late, the issue seems to be subsiding and the legalization of mahraganat appears to be underway, especially after the syndicate retracted its decision and announced the establishment of a new category of music: “shaabi performance.” However, this new category remains shrouded in obscurity and uncertainty.

This paper discusses the recent issues that mahraganat artists have faced. It traces the political and professional conditions that have transformed the syndicate from a professional guild concerned with the wellbeing of its workers into a watchdog that adopts particular ideological stances. Since 2015, the Musicians Syndicate, and artistic syndicates more generally, have been aligning themselves more closely with the state, and instead of supporting their respective professions and artists, artistic syndicates have become a supervisory and punitive authority that target all practitioners.
The history of “lowbrow” music

The current dispute regarding mahraganat [a term which literally translates to “festivals”] music is only a single event in a history of conflicts premised on the “lowbrow” vs. “highbrow” binary or the “trashy” vs. “meaningful” binary found in public discourse around art production. At one point, shaabi music was the main target for this kind of attack; at another, what was referred to as “music of the youth” was targeted. In the current context, shaabi music has been called upon again and posited as the epitome of contradiction in debates against freedom of artistic expression. However, this kind of discourse is not content with merely labelling particular artworks as “lowbrow” but refuses to recognize certain types of creative production as “art” altogether. At the same time, paradoxically, this type of music is given its own title, and ascribed certain features that categorize it in its own genre: mahraganat, the same name given to it by its producers and listeners.

Debates that revolve around defining what constitutes art and what does not are not the only reason for the genre’s lack of professional recognition. This lack of acknowledgement is also a result of looking at lyrics and other features of its music production from a “moral” standpoint and issuing judgments on which of these may have a “negative impact” on society, as well as legal reasons that are related to certain forms of production. However, as will be discussed further, mahraganat artists are not required to legalize their status to be accepted into official music institutions, and the creation of the “shaabi performance” category is only the latest manifestation of confusion regarding legitimacy, or lack thereof.

The nature of battles surrounding different musical genres and the binary between “lowbrow” and “high-brow” art has been affected fundamentally by the succession of different political governments, technological developments, and the influence of intellectual groups. However, denying the artistry of mahraganat music remains an essential feature in current discourse.

4. We note, for example, the persistent emphasis on their poor education, their messy appearance, and the manner with which they speak, to the extent that they are described as “strange phenomena” even by their stage names. Some even refer to their criminal record. For a discussion of the class aspect, see: Muhammad Naim, “On Shakush and his friends: Elon Musk will not know my dream,” Bakr, Al-Menassa, published on February 10, 2020, last accessed April 2020, https://bit.ly/3b705eA
New era: The syndicate as a watchdog

In the period between 2011 and 2014, a sense of confusion pervaded over life in Egypt—the Cultural Ministry is a clear example of that. This confusion was characterized by constant turnover, which coincided with the rise of mahraganat music, internet culture, and revolutionary youth culture. During this time, the position of syndicate head was occupied by numerous people: Mounir al-Wasimy, Iman al-Bahr Darwish and Mostafa Kamel. The first was dismissed following a public demand to rid the system of anyone affiliated with the Mubarak regime; the second was quickly removed due to internal conflicts that turned into a legal battle; the third lasted until he lost against the new head of syndicate, Hany Shaker, in the 2015 syndicate elections.

“*The late leader Gamal Abdel Nasser was lucky, because when he would speak, the media would back him up.*” – President Abdel Fattah al-Sisi during the inauguration of the Suez Canal Development Project.

The president himself has emphasized the role of soft power and the media in establishing the Egyptian state. Meanwhile, the state, as a whole, strives to emphasize conservative national values, distinguishing itself from a version of political Islam that was affiliated with the Muslim Brotherhood (in the context of the current government's “war on terror”). Within a short period, such a narrative distinguished the state project—whereby the state focused on imposing control and discipline on all aspects of social and political life, in order to overcome what the new government saw as years of chaos and a general lack of control—a period that was preceded by years of political complacency, that in terms of the music scene, was distinguished by what was known as the “porn phenomenon” on satellite TV.

The syndicate remained in line with the same project. Shaker’s success did not depend solely on his ability to maintain his post as head of syndicate for two consecutive terms, but also depended on a plan to reiterate the ideological project of the new political regime within the syndicate. In his first term as head of the syndicate, he launched an initiative in coordination with then-Cultural

---

Minister Helmy al-Nemnem that was concerned with preserving Egypt’s “heritage” and “artistic identity.” He came out of it with authority and power comparable to that of the Censorship On Artistic Works Authority, on the one hand, and those in the field on the other. He withdrew syndicate memberships from six singers for violating "public decency," and issued a decision—with the support of the Minister of Culture—giving the Musicians Syndicate the right to issue licenses for DJs, a right usually reserved to the Censorship Authority. He also printed membership cards the following year at the Police-Press. Coordinating and cooperating with security bodies is, in a general sense, also a feature of the current moment. Then-Justice Minister granted the syndicate head judicial authority, which gave him the right to detain, inspect, file reports, and investigate whomever the syndicate head considered to be in violation of syndicate laws—that is, before the Constitutional Court suspended the right to grant judicial authority. Since, Hany Shaker has pleaded for the reinstatement of said judicial authority, indicating that it granted the syndicate the power needed to stand up against mahraganat musicians and the right to ban concerts. By withdrawing this authority, he argued that the syndicate now stood helpless against these affronts.

Since then, the syndicate has waged a fierce campaign in order to reassert its supervisory role—even in instances where its actions are in contravention of Law no. 35 of 1978—and echoed an unprecedented securitization that is violent and exclusive8 targeting so-called musicians. And although these musicians9 used to be mainly women who appeared as performers or dancers in music videos, the battle gradually moved to target young people that produced mahraganat music. Article 3 of the same law listed the objectives of the Musicians Syndicate and artistic syndicates in general, including: promoting theater, cinema and music; working to ensure the rights of its members to public performance, and ensuring that they obtain these rights both locally and internationally; ensuring that relevant authorities issue the necessary legislation to grant these rights; as well as ensuring the welfare of syndicate members. The law did not, however, include any supervisory role on the works produced by voluntary members.

---

The escalation of attacks on mahraganat

“We tried as much as possible to combat this lowbrow art by banning performers from holding concerts and refusing to issue them licenses, and we also prohibited syndicate musicians from working with them.” – Hany Shaker, in an interview with the press

One of the key features that distinguishes the production of mahraganat music from that of other genres is its creation outside of traditional production systems. We can say that this type of production, even if not willingly observed, has strengthened and broadened the production of mahraganat music. The environment that made way for this art form has allowed it a large margin of freedom, seeing as it is not encumbered by traditional production systems, even if artists sought these systems at a later stage or the system sought the inclusion of artists within it. These distinct features have made it difficult to include the genre with all its different features within the traditional production system.

Amid attacks on mahraganat artists Oka & Ortega and Hassan Shakoush, the battle against artist Hamo Beka remains the most prominent. The battle, which began in 2018 and continues to this day, came in conjunction with a new wave of mahraganat fans. Beka seemed difficult to break, however, having voiced clearly his hostility toward the state’s security apparatus—there was hardly a song he produced in which he did not convey an attack on the police. In clear defiance of the syndicate’s decisions and measures that were taken against him, Beka increased his musical output, and announced—on more than one occasion—that he would not give up performing, stating that it was up for the audience to decide on that.

13. ibid.
In January, Shakoush and Amr Kamal released a song called Bent al-Giran [“The Girl Next Door”], and in the following days and weeks, the song reached 10 million views[^14] and garnered international popularity. After the song gained widespread traction, Hany Shaker approved a performance of it at a concert on the condition that its lyrics were modified slightly; the dispute centered around the line, “I drink wine and smoke hashish.”

For a few days, the “Bent al-Giran” crisis—and by extension, the mahraganat crisis—seemed to subside, especially after the commitments that the artists made to Shaker. Meanwhile, Shakoush had performed in front of a listening committee as part of his test for syndicate membership. In a statement to the press, the syndicate’s spokesperson confirmed that Shakoush’s vocal ability qualified him to join the syndicate, but stated that he had not yet been granted membership, indicating that he would only obtain it provided that he replaces his stage name and stops using obscene language in his songs. However, the situation changed dramatically after Shakoush and Kamal performed[^15] at a Valentine’s Day concert at Cairo International Stadium, which was broadcast by local television. They performed the song in its original, uncensored version, in what was deemed an affront to the syndicate and its head.

This prompted a syndicate general assembly meeting the following day, in which a decision was issued[^16] to ban mahraganat music in public and touristic spaces, and to prohibit work with mahraganat musicians. The syndicate specified 23 artists in its decision, along with others who were not included and did not hold syndicate membership or licenses. The syndicate announced that it would take all legal measures against establishments and venues that violate these decisions. It also announced that it would review all licenses and memberships. It should be noted here that Law no. 35 of 1978, which regulates the work of artistic syndicates, does not confer any punitive authority on individuals or establishments outside the scope of the syndicate’s control, and that the decision of the Musicians Syndicate encroaches on the Tourism Ministry’s authority, which is concerned with supervising touristic activity.

Although Shakoush and Kamal justified the incident as a misunderstanding that they attributed to technical issues,17 Shaker led a fierce media campaign, in coordination with the state's security, tourism and censorship bodies, to ensure the strict implementation of the decision. Over the following days, the syndicate and authorities hounded *mahraganat* artists and filed reports against a number of them, whether for performing in public18 or releasing new songs online.19 Egypt's Parliament also supported20 the Musicians Syndicate's decision via statements issued by its spokesperson, in which he declared that “combating *mahraganat* music is a shared responsibility by everyone in the nation. [*Mahraganat*] are more dangerous to Egypt than COVID-19,” as well as through complaints filed by MPs against *mahraganat* musicians and proposals to amend the law, the most recent of which was a proposal to increase punitive measures21 against those convicted of using obscene language to include penalties ranging from one to three years in prison instead of a LE500 fine.

The decision succeeded in halting concerts and weddings, as well as suspending any public performance contracts signed by mahraganat musicians. The decision, however, did not succeed in preventing the release of new songs on the internet,22 which prompted Shaker to contact YouTube and SoundCloud in an attempt to have them take down *mahraganat* music accessible on their platforms.23

The Association for Freedom of Thought and Expression (AFTE) held interviews24 with four *mahraganat* musicians, who confirmed that they have incurred substantial financial losses as a result of the syndicate's decision. Some of them had to pay penalties for being forced to breach contracts that they had signed before the ban. Musician Mody Elka2ed, however, says that it is practically impossible to control the production of *mahraganat*, because all kinds of people listen and dance to his music. He continued, “I had to put my work on hold and pay back the deposit

20. Ashraf Madbouly, Mahraganat Songs: Is it “more dangerous” than Corona to Egypt or a stand-alone “art” ?, BBC Arabic, published on February 19, 2020, last accessed April 2020, https://bbc.in/2VnMF7u
to respect the syndicate's decision.” News websites have estimated losses for first-rate singers at LE120,000 per month, the income that could be generated from performing at four to five wedding concerts.

Some artists have expressed their solidarity with Shakoush by posting photos and videos with him online, even including his songs in some instances.

**What is shaabi performance?**

“And again, I repeat, to everyone, we are not against labels, and we do not have a category called ‘mahraganat.’ This is a new category that is unrelated to mahraganat.”

– Media spokesperson for the Musicians Syndicate

On March 4, the Musicians Syndicate issued a statement thanking the Egyptian people, as well as media platforms and channels, for believing in the role of art in purifying conscience, and for their awareness of this transitional stage for Egyptian art. The statement said:

*The Musicians Syndicate has decided to establish a category for artistic performance and not the so-called mahraganat. Its members receive an annual license to perform, after being approved by a listening committee within the syndicate. Members are obligated to adhere to the supervisory standards and procedural guidelines to procure performance licenses. Failure to adhere to syndicate regulations during the period a license is granted gives the syndicate the right to revoke the license and refuse to re-issue it, based on the signed declaration thereof and in accordance with the law.*

The statement also appealed to the Supreme Council for Media Regulation to ban unauthorized content on any of Egypt's satellite channels and Nilesat channels, stressing that the syndicate “plays an enlightening role, on the one hand, and keeps up to date with everything new, on the

---

25. Abdullah Nabil, the ban on singing, the LE120,000 losses for mahraganat singers daily, and halting work with tourist establishments, a fatal blow, veto, published on February 18, 2020, last accessed April 2020, [https://bit.ly/3ec3h3y](https://bit.ly/3ec3h3y)
other. It elevates music and performance in accordance to what is appropriate to public taste and in line with societal values that reflect the identity of our people.”

Regarding conditions surrounding legalization, the secretary general of the Musicians Syndicate issued a statement28 to the press in which he said that the syndicate had received complaints from mahraganat musicians in the days following the ban but also received commitments from some of them to abide by the syndicate’s decisions and to “moral standards” in their new work. Musician Ahmed Ramadan mentioned that complaints were discussed in an attempt to reach solutions that would satisfy all parties without disrupting public taste, stating, “We sympathized with them,” and pointing out that this new category will include mahraganat artists as long as they pass the tests and appear before a listening committee.

As with the ban, the legalization decision was hasty and confused, as reflected in the conflicting statements of syndicate officials. The media spokesperson of the Musicians Syndicate, Tarek Mortada, stressed29 that the decision was not meant to be an acknowledgment of mahraganat music, as some thought. Mortada also stated that the decision affirms the syndicate’s position: “Mahraganat do not exist. The new category that we launched is for shaabi songs. Applicants to this category must undergo three stages, as decreed by law. The first stage of the application is submitting official paperwork, the second is appearing before the committee and being tested, and the third is mannerism.”

Law no. 35 of 1978 regulating artistic syndicates in Egypt oversees the work of the Musicians Syndicate. The second article of the law, which was approved by the syndicate’s council in 2007, explains who can apply to be a syndicate member: “The syndicate may include music critics, as well as users of modern equipment that produce music and songs in accordance with the criteria decreed by the syndicate for its members.”

Regulations are based on inclusion of innovators as members of the syndicate, and by applying this to mahraganat, we find that the syndicate is obligated, according to law, to be inclusive of artists who produce and perform new and different musical and lyrical forms. However, the “legalization” decision does not permit mahraganat musicians active or affiliated membership, but only permits the issuance of annual renewable performance licenses that may be withdrawn or not renewed without providing a reason. Regarding the “violation of public morality,” the decision stipulates that the applicant must abide by public morality and use language that adheres to

societal “values” and “norms.”

The decision also prevents members of the “shaabi performance” category from voting or running in syndicate elections.

Articles 3 and 4 of the law stipulate the criteria for membership. Article 6 allows the syndicate to oversee membership criteria through a series of tests that are administered to the applicant by a special committee created for this purpose.

The decision to establish the “shaabi performance” category does not differ from previous decisions. The Musicians Syndicate occasionally granted performance and concert licences to some mahraganat musicians, after the Censorship Authority approved the artistic categories. These licences were granted in exchange for a sum of money and did not require tests (DJ permits). It has now become a way of controlling mahraganat music through a vague societal and moralistic code that determines lyrics, composition, attire, and the stage names of artists.

The creation of the shaabi category was not the first attempt at legalizing the status of mahraganat artists. In 2017, rapper Soska announced that she had registered as part of the Musicians Syndicate, becoming the first to join under the “rap” category, the same category that mahragant singer Ahmed Salem, commonly known as Sambo, later joined under in 2019. Despite the syndicate's denial that a “rap” category existed, the head of syndicate asserted, in a phone-in on media personality Ahmed Moussa’s television show, that the category had been created before he assumed his position in 2015. The “rap” category probably did not see many new members under Shaker's term. In 2019, the syndicate revisited the proposal to legalize the status of mahraganat musicians. The syndicate declared its intention to create a new category and call it “shaabi rap.” According to official statements, this is an attempt on the part of the syndicate to control mahraganat and establish rules and regulations regarding its content.

---

30. Ahmed Salah, Hany Shaker: A meeting by Musicians' Syndicate will be held soon to discuss the legalization of mahraganat songs, Youm7, published on February 10, 2020, last accessed April 2020, https://bit.ly/2yYhXdx


33. Bassem Fouad, “Shakoush is not the first ... Sambo is a member of the Musicians Syndicate with the approval of Hany Shaker,” Youm7, February 13, 2020, https://bit.ly/2y6us6t

34. Abdullah Nabil, “After the Musicians Syndicate denies the establishment of the 'rap category' ... Sambo embarrasses Hani Shaker by revealing his ID card (photo),” Veto, February 24, 2020, https://bit.ly/2K02oo0

Conclusion

The current Egyptian Constitution, which was amended in 2019, guarantees freedom of artistic and literary creativity. Article 67 of the Constitution obligates the state to “advance the arts and literature, nurture creatives and protect their work, and to provide the necessary encouragement to do so.” This article remains abstract and theoretical. Its interpretation is subject to the tastes of political and societal authorities, who monopolize the right to interpret this article as they see fit. These authorities support what they deem to be “art” according to a set of undeclared criteria, and censor and ban anything that violates this obscure set of criteria. In order for the state to further enforce control, it issues more legislation through various institutions and organizations. Any creative work must first pass through these bodies in order to ensure that it suits the state’s tastes, especially if said creative work is something that the state has failed to understand or possess.

It is important, however, to note that the commotion surrounding artistic legalization is somewhat new this time around. Mahraganat have faced unprecedented censure as a genre. Zar music and heavy metal have also faced criticism, but the controversy that surrounded these genres came from a moral, religious or societal standpoint. This is where the attack on mahraganat music differs; despite the vilification of these genres, mahraganat are also under attack for being a genre to begin with and whether or not it should be allowed in public.

Also of note is the way intellectuals who are in line with the state participate in erasing and attacking any form of creativity not recognized by the state as art. This is in complete accordance with the syndicate’s narrative that links this denial with ethical, societal, and penal claims on the one hand, and patriotism on the other, labelling mahraganat as something deviant and alien to Egypt and its people, as something that amounts to a national threat.

---

We also cannot deny the way in which the syndicate’s narrative is ingrained within a lexicon of state security and militarization, in its use of phrases such as “disturbing public peace” and “tarnishing the reputation of Egypt.”

Of course, we can consider new developments in the syndicate, and the creation of a new category, to be a win for freedom of creativity, especially mahragant, particularly if mahragant musicians themselves see it this way. However, this is only if it does not remain a nominal change that fails to translate to any true shift in the syndicate’s approaches to different types of music. The battle against these types of music continues, whether because the state wants to demarcate public taste or because it continues to strive to monopolize the art production market, which has become a norm since 2014. Allowing the creation of the “shaabi performance” category is but a new chapter in an ongoing struggle that dates back many years. This decision proves that the syndicate has failed to continue denying the existence and popularity of mahraganat, and its realization that it could profit from it, but only after it transforms it into a form that suits its vision of art, society and public taste.

The matter does not end at attempts of dominance, whether in the form of economic monopoly or political control. Perhaps it is more accurate to describe what is happening as an attempt to force predetermined conservative ideas on different forms of artistic expression. “Rationality” is being employed as the necessary argument for the capitalist, neoliberal regime, which is why some believe that the values of profit, work and “breadwinning” will win in the battle against mahraganat. However, the current violent discourse, and its actual implementation in the form of regulations, can be described as “irrational” in this regard, which allows us to be skeptical about the inevitability of the values of a free market and freedom of expression winning the battle.

The “shaabi performance” category might produce a different and controlled version of mahraganat, especially since creators of this type of music, who managed at its nascence to reach audiences through mediums such as the internet, will need to—and even desire to—find alternative means of production, especially given the current censorship and moralistic measures that have been imposed on the music industry.

---