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Position Paper

The Maspero Crisis and the Transitional Course in Egypt

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The Maspero incident in Egypt redemonstrated the defect of the military council's conduct of the transitional period for if the council had involved social forces in its regulation, demands would not have ensued and it would not have had to pacify protestors under pressure, thus creating an environment that does not give weight to the most important democratic value: respect for the law.

Since the very beginning, the transitional period has been administered in the manner applied by the former regime and in its mentality though without its most important instruments, namely the despotic security apparatus that was able to impose its iron hold on a society whose problems accumulated despite appearing stable. And among these problems is that pertaining to Muslim-Christian relations, or what came to be known in Egypt as the sectarian problem or strife.

The Supreme Council of the Armed Forces (or the military council) has administered the transitional period since 12th February and continues to do so with super structural decisions and decrees and in a bureaucratic and monotonous manner in accordance with a turbulent road map and great uncertainty with regards to the transitional course.

It has neither put forward a clear vision nor involved a people that lives in a momentum of revolution in the administration of its local affairs let alone make it a partner in an extremely difficult transitional period.

The military council did not seek to instate new guidelines to regulate the country's affairs through actual partnership with the society that could have been accomplished by organizing a series of foundational elections (i.e. those that occur in society's grassroots such as local, union, workers' committees, and peasant union elections) and by means of a national dialogue system characterized by seriousness.

All of this was necessary to ensure the transitional course and its passage with the least possible losses and in a manner that reinforces Egyptians' faith in the future and to establish a positive relationship between the military council and society. When the council failed to do any of this and chose to act as an authority superior to society, rather than as its partner, many social subgroups dealt with it on that basis and their demands came relentlessly.

Furthermore, the greatest mistake the military council makes is its failure to respond to these demands most of the time unless under the pressure of different levels of protests, sit-ins, and strikes ranging from small and moderate gatherings to gatherings of millions. The relationship between the military council and society has become based on the principle that those who exercise more pressure have their demands met faster.

Because nothing was altered in the administration of the country, relative to the past, the military council continues to treat Christians as citizens of the Church. It has not realized the significance of investing in the 25th January atmosphere that brought together Muslims and Christians in Tahrir Square as well as other squares that witnessed expressions of citizenship stronger than all speeches.

Hence, immediately after the eighteen days of revolution ended, the military council disregarded the significance of the fusion of Muslim and Christian blood and the mutual conduct of prayers during that period. It chose to continue dealing with Copts as adherents of the Church rather than as citizens of a country whose affairs it regulates, thus inciting Coptic activists to take action and demand their religious rights with unprecedented boldness as a result of the fracture of the despotic security apparatus that long frightened them as well as other subgroups in the society. Fear, however, is no longer an obstacle confronting protests regardless in their various forms including those of Christian activists that initiated as a reaction to the attack on the Aftih Church in Giza in March and later reaching Maspero where the national Egyptian television building is located. These protests produced anger that had been constricted for many decades, during which many Christians isolated themselves when the state dealt with them as

Church adherents. Consequently, they increasingly felt that their religious rights were lacking especially with regards to building and renovating churches.

Accordingly, the period of security and political vacuum encouraged demands for these rights as the military council appeared unprepared to respond unless they were pressured by street sit-ins with the potential of escalation.

The Effect of the Maspero Crisis on the Military Council's Authority

This setting would be difficult to read without looking into the Maspero crisis, or the painful event that occurred on 9th October and led to the death of twenty four individuals and the injury of three hundred as a result of violent clashes between army forces in front of the television building and a number of individuals in the protest.

Reactions to this attack would not have created such a great crisis if they had not arisen in an intense environment burdened with accumulation and alongside poor management of the transitional phase and the military council's incapability of containing sectarian problems.

The Maspero crisis presented the belief that the military council does not respond unless pressured after it had been quick to establish procedures to meet some of the Christians' demands and limit the anger of protesters over the death of a number of protesters.

The military council met two essential demands – one pertaining to the issuance of a new law on building places of worship as a solution to the problem of establishing churches, while the other pertains to the assessment of the conditions of churches built without permits and established illegally. The endeavor of a unified law on the building of places of worship had been dormant in the corridors of the political kitchen of Mubarak's regime since 2003 but was activated when Christian activists began protesting after the 25th January revolution. However, it did not develop until the Maspero crisis occurred as action was taken to finalize or replace it with two laws on the building of churches and mosques as requested by several religious circles. It was announced that this issue was on the agenda of the Council of Ministers who met on 19th October. Furthermore, it was decided that the assessment of the conditions of illegal churches would be accelerated and related matters that had been undisclosed would be revealed.

In addition to these two religious demands, the military council also responded after the Maspero crisis to a public demand pertaining to combating recent discrimination and imposing criminal punishment as Decree-Law No. 126 for 2011 that was issued on 15th October, modifying provisions of the penal code for this purpose.

Despite the fact the expected issuance of this modification and the decree-law, symbolize two overdue but positive developments, responding to them under the pressure of such a great crisis is meant to present the belief that protest pressures bring about change and that when these pressures intensify, the response comes about faster and greater – which may undermine the military council at a critical moment in time. Also, responding to the demand pertaining to the assessment of unlicensed churches may encourage other social subgroups to further protests to impose illegal conditions, especially if churches that do not meet the conditions of the new law on building places of worship are not excluded.

The Effect of the Maspero Crisis on the Course of Democratic Transition

Despite the fact that the protests of Christian activists are considered a form of positive democratic practice that Egypt has long lacked, the violence that accompanied it and led to the Maspero crisis affects the course of democratic transition regardless of the source of this violence, who initiated it, and other details currently being examined. Among the various definitions of democracy is the foundations and procedures resolving political and social disputes and conflicts in a peaceful manner immune to any form of violence, for if violence is present, democracy is absent and vice versa. Therefore, the violence that

accompanied the Maspéro crisis casted a cloud of doubt over the course of democratic transition in Egypt to a degree requiring quick treatment of the negative effects of this crisis, which can be summed up in the following four points:

First, undermining the cohesion of the grassroots calling for democracy as a result of religious polarization that increases its severity during this type of crises and the fear that the parliamentary elections that will start on 28th November will witness violence severe enough to limit participation.

The worst type of elections is that which witnesses identity bias in the ballots whether religion, ethnicity, and so on. Even worse is if this bias were to be found in systematic mobilization carried out by institutions and religious groups whether official or unofficial.

Second, the pattern of response to demands because of public pressure rather than their significance or necessity, or as a result of serious democratic dialogue, conflicts with one of the most important elements of democracy; the rule of law and mass submission to it. After all, the democratic state is that in which the law is above all.

Third, this pattern leads to the continuance and solidification of a concept that makes the success of the course of democratic transition farfetched, namely the growth of group demands at the expense of public demands. This is currently a prevailing concept in many group protests, such as those that seek to take hold of a desired law without general bases and abstract standards applied to everyone indiscriminately.

Finally, the fourth negative effect, however, is that the mass violence that was produced in the Maspéro crisis may increase the popularity of any call for postponing elections, thus delaying the transmission of authority from the military council to an elected civil rule, which may imply halting the course of democratic transition indefinitely.