*Crossing Linguistic Borders :*
*Translating Democracy in the 2012 Egyptian Constitution*

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# Crossing Linguistic Borders:
# Translating Democracy in the 2012 Egyptian Constitution

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**Abstract**

The transfer of political concepts into different places and cultures happens first and foremost through translation. Far from being a simple transposition of meaning into a different language to facilitate border crossing, it also entails a process of adjustment to a different cultural context and a change in what is perceived to be the original meaning of the concept. Translation should also include the analysis of the social contexts that cause a political concept to be modified. Through Baker's social narrative theory, all these aspects can be integrated to analyse how the concept of democracy moves from place to place and from language to language leading to more complex understandings of it. I will examine the meaning of the concept of democracy in the 2012 Egyptian Constitution to outline the main features of an intercultural translational process of the concept of democracy.

**Keywords**: Democracy, Translation, Egyptian Constitution, Muslim Brothers.

## 1.Translation equivalence as negotiation of meaning

During the 1970s and throughout the 1980s and 1990s, with the gradual questioning of the paradigm of equivalence between an original and a translated text, translation ceased to be considered only a linguistic transfer, and has also started to be defined as a political and cultural process of communication, that involves texts, as well as different contexts and communities. These developments have brought considerable innovations in the field of translation research with equivalence being viewed as an illusory undertaking, whose misleading transparency, perfection and attainability mask linguistic and cultural asymmetries. Rather than being a stable, scientific and reliable paradigm, as well as the ultimate task of translators, equivalence could be considered a political space of negotiation in which viable linguistic solutions are continually

worked out to introduce acceptable amounts of newness and foreignness into a well-established cultural and political order.

Considered as such, translation is a way of reproducing discourse not just at a textual level, but also in the transfer of ideas and theories into other cultural contexts by means of textual reproduction, interpretation and commentary[1]. In this sense, the analysis of the meaning of a concept through one of its many actualisations into a text appears to acquire significance in that it would contribute to mapping its transformations when introduced into a foreign cultural context  (Polezzi, 2012). More specifically, when a theory or a concept are reproduced, it seems relevant to consider to what extent, in trying to convey the illusion of equivalence between the source and the receiving notion of it, there is a political attempt to accept foreignness into a cultural context. In this sense, one should not wonder whether concepts such as 'freedom', 'human rights', 'justice', or 'democracy' mean the same in different cultural contexts, given the fact that such terms could not possibly mean the same. Rather, one should look for the reason why is there so strong an attempt to make such concepts mean the same. In other words, it seems relevant to consider the purpose for creating an illusory correspondence of meaning that puts such terms into as equivalent a relationship as possible.

Against this background, it seems particularly interesting to examine democracy, nowadays an extremely positive and undisputed concept in the international geopolitical arena, and consider its role when translated into other cultures.

The modern notion of democracy is conventionally thought to have been transferred into the Arab world in the first decades of the nineteenth century from France into a colonised area, inspired by the ideals of freedom and equality and prompted by the experience of the French Revolution. However, far from being uniquely the result of European historical events, its development in the Arab world also depends on previous notions of ancient Greek democracy, and is as well strongly connected to the cultural, political and economic situation of the broader Ottoman Empire during the first decades of the century. In this large region, during the second half of

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[1] For further readings on the politics of translation see Alvarez & Vidal, 1996; Venuti, 1993; Baker, 2006, 2013; Tymoczko & Gentzler, 2002; Cronin, 2006; Sakai, 2009; Hermans, 2014.

the eighteenth century, there was a period of military, cultural and economic change prompted by a long economic and political crisis. These transformations were also influenced by the relations with French institutions around the 1720s for the transfer of military and naval innovations to the Ottoman army. This modernization process in the military, economic, agricultural and cultural fields took place in line with the principles of the French Revolution and following the technical advancements of the Industrial Revolution.

Starting from that period, there seems to be a gradual and continuous process of redefinition and questioning of the concept of democracy in the Arab world carried out by different scholars of classical Islam, academic intellectuals and political activists. These thinkers could be grouped according to their general attitude toward modernization and its satellite concepts of freedom, equality, democracy, human rights, and the like, into different strands of thought such as modernist, Salafist, reformist, liberal reformist, secularists, socialist etc., based on the specific historical period in which they have lived and interpreted the concept of democracy.

Such aspects should be taken into account also to investigate the more specific context of the notion of democracy in the period in which the 2012 Egyptian Constitution was formulated, issued and approved.

## 2. Analysing the meaning of democracy

In the first stance, democracy can be defined as a meta- or master narrative[2]. Somers and Gibson describe master/meta-narratives as those "in

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[2] The social-narrative theory appears to be the best equipped methodology in this case study since it connects effectively textual analysis to the texts' broader context of production and reception, so that it is possible to consider democracy not only as a single word to be transferred into a translated text, but also as a broader discourse that is not limited to textual representation. Most methodological tools in translation research, (see for example Hatim & Mason, 1990; Hatim, 1997; Schäffner, 2002, Munday, 2012) generally presuppose a comparison between two texts or (sets of texts) into two or more different languages, which is not the case here. Moreover, even if some of the analytical tools (Aixelà, 1996) try to integrate cultural variables and connect the texts with broader cultural contexts, a more flexible approach, which requires analysis of background cultural discourses, instead of only texts, appears to best adapt to the definition of translation given above.

which we are embedded as contemporary actors in history … Progress, Decadence, Industrialization, Enlightenment, etc." (as cited in Baker, 2006, p. 82). A meta- or master narrative started as a more limited narrative that was later extended to other contexts and places. In this sense, democracy intended in modern times could be thought to have been initiated or, rather, perceived to have gained relevance in the late eighteenth century in France and the United States, and to have gradually been disseminated into other areas, such as Europe, lately being transferred further into broader regions in the world. As Baker argues, a meta/master-narrative is such because it "has persisted for decades and [...] the lives of ordinary individuals across the planet have been influenced by it" (Baker, 2006, p.82). She also propounds an explanation for the establishment of a specific meta/master-narrative, arguing that "political and economic dominance may indeed be the prime factor determining the survival and circulation of political meta-narratives" (Baker, 2006, p.82). In this sense, it is possible to identify different trends at varying levels and periods of time that might be relevant for the analysis of the case under consideration.

Firstly, according to a widespread political postcolonial narrative, democracy is today viewed as a result of the United States' economic and cultural politics of control over various parts of the world. Similarly, at a more circumscribed local level, it could also be observed that, in the nineteenth century, the wealthy modern imperialist European countries started relations with the Ottoman Empire and Egypt as part of their struggle for power over the Mediterranean Sea. On the other hand, however, one should also mention that the Ottoman Empire, by employing modernization strategies and military innovations taken from European colonial powers and accepting to relate itself to such culturally-diverse peoples, was seeking to regain control over its large uncontrolled territories, and, at the same time, to defend itself from the very same European military intervention. Acceptance of cultural models may have served as a less conflicted way to allow for the inescapable political and economic influence of the foreign powers over the Empire. At this level, the welcoming of newness in different contexts always appears a contested one, and entails enthusiastic support, resolute rejections and mixed

selective reinterpretations[3]. From such broad range of outcomes and reactions, innovation and change are always the result of a complex blend of patterns of acceptance and resistance.

It seems interesting to consider "the way in which a longstanding, established meta-narrative may be used to lend weight and psychological salience to a developing public or meta-narrative"(Baker, 2006, p.86). Baker defines public narratives as "stories elaborated by and circulating among social and institutional formations larger than the individual, such as the family, religious or educational institution, the media, and the nation" (Baker, 2006, p. 66).

Since the effects of such extension of the meta-narrative of democracy could not be entirely predicted (Baker, 2006), it is necessary to envisage the possibility that meta-narratives may be contested or accepted in a variety of different modes, even in the same cultural contexts. It should thus be expected that democracy as a universal value could also be partly or completely questioned by a great variety of public narratives which aim at adapting it to local contexts. While maintaining an overlapping structure on the meaning of democracy, public narratives also introduce, through different strategies, some innovative aspects and concepts in the general meta/master-narrative of democracy as a universal value. Bell's illiberal democracy (Bell, Brown, Jayasuriya & Jones, 1995), the Indian subaltern (Kaviraj, 2005; Sheth & Nandy, 1996; Kothari, 2005; Chatterjee, 2011) studies' notion of democracy, as well as the Latin American (Quijano, 2000; Mignolo, 2000; Santos, 2007) one could be such examples.

In the case considered here, democracy in the twentieth century Arab world could be imagined as the result of a variety of conflicting public

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[3] In her discourse analysis on the concept of democracy in contemporary Egyptian political debate, Dunne, 2003 appears to move in a similar direction when she states that democracy in 2003 Mubarak's Egypt is "especially available or suitable for use in accomplishing necessary social interactional work such as identity construction, positioning, and negotiation of power relations». In her view, the Egyptian political debate over democracy should be considered a way of guiding the reinterpretation of democracy, viewed by Egyptians as an «irresistible external discourse" to be in turn appropriated and exploited to Egypt's advantage, partly embraced, readapted, but also treated with skepticism, ignored or rejected thus positioning oneself «vis-à-vis one's colleagues and rivals» (All citations Dunne, 2003, p.129).

narratives, among which blended liberal, socialist, nationalist, secular, anti-capitalist and Islamic narratives of democracy have been proposed. However, during the 1980s and 1990s, Islamist political parties increased their visibility through a growing involvement of grassroots cultural, economic and political movements[4].

For instance, Ismail (2003) explains that "the fortunes of Islamism as a political movement are conditioned by the structures of opportunities, and by political configurations and contingent identities. In their interaction with the state, and other political and social actors, Islamists have adopted a multitude of strategies, ranging from outright confrontation and violent action to agitation in the public sphere to infiltration of societal spaces" (Ismail, 2003, p.176).

As El-Ghobashy (2005) explains, in the wake of the twenty-first century, this led Islamist political movements to win elections in a variety of Arab countries such as Palestine, Lebanon and Egypt, as a result of an extensive recourse to electoralism. In particular, Ayubi (1993) claims that political Islam in Egypt is considered one of the most powerful movements in the Arab world. These major strategic changes could be accounted for by a variety of factors, such as the influence of the liberal Islamic thinkers that started in the 1970s (El-Ghobashy, 2005; Bayat, 2007; Pioppi, 2014), the exacerbation of the conflict with Israel, as well as the need to counter Western imperialist politics with a strong and appealing Islamic alternative, after the failure of nationalist and pan-Arab movements (Burgat, 2003; Zubaida, 2011).

According to El-Ghobashy (2005), in Egypt, such transformations were prompted by "a decisive move away from the uncompromising notions of Sayyid Qutb [...] toward a cautious reinterpretation of the ideas of founder al-Banna", that made the Society of the Muslim Brothers shift "from a religious mass movement to what looks very much like a modern political party". El-Ghobashy (2005) also adds that the electoralist turn of the Muslim Brothers led them to confront and be influenced by "common institutional variables on the organization and ideology of both secular and

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[4] For further reading on Islamist political parties and movements see Esposito & Voll, 1996; Zaki, 1995; Ismail, 2003, El-Gobashi, 2005; Bayat, 2007; Zubaida, 2011; Pioppi, 2014; Browers, 2009.

religious political parties" (El-Ghobashy, 2005, p.375). This also caused among the Islamist political parties in Egypt disdain and reproach, with the accusations from the anti-secular and anti-capitalist movement Jama'at al-Islamiyya of "helping to build the institutions of the secular regime" (as cited in El-Ghobashy, 2005, p.379). Similarly, El-Ghobashy (2005) explains that the notion of democracy propounded by the Muslim Brothers was an appropriation of the discourse regarding the compatibility of democracy with Islamic principles supported by liberal Islamic thinkers in the 1980s: "A related innovation is the Ikhwan's appropriation of moderate Islamist thinkers' works authenticating democracy with Islamic concepts. Democracy here is defined as (1) broad, equal citizenship with (2) binding consultation of citizens with respect to governmental personnel and policies, and (3) protection of citizens from arbitrary state action" (El-Ghobashi, 2005, p. 374)[5].

The Muslim Brothers' contemporary public narrative about democracy could be considered as the result of a specific adaptation of certain elements of democracy as a universal value to the Arab Egyptian electoral context. The Muslim Brothers claimed the compatibility of democracy with the principles of Islam. Baker states that the variants of narrative which acquire currency depends not only on the power structures in which such narratives are embedded, but also on the "determination with which their proponents promote and defend them" (Baker, 2006, p. 67).

Thanks to the engagement of large parts of the Egyptian civil society that was previously excluded from political participation, the Muslim Brothers gradually managed to build a wide and diversified political consensus that led them to become the first opposition party in the 2005 parliamentary elections. After the 2011 Egyptian Revolution, which forced President Hosni Mubarak to resign and led to presidential elections in June 2012, Muhammad Morsi, the candidate for the 'حزب الحرية والعدالة' ['Hizb-ul-Hurriyah-wa-l-'adala' , The Freedom and Justice Party ] an exponent of the Society of the Muslim Brothers was elected as the fifth President of Egypt.

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[5] 'Ikhwan' in the first line is the transliteration of اخوان, or Brothers, referring to the Society of the Muslim Brothers.

A product of such public narrative was the 2012 Egyptian Constitution (Constituent Assembly, [CA] 2012)[6].

evitcejda ehT'ديمقراطي' ['dimuqrātī', 'democratic', BQ] appears five times, more precisely twice in the Preamble; once in Part 1, Chapter 1, Article 1; and once respectively in Part 2, Chapter 2, Articles 52 and 53. From a comparative analysis of the preceding 1971 Constitution, the 2012 and the 2014[7] ones, it is possible to observe that reference to democratic rule and principles can be retrieved in the preambles of all the texts. It is also possible to conclude the same for the first article defining the State in each Constitution[8], as well as for the articles that regulate the rights to form syndicates and trade unions[9].

However, what appears remarkable for the sake of analysis is that the noun 'ديمقراطية' ['dimuqratīya' , 'democracy', BQ] can be found only once and, more specifically, reference to democracy is in Part 1, Chapter 1, Article 6. Quite differently from what is stated not only in the previous 1971 Egyptian Constitution, but also in the 2014 following one, in Part 1, Chapter 1, Article 6 of the 2012 Constitution the form of government is defined as based    " والمواطنة ,والشورى الديمقراطية مبادئ على, " [''alā mabāda-l-

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[6] Constituent Assembly for the Draft of the Country's New Constitution, [ الجمعية التأسيسية لوضع مشروع دستور جديد للبلاد, Al-Jama'iyya al-Taassisiyya li-Wad' Mashrou' Dustour Jadid].

[7] Issued after the military coup d'etat that removed President Morsi and suspended the 2012 Constitution. It is possible to find originals of past constitutional documents and of the current Egyptian Constitution both in Arabic and English online see World Intellectual Property Organization [WIPO], n.d.

For a quick Arabic and English comparison of the three constitutions see Comparative Constitutions Project [CCP], 2016.

[8] Respectively in Part 1: The State, Article 1 in the 1971 Constitution; Part 1: 'State and Society', Chapter 1: 'Political Principles', Article 1: 'Nature of the Republic, and of the Egyptian people' in the 2012 Constitution; and Chapter 1: 'The State', Article 1: 'Nature of the Republic' in the 2014 Constitution.

[9] Respectively in Part 3: 'Public Freedoms, Rights and Duties', Article 56 in the 1971 Constitution, in Part 2: 'Rights and Freedoms', Chapter 2: 'Civil and Political Rights', Article 52: 'Right to form syndacates' and Article 53: 'Trade Unions' in the 2012 Constitution, and Chapter 3: 'Public Rights, Freedoms and Duties', Article 76: 'Right to form syndacates', and Article 77: 'Trade Unions', in the 2014 Constitution.

dimuqrātīya wa-asshura wa-l-muwātīna', 'on the principles of democracy and *shūrā*, and citizenship', BQ][10].

In such definition of the form of government, it is possible to notice a juxtaposition of the word 'ديمقراطية', ['dimuqrātīya'] which is a transliteration of the English term 'democracy' or possibly of the French word 'démocratie', and the term 'شورى' , ['shūrā', BQ][11] typically considered an Islamic concept to mean 'consultation'[12]. According to Baker, the specific narrative feature of 'relativity' or 'hermeneutic composability' concentrates on the fact that "it is impossible for the human mind to make sense of isolated events or of a patchwork of events that are not constituted as a narrative" (Baker, 2006, p. 107).

Such combination appears to be instrumental while attempting to reinscribe the meta-narrative of democracy as a universal value into the Muslim Brothers' public narrative that purported the compatibility between democracy and Islamic principles. Their choice attempts at normalising a religious concept, namely *shūrā*, by inscribing it into a binding and official document such as the Constitution of a nation, and using it to define a form of government together with the term 'democracy'. This process of normalisation should be also considered as a way not only to formally and legally support the introduction of a new political interpretation into Egyptian political understanding of government and democracy, but also to start a process of legitimation of the Muslim Brothers' public narrative in the international political arena.

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[10] Translated by BQ. Mashrou' dustour al-Jumhuriyya Misr al-'Arabiyya: On the concept of *shura* in the Arab political thought refer to Khalaf-Allah, 1973; Taha, 1987; Sulaiman, 1996.

[11] The word 'shura' is repeated many times in the 2012 Constitution, and it is mostly used to talk about the 'مجلس الشورى' , ['Majlis-u-shura' 'Shura Council', BQ] the upper house of the Egyptian Parliament, abolished by the 2014 Constitution. Apart from many occurrences to refer to such institution, in the 2012 Constitution it is used only once to describe the process of consultation in the article examined here, in Part 1, Chapter 1, Article 6.

[12] For a historical reconstruction of the Islamic use of 'shura' to mean 'democracy' see Moussalli, 2001.

*Conclusions*

The meta-narrative of democracy as a secular universal value that influences the notion of good government of each individual, in Egypt, has affected political thinkers in the twentieth century. They have produced different public and collective narratives to adapt the notion of democracy as a universal secular value to the current political situation of the country. One of such public narratives is that of the Society of the Muslim Brothers, which, since its founding by Hasan Al-Banna in 1928 and throughout the twentieth century, has undergone changing fortunes. Once a mass movement inspired by the return to the principles of Islam in order to counter the cultural and political profligacy of modernization, the Society of the Muslim Brothers has gradually evolved into a proper political party, highly knowledgeable about procedural electoral politics. Further than that, the Muslim Brothers have created a public narrative that is deeply connected with the emerging Islamic liberal thought, while seeking compatibility of Islamic principles with democracy. Their current public narrative has recently been disseminated to a large part of the population and strengthened thanks to the engagement of grassroots cultural, religious and political movements during the 1980s and 1990s. Electoral politics brought the Muslim Brothers to be the strongest opposition party in 2011, and, after the Egyptian Revolution, it has allowed the Freedom and Justice Party to win the presidential elections with their candidate Muhammad Morsi. As a result, the Muslim Brothers, inspired by liberal political thought, in the 2012 Egyptian Constitution propounded a form of government based on the principles of democracy and *shūrā*. Such document results to be in line with their public narrative of compatibility and officially legitimates their Islamic political import.

Even though in the transfer of democracy it is possible to recognise an asymmetrical distribution of power, strategies of resistance from local political institutions should not be disregarded nor underrated since they make it possible to negotiate the meaning of key internationally-recognised political concepts, thus contributing to their change through a largely unpredictable renegotiation of meaning.

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