

Egypt's proposed constitution enshrines dictatorial powers and military rule

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30 November 2012

Egypt's Constituent Assembly began voting on Thursday on a new constitution in an aggressive move by the Muslim Brotherhood and President Mohammed Mursi.

While it is designed to head-off a possible legal challenge, the more significant aim is to rally the Brotherhood's social base against the mass protests that came after Mursi granted himself dictatorial powers last Thursday. It is also aimed at preparing a counter-offensive by the military.

The move seeks to pre-empt a ruling on Sunday by the Supreme Constitutional Court that could have dissolved the assembly and ruled on the legitimacy of parliament's upper chamber, the Islamist-dominated Shura Council. The court dissolved the lower chamber, the People's Assembly, in June.

The Brotherhood is pushing for a vote on the constitution that would give a pseudo-democratic façade to efforts to consolidate its power and that of the Egyptian military—collectively representing the dominant forces within the bourgeoisie. Once passed, Mursi must put the constitution to a referendum within 15 days. Elections would follow in early 2013.

In an interview on Egyptian state television Thursday night, Mursi said that if the new constitution is approved, last week's decree “will no longer apply.” The implication is that if the constitution is not passed, Mursi will continue to assert unlimited executive powers.

While it has received very little attention, by far the most important element of the new constitution is its efforts to preserve the privileges and power of the military. This is aimed at reforging the alliance between the Brotherhood and the army, on which the fate of the bourgeoisie depends if it is to face off the growing popular opposition.

The Constituent Assembly approved articles stipulating that the military budget will still not be subject to parliamentary oversight. This is vital first to conceal the massive involvement of the military in the economy, which controls an estimated 40 percent of GDP. It is also aimed at concealing from the working class the extent of the military's repressive apparatus.

The constitution also contains an article allowing the Military Prosecution to try civilians for crimes that “harm the Armed Forces,” as proposed by the Brotherhood's Freedom and Justice Party leader Mohamed al-Beltagy.

It establishes a National Defense Council, headed by Mursi and including the prime minister; the ministers of defense, foreign affairs, finance and interior; the chief of intelligence; the chief of staff of the Armed Forces; the commanders of the Navy, the Air Force and the Air Defense Force; the commander of operations of the Armed Forces; and the chief of military intelligence. The defence minister, according to a related article, must be an army officer and act as the commander in chief of the Armed Forces.

This council will decide on national security issues, the military budget and be consulted on all future laws relating to the military. The article allows for further unspecified powers to be granted to the council.

There could not be a clearer blueprint for a future military dictatorship.

Mursi has in addition attempted to combine efforts to utilise religious prejudice to rally the more backward layers of workers and peasants with a rejection of the more extreme demands of his allies in the Salafist groups. This is so as to make it easier for the United States and the European powers to support his power-grab. The assembly therefore voted to keep sharia, or Islamic law, as the “main source of legislation”—as

under the deposed regime of Hosni Mubarak.

However, the constitution does not include calls by the al-Nour Party to have reference to the “principles” of sharia law replaced by “rules.” It also states that Christianity and Judaism will be the “main source of legislation” for Egyptian Christians and Jews. Article 219 defines Islamic law in terms of Sunni Muslim jurisprudence, enshrined in the authoritative role of the Al-Azhar Mosque and University.

Mursi’s declaration last week ruled that there could be no appeal against constitutional decrees made since he came to power, and that he could take any measures to “preserve the revolution” or safeguard national security. In the face of growing opposition involving protests of hundreds of thousands, Mursi pledged to abandon these powers as soon as a new constitution was in place. He reassured senior judges, most with ties to the old regime, that the decrees would be restricted to “sovereign matters” aimed at protecting institutions and would therefore allow them to sleep soundly in their exceedingly comfortable beds. The judiciary nevertheless called an unprecedented strike.

The new constitution makes clear that the Brotherhood has no intention of giving up the powers it has claimed. The Constituent Assembly passed an article giving the Shura Council the power to issue legislation until a new lower house of parliament is elected. Thus the powers accrued by Mursi have simply been transferred to a body dominated by the Islamists.

The Brotherhood was openly contemptuous of its bourgeois opponents. Eleven of the liberal members of the Constituent Assembly that withdrew in protest at Mursi’s earlier decree, along with representatives of Egypt’s three main churches, were summarily replaced. Such contempt is fuelled by the understanding that the overriding concern of the opposition parties is to ensure that hostility to Mursi and the Brotherhood is kept within limits that do not threaten the fundamental interests of the Egyptian bourgeoisie and its imperialist backers.

One of the eleven removed from the panel, former foreign minister under Mubarak and failed presidential candidate Amr Mousa, meekly complained to Reuters, “This is nonsensical and one of the steps that shouldn’t be taken, given the background of anger and resentment to the current constitutional assembly.”

Mohamed Abdel-Alim Dawoud of the Wafd party,

who also withdrew, similarly warned, “If the Brotherhood continue this way, it will heat up matters further because there is no intention to reach consensus.”

Mursi bases his calculations on the green light he has been given by the Western powers. Washington and its allies see the Brotherhood first as an important force for order in the Middle East, as has been demonstrated in its role in establishing pro-Western regimes in Tunisia and Libya, in the opposition movement in Syria and in the recent efforts of Mursi to secure a cease-fire in the aftermath of Israel’s bombardment of Gaza. They are also looking for the Brotherhood to work with the army in suppressing mounting opposition to austerity measures demanded by the International Monetary Fund, which have already provoked a wave of strikes.

On Wednesday Egypt’s Foreign Minister Mohammed Kamel Amr told reporters while attending a meeting in Berlin with German Foreign Minister Guido Westerwelle that political unrest would not affect Egypt’s negotiations with the IMF for a \$4.8 billion loan. That same day, the cabinet unveiled its economic reform programme pledging to slash the budget deficit from 11 percent for the 2011/12 fiscal year to less than 5 percent by 2016/17 through brutal cuts.

A mass protest against Mursi takes place today, called by his official opponents. But with a growing threat of military repression, everything now depends upon the mass of workers and poor farmers breaking from such bourgeois forces and taking up a struggle for independent organs of workers power and for a workers’ government.



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