

“And Then What...”

The fall of the Constitution has neither saddened me nor pleased me. For many long months, it had been nothing more than an illusion—an illusion to which ministers swore loyalty, only to mock it and trample upon it the moment their oath was done. They made sport of its spirit and its articles alike. To keep such an illusion alive was in itself a form of folly and deception; its fall, therefore, is a liberation from delusion, a renunciation of idol-worship that never brought its devotees any good.

So no, the fall of the Constitution did not sadden me, nor did it please me. It was, after all, a written text in which certain rights of the people were recorded against the ruling power—whoever held it at the time. The recording of these rights was a kind of consolation for those who suffered wrongs or bore injustice. They could tell themselves: *we have been wronged, but the Constitution stands for our justice; we have been oppressed, but the Constitution guarantees us dignity, pride, and honour.* And at times circumstances did allow them to challenge the authority that had wronged them, and even to secure redress. At the very least, they found some strength in the thought that those who had injured them had transgressed against the Constitution.

For that reason, I would have preferred that this illusion remain in place until a new Constitution was ready to replace it. Yet, in truth, the Constitution has not vanished beyond recall; it has only been suspended to make room for another. The life we now lead without one is temporary—though I cannot say whether the interval will be long or short. What matters is that it is indeed temporary, for the leader of the army has said so truthfully, and has pledged before God and the people to preserve for Egyptians all their rights intact—neither diminishing nor delaying them—until a new Constitution is framed and enacted.

People differ, of course, on how this new Constitution should be made, who should make it, and for what form of government it should be designed. But I know of no time more fitting than now for our intellectuals to voice their opinions openly. This is the time for the nation to be made aware of its rights, and for counsel to be offered to those in power on what should be done and what should be avoided.

The Constitution that was abolished had been issued in a manner that did not please Egyptians. It was prepared by a committee of “jurist-politicians and politician-jurists,” as people used to say, but against the will of the public, who never wanted a Constitution to descend upon them from above. They wished instead for one that would rise from among them—born of their own conscience, their reason, their hopes, their sorrows, and their needs. The late Sa‘d (Zaghloul), God rest his soul, called that committee which cooperated with the ruler to draft the Constitution “the committee of the wretched.”

Yet no sooner had that Constitution been promulgated and applied for the first time than the people came to accept it, to believe in it, to sacrifice their lives, their wealth, and their labour in its defense. They declared it to be the people’s Constitution. But only a few years passed before it was suspended, then abolished altogether and replaced with another, which was proclaimed to be a royal “grant.” And if a Constitution is a royal gift, then he who grants it may also withhold, alter, or revoke it at will.

This notion took firm root among certain politicians, so much so that when the old Constitution was restored, they still permitted themselves to violate both its spirit and its letter whenever power tempted them or threatened to slip from their grasp. In the end, no doubt remained that the

Constitution had become a mockery and a game—and all because it had not sprung from the people but from the throne.

Thus, the first duty when thinking of a new Constitution is to restore the supreme right to its true owner. That right is the Constitution itself, and its owner is the people. A Constitution is not made for a king, nor for a government, nor for any council or institution. Indeed, it is not made for a single generation, but for the whole nation—an ever-renewing people whose generations succeed one another over time. It is therefore their natural right to choose the form of government they desire, to lay down its foundations, and for later generations to amend or adapt it as their circumstances and needs evolve.

Hence, the Constitution must never again be a gift bestowed upon the people. In Egypt, there exists no power capable of *granting* a Constitution to the nation. It is the people who must *give themselves* the Constitution they wish, who delegate to every authority its powers, and who impose upon each its duties. Any deviation from this straight path leads to error and confusion, and breeds troubles that will inevitably rise up and unsettle the nation's affairs sooner or later.

There is talk of forming a committee to draft the new Constitution, and there is no doubt that such a committee must indeed be formed. But as I understand it, its task should be merely preparatory: to *draft a proposal* to be presented to a body that truly represents the people, so that they may study, discuss, and ratify it—either as it stands or after whatever modifications they see fit.

If that is the proper understanding, then it matters little whether the preparatory committee is large or small—whether it consists of a hundred members or fewer or more. What matters is that it be composed of people who understand constitutional principles, who are capable of applying them wisely, and who are intimately acquainted with the people's needs and aspirations. Only thus can the draft they prepare be sound and near to completion, sparing the representatives of the nation an excessive burden of revision or delay. For the interval between the repeal of the old Constitution and the promulgation of the new should not be unduly prolonged.

Our friend, Mr. Maḥmūd 'Azmī, has called for an immediate referendum to choose between monarchy and republic, so that the preparatory committee may begin its work with clarity of vision. I share his view—and I am almost certain that the people's choice is already clear. Their vote will favour the republican system, which so many have called for, myself among them, ever since the former king was dethroned.

For Egypt has lived under monarchy since the dawn of her recorded history—and she has suffered unceasingly under it. In ancient times, her kings deemed themselves gods, and the people believed them so. Later, they claimed to be the “shadows” of gods—or of a single God—and still they deceived both themselves and others, inflicting upon the people every form of tyranny and abasement in the name of this divine illusion they cast over their rule.

Surely, the time has come for Egyptians to deceive neither themselves nor one another, to realize that government proceeds *from them*, not *over them*; that rulers, whatever their station, are *servants* not *masters*—appointed by the people to carry out their public affairs. There are no sacred rulers, immune to blame and exalted above doubt. There are only officials chosen by the nation to manage its business within the limits the Constitution defines, paid for their labour, and held accountable for their deeds.

The Egyptian people, I believe, have grown weary of the old order of “ruler and ruled,” of “lord and subject.” When they hear the word “king” now, those who are educated recall the lines of Abū al-‘Alā’ al-Ma‘arrī:

I tired of dwelling long among a folk
Whose princes govern all against their good;
They wronged their people and conspired to cheat them,
Yet lived upon the fruits their labours made.

And those less versed in poetry echo his meaning in their own plain words. I know of nothing in this age—when minds have awakened and nations grown conscious of their rights—so absurd or deluded as hereditary monarchy: that one family should impose itself upon a people through trickery, force of arms, or, at best, by the good fortune of some ancient service.

Such things might have been tolerated in the ages gone by. But now, they are no more than a falsehood—a feverish delirium of the political imagination.

Even the early Muslims rejected nothing so firmly as hereditary kingship, which some among them borrowed from the Persians and the Byzantines. For there is in this idea an absurdity that cannot be dispelled, and dangers without limit. How can one guarantee prudence, wisdom, intelligence, integrity, and restraint in the unborn—how ensure these virtues in a child yet in his mother’s womb? And yet, this is what monarchy presumes to do: to entrust the fate of a whole people to one whose only claim is birth within a certain family!

I have, therefore, no doubt about the Egyptian people’s present inclination toward a republic. Let the government hasten to organize a referendum before it appoints the committee to prepare the Constitution. That would make the committee’s work easier and its path straighter.

When that committee completes its task—neither rushed to folly nor delayed into stagnation—it should convene a representative assembly of citizens who understand constitutional principles, to study, discuss, and freely ratify the new charter without coercion or haste.

Once this is done, the Constitution will be proclaimed and enacted, and the people will embark upon a settled and fruitful life—one in which all know their rights and duties, and know also that they themselves are the source of both.

I cannot say how long or short a time this process will take. But I know with certainty that none of it will be in vain. The nation will spend this time in two kinds of vigorous and fruitful activity—both of them essential, both the true purpose of the revolution:
one, the labour of framing, perfecting, and declaring the new Constitution;
the other, the labour of national renewal—preparing the foundations of reform in every sphere of life and removing the obstacles that might hinder the new order to come.

Such is how I imagine our new life, begun on the day the army leader declared the fall of the old Constitution. Whether I am right or mistaken, I cannot say. But I pray that God preserve Egypt from error and misdirection, and guide her toward what is just and wise.

— **Ṭāhā Ḥusayn**

al-Ahrām, 13 December 1952