

Violations

Al-Balagh, 19 August 1945.

May God have mercy on Ziyad. He came to Iraq preceded by dire warnings, and he was a man of firmness, resolve, decisiveness, and determination; he wished to set right what was corrupt and straighten what was crooked, to wipe out disorder and establish order, and he held that the people of Iraq had committed deeds that should never have occurred, and that it was incumbent upon him to impose a penalty for every offense; and he held that the final state of government among Muslims could only be set right by the same means that had set right its beginning: gentleness without weakness, and severity without violence.

Iraq, like the other Islamic provinces and territories of that age, had no parliament before which ministers could be questioned about what they said and did; yet even so, he addressed the people in his famous sermon, saying to them, among other things: "A lie from the pulpit is a notorious thing; so if you catch me in a lie, then disobeying me becomes lawful for you. If you hear such a thing from me, hold it against me, and know that I have others like it."

Ziyad the tyrant permitted them to disobey him and defy his command, if they proved that he had told them something untrue from the pulpit, or that he was carrying out among them an order other than what he had decreed for them; he permitted them to disobey him and defy his command, and not to believe him in whatever he should afterward declare to them — for if he lied to them once, he was liable to lie to them again, or many times again. Neither the people of Iraq nor any other Muslims had a written constitution permitting deputies to tell their rulers they had erred, or that they had violated what ought not to be violated of order and law, nor permitting deputies and senators to call their rulers to account, whether lightly or harshly, nor to remove them from positions of government if they conducted the affairs of Muslims otherwise than they ought to be conducted.

It seems to me that Egypt has a written, published, established constitution that obliges deputies and senators to oversee and call ministers to account, that spells out for them the limits of this oversight and accounting, and that permits deputies to remove ministers from positions of government if they deviate from the straight path, and conduct governance in a manner contrary to the limits the constitution

and the law have drawn. Nor is the podium of the Chamber of Deputies, or the podium of the Senate, a lesser thing than the podium of Basra from which Ziyad addressed the people of Iraq; for the people of Iraq had no power to depose Ziyad or to contest him — they had only to listen to him when he spoke and obey him when he commanded. Our own Chamber of Deputies, however, can tell an erring minister: "You have erred" — and it can remove the minister from his position of government outright.

It seems to me that this happy age now shading us was resumed, as the coalition parties claim, precisely to set right matters these parties regarded as crooked, and to carry out the constitution in genuine fulfillment, twisting neither its letter nor its spirit — since those who preceded them in government had, so they claimed, twisted the constitution away from its straight path, burdening it with interpretations and justifications beyond what it could bear.

And the meaning of all this is that the ministers of this present age have come forward to respect the constitution in its letter and spirit, in its wording and its meaning, and to carry out and honor it in the manner of strict literalists, admitting no ambiguity or obscurity, and open to no dispute or argument.

All this seems so to me, and seems so to many others as well; but imagining is one thing, and verifying is another, just as speaking is one thing and acting is another, and promising is one thing and keeping the promise is another. Had those who rise among us to manage the affairs of government, in this age or any other, been fair, they would have inscribed this immortal saying of Ziyad's: "A lie from the pulpit is a notorious thing; so if you catch me in a lie, then disobeying me becomes lawful for you. If you hear such a thing from me, hold it against me, and know that I have others like it."

Had our ministers — whoever they may be — been fair to themselves and fair to the people, they would have inscribed this immortal saying first in their own hearts, then in their offices, and then in the Chamber of Deputies and the Senate; and they would have known, as the people would have known, that it is their duty, when they speak from the parliamentary podium, to speak nothing but the truth, and when they make a promise from that podium, to keep it; and that if they tell Parliament one thing, and then act outside Parliament by something else, then the people have every right not to listen to them, not to obey them, not to feel at ease with them, not to trust them, and not to believe them.

Can our ministers assure us, with any confidence, that they have kept what they promised, that they have told the nation and Parliament the truth in what they said, and that they have carried out the constitution in its letter and spirit, neither distorting it from its proper place nor twisting it from its path?

Can our ministers assure us that they have carried out the orders of Parliament which the constitution obliges them to carry out, and that they have kept the promises to Parliament which the constitution obliges them to keep? Can our senators and deputies assure us that they have overseen and called ministers to account exactly as the constitution intends ministers to be overseen and held to account?! These are the questions every Egyptian ought to put to himself, and that Egyptians do in fact put to themselves, in order to know whether our affairs in Egypt rest upon genuine democracy, or upon an affected, counterfeit democracy?! Whether our affairs in Egypt proceed on sincere respect, or on manufactured respect?!

The late Ahmad Maher Pasha promised that he would work to settle matters between us and the English before negotiations began at San Francisco. Then came the catastrophe, and our acting Prime Minister who rose after him promised that he would carry out his plan, follow his course, and pursue his policy exactly as he had laid it down. Yet our delegation traveled to San Francisco, remained there, signed its Charter, and returned from it, and it is now among us, happy and well; and we have no knowledge that our Prime Minister has carried out his predecessor's plan — God rest his soul — indeed, we know full well that he has not sought negotiation, nor pursued it, but merely waits for it, and will not hesitate to accept it if it is offered to him. He has, then, made a promise to Parliament, and has not kept it. May God have mercy on Ziyad — how fitting it would be for his saying to serve as a constitution for ministers!

The Prime Minister came before Parliament one day and announced to it, joyfully, proudly, and with much self-congratulation, that he had taken a fine step toward abolishing martial law, restoring to the people their freedom of writing, of speech, of movement, and of assembly. The doubters among us doubted that day, and asked him to issue a decree formally registering the restoration of these freedoms; but the people rebuked them, explaining that this was excessive suspicion, and that the Prime Minister was a man who, when he says, does, and when he promises, fulfills. Yet not a month passed, or even less than a month,

before movement was forbidden, assembly was forbidden, speech was forbidden, and writing was forbidden, by a military order the Prime Minister himself signed.

The Minister of Education came before the Chamber of Deputies one day and spoke of education policy, declaring that he would not carry out his new policy until he had presented it to the Supreme Council and secured its approval, and presented it to both houses of Parliament and secured their approval. Then the Minister of Education went his way from Parliament and set about changing education policy, turning it entirely upside down, while Parliament remained in session, neither adjourned nor dissolved, as our great sage puts it — and the Minister of Education forgot only two things: first, that education already has an established policy, approved by a legitimate Parliament in both its houses, which ought not to be changed except by a decision of Parliament; second, that he himself had promised the sitting Parliament not to change education policy until he had secured its approval. He forgot these two things, and is nonetheless a member of a ministry that came to set right what was corrupt, to straighten what was crooked, and to carry out the constitution, in letter and spirit, in genuine fulfillment.

Indeed, he forgot more than this — he forgot that education has established laws that may not be changed except by laws that repeal them and take their place; yet he changes education policy regardless, giving no weight to the previous Parliament's decision, and no heed to his own promise to the sitting Parliament, and no scruple about burdening the existing laws beyond what they can bear. I know he will not lack some interpretation to justify his position, sought in his own legal reasoning, and sought too in the legal reasoning of the pens of the law courts; but I also know that jurists have legal stratagems whose skill and ingenuity the Minister of Education knows better than I do, and that he knows people resort to them whenever they find themselves straitened by the letter and spirit of the law — and yet the present ministry has come, by its own claim, to rescue the constitution, in letter and spirit, without any crookedness or twisting.

The Chamber of Deputies decided that the newspapers should not discuss, whether directly or indirectly, what the investigating committee was examining; yet the Minister of Finance left his own newspaper free to defy this, openly, persistently, and defiantly, against the Chamber of Deputies's own order — he, who came among those who came to respect the constitution, and to teach the people respect for the constitution.

And so the ministers compete in respecting the constitution in this splendid fashion, bearing out what Abu al-'Ala said:

"If the master of the house delights in the tambourine, then dancing becomes the whole household's custom."

And the master of the house here is the Prime Minister, who said and did not do, and promised and did not keep his promise.

There is, moreover, another sort of respect for the constitution, splendid in its letter and spirit, in its wording and its meaning. It may be said that interpellation is the method the constitution has established for calling ministers to account, and that interpellation usually ends either by clearing the minister and preserving his standing with the house that questioned him, or by the minister losing that standing and resigning, if the interpellation took place in the Chamber of Deputies, or by his accepting censure, or resigning if he wishes, when the interpellation takes place in the Senate.

And all Egyptians know that interpellations were submitted to the Chamber of Deputies, and were deferred, and deferred again, and that the Chamber of Deputies was adjourned or dissolved without these interpellations ever being examined — that is, without the deputies ever managing to call the ministers to account. And all Egyptians know that an interpellation was submitted to the Senate and discussed there, and then the Senate was adjourned or dissolved, and no one ever learned the house's opinion on that interpellation.

Is not all this splendid respect for the constitution?!

Is not all this a carrying-out of the constitution, in its letter and spirit, without any crookedness or twisting?!

Is not all this proof that the democracy shading us in this age is as pure as snow, as transparent as glass — and I nearly said as fragile as glass too, but I ask God's forgiveness and disown this thought, which the devil tempted to cast into my mind, and which I have repelled with the utmost force.

For our democracy is as pure as sunlight, as clear as the sky on the finest days of spring, as solid as Mount Muqattam, as magnificent as the grandeur of the Pyramids. It declares to everyone, in Egypt and beyond it, that nothing better could possibly exist, and that we are governed in the finest manner by which any people could possibly be governed: our

ministers speak, and act accordingly; they promise, and keep their promises; Parliament commands them, and they obey — for they are the guardians of the constitution, the keepers of the law, and the very last people one should think of when recalling Ziyad's saying: "A lie from the pulpit is a notorious thing; so if you catch me in a lie, then disobeying me becomes lawful for you. If you hear such a thing from me, hold it against me, and know that I have others like it."