“THE WALLS WILL NOT BE SILENT:” A CAUTIONARY TALE ABOUT TRANSITIONAL JUSTICE AND COLLECTIVE MEMORY IN EGYPT

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2 The author is the president of the El-Hibri Foundation (EHF). This paper represents her views and not necessarily those of EHF. She gratefully acknowledges support from the Norwegian Peacebuilding Resource Centre during 2011-2012 when she conducted her fieldwork in Egypt.
This paper explores two questions. What challenges have efforts to introduce transitional justice encountered in post-Mubarak Egypt, and how have collective memory processes affected struggles to define the country during the transition that followed the removal of President Hosni Mubarak in February 2011? It explores the intellectual underpinnings and flawed understanding of transitional justice viewed through the blurry lens of the Egyptian “revolution,” and it shares insights from fieldwork conducted in Egypt between November 2011 and March 2012 that examined the expectations and hopes of Egyptians during the first year of the transition.

I. INTRODUCTION AND BACKGROUND

Imagine that it is 1988. A group of human rights activists, lawyers and social scientists have gathered at a conference organized in Wye, Maryland by the Aspen Institute and funded by the Ford Foundation to discuss challenges associated with promoting justice and accountability during times of political transition. Some of those present have devoted years and risked their lives to fight dictatorships in Latin America. In earlier years, they imagined their work would be complete with the demise of those regimes. However, as complex transitions unfold in Brazil, Argentina, Uruguay and Chile, the use of basic human rights strategies, namely, “shaming” (exposing rights abuses) and “blaming” (documenting who is responsible) no longer seem sufficient. Increasingly, activists and social scientists in this context perceive a distinction between classic human rights work and other activities designed to bolster fragile democracies. At the conference they explore challenges, opportunities, approaches and goals aimed at facilitating the exit of authoritarian regimes and securing justice for victims and survivors.

These early pioneers of transitional justice were conducting their discussions in an evolving intellectual climate. In the 1960s, a widely accepted explanation of why some countries had achieved democracy while others remained authoritarian was based on the argument that democracy was a function of economic development. W.W. Rostow and other scholars did not speak of “transitions” to democracy, as we do today. Instead, their theories of “modernization” espoused the notion that societies experience different stages of social and economic growth, and that these stages are preconditions for the emergence of democracy. Critics of structural explanations of democracy began to publish their views in the early 1970s. They argued, instead, that democracy was the outgrowth of choices and behaviors of political elites rather than a reflection of a stage of development. Using evidence from transitions in Argentina, Brazil and Uruguay, among other countries, they emphasized the role of civil participation, public space,
political identity and bargains worked out by political elites. Importantly, they recognized these transitions as intensely political negotiations designed to facilitate the exit of dictators and make the fragile democracies that succeeded them more sustainable. The emerging field of transitional justice reflected this evolution in thinking about how democracies were established and strengthened.

Later, in the 1990s with the fall of the Soviet Union and the wave of “colored” revolutions in Eastern Europe and Georgia, others theorized about the role of strategic non-violent action, which prioritized massive civil society activism to bring down dictators.⁷ On a practical level, organizations such as the International Center on Nonviolent Conflict and the United States Institute of Peace spread the word worldwide by funding or organizing training workshops led by social change activists. To these theorists and practitioners, conflict was a creative force to be channeled in positive ways by strategizing and waging a sort of non-violent war involving mass civic action to initiate transitions to democracy.

Fast-forward 23 years to Tahrir Square on January 25, 2011: Several thousand youthful activists have chosen to honor the new Egyptian holiday, National Police Day, by breaking the law prohibiting gatherings or demonstrations involving five or more people without a permit. In a tightly policed society, where trucks holding security forces are routinely parked next to universities, mosques and other potential hotspots to forestall protests, it is astonishing to see thousands streaming across Cairo from various starting points to assemble in Tahrir Square. Security forces make the strategic error of blocking access to streets leading away from Tahrir to the core downtown area, thereby increasing the demonstrators’ mass by bottling them up in the Square. Within days, the number of demonstrators increases dramatically when the regime shuts down access to the Internet and mobile phone networks and disrupts TV transmissions. This has the effect of encouraging previously passive and politically demotivated citizens to join the protests if only to find out what is going on. With bewildering speed, the demonstrations spread to major cities and rural villages throughout Egypt. Within 18 days it is “over”: Hosni Mubarak has resigned and the Supreme Council of the Armed Forces (SCAF) has announced it is forming a transitional government. To many jubilant Egyptians, the stage appears to be set for an immediate transition to democracy.

Transitional Justice, Collective Memory and Trauma

The proliferation of transitional justice practitioners with experience in one or more countries and the explosion of academic literature make it easy to forget that the field emerged scarcely two decades ago.⁸ In fact, it is in its infancy and serious ambiguities remain at its heart. Does

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⁸ According to the International Center for Transitional Justice, transitional justice includes a range of goals and practices: 1) criminal accountability (trials of key perpetrators suspected of significant human rights violations or
transitional justice work and, if so, under what conditions? Does it promote “reconciliation” or “social reconstruction,” and what conditions are conducive to its success? When survivors experience psychological trauma from their exposure to violence how does that affect collective memory and the implementation of transitional justice? Scholars have explored all these questions, but much work remains to be done.

As transitional justice has grown as a field, interest in how national narratives about the past are constructed has increased. Memorialization was not discussed at the aforementioned conference in 1988. Although not initially included in early definitions of transitional justice, memorialization and other memory projects are now considered to be part of the transitional justice “toolkit.”

The relatively new focus on memorialization in transitional justice mirrors the emergence over the last century of the notion of “collective” memory, a term attributed to Hugo von Hofmannsthal in 1902, when he referred to “the damned up force of our mysterious ancestors within us.” A landmark study in 1925 by French sociologist Maurice Halbwachs made an important distinction between history (seeking objective, truthful accounts of events based on
professional scholarship) and collective memory (selecting and socially constructing perceptions of the past, influenced by family, religious, geographic and other connections).  

The embrace of the notion that history and collective memory influence human understanding of the past has led to what David Berliner has called a “memory boom” in which a “vast number of scholars are currently occupied with research about memory,” including political scientists who now study it as an independent variable affecting political outcomes. There is a growing literature that focuses on how private mourning resulting from death or injury caused by violent conflict can evolve into public memorials designed to promote social solidarity and particular political agendas. Observers increasingly recognize the potential of memorialization as a tool to help societies become more peaceful and democratic by embracing their difficult past and “moving on” in positive ways. Yet, memorialization can also have the opposite effect, sharpening political divisions and promoting conflict.

Seeking to establish the truth about violent conflict and repression through interpretation of memory is tricky because it is an essentially political act that involves the simplification of complexity. Those who construct memorials embody an effort to “fixate an otherwise fluid and elusive strain of memory.” Creating opportunities for survivors of violent conflict to recount historical narratives is important to getting at the truth, although such narratives inevitably represent the perspective of the teller and can be the basis for reinforcing divides and fueling conflict. Using memorialization to depict complex, multiple “truths,” but without engaging in moral relativism that weighs, valorizes or trivializes the harm experienced by one group against another, is particularly challenging. Professionals working in transitional justice—attorneys, mental health practitioners, artists, historians, educators, museum designers and development specialists—all grapple with the knowledge that “reality” is mediated by the observer’s frame of reference and that memory is fluid, elusive, non-linear, context-specific and highly subject to manipulation.

In part, the incorporation of memorialization in the transitional justice toolkit is also based on the recognition that many individuals living in countries emerging from violent conflict experience post-traumatic stress disorder (PTSD). But does trauma displayed by individuals take on broader social dimensions in shaping collective memory, and how is it to be managed through transitional justice? Psychiatrist Vamik Volkan argues that violence inflicted on particular social or ethnic groups can create, transform or entrench group identity, fuel the emergence of a sense of group victimization and perpetuate conflict. He suggests that so-called “chosen
traumas,” based on particularly significant or memorable events, are reshaped or glorified in their retelling by social or ethnic group members to subsequent generations. These “chosen traumas” become historical markers used to reify identity, justify revenge or restore the honor of victims, and they contribute to keeping conflict alive by renewing and refreshing the feeling of victimization.

The role of trauma and how to address it remains controversial in transitional justice. Some practitioners staunchly reject efforts to “psycho-pathologize” or “medicalize” the understanding of social reconstruction by focusing on trauma, and prefer to identify sources of strength and resilience that can contribute to the rebuilding of “post-conflict” societies. Controversy aside, common discourse about “healing” transitional societies through “reconciliation” suggests that many observers and practitioners consciously or unconsciously embrace the psychological framing of transitional justice, even as proof that it actually promotes healing or reconciliation remains elusive.

II. Applying Transitional Justice to “Revolutionary” Egypt

In Egypt, the term “transitional justice” (al ‘adala al intiqaliyya) has only recently made an appearance. Fieldwork conducted by the author in Egypt within the first year after the uprising revealed few respondents familiar with the term and little knowledge of how other countries have addressed justice and accountability challenges during political transitions. That research involved in-depth interviews with more than 50 mostly middle class residents of Cairo, and a survey administered to a more diverse group of 169 Egyptians in Cairo and three outlying governorates. Table 1 in the Appendix contains details about how the sample was constructed. When asked to cite relevant examples, respondents expressed strong interest in learning about other transitions but scant knowledge. Those who did reference specific transitions were most likely to cite Tunisia, whose own uprising helped to spark Egypt’s. Only one respondent cited Morocco’s Equity and Reconciliation Commission but was unfamiliar with the details. No one mentioned the ongoing Special Tribunal for Lebanon relating to the assassination of Rafiq Hariri or Iraq’s troubling experience with transitional justice following the 2003 invasion. Several respondents were aware of South Africa’s Truth and Reconciliation Commission and described it as a possible model for Egypt.


19 Judy Barsalou, “Trauma and Transitional Justice in Divided Societies,” op. cit., p. 4
20 The author conducted the fieldwork in Egypt between November 2011 and March 2012. Full findings are available in an unpublished paper: Judy Barsalou and Barry Knight, “Delayed or Denied: Egyptian Expectations About Justice in Post-Mubarak Egypt,” January 2013. Quotations included in this paper without references are from interviews conducted by Judy Barsalou during the fieldwork.
21 A number of workshops and conferences were held in Cairo. Two prominent ones include the following: a conference organized by the International Center for Transitional Justice and the Cairo Institute for Human Rights
countries whose transitions were largely behind them. Enthusiastic development practitioners arrived in Egypt to lend a helping hand, some touting the benefits of “reconciliation” without considering how that might be achieved in the absence of credible criminal prosecutions or truth telling processes. What was wrong with this picture? In the first year after Mubarak’s removal, the aforementioned conferences considered lessons from transitional justice experiences in other countries as they might relate to Arab Spring countries. While discussions sometimes addressed local political realities, international experts conveying “best practices” were not always prepared to engage with those realities, and the fundamental focus of transitional justice—to facilitate the exit of a former regime and bolster a fragile democracy that had emerged—was not always explicit in the discussions. In fact, circumstances in Egypt were not yet conducive to the launching of transitional justice, whose implementation in any setting is shaped by who is in power and how they define their interests; by the presence or absence of basic security, without which it is difficult to conduct transitional justice; and by the availability of institutional, professional, financial and cultural resources to promote transitional justice.22 As international actors tried to kick-start a national conversation about transitional justice, Egyptians instead were preoccupied by deepening labor unrest and economic decline, faulty trials of former regime leaders, summary military trials of civilians, rising crime rates, surveillance and imprisonment of activists, security force impunity and stringent restrictions on NGOs.

Stating the issue more simply, were the goals of international transitional justice aligned with political realities in Egypt? Arguably, the answer was “no.” Had Egyptians pulled off a revolution and was the country firmly on the path to democracy? Probably not, although many disagreed. Since Mubarak was removed from office, the country had passed through three distinct stages. The first was kicked off by the formation of a technocratic government overseen by SCAF that governed the country between February and November 2011. The second stage began with the formation of the Islamist-dominated government brought to power by parliamentary elections held between November 2011 and January 2012 and the election of President Mohamed Morsi in June 2012. The third phase began with Tamarrud (Rebellion), a campaign that brought millions back onto the streets, calling for the resignation of the Morsi government after only one year in office. It precipitated a military coup that removed the Morsi government in July 2013.23 During all three periods, revolutionaries who continued to push for real transformation of Egypt’s social and political order acted on their ever-present threat to deploy street power to challenge authority. But when it came to redefining the parameters of the new political system along democratic lines, they were consistently outmaneuvered.

Arguably, what Egyptians called a “revolution” fell far short of that. The popularly named “January 25 Revolution” succeeded because it required consensus only on one

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22 For elaboration of these elements, see Barsalou, “Trauma and Transitional Justice in Divided Societies,” op. cit., p. 3-4.
23 For more analysis about the political conditions during these phases, see R. Kent Weaver and Judy Barsalou, “Barriers to Democratization: A Behavioral Perspective” in Michele Micheletti (ed.), Democratization and Citizenship Discourses in the MENA Region, forthcoming, p. 84.
issue: the removal of Mubarak and those closest to him from power.\textsuperscript{24} Led by informal, nimble underground networks with no established offices, leaders or political programs that could be targeted easily by the Mubarak regime, the decentralized nature of the uprising made it difficult to suppress. The focus of young revolutionaries was not on forging consensus among diverse interests or groups but on moving Egyptians off their chairs and into the streets.\textsuperscript{25} Once that objective was achieved, and as discussions began about how to organize the transition, SCAF struggled to identify leaders who could legitimately claim a link to the uprising and the ability to represent important constituencies. As some high profile youth activists declared their job to be done and their intention to leave negotiations to more seasoned politicians, a self-appointed group of “wise men” presented itself. Because its members were mostly older, economically privileged men, it was neither representative of the youth activists nor the millions who had filled the streets, and it lacked the credibility and legitimacy to speak on their behalf.

Within months of the so-called “January 25 Revolution,” activists realized that achieving consensus on a minimal position—the removal of the head of state and his closest allies—had been the easy part. They needed to remain engaged in politics to negotiate who and what would replace it. Not surprisingly, secular political parties that sought to take on that challenge had poor showings in parliamentary elections in 2011 and 2012 because they were newly formed and inexperienced. They were simply out-campaigned by two Islamist parties, the Freedom and Justice Party and the Nour Party, which had longer- and better-established networks in local communities. Secular progressive forces also failed to unify behind a single leader who could champion their cause in the 2012 presidential elections. In short order, the relief and enthusiasm that accompanied Mubarak’s removal evaporated quickly when those expecting Egypt’s rapid transformation into a robust democracy realized that the uprising had not destroyed what Egyptians came to call the “deep state”—the stubborn persistence of preexisting, authoritarian and unaccountable governing elites, institutions and behaviors.

While Egyptians adjusted their expectations, the term used to describe the uprising nonetheless survived. According to historian Joel Beinin:

\begin{quote}
The “January 25 Revolution” has already taken place in Egyptian national historical memory along with the “1919 Revolution” and the “July 25 Revolution.” Assigning dates to these events, whose significance in the modern history of Egypt is undeniable, is perhaps a necessary convenience. Calling them all “revolutions” emphasizes their popular character…. However, this form of dating and naming also encourages historical misunderstandings and myth-making which do not serve the interests of Egypt’s
\end{quote}

\textsuperscript{25} Egyptians love to joke about \textit{Hizb al Kanabi} (The Sofa Party) in describing those who stayed on the political sidelines.
ninety-nine percent…. The January 25 Revolution is not over. Rather, it has not occurred.  

The best proof of this was that the military maintained its role, established over the past 60 years, as the dominant political institution. While young revolutionaries’ vision of social justice (*al 'adala al ijtima'iyya*) implied radical social and political change, even the Islamists who came briefly to power appeared resigned to, if not comfortable with, the military’s role. Certainly, the military’s reputation as Egypt’s savior was sorely tested between 2011 and 2013 but it was never debunked. Governmental mismanagement and inefficiency, along with security force impunity, reduced the military’s popularity during the SCAF period, but it recovered substantially following the July 2013 coup. Overall, the military’s position was strengthened as months of unrest unfolded. As Egyptians grew weary of chaos and feared the outbreak of civil war, they looked to the military to restore order.

To be sure, during the transition Egypt instituted an important element of democracy—a reasonably credible set of elections that brought a new group of Islamist elites to power. But troubling signs suggested that those in control, whether during the SCAF transition or the Morsi government dominated by the Muslim Brotherhood, were not deeply committed to democratic transformation or transitional justice. Despite the convening of fact-finding bodies to investigate the injury and death of demonstrators on various occasions, none held public hearings or released their full findings. Tellingly, the findings of a commission empowered by President Morsi, which found police responsible for most of the deaths during Egypt’s 2011 uprising, were leaked but not acted upon. When trials of Mubarak and close associates were organized during the SCAF transition, the Ministry of Interior refused to cooperate with prosecutors seeking evidence of their involvement in alleged crimes. Rushed efforts by SCAF to compensate victims and survivors fell flat, in part because perpetrator accountability was not part of the effort. Elections were successfully held, but when it came time to draft a new constitution the conservative Islamists who dominated the 2012 Constituent Assembly showed little sympathy for the views of secular parties representatives, independent women and religious and ethnic minorities, many of whom resigned when it became clear that their perspectives would not be taken seriously. During the first three years of the transition, the reality was that the “powers that be,” whether the *fulul* (remnants of the Mubarak regime), the Islamists voted into office, or the military and

26 Joel Beinin, “Was There A January 25 Revolution?” *Jadaliyya*, January 25, 2013, 
27 Roberts, *op. cit.*, reviews three books that analyze Egyptians’ complex and shifting orientation toward the military. 
security forces, were not prepared to address demonstrators’ demands for “aysh, hurriya, karama” (bread, freedom, dignity).

Given the above, managing Egyptians’ expectations became a major preoccupation for those in power. The speed with which the uprising led to Mubarak’s removal had caught nearly everyone by surprise. As fear of confronting what previously had appeared to be an unassailable regime diminished, it seemed only natural that other hated institutions of the state, especially the police and intelligence forces, would quickly succumb. Intoxicating memories of millions of Egyptians from diverse backgrounds gathering in forbidden public spaces, united in the common demand for better lives, fed the impression that Egypt’s transformation was imminent and inevitable. Intense media focus on the “Arab Spring” contributed to the mood. During 24-hour coverage of what appeared to be a contagion of civil disobedience sweeping across multiple Arab counties, commentators engaged in breathless speculation about the collapse of authoritarianism. The arrival of foreign experts within months of Mubarak’s removal to advise on the implementation of transitional justice contributed to the sense that Egypt must be on the verge of democratic transformation.

The reality, however, is that revolutions are rare occurrences in history. When they do take hold, generally they unfold over many years or even decades and are marked by intense conflict, violence and chaos. Clearly, Egypt, Tunisia, Yemen and other “Arab Spring” countries were hardly likely to rewrite history by leaping from authoritarianism to democracy overnight. Egyptians’ adjustment to that fact was gradual. As the chaos deepened and the economy retreated over the subsequent months, Egyptians increasingly asked themselves and each other whether the “revolution” was worth it. Who was to blame for the mess that succeeded it? Was the military a positive or negative force for change? Did Egyptians have the stomach to continue prolonged, possibly violent conflict to dismantle the “deep state”? A year after Mubarak fell from power, patience was running out fast as the struggle merely to survive intensified in a country where approximately 40 percent of the population lived on two dollars per day or less.

So what expectations did Egyptians express early on in the transition? Our limited survey revealed that the frame of reference that Egyptians brought to trials of regime leaders reflected strongly held views about justice and accountability. The survey asked a series of questions designed to reveal attitudes about due process and the rule of law. Chart 1 in the Appendix displays mean scores for the whole sample. Overall, survey respondents supported the notions of due process and the rule of law as general principles. More precisely, they agreed with the statement that alleged wrongdoers have the right to defend themselves through trials, and they more strongly endorsed the idea that all wrongdoers should be held accountable—not just those who crafted wrongful policies but also those who carried out their orders. Consistent with these reviews the respondents generally did not support protection from prosecution in exchange for testimony, although there was relatively high disagreement among respondents on that question. Views on these issues did not differ significantly with respect to respondents’ gender, age, place of residence or religion. Working class respondents, however, were much less supportive than middle class respondents of the right of alleged wrongdoers to defend themselves through trials.
and more likely to think that people who broke the law should be held accountable. These differences were statistically significant at $p < 0.0001$.29

What were Egyptians saying about the transition as it evolved over time? When Hosni Mubarak and his sons appeared in court for the first day of their yearlong trial, the country paused as millions gathered around televisions and radios to follow the proceedings. Commenting on the novelty of the trials, an Egyptian human rights activist said:

We will never forget seeing Mubarak in court on the first day of the trial when he first responded to the question of whether he was present: “Afandim, ana mawgud” (Sir, I’m here).

She noted that this phrase was downloaded as a mobile phone ring tone more than 12,000 times within 24-hours after Mubarak uttered it.30 An office manager also remembers the excitement of the moment:

On the first day of the [Mubarak] trial [in August 2011] I was on vacation in Sharm El Sheikh and 30 people gathered in one room [to watch the televised proceedings]. We couldn’t believe the day would come when we saw Mubarak in court.

He added: “Now [in January 2012] people have lost interest. We know the verdicts will be postponed.” Why had this observer become more pessimistic about the value of the trials? Conversations with interviewees revealed that many were following the trials closely but were disappointed as they progressed. Some expressed distrust of the forensic investigations associated with the trials, both because it became clear that the responsible authorities had limited forensic capacity and they lacked independence. An arts manager asked, “Why should police cooperate in protecting and investigating crime scenes when their own members are among the suspected perpetrators?” A filmmaker cautioned, “Rough and quick trials do not satisfy people. When you have a serious crime you must have a serious process.” An NGO training manager asserted:

Prosecutors don’t inspire confidence that they are working seriously. I believed [in them] initially but my confidence is fading. The Ministry of Interior didn’t cooperate in the [Mubarak trial] investigation because they are part of the old regime, and the old players are still in their positions.

A university student argued:

29 The term “statistically significant” means that the results reported would occur by chance in one in 20 occasions or less frequently. Statistical significance is measured by “probability values” (“p” for short), so that the value where $p$ is “one in 20” is written as $p = 0.05$. In the case above, where $p < 0.0001$, the probability is less than one in 10,000 that the result would occur by chance and is therefore highly statistically significant.

The trials are going in the right direction, but they’re not transparent so they don’t appease the public. Some of these people have been in prison for six to nine months and nothing tangible has happened or changed. The trials are not affecting the way the country is operating. Not until we have a truly independent parliament and president, independent of the military, will we see real change.

Interestingly, optimism about Egypt’s transition seemed to be conditioned by demographics. Our limited survey revealed that women were more pessimistic than men about the future ($p < 0.0001$), and older persons were significantly more optimistic than young persons (see Chart 2 in the Appendix). Notably, respondents who perceived the trials of major regime figures to have value were more optimistic about Egypt’s future ($p < 0.001$).

III. COLLECTIVE MEMORY PROCESSES IN CONTEMPORARY EGYPT

The Rush to Remember

The deeply unsettled nature of Egyptian public life over the past three years, at turns exciting and terrifying, has provoked widespread efforts by Egyptians to preserve their memories. Seizing whatever tools lay closest to hand, millions pulled out their cameras, mobile phones, paintbrushes and computers to create or capture memories preserved in photographs, videos, songs, tweets, graffiti and wall art. They collected, stored and widely disseminated their representation of memory on Facebook, blog sites and other virtual platforms. The scale and power of these activities is breathtaking.\footnote{For some idea of the range and scale of these activities, see Judy Barsalou, “Recalling the Past: The Battle Over History, Collective Memory and Memorialization in Egypt,” \textit{Jadaliyya}, June 22, 2012, \url{http://www.jadaliyya.com/pages/index/6007/recalling-the-past_the-battle-over-history-collect}, accessed December 21, 2013.}

For many involved in these pursuits, the purpose was purely personal. They simply wanted a photograph capturing them with their friends at a demonstration. Initially, many of the memories collected represented the joy, amazement and fear that ordinary Egyptians felt as they confronted the regime and realized their power to recapture formerly forbidden public spaces and influence public life. As the death toll mounted, however, others displayed a conscious effort to use the power of images, words and music to pursue a political agenda by honoring the injured, dead and marginalized. An advisor to a presidential candidate in the 2012 election understood this when she talked about the conservative backlash against women’s participation in the public arena. Noting growing harassment and violence against women and calls by Islamists for women to stay at home in traditional roles, she asserted, “Photos and videos from the January 25 Revolution prevent women from forgetting and remind men that they were present.” Graffiti artists and cartoonists sought justice for murdered demonstrators by creating memorial images of the deceased on the walls of a street leading from Tahrir Square.\footnote{To view some of these images, see \url{http://suzeeinthecity.wordpress.com}, accessed December 21, 2013.} After the government whitewashed them one artist said, “This work embodied many things: the martyrs, the military...
regime and a people looking for freedom and democracy. It was the memory of a place that witnessed many important events.”33 This explosion of artistic activism was evident in virtually every town and village in Egypt. Ordinary Egyptians also recaptured formerly forbidden public spaces by holding public events, notably a series of arts festivals organized by various NGOs, and by renaming schools, squares and other physical spaces.34

Throughout the transition, demonstrators also built physical memorials honoring the memory of victims. Perhaps the first collective effort of this type was a memorial constructed by demonstrators in Tahrir Square immediately following Mubarak’s removal from power. It was dedicated to fallen activists whose names and photos were displayed, but SCAF authorities swept it away within days.35 In November 2013, without public discussion or consultation, the Mansour government erected two memorials—one in Tahrir Square to honor Egyptians killed during the January 25 uprising, and a second in Raba’a Al Adawiya Square honoring police and military forces in a place where Morsi government supporters had been massacred. A few days later, the filmmaker collective Mosireen (Insisting) issued a video of a police general dedicating the new Tahrir Square memorial and expressing condolences for fallen “martyrs.” In the Mosireen video, his speech is juxtaposed against a backdrop of footage of attacks on demonstrators. Activists immediately denounced both memorials as an attempt to appropriate history, and noted that only three perpetrators had been held accountable since the uprising began. The video ended with the words “’u’a tinsa wi khallik fakir” (never forget, always remember).36

Where did efforts to manage collective memory register on Egyptians’ mental list of reform priorities? Our survey asked respondents to rank order activities that would “put Egypt on the right path.” Respondents named institutional reforms as the highest priority—security sector reform foremost, followed by judicial independence and constitutional reform (see Chart 3 in the Appendix). Strong support for strengthening judicial independence echoed a similar finding from a recent Pew Research Center poll, in which Egyptians ranked a “fair judiciary” as their second highest priority after “improved economic conditions.”37 Choices relating to addressing


34 An example of the struggle over renaming spaces was a running skirmish relating to the “Mubarak” metro stop under Tahrir Square, subsequently renamed “Martyrs” by the SCAF government, but with pro-Mubarak supporters using graffiti to switch the name back.

35 The Egyptian government’s removal of informal memorials constructed by demonstrators in Tahrir Square and elsewhere stands can be compared to measures undertaken by the South African government to preserve and reinterpret pre-existing memorials constructed by past regimes. A notable example of the latter is the Voortreker Monument and Freedom Park in Pretoria, which narrate diverse perspectives about the past in an effort to reconstruct South Africa as an inclusive “rainbow” nation.


victims’ needs through apologies and compensation and to managing collective memory through preservation of documentary materials, museums and memorials ranked lowest. Did this signal that the respondents were heartless or unconcerned about history? Not at all; instead, it suggests that Egyptians suffered intensively from abuses committed by police and intelligence forces and they identified institutional reforms, rather than trials, a truth commission or management of collective memory as the most urgent steps needed to advance Egypt’s progress. Illustrating the preoccupation with security sector reform, one women’s rights activist said:

If you don’t have political connections you’re vulnerable and everyone has a horrible sense of insecurity and the feeling that no one has any rights and could be picked up by the police at any time. Parents are always afraid of getting a phone call that a child has been arrested.

A prominent university professor, who described police brutality as a “trigger” of the uprising agreed:

There was fear or realization that [running into trouble with the police could happen to you: it was random, not political, and could happen to anyone. I came close to being abused once and could have been killed.

The Push to Forget

Public officials and ordinary people, alike, have sought to influence collective memory by erasing older “versions” of history. In April 2011, the Ministry of Education announced that it had formed a committee to review and remove from elementary and junior high school textbooks positive representations of the Mubarak government and prepare new chapters on the “January 25 Revolution” for the 2012 school year.38 Subsequent civics texts covered the goals and events of the uprising, but they are under revision again by the Mansour government, to remove what Minister of Education Mahmoud Abdulnassr described as “outrageous” rewrites characterizing Egypt as part of a broader Islamic caliphate.39 One private school teacher in Cairo admitted, “The truth is not that clear until now.”40 Ordinary people also sought to eradicate politically “incorrect” expressions, images or texts. For example, a video issued by a pro-SCAF civilian group, Badr Team 1, encouraged Egyptian youth to erase graffiti to prevent “agents and traitors [from spreading] their violent ideologies against the police, the army and Egyptian traditions.” 41

40 Kennedy, op. cit.
That video, which showed the group practicing what it preached, itself has now been removed from YouTube.42

Many, however, created new symbols and activities in an effort to bridge social and political divides. During the initial 18-day uprising, thousands of demonstrators carried signs bearing a newly invented symbol—a combined cross and crescent—showing the unity of Muslims and Coptic Christians. In November 2011, Coptic marchers in Cairo expressed their deep connection to the county’s historical roots through the adoption of symbols that link Muslim and Coptic Egyptians to a common Pharaonic past: the female marchers donned Pharaonic costumes and the men wore black T-shirts bearing the ankh, the well-recognized Egyptian symbol of eternal life. Common references in Egyptian discourse to al Maidan (the Square) continue to evoke memories of the intoxicating days when hundreds of thousands of diverse Egyptians gathered in Tahrir Square to express their shared vision of a better future. Artists and musicians constantly reminded Egyptians of their power to reconstruct a more positive future on their own terms.43

IV. Conclusion

Three final observations are in order. First, as transitional justice becomes increasingly established internationally, it risks being regarded as a set of technical “fixes,” as experts arrive to advise transitional governments and civil society activists on its different elements—unless the explicit connection to bolstering emerging democracy by facilitating the exit of authoritarianism is clear. In Egypt, this point has not always been obvious. For some Egyptians, the main goal of the uprising was to achieve social justice defined by improving public services and raising the standard of living for the poor. At one Egyptian NGO focused on transitional justice, for example, young Nasserites (proponents of the nationalist ideology articulated by President Gamal Abdul Nasser, himself a leader of an authoritarian regime established by military coup) argued that Nasser’s government had achieved “transitional justice” through land reform.44 They believed that a post-Mubarak government still dominated by the security forces could do the same. For these young Egyptians, social justice trumped democracy, and the point of transitional justice was to achieve the former but not necessarily the latter. Aside from terminological confusion about the meaning of transitional justice, this issue underscores a significant challenge for transitional justice: it generates expectations that it can and should address the demands of victims whose loss of human dignity is rooted in inequality and poverty. But transitional justice specifies no clear practices to address these expectations and its track record of promoting social justice is poor.45

42 Originally accessed on June 22, 2102. See the broken link at http://www.youtube.com/watch?v=KacZBMDwAFU&feature=player_embedded, accessed December 21, 2013
44 Personal communication with the author, October 2012.
Second, conditions in Egypt underscore the need for in-depth research about Egyptian views regarding transitional justice. While preliminary findings suggest that many hold strong and well-reasoned values and expectations relating to justice and accountability in post-Mubarak Egypt, their views are not known in detail, and the dynamic situation in Egypt over the past three years no doubt has affected the views of many.\textsuperscript{46} For example, foreign transitional justice experts should be cautious if they presume to know what Egyptians want, especially in view of preliminary findings of skepticism about the legitimacy or desirability of “outside” justice (see Chart 1). Many survey respondents were skeptical that it is legitimate to seek justice outside Egypt if it is not accessible locally. Some interviewees used strong language to denounce any who might embrace this course of action. One university student said it would be “an act of treason” and another suggested it would “undermine the authority of the Egyptian state.” Since these attitudes were expressed in the first year following the uprising, Egyptians’ negative views about international justice may have intensified given the recent filing of a complaint at the International Criminal Court by the Muslim Brotherhood, an organization that millions of Egyptians now appear to revile.

Finally, access to digital technologies and the use of social media have radically democratized, and expanded the reach of, contributions made by ordinary people to collective memory processes. In Egypt, approximately a third of the population has regular access to the Internet, while most now have mobile phones. Rising levels of basic literacy and the spread of the 24-hour news cycle have improved access to information and contributed to the sense that the whole world is watching. Egypt has the highest number of Facebook users (16 million) in the Arab region and is ranked 17\textsuperscript{th} worldwide.\textsuperscript{47} In this context, managing conflict relating to memorialization and shaping it as a tool to promote transitional justice and social reconstruction has become more challenging. Yet, these developments were not reflected in the agenda of the aforementioned conferences held in Cairo in 2011 and 2012. They focused on managing criminal accountability, recovering looted assets, instituting lustration and achieving security sector reforms—all vitally important, to be sure—but not on memorialization. The irony is that the aforementioned activities were not in easy reach, whereas memorials to victims and attempts to shape collective memory were immediately visible in the streets outside the conference venues. The failure to recognize the role that memorialization has played in influencing

\begin{footnotes}
\footnotetext[46]{Partly, this knowledge gap reflects significant challenges associated with conducting social science research in Egypt, where the Central Agency for Public Mobilization and Statistics (CAPMAS), a security-oriented government organization led since its establishment in 1964 by an army major general, asserts the right to review prospective research projects and forbid or modify those deemed politically or socially sensitive. The situation eased up temporarily immediately after the January 2011 uprising, when many government agencies were in turmoil. According to Professor Magued Osman, former Minister of Communications and Information Technology, a legal loophole makes it permissible to conduct surveys by telephone without prior government approval, but phone surveys generally reduce the number and type of questions that respondents can easily be asked. Personal communication with the author, October 2012.}

\end{footnotes}
collective memory, including attempts both to fuel conflict and promote social reconstruction, represents a risk and a lost opportunity.
**APPENDIX: TABLE AND CHARTS**

**Table 1: Summary of the Survey Sample**\(^{48}\)

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Number</strong></td>
<td>169 Egyptians</td>
</tr>
<tr>
<td><strong>Gender</strong></td>
<td>Male (59%); female (41%)</td>
</tr>
<tr>
<td><strong>Age</strong></td>
<td>15-29 (38%); 30-39 (25%); 40-49 (17%); 50-59 (11%); 60 and older (9%)</td>
</tr>
<tr>
<td><strong>Last Degree Earned</strong></td>
<td>Primary school (7%); secondary school (16%); secondary technical school (6%); technical diploma (13%); university degree (32%); post-graduate degree (26%)</td>
</tr>
<tr>
<td><strong>Social Class</strong>(^{49})</td>
<td>Working class (41.3%); middle and upper middle class (58.8%)</td>
</tr>
<tr>
<td><strong>Religion</strong>(^{50})</td>
<td>Muslim (74%); Christian (15%); not possible to determine by name (11%)</td>
</tr>
<tr>
<td><strong>Place of Residence</strong></td>
<td>Cairo: (82%); outside Cairo, primarily Menoufiya, Qalubiya and Helwan governorates (18%)</td>
</tr>
</tbody>
</table>

\(^{48}\) A snowball sampling technique was used to build the sample. See Patrick Biernacki and Dan Waldorf, “Snowball Sampling: Problems and Techniques of Chain Referral Sampling,” *Sociological Methods and Research*, 10 (2) (1981): 141-163. Some anonymous respondents did not provide any identifying information.

\(^{49}\) We constructed this category on the basis of the last degree earned and employment. “Working class” respondents included persons who had not completed a high school degree, as well as those with higher levels of education but performing low-skill and low-income jobs. All others were coded in a single combined group (middle class and upper middle class).

\(^{50}\) We did not ask people their religion but inferred it from their names. If an inference could not be drawn or the respondent chose anonymity, we coded respondents’ religion as “not applicable.”
Chart 1: Attitudes About the Rule of Law

Law breakers should be held accountable 4.79
Officials who created policies deserve punishment 4.62
People have the right to defend themselves through trials 4.31
Wrongdoers who only carried out orders deserve punishment 4.02
International justice is acceptable if local justice is not available 2.85
Wrongdoers deserve pardons if they tell the truth 2.82

Mean

Strongly agree (=5), agree (=4), neither agree or disagree (=3), disagree (=2), strongly disagree (=1)
Optimism Scale (minus scores are pessimistic and positive scores optimistic)

Chart 2: Optimism About Egypt's Future
Chart 3: Relative Importance of Interventions to Put Egypt on the Right Path

- Reform security sector: Mean = 8.85
- Strengthen judicial independence: Mean = 8.18
- Reform the constitution: Mean = 8.05
- Hold trials: Mean = 7.40
- Strengthen media independence: Mean = 6.51
- Implement lustration: Mean = 6.28
- Establish truth commission: Mean = 5.97
- Reduce corruption: Mean = 5.88
- Apologize to & compensate victims: Mean = 3.89
- Preserve documentary materials: Mean = 3.69
- Create memorials & museums: Mean = 2.52

Most important (=11); Least important (=1)