Social Movements and Social Media in a Post-Revolutionary Political Culture: Constitutional Debates in Egypt

Hanan Badr

1 Introduction

After popular mobilizations successfully toppled the dictators in Tunisia, Egypt and Libya in 2011, a substantial amount of research focused on the role of the media in mobilizing popular dissent in the Arab uprisings. One strand of literature argued that the Internet expanded the public sphere, allowed more pluralism, and challenged the centralized political system. According to this argumentation, the new media enabled autonomous decentralized communication by challenging actors (Shirky, 2011; Khamis & Vaughn, 2011; Abdulla, 2011). The Internet and communication technologies raised interest in online public deliberations, with the World Wide Web perceived as incorporating the utopian democratic communication. The hypothesis postulated that the digital public sphere has more potential to empower citizens through access, to limit censorship and to enable deliberations to form an enlightened opinion. While the transformation years 2011-2013 in Egypt came with increased freedoms and lively contestations, the course of events showed, toppling Mubarak brought about a “change of regime without a regime change” (Wickham, 2013, p. 154). Scholars initially tried to adapt the transformation paradigm and interpret the events of the so-called Arab Spring as a fourth wave of democratization; however, the evolving regional dynamics replaced this hypothesis with the paradigm of resilient authoritarianism. The result was a mere transfer of power to a new political elite, yet with the same mechanisms of marginalization and repression dictating the political game.

1 This publication is based on a research project sponsored by the German Federal Ministry of Education and Research (BMBF) and realized at the Orient-Institut Beirut, Cairo Office.
Amid the rise of politicized debates during 2011-2013, the constitutional debates largely dominated deliberations in politics and media as they symbolized the future of the new republic. Various actors participated in these public deliberations, which intended to draft a new constitution. The process showed intense contestation and legal battles over the post-revolutionary rational-legal legitimacy. However, these constitutional deliberations also demonstrated parallels to the legal mechanisms in place before 2011. Throughout his three decades in power, Mubarak opted for a rational-legal form of legitimacy to justify his rule. He often referred the political struggles to the judicial processes for the regime’s own survival: to maintain order, to create the impression of the rule of law, and to shift responsibility for unpopular policies to other judicial institutions (Moustafa, 2007, p. 1ff.). Yet, sometimes the rulings of the relatively autonomous Supreme Constitutional Court (SCC) challenged the authoritarian regime, expanded freedom of expression, and shielded the civil society from executive domination. However, the judiciary never questioned the “core legal mechanisms” of the regime that maintained its power over the political life (Moustafa, 2007, p. 232). Eventually, the legal battles became sites of political contestation and at the same time a base for legitimacy. In addition to the legal measures, Mubarak’s regime managed its survival through a strategy of limited pluralism to sustain the political process and lend it some credibility. The regime used two tactics: a) marginalization and exclusion of radical opponents, such as the followers of political Islam, and b) co-optation of actors who moderately challenged the official discourse (Lust-Okar, 2005). These tactics divided the structure of contestation and encouraged rivalries to prevent any possible alliance, which resulted in a weakened and fragmented opposition. These strategies – relying on the legal legitimacy and dividing the opposition – resulted in a polarized competition, non-strategic deliberations and volatile short-term alliances in the political landscape, which were unable to foster a soundly based, consensual and credible alternative for the public (Shukr, 2015, p. 11).

After the uprisings in 2011, Mubarak’s collapse resulted in a new legitimacy crisis due to the power vacuum he left in the executive office. Usually, revolutions are a structural break from the norm, so they offer a “structural opportunity” (Collins, 2001, p. 177) for actors to challenge the basis of the regime. Therefore, Egypt’s post-revolutionary period witnessed an urgent quest for re-gaining legitimacy that could secure the foundations of the new political rule. While the Supreme Council of the Armed Forces (SCAF) intervened to avoid more destabilization and an eventual state collapse, it also adopted legal mechanisms to establish a

2 Similarly, Anna Antonakis in this volume emphasizes the trajectories of hegemonic power relations after a regime change in Tunisia.