

# ***AN EYE FOR AN EYE AND THE STRUGGLE FOR POWER IN THE DISCOURSE OF THE EGYPTIAN ARAB SPRING***

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## **1. Introduction**

Among the slogans of the January 25, 2011 revolution in Egypt some were immediately picked up by the international media to become part of the globally recognizable image of the Egyptian Arab Spring. The most characteristic case in point is ‘Bread, freedom, social justice and human dignity’, which are often presented as the demands (*maṭālib*) or goals (*ahdāf*) of the revolution. Meanwhile quite a few other slogans, reflecting even more closely the course of events on the ground, are less known internationally and lost in translation for the reasons of their idiosyncratic nature. One case in point is QIṢĀṢ (RETALIATION), which from the early days of the revolution featured among the most frequently voiced protestors’ demands. According to a witness account, a popular chant *al-qīṣāṣ al-qīṣāṣ ḍarbū ihwatnā bi-r-raṣaṣ* (retaliation, retaliation, they hit our brothers with bullets) was first used immediately after the mass rally dubbed *jum‘at al-ḡaḍab* (Friday of Wrath), which occurred on the fourth day of the revolution (January 28, 2011), in which a large number of protestors (est. one thousand) were killed<sup>1</sup>. Ever since, many specific rallies included QIṢĀṢ as a key element of their names-slogans, e.g. a large demonstration on Friday July 8, 2011 held under the name of *jum‘at al-qīṣāṣ* (the Friday of retaliation). Muhammad Mursi, Egypt’s first post-revolutionary president also thematized

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<sup>1</sup> Personal communication with Walaa Quisay, Oct. 2015, Warsaw.

QIṢĀṢ in his public discourse<sup>2</sup>. The prominence of QIṢĀṢ as a revolutionary slogan was so high that a local observer noted: *ata ‘ajjib kaṭīran min ḥāl miṣr – awwal marra fī ta’rīḥ ajid tawra mubniya ‘alā al-qīṣāṣ* (I am very much surprised at the state/situation of Egypt: [it is] the first time in my life that I find a revolution built on retaliation)<sup>3</sup>. The phrase *tawrat al-qīṣāṣ* (revolution of retaliation) was used occasionally by the revolutionaries themselves, albeit not in reference to revolution in general<sup>4</sup>, but rather to some specific protest campaigns, which used QIṢĀṢ as a motto<sup>5</sup>. When the military deposed president Mursi, his supporters used the phrase *tawrat al-qīṣāṣ* in reference to the growing anti-coup protest movement<sup>6</sup>. At its core, QIṢĀṢ is a Sharia concept, reflecting the *lex talionis* principle, popularly known to Jews, Christians and Muslims alike as ‘en eye for an eye’. However, as we shall try to demonstrate below it is far more than this, when it comes to the way the concepts functions in various types of discourses, including, notably, the one of the Egyptian Arab Spring.

We will begin our exposé of the concept’s rather complex semantics with the analysis of most frequent attributive collocations with the noun *qīṣāṣ*, adjectives ‘*ādil* (just), *sarī‘* (speedy, fast), ‘*ajil* (immediate) and *nājiz* (prompt, complete), which appear to highlight the most idiosyncratic part of the concept. The first among these pairs clearly points to a connection that exists between QIṢĀṢ as key slogan of the revolution and the revolution’s three big words, which we mentioned above, ḤURRIYA (FREEDOM), ‘*ADĀLA* (JUSTICE) and KARĀMA (DIGNITY)<sup>7</sup>. Having analyzed the concept, we concluded that the discussion of QIṢĀṢ may help better understand *what* kind of JUSTICE the

<sup>2</sup> Cf. a characteristic media article of 2 June, 2012 titled ‘Mursi committing to retaliate for the martyrs of the revolution’ (*mursī yata‘ahhad bi-l-qīṣāṣ li-ṣūhadā’ aṭ-ṭawra*) on Al-Jazeera.net <http://www.aljazeera.net/mob/f6451603-4dff-4ca1-9c10-122741d17432/ee5af389-1dbb-4835-b696-6146cdd70af7>

<sup>3</sup> The phrase is cited in an article titled Culture of Retaliation and Revenge (*ṭaqāfat al-qīṣāṣ wa l-intiqām*) by an Egyptian journalist Rola Kharsa published by an electronic publication *al-Miṣrī al-Yawm*, 14.2.2012 and is attributed to an unidentified ‘socialist, friend’ of the author – <http://m.almasryalyoum.com/news/details/52941>

<sup>4</sup> which would be more often described as *tawrat yanāyir* (January Revolution) or the Revolution of Dignity.

<sup>5</sup> Cf. a media article title on al-Miṣr al-Yawm *ḥalid sa‘ūd min ḍaḥiyat ta‘dīb ilā muḥajjir tawrat al-qīṣāṣ min ad-dāḥiliya* (Khaled Said: from the victim of torture to the exploder of the revolution of retaliation against the [Ministry of] Interior) – <http://m.almasryalyoum.com/news/details/121627>

<sup>6</sup> For some graphic imagery advertising August 2014 events tagged as Revolution of Retaliation see <http://goo.gl/txoNuR>.

<sup>7</sup> For a detailed analysis of the relationship that exists between QIṢĀṢ and ‘goals’ of the January 25 revolution other than JUSTICE, cf. Bogomolov, O.V. 2014. “Bread, dignity, justice and... retaliation: the concept of QIṢĀṢ and the values of the Egyptian revolution”. *The Oriental Studies* (Skhidnyi Svit) 67. 20–38.

revolutionaries wanted to achieve back in 2011. Then, we shall take a closer look at the notion of QIṢĀṢ in the Islamic religious discourses, particularly, the Sharia one, to which the concept owes much of its capacity to dominate and shape political discourse and its illocutionary power in the dispute over the political power. The manner, in which the Islamic legal discourse and the lay public discussion treat QIṢĀṢ is not identical and the points of both overlap and difference between the two discourses merit a closer analysis.

Our overall methodological approach is grounded in George Lakoff's conceptual metaphor theory<sup>8</sup> and the Fillmorean frame-semantic analysis<sup>9</sup>. Each concept may be analyzed as a frame structure, i.e. a set of elements and relations among them, which may be described in terms of semantic roles (deep cases). We use the FrameNet<sup>10</sup> project as a model in formulating frame descriptions matching our Arabic material. In discourse, however, concepts or frames that sustain them never appear as pure forms, but in a rather complex interaction with other concepts or frames. Patterns of such interactions appear as characteristic traits or marker of a particular strand of discourse. The Lakoffian notions of *coherence*<sup>11</sup> between metaphors and metaphorical *entailment*<sup>12</sup> are the two most important ideas that we use as a guideline in explaining the interaction between different concepts/frames in the discourse.

## 2. JUST retaliation

QIṢĀṢ often occurs in collocation with an attributive 'ādil (just). This is particularly characteristic for news items describing rallies demanding *qiṣāṣ li-š-šuhadā'* (retaliation for the martyrs), cf.:

lam tamurr siwā sā'āt 'alā al-ḥukm ḥattā ḥarajat masīra fī al-qāhira wa talathā ba'd yawm wāḥid muḏāhara fī al-iskandariya tunaddid bi-tahāwun wa tuṭālib bi-qiṣāṣ 'ādil yuṣaddid 'uqūbat šurtiyejn qatalā muwāṭinan dūna ḡanb<sup>13</sup>

<sup>8</sup> Lakoff, G. and M. Johnson. 2003. *Metaphors we live by*. Chicago: The University of Chicago Press.

<sup>9</sup> Cf. Fillmore, C.J. 1985. "Frames and the semantics of understanding". *Quaderni di Semantica* VI. 2. 222–254.

<sup>10</sup> FrameNet is a web-based corpus, which draws on Charles J. Fillmore's frame semantics; the corpus contains descriptions of the internal structure of semantic frames referring to various situations, actions, events, cf. <https://framenet.icsi.berkeley.edu/fndrupal/home>

<sup>11</sup> Cf. Lakoff, G. and M. Johnson. 1981. *Metaphors we live by*. Chicago: The University of Chicago Press. 34, 59, 96.

<sup>12</sup> For the way Lakoff applies the term cf. Lakoff, G. and M. Johnson. 1981. *Metaphors we live by*. Chicago: The University of Chicago Press. 9, 12, 44, 91, 93, 94, 97, 102 etc.

<sup>13</sup> <http://m.almasryalyoum.com/news/details/121627>

[a few] hours had not passed since the verdict until a procession came out in Cairo and a demonstration followed it a day after in Alexandria denouncing complacency and demanding a *just* QIṢĀṢ [that would] strengthen punishment of the two policemen [who] killed an innocent (lit. without guilt) citizen

While as of mid-January 2015 Google search returned 31,600 results for *al-qīṣāṣ al-‘ādīl* (*the just retaliation, def. form*), the indefinite form *qīṣāṣ ‘ādīl* ([a] just retaliation) returned only 3,570 results<sup>14</sup>. The phrase does not accept negation except for a very specific set of contexts. The Google search for standard negation *al-qīṣāṣ ġayr al-‘ādīl* has returned no results, while for the indefinite form *qīṣāṣ ġayr ‘ādīl* it showed only 8 results. Syntactically, the definite form in Arabic mostly functions as direct object, subject, or a Genitive attribute (e.g. *jum ‘at al-qīṣāṣ al-‘ādīl* – Friday of just retaliation), while the indefinite one appears in the predicative position<sup>15</sup>. In the latter case, the sentences are structured as *X [is] a just retaliation for Y*. Less frequent are cases with indefinite *qīṣāṣ* featuring in Genitive case after a preposition, e.g. 90% *min jarāim al-qatl al-mumanhaj li-ṣ-ṣuḥuḥiyīn dūna qīṣāṣ* (90% of systematic murder crimes of journalists [are left] without retaliation)<sup>16</sup>. Syntactic limitation on the use of negation with the phrase does not appear to be the only one. The cases where negation does occur are limited pragmatically to ironic and polemical contexts. These observations lead us to the following conclusions: (1) the notion of JUSTICE is part of the semantic structure of QIṢĀṢ and the adjective ‘*ādīl* (just) is used as attributive with *qīṣāṣ* merely to reinforce this meaning component – (*al*)- *qīṣāṣ* (*al*)- ‘*ādīl* is not a type (a subset) of QIṢĀṢ, but QIṢĀṢ *proper*, the attribute ‘*ādīl* in the discourse only serves pragmatic purposes<sup>17</sup>; (2) QIṢĀṢ features about ten times more often as a *subject of demand* compared to factual statements, i.e., speakers are ten times more likely to *ask* for QIṢĀṢ than to *assert* that it has actually been performed.

While we have been writing this piece, a dramatic change has occurred in the Google search counts for one of the collocations that we study in this paper, which happened within a period of slightly over one month. As of 24 February, 2015, the score for the indefinite form of the noun phrase *qīṣāṣ ‘ādīl* (just QIṢĀṢ) went up to 69,300 results, while for the definite form it showed only an

<sup>14</sup> All searches cited in this article are limited to Egyptian web resources only.

<sup>15</sup> We have discounted from our analysis the Accusative case indefinite form, which functions as a direct object, for it is graphically different from Nominative and Genitive case forms (it has the letter ‘*alif*’ at the end of each word).

<sup>16</sup> A news article title on al-Yawm as-Sābi‘ newspaper – <http://goo.gl/m6A5c6>

<sup>17</sup> For instance in the above example the illocutionary point is the demand for a *stronger* punishment, which is based on the presupposition that *just* (i.e. proper) QIṢĀṢ is the one that is *strong enough*.

insignificant increase (33,100 results). The updated figure for the indefinite form includes 1,370 reposts of essentially the same news item quoting a Twitter post by an Egyptian oppositional politician Ḥamdin Sabāḥī on the Egyptian air force retaliatory attack on ISIS in Libya<sup>18</sup>. The nature of many other more recent posts in the selection is similar to this one: *i‘dām ‘iṣābat al-iḥwān qiṣāṣ ‘ādil* (death penalty for the [Muslim] Brotherhood gang is a just retaliation)<sup>19</sup>; *i‘dām qatalat ḍubāṭ kardāsa qiṣāṣ ‘ādil min al-qaḍā’* (death penalty for the killers of officers of Kerdasa is a just retaliation from the judiciary)<sup>20</sup>. For all their relative scarcity, entries with the indefinite form related to President Mursi period are similar<sup>21</sup>, they all are meant to promote an image of a government capable of delivering justice. The 20-fold increase in texts *asserting that QIṢĀṢ has been performed* compared to effective decline in the number of texts *demanding QIṢĀṢ to be performed*<sup>22</sup> appear to signify the change in discourse formation: the rapid come back of the old authoritarian self-congratulatory rhetoric that had dominated the public discussion during the Mubarak period.

Many contexts could be found, where *qiṣāṣ* and *‘idāla* (justice) feature as fully synonymous nominations, cf. the following two quotations from the same source referring to the same piece of news:

- (1) 90% min jarāim al-qatl al-mumanhaj li-ṣ-ṣuḥufiyīn dūna qiṣāṣ – 90% of systematic murder crimes of journalists [are left] without retaliation;
- (2) ... inna al-amr al-aktar iṭāratan li-l-qalaq yakmun fī al-iḥṣā’iyāt aṣ-ṣādira ‘an al-lajna ad-duwaliya li-ḥimāyat aṣ-ṣuḥufiyīn bi-anna 90% min al-qatala lam yatimm taqdīmuhum li-l-‘idāla\

<sup>18</sup> The significance of the Twitter post that could have led to its reprinting by every media outlet in Egypt may be attributed to the fact that a well-known politician with revolutionary credentials and a certified opponent of Ḥusnī Mubārak’s regime was now congratulating the Air Force, and by extension the president Sīsī’s regime.

<sup>19</sup> A news article title heading dated 28 April 2014, on al-Wafd website citing a local ‘political activist’ Muhammad Abū-Ḥāmid praising the verdict of Minya governorate court in Upper Egypt, which issued 37 death and 491 life imprisonment sentences for members and supporters of Muslim Brotherhood – <http://goo.gl/ANaHz1>

<sup>20</sup> A news article title heading dated 3 February, 2015 on Miṣr al-Balad website praising the death sentence for 183 defendants in the case of an assault on district police station at the village of Kerdasa, Giza governorate – <http://misralbalad.com/page.php?id=25493#.VO3yP3yUcT8>

<sup>21</sup> Cf. news article titled *islām aṣ-ṣāṭir: ḥukm majzarat būr sa‘ūd qiṣāṣ ‘ādil* (Islam aṣ-ṣāṭir: the verdict on Port Said slaughter is a just retaliation) dated 26 January 2013 on Masress website – <http://www.masress.com/alnahr/102280>

<sup>22</sup> The little growth in the number of definite form *al-qiṣāṣ al-‘ādil* occurrences effectively means that almost no new cases have been registered by the search engine during the period under review.

... the most troubling matter lies in statistics issued by the International Committee for the protection of journalists [which say] that 90% of killers have not been brought to justice<sup>23</sup>.

It is obvious that the phrase *taqdīm li-l-‘adāla* (bringing to justice) and *qiṣāṣ* in the two segments refer to the same event, and, hence, ‘*adāla* and *qiṣāṣ* in this context are treated by the author as fully synonymous. The cited news article is largely based on an English original, which allows to match Arabic to source-language nominations: *dūna qiṣāṣ* matches the phrase ‘*get away with it*’, ‘90% *min al-qatala lam yatimm taqdīmuhum li-l-‘adāla*’ corresponds to the English phrase ‘90% of murderers *walking free*’, while the English segment ‘370 journalists have been murdered *in direct retaliation for their work*’ has been translated as ‘370 *ṣuḥufīyan qutilū (...)* *fī-intiqām mubāšir li-qiyāmihim bi-‘amalihim*’<sup>24</sup>. In the latter segment, an apparent negative evaluation embedded in the English word *retaliation* has prompted the Arab journalist to refrain from translating it as *qiṣāṣ*, and to use Arabic *intiḳām* (revenge) instead<sup>25</sup>.

In the following paragraph QIṢĀṢ is not only contrasted to the notion of (in)JUSTICE expressed as *ẓulm*<sup>26</sup>, but appears to be somewhat superior to ‘*adāla*, which in this context is used in a more narrow sense (*criminal prosecution*), cf.:

‘*indamā yatġā az-ẓulm wa tata’ahḥar al-‘adāla, hīnamā yaġīb mabda’ al-qiṣāṣ li-yatalāšī aš-šu‘ūr bi-l-amn hīnamā yatakarrar al-ḥādīṭ wa lā yataḥarrak aḥad lā tandahiṣ hīnamā tarā al-muwāṭinīn wa qad taḥawwalū li-quḍāt wa jallādīn fī al-waqt nafsīhi li-tasūd šarī‘at al-ġāb bayn an-nās*’<sup>27</sup>

When the *injustice* is excessive, and *justice* is late, when the law disappears, and the *principle of QIṢĀṢ* is obliterated so that the feeling of security vanishes, when the incident is repeated and no one moves, don’t be surprised when you see citizens having turned into judges and executioners at the same time, so that the law of the jungle prevails among the people.

<sup>23</sup> Both quotations have been borrowed from the same article published on al-Yawm as-Sābi‘, 3 Nov. 2014, the 1<sup>st</sup> quotation represents the title of the article – <http://goo.gl/kZrUp0>

<sup>24</sup> For the original English text see article ‘90% of journalists’ murderers across the world get away with it – report’, The Guardian, 28 October 2014 – <http://www.theguardian.com/media/greenslade/2014/oct/28/journalist-safety-press-freedom>

<sup>25</sup> Note also the rendition of *qiṣāṣ* as ‘*legal retribution*’ in the pious English translation of the Quran (Saheeh – <http://quran.com/2>).

<sup>26</sup> There are several nominations in Arabic that express this idea with *ẓulm* being perhaps the most comprehensive one and very common in the religious discourse.

<sup>27</sup> A feature article titled *intiḳām al-ahālī min al-balṭaġiya* (people’s revenge against thugs) published on al-Ahrām al-Yawmī on 8 September 2012 – <http://digital.ahram.org.eg/articles.aspx?Serial=1122056&eid=837>

QIṢĀṢ here concludes a list of nominations representing various aspects of JUSTICE and is even elevated to the status of an overarching principle of some sort.

### 3. *SPEEDY* retaliation

There is ample linguistic evidence both within what we have described as the discourse of the Egyptian revolution and in other genres of Arabic texts that QIṢĀṢ is expected to be performed in a *speedy* manner. Procrastination in the dispensation of justice, on the contrary, is often described as harmful to social peace and an incentive to further growth of crime. The discourse of the Arab Spring seems to pay far less attention to the notion of the *quality* of justice and attendant costs of ensuring such quality, including, notably, the time costs. The demand for a speedy QIṢĀṢ is a frequent occurrence in the language of political slogans during 2011–2013 Egyptian street protest, cf.:

wa ṭālab al-mutazāhirūn bi-dawla madaniya wa qiṣāṣ *sarī'* min al-qatala wa al-fāsidīn and taḥrīr ajhizat ad-dawla...<sup>28</sup>

and the demonstrators demanded a civil state and *speedy* QIṢĀṢ against the killers and corruptionists and cleaning the state agencies...

Aside from *sarī'* (fast, speedy) there are at least two other adjectives that frequently co-occur with QIṢĀṢ in the revolutionary discourse: *'ājil* (fast, immediate) and *nājiz* (full, complete, prompt). The semantic difference between the three adjectives is slight and the fact that they add almost nothing to the meaning of each other is attested by a rather infrequent co-occurrence of any two of these adjectives in collocation with QIṢĀṢ<sup>29</sup>. Cf. a few examples:

qālat ad-duktūra Karīma al-Ḥafanāwī inna dimā' šuhadā' ṭawrat 25 yanāyir lan taḍī' muṣīratan ilā annahum mustamirrūn min ajl *qiṣāṣ 'ājil* min mubāarak alladī yajib an yuḥākam 'alā kull aš-šuhadā' alladīna saqaṭū fī ṭawrat yanāyir<sup>30</sup>

<sup>28</sup> Quotation from a news article on al-Miṣrī al-Yawm newspaper, dated 8 August 2011, enumerating three standard demands of the January 25, 2011 revolution that would appear on placards held by protesters – <http://www.almasryalyoum.com/news/details/102540>

<sup>29</sup> Google search has returned 5 results for *al-qiṣāṣ as-sarī' wa an-nājiz*; 6 for *al-qiṣāṣ as-sarī' wa al-'ājil*; 2 for *al-qiṣāṣ an-nājiz wa al-'ājil* and 49 for *al-qiṣāṣ al-'ājil wa an-nājiz*, which may be accounted for by the fact that *nājiz* has additional meaning component (complete), while the other two only express slightly different aspects of temporality.

<sup>30</sup> An appearance on aṭ-Ṭarīq TV channel by a prominent politician a co-founder of Kyfāya movement and the National Association for Change Karīma al-Ḥafanāwī – dated 13 August 2014 – i.e. just a week before a highly contested 20 August retrial of former President Mubarak <http://www.atvsat.com/latest-news/item/53021>

Dr. Karīma al-Ḥafanāwī said that the blood of martyrs of January 25 revolution will not be wasted, having pointed out that they (*probably in reference to her political party – A.*) continue for the sake of an immediate QIṢĀṢ against Mubarak who has to be tried for all the martyrs who fell in January 25 revolution.

The adjective *‘ājil* probably conveys the idea of *urgency* as compared to other adjective on our list. The phrase *al-qīṣāṣ ‘ājil* often occur in texts justifying political violence. Echoing the famous Islamist slogan *Islām huwa al-ḥall* (Islam is the solution), an article titled *al-qīṣāṣ al-‘ājil huwa al-ḥall* (immediate QIṢĀṢ is the solution) calls for *sur‘at taṭbīq al-qānūn* (a speedy application of law) over the members of anti-government Islamist rebellion in Sinai underscoring the *urgency* of the matter by claiming that *lā badīla siwā an taqūm ad-dawla bi-d-ḍarb bi-yad min ḥadīd li-l-qaḍā’ ‘alayhim* (*there is no choice but for the state to deal a blow by a fist [lit. hand] of iron to get done with them*)<sup>31</sup>. Speediness of QIṢĀṢ also implies simplicity, cf.:

badlan min an yakūn al-qīṣāṣ *an-nājiz aysar* aḥdāf aṭ-ṭawra wa *asra‘ahā* taḥaqquqan waqa‘ ṭunāṭ al-ḥukm al-‘askarī wa al-madanī fī ḥaṭa’ fādih ‘indamā ta‘āmal ma‘a malaff jarā‘im rumūz al-‘ahd al-bā‘id bad’an bi-ra’s an-nizām ḥusnī mubārak wa intihā’an bi-*adnābihi* min al-balṭajjiya wa ṣuḡār al-fāsidiṅ kamā law kān ta‘āmal ma‘a jarīmat naṣl waqa‘at fī utubīs naql ‘ām aw ḥadīṭ murūr...<sup>32</sup>

Instead of [for] the *prompt* QIṢĀṢ to be the *easiest* and the *speediest* among the goals of the revolution in achievement, the military civilian duumvirate fell into a fatal error when [it] treated the file of crimes of the symbols<sup>33</sup> of the bygone era beginning with the head of the regime Hosni Mubarak and ending with its tails including the thugs<sup>34</sup> and small corruptionists as if it [would be] treating a crime of pickpocketing that happened on a public bus or a traffic accident...

It is characteristic not only of this example but of the entire sample that we have assembled for the purposes of this study using collocations of *qīṣāṣ* with adjectives *‘ādil* (just), *sarī‘* (speedy), *nājiz* (complete, prompt) that they all appear to be built on a presupposition that the nature of crime is clear and there is no doubt whatsoever as to who is the offender.

The adjective *nājiz* (complete, prompt) is semantically somewhat more complicated compared to the former two adjectives. The source meaning of the root

<sup>31</sup> An op-ed published on al-Ahrām daily newspaper on 25 November 2014 – <http://digital.ahram.org.eg/Community.aspx?Serial=1726025>

<sup>32</sup> From an op-ed article with a characteristic title *al-Qīṣāṣ Taṭhīr and Iṣlāḥ* (QIṢĀṢ – cleansing and reform/improvement) dated 7 July, 2011 – <http://www.shorouknews.com/columns/view.aspx?cdate=07072011&id=51006460-fb78-48aa-9fad-a6671a551fb8>

<sup>33</sup> The idiom *rumūz* (symbols) of *smth.* e.g. *regime, political organization, historic period* is used in reference to leaders and most prominent figures associated with some entity or period.

<sup>34</sup> see footnote 26 above.



*n-j-z* is ‘accomplish, fulfill, complete’, the temporal semantics is part of the presupposition: whatever has been completed must have had some length, which by completion was *cut short*, hence the idea of *promptness*. Cf.:

inna al-‘adāla al-intiqāliyya yajib an tatimm ‘abra qānūn wa laysa hadafuhā al-intiqām bal, *qiṣāṣ nājiz* yurīḥ qulūb ahālī aš-šuhadā’ wa al-mawjū‘īn...<sup>35</sup>

The transitional justice has to be performed through law and its goal is not revenge but *complete (prompt) QIṢĀṢ* [that would] relieve families of martyrs and those who feel pain (*lit. pained ones*)...

Here the adjective *nājiz* is used to reinforce the meaning, which is already part of QIṢĀṢ semantics, i.e. the capacity to *bring (prompt or complete) relief* from moral pain<sup>36</sup>.

All three adjectives do not function as definitive attributes but rather as intensifiers, to the idea of *speediness* that is embedded in the semantics of QIṢĀṢ. The adjectives in collocation with the noun *qiṣāṣ* do not accept negation: phrases \**qiṣāṣ ḡayr sarī*’ or \**qiṣāṣ ḡayr ‘ajil* have returned no results on Google search, while *al-qiṣāṣ al-muta’ahḥir* (the delayed QIṢĀṢ *def.*) showed 3 and *qiṣāṣ muta’ahḥir* (delayed QIṢĀṢ *indef.*) – only one result, which renders them rather anomalous. A *speedy* QIṢĀṢ, hence, is not a *type of* QIṢĀṢ but rather QIṢĀṢ *proper*, same as *just* QIṢĀṢ. Consider also the following example: *inna al-qiṣāṣ min al-mujrimīn huwa aqṣar aṭ-ṭuruq li-taḥīr al-bilād min al-fasād* (QIṢĀṢ against (*lit. from*) the criminals [is] *the shortest way* of clearing the country from corruption)<sup>37</sup>. The phrase, which contains no attribute explicitly conveying the idea of *speediness* is obviously built on a presupposition that may be formulated as: *it takes little time to perform qiṣāṣ* or, in other words, *qiṣāṣ is speedy*. In line with this presupposition, QIṢĀṢ is presented in the cited text as some sort of *magic bullet* – an instrument that may bring about a *quick* solution to complicated (and notably, *protracted*) social problems.

It is notable as well that the notion of *speediness* in relation to justice does not seem to have a negative connotation. An April 6 movement activist, ‘Alā’ ‘Abd-ul-Fattāḥ, along with 25 others was arrested for protesting against the newly re-introduced restrictions on the freedom of assembly in the early post-coup

<sup>35</sup> News article dated 5 August 2014, titled *Ṣabāḥī: attafaq ma’a qānūn ‘adāla intiḡāliyya lā intiḡāmiyya aw intiḡā’iyya* (Sabahi: I agree with the law on transitional justice, not the revengeful nor the selective [one]’) – <http://www.almasryalyoum.com/news/details/442821>

<sup>36</sup> The idea that pains of victim’s relatives must be relieved and QIṢĀṢ is designed to be the best means to that purpose, is essential for the Islamic legal discourse on the matters of retaliation, as we shall see below.

<sup>37</sup> From an op-ed article with a characteristic title *al-Qiṣāṣ Taḥīr and Iṣlāḥ* (QIṢĀṢ [is] cleansing and reform/improvement) dated 7 July, 2011 – <http://www.shorouknews.com/columns/view.aspx?cdate=07072011&id=51006460-fb78-48aa-9fad-a6671a551fb8>

Egypt<sup>38</sup>. The activists were then submitted to *al-muḥākama al-‘ājila* (speedy trial)<sup>39</sup> and the activist’s mother commented on it saying: *lā yūjid ladaynā qaḍā’ ‘ājil fī miṣr wa lākin yūjid qaḍā’ yulqī al-qabḍ bi-šakl ‘ašwā’ī ‘alā al-muwāṭinīn* (there is no speedy/immediate discharge of justice in Egypt, but there is justice that randomly arrests citizens). Obviously the two parts of the utterance are contrasted as *normative/commendable vs. abnormal/deplorable*, and the first part is based on a presupposition that *speedy Justice is good*. The belief in the *speedy QIṢĀṢ* stays as a positive value, of course, is very idiosyncratic idea. For instance, it sharply contrasts with the European idea of *revenge as a dish best served cold*<sup>40</sup>.

In the media discourse, the demand for a *speedy QIṢĀṢ* is often contrasted to the description of *justice system* as prone to procrastination. Specific lexis combining temporal semantics with negative evaluation such as *taqā’us* (sluggishness, failure to do something) often feature in such contexts, cf.:

*al-taqā’us fī jam‘ adillat qatl aš-šuhadā’ ḥattā ba’d al-i-lān ad-dastūrī yu’akkid ḍu’f raġbat man bi-s-sulṭa fī al-qīṣāṣ*<sup>41</sup>

*Sluggishness* in collecting evidence of the killing of martyrs even after the Constitutional Declaration confirms the weakness of desire [on the part] of [those] who are in power in [performing] QIṢĀṢ.

The idea of the desirability of *speediness* may feature in a text discussing justice even without QIṢĀṢ being explicitly mentioned, cf.:

... fa-qīmat al-‘adl ta’lū wa tazīd wa tastaqīr fī ḍamīr al-mujtama’ ‘indamā ta’tī aḥkām al-qaḍā’ nājiza sarī’a lā yuqayyiduhā tabāṭī al-ijrā’āt wa lā tu’aṭṭiluhā ‘aqabāt šakliya aw mu’awwiqāt ‘amaliyya.<sup>42</sup>

<sup>38</sup> The story is related in a news article titled *iḥālat 26 nāšiṭan siyāsīyyan baynahum Alā’ ‘Abd-ul-Fattāh wa Aḥmad Māhir li-muḥākama ‘ājila* (the transfer of 26 political activists among them Alā’ ‘Abd-ul-Fattāh and Aḥmad Māhir to a speedy trial) published on 2 December 2013 – <http://www.masress.com/fjp/98669> ; for mother’s comments dated 14 March, 2014 published on al-Badīl website see <http://goo.gl/MR60yw>

<sup>39</sup> This term frequently occurs in the 2011–2015 Egyptian media texts (19,800 results on Google search for *muḥākama ‘ājila* –and 5,610 for *al-muḥākama al-‘ājila*), it is essentially a technical term used in reference to an abridged procedure applied in simple cases and has nothing to do with the notion of *speedy trial* in the Western legal tradition as discussed below.

<sup>40</sup> The saying is often described as an English proverb, while its origins are traced to French literary sources, whatever the origin, the phrase appears to have stricken a chord with all European cultures and expresses a commonly shared belief.

<sup>41</sup> The phrase is attributed to the relatives of martyrs killed during January 2011 events – published on December 17, 2012 – <http://albedaiiah.com/node/11586>

<sup>42</sup> An op-ed article dated 17 January 2013 – <http://www.gamalnassar.com/main/art.php?id=6&art=632>

... for the value of justice goes up and increases and stabilizes in the conscientiousness of the society when the verdicts of judiciary come prompt and speedy, and the slowness of procedures does not restrict them and formal obstacles and practical impediments do not disrupt them.

This contraposition between the *speedy* QIṢĀṢ and *sluggish* formal justice system, a recurring theme in the discourse of the revolution, contributes to creating tensions between the notions of (formal) JUSTICE and QIṢĀṢ. The formal justice system may also be presented as merely an instrument for performing QIṢĀṢ, cf.:

kamā akkad ‘alā ḍarūrat taḥqīq al-‘adāla wa ittihād al-ijrā’āt wa sann al-qawānīn al-lāzima wa as-sarī‘a fī al-qīṣāṣ kay tabrud qulūb ahālī aš-šuhadā’ wa yataḥaqqaq al-itsqrār al-manšūd<sup>43</sup>

[He] also stressed the need to implement justice and take measures and adopt the necessary and *speedy laws* on QIṢĀṢ in order *for the hearts of the relatives of martyrs to cool down* and the desired stability to be achieved.

Note the metaphoric ‘hot hearts’, which are supposed to be cooled by QIṢĀṢ. The causative link between the notion of HEAT and *speedy* action could also be illustrated by examples from other contexts: a rubric on *urgent matters* in a media publication, for instance, may be called *qaḍāya sāhina* (hot issues)<sup>44</sup>.

While the notion of *justice delayed as justice denied* in the English-language debate on justice, seems to be similar to the idea of *immediacy* associated with QIṢĀṢ in Arabic, there is a significant difference between the two. Different frame elements including both the core and non-core ones are foregrounded in the English (and generally Western) discussion on *timely* justice. *Trial* is the key locus and instrument of Justice in the English-language notion of the *speediness* of Justice. It is also notable that *speediness* in the Western legal tradition is seen as serving the interests of the defendant<sup>45</sup>, while the QIṢĀṢ-centered discussion strongly foregrounds Punishment as the outcome of the process and the Victim and the Victim’s next of kin as the key protagonists. Cf.:

al-qīṣāṣ al-‘ājil yā siyādat ar-ra’īs ya nī ḥaqq ahālī aš-šuhadā’ wa laysa amwāl wa ḥajj wa ‘umra wa ta’wīṣdāt<sup>46</sup>

<sup>43</sup> From an article on Miṣr 11 website ([www.masr11.com](http://www.masr11.com)), the quotation is attributed to a ‘political analyst’ Muḥsin Šalabī – <http://goo.gl/8L8afM>

<sup>44</sup> See <http://albedaiiah.com/node/11586> for an article under this rubric. We will return to the discussion of the supposed soothing effects of retaliation in the section (4) on QIṢĀṢ in the Islamic normative discourse.

<sup>45</sup> Cf. the notion of *speedy trial* in the US Constitution Sixth Amendment.

<sup>46</sup> The phrase is attributed to Karīma al-Ḥafnāwī, a member of the oppositional National Association for Change and Social Justice Alliance <http://www.cairoportal.com/story/126174>

The immediate QIṢĀṢ, Mr. President, *is a right of the relatives of the martyrs and not money and hajj and umra*<sup>47</sup> and compensations.

QIṢĀṢ is presented here as serving the interests of victim's next of kin first and foremost. It also appears to be superior to other, milder, forms of justice.

A frequently reoccurring theme in the revolutionary discourse is the idea that the adjudication of cases, which emerged in the context of the revolution, should be *speeded up* to ensure a *speedy* QIṢĀṢ, which is seen as essential for the progress of Revolution – an instrument that will quickly move the Egyptian society from the past to a better future. Cf.:

kull mā narjū taḥṣiṣ dawā'ir kāfiya tatafarrag li-naẓr hādihī al-qaḍāyā min ajl sur'at al-injāz *l-iḡlāq malaffāt al-mādī wa at-tawajjuh naḥwa al-mustaqbal al-afdal bi-ḍni-llāh*<sup>48</sup>

All what we ask for [is] to designate sufficient [number of] departments [specifically] dedicated to the review of these cases for the speediness of delivery and in order *to close the files of the past and turn toward the better future with God's permission.*

Here is the same idea expressed in a slightly different manner:

nurīd *as-sur'a* fī taḥqīq al-'adāla wa al-qiṣāṣ li-kay narmī ḥalfā zahrinā hādihī al-ḥiḡba al-baḡīda min tāriḥ miṣr wa li-nakṣif 'an sawā'idinā wa na'mal 'alā raf' miṣr min hādā al-ḥaḍīd alladī aḡraqa miṣr fī al-fasād wa al-mufsidīn<sup>49</sup>.

We want *speed* in ensuring justice and QIṢĀṢ in order to throw behind our backs this abhorrent era of Egypt's history and roll up our sleeves and work on raising Egypt from this abyss which has drowned Egypt in corruption and corruptionists.

In this context a *speedy* QIṢĀṢ apparently lends its momentum to the Revolution, which is understood as a purposeful forward-going movement of the Egyptian people<sup>50</sup>. QIṢĀṢ may even be presented as an instrument of a broad social reform:

kamā anna *al-qiṣāṣ iṣlāḥ* li-anna isti'sāl al-fāsīdīn wa al-mujrimīn ya'nī tajhīz al-arḍ li-waḍ' asās al-binā' as-salīm min nāḥiya wa yuwajjih risālat rad' li-ayy mas'ul

<sup>47</sup> *Hajj* is a regular annual pilgrimage to Mecca also one of the five pillars of Islam (duty of every able-bodied Muslim who can afford it to be performed at least once in a lifetime), *Umrah* is a non-compulsory irregular minor pilgrimage; al-Ḥafnāwī is referring to a practice of sponsoring pilgrimage to holy places as a type of award or compensation by the government.

<sup>48</sup> From an article published in al-Ahrām newspaper on 17 July 2011 titled *kalimat haqq* (A Word of Truth) <http://www.ahram.org.eg/archive/Columns/News/90086.aspx>

<sup>49</sup> <http://www.egyptianoasis.net/showthread.php?t=58345>

<sup>50</sup> Cf. Bogomolov, A. 2014. "Constructing political other in the discourse of the Egyptian Arab Spring". *Scripta Neophilologica Posnaniensia* XIV. 29.

turāwidūhu nafsuhu ‘alā al-fasād ba‘d an yata’akkad inna miqṣalat al-muḥāsiba mawjūda wa tantazir raqabat ayy fāsīd<sup>51</sup>.

*QIṢĀṢ* [is] also reform for the eradication of corruptionists and criminal means the preparation of ground for laying the foundation for a healthy (also *whole* and *sound* – *A.B.*) construction on the one hand and [it] sends a message of deterrence to any official [whose] soul/self is tempting him to [engage in] corruption as he is convinced that the guillotine of accountability exists and is waiting for the neck of any corruptionist.

From that perspective it is clear why a prominent revolutionary Islamic preacher Maḏhar Ṣāhīn named an *immediate* QIṢĀṢ the most important among the revolutionary demands:

naḥnu mustamirrūn fī ṭawratinā ḥattā taḥqīq jamī‘ al-maṭālib wa ‘alā ra’sihā al-qīṣāṣ al-‘ājil<sup>52</sup>

we continue our revolution until the fulfillment of all our demands and foremost (lit. at the head of them) among them the *immediate* QIṢĀṢ

#### 4. QIṢĀṢ in the Islamic normative discourse

Sharia norms on retaliation are based on *lex talionis* principle, which calls for a full qualitative commensurability of punishment with injury inflicted on the victim of a violent crime captured in the well-known idiom ‘an eye for an eye’<sup>53</sup>. The Islamic legal literature on QIṢĀṢ is voluminous and instead of going into detailed discussion of it, we will focus only on a few aspects of this normative discourse most often cited by the contemporary Muslim apologists of a Sharia-based legislation, which appear to be quite idiosyncratic and significant for understanding the semantic structure of the concept. Each particular point will be presented as a link to other concepts and ideas, which are usually used to make sense of QIṢĀṢ.

**4.1 HEALING and PREVENTION:** QIṢĀṢ is presented in the Islamic normative discourse as a method of *healing* the pains of people affected by

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<sup>51</sup> From an op-ed article with a characteristic title al-Qiṣāṣ Taḥrīr and Iṣlāḥ (QIṢĀṢ – cleansing and reform/improvement) dated 7 July, 2011 – <http://www.shorouknews.com/columns/view.aspx?cdate=07072011&id=51006460-fb78-48aa-9fad-a6671a551fb8>

<sup>52</sup> The phrase is attributed to a prominent revolutionary Islamic preacher Maḏhar Ṣāhīn <http://www.el-balad.com/154193.aspx>

<sup>53</sup> The source of the idiom in the European languages is the Hebrew Bible (Exodus 21: 23–25, Leviticus 24: 19–21, Deuteronomy 19: 20–21); the Quran explicitly refers to the Biblical antecedent (Quran 5: 44, 45); the Babylonian law and the Medieval European legal systems, such as the Salic law and the [Kievan] Russian Justice are also exemplify *lex talionis* systems.

crime, such as relatives of the victim and the community at large, and *preventing* further crimes:

wa al-qīṣāṣ huwa fi'l mujnī 'alayhi aw fi'l waliyihī bi-jānin miṭla fi'lihi aw šibhahu, wa ḥikmatuhu *at-tašaffī wa bard ḥarārat al-ḡayz*; wa qad šarra'a allāhu al-qīṣāṣ *zajran 'an al-'udwān* wa istidrākan lamā fi an-nufūs, wa iḍāqatan li-l-jānī mā aḍāqahu al-mujnī 'alayhi, wa fihi baqā' wa ḥayāt an-naw' al-insān<sup>54</sup>.

and QIṢĀṢ is an act of the injured party or the act of his executor<sup>55</sup> [in respect] to the offender same as his act or similar [to] it, and its wisdom [is] *the healing and cooling the heat of anger*; and Allah has legislated QIṢĀṢ to *rein in aggression* and anticipate (forstall, redress) for what [is] in the souls, and let the offender taste what he let taste the injured party, and in it [is] the survival and life of the human kind.

The 5<sup>th</sup> form of the verb *tašaffā* – (to be cured, healed, restored to health) features in similar contexts at least as early as the time of writing of the classical Arabic dictionary *Lisān al-'Arab* (13 cent. AD)<sup>56</sup>. The notion of healing is not limited to QIṢĀṢ alone and since long was associated with the whole set of lexis belonging to the semantic field of Revenge, cf. a verse cited in *Lisān al-'Arab* under the entry *ta'r* (revenge): *šafaytu bihi nafsī wa adraktu tu'rati*<sup>57</sup> (I healed myself by him – i.e. by killing him – and realized my revenge). The long association between *tašaffī* (healing) and the semantic field of Revenge has led to the former acquiring such a strong connotation with the latter than in modern usage, particularly, the vernacular one, it functions as a synonym of *revenge*. This meaning found its way into the European dictionaries of Arabic, e.g. the English

<sup>54</sup> Šāliḥ bin Fawzān bin 'Abdullah al-Fawzān. *al-Mulaḥḥaṣ al-Fiḥī*. Dār al-'Āšima. ar-Riyāḍ. 1423 h., part 2, p. 476 <http://shamela.ws/browse.php/book-11811/page-895>

<sup>55</sup> For the sake of simplicity, in this paper, we have opted for one of the translations used by Lane in his classical Lexicon, *executor*, as a match for the difficult Islamic concept of *walī*, whenever *walī ad-dam* (see below) is meant – cf. Edward William Lane. *An Arabic-English Lexicon*. Beirut, Lebanon: Librairie du Liban. 1980/1997; the noun *walī* stems from the verb *waliya* (to be near, adjoin, follow; rule, govern), derivatives of the stem (e.g. the 5<sup>th</sup> form *tawallā*) also convey the idea of possession, hence, *walī ad-dam* – 'next of kin, who possesses the blood of a slain relative', meaning 'having the right to kill his offender', *walī al-amr* – 'the one who possesses the [right to deliberate on] affairs', which, depending on the context, means either a *legal guardian* or a *ruler*, see also footnote 34 below.

<sup>56</sup> Cf. the following usage under the entry *šafā* in *Lisān*: *tašaffaytu min al-ḡayz* (I cured [myself] from wrath); and particularly, *wa yaqūl al-qā'il minhum: tašaffaytu min fulān iḍā ankā fi 'aduwwihi nikāyatan tasurruhu* (and some of them say: I cured myself from someone if [he] hurt his enemy in a manner that makes him happy; in later usage *nikāya* also means 'revenge') – Ibn Manzūr. *Lisān al-'Arab*. Beirut: Dār Šādir, 1955–1956, 15 vols.

<sup>57</sup> Here the reflexive meaning, same as that of the 5<sup>th</sup> form, is realized at the lexical level through the reflexive auxiliary phrase *nafsī* (myself, *lit.* my soul), revealing the source meaning of the stem 'heal' even more – Ibn Manzūr. *Lisān al-'Arab*. Beirut: Dār Šādir, 1955–1956, 15 vols.

edition of Hans Wehr's dictionary provides the following definition of *tašaffā*: 'to take revenge, avenge oneself, satisfy one's thirst for revenge, vent one's anger, take it out (*min* on)'.<sup>58</sup> The original meaning of the 5<sup>th</sup> form shared with other derivatives of the stem, has nevertheless remained transparent for the speakers.

The link between QIŠĀŠ and *tašaffī* that comes out most explicitly in the Islamic normative discourse points to a wider cultural landscape, within which the concept of QIŠĀŠ is situated. This landscape, among other things, includes a belief that certain events (violent crimes among them) generate powerful negative emotions that could be compared to *sickness*. The notion of *istidrāk lamā fi an-nufūs* (anticipation for what [is] in the souls), which is offered as part of the rationale for QIŠĀŠ, also appears to be quite informative for the reconstruction of this cultural background. The plural form *nufūs* suggests that a negative mental or emotional process may also be going on in the souls of *many*, and QIŠĀŠ is there to *prevent* such development. It is presupposed that if QIŠĀŠ is not performed, more crimes will occur, which appears to be another entailment of CRIME is SICKNESS metaphor: CRIME may be viral, even endemic.

**4.2 Retaining BLOOD:** BLOOD is an important cultural symbol that stands metonymically for two things: LIFE and KINSHIP.

wa lā yajib al-qīšāš illā idā tawaffarat aš-šurūt al-ātiya: 1 – an yakūn al-maqtūl *ma'šūm ad-dam* wa law kāna ḥarbiyan aw zāniyan muḥaššanaw aw murtaddan fa-innahu lā ḍamāna 'alā al-qātil lā bi-qīšāš wa lā bi-diya li-anna hā'ulā jamī'an *mahdūrū ad-dam*<sup>59</sup>

and QIŠĀŠ must not [be done] unless the following conditions are met: 1 – for the slain [one] to be prohibited (infallible, sinless) of blood, and if he were a warrior or an entrenched fornicator or an oppostate, there is no guarantee upon the killer of a retaliation and nor of blood money for those all [are the ones whose] blood [may be] wasted (spilled in vain)

In the above paragraph BLOOD is presented metaphorically as a RESOURCE that should not be *wasted* (spilled in vain). There are two types of BLOOD: *ma'šūm* and *mahdūr*. While both terms are semantically rather complex, particularly, the former one<sup>60</sup>, the underlying basic idea that the pair conveys may be

<sup>58</sup> Wehr, H. 1976. *A dictionary of modern written Arabic*. Edited by J. Milton Cowan. 3<sup>rd</sup> ed. Ithaca, NY: Spoken Language Services, Inc.; notably the governance model *tašaffā min* here is inherited from the verb *iqtašša min* (take revenge against smb. – lit. from smb.).

<sup>59</sup> as-Sayyid Sābiq. *Fiqh as-Sunna. Dār al-Kitāb al-'Arabī* (Egypt), 2002- <http://goo.gl/f7gDXk> as-Sayyid Sābiq (1915–2000) – the book is one of the major modern sources on Islamic law; as-Sayyid Sābiq (1915–2000) was a well-known Azharite scholar and member of Muslim Brotherhood.

<sup>60</sup> Derivatives of the stem '-š-m signify the ideas of (religious) *purity*, *virtue*, etc., the 1<sup>st</sup> form verb meaning 'retain, preserve' however points to the semantic core/source meaning of the stem.

described as *retainable* vs. *wastable*. In light of this opposition, the essential purpose of QIŠĀŠ is conceived of as *retaining* BLOOD.

**4.3 LIFE:** The concept of LIFE features in the most powerful Quranic text often cited as an argument for QIŠĀŠ – *wa lakum fī al-qīšās hayātun yā ūlī al-albāb la'allakum tattaqūn* ('and [there is] for you in QIŠĀŠ *life*, o owners of minds (i.e. intelligent or reasonable people – *A.B.*) may you have fear [of God])<sup>61</sup>. In the example below, LIFE is conceived of as an entity (perhaps a substance) that moves from parent to child. It is a *directed* movement that has a *source* (parent is a *source* of LIFE for the child) and QIŠĀŠ may not reverse this direction by killing (fore-) father in retaliation for a child:

allā yakūn al-qātil *aşlan* li-l-maqtūl fa-lā yuqtaşşu min wālid bi-qatl waladihi, wa walad waladihi, wa in safila idā qatalahu, bi-ayy wajh min awjuh al-'amd bi-hilāf mā idā qatala al-ibn aḥad abawayhi, fa-innahu yuqtal ittifāqan, li-anna al-wālid *sabab fī hayāt* waladihi, fa-lā yakūn waladuhu sababan fī qatlihi wa salbihi al-ḥayāt bi-hilāf mā idā qatala al-walad aḥad wālidayhi, fa-innahu yuqtaşşu minhu lahumā; aḥraja at-tirmiḏī 'an 'umar anna an-nabī ṣallā alḥahu 'alayhi wa sallam qāl: lā yuqtal al-wālid bi-l-walad.<sup>62</sup>

so that the killer not be a *source* (lit. *root*) for the killed, and father shall not be retaliated against for the killing of his son and the son of his son, even if he became low (mean, ignoble) when he killed him, by no aspect of premeditation, unlike when the son has killed one of his parents, and he is killed by agreement for the father is *cause in the life* of his son and his son shall not be a cause in his killing and depriving him of his life unlike if the son has killed one of his parents, and retaliation is [performed] against him for them; at-Tirmiḏī related [it] from 'Umar that the Prophet, peace be upon him, said 'the father shall not be killed for the son'.

The notion of Parent as a Root (*aşl*) and the Cause of LIFE points to the metaphor of Tree underlying the concept of LIFE. Within this metaphor, LIFE is as a *genealogical* Tree, which is a directed tree graph, where parents are vertices feeding their offspring through branches, thereby giving LIFE to them. The metaphor of LIFE as TREE is evoked even more clearly in the following definition listed among *şurūṭ al-qīšās* (conditions of retaliation): *an lā yakūn al-maqtūl juz' al-qātil aw min furū'ihī* (for the slain [one] not to be part of the slayer or [one] of his *branches*)<sup>63</sup>. The entailment of LIFE as TREE metaphor is that if LIFE has to

<sup>61</sup> Quran 2: 179, translation ours, for a widely accepted English translation see <http://quran.com/2> (Saheeh International); most English translations accessible to us appear to be excessively interpretative – adding words that have no basis in the original, e.g. 'legal retribution' in lieu of 'retaliation', 'saving life' or 'basis of life' where we only find 'life' in the original.

<sup>62</sup> This paragraph represents the 5<sup>th</sup> among 7 conditions (*şurūṭ*) of QIŠĀŠ according to as-Sayyid Sābiq. *Fiqh as-Sunna. Dār al-Kitāb al-'Arabī* (Egypt), 2002- <http://goo.gl/f7gDXk>

<sup>63</sup> al-Mawsū 'a al-Fiqhiyya (Encyclopedia of Islamic Jurisprudence) – <http://www.al-islam.com/Loader.aspx?pageid=1036&BookID=510&TOCID=23066>



go on, the TREE has to continue growing, meaning that direction of the graph cannot be reversed and underlying vertices ‘giving life’ to one or more branches should be kept in place if even some offshoots may perish. Killing a parent (an underlying vertex) in retaliation for a child (dead offshoot) will be against the principle of growth, i.e. of LIFE proliferation thus conceived.

**4.4 POWER:** QIṢĀṢ is designed to *empower* the injured party (the victim or his/her next of kin) against the Offender. There is an explicit reference to this in the Quran, cf.:

wa man qutila mazlūman fa-qad ja‘alnā li-waliyyihi *sulṭānan* fa-lā yusrif fī al-qatli innahu kāna manṣūran (Quran 17: 33)

And whoever is killed unjustly, we have given his executor *power*, but let him not exceed limits in killing. Indeed, he has been supported.

When establishing the responsibility for the crime, the Islamic normative analysis shows awareness of *coercion*, as an act of power, and distinguishes between the powerful individual who has commissioned the crime and the party that physically carried it out, cf.:

an yakūn al-qātil muḥtāran: fa-inna al-ikrāh yaslub al-irāda wa lā mas’ūliya ‘alā man faqad irādathu fa-*idā akraha ṣāhib sulṭan ḡayrahu ‘alā al-qatl* fa-qatala ādamiyan bi-ḡayr ḥaqq fa-innahu yuqtal al-āmīr dūna al-ma’mūr wa yu‘āqab al-ma’mūr.<sup>64</sup>

That the killer has a free will: as coercion deprives of the will and [there is] no responsibility upon whosoever lost his will and *if [anyone] vested with power coerced someone else to kill* and he killed a human being without right then the one, who ordered [the killing] is to be killed, not the [one who was] ordered and the [one who was] ordered is to be punished.

The overlap between the concepts of QIṢĀṢ and POWER that characterizes the Islamic normative discourse turns QIṢĀṢ into a potentially useful asset in the debate for power, if applied in the context of the political discourse.

## 5. QIṢĀṢ in the lay public discussion

In the common parlance, QIṢĀṢ is used in reference to a broad range of cases, which go far beyond the strict requirements of Sharia, cf. a news item titled *al-QIṢĀṢ as-sarī‘* (speedy QIṢĀṢ) in an Egyptian newspaper:

<sup>64</sup> This is the 4<sup>th</sup> condition of QIṢĀṢ according to as-Sayyid Sābiq. Fiḥ as-Sunna. Dār al-Kitāb al-‘Arabī (Egypt), 2002- <http://goo.gl/f7gDXk>

intaqama al-qadr min ‘āṭil wa zawjatihi bi-l-manūfiya fa-‘uqba qiyāmihumā bi-s-saṭw al-musallaḥ ‘alā sā’iq bi-markaz birkat as-sab’ wa al-istilā’ ‘alā sayyāratihī inqalabat bi-himā as-sayyāra allatī saraqāhā min ṣāḥibihā wa tamm naqluhumā ilā al-mustašfā<sup>65</sup>

The fate has avenged an unemployed and his wife in Manufiya after they had performed an armed assault on a driver in the center of Birkat as-Sab’ and have taken possession of his car, the car that they had stolen from its owner turned over on them and they were transported to the hospital.<sup>66</sup>

Nothing in this situation fits the strict conditions (*ṣurūṭ al-qīṣāṣ*) as described in the Sharia books. QIṢĀṢ here is not part of a normative judgment but rather an expression of the author’s satisfaction that the offenders have been duly punished, it conveys a meaning that in English would be expressed by such idioms as ‘what goes around comes around’, ‘harm set, harm get’, ‘meet/get/obtain one’s deserts’ etc. The use of the verb *intaqam* (avenge) in the text titled ‘Qīṣāṣ’ is also quite notable, as it indicates that the contrast between the concepts of ITIQĀM and QIṢĀṢ emphasized in the Islamic normative discourse may be easily neutralized in the lay discussion.

In the lay discourse, the concept of QIṢĀṢ is linked not only to LIFE in a biological sense, i.e. LIFE as opposed to DEATH or the idea of the preservation of human species, but also to the notion of *everyday* LIFE – i.e. normal functioning of people in their habitual social environment and by extension the very notion of *normalcy* whose restoration in the aftermath of a violent crime calls for an *immediate* act of QIṢĀṢ. Cf.:

akkada aḥmad nājī mudarrib ḥurrās marmā al-farīq al-awwal li-kurat al-qadam bi-n-nādī al-ahālī ‘alā ṣu‘ūbat at-tadrībāt allatī sa-yahūḍuhā al-lā’ibūn ma‘a isti’nāf an-niṣāf ar-riyāḍī yawm al-jum‘a al-muqbil ba‘d majzarat būr sa‘īd. wa ašāra nājī ilā anna al-farīq yahūḍ tadrībātahu wasaṭ *ajwā’ ṣa‘ba wa ḥāla nafsiya sayyi‘a lan tahda’ illā ma‘a al-qīṣāṣ bi-aqṣā sur‘a*<sup>67</sup>

Ahmad Naji, coach of goalkeepers of the first football team at the al-Ahli club has pointed out the difficulty of exercises that the players will conduct with the resumption of sporting activities next Friday after the slaughter of Port Said. And Naji pointed out that the team is conducting its exercises in the midst of *difficult atmosphere and bad psychological state [which] will not calm down unless QIṢĀṢ [is performed] at the highest speed.*

<sup>65</sup> <http://digital.ahram.org/Accidents.aspx?Serial=1090626>

<sup>66</sup> The news article then goes on to describe the police interference in the case.

<sup>67</sup> A news article published in Wafd newspaper on 14.02.2012 (i.e. four month before the presidential elections, when the military government that took power in the aftermath of the January 25 revolution was still in full swing) titled ‘Nājī: lā budda min al-qīṣāṣ fī asra’ waqt’ (Naji: it is necessary [to perform] qīṣāṣ in the nearest time’ accessible through the news integrator Masress – <http://www.masress.com/alwafd/162776>

Our next example, despite the Quranic quotation meant to make it sound more convincing, seems to express the same idea – QIṢĀṢ will ensure the return to normalcy and psychological relief:

fa-naḥnu jamī'an ma'a aṭ-ṭuwār aš-šubbān aš-šurafā' al-anqiyā' fī maṭālib al-qīṣāṣ al-'ādil mim-man irtakabū jarā'im qatl wa sirqa wa ihdār li-l-māl al-'āmm wa nurīduhu qat'an qīṣāṣan sarī'an ḥattā tahda' al-ḥawāṭir wa tartāḥ an-nufūs wa lakum fī-l-qīṣāṣi ḥayātun yā ūlī al-albāb<sup>68</sup>

And we all [are] [together] with young noble and pure revolutionaries in [their] demands for the just QIṢĀṢ against [those] who have committed crimes of murder and theft and squandering the public funds and we want it definitely [to be] a speedy QIṢĀṢ in order for the thoughts to calm down and for the souls to rest “and [there is] for you in QIṢĀṢ life, o owners of minds”<sup>69</sup>

Notably two of three crimes mentioned in this example do not qualify for QIṢĀṢ in strict Sharia terms, which are limited to violent crimes (murder and bodily injury), *murder* is however opening the sequence.

Perhaps the most essential common element shared by both the religiously inspired and lay discourses is the idea of (psychological) relief and social peace as the natural outcome, or even the purpose of QIṢĀṢ. The idea of *immediacy/speediness* as an immanent characteristic of QIṢĀṢ does not come out explicitly in the Islamic discourse on QIṢĀṢ, but the *healing/soothing* quality ascribed to QIṢĀṢ by the Islamic normative tradition appears to be quite coherent with this idea, as is the metaphor ĠAYZ (ANGER) is FIRE, which we have discussed above.

Another idea common to both the Islamic and lay discourses is that QIṢĀṢ is the best, if not the only, method of *preventing*<sup>70</sup> further crimes, which goes along with the presupposition that crime has a natural tendency to spread – like a sickness spreads in a community – unless prevented, while the best prevention method is essentially to *give the offender a taste of his own medicine.*, cf.:

qaddam ḥizb šabāb miṣr ḥāliṣ al-'azā' li-jumū' aš-ša'b al-miṣrī fī ḍaḥyā al-mawja al-infijāriya allatī ṭālat amākin 'adīda fī al-'āšima al-miṣriya šabāḥ al-yawm al-jum'a (...) mu'akkidan 'alā ḍarūrat taškīl maḥākīm instiṭnā'iya li-l-irḥābiyīn li-tuṣdir aḥkāmāhā bi-šakl 'ājil wa sarī' 'abra aḥkām rādi'a li-kull man tusawwil lahu nafsuhu al-masās bi-amn miṣr<sup>71</sup>

<sup>68</sup> From an article published in al-Ahrām newspaper on 17 July 2011 titled *kalimat ḥaqq* (A Word of Truth) – <http://www.ahram.org.eg/archive/Columns/News/90086.aspx>

<sup>69</sup> Quran 2: 179

<sup>70</sup> To express this meaning derivatives of the root *rd'* are used in lay discourses rather than *zjr* as in 2.1.

<sup>71</sup> A news article dated 24 January 2014 – <http://horytna.net/Articles/Printdetails.aspx?AID=95094&ZID=>

Egypt Youth Party has presented its sincere condolences to all the Egyptian people in [respect of] the victims of a wave of explosions which affected numerous places in the Egyptian capital on this Friday morning (...) having stressed the need for the formation of emergency courts for the terrorists in order to issue their verdicts in a speedy and immediate fashion through preventive verdicts for anyone who would be tempted (lit. whose soul would seduce him) to compromise the security of Egypt.

Although QIṢĀṢ is not mentioned explicitly in this segment, the argument is shaped by key ideas associated with it – the *speediness/immediacy*, *prevention* meant to forestall the perceived natural tendency of crime to spread.

## 6. Conclusions

The Islamic normative and lay discourses differ in the referential scope of QIṢĀṢ. In contrast to Islamic normative discourse, the lay discourses often mix up the notions of INTIQĀM (REVENGE) and QIṢĀṢ. The originally relatively narrow Islamic legal term, specifying punishment only for the violent crimes, QIṢĀṢ has colonized most of the lay discussion on crime and morality operating as universal standard for how justice is expected to be delivered. QIṢĀṢ has become the embodiment of the idea of *natural (also God's prescribed) justice*. QIṢĀṢ is essentially egalitarian as it is meant to re-instate a sense of balance in the community and to give everyone their due by privileging the Victim and his/her next of kin and *empowering* them against the Offender. By way of contrast, 'ADĀLA (JUSTICE), associated with the formal institutions of power, is a non-egalitarian concept<sup>72</sup>. The Egyptian revolutionary discourse reflects a growing tension between the two concepts. By privileging QIṢĀṢ and making it their key demand, the revolutionaries challenged the powers that be and their *slow* and inhumane JUSTICE system.

Three ideas associated which QIṢĀṢ, located, from the formal point of view, on the periphery of its frame semantic structure, are shared across both the Islamic normative and lay discourses and constitute an essential part of the local belief system: (a) QIṢĀṢ means *relief* from negative feelings for both the individual and the group; (b) QIṢĀṢ should be performed in a *speedy* fashion; and (c) QIṢĀṢ is the best method of *preventing* more crime. These ideas appear to be closely linked to each other thus forming a neat conceptual unity. Another significant element of the frame-semantic structure underlying the concept is its link to the concept of POWER. In the context of a large scale political con-

<sup>72</sup> In that sense it appears to be similar to the way Wierzbicka describes the pre-modern Anglo notion of Justice, cf. Wierzbicka, A. 2006. *English: meaning and culture*. Oxford: Oxford University Press. 158–159.

frontation, the idea that the injured party, i.e. potentially *anyone*, every common person, may be empowered against the offender, has converted this Islamic legal concept into a potent instrument of the revolutionary struggle. It is this idea that is the source of an exceptional illocutionary force associated with the concept and the reason, why it has acquired such popularity as a slogan of the Egyptian Arab Spring. The argument around QIṢĀṢ, a shared value for all parts of the Egyptian society, its *promptness* or *appropriateness* has become a dispute for *power*. By calling on the authorities to submit to *people's will* and threatening with a *people's QIṢĀṢ*, the revolutionaries were affectively staging a symbolic offensive against the government.