

**Gender, Labour, and the Modern Nation-State in Egypt: Lower-Class Working Women  
and the Law from 1919-1952.**

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## **ABSTRACT**

This dissertation looks at the relationship between state and subaltern citizen in Egypt, specifically urban lower class women who derived an income from the production of goods and services from 1919-1952. My research is based on previously unused materials from the British and Egyptian National Archives. I discuss the ideological and material foundations of the changing relationship between the state, gender, and labour, thereby offer new insight on the history of lower class women who have been side-lined in both women's and labour studies in the field of modern Egyptian history. I look at how and under what circumstances the state actively participated in organizing women's labour in three instances: the Law Governing the Employment of Women in Industry and Commerce, the regulation of prostitution, and the short lived conscription of British subjects in Egypt during WWII. While legal intervention was shaped by dominant perceptions of gender, varying definitions of femininity were deployed in different contexts, pointing to the instability and continual re-signification of what it meant to be a woman. Drawing on archival materials such as petitions, I also highlight the reaction of working women elicited by transformations in the modern nation-state. In writing petitions and engaging in other forms of action such as non-cooperation with laws and governing institutions created to manage them, lower class working women drew on the collective strength of their social networks (work based, communal, and familial) in the attempt to influence the conditions of their labour and the underlying terms of state interference. I argue that the women targeted by labour regulations in mid-twentieth century Egypt both conceded to and challenged the basis of their inclusion into the structure of the modern state. While some pushed back against integrating tendencies that they judged to be threatening to their means of making a living, others did not.

## ABSTRAIT

Cette thèse présente la relation entre l'état et le citoyen subalterne en Égypte, en particulier les femmes urbaines de classe inférieure qui ont reçu un revenu de la production de biens et des services entre les années 1919 et 1952. Mes recherches sont basées sur des documents inédits des Archives nationales britanniques et égyptiennes. Je discute les idéologies de base et les circonstances matérielles de la relation changeante entre l'état, le sexe et le travail, offrant ainsi une nouvelle perspective sur l'histoire des femmes de classe inférieure qui ont été mises à l'écart dans les études de femmes et de travail dans le domaine de l'histoire égyptienne moderne. J'analyse comment et dans quelles circonstances l'État a activement participé à l'organisation du travail des femmes en trois cas: la loi réglementant l'emploi des femmes dans l'industrie et le commerce, la réglementation de la prostitution et la conscription à courte durée de sujets britanniques en Égypte pendant la Seconde Guerre mondiale. Bien que l'intervention juridique ait été façonnée par des perceptions dominantes du genre, les différentes définitions de la féminité ont été déployées dans les différents contextes, ce qui résultent à l'instabilité et à la réaffectation continues de ce que signifiait être une femme. En s'appuyant sur des documents archivistiques tels que des pétitions, je souligne également la réaction des travailleuses suscitées par les transformations de l'État-nation moderne. En écrivant des pétitions et en s'engageant dans d'autres formes d'action telles que la non-coopération avec les lois et les institutions gouvernementales créées pour les gérer, les travailleuses de classe inférieure s'appuyaient sur la force collective de leurs réseaux sociaux (communautaires, familiaux et du travail) à influencer les conditions de leur travail et les conditions sous-jacentes de l'ingérence de l'État. Je soutiens que les femmes visées par la réglementation du travail au mi- vingtième siècle en Égypte ont

concéder et contesté la base de leur inclusion dans la structure de l'État moderne. Alors que certaines ont repoussé les tendances d'intégration qu'elles jugeaient menacer leurs moyens de gagner leur vie, d'autres ne le faisaient pas.

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## Introduction

Egyptian feminist Duriyyah Shafiq published her book, *Egyptian Women from the Time of the Pharaohs to Now*, in 1955. In it she documented the advances and contributions women had made throughout Egyptian history and their struggle for equality in politics, education, and in the labour force. Admittedly, these were struggles that mostly revolved around elite women.

Cognizant of this class distinction, Shafiq also drew attention to what she called "the struggle of the anonymous female soldier," *al-jundīyyah al-majhūlah*. Shafiq described *al-jundīyyah al-majhūlah* as the many women all over Egypt in both city and countryside who "split their time between the house and work."<sup>1</sup> These women struggled silently with a burden heavier than men's. They went out to work in the factory, field, or market and returned to their homes only to work more in order to fulfill the obligations required of them by the domicile. "In this misery," Shafiq writes, the average woman, "does more work than her husband...and does not rest until her duty in all fields is complete."<sup>2</sup>

According to Shafiq, both the paid and unpaid work of lower class women, which was little acknowledged, was actually integral to Egyptian society. Using the image of *al-jundīyyah al-majhūlah*, she compared working women to a "soldier in a field of war defending his nation." She writes,

Just as anonymous soldier dies defending his country, many Egyptian women die for the country as well, exhausted and tired from fulfilling their duties without any knowledge of them and without being remembered in history. These unknown women and their

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<sup>1</sup> Duriyyah Shafiq, *al-Mar'ah al-Miṣriyyah min al-Fira'ana ilā al-Yaum* (Cairo: Maṭba'at Miṣr, 1955), 273.

<sup>2</sup> Ibid.

struggles are truly worthy of being sanctified and remembered and to their silent struggle and anonymous heroism we bow our heads.<sup>3</sup>

Shafiq's use of the powerful metaphor of the anonymous soldier to describe the contribution of women's work is unique though she was not the first to recognize lower class women's presence in the labour force or their double shift. In fact, the public presence of poor working women seems to have been frequent topic of discussion. Azizah Hussein who went on to establish Egypt's first family planning association in the late 1960s pointed to the slackened gender intermingling restrictions of the "poorer village and city women" whose economic circumstances forced them into a "life of fruitful co-operation with man."<sup>4</sup> Another activist, Inji Aflatun recognized that work outside the home did not mean freedom from it and wrote about the difficulties women faced in reconciling work with childcare.<sup>5</sup> Setting the tone for Hussein, Aflatun, and Shafiq was Nabawiyyah Musa who decades prior argued against a gender division of labour that restricted women to work within domestic space.<sup>6</sup>

While Musa drew on the presence of urban and rural women already in the labour force to argue against the constrictions imposed by dominant perceptions of femininity, she also felt that many jobs performed by lower class women, such as street vendors and peddlers, were dishonourable. Such occupations were of low status and unsafe work environments that opened women up to abuse from male strangers and the larger public.<sup>7</sup> Similar sentiments were echoed amongst foreign observers. For example Marcel Clerget who wrote one of the most extensive studies of the city of Cairo noted that women in the labour force were "frequently the objects of

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<sup>3</sup> Shafiq, *al-Mar'ah al-Miṣriyyah*, 274.

<sup>4</sup> Aziza Hussein, "The Role of Women in Social Reform in Egypt," *Middle East Journal* 7 (1953): 442.

<sup>5</sup> Injī Aflātūn, *Naḥnu... al-Nisa' al-Miṣriyyāt!* [We, the Egyptian Women] (Cairo: n.p., 1949), 42-48.

<sup>6</sup> Nabawīyyah Mūsā, *al-Mar'ah wa-l-'Amal* [Women and Work] (Cairo: Dār al-Kitāb al-Miṣrī, 1920), 27.

<sup>7</sup> Mūsā, *al-Mar'ah wa-l-'Amal* 64-65.

blatant abuse," and though according to official statistics female employment was quite low, there were still present in a wide number of fields including the construction industry.<sup>8</sup> Annie Van Sommer a missionary from England described the labour of Egypt's poorest women who she felt were condemned to a "life of drudgery" in both their work and home lives.<sup>9</sup> The lower class Egyptian woman was either extolled for her work outside the home or pitied for it.

Though the image of the lower class working woman is frequent (even if fleeting) in contemporary literature, in the scholarship on modern Egyptian history, she has been largely ignored. My dissertation seeks to help fill this lacuna by underscoring urban lower class women who derived an income from the production of goods and services between the end of the First World War in 1919 and the Free Officer's coup in 1952. Though there is wide variation in what jobs these women performed, the uniting factor here is remuneration for work in occupations that were generally considered low-status in that they required little to no formal training or education to be preformed. Perhaps more importantly, all the case studies considered in the following pages revolve around the public aspect of women's labour. These women worked in markets, streets, shops, and factories. As a result they had a marked presence in a variety of public spaces, which made them more obvious targets of communal anxiety and therefore state intervention. This research will answer the following questions: in what ways did the development of the nation state shape the construction of gender in the labour force? How did the expansion of the bureaucratic and administrative structure affect lower class women's income generating activities?<sup>10</sup>

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<sup>8</sup> Marcel Clerget, *Le Caire* v. 2, (Cairo: Imprimerie E & R Schindler, 1934), 154-156.

<sup>9</sup> Annie Van Sommer and Samuel M. Zwemer ed. *Our Moslem Sisters: A Cry of Need from Lands of Darkness* (New York: F.H. Revell Co., 1907), 35-36.

<sup>10</sup> Ava Baron, "Gender and Labor History: Learning From the Past, Looking to the Future," in *Work Engendered: Toward a New History of American Labor*, ed. Ava Baron (Ithaca: Cornell University Press, 1991), 1-46. Ava Baron poses these questions and others as key paths of inquiry in how gendered subjectivities are both constructed and contested in the labour force.

Labour studies continues to be a growing subfield in the history of modern Egypt. Recent works by Nancy Reynolds, Hanan Hammad, John Chalcraft, and Hibba Abugideiri have added to our knowledge of urban working and middle classes in Egypt, the variety of their experiences on the job, and their modes of protest.<sup>11</sup> Within the last two to three decades, much of this scholarship has taken issue with the narrow focus on the industrial factory worker upon whom the most popular narratives of labour history is based. This is exemplified by Joel Beinin and Zachary Lockman's *Workers on the Nile*, and the now classic history by Egyptian scholar Raouf Abbas titled *al-Harakah al-'Ummaliyyah fi Misr, 1899-1952*.<sup>12</sup> Since the publication of these books, the history of Egyptian workers has taken new directions. John Chalcraft and Kristin Koptiuch have argued that these works almost exclusively focus on factory workers and therefore entail a concomitant denial of other workers and modes of production. In an effort to remedy this, Chalcraft has looked at craft and service workers and has shown that they were an essential part of the labour movement as well as to the nationalist struggle. He documents how their traditional forms of production and organization as embodied by the guild, changed under the context of increased economic integration with the world economy, state building and colonialism.<sup>13</sup> Looking at artisans, Kristin Koptiuch also questions the implicit dichotomy present in Beinin and Lockman's work between the traditional artisan and the modern industrial

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<sup>11</sup> Nancy Reynolds, "Entangled Communities: Interethnic Relationships Among Urban Salesclerks and Domestic Workers in Egypt, 1927-1961," *European Review of History: Revue europeenne d'histoire* 19 (2012): 113-139; Reynolds, "Salesclerks, Sexual Danger, and National Identity in Egypt 1920's-1950's," *Journal of Women's History* 23 (2011): 63-88; Hanan Hammad, "Making and Breaking the Working Class: Worker Recruitment in the National Textile Industry in Interwar Egypt," *International Review of Social History*, 57 (2012): 73-96; John T. Chalcraft, *The Striking Cabbies of Cairo; and Other Stories: Crafts and Guilds in Egypt, 1863-1914* (Albany: State University of New York Press, 2004); Hibba Abugideiri, *Gender and the Making of Modern Medicine in Colonial Egypt* (Famham: Ashgate, 2010); Abugideiri, "Off to Work at Home: Egyptian Midwives Blur Public-Private Boundaries," *Hawwa* 6, no.3 (2008): 254-283.

<sup>12</sup> Beinin and Lockman, *Workers on the Nile: Nationalism, Communism, Islam, and the Egyptian Working Class, 1882-1954* (Egypt: American University in Cairo Press, 1998), Raouf Abbas, *al-Harakah al-'ummaliyyah fi misr, 1899-1952* [The Workers' Movement in Egypt] (Cairo: Dār al-Kātib al-'Arabī li-l-Ṭibā'ah w-l-Nashr, 1967). See also Marius Deeb, *Party Politics in Egypt: The Wafd and its Rivals, 1919-1939* (London: Ithaca Press, 1979).

<sup>13</sup> Chalcraft, *The Striking Cabbies of Cairo*, 191-197.

worker, thereby challenging "conventional theories of working class history and its dynamics."<sup>14</sup>

Ellis Goldberg has studied how child labour was essential to the development of the economy, especially the cotton industry, and how the slow path to suppressing child labour and increasing literacy negatively impacted Egyptian industry and industrialization.<sup>15</sup>

More recently, Hanan Hammad looks at the communal life of workers and how these local relationships shaped the ways subaltern individuals often resisted the encroachment of the nation-state.<sup>16</sup> Hammad's work highlights social culture through an analysis of workers' daily lives, routines, networks, negotiation strategies, etc., that fall outside of the realm of political and labour activism. She argues that these are overlooked yet significant factors in the formation of the working class in Egypt.<sup>17</sup> There have also been recent contributions to Egyptian labour studies through an analysis of specific occupations. Nancy Reynolds has analyzed the changing structure of commerce in twentieth century Egypt and how this transformation resulted in not only in new patterns of consumption but also how people worked.<sup>18</sup> Her research on the urban salesclerk has uncovered how this occupation became a locus for negotiations concerning new definitions and practices of sexuality and citizenship.<sup>19</sup> Hibba Abugideiri has analyzed the professionalization of the medical field in Egypt and how this process both incorporated and marginalized female medical practitioners such as midwives.<sup>20</sup> Despite the widening scope of those considered appropriate subjects of modern Egyptian labour history, scholarship on the

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<sup>14</sup> Kristin Koptiuch, *A Poetics of Political Economy in Egypt* (Minneapolis: University of Minnesota Press, 1999) 68.

<sup>15</sup> Ellis Goldberg, *Trade, Reputation, and Child Labor in Twentieth-Century Egypt* (New York: Palgrave Macmillan, 2004), 4-5.

<sup>16</sup> Hanan Hammad, "Mechanizing People, Localizing Modernity: Industrialization and Social Transformation in Modern Egypt: Al-Mahalla al-Kubra, 1910-1958," (PhD Diss., University of Texas at Austin, 2009), 6-8.

<sup>17</sup> Hammad, "Making and Breaking the Working Class," 75-76.

<sup>18</sup> Nancy Y Reynolds, "Sharikat al-Bayt al-Misri: Domesticating Commerce in Egypt, 1931-1956," *The Arab Studies Journal* 7/8 (1999/2000): 76.

<sup>19</sup> Nancy Y Reynolds, "Salesclerks, Sexual Danger, and National Identity in Egypt, 1920's-1950's," *Journal of Women's History* 23 (2011): 65.

<sup>20</sup> Abugideiri, *Gender and the Making of Modern Medicine*, chapter 4.

work experiences of urban lower class women in the first half of twentieth century remains relatively neglected.<sup>21</sup>

In scholarship on women in late nineteenth and twentieth century Egypt, there has been a general acknowledgement that "women have always worked."<sup>22</sup> Beth Baron, Margot Badran, Latifah Muhammad Salim, and Amal al-Subki have looked at the development of the women's movement in Egypt beginning in the late nineteenth century.<sup>23</sup> While all these works draw on a variety of historical sources such as government reports and census data, they foreground the women's press through textual analysis of Arabic periodicals founded and written by women of mostly the upper classes. Each of these works has dedicated attention to the changes in ideas and practices surrounding women's work. They have drawn attention to the strides women have made in professional fields such as journalism, law, medicine, and education, as well as acknowledged the more long-standing contributions of lower class women in modern factories, small-scale handicraft businesses, as street vendors, small business owners, and especially as peasants. Cathlyn Mariscotti's book further contributes to class analysis of the women's movement in twentieth century Egypt showing how wage work became a point of contention between elite and middle class women activists in the 1930's.<sup>24</sup>

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<sup>21</sup> Hammad, "Mechanizing People, Localizing Modernity," 7. This neglect is characteristic of Middle Eastern studies in general. See, Ilham Khuri-Makdisi, *The Eastern Mediterranean and the Making of Global Radicalism* (Berkeley: University of California Press, 2010), 136; and Fariba Zarinebaf-Shahr, "The Role of Women in the Urban Economy of Istanbul, 1700-1850," *International Labor and Working-Class History* 60 (Fall, 2001):141.

<sup>22</sup> This is the title of a chapter from Margot Badran's *Feminists, Islam, and Nation: Gender and the Making of Modern Egypt* (Princeton: Princeton University Press, 1995) chapter 9. In this chapter she discusses the struggle for women's equal employment. For more on women's activism in employment see Beth Baron, *The Women's Awakening in Egypt: Culture, Society, and the Press* (New Haven, Yale University Press, 1994), 144-167.

<sup>23</sup> Baron, *The Women's Awakening in Egypt*; Badran, *Feminists, Islam, and Nation*; Latifah Muhammad Salim, *al-Mar'ah al-Miṣriyyah wa-l-Taghyīr al-Ijtīmā'ī, 1919-1945* [Egyptian Women and Social Change, 1919-1945] (Cairo: al-Hay'ah al-Miṣriyyah al-ʿĀmmah li-l-Kitāb, 1984); Amal al-Subki, *al-Ḥarakah al-Nisā'īyah fī Miṣr Mā Bayna al-Thawratayn, 1919-1952* [The Women's Movement in Egypt Between the Two Revolutions] (Cairo: al-Hay'ah al-Miṣriyyah al-ʿĀmmah li-l-Kitāb, 1986).

<sup>24</sup> Cathlyn Mariscotti, *Gender and Class in the Egyptian Women's Movement, 1925-1939* (Syracuse: Syracuse University Press, 2008), 40, 79.

Ahmad Muhammad Salim's exhaustive study on the portrayal and role of women in modern thought in Egypt provides an excellent review of the writings of liberal intellectuals and religious scholars on many socio-economic and political debates of the time.<sup>25</sup> Other works such as those by Kenneth Cuno, Hanan Kholoussy, Lisa Pollard, Omnia El Shakry, and others have analyzed changing gender roles as a result of transformations in family, marriage, and child-rearing practices and ideas in the context of state-building and growing nationalism of the nineteenth and twentieth centuries.<sup>26</sup> These important contributions have recognized gender and class inequalities in labour and employment but beyond these general strokes, only little historical detail on lower-class women is ever offered.

The few exceptions to this are Judith Tucker's classic study on women's changing roles in Egypt. Tucker situates the changes to women's status and positions as an outcome of the interaction of material and ideological forces.<sup>27</sup> By mostly concentrating on peasant and urban lower class women, she shows how Egypt's integration into the European economic order changed women's activities, positions, and power.<sup>28</sup> Though she focuses on transformations of the nineteenth century, her analysis extends into the first decade and a half of the twentieth

<sup>25</sup> Ahmad Muhammad Salim, *al-Mar'ah fī al-Fikr al-'Arabī al-Ḥadīth: Qira'ah fī Ma'ārik 'Aṣr al-Tanwīr* [Women in Modern Arabic Thought: Readings in the Battles of the Age of Enlightenment] (Cairo: Miṣr al-'arabiyyah l-il-nashr wa-l-tawzī', 2011).

<sup>26</sup> Cuno, *Modernizing Marriage: Family, Ideology, and Law in Nineteenth- and early Twentieth-Century Egypt* (Syracuse, Syracuse University Press, 2015); Kholoussy, *For Better, For Worse: The Marriage Crisis that Made Modern Egypt* (Stanford: Stanford University Press, 2010); Pollard, *Nurturing the Nation: The Family Politics of Modernings, Colonizing, and Liberating Egypt, 1805-1923* (Berkeley: University of California Press, 2005); El Shakry, "Schooled Mothers and Structured Play: Child Rearing in Turn-of-the-Century Egypt," in *Remaking Women: Feminism and Modernity in the Middle East*, ed. Lila Abu-Lughod (Princeton: Princeton University Press, 1998), 126-170. See also Liat Kozma, "Women on the Margins and Legal Reform in Late Nineteenth Century Egypt, 1850-1882" (PhD diss., New York University, 2006); Beth Baron, *Egypt as a Woman: Nationalism, Gender, and Politics* (Berkeley: University of California Press, 2005); Mary Ann Fay, "From Warrior-Grandeess to Domesticated Bourgeoisie: the Transformation of the Elite Egyptian Household into a Western-Style Nuclear Family," in *Family History in the Middle East: Household, Property, and Gender*, ed. Beshara Doumani (Albany: State University of New York Press, 2003), 77-97; Marilyn Booth, "Between Harem and Houseboat: 'Fallenness,' Gendered spaces, and the Female National Subject in 1920s Egypt." In *Harem Histories: Envisioning Places and Living Spaces*, ed. Marilyn Booth (Durham: Duke University Press, 2010), 342-370. See also the first two chapters of Selma's Botman's book *Engendering Citizenship in Egypt* (New York: Columbia University Press, 1999), 1-49.

<sup>27</sup> Judith Tucker, *Women in Nineteenth-Century Egypt* (Cambridge: Cambridge University Press, 1985), 3.

<sup>28</sup> Tucker, *Women in Nineteenth-Century Egypt*, 4-9.

century. ‘Azzah Khalil's research has shown how definitions of terms used to collect census data in the twentieth century meant that the majority of women activities and the various types of work they performed in both rural and urban areas was severely undercounted.<sup>29</sup> Another more recent exception is found in the work of Hanan Hammad. In looking at the relationship between working class communities and the state, Hammad explores the way women working as sex workers, property managers, and small business owners were very much essential parts of the working class community of Mahallah al-Kubra and how through their work they challenged both local and national norms.<sup>30</sup> My work contributes to the scholarship on gender and labour history in Egypt by looking at three moments of government intervention in the labour practices of lower class women from 1919-1952. This study is ultimately about the changing relationship between the state and lower class working women as articulated through law. I show that working women were incorporated into new structures of governance in both varying and incomplete ways. I approach these transformations with the following questions in mind: How did the problem of labour control take shape across gender and class lines? What were the laws and policies governing urban female wage labour? Under what circumstances did women either concede or protest attempts to control their working lives?

In this dissertation I will show how lower class women's bodies and labour practices became the object upon which communal anxieties regarding the success and longevity of the nation came to stand. Dominant notions of femininity and ideas of morally suitable work for women resulted in the criminalization of women who did not comply with these standards. In other words the disenfranchisement of women who crossed either moral or legal boundaries was a

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<sup>29</sup> ‘Azzah Khalil, "Dukhūl al-Mar’ah al-Miṣriyyah Sūq al-‘Amal wa-Taṭawwur Khaṣā’iṣ A’ mālituha," in *Nisā’ al-Ghazl wa-l-Nasīj: al-Awḍā’ al-Iqtiṣādiyyah al-Ijtimā’iyyah* [Egyptian Women's Entry into the Labour Market and the Development of her Work in Women of Spinning and Weaving: The Socio-Economic Conditions], ed. Safa’ Zaki et al. (Cairo: Markiz al-Baḥūth al-‘Arabiyyah, 1999), 47-84.

<sup>30</sup> Hammad, "Mechanizing People, Localizing Modernity," 213.



clear outcome of state intervention. Yet this disenfranchisement was actively challenged and recast by different groups of working women. In reacting to state regulation, women used and depended on their own social networks. By relying on the resources of the community and neighbourhood, women attempted to escape the confines of government policy or sought inclusion. This reveals the various ways in which urban lower class women utilized a variety of resources in the face of harsh circumstances and the changing practices of state regulation.

### **Labour, Legal Reform, and the Modern Nation-State**

According to Wael Hallaq, the archetypical nation-state has five essential attributes. First, the form and ideological underpinnings of the nation-state has specific beginnings in eighteenth and nineteenth century Europe though its development everywhere is a historically contingent and therefore differentiating process. The second and third essential characteristics are sovereignty and law respectively. At the heart of the nation-state is its sovereignty, which plays out both domestically and internationally. Within its own borders the state is free to legislate as it sees fit and internationally its sovereignty and therefore sole authority to enact and implement law within its own borders is recognized by other states. Fourth, a bureaucratic structure is necessary for the administration of law, which centralizes, systematizes and standardizes rule. Lastly, the state achieves the consent of its citizenry through cultural hegemony.<sup>31</sup>

Legal reform in Egypt began in the nineteenth century as a means to centralize power in the hands of the state and ruling elites.<sup>32</sup> Much of the discussion on the significance of legal changes to the development of the Egyptian nation-state has addressed issues of land, private

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<sup>31</sup> Wael B. Hallaq, *The Impossible State: Islam, Politics, and Modernity's Moral Predicament* (New York: Columbia University Press, 2013), 23-34.

<sup>32</sup> Nathan Brown, "Law and Imperialism: Egypt in Comparative Perspective," *Law & Society Review*, 29, no.1 (1995): 116-117.

property, changes to the system of shari‘ah law, new criminal codes, and the development of the court system.<sup>33</sup> These contributions have brought to the forefront the idea that the nation is both an "abstract concept and a set of practices," which evolve historically.<sup>34</sup> For example in his essay on what he describes as the transmutation of shari‘ah, Talal Asad writes that legal reforms in Egypt were believed to be a requirement of modernity by the elite.<sup>35</sup> The monopolization of legal power essential to state formation was achieved through reforms that severely circumscribed older systems such as the shari‘ah. Law not only granted citizens individual rights but also became the vehicle through which new categories of knowledge and objects of governance found expression. Such transformations were necessary in order to align both state and citizen with modern ideas and behaviours.<sup>36</sup> Similarly, Samera Esmeir has argued that the adoption of a system of positive law in the transition to modern statehood in Egypt required, "a rupture in its legal history" where the source of law became the state and not religion.<sup>37</sup> She writes that this rupture was used to release peasants and labourers from their previous economic relationships and in turn tie them to cotton production for the world market. In this period, the colonial project "humanized" Egyptians by subjecting them to the rule of law, which was seen as replacing an older and "chaotic" legal system, thereby leading citizens and nation into modernity.<sup>38</sup>

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<sup>33</sup> See Nathan J. Brown, *The Rule of Law in the Arab World: Courts in Egypt and the Gulf* (Cambridge: Cambridge University Press, 1997), and "Law and Imperialism: Egypt in Comparative Perspective," *Law & Society Review*, 29, no.1 (1995): 103-126; Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity* (Stanford: Stanford University Press, 2003), 205-256; Samera Esmeir, *Juridical Humanity: A Colonial History* (Stanford: Stanford University Press, 2012), and "At Once Human and Not Human: Law, Gender and Historical Becoming in Colonial Egypt," *Gender & History*, 23, no.2 (2011): 237-239; Kenneth Cuno, *The Pasha's Peasants: Land Tenure, Society, and Economy in Lower Egypt, 1740-1858* (Cambridge: Cambridge University Press, 1992).

<sup>34</sup> Hallaq, *The Impossible State*, 21.

<sup>35</sup> Asad, *Formations of the Secular*, 218.

<sup>36</sup> *Ibid.*, 227-231.

<sup>37</sup> Esmeir, *Juridical Humanity*, 1.

<sup>38</sup> *Ibid.*, 4-17.

In this dissertation, I argue that attempts to regulate female labour must be placed within the legislative imperative of the sovereign nation-state. Modernity in the twentieth century continued to be pursued by further elaboration of law, including but not limited to labour regulation, as well as through structural changes to state administration within the constraints imposed by semi-colonialism. Egypt experienced bureaucratic expansion through the creation of new ministries and departments propelled by the promulgation and administration of law. I argue that the creation of labour policy as part of the development of a capitalist economy was a heavily gendered process and one way in which the function of the state unfolded.

The historical interdependence of state, gender, and labour practices has been a vibrant topic of discussion for scholars of the modern Middle East. Ebru Boyar has analyzed how women were incorporated into the political agenda of early twentieth century Turkey as employed women became increasingly viewed as important players in national development.<sup>39</sup> Malek Abisaab and Elizabeth Thompson have also analyzed changes in perceptions and structure of women's work both inside and outside of the home as a result of economic transformations of the nineteenth and early twentieth centuries that triggered changes in the relationship between capital, labour, and the state in Lebanon and Syria.<sup>40</sup> Specifically, Abisaab argues that by looking at the experience of subaltern women and their participation in the labour force in Lebanon, the process of nation-building becomes less homogenous and unilinear as it becomes evident that the nation was "challenged, and occasionally undermined by changing class and gender formations."<sup>41</sup> Elizabeth Thompson analyzes the interaction of class, gender, and sect in

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<sup>39</sup> Ebru Boyar, "The Public Presence and Political Visibility of Ottoman Women," in *Ottoman Women in Public Space*, ed. Ebru Boyar and Kate Fleet (Leiden: Brill, 2016), 247.

<sup>40</sup> Malek Abisaab, *Militant Women of a Fragile Nation* (Syracuse: Syracuse University Press, 2010); Elizabeth Thompson, *Colonial Citizens: Republican Rights, Paternal Privilege, and Gender in French Syria and Lebanon* (New York: Columbia University Press, 2000).

<sup>41</sup> Abisaab, *Militant Women of a Fragile Nation*, xvi.

her work on mandate period Syria and Lebanon. She writes that citizenship was not solely determined by colonial rule, but rather was the product of a variety of factors and forces including economic transformations, gender conceptions, and various movements including the women's movement, the labour movement and the nationalist movement.<sup>42</sup> These forces combined to create a colonial civic order where the "terms of state power and citizenship were continually renegotiated" resulting in heterogeneous citizenship with an unequal distribution of rights. The crisis of patriarchy as a result of severe economic dislocation from World War I meant the formation of a gendered civic order and a re-inscription of women's differential citizenship status.<sup>43</sup>

Thus, a central frame of analysis in my research is the reform, promulgation, and enforcement of various laws regarding women's labour in Egypt in the first half of the twentieth century. In particular, I look at three moments of intervention: law eighty governing the employment of women in commercial and industrial sectors (chapters two and three), the de-regulation of sex workers (chapter four), and the enforcement of conscription of British-Maltese subjects during the Second World War (chapter five). These case studies will illustrate how legislation and its application served as a means of direct state intervention into the working lives of lower class women in the period from 1919 to 1952. This intervention has yet to be addressed by scholarship in studies of both modern Egyptian labour and gender history.

In this dissertation, I focus on the state's efforts to control female labour as well as women's attempts to renegotiate the terms of this relationship through petitions and other forms of action such as non-cooperation with laws and governing institutions created to manage them. As I will show, women drew on the collective strength of their social networks (work based, communal,

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<sup>42</sup> Thompson, *Colonial Citizens*, 290.

<sup>43</sup> *Ibid.*, 286-287.

and familial) in the attempt to influence the conditions of their labour and the underlying terms of state interference.<sup>44</sup> I argue that the women targeted by labour regulations in mid-twentieth century Egypt both conceded to and challenged the basis of their inclusion into the structure of the modern state. While some pushed back against integrating tendencies that they judged to be threatening to their means of making a living, others did not. Government regulation sanctioned certain forms of employment for women and it prohibited others. For women working in jobs that came to be prohibited by law, they did not so much oppose state intervention, but sought it out. Relying on notions of justice, these women argued for the right to the government's protection after being excluded from it.

The periodization of this study, 1919 to 1952, reflects crucial changes to both the state and economy in semi-colonial Egypt. Egypt achieved nominal independence from the British in 1922. As will be discussed, this independence was severely curtailed. Nonetheless, Egypt was able to inaugurate its first elected parliament in 1924 and therefore the ruling elite became more directly responsible for the promulgation of law and policy. These responsibilities were further expanded in 1936 with the signing of the Anglo-Egyptian Treaty, which stipulated British withdrawal from politics, though as will be seen in chapter five, this transition was repeatedly compromised. Within these structural restrictions, the Egyptian government was, "able to pursue its own vision of judicial and legal reform," as it had before 1882.<sup>45</sup> Modernity continued to be expressed by structural changes to the state and further elaboration of law. With the new parliament and expanded legislative capabilities, Egypt also experienced bureaucratic

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<sup>44</sup> As Frederick Cooper has argued, "the argument that wage rates and conditions of employment were set by the reproductive requirements of capitalism misses the complexity of workers' efforts to redefine those conditions themselves, using their own social networks to find alternatives that provided slightly better wages, less dangerous work, less oppressive employers, or workplaces that allowed access to land or a chance to live as a family." Cooper, *Africa and the World Economy*," in *Confronting Historical Paradigms: Peasants, Labor, and the Capitalist World System in Africa and Latin America*, ed. Frederick Cooper et al. (Wisconsin: University of Wisconsin Press, 1993), 133.

<sup>45</sup> Brown, *The Rule of Law in the Arab World*, 40.

development through the creation of new ministries and departments propelled by the promulgation and administration of law.

The struggle for an independent nation in Egypt is inextricably tied to a number of economic transformations in the twentieth century that entrenched a capitalist economy. According to Marx's theory of capitalist development, the capitalist mode of production is founded on the division between the capitalist class and the working class, where the capitalists have a monopoly over the means of production as well as the finished product.<sup>46</sup> In this context, the worker is forced to sell his/her labour power as a commodity as they are separated from "all the objects needed for the realization of his labour power."<sup>47</sup> Labour power, that is the physical capability existing in the worker that is applied in the process of production, is a commodity that in its consumption by the capitalist creates new value.<sup>48</sup> Consequently, the subjugation of labour is a necessary condition of the capitalist mode of production. But how labour power or the capacity to work is translated into actual labour as Michael Burawoy has noted, is the "definitive problem of the capitalist labour process."<sup>49</sup>

Timothy Mitchel has argued the modernizing state in Egypt enforced policies at the local level in regards to education, urban planning, and agricultural labour in order to fashion the disciplined bodies and spaces required of expanded and coordinated production.<sup>50</sup> As Hamza Alavi writes, in thinking about the changes to relations of production it is important to remember that local configurations cannot be viewed in isolation from their "external nexus."<sup>51</sup> In other

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<sup>46</sup> Karl Marx, *Capital: A Critique of Political Economy, Volume 1*, trans. Ben Fowkes (London: Penguin Books, 1990), 474-480.

<sup>47</sup> Marx, *Capital*, 272-273.

<sup>48</sup> *Ibid.*, 270.

<sup>49</sup> Michael Burawoy, "Toward a Marxist Theory of the Labor Process: Braverman and Beyond," *Politics & Society* 8 (1978): 247.

<sup>50</sup> Timothy Mitchell, *Colonising Egypt* (Cambridge: Cambridge University Press, 1988), 35

<sup>51</sup> Hamza Alavi, "The Structure of Peripheral Capitalism," in *Introduction to the Sociology of "Developing Societies*, eds. Hamza Alavi and Teodor Shanin (New York: Monthly Review Press, 1982), 180.

words, the influence of imperialism and the peripheral place that Egypt occupied in the capitalist world system as a provider of raw material for European consumption was a determining factor in how production, and therefore labour, were organized. At the same time, the nature of productive formations is a result of negotiations between different local interests and actors.<sup>52</sup> Thus, it is the interaction of local and international forces that influence the precise manner in which the state approaches issues of economic policy and labour regulation.<sup>53</sup>

With a new attempt at industrialization in the twentieth century, different policies governing labour and capital were introduced. Beginning after the First World War, Egyptian capitalists began vocally advocating for economic independence driven by industrial development. A strong domestic industry was increasingly viewed as a necessary component of advancement. Joel Beinin and Zachary Lockman have argued that economic expansion and the intensification of industrialization created the basis of a new class structure in Egypt. The growing proletariat, that is low-level urban wage earners who came to be defined as the working class, became increasingly vital to both politics and the economy.<sup>54</sup> Consequently, the state sought out their acquiescence through labour law and their subjugation through police intervention and the use of force. The organization, consciousness, and forms of collective action of this new class of urban wage earners was formed as a result of and simultaneously with the creation of a modern independent nation-state and the development of capitalism.<sup>55</sup>

For Egypt to become an independent and modern nation-state, the government was called on to intervene in the factors of production. The state was seen as responsible for not only

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<sup>52</sup> Paul Thompson and Chris Smith. "Beyond the Capitalist Labour Process: Workplace Change, the State and Globalization," *Critical Sociology* 24 (1998): 196-197.

<sup>53</sup> Thompson and Smith, "Beyond the Capitalist Labour Process," 197.

<sup>54</sup> Beinin and Lockman, *Workers on the Nile*, 4-8.

<sup>55</sup> *Ibid.*, 448-452. For more on collective action and labour organization in twentieth century Egypt, see Ellis Goldberg, *Tinker, Tailor, and Textile Worker: Class and Politics in Egypt, 1930-1952* (Berkeley: University of California Press, 1986); and Raouf Abbas's *al-Ḥarakah al-ʿUmmāliyyah fī Miṣr*.

protecting local industry but also for ensuring the reproduction of labour power through basic social welfare policies aimed at creating civic-minded and healthy generations for the future<sup>56</sup>. Although some of the welfare policies were concerned with the material aspects of the reproduction of labour power, such as workers' compensation laws and government subsidized housing, they were also meant to encourage moral reform and regulate behaviour. Even the British who had historically supported a minimalist government feared the worst from the social transformations of the interwar period. By 1929, the British High Commissioner George Lloyd was of the opinion that "Egypt is over-ripe for social reform." For him, Egyptian cities were sites of "general social corruption" resulting from the loss of religious faith that needed to be stemmed through legal reform.<sup>57</sup>

The emphasis on regulating citizens, that is, reforming their social practices in ways that aligned with the trajectory of modern progress and comportment was never fully realized.<sup>58</sup> Looking at poverty relief in nineteenth and twentieth century Egypt, Mine Ener has argued that the concepts of social control and policing are not adequate frames of analysis as the institutions tasked with ensuring the proper formation of the modern citizen, namely the state and private philanthropic organizations, were structurally incapable of complete dominance.<sup>59</sup> Similarly, the concern with the welfare of the peasant and working classes in order to regulate the

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<sup>56</sup> Omnia El Shakry, *The Great Social Laboratory: Subjects of Knowledge in Colonial and Postcolonial Egypt* (Stanford: Stanford University Press, 2007), 199-201; Shaun T. Lopez, "The Dangers of Dancing: The Media and Morality in 1930's Egypt," *Comparative Studies of South Asia, Africa, and the Middle East* 24 (2004): 102-103; Hanan Kholoussy, "Monitoring and Medicalising Male Sexuality in Semi-Colonial Egypt," *Gender and History* 22 (2010): 682-84.

<sup>57</sup> FO 141/590/269 Despatch from George Lloyd to Foreign Office, 3 May 1929. For Lloyd, the answer to the break down of social cohesion was legal reform of the family unit through modernizing marriage law. He writes, "In such a dissolution it is obvious that some tightening up of the family bonds is almost imperative for social conservation, and in a modernized Egypt this can only be achieved by an approximation to European monogamy and contractual equality between man and woman."

<sup>58</sup> Omnia El Shakry, "Barren Land and Fecund Bodies: The Emergence of Population Discourse in Interwar Egypt," *International Journal of Middle East Studies* 37 (2005): 353.

<sup>59</sup> Mine Ener, *Managing Egypt's Poor and the Politics of Benevolence, 1800-1952* (Princeton: Princeton University Press, 2003), 15.



reproduction of labour power in Egypt never achieved the consensus of the ruling elites in the pre-1952 period. For this reason, there was there never a concomitant effort on behalf of the government to implement effective policies that would increase standards of living. This is partly a product of the fact that the state and its rulers are not homogenous entities as Hamza Alavi has most prominently argued. Rather, the state was an "arena of class struggle," where the contentions of the different classes, including the plurality of interests within what is called the dominant classes, is played out.<sup>60</sup> Effective reform in the pre-1952 period in the form of attempts to solve deep-seated inequalities, specifically the unequal distribution of land and establishing minimum wage rates, were consistently interrupted by sections of the elite, most notably by large landowners who depended on the cheap labour of a massive number of peasants.<sup>61</sup> As a result, the obligation of the state to ensure the welfare and living standards of the urban lower classes did not find wide-expression in government law and policy in this period. The elite, however divergent their interests, were able to protect themselves against reform that would substantially change existing social relations and instead opted for particular solutions that preserved the stability of the social order.<sup>62</sup>

My research shows that there was both a concern and a neglect of women's labour in Egypt in the period from 1919 to 1952. This duality was to endemic state practice and not an exceptional feature. Through the promulgation of various laws such as law eighty of 1933 Governing the Employment of Women in Industry and Commerce, regulations concerning prostitution, and conscription laws enforced by the British during WWII, the state was able to

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<sup>60</sup> Hamza Alavi, "State and Class Under Peripheral Capitalism," in *Introduction to the Sociology of "Developing Societies"*, ed. Hamza Alavi and Teodor Shanin (New York: Monthly Review Press, 1982), 291-96.

<sup>61</sup> Raouf Abbas and Assem el-Dessouky, *The Large Landowning Class and the Peasantry in Egypt, 1837-1952*, trans. Amer Mohsen and Mona Zikri, ed. Peter Gran (Syracuse: Syracuse University Press, 2011), 189. See Also El Shakry, *The Great Social Laboratory, 200-201*; Joel Beinin "Egypt: Society and Economy, 1923-1952," in *The Cambridge History of Egypt, vol. 2: Modern Egypt from 1517 to the end of the Twentieth Century*, ed. M.W. Daly (Cambridge: Cambridge University Press, 1998) 316.

<sup>62</sup> Abbas and el-Dessouky, *The Large Landowning Class*, 199-200; El Shakry, *The Great Social Laboratory*, 6.

intervene in the lives of urban lower-class women in new ways. Yet intervention was always incomplete as the very women it targeted challenged it. As James Scott cautions, "perhaps the greatest problem with the concept of hegemony is the implicit assumption that the ideological incorporation of subordinate groups will necessarily diminish social conflict."<sup>63</sup> In Egypt, the state's attempts to control lower class urban female labour and draw them into modern structures of governance was met with opposition. Of course this is not to imply that the women in my case studies wanted to remain in and protect "traditional" spaces, but rather to say that the new options and relations afforded and created by the state were clearly deemed to not be in their best interests. Thus, these women attempted in various ways to, as Thompson says, renegotiate the terms of their inclusion into the modern nation-state.<sup>64</sup> However, there is also evidence of differing tendencies. While some working women thwarted the state, others cooperated and sought out its protection.

Lower class women's attempts to redress their situations within the context of changing bureaucratic structures took different forms, as I will show in the following chapters. In the cases of the female workers in the commercial sector and the Maltese draft evaders as will be discussed in chapter three and five respectively, this resulted in a refusal to cooperate with the state. In the case of the producers and sellers of alcoholic beverages in chapter three, and the sex workers in chapter four, it resulted in an acceptance of the premise of state protection and an attempt to redefine the terms of the state-citizen relationship. Though these case studies are quite varied on the surface, there is a uniting factor amongst them, namely a clear reliance on extra-familial networks that women drew on for support in order to protect their work and livelihoods in moments of change.

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<sup>63</sup> James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven: Yale University Press, 1990), 77.

<sup>64</sup> Thompson, *Colonial Citizens*, 290.

While this research supports Judith Tucker's findings on the marginalization of women's economic activity under changing economic and governance structures of modern Egypt, it also branches off from it. Tucker argues that the rise of the interventionist state through changes to land tenure, conscription of peasant labour, creation of a factory system, amongst other changes resulted in the erosion of women's traditional institutions and a decrease in their economic activity. In addition, because there was no radical change in the family structure, this meant the accentuation of women's dependence on patriarchal family structures.<sup>65</sup> Tucker argues that dominant perceptions of womanhood tied women to their roles within the family structure as primarily wives, daughters, and mothers. Though this meant generally that women could not lead economically independent lives, patriarchy offered them certain rights and protections. Without these family relations Tucker argues, women were often worse off.<sup>66</sup> As a result of the rise of the interventionist state, familial institutions through which women's work was organized were "weakened without necessarily the concurrent development of substitute forms of social support."<sup>67</sup>

The family and household continued to be anchors for female identity well into the twentieth century. Changing conceptions of gender and nation in the modern period resulted in increased importance attached to the domestic lives of Egyptians. The first few decades of this century saw a "convergence" of various perspectives on how womanhood was to be defined and it ideologically restricted women to the home.<sup>68</sup> Ideas of motherhood, childrearing, domestic

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<sup>65</sup> Tucker, *Women in Nineteenth Century Egypt*, 198.

<sup>66</sup> Tucker, *Women in Nineteenth Century Egypt*, 197.

<sup>67</sup> Ibid., 102.

<sup>68</sup> Kholoussy, *For Better, For Worse*, 53.

management, and companionate marriage were reformulated in this period, which added further support to patriarchal family.<sup>69</sup>

In this dissertation I argue that patriarchal family ties were not the only solidarity structure or network that lower-class women could depend on in times of need. The case studies presented in the following chapters will demonstrate how communal networks either in addition to or completely separate from familial structures were vital systems of support for lower class women in their efforts to both renegotiate and deny the terms of state interference. Thus, lower class women were able to create and sustain alternate forms of social support that helped them in times of need. Tucker's thesis that the dissolution of traditional familial networks negatively affected women's economic positions and status in society still stands, but it does not account for the existence of other forms of solidarity that could also provide protection and support in times of crisis. Women not privy to the protection of the family or in instances where family support simply was not enough drew on other networks that aided in their survival. Destitution was not the only option.

My research contributes to the scholarship on both labour history and gender history in Egypt through the focus on lower class women's labour practices between 1919 and 1952. It adds to the knowledge of both fields through analyzing the variety of their experiences and modes of protest. In the following pages, I discuss the ideological and material foundations of the changing relationship between the state, gender, and labour as well as the reactions, which these transformations elicited. This frame of analysis offers us deeper insight into the state-making process in twentieth century Egypt. Furthermore, by looking at how and under what circumstances the state actively participated in organizing labour according to conceptions of

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<sup>69</sup> El Shakry, "Schooled Mothers and Structured Play," 126-170.

gender shows how varying definitions of femininity were deployed in different contexts, pointing to the instability and continual re-signification of what it meant to be a woman.<sup>70</sup>

## Methodology

This dissertation is partly informed by subaltern studies, which has critiqued the narrow focus on the elites as conscious actors. Subaltern studies, also known as history from below, centers analysis on social actors outside of elite groups. Thus, forms of consciousness of workers, women, and peasants and their acts of resistance become pivotal sites of exploration.<sup>71</sup>

Accordingly, this research juxtaposes multiple sources in order to reveal the complexities of work for lower class women in the post WWI period in Egypt leading up to 1952. More specifically, it will draw on British and Egyptian government records, books, periodicals, and petitions.

Much of the current research on modern Egyptian history relies on print media as its main historical source, which only speaks to how elite factions of Egyptian society perceived and spoke for lower class women. In the pre-1952 period, these outlets were never accessible platforms through which lower class women could deliberate their own condition. Hanan Kholoussy discusses the limitations of scholarship on twentieth century Egypt, which has largely relied on the press and published books in its analysis. As Kholoussy writes, these "elite articulations" can not tell us about the differing and various ways of being in tumultuous times experienced by the majority of the Egyptian population who did not have the economic privilege

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<sup>70</sup> Joan Wallach Scott, "Gender: Still a Useful Category of Analysis?" *Diogenes* 57, no.1 (2010): 11-12.

<sup>71</sup> Ranajit Guha, "The Prose of Counter-Insurgency," in *Selected Subaltern Studies* eds. Ranajit Guha and Gayatri Chakravorty Spivak (Oxford: Oxford University Press, 1988), 45-46; Dipesh Chakrabarty, "Labor History and the Politics of Theory: An Indian Angle on the Middle East," in *Workers and Working Classes in the Middle East: Struggles, Histories, Historiographies* ed. Zachary Lockman (Albany: State University of New York Press, 1994), 324.

and political access of the upper classes.<sup>72</sup> This is nowhere more evident than in the recent emphasis on the process of subject formation in works by Michael Ezekiel Gasper, Wilson Chacko Jacob, and Omnia el -Shakry, who delve into newspapers, journals, magazines, and novels to gain insight into the various factors and forces at play in shaping the modern citizen.<sup>73</sup>

The reliance on the press and news media found in the current scholarship is very much a product of what Julia Clancy-Smith recognizes as the increased focus on non-state actors. In her essay on the field of modern Middle Eastern history Clancy-Smith documents a widening of the scope of inquiry. She writes that the fact that scholars are questioning dominant narratives of nation and empire has resulted in a change where the category of legitimate historical actors has been expanded to include what she calls "marginal folk," and "ordinary people." This has opened up the focus of history to include women, peasants, and workers and has led to the development of histories of women and gender.<sup>74</sup> This has also resulted in a shift in historical sources from a reliance on diplomatic treatises, statements, reports, to looking at novels, photography and other "unorthodox sources."<sup>75</sup> This reliance is also evident in gender and women's studies of nineteenth and twentieth century Egypt, which Hammad characterizes as mostly intellectual histories.<sup>76</sup> The dynamism of print media in Egypt, and in particular women's press beginning in the late nineteenth century, make newspapers, journals, and books inexhaustible sources for histories of women and gender against the backdrop of socio-economic transformations of the period. The

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<sup>72</sup> Kholoussy, *For Better, For Worse*, 13-14.

<sup>73</sup> Gasper, *The Power of Representation: Publics, Peasants, and Islam in Egypt*, (Stanford: Stanford University Press, 2009); Jacob, *Working Out Egypt: Effendi Masculinity and Subject Formation in Colonial Modernity, 1870-1940* (Durham: Duke University Press, 2011); el-Shakry, *The Great Social Laboratory*.

<sup>74</sup> Julia Clancy-Smith, "Twentieth-Century Historians and Historiography of the Middle East: Women, Gender and Empire," in *Middle East Historiographies: Narrating the Twentieth Century*, eds. Israel Gershoni, Amy Singer, and Y. Hakan Erdem (Seattle: University of Washington Press, 2006), 70-77.

<sup>75</sup> Ibid.

<sup>76</sup> Hammad, "Mechanizing People, Localizing Modernity," 7. In particular, Hammad mentions Badran's *Feminists, Islam, and Nationa*, and Baron's *Egypt as a Woman* as notable examples of this. See also Hammad, *Industrial Sexuality: Gender, Urbanization, and Social Transformation in Egypt* (Austin: University of Texas Press, 2016), 12-13.

reliance on such sources is also partly related to Egyptian security concerns that have made the government archives arguably less accessible for researchers in recent years, while Dar al-Kotob where published materials are housed, is comparatively much easier to access.<sup>77</sup>

Scholars such as Kholoussy and Cuno argue that print media used in intellectual history should be combined with other types of records in order to produce a less skewed version of history.<sup>78</sup> In addition to books and periodicals, Kholoussy also draws on court records for insight on how changing definitions of marriage and gender were practically applied. For her, such sources offer clues as to how everyday people viewed marriage.<sup>79</sup> Kenneth Cuno also argues for the importance of legal and demographic sources in addition to the press, writing that a reliance on printed books and articles "make it difficult to distinguish actual social behaviour from discursive constructions of it."<sup>80</sup>

Following this approach, my dissertation fuses together print media and government archival sources from various ministries and departments in order to uncover the changing relationship between the state and working women in Egypt. An important contribution of this research lies in its use of previously unused sources, as far as I am aware, such as the files from the Egyptian Labour Office and the Ministry of Social Affairs that expands on the existing scholarship on state-labour relations in Egypt. My dissertation relies heavily on government archival documents I found in *Dar al-Watha'iq* in Cairo, Egypt and British Foreign Office Correspondence found in the British National Library in London. These sources in both English

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<sup>77</sup> For more on the securitization of the National Archives, see Khaled Fahmy, "Giulio, the Islands and National Security," *Mada Masr*, April 23, 2016, accessed April 9, 2017, <http://www.madamasr.com/en/2016/04/23/opinion/u/giulio-the-islands-and-national-security/>.

<sup>78</sup> Ibid.

<sup>79</sup> Kholoussy, *For Better, For Worse*, 16.

<sup>80</sup> Cuno, *Modernizing Marriage*, 10.

and Arabic provide new insight into the formulation of labour laws from the perspective of state officials as well as from the working women themselves in the form of petitions.

While government reports, administrative memos, departmental communications, etc. are integral to investigating the relationship between state and citizen, the use of government files as sources of historical information on workers and more specifically working women has its limits. Sources compiled or written by administrators and state employees are embedded in their own relations of power and “dominant normative frames.”<sup>81</sup> Yet as Gail Hershatler has argued, we can acknowledge the complex power arrangements that led to the creation of such sources while still considering them as ‘glimpses and traces’ into the circumstances and experiences of women who general do not leave their own historical record behind.<sup>82</sup> Furthermore, as Hershatler poignantly states, the image of the subaltern in the historical record “is not simply assigned by elites,” but rather, how they appear in government files and other sources composed by members of these classes is influenced to some degree by the “interventions of subalterns themselves.”<sup>83</sup> Using the primary source materials found in government archives reveals that law and regulation are not immutable but are constantly rearticulated through a dialectical process with the very people that they target.<sup>84</sup> Thus, I approach government archives as offering vital historical detail as to certain conditions surrounding women’s work in twentieth century Egypt, but also as revealing of the intricacies of social relationships across gender and class lines between state bureaucracy and citizen.

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<sup>81</sup> Francesca Biancani, “International Migration and Sex Work in Early Twentieth Century Cairo,” in *A Global Middle East: Mobility, Materiality and Culture in the Modern Age, 1880-1950*, eds. Liat Kozma, Cyrus Schayegh, Avner Wishnitzer (London: I.B. Tauris, 2014), 112.

<sup>82</sup> Gail Hershatler, *Dangerous Pleasures: Prostitution and Modernity in Twentieth Century Shanghai* (Berkeley: University of California Press, 1997), 24-27.

<sup>83</sup> Hershatler, *Dangerous Pleasures*, 26.

<sup>84</sup> Kyle J. Anderson, “The Egyptian Labor Corps: Workers, Peasants, and the State in World War I” *International Journal of Middle East Studies*, 49 (2017): 6-8.



The narratives of working women contained in this dissertation are incomplete as the paper trail in the archives is disjointed. Nonetheless, it brings to the forefront the grievances of subaltern women who are generally voiceless in scholarship. It highlights their attempts to secure their own livelihoods through challenging state interference in their work and work spaces, and at other times consenting to it or negotiating its terms. Before moving onto a discussion of the use of petitions in my research, two points of clarification are in order. First, there has been much debate on the use of the term feminist to describe activists concerned with improving women's status in nineteenth and twentieth century Egypt. Soha Abdel Kader and Margot Badran have both adopted broad definitions of feminism in their work. While recognizing the difficulties of translating the word feminism into Arabic, as there is no one word that refers to the principal of equality of the sexes, Abdel Kader nonetheless defines feminism as, "any demand for change in the position of women."<sup>85</sup> The word feminist came into use in Egypt only in 1923 when a group of elite women founded the Egyptian Feminist Union, or *l'Union Féministe Egyptienne*. In Arabic, the union was called *al-Ittihad al-Nisa' i al-Misri*. The terms *nisā' ī* or *nisā' īyyah* while referring to "anything pertaining to women," could also denote feminist in certain contexts.<sup>86</sup> Margot Badran argues that though many advocates of improving women's status never used the term feminist as the EFU did, there was a vocal and growing recognition of how gender relations restricted women's opportunities in life. Consequently, women activists sought out the reform of gender relations. According to Badran all such attempts should fall under a broad definition of feminist.<sup>87</sup>

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<sup>85</sup> Soha Abdel Kader, *Egyptian Women in a Changing Society, 1899-1987* (Boulder: Lynne Rienner Publishers), 12-14.

<sup>86</sup> Margot Badran, *Feminists, Islam, and Nation*, 15-21.

<sup>87</sup> Ibid.

Many of the individuals and organizations discussed under the umbrella of feminism in Badran's and Abul-Kader's work did not promote the universal idea of equal rights in social, political, and economic realms. While they did fight for the right to vote, increased access to education, etc., it was often within the context of improving women's ability to be better wives and mothers as required by a modern nation. For this reason, Rabab el-Mahdi differentiates between a women's movement and a feminist movement. She writes that while it is important to keep in mind the particular social and historical context that shapes different iterations of feminism, the principals of equality between the sexes as well as recognition that gender categories are social constructs, are essential to any feminist action. Thus, el-Mahdi argues that the developments in gender relations in modern Egyptian history that are often labeled feminist should be termed a women's movement in that it sought out improvements to women's status and roles but not on the basis of gender equality.<sup>88</sup> In this dissertation, I will use the term women's movement to refer to the disparate group of intellectuals, activists, and reformers in twentieth century Egypt that sought improvements to women's status. While some of these figures discussed in the pages below, such as Nabawiyyah Musa, Inji Aflatun, and Duriyyah Shafiq had platforms that could very well be defined as feminist, not all of them used this term. Thus, I will use the term feminist only when used by the subject herself in this manner. This differentiation

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<sup>88</sup> El-Mahdi, "A Feminist Movement in Egypt?" *Cairo Papers* 29: 2/3 Political and Social Protest in Egypt. 2000), 117-121. A similar argument can be found in Cathlyn Mariscotti's work, Mariscotti categorizes elite activists and their organizations such as the EFU as "cultural feminism," in that they sought the betterment of women's conditions without challenging the fundamental patriarchal norms that prioritized and naturalized women's duty to the home. □ Mariscotti, whose work also traces how class structure shaped the women's movement in twentieth century Egypt, argues that the emphasis on domesticity must be seen within the context of class struggle. She writes that those who adopted cultural feminism came from wealthy backgrounds and used the discourse as a means to maintain their position vis-a-vis middle and lower class women. Though Mariscotti still uses the term feminist, she qualifies it by referring to elite feminists when discussing the EFU and its members. Furthermore, Mariscotti also writes that while gender reform as envisioned by elite women activists did become the norm through which women's participation in and obligations to the nation was discussed middle-class professional women eventually pushed back against their definitions of women's roles and rights as citizens in modern society. *Gender and Class in the Egyptian Women's Movement*, 45-55 and 111-133.

also allows for recognition of the hegemony of feminism. For example, Beth Baron argues that there was a plethora of actors and ideas that found expression in the discussion on gender relations in Egypt. Applying the term feminist to this dynamic erases key differences.<sup>89</sup>

The second point of clarification deals with the connection between agency and resistance. While this point has become seemingly commonplace in the study of women in the Middle East, since I will be addressing how working women challenged the state, I believe it to be an important point to make. More specifically, I want to caution against romanticizing women's efforts in redressing their situations after state intrusion as a means of "resistance." This conclusion traps subjects in binary relationships where female agency is tied to resistance to relations of subordination, such as patriarchy and even capitalism that aim to dictate women's lives. As Saba Mahmood has most famously argued, this way of thinking about agency is particular to the liberal feminist project and framework of analysis.<sup>90</sup> Not all subjectivities fall under this definition of the subject fulfilling the emancipatory act of freeing herself from relations of subordination. In research on the relationship between the state and subaltern working women, this binary runs the risk of being amplified as women are subordinated to the state not only as women, but as lower class workers as well.

Likewise, ethnographer Damla Isik has argued that scholars need to move beyond looking for evidence of working women's agency in her resistance to the labour processes and instead focus on the specifics of how women in different contexts "cultivate various forms of ethical action

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<sup>89</sup> Baron, *The Women's Awakening in Egypt*, 6-7. Similarly writing on the hegemony of feminism, Fatimah Seedat argues that using the term feminist in contexts outside of modern Europe often works to erase particular local histories of struggle, which are then subsumed under the western liberal tradition. See, "Islam, Feminism, and Islamic Feminism: Between Inadequacy and Inevitability," *Journal of Feminist Studies in Religion*, 29:2 (2013): 40-42. See also Mohanty, Chandra Talpade Mohanty, "Under Western Eyes: Feminist Scholarship and Colonial Discourses," *Feminist Review* 30, no.1 (1988): 61-88.

<sup>90</sup> Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton: Princeton University Press, 2005), 10; 116-125.

and subjectivities."<sup>91</sup> By releasing analysis from binaries of resistance/subordination, worker/employer, and state/subaltern, I am able to draw attention to the "fluidity and complexity of human interactions."<sup>92</sup> As Joan Scott argues, this type of analysis pays attention to how definitions of categories, which we often take at face value, are continuously fractured and re-construed. It is the "reformulations," of such categories that should draw our attention.<sup>93</sup>

In two chapters of my dissertation I draw on petitions to the government written by self-employed women of the urban lower classes. By relying on these sources, I aim to offer a different perspective on women's history, hence making my dissertation a unique contribution to the field. These petitions are rare sources in the voice of urban lower-class working women, which shed light on their circumstances as well their varying responses to new modes of governance.

### **A Note on Petitions**

Petitions were integral to the practices of justice throughout the Ottoman Empire in the modern period.<sup>94</sup> Yet by the nineteenth century, the practice of writing and receiving petitions was transformed as a result of technological changes such as the introduction of the telegraph, as well as the result of the centralizing state. Petitions had now become a means through which the state centralized as they provided vital information on the on goings of authorities and administrators in various parts of the Empire. While petitions reinforced the image and legitimacy of a just

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<sup>91</sup> Damla Isik, "On Sabir and Agency," *International Feminist Journal of Politics* 10 (2008): 520-521.

<sup>92</sup> Joan Wallach Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1999), 66.

<sup>93</sup> Scott, *Gender and Politics of History*, 66.

<sup>94</sup> J.E. Baldwin, "'Petitioning the Sultan in Ottoman Egypt," *Bulletin of the School of Oriental and African Studies* 75, no. 3 (2012): 502-503. For more on petitions in the Ottoman context outside of Egypt, see Yuval Ben-Bassat's *Petitioning the Sultan: Protests and Justice in Late Ottoman Palestine, 1865-1908* (London: I.B. Tauris, 2013). As Ben-Bassat writes, the tradition of petitioning rulers is a global phenomenon that dates back centuries and millenia (20-28).

ruler, they also allowed the Ottoman Sultan and the central bureaucracy the ability to supervise and penetrate the local level.<sup>95</sup>

The use of petitions by the centralizing state to keep tabs on its employees was also a feature of nineteenth century Egypt, yet as Imad Hilal writes the perception that grievances could be solved through petitions also served as a means to prevent social unrest and maintain public security.<sup>96</sup> Throughout this century, there was increased contact between the state and its subjects, which was structured by a gradual implementation of rules of conduct for administrators. The developing government hierarchy and the regulations that each level of administration had to abide by provided the basis of complaints from both rural and urban subjects.<sup>97</sup> Hilal writes that there is evidence of a million petitions submitted to the Egyptian state in the nineteenth century by its subjects.<sup>98</sup>

Due to high illiteracy rates of the period, it is most likely that a professional petition writers organized under the guild structure wrote the actual grievances. Locals, in both groups and as individuals, often sought out their services in order to have their grievances written down and brought to the attention of officials. This feature of state-subject interaction continued to be present into the Muhammad 'Ali period and the era of his successors in the nineteenth century.<sup>99</sup> By the twentieth century, there were still professional writers but the slow breakdown of the guild structure over time and the changing nature of bureaucracy made them less of a pervasive

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<sup>95</sup> Ben-Bassat, *Petitioning the Sultan*, 4-5.

<sup>96</sup> Imad Hilal, "Al-'Arḍhal: Sawtu al-Fallāḥ al-Miṣrī al-Muhtaj fī al-Niṣf al-Thānī min al-Qarn al-Tāsi 'Ashir" [The Petition: The Peasant's Protesting Voice in the Second Half of the Nineteenth Century], in *al-Rafḍ wa-l-ihitijaj fī al-mujtama' al-Miṣrī fī al-'asr al-'Uthmanī* [Resistance and Protest in Egyptian Society under the Ottomans], ed. Nāṣir Ibrāhīm (Cairo: Markiz al-Buḥūth wa-l-Dirāsāt al-Ijtima'iyah, Kuliyat al-Adab, Jami'at al-Qāhirah, 2004), 246.

<sup>97</sup> Hilal, "Al-'Arḍhal," 203-204.

<sup>98</sup> Ibid., 201.

<sup>99</sup> John Chalcraft, "Counterhegemonic Effects" in *Counterhegemony in the Colony and Postcolony*, ed. John Chalcraft and Yaseen Noorani (Basingstoke: Palgrave Macmillan, 2007), 187.

feature in state-subject interaction.<sup>100</sup> Yet a quick look at the 'Abdin Palace Archives in the Egyptian National Archives speaks to the continued importance of petitions as a means of communication and grievance resolution in the first few decades of the twentieth century leading up to the fall of the monarchy in 1952. Numerous letters to the king were sent in from individuals, communities, unions, businesses, and others from all over the country. In addition to addressing the monarch, with the expansion of state bureaucracy, petitions were also addressed to ministers and their ministries. Thus, the Ministry of Social Affairs (to which many of the petitions included in this dissertation were addressed) was receiving petitions almost immediately after it was established in 1939.

I approach these petitions as "flash existences," or "traces." According to Foucault, a flash existence is a fragment of a particular social reality that would have remained unknown had it not been in contact with power.<sup>101</sup> By petitioning the king, these sex workers became part of the bureaucratic record. "Without this collision," Foucault writes, "it is very unlikely that any word would be there to recall their fleeting trajectory."<sup>102</sup> However, I do not consider these petitions as the unanimous voice of the subaltern. According to Foucault, a petition does not represent a petitioner's own voice, as it cannot be separated out of the power relations that led them to submit the petition in the first place.<sup>103</sup>

Gayatri Spivak most prominently addressed the debate surrounding historical sources and voice and concluded that the subaltern cannot speak.<sup>104</sup> Partially in agreement with Spivak, Hershatteer writing on prostitution in twentieth-Century Shanghai writes, "we must approach with

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<sup>100</sup> Chalcraft, "Counterhegemonic Effects," 187.

<sup>101</sup> Michel Foucault, "Lives of Infamous Men" in *Power, Essential Works of Foucault, 1954-1984*, ed. Michel Foucault and James D. Faubion (New York: New Press, 2000), 159-61.

<sup>102</sup> Foucault, "Lives of Infamous Men," 161.

<sup>103</sup> Ibid.

<sup>104</sup> Gayatri Spivak, "Can the Subaltern Speak?" in *Marxism and the Interpretation of Culture*, ed. Cary Nelson and Lawrence Grossberg (Urbana: University of Illinois Press, 1988).

caution the notion that we can retrieve from history a single set of descriptive or explanatory facts about prostitutes."<sup>105</sup> Though she agrees that the subaltern voice is "never fully recoverable," she abstains from a totalizing approach and writes that "even if only a glimpse or a trace," the sex worker's voice does come through at times.<sup>106</sup> Building on the premise, the petitions contained in this dissertation are not positioned as solidified and untainted moments in history but are rather situated contextually and fluidly. In this sense, the petitions are a product of the intersection of a moral and scientific discourse with various government regulations and practices that shaped the way sex workers practiced their trade and how they formulated their grievances.

I also draw on the work of James C. Scott and John Chalcraft. According to Scott, petitions are part of the "official transcript." That is they are part of the public interaction between rulers and their subjects. These interactions are structured by certain guidelines founded on an implied contract between the two parties. By following the rules and regulations outlined by the state, subordinate classes are guaranteed certain rights or due certain obligations within certain bounds.<sup>107</sup> Thus, the same practices that allow for state regulation and intervention also provide the basis for grievances. They become the standard through which fair and unjust practices are measured against, and they provide the language through which the petition is formulated.<sup>108</sup>

There is a certain performativity involved in petitions and a strategic acquiescence on behalf of the subaltern classes but they are also dialogical. According to Chalcraft, petitions contain elements of the subaltern's moral economy that are evident through language construction. In

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<sup>105</sup> Hershatter, *Dangerous Pleasures*, 12. Hershatter writes that "the textual is not concrete, but part of a shifting set of relationships between historicized and historicizer." This necessarily involves the historian "always bearing in mind that facts are constituted not discovered in the human process of making meaning," (13-19).

<sup>106</sup> Hershatter, *Dangerous Pleasures*, 4

<sup>107</sup> Fear of retribution or punishment is also another driving force behind the public performance. See James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven: Yale University Press, 1990), 2-5.

<sup>108</sup> John Chalcraft, "The Coal Heavers of Port Sa'id: State-Making and Worker Protest, 1869-1914," *International Labor and Working-Class History* 60 (2001): 111; Scott, *Domination and the Arts of Resistance*, 103.

making their case, petitioners engage with official discourses by disputing and redefining terms.<sup>109</sup> Thus, the petitions are used in an attempt to reconstruct the various and differing experiences of the working lives of urban lower class women all over Egypt. They necessarily represent interruptions of their daily lives as grievances were recorded on the basis of protest. Though they do not say much about their day-to-day work, they do give us clues as to the various interests involved, the means of protecting those interests, and the relationship between these otherwise anonymous subjects and the state.

## Outline

This dissertation is organized as follows. The first chapter looks at how the image of lower class working women was conceptualized by intellectuals and social reformers roughly between 1919 and 1952. I situate this discussion of female labour within the class structure of modern Egypt and argue that during these decades, there was an increased concern for the welfare of lower class working women yet both class and gender relations narrowed the possibilities of what could be done to ameliorate their situation. The connection between need and employment was used as a justification for women's labour but also served as an implicit warning of an impending social crisis that required intervention. I argue that the type of intervention pursued by reformers served to reinforce dominant gender conceptions as well as stabilize class relations. Frederick Cooper, a scholar in the field of French and British colonial Africa argues that it is not enough to look at labour policies alone. Equally important are the "subjective conceptions of society,"

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<sup>109</sup> Chalcraft, "Engaging the State: Peasants and Petitions in Egypt on the Eve of Colonial Rule," *International Journal of Middle East Studies* 37 (2005): 303-308. For the performance involved in the public transcript, see Scott, *Domination and the Arts of resistance*, 86. In his essay Foucault also discusses how the language of petitions changes based on the structure of government. Foucault, "Lives of Infamous Men," 171-72.



which inform the process of how labour legislation is positioned and codified.<sup>110</sup> Thus, an overview of the debate on women's labour is crucial to understanding the normative frame that informed state intervention.

Following this, the next two chapters focus on how legislation was formulated and implemented. In these chapters, I focus mostly on the work of the Labour Office established in 1930 and tasked with formulating labour law, settling workplace disputes, and performing inspections amongst other responsibilities. This research draws on sources found in the archives of the Ministry of Social Affairs (Wizārat al-Shu'un al-Ijtimā'īyah) and to a lesser extent from the Ministry of Commerce and Industry (Wizārat al-Tijārah wa-l-Šinā'ah), which at different times had the Labour Office attached to it. Chapter two presents an analysis of the deliberations behind the promulgation of law eighty in 1933. It argues that a law governing the employment of women in industry and commerce must be situated within the process of state-formation. Within this context, the regulation of female labour was deemed a necessary element of industrial progress. Yet in all other aspects of labour policy, worker welfare, and economic planning, working women remained an ignored constituency and were never fully incorporated into the Egyptian economy as productive agents.

Chapter three focuses on the application and impact of law eighty. The enforcement of labour laws concerning women and children was carried out by the Department of Inspections under the Labour Office. In this chapter, I discuss how new norms, standards, and practices embodied by law eighty changed the relationship between state and citizen. This law enshrined new ideas regarding women's work and established new norms of intervention. This chapter also incorporates petitions from a group of Sudanese women involved in the production of alcohol,

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<sup>110</sup> Frederick Cooper, *Decolonization and African Society: The Labor Question in French and British Africa* (Cambridge: Cambridge University Press, 1996), 175.

which was prohibited by law. It illustrates how the application of the same law elicited varying responses by the women it targeted. While some women challenged the basis of their inclusion in the structures of the modern state, others sought the extension of its protection.

The remaining two chapters delve into the regulation of female labour outside of the scope of law eighty. Chapter four discusses the situation of sex workers during the last decades of the system of regulation. It draws on petitions from sex workers found in the King's Palace archives (Wathā'iq 'Ābdīn) in the Egyptian National Archives, as well as petitions sent into the Ministry of Social Affairs. The petitions used in this chapter invite new perspectives on the response of sex workers to the changing legal environment and the dissolution of legislative protections as initiated by the state. I argue that while state policy had the effect of marginalizing sex workers this process was not passively accepted. Through an analysis of petitions submitted to the government by sex workers, I show how women contested deregulation by reversing commonly held notions of justice and the responsibility of the modern state to its citizens.

Chapter five centers on the conscription of British citizens living in Egypt during WWII and a group of Maltese women who escaped the draft.<sup>111</sup> While this chapter in particular may seem out of place as it concerns British and not Egyptian citizens, I argue that it illustrates how the Egyptian government asserted itself in the face of British interference and control thereby contributing to a more nuanced view of the development of the modern nation-state. I argue that special legislation introduced to channel labour towards the allied war effort brings to the surface the complications that arose in an informal colonial setting where legislative sovereignty was not complete. In this context, the task of reigning in Maltese women evaders became a moment

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<sup>111</sup> A very early draft of this chapter was first presented at the graduate student conferences of the Near and Middle Eastern Civilizations Department of the University of Toronto, and the Institute of Islamic Studies at McGill University. I would like to thank Eric Schewe, Pascale Graham, and Professor Amira Mittermaier for their insightful comments and questions that helped shape this chapter to what it is now.

through which Egypt was able to contend colonial practices while also revealing the differing ways women's labour was defined and contested.

The case studies presented here on urban women's wage work are all diverse and varied. There are factors that unite these examples but there are also important differences. The incomplete nature of the archives combined with women's historical invisibility makes it difficult to present a coherent narrative on lower class women's wage work and income generating activities in twentieth century Egypt. At the same time, there is an advantage in this divergence as it captures the wide variety of occupations and experiences of working women. Thus, this dissertation contributes to scholarship that acknowledges the complexity and fragmentation of past-lived experiences that are often ignored in hegemonic narratives and historiographical practices that focus on big players and movements.

## Class, Gender, and Work in Popular Imagination, 1919-1952

King Faruq (r. 1936-1952) paid a visit to the textile factories of Misr Spinning and Weaving Company in al-Mahallah al-Kubra in the summer of 1944. Numerous newspapers covered the event describing the modern facilities, worker conditions, and the various jobs and duties of factory workers. Pictures of the king surrounded by workers posing in front of their machinery accompanied the coverage of his visit. The newspaper *al-Ahram* for instance had the headline, "Faruq, the First Worker," and included a picture of the king standing beside a group of well-dressed young women in front of machinery. Similar pictures were also printed in other periodicals such as *al-Musawwar* and *La Bourse Égyptienne*. The newspaper *al-Misri* dedicated a small section of their coverage to "*ashghāl al-banāt*" (girl's work). In addition to posing with workers, the king had also inquired about work conditions, even asking female factory workers about their pay.<sup>1</sup> The king's visit to Mahallah is suggestive of the increased influence of the industrial working class in politics in the 1940s as well as the growing concern over poverty levels, standards of living, and wages and its toll on the self-sufficient modernity imagined by nationalists, intellectuals, and reformers.<sup>2</sup> More specifically, as I will discuss in this chapter, the king's visit to the female section of the factory also echoes the increasing interest in the

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<sup>1</sup> DWQ 0069-015459, Maṣānī' Sharīkāt al-Ghazl wa-l-Nasīj [Textile Company Factories], various articles dated August 4, 1944.

<sup>2</sup> See Omnia El Shakry, *The Great Social Laboratory: Subjects of Knowledge in Colonial and Postcolonial Egypt* (Stanford: Stanford University Press, 2007), 198-204. For more information on income inequality see Gouda 'Abd al-Khaliq and Robert Tignor ed., *The Political Economy of Income Distribution in Egypt* (New York; Holmes and Meiser Publishers, 1982).

conditions of lower class women's work that was evident in the media beginning in the interwar period and amplified in 40s.

Two general streams of discussion can be discerned from the writings of intellectuals and reformers in the first half of the twentieth century and from this, a clear class distinction in the debate on women's work emerges. The first is connected to the expansion of women's educational opportunities and debates on the merits of women entering professional fields such as law and engineering. After making inroads in fighting for the right to access equal education, activists such as those in the Egyptian Feminist Union (EFU), had become aware of increasing numbers of women facing inequalities in the work place, whether it be discrimination in hiring practices or discrepancies in pay and rank.<sup>3</sup> The discourse surrounding professional women was one of rights and focused on fair and equal treatment in the workplace. The second stream of discourse on which the bulk of this chapter is dedicated, was based on the perceived experiences of rural and urban lower class women. These women were for the most part viewed as victims of their circumstances as the necessities of life forced them into paid labour. Unlike upper class women, need is what made these women street sellers, factory workers, or *fallāḥāt* (female peasants). Like men, lower class women were forced to "strive" and "struggle" (*sa'ī and kifāh*) for their subsistence. Therefore, labouring in order to make a living was intimately tied to class and the responsibility to choose home over work was strictly an elite prerogative.

Though there were many figures who continued to favour the home as women's true and only place of work, increasingly throughout the 1930s and 40s intellectuals argued that this was not a realistic option for most women in Egypt. In this chapter, I look at the subtle ways in which class permeated conceptualizations of women's labour in the writings of intellectuals and reformers

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<sup>3</sup> Margot Badran, *Feminists, Islam, and Nation: Gender and the Making of Modern Egypt* (Princeton: Princeton University Press, 1995), 165-191. See also Durīyyah Shafīq, *al-Mar'ah al-Miṣriyyah min al-Fira'ana ilā al-Yaum* [Egyptian Women From the Time of the Pharaohs to Now] (Cairo: Maṭba'at Miṣr, 1955), 159-162.

from approximately 1919 to 1952. Margot Badran, Beth Baron, Cathlyn Mariscotti, Latifah Salim, and Ahmad Muhammad Salim have all previously analyzed the debate on women's waged work from the perspective of middle and upper-class Egyptian writers and reformers.<sup>4</sup> This chapter will contribute to this scholarship by specifically focusing on the debates surrounding lower-class women's labour. I will address the following questions: how were lower class women who worked in cafes, restaurants, streets, and markets perceived and what were the consequences of this vision? In what ways did the hegemonic view of femininity shape the discourse on rights, responsibilities, and protections due to working women?

The debate surrounding women's work and proper comportment in public spaces cannot be disassociated from the class relations in the first half of twentieth century Egypt. During this period, women's work outside the home had become intimately associated with poverty and lower class status. This development has been discussed elsewhere, but has been addressed only in the context of upper class women's participation in the labour force. The argument of scholars such as Samiyah Mohammed Fahmy is that the popular association of women's labour with poverty acted in effect as a deterrent to work for upper class women who feared the depreciation of their social status.<sup>5</sup> What this argument does not address are the subsequent consequences of this frame for lower class working women. In this chapter, I will show that in the post-World War I era, poverty was not only acknowledged as necessitating lower class women's participation in

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<sup>4</sup> Badran, *Feminists, Islam, and Nation*; Beth Baron, *The Women's Awakening in Egypt: Culture, Society, and the Press* (New Haven, Yale University Press, 1994); Latifah Muḥammad Sālim, *al-Mar'ah al-Miṣrīyyah wa-l-Taghyīr al-Ijtimā'ī, 1919-1945* [Egyptian Women and Social Change, 1919-1945] (Cairo: al-Hay'ah al-Miṣriyyah al-'Āmmah lil-Kitāb, 1984); Ahmad Muḥammad Sālim, *al-Mar'ah fī -l-fikr al-'Arabī al-Ḥadīth: Qira'ah fī Ma'ārik 'Aṣr al-Tanwīr* [Women in Modern Arabic Thought: Readings in the Battles of the Age of Enlightenment] (Cairo: Miṣr al-'Arabīyyah l-il-Nashr wa-l-Tawzī', 2011).

<sup>5</sup> Samiyah Muḥammad Fahmī, *Mushāraḳat al-Mar'ah fī Tanmīyat al-Mujtama': Tajārib min al-Watan al-'Arabī* [The Participation of Women in Societal Development: Experiences from Arab Nations] (Alexandria: Dār al-Ma'ārif al-Jama'iyyah, 2001), 58. In addition to conceptions of poverty, Fahmī also addresses other social factors that acted as deterrents to work middle and upper class women including fear of domestic laziness and not wanting to delay the age of marriage anymore than necessary.

the labour force, but also identified as the main force behind their pursuit of dishonourable means of making a living through prostitution, crime, and begging. I argue that this presented a particular dilemma to writers and intellectuals of the period. While calls of concern for the welfare of lower class working women were growing louder, both class and gender relations narrowed the possibilities of what could be done to alleviate their condition.

Omnia El Shakry has defined social welfare in first half of twentieth century Egypt as the reproduction of social relations that sustained the regeneration of labour power while also simultaneously protecting the status quo. The motivation behind social welfare was "a healthy, productive, and efficient population."<sup>6</sup> With the development of new institutions, practices, and ideas, the Egyptian state came to intervene in the lives of its subjects in unprecedented ways. The project of creating suitably modern citizens had firmly become part of the nationalist agenda in the twentieth century as reformers directly tied the social welfare of the masses to the progress of the nation.<sup>7</sup> Hygiene, maternal health, child care, and domestic management all came to be seen as essential aspects in creating productive citizens necessary for a modern and independent Egypt. Thus women became the foundation upon which the quality of life of the masses rested and therefore the basis of its improvement.<sup>8</sup> As a consequence, welfare in the mid-twentieth century was based on conceptions of motherhood, child rearing, and domesticity and the attempt to "re-make" women based on this new regime of knowledge mostly targeted urban and rural women of the lower classes. This discourse intersected with colonial, nationalist and Islamic conceptions of femininity and gender to create a different modern body and household.<sup>9</sup>

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<sup>6</sup> El Shakry, *The Great Social Laboratory*, 6.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid., 174.

<sup>9</sup> Omnia El Shakry, "Schooled Mothers and Structured Play: Child Rearing in Turn-of-the-Century Egypt," in *Remaking Women: Feminism and Modernity in the Middle East* ed. Lila Abu-Lughod (Princeton: Princeton University Press, 1998), 126-170.

In proposing answers to the issues faced by lower class working women, many, though not all, reformers turned to solutions that were well within the parameters set by social welfare practice of the time. In this context, women and girls were to be taught new skill sets through training in feminine industries that were meant to provide them with the opportunity to make honourable wages. In theory, these occupations would allow women to reconcile their domestic and work lives. I argue that this also ensured the stability of class relations as lower class women were taught jobs suitable to both their gender and class. Work in public space had the potential to lead to bad manners and immoral behaviour for women of all classes since it meant that women were most likely interacting with unknown men away from the familial supervision.<sup>10</sup> For middle and upper class women immoral behaviour in public space was often a consequence of frivolity, idleness, and materialism, while for lower class women it was poverty in particular that was connected to crime, prostitution, and begging. Need was used as a justification for women's labour but also served as an implicit warning of an impending social crisis that required intervention.

Within the discussion of social welfare and reform, both male and female writers who came from the educated upper class backgrounds, often took lower class women as an object of inquiry. These discussions were for the most part removed from the opinions and views of the women themselves.<sup>11</sup> As Juan Cole has argued, debates on what is known as the woman question which sought to delineate the role and contribution of women to the Egyptian nation beginning in the late nineteenth century was an "internal conflict" to the middle and upper echelons.<sup>12</sup> The

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<sup>10</sup> Fahmī, *Mushāraḳat al-Mar'ah fī Tanmīyat al-Mujtama'*, 58. See also Hanan Kholoussy, *For Better, For Worse: The Marriage Crisis that Made Modern Egypt* (Stanford: Stanford University Press, 2010), 62-65.

<sup>11</sup> Hanan Kholoussy, *For Better, For Worse: The Marriage Crisis that Made Modern Egypt* (Stanford: Stanford University Press, 2010), 13.

<sup>12</sup> Juan Ricardo Cole "Feminism, Class, and Islam in Turn of the Century Egypt," *International Journal of Middle East Studies* 13 (1981): 393.



debate on women's work is reflective of the changes to the class structure and values that resulted from the confluence of socio-economic transformations in the semi-colonial period. That said there is still great value in investigating these writings in the effort to capture one aspect of lower class urban women's labour. The ideas circulated and debated by intellectuals and reformers were not restricted to the printed page but they shaped the normative frame through which government intervention in the lives of working women was determined. More specifically, key aspects of this discourse were echoed in the language employed by administrators and legislators who were part of the educated middle and upper classes and who were directly responsible for state provisions, or lack there of, covering women's work. In the case studies of the following chapters, the motifs of need, honour, and education are manifested in varying ways. These concepts were not only rhetorical but found their way into government policy. They had a direct impact by serving as ideological rationalizations that shaped how the state intervened in the everyday working lives of lower class women in Egyptian cities.

The reorganization of the government structure and economy under Muhammad 'Ali Pasha (r. 1805- 1848) in the nineteenth century meant that the peasant family and household as the main unit production began to dwindle.<sup>13</sup> New opportunities for the employment of women outside of this structure began to slowly open up. A small but significant number of lower class women were incorporated into the new factory system under Muhammad 'Ali's industrialization strategy as both onsite employees and outworkers.<sup>14</sup> Women also found opportunities in the

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<sup>13</sup> Judtih Tucker, "Decline of the Family Economy in Mid-Nineteenth-Century Egypt," *Arab Studies Quarterly* 1 no.3 (1979): 45.

<sup>14</sup> 'Azzah Khalīl, "Dukhūl al-Mar'ah al-Miṣriyyah Sūq al-'Amal wa-Taṭawwur Khaṣā'ish A'mālituha," in *Nisā' al-Ghazl wa-l-Nasīj: al-Awḍā' al-Iqtisādiyyah al-Ijtimā'iyyah* [Egyptian Women's Entry into the Labour Market and the Development of her Work in Women of Spinning and Weaving: The Socio-Economic Conditions], ed. Safā' Zaki et al. (Cairo: Markiz al-Baḥūth al-'Arabī, 1999), 51. For more of Muḥammad 'Alī's industrialization attempt see Mohamed Saleh "The Reluctant Transformation: State Industrialization, Religion, and Human Capital in 19<sup>th</sup> Century Egypt," *The Journal of Economic History*, 75 (March 2015): 65-94.

growing state-sponsored medical system as midwives, healers, and nurses.<sup>15</sup> Beginning in the late nineteenth century the issue of permissibility of women working outside of their homes was addressed by major intellectual figures such as Rifa'ah al-Tahtawi. Tahtawi dedicated most of the focus in his discussion of gender roles to women's child rearing and domestic duties, yet allowed for women to engage in other types of labour within strict limits, mainly prohibiting their intermingling with unrelated males.<sup>16</sup> For middle and upper class women in the late nineteenth and early twentieth centuries, the practice of seclusion was giving way to new ways of being and acting in public space yet at the same time, the creation of a modern national identity structured through both print media and government policy tied women to the home.<sup>17</sup> Under Muhammad 'Ali's reforms, there was a shift in power from large households to government institutions. This meant that opportunities for women to participate in politics or business from within the private space of the household disappeared. Increasingly upper-class women were "effectively stranded in a space that became almost purely domestic."<sup>18</sup> With the rise of the nationalist movement in the early twentieth century, the importance of family and home was reconfigured in a way that further limited upper-class women's roles outside of that space by linking the honour and success of the nation to that of the household. A consequence of these changes was that the struggle to advance women's positions as pioneered by elite women mostly revolved around reconciling women's duties to the household with social, political and economics rights in public realm.<sup>19</sup>

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<sup>15</sup> See Liat Kozma, *Policing Egyptian Women: Sex, Law, and Medicine in Khedival Egypt* (Syracuse: Syracuse University Press, 2011); and Hibba Abugideiri, *Gender and the Making of Modern Medicine in Colonial Egypt* (Farnham: Ashgate, 2010).

<sup>16</sup> Ahmad Muḥammad Sālim, *al-Mar'ah fī -l-Fikr al-'Arabī al-Ḥadīth*, 230-31.

<sup>17</sup> Mary Ann Fay, "From Warrior-Grande to Domesticated Bourgeoisie," in *Family History in the Middle East*, ed. Beshara Doumani (Albany: State University of New York Press, 2003), 91.

<sup>18</sup> Ibid.

<sup>19</sup> Beth Baron, *Egypt as a Woman: Nationalism, Gender, and Politics* (Berkeley: University of California Press, 2005), 215-220.

With continued socioeconomic and political changes in the twentieth century, the issue of women's labour outside the home took on a more urgent tone. The World Wars and another attempt beginning in the 1920s by Egyptian nationalists to develop local industry opened up more opportunities for women outside of agriculture and household based production.<sup>20</sup> In the 1930s the effects of expanded educational opportunities for women started to be felt as more and more women entered new professions that were previously closed off to them. This decade witnessed a shift in women's activism as paid work came to be a central part of its platform.<sup>21</sup> Despite a decades long debate on women's work, it was only during Jamal 'Abd al-Nasir's term as president (1956-1970) that direct efforts to increase the share of women in the labour force popularized the image of the working woman in mass media.<sup>22</sup> In this period, the discourse shifted away from the question of whether women should work outside their homes as the state began to pursue a new policy of actively intervening to encourage and boost women's participation in the labour force.<sup>23</sup>

After a brief overview of how the relationship between work and nation-state was conceptualized by intellectuals, as well as how a gender division of labour figured into it, I will then move on to the recurring themes employed by these authors in discussing lower class women's labour. In particular, I will analyze the concepts of need, honour, and education surrounding the issue of non-professional women's work and how these concepts were deployed. By looking at how class influenced conceptions of women's labour, this chapter also contributes

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<sup>20</sup> Khalil, "Dukhūl al-Mar'ah al-Miṣriyyah Sūq al-'Amal," 53-54.

<sup>21</sup> Badran, *Feminists, Islam, and Nation*, 165.

<sup>22</sup> Laura Bier, *Revolutionary Womanhood: Feminisms, Modernity and the State in Nasser's Egypt* (Stanford: Stanford University Press, 2011), 61

<sup>23</sup> Ibid, 16.

to the existing scholarship on class relations and the ambivalence of the Egyptian women's movement.<sup>24</sup>

### **Labour and the Creation of National Wealth in the first half of the Twentieth Century**

The theory that the collective labour of a nation's subjects was the foundation of its wealth and success was one that had been in circulation in Egyptian print media since the beginning of the twentieth century.<sup>25</sup> For example, *al-Jaridah* newspaper in its inaugural year in 1907 published several articles on the importance of work, self-reliance, and the development of the nation. According to this view, the requirements of both individual and national life were righteous work. That is work that not only fulfilled its primary function of subsistence while abiding to the "public scale" of what is good and bad, but also contributed to the betterment of society. Since society was built off the labour of individuals, if the majority of society's members were sustaining themselves by way of good deeds (*qabīl al-ma'rūf*), then this would guarantee happiness and success. However, if the majority of society's members were found to be on the side of the reprehensible, *qabīl al-munkir*, then unhappiness would result.<sup>26</sup> For this reason, the virtues of sobriety, dignity, and justness in one's work were considered basic components of patriotism.<sup>27</sup>

All of society's members were required to work and not doing so was considered an injustice that was bound to lead to societal corruption. As one author put it, "to exist amongst the living

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<sup>24</sup> This is an issue discussed by Cathlyn Mariscotti and Juan Cole. See Mariscotti, *Gender and Class in the Egyptian Women's Movement, 1925-1939* (Syracuse: Syracuse University Press, 2008), 39; and Cole, "Feminism, Class, and Islam," 391-392.

<sup>25</sup> This concept is a central tenant of Adam Smith's economic theory. See *The Wealth of Nations Books I-III*, ed. Andrew S. Skinner (London: Penguin Group, 1986).

<sup>26</sup> "Al-'Amal" [Work], *al-Jaridah*, April 7, 1907. The newspaper *al-Jaridah* was the media platform for the Umma political party before the First World War. It was edited by Aḥmad Luṭfī al-Sayyid who was also the party's spokesman. For more on the newspaper and its editor, see Israel Gershoni and James P. Jankowski, *Egypt, Islam, and the Arabs: The Search for Egyptian Nationhood, 1900-1930* (Oxford: Oxford University Press, 1987), 8-10.

<sup>27</sup> "Al-'Amal," *al-Jaridah*, April 7, 1907.

means to be a worker and those who do not work amongst the existing are not living."<sup>28</sup> To simply consume without taking part in creation or production was a negative contribution to society. In theory, all types of work and the people both men and women who performed them should be equally respected, yet as will be seen in the following pages, this was not always the case.<sup>29</sup> Without workers, the nation would have no wealth. In the first years of the twentieth century, worker simply meant someone who has a beneficial occupation and through it helps contribute to society's needs. What the term *‘āmil* came to denote changed after the 1910's, as the former marker of social status became more politically charged and the term *‘āmil* became used as an identity marker attached to the working class. This usage became increasingly popular with the labour movement in subsequent decades.<sup>30</sup> The idea that work was the basis of the Egyptian nation's development and advancement continued to be relevant into the 1920s, 1930s and 40s. Increasingly it was the state that came to be considered responsible for ensuring the stability labour relations.

Subsumed within the idea that all of a nation's citizens should work towards the ultimate goal of its betterment was a discussion of a division of labour that was determined for the most part by what were considered by intellectuals to be innate qualities such as inclination towards particular fields and gender. Individuals like nations were naturally endowed with varying capabilities that should be maximized. As one author put it, "God based the world on the exchange of advantages."<sup>31</sup> This general division of labour differentiated not only by gender, but by individual differences in skill as well. Within every society, its members were inclined

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<sup>28</sup> "Al-‘Amal," *al-Jarīdah*, April 7, 1907.

<sup>29</sup> Ibid.

<sup>30</sup> Zachary Lockman, "Imagining the Working Class: Culture, Nationalism, and Class Formation in Egypt, 1899-1914," *Poetics Today* 15 (1994) 158.

<sup>31</sup> Ibrāhīm Abū al-Khashshab, "Khadam al-Bayūt" [Domestic Service], *Majallat al-Azhar* 19 (Jumādā al-Akhirah 1367 (1948)): 558.

towards different trades, skills, and crafts. For society's needs to be met, people must diversify in their professions so as to meet their own material demands with regularity and order. According to the first editor of al-Azhar mosque's journal, *Majallat al-Azhar* (originally name *Nur al-Islam*), Shaykh Muhammad al-Khidr Hussayn it was a *farḍ kifāyah* (collective obligation) to ensure that essential professions and industries were being filled. Moreover, if a particular community lacked knowledge of a certain craft then it was incumbent upon them to seek that knowledge from elsewhere and return to fill that void. Part of the responsibility of leadership, and therefore that of the government, was to ensure even distribution of people in professions so that no one field was lacking.<sup>32</sup> The collective well being of society depended on the cooperation of its members who all had different specializations. Al-Khidr argued that the scholars of the Islamic tradition understood and promoted the benefits of such a division of labour. Drawing on the *sunnah* (tradition) of the Prophet Muhammad, he pointed to the different specializations of various groups in the city of Medina. The Meccans had bought and sold in the markets while locals were concentrated in agriculture and industries such as carpentry and metal smith. Part of the success of Medinian society lay in the cooperation between these various groups and the constant search for knowledge and betterment in their respective fields, for to specialize required seeking knowledge. How individuals were to find their respective fields was a product of *dawā'ir al-fīṭrah*, or the motivations of one's innate disposition. Al-Khidr believed that every person should accept the field that they found themselves more inclined to or had a penchant for pursuing.<sup>33</sup>

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<sup>32</sup> Muḥammad al-Khidr Hussayn, "al-Ta'āwūn fī-l-Islām" [Cooperation in Islam], *Nūr al-Islām* 4 (Rabī' al-thānī, 1352 (1933)): 227-228. Khidr later became Grand Shaykh of al-Azhar in 1952 and remained in that capacity for 2 years.

<sup>33</sup> Hussayn, "al-Ta'āwūn fī-l-Islām," 229.

Similarly, Muhammad Farid Wajdi who replaced al-Khidr as editor of the al-Azhar journal in 1934 also emphasized the need to seek expertise in one's occupational field. For him, *sunnat al-takhaṣṣuṣ*, or the tradition of specialization, was part of the secret of success of Muslim civilization that was able to spread from the Arabian Peninsula to Africa, Europe, and Asia. As Muslims proliferated throughout various lands, they were also able to develop professionally in the fields of trade, industry, agriculture, sciences, and the arts through dedication to hard work and knowledge. Through this quest to always know more and to perfect these various fields, Muslims societies were able to reach a stature that according to Wajdi had yet to be surpassed. The Qur'anic command to spread through the earth and to do good was an encouragement of seeking knowledge in order to develop proficiencies in both religious and worldly matters for the benefit and advancement of society.<sup>34</sup> Wajdi believed that one of the reasons for Egypt's subjugation was that its people had forgotten the importance of combining knowledge with hard work. A general complacency among the population, presumably characteristic of all echelons of society, had prevailed which resulted in a neglect of the importance of seeking new knowledge and developing new fields by applying that knowledge.<sup>35</sup>

In an article published in 1946, author Hussayn al-Misri encouraged "achieving prominence" in one's work. Whether or not it was of an intellectual or physical nature made no difference for the Qur'an did not restrict human activity as long as it was righteous and did not privilege some forms of work over others. Al-Misri placed labouring and striving to make a living under the

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<sup>34</sup> Muḥammad Farīd Wajdi, "al-Islām Yihath 'ala al-'Amal" [Islam Hastens to Work], *Nūr al-Islām* 5 (Jumādā al-ūlā 1353 (1934)): 311-314; and "Mohimat al-Islām: Da'awatu ilā al-'Amal 'ala Iqāmat al-'Umrān fī al-Ard" [The Importance of Islam: Its Call to Work in Establishing Civilization on Earth], *Nūr al-Islām* 6 (Rajab 1354 (1935)), 441-447.

<sup>35</sup> Wajdi, "Mohimat al-Dīn al-Islāmī fī-l-Ālam: Da'awatu ilā Qarn al-'Ilm bi-l-'Amal wa Ḥathahu 'ala al-'Amr bi-l-Ma'rūf wa-l-Nahī 'an al-Munkar" [The Importance of Islam in the World: Its Call to Combine Knowledge with Work and its Hastening Towards Enjoining the Good and Forbidding the Reprehensible], *Nūr al-Islām* 5 (Shā'bān 1353 (1934)): 503, 506-07. For a very similar argument on the importance of matching knowledge with work ethic see Muḥammad Muḥammad al-Madanī, "Al-Islām: Dīn al-'Ilm wa-l-'Amal" [Islam: Religion of Knowledge and Work], *Majallat al-Azhar* 20 (Rabi' al-Awwal 1368 (1949)): 202-205.

umbrella of jihad, a religious duty. He believed that "Islam orients itself in many ways to human labour," by directing Muslims to utilize and develop the earth's resources in ways that protect human life and allow people to fulfill their obligations to each other. To do so meant achieving closeness and servitude to God. For this reason, al-Misri encouraged readers to "open new fields of activity and labour" as it was the duty of every Muslim man to encourage the spirit of work within himself and others in order to be true citizens dedicated to building and reforming society.<sup>36</sup>

Al-Misri, like others before him, drew on the Islamic tradition to argue his case. He cited sayings of Prophet Muhammad, which encouraged work over accepting charity, and also used narrations from the lives of his closest companions 'Ali Ibn Abi Talib (599-661) and Abu Bakr al-Siddiq (573-634) who both worked for their sustenance. Al-Misri viewed laziness as the root of social decay and these examples from the lives of the companions and the prophetic tradition were meant to encourage people towards employment, writing, "what is needed in these specific times by Muslims in general and Egyptians in specific is to learn about Islam, to labour in its spirit, and to follow its path."<sup>37</sup> Al-Misri argued that if everyone were gainfully employed there would be no theft, begging, cheating or deception of any sort, as "the scourge of unemployment and laziness" caused these social diseases.<sup>38</sup>

Hassan al-Banna (1906-1949) founder of the Muslim Brotherhood cautioned against idleness and believed that work with one's hands was the most preferred means of making an income. He believed that "cultivating the industrial spirit" was an effective means of bettering the material conditions of poor families. Through encouraging cottage industries such as spinning, weaving,

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<sup>36</sup> Hussayn al-Miṣrī, "al-Islām wa-l-‘amal" [Islam and Work], *Majallat al-Azhar* 18 (Ramadan wa-Shawwal 1356 (1946)): 438-440.

<sup>37</sup> al-Miṣrī, "al-Islām wa-l-‘Amal," 440-441.

<sup>38</sup> Ibid., 441.



carpet-making, soap making, and production of foodstuffs and preserves amongst others crafts, he envisioned the small industry sector as a means of "employment for the unemployed" where women and children of the poor could participate in generating a family income so as to "prevent the misery of need and humiliation of begging."<sup>39</sup> Al-Banna elaborated ten principles derived from the Qur'an and Sunnah upon which the Egyptian economy should be directed. One of these principles was that employment should be stimulated by the state and all those who are able to work should be afforded the opportunity to do so.<sup>40</sup> Similar to the scholars of al-Azhar, al-Banna considered work amongst the favoured forms of worship, as it was part of the tradition of the Prophets. Though he only briefly comments on the potential of women's labour, al-Banna did envision and promote employment for both men and women. Women's employment was an important potential source of revenue, however he circumscribed female opportunity to industries and occupations attached to patriarchal household.

By the 1940s, the argument that the state should be responsible for ensuring a minimum standard of living for lower-class workers had become an essential tenant of social welfare discourse. The government was called on to not only encourage job creation but also implement a framework of minimum wages. A former government deputy at the Department of Commerce, Salih Mikha'il placed minimum wage regulations as the basis of social justice. A basic standard of living ensured through minimum wages would allow each individual, men and women alike, to meet their basic needs. According to Mikha'il this should include a program of general and technical education. He argued that educated workers have a higher production value than

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<sup>39</sup> Ḥasan al-Bannā, *Majmū'at Risā'il al-Imām al-Shahīd Ḥasan al-Bannā* [Collection of Tracts from Ḥasan al-Bannā], (Beirut: Dār al-Andalūs, 1965), 406. A full discussion of these principles is outside the scope of this chapter. For a more thorough review as well as the Brotherhood's stance towards the working class in Egypt see Richard P. Mitchell, *The Society of the Muslim Brothers* (New York: Oxford University Press, 1993), 272-283.

<sup>40</sup> Al-Bannā, *Majmū'at Risā'il*, 391-393.

illiterate workers and this in turn would help in maintaining the increased standard of living.<sup>41</sup> Mikha'il, like many others writers, considered poverty to be the originator of vice and crime and therefore a "threat to the nation."<sup>42</sup> The belief in a correlation between unemployment, poverty, and crime dates back to the mid-nineteenth century. Unemployment or intermittent employment was considered by the state as a potential path to crime and therefore men who were deemed physically capable of work but instead were found homeless, loitering (defined as wandering without work), or begging could be arrested.<sup>43</sup> With an increased emphasis on the state's responsibility to ensure the welfare of the masses in the 1930s and 40s, new solutions were proposed. Mikha'il for example argued that the only true solution to poverty was a centralized program aimed at increasing the living standards of the *sha'b*, or the popular classes. Rather than simply giving charity to the poor, able bodied men and women should be encouraged to work and be guaranteed the basics of a dignified life.<sup>44</sup>

If human labour was envisioned as one of the cornerstones of society and the foundation of its progress, laziness was its conceptual opposite. Sadiq Khattab, another Azhar scholar, warned against the dangerous consequences of unemployment writing that if people neglected their work, the nation would suffer and become weak. According to Khattab, there were many fields of labour that would accept those who sought out work. Yet he expected those who were "sick with idleness and unemployment" would die of hunger even though the solution was right in their hands. Khattab described the unemployed as "strong yet do nothing but hang around in the streets and cafes as if they do not have homes that need their labour."<sup>45</sup> The coupling of

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<sup>41</sup> Sālih Mikhā'īl, *al-'Adalah al-Ijtima'īyah al-Qaumīyah al-Dawlīyah* [Social Justice, Nationally and Internationally] (Cairo: Maktabat al-Nahḍah al-Miṣriyyah, 1946), 20-21.

<sup>42</sup> Ibid., 22.

<sup>43</sup> Mine Ener. *Managing Egypt's Poor and the Politics of Benevolence, 1800-1952* (Princeton: Princeton University Press, 2003), 34-35.

<sup>44</sup> Mikhā'īl, *al-'Adalah al-Ijtima'īyah*, 24.

<sup>45</sup> Sādiq Khattab, "al-Ikhlāṣ fi-l-'Amal" [Sincerity in Work], *Majallat al-Azhar* 21 (Shawwal 1369 (1950)): 937.

unemployment and laziness was common, yet it was also a highly gendered attribution. It was unemployed men of all classes who for the most part were accused of laziness. For women on the other hand, idleness was a strictly middle and upper-class phenomena, a lethal luxury that women of the lower classes could not afford.

### **A Gender Division of Labour**

The role that women should occupy in the nation's economy was heavily debated. For many commentators, the type of work one ought to choose was highly gendered. Before the First World War, the fear that women performing masculine jobs would only lead to social disintegration and a destruction of femininity was common. For example, in an article published in 1907 discussing the recent employment of women in France as coachmen, the author argued that women would not be able to survive in the field, as it was not appropriate to their femininity. In fact, work as coachmen hardened and change women and gave them an "edgy disposition," (*wijdan 'asabī*) stripping them of *thawb al-jamal*, (the dress of beauty). Performing such occupations would only lead to their degradation because it would take them away from their more important social role as wife.<sup>46</sup> Similarly, the industrialist Tal'at Harb took issue with Qasim Amin's allowance of women's performance of jobs traditionally associated with male domains. According to Harb, deterioration of a traditional division of labour where women worked outside of the home would only lead to the spread of social diseases, such as illicit relationships and corrupted morals.<sup>47</sup> Other occupations were considered much more appropriate to dominant perceptions of femininity at the time. Handicrafts such as embroidery and lacemaking were promoted as essential female skills that should be taught to old and young, rich

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<sup>46</sup> "al-Mar'ah w-al-Rajul" [Woman and Man], *al-Jarīdah*, March 18, 1907.

<sup>47</sup> Sālim, *al-Mar'ah fi-l-Fikr al-'Arabī al-Ḥadīth*, 233-34.

and poor. Many writers saw it as a productive use of free time for wealthy women and as a remedy for upper class idleness that was damaging to the mind, body, and spirit. For the poorer classes, knowledge of needlework was a guaranteed source of income and since the blessings of wealth could be taken away at any moment, these "feminine handicrafts" could provide the once rich an important tool in securing her livelihood.<sup>48</sup>

The belief that masculine and feminine natures should be the sole means of determining the division of labour continued to be defended by intellectuals in the interwar period. The defining characteristic of masculinity in these debates was the God-given capability of making a living and the "natural readiness to exert effort in the path of securing sustenance and managing the livelihoods of his wife and children."<sup>49</sup> It was argued that God gave men stronger bodies and intellects, which made them more adept in "leadership, control, work, management and success."<sup>50</sup> Just as men had natural inclinations that drove them to choose their life's calling, women were also driven by tendencies in their own dispositions. Thus, though men could have different inclinations towards various professions, it was understood that all women were naturally inclined to work in the domestic sphere. This perception, under the guise of human nature, limited the choice in employment available to women while providing men with unlimited alternatives, even if only in theory. This severely hampered women's development in all fields of work that could not be subsumed under, or rendered invisible by the household.

In a fatwa (legal injunction) given by Muhammad Farid Wajdi, printed in the journal of al-Azhar in 1934 on the permissibility of women leaving their homes he answered that it was permissible only under strict conditions such as wearing thick clothing, not displaying the neck,

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<sup>48</sup> "Al-Sina'ah al-Nisā'iyyah" [Feminine Industry], *al-Jarīdah*, July 17, 1907.

<sup>49</sup> Muḥammad Wisfī, "al-Iṣlāḥ al-Ijtimā'ī bī-madhā Yakhdimuhu al-Rajul" [Social Reform and How Men Can Serve It], *al-Miṣriyyah* (July 15, 1939): 11.

<sup>50</sup> Ibid.

chest, arm, or legs and forbidding intermingling with men.<sup>51</sup> Though he allowed women to see to their own needs whether it be for religious or material reasons, he warned against the evils of extending these privileges unnecessarily and without the strict conditions he had elaborated. He encouraged women to remain focused on the home, as this was the location of her "special job" given to her by God. He continues, "Allah's wisdom divides activities according to specialization, not only that, but God made differences in inclination so we can specialize in what is primordial to us."<sup>52</sup> Wajdi and other contributors to the Azhar journal saw the increased social acceptance of the presence of women outside their homes as a sign of the corrupt times Egyptian society was living through. In his words, he considered it,

Decay and degeneration in the appearance of sophistication and renaissance, and bad actions, abuse of morals, perversity of opinions, and corruption of dogma in the name of renewal and innovation; and the maintenance of virtue and good manners as hindrance and stagnation.<sup>53</sup>

As one contributor to the journal put it, "*f-al-rajul 'āmil fī takwīn al-usrah wa-tarbiyatuha fī al-khārij, wa al-mar'ah 'āmilah fī takwīn al-usrah wa tadbīruha fī-l-dākhil*."<sup>54</sup> In other words, the natural division of labour is attune to God-given feminine and masculine dispositions, which meant that men were responsible for making a living in order to maintain the household while women were to care for the home and family from within the domestic space. The discussion of

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<sup>51</sup> Muḥammad Farīd Wajdī, "Bāb al-As' ilah wa-l-Fatāwā: Khurūj al-nNsā' min al-Bayūt" [Questions and Injunctions: Women Leaving the Home] *Nūr al-Islām* 5 (Rabī' al-Thānī 1353 (1934)): 235-238.

<sup>52</sup> Wajdī, "Bāb al-As' ilah wa-l-Fatāwā," 235-238.

<sup>53</sup> Ibid.

<sup>54</sup> 'Abd al-Raḥman al-Jazīrī, "al-Sunnah: Ḥukm Khurūg al Nisā' min Bayūtihun wa ma-Yita'alaq bi-Dhalik" [Women Leaving Their Homes and What Follows From This] *Majallat al-Azhar* 9 (Rajab 1357 (1938)): 446.

women's work revolving around the dichotomy of inside and outside the home was part of the twentieth century discourse on social welfare that targeted the family as a site for modern reforms.<sup>55</sup> For the most part, this discourse confined women to the reproductive sphere rather than tackle the challenges they faced in employment, such as lack of opportunity, harsh conditions, and low wages.

For women who needed to work outside of their homes, the conditions of her public presence were not seen as difficult to follow and were considered necessities in order to "protect people from their desires and for society to solve its relationship with vice."<sup>56</sup> Furthermore, it was argued that women's employment outside the home should never interfere with fulfilling her duties to the household and its members.<sup>57</sup> According to Muhammad al-ʿAshmawī, who served briefly as the Minister of Education in the 1930s, this "distribution of specializations" is in the best interest of society. He advocated that women should be committed first to raising the new generations and then "we take what is left from her time and effort to promote the public sphere."<sup>58</sup> He continues, "in the first field she is a queen, and in the second a soldier. She must be discharged within her field before anything else and her activity in the public field is supererogatory, it is what she does after she is sure she did her duty."<sup>59</sup> There was a popularly expressed fear amongst intellectuals and reformers of not being able to conquer the "enemies of poverty, ignorance, and disease," as long as women's efforts were concentrated in a field other than the home.<sup>60</sup> Women's work alongside men was a social reality that most commentators

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<sup>55</sup> El Shakry, *The Great Social Laboratory*, 166-167.

<sup>56</sup> "Al-Ḥijāb wa-l-Khitān fī-l-Islām" [Hijab and Circumcision in Islām], *Majallat al-Azhar* 7(Jumādā al-Ūlā 1355 (1936)): 348.

<sup>57</sup> "Al-Ḥijāb wa-l-Khitān fī-l-Islām," 349.

<sup>58</sup> Reprint of speech given by Mohammad al-ʿAshmāwī Pasha titled "Fī Moḥīṭ al-Marʿah" [In the Domain of Women] *Majallat al-Azhar* 19 (Jumādā al-Ūlā 1367 (1948)): 430.

<sup>59</sup> *Ibid.*, 431.

<sup>60</sup> Al-ʿAshmāwī Pasha, "Fī Moḥīṭ al-Marʿah," 431. For more on how child-rearing was reconceptualized as women's national duty and the importance of modern methods in this task see, Beth Baron, *Egypt as a Woman*, 135-161;

recognized; yet the general consensus was that her "specific work" should not be neglected. The category of worker implied a male citizen and his capacity to contribute to both the national and household economy while women's efforts were to be channeled into the domestic space.<sup>61</sup>

Arguments on feminine and masculine nature were often based in particular interpretations of the Qur'an and the sayings of Prophet Muhammad. These arguments were common but they did not remain unchallenged. Nabawiyyah Musa (1886-1950) is the most notable activist of the interwar period who defended woman's right to choose any type of work and argued it was ignorance and not religion that forbade women from work. Musa believed that the greatest service she could offer the Egyptian nation was to encourage women towards education and work and in 1920 she published *Woman and Work (al-Mar'ah wa-l-'Amal)*.<sup>62</sup> Musa was not unique in tying education to economic advancement and social reform. By the turn of the twentieth century this idea had become a strongly held belief amongst reformers.<sup>63</sup> But Musa was unique in that she argued for the necessity of work as a corollary to education and as the key to female independence. She argued that "old delusions" that prevented women from being able to provide for themselves must be abandoned. Instead she believed that inculcating women while they were young with a love for work would lead to reformed homes and refined people who are neither lazy nor idle ultimately benefitting the nation. Equal education for women was the first step according to Musa, as it would prepare women "to be independent enough to make her own living."<sup>64</sup>

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Badran, *Feminists, Islam, and Nation*; 124-141; and Lisa Pollard, *Nurturing the Nation: The Family Politics of Modernizing, Colonizing, and Liberating Egypt, 1805-1923* (Berkeley: University of California Press, 2005).

<sup>61</sup> Ellis Goldberg, *Tinker, Tailor, and Textile Workers: Class and Politics in Egypt, 1930-1952* (Berkeley: University of California Press, 1986), 18-27.

<sup>62</sup> Nabawīyyah Mūsā, *al-Mar'ah wa-l-'Amal* [Women and Work] (Cairo: Dār al-Kitāb al-Miṣrī, 1920), 5.

<sup>63</sup> Some such reformers were Muḥammad 'Abduh and Labībah Hāshim. For more see, Hoda A. Yousef, "Seeking the Educational Cure: Egypt and European Education 1805-1920's" *European Education* 44 (2012-2013): 61-62.

<sup>64</sup> Mūsā, *al-Mar'ah wa-l-'Amal*, 18-27.

Moreover, Musa argued that the gendered division of labour that was defended by the likes of Wajdi, Tal'at Harb and others was a social convention and not a naturally occurring and therefore, immutable phenomenon. She drew on the experiences of lower class women to argue her case writing,

How can he close his eyes to the female woman street seller carrying heavy loads of fruits or vegetables on her head while foolish men steal from her with their eyes and hands? Do they not see Egyptian Muslim women who make their living from washing the laundry of different houses and of the British and Egyptian armies? This work is hard and has no security for the damaged honour of these women, in addition to the fire over which she washes [boils] the clothes and the hot water that draws blood from her palms. Do they not see the women labourer (*fa'ilah*) walking up the dikes with a heavy load of dirt and stone? Do they not see the services provided in homes and all the hard work they do for the foreign men that play with the honour? <sup>65</sup>

Musa drew on the conspicuous yet unacknowledged experience of lower class working women as proof of the obsolete arguments of those who defended the family and household as women's sole occupation. These examples were also used to support her argument on the importance of equal education for girls, which would mean that women would not have to pursue these "various fallen and miserable jobs" at all.<sup>66</sup> For middle and upper class women of the early decades of the twentieth century, women's work outside the home was looked down upon partly

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<sup>65</sup> Ibid., 28-29.

<sup>66</sup> Mūsā, *al-Mar'ah wa-l-'Amal*, 28-29.



because it was associated with poverty.<sup>67</sup> For Musa, better education and the opening up of opportunities for women in "prestigious jobs that need experience and knowledge," would mean that women would no longer be pushed into fields that would potentially damage their dignity.<sup>68</sup> Musa pointed to the obstruction of women from holding higher status jobs while forcing them into lower status jobs as an injustice.

Musa shared the idea that the wealth of the nation could only be created and preserved through its workforce, but considered the current condition of Egypt to be "crippled" as it had prevented women from becoming active and productive subjects.<sup>69</sup> Education of girls that focused on domestic management and embroidery was severely lacking. Musa complained that instead of teaching sciences and industrial skills, girls were handed down "deficiencies and incompetency" resulting in a reliance of foreign European labour and consequently an inability to preserve national wealth.<sup>70</sup>

The arguments in favour of women's labour continued to draw supporters after the publication of Musa's book. A lawyer and published author, 'Abdullah Hussayn pointed to the importance of increased female participation in the labour force in his book titled *The Modern Woman and How We Guide Her*.<sup>71</sup> He opens his book by comparing the movement for female emancipation in Egypt to that of Turkey. In a comparative perspective, Hussayn found the Egyptian women's movement as lagging behind what women were able to achieve in Turkey. Turkish women had made advances in the areas of labour and education while in Egypt people were still stuck on the "silly debate" (*jadāl sakhīf*) between veiling and unveiling.<sup>72</sup> Like Musa,

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<sup>67</sup> Fahmī, *Mushārakat al-Mar'ah fī Tanmīyat al-Mujtama'*, 58.

<sup>68</sup> Mūsā, *al-Mar'ah wa-l-'Amal*, 29.

<sup>69</sup> Ibid., 59.

<sup>70</sup> Ibid., 60.

<sup>71</sup> 'Abdullah Hussayn, *al-Mar'ah al-Hadīthah wa Kayf Nasūsiha* [The Modern Woman and How to Guide Her], (Cairo: al-Matba'ah al-'Aṣṛīyyah, 192?).

<sup>72</sup> Hussayn, *al-Mar'ah al-Hadīthah*, 11.

Hussayn believed needlework was not true labour. Though he did not personally support women working with "nails and chains" as they did in England, he argued against the perception that women were not naturally fit for labour that required physical effort. He pointed out the presence of women in various types of occupations where they were paid lower wages and argued that half of the troubles women were facing, including unhappiness and destitution, were a result of "not trusting their own minds and hands." Moreover, Hussayn believed that the emotional, physical, and financial health of women could only be attained through their participation in the labour force.<sup>73</sup> Hussayn also addressed fears of the breakdown of the traditional division of labour saying that rather than fearing competition from women, men should appreciate the contributions working women make to the sustenance of their families. If both men and women work and spend on their families, the financial burden that is traditionally on the male relatives is lessened.<sup>74</sup>

In an article written by Hussayn published in *al-Misriyyah*, the official journal of the EFU, a decade after his book was released, he expressed concern with the persistence of, "backward thoughts that aim to restrict the occupation of women" to that of wife, mother, and household management.<sup>75</sup> He argued that this faulty perception was a result of historical developments. Hussayn believed that the expansion of industry during the First World War provided women with increased opportunities for industrial employment. The economic constriction that occurred after the war led to widespread unemployment whence the justification for restricting women's access to jobs arose. After the war, the supply of workers, both male and female, far exceeded the demand for them. Thus, if the employment of women were limited, that would mean that the

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<sup>73</sup> Ibid., 99-103.

<sup>74</sup> Ibid., 102.

<sup>75</sup> Hussayn, "al-Mar'ah Bayna Taṭawwūrāt al-Ḥawādith" [Women in the Development of Events], *al-Miṣriyyah* (June 1, 1937): 9.

numbers of unemployed men would recede and stability would be achieved. Hussayn argued against such views writing that while the women's movement had made advancements in many fields including employment, women for the most part still did not "fill some of the fields that men work in," and therefore could not be seen as a threat to men's employment.<sup>76</sup> Hussayn tied the development of women in Egyptian society directly to the changing political and economic scene rather than notions of feminine nature.

By the 1930s, the idea that women should have an equal share in the nation's productive force had become much more common. For example, in an interview with *al-Misriyyah*, the Deputy Minister of Commerce and Industry 'Abd al-Rahman Fikri had argued that by not allowing women to work, Egypt had actually deprived itself of a key source of wealth. Fikri, like others before him, tied the success of the nation directly to its workforce by putting forth a general theory of economics and wealth creation that he believed was easily comprehensible to even the "unsophisticated mind."<sup>77</sup> In his general theory human labour through ingenuity and creativity is applied to the given environment's natural resources. The product of people's labour is output and from this production, capital is amassed and wealth is increased. Thus, the basis of the field of economics is the duty of labour without which, "life as we know it and live it, would not be."<sup>78</sup>

Fikri argued for the equal share of women in the duty of productive labour. He used the example of western nations who had according to him "advanced in the path of women" and thereby benefited from women's participation in work outside the home. His words are worth quoting at length. He states,

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<sup>76</sup> Hussayn, "al-Mar'ah Bayna Taṭawwūrāt al-Hawādith," 9.

<sup>77</sup> "Sā'ah fī Ḥaḍīrat 'Abd al-Raḥman Bik Fikrī Wakīl Wizārat al-Tijārah wa-l-Ṣinā'ah: al-Mar'ah wa Atharuha fī-l-Nahḍāh al-Ṣinā'iyyah" [An Hour in the Presence of 'Abd al-Raḥman Bik Fikrī, Deputy Minister of Commerce and Industry: Women and her Mark on the Industrial Renaissance], *al-Miṣriyyah* (Jan 1, 1938): 5.

<sup>78</sup> Ibid.

Thus, their production increased, as did their vitality and the spirit of society was revived and wealth grew within it, whether it was for the individual, the community, or for the nation. The influence of women became evident in production in many instances through her ability to participate in taking on a big share of the organized effort to develop industry and her achievement of high wages. This is the importance of women and her influence in countries, which did not withhold from her laws that legislate her share in the foundations of social life, countries that have not forbidden her from being a responsible human component of society, from enjoying her rights that she demanded and from fulfilling her duties. This is the importance of women in Europe, America, and a few Asian countries. This experience has proved that if there were things that women were not able to pursue, there were also things that men were unable to pursue. This recent and historical past has proved that that there is no natural reason that women can not pursue men's work except tradition. If women are encouraged in a general manner to work, she will not hesitate to do good work and therefore the result will be the development of wealth, improvement in distribution, and the well-being of the people.<sup>79</sup>

Fikri used this very positive picture of women's participation in the labour force in more economically dominant nations to argue against those who believed that feminine nature was not suitable for labour outside the home. Instead, Fikri argued that women's labour was innate, as it is something that one could perceive in both animals and primitive societies where livelihoods were only guaranteed through the cooperation of the sexes. For him, "the exclusion of women from the field of work ...is a mutiny against nature and the squandering of the rights of half of

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<sup>79</sup> "Sā'ah fī Ḥaḍīrat 'Abd al-Raḥman Bik Fikrī," 5-6.

society." Accordingly, nations that exclude women from work experience a "stagnancy" that is driven by three factors. First, they have ingrained in women the idea that they are created weak, incapable, and deficient, and thereby have extinguished her vitality and thus the vitality of half the nation. Second, this has resulted in less wealth creation and lastly, it has "cast all of life's work on the shoulders of the tired — on man alone." Fikri tied the liberation of the nation to that of women, arguing that Egypt would only be truly independent if it guaranteed women the right to pursue work.<sup>80</sup> This policy would not be actively pursued by the state until the late 1950's and 60's under Jamal 'Abd al-Nasir.<sup>81</sup>

## Need

The years immediately following the Second World War represent a moment of transition in the public discussion on women and work. During this time there was growing concern for the harsh working conditions of urban lower class women. Writer Mustafa Kamil Munib published a series of articles on the living conditions of women and children in the textile factories of Mahallah al-Kubra in 1946. The factories employed 2,000 female workers who came from poor families, in addition to what Munib estimated to be thousands more outworkers who laboured from home. Munib reported that many of the young females who worked in the factory were single as marriage often meant giving up their positions. Many of these women were living away from their families and they often lived together on the outskirts of the city. Munib reported that up to twenty women would share one apartment. Additionally, because they were on the outskirts of the city the women had to walk long distances back and forth to the factory each day. Female factory workers were paid significantly less than their male counterparts and their low wages had

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<sup>80</sup> "Sā'ah fī Ḥaḍirat 'Abd al-Raḥman Bik Fikrī," 5-6.

<sup>81</sup> See Bier, *Revolutionary Womanhood*, 65-91.

the effect of depressing wage rates for male workers as well. Munib also noted that women were considered more reliable in their work as they were less likely to cause disturbances.<sup>82</sup> Of course, that factory owners benefitted from the assumed docility of women workers was not particular to the Egyptian factory system. Malek Abisaab found that a similar logic was used to keep women in unskilled and low paid jobs in silk factories of the late nineteenth century and tobacco factories in 1930s Lebanon.<sup>83</sup>

Though many Egyptian writers such as Hussayn and Fikri expressed alarm at the persistence of the domestic ideal, others such as artist and activist Inji Aflatun pointed out its irrelevance. According to Aflatun, the debate between "supporters of women at home and supporters of equality" (*anṣār al-mar'ah lil-bayt wa anṣār al-musāwah bayn al-mar'ah wa-l-rajul*) was a purely theoretical one detached from the practical realities of many women who were already in the labour force working to make a living.<sup>84</sup> Like Musa before her, she pointed to the material circumstances of the overwhelming majority of women in Egypt that forced them "to look for a bite to eat through a profession or trade." Thus, what was presented as a choice between the home and labour in the debate on women's work, in reality was not a choice at all. As Aflatun poignantly asks, "where is this home that they want women to withdraw into without work? The house of poverty, ignorance, and disease? The home in which she will die hungry and naked..."<sup>85</sup> Yet unlike Musa, Aflatun acknowledged the essential character of lower class labour. Rather than argue that women should not perform these jobs in order to maintain their honour, she made the case for better work conditions.

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<sup>82</sup> Muṣṭafā Kāmil Munīb article in *al-B'ath* 17 (March 29, 1946) as quoted in 'Azzah Khalīl's "Dakhūl al-Mar'ah al-Miṣriyyah Sūq al-'Amal," 53-56.

<sup>83</sup> Malek Abisaab, *Militant Women of a Fragile Nation* (Syracuse: Syracuse University Press, 2010), 30-31.

<sup>84</sup> Injī Aflātūn, *Naḥnu... al-Nisa' al-Miṣriyyat!* [We, the Egyptian Women] (Cairo: n.p., 1949), 39.

<sup>85</sup> Aflātūn, *Naḥnu... al-Nisa'*, 40.

For Aflatun, the motivation of those who argued that women should not work outside the domestic space was to maintain patriarchal control over women while ignoring issues of quality of life. Rather, the true question at the center of the debate was not whether or not women should work, but how.<sup>86</sup> For this reason, Aflatun drew attention to the conditions of women's work in Egypt and documented the almost universal lack of equality across all fields and occupations. Drawing on employment statistics found in the national censuses, Aflatun found that although women were present in all sectors of the economy, from industry to agriculture to commerce, they were not equally distributed across occupations. In the industrial sector women were more often found in what she described as "trivial jobs," in manufacturing and restricted from "primary activities" where the core production and extractive process occurred.<sup>87</sup> She pointed to women's lack of technical education, low wages, and denial of social insurances given to men. She cited women's ignorance of labour law as one of the reasons for her inability to ensure her rights, but also pointed to a general resistance on behalf of employers and unions to give women their equal share. For example, if a factory had a financial aid system in place for its workers to draw on in times of need, women who could very well contribute, were denied their share when they requested it. Additionally, Aflatun found that when unions were asked if women could participate in their activities, many replied that Egyptian traditions prohibited their participation. The practice of releasing women from employment upon marriage was a convenient way of maintaining a young workforce that could be paid less without worry of enforcing maternity laws. According to Aflatun, this type of employer resistance to female labour law meant that the law was from its inception, "born dead."<sup>88</sup>

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<sup>86</sup> Ibid., 41-43.

<sup>87</sup> Ibid., 45.

<sup>88</sup> Aflātūn, *Naḥnu... al-Nisa' al-Miṣriyyat!*, 39.

Aflatun pointed to many other examples in agriculture, public service, teaching, and other fields that denied women equal wages, equal opportunity, and child care resources. The difficult reality of women's work meant that many had to choose between home and work.<sup>89</sup> The work environment, rather than "allow women to fulfill her duty at home while making an income to feed the family and contribute to national production," actually prohibited women's participation, which stood in the way of national advancement.<sup>90</sup> She argued that ensuring women's equality in the work force would result in an increased standard of living for both the family and the nation and would also ensure female independence from "greedy men...who control and enslave her."<sup>91</sup>

The female Egyptian peasant figured heavily in discussion on the necessity of women's work. Many writers such as Aflatun and Duriyyah Shafiq considered their long hours in the field and at home as essential to the countryside and therefore, the nation as a whole. Their ability to balance their domestic responsibilities with other activities that contributed to the family income was drawn on as an example of female capability as well as an indication of the potential contribution women could make to Egyptian society if given greater work opportunity. Shafiq also delineated the plethora of ways in which peasant women contributed to the rural economy. For her, the lower class women both urban and rural, who had long preceded women of other classes in work outside the home, were the true "anonymous soldiers" of the nation (*al-jundī al-majhūl*). These were the unacknowledged heroes of the nation who made up a significant portion of its productive forces, "the courageous female worker and the bold female peasant."<sup>92</sup>

## Poverty and Honour

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<sup>89</sup> Ibid., 53.

<sup>90</sup> Ibid., 43.

<sup>91</sup> Ibid., 41.

<sup>92</sup> Duriyyah Shafiq, *al-Mar'ah al-Miṣriyyah min al-Fira'ana ilā al-Yaum* (Cairo: Maṭba'at Miṣr, 1955), 163-65.



The same material circumstances that compelled lower class women into labour also presented an immediate danger that garnered the attention of intellectuals and reformers, namely the proclivity towards crime and dishonourable means of earning a living such as begging and prostitution. Labour was overwhelmingly portrayed as a tiresome and heavy responsibility and the sheer weight of having to make one's own living could often drive lower class men and women towards dishonourable work and other means of generating cash. Lacking a decent job carried the risk of pushing women into crime. A certain type of educational program, one that targeted young girls from poor families and taught them a handicraft was viewed as the most appropriate corrective to this tendency.

The correlation between women's public presence and accusations of immorality was not something unique to the twentieth century. Previous scholarship on nineteenth century Egypt has found that women's participation in markets sometimes resulted in charges of indecent behaviour and even prostitution.<sup>93</sup> In court cases over child custody, women who worked outside of their homes faced the risk of being declared "unfit mothers" as work was associated with neglect of their children.<sup>94</sup> This research also shows that for women involved in work in which there were regular interactions with unrelated men, such as sellers in markets, domestic servants with male employers, and singers and entertainers, their respectability was always compromised by the nature of their occupation.<sup>95</sup> Many critics in the twentieth century continued to view the presence of women outside their homes as a threat to feminine respectability and a cause of

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<sup>93</sup> Judith Tucker, *Women in Nineteenth-Century Egypt* (Cambridge: Cambridge University Press, 1985), 70.

<sup>94</sup> Tucker, "Decline of the Family Economy," 265-66 and *Women in Nineteenth-Century Egypt*, 81-87.

<sup>95</sup> Tucker, *Women in nineteenth Century Egypt*, 92-93. Even during the Mamluk period as Yossef Rapoport discovered, despite the normalcy of women's labour their presence in streets and markets, "posed a problem to the patriarchal self-image of Mamluk society." This underlying danger posed by working women meant that they were used by Mamluk rulers of Cairo as scapegoats in times of crisis (such as during a plague) and were even intermittently banned from visiting markets and being in the streets. See Rapoport, *Marriage, Money and Divorce in Medieval Islamic Society* (Cambridge: Cambridge University Press, 2005), 32-38.

social disorder.<sup>96</sup> Yet by the twentieth century, poverty had been identified as the main motivator in women's pursuit of dishonourable means of making a living such as prostitution, crime, and begging. The issue of morality and proper behaviour was a concern for women of all classes, but in the discussion of female presence in public space, there was a clear class difference. For the upper and middle classes, the discussion revolved around immorality as a by-product of the crumbling system of seclusion which resulted in new ways of being in public society for women.<sup>97</sup> For lower class women, writers were much more willing to see them as victims of circumstance. It was widely acknowledged by reformers that poverty paved the path to dishonour.

Poverty that was rampant amongst the lower classes was especially conducive to female prostitution. As 'Abdullah Hussayn wrote,

You will not find a big difference between a female breadwinner that marries not moved by true love, but to find a solution to her poverty through marriage and the women who goes into commercial sex (*tiḥtiraf bi-l-‘āhirah al-ma’jūrah*). They are both victims and both propelled by economic need.<sup>98</sup>

According to Hussayn, the only practical solution to this and "one of the true ways of spreading honour and purity amongst women," was not to be found in government repression or police

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<sup>96</sup> Hanan Kholoussy, *For Better, For Worse: The Marriage Crisis that Made Modern Egypt* (Stanford: Stanford University Press, 2010), 55-59.

<sup>97</sup> Ibid., 64-65.

<sup>98</sup> Hussayn, *al-Mar'ah al-Ḥadītha*, 105.

involvement, but rather "to open the doors of employment and labour to women with wages that are sufficient to their needs."<sup>99</sup>

Zakariyya Fadil dedicated a chapter to his book *The Great Problems* to prostitution. He found that at the root of crime and prostitution was unemployment. Faced with the inability to find work, unemployed men and women would turn to crime as pimps and sex workers. He suggested the idea of shelters for women where they could be educated and trained in trades and crafts as a resolution to this problem. He even detailed the internal functioning of how such a shelter would look like. Women would be divided into sections based on particular jobs, such as cleaning or sewing, food production, carpet weaving, and raising livestock. The shelters would also include showrooms to sell their work. The women would rotate stations in order to learn skills and become proficient in a variety of jobs. According to Fadil, this would prevent the creation of schisms and differentiation between the women and make them all equal.<sup>100</sup> While evidently the issue of equality between men and women was not a concern for Fadil, the idea was to equip poor women with knowledge sufficient enough to enable them avoid the pitfall of poverty, namely the threat of resorting to dishonourable means of making a living.

The link between poverty and the practice of prostitution was reiterated amongst government employees as well. Administrators in the Ministry of Social Affairs were of the opinion that like women of the lower classes, the sex-worker was driven by the need to augment her income and to "save herself from starvation."<sup>101</sup> With the Second World War and the increased presence of foreign troops in Egypt, the concern over the poor being pushed into prostitution was amplified. The Office of Moral protection in 1940 suggested that since solicitation was committed due to

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<sup>99</sup> Hussayn, *al-Mar'ah al-Ḥadītha*, 106.

<sup>100</sup> DWQ 4029-000294, Juz' Thanī Āwrāq 'an al-Bigha' fī Miṣr, Iqtirāḥāt 'an al-Bigha' 1942-1945, letter from Zakariyyā Fāḍil, n.d. It is not clear whether this book was published, as I was unable to find a copy of it.

<sup>101</sup> DWQ 4029-000554, *Pamphlet on Effect of the World Crisis on Prostitution in Egypt* (Cairo: Government Press, 1935), 5.

the need to making a living, this meant the problem of prostitution needed a "social solution" to be settled. For the inspector at the office, this meant that the state should intervene early on. He suggested using government shelters to teach women handicrafts so that they would not have to turn to prostitution and would therefore be prepared for a "noble life."<sup>102</sup> Women suitable for such a program were the very same women that came through the inspector's office. These were women who were between the ages of fifteen and twenty-one and had been arrested for practicing prostitution without a license and charged with instigating immorality. He wrote that many of them were repeat offenders, and despite the fines and prison times levied against them, "they are still arrested time and again due to their circumstances where they have no other choice but to live from prostitution."<sup>103</sup> The inspector was particularly concerned with minors, women under sixteen years of age who were arrested for clandestine prostitution. In his report he encouraged the ministry to take the "necessary steps to protect them from falling once again or from returning to those who take advantage of them. They have no fathers or guardians that they can depend on and protect them." For this reason, he recommended that the only way out for young women in difficult financial and familial circumstance was through specializing in feminine industries. Learning handicrafts such as sewing was seen as a way out for these young girls whom could be "returned to an honourable life."<sup>104</sup>

Despite an acknowledgement of the link between poverty and prostitution, the perception that women's work outside their homes negatively affected the welfare of children was still common. For example in the early 1940s, the Faruq I Social Foundation in Alexandria directly tied juvenile delinquency to the absence of supervision in the home. The foundation claimed that

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<sup>102</sup> DWQ 4029-000565, Report by the Inspector of the Office of Moral Protection, 17 July 17.

<sup>103</sup> Ibid; Telegram 6 November 1940 from Office of Moral Protection to Cairo Police, Social Services Unit.

<sup>104</sup> DWQ 4029-000565, Report by the Inspector of the Office of Moral Protection.

during the war, "many mothers and elder sisters left their home for work."<sup>105</sup> In addition to fathers who worked long and late hours, this meant that children were left on their own and therefore were more likely to be drawn into criminal activity. The foundation observed that a heavy presence of foreign troops provided opportunities for young children to earn a living as solicitors for sex workers or through theft.<sup>106</sup>

By the early 1940s as the regulation of prostitution began to wane, press coverage focused on the transition from sex-work to more honourable forms of work. For example, in 1940, al-Ahram published an article titled, "the last remnants of prostitution" in Egypt. The story featured a small group of sex workers from Shabin al-Kawm, the capital city of the Minufiyyah province on the occasion of their marriage, which singled the end of their careers as sex workers. The local council gave the women given financial assistance in order to help in their transition to making "an honourable living."<sup>107</sup>

Similar to prostitution, begging was seen as a dishonourable means of generating an income that was driven by low standards of living. Many commentators such as Salih Mikha'il believed that giving charity in the attempt to increase standards of living for the poor was only creating a class of professional beggars. He argued that charity given to able bodied men and women, those who had no physical or mental disability to keep them from working, was a "crime against the nation."<sup>108</sup> This type of misguided charity only served to multiply the number of poor who would become experts in the "art of begging," (*fann al-tasawwul*). Mikha'il described begging as a type of factory system. He writes,

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<sup>105</sup> DWQ 4029-000359, Juz' Awwal: al-Āwrāq al-Mu'tamar al-Dawlī li-Munazimāt al-Usrah, questionnaire to the Farūq I Social Foundation in Alexandria, 26 June 1941.

<sup>106</sup> Ibid.

<sup>107</sup> "Akhīr Āthār li-l-Bighā' ... fī Shabīn al Kawm" [The Last Vestiges of Prostitution in Shabīn al-Kawm] *Al-Ahram*, September 20, 1940.

<sup>108</sup> Mikhā'il, *al-Adalah al-Ijtima'iyah*, 22.

A man who is a beggar-capitalist (*mutasawwil ra'smālī*) marries a woman who is at the height of her youth and able to making a living from honourable work. But he makes it a condition of their marriage that she becomes a professional beggar and that they should have many children in order to increase their capital by sitting on public streets. Some of these children will sleep on the ground, some will even be smiling, but all will be in a disgusting and miserable state.<sup>109</sup>

Mikha'il believed that charity should be organized by the state and given only to those with disabilities. The poor were to be helped by creating shelters, opportunities for work, and educational options for both men and women.<sup>110</sup> The Azhari scholar Wajdi, who was wary of social reform programs, believed that giving financial help to Egypt's poor in the effort to lessen their needs would actually serve as incentive to not work. He argued that need is what motivated humans to labour and if these needs were met, unemployment would spread and the manufacturing sector would deteriorate. This, in turn, would lead to the spread of destitution amongst the lower classes and therefore an increase in crime and social chaos.<sup>111</sup>

Many writers believed that one way to face the threat of poverty and unemployment was through increased technical or vocational training. Amongst government officials, job-specific education was widely considered as a solution to the low standards of living of the poorer classes who also suffered from high rates of illiteracy.<sup>112</sup> The lower classes needed to be given the

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<sup>109</sup> Ibid., 24.

<sup>110</sup> Ibid., 25-27.

<sup>111</sup> Muḥammad Farīd Wajdi, "Al-Ḥājāt al-Insāniyyah wa Āthāruha fī Bina' al-Jamā'āt wa Iqāmat al-Mudunīyāt" [Human Need and its Effect on the Building of Communities and Establishing Cities], *Majallat al-Azhar* 9 (Jumādā al-Ūlā, 1357 (1938)): 351-54.

<sup>112</sup> DWQ 4029-000360, Memo on potential legislation to protect families, n.d.

necessary tools in order to make an honourable living. This idea was very much part of the work of philanthropic organizations that targeted women as well. Training in hygiene, childcare, and housekeeping often accompanied occupational training for women and young girls. For example, the Egyptian Feminist Union had a number of workshops in which girls and women were taught handicraft. Craftswomen earned an income through the sale of their finished products. The EFU considered such initiatives a promotion of local Egyptian industry while providing employment opportunities to women of the lower classes.<sup>113</sup>

The EFU was not the first or the last to pursue such an initiative. Numerous other organizations throughout the first half of the twentieth century aimed to teach poor girls and women trade skills in order for them to make a living away from crime, prostitution, and begging. In 1916, King Fu'ad (1868-1936) founded the *Oeuvre Des Industries Féminines en Egypte* in Alexandria (*Jama'iyat al-Ṣina'āt al-Nisā'iyyah al-Miṣriyyah*, or the Association of Feminine Industries in Egypt). It was both a free school and workshop dedicated to "*ouvrage féminin*," (feminine handicrafts) such as lacework, embroidery, and Egyptian, Greco-Roman, and Arabic sewing patterns. Their facilities also included a showroom in which products made by the women were presented and sold.<sup>114</sup> The association viewed as its greatest success that fact that they were able to draw in over a hundred students each year "who have found a rewarding occupation suitable to their social situation."<sup>115</sup> The ability to provide lower class girls with the means to earn a living was considered "the greatest evidence for the utility of the Association."<sup>116</sup>

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<sup>113</sup> Badran, *Feminists, Islam, and Nation*, 172-74; Samiya 'Abd al-Rahman al-Sharqawī, *Al-Jama'iyāt al-Sīyasīyah wa-l-Ijtima'īyah wa-l-Dīniyyah wa Duruha fī-l-Mujtama' al-Miṣrī, 1882-1936* [Political, Social, and Religious Associations and their Role in Egyptian Society], (Cairo: Maktabat al-Adab, 2010), 183-186. For an interesting comparative perspective, see Elif Ekin Akist, "Girls' Institutions and the Rearrangement of the Public and Private Spheres in Turkey," in *A Social History of Late Ottoman Women: New Perspectives*, ed. Duygu Köksal and Anastasia Falierou (Leiden: Brill, 2013), 136-137.

<sup>114</sup> DWQ 0069-004010, Constitution of the Association of Feminine Industries in Egypt (AOFIE).

<sup>115</sup> DWQ 0069-026761, Report of the Board of Administrations of the AOFIE For Fiscal Year 1917-1918, 6.

<sup>116</sup> Ibid.

Fatimah Rushdi, Muhammad Farid Wajdi's wife expanded her charitable association, the New Woman Association, in 1920 by adding a workshop for young girls from poor families to learn carpet weaving. The aim in teaching this craft was to prepare them with the necessary tools to "face life."<sup>117</sup> In 1921, Nabawiyyah Musa opened her first school, which combined general education with job-specific training. Musa's aim was to encourage girls to work by providing them with the necessary skills to make a living in the labour force.<sup>118</sup>

Musa believed in preparing girls for all sorts of jobs, from tailors to teachers and lawyers. Rather than provide girls with training in a vocation that was considered suitable to their social station as most other philanthropic organizations did, Musa believed that education was the way out of the "miserable work" of street vendors, peddlers, and servants. She wrote that "women have been compelled to work and because of their ignorance they have to do miserable jobs in which they are treated badly by men."<sup>119</sup> It was these low-status jobs that also made crime seem lucrative to lower-class women. Musa argued that women should be encouraged and not prevented from *al-a' māl al-sharīfah*, or honourable jobs. Female doctors and lawyers according to Musa's hierarchy were suitable employment options for women, while street peddling and selling opened women up to vice and manipulation.<sup>120</sup> Consequently, Musa lambasted the dominant curriculum in Egypt that taught girls differently from boys. Teaching girls embroidery

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<sup>117</sup> Al-Sharqawī, *Al-Jama'iyāt al-Sīyasīyah wa-l-Ijtima'īyah wa-l-Dīniyyah*, 178. Al-Sharqawī writes that The New Woman Association was originally founded in 1908 after its predecessor The Society for Women's Progress was disbanded shortly after it was formed. Beth Baron briefly discusses The New Woman Association and Fatimah Rushdi (or Rashid), yet there is not much historical information on either the organization or its founder, which explains discrepancies in accounts. See Baron, *The Women's Awakening in Egypt: Culture, Society, and the Press* (New Haven: Yale University Press, 1994), 28-29.

<sup>118</sup> Ibid., 182-183.

<sup>119</sup> Mūsā, *al-Mar'ah wa-l-'Amal*, 64.

<sup>120</sup> Mūsā, *al-Mar'ah wa-l-'Amal*, 64.



and domestic management was simply not enough. Rather, "everyone should be taught how to make a living, as this is necessary in the struggle of life."<sup>121</sup>

Nevertheless, Musa's schools and pedagogy was markedly different from the rest. Reports written by the Ministry of Social Affairs on associations active in woman and child welfare shows that out of the organizations that had workshops or educational programs that taught women trade skills, all of them taught "suitable feminine occupations" (*al-ḥiraf al-la'iqah lahun*). In addition to domestic skills, they were taught feminine industries, namely handicrafts such as sewing, embroidery, lace, knitting, and on the rare occasion, carpet weaving.<sup>122</sup> Several orphanages as well had workshops attached to them that taught young girls and boys different trades. For example, Tahrir Orphanage (previously *Mabarrat Fariyal*) established in 1942 taught young girls handicrafts in order for them to be able to make a living and to help their husbands with the burden of life and its demands."<sup>123</sup> Similarly, the Muslim Brotherhood set up workshops and factories for poor and orphaned girls where they were taught housekeeping skills as well as textile trades and rug making.<sup>124</sup>

Thus, the mid-twentieth century saw a continuation of trends in the field of technical training recognized by Judith Tucker in the years leading up to 1914 that reinforced the gender division of labour.<sup>125</sup> By the middle decades, teaching lower class women and girls how to make an income through honourable means was both a charitable act and a national duty as furnishing women with a particular skill set would prevent them from committing crimes in order to feed their families. Social welfare and reform were considered instruments for strengthening national

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<sup>121</sup> Ibid., 71.

<sup>122</sup> DWQ 4029-000879, 'An Ba'd al-Hiy'āt al-Nisā'iyyah wa-l-Shakhṣiyat al-Qa'imah bi Shu'uniha [On Select Women's Organizations and the Individuals that are In Charge of their Affairs], 1948.

<sup>123</sup> Shafiq, *al-Mar'ah al-Miṣriyyah*, 176-177.

<sup>124</sup> Baron, *The Orphan Scandal: Christian Missionaries and the Rise of the Muslim Brotherhood* (Stanford: Stanford University Press, 2014), 126; 132.

<sup>125</sup> Tucker, *Women in Nineteenth Century Egypt*, 126-128.

unity and minimizing class-conflict.<sup>126</sup> Consequently, it was a process of reconciling the material circumstances that pushed women into wage labour with the domestic ideal that resulted in job training for lower class woman, which was restricted to feminine industries. These occupations were well within the boundaries of the ideal femininity that privileged women's domestic role, as these were jobs that could be performed from within the home. Furthermore, very few of the associations used and most likely could not even afford machinery similar to that found in modern factories. In order to maintain dominant definitions of femininity, the specific skill set that most women and girls learned was not transferrable to places of work outside the workshops in which they were taught or their own homes.

Teaching feminine crafts was very much in line with the ideology of many women's organizations, which aimed to shape women as a "mother working without a wage."<sup>127</sup> Cathlyn Mariscotti has argued that philanthropic organizations aimed to instill in lower class women upper class ideals of domesticity. It therefore provided job training in handicrafts considered "suitable" to their status as wives and mothers. Mariscotti argues that this resulted in a "discouraging of work that was not thought of as an extension of care-taking responsibilities in the home."<sup>128</sup> More "practical" styles of teaching, or in other words technical or job specific education was pursued specifically for the lower classes, as it was perceived as more suitable to their socio-economic status.<sup>129</sup> Thus, teaching women how to make an honourable living not only served to reinforce dominant perceptions of femininity that in turn maintained a gender division of labour, but it also buttressed the status quo.

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<sup>126</sup> Omnia El Shakry, "Youth as Peril and Promise: The Emergence of Adolescent Psychology in Postwar Egypt," *International Journal of Middle East Studies* 43 (2011): 594.

<sup>127</sup> Mariscotti, *Gender and Class in the Egyptian Women's Movement*, 66-69.

<sup>128</sup> Ibid.

<sup>129</sup> Youssef, "Seeking the Educational Cure," 62.

## **Conclusion**

Though the ideal of domesticity restricted women's labour to the reproductive realm, it was nonetheless a standard that varied according to class. Lower-class women's labour presented a particular dilemma to writers and intellectuals in the post World War I period. The growing poverty of the Egyptian masses and the increasingly louder call for social welfare attracted attention to the plight of working women. Yet at the same time, the dominance of feminine ideals that tied women to the home ideologically limited the options available to reformers in how to deal with the decreasing standards of living. The focus on such ideals allowed intellectuals and reformers to turn a blind eye to issues of opportunity, conditions and wages. The solution for most was not in bettering the conditions of work for women or offering better employment opportunities. Though this perspective gained traction in the press in the mid to late-1940s it never achieved the same prominence as elite conceptions of womanhood encouraging gender specific education and job training. Consequently, women and girls were to be provided with a new skill set by means of training in feminine industries that would provide them with honourable wages while allowing them in theory to reconcile their domestic and work lives. This also ensured the stability of class relations as lower class women were taught jobs suitable to both their gender and status.

Lower class need was not only conceptualized as the main thrust behind women's work, but it was considered the main reason behind their participation in crime, begging, and prostitution as well. Thus, the debates on lower class women served to maintain the privileged status of the household as the ultimate source of women's honour, respect, and status and reinforced the ideological link between poverty and women's employment. Discussions on need, while meant to encourage the opening up of the labour force to all women and to dismiss counter-arguments,

also served as an implicit warning of an impending social crisis that required intervention. The following chapters of my dissertation will demonstrate how the ever-present threat of lower class women's criminality shaped how and when the state intervened in the lives of working women.

## The Evolution of Law Eighty Governing the Employment of Women in Industry and Commerce

The first two pieces of labour legislation passed by the Egyptian parliament after decades of almost complete inaction in this area occurred in the summer of 1933. These two acts led the way to a series of labour laws enacted throughout the rest of the decade and into the 1940s.

Government officials considered law forty-eight regarding the employment of children covering those aged nine to fifteen years old and law eighty governing the employment of women in industry and commerce as necessary foundations for the future success of the then embryonic local industry. The Egyptian Feminist Union (EFU) hailed the decision as a step in the right direction, as they had previously lobbied the government for the protection of female workers.<sup>1</sup>

The next two chapters of my dissertation focus on labour legislation and the relationship between the state and the female urban workforce. They elaborate on previous scholarship on the relationship between the state and women's work during the period of 1919 to 1952. In the current chapter, I unravel the deliberations that led to the promulgation of law eighty in 1933 and in the following chapter, I delve into detail on the application of the law and uncover some of the impact that the legislation had.

In the literature on labour history in Egypt, scholars have overlooked the labour law of 1933 governing female employment and the discussion and debate surrounding it. The field's most prominent texts pass over this law, including Raouf Abbas's *al-Harakah al- 'Ummaliyyah*, which

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<sup>1</sup> Margot Badran, *Feminists, Islam, and Nation: Gender and the Making of Modern Egypt* (Princeton: Princeton University Press, 1995), 172-73; Laura Bier, *Revolutionary Womanhood: Feminisms, Modernity and the State in Nasser's Egypt* (Stanford: Stanford University Press, 2011), 40.

I frequently draw upon in my own work, presumably as a result of women's seemingly marginal role in both the labour movement and the labour force as reflected in statistics in the pre-1952 era.<sup>2</sup> Yet the authors of these foundational texts on labour history in Egypt never used gender as a category of analysis, thereby contributing to the myth of women's invisibility in these histories. Scholars of women's history in Egypt, while largely focused on discussions regarding the family, law, politics, and nationalism, have been more inclined than labour historians to discuss the working experiences of women.<sup>3</sup> For the most part, these discussions tend to be skewed towards middle and upper class women's entry into professional fields such as journalism, medicine, and law.<sup>4</sup> However there have been some brief discussions on law eighty within this field. Margot Badran proposed that regulations were intended to protect women from exploitation through stipulations on maximum hours and rest days, as well as offer job security through clauses discussing maternity leave. This, as she says, was an "affirmation by the state that married women had the right to work."<sup>5</sup> Yet the right to work was not universally applied. In fact, the state prohibited married teachers from working in government schools. Other occupations considered morally dangerous were sanctioned, such as prostitution. Thus, Badran writes, government policy reflected an ambivalence regarding women's work.<sup>6</sup> Similarly, Safa' Zaki Murad has argued that the law protected women's right to work yet simultaneously made them

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<sup>2</sup> See for example, Marius Deeb, *Party Politics in Egypt: The Wafd and its Rivals, 1919-1939* (London: Ithaca Press, 1979); Joel Beinin and Zachary Lockman, *Workers on the Nile: Nationalism, Communism, Islam, and the Egyptian Working Class, 1882-1954* (Egypt: American University in Cairo Press, 1998); Ellis Goldberg, *Tinker, Tailor, and Textile Worker: Class and Politics in Egypt, 1930-1952* (Berkeley: University of California Press, 1986).

<sup>3</sup> See Badran, *Feminists, Islam, and Nation*; Beth Baron, *The Women's Awakening in Egypt: Culture, Society, and the Press* (New Haven: Yale University Press, 1994); Cathryn Mariscotti, *Gender and Class in the Egyptian Women's Movement, 1925-1939: Changing Perspectives* (Syracuse University Press, 2008); Laṭīfah Muḥammad Sālim, *al-Mar'ah al-Miṣriyyah wa-l-Taghyīr al-Ijtimā'ī, 1919-1945* [Egyptian Women and Social Change, 1919-1945] (Cairo: al-Hay'ah al-Miṣriyyah al-Āmmah lil-Kitāb, 1984); Amal al-Subkī, *al-Ḥarakah al-Nisā'īyah fī Miṣr Mā Bayna al-Thawratayn, 1919-1952* [The Women's Movement in Egypt Between the Two Revolutions] (Cairo: al-Hay'ah al-Miṣriyyah al-Āmmah lil-Kitāb, 1986).

<sup>4</sup> See the introduction of this dissertation for exceptions to this.

<sup>5</sup> Badran, *Feminists, Islam, and Nation*, 174.

<sup>6</sup> Badran, *Feminists, Islam, and Nation*, 174.

more exploitable. By allowing exceptions to the stipulation that set the maximum working day at nine hours, this meant that workdays could be extended up to eleven hours, which in Murad's opinion enshrined their exploitation in law.<sup>7</sup> For others, government policy was not necessarily ambivalent towards women's work but rather reflected popularly endorsed construction of women as wife and mother. As Cathlyn Mariscotti argued, protective legislation was supported by a wide cross-section of elite society including government officials and women's organizations such as the EFU, not because it offered protection to working women in the public sphere, but because it legally enshrined ideals of motherhood and domesticity in the workplace, which in turn sustained a sexual division of labour where wage work was ultimately a male domain.<sup>8</sup>

According to Egyptian reformer Duriyyah Shafīq, the law was meant to encourage lower class women's employment in both industrial and commercial sectors of the economy. While middle and upper class women were making inroads in many professional occupations ranging from journalism to law and medicine, unskilled lower class urban women experienced a lack of opportunity. As industry and commerce grew in Egypt, other options such as factory work opened up. According to Shafīq, the need for a cheap and flexible labour force resulted in the "female invasion of factories," something that law eighty of 1933 recognized. She believed the labour law was the means through which the government secured women's participation in the labour force through employment in both factories and commercial workplaces.<sup>9</sup> Similarly,

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<sup>7</sup> Şafa' Zakī Murād, "al-Awdā' al-Qānūniyah li-l-Mar'ah al-Āmilah fi Qit'ā al-Şinā'ah," in *Nisa' al-Ghazl wa-l-Nisj: al-Awdā' al-Iqtisādiyyah wa-l-Ijtimā'iyyah*, [Working Women's Legal Position in the Industrial Sector in Women of Spinning and Weaving: The Socio-Economic Conditions], ed. Mūḥammad Yahī al-Din et al. (Cairo: Miltaqī al-Hay'at li-l-Tanmīyat al-Mar'ah, 1999), 94.

<sup>8</sup> Cathlyn Mariscotti, *Gender and Class in the Egyptian Women's Movement, 1925-1939* (Syracuse: Syracuse University Press, 2008), 79. See also Bier, *Revolutionary Womanhood*, 64.

<sup>9</sup> Duriyyah Shafīq, *Al-Mar'ah al-Miṣrīyyah min al-Far'anah ilā al-Youm* (Cairo: Matba'at Miṣr, 1955) 163-64. Shafīq was the founder of *Bint al-Nil* magazine (established 1945) and later the feminist organization of the same name (1948).

‘Azzah Khalil has argued that women's entry into the labour force, which reached 10.1 percent of the total by 1937, resulted in changing social perceptions.<sup>10</sup> Accordingly, the new realities of economic participation forced the government to deal with the changing conditions of labour through law.<sup>11</sup> Yet article two of the statute excludes significant categories of working women from the scope of the law, thereby forcing us to question the ability of the state to capture women's economic realities. More specifically women in home workshops under the supervision of family members as well as agricultural workers were left out of the purview of the law. This speaks to a very particular concern of the state; one that did not pertain to the wide variety of ways women participated in the labour force. For this reason scholars such as Latifah Muhammad Salim have tied the passing of this legislation to developments in particular industries. Salim has previously discussed the labour law in the same context as the expansion of the textile industry where by 1930 according to some estimates, women and children made up between 20 to 25 percent of the labour force in textile factories.<sup>12</sup> According to this perspective, law eighty along with law forty-eight governing the employment of children was a response to the increase in employment of both those groups in the textile industry. Hanan Hammad directly relates the passing of both laws to the increase employment of women and children workers in the seasonal ginning industry. However, the law was not specific to the cotton industry. It was applied to women in most manufacturing occupations as well as in the commercial sector which

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<sup>10</sup> ‘Azzah Khalil, "Dukhul al-Mar'ah al-Miṣriyyah Sūq al-‘Amal wa Taṭawwur Khaṣā’ish A‘mālituha," in *Nisā’ al-Ghazl wa-l-Nasīj: al-Awdā’ al-Iqtisādiyyah al-Ijtimā’iyyah* [Egyptian Women's Entry into the Labour Market and the Development of her Work in Women of Spinning and Weaving: The Socio-Economic Conditions], ed. Safā’ Zaki et al. (Cairo: Markiz al-Baḥūth al-‘Arabī, 1999), 54. Statistics from the census on women's labour force participation though are generally acknowledged to be inaccurate. According to the census, women's participation in the labour force remained quite stable up to 1969, staying at around 10 percent give or take of the formal labour market. See Khalil's chapter as well as Bier, *Revolutionary Womanhood*, 68; Widad Markis, *Itijāhāt al-‘Imālah al-Nisā’iyyah fī Miṣr 1960-1976: Dirasāt Demografiyyah Ijtimā’iyyah* [Directions of Female Employment in Egypt: Socio-Demographic Studies], (Cairo: Markiz al-Qawmī, 1981).

<sup>11</sup> ‘Azza Khalil, "Dakhul al-mar'ah al-miṣriyyah sūq al-‘amal," 54.

<sup>12</sup> Latifah Sālim, *al-Mar'ah al-Miṣriyyah wa-l-Taghyir al-Ijtimā’ī*, 135; Markis, *Itijāhāt al-‘Imālah al-Nisā’iyyah fī Miṣr*, 5-6.



also experienced significant growth since the end of the First World War and came to increasingly rely on female labour.<sup>13</sup>

In this chapter I add to the existing scholarship on female labour legislation in Egypt by looking more closely at questions of how and why. Labour legislation followed a period of economic instability, which brought about a renewed urgency to the push for industrial development. In this context, female labour law was promoted and justified as part of the gradual implementation of a legislative framework that would be required by a modern industrialized Egypt. The government drew on dominant notions of femininity and consequently pinpointed women as a vulnerable group in need of immediate protection from the collateral damage of industrialization. The law's restriction of hours and prohibition from certain types of work reflected a concern for mothering and domesticity. Yet it in no way did the law offer comprehensive coverage for all women workers. Its selective criteria severely limited its application leaving more women outside of its scope than those who fell under it.

The emphasis on domesticity in the 1930s and hegemonic constructs of womanhood did not exclusively propel the law. To argue so ignores the importance of a growing industrial sector and ideas of economic progress. Neither was a humanitarian concern for working women the sole motivator. Despite a professed interest in industry and the welfare of the masses by the government, there was very little subsequent attention paid to women in the labour force after the passing of the law. As this chapter will illustrate, the particular conditions of women's labour continued to be marginalized in discussions on working class welfare and labour policy. I argue that law eighty was a result of the ongoing negotiations between the expanding state, labour, and

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<sup>13</sup> Hanan Hassan Hammad, "Mechanizing People, Localizing Modernity: Industrial and Social Transformation in Modern Egypt, Mahalla al-Kubra 1910-1958" (Ph.D Diss, University of Texas at Austin, 2009), 247-251; Nancy Reynolds, "Sharikat al-Bayt al-Misri: Domesticating Commerce in Egypt, 1931-1956," *The Arab Studies Journal* 7/8 (1999/2000): 77.

capital framed by dominant conceptions of gender roles. In my analysis, I highlight the importance of legal reform to the modernizing nation-state and place law eighty firmly as a product of these changes. Rather than rely on journalistic sources as previous studies have, I draw on files from the Ministry of Social Affairs in Cairo and the British Foreign Office to present a clearer picture of the rationalizations that propelled the regulation of female employment.<sup>14</sup> In this chapter, I will analyze the process leading up to the law's promulgation in order to offer a more holistic picture of the role played by labour legislation in the political process in Egypt. In doing so, I will demonstrate the specific utility that the law governing female employment in industry and commerce presented to government officials.

Though the paper trail is incomplete and scattered, the use of government documents adds to and opens up new avenues for debate in the field. Through uncovering files from both the Egyptian government archives and the Foreign Office we see that notions of femininity, industrialization, and progress drove the law simultaneously. Scholars of economic and labour history have commented on the piecemeal approach to labour legislation characteristic of the government in the 1930s.<sup>15</sup> From this perspective, female labour law in conjunction with other statutes considered fundamental, were intended to act as a foundation for Egypt's future industrialization, which was collectively imagined to be independent and locally driven. The increasing emphasis on industrialization since 1920 and heightened in the 1930s required that the

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<sup>14</sup> In their discussion of law eighty, all the above sources with the exception of Hanan Hammad's work (addressed in the next chapter) relied on print media such as books and periodicals for their analysis. To my knowledge, my research is the first to use the archives of the Egyptian Labour Office to analyze issues surrounding women's work in the first half of the twentieth century and to offer an in-depth analysis on the law regulating female labour. The questions that frame this chapter are heavily indebted to the work of Alice Kessler-Harris who analyzes rationalizations (such as notions of justice, equity, and fairness in the free labour market) embedded in labour law in the United State. See Kessler-Harris, "The Just Price, the Free Markets, and the Value of Women," *Feminist Studies* 14 (1988): 242.

<sup>15</sup> Beinín and Lockman, *Workers on the Nile*, 205; Robert L. Tignor, *State, Private Enterprise, and Economic Change in Egypt, 1918-1952* (Princeton: Princeton University Press, 1984), 143-145.

nation have an appropriate legislative framework to govern the new and growing sectors of the economy. Law eighty of 1933 was just one small piece of the puzzle.

### **State-Labour Relations in Egyptian History**

Though a particular economic system is not an essential feature of the modern state, an important aspect of the modern state's expression of sovereignty is in the development of systematic authority over market relations.<sup>16</sup> Immanuel Wallerstein has argued that the changes in the economic landscape as a result of the developments of the modern state were conducive to the unfolding of the capitalist world-system.<sup>17</sup> States were able to enforce transformations in economic relations and extended protection to capitalists in three specific ways. First, with the passing of law states were able to encourage or restrict particular economic practices. Second, sovereign nations built infrastructure, such as railways, that was necessary to the business dealings of capitalists. And lastly, the states themselves were involved in business transactions through buying and selling particular goods and commodities.<sup>18</sup>

In Egypt, these economic transformations occurred simultaneously with state centralization signaling the beginning of the modern period. The Mamluks in the mid to late eighteenth century attempted to monopolize control over natural resources.<sup>19</sup> These attempts were interrupted in

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<sup>16</sup> Wael B. Hallaq, "Juristic Authority vs. State Power: The Legal Crises of Modern Islam," *Journal of Law and Religion*, 19, no.2 (2003-2004): 250.

<sup>17</sup> Immanuel Wallerstein, *The End of the World As We Know It: Social Science for the Twenty-First Century* (Minneapolis: University of Minnesota Press, 1999), 61, 106.

<sup>18</sup> Ibid., 61-64 For more on the relationship between the state and peripheral capitalism, see Hamza Alavi, "State and Class Under Peripheral Capitalism," in *Introduction to the Sociology of "Developing Societies"* ed. Hamza Alavi and Teodor Shanin (New York: Monthly Review Press, 1982), 289-307.

<sup>19</sup> Afaf Lutfi al-Sayyid Marsot, *Egypt in the Reign of Muhammad Ali* (Cambridge: Cambridge University Press, 1984), 9-11. Marsot argues that the Muḥammad 'Alī period was not as revolutionary in tactic and policy as was once argued by historians. Rather his system of governance has its precedence in the earlier period of the Mamluk 'Alī Bey al-Kabīr who himself wanted to establish a centralized form of government but was defeated by the Ottomans. *Egypt in the Reign of Muhammad Ali*, 9-11. Alan Mikhail also writes that centralizing tendencies of the state administration actually began in the Mamluk period as well beginning in the mid-eighteenth century. See "Labor and Environment in Egypt Since 1500," *International Labor and Working-Class History* 85 (Spring 2014):

the early years of the 1800s when Muhammad 'Ali Pasha was able to defeat the Mamluks with an Ottoman army. Soon after Muhammad 'Ali became *walī* (governor) of Egypt, plans for creating a modern army, industrialization, increased irrigation, and bureaucratization were put in place, making his reign the first successful attempt at centralization.<sup>20</sup> As the state centralized and expanded, Muhammad 'Ali increasingly incorporated Egyptian peasants in new ways in order to extract a surplus from his economic and militaristic initiatives. His search for capital resulted in investments in large scale irrigation projects, the expansion of trade in agricultural products with Europe, and the creation of local industry, which incorporated both peasants and artisans. Muhammad 'Ali's advances came to an end through treaty negotiations between the British and Ottoman Empires. A series of treaties beginning in the late 1830's abolished local monopolies and instituted a new tariff structure, ultimately leading to the rise in power of foreign business interest in Egypt.<sup>21</sup> Foreign interest in Egypt was concentrated in the cotton trade. The importance of cotton to Egypt's peripheral integration in the world market led to significant changes in land law and property ownership that resulted in the creation of large estates and an increasingly stratified society, which established the conditions for Egypt's participation in the world economy for many decades to come.<sup>22</sup> The formation of the modern state resulted in the alienation of peasants and a decline in sustainable uses of the environment. Rather than peasants

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11. See also Khaled Fahmy, *All the Pasha's Men: Mehmed Ali, His Army, and the Making of Modern Egypt* (Cambridge: Cambridge University Press, 1997); and Maurice Girgis, *Industrialization and Trade Patterns in Egypt* (Tubingen: Mohr, 1977), 5.

<sup>20</sup> Marsot, *Egypt in the Reign of Muhammad Ali*, 9-11.

<sup>21</sup> Amira al-Azhary Sonbol, *The New Mamluks: Egyptian Society and Modern Feudalism* (Syracuse, New York: Syracuse University Press, 2000), 34-35.

<sup>22</sup> Kenneth M Cuno, *The Pasha's Peasants: Land Tenure, Society, and Economy in Lower Egypt, 1740-1858*, (Cambridge: Cambridge University Press, 1992), 198-200; Timothy Mitchell, *Rule of Experts: Egypt, Techno-Politics, Modernity* (Berkeley: University of California Press, 2002), 67-71. See also Samera Esmeir, *Juridical Humanity: A Colonial History* (Stanford: Stanford University Press, 2012), 149-196.

informing the bureaucracy on how to manage natural resources, resources and peasants "came to be seen as commodities to be harnessed and maximized by a productive state administration."<sup>23</sup>

As Nathan Brown, Alan Mikhail, and Pascale Ghazaleh have shown there had been several attempts by the state since the mid-eighteenth century to interfere in and control the activities of peasants, craftsmen, and guilds in the pursuit of revenue and labour<sup>24</sup>. From this we see that the control of labour as a condition of state centralization and economic expansion wasn't particular to the twentieth century but the form and meaning it took changed in the context of a British occupation, industrialization, and a growing working class. The British eventually enforced a military occupation of Egypt in 1882 in order to protect imperial interests. Egypt officially remained part of the Ottoman Empire until 1914 when it became a British protectorate. Although the Egyptian ruling elite still had a role to play in governance, the British infiltrated the structures of the state and gained firm control of policy. While the British took no interest in the diversification of economic activity through industrialization, beginning in the First World War the domestic bourgeoisie began pushing the idea of reviving the Egyptian industrial sector.<sup>25</sup> Industrialization slowly gained acceptance and popularity as the solution to a wide range of socio-political issues faced by Egypt, including the struggle for national sovereignty. This occurred in tandem with the new definitions of economy and the emergence of the economy as a

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<sup>23</sup> Alan Mikhail, *Nature and Empire in Ottoman Egypt: An Environmental History* (Cambridge: Cambridge University Press, 2011), 12-13.

<sup>24</sup> Brown, "Who Abolished Corvée Labour in Egypt?" *Past and Present* 144 no.1 (1994): 116-137; Mikhail, *Nature and Empire*, 3-4; Pascale Ghazaleh *Masters of the Trade: Crafts and Craftspeople in Cairo 1750-1850* (Cairo: American University in Cairo Press, 2000), 96-112. While Ghazaleh focuses on state interference in guild structure and regulations of certain trades in the 19th century, Mikhail points to an earlier incorporation of labour into the centralizing administrative structure that began in the mid to late-eighteenth century with large scale infrastructural projects. See also Ministry of Social Affairs (Egypt) which mentions a decree from 1883 in regards to labour contracts as the first official attempt by the state to regulate labour in. *al-Mu'tamar al-Ḥādī 'ashr li-l-Shu'ūn al-Ijtīmā'īyah wa-l-'Amal: al-'Amala wa-l-Tasnī' wa Dūruha fī -l-Tanmīyah al-Ijtāmā'īyah* [Eleventh Conference of the Ministry of Social Affairs and Labour: Employment and its Role in Social Development], (Cairo: Jamā'at al-Duwwal al-'Arabīyah, 1967): 464.

<sup>25</sup> Charles Issawi, *The Middle East Economy: Decline and Recovery: Selected Essays* (Princeton, N.J.: Markus Wiener Publishers, 1995), 116; Tignor, *State, Private Enterprise, and Economic Change in Egypt*, 11-14.

separate sphere of governance and knowledge in Egypt. As Timothy Mitchell writes, the notion of a national economy emerged as the imperial order collapsed. Accordingly, questions of economic progress and development stood separate from and in opposition to the semi-colonial relationship with the British.<sup>26</sup>

In 1916, the government put together a commission to look into the current state of industry and to submit policy recommendations as to its growth. Their report was published a year later but the government was slow to react. In the face of government inaction and reeling from the negative effects of the First World War that saw an increase in prices and foreign competition, individual investors took up the task of promoting industry. Tal'at Harb (1867-1941) led a group of investors in founding Bank Misr in 1920, which offered loans to local processing and manufacturing entrepreneurs.<sup>27</sup> As investment in industry grew more appealing, *L'association d'industries en Egypte* was formed in 1922 to represent the interests of big business to the state, which at the time was mostly foreign owned. Bank Misr joined their ranks in 1925 and in 1930 they became known as the Federation of Industries.<sup>28</sup> Their platform revolved around calls for protectionist measures of local industry. The world depression of 1929-1932 resulted in drastic increases to the price of goods, food, and rents while wages remained the same at best or decreased at worst.<sup>29</sup> Additionally, the constriction of the export market tied to cotton reinforced the budding belief that economic diversification in the form of industrialization would lead Egypt to prosperity. Beginning in 1930, the government began setting tariffs in ways that would protect local industry. Though it did not directly invest in industry itself, it implemented a

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<sup>26</sup> Mitchell, *Rule of Experts*, 81-85.

<sup>27</sup> Maurice Girgis, *Industrialization and Trade Patterns in Egypt* (Tubingen: J.C.B. Mohr, 1977), 10-11; Robert Mabro and Samir Radwan, *The Industrialization of Egypt 1939-1973* (Oxford: Clarendon Press, 1976), 26.

<sup>28</sup> Deeb, *Party Politics*, 228

<sup>29</sup> 'Abd al-Wahhāb Bakr, *al-Būlīs al-Miṣrī* [The Egyptian Police] (Cairo: Maktabat Madbūlī, 1988), 106-114; Beinin and Lockman, *Workers on the Nile*, 189-190.

cascading tariff structure and increased taxes on manufactured imports.<sup>30</sup> Though the agricultural sector continued for many decades to account for the majority of employment of the total active work force, factories and those employed by factories continued to grow. The number employed by the industrial sector increased in the interwar period by 27 percent from 215,000 in 1927 to 273,000 in 1937 of which the manufacturing sector took the largest share. Due to exception demand during the Second World War, the industrial labour force reached 756,000 people.<sup>31</sup>

In the effort to boost the national economy there was a consensus across the political spectrum on the importance of local industry, the need to regulate the employment relationship, and a very general concern for the welfare of peasants and workers.<sup>32</sup> Therefore, the particular form regulation of labour took changed as it increasingly became standardized through the promulgation of a series of laws beginning in the 1930s. As part of the attempt to coordinate Egypt's modern industrial base, labour law and the growing bureaucratic institutions that oversaw compliance to it, increasingly became the means through which urban non-agricultural labour was maintained. Beginning in the 1930s a series a labour laws were passed that governed child and female employment, work place accident compensation, dangerous industries, conciliation and arbitration, contracts, and union law. The Labour Office was created in 1930-1931 and was charged with the task of formulating labour legislation, ensuring abidance as law was passed, settling workplace disputes, and workplace inspections. By the 1940s interference

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<sup>30</sup> Mabro and Radwan, *The Industrialization of Egypt*, 26.

<sup>31</sup> Marius Deeb, *Party Politics*, 8-12. Mabro and Radwan, *The Industrialization of Egypt*, 115-117; Selma Botman, *Egypt from Independence to Revolution, 1919-1952* (Syracuse: Syracuse University Press, 1991), 73-74. These statistics are all based on the census. In 1947 the agricultural industry engaged almost 64 percent of the total active work force while industry accounted for 10 percent, Barbara Ibrahim, "Social Change and the Industrial Experience," (PhD Diss, Indiana University, 1980), 61-62. The manufacturing sector accounted for the overwhelming majority (87 percent) of the industrial labour force. See Nadia Abdel Moneim el-Tatawy, "Cotton Textile Industry and Industrial Development in Egypt" (MA Thesis, American University in Cairo, 1972), 41-42.

<sup>32</sup> Raouf Abbas and Assem el-Dessouky, *The Large Landowning Class and the Peasantry in Egypt, 1837-1952* trans. Amer Mohsen and Mona Zikri, ed. by Peter Gran (Syracuse: Syracuse University Press, 2011), 171-72.

in the employee and employer relationship through legislation also became a means by which to judge the progressive nature of the government.<sup>33</sup>

As a result of the process of state-formation and industrialization, labour relations took on decidedly different attributes during the 1919-1952 period in a number of respects. Of course, by the early twentieth century, guilds had almost entirely disappeared and agricultural labour had been reshaped through the emergence of immense private estates, but for my purposes here I will foreground three changes in the official framing of labour that had a direct impact on the working lives of lower class urban women.<sup>34</sup> First, women were explicitly targeted for legislative interference in a much more general scope than ever before. State intervention in organizing women's work in the nineteenth century was for the most part directed towards sex-workers and midwives and there was a consequent elaboration of systems regulating the work of women in these occupations. In the twentieth century there was a widening of the scope of this concern and law came to govern the work of women in commercial and industrial sectors of the economy. Second, government legislation was for the most part fashioned along the lines of European labour codes. Though Egyptian laws were in no way exact replicas, the available precedent influenced both the form and the content of the law. Third, unlike nineteenth century policy regarding female dominant occupations that were driven by both public health and military concerns, labour legislation was discursively justified by intersecting concepts of progress, economy, and social welfare. Through these changes female labour was drawn unevenly into the new institutions of the modern nation-state.

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<sup>33</sup> Ellis Goldberg, *Trade, Reputation, and Child Labor in Twentieth-Century Egypt* (New York: Palgrave Macmillan, 2004) 136.

<sup>34</sup> John T. Chalcraft, *The Striking Cabbies of Cairo and Other Stories Crafts and Guilds in Egypt, 1863-1914* (Albany: State University of New York Press, 2004) 191-197; Mitchell, *Rule of Experts*, 67-71.



## Law Eighty

Standardized regulatory measures had already been established in the early twentieth century in Egypt with regards to issues of health and safety in industrial factories. Government decrees in 1900 and 1904 were concerned with the inspection of steam engines and boilers and the licensing of dangerous establishments.<sup>35</sup> While these policies did affect employees in such environments, they were more concerned with issues of public safety and did not directly deal with the conditions of work and the protection of workers. Protective legislation in Egypt first appeared in 1909. The government promulgated law fourteen on child labour, which was at first restricted to cotton ginning and pressing, but then was extended to wool, silk, flax, and cigarette factories. It was commonly known and established that this law had very little practical purpose due to weak enforcement.<sup>36</sup> Between 1909 and 1933 no other pieces of law regarding labour had been introduced.<sup>37</sup> The issue of regulating the employment of children was raised again in 1923 during the constitutional debates in conjunction with women workers and the long workdays performed by the working class. ‘Ali Mahir (1882-1960) proposed protections for women and children as well as a law limiting the hours of work in certain industries. His proposal was outright rejected on the basis that mention of workers did not belong in the constitution.<sup>38</sup>

The official drafting of law eighty began in the late 1920s. Policy makers in Egypt looked at relevant laws from France, Belgium, Holland, England, Australia and Romania sent to them by

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<sup>35</sup> Adelaide Anderson, "The Employment of Children in Egyptian Industry," *International Labour Review* 22 (December 1930): 749- 750.

<sup>36</sup> H.B Butler, *Report on Labour Conditions in Egypt with Suggestions for Future Social Legislation* (Cairo: Government Press, 1932), 10. See also Anderson's Report, "The Employment of Children in Egyptian Industry," 745-46. Edicts restricting child labour had been issued in the pre-colonial period as well, yet these were adhoc regulations related to specific industries, such as the 1864 edict prohibiting night work in cotton pressing factories for "women under ten." See Liat Kozma, "Girls, Labor, and Sex in Precolonial Egypt, 1850-1882," in *Girlhood*, ed. by Colleen Vasconcellos and Jennifer Helgren (Brunswick: Rutgers University Press, 2010.), 344- 362.

<sup>37</sup> Beinun and Lockman, *Workers on the Nile*, 205.

<sup>38</sup> Abbas and el-Dessouky, *The Large Landowning Class and the Peasantry in Egypt*, 193.

the International Labour Office.<sup>39</sup> In the end, the committee adopted French protective legislation as reflected in the articles on maternity leave that allowed for two periods of absence from work both before and after giving birth as well as nursing breaks for new mothers. It also included injunctions on night work and on occupations deemed dangerous and unhealthy drawn from ILO conventions with only minor modifications.<sup>40</sup>

Law eighty of 1933 Governing the Employment of Women in Industry and Commerce and first defines what workplaces are included in the definition of industrial and commercial establishments. Article two excludes agricultural labour and "household workshops" or *ateliers domestiques*, from the legal provisions contained in the law. Household workshops were defined as places of work that depended on the employment of family members under the authority of the father, the mother, grandfather, brother, uncle or spouse. Article three to nine stipulated the length, timings, and breaks in the workday and week. Women were to work nine-hour days with some exceptions. In certain cases, employers could tack on an additional two hours of work in a day, as long as the workday did not exceed eleven hours total, and that this state of exception did not exist for more than thirty days in a year. Women were also entitled to a minimum one-hour break for the day as well as one day off per week. Night work was forbidden to women with the exception of those employed in hotels, cafes, restaurants, and other similar establishments, as well those in seasonal industries. Article ten lists twenty different occupational categories in which women were banned from employment. These included occupations that involved either physical effort or substances that were considered dangerous to the female body and her ability

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<sup>39</sup> FO 141/583 Report From 'Abdul-Rahman Rida to the President of the Council of Ministers, 22 April 1929.

<sup>40</sup> Butler, *Report on Labour Conditions*, 15. Butler also notes that these laws had been modified and applied in Algeria, Morocco, and Tunis. One notable modification in law eighty was the inclusion of the production of alcoholic beverages in the list of banned occupations. This point will be discussed in further detail in the next chapter.

to mother.<sup>41</sup> The list abided by International Labour Organization (ILO) recommendations by prohibiting mining, underground work, and the manufacturing of lead as categories of forbidden work for women.<sup>42</sup> Additionally, article ten forbade women from employment in occupations involved in the running of or watching power machinery, as well as in the manufacturing of alcohol. Six articles of law eighty dealt with maternity regulations (numbers twelve to eighteen). The law set minimum maternity leave at fifteen days after birth with 50 percent pay. Women had the option of taking up to one month of unpaid leave before delivery and an additional fifteen days without pay after birth.<sup>43</sup> This differed from the earlier proposals on the law, which suggested a maternity leave of three weeks paid.<sup>44</sup>

Since law eighty was adapted from the French labour code, it conformed to ILO conventions regarding female labour with ease. Therefore in order to understand the origins of the law a brief foray into the history of female labour law in Europe is warranted. In nineteenth century Europe, the right to contract one's own labour power without restriction was a fiercely defended cornerstone of the free market economy. Labour legislation has had a long history of contention in Western industrialized states for this reason precisely, as it placed limits on what was considered an absolute right. Yet as Philippa Levine and others have noted, the "contractarianism, which underlay the free market economy breaks down when gender considerations are applied."<sup>45</sup> In the name of protecting those who were considered unable to protect themselves by virtue of their gender, labour legislation denied women the right to contract by placing limits on hours and forbidding their entry in certain occupations. The

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<sup>41</sup> Act No. 80 Employment of Women in Industry and Commerce, *Journal Officiel Égyptien*, 17 July 1933. Article ten of the code will be dealt with in more detail in chapter three of this dissertation.

<sup>42</sup> Leah Vosko, *Managing the Margins: Gender, Citizenship and the International Regulations of Precarious Employment* (Oxford: Oxford University Press, 2010), 34-36.

<sup>43</sup> Act No. 80.

<sup>44</sup> FO 141/583, Report of the Commission on Labour Legislation, 1929.

<sup>45</sup> Philippa Levine, "Consistent Contradictions: Prostitution and Protective Labour Legislation in 19<sup>th</sup> Century England," *Social History* 19 (1994): 18.

scholarship on women and work has repeatedly substantiated that protective legislation did not aim to regulate the employment of women per se, so much as ensure "the proper and symbolic function of the separate spheres."<sup>46</sup> In Britain, where it was first passed in the nineteenth century, the validity of wage work for women had been heatedly debated for most of that century.<sup>47</sup> As scholars of European history have argued, protective legislation restricted the access women had to certain jobs based on gendered dichotomies of strong/weak and worker/dependent. Under the aegis of upholding notions of "true womanhood," access to jobs decreased when policy makers forbade women from employment in certain occupations on the assumption that women were naturally docile, weak, and in need of protection.<sup>48</sup> For example, in 1842, Britain passed its first bill prohibiting the employment of women and boys under ten from working in mines. This act was followed by a handful of others that together regulated and restricted the employment of women throughout the nineteenth and early twentieth centuries. Legislation that sought to protect those deemed the most vulnerable segments of society reinforced women's unequal and legally dependent status.<sup>49</sup>

In France, prohibitions against dangerous work were enforced beginning 1874 and in 1892, women were prohibited from night work. In the same year, the maximum workday of women and adolescents was capped at eleven hours and ten hours respectively in manufacturing sectors,

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<sup>46</sup> Levine, "Consistent Contradictions," 19. See also Carol Riegelman Lubin and Anne Winslow, *Social Justice for Women: The International Labor Organization and Women* (Durham: Duke University Press, 1990); Sonya O. Rose, *Limited Livelihoods: Gender and Class in 19<sup>th</sup> Century England* (London: Routledge, 1992); Mary Lynn Steward, *Women, Work, and the French State: Labour Protection and Social Patriarchy, 1879-1919* (Kingston: McGill-Queen's University Press, 1989). Samita Sen reaches a similar conclusion in her study on female labour in colonial India, where regulation of factory workers was premised on the protection of women's roles as mothers and wives and not as workers, *Women and Labour in Late Colonial India: The Bengal Juste Industry* (Cambridge: Cambridge University Press, 1999), 147-49.

<sup>47</sup> Ibid., 17-18. The first piece of protective legislation passed in Britain was the Factory Act of 1833 that implemented a cascading structure of maximum hours of work per day for children according to age. Women were included in this regulation in 1844. See Vosko, *Managing the Margins*, 28.

<sup>48</sup> Ibid.; Stewart, *Women Work and the French State*, 6-7

<sup>49</sup> Levine, "Consistent Contradictions," 17-18.

lessening a much-needed income for many without supplementation. Mary Lynn Stewart has argued that rather than the comprehensive coverage that unionists had been lobbying for, partial coverage based on a "special defence of the weak and dependent," allowed reformers to maintain the paramountcy of men's right to work and contract freely while at the same time, preserve the patriarchal family structure.<sup>50</sup> In her analysis of female labour laws in nineteenth and early twentieth century France, Stewart reveals a series of fundamental paradoxes that were embedded in sex-specific legislation. Stewart argues that legislation specific to women arose as a means to prop up the working class family after the social and economic dislocations of the nineteenth century. Reformers in France were not motivated by conditions of women's work but rather by broader issues of male unemployment, deterioration of the patriarchal family, and population concerns.<sup>51</sup> In other words, the laws regarding women's employment in France catered to a number of ideological and material forces. As a result, female labour law contained a series of anomalies. For example, Stewart points to the "paternalistic complex" that created policies for women without their consultation. The state offered protection of women outside the home in the effort to buttress their role in the home, thereby effectively shortening their workdays and restricting their opportunities. Furthermore, the laws justified in practice provided only limited protection to very select categories of employment, thereby excluding the majority of working women from its scope.<sup>52</sup>

The first internationally agreed upon labour regulations also concerned women's work at night and in dangerous industries. Together they were known as the Berne Convention which was passed by the International Association for Labour Legislation, ILO's predecessor, in 1906.<sup>53</sup> The

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<sup>50</sup> Stewart, *Women, Work, and the French State*, 3-5.

<sup>51</sup> *Ibid.*, 12-13.

<sup>52</sup> *Ibid.*, 5.

<sup>53</sup> Vosko, *Managing the Margins*, 39-40.

prioritizing of women's mothering roles as crucial and more deserving of state attention than the other issues they faced as workers was eventually enshrined by ILO conventions in 1919 on maternity leave, night work, and recommendations on dangerous and unhealthy industries. The ILO circumvented calls for equal pay and job opportunities by international feminist organizations in its first years and its stance was not reassessed until the late 1930s.<sup>54</sup>

Protective legislation in Egypt echoed these concerns on protecting the maternal and domestic roles of women in the labour force. Limits on hours, forbidding night work, entitlements to maternity leave, and disallowing women from work in occupations judged dangerous to their femininity and ability to mother are reflective of this impulse. The inclusion of these clauses signals an almost complete acceptance of international labour norms with very minor modifications. Thus, policy-makers already had international labour standards at their disposal that emulated Egyptian gendered social norms and ideals by protecting women's familial roles and inscribing their secondary status in the productive realm. Furthermore, these already present templates allowed Egypt to bypass the heated discussion and debates that have been historically associated with women's labour laws in other countries. The fact that these laws aligned with dominant discourses on women is no coincidence. European notions of femininity, domesticity, and the nuclear family heavily influenced gender relations amongst the elite and shaped popular discourse on women in nineteenth and twentieth century Egypt.<sup>55</sup> I argue that

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<sup>54</sup> Ibid., 26- 37. For an account of this reassessment and subsequent changes in the ILO's approach to women's labour see Riegelman Lubin and Winslow, *Social Justice for Women*, 54-81.

<sup>55</sup> Tucker argues that definitions of womanhood from the late nineteenth century, which emphasized domesticity, were influenced by Victorian ideals, *Women in Nineteenth-Century Egypt* (Cambridge: Cambridge University Press, 1985), 163. Women's domestic roles continued to be elaborated in the twentieth century by elite women, accompanied by changes to institutions of marriage and the family. Mary Ann Fay argues that this reconceptualization of gender was not a simple imitation of western definitions but rather was an attempt by elite women to regain the power they had lost as a result of the transition to modernity, "From Warrior-Grandeess to Domesticated Bourgeoisie: the Transformation of the Elite Egyptian Household into a Western-Style Nuclear Family," in *Family History in the Middle East: Household, Property, and Gender*, ed. Beshara Doumani (Albany: State University of New York Press, 2003), 77-98. For more on European modernity, domestic reform, and family

having an acceptable template already present allowed Egyptian policy-makers to bypass serious discussions on the actual conditions of women's work and the implications of the law. Instead, it seems policy makers and the Labour Office spent their time justifying the importance of women's labour law in relation to visions of industrial progress and development. In other words, aligning the practices of working class women to elite definitions of proper womanhood was a subtle and uncontested process but one that was integral to setting the foundation required for an independent and modern Egypt. This also coalesced with the religious rhetoric on women's work and the restrictions placed on her public presence as discussed in the previous chapter.

### **Progress and Law After the First World War**

Notions of progress and development were key factors in the Egyptian state's vindication of both the content and trajectory of labour legislation. These ideas were often used as justification for prolonging the most debated labour initiatives such as union recognition and collective labour contracts. In this context, women's labour legislation as well as that of children were considered fundamental regulations that needed to be in place before Egypt could proceed towards more advanced laws. For example, one report submitted to the King in 1919 on that year's increased strike activity, argued that the "dangerous immaturity" of the labour movement meant that Egypt was not yet at the right stage of the "gradual social evolution of the working classes," to justify unions. According to this report, Egypt was only at the beginning of the evolutionary trajectory of state-labour relations in which legal recognition of unions was not considered appropriate. Seeing as the working class was still in its infancy, that meant its "true" grievances and the reasons for the 1919 strike wave were harder to discern. The author of the report attributed the

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politics see Lisa Pollard, *Nurturing the Nation: The Family Politics of Modernizing, Colonizing, and Liberating Egypt, 1805-1923* (Berkeley: University of California Press, 2005).

cause of the strike wave to not only the economic consequences of the First World War, but also to the political agitation of the nationalist movement, and the self-interest of the movement's leaders who the author believed profited from agitation.<sup>56</sup> Being unable to discern genuine grievances of the working class from the vested interests of political leaders, the report recommended that Egypt focus on individual rights first. It suggested that the government should concern itself with establishing the rights of both the worker and the employer through legislation. In this proposed scheme, the worker's personal, familial, and social interests which included issues such as women's labour legislation, child labour, night work, instituting a labour office, maximum hours of work, and insurance for workplace accidents were considered fundamentals to more advanced laws governing unions.<sup>57</sup>

In that same year, the government founded a conciliation commission in Cairo to settle labour disputes. In 1924, it branched into provincial commissions. Yet rulings were not binding and thus, lack of follow-up with employers meant that they often did not implement judgments.<sup>58</sup> The labour movement continued to push for labour legislation and union recognition with the aim of improving working conditions. Finally on July 2, 1927, under the auspices of the Wafd government acting on a suggestion from the Ministry of the Interior, a commission to study the issue of labour was formed. Its report was released two years later in April 1929. The delegation was known as the Rida commission after its president, 'Abd al-Rahman Rida (b. 1889), who was Under-Secretary of State in the Ministry of Justice. From October 1927 to March 1929, the members met thirty-five times to study and propose suggestions for legislation on a range of

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<sup>56</sup> DWQ 0069-027234, Notes sur les syndicats, 1919 [Memo on Labour Unions] no author, p. 4. The strike wave was triggered by economic grievances that "blended completely into the national struggle." Beinín and Lockman, *Workers on the Nile*, 90. For more on the 1919 strike wave see chapter 4 of *Workers on the Nile*.

<sup>57</sup> Ibid., 5-8.

<sup>58</sup> Raouf Abbas, *al-Ḥarakah al-'Ummāliyyah fī Miṣr, 1899-1952* [The Workers' Movement in Egypt] (Cairo: Dār al-Kātib al-'Arabī li-l-Ṭibā'ah w-l-Nashr, 1967), 1.



issues including the sanitary conditions of the workplace, workplace accidents, the length of workdays, industrial conflicts and conciliation, employment of women and children, unions, domestic work (*travail a domicile*) amongst other issues. The fact-finding mission included visits to industrial sites to gauge current labour conditions. The board was also in contact with the ILO office in Geneva that provided them with labour laws from other countries, which were used as points of comparison with the situation in Egypt. Additionally, ‘Abd al-Rahman Rida visited the Geneva office in 1928 and met with the ILO director Albert Thomas.<sup>59</sup>

Though there was frequent communication between Egyptian officials and the ILO, the Ministry of Interior under the influence of the British refused to accept ILO invitations to send representatives to its conferences. Though observers were frequently present at ILO conventions, official representation was denied on two accounts. According to the Residency, there was a fear that vocal participation in ILO proceedings would lead to more aggressive union activity in Egypt, and second, it would inevitably raise the "awkward" question of membership in the League of Nations, which Egypt had been working towards.<sup>60</sup>

By September 1928, the commission had established fourteen principles that would govern the future of labour relations in Egypt in a way that would promote cooperation between workers and employers. According to the commission's report, these principles enshrined "the spirit of cooperation with an eye towards the development and progress of industry and commerce in the country." The list included the creation of a labour office in Egypt and the protection of women.<sup>61</sup> According to Beinun and Lockman, the commission's report was fairly progressive.<sup>62</sup>

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<sup>59</sup> FO 141/583, Report From Abdul-Rahman Rida to the President of the Council of Ministers, 22 April 1929; Report from Judicial Adviser to Commercial Secretary, 10 June 1929. See also Abbas, *al-Ḥaraka al-‘Ummāliyyah fī Miṣr*, 49.

<sup>60</sup> FO 141/617, Summary of Labour Question in Egypt, 18 April 1935; Record of Meeting with Mr. Keown-Boyd and Mr. Graves to discuss labour questions in Egypt, 3 May 1935.

<sup>61</sup> FO 141/583, Report From Abdul-Rahman Rida to the President of the Council of Ministers, 22 April 1929; Report from Judicial Adviser to Commercial Secretary, 10 June, 1929.

In addition to encouraging the state to officially recognize unions after two decades of indifference, the commission also recommended nine-hour workdays with breaks, overtime pay regulations, and a weekly holiday. Furthermore, the report elaborated on what it viewed as the obligations of employers to their workforce. In the section titled "rights of workers," the report states that the employer should ensure a safe and sanitary workplace and take adequate measure to prevent illness and injury. Additionally, the commission was of the opinion that large companies should pay for the transportation costs of the workers if their place of residence was some distances away, provide medication schemes for workers and their families, and offer free schools for the children of workers if no public school exists in the surrounding area.<sup>63</sup> Yet as Egyptian scholar Raouf Abbas pointedly notes, the commission excluded agricultural labourers from its scope.<sup>64</sup>

One of the first issues discussed by the Rida commission was the protection of women and by September 1928 the categories of work permissible for women had already been established.<sup>65</sup> Section five of its report dealt with the employment of women and children. There was agreement that women should not be employed in dangerous or unsanitary workplaces, should not be subjected to night work, and an express prohibition that pregnant women not be employed in occupations that required levels of physical exertion that posed a threat of harm to "the mother or the child." Despite this, the commission made room for exceptions to the prohibition on night work for certain industries upon the issuing of a ministerial decree. The report also includes a proposal for a three- week paid maternity leave with a guarantee that a

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<sup>62</sup> Beinun and Lockman, *Workers on the Nile*, 185.

<sup>63</sup> FO 141/583, Report of the Commission on Labour Legislation, 1929.

<sup>64</sup> Abbas, *al-Harakah al-Ummāliyyah fī Miṣr*, 49.

<sup>65</sup> FO 141/583, Report From Abdul-Rahman Rida to the President of the Council of Ministers, 22 April 1929.

female worker would still have her job upon her return. Maternity regulations also included an allowance to breastfeed young children twice daily.<sup>66</sup>

In the British Judicial Adviser's review of the commission's report he stated that although there were no "violently objectionable features of broad policy," there were many areas of potential concern. The Judicial Adviser predictably pinpointed such issues as the recognition of unions, the commission's definition of worker, and the proposed structure of conciliation as grey areas. These had been points of contention between labour and the state for the past three decades. The Adviser also wrote that some of the principles adopted in regards to the employment of children and women were "doubtful" yet in his report he does not dedicate any time in detailing the specifics of his apprehension in this regard.<sup>67</sup>

A year after the Rida commission's report was published the government founded its first Labour Office as part of the Ministry of Interior with Robert M. Graves as its director. In his first report as Director of the Office, Graves stated that he would allow the work of the Rida commission to guide his recommendations "as to the order in which the different chapters of the Code should be introduced as laws."<sup>68</sup> Subsequently, Graves began work in the formulation of child labour and female labour laws.

In 1931, Graves made the trip from Cairo to Geneva as the representative of the Egyptian government at two ILO conferences. In the report of his travels, he suggests that "modern" regulation of female labour should include not just workers employed in workshops and factories, but also those in stores, offices, theatres, hotels, and other areas of commercial employment. While Graves argued for the expansion of the purview of female labour law, he was well aware its provisions could not be applied to all categories of work. Graves actively vouched

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<sup>66</sup> FO 141/583, Report of the Commission on Labour Legislation, 1929.

<sup>67</sup> FO 141/583, Report from the Judicial Adviser to the Commercial Secretary, 10 June 1929.

<sup>68</sup> LAB 1/158/STATS246/12/1929, Report by Graves, "Labour in Egypt During the Past Year," March 5 1931.

for the exclusion of agricultural labourers from the scope of the law; most likely cognizant of the serious implications such an inclusion would have on class relations, land ownership, and agriculture in Egypt. He justified his stance by referring to the Egyptian peasantry as workers who do not need the "more modern refinements of law," that exist in advanced countries.<sup>69</sup> Graves's communication makes clear the influence that tropes of development and progress had on those involved in policy making. By this logic, Egypt was not considered advanced enough in its economic and social development for more "progressive" legislation.

At the end of 1931, the government also put together a legislative committee in charge of drafting legislation. This committee made up of members of the Council of Ministers looked specifically at six issues which would be addressed by legislation, including child and female labour, accident compensation, employment contracts, trade unions, and disputes and arbitration.<sup>70</sup> Yet complaints from unionists in the labour movement on the lack of legal frameworks and union suppression continued to be voiced both domestically and internationally.<sup>71</sup> The complaints prompted an inquiry by a representative of the Trade Union Congress in Britain, Walter Schevenels, in October 1931. In response to this pro-union international investigation, the state officials reached out once again to the ILO to perform a separate inquiry into labour conditions in Egypt, one that would ideally not reflect negatively on the government.<sup>72</sup> This mission was carried out by Harold Butler, who at the time was Deputy Director of the organization, in February of 1932.

Though for the most part as Beinín and Lockman comment, this report contained no drastic differences from the Rida report, it does speak more to dominant conceptions of women workers

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<sup>69</sup> FO 141/770/361, Graves' report to the Egyptian Prime Minister, 20 September 1931, p.6.

<sup>70</sup> FO 141/617, Note on the Activities of the Labour Office by Graves, 9 February 1935.

<sup>71</sup> Abbas, *al-Harakah al-'Ummāliyyah fī Miṣr*, 50; Beinín and Lockman, *Workers on the Nile*, 185.

<sup>72</sup> Beinín and Lockman, *Workers on the Nile*, 204.

and their role in the Egyptian economy.<sup>73</sup> Butler was invited by the Prime Minister to "study the conditions of the industry of the country, and to prepare for the Egyptian government a report on the best means of organizing its Labour Department."<sup>74</sup> He received full government support in his task as he was aided by Graves in the Labour Office, various governors and *mudirūn* (administrators) of cities and provinces, as well as a few labour union leaders, and he even received the backing of private institutions including Bank Misr and the Egyptian Federation of Industries.<sup>75</sup>

Butler's report emphasized the importance of legislation in the transition to an industrialized economy. Commending the government for its initiative he wrote,

In seeking to regulate conditions of labour, while industry is still in its early stages, the Government has taken a wise and practical course, by which the future evolution of industry may be ensured without incurring the social evils, which have accompanied the growth of industrialism in many other countries.<sup>76</sup>

Moreover, Butler pointed out that many workplaces with "progressive employers" have from their own accord attempted to improve the "welfare of the workpeople," for example by providing for their medical needs amongst other private schemes. Yet according to Butler, these initiatives are not sufficient by themselves. Industrial standards varied drastically in Egypt and therefore law was required to set minimum standards so that "unfair advantages in competition

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<sup>73</sup> Beinun and Lockman, *Workers on the Nile*, 205.

<sup>74</sup> Butler, *Report on Labour Conditions in Egypt*, 1.

<sup>75</sup> *Ibid.*, 1-2. Butler thanked these organizations and representatives in his report.

<sup>76</sup> *Ibid.*, 7.

derived from ignoring the welfare of the workers might be minimized."<sup>77</sup> For Butler, the nature of industrialization posed threats to any society, especially to women and children but in the case of Egypt, the predominance of agriculture exacerbated the negative effects of industrialization. Low wages in the dominant sector were seen as keeping down wages for unskilled workers in the industrial sector, which in turn limited purchasing power and therefore restrained industrial development.<sup>78</sup> Even if according to Butler, "the Egyptian is able to subsist on a much smaller income than any European" he predicted that the noticeably growing desire to improve living standards would continue to put pressure on better wages.<sup>79</sup>

According to Butler, social welfare policies for workers imitating western European standards of the time would be unsuitable to the conditions in Egypt as it was not as socially and economically developed. He did not expect the government to adopt "the most advanced measures" of Europe such as health and unemployment insurance. Even the most basic regulations concerning the employment of women and children, maximum hours, and the enforcement of health and safety standards would be impossible for Egypt to implement at the same progressive levels as western Europe. Instead, Butler argued for legislation suitable to preliminary stages of the industrial transition. Even if unable to emulate Europe exactly, Butler believed "it is better to lay a broad and solid foundation rather than attempt to erect the complete pyramid."<sup>80</sup>

As part of his mission, Butler reviewed the draft laws created by the Egyptian government. He considered the draft law on female labour an "adequate first step" though denied the possibility that its provisions would have a widely felt impact. According to his report,

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<sup>77</sup> Butler, *Report on Labour Conditions in Egypt*, 2.

<sup>78</sup> *Ibid.*, 2-4.

<sup>79</sup> *Ibid.*, 6

<sup>80</sup> *Ibid.*, 6-7.

stipulations contained in the draft that implemented a weekly holiday and the nine hour workday were already practiced in industry, and that night work was "rare." Furthermore, working women who were married were small in number; therefore, application of maternity clauses would be negligible.<sup>81</sup> In regards to the employment of women, their invisibility in the labour force was just as much a factor of consideration as their presence. He was of the opinion that due to the custom of leaving work upon marriage which usually occurred between the ages of sixteen and twenty, most females employed in industry "are young girls, who will for the most part, be covered by the Children's Law."<sup>82</sup>

For Butler, the proposed law's value lay in three different facets. First, he wrote that the restrictions on women's employment would not have a widespread effect because of the small numbers active in the labour force, but felt that that legislation was needed for the near future where industrial work would be an option for more and more women. Accordingly, "the passage of a law for the protection of women in industry may be regarded as a necessary measure presenting comparatively small disturbance of existing conditions."<sup>83</sup> The same was said of commercial workplaces where women were also employed in small numbers, mostly present in larger establishments such as department stores that generally employed European women. The statistics available to Butler at the time were from the most recent population census of 1927. According to that census, women represented 14.4 percent of the total active labour force, 8.9 percent of the industrial sector, and 9.6 percent of commercial sector.<sup>84</sup> Yet for the most part Butler downplayed their contribution and the impact female labour law would have on them.

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<sup>81</sup> Butler, *Report on Labour Conditions in Egypt*, 15.

<sup>82</sup> *Ibid.*, 12.

<sup>83</sup> *Ibid.*

<sup>84</sup> Government of Egypt, *Population Census of Egypt 1927* (Cairo: Government Press, 1931). The number of women active in the labour force according to the 1927 census was 839, 078 out of a total of 5,845,603. For the Agricultural sector, women represented 523, 932 out of a labour force of 3,523, 206. In all other non-agricultural sectors of the economy, women represented 315,146 of those employed out of a total of 2, 322, 397 persons. The capturing of

Second, legalizing these principles was seen as a way to achieve a humanitarian standard within each sector of commerce and industry. Butler perceived a wide variation of practices within the industrial sector and was of the opinion that clauses governing hours would help to regularize workdays even in the most exploitative environments such as ginning factories. Butler recognized ginning as particularly unfair to women and children where during the October to April ginning season they would work for up to eighteen hours at severely low wages of two to three piastres a day. This was 25-30 percent of what an unskilled adult male was usually paid.<sup>85</sup> To critics that complained that the law would increase the price of cotton, Butler replied that "ginning operations can only represent a small fraction of the ultimate price of cotton," and that financial losses were unlikely. Therefore, the humanitarian grounds for legally shortening the workday of women and children trounced unfounded concerns of profit loss.<sup>86</sup>

Butler advocated for different regulations governing workdays in commercial establishments. Unlike processing and manufacturing industries, large shops and offices had already normalized the work day at eight hours, thus, a standard nine hour work day across sectors could "prejudice the livelihood of women already employed." Butler concluded, "it should be better to legalise the practice which already appears to obtain for the majority of shops in which women are employed by prescribing the forty-eight hours week."<sup>87</sup> He also suggested that commercial stores should be given more flexibility in law and issues such as hours of operation should be dealt with on a local level by municipalities.<sup>88</sup> Lastly, according to Butler, the utility of the proposed child and female labour laws lay in their restrictive clauses. Butler predicted that the

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women's participation rates has historically been elusive and therefore we cannot assume census data to be accurate reflections of women's work. See Roger Owen, "The Population Census of 1917 and its Relationship to Egypt's Three Nineteenth Century Statistical Regimes" *Journal of Historical Sociology* 9 (1996); 463; and Bier, *Revolutionary Womanhood*, 67-68.

<sup>85</sup> Butler, *Report on Labour Conditions in Egypt*, 6, 13.

<sup>86</sup> *Ibid.*, 13.

<sup>87</sup> *Ibid.*, 14.

<sup>88</sup> *Ibid.*



restrictions of hours of employment for women and children would increase the total number employed in industry, more specifically, adult males.<sup>89</sup>

There is no indication that Butler, members of the Rida commission, or even the Labour Office actively sought the opinion of women workers on the law that would come to govern their employment before it was passed. Though the missions included visits to industrial sites and workshops there is no mention of input from women workers or a concern for a reflective assessment of their needs in order to draft the law. For Butler, women's invisibility in the labour force factored into his appraisal of law and economic conditions just as much as their presence. Accordingly, he predicted that the proposed labour law on female employment would be limited in scope but was nonetheless a rudimentary aspect of industrialization for Egypt. This same logic drove the Labour Office's interpretation and defence of the law.

In line with the piecemeal approach advocated by the government and endorsed by Butler, the legislative committee formed in 1931 in charge of drafting labour law tackled the laws governing the employment of women and children first.<sup>90</sup> Butler even sat in on a few of their meetings and continued to keep in touch even after his return to ILO offices.<sup>91</sup> The opinions of the Labour Office generally did not differ from that of the ILO, which acted as a source of legitimacy for proposals by the office. By the summer of 1932, draft laws had been passed on to the next stage of review where there seems to have been only one attempt at a major change. During this review stage the consultative committee sought to explicitly exclude those working in government at the national and municipal level from the purview of female labour law. This was against the opinion of both the Labour Office and the legislative committee. In the end, Graves seems to have been able to draw on the support of the ILO who agreed with the principle

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<sup>89</sup> Butler, *Report on Labour Conditions in Egypt*, 22.

<sup>90</sup> Beinín and Lockman, *Workers on the Nile*, 205.

<sup>91</sup> FO 141/760/9, Letter from Graves to Residency, 20 February 1933.

of including government workers, and was able to prevent such a clause from being part of the law.<sup>92</sup> Yet, ultimately, the government would not be bound by its own rules. It was an active policy of government schools to not hire married teachers and to force those who did marry after their recruitment to resign.<sup>93</sup> By February 1933, the proposed laws were being discussed in parliament, and a few months later, both the child labour and female employment laws were passed, three years after the founding of the Labour Office.

The consultative committee also heard from non-governmental organizations with a vested interest. Though the EFU did champion sex-specific labour legislation in media outlets, it is not clear whether they were able to voice their opinions in front of any government body.<sup>94</sup> In my archival research, I did not come across any documents detailing committee meetings with the EFU or any other women's organization for that matter. I also did not come across any input from unions at this stage in regards to the child and female labour laws. On the other hand, private business made their interests clear to the government and their presence is quite visible in the archives. The Egyptian Federation of Industries was intimately involved with the legislative committee since its creation. In fact, I.G. Levi, the secretary of the Federation was also a member of the legislative committee. In a letter to the Residency from the Labour Office, Graves writes that the committee "derived much advantage from the suggestions made at different times by the Federation."<sup>95</sup>

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<sup>92</sup> Graves and the Labour Office also received the backing of the ILO on the proposal that the minimum age for child labour should be set at twelve years old and not nine. The committee accepted this recommendation but added exceptions to the rule. The committee felt that young children between the ages of 9 and 12 should be allowed to work in government specified environments. In the absence of both schools and welfare organizations, work was a better option for children rather than "wandering the streets and graduating in the arts of beggary and crime." FO 141/760/9, Letter from Graves to Residency, 20 February 1933.

<sup>93</sup> Badran, *Feminists, Islam, and Nation*, 174.

<sup>94</sup> Ibid., 172-73; Bier, *Revolutionary Womanhood*, 40.

<sup>95</sup> FO 141/760/9, Letter from Graves to Residency, 20 February 1933.

The British Chamber of Commerce was able to voice their opinions about the law in front of the General Assembly of the Mixed Court of Appeal before it was passed by parliament. For the most part, the Chamber argued in favour of maintaining the status quo and criticized clauses of the female labour law that would have the greatest impact of the way its members ran their businesses. The Chamber pointed out the unreasonableness of confining the law to only industrial and commercial sectors. In contrast to the official stance of the Labour Office, the Chamber was of the opinion that agricultural workers should not be excluded from the law. They felt that the specific conditions of labour in Egypt meant, "a great majority of women are employed in the fields and work far longer hours than they do in industrial concerns." They also proposed that the hours of work for women should be the same as the current practice of a ten hour work day by their male co-workers, and not the nine hours as proposed. Under the guise of concerns for the welfare of women workers, the chamber argued that in some industries, such as cotton pressing where women do the same work as men, the shortening of the hours of the former may lead to their not being employed at all. This would be very hard on widows and divorcees who, "having no men to support them, are obliged to earn their living."<sup>96</sup> The chamber warned the government of the harmful consequences of the restriction of hours applied to women exclusively. It presented reports of ginning factories that had already "ceased employing women in anticipation of this restriction being applied and it is not at all unlikely that cotton exporters, who prepare the cotton, and pressing companies, who press it, may be obliged to do likewise."<sup>97</sup> It would be erroneous to assume that behind this stance lay a concern for the plight of the women worker. Members of the British Chamber of Commerce who were involved in the cotton industry benefited from the long working hours of their female workforce who were paid very cheaply.

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<sup>96</sup> FO 141/760/9, British Chamber of Commerce, Comments on Proposed Law Dealing with the Employment of Women in Industry and Commerce, 17 March 1933.

<sup>97</sup> FO 141/760/9, British Chamber of Commerce.

Cotton of course was the primary industry in Egypt, from its plantation and growth to its processing in factories, its export and its eventual import in the form of textiles. Cotton was Egypt's biggest export and in the form of finished goods, such as clothing, it was one of Egypt's biggest imports as well.<sup>98</sup>

Thus, the chamber was concerned with not only maintaining the profit advantage obtained from their use of women and children, but also with protecting managers and owners who would be slapped with fines if found in violation of the law. For example, regarding the clauses on maternity that proscribed the employment of women for a minimum of fifteen days after giving birth, the chamber argued that this could potentially put the employer who had no way of telling if a women had given birth in the last fifteen days, "into contravention, and possibly even to imprisonment, through no fault of his own." The chamber asserted that "it is well known that native women return to work in a much shorter time than this, and it seems certain that if they want to work they will fail to state that they have just given birth."<sup>99</sup> This was especially the case for women who were hired by the day. Accordingly, the chamber argued for shifting responsibility for labour practices and thus for fines in case of contraventions to those other than the manager or owner of the enterprise. They insisted that knowingly negligent labour practices were conducted more so by exporters of lint (the ginned and pressed cotton fiber) during high season or the labour recruiter who directly employed the women and children.<sup>100</sup>

Predictably, Graves doubted the effectiveness of the chamber's suggestions.<sup>101</sup> He disagreed with the opinion of the Chamber especially in regards to the maximum working hours of women,

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<sup>98</sup> FO 141/770/365, Report "Your Customers: A note for the British Trade Mission, January 1933," by Hugh Jones, Ministry of Finance. This report states that in 1929 there were 54 million imports in Egypt and that the largest category of imports belonged to yarns and textiles from abroad at 16 million. Clothing as well as food was "the biggest field for foreign trade."

<sup>99</sup> FO 141/760/9, British Chamber of Commerce.

<sup>100</sup> FO 141/760/9, British Chamber of Commerce.

<sup>101</sup> FO 141/760/9 Graves to the Residency, 27 March 1933.

which he characterized as "retrograde." In correspondence with the residency, Graves defended the nine-hour work day, as it was already the norm in the majority of factories, especially foreign owned ones. For Graves, the even better alternative for women and children would have been an eight-hour day. A ten-hour maximum would mean "that Egypt could not hope to enjoy the approval of the International Labour Office, by which we set a good deal of store, if we countenanced such a retrograde provision."<sup>102</sup>

Although in theory Graves agreed that the female labour law should be extended to agricultural workers, he once again made the case that this would be impractical as it was "quite impossible to supervise the work of women and children in the fields all over Egypt." Furthermore, according to Graves the way labour was organized in agriculture reflected "traditional methods of work among the fellaheen who are accustomed to adjust their working hours to the hours of day-light during the different seasons of the year and whose actual work is much less intense than that of persons employed in factories and workshops." Graves also replied to the expressed fears of managers of pressing factories being prosecuted for contraventions saying that the wording of the law allowed for "necessary alternatives" and that managers would only be held responsible in circumstances where women were directly employed by the manager and not an intermediary.<sup>103</sup>

From the perspective of the labour movement, female employment and child labour laws did not meet their demands and were considered sympathetic to employers.<sup>104</sup> The leader of the labour movement 'Abbas Halim questioned the significance of legislation that had been passed

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<sup>102</sup> Ibid.

<sup>103</sup> Ibid.

<sup>104</sup> Beinun and Lockman, *Workers on the Nile*, 205; Raouf Abbas, "The Egyptian Labour Movement Between the World Wars," *Journal of Asian and African Studies* 39 (1990): 11. In my usage of the term labour movement, I rely on the definition forwarded by Marsha Posusney; a broad movement composed of unionized and non-unionized workers with the aim of influencing policy at all levels, workplace, sector, and national. See Posusney, *Labour and the State in Egypt: Workers, Unions, and Economic Restructuring* (New York: Columbia University Press, 1997), 15.

and the authority of the Labour Office. He regarded the Labour Office as useless without the legal recognition of unions, regardless of its other advancements in the area of law. He also believed that those in the Office as well as those involved in drafting legislation were police cronies who did not have the interests of workers at heart.<sup>105</sup> Yet according to Graves, the child labour and female labour laws were adequate to the current state of industry in Egypt as well as the needs of the working class. Moreover, he held that labour legislation was something that was best implemented gradually. Accordingly, the provision of a rest day for both children and women was seen as the first step in an official closing day for all industrial and commercial workplaces.

The promulgation of women's labour law before any other law demanded by the labour movement was justified as part of a larger plan that would guide the development of the industrial sector in Egypt while promising to uplift the Egyptian worker. As Graves once wrote,

Although providing fewer advantages to female and juvenile workers than do the laws of many countries, they constitute a very important step in the evolution of social reform in Egypt. Limitation of hours, prohibition of work in dangerous trades, prohibition of night work, protection of mothers, and limitation of the age at which children may be employed in industry, all form part of the legislation of all civilized countries.<sup>106</sup>

This sentiment that the work of the Labour Office and the statutes that had been passed were "in favour of the working classes," was also felt by the British Deputy High Commissioner of the

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<sup>105</sup> FO 141/617, Translation of 'Abbās Ḥalīm's Statement on Syndicate Movement in Egypt originally printed in *al-Misā'*, 12 March 1935, p. 2.

<sup>106</sup> FO 141/760/9, Letter from Graves to Residency, 20 February 1933

time, Arthur Yencken (1933-1936).<sup>107</sup> Thus, the law served as a means of placating the labour movement and proving to those pushing for social reform that the government had a commitment to the welfare of the working class. By mid-decade the Labour Office had been upgraded to a department and transferred to the Ministry of Commerce and Industry. By then it had claimed that, "the evolution of social progress in Egypt is pursuing its course," and expressed the hope that the protection of the working classes and the betterment of their conditions through legislation would progress even faster in the future.<sup>108</sup>

This sentiment continued to be echoed by the Ministry of Industry and Commerce. In a report published in 1938 by the Ministry, "reforming the condition of the worker," (*iṣlāh ḥālāt al-‘āmil*) had to be thought of in both humanitarian and economic terms. Accordingly organizing industry and commerce through legislation was one way through which, theoretically at least, the condition of the working classes could be improved. Yet this would only work if laws and policies were "suitable to the economic state of the country as it is currently." The report repeatedly emphasized the gradual reform of labour relations. Going at a suitable pace meant not "being carried away by the principles of old countries" which allowed them to pass the first phase of industrial development. The report goes on to lay out the relevant steps needed for such a process, the first of which was legislation. With the proper foundations now in place, the ministry felt Egypt could now proceed to organizing industry in ways that would provide additional support to the working classes. The ideas laid out by the department included building cafeterias in factories, sport clubs, public washrooms, public housing funded by employers and owners for workers in construction and other big projects, education in personal finances, reserve

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<sup>107</sup> FO 141/760/9, Letter to Graves from Deputy High Commissioner Yencken, 22 January 1935; See also FO 141/617/4, Visit of Labour MP Mr. Strauss to Egypt, 17 January 1935.

<sup>108</sup> DWQ 4029-000029, *Awraq khaṣa bi-inshā’ maṣlaḥat al-‘amal* [Papers concerning the founding of the Labour Department], memo 17 May 1936.

funds in case of emergencies, and certain financial assistance plans such as subsidized school fees for working class children.<sup>109</sup>

### **Institutionalized Neglect**

In her research, Judith Tucker describes an overall trend of peripheralization and marginalization of women's paid labour. She writes that from the nineteenth century leading up to 1914 there were no laws regulating the labour process, with the exception of a child labour law. Thus, part of the neglect working women experienced was institutional which Tucker says, "suggests a much larger problem in the conception of policy."<sup>110</sup> When the Egyptian government began formulating labour law in the late 1920's the need for law governing the employment of women was widely acknowledged. Yet I argue that even with the passing of law, female labour was still met with institutional neglect.

The push by government officials and businessmen to create a strong industrial sector in Egypt in the interwar period entailed the creation of a new model of employment in non-agricultural sectors.<sup>111</sup> The labour law regulating women's work was part of this attempt, but comparative neglect of women in the face of other labour issues was the result of an overwhelming emphasis on the gender contract that privileged domestic roles for women and breadwinner roles for men. As I discussed in the previous chapter, the interwar period was a key moment in the reconceptualization of gender and the gendered social space that was required by

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<sup>109</sup> DWQ 3022-003323, Modhakkirah Siyāsāt al-Wizārah fī Islāḥ Ḥālat al-‘Ummāl, Wizāarat al-Tijārah wa-l-Šinā‘ah [Memo on the Policies of the Ministry of Commerce and Industry in Reforming the Condition of Workers], 1938.

<sup>110</sup> Tucker, *Women in Nineteenth-Century Egypt*, 90, 163.

<sup>111</sup> Goldberg, *Trade, Reputation, and Child Labor in Twentieth-Century Egypt* (New York: Palgrave Macmillan, 2004), 4-5.



modern nationalism.<sup>112</sup> To this end, women's bodies, their domestic habits, and child-rearing practices were targeted by elites and the state as problematic sites that needed to be reformed in accordance with modern standards. Programs targeting women were increasingly founded on restrictive definitions of masculine and feminine roles and expected behaviour.<sup>113</sup> The consolidation of the nuclear bourgeois family, redefinitions of motherhood, and an emphasis on domesticity helped to create the modern subject and household.<sup>114</sup>

I argue that the drafting of the law reflected not just contemporary ideals on the role of women, but also spoke to common notions of progress, modernity, and the nation-state. Labour law was one avenue through which the Egyptian semi-colonial state could become an independent modern nation. National progress in the form of industrialization required a corresponding law that would prevent conflict and inscribe the mutual benefit of workers and employers. In this scheme, labour law was meant to protect the smooth functioning of the system and settle differences, rather than strictly be a means for ensuring labour rights. As the urban working class grew, especially in the 1940s propelled by the expanding import substitution industries that cropped up during wartime, the living conditions and general welfare of the working classes became more of a central concern for the government and officials in the Labour Department.<sup>115</sup> As Omnia El Shakry writes, social welfare in this context should not be interpreted as simply benevolent, but rather it was the means through which elites and the state attempted to ensure the "successful reproduction of labour power," while simultaneously

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<sup>112</sup> Marilyn Booth, "Between Harem and Houseboat: 'Fallenness,' Gendered spaces, and the Female National Subject in 1920s Egypt," in *Harem Histories: Envisioning Places and Living Spaces*, ed. Marilyn Booth (Durham: Duke University Press, 2010), 342-370.

<sup>113</sup> Hanan Kholoussy, *For Better, For Worse: The Marriage Crisis that Made Modern Egypt* (Stanford: Stanford University Press, 2010), 50.

<sup>114</sup> Omnia El Shakry, "Schooled Mothers and Structured Play: Child Rearing in Turn-of-the-Century Egypt," in *Remaking Women: Feminism and Modernity in the Middle East*, ed. Lila Abu-Lughod (Princeton: Princeton University Press, 1998), 126-170.

<sup>115</sup> Beinín and Lockman, *Workers on the Nile*, 267-69.

maintaining the socio-economic hierarchy and cordial class relations.<sup>116</sup> To improve the social conditions of the masses (peasants and the urban lower and working classes) and their transformation into modern subjects, indigenous elites engaged in a translation process where European categories were adapted and made intelligible to the local milieu. By incorporating and modifying western categories of thought such as notions of progress, reason, and the nation-state and applying this knowledge to social welfare programs, Egyptian elites and politicians took over the project of improving the masses from the British colonial government.<sup>117</sup>

Yet outside the deliberations on sex-specific legislation, women workers continued to be ignored and marginalized in government labour policies and concerns for lower class welfare. In line with the emphasis on domesticity, women were left out of almost all subsequent government policies aimed at ameliorating labour conditions from 1934 to 1952. For the rest of the 1930s and 40s after sex specific legislation was passed, women ceased to be a factor of consideration in state-labour relations, thereby stunting the government's concern for female labour. This point will be illustrated by looking at two important developments in the state-labour relationship in this period, specifically the passing of the trade union law and setting wage controls.

## **Women and Trade Union Law**

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<sup>116</sup> Omnia El Shakry, *The Great Social Laboratory: Subjects of Knowledge in Colonial and Postcolonial Egypt* (Stanford: Stanford University Press, 2007), 6.

<sup>117</sup> El Shakry, *The Great Social Laboratory*, see chapters 5 and 6. El Shakry's argument in some ways is reminiscent of Albert Memmi's theory of how dominant classes come to agree with the ideology of their colonizers. an imprint, which never fully leaves the colonized. See *The Colonizer and the Colonized* (New York: Orion Press, 1965), 87-89, 129. El Shakry acknowledges that though there was a "continuation of strategies of governance" between British colonial officers and Egyptian elite in the twentieth century, it was not a simple process of agreement. Rather it was a creative process that resulted in the reconceptualization (and not wholesale adoption) of key ideas (5-17).

Legal recognition of unions in Egypt was a prolonged and heatedly debated initiative. It was first introduced into parliament in 1936, but was not passed until 1942 after many attempted drafts.<sup>118</sup> Deliberations and suggestions on the content of the law had begun many years earlier with the Rida commission in the late 1920s but unlike the female labour law, which had the consensus of policy makers, union law divided government officials and politicians. Graves while working in the Labour Office was highly in favour of passing trade union legislation. For him, the Egyptian Penal Code, which contained the right to freedom of association for lawful purposes, already implied the right to form trade unions regardless of official recognition. Graves argued for the pressing need for legislation on the recognition of unions as well as labour conciliation in order to deal with what he saw as the "uncontrolled growth of trade unions." Though he had previously defended child and female employment laws as a necessary first step, these were not sufficient in fulfilling the mandate of the Labour Office. He also argued that preventing the legal recognition of trade unions would result in accusations that the government is "opposed to the introduction of social reforms."<sup>119</sup>

Alexander Keown-Boyd, director of the European Department in the Ministry of Interior from 1923 to 1937, on the other hand believed that the work of the Labour Office under Graves had been "proceeding a bit too fast for a backward country like Egypt and that it might be a case of applying the Geneva methods to a country not entirely suited for them."<sup>120</sup> Though Keown-

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<sup>118</sup> Abbas, *al-Ḥaraka al-‘Ummāliyyah fī Miṣr*, 53; Nawwāl ‘Abd al-Azīz Rādī, *Adwā’ Jadīdah ‘ala al-Ḥarakah al-‘Ummāliyyah fī Miṣr 1930-1945* [New Perspectives on the Labour Movement in Egypt] (Cairo: Dār al-Nahḍah al-‘Arabīyyah, 1977), 140.

<sup>119</sup> FO 141/617, Memorandum by Robert Graves on the Advisability of Trade Union Legislation, 22 February 1935.

<sup>120</sup> FO 141/617, Note to the Residency, 25 March 1935. Keown-Boyd replied to Grave's memorandum on the issue of legal recognition of unions and wrote, "such associations are too advanced to suite the present mentality of the bulk of Egyptian workers and encourage ideas and a technique which cannot at present be assimilated." See FO 141/617, Note on the Labour Situation from the European Department, 21 March 1935. Graves himself did not see his proposal as "advanced." See FO 141/617, Reply to Keown-Boyd, n.d. For more on the Graves/Keown-Boyd dispute see Raouf Abbas, "Mawqif al-Injlīz min Mas’alat al-‘Ummāliyyah fī-l-thalāthīnāt, in *Baḥūth fī al-Tarikh al-*

Boyd agreed with Graves on the need for reform, he held that welfare legislation should be of the "benevolent" type that improved the hours of work and the general conditions of employment and that also provided for recreational, medical, and educational assistance to workers. This would simultaneously placate the worker's movement by helping to diminish unrest. Trade unions, he continued, would just "increase the gulf between the employers and employed, and capital and labour," in pursuing their cause for higher pay and the protection of rights.<sup>121</sup> He also feared "revolutionary ideas spreading amongst the fellahin and hastening the day of serious agrarian unrest, of which the harmful effect on public security would be incalculable." According to Keown-Boyd legislation dealing with the employment of women and children, health conditions, and accident compensation were the desirable kind. In a letter to the Residency, he writes that he was "anxious to go very slowly testing each step and I am particularly anxious to avoid endeavoring to force upon Egypt a ready made law modeled upon the Trade Disputes Act of England before the time is ripe."<sup>122</sup>

Yet the government still maintained a commitment to drafting union legislation, and deliberations continued though they were slow and arduous. The specification of which occupational categories would be allowed to form or join unions included under the term worker was a point of contention during the drafting of the law and after its enactment.<sup>123</sup> The reports of the parliamentary committee on worker's and social affairs reveal a telling omission, which was agreed upon in the drafting of the labour union law. An earlier draft of the legislation defined workers as "persons, either male or female, who undertake any type of commercial or industrial work." At a meeting dated May 9, 1939, the committee decided to strike the phrase "either male

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*Ḥadīth* [The British Stance towards Labour in the 1930s in *Studies in Modern History*], ed. Abu Qasim Sa'd Allah (Cairo: Maṭba'at 'Aīn Shams, 1976).

<sup>121</sup> FO 141/617, Note on the Labour Situation from the European Department, 21 March 1935.

<sup>122</sup> FO 141/617, Letter to the First Secretary at the Residency from Keown-Boyd, 8 April 1935.

<sup>123</sup> Abbas, *al-Ḥarakah al-'Ummāliyyah fī Miṣr*, 53-54.

or female" from its definition of "'*āmil*" or worker. The committee justified this change by saying that it was not yet acknowledged that women could join organizations such as trade unions without conflicting with shari'ah (*aḥkām al-sharī'ah*). There was even an attempt by members of the committee to insert a phrase that expressly prohibited women from becoming members of unions, alongside the prohibition against government employers. Another variation of the phrase banned women's participation "in accordance with traditions and Islamic shari'ah."<sup>124</sup> The committee accepted the suppression of the more inclusionary article defining worker as male or female without any dispute, while the law in its final form included no explicit prohibition of women joining trade unions. It could be argued that the absence of any explicit prohibition against women should at least be interpreted as evidence of gender neutrality. Yet this argument ignores the normative understanding of worker as being a lower class male breadwinner. Instead, it is much more likely that the committee realized they did not require an unequivocal prohibition and that the power of implicit association of the term worker with men would be a sufficient deterrent. The initial inclusion of women in the definition of who could join a trade union was deemed significant enough to strike out, but simultaneously inconsequential enough as to merit any other action in addition to this slight change.

This action by legislators is reflective of what Margot Badran recognized as the state's ambivalence towards lower-class women workers and also to the ways that government policy was informed by this ambivalence.<sup>125</sup> It also speaks to what Cathlyn Mariscotti characterizes as the state culture of interwar Egypt that embraced the reification of domesticity through excluding women from secular law and maintaining them under the domain of Islamic law.<sup>126</sup> Yet the

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<sup>124</sup> DWQ 0069-010528, Mudhakkirah Tafsīr bi-Mashru' Qānūn al-'Atirāf bi-Niqābāt al-'Ummāl [Memo of an Explanation on the Plan to Recognize Labour Unions], 9 May 1939.

<sup>125</sup> Badran, *Feminists, Islam, and Nation*, 174.

<sup>126</sup> Mariscotti, *Gender and Class in the Egyptian Women's Movement*, 39.

boundary erected between Islamic and secular law is not as rigid in practice as we purport it to be in theory. As in the case of labour union legislation, notions of women informed by Islamic standards deeply shaped the perceptions of workers and their rights. Government representatives did not think of women as completely free to associate with collective organizations as men were and therefore their potential to participate in trade unions wasn't even considered in debates on union law.

### **Wage Controls**

Wages were one of the biggest rallying points for unions and workers in Egypt. With the onset of the Second World War, the cost of living increased resulting in a drop in real wages for workers in every sector.<sup>127</sup> For example, in 1942 the Labour Department received a total of 1,941 group complaints and 3,157 individuals complaints mostly in regards to wages, severance pay, and loss of employment.<sup>128</sup> To put into perspective the conditions of labour during WWII, the Labour Department received an average of almost fourteen complaints per day. In an effort to deal with issues resulting from the constriction of wages on December 1942 the government issued a cost of living allowance by martial decree for workers in industrial and commercial enterprises. This decree set minimum wages for those eighteen and over at eight and a half piastres per day. For workers under this age, the wage would decrease by half a piastre for each year below eighteen, with the absolute minimum wage set at six piastres per day.<sup>129</sup> The decree mimicked the already practiced wage scheme that differentiated between adults, adolescents, and children yet

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<sup>127</sup> Beinun and Lockman, *Workers on the Nile*, 237; Abbas, *al-Ḥaraka al-‘ummāliyyah fī miṣr*, 52.

<sup>128</sup> DWQ 4029-000155, A‘māl Idārat al-Ṣulḥ wa-l-Taḥkīm fī Sanat 1942 [Activities of the Conciliation and Arbitration Committee], Annex 1; Modhakkirah ‘an A‘māl Masalāḥat al-‘Amal fī Sanat 1942-43 [Memo on the Activities of the Labour Department]. This report places the total number of complaints received by the department at 5,811.

<sup>129</sup> DWQ 0069-001122, Decree no. 67 1942

demonstrating the marginalization women workers experienced in general labour policy, it made no reference to the differential wages paid to women. This raises interesting questions as to the practical application of such measures. The minimum wages set by decree were not actually more than the average that was already being paid to adult men. Assumedly, those who would benefit the most from such a decree were the women and children who were being paid less than the specified wages. Wages varied drastically by sector in Egypt. Women in the late 1930s could have made as low as two piastres per day working in agriculture to as high as thirteen piastres per day as a contractor.<sup>130</sup> The average wage for women in the industrial sector was somewhere between 4.3 and 5.5 piastres while it was between 7.8 and 8.8 for men.<sup>131</sup> In general, adult lower class women occupied the middle space between wages for children and those for adult men. If government decrees did not recognize women's differential wages in the labour market, how were minimum wage decrees to be applied to women workers? Were they simply ignored? Were women treated the same as child labourers? Statistics continued to point to a wage gap between genders in all sectors, making it highly implausible that women were ever considered to be on the same plane as male workers.<sup>132</sup>

Subsequent deliberations by the government continued in the same vein. In March 1951, the Minister of Social Affairs of the time, Ahmad Hussayn Pasha (minister from 1950-1952), introduced a bill that would set minimum wages for industrial workers at twenty-five piastres and for agricultural workers at twenty piastres per day. The bill aroused ardent opposition, which forced the Labour Department to conduct a study of industrial workplaces in support better

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<sup>130</sup> Goldberg, *Trade, Reputation, and Child Labor*, 146.

<sup>131</sup> Abbas, *al-Ḥaraka al-‘Ummāliyyah fī Miṣr*, 56; Beinin and Lockman, *Workers on the Nile*, 267-68.

<sup>132</sup> ILO, *Labour Survey of North Africa* (Geneva: La Tribune de Genève, 1960), 193.

minimum wage regulations.<sup>133</sup> The department's study presents an acute example of the government's continued neglect of women's work.

The study opens with the minimum wage provision of the United Nations Declaration of Human Rights. It quotes section twenty-three, which enshrines the principle of equal pay for equal work and the right of every worker to sufficient wages that support a decent standard of living. Yet despite this invocation, there is a glaring omission. The Labour Department drew on industrial statistics to show the inconsistency of wages for similar work between different regions, different establishments, and different ages, yet gender was completely ignored as a factor.<sup>134</sup> The study found that "there is no sound principle," regulating wages across various trades. The Ministry of Social Affairs built its case for minimum wages on the legitimacy of the UN Declaration, but did so selectively, thereby ignoring gender as a factor in the structure of wages.

## **Conclusion**

In this chapter I have argued that under a centralizing state pushing for industrialization, a category of women workers was identified as a concern and target of government regulation. This stance diverges from scholarship on female labour law in Egypt that argues regulation was solely propelled either by a humanitarian concern for the exploitative conditions of women's work or by fear of the destruction of women's domestic roles. Though both of these issues were clear concerns for legislators and reformers, these arguments isolate law as obvious and self-propelling. Instead, I argue that regulation of women's labour needs to be situated within the context of a modernizing nation-state that sought expansion and centralization through law. In

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<sup>133</sup> LAB 13/1059, British Embassy in Cairo to Foreign Office, April 3 1952.

<sup>134</sup> LAB 13/1059, Egyptian Ministry of Social Affairs, *Report on Minimum Wages*, 1951, p. 3- 8.



this perspective, law eighty was a result of the ongoing negotiations between the expanding state, labour, and capital framed by dominant conceptions of gender roles. I have argued that the creation of labour regulation was a heavily gendered process and one way in, which the state as practice unfolded. That female labour was drawn unevenly into the new institutions of the modern nation-state is evidenced by the fact that outside of the deliberations regarding law eighty the particular experiences of women workers was rarely taken into consideration in the drafting of subsequent labour policy. This is reflected in issues dealing with labour unions and minimum wage schemes where in both instances women as productive agents remained marginal or completely ignored in government proposals.

Laura Bier has commented that even as the labour movement became more receptive to issues of women's employment and rights beginning in the 1940s, women "remained conceptually separate from male workers," and were approached either as mothers and wives or as victims of capitalism deserving of protection.<sup>135</sup> Increased attention to working women was also reflected in state policy. In the years following the coup d'etat of July 23, 1952, women's participation in the labour force became a central area of concern for the government. Under Nassir, the government enacted policies that improved wages, conditions of work, and job security. This combined with other welfare policies such as health insurance, pension plans, and food subsidies created a social contract between workers and the state.<sup>136</sup> Within the terms of this social contract, there was an explicit promise by the regime to include women "on a equal footing with men." The state attempted to draw women into the workforce in greater numbers

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<sup>135</sup> Bier, *Revolutionary Womanhood*, 64-65.

<sup>136</sup> Marsha Pripstein Posusney, "Irrational Workers: The Moral Economy of Labor Protest in Egypt," *World Politics* 46 (Oct 1993): 90-91.

through legal guarantees and new opportunities for employment, yet it was for the most part unsuccessful as female labour participation remained low.<sup>137</sup>

In this chapter I have shown that the conceptual and material distance between male workers and their female counterparts was preceded by government initiatives in promulgation of sex-specific legislation. In effect, the law regulating female employment institutionalized a separation between the needs of working class women and the rest of the labour force. It allowed the government to address, within limits, certain issues that were deemed particularly detrimental to definitions of femininity, such as long hours, unprotected pregnancies, and dangerous work. Since the law contained all the necessary elements of protecting women in the workforce, the state could therefore easily ignore women in other issues of importance to labour, which remained centered around the normative model of the working class male breadwinner. Thus, Nasir's failed attempt at encouraging women's work was based on decades of marginalization. In this chapter I have incorporated archival sources in order to uncover the impetus behind the regulation of female employment as well as some of its major implications. The next chapter looks at the management of the Labour Office, day-to-day application of law, and the varied responses of working women to state intervention.

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<sup>137</sup> Bier, *Revolutionary Womanhood*, 61.

### **The Application of Law Eighty and the Response of Female Wage Earners**

This chapter delves into other facets of law eighty by focusing on the first years of its application. It draws on the files of the Labour Office in regards to its enforcement. As mentioned in the previous chapter, the archival record is sporadic and it is unclear whether this is the result simply of the file keeping practices of the Egyptian bureaucracy or a reflection of the structural constraints encountered by the inspections unit of the office. The financial and staffing constraints that I will discuss in this chapter could have made thorough and consistent inspections an improbability. Despite the disjointed record, these sources offer new perspectives and detail on the experiences of lower class working women. The scholarship on labour and gender history in Egypt has yet to incorporate government archives in its discussion of women workers in mid-twentieth century Egypt. These sources provide vital information on the difficulties faced by government administrators and employees in the application of new legislation and the general backlash against it.

The main question of analysis in this chapter is what was the impact of law eighty on women workers? By taking a closer look into the female labour law, this chapter contributes to an elaboration of women's diverse relationship with the economy and politics. Previous scholarship has highlighted the variations in women's status and relationship to the economy and politics and has reveal that the supposed emancipatory effects of modernity and the state making process were not equally dispersed across women of all classes.<sup>1</sup> The connection between female

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<sup>1</sup> Cathlyn Mariscotti, *Gender and Class in the Egyptian Women's Movement, 1925-1939* (Syracuse: Syracuse University Press, 2008), 24-30.

liberation and economic opportunity is further elaborated on in the work of Hibba Abugidieri. Abugidieri analyzes the changes experienced by female medical practitioners such as midwives in late-nineteenth and early-twentieth century Egypt who after a period of training, were formally sanctioned to practice their occupation in new spaces and ways. This group of professional women was also simultaneously marginalized. They ranked low in the new medical hierarchy and were restricted in terms of what and where they could practice.<sup>2</sup> Modern medicine in Egypt created a new class of professional elites of both men and women, but one that entailed a "new gender regime based on a doctor-midwife hierarchical relationship."<sup>3</sup>

Through the history of female participation in medical fields in Egypt, Abugidieri skillfully untethers the connection in scholarship between women's work and its incorrect correspondence to "liberation." She writes this connection is based on a rigid Eurocentric dichotomy of public and private where participation necessarily occurring in the male public sphere becomes the means through which Muslim women become freed. In this equation work in professional fields automatically becomes associated with power, modernity, and freedom. Yet as Abugidieri argues this perspective in effect obscures the real nature of women's participation and experiences which tend to "vacillate between, or move outside, the strict boundaries of simple oppression (read: private) and liberation (read: public)."<sup>4</sup> Abugidieri's work highlights the connection between mobility and occupation. While jobs could open up new spaces for women to participate in, their movement was not unhindered. This same phenomenon can be seen in lower class women's work. Unlike middle class professionals such as midwives whose social standing and

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<sup>2</sup> Hibba Abugidieri, "Off to Work at Home: Egyptian Midwives Blur Public-Private Boundaries," *Journal of Women of the Middle East and the Islamic World* 6 (2008): 275-76. See also Abugidieri, *Gender and the Making of Modern Medicine in Colonial Egypt* (England: Ashgate Publishing, 2010).

<sup>3</sup> Abugidieri, "Off to Work at Home," 276.

<sup>4</sup> Ibid., 256; 265.

prestige derived partly from their occupations, lower class women were afforded no such privilege.

Labour legislation in Egypt enshrined its own gender regime. Though in one aspect, it laid down certain rights for women workers, its promulgation was based on ideas that clearly differentiated the female worker as deserving of state protection due to her gender. Unlike their male peers, women workers were seen as dependent, childlike, and of secondary economic importance. These ideals on the nature of femininity are not unique to labour law, but law eighty only served to solidify these notions in the context of an evolving Egyptian state and economy. Thus, law eighty's moral clause (article ten) that prohibited women from employment in jobs deemed contrary to their feminine nature essentially served to criminalize women who chose not, or by circumstance, could not abide by these standards.<sup>5</sup> As elaborated in the previous chapter, labour regulation was one way through which power was centralized in the hands of the modernizing nation state. This was a heavily gendered process but one that also did not extend its reach to all women. Female labour was drawn into the new institutional space in varying ways.

I argue that protective legislation in the form of law eighty aimed not only to protect women from abuses of employers driven by market incentives, but also aimed to protect dominant notions of womanhood from women themselves. Thus, some occupational classes were afforded protections and others were deemed criminal.<sup>6</sup> On the other side of the equation, women who were targeted by the state for compliance had contradictory reactions. While some women challenged the state and its new labour practices, others sought the extension of its protection. This chapter focuses on two aspects of enforcement of law, namely the issue of work hours and prohibited occupations. Through labour legislation, the state formalized the obligation of the

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<sup>5</sup> Act No. 80 Employment of Women in Industry and Commerce, *Journal Officiel Égyptien*, 17 July 1933.

<sup>6</sup> See Samera Esmeir for an excellent discussion on the relationship between law, criminality, and law in colonial Egypt. *Juridical Humanity: A Colonial History* (Stanford: Stanford University Press, 2012), 191-196.

state to intervene in both instances, thereby creating new norms in the relationship between state and citizen.

This chapter begins with a short history of the Labour Office, the department in charge of ensuring compliance to labour legislation. It will discuss the structural impediments faced by inspection officers as a result of the overburden of work and a lack of funding. Next, I will discuss the enforcement of the law by drawing on inspection reports and statistics from between 1935 and 1942. Lastly, the chapter ends with an analysis of petitions from women involved in the production and sale of alcohol. The law prohibited women prohibited from employment in the making of alcoholic beverages. I will place these petitions within the larger discourse of femininity, morality, and labour.

### **History of the Labour Office**

The Rida commission convened to address the promulgation of labour law as discussed in the previous chapter, highly encouraged the recognition of unions and the immediate creation of a labour office to monitor labour issues.<sup>7</sup> One year after its report was published the government under Ismail Sidqi Pasha (1875–1950) established the Labour Office and appointed its first director, Robert M. Graves who remained in that position most likely until 1936. By ministerial decree on November 29, 1930, the Office was first put under the Department of Public Security in the Ministry of Interior.<sup>8</sup> Almost exactly a year later, the Labour Legislation Committee was created to continue the work of the Rida commission and to draft law to be presented and discussed in parliament. In December 1932, this body was reorganized as the Superior Consultative Labour Council, which was once again restructured in 1935 to include more worker

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<sup>7</sup> Raouf Abbas, *al-Ḥarakah al-‘Ummāliyyah fī Miṣr, 1899-1952* [The Workers' Movement in Egypt] (Cairo: Dār al-Kātib al-‘Arabī li-l-Ṭibā‘ah wa-l-Nashr, 1967), 49.

<sup>8</sup> FO 141/617, Note on the Labour Situation in Egypt, 18 April 1935

representation. Five representatives from commercial and industrial workplaces appointed by the Minister of Interior now sat on this advisory board up from two representatives of the previous years.<sup>9</sup>

Graves, previously Alexander Keown-Boyd's (1884-1954) deputy at the European Department, was optimistic about the potential of the Labour Office believing that it was a "powerful organ of Social Reform."<sup>10</sup> Yet doubts about the ability of the Labour Office to effect change were raised immediately after its establishment. Critics pointed to the fact that the office was placed in the Ministry of Interior under the department of Public Security. They accused the office of being paid from the Secret Service budget and said that the intention of the office's creation was to control working classes rather than improve their conditions.<sup>11</sup> The placement of the Labour Office under the Ministry of Interior was suggested by the Rida commission, which advocated that this would be the most suitable location for initiating, applying, and monitoring the law.<sup>12</sup> The Public Security Department had already been picking up the slack of the defective labour conciliation boards that had been established in 1919. Notwithstanding the argument of institutional capacity, containing the labour movement was a key concern of the government in the 1930s. The government under Sidqi saw labour as a threat to public security that required police monitoring and interference. In the effort to harness labour in the interest of industrial progress, Sidqi Pasha employed repressive and harsh tactics against organized labour and worker strikes.<sup>13</sup> The creation of the Labour Office therefore was meant to serve two purposes. First, it

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<sup>9</sup> FO 141/617, *Journal Officiel Égyptien*, 23 May 1935. Worker representatives were appointed by the government, see ILO, *Draft Report of the North African Labour Survey: Labour Administration and Inspection* (Geneva: ILO, 1959) for more detail.

<sup>10</sup> FO 141/617, Note on the Activities of the Labour Office by Robert Graves, 9 February 1935.

<sup>11</sup> LAB 1/158/STATS246/12/1929, Graves, "Labour in Egypt During the Past Year," 5 March 1931.

<sup>12</sup> FO 141/583, Report of the Commission of Labour Legislation, 1929.

<sup>13</sup> See for example FO 141/751/1, Letter from Foreign Office to Percy Lorraine, 15 July 1931

would provide some remedy to the failing conciliation boards and second it would become the organ through which the government could more fully monitor labour issues and disputes.<sup>14</sup>

The office was founded with a long list of responsibilities including the enforcement of existing laws, to advance labour legislation and the subsequent enforcement of new laws, regulation of industrial and commercial workplaces, to mediate labour disputes, to study and compile information on trade unions, unemployment, strikes and the general conditions of work. It was also asked to research "the customs of workers, their mode of living, their dwelling, their family life and their food and all that may lead to improve their state, elevate their standard and educate their children."<sup>15</sup> In 1935, the office was transferred to the Ministry of Commerce and Industry, and one year later promoted to the status of department within that ministry. Between 1937 and 1939, it experienced further expansion with the creation of branch offices outside of Cairo, in Alexandria and the Suez Canal cities.<sup>16</sup> In 1939 the department was relocated once again to the newly established Ministry of Social Affairs, which would become the main organ of the government in charge of social and labour issues in the country.<sup>17</sup>

Numerous laws were passed regulating the employment relationship in Egypt in the 1930s and 40s, all which fell under the jurisdiction of the Labour Office, either alone or in cooperation with other government departments. Following the laws governing the employment of children and women in commerce and industry, the government passed law 147 in 1935 limiting working hours for men in select dangerous establishments such as mines, refineries, mercury production facilities, explosives factories, cement factories, and tanning facilities.<sup>18</sup> The following year, the

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<sup>14</sup> Beinín and Lockman, *Workers on the Nile: Nationalism, Communism, Islam, and the Egyptian Working Class, 1882-1954* (Egypt: American University in Cairo Press, 1998), 194.

<sup>15</sup> FO 141/617, Note on the Activities of the Labour Office by Robert Graves, 9 February 1935.

<sup>16</sup> ILO, *Draft Report of the North African Labour Survey*, 3.

<sup>17</sup> Laura Bier, *Revolutionary Womanhood: Feminisms, Modernity and the State in Nasser's Egypt* (Stanford: Stanford University Press, 2011), 36.

<sup>18</sup> FO 141/617, Law no. 147 of 1935, *Journal Officiel Égyptien*, 9 December 1935.



workmen's compensation act was passed and amended twice in 1942 and 1950. Unions and the length of workdays continued to be unregulated and these issues along with wages and unemployment continued to be the central grievances of the labour movement.<sup>19</sup>

It wasn't until the 1940s that the most sought after legislation on behalf of the labour movement was enacted even if in extremely limited terms. This began with a military order in 1942 recognizing trade unions. In 1944, the individual contract of employment law was passed as well as an act regulating labour recruiting agents. This same year the government spearheaded campaigns against working class illiteracy and poverty. Act 110 required workplaces with more than thirty employees to offer lessons to its illiterate workers and proclamation number 469 established a meal plan system where employers who had less than fifty workers or over 200 feddans were to provide subsidized meals for their employees.<sup>20</sup> The late 1940s saw the enactment of legislation in regards to maximum working hours for commercial establishments, conciliation and arbitration of labour disputes, the establishment of the Federations of Trade Unions, and collective agreements.

According to prominent Egyptian labour historian Raouf Abbas, one of the reasons for the slow enactment of legislation governing labour relations during the 1930s was the laissez-faire attitude that was instilled during direct British rule and later adopted by the Egyptian government. This minimalism in government, Abbas asserts, prevented the early promulgation of laws to protect the Egyptian workforce. The general concern for the budding local industrial sector also meant that the most contested laws such as the union law and the law of employment contracts were perceived as burden on capital, especially foreign capital, throughout the early

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<sup>19</sup> Abbas, *al-Harakah al- 'Ummāliyyah* , 52.

<sup>20</sup> FO 921/290, Proclamation no. 469, *Journal Officiel Égyptien*, 28 February 1944.

twentieth century.<sup>21</sup> Yet as the industrial sector grew in the Second World War, so did the working class and the strength of the organized labour movement. Thus laws were also enacted to co-opt the growing labour movement. Especially during wartime, the government worked to ensure the steady flow of production. Some scholars have argued that the government allowed the law recognizing unions as a means to block interruptions in industries vital to the war effort.<sup>22</sup>

Many of these laws were stuck in limbo for years in the draft stage. For example, by 1935, the consultative committee had already begun discussing the thirteenth draft of the contract of employment law, which was not passed until almost a decade later in 1944. In that same year, the law governing employment in commercial establishments was already in its fifth draft though it was not passed in its final form until 1946.<sup>23</sup> These delays can be partly attributed to the inertia of the committee in charge of drafting the legislation. The Superior Council was for the most part under the influence of supporters of businessmen and large employers whom in the late 1930s actively sought to obstruct the passing of labour law. This is further supported by the fact that in the 1940s during which a flurry of labour laws were passed, the Council seems to have been stagnant and not very active in government decisions on legislation.<sup>24</sup>

The Labour Office was also thwarting off attempts from inside the government to subdue its potential for most of its first decade of existence. Keown-Boyd had received complaints from employers that the office was intervening in labour relations in ways that encouraged unrest. Though part of their mandate was to settle disputes, employers and the European Department

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<sup>21</sup> Abbas, *al-Harakah al-'Ummāliyyah*, 48.

<sup>22</sup> Selma Botman, *Egypt from Independence to Revolution* (Syracuse: Syracuse University Press, 1991), 102-3

<sup>23</sup> FO 141/617, Note on the Activities of the Labour Office by Robert Graves, 9 February 1935; FO 141/617, Draft Laws prepared by the Labour Legislative Committee and the Higher Labour Council, 10 April 1935.

<sup>24</sup> Beinín and Lockman, *Workers on the Nile*, 223, 308. The Superior Consultative Labour Council is also known as the Superior Labour Advisory Council.

both perceived their actions as "undue interference."<sup>25</sup> Keown-Boyd took issue with the office's direct involvement in settling labour disputes, which he felt should be the responsibility of the local authorities and the ma' mūr (police chief) of each district.<sup>26</sup>

In 1936 by decision of the Council of Ministers, enforcement of law thirteen of 1904 governing dangerous, unhealthy and inconvenient establishments and the issuing of permits to these establishments was transferred to the newly established Ministry of Public Health. Sir Geoffrey L. Corbett (1881-1937) who at the time was an official adviser to the Ministry of Commerce and Industry was of the opinion that this would "mutilate the department by severing from it this essential function."<sup>27</sup> According to Corbett the work of the Labour Department was built on two prongs. The first rested on factory laws governing the safety of buildings and machinery, the sanitary conditions of workplaces, and the employment of women and children. The second prong consisted of the "social laws" which included others types of labour legislation such as laws governing contracts, trade disputes, and unions. Attempting to help reverse the decision, Corbett wrote that "in Egypt where the Labour Department is still in its infancy, its work under head (1) is from a practical point of view the more important and is an essential preliminary to advance under head (2)."<sup>28</sup> Corbett saw that complete jurisdiction over inspections was essential to the department's fulfillment of the rest of its mandate and Graves agreed with him.

The late 1930s also saw the Wafd attempt to exert control over unions and the labour movement and it did so through forcing personnel changes in the Labour Department. Supporters of the party were given key positions and those critical of government policy were threatened

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<sup>25</sup> FO 141/617 Letter to the First Secretary at the Residency from Keown-Boyd, 8 April 1935.

<sup>26</sup> Ibid.

<sup>27</sup> DWQ 4029-000052, Report by Geoffrey L. Corbett, November 6 1936, p.3.

<sup>28</sup> Ibid., 1.

with dismissal.<sup>29</sup> Thereby, its potential was severely weakened and constrained. Workers regularly complained that the Labour Office sided with employers in grievance resolution and frequently failed to address the grievances of workers.<sup>30</sup> Even Graves who was initially optimistic, by 1935 had complained that the Office was inadequately staffed and underfunded. He wrote that it was not able "to cope at all adequately with the ambitious program imposed on it."<sup>31</sup> Complaints from staff continued into the 1940s even after it had been promoted to a department and moved to a new ministry. For example, the director of the Alexandria branch of the Labour Department complained repeatedly of over-crowded conditions for employees to the extent that seven inspectors were all sharing one office and two desks.<sup>32</sup> The files of the department found in the archives are full of overdue bills for rent, complaints from staff regarding the lack of and/or inadequacy of the furniture, and the need for offices to be fixed.<sup>33</sup>

In 1941, the newspaper *al-Ahram* published an exposé that traced the multiple moves and changes that the Labour Department had been put through. The author of the essay characterized the department as confused and astray, saying that it was like a football being kicked around by players. It also used the metaphor of a sandwich stuck between the Ministry of Interior and the Ministry of Health. The essay harshly criticized the commandeering of the duties of the department by the Ministry of Health, namely the permits issue. This had resulted in leaving the job of inspections to those who were unqualified to judge conditions of labour and the needs of

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<sup>29</sup> Beinín and Lockman, *Workers on the Nile*, 228.

<sup>30</sup> *Ibid.*, 206.

<sup>31</sup> FO 141/617, Note on the Activities of the Labour Office by Robert Graves, Feb 9 1935.

<sup>32</sup> DWQ 4029-000036, Letter to Director of Labour Department (Cairo) from the Director of the Alexandria office, 6 March 1944.

<sup>33</sup> DWQ 4029-000035 *Awraq Wizarat al-Shu'un al-Ijtimā'iyyah bi-Sha'n al-Binā' al-Lazim li-l-Maṣlaḥat al-'Amal* [Papers from the Ministry of Social Affairs in regards to setting up the Labour Office], 1938.

workers. The author even stated that the police acted as the overseer of department activities and that the department itself, just like organized labour, was being closely monitored.<sup>34</sup>

Despite operational difficulties, the government did not want to increase the manpower of the Labour Department beyond the minimum. In its reply to an ILO survey on the nature of labour inspection, the government's answers make clear the preference for containing the size of the department. For the government, this meant balancing between the frequent and effective monitoring of labour conditions as stipulated by ILO conventions with the need to "avoid undue increase in the number of the inspection staff." The task of the inspections unit was a mighty one especially considering the large number of small workshops employing less than ten people.<sup>35</sup> Yet rather than directly hire more inspectors the government favoured cooperation with municipal authorities through providing them with the relevant training.<sup>36</sup>

The apprehension towards expanding the Labour Department is reflected throughout the survey. For example, one question brought forth the suggestion that new establishments should be pre-approved by the government before they are built for health and safety issues and conformity with the law. Egypt rejected the proposal on the basis that such an approach "would demand an increase of the inspection staff," and possibly "distract the inspectors from their more essential tasks."<sup>37</sup> Again, in response to a question regarding setting a minimum number of inspections per year of both regular and particularly dangerous industries, Egypt pointed to the

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<sup>34</sup> DWQ 4029-000066, " al-Maktab al-Hā'ir" [The Confused Department], *Al-Ahram*, 11 February 1941.

<sup>35</sup> H.B Butler, *Report on Labour Conditions in Egypt with Suggestions for Future Social Legislation* (Cairo: Government Press, 1932), 6-7. In his report Butler estimated that 34,000 industrial establishments employed 4 or less people. This represented almost 80 percent of the total industrial workforce according to 1927 census statistics. Mabro and Radwan estimated that small businesses employing less than 10 people in the industrial sector (mainly manufacturing) continued to grow by 30-35 percent between 1937 and 1947. For more on the composition of manufacturing sector and changes to industry in Egypt see obert Mabro and Samir Radwan, *The Industrialization of Egypt 1939-1973* (Oxford: Clarendon Press, 1976), 115-117; See also Maurice Girgis, *Industrialization and Trade Patterns in Egypt* (Tubingen: J.C.B. Mohr, 1977), 13.

<sup>36</sup> ILO, *The Organisation of Labour Inspection in Industrial and Commercial Undertakings* (Montreal: ILO, 1946), 29-30.

<sup>37</sup> *Ibid.*, 58.

"considerable expenditure" that would be involved to meet such a requirement, and though in principle they agreed that certain industries should be put under a more frequent inspections schedule, they preferred a more "flexible" approach where inspections were not gauged by minimum quotas.<sup>38</sup> Egypt ratified the subsequent ILO Labour Inspection Convention Number eighty-one of 1947, yet more than a decade later in an ILO review of the Labour Department, the inspections unit was still not up to par as it struggled with lack of staff and proper equipment.<sup>39</sup>

Much of the Labour Office's energy and resources in the 1930s and 40s were directed towards resolving disputes and worker's grievances. By 1935 Graves had commented that the "number of trade disputes in which the Labour Office has intervened is enormous." The office received daily complaints from workers and their representatives on a wide range of issues.<sup>40</sup> Additionally, the issue of the legal regulation of trade unions also preoccupied both the Labour Office and the European Department and was the cause of friction between Graves and Keown-Boyd.<sup>41</sup> In March 1942, by military decree new conciliation and arbitration committees were formed under the auspices of the Labour Department in order to reduce and even eliminate strike activity. In that year alone, the department received a total of 1941 group complaints mostly in regards to wages.<sup>42</sup> According to the same report, 1,251 of these cases were settled in a positive manner (*nata' ij t̄jābīyyah*) but only forty-one of these complaints from unions were sent forward to the new committees, which could impose binding arbitration. Additionally, the department received 3,157 individual complaints, this time mostly in regards to severance pay and loss of employment. Out of these complaints, only 1,950 ended in "positive results." The burden on the

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<sup>38</sup> ILO, *The Organisation of Labour Inspection*, 97.

<sup>39</sup> ILO, *Labour Survey of North Africa* (Geneva: ILO, 1960), 389.

<sup>40</sup> FO 141/617, Note on the Activities of the Labour Office by Robert Graves, 9 February 1935.

<sup>41</sup> FO 141/617, Memorandum by Robert Graves on the Advisability of Trade Union Legislation, 22 February 1935; Bein and Lockman, *Workers on the Nile*, 209.

<sup>42</sup> DWQ 4029-000155, Activities of the Conciliation and Arbitration Commission 1942, Annex 1; See also Modhakkirah 'an A' mā Maṣalaḥat al- 'Amal fī sanat 1942-43 [Memo on the Activities of the Labour Department]. This report places the total number of complaints received by the department at 5, 811.

Labour Department was strenuous during the Second World War. It was receiving an average of almost fourteen group and individual complaints per day.<sup>43</sup>

The next year, the department was expanded to include two new sections to deal with the barrage of complaints. One was concerned specifically with unions, and the other with workplace accident insurance claims. The department also started a relief fund for workers where financial help could be dispersed for those who have reached old age, or were prevented from working due to sickness. It also allowed the family members of those who had died due to workplace accidents to make claims to this aid.<sup>44</sup>

### **Enforcement of Law**

Despite the overburden of settling labour disputes and worker grievances combined with the lack of funding, the Labour Office attempted to maintain consistent inspections as an integral component of its operations. The role of inspections by government authorities in Egypt dates back to 1904 when the law on dangerous, unhealthy, and inconvenient establishments was passed. When Egypt's first child labour law came in to effect in 1909, it was followed by the creation of the Child Labour Inspectorate as well.<sup>45</sup> With the establishment of the Labour Office, workplace inspections fell under its purview. By the mid 1930s, the office had six sections, one of which was solely dedicated to the inspection of workplaces employing large numbers of women and children. Named the Child and Female Labour Inspectorate, this unit's responsibility was to ensure abidance to law forty-eight on child labour and law eighty governing the

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<sup>43</sup> DWQ 4029-000155, Memo on the Activities of the Labour Department, 1942-1942.

<sup>44</sup> Ibid.

<sup>45</sup> FO 141/617, Note on the Activities of the Labour Office by Robert Graves, Feb 9 1935. Inspectors were to collect information on the size of workforce, wages, tasks and responsibilities, safety of the workplace, information on owners and management, and complaints against them. Yet in my research I did not come across any of these files. See DWQ 4029-000172, al-Taqwīm al-Sanawī al-‘Ām li-Wizarat al-Tijārah wa-l-Šinā‘ah [General Yearly Report on Establishing the Ministry of Commerce and Industry], April 26 1939, p. 71-72.

employment of women. The section had three inspectors, two of which were female, and one clerk.<sup>46</sup> The government supported the hiring of female inspectors only for a particular class of establishments that depended on the employment of women and children in large numbers.<sup>47</sup> Additionally, inspectors were at times required to compile statistics and research certain issues at the request of workers or employers.<sup>48</sup> In total, the office had forty-eight employees for the whole country before branches were established in cities outside of Cairo in the late 1930s.<sup>49</sup>

In the following discussion, I focus on the application of law eighty governing female employment, which was for the most part intimately tied to law forty-eight governing the employment of children. The two laws went hand in hand both conceptually and practically. A complete paper trail that covers inspections for every year leading up to 1952 does not exist for the enforcement of women's labour law. The annual reports of the Labour Office and of the inspections unit contain important information for the years 1935- 1942/43, yet the archives are sparse and non-continuous. Unfortunately as with most bureaucratic archives, the actual women workers concerned are largely absent. The variation found in the reports make it clear that during this period there was no standardized way of documenting compliance to law by inspectors. Reports were written in both English and Arabic. Some were simply statistical, showing how many workplaces were inspected and how many infractions were drawn up. Intermittently the inspections unit even kept track of how many of these cases went to court and the final judgment in each case. Other reports took a more descriptive approach and even included notable anecdotes of the encounter between inspectors, employers, and workers. Though these documented interactions are important to the analysis that follows, I also recognize the limits of

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<sup>46</sup> FO 141/617, Note on the Activities of the Labour Office by Robert Graves, Feb 9 1935, p.3.

<sup>47</sup> ILO, *The Organisation of Labour Inspection in Industrial and Commercial Undertakings* (Geneva: ILO, 1939), 39.

<sup>48</sup> DWQ 4029-000172, *al-Taftīsh*, 71-72.

<sup>49</sup> FO 141/617, Note on the Activities of the Labour Office by Robert Graves, Feb 9 1935, p.3.



these reports. They were written from the perspective of government employees and none of them contained any information on women workers, such as their names, job titles, and pay.

In his report of the activities of the Labour Office for the 1935 year Graves commented that the enforcement of the laws regarding the employment of children and women had received severe backlash, writing that it was "strongly resented" by employers and workers alike. In the first year after the passing of both laws, inspectors were requested to explain the meaning of the relevant statutes, rather than immediately draw up infractions. In this sense, the inspectors were initially considered mediators between the law and employers. Inspectors were to then allow a period of adjustment in which employers could reorganize their work flow in accordance with the law.<sup>50</sup> This was seen as a grace period to allow employers and employees to adjust to the new regulations. According to reports, 1935 was the first year in which ignorance of law "was no longer an excuse" that employers could use. The allowance of a grace period led to satisfactory results according to Graves who saw a decrease in the use of child labour in ginning factories once strict enforcement kicked in. Rather than incur infractions, it was easier for employers to replace their workforce. As Graves writes,

Adult labour in the provinces is so cheap and the inconvenience of keeping a check on the age and hours of work of juveniles is so great that boys in most cases have been superseded by young men. The same inconvenience applies to the employment of women in ginning factories, as it is difficult to fit a women working nine hours with one hour rest into a working day, which for adult males may be fifteen to sixteen hours.<sup>51</sup>

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<sup>50</sup> DWQ 4029-000172, Report on Establishing the Ministry of Commerce, 71-72.

<sup>51</sup> DWQ 4029-000064, Report on the Enforcement of Labour Legislation in Egypt for the year 1935, 1.

Though the decrease in women's employment was a clear consequence of the labour law, it was not an area of potential concern. For Graves, the labour market would self-adjust according to circumstance. Therefore he contended that in the foreseeable future, as legislation limiting the hours of work for all workers comes into effect, women and children will be once again the cheaper option.<sup>52</sup> Yet a comprehensive law governing hours for workers in all sectors of the economy never materialized in the pre-1952 period. The closest the government came to that ideal was in 1946 when it passed a law normalizing the workday at nine hours in commercial establishments only.

Infractions against law eighty were actually far more common in the commercial stores than in industrial workplaces. Although it was acknowledged by Labour Office administrators that many commercial establishments, especially British and other European owned enterprises, had long established a weekly rest day and an eight hour and a half workday, a great number of stores remained open for twelve or thirteen hours per day with a two hour break in between. Graves writes that "it is unusual to find shop managers disposed to adjust the working hours of their female staff to the requirements of the law until they have been put in contravention once or more often."<sup>53</sup> Inspectors also discovered that the threat of dismissal or withholding pay was used to get female shop assistants to lie about their working hours. In the effort to document accurate conditions of labour, inspectors were required to make multiple spontaneous visits to the same location. However this served to increase the workload of an already very limited number of inspectors.<sup>54</sup> According to inspectors, the coercive aspect of the employment relationship was getting in the way of efficient enforcement.

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<sup>52</sup> DWQ 4029-000064, Report on the Enforcement of Labour Legislation in Egypt for the year 1935, 1.

<sup>53</sup> Ibid., 2.

<sup>54</sup> Ibid.

For the director of the Labour Office, the answer to the problems faced by inspectors lay in two very different directions. Graves foresaw the difficulty of proper enforcement without adequate funding to the Labour Office. In this respect, he actively encouraged Egypt's membership in the ILO, which he felt would propel the government to more properly enforce abidance to law.<sup>55</sup> Yet Graves also felt that part of the problem which led to lack of compliance was that public opinion and general knowledge of the necessity of labour laws had not caught up. In this sense, according to Graves, workers themselves had to be imbued with the correct way of thinking. Female workers, specifically the shop assistants and others who worked long hours in commercial stores, "had to acquire the necessary esprit de corps to protect one another and themselves against exploitation." Only when a "strong public opinion is created" against taking advantage of female workers would noncompliance to the law lessen.<sup>56</sup>

In effort to build this spirit de corps without which women would be powerless at the hands of their exploiters, Graves suggested the creation of "working women's clubs or centres."<sup>57</sup> These centres would be opened in large cities where working women from both manufacturing and commercial sectors could congregate. Graves was careful to point out that this space was not meant to be political in the sense that women would not congregate for political purposes but rather for "rest and recreation." This is a clear attempt to placate the fears of both the British and Egyptian governments of further labour agitation

The working women's centres were also meant to "to contribute to the social and professional welfare of this much neglected class." The idea behind it was that women coming from a variety of different workplaces would be able to learn from each other on how to handle work related issues. This knowledge, or spirit de corps, according to Graves would ideally "have a restraining

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<sup>55</sup> FO 141/760/9, Letter from Labour Office to Residency, 20 February 1933

<sup>56</sup> DWQ 4029-000064, Enforcement of Labour Legislation in Egypt for the year 1935, 2.

<sup>57</sup> Ibid.

influence on bad employers and will certainly be appreciated by those who are interested in the moral and social welfare of their female personnel."<sup>58</sup> Rather than place sole responsibility of these centres on the already overwhelmed Labour Office, Graves suggested that these centres use the premises of welfare organizations active in mitigating the plight of women such as the Egyptian Feminist Union and others.<sup>59</sup> Though independent philanthropic associations did establish a few shelters and training programs for poor and working women with some help from the Ministry of Social Affairs there is no evidence that Grave's specific proposal ever materialized or even went beyond the mention it received in his annual report.<sup>60</sup> Though there is no indication in the archival records as to why this idea was never pursued, it is quite possible this was a reflection of the government's general approach to labour which was hesitant to implement significant welfare measures for the working classes and which aimed to keep labour costs down as a means of realizing industrialization.<sup>61</sup>

Of course, not all working women were helpless in the face of their exploiters, as Graves had imagined. The EFU for instance took it upon itself to act as mediator between the Labour Office and groups of women workers who had lodged complaints against their employers. Women working in dressmaking, bakers, and grocers had complained of long hours, low pay, and unfair treatment and the EFU put pressure on the Labour Office to resolve their complaints.<sup>62</sup>

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<sup>58</sup> DWQ 4029-000064, Enforcement of Labour Legislation in Egypt for the year 1935, 2.

<sup>59</sup> Ibid., 2-3.

<sup>60</sup> See chapter one of this dissertation of more on the relationship between philanthropic organizations and lower class working women.

<sup>61</sup> Robert L. Tignor, *State, Private Enterprise, and Economic Changes in Egypt, 1918-1952* (Princeton: Princeton University Press, 1984), 143-145.

<sup>62</sup> Margot Badran, *Feminists, Islam, and Nation: Gender and the Making of Modern Egypt* (Princeton: Princeton University Press, 1995), 175

The EFU took credit for the passing of law eighty as a "just outcome of years of efforts and feminist struggles."<sup>63</sup> Their continued lobbying of the office also led to the hiring of Na'imah al-Ayubi as an inspector. Al-Ayubi had previously been a lawyer and was a formal member of the EFU.<sup>64</sup> Though she was credited as being the first female inspector hired, there is evidence that this may not be the case. According to Graves' report for the year 1935, the Labour Office hired two female inspectors responsible for the laws on child labour and female labour. Miss Mitchnik and Mrs. Fatma Sadik, both Egyptian subjects who seem to have been hired either before or around the same time as al-Ayubi.<sup>65</sup> Yet as Grave's commented, two inspectors was simply not enough for the task at hand. From December 1933 to November 1934, the year in which inspectors were told to be lenient with employers, the Office was able to inspect a total of 4,006 industrial and commercial workplaces. Out of these inspections, there were a total of 2,061 infractions against law eighty and forty-eight drawn up, of which 1,695 were charged in court.<sup>66</sup> The total charges amounted to fines of 82,101.5 LE.<sup>67</sup> In 1935 the Labour Office purportedly began stricter enforcement of the law and the number of contraventions were much higher. Just

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<sup>63</sup> "Les Droits de nos ouvrières," *L'Egyptienne* (May 1934), 28 as quoted in Badran, *Feminists, Islam, and Nation*, 175

<sup>64</sup> Badran, *Feminists, Islam, and Nation*, 175.

<sup>65</sup> DWQ 4029-000064, Enforcement of Labour Legislation in Egypt for the year 1935, 3. In May of 1936, Sadik and Mitchnik applied to the Director of the Labour Office to be sent on a training mission in Europe for the purposes of becoming "better acquainted with the organization of labour inspection." They were passed over two male Engineers, Abdel Aziz Ahmed el-Hilf Effendi and Ibrahim Mazhar Effendi for unstated reasons. See DWQ 4029-000053 *Āwrāq bi-Shā'n Ārsal Ba'ithāt li-Aūrobā sanat 1935* [Papers on Despatch to Europe].

<sup>66</sup> FO 141/617, Note on the Activities of the Labour Office by Robert Graves, Feb 9 1935, 4-5. Even though it was mentioned that the office kept a log of contraventions committed and the judgement against employers in each case, I was not able to find these files in the archives of the Ministry of Social Affairs where much of the Labour Office's files are located. The files could very well be stored somewhere else in the archives but due to restrictions in access in accordance with the rules of the National Archives, I was unable to confirm their existence. Alternatively, it is also plausible that the Labour Office was not consistent in keep and managing files on inspections. For example, the regulations governing the work of the office stipulated that it had to publish yearly reports that covered all aspect of its work including inspections, yet after almost ten years of existence, the ILO only knew of one such report and that is the Annual Report of 1935. See ILO Preliminary *Report on The Organisation of Labour Inspection: In Industrial and Commercial Undertakings* (Geneva: ILO, 1939), 239.

<sup>67</sup> DWQ 4029-000064, Enforcement of Labour Legislation in Egypt for the year 1935, Annex A.

in the first three months of 1935 alone, 778 infractions were written up, though at the time of writing the report, only thirty of those had been fined in court.<sup>68</sup>

With the passing of the workmen's compensation act in 1936, the issue of inspections and the lack of inspectors became more acute. This year also saw the promotion of the Labour Office to the status of department and its corresponding enlargement. Still, both the staff and the director complained of a lack of funding. In a report most likely published in the late 1930s issues of pay were mentioned as an area of concern. Inspectors in the Labour Department complained that they were paid lower salaries than those in different branches of government holding the same position. Furthermore, the travel allowance of inspectors had been reduced. The author of the report warned that this could potentially be an incentive for inspectors to take bribes from employers and expressed the hope that the department would finally be placed "on a proper financial basis" in the near future so as to prevent this.<sup>69</sup> The Labour Department begun sharing its inspection duties with other government branches such as the Ministry of Health in 1936.<sup>70</sup> The task of labour inspections remained a difficult one in the face of understaffing. The ILO had reported that the average number of establishments that an inspector in Egypt had to visit could be as high as 7,000 in one year due to the great number of small commercial and industrial establishments. This translated to a staggering average of twenty establishments per day.<sup>71</sup>

The first years of the law's enforcement, which was at first restricted to the city of Cairo show, a dynamic back and forth between employers, judges in the court system, and the Labour Office. In 1936 amendments were made to the law after employers lodged several complaints against the injunction preventing night work. Article five prohibited night work for women in

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<sup>68</sup> Ibid.

<sup>69</sup> DWQ 4029-000064, Draft Report, undated, p. 1. Based on the information included in this report, I place it in the 1936-1939 period when the Labour Office was still part of Department in the Ministry of Commerce and Industry.

<sup>70</sup> ILO, *Preliminary Report on The Organisation of Labour Inspection*, 132.

<sup>71</sup> Ibid., 228.

commercial and industrial sectors but exempted certain workplaces from the ban, such as cafes, hotels, restaurants, cinemas, and other similar workplaces. The amendment of 1936 further limited the scope of the law by adding a category of workers to the exclusions list for night work. Female shop assistants in Port Said were now sanctioned to work nights for the convenience of the mass of wayfarers that made their way through the port on a daily basis. These women could not be employed at night for more than eighteen hours a week. Another amendment dealt with article eighteen which now required employers to post a copy of the labour law in their workplaces as well as keep registers of the hours of work of their female employees, their break times and duration, and any absences due to pregnancy.<sup>72</sup>

In the late 1930s new branches of the Labour Department were opened in other major cities. In 1937, the Port Said Branch was opened and 878 inspections were carried out between February and November of 1938, out of which 368 infractions were drawn up.<sup>73</sup> For inspectors in Port Said, night work continued to be a major concern as it was widely practiced. The law defined night as falling between the hours of nine in evening and five in the morning but there was no uniformity in what a night shift meant in practice. Inspectors found that employers added hours either before or after the stipulated times, thereby contributing to wide variation in night shifts which in some instances also contributed to longer hours. This made inspections in Port Said much more complicated as the department tried to limit the night work of women without negatively affecting the interests of their employers. Driven by the idea that the Labour Department's task was to balance the rights of workers and the interests of their employers, the Port Said branch emphasized the importance of *'adl*, or fairness, in regulations. They suggested

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<sup>72</sup> ILO, *Preliminary Report on The Organisation of Labour Inspection*, 146-147; DWQ 4029-000064, Draft Report, p. 4.

<sup>73</sup> DWQ 4029-001063, Taqārīr 'an A'māl Maktab al-'Amal bi-Far' Bur Sa'īd [Reports of the Activities of the Port Said Branch of the Labour Department], 1938.

establishing a more comprehensive and broad definition of night work as falling between the hours of seven in the evening and six in the morning which would allow more flexibility for employers whose profit depended on night work.<sup>74</sup>

In general, the enforcement of maximum hours for female workers continued to be met with difficulty. The Labour Department attributed this to the "psychology" of employers who refused to accommodate the changes. Yet the absence of a universal limit of hours for all workers was also mentioned as an influencing factor in reports on inspections. Since the hours of men were not regulated, this meant that women oftentimes had to agree to break the law by working longer hours in order to keep their jobs. By the late 1930s, the department had run into so much trouble with inspections at the scene of employment but also in proving infractions in court that they began to push for a universal limit on working hours as the only solution.<sup>75</sup>

Inspectors also noticed that instead of a full twenty-four hour rest day, many employers were giving women two half days. The Labour Department proposed to amend the legislation as to include a more precise definition of rest day to mean a complete working day or a full twenty-four hours. The department also accused judges of "inauthentically" interpreting the rest day clause, which contributed to employers resorting to half day schedules on a much wider scale. A second change was also proposed in the process of adjudication regarding cashiers whom some judges had categorized as managers and therefore holding "confidential posts." This meant that according to the courts, cashiers fell outside the scope of the law and therefore could work beyond the stipulated limits. The Labour Department on the other hand argued for their inclusion and wanted to amend the law to reflect this stance, believing that their handling of money did not

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<sup>74</sup> DWQ 4029-001063, Taqārīr 'an A' māl Maktab al-' Amal bi-Far' Bur Sa'īd.

<sup>75</sup> DWQ 4029-000064, Draft Report, 5.



make them managers but, " in fact, they serve behind the counter just as their fellow workers do."<sup>76</sup>

Many inspectors reported that the workers themselves cooperated with their bosses to mislead and feed them false information. Employers, especially owners of small shops as one report mentioned, promised their workers their full protection and job security if they agreed to actively obstruct labour inspections. For example, some employers implemented a warning system so that when a certain signal is given to workers, they would know to leave the premises immediately. This meant that the inspector was unable to substantiate noncompliance with the law. Since many small stores and workshops were clustered together in the same street or neighbourhood, owners often colluded with each other as well to sabotage the work of the inspector. As the inspector came to visit one workplace, a worker from there would slip away to tell the neighbouring stores or workshops that the inspector was making her rounds. This would give the others time to either hide their employees or prep them on how to respond to the inspector's inquiries. This also allowed employers to bypass the element of surprise that came with the practice of unscheduled visits.<sup>77</sup> Another tactic used by employers was to put up fake or incorrect schedules regarding their female and young workforce upon the arrival of the inspector. According to the reports, many female workers were forced to lie to inspectors about their hours of work in fear of employers withholding pay. In court, proving violations of maximum work limits was also difficult. Employers would often argue that they allowed their workers to take longer breaks and therefore women employees had to work past the times as indicated in the official schedules which the inspectors used to prove infringements. This hampered the

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<sup>76</sup> DWQ 4029-000064, Draft Report, 5.

<sup>77</sup> DWQ 4029-000172, Report on Establishing the Ministry of Commerce, 73-74; ILO, *The Organisation of Labour Inspection in Industrial and Commercial Undertakings*, 49.

inspector's attempts to prove violations and often resulted in a judgment of innocence when brought to court.<sup>78</sup>

How can we make sense of the cooperation between employers and employees? Was it simply a matter of coercion? The uneven power relationship between employers and female workers could very well have meant that for fear of losing out on pay or even on the threat of losing their jobs, women complied with the demands of their employers in regards to hampering inspections. This was the dominant interpretation of administrators of law eighty. Yet these same administrators were very quick to assume a naiveté on behalf of the women workers that made them more susceptible to the exploitation of employers. This is clearly evidenced in Graves' suggestion that women required an institutional, government sanctioned setting where they could *learn* how to act in their own interests. As Graves worded it, instilling this "*esprit de corps*," would ultimately serve to curb the long hours that women in the commercial sector faced as a result of employers who were "die-hards of the sweating school."<sup>79</sup>

However as discussed above, other women openly complained about their conditions of work and many infractions were pursued in the courts, which suggests some level of cooperation between women workers and labour inspectors. The question remains, what made some women decide to cooperate with their employers in disrupting inspections rather than cooperate with the government that was supposedly offering them protections? Of course, I will never be able to say with any certainty the precise motivations for their actions as the women themselves did not leave a record of their own behind. Nonetheless I think there is benefit in discussing the variety of possible interpretations as it unsettles the official representation of working women as weak and coerced.

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<sup>78</sup> 4029-000172, Report on Establishing the Ministry of Commerce, 73-74.

<sup>79</sup> 4029-000064, Enforcement of Labour Legislation in Egypt for the year 1935, 2.

In his theory of everyday forms of resistance, James C. Scott proposes that peasants and other subordinate groups constrained by the structures that control their labour are not simply acquiescent but engage in multiple, small, and indirect acts of resistance in order to circumvent or mitigate their exploitation.<sup>80</sup> These acts often proceed with minimal or even zero planning and coordination yet are effective enough to provide breathing room within productive relationships that represent a "symbolic straitjacket."<sup>81</sup> Scott writes that since such social groups are often unable to drastically improve their status, these everyday weapons of the weak are the only possible form of achieving gains.<sup>82</sup> It may be tempting to view the actions of women workers who refused cooperation with government representatives as a form of resistance to the encroachment of the state but such a stance assumes that actors had the intention of undermining state power. While their actions did effectively undermine the government's authority, it may not have necessarily been the aim of the women workers to do so.<sup>83</sup> The value of their actions could have laid elsewhere. Additionally, to claim that it was an everyday form of resistance still does not answer the question of why some women cooperated with the government against their employers and others did not.

Another possible interpretation concerns the establishment of trust between institutions and citizens. It could be argued that cooperation with employers stemmed from a lack of trust that working women held towards the state as a result of previous interactions that may have led to disenchantment.<sup>84</sup> While the practices and institutions regulating female labour were brand new,

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<sup>80</sup> Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven: Yale University Press, 1985), 29-36.

<sup>81</sup> Ibid.

<sup>82</sup> Ibid. For an interesting critique of Scott's theory see Asef Bayat, "Un-civil Society: The Politics of the 'Informal People,' *Third World Quarterly* 18, no.1 (1997): 56.

<sup>83</sup> Bayat, "Un-civil Society," 58.

<sup>84</sup> Bayat discusses the weariness towards state institution many urban poor have which has result in "a deep desire to live an informal life." Bayat, "Un-civil Society," 59. While it is impossible to determine if some women workers in

this distrust may have been the consequence of a history with other government departments, leading these women to cooperate with their employers instead.

A further explanation is based on the rational economic school of thought that proposes individuals act according to their self-interest. In this perspective, it could be argued that the women cooperated with their employers in lying and/or hiding from labour inspectors because they themselves also benefited from the longer hours and other labour practices that were restricted by law. The rational economic interpretation puts the pursuit of self-interest above other considerations yet many scholars have argued that people's complicated relationships and the role of employment and making a living to those relationships means that self-interest is not the only motivating factor.<sup>85</sup> Furthermore, the model of rational economics is built upon a gendered male subject, one that is pervasive in economic theory. This ignores the different ways in which responsibilities, behaviour, and most importantly rationality itself is constituted by conceptions of femininity and masculinity.<sup>86</sup>

Instead, I argue that working women's cooperation or resistance to the state was most likely a reflection of their moral economy and notions of obligation and justice in the relationship between themselves, their employers, and the state. Moral economy theory is the study of how morality, that is the "norms and sentiments regarding the responsibility and rights of individuals and institutions with respect to others," influences and is structured by economic activities.<sup>87</sup> The idea is that people's values, standards, social commitments, and the distribution of those

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twentieth century Egypt desired to live outside of the confines of state institutions and rules, the role of trust in cooperation is relevant to the discussion here.

<sup>85</sup> Andrew Sayer, "Moral Economy and Political Economy," *Studies in Political Economy* 61 (spring 2000): 80.

<sup>86</sup> Simon Duncan and Rosalind Edwards, "Lone Mothers and Paid Work: Rational Economic Man or Gendered Moral Rationalities?" *Feminist Economics* 3 no.2 (1997): 33-40. For more on feminist critiques of economic theory see Drucilla K. Barker and Jolande Sap, *Out of the Margin: Feminist Perspectives on Economics* (New York: Routledge, 1995); Marianne Ferber and Julie A. Nelson, ed. *Feminist Economics Today: Beyond Economic Man* (Chicago: University of Chicago Press, 2003).

<sup>87</sup> Sayer, "Moral Economy and Political Economy," 79-80.

responsibilities should be taken into consideration in the study of economic activity and its motives. This does not mean that individual or group action is always consistent with morality. As Andrew Sayer argues, moral decisions, "are often complex and involve intractable dilemmas, but this does not negate their moral character."<sup>88</sup>

Norms that make up the moral economy are not just held by individuals but can also be the motivation behind state policy and regulatory techniques and therefore become the foundation of the state-citizen relationship.<sup>89</sup> In this respect, law eighty can be seen as a vehicle of hegemony for dominant ideals of domesticity as Mariscotti argues, but also as reflection of the state's changing moral economy.<sup>90</sup> The law governing female employment in industry and commerce instilled new practices regarding women's work and established new norms of intervention on the basis of a government obligation to protect vulnerable women. Law eighty not only formalized pervasive definitions of femininity as discussed in the previous chapter but it also enshrined the obligation of insulating women from the forces of the market that sought out their exploitation. The new responsibility of intervention consequently changed the relationship between state and citizen. In this respect, women who agreed with the premise of the state's obligation to intervene in the productive relationships of their citizens presumably would have been more willing to cooperate with labour inspectors. I will expand on the relationship between state and citizen using moral economy later on in the chapter, but for now I return to the issue of labour inspections.

Ginning factories continued to come up in the files of the Labour Department as site of wide spread abuse. Certainly the government had known of the exploitive practices in this sector from years previous. After the Rida commission had published its report and the suggestion of

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<sup>88</sup> Ibid., 85.

<sup>89</sup> Ibid., 97.

<sup>90</sup> Mariscotti, *Gender and Class*, 49.

establishing a labour office had begun to gain traction, Keown-Boyd supported the idea of an office dedicated to labour issues partly as a means to regulate and enforce inspections of ginning factories, a task which he felt should be "taken up vigorously" so as to curb abuses against women and child workers.<sup>91</sup> In fact, the detrimental effects of employment in ginning factories on women and children workers whose cheap labour these factories depended on for profit were so well known that there was a push to include them under the law governing dangerous, unhealthy, and inconvenient establishments. The initiative failed and law 147 was passed without including ginning factories in its scope in 1935. This decision was criticized by the Labour Department which they believed made the law "fall short" as it allowed employers to continue exploiting their female and young workforce with long hours and low wages.<sup>92</sup> The pressure to ameliorate labour conditions for women and children in ginning factories was so strong that the Minister of Commerce issued a decree placing ginning factories under the scope of law 147 temporarily for the 1938-39 season. Yet the Labour Department deemed this insufficient, stating, "one must hope that this will be the last year in which this form of industrial slavery is permitted in Egypt." <sup>93</sup>

The pressure on the government from the Labour Department to deal with ginning factories was a result of a series of exposés in the press on the labour of women and children. These articles had garnered public blame on the department for failing to "put a stop to the abuse." The Labour Department was unable to cope due to the deficient number of inspectors in the face of "numerous and widely spread ginning factories in the country." Inspectors still faced the challenge of visiting the same establishment several times in order to fact-check, in addition to

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<sup>91</sup> DWQ 4029-000035, Notes for discussion with Kaisy Pasha re: Labour Bureau, Office of Director-General, European Department, Ministry of Interior, 9 November 1930.

<sup>92</sup> DWQ 4029-000064, Draft Report, 6.

<sup>93</sup> Ibid.

being actively obstructed in their duties by employers and management. Even when employers were fined, they were "pretty well indifferent to the fine." Furthermore, in some cases owners, who were found responsible and ordered to pay a fine by the court, would pass on these fines to managers and labour contractors who would be forced to pay in their place.<sup>94</sup> This points to the protected position of owners of cotton processing facilities in specific, and more generally to the privileged position of businessmen in Egypt's principal industry.

The Labour Department was well aware that successful inspection of ginning factories required an increased departmental budget which would allow it to hire more inspectors which would allow them to be better equipped to successfully prevent the exploitation of women and children. Administrators generally considered the use of cheap labour a form of "unfair competition." In order to level the playing field while simultaneously curbing abuses, the department proposed a small tax on each Kantar of ginned cotton produced to cover the costs of the required expansion of operations. They believe such a system would "guarantee the observance of humane hours of work in ginning factories."<sup>95</sup>

Hanan Hammad's research on the working class in Mahallah al-Kubra, an industrial city north of Cairo, reveals how employers in the cotton industry averted female labour laws. Owners of factories tended to hide female employees from officials as many of them were underage. In a report published 1946, it stated that most workers in the factories in the area of Mahallah al-Kubra were between the ages of thirteen and twenty, and some even as young as nine.<sup>96</sup> For the most part, once women were married, it was customary for them to leave their

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<sup>94</sup> DWQ 4029-000064, Draft Report, 9.

<sup>95</sup> Ibid., 8. The proposed tax was one millieme per kantar of ginned cotton. This "almost imperceptible change would more than cover the cost of keeping one or more inspectors in all the important centres and a couple of senior inspectors for upper and lower Egypt" according to the report.

<sup>96</sup> Hanan Hassan Hammad, "Mechanizing People, Localizing Modernity: Industrial and Social Transformation in Modern Egypt, Mahalla al-Kubra 1910-1958" (Ph.D Diss, University of Texas at Austin, 2009), 250-51.

jobs voluntarily or be replaced. Though some employers were willing to accommodate women after marriage and during and after pregnancy, the use of younger unmarried females to replace married women was common as well.<sup>97</sup> According to Hammad, "many female workers did not see any value in continuing work once they got a chance to be supported by breadwinning husbands." For Hammad this practice by lower class women provides a counter narrative to feminist discourse that tied female emancipation to work.<sup>98</sup> The cotton factories were able to create a system of employment where they could benefit from women's low wages without challenging dominant gender relations. In Mahallah, Hammad writes of attempts to placate general anxieties over the sexual conduct of women to such an extent that factory owners put male employees on different work schedules than female employees so as to prevent intermingling during entering and exiting the factory and during break time.<sup>99</sup>

Despite the challenges of underfunding, understaffing, and general resistance to the new labour laws, the Labour Department clearly felt that inspections were making a noticeable difference. In 1936, it participated in the Industrial and Agriculture Exhibition and put together a booth on the activities of the department which was "met with great success." Their exhibit was divided into five sections, one of which was dedicated to illustrating the improvements to general working conditions as a result of the creation of the Labour Department. This included before and after posters on "conditions of work for children and women, " as well as charts illustrating

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<sup>97</sup> Hammad, "Mechanizing People, Localizing Modernity," 251.

<sup>98</sup> Ibid., 252-53. Hammad characterizes the link between work and emancipation as an elite discourse, which tied women workers in modern factories to the freedom of the nation as well as the freedom of women themselves. Yet as Mariscotti's class analysis shows elite feminists were more often than not promoters of domesticity, and their definition of femininity would have very much supported decisions to leave waged work upon marriage. According to Mariscotti, it was actually middle-class professional women who used and promoted all types of work as a push back against the dominant trend towards domesticity. See Mariscotti, *Gender and Class in the Egyptian Women's Movement*, 40.

<sup>99</sup> Ibid., 254-55



the numbers of permits issued, and the decreased incident of workplace accidents, in addition to summaries of reports distributed in Arabic, English, and French.<sup>100</sup>

A positive outcome of the Labour Department's activities is somewhat reflected in the statistics. From December 1935 to December 1936, infractions of law eighty decreased significantly from previous years yet so did inspections. Only 289 inspections of female labour were made in that year, 130 of which were charged with violations.<sup>101</sup> By 1942, the number of workplaces inspected for compliance to law eighty increased once again yet contraventions remained low. In that year, the department made a total of 2,380 inspections of female labour, yet only 250 infractions were drawn up. In total, the inspections unit looked at 10, 712 establishments for abidance to labour law with a total of 1,879 contraventions.<sup>102</sup>

As previously mentioned, labour law entrenched the belief that the state was responsible for ensuring the protection of femininity from market forces and at least partially alleviating the harsh realities of labour force participation for select women. The actual practice of intervention and how the fulfillment of state obligation materialized varied. While the compliance of employers in regards to the issues of hours and ages of women and child workers seems to have remained within the nexus of the Labour Office and the courts, the archives point to the utilization of more coercive means of ensuring abidance as well. Evidence from petitions show that at times the state relied on the police force and violent means to enforce law eighty's prohibition of certain classes of occupations deemed unsafe for women's bodies and morals.

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<sup>100</sup> DWQ 4029-000064, Report on the Labour Department Stand in the Exhibition 1936, 30 November 1936.

<sup>101</sup> DWQ 4029-000064, *Iḥsa'iyah A' māl Qism al-Taftīsh min Dīsimbir 1935 ilā Dīsimbr 1936* [Statistics from Inspection Section from December 1935 to December 1936].

<sup>102</sup> DWQ 4029-000155, Memo on the Activities of the Labour Department 1942-43, 4. Additionally, 15, 333 injuries were reported to the department out of which 282 incidents resulted in death. Only in ninety-two of the cases involving death did the government allot restitution to the family of the deceased worker.

## **Women and Prohibited Work- The Petty Production and Sale of Alcohol**

In her analysis of class and gender in the late 1920s to 1930s Egypt, Mariscotti writes that elite women based their activism on a cultural feminism that upheld the idea of separate gendered spheres of activity and thereby accepted the home as women's true and primary place. This distinction was maintained as elite women attempted to influence the political process in Egypt through invocations of the importance of women's motherly and wifely roles to the modern nation. This "extension of the harem to Egyptian society" as Mariscotti put it often resulted in ways that harmed women of the lower classes rather than uplift them as envisioned by elites.<sup>103</sup> One of the harmful consequences of the politics of cultural feminism resulted was protective labour legislation which was supported by elites not out of consideration for conditions of work but rather in an attempt to "clean up" the public sphere in order to make lower class women more suitable wives and mothers.<sup>104</sup> Thus, their support for the female labour law must be seen within the same context as the fight against prostitution, illiteracy, and disease. In the name of motherhood and raising future citizens of the nation, elite women framed the definition of suitable jobs for lower class women as those areas of work that conformed to notions of femininity. Labour law therefore enshrined restricted access to work opportunities for women and left uncontested the notion that only males were free to work as they please.<sup>105</sup>

It is not clear from government archival files exactly what kind of influence elite activists had on the actual drafting and content of the labour law, a point Mariscotti may be overstating, as there is no mention of them or their organizations in the deliberations surrounding it.

Furthermore, it is important to recognize the wide variations in motivations and practices of elite

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<sup>103</sup> Mariscotti, *Gender and Class*, 83-5.

<sup>104</sup> Ibid., 55.

<sup>105</sup> Ibid., 63-79.

women who framed their activism in different ways.<sup>106</sup> Thus, it follows that their support of the 1933 labour law was also equally variable. Yet the argument that legislation restricted work opportunities for women and reinforced a sexual division of labour is supported by law eighty's moral clause. As discussed in the preceding chapter, one of the main components of the code is article ten that lists twenty occupational categories women were prohibited from working in. Women were prevented from working in environments deemed detrimental to their feminine bodies and physical health as well as those that threatened their morality, namely the manufacturing of alcoholic beverages.<sup>107</sup> This creates a striking contradiction to the official regulation of prostitution as noted by Badran, which while largely considered immoral, was not illegalized.<sup>108</sup>

Article ten subsection seven bans women from employment in the "manufacture of alcohol, bouza and other alcoholic beverages."<sup>109</sup> Būzah was a cheap and locally produced alcoholic drink made out of barley. Though the preparation of beer from barley was a practice that dated back to the Pharaonic period, it was not a drink exclusive to Egypt.<sup>110</sup> Other areas in the Middle East and Central Asia had similar variations of it made of whatever crop widely available according to region, such as malt, corn, or wheat.<sup>111</sup> According to Hammad's study, women neither invested in or operated būzah businesses. Taverns in working class neighbourhoods were usually exclusively male businesses unlike coffee shops and stands, which were easier for

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<sup>106</sup> See Baron "Islam, Philanthropy, and Political Culture in Interwar Egypt: The Activism of Labiba Ahmad," in *Poverty and Charity in the Middle Eastern Contexts*, ed. Michael Bonner, Mine Ener Amy Singer (Albany: State University of New York Press, 2003), 239- 254.

<sup>107</sup> Muḥammad Farghalī Faraj et al., *Taghāyyurāt al-Waḍa' al-Ijtimā'ī li-l-Mar'ah fī Miṣr al-Mu'āṣirah* [Changes in Women's Social Status in Contemporary Egypt] (Cairo: Markiz al-Qawmī, 1974), 104; Laṭīfah Muḥammad Sālim, *al-Mar'ah al-Miṣrīyyah wa-l-Taghyīr al-Ijtimā'ī, 1919-1945* [Egyptian Women and Social Change, 1919-1945] (Cairo: al-Hay'ah al-Miṣriyyah al-'Āmmah li-l-Kitāb, 1984), 135.

<sup>108</sup> Badran, *Feminists, Islam, and Nation*, 174.

<sup>109</sup> Act No. 80, *Journal Officiel Égyptien*, 17 July 1933.

<sup>110</sup> Delphine Roger, "The Middle East and South Asia," in *Cambridge World History of Food Part II*, ed. Kenneth F. Kiple and Connee Ornelas Kriemhild (Cambridge: Cambridge University Press, 2000), 1141.

<sup>111</sup> Mehrdad Kia, *Daily Life in the Ottoman Empire* (California: Greenwood Press, 2011), 240.

women to run.<sup>112</sup> Though this may have been the case for Mahallah al-Kubra, the working class community which Hammad studies, there is evidence of the opposite in Egypt's major cities. In Abd al-Wahhab Bakr's research on vice in Cairo in the twentieth century, he notes that many small bars in lower class areas were owned by women of European descent, but eventually by the 1930s, the European "*barmijīyyah*" was replaced by the Egyptian owner.<sup>113</sup> Using court records, Will Hanley has also uncovered evidence of female ownership of drinking shops in Alexandria.<sup>114</sup> I also found a petition in the Palace Archives in Egyptian archives that further supports the claim that the sale of alcohol was not an exclusively male field. During the Second World War, the government issued an order to shut down many public houses including brothels and bars. Police often pursued these orders with physical force. In these raids, a group of female bar owners in Cairo had their stores forcibly closed due to what the police stated were licensing issues. They petitioned the king in December 1940 stating that their only means of making a living had been taken away. They contested the military command and requested the reinstatement of their license (see appendix one).<sup>115</sup>

Through my research in the 'Abdin palace archives, I was also able to uncover another petition from women involved in the production of alcohol, which was prohibited by law. This petition was from a group of Sudanese women who were making and selling *būḏah*. Though this is only one documented case, it shows how through law and regulation, new definitions of criminality through the enforcement of state-sanctioned femininity came into effect and how working women were drawn into the new institutional setting in varying ways. Previously

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<sup>112</sup> Hammad, "Mechanizing People, Localizing Modernity," 260-61.

<sup>113</sup> 'Abd al-Wahhāb Bakr, *Mujtama' al-Qāhira al-Sirrī, 1900-1951* [Cairo's Underground Society] (Cairo: al-'Arabī li-l-Nashr wa-l-Tawzī': 2001), 144.

<sup>114</sup> Will Hanley, "Foreignness and Localness in Alexandria," (PhD Dissertation, Princeton University, 2007), 52-53.

<sup>115</sup> DWQ 0069-008929, Petitions to the King's dīwān from individuals, 1940. For full translation of petition, see appendix 1.

unregulated occupations, such as the production of būzah, became illegal only on the basis of the gender of the person performing the job. Protective legislation in the form of law eighty aimed not only to protect women from the abuses of employers, but also aimed to protect notions of proper womanhood from women themselves and formalized the obligation of the state to intervene in such cases. In the process of creating and applying law, new classes of occupations were deemed illicit for women on the basis of their feminine natures, thereby criminalizing women who performed them. Before I analyze the petition it is important to situate the role alcohol played in Egyptian society in the first half of the twentieth century in order to untangle its threat to morality in general, and female morality in particular.

The term alcohol only became common in Europe in the twentieth century. Before the scientific discovery of the shared chemical basis of a wide variety beverages, drinks were considered as distinct categories of beers, wines, and spirits.<sup>116</sup> As this scientific knowledge took shape so did the singling out of alcohol as a particularly dangerous substance susceptible to abuse. In Europe this problem was intimately tied to class relations where it was the working classes that were perceived to be at the most risk. In the colonies, alcohol consumption took on racial hues. The British in particular feared the spread of alcohol among black Africans and developed a wide range of regulations limiting the ability to both buy and make alcoholic beverages in their colonies.<sup>117</sup> Yet the British never took this approach in Egypt. Though the Earl of Cromer (consul-general of Egypt from 1883-1907) makes references to the danger of alcohol in Egyptian society in his yearly reports and also encouraged the government regulation of its

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<sup>116</sup> Charles Ambler and Jonathan Crush, "Alcohol in Southern African Labor History," in *Liquor and Labor in Southern Africa*, ed. Jonathan Crush and Charles Ambler (Ohio: Ohio University Press, 1992), 4.

<sup>117</sup> Ibid, 13-15; Justin Willis, "Drinking Power: Alcohol and History in Africa," *History Compass* 3 (2005):1-13. See also Daniel Bradburd and William Jankowiak "Drugs, Desire, and European Economic Expansion," in *Drugs, Labor, and Colonial Expansion*, ed. William Jankowiak and Daniel Bradburd (Tucson: University of Arizona Press, 2003), 3-29, who discuss the connection between controlling alcohol consumption and labour discipline.

trade and sale, there was no concerted effort on behalf of the British to forbid consumption or push for policy in that direction.

In 1891, the Egyptian government passed a law governing public establishments, which included bars, cafes, restaurants, and brothels. This put into effect a licensing system for the sale of alcohol. In 1904, Cromer reported on the perception of the "alleged increase of drinking and drunkenness in Egypt" that was being discussed in elite circles. In his own investigation of the matter, he found that though imported alcohol has been decreasing (except for wine), the quantities of locally produced alcohol have been increasing. Cromer felt that this was the result of the increase in number of drinking-shops, mostly owned by Greeks. Using statistics collected by the Ministry of Interior, Cromer found that by the end of 1899, there were 4,054 licensed drinking shops in Egypt yet by 1904 this number had slightly decreased to a total of 4,015 registered shops. A "somewhat astonishing" fact according to Cromer was that Muslim proprietors owned 395 of these stores and while more than half were foreign owned, the numbers of local owners (both Egyptian and non-Egyptian) had been growing. For Cromer the solution to protecting what he called the "eminently Moslem moral quality of sobriety," lay in restricting these stores and controlling the quality of drink as well, as it was reportedly common practice to mix drinks with other, sometimes toxic, substances and sell them as cheaper alternatives.<sup>118</sup>

Between 1914 and 1918 it was estimated that demand for alcohol in Egypt increased by 200 percent.<sup>119</sup> The supposed increased use of alcohol created alarm within the government and proposals of prohibition were discussed on two separate occasions in the Chamber of Deputies in 1924. Yet the taxes on the sale and manufacturing of alcohol was a stable source of revenue and therefore the government never pursued proposals to ban the import or the local production of

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<sup>118</sup> FO 407/164, Cromer's Report of 1904.

<sup>119</sup> Bakr, *Mujtama' al-Qāhirah al-sirrī*, 146.

alcohol.<sup>120</sup> Aside for imports of European beers, wines, and spirits, for the most part, small producers and distilleries dominated the production of locally produced alcoholic beverages.<sup>121</sup> By 1937 there was only one large factory located on the outskirts of Cairo producing alcohol from molasses and sugar waste left over from sugar refineries. This one factory was reported to have paid 250,000 LE in taxes to the government.<sup>122</sup> Throughout the 1930s and 40s, the estimated number of those selling alcohol without a proper license continued to increase most likely in the attempt to cater to an expanding market. According to police files, the number of stores charged with breaking regulations in 1930 was 303. By 1944 this number had more than doubled with 682 stores.<sup>123</sup>

Scholars all over the Muslim world engaged in centuries long debates on wine and other intoxicating substances. Notwithstanding the complexities of these discussions, the consumption of alcoholic beverages was considered a vice and scholars generally condemned intoxicants of any substance.<sup>124</sup> According to shari‘ah law, there are fixed corporal punishments for drinking, but authorities such as the police and the courts in both the medieval and modern period had wide discretion in dealing with public drunkenness.<sup>125</sup> The sources on alcohol sale and production in Egypt point to a general increase in both during the first decades of the twentieth

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<sup>120</sup> Just a few years prior in 1921-22 the government increased the customs tax on imported alcohol and applied a corresponding hike to the excise tax covering its local sale and manufacturing. By 1928 a new increase in the excise tax was also being negotiated. □ See FO 407/195, Report on Egypt for the Year 1921; British Department of Overseas Trade, *Report on the Economic and Financial Situation of Egypt*, (London: His Majesty's Stationery Office, 1928), 33; FO 407/218, Report from Judicial Adviser, EFW Besly, 4 October 1935.

<sup>121</sup> FO 407/195, Report on Egypt for the Year 1921.

<sup>122</sup> WO 287/40, Military Report on Egypt, 1937, p. 383.

<sup>123</sup> Bakr, *Mujtama‘ al-Qāhirah al-Sirrī*, 148.

<sup>124</sup> Kathryn Kueny, *The Rhetoric of Sobriety: Wine in Early Islam* (Albany: SUNY Press, 2001), 3; Ahmad Ali Taha Rayyan, *Al-Muskirāt: Āthārha wa ‘ilajuha fī al-Sharī‘ah al-Islāmīyah wa Khutūratuha al-Mudammirah ‘ala Jism al-Insān* [Alcoholic Beverages: Its Effects and Cures in Islamic Law and its Dangers to the Human Body] (Cairo: Dār al Fadīla, 2013). Wine and other intoxicants also served as important imagery in popular poetry in many Muslim societies. See Franz Rosenthal, *Man Versus Society in Medieval Islam*, ed. Dimitry Gutas (Leiden, Brill, 2014) 748.

<sup>125</sup> Sami Zubaida, *Law and Power in the Islamic World* (London: IB Tauris, 2003), 177; Francois Georgeon, "Ottomans and Drinkers: The Consumption of Alcohol in Istanbul in the Nineteenth Century" in *Outside In: On the Margins of the Modern Middle East*, ed. Eugene Rogan (London: I.B. Tauris, 2002), 10.

century. In many modern societies, as urbanization grew so did the use of alcohol as both a means of subsistence and as a means of easing the pressures and difficulties of industrial work.<sup>126</sup> In Egypt, *būḏah* taverns catered to a working class customer base that spent their leisure time there. Though it was a very affordable alternative to imported alcoholic beverages, it was nonetheless still a luxury for many. It was also used as an aid by workers to help them get through long factory shifts and some even believed that the Islamic restraint on alcohol did not apply to *būḏah* because of its reported health benefits.<sup>127</sup> Thus, spaces where workers could freely drink alcohol also became sites of class-consciousness.

Despite the failed attempt in parliament to prohibit alcohol, many influential religious figures in Egypt continue to call for its ban. In a speech delivered at the fifth conference of the Muslim Brotherhood in 1939, its founder al-Banna had posed the infamous question of who should one follow, the state that allows interest, alcohol, fornication, and gambling, or God and his Prophet who forbid them?<sup>128</sup> There were also others such as shaykh Ahmad Muhammad Shakir (1892-1958). Shakir was a shari‘ah court judge and a *muḥaddith* (transmitter of ḥadīth). He was also a prolific author and editor of classical texts who came to be considered "the greatest traditionist of his time."<sup>129</sup> He tirelessly defended the authenticity of the Islamic tradition and advocated for strictly literal interpretations of text. For him, alcohol was a betrayal of Islamic morals and a direct consequence of colonialism. In his treatise on hadith relating to alcohol consumption and its punishments, Shakir harshly criticized the government that spent millions in its "fierce war"

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<sup>126</sup> Ambler and Crush, "Alcohol in Southern African Labor History," 2.

<sup>127</sup> Hammad, "Mechanizing People, Localizing Modernity," 135, 260.

<sup>128</sup> As quoted in Bakr, *Mujtama‘ al-Qāhirah al-Sirrī* 46.

<sup>129</sup> G.H.A. Juynboll, *Studies on the Origins and Uses of Islamic Hadith* (Great Britain: Variorum, 1996), 221-222.



on drugs yet ignored alcohol completely. For him, both substances were evil consequences of colonialism and subjugation (*al-ist' amār wa al-ist' abād*).<sup>130</sup>

This represents an interesting reversal of British perceptions of alcohol use in Egypt. Cromer for example, believed that increased consumption was an unintended consequences of westernization. In other words alcohol was a not so pleasant part of learning western ways.<sup>131</sup> For Shakir the spread of alcohol was a war tactic, part of the "intense crusade war" of the "fanatical colonial atheists" (*al-must' amirūn al-mulhidūn wa al-mut' aṣībūn*) who wanted to subjugate Muslims in general, and Egyptians in particular. In a scathing criticism of the British and the ruling class, Shakir writes that alcohol was the means through which colonialists preoccupied Egyptians with their own earthly lust and pleasures (*shahawatihum al-dunyawiyyah*) in order for them to surrender as pliable subjects.<sup>132</sup> In the face of this challenge and with the understanding of what alcohol really was, Shakir advocated for the full implementation of corporal punishments for public drunkenness as stated in hadīth where upon the fourth incidence, there would be a judgment of death (*qatl modminī al-khamr*).

Other religious scholars took a much more subtle approach in the argument against alcohol. For example Shaykh Ahmad Mustafa al-Maraghi addressed the issue in his *tafsīr* of the Qur'an. Al-Maraghi lists both the advantages and disadvantages of alcohol, but overall argued that disadvantages outweighed its benefits. Al-Maraghi feared for the progeny of the nation and used population arguments on the negative health effects of alcohol that led to interruptions and defects in procreation.<sup>133</sup> Continued use of alcohol resulted in weaker and weaker bodies and

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<sup>130</sup> Aḥmad Muḥammad Shākir, *Kalimāt al-Faṣl fī Qatl Mudminī al-Khamr*, (Cairo: Dār al-Ma'ārif, 1951), 6.

<sup>131</sup> FO 407/164, Cromer's Report of 1904.

<sup>132</sup> Shākir, *Kalimāt al-Faṣl*, 6

<sup>133</sup> Aḥmad Muṣṭafā al-Marāghī *Tafsīr al-Marāghī, al-Juz al-thani* (Cairo: Shirkah wa maktabah wa matba'at Mustafa al-Babī al-Halabī wa Awladuhu, 1946), 144-45. Al-Marāghī was a teacher at Dār al-Ulūm, and not to be confused with al-Marāghī who was the Azhar reformer and rector.

mental states with each generation born. He quoted the words of an unidentified doctor who once said, "close half the pubs (*ḥānāt*) and I will guarantee you that we can dispense with half of the hospitals." For<sup>134</sup> him, the effects of alcohol on the body were especially dangerous for the lower classes and the poor who were said to use toxic ingredients added to "some water and sugar" to make alcohol. According to al-Maraghi "it is not unlikely that the ummah will go extinct after two generations or more, like the Native Indians of America. Only a few labourers and servants will be left, for alcohol and fornication are corrosive and send nations to complete extinction."<sup>135</sup>

For women in twentieth century Egypt, the consumption of alcohol was doubly condemned as not only was it morally wrong, but it was also inimical to their femininity. Occupations considered unsuitable to women's nature and deplored such as entertaining (dancers, singers, and even actresses) and prostitution were linked to drinking and bars. This<sup>136</sup> was because oftentimes women in prostitution and entertainment worked in environments where alcohol was sold and/or consumed.<sup>137</sup> Yet there was also a conceptual link between visibility and vice that crossed class boundaries. As elite and middle class women increasingly looked to and took up opportunities outside the home, anxieties revolving around the mingling of genders surfaced in the press in 1930s Egypt. Conservative writers who had a wide base of ideological support equated women's presence in the public sphere to moral depravity and disorder<sup>138</sup>. This can be seen in Shakir's lamenting of a time when alcohol was not so widely practiced or visible. For Shakir, drinking

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<sup>134</sup> Ibid., 141

<sup>135</sup> Ibid., 144.

<sup>136</sup> Karin Van Nieuwkerk, "Female Entertainers in Egypt: Drinking and Gender Roles," in *Alcohol, Gender and Culture*, ed. Dimitra Gefour-Madianou (London: Routledge, 1992), 37.

<sup>137</sup> Bakr, *Mujtama' al-Qāhirah al-Sirrī*, 135-143.

<sup>138</sup> Hanan Kholoussy, *For Better, For Worse: The Marriage Crisis that Made Modern Egypt* (Stanford: Stanford University Press, 2010), 50-66.

had become something "flouted by Muslims of all classes, from the highest to the lowest, even women, who declare openly their drinking in houses, clubs, and at public gatherings."<sup>139</sup>

What was interesting about article ten of law eighty is that it only prohibited women from working in the production of *būzah* and other alcoholic beverages, but made no mention of work in bars or other establishments such as hotels where alcohol was sold. As part of their general campaign against what they considered to be the moral decay of society, which included the fight to end legalized prostitution, the EFU also directed efforts towards restricting the sale and consumption of alcohol. Though they did not call for complete prohibition, they fought for limiting opening hours of bars as well as imposing a minimum age for drinking. Furthermore, at a conference in 1944, one of the resolutions adopted by the EFU and other participants was to prohibit young girls (*al-fatayāt*) from working in bars.<sup>140</sup>

This proposal never translated into law yet the criminalization of women involved in making alcohol was in full effect. While the spread of urbanization and industrialization provided more job opportunities for Egyptians, women's access to these jobs was restricted. In May of 1940, a group of Sudanese women living in Cairo and making a living off the production of *būzah* sent two petitions to the king. The first letter is undated and unsigned but was stamped by an official in the diwan that states the letter was received in 1930 (see appendix two). The petition bares striking resemblance to the second letter dated May 22, 1940 (appendix three), which makes it very plausible that both petitions are from the same group. The first letter highlights the plight of the widowed Sudanese women (*al-sūdaniyat al-ārāmil*). In it they complained of daily police attacks on their stores and the destruction of their products writing, "everyday the police men

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<sup>139</sup> Kholoussy, *For Better, For Worse*, 94.

<sup>140</sup> Huda Sha'rawī keynote address as reproduced in Durīyyah Shafīq and Ibrahim 'Abduh, *Taṭawwur al-Nahḍah al-Nisā' iyyah fī Miṣr Min 'Ahd Muḥammad 'Alī ilā 'Ahd al-Fārūq* [The Development of the Women's Movement in Egypt from the Era of Muḥammad 'Alī to Fārūq] (Cairo: Matba'at al-Tawakul bi-Jamamīz, 1945), 132-150.

attack our stores and take away the būzah from us even though we need it." Beyond this, the women do not offer much more detail in their first complaint. I believe that the same group of women submitted the two petitions because key terms used to describe themselves in the first letter are present in the second one as well (see appendix two and three for full translations). The later petition provides more information on their backgrounds and interactions with the government. The women are widows and children of Sudanese soldiers who had served for the Egyptian army. They moved with their families from their homes in the Sudan to Egypt where they had been living for many years and according to the letter, their male relatives had died during their service to the Egyptian state, leaving the women to fend for themselves. The women thought of themselves as a "community of poor Sūdānīyāt women" and had established a quite ingenious system of work-sharing amongst themselves. Rather than each to her own, they shared resources and split up the days of the week amongst themselves so as to "not deprive anyone from sustenance."<sup>141</sup>

The petitioners argued that they had no other opportunity for work due to old age except through būzah. They made the drink by mixing wheat with a liquid substance such as water. An official that had they had met earlier had told them that according to law their business had to be stopped. They were told that their manufacturing of būzah was forbidden as part of the effort to fight the spread of prostitution and "the wandering of fallen women." They write,

We are members [of the community] in every respect; dealing in [dishonourable acts] is not in our nature. Extending our hand to those who are not honourable is not in our occupation, and stealing and looting are not in our religion. As we have presented, we

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<sup>141</sup> DWQ 0069-012034, Āwrāq Khaṣaḥ bi Shawkā B'ad al-Sudānīyāt Min Mohājimat al-Būlīs al-Misrī li-Maḥalāt al-Būzah alātī Tata'ish Minha [Papers on the complaint from Sudanese women regarding police raids of their stores], letter dated 22 May 1940.

have reached old age and are unable to take up any work that uses up all our effort such as cooking, washing, and cleaning homes or that these jobs are not available due to the economic situation in family homes. As all kinds of work have been closed in our faces and we still have to cover the costs of our children's food and clothes or paying off sizeable government taxes. We are able to do it only by [performing] the occupation of our country, which we perform by splitting up the days of the week in a just way amongst ourselves so that no one is deprived from sustenance that God has blessed us with from making "*būḏah*"... For this is the custom of our country and with it we live and without it we die.<sup>142</sup>

The women defend themselves against the claims of government officials and police that have charged them with performing a dishonourable occupation, writing that they have nothing to do with "fallen women." In their petition, they agree with the principle that sex work is immoral as well as with the duty of the government to interfere in such work, yet they distance themselves and their business from sex workers and the environments which they inhabit. Instead, the Sudanese women write that if the government wishes to eliminate "uncivil manners," such as sex work then policy should target such women directly and not the honourable occupation of *būḏah* production, which according to the petitioners is an unjust conflation of two very distinct types of work. They saw the actions of the police, which destroyed their business as an injustice since they relied solely on the income derived from making *būḏah*. They call on the king and the prime minister to reevaluate the laws that have led the further oppression of already poor women, writing,

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<sup>142</sup> DWQ 0069-012034, *Āwrāq Khaṣah bi Shakwā B'ad al-Sudāniyāt*.

Your majesty will not accept for us to go hungry or an injustice against us – for this reason we moved to submit our petition to Your Majesty for your comprehensive review [for] restoration and mercy upon us and with a noble and honourable [word] with the high office of Prime Minister of the nation on the non- [destruction] of our subsistence...<sup>143</sup>

This petition shows that women who held different economic positions and work experiences evaluated what was expected of them and therefore reacted to state intervention in disparate ways.<sup>144</sup> The Sudanese petitioners were not arguing against the principle of intervention but rather took issue with the target of state efforts. Drawing on notions of justice and the idea that the state's obligation relies on the protection of all vulnerable women, the petitioners attempted a renegotiation of their classification as illegal and dishonourable. Thus the women embraced the idea of state protection, but rejected its exclusionary basis by occupation.

## Conclusion

The restrictions on how women worked and what jobs they could and could not do as embodied by law eighty can be seen as an extension of Judith Tucker's argument regarding the increasingly interventionist state. Tucker, who ends her analysis with the beginning of the First World War, shows how Egypt's integration into the European economic order changed women's activities, positions, and power.<sup>145</sup> She writes that the development of interventionist state policy in this period resulted in the erosion of women's traditional institutions and a decrease in their economic

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<sup>143</sup> DWQ 0069-012034, Āwrāq Khaṣah bi Shawkā B'ad al-Sudāniyāt.

<sup>144</sup> Sharon C. Bolton and Knut Laaser, "Work, Employment, and Society Through the Lens of Moral economy" *Work, Employment and Society* 23 no.3 (2013): 514-518.

<sup>145</sup> Judith Tucker, *Women in Nineteenth Century Egypt* (New York: Cambridge University Press, 1985), 4-9.

activity. In addition, because there was no radical change in the family structure, this resulted in the accentuation of women's dependence on patriarchal family structures.<sup>146</sup>

I have argued that female labour regulation was indeed a cause and consequence of state centralization, yet while older forms of organizing women's economic participation may have eroded, new norms, standards, and practices surrounding their labour were created as well. The law governing female employment in industry and commerce instilled new ideas regarding women's work and established new norms of intervention. Law eighty enshrined the obligation of the state to insulate vulnerable working women from the forces of the market that sought out their exploitation and undermined their femininity. Through revealing the mundane aspects of government regulation, I have shown how the obligation to intervene in such instances created a new foundation in the relationship between the state and lower class working women.

I have also shown how women who were targeted by the state for compliance had varying reactions as a result of their different experiences of work. While some women challenged the state, others sought the extension of its protection. Law eighty incorporated and solidified dominant notions of femininity and legalized ideas of morally suitable work for women. In practice, this meant less opportunities of employment and the criminalization of women who could not comply. Yet as demonstrated above, this did not necessarily translate into an increased dependence on patriarchal family structures. The changing state-citizen relationship meant that lower class women could now turn to the state and its representatives on the expectation of mediation in their economic activities. As in the example of the Sudanese women, they employed notions of justice to argue for the right to protection after being excluded from it by law. Furthermore, as evidenced by petitions discussed in this chapter, women created their own networks, mobilized resources, and depended on each other in the face of harsh circumstance and

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<sup>146</sup> Tucker, *Women in Nineteenth Century Egypt*, 198.

restrictive state policy. As I will also argue in the following chapters in the case of sex workers and that of the Maltese women evaders (chapters four and five respectively), women used and depended on networks that were extra-familial. By relying on the resources of the community and neighbourhood, women attempted to escape, and in the case of the Maltese women, were successful in escaping the confines of government policy. This is not to say that the patriarchal family was effectively undermined by these actions, but rather the aim is to reveal the various ways in which lower class women attempted to secure their means of making a living outside of dominant structures.



***Naḥnu al-mūmisāt: Sex Workers and the State in Egypt, 1930-48***

In a communal petition submitted to King Fu'ad I (r. 1917-1936) in July of 1930, Fahimah Khalil along with fifty-one individuals from her neighbourhood criticized a decision by their local council to relocate the city's prostitution quarter (see appendix four).<sup>1</sup> Khalil, along with the majority of the petition's signatories, was a sex worker and brothel owner in the city of al-Minya, Egypt, about 250 kilometres south of Cairo.<sup>2</sup> Adding their support to the petition were male and female store and coffee shop owners whose businesses were in the same neighbourhood as the sex worker's place of work. They argued that the proposed change in location would cause harm to the sex workers themselves, to the various businesses in the neighbourhood, as well as threaten the larger public safety concerns of the municipality. The petition implored the king to put pressure on the Ministry of Interior and the Public Health Office to reconsider and reverse the city council's decision.

This is just one of the handful of petitions both individual and communal that will be the focal point of this chapter. I discuss the end of the system of licensed prostitution in Egypt in the 1930s and 40s in light of new information contained in these petitions on the response of sex

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<sup>1</sup> DWQ 4029-000556, *Āwrāq Ilgha' al-Bighā' al-Rasmī, 1938-42 shakwā* [papers on abolishing registered prostitution, 1938-42, complaint]. The petition is currently held in the files of the Ministry of Social Affairs though it was addressed to the King and was initially sent to 'Ābdīn Palace. The petition falls outside of the dates indicated in its folder and it seems likely to have been misfiled or misplaced as some point as the other files in the same folder all deal with a court case involving an officer from the Office of Moral Protection. See appendix four for a full translation of petition.

<sup>2</sup> Following Hanan Hammad's usage, I use the term sex worker instead of prostitute in my own analysis and employ the term prostitute only when directly quoting primary sources. The term prostitute has certain derogatory associations while the term sex worker extricates analysis from such insinuations and brings the focus back to working women making a living. See Hammad, "Regulating Sexuality: The Colonial-National Struggle Over Prostitution After the British Invasion," in *The Long 1890's In Egypt: Colonial Quiescence, Subterranean Resistance*, ed. Marilyn Booth and Gorman Anthony (Edinburgh: Edinburgh University Press, 2014), n.1.

workers to the slow dissolution of regulation. Scholars have previously argued that laws governing the profession left sex workers without any legal rights.<sup>3</sup> However, I argue that abidance to state regulation came with an implicit assumption that sex workers would in turn be owed certain protections. When those protections were not forthcoming, or when the government itself contradicted the terms of this implicit agreement, sex workers used petitions to express their concerns. Thus, while state policy had the effect of marginalizing sex workers, this process was not passively accepted. Through an analysis of petitions submitted to the government by sex workers, I show how women contested changes to the system by redeploying commonly held notions of justice and the responsibility of the modern state to its citizens in an effort to secure their livelihoods.

These petitions are currently held in the Ministry of Social Affairs and the King's Palace ('Abdin) archives of the National Archives of Egypt (*Dar al-Watha'iq al-Qawmiyyah*). Petitions were an integral aspect of governance in seventeenth and eighteenth century Egypt as in elsewhere in the Muslim world.<sup>4</sup> Some scholars have commented that with the consolidation of modern bureaucratic institutions beginning in the mid to late-nineteenth century, older communal forms of expressing and settling grievances such as petitions wavered.<sup>5</sup> Yet petitions endured as an important channel of communication between Egyptian subjects and their rulers well into the first half of the twentieth century. The 'Abdin archives in the Egyptian National Library houses thousands of petitions sent in to the king from individuals and groups all over the country up until the monarchy's downfall in 1952. With the expansion of state bureaucracy petitions were

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<sup>3</sup> Judith Tucker, *Women in Nineteenth-Century Egypt* (Cambridge: Cambridge University Press, 1985), 196-97; Hammad, "Regulating Sexuality," 215.

<sup>4</sup> James E. Baldwin, "Petitioning the Sultan in Ottoman Egypt," *Bulletin of the School of Oriental and African Studies* 75 (2012): 499-524.

<sup>5</sup> John Chalcraft, "Counterhegemonic Effects: Weighing, Measuring, Petitions and Bureaucracy in Nineteenth-Century Egypt," in *Counterhegemony in the Colony and Postcolony*, ed. John Chalcraft and Yaseen Noorani (New York: Palgrave Macmillan, 2007) 200.

also addressed to ministers and their ministries. Thus, the Ministry of Social Affairs, established in 1939 and put in charge of labour affairs, cooperative societies, and social services, as well as legalized prostitution, began receiving petitions immediately after it was established. With the slow dismantling of the system of licensed prostitution in the 1940s, sex workers turned to the ministry seeking assistance and demanding their rights.

In researching prostitution in modern Egyptian history, scholars have focused on police files, information from the department of public health, and contemporary journalistic and medical sources for their work. To my knowledge, the archives of the Ministry of Social Affairs have not been previously mined for information regarding prostitution. When the ministry was established, it took on partial responsibility for the system of regulation. It cooperated with the police and other government branches in overseeing the regulation of licensed brothels.<sup>6</sup> The ministry was also assigned the task of drafting legislation to illegalize prostitution. In fact, as I will discuss below, the activity of the ministry contributed more to the dismantling of the system of regulation than its actual monitoring of it.

Its archives contain numerous files titled *Ilgha' al-Bighā'* or *Āwrāq 'an al-Bighā'* (abolishing prostitution or files on prostitution) from even before the ministry was founded. Information contained in the archives includes rare petitions documenting grievances from sex workers mostly in regards to the end of regulation and the forced shutdown of licensed brothels. The petitions were initially sent to a number of offices and actors, including the king, local municipal councils, and relevant ministries. It seems that all these files were included in the records of the Ministry of Social Affairs at some point in time, though when exactly is unclear. The presence of letters addressed to other government departments reflects bureaucratic cooperation between different ministries and offices, resulting in the circulation of their petitions. This is clear in the

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<sup>6</sup> DWQ 4029-000034, Memorandum on the history the Ministry of Social Affairs, 20 Jan 1952.

administrative memos found in the archives as well. These memos, written by government staff, consist of summaries of petitions, which were forwarded to different officials and departments for further consideration. Yet this does not seem to have been a consistent practice. With other petitions there is no indication that administrators ever investigated grievances. The only available evidence of a reaction from the state is found in a government stamp on petitions, which indicates the date of receipt. How the state responded to petitions from sex workers seems to have been unsystematic.

While there is evidence that sex workers sent many petitions to various government offices not all of the files are original copies. What remains of them are only traces of complaints as documented in administrative memos. Other petitions though original copies are short and do not offer much detail. These letters are often two or three sentences long and include the name, occupation, and city of residence of the petitioner as well as a brief request for financial assistance, access to personal medical files, or even other employment opportunities. The petitions that I focus on in this chapter offer the most detail on the grievances of the petitioners. Not all of them are equally elaborate but they offer information on how sex workers perceived and reacted to changing government policy.

John Chalcraft has argued that the growth of the bureaucratic order in Egypt had the effect of undermining older forms of articulating discontent, such as petitions and the application of customary law.<sup>7</sup> He places the beginning of this process under Muhammad 'Ali (r. 1805- 1848) who introduced new ministries with different functions culminating at the end of the nineteenth century. The growth of a modern bureaucracy and new forms of collective grievances such as mass demonstrations, were established simultaneously as older forms of grievances such as

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<sup>7</sup> Chalcraft, "Counterhegemonic Effects," 200-201.

petitions lost their efficacy.<sup>8</sup> Yet petitions were a key tactic through which sex workers could resolve their grievances. The many petitions that were sent to government offices throughout the 1930s and 1940s could point to a more drawn out process than that proposed by Chalcraft. Considering the illiteracy rates of the time period of this article where in 1937 over 80 percent of the population was illiterate, it is likely that professional petition writers or representatives (*wakīl*) wrote the majority of petitions and not the sex workers themselves.<sup>9</sup> Though some petitioners were able to sign their names in their own handwriting, many used thumbprints or stamps.

The longer petitions are quite formulaic in that they begin and end with formal idioms expressing respect and loyalty to the king and state. Certain elements present in many petitions such as the use of honourific titles, salutations, and well wishes upon the king and administrators were considered “necessary formulas,” for petitions. They are also most likely evidence of the use of professional petition writers who had knowledge of such formal conventions.<sup>10</sup> Yet as Chalcraft writes, the formulaic aspects of petitions, which called on not only the justice of the ruler, but also on abidance to bureaucratic regulations and the rule of law, served a particular function. They were meant to remind the king and state officials of the “public bargain between ruler and ruled,” that is that the legitimacy of the rulers was inextricably tied to how just they were perceived which in turn informed how loyal their subjects would be.<sup>11</sup>

Scholars of the history of prostitution in various fields have noted there are a serious lack of

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<sup>8</sup> Chalcraft, "Counterhegemonic Effects," 185-198.

<sup>9</sup> A.A.I. El-Gritly, "The Structure of Modern Industry in Egypt," *L'Égypte contemporaine*, no. 241-241 (November-December, 1947): 531.

<sup>10</sup> John Chalcraft, *The Striking Cabbies of Cairo and Other Stories: Crafts and Guilds in Egypt, 1863-1914* (Albany: State University of New York Press, 2004), 89.

<sup>11</sup> Ibid.

sources that offer the perspective of the women themselves.<sup>12</sup> Though this is generally the case, new research by Ebru Boyar shows that perhaps there is a shift occurring in the scholarship. In one of her contributions to an edited volume that explores the multiple ways women in the Ottoman Empire were active in public spaces, Boyar draws on a petition she uncovered to make an argument for the relationship between moral norms and marginality. In 1908, a group of sex workers from Thessaloniki submitted a petition taking issue with certain aspects of state regulation. Boyar argues that the petition is evidence that as an effect of state regulation sex workers "had become a vocal professional group like any other."<sup>13</sup> Boyar writes that with these petitions, sex workers can be considered workers claiming their rights proving that "powerlessness was not necessarily the outcome of social marginalisation."<sup>14</sup>

In the history of modern Egypt, there has been only limited evidence of sex workers protesting state regulation and intervention. Khaled Fahmy briefly mentions a petition sent to the khedive in the late nineteenth century from nine sex workers complaining about the conditions of their exile.<sup>15</sup> In a footnote, Bruce Dunne mentions a 1938 incident where thirty-eight sex workers held a protest at the Ministry of Interior in response to a decision preventing the renewal of brothel licenses.<sup>16</sup> Hanan Hammad also mentions that during World War II many women petitioned the government to lift a ban on prostitution in towns outside of provincial capitals and

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<sup>12</sup> See for example Bruce W Dunne, "Sexuality and the 'Civilizing Process' in Modern Egypt" (PhD diss., Georgetown University, 1996), 23; Liat Kozma, *Women on the Margins and Legal Reform in Late Nineteenth-Century Egypt, 1850-1882* (PhD Diss, New York University, 2006). Kozma writes that the narratives of sex workers themselves are hard to trace as biographical details are rarely registered, 187. See also Gail Hershat, *Dangerous Pleasures: Prostitution and Modernity in Twentieth Century Shanghai*. (Berkeley: University of California Press, 1997), 3.

<sup>13</sup> Ebru Boyar, "An Imagined Moral Community: Ottoman Female Public Presence, Honour and Marginality," in *Ottoman Women in Public Space*, ed. Ebru Boyar and Kate Fleet (Leiden: Brill 2016), 227-228.

<sup>14</sup> *Ibid.*, 209.

<sup>15</sup> Khaled Fahmy. "Prostitution in Egypt in the Nineteenth-Century," In *Outside In: On the Margins of the Modern Middle East*, ed. Eugene Rogan (London: I.B. Tauris, 2002), 93.

<sup>16</sup> Dunne, *Sexuality and the 'Civilizing Process'*, 313.

major cities that had been enforced under martial law.<sup>17</sup> Yet scholars have yet to fully incorporate petitions such as those found in the Egyptian Archives into their analysis.

This chapter is dedicated to an analysis of the petitions from sex workers found in the archives of the Ministry of Social Affairs and the king's palace submitted between 1930 and 1948. It contributes to the scholarship on the history of prostitution by incorporating previously unused sources that "complicate the overarching discourse in which subalterns appear only as positioned by their elite spokespersons."<sup>18</sup> The petitions stand as a corrective to the dominant perception of sex workers as silent and voiceless as well as allow us a glimpse into the application of law and its practical functionalities. As Chalcraft has noted, petitions are dialogical.<sup>19</sup> In presenting a case that requires judgment or interference from rulers, petitioners engage with official discourses by disputing and redefining terms. Thus, petitions and the petitioners must be situated within the larger narrative of sex, criminality, and the modern nation of twentieth century Egypt that shaped the way boundaries, imagined and material at both the national and local level, were formed.

The discourse and legislation that shaped the lives of sex workers in twentieth century Egypt combined dominant perceptions of modernity, gender, morality and national honour, resulting in a reevaluation of law. Old laws governing the occupation of sex work were no longer deemed conducive to the image and practice of a modern nation-state and its citizens. Thus, old laws were revoked and a new law banning sex work was passed. In this process, women's control over their own work environments was loosened as they were separated from the means of their livelihood and torn apart from the communities where they worked and lived. Yet as I

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<sup>17</sup> Hanan Hammad, "Between Egyptian "National Purity" and "Local Flexibility": Prostitution in al-Mahalla al-Kubra in the First Half of the Twentieth Century," *Journal of Social History* 44 (2011): 768.

<sup>18</sup> Hershat, *Dangerous Pleasure*, 25-26.

<sup>19</sup> John Chalcraft, "Engaging the State: Peasants and Petitions in Egypt on the Eve of Colonial Rule." *International Journal of Middle East Studies* 37 (2005): 303-308.

will argue in this chapter marginality was not a passively accepted or stable condition. Instead I show that sex workers maneuvered using the structures and discourse of governance in an effort to push back against marginalization. The petitions reveal the intricacies of the relationship of lower class women to the state, to their immediate community, and to larger society.

The focal point of the previous two chapters has been the negotiations that surrounded the passing of female labour law and the application of that law in the first years after its promulgation. Yet as previously mentioned the scope of law 80 was limited. While the government chose not to interfere in the organization of certain occupational categories, such as women employed by their relatives, in other instances, separate regulations were required. The following two chapters are dedicated to an analysis of female labour outside of the scope of law eighty. By looking at state interference through the example of sex work, which will be discussed below, and British conscription, which will be discussed in the following chapter, I am able to juxtapose multiple sources in order to reveal the variability and complexities of regulating the work of lower class women in the post WWI Egypt.

This patchwork of legislation governing women's work is reflective of the endemic duality, which characterized the relationship of the state to its lower class female citizens. There was both a concern and a neglect women's work in Egypt in this period. The continued neglect of women's work even within the context of government interference has been discussed in the previous chapters. This chapter and the following one will tackle more concretely patterns of state concern. With the passing of laws including law eighty of 1933 governing the employment of women in industry and commerce, regulations concerning prostitution and conscription laws enforced by the British during WWII, the state was able to intervene in the lives of urban lower-class women in new ways.



In this chapter, I begin with a brief history of the system of licensed prostitution in Egypt followed by a summary of the petitions and their analysis. The first part of the analysis focuses on the aforementioned petition submitted to the king from brothel owners in al-Minya. The second section of analysis concludes the chapter with a discussion on the last years of the system of regulation, drawing upon several petitions submitted by sex workers to the government during the 1940s.

### **The History of Regulation**

Sex workers have been a concern of the government for many centuries in Egypt. In seventeenth century Cairo, they were part of the system of guilds and were listed in the registers of the officers in charge of tax collection.<sup>20</sup> In the eighteenth century, the *wālī* of Egypt collected taxes from sex workers, as well as served as the judge in their criminal cases.<sup>21</sup> European travellers to Egypt in the nineteenth century often commented on the visibility of sex workers in major cities though statistics on prostitution from this time period do not exist.<sup>22</sup> Sex workers for the most part were tolerated, yet faced intermittent bans and expulsions when perceived as a threat. This would result in exile from major cities and away from military encampments. There are several incidents of sex workers being pushed out by the authorities throughout the eighteenth century. Even during the French invasion of Egypt in 1799, they were prohibited from entering Cairo due to fears of transmission of disease.<sup>23</sup> Prohibitions were also enforced under the reign of

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<sup>20</sup> Gabriel Baer, *Egyptian Guilds in Modern Times* (Jerusalem: Israel Oriental Society, 1964), 13 (see footnote 27); Tucker, *Women in Nineteenth-Century Egypt*, 151; Hammad, "Regulating Sexuality," 197.

<sup>21</sup> Tucker, *Women in Nineteenth-Century Egypt*, 151.

<sup>22</sup> 'Imad Hilal, *al-Baghāyā fī Miṣr: Dirāsah Tārīkhīyah Ijtimā'īyah 1834-1949* [Sex Workers in Egypt: A Socio-Historical Study], (Cairo: al-'Arabī li-l-Nashr wa-l-Tawzī, 2001), 52.

<sup>23</sup> Tucker, *Women in Nineteenth-Century Egypt*, 151. Dunne, "Sexuality and the Civilizing Process," 55.

Muhammad Ali who in 1834 forced sex workers out of Cairo and into smaller cities in Upper Egypt.<sup>24</sup>

Bruce Dunne places his analysis of prostitution in Egypt within modernity's "civilizing process," and the corresponding extension of social control. He notes that medical surveillance of sex workers was used as a means to maintain the health and discipline of the army and nation, as well as a means of maintaining public order.<sup>25</sup> The question of what propelled state action towards prostitution in the nineteenth century is debated. Addressing the relationship between medical concerns of the military and state policy regarding sex workers, Khaled Fahmy has argued that prostitution was "considered more of a menace to discipline and health than to morals."<sup>26</sup> He therefore makes the argument that the 1834 ban against sex workers in Cairo and subsequent incremental regulation was not a result of public opinion as previous scholarship has noted, but rather the driving force was the health and discipline of the troops upon which public order depended. Sex workers were believed to be the source of venereal disease and therefore, the ban was implemented as a reactionary measure. What was at issue according to Fahmy was not morals, but rather regulating the trade ultimately in the service of the medical concerns of the military. Fahmy draws on communal petitions in the late nineteenth century that complained of the proximity of brothels to respectable houses. He writes that these grievances take issue with the closeness of prostitution and not the fact that sex workers were allowed to practice their trade in the first place. He argues that this is evidence of the dominance of medical concerns over

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<sup>24</sup> Tucker, *Women in Nineteenth-Century Egypt*, 151.

<sup>25</sup> Dunne, *Sexuality and the "Civilizing Process,"* 6-12.

<sup>26</sup> Fahmy, "Prostitution in Egypt," 82.

morality, which resulted in the eclipse of the sex worker's body by brothels as the main site of concern.<sup>27</sup>

Fahmy's argument is supported by the fact that the law does indeed reflect a growing concern with brothels. Furthermore, scholars examining court records have noted that no sex worker was ever charged with prostitution, even though they are present in the records in incidents of theft and other crimes. Additionally, crimes of a sexual nature, including *zinā* (fornication), *ighṭiṣāb* (rape), and homosexuality appear in court cases during this period, supporting the argument that government interference was not morally driven.<sup>28</sup> Yet still, the dichotomy between dangerous and immoral, and body and space that underlies this argument is tenuous.

It is unlikely that local community leaders and groups would complain about the spatial proximity of a phenomenon if that phenomenon was not deemed morally offensive in the first place. Likewise, that the occupation of sex work was morally offensive presumably made it easier for the government to justify regulation on the basis of medical and hygienic arguments. Sex workers were subjected to medical exams beginning in the late-nineteenth century. Even though the brothel was a growing concern, the sex worker's body remained well inside the apparatus of state regulation. Furthermore, there is nothing inherent in medical and health concerns that make them easily attributable as the "real issue," while morality is seen as a superficial veneer. According to historian 'Imad Hilal, the government in 1882 used hygiene concerns to justify registration of sex workers and regular medical checkups though all the while it was a form of acquiescence to the British occupying forces.<sup>29</sup> In his argument, it is medicine and public hygiene that serves as the "veneer."

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<sup>27</sup>Fahmy, "Prostitution in Egypt," 81-90. Here Fahmy is arguing against Judith Tucker who wrote that public opinions propelled the ban on sex workers by Muhammad Ali in 1834.

<sup>28</sup>Hilal, *al-Baghāyā fī Miṣr*, 160.

<sup>29</sup>Ibid.

Rather than see these various factors as competing, it is more fruitful to see them as entangled in a web of ideology and practice. Regulations and practices concerning prostitution were informed by new and changing ideas in both Europe and in Egypt on the relationship between medicine, morality, and nation, while simultaneously being influenced by military concerns regarding venereal disease amongst their troops, and communal and national efforts to abolish the system as a whole.<sup>30</sup> Law enforcement on prostitution catered to the concerns of various communities, including both the military and the larger public.<sup>31</sup> Legislating prostitution was one way through which the battle between these concerns was fought out and though medical concerns were an influencing factor, they cannot be separated out from popular and widely held conceptions of morality.

For the most part, prohibitions in the eighteenth and nineteenth centuries represent cycles of suppression and tolerance spurred by either financial or political concerns.<sup>32</sup> By the 1860s, under Khedive Isma'il's reign (1863-1879), sex workers were beginning once again to be tolerated in Cairo and re-incorporated into the fold of the city. Under Khedive Tawfiq (1879-1892) in the last decades of the nineteenth century, medical concerns and corresponding regulations of sex workers increased.<sup>33</sup> It was at this point in time that the police began delineating the geographical areas in which brothels could be established and how and where sex workers could solicit clients.<sup>34</sup> In 1882, the government circulated instructions outlining a system of regulation, stating that sex workers had to be officially licensed by the government in order to practice their

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<sup>30</sup> Dunne, "Sexuality and the Civilizing Process," 170-173. Dunne writes that in the first months of 1916, more than 10,000 British troops were treated for venereal disease. See also Omnia el-Shakry for a discussion on scientific discourse in Egypt during the twentieth century, *The Great Social Laboratory: Subjects of Knowledge in Colonial and Postcolonial Egypt* (Stanford: Stanford University Press, 2007).

<sup>31</sup> Ashwini Tambe, *Codes of Misconduct: Regulating Prostitutes in Late Colonial Bombay* (Minneapolis: University of Minnesota, 2009), xiii.

<sup>32</sup> Dunne, "Sexuality and the Civilizing Process," 54.

<sup>33</sup> Hilal, *al-Baghāyā fī Miṣr*, 160.

<sup>34</sup> Tucker, *Women in Nineteenth-Century Egypt*, 153. For more on the law of 1880, which included stipulations that sex workers could not practice their profession in family neighbourhoods, see Hilal, *al-Baghāyā fī Miṣr*, 163-63.

profession. This decree also established offices of inspection in Cairo and Alexandria through which the sex worker was registered and her medical examinations were monitored. Government licensing of sex workers first began in Cairo and Alexandria, then moved into Lower Egypt. By the late 1890s it had reached the cities of Upper Egypt.<sup>35</sup> In 1885, guidelines were issued regarding medical exams that stipulated the frequency of checkups and the consequences of having contracted a venereal disease.<sup>36</sup> In 1896 rules governing the licensing of brothels, their physical structure, and potential locations were put into action. Finally, all orders issued since 1882 were amalgamated into one comprehensive piece of legislation regulating licensed prostitution in 1905.<sup>37</sup>

Though some have argued that the legalization of sex work was an expected and natural continuation of the government's stance of the previous decades, Hilal argues that the fact that this declaration was issued the same year 13,000 British troops entered Egypt is more than just a coincidence. According to Hilal, the motivating factor was not protecting the health of the population and families as the declaration had worded it, but it was an easy way out for the British who were faced with an inability to prevent their soldiers from visiting sex workers.<sup>38</sup> Others, such as Hanan Hammad view the successive laws as a natural continuation and culmination of government policy. She writes the 1882 legislation is not surprising considering the practices of previous decades. She also notes that there is no evidence to support the argument that the British requested or even recommended the legislation.<sup>39</sup>

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<sup>35</sup> For example, the system of licensing had reached the governorate of Minya in Upper Egypt in 1897, Hilal, *al-Baghāyā fī Miṣr*, 92.

<sup>36</sup> Margot Badran, *Feminists, Islam, and Nation: Gender and the Making of Modern Egypt* (Princeton: Princeton University Press, 1995), 196.

<sup>37</sup> Hilal, *al-Baghāyā fī Miṣr*, 167.

<sup>38</sup> *Ibid.*, 165.

<sup>39</sup> Hammad, "Between Egyptian "National Purity," 752-753.

Under the British occupation, sex work was both a gendered and racialized activity. Throughout the colonies, its presence became a means through which the British authorities justified their civilizing missions.<sup>40</sup> Though prostitution was problem to British administrators, especially during wartime, it was "also a necessity and a convenient canvas on which to illuminate the greater evils and dangers of uncivilized people."<sup>41</sup> In Egypt, foreign sex workers were not subject to most of the government's regulations. Though they had to submit to weekly medical exams, they were protected from police interference and Egyptian law by the system of capitulations. European sex workers were largely considered victims of a slave trade through which those involved profited from their whiteness. The white slave trade movement propelled international attempts to fight prostitution in many colonies including Egypt.<sup>42</sup>

Racial preferences were also seen in the wage differential between Egyptian and European sex workers. A report published by the Egyptian government stated that Egyptian sex workers working in Egyptian brothels made anywhere from one to ten piasters per client, while their European counterparts could make anywhere from twenty to fifty.<sup>43</sup> European sex workers were vilified and targeted by the nationalist movement as emblematic of European privilege, but were generally considered "first class" sex workers. Fakhri Mikha'il Faraj who published his book in 1924, wrote that the defining features of this class were that they were foreign, dressed cleanly and fashionably, and independent, as they did not need to work from a brothel. He, along with

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<sup>40</sup> Philippa Levine, "Orientalist Sociology and the Creation of Colonial Sexualities," *Feminist Review* 65 (2000): 17.

<sup>41</sup> Philippa Levine, "'A Multitude of Unchaste Women:' Prostitution in the British Empire," *Journal of Women's History* 15 (2004):159.

<sup>42</sup> Margot Badran, *Islam, Feminists, and Nation*, 192-196; Judith Tucker, *Women in Nineteenth-Century Egypt*, 154.

<sup>43</sup> DWQ 4029-000554, *Pamphlet of the Effect of the World Crisis on Prostitution in Egypt* (Cairo: Government Press, 1935).

many others, also considered them the biggest danger to public health as they were allowed to operate outside state and police control.<sup>44</sup>

Margot Badran discusses the issue of sex work in mid-twentieth century Egypt through the perspective of the Egyptian Feminist Union (EFU). The EFU's political campaign linked the end of legalized prostitution in Egypt with the pressure to end capitulations.<sup>45</sup> The EFU and other nationalist forces considered prostitution a dishonour upon Egypt.<sup>46</sup> Part of the blame lay with the system of capitulations and though its abolishment had already been an important aspect of the nationalist movement, its connection to prostitution added a particularly different and gendered dimension to the nationalist movement. Beth Baron looks at how prostitution became a metaphor for the relationship between the Egyptian nation and British presence, where the honourable nation refused the advances of the semi-colonial authorities. National honour and combatting prostitution went hand in hand.<sup>47</sup>

Some statistical information regarding sex work is available in the censuses, but most statistics are based off of police files and the Department of Public Health through which licensing was managed. In the 1907 census, sex workers are grouped with beggars and vagrants under the category of "unproductive and unknown occupations."<sup>48</sup> With the 1917 census, sex workers begin to show up as a separate occupational category.<sup>49</sup> According to the 1927 census, the total Egypt-wide number for registered sex workers was 3,210, including both men and

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<sup>44</sup> Fakhrī Mikhā' ʾil Faraj, *Taqrīr 'an Intishār al-Bighā' wa-l-Amrād al-Tanāsulīyyah bi-l-Qutr al-Miṣrī wa-Ba'd al-Ṭuruq al-Mumkin Ittibā' uhā li-Muḥārabatihā* [Report on the Spread of Prostitution and Venereal Diseases in the Country of Egypt and Some Possible Ways to Pursue and Fight It] (Cairo: al-Maṭba'ah al-ʿAṣrīyyah, 1924), 9-11.

<sup>45</sup> Badran, *Feminists, Islam, and Nation*, 199-200.

<sup>46</sup> Beth Baron, *Egypt as a Woman: Nationalism, Gender, and Politics* (Berkeley: University of California Press, 2005), 51-52.

<sup>47</sup> Ibid.

<sup>48</sup> Egypt, Ministry of Finance, *The Census of Egypt Taken in 1907* (Cairo: National Printing Department, 1909). It was not until the 1917 census that the population was systematically divided according to occupation, see Roger Owen, "The Population Census of 1917 and its Relationship to Egypt's Three Nineteenth Century Statistical Regimes," *Journal of Historical Sociology* 9 (1996): 460.

<sup>49</sup> Egypt, Ministry of Finance, *The Census of Egypt Taken in 1917* (Cairo: Government Press, 1920).

women.<sup>50</sup> A study completed by the Department of Public Health just a few years later in 1931 placed the number of registered sex workers at 4,055.<sup>51</sup> These numbers only reflected those registered with the government. Contemporary observers often comment that statistics represent only a small percentage of the total, reflecting the extent of unlicensed activity. Hilal makes the same conclusion by examining police records and arrest reports that place the number of arrests consistently higher than the number of officially registered sex workers found in the censuses and the Department of Public Health files. He estimates that in the twentieth century, the number of unregistered sex workers was three times that of the registered number.<sup>52</sup>

Though most scholarship on prostitution has been geographically limited to Cairo, Alexandria, and Suez Canal cities, in the twentieth century almost all urban cities throughout Egypt had sex workers.<sup>53</sup> Prostitution increased during both world wars due to economic circumstance and the presence of foreign troops.<sup>54</sup> In times of war, both the Egyptian state and the British authorities cracked down on prostitution. During World War I, the British became increasingly concerned with the spread of venereal disease amongst its troops and the racial mingling of British troops with native sex workers. In arenas of war such as France, the Army Council was able to maintain a system of regulated prostitution.<sup>55</sup> Yet the orientalist

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<sup>50</sup> Egypt, Population Census of Egypt, 1927 (Cairo: Government Press, 1931).

<sup>51</sup> DWQ 4029-000554, Pamphlet on Effect of the World Crisis on Prostitution in Egypt; Hilal, *al-Baghāyā fī Miṣr*, 93-96. The 1927 census also lists 17 registered male sex workers. Hilal notes the unreliability of statistics in the nineteenth century and comments that they become more reliable in the twentieth century. How much of statistical variations are due to an actual increase in the number of sex workers or statistical error is unclear, but there is statistical evidence to suggest an increase in prostitution during the early 1930's.

<sup>52</sup> Hilal, *al-Baghāyā fī miṣr*, 99-101.

<sup>53</sup> Ibid., 91.

<sup>54</sup> Ibid. 64; M. Harrison, "The British Army and the Problem of Venereal Disease in France and Egypt during the First World War," *Medical History* 39 (1995): 133-58; Eric Schewe, "State of Siege: The Development of the Security State in Egypt During the Second World War (PhD Diss, University of Michigan, 2014), 46-48. Dunne lists the number of registered sex workers in 1918 at more than 6,500, "Sexuality and the Civilizing Process," 145. See also Mario Ruiz, "Manly Spectacles and Imperial Soldiers in Wartime Egypt, 1914-19," *Middle Eastern Studies* 45 (2009): 355.

<sup>55</sup> Levine discusses the dynamic between racial hierarchies, sexual anxieties, and class. In addition to the regulation of prostitution, the British military also controlled the movement of Indian colonial troops and black army labourers



representation of Egypt as a land of vice, heightened sensuality, and disease magnified anxieties surrounding British troops and resulted in a crackdown on prostitution, drugs, and alcohol.<sup>56</sup> Military regulations restricted the operating hours of both bars and brothels in cities with a large presence of foreign troops.<sup>57</sup> Martial law during the First World War extended the power of the Egyptian police to regulate non-Egyptian women but it also meant that many criminal offences were tried in military courts.<sup>58</sup>

P.G. Elgood served in both the British forces and government administration in Egypt and published a book on his experiences during the Great War. In it, he commented on prostitution, which despite efforts to contain it was not abated and continued to thrive. Elgood was of the opinion that "reason or morality" could not stop soldiers from visiting sex workers. He continues, "their actions were unaffected by fear of physical consequences, and uninfluenced by consciousness of sin. Lectures and sermons alike fell upon deaf ears."<sup>59</sup> The military authorities in Egypt even employed dramatic measures in the attempt to curb soldiers' inclination to visit sex workers. For example, Australian forces were marched through a prostitution district in Cairo in daylight in the aim that seeing the faces and deplorable conditions of the Egyptian sex workers in broad daylight would deter them from visiting in the evening.<sup>60</sup>

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to ensure that racial boundaries were not crossed, "Battle Colors: Race, Sex, and Colonial Soldierly in World War I" *Journal of Women's History* 9 (1998): 104-130.

<sup>56</sup> Harrison, "The British Army and the Problem of Venereal Disease," 149; Levine, *Prostitution, Race, and Politics: Policing Venereal Disease in the British Empire* (New York: Routledge, 2003 ),155. See also Levine, *Gender and Empire* (Oxford: Oxford University Press, 2004) for a discussion on British colonial anxieties and perceptions of colonial sexuality; and Edward Said, *Orientalism* (New York: Vintage Books, 1979), for a discussion on colonial perceptions and representations of sexuality in the Muslim world.

<sup>57</sup> Harrison, "The British Army and the Problem of Venereal Disease," 151.

<sup>58</sup> Ibid.,153; Levine, *Prostitution, Race, and Politics*, 157.

<sup>59</sup> P.G. Elgood, *Egypt and the army* (London: Oxford University Press, H. Milford, 1924), 259-261.

<sup>60</sup> Suzanne Brugger, *Australians and Egypt, 1914-1919* (Carlton: Melbourne University Press, 1980), 145-147.

By the interwar period, calls to abolish licensed prostitution increased when marriage came to be seen as directly threatened and challenged by the legal availability of paid sex.<sup>61</sup> Hanan Kholoussy convincingly argues that tropes of the threat of venereal diseases, national purity, and hygiene were adopted from British discourse and redeployed by Egyptian nationalists in their mission to ban prostitution.<sup>62</sup> She has argued that the underlying objective of official regulations was the delineation of a new normative heterosexuality where the male subject was fashioned into a citizen of the emerging nation.<sup>63</sup>

Government reports claimed that clandestine prostitution had at least doubled in the previous years.<sup>64</sup> Both liberal and conservative forces participated in the growing anti-prostitution movement, ranging from the EFU to the Muslim Brotherhood, to associations fighting against the white slave trade. During the Second World War, the government reached an agreement with the Muslim Brotherhood's leader, Hassan al-Banna. In return for his non-participation in the parliamentary elections, the government would help them in their fight against prostitution. In 1942, licensed brothels were forcibly closed under martial law.<sup>65</sup> In 1949, legislation ending licensed brothels was passed and put into effect, and in 1951 prostitution was made illegal.

The next section of this chapter moves on to an analysis of the various petitions from sex workers all over Egypt found in the archives of the Ministry of Social Affairs. This section is divided into two parts. The first part is dedicated to a petition sent in from al-Minya, followed by an analysis of petitions from the 1940s during the last years of the system of licensing.

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<sup>61</sup> Hanan Kholoussy, *For Better, For Worse The Marriage Crisis that Made Modern Egypt* (Stanford: Stanford University Press, 2010), 40.

<sup>62</sup> Hana Kholoussy, "Monitoring and Medicalising Male Sexuality in Semi-Colonial Egypt," *Gender and History* 22 (2010): 681.

<sup>63</sup> *Ibid.*, 677.

<sup>64</sup> DWQ 4029-000554, Pamphlet on Effect of the World Crisis on Prostitution in Egypt

<sup>65</sup> As quoted in Schewe, "State of Siege," 148. For the full description of this deal see Lia Brynjar, *The Society of the Muslim Brothers in Egypt: the Rise of an Islamic mass movement, 1928-1942*. (Reading: Ithaca Press, 1998), 268-69.

### **Sex workers from Minya Petition the King**

Minya province is located in Upper Egypt, about 250 kilometres south of Cairo. Its capital city, al-Minya, had a growing population throughout the late nineteenth and twentieth centuries. In the nineteenth century, Muhammad 'Ali's expansion of the sugarcane industry was mostly centered in Minya, but by the early twentieth century, 30 percent of its cultivatable farmland had been dedicated to the cotton crop.<sup>66</sup> These changes were a result of several decades of irrigation works throughout Egypt's agricultural lands. The province had a high concentration of large estates and therefore became one of the first provinces in Upper Egypt to have perennial irrigation.<sup>67</sup> In fact, Khedive Isma'il had the largest portion of his estates located in Minya and in neighboring Asyut. With the completion of the Ibrahimiyyah Canal in 1897, both provinces received water flow all year round.<sup>68</sup> This contributed to the growth of urban cities such as al-Minya city, which grew by 41 percent in the second half of the nineteenth century.<sup>69</sup> It also affected the composition of inhabitants. The growth of the cotton crop attracted migrant labour from other parts of the country. According to Nathan Brown, 94 percent of peasant households in the province were either land poor (owned less than three feddans) or landless, thus indicating a high presence of wage labour.<sup>70</sup>

The urban landscape of Egypt continued to change rapidly throughout the twentieth century. Though Cairo and Alexandria experienced the highest rates of growth, other cities experienced significant population increases as well. In general, urban areas were growing at a much faster

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<sup>66</sup> Jennifer L Derr, "Cultivating the State: Cash Crop Agriculture, Irrigation, and the Geography of Authority in Colonial Southern Egypt, 1868-1931" (PhD Diss, Stanford University, 2010), 154-155.

<sup>67</sup> Nathan J. Brown, *Peasant Politics in Modern Egypt: The Struggle Against the State* (New Haven: Yale University Press, 1990), 36-37.

<sup>68</sup> Derr, "Cultivating the state," 84-85.

<sup>69</sup> Egypt, *General Census of Egypt 1897* (Cairo: Imprimerie Nationale, 1898).

<sup>70</sup> Brown, *Peasant Politics*, 30. See also Derr, "Cultivating the state," 155.

rate than rural areas partly as a result of increased internal migration.<sup>71</sup> Al-Minya continued to witness growth in the double digits, going from a city with 34, 945 inhabitants in 1917 to just over 51,000 just two decades later. By 1937, 28 percent of Egypt's total population lived in urban cities.<sup>72</sup>

Statistics on the number of sex workers in Minya vary. In the 1927 census, the whole province is listed as having 126 registered sex workers, all female. According to the Department of Public Health in 1931 Minya had 164 sex workers.<sup>73</sup> By 1940, this number seems to have decreased to just seventy-nine licensed sex workers and twenty-six registered brothels.<sup>74</sup>

Out of the several handwritten petitions I found in the archives of the Ministry of Social Affairs, the largest in both length and number of signatories is the one from *bandar* (city) al-Minya submitted in 1930.<sup>75</sup> The petition is almost four pages long, includes a hand-drawn map of the area of the city in question, and was signed or stamped by fifty-one men and women. Fahimah Khalil, an *‘āṭqah* (plural *‘āṭqat*) or brothel owner submitted the petition.<sup>76</sup> The following section summarizes and discusses the petition and its implication for what we know about prostitution in modern Egypt and more generally, state-subject interaction.

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<sup>71</sup> Maḥmūd ‘Abd al-Faḍl, *al-Taḥawwulāt al-Iqtisādiyyah wa-l-Ijtimā’iyyah fī-l-Rīf al-Miṣrī 1952-1970* [Socio-Economic Transformations in the Egyptian Countryside] (Cairo: al-Hay’ah al-Miṣriyyah al-‘Āmah li-l-Kitāb, 1978), 223-224.

<sup>72</sup> Ibid.; *Census of Egypt* 1937.

<sup>73</sup> Hilal, *al-Baghāyā fī Miṣr*, 98.

<sup>74</sup> DWQ 4029-000552, *Report on White Slavery and Combatting Obscene Prints*, 1940. This report was sent to the Minister of Interior from the head investigator of the Office of Moral Protection in Cairo in the summer of 1940. The report was originally written in French by a League of Nations commission on white slavery.

<sup>75</sup> DWQ 4029-000556, *Awraq Ilgha’ al-Bigha’ al-Rasmī 1938-42, shakwā 1938-42*. The petition is addressed to the King and was initially sent to ‘Ābdīn Palace, where all correspondence to the king was sent. I found the petition in the files of the Ministry of Social Affairs. Though it is tempting to view it as proof that the petition made its rounds in the government bureaucracy it is most unlikely. Considering that the ministry was established nine years after the petition was written, this means that a government employee probably retroactively filed the petition under the ministry's archives. It also seems to have been misplaced as some point or misfiled, as it was filed in the same folder with papers from a 1938-42 court case involving the Office of Moral Protection. See appendix four for a full translation.

<sup>76</sup> There is no indication as to whether Khalil herself wrote the petition or if an agent was tasked with the writing of the petition.

After the introductory invocation of the king's name, the petition begins with a summary of the issue that prompted the sex workers to write in. They complain of a decision by the local municipal council to move the prostitution quarter, which they believed would result in harm and disorder (*ḍarar wa shaghab*). They write that the brothel district, located on Fadilah Street in the city of al-Minya in which they work and reside has been present for fifty years and that their houses, which they own, are all licensed. They claim that most of the street is actually their property and the buildings are modern high-rises.<sup>77</sup> As part of the King's charge (*r'āyah jalālat al-malik*), the sex workers raised their concerns in the hopes of pressuring the Ministry of Interior and the Public Health Office to look into the local council's proposed plan. The rest of the petition is divided into sections summarizing the points of consideration that must be taken into account in judging the legitimacy of the decision. They first list the harm that will result if the sex worker's quarter is moved to the proposed location summarized in seven points followed by an additional but interconnected six points arguing in favour of remaining in the current district.

They begin by contrasting the state of the houses in the current area to the proposed area, writing,

The alternative district, 'Izbat Iskandir, is made up of shacks and huts and it is not suitable for living in or even for stables. It is also empty from all sides and it neighbours palm trees, farms, and gardens, which enables thieves and evildoers from hiding in it.

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<sup>77</sup> DWQ 4029-000556, *Awraq Ilgha' al-Bigha'*. Later on in the petition they specify that most buildings have three or four floors, thus modern here refers to architectural style and building technologies that make it possible.

These shacks and huts are strikingly different from the modern buildings that they describe in which they reside and work. They repeat that the new location, '*Izbat Iskandir*', "is surrounded by nothingness, only palm trees, farms, and gardens, thereby providing shelter and cover to thieves and criminals." There is a contrast here to the urban setting which is by implicit comparison, assumedly better lit and surveilled. The second point of the petition states that the seclusion of '*Izbat Iskandir*' places the sex workers further away from the police station. At this point, the petitioners ask the reader to see the attached map for reference. To prove the negative effects of this distance, the petition specifies the various routes of escape that someone who wants to commit a crime could potentially take, making it harder for the police to prevent crime or even make an arrest. They write,

If, God forbids, some incident [crime] happens then the [criminal] has many outlets for escape and many directions for the police [to pursue in the chase] therefore an arrest will elude the police because there are many paths for deception and escape. In the West [there is] the railroad and the al-Ibrahimiyyah canal, and from the South there are gardens, farms and palm trees, and East is the direction of the huts and towards the shore and the cemetery.

In the fourth point, they claim that as prostitutes (*naḥnu al-mumisāt*), they are always in the face of danger. The greed of criminals and peasants is a risk they always face, "who when they see shiny jewelry, even if it is simply tin or cooper and not gold, could be motivated to attack." The following point they specify their numbers and claim that in addition to the fear of petty

criminals, they also face a greater risk from some of their family members who are seeking vengeance due to the shame that was put upon them,

We are prostitutes and our numbers are almost one hundred in this district, and it was destined by God the misery and— we are in, and naturally we have families and relatives and uncles from all over the country of Egypt, and from them there are those that have a predisposition to love revenge and seek vengeance for shame. Our presence in this district makes them devise plans for revenge with the treacherous and that [‘Izbat Iskandir] makes more opportunities available to them even if you find there is a police station that always [has] twenty officers and twenty guards, especially if they find the palm trees and gardens that [will serve] as a trusty hideout for the impudent and thieves. Especially if it is dark outside and unfortunately there are no lights and no — and nothingness also.<sup>78</sup>

The petitioners go on to make the argument that as registered and therefore official licensed sex workers they are no longer under the protection of their families, but are now the responsibility of the state. Finally, the seventh point states that the physical infrastructure of the new district, which is made up of shacks, exposes them to health risks from the surrounded area. ‘Izbat Iskandir is close to the area where the corpses of dead animals are discarded and where fires occur, exposing the sex workers to germs and polluted air.

In the next section, the petitioners discuss why they should stay in the current district, or as it is worded in the petition, "the lack of harm for us and the government if we stay." They write that

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<sup>78</sup> Here the petitioners mention *faṣl al-harīq*, which could refer to the burning of excess straw, which occurs at the end of the agricultural cycle after harvesting. It could also be a way of describing the heat of the summer months or even just a reference to the more regular burning garbage and refuse.

the prostitution quarter is in the middle of the city and it is not far from the police station, reinforcing previously mentioned points about the potential for crime. The second point broadens the petition to include not just licensed brothels, but also stores whose buildings are attached to the brothels,

We all have official licenses for houses and public stores and they are all in one point neighbouring each other and in case of transfer, there is not way to obtain new licenses than the ones that we already hold because there are no stores in 'Izbat Iskandir that meet the [necessary] legal conditions.

The list of signees includes merchants, cafe owners, and shop owners all showing support for the cause of the sex workers. Moving would mean that these stores would not be able to obtain other licenses because the state of the proposed location does not meet the legal conditions of licensing. In contrast, they reiterate that their current houses are all solid and modern. They also pay various taxes, including residential and business taxes, and taxes for village guards (*ghafir*). They write that the local council does not care for their grievance, as the proposal was not met with any direct conflict. The petitioners feel that if the "experts" in government ministries were to take a look into their case they would agree that if the prostitution district was moved it would result in great harm. Finally, they argue that they have followed all the rules. Therefore, the decision to move them and put them in the way of danger found in 'Izbat Iskandir, is unjust.

The petitioners conclude with repetition of the word *r'āyah*, imploring and appealing to the mercy of the King and his role as ruler and their role as his subjects to transfer their petition to the relevant ministries. The attached map highlights the main areas of the city, including the post



office, and the train station. But also, draws out the foot path that the sex workers would take to the police station (or vice versa) if they remain in the current district and if they are required to leave, indicating the unreasonable increase in distance. The petition makes it clear that the same standards of regulation through which they are licensed should be applied at all levels, imploring that the government be held accountable to the same criteria of justice, safety, and health. As evidenced by the petition, we see how sex workers engaged with and reverse popular notions of criminality and marginality.

## **Criminality**

Though prostitution was never a crime prior to 1951, in popular imagination the two were inextricably linked. Sex work was considered a lowly and immoral occupation. For example, the lawyer and author ‘Abdullah Hussayn likened it to a birth defect and Hassan al-Banna called prostitution a "commerce of sin," the regulation of which brought shame and disgrace on Muslim communities.<sup>79</sup> A striking example of the association between criminality and prostitution can be seen in the case of the infamous Rayah and Sakinah murder trials. In the early 1920s the growing news media industry in Egypt was flooded with hundreds and possibly thousands of articles and commentaries on the crimes committed by the two women and their husbands.<sup>80</sup> The group robbed and murdered seventeen women and buried them under the floors of their houses. The majority of these women along with the perpetrators were sex workers. Press coverage of the incident did not differentiate between the victims and the accused as a consequence of their involvement with sex work. The women on both sides were portrayed as "non-members of

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<sup>79</sup> ‘Abdullah Hussayn, *al-Mar’ah al-Hadīthah wa Kayf Nasūsiha* [The Modern Woman and How to Guide Her], (Cairo: al-Matba‘ah al-‘Aṣrīyyah, 192?), 105-106; Hasan al-Banna, *Da‘watuna* [Our Call] (Miṣr: Dār al-Kitāb al-‘Arabī, 195-).

<sup>80</sup> Shaun T. Lopez, "The Dangers of Dancing: The Media and Morality in 1930s Egypt," *Comparative Studies of South Asia, Africa and the Middle East* 24 (2004): 99-100.

society and therefore had no claim to the rights and responsibility of regular citizens."<sup>81</sup> They were characterized as lacking morality and their "unleashed feminine sexuality" was considered a danger to the burgeoning moral order.<sup>82</sup> With this incident, the news media became a new outlet for calls for abolition and the correlation between criminality and prostitution was reinforced.<sup>83</sup>

Judith Tucker argues that the same regulations that legalized prostitution also created the conditions for its criminality. Thus, by the early twentieth century, increased state intervention resulted in "the development of a shadowy network of pimps and procurers" that worked to protect their means of a livelihood from government interference. The pimp as a "professional bully" was a repeated trope in twentieth century sources on prostitution, present in British consular records, media reports and books.<sup>84</sup> For some British commentators, the lowly sex worker was a victim of dire economic circumstances and was not to be blamed. Rather, it was the pimps and padronas (madams or 'āīqat) that were the target of the most scorn. For Elgood, prostitution was considered a "plague" and the blame was to be laid on pimps whom he considered the "pests of society."<sup>85</sup>

While it seems male pimps were universally disdained, the perception of padronas was ambivalent amongst Egyptian administrators. For example, one government report highlighted the threat of pimps and placed them firmly in the "underworld" of prostitution whose presence was not tolerated by officially licensed padronas.<sup>86</sup> Yet in another report, there does seem to be a

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<sup>81</sup> Lopez, "The Dangers of Dancing," 99.

<sup>82</sup> Shaun T. Lopez, "Madams, Murders and the Media," in *Re-envisioning Egypt 1919-1952*, ed. Arthur Goldschmidt, Amy J. Johnson, and Barak A. Salmoni (Cairo: American University in Cairo Press, 2005), 384-388.

<sup>83</sup> Ibid.

<sup>84</sup> Tucker, *Women in Nineteenth-Century Egypt*, 155. See also Ashwini Tambe, *Codes of Misconduct*, 124. Tambe writes that the laws of regulating prostitution also "set up an iterative dynamic of exercising and evading power."

<sup>85</sup> P.G Elgood, *Egypt and the Army* (London: Oxford University Press, H. Milford, 1924), 255; Hussayn, *al-Mar' ah al-Ḥadīthah*, 105-106.

<sup>86</sup> DWQ 4029-000554 Pamphlet on Effect of the World Crisis on Prostitution in Egypt.

relationship between pimps and padronas, one where they both profit off those who work for them. This report writes that in native brothels, madams could take up to 50 percent of the sex worker's earnings in addition to paying the pimps two out of every ten piasters. The same report documents that in unregistered houses, the padrona took 60 percent of the sex worker's earnings in addition to deducting living expenses and payment to the pimp.<sup>87</sup>

The petition completely reverses the relationships and connections that are dominant in government and public opinion. Firstly, the hierarchy between a sex worker and a padrona is flattened out. In the list of signatories, those who signed their name also included their occupation, of which the occupation of 'āīqah is prominent. The letter also makes it clear that the women are worried about their own houses and places of business. Yet nonetheless, they still identify as sex workers and make claims from that position. Their discussion of crime begins with an acknowledgement that as sex workers they face threats from particular forms of crime. The use, most likely strategically, of *naḥnu al-mumisāt* makes it clear that regardless of how far up the hierarchy they've reached the padronas do not differentiate themselves from the women working under them. The use of the phrase *naḥnu al-mumisāt* is an acknowledgement that even as brothel owners, they were still considered sex workers by law and were therefore subject to the same system of regulation. Yet this phrase also functions to flatten out the power differential between the two, which could possibly indicate a strategic attempt to dispel suspicions of a coercive relationship between the 'ayqat and sex workers.

Second, the petition emphasizes their role as victim and not as perpetrators of crime thereby reversing popular notions of criminal and victim. Though wider society views them as undeserving, in no way does their occupation make them illegitimate beneficiaries of the king's protection and of the state's help. In fact, they demand protection from the very crimes that the

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<sup>87</sup> DWQ 4029-000554 Pamphlet on Effect of the World Crisis on Prostitution in Egypt.

general public largely considers their fault. The fear of people's greed upon seeing "shiny jewelry" could very well be an allusion to the story Rayah and Sakinah who targeted victims by the amount of gold they wore on their bodies.<sup>88</sup> Even if not, this statement functions to actively de-link sex workers from criminality by placing them in the realm of innocent victims who deserve the security of the state.

The petitioners' fear of the retaliation of family members who feel deep shame as a result of their choice in occupation is another example of how dominant discourses are overturned in their grievance. By the 1920s and 30s national honour had become intimately linked to protecting female sexuality and for this reason prostitution was heavily disdained. Personal quests for vengeance against female family members involved in prostitution were projected onto the image of the nation in the press throughout the interwar period. Beth Baron describes the popular story of army draftee Mitwalli who seeks out and kills his sister after learning of her becoming a licensed sex worker. By redeeming his familial honour, Mitwalli also won back the honour his village and ultimately, his nation.<sup>89</sup> Yet rather than considering these acts as honourable as they so often were portrayed in the media, the petition clearly defines them as crimes from which they deserve police protection.

## **Marginality**

Sex workers are generally considered to be on the margins of Egyptian society and most historical sources support this. Liat Kozma argues that they were marginal in two respects. First, sex workers were outside of the social networks of neighbourhood, family, and community.

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<sup>88</sup> Lopez, "Madams, Murders and the Media," 381. These tropes speak to prevalent images circulating the presses of the peasant as somewhat dim witted and impetuous, see Michael Ezekiel Gasper, *The Power of Representation: Publics, Peasants, and Islam in Egypt* (Stanford: Stanford University Press, 2009).

<sup>89</sup> Baron, *Egypt as a Woman*, 50-51.

Second, they operated outside the gendered norms of sexuality and consequently, respectability.<sup>90</sup> Kozma documents communal efforts in the late nineteenth century to push sex workers out of communities in the effort safeguard the boundaries of respectability.<sup>91</sup> Yet lines differentiating the respectable from the women who "strayed" were ambiguous. Therefore it is vital to look at how boundaries were defined, reinforced, and challenged.<sup>92</sup>

Other scholars have also interrogated the concept of marginality. 'Abd al-Wahhab Bakr has argued against the dominant perception that sex workers worked and lived at the outer limits of cities. It was often assumed that they were located at the "end of the tracks," far away from city centres. Looking at Cairo in the first half of the twentieth century, Bakr showed that the prostitution districts of Cairo were found to be surrounding not the limits of the city but the heart of the city, close to where business and commerce were concentrated.<sup>93</sup> Hanan Hammad also draws on a case study from Cairo as an example of a community with an integrated prostitution quarter. Premising her argument on the oftentimes wide disjuncture between national discourse and local practice, she writes regardless of discourses of virtue, sex workers could be firmly located within local communal boundaries and it was with the help of the locals that they contested and bypassed government regulation for their own survival.<sup>94</sup> Rather than an uncontested control emanating out from the state, she posits that sex work was not simply a phenomenon upon which the emerging nation projected itself, whether through the state

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<sup>90</sup> Kozma, "Women on the Margins," 15.

<sup>91</sup> Kozma, *Policing Egyptian Women*, 79.

<sup>92</sup> Ibid., 80-81. See also Rudi Matthee, "Prostitutes, Courtesans and Dancing," in *Iran and Beyond: Essays in Middle Eastern History in Honor of Nikki R. Keddie*, ed. Rudi Matthee and Beth Baron (California, Mazda Publishers, 2000), 149.

<sup>93</sup> 'Abd al-Wahhaāb Bakr, *Mujtama' al-Qāhira al-Sirrī 1900-1951* (Cairo: Al-Arabi li-l-Nashr wa-l-Tawzī', 2001), 31-33.

<sup>94</sup> Hammad, "Between Egyptian National Purity," 752.

apparatus or nationalist ideals. Rather there was an engagement and negotiation of policies at the communal level.<sup>95</sup>

The petition submitted by the sex workers of al-Minya seems to be at the crossroads of these competing tendencies of integration and marginalization. The repeated description of the proposed district as emptiness and nothingness makes it clear that the women wrote the petition in the attempt to push back against physical marginalization. The fact that they mention that the city council is not interested in their fate because the decision is not antagonistic (*laysa min al-ikhtiṣām*), suggests that there is a wide base of approval for the decision. Yet the petition also suggests that the sex workers have their own communal networks to draw on in times of crisis even while being simultaneously excluded from other communal bonds. The petition seems to be a communal effort that extends beyond sex workers and madams. Many of the signatories, both men and women, are café owners, merchants, and grocery store owners. An argument in favour of staying at the current district relates to the businesses attached to brothels, which would not be able to relocate with them, as the licensing of businesses would not be approved in an unsafe and unmodern location such as 'Izbat Iskandir. This provides some indication that brothel owners were able either to create their own communal networks that aided in the functioning of their houses, or they were accepted into already established business communities on the basis of some sort of mutual benefit. Thus, there is a level of integration of sex workers in public space and life that the women are seeking to maintain. In this way the petition forces us to reevaluate the role of communal bonds and networks in the lives of sex workers.

As Ashwini Tambe has argued, boundaries between the realm of families and communities and the realm of the commercial sex are not clearly defined. Rather sex workers create and sustain their own networks of familial and interpersonal relationships that structure their work

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<sup>95</sup> Hammad, "Between Egyptian National Purity," 752.

and daily lives.<sup>96</sup> Thus the concept of marginality as defined by Kozma, which implies a disengagement of the sex worker from societal and communal relationships and networks, is not always the case.

The petition also includes several appeals to an imagined community of the king's flock. Tucker has argued that the system of regulation left sex workers without any legal rights.<sup>97</sup> Yet their obedience to government regulations came with an implicit assumption that the sex workers would in turn be owed certain protections. The sex workers admit that they are no longer under the protection of their families, but by submitting to regulation, they have become the king and the state's responsibility, imploring them to uphold the reciprocal relationships of obligation and the ideals of justice that they purport. The sex workers make the case that they are not obscure and underserving subjects. Rather, they have followed all the rules by obtaining licenses from the state and paying all the taxes on their businesses and homes, and in return, they deserve to be treated with justice.

Contemporary commentators in the 1930s saw sex work as a threat to hygiene and public health. Fakhri Mihka'il Faraj who published his in 1924 argued against a sudden switch to prohibition, saying that it would lead to an increase in the spread of venereal disease. Nonetheless, he saw prostitution as a great danger and his book was "meant to awaken people from sleep and to move people to action."<sup>98</sup> For Marcel Clerget writing a decade later, the city of Cairo was unhygienic for a variety of reasons, one amongst them was the presence of

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<sup>96</sup> Ahswini Tamba, "Brothels as families: Reflections on the history of Bombay's Kothas," *International Feminist Journal of Politics* 8 (2006): 220-222.

<sup>97</sup> Tucker, *Women in Nineteenth-Century Egypt*, 196-97.

<sup>98</sup> Faraj, *Taqrīr 'an Intishār al-Bighā*, 4-8.

insufficiently monitored prostitution, aggravated in his opinion by the "depravity of oriental manners."<sup>99</sup>

For the most part, unlicensed sex work was seen as the biggest threat to public security through the unchecked spread of venereal disease. Those who evaded the power of the state and worked under the radar risked the health of the general public. Thus licenses were issued and renewed on the basis of a clean bill of health. The statistical difference in rates of venereal disease between licensed and unlicensed sex workers was time and again used in support of regulation as a means to control the spread of contagious disease. For example, government reports noted that 41 percent of clandestine sex workers were estimated as having a venereal disease as compared to 4 percent of registered sex workers.<sup>100</sup>

In their petition, the sex workers of al-Minya subtly draw on these arguments and the general concern with public health to make their case. As licensed sex workers and brothel owners, they are integral to the functioning of the system. By moving the red light district, the government runs the risk of serious health consequences, as the proposed location is unsuitable to modern dwelling and far away from the buildings where their weekly checkups are performed. The petition even questions the authority of the city council to make decisions that impact their health and safety to this extent, stating that the Department of Public Health and Ministry of Interior are the true experts and the ultimate decision lies with them.

The petition points us to a conclusion that is reflective of the ambivalent status of sex workers under the system of regulation and the tension between processes of integration and marginalization. Though there was an effort to push sex workers out, there is also some evidence

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<sup>99</sup> Marcel Clerget, *Le Caire* (Cairo: Schindler, 1934), 7.

<sup>100</sup> DWQ 4029-000554 Pamphlet on Effect of the World Crisis on Prostitution in Egypt.



that they had their own communities and networks and could draw on in addition to reworking popular notions of obligation and responsibility in the attempt to mitigate against this.

### **The End of Licensed Prostitution**

By the mid-1920s there were a small but growing number of local council decisions to close brothels. These decisions were blocked by the central government on the basis of the fear of unintended consequences of abolition, more specifically, the spread of venereal disease and unemployed women.<sup>101</sup> By the 1930s, abolitionist measures in cities in Lower Egypt were increasingly being approved by central government and this is reflected in the increased publicity covering the closing of brothels throughout the 1930s in the women's press.<sup>102</sup>

Two different commissions tasked with collecting research on prostitution and outlining a framework of abolition was formed in the 1930s. The first one was established in 1932, and the second in 1939. The areas of concern for both commissions were legal, social and health.<sup>103</sup> The first report on abolishing licensed prostitution published in 1935 gave a transition period of three years before abolition was to be implemented. During this time, free clinics were to be established to fight venereal disease and to promote and spread propaganda on combatting prostitution.<sup>104</sup> Hammad writes that the initiatives of the first committee emphasized propaganda as it had concluded that the main obstacle to abolition was public opinion. The propaganda targeted the lower classes, which were the main consumers of the services of sex workers, and who were considered ill-equipped for abolition.<sup>105</sup>

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<sup>101</sup> Dunne, "Sexuality and the Civilizing Process," 303-304.

<sup>102</sup> Ibid., 305.

<sup>103</sup> For more detail on the first commission, see Dunne, "Sexuality and the Civilizing Process," 306- 311. Dunne also states the first commission put more emphasis on surveillance and control rather than directly attack on sex workers.

<sup>104</sup> DWQ 4029-000553 Taqrīr bi-Natījat A' māl Lajnat Mukāfiḥat al-Bigha', 1941 [Report of the commission to combat prostitution].

<sup>105</sup> Hammad, "Between Egyptian National Purity," 773.

A few years later the Ministry of Justice put together another commission in 1939. This commission under the guidance of ‘Abd al-Khaliq Hassunah (1898-1992), called for expediency in ending regulated prostitution without the need for a transition period. The newly created Ministry of Social Affairs was put in charge of drafting of relevant legislation. The commission also agreed to establish eight shelters for reform, each with the capacity for 300 former sex workers. In these shelters, the women would learn housework, handicrafts, childcare, nursing and emergency care, basic reading, writing, math and religion. With an initial budget of 80,000 Egyptian pounds these shelters were the responsibility of the Ministry of Social Affairs, which was tasked with overseeing their transition out of prostitution and to train them in new fields of work. The commission also agreed on the establishment of six clinics to combat venereal disease under the supervision of the Ministry of Health.<sup>106</sup>

In the 1940s, the Ministry of Social Affairs was receiving complaints from all over Egypt regarding regulation from both sex workers and the general public. For example, a request was sent in 1943 well on behalf of the licensed sex workers in Azbakiya district in Cairo demanding that brothels be allowed to close at a later hour, a privilege that was already given to bars and salons.<sup>107</sup> For the most part, the momentum against prostitution was strong and the dismantling of the system gained further ground in 1942 when under martial law the government issued the closing of brothels throughout the country.

A writer by the name of Zakariyya Fadil dedicated a chapter from his book title *al-Mushakil al-‘Aẓmah* to prostitution and sent in an excerpt of this chapter to the Minister of Social Affairs, calling prostitution *al-mihnah al-ḥaqīrah*, a despicable profession.<sup>108</sup> In 1943 the locals of Nag‘

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<sup>106</sup> DWQ 4029-000553, Report of the commission to combat prostitution.

<sup>107</sup> DWQ 4029-000296 Administrative memo, 13 February 1943.

<sup>108</sup> DWQ 4029-000294, Juz‘ Thanī Āwrāq ‘an al-Bigha’ fi Miṣr, Iqtirāḥāt ‘an al-Bigha’ 1942-1945 [Part two of papers on Prostitution: Suggestions], letter from Zakariyyā Fāḍil, n.d.

Hamadi sent in two separate complaints in regards the revival of the red light district in their community.<sup>109</sup> Government files offer some evidence that there was some attempt to placate the larger public, though the EFU complained publicly in 1940 that the Ministry was slow and unsystematic about combatting prostitution.<sup>110</sup> For example, in Cairo wooden barriers were put up by the Ministry of Public Works at the request of the Ministry of Social Affairs, in the prostitution quarter on Clot Bey Street so as to prevent the public from seeing the women of the quarters and gazing upon "their embarrassing looks."<sup>111</sup> In 1943, the Deputy Minister of Social Affairs sent a request to the Ministry of Public Works to fix these barriers as they had been damaged, and the ability to see through into the quarters had returned, defeating their initial purpose.<sup>112</sup> There is no indication as to whether these barriers were damaged due to wear and tear, or they were intentionally damaged.

Drafts on the illegalizing of prostitution had begun circulating in the Ministry of Social Affairs by 1940 and the closing of brothels all over Egypt continued steadily throughout that decade. This trend culminated in a law passed in 1949, which issued the shut down all state licensed brothels, coinciding with the end of capitulations. The law illegalizing prostitution was finally passed in 1951. Before any official intention to shut down licensed prostitution, it was already slowly being dismantled at the local level. Draft laws tilted *ilgha' al-bighā'* even included provisions for young women who sold erotic photographs and papers as a way to solicit patrons for sex workers, as well as provisions for men who take advantage of and profit from

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<sup>109</sup> DWQ 4029-000296 Letters dated 22 March 1942 and 12 April 1942.

<sup>110</sup> Badran, *Women, Islam, and Nation*, 205.

<sup>111</sup> DWQ 4029-000294, Letter from the Deputy Minister of Social Affairs to Deputy Minister of Public Works dated 23 November 1943. There is no indication as to whether these barriers were damaged due to wear and tear, or they were intentionally damaged.

<sup>112</sup> Ibid.

women, or who controls or helps her in any way to practice prostitution.<sup>113</sup> Additionally there also seems to have been an initiative to draft a law titled "*naz' al-sulṭah al-abāwiyyah*" that would have been applied to fathers who were careless and irresponsible towards their children or who participated in their wrongdoings.<sup>114</sup> The prime minister's office during WWII also maintained a file of complaints from the general public that very frequently included requests for government restrictions on prostitution.<sup>115</sup> It is clear by the early 1940s that the system of licensing was slowly bowing to the pressure of forces from within the bureaucracy, from political parties, and beyond to the general public.

### **Petitioning as Equal Citizens**

The petitions from sex workers during the last decade of regulation in the 1940s provide an interesting contrast with the al-Minya petition addressed to the king. I was unable to find any petitions from sex workers in the king's palace archives that date from this decade. It seems that by this time the relevant administrative divisions, most notably the Department of Health and the Ministry of Social Affairs, had become the primary mediators.<sup>116</sup> The ministry's archives include original copy petitions, administrative memos, and notes in either support or refusal of the various requests made by sex workers and brothels owners. Women from both big and small cities such as Qamus, Fayyum, Farshut, Tanta, and Cairo all wrote in with a variety of requests

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<sup>113</sup> DWQ 4029-000295 Āwrāq Mashrū'āt Qawanīn li-l-Qada' 'ala al-Bigha' fi Miṣr [Papers on Projects to Eliminate Prostitution).

<sup>114</sup> Ibid., draft law 27 January, 1940.

<sup>115</sup> Schewe, "State of Siege," 90-91.

<sup>116</sup> The ministry's archives contain evidence of many petitions. Some of these petitions are not original copies but have been summarized by government employees and what traces remain of these complaints are documented only in memos. Other petitions are short and do not offer much detail. For example, they mention the name of the petitioner and city where they reside and a brief request for financial assistance for example. The handful of petitions that I focus in the following section of this chapter are ones that I found offer the most detail on the grievances of the petitioners.

ranging from financial assistance, to complaints about government refusal of their claims, to looking for "honourable work," and requesting medical papers.<sup>117</sup>

Some of these letters also include grievances against the police and the special injunctions passed by the government during World War Two. A group of five sex workers from the town of Manfalut sent a petition to the Minister of Public Health in 1942 complaining of the military order that stipulated the closing of brothels and requesting financial compensation. Since their houses were closed as a result of this decision, the women expressed their resentment at being forced to abide yet left with nothing. They harshly criticize the police for ignoring unlicensed sex workers who, "worked day and night without either performing medical exams or spending money to clean themselves."<sup>118</sup> The petitions claim that this willful un-involvement is the reason behind the spread of "diseases that kill the youth."<sup>119</sup> The sex workers point to the glaring contradiction in government policy, writing that their hasty decision to shut down brothels only stopped licensed prostitution. As the petitioners wrote, it stopped only "those who have doctors to check up on them and those that do no spread disease."<sup>120</sup>

Similar to the petitioners from al-Minya, these women who have complied with every regulation regarding their work write that they are therefore deserving of the government's goodwill, (*nastāḥiqu al-ḥusnah*). Yet seemingly accepting that the brothels will not be re-opened, the women also request that the their local councils be required to perform medical checkups for them as proof that they are healthy and free of disease under the premise that this would help them reintegrate back into a society which does not view them as equals.<sup>121</sup> In this interesting

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<sup>117</sup> DWQ 4029-000296, Juz' Thanī Āwrāq Shakawī 'an al-Bigha' 1942-48 [Part Two Complaints Regarding Prostitution].

<sup>118</sup> DWQ 4029-000296, Letter to the Minister of Public Health, 5 November 1942.

<sup>119</sup> Ibid.

<sup>120</sup> Ibid.

<sup>121</sup> Ibid.

repurposing of law, these women take an invasive and exclusionary procedure that under the circumstance of disintegration of the system becomes a potential means for acceptance.

The clear distinction between licensed and unlicensed sex work and the dangers of the latter was one that was strictly maintained in all petitions, as it was the basis upon which sex workers made claims on the government and defined their rights. Nonetheless, the government did not always see a clear divide between the two. In a previously published government report on prostitution the authors commented on a "general tendency" of women involved in sex work that was amplified in times of economic crisis to work in both licensed and unlicensed environments.<sup>122</sup> The report stated that padronas were leaving their houses that were once "hives of activity" empty and moving to other more lucrative areas to set up unlicensed brothels. The report states that the sex worker herself has to work "at every available opportunity...even when she is not forced to be in the brothel." It acknowledges that there is also a simultaneous and consistent movement of women registering with the government, stating that, "women too old for secret houses, those who wish to claim some sort of police protection from pimps, those down and out and who know they can make some earnings, though small, all eventually drift in as registered sex workers."<sup>123</sup>

In February 1944, a group of ten sex workers from Akhmim in the Suhaj governorate in Upper Egypt petitioned the Ministry of Social Affairs for financial assistance. They state that they have spent their whole lives as sex workers and they are all now over the age of sixty. According to their letter, the military order to close brothels also stipulated that the government would give each of those affected by the shut down five pounds in financial assistance to be distributed by local councils. The women claim that they submitted requests for compensation to

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<sup>122</sup> DWQ 4029-000554 Pamphlet on Effect of the World Crisis on Prostitution in Egypt.

<sup>123</sup> Ibid.

the city, but were denied on the basis that their names were no longer on the registration list. They write that all the appropriate forms had been filled in but in the face of the city council's denial of their claim, they are seeking the ministry's assistance in the matter. The files indicate that the Ministry awarded six out of the ten women a total assistance of thirty Egyptian pounds in March 1944, a few months after the original letter was written.<sup>124</sup>

In a follow-up petition dated in May of the same year, the four women who were denied assistance once again petitioned the Ministry's decision. In their letter, they demanded to be treated as "equal" to all the other sex workers who were given compensation. These<sup>125</sup> women introduce themselves as "miserable women": Nabawiyyah 'Ali al-Zayyat, Hanim Muhammad, Zakiyyah Ahmad 'Ali, and Fatimah al-Sayyid Mansur. They repeatedly emphasize and ensure the government that they were indeed sex workers. One of the women, Nabawiyyah was also recently released from prison, which was used as even further proof of their dire need for government help. These four women were denied financial assistance though it is not clear why.<sup>126</sup> The questioning of preferential treatment of some women over others by the government and requests to be treated in an equal manner is a common feature in these petitions. For example, in another letter submitted by Nabawiyyah Ibrahim Salim in 1943, she petitioned Ministry of Social Affairs regarding disbursement of financial assistance. She requested that her name be added to the list of "the deserving," the same as her fellow colleagues had been.<sup>127</sup>

There does not seem to be any uniformity in the dispersal of financial aid to sex workers and it seems for the most part to have been determined by a variety of different actors on a case-by-

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<sup>124</sup> DWQ 4029-000296, Letter to the Minister of Social Affairs, 26 February 1944.

<sup>125</sup> DWQ 4029-000296, Letter to the Minister of Social Affairs, 15 May 1944.

<sup>126</sup> Ibid.

<sup>127</sup> DWQ 4029-000296, Memo, 14 April 1943. For more on the development of the category "the deserving poor," see Mine Ener's *Managing Egypt's Poor and the Politics of Benevolence* (Princeton: Princeton University Press, 2003).

case basis. For instance, following the precedence set by the military order of 1942 the local council in Aswan decided that by September 1945, all brothels in province would be closed. A woman by the name of Hikmat Rushdi Mahmud submitted a petition directly to the local council.<sup>128</sup> In her letter she claimed she was a licensed sex worker who had significant debts. She owed a total forty-four Egyptian pounds to her creditors and in her petition she lists the details of her debts and the names of creditors. The governor of Aswan personally took up her petition and passed it on to the Ministry of Social Affairs. He requested financial assistance on her behalf writing that the decision to shut down the brothels directly resulted in her terrible condition and that any compensation should only be enough to last her until she is able to find another job in order make a living. According to his letter, Hikmat is the last sex worker left in the district in Aswan. The city had been emptied of all sex workers except her. He emphasizes that she is the only one left in the empty buildings, which could pose a danger to public security though how exactly, is unclear.<sup>129</sup> In another example, in 1946 the sex workers of Faqus from the Delta region received financial assistance from their local provincial council after petitioning the Ministry of Social Affairs.<sup>130</sup>

One group of registered sex workers in Asyut sent in a very strongly worded and scathing petition to the Ministry of Social Affairs in 1948. Addressed to the minister, it had the heading, "the call of the oppressed to those of justice and equity" (see appendix five).<sup>131</sup> The only name that appears on the petition is that of Aminah Muhammad Hassan who signed the letter on behalf of the sex workers of bandar Asyut. The grievance claims that the women were taken by surprise

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<sup>128</sup> DWQ 4029-000296, Letter to the Deputy Mayor of Aswān, 28 July 1945.

<sup>129</sup> DWQ 4029-000296, Letter to the Deputy Secretary of the Ministry of Social Affairs from the Deputy Mayor of Aswan, 28 July 1945.

<sup>130</sup> DWQ 4029-000296, Memo, 25 September 1946. This same file contains administrative memos (dated 2 September 1942 and 24 September 1942) regarding two different petitions sent from sex workers in Faqus requesting financial assistance after their brothels were shut down four years previous to receiving payment.

<sup>131</sup> DWQ 4029-000296, Petition to the Minister, 21 February 1948.



upon receiving a notice of the abolishment of licensed prostitution from the city's police commissioner. They were only given two months to find alternate arrangements, claiming that this was not enough time. Nor they say, was any financial assistance given to them to help them transition to an "honourable living."<sup>132</sup> The body of the petition is short enough to quote in full,

We were surprised by a warning from the magistrate of the city of Asyut on the cancellation of licensed prostitution after two months time without showing any preparation [to help us] or payment of money that we can live off of until an honourable life is resumed. It is as if with this way, there will be an increase in bad conditions and it will help the present of clandestine prostitution and it is flourishing in the city of Asyut because each prostitute finds herself sacked and [if] she has just a touch of beauty she will be attracted from licensed to clandestine prostitution. And from it leads to the spread of wicked diseases. We are not able to leave our houses and our sanctuaries for the streets at the mercy of fate. We have no appointee except God and Your Excellencies. We petition to Your Excellencies to review this decision from a social perspective, especially as beside the city of Asyut there is a [military] camp that holds more than three thousand soldiers who find no place [to find pleasure] for themselves except in the prostitution quarter.<sup>133</sup>

The sex workers argument that the ministry must rethink its decisions to dismantle the system of licensing backed by a thinly veiled threat of increased clandestine prostitution, resulting the spread of venereal disease.

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<sup>132</sup> DWQ 4029-000296, Petition to the Minister, 21 February 1948.

<sup>133</sup> Ibid.

The petition was forwarded by an administrator in social affairs to the secretary's office of the deputy minister with a memo attached seeking approval for financial assistance for the sex workers.<sup>134</sup> However the request was refused and the deputy minister forwarded the petition to governor of Asyut with strict instructions that he must implement the decision to end licensed prostitution. The governor was also requested by the deputy minister to ensure continued supervision of the sex workers in order to guarantee compliance and so as to keep them away from the nearby soldiers.<sup>135</sup>

Generally, the petitions from the 1940s such as the ones summarized above are much shorter than the petition from the sex workers of al-Minya. By 1948, it was already clear which way the system of licensed prostitution was going, but the same cannot be said for the system of regulation in 1930s. Central to James C. Scott's theory of the arts of resistance of subordinate classes is that these groups act in a variety of ways based on a belief in real possibility of alternative arrangements in regards to the issue at hand. Propelling collective action is a sense of "possibilities for emancipation."<sup>136</sup> For this reason, the stakes involved with the al-Minya petition are very different from the latter ones written in the 1940s, where the sex workers more than anything are seeking to secure the compensation promised to them. Even still, there are convincing attempts by the sex workers to engage with the terms and logic stipulated by the government to reverse their decisions. Even at a point in time which only in retrospect seems too little too late, these women use the options available to them and appeal to state to alleviate their situation.

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<sup>134</sup> DWQ 4029-000296, General Manager to Secretary's Office, memo, 6 March 1948.

<sup>135</sup> DWQ 4029-000296, Letter to Deputy Mayor of Asyut from Deputy Minister, 6 March 1948.

<sup>136</sup> James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven: Yale University Press, 1990), 79.

## Conclusion

The practice of licensed prostitution in twentieth century Egypt was one that absorbed and reflected a variety of actors and concerns. The military, government administrators, and the general public all had a vested interest in either the maintenance or dismantlement of the system of regulation. Though often times these tendencies were placed in opposition, they can only be understood in relation to each other as they were entangled in the same web of ideology and practice. Much of the existing literature has ignored the place of the sex worker. By incorporating new archival sources and never used before petitions from sex workers, this chapter has shed light on the way through which lower class urban women engaged with these elements and sought to secure their own means of livelihood by claiming and defending their rights as citizens of the modern state. It contributes to a fuller picture of the contest of power that occurred between the state, local communities, and the national community by bringing into the picture the perspective of the sex workers.<sup>137</sup> It thereby also contributes to the trend in scholarship that moves away from viewing prostitution as a screen onto which law and discourse were projected upon and towards delineating the variety of practical ways in which sex workers both conformed to and contested regulation and state interference.

The petitions analyzed in this chapter complicate what we know of the relationship between sex worker, the state, and community, and the boundaries that are drawn between them, thereby complicating simplistic analysis of the relationship between the encroaching state and the silent and weak female. They also allow us a glimpse into the application of law and its practical functionalities. Prominent definitions of what and who is considered marginal, criminal, underserving, and immoral were reversed in the grievances sex workers made to the state in their own defence.

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<sup>137</sup> Hammad, "Between Egyptian "National Purity." 774.

As part of the public transcript petitions are strategic constructions of a particular reality. They do not tell us what happens "off stage," for example, how these women performed sex work, the conditions of their brothels, etc.<sup>138</sup> As Ashwini Tambe has cautioned, the distance between the figure of the sex workers that appears in the sources and literature and their actual lives must be consciously maintained.<sup>139</sup> However, as textual traces the petitions offer rare insights into a process of engagement between the sex workers and state apparatus. They prove that when their livelihoods came under threat, sex workers strategically deployed the same systems and discourse that marginalized them. For example, the laws that regulated where sex workers could work were aimed to exclude them from respectable spaces. Despite this, as in the case of al-Minya, sex workers were able to create their own communal spaces and make connections with other community members such as business owners whose support was drawn on in times of need. Inclusion into the realm of respectable was determined by their strict compliance to law, reinterpreting their relationship to the state and challenging dominant tendencies to exclude these women from respectable society on the basis of their occupation.

Historian Eugene Rogan's definition of marginality may be more conducive in this regard. For Rogan, marginality should be generally defined as a fluid non-conformity to social or legal norms. The essential characteristic of his definition of marginality is that it is a fluid state, which means that people pass in and out through marginality, rather than a point at which they stay.<sup>140</sup> The petitions highlight the fluidity of marginality. The sex workers presented in above, who were undeniably marginal by the standard of social norms, had followed the legal norms requested of them. Consequently, they were able to strategically deploy the language of justice, safety, and

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<sup>138</sup> Scott, *Domination and Arts of Resistance*, 4.

<sup>139</sup> Tambe, "Brothels as Families," 220.

<sup>140</sup> Eugene Rogan, "Introduction," in *Outside In: On the Margins of the Modern Middle East* ed. Eugene Rogan (London: IB Tauris, 2002), 3-5.

health in the attempt to secure their livelihoods. Collectively, the petitions push back against common conceptions of prostitution, morality, and marginality by the very women who are at the center of the issue yet simultaneously ignored.

### The Case of the Maltese Women Evaders

As part of the war effort outside of continental Europe, the British Government passed the National Service Foreign Countries Act and the National Service Egypt Order (herein NSEO) on August 6, 1942. British subjects in Egypt would now be called up for service in His Majesty's Forces. In effect, this legislation was exclusively applied to Maltese and Cypriot subjects in Cairo, Alexandria, and the Canal Zone. In times of war, evasion, desertion, and other means of avoiding and rejecting forced military service are well-documented responses.<sup>1</sup> This chapter analyzes a series of unpublished files of reports and correspondence from the British National Archives that deal with female draft evaders during World War II in Egypt from 1944 to 1945. The evaders were Maltese women living in Cairo, Alexandria, and Port Said. Though the NSEO was in effect for only three years, it was a tumultuous time for both British officials administering the Order and the affected subjects. Using communal and familial networks that provided protection, Maltese women who evaded service did so almost entirely with a 100 percent success rate since its implementation.

The case of the Maltese women evaders is a moment of entanglement; entanglement of empire and subject, of formal and informal colonies, of labour and gender. It is an encounter that exposes, as Geoff Eley writes, "the unfinished local narratives of fraught legitimacy, negotiated consent, and continuing contestation," and reveals "the global circuits of empire [which] bound colonies not only into a reciprocal relationship with the metropole but also laterally into relations

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<sup>1</sup> For more information on escaping conscription see Erik Jan Zürcher ed., *Fighting for a Living: A Comparative History of Military Labour 1500-2000* (Amsterdam: Amsterdam University Press, 2013), which includes an excellent series of essays on conscription and desertion across Europe and the Middle East.

with one another."<sup>2</sup> This case study thereby complicates the assumed logic of empire, that is the view that decision-making and policy are unidirectional running only from metropole to colony. In other words, as Ann Laura Stoler writes, "colonial cultures were never direct translations of European society planted in colonies but unique cultural configurations."<sup>3</sup>

This chapter highlights the multi-directional relationships sustained by the British empire and its unique configuration where actors and interests converge in one historical moment. The Maltese migrant community in Egypt and the women at the centre of the conflict, Egypt's quest for self-determination, and British imperial concerns conflicted at times and at other times converged during the duration of the NSEO. This case represents a moment of entanglement where each actor maneuvered within the confines of the circumstance for their own interest. In this chapter I argue that the administrative structure during World War II Egypt was a site of transgression of hegemonic ideals of work and duty by the Maltese women, while providing the means by which the British reinforced their imperial interests, and simultaneously presented an opportunity for Egyptian administrators to undercut British influence. Though the application of compulsory military service in a foreign country was justified by the British as a means to relieve labour power concerns, I argue that the issue is not so much about the material output of labour but about the ideas and practices that lend themselves to managing and organizing labour. I argue that the National Service Egypt Order was implemented in reaction to internal and international politics of the time that presented the conscription of British citizens in Egypt as a means through which the British Empire could potentially strengthen their position and image of a strong and

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<sup>2</sup> Geoff Eley, "Imperial Imaginary, Colonial Effect: Writing the Colony and Metropole Together," in *Race, Nation and Empire: Making Histories, 1750 to the Present*, ed. Katherine Hall and Keith McClelland (Manchester: Manchester University Press, 2010), 221-223.

<sup>3</sup> Ann Laura Stoler, *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule* (Berkeley: University of California Press, 2002), 23-24. Stoler cautions against conflating policy with practice and metropole with colony, which results in an elision of divisions and discrepancies amongst colonizers.

stable empire. Although the discourse of citizenship and the modern subject as disseminated by elites was essential to the colonial project of the late nineteenth and early twentieth centuries, the Maltese women discussed here alert us to the continued presence of the "exploitive, coercive and civilizationalist power" of the empire that was so prominent in scholarship before the discursive turn and implore us to re-incorporate it back into our analysis.<sup>4</sup>

Egyptian involvement in the case of the Maltese women evaders must be seen within the context of a decades long struggle for national independence. There had been several failed attempts to formulate a treaty governing the relationship between Egypt and Britain since 1919.<sup>5</sup> With the increased possibility of conflict due to the threat posed by fascist Italy in North Africa and their invasion of Ethiopia in 1935 coupled with the increasing anti-British sentiment in Egypt, the British felt that a treaty would be the best means by which they could secure Egyptian cooperation.

The Anglo-Egyptian Treaty was signed and ratified in 1936 and was intended to appease the nationalist movement in Egypt while also ensuring British imperial interests in the region.<sup>6</sup> With its signing, Egypt became a technically independent state but complete independence through the evacuation of the British military was promised only at a future date. The treaty sanctioned the continued stationing of British troops in Egypt and while it allowed the expansion of the Egyptian army, it placed control of training and weaponry, and therefore ultimately its efficiency, under the British. For these reasons, Egyptians overwhelmingly negatively received the treaty.

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<sup>4</sup> Eley, "Imperial Imaginary," 225-227.

<sup>5</sup> Steve Morewood, "Appeasement from Strength: The Making of the 1936 Anglo-Egyptian Treaty of Friendship and Alliance," *Diplomacy and Statecraft* 7 no.3 (1996): 532-536.

<sup>6</sup> Laila Morsy, "The Military Clauses of the Anglo-Egyptian Treaty of Friendship and Alliance 1936," *International Journal of Middle East Studies* 16 (1984), 67-68.



These stipulations meant that the military occupation of the country was able to continue uninterrupted.<sup>7</sup>

Furthermore, the condition of British withdrawal from politics in Egypt was in practice suspended with the outbreak of war in 1939.<sup>8</sup> In 1940, the British forced the king to dismiss anti-British prime minister 'Ali Mahir. Again in early 1942, the British threat of "gunship diplomacy" to counter "unruly" behaviour from the Egyptians materialized when the king insisted on withholding his approval of a more pro-British candidate as prime minister. In the face of this rejection, the British military surrounded the king's palace forcing him to accept Mustafa al-Nahhas (1879-1965) for the position.<sup>9</sup>

Though the 1936 treaty undoubtedly gave Britain the upper hand in political developments in Egypt it also provided the means by which Egyptian bureaucrats and politicians could and did undermine that power. As Eric Schewe writes, it resulted in the replacement of numerous British employees and advisors who had been working in the government with Egyptian counterparts. This meant new ways of cooperation between the English and the Egyptians had to be established. Throughout the war there was never any outright refusal on behalf of the Egyptians to share vital information on issues of military security, but there was what Schewe calls "constant bureaucratic friction" between Egyptian and British officials.<sup>10</sup> Moreover, the Egyptians also restricted British access to their intelligence on domestic affairs. In these ways

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<sup>7</sup> Morewood, "Appeasement from Strength," 553- 554. According to the treaty British troops were to withdraw from the main cities of Cairo and Alexandria and be stationed in new barracks in the Canal Zone. Yet this transition was dependent on how fast the Egyptian government could build the new facilities. As Morewood notes, there were still troops in Cairo and Alexandria in 1945. Morsy, "The Military Clauses of the Anglo-Egyptian Treaty," 91.

<sup>8</sup> Charles Tripp, "Ali Mahir and the Politics of the Egyptian Army, 1936-1942," in *Contemporary Egypt: Through Egyptian Eyes, Essays in Honour of Professor P.J. Vatikiotis*, ed. by Charles Tripp (London: Routledge, 1993), 46.

<sup>9</sup> Morewood, "Appeasement from Strength," 554.

<sup>10</sup> Eric Schewe "'State of Siege: The Development of the Security State in Egypt During the Second World War,'" (PhD Dissertation. University of Michigan, 2014), 52-53. British employees were let go from their position in most government sectors with the exception of a handful of urban police commanders and teachers of foreign languages who held their positions until the late 1940's (p.45).

Egyptian administrators aimed to protect their jurisdiction from British interference that exceeded the stipulations of the treaty.<sup>11</sup>

In this chapter, I argue that the power struggle between Egypt and Britain played itself out in the bureaucratic sphere through the application of the NSEO. Though the implementation of the draft was a means to entrench imperial interest, it also simultaneously served as an opportunity for Egyptian administrators to use the bureaucratic structure and regulations in an attempt to weaken British influence. Here, bureaucracy and more specifically, the task of labour management became the mode and the means of contending colonial practice while at the same time entrenching it. The British attempted to use the NSEO to secure their position in Egypt, thereby protecting the interests of the Empire as a whole, while the Egyptians worked to undercut their position, and the Maltese outright challenged it.

I argue that the case of the Maltese women evaders illustrates some of the more subtle ways the Egyptian state managed to assert itself in the face of British interference and control. Thereby this chapter contributes to a more nuanced view of the process of state development in modern Egyptian history. This chapter helps to uncover the wide variations in law and social practice that governed the lives of working women in Egypt's cities. I propose that a more accurate representation must necessarily include minority communities such as the Sudanese *būzah* makers discussed in chapter three and the Maltese women discussed here. The question of whether the women discussed in the pages below held any affinity to Egypt as a homeland is outside the scope of this chapter, but nonetheless it was their place of residence, sustenance, and quite possibly even birth.<sup>12</sup> Non-Ottoman foreign populations especially since the mid-

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<sup>11</sup> Schewe "'State of Siege,'" 140.

<sup>12</sup> Looking at the late nineteenth and twentieth centuries, Hanley writes that a significant portion of the Maltese foreign community was actually born in Egypt, thus pointing to a more permanent nature of migration, "Foreignness and Localness in Alexandria," 293.

nineteenth century were an inescapable part of the urban landscape in Egypt. To ignore them for the sake of maintaining categories of "Egyptian" is to sidestep different configurations of how women's labour was controlled and channeled for different social groups. Thus, this chapter contributes to the field of scholarship where Egyptians and minorities are incorporated into the same "narrative of Egyptian history," rather than as separate and distinct.<sup>13</sup>

The women called up for the draft obviously did not hold Egyptian citizenship. They were privileged by the system of capitulations that sheltered foreign minorities from Egyptian laws and taxes until 1937 when the Montreux Convention that put an end to capitulatory agreements was signed. Even after this date foreign minorities continued to be covered under consular jurisdiction in court cases, which lasted until 1949. Of course, by the 1940's categories of nationalities had become much less permeable than in previous decades, but as Will Hanley warns, even when nationality is undisputed, such categories are still porous.<sup>14</sup> In other words to use categories of nationalities in a descriptive capacity as explanations of behaviour misses the other instances where human action challenges these very same categories.

I also show in this chapter that the managerial problem of labour control did not materialize in the same way for all women. The laws, policies, and conceptions of womanhood that governed urban female wage labour varied greatly. Still, this chapter shares similarities with the previous case studies I have presented. It was only when issues surrounding women's labour crossed the moral boundaries they were expected to uphold that the state directly intervened. Yet as demonstrated in the cases of Sudanese *būzah* makers, sex workers, and with the Maltese

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<sup>13</sup> Deborah A. Starr, *Remembering Cosmopolitan Egypt: Literature, Culture, and Empire* (New York: Routledge, 2009), 23. Starr critiques Eurocentric scholarship on the history of minorities in Egypt that ignores the intermingling of cultures, spaces, and ideas that occurred between foreign minorities and Egyptians. The doctoral research of Will Hanley and Eric Schewe are both excellent analyses of these shared spaces and their larger implications to political and social developments in Egypt in the nineteenth and twentieth centuries respectively. See Will Hanley, "Foreignness and Localness in Alexandria," and Schewe "State of Siege," particularly chapters three and six.

<sup>14</sup> Will Hanley, "Foreignness and Localness in Alexandria, 1880-1914," (PhD Diss, Princeton University, 2007), 52-53.

evaders as will be discussed in the pages below, women's experiences did not necessarily translate into an increased dependence on patriarchal family structures. By utilizing the resources of the community and neighbourhood, women attempted to escape the confines of government policy. Before I delve into the details of evasion from conscription, a brief overview of the history of Maltese in Egypt is warranted.

### **Maltese Communities in Egypt: A History of Migration**

The history of migrant communities and the circulation of people in the Southern Mediterranean is a growing and dynamic field. Since the nineteenth century, migrants from France, Greece, Italy, Crete, Cyprus and Malta have settled and built communities in cities across North Africa, Egypt, and the Levant. The scholarship highlights the integral contribution that minority groups made to intellectual, political, and social developments in the history of the Middle East. In scholarship on Egypt, Will Hanley's doctoral dissertation covers a number of different migrant communities as they appear in the records of the consular courts in Alexandria from 1880-1914. Additionally, both Nancy Reynolds and Mario Ruiz have contributed to our knowledge of these communities by bringing to light the complications and intricacies of daily life in these multi-ethnic cities.<sup>15</sup> Authors such as Anthony Gorman and Ilham Khuri-Makdisi have looked at the involvement of Greek, Italian, and Syrian-Lebanese communities in Egypt. Ilham Khuri-Makdisi's work has shown how the flow of people and the exchange of ideas across cities in the Mediterranean contributed to the formulation of radical thought in Egypt and in Lebanon from

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<sup>15</sup> Hanley, "Foreignness and Localness In Alexandria;" Mario M. Ruiz, "Intimate Disputes, Illicit Violence: Gender, Law, and the State in Colonial Egypt 1849-1923," (PhD Diss., University of Michigan, 2004); Nancy Y Reynolds, "Entangled Communities: Interethnic Relationships Among Urban Salesclerks and Domestic Workers in Egypt, 1927-1961," *European Review of History: Revue europeenne d'histoire* 19 (2012): 113-139.

the late nineteenth century leading up to the First World War.<sup>16</sup> Anthony Gorman has dedicated much of his scholarship to the Greek diaspora in Egypt and their involvement in radical politics, such as communist and anarchist organizations, and the labour movement of the twentieth century.<sup>17</sup>

Similar to the Greek, Italian, and Syrian-Lebanese populations, the Maltese have historically had diaspora communities settle in cities across the world. The work of Julia Clancy-Smith on nineteenth century Tunis has focused on the institutions, laws, and practices that shaped how the lives and communities of Southern European migrants, including the Maltese, were governed.<sup>18</sup> Clancy-Smith has also looked more extensively at patterns of settlement for Maltese migrant women in Tunis and the role of gender in configuring their experiences.<sup>19</sup> In the first half of the nineteenth century, it seems that the majority of those who left Malta for cities off the southern Mediterranean coast settled in Tunis and Algiers. When the British acquired Malta as part of its empire in 1814, Maltese migrants in cities across the Mediterranean fell under British consular jurisdiction and protection. It was not until the mid to late nineteenth century that Egypt became a more popular destination among migrants looking for work, as evidenced by the case of Alexandria. Alexandria became home to a significant foreign population, including a growing

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<sup>16</sup> Ilham Khuri-Makdisi, *The Eastern Mediterranean and the Making of Global Radicalism, 1860-1914* (Berkeley: University of California Press, 2010).

<sup>17</sup> Anthony Gorman, "Repatriation, Migration or Readjustment: Egyptian Greek Dilemmas of the 1950's," in *Greek Diaspora and Migration since 1700: Society, Politics, and Culture*, ed. Demetres Tziouvas (England: Ashgate Publishers, 2009); 61- 72; "Diverse in Race, Religion and Nationality, but United in Aspirations of Civil Progress: The Anarchist Movement in Egypt, 1860-1940," in *Anarchism and Syndicalism in the Colonial and Postcolonial World, 1870-1940: The Praxis of National Liberation, Internationalism, and Social Revolution*, ed. Steven Hirsch and Lucien Van derWalt (Leiden: Brill, 2010), 1-32; "Internationalist Thought, Local Practice: Life and Death in the Anarchist Movement in 1890's Egypt," in *The Long 1890's in Egypt: Colonial Quiescence, Subterranean Resistance*, ed. Marilyn Booth and Anthony Gorman (Edinburgh: Edinburgh University Press, 2014), 223-253.

<sup>18</sup> Julia Clancy-Smith, *Mediterraneans: North Africa and Europe in an Age of Migration c. 1800-1900* (Berkeley: University of California Press, 2011).

<sup>19</sup> Julia Clancy-Smith, "Gender in the City: Women, Migration, and Contested Spaces in Tunis c. 1830-81," in *Africa's Urban Past*, ed. Anderson David, and R J.A.R. Rathbone (Oxford: James Currey, 2000), 189-207; Clancy-Smith, "Women, Gender, and Migration along a Mediterranean Frontier: Pre-Colonial Tunisia, c.1815-1870," *Gender and History* 17, no.1 (2005): 62-92.

Maltese community, which helped it grow from a small town of 6,000 people in 1798 to a booming port city of 231,000 in 1882.<sup>20</sup> This growth coincided with the growing impetus in British policy to encourage migration for labour purposes.<sup>21</sup>

In the first decades of the twentieth century, the Maltese, consistently the largest British group in Egypt, were concentrated in Cairo and Alexandria. According to the Egyptian census, the Maltese community reached its highest population in 1927 with almost 9,000 people representing approximately 26 percent of the British community.<sup>22</sup> Yet as previous scholars have noted, registration with the British consulate was not seamless and therefore determining what portion of British Maltese subjects are not reflected in official census statistics is difficult if not impossible.<sup>23</sup> Thus population statistics for the Maltese in Egypt vary greatly, some estimating that the population reached close to 20,000 by 1926.<sup>24</sup>

As British subjects, the Maltese fell under consular jurisdiction in Egypt and therefore were legally entitled to the same protections and civic rights as all British subjects. Scholars position the lower class Maltese population to be part of the *mutamişirūn*, the Egyptianized minority communities who "had more in common and more day to day contact with working class Egyptians than elite members," of their communities.<sup>25</sup> Yet the Maltese also had their educational, religious, social, and charitable institutions through which they were able to retain

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<sup>20</sup> Clancy-Smith, *Mediterraneans*, 3-5.

<sup>21</sup> *Ibid.*, 3.

<sup>22</sup> Egypt, *Population Census of Egypt, 1927* (Cairo: Government Press, 1931).

<sup>23</sup> Hanley, "Foreignness and Localness in Alexandria," 250-251. Hanley notes that in the late to early nineteenth century "few Maltese became British," reflecting that many did not register with the British consulate in order to receive documentation of citizenship. Hanley also estimates that more than half of the Maltese adult population in Alexandria was born in Egypt (see footnote number five), 291- 293.

<sup>24</sup> Lawrence E. Attard, *The Great Exodus: 1918-1939* (Malta: Publishers Enterprises Group, 1989), 25; Lanver Mak writes that this number may have been closer to 25,000, *The British in Egypt: Community, Crime and Crises, 1882-1922* (London: IB Tauris, 2012), 66.

<sup>25</sup> Schewe, "State of Siege," 274.

their cultural and linguistic heritage.<sup>26</sup> British administrators often identified the Maltese as having a "strong sense of community" as exemplified by the ability of charitable organizations such as the Maltese Benevolent society of Alexandria established in 1889, to provide for and assist the poor.<sup>27</sup> These associations also acted as representatives for its members with British and Egyptian authorities. In fact, the British in Egypt had a long standing practice of relying on communal organizations in issues of governance. Since the late nineteenth century, the British depended on these organizations to carry out tasks and services of welfare, policing and surveillance of members of the community, as well as issuing birth and marriage certificates and providing identity references for consular registration.<sup>28</sup> With the growth of the Maltese community in various cities across Egypt, the Central Council of Maltese Communities in Egypt (herein CCMCE) was formed in 1927. Its aim was to provide unified representation for the various Maltese communities throughout the country.<sup>29</sup>

Colonial hierarchies structured the relationship that the Maltese had to the British and other social groups in Egypt's cities. Investigating the records of the British consular courts in Alexandria, Hanley writes that the reality for the Maltese was that even though they enjoyed privileges not given to local Egyptians, they were designated as second-class citizens. Notions of cultural inferiority infiltrated the handling of their criminal and civil cases. The Maltese for the most part were identified as criminal, dangerous, and unruly. Differences in language and spatial proximity to other second-class Europeans as well as local lower class Egyptians set them apart from elite Britons and administrators.<sup>30</sup> Notions of race and cultural inferiority imbued the daily practice of justice thereby resulting in significantly higher rates of persecution. As Hanley

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<sup>26</sup> Schewe "'State of Siege,'" 274. See also Hanley, "Foreignness and Localness," 300.

<sup>27</sup> Mak, *The British in Egypt*, 66.

<sup>28</sup> Hanley, *Foreignness and Localness*, 310-311.

<sup>29</sup> Attard, *The Great Exodus*, 25.

<sup>30</sup> Hanley, *Foreignness and Localness*, 296-300. See also Mak, *The British in Egypt*, 135.

discovered, for every one Briton charged in criminal courts, there were five Maltese charged.<sup>31</sup> Similar racial stereotypes come up frequently in discussion of the NSEO as will be seen below, but for now suffice to say that while privileged, the Maltese for the most part were a neglected British constituency.

### **Military Conscription in the British Empire and the Drafting of the National Service Egypt Order**

In the years leading up to the First World War, the issue of military conscription was heavily debated in Britain. Its proponents defended it as a democratic regulation based on an "equality of sacrifice," where its citizens shared the burden of the defence of the nation.<sup>32</sup> It was first implemented there with the Military Service Act of 1916. According to Jorn Leonhard, the ideological impetus for military conscription was based on the experience of the wars of the nineteenth century. Throughout the later decades of that century, the nation gradually came to replace dynasties as actors in war and in the name of fighting for the existence of the nation, political participation through conscription was extended.<sup>33</sup>

During World War One, the French parliament passed laws to enable conscription in their colonial territories in North and West Africa, yet the British never did so themselves until the Second World War.<sup>34</sup> British colonial troops during the Great War were made up of volunteers,

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<sup>31</sup> Hanley, *Foreignness and Localness*, 296.

<sup>32</sup> Jan Lucassen and Erik Jan Zürcher, "Conscription as Military Labour: The Historical Context." in *International Review of Social History* 43 (1998): 414; Matthew Johnson, *Militarism and the British Left, 1902-1914*, (Basingstoke: Palgrave Macmillan, 2013), 17-18.

<sup>33</sup> Jorn Leonhard, "Nation Building, War Experiences, and European Models: The Rejection of Conscription in Britain," in *Fighting for a Living: A Comparative History of Military Labour 1500-2000*, ed. Erik Jan Zürcher (Amsterdam: Amsterdam University Press, 2013) 520-523. More specifically, Leonhard argues that it was the Boer War that facilitated the change, 533-538.

<sup>34</sup> Christian Koller, "The Recruitment of Colonial Troops in Africa and Asia and their Deployment in Europe during the First World War," *Immigrants and Minorities* 26 (2008): 115



such as the Rhodesia Native Regiment of East Africa.<sup>35</sup> Conscription as a form of compulsion enforced through legal channels was a difficult policy to pursue in British colonies for a variety of reasons. Instead of formal conscription, British administrators throughout the Empire turned to compulsion when enlistment was insufficient to meet the demands of the war effort. For example, within the Egyptian Labour Corps compulsion was widely used. Hundreds of thousands of Egyptian peasants were forcibly recruited into the British war effort.<sup>36</sup> Labour recruiting officers were assigned monthly recruitment quotas by military authorities, which, in effect reinstated the *corvée* system. This method of forcibly recruiting labour was heavily relied upon in the major construction projects of the nineteenth century but officially banned by the British in 1892.<sup>37</sup> Kyle Anderson has shown that workers and peasants targeted by recruitment officers, “resorted to a variety of means to negotiate with, subvert, or resist ” forced enlistment.<sup>38</sup> By World War Two, conscription was thought of as the solution to the productivity issues and labour shortages imperial administrators were faced with as a result of war despite having to deal with high rates of desertion.<sup>39</sup>

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<sup>35</sup> Timothy J. Stapleton, *No Insignificant Part: The Rhodesia Native Regiment and the East Africa Campaign of the First World War* (Waterloo: Wilfred Laurier University Press, 2006).

<sup>36</sup> Reinhard C. Schulze, "Colonization and Resistance: The Egyptian Peasant Rebellion in 1919," in *Peasants and Politics in the Modern Middle East*, ed. Farhad Kezmi and John Waterbury (Miami: Florida International University Press, 1991), 185 as cited in Lisa Pollard, *Nurturing the Nation: The Family Politics of Modernizing, Colonizing, and Liberating Egypt, 1805-1923* (Berkeley: University of California Press, 2005), 170.

<sup>37</sup> Nathan J. Brown, "Who Abolished *Corvée* Labour in Egypt and Why?" *Past and Present* 144 (1994): 136. Brown also mentions that previous to Cromer's official statement abolishing the *corvée*, throughout the decade leading up to the British occupation, it had increasingly fallen out of favour by many politicians and landowners alike in Egypt as the preferred method of labour recruitment, (124). See also FO 141/667, Egyptian Labour for Military purposes, 1918. The "ambiguous terrain" of free versus coerced labour was symptomatic of daily colonial practices elsewhere in British and French Africa, see Frederick Cooper, *Decolonization and African Society: The Labour Question in French and British Africa* (Cambridge: Cambridge University Press, 1996), 23-39; and Walter Ihekwe Ofonagoro "An Aspect of British Colonial Policy in South Nigeria: The Problems of Forced Labour and Slavery, 1895-1928," *Studies in Southern Nigerian History*, ed. Boniface I Obichere (London: Cass, 1982), 219-244.

<sup>38</sup> Kyle J. Anderson, "The Egyptian Labor Corps: Workers, Peasants, and the State in World War I," *International Journal of Middle East Studies* 49 (2017): 15.

<sup>39</sup> Frederick Cooper, *Decolonization and African Society: The Labour Question in French and British Africa* (Cambridge: Cambridge University Press, 1996), 125.

Imperial soldiers, labour, and resources were of vital importance to the war effort as most drastically exemplified in the case of the Indian Army during WWI. Between 1914 and 1918 the British recruited over one million combatants and noncombatants from the Indian subcontinent for the war effort. These soldiers and labourers served in mainland Europe, namely France, in addition to the eastern theatres of war including Egypt and Mesopotamia.<sup>40</sup> Thus, the political participation that was extended to British citizens in the metropole, was also extended to subjects throughout the Empire. As Leonhard writes "the result was a new equation between war contributions and political status."<sup>41</sup> In Egypt, the promise of self-rule combined with the severe conditions that the country was put under due to the requisitioning and redirecting of labour power and resources during World War I shaped the rallying call of the nationalists.<sup>42</sup>

When compulsory military service was reintroduced in Britain it was also reinforced by an act implementing conscription into His Majesty's Forces of British subjects outside of Britain. The National Service (Armed Forces) Act was passed in 1939, and was followed by the National Service Act (No.2) in December 1941 that implemented the call-up of women.<sup>43</sup> To implement the compulsory service of British subjects abroad, parliament would have had to pass a special order and they did just that in August 1942 with the NSEO. The Ambassador in Egypt proposed and assertively defended to officials in the metropole that the National Service Egypt Order was a necessary requirement of the war effort. As mentioned in an official communication:

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<sup>40</sup> Jörn Leonhard, "Nation Building, War Experiences, and European Models," 540- 541.

<sup>41</sup> Ibid., 541.

<sup>42</sup> Pollard, *Nurturing the Nation*, 171. See also Kristian Ulrichsen for a discussion on the mobilization of resources and manpower in Egypt, *The First World War in the Middle East* (London: Hurst and Company, 2014), 175.

<sup>43</sup> Harold L. Smith, "British Feminism in the Second World War," in *Gender, Labour, War, and Empire: Essays on Modern Britain*, ed. Philippa Levine and Susan R. Grayzel (Basingstoke: Palgrave MacMillan, 2009), 97.

It had been represented strongly by His Majesty's Ambassador in Cairo on behalf of all the British authorities in Egypt, including the Service Commanders and the leading members of the British civilian community, that compulsory powers were needed both for the sake of the additional man-power urgently required in the existing emergency, and as a proof to our Allies, the Egyptians and the world at large that British resources were being fully mobilised in an active theatre of war.<sup>44</sup>

There was a general feeling in the metropole and in Egypt for "the need to intensify the British national effort throughout the world."<sup>45</sup> Yet what the above quote makes clear is that in addition to garnering the labour power required for the war, NSEO was also an imperial show of strength to those within and outside of Egypt.

Sir Miles Lampson (who became Lord Killearn in 1943) had been the British representative in Egypt since 1934 first as high commissioner and then as ambassador, a post he held until 1946.<sup>46</sup> Though at the time of the Second World War Egypt was technically an independent nation, the British military as dictated by the 1936 treaty held extensive powers in war time in addition to British administrators that continued to hold influence over government apparatuses and Egyptian officials. Lampson was sensitive to the critical role Egypt played in the safeguarding of immediate and long-term British imperial interests and security. The defence of Egypt, and thereby the Empire, leading up to and during the war, was his top priority, going as

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<sup>44</sup> LAB 13/40, Cranborne to Downing Street, September 1942

<sup>45</sup> LAB 13/122, Secret memo, National Service (Foreign Countries) Bill, no date.

<sup>46</sup> For more information on Sir Lampson see Steven Morewood, *The British Defence of Egypt 1935-1940* (London: Frank Cass, 2004), 6-8.

far as to threaten King Farouk with abdication if he refused to appoint a prime minister more responsive to British needs in the Egyptian parliament.<sup>47</sup>

It was envisioned that the NSEO would act similarly to the National Service Acts of the United Kingdom. Many sections of the two statutes are the same, including the section governing offences and the enlistment of women. More specifically, the NSEO lists married women and women with children under the age of fourteen as ineligible for service.<sup>48</sup> There was even some discussion on the potential of it being applied to British subjects in other foreign countries, but in the end, compulsory service of British subjects living in foreign countries was only applied to Egypt. Acutely aware of the implicit and explicit promises associated with military service, in formulating the wording of the NSEO the British were careful to specify those who qualified for conscription, making it clear that it only applied to "British subjects in countries other than Colonies, Mandated or other similar Territories," including protectorates.<sup>49</sup> This seems to have been a concern of the British mainly for fear of Egyptian locals claiming British nationality. This effectively limited the call-up to Cypriots and Maltese, though Palestinians residents of Egypt could technically be liable.

The British also drew on international legal precedence to justify the enforcement of conscription in foreign nations. They pointed to the long held practices of "continental powers" of calling up their citizens residing in foreign countries for military service, highlighting that such a measure was internationally recognized, accepted, and quite normal.<sup>50</sup> Yet this still raises the question of why Egypt? In addition to their large civilian community in Egypt, the British

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<sup>47</sup> Ibid., 7; R.F. Holland, *Blue Water Empire: The British in the Mediterranean since 1800* (London: Allen Lane, 2012), 234-35. See also Laila Morsy, "Britain's Wartime Policy in Egypt 1940-1942," *Middle Eastern Studies* 25 (1989), 64.

<sup>48</sup> LAB 13/40, National Service (Egypt) Order, 1942, Statutory Rules and Orders

<sup>49</sup> LAB 13/40, Internal communications of the Overseas Department of the Ministry of Labour and National Service, 16 July 1942.

<sup>50</sup> LAB 13/122, Secret memo on the National Service (Foreign Countries) Bill, no date.

also pointed to the already present infrastructure in Egypt, which made implementing national service logistically possible.<sup>51</sup> As previously mentioned, the 1936 Anglo-Egyptian treaty ensured the protection of British interests in Egypt and also granted them a wide scope to maneuver through during wartime. Furthermore, the implementation of modern conscriptions requires not only the definition of citizenship to determine who qualifies for service, but also a bureaucracy through which recruitment, training, housing, and punishment for offences are carried out.<sup>52</sup> The capitulations, in addition to the secured cooperation of the Egyptian government under the Treaty made all this possible. Furthermore, Egypt was facing a direct threat from the Axis forces. "The enemy at the gates," as one official called it justified the bill's "urgent presentation to parliament."<sup>53</sup> The NSEO was passed by parliament on August 6, 1942, just a few months after the German Field Marshall Erwin Rommel had advanced into the Western Desert from Libya and before the second Battle of Alamein (October 23 to November 11). Rommel had come within sixty miles of Alexandria before having to stop as a result of supply issues.<sup>54</sup>

Under the order, the Ambassador was given powers of secretary of state to initiate and fulfill the call-up. Early estimates placed the number of those eligible for enlistment at around 10,000, consisting of 6,700 Maltese (3,200 men and 3,500 women) and 4,000 Cypriots. It did not apply to British subjects who had only been residing in Egypt for less than two years.<sup>55</sup> Local boards in Alexandria, Cairo, and the Canal Zone administered the NSEO. The initial formation of personnel for each board included representatives from the British government in Egypt, the military, and representatives of the Maltese and Cypriot communities. A special board was also created to decide on appeal cases and cases claiming exemption based on hardship or

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<sup>51</sup> Ibid.

<sup>52</sup> Lucassen and Zurcher, "Conscription as Military Labour," 413-415.

<sup>53</sup> LAB 13/122, Secret memo, National Service (Foreign Countries) Bill, no date.

<sup>54</sup> Holland, *Blue Water Empire*, 260.

<sup>55</sup> LAB 13/40, Cranborne to Downing Street, September 1942.

conscientious objection. The process of conscription would start with a notice of registration in which all British subjects between the ages of sixteen and sixty would be required to fill out a registration form outlining personal details and employment experiences and skills. The boards would then sort through the registration forms to determine who was to be sent a notice of enlistment. After a notice of enlistment was served, the individual was required to perform a medical exam, which if they failed would result in their discharge as unfit for service. The placement of recruits was at the discretion of the General Officer Commanding in Chief of the Middle East. Initially, the NSEO was meant to supply labour for part-time civil defence and military service. Women who were not called up into the armed forces would be required to perform civil defence duties, such as enlistment in the Auxiliary Territorial Service (ATS).<sup>56</sup> However, since it was predicted "Maltese and Cypriot women will be of little value in such organisations," it was suggested by policy makers that women could also be engaged in welfare work in their own communities, nursing, or Air Raid Precaution (ARP) work.<sup>57</sup>

After the order was passed, Lampson proposed to limit the call up of women to between the ages of twenty and thirty-one and for men up to the age of forty-six. Yet from the beginning, there was doubt as to the actual opportunities available for women. In one letter dated November 11, 1942, an official with the overseas department of the Ministry of Labour and National Service writes that there is no industrial work available for women in Egypt and negligible opportunities in civil defence work. It seems that the only available positions would be in clerical work with war organizations. Even though the Ambassador's proposal was not objected to by the

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<sup>56</sup> LAB 13/122, Secret memo, National Service (Foreign Countries) Bill, no date; LAB 13/40 Report of the Subcommittee on the Application of Compulsory National Service to British Subjects in Egypt, May 1942.

<sup>57</sup> LAB 13/40, Report of the Subcommittee

department, they did suggest that women should be allowed to take up civil employment of importance to the war effort instead of being called up.<sup>58</sup>

The following analysis will highlight the difference between the development of a policy in the metropole and its practical application in Egypt. I argue that based on a configuration of British, Maltese, and Egyptian interests and the competition involved between the various levels of authority from communal and familial networks, to the Egyptian police, and to the British embassy, the NSEO failed not just in the immediate goal of conscription, but in the ultimate goal of an imperial show of strength.

### **The Case of the Maltese Women Evaders**

In a report written by the Embassy's advisor on the first phase of the application of National Service in Egypt, Mr. Collett wrote that there was a "happy and efficient atmosphere, which surrounded the task in all its stages."<sup>59</sup> Despite this optimistic statement, the first months of National Service in Egypt was met with local community opposition and low rates of recruitment. By late December 1942, the initial estimate of 10,000 British subjects liable for compulsory service was significantly modified to 6,500. By then, just four months after the Order was passed it was estimated that 2,000 people in total would be called up and 1,000 of those liable were already employed in positions deemed important to the war effort. Out of the 651 men and women already sent for medical exams, 410 passed. The actual number of enlistment was only 174 recruits. Yet despite these numbers, officials from the embassy in Cairo were adamant that the application of National Service in Egypt was appropriate. It was argued that eventually, "the time and effort involved will have proved well worth while." The idea that

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<sup>58</sup> LAB 13/40, Internal communications of the Overseas Department of the Ministry of Labour and National Service, 11 November 1942.

<sup>59</sup> LAB 13/41, Report by Collett on National Service in Egypt, 23 December 1942.

even a small number of recruits could have a larger importance was used to vindicate the Order in the face of initially paltry results.<sup>60</sup>

Opposition from the Maltese community was centered on female recruits. Almost immediately after the announcement of the National Service Order, the members of the Maltese community in Egypt began to mobilize. On November 28, 1942, a meeting of Maltese ladies was held in Cairo where the President of the Community (which is most likely a reference to the president of the CCMCE) would discuss what National Service would mean for women.<sup>61</sup> It was the CCMCE that came to the aid and defence of the women evaders. It is clear, as previously mentioned, that the British took advantage of communal networks, but as in the case at hand, they were not always compliant. The ability of individuals to resist conscription is based on an appraisal of pros and cons that take into consideration the resources of the household and community<sup>62</sup> and their ability to aid resistance. Thus, in addition to providing information on the whereabouts of certain individuals, organizations such as the CCMCE could also deflect the search for wanted members of their community.

For CCMCE the enlistment of women was not the objection, but rather the lack of communal supervision was. The president of the Central Council sent letters to the British Embassy in 1942 contesting the inclusion of women for duty as it would require long absences from their homes. The CCMCE stated that it was not custom for young Maltese women to sleep away from home and suggested repeatedly that it would be more suitable for these women to be employed in their areas of residence.<sup>63</sup> Administrators of the NSEO were well aware of the CCMCE's moral objections and commitment to gender norms, but they were divided as to how to proceed. One

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<sup>60</sup> Ibid.

<sup>61</sup> LAB 13/40, News clipping from *The Egyptian Mail*, 28 November 1942.

<sup>62</sup> Lucassen and Zurcher, "Conscription as Military Labour," 416-419.

<sup>63</sup> LAB 13/41, Report by Collett on National Service in Egypt, 23 December 23, 1942; Letter to Embassy from the CCMCE 24 May 1943; Letter to the Embassy from the CCMCE, 4 June 1943.



official wrote in a telegram "such scruples are out of place in a total war, and that people usually adapt themselves to what is inevitable."<sup>64</sup> Mr. Collett on the other hand was of the opinion that "this tradition should be recognized and women should be able to plead objection." Yet rather than proposing a blanket rule to prohibit the enlistment of women, Collett recommended that objections should be dealt with on a case-by-case basis. He warned that administrators should be attuned to who exactly is pleading the case, stating that the influence of parents is what is most likely preventing Maltese women from joining the service.<sup>65</sup>

In fact, similar suggestions were made even before the implementation of the Order. In a report dated May 13, 1942, three months before it came into effect, a committee charged with considering the application of the call-up in Egypt wrote that female conscripts could be enlisted in the ATS, where women worked as drivers, cooks, clerks, orderlies, telephone operators, and storekeepers. Yet Maltese and Cypriot women were considered by this committee to be "of little value in such organizations." Instead, they suggested that the women remain in their residential districts in civilian positions important to the war effort.<sup>66</sup>

It is not clear to what extent these suggestions were implemented but there is evidence of leniency in the first year of national service. The Embassy replied to the concerns of the CCMCE stating that civilian work near the homes of Maltese women was not possible to adopt as a general policy but that the suggestions had been passed on to Military Authorities and administrative boards for their "sympathetic consideration."<sup>67</sup> Furthermore, in his communication to the Foreign Office Lampson writes that administrative boards were instructed in 1943 to be lenient with women who had "genuine moral scruples" against conscription. They

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<sup>64</sup> LAB 13/41, Telegram, 16 December 1942.

<sup>65</sup> LAB 13/41, Telegram, 22 December 1942.

<sup>66</sup> LAB 13/40, Report of the Sub-Committee on the issue of the application of National Service to British Subjects in Egypt, 13 May 1942.

<sup>67</sup> LAB 13/41, Reply from the Embassy to the CCMCE, 21 June 1943.

were allowed a six-month postponement period in which they had to find employment relevant to the war effort in place of military service.<sup>68</sup> Another concession the CCMCE did manage to secure in the first year was the postponement of the call-up of "certain" women until after Easter in order to perform their religious duties. There is no indication of whom these women were or how many of them were given this concession but it is clear from their early communications with the Embassy that the Council was under the impression that the application of the NSEO would continue to be very lenient towards "women whose objections are based on sincere conviction."<sup>69</sup> Though how administrators were to gauge "sincere conviction" to social and gender norms is not specified.

Nonetheless, by May 1944 there was a general failure to respond to the call-up as instructed. The backlash against the National Service Order by women had been so pervasive that it had been characterized as a "systematic evasion" with both the tacit and active assistance of the women's families and members of their communities.<sup>70</sup> The ambassador received the support of the overseas department of the Ministry of Labour and National Service and the Foreign Office to take "strong action" against the Maltese women. He communicated assertively that it was his "duty to insist that the military authorities go through with these arrests and seek out the women in question wherever they may hide."<sup>71</sup> It was again suggested by the Overseas Department that the women should be allowed to take up "civilian work of national importance" instead of being sent away.<sup>72</sup> By that point, authorities would no longer tolerate resistance to the law.

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<sup>68</sup> LAB 13/41, Telegram Lampson to Foreign Office, 7 May 1944.

<sup>69</sup> LAB 13/41, Letter to the Embassy from the president of the CCMCE, 24 May 1943.

<sup>70</sup> LAB 13/41, Telegram Lampson to Foreign Office, 7 May 1944; Telegram from Embassy to General Headquarters, Middle East Forces, 16 June 1944.

<sup>71</sup> Ibid; Telegram from Foreign Office to Colonial Office, 11 May 1944.

<sup>72</sup> LAB 13/41, Correspondence of the Overseas Department of Ministry of Labour and National Service, 19 May 1944.

Both the search and arrests of these women were arduous processes. The first attempt to arrest a woman evader occurred in the summer of 1944. Nineteen-year-old Miss de Giovanni of Port Said had not shown up for service. She was one woman out of thirty that did not respond to their call-up and who was wanted for "determined and organized evasion" of their civic duty as British colonial citizens during wartime in Egypt. Even though she had submitted her objection to enlistment on moral grounds, by that time Lampson had faced significant impediments from the Maltese community that he felt could not longer prolong his "reluctant concession beyond its terms."<sup>73</sup>

In the Embassy, Lampson had considered the search and attempted arrest of De Giovanni a "test case." The Military Authorities had experienced heavy delays for months, possibly even a year, in attempting to arrest these women, mainly due to what Lampson called the "organized passive resistance by women, families, and communities."<sup>74</sup> Delay was also due to the interferences of Egyptian authorities. The legality of her arrest was never in question but there was initial confusion over jurisdiction. In theory, the National Service Order of Egypt was to be implemented in the same manner as the National Service Act in the UK, including its dealing with the evasion of duty. Yet this was not the practice. As one official acknowledged early on:

It will not be possible in Egypt to follow exactly the same procedure as in Great Britain for the enforcement of conscription upon persons who do not respond of their own free will, but it is intended that the procedure shall correspond as closely as possible.<sup>75</sup>

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<sup>73</sup> LAB 13/41, Telegram from Lampson to the Foreign Office, 7 May 1944; Telegram from British Consulate from Port Said to Lampson 9 May 1944.

<sup>74</sup> LAB 13/41, Telegram from Lampson to the Foreign Office, 7 May 1944.

<sup>75</sup> LAB 13/122, Secret memo, National Service (Foreign Countries) Bill, no date.

Two major roadblocks seemed to stand in the way. The first was the insistence of Egyptian authorities on maintaining the agreed upon realms of jurisdiction as stipulated by the Anglo-Egyptian treaty. Egyptian police could only execute searches and arrests.<sup>76</sup> In the report of the sub-committee on National Service in Egypt, the legal question of jurisdiction to arrest and punish those who rejected service was raised. It was assumed that the cooperation of the Egyptian government would be given and thus no complications or "serious difficulties" would arise on the issue of compliance with the order. Yet the British administrators were acutely aware of the possibility that the "extension of this jurisdiction might lead to trouble with the Egyptian authorities." In fact, the British had already received complaints from the Egyptian government on this issue. They complained that the Allied Military Authorities had performed arrests of deserters without the knowledge or approval of the Egyptian police, and therefore the arrests by the Allied Military Authorities were illegal.<sup>77</sup>

Throughout the war, the Egyptians not only worked to protect their jurisdiction from British interference but also created new spaces in which they exercised and secured their authority.<sup>78</sup> The case of the Maltese women evaders is a clear example of this. The NSEO compelled military service upon Maltese British subjects but the Treaty of 1936 placed the arrest of deserters and evaders under the domain of Egyptian authorities. Recognizing this new space through which they could enforce and expand their jurisdiction, the Egyptian police kept a keen eye on the arrests carried out by the Allied Military Authorities. After the complaints the bureaucratic record reflects that the British went through the motions of notifying and including Egyptian authorities in their arrests. Thus before the arrest of de Giovanni, the British took the time to clarify the

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<sup>76</sup> Laila Morsy, "The Military Clauses of the Anglo-Egyptian Treaty," 80.

<sup>77</sup> LAB 13/40, Report of the Sub-Committee, 13 May 1942.

<sup>78</sup> Schewe, "State of Siege," 123-125.

laws of jurisdiction and then subsequently notified Egyptian police and went out in the search for her with the active assistance of the Egyptians.

Political foot dragging and bureaucratic red-tape are clear in the test case of Ms. De Giovanni. There were two attempts to arrest her. In the first attempt, the British Authorities were told by the Egyptian police officer involved that he could only ask de Giovanni to accompany them but could not use force to arrest her. The Egyptian police considered her a civilian and therefore needed written authorization from the consulate before they could make an arrest. According to the British, though de Giovanni had yet to be officially sworn in as a member of the A.T.S, she was still nonetheless a member of the British Forces since she had received her enlistment notice and therefore the matter was a military one.<sup>79</sup> After the authorization was received from the consulate, the police officer went to her home to arrest her, but did not find her there.<sup>80</sup> None of the initial thirty absentees that the Embassy attempted to track down were found.<sup>81</sup> The arrest of evaders became an opportunity for the Egyptian police to use the legal structure in an attempt to lessen British influence even while simultaneously entrenching imperial interest in that very same structure. Here, the task of labour management becomes the mode and the means of contending colonial practice.

Second, lower pay and harsher punishments were meted out in Egypt. As one administrator had noted, the strict and harsh conditions of conscription in Egypt was something that required explanation. Conscientious women objectors in the UK, one report states, were not forced to enlist. They could be fined or imprisoned, but not enlisted. Yet in Egypt, the Maltese women were arrested and forced into Service. Furthermore, English women working in Egypt were

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<sup>79</sup> LAB 13/41, Letter from Consulate in Port Said to Lampson, 9 May 1944; Letter from Embassy to General Headquarters, 16 June 1944.

<sup>80</sup> Ibid.

<sup>81</sup> LAB 13/41, Letter from Embassy to Headquarters, Middle East Forces, 16 June 1944.

allowed to retain their civilian status if they served in a government department, an option that was not available to the Maltese.<sup>82</sup> During the second round of arrests, on the evening of January 18 and the early morning of January 19, 1945, British military authorities along with a British Lieutenant from the Egyptian police raided thirty-four houses in Alexandria in the search for forty Maltese women who had evaded service. Eighteen arrests were made and the police were involved in either physical or verbal altercations in half of them. As the official police report describes, some of the accused went as far as to throw chairs and bottles at the Egyptian police. Others hid in attics, or ran and escaped through windows upon the arrival of the authorities.<sup>83</sup>

The Maltese Council came to the defence of the women arrested for evasion and condemned the arrests as an intrusion that brought terror into the homes of the Maltese in the early morning hours. In a letter sent to the Embassy in Cairo, the president of the council blamed British indifference towards the Maltese. He wrote that the event of the arrests if only regrettable to "those who understand and care about the mentality of the Maltese toward their women-folk can appreciate the full bearing of the action." The president complained not only of the method of arrests but also blamed the British authorities for the "deplorable insubordination of the girls," as they failed to fully and effectively communicate the requirements of the call-up to those liable. He also pointed out that the British had been previously aware of the collective objection to having young Maltese women sleep away from their homes and when the concerned parties raised these concerns they were assured by authorities that objections could be made on this basis.<sup>84</sup>

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<sup>82</sup> LAB 13/41, Mr. Miller's Report on the NSEO, 17 January 1945.

<sup>83</sup> LAB 13/41, Telegram from Cairo to Foreign Office, 4 February 1945; FO 891/161 Report by the General Officer Commanding of the British Troops in Egypt on the arrests of absentee women, 4 February 1945.

<sup>84</sup> FO 891/161, Letter to First Secretary of the British Embassy from the Acting President of the CCMCE, dated 25 January 1945.

The eighteen women arrested in Alexandria were subsequently and forcibly sent to their medical examinations, after which only 4 were retained as suitable for service. All of these four women later escaped without a trace.<sup>85</sup> In the spring and summer of 1945, there was a further incident of twenty-six Maltese women escaping service. In May, Ambassador Lampson had been supplied with a list of names. Where they were hiding was unknown and when authorities attempted to find out more they were again met with resistance and their search was stalled. After the failure of the previous arrest attempts, the ambassador suggested not to roundup the absentees. Instead, consular officers would take note of their names and not offer them any of the help usually reserved for deserving colonial citizens in Egypt.<sup>86</sup> By that time, officials in the Overseas Department proposed to terminate the call up of women.<sup>87</sup> It claimed that since "the call-up to the Women's Services has only produced a very small result," that there would be no "undesirable repercussions" if the enlistment of women was terminated.<sup>88</sup>

In commenting on failure of the call-up of women, Judge Besly, the lead administrator of the NSEO was quoted as saying "the chase never wearied, but the results were trifling. To track the evader in Egypt was like looking for a needle in a hostile haystack."<sup>89</sup> British officials accused the larger Maltese community of "unauthorized interference". In response, the CCMCE positioned women as victims of both their own personal shortcomings and administrative oversights. The Maltese community leaders argued that the girls were ignorant of the rules and had no knowledge of English. They pointed the finger at colonial officials for a lack of cultural sensitivity regarding Maltese traditions. They accused the British of not employing Maltese

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<sup>85</sup> FO 891/161, Report by the General Officer Commanding of the British Troops in Egypt on the arrests of absentee women, 4 February 1945.

<sup>86</sup> LAB 13/41, Communication between Lamspon and Foreign Office, 9 June 1945 and 11 July 1945.

<sup>87</sup> LAB 13/41, Letter 10 May 1945.

<sup>88</sup> LAB 13/41, Lette 11 May 1945. The Foreign Office requested that the Ambassador ease the call-up of men as well.

<sup>89</sup> LAB 13/41, Memo by A. Hudson Davies on meeting with Judge Besly, 10 July 1945.

speaking administrators to reach out to those called up for service. As a result of these factors, the women were susceptible to and indeed acted on ill-advice.<sup>90</sup> But the British officials, according to their reports did "co-opt" representatives of the Maltese communities and Maltese women were included as administrators.<sup>91</sup> According to British officials, the women were seen as being fully aware of their service obligations and any reference to their ignorance was an excuse and a cover-up of "unauthorized interference by persons who had been either unable or unwilling to understand their situation." One administrator was quoted as saying that the difficulties experienced in the arrest of the Maltese girls "have been so persistent and uniform, that it is impossible not to infer that they result from some form of concerted action."<sup>92</sup>

For Maltese women, the control of their labour was also control over their sexuality. The case of the evaders reflects the moral anxieties of the Maltese community in Egypt. Labour outside the home meant women were not under the watchful eye of their parents. Patrolling the sexuality of these women was a task that the British government took upon itself. As one British official noted in a report, repeated suggestions that women be stationed close to their residences as to bypass the need for sleeping outside the home were rejected. British authorities felt that they "could not be responsible for the women- presumably this meant their moral behaviour- if they did not live in the barracks." One official found this reasoning peculiar. He writes,

In the view of what has since come to light – and I need quote nothing more than the project of a special law to grant British Nationality to illegitimate children of ATS

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<sup>90</sup> FO 891/161, Letter from CCMCE

<sup>91</sup> LAB 13/40, List of Officers concerned with the administration of National Service, 1942.

<sup>92</sup> FO 891/161, Letter from the Embassy to the CCMCE



personnel- not only where the fears of the Cypriot and Maltese fathers fully justified, but the power of the Services to control moral behaviour has been illusory.<sup>93</sup>

Though these women were being conscripted to work for the British Military, they were not seen as potentially productive subjects. Conceptions of Maltese women's labour are further clarified only in juxtaposition to men's. Men were clearly the productive agent, but British officials questioned their productivity, and consequently their masculinity and subjecthood was undermined. Skill in labour was a concept tied to notions of masculinity and authority.<sup>94</sup> The word skill was never used in regards to women, not even to say they were unskilled. These were categories strictly reserved for Maltese men. The Maltese in these records were portrayed as poor, unskilled, with low physical standards as evidenced by rejection rates as a result of not passing the medical examinations. Elder conscripts were seen as having too many language difficulties and a low standard of education to be advantageous. NSEO administrators consistently maligned the prospect of Maltese worker productivity (as their actual work was never discussed). It was also contrasted with hypothetical Anglo-Saxon subjects in the United Kingdom as well as other migrant workers in Egypt, such as the Italians and the Greeks.<sup>95</sup> Their capacity to labour was capitalized on by the colonial regime, but their actual and potential contribution was diminished or denied during a time when conceptions of proper subjecthood were enmeshed with working towards the defence of the empire. Accordingly, the British in

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<sup>93</sup> FO 13/40, Mr. Miller's Report on the NSEO, 17 January 1945.

<sup>94</sup> Deborah Simonton, *Women in European Culture and Society: Gender, Skill, and Identity From 1700* (New York: Routledge, 2011), 391-392.

<sup>95</sup> FO 13/40, Mr. Miller's Report on the NSEO, 17 January 1945.

Egypt were not a "unified mass."<sup>96</sup> Officials maligned their largest constituency even while employed in service to their interests.

The call-up of all conscripts had been relaxed by August 1945 and two months later, the call-up of new conscripts completely ended. The National Service Egypt Order was repealed by Parliament in November of the same year.<sup>97</sup> The end of the war as well as increasing doubt and evidence about the success of the National Service Order pushed British officials to think about demobilization. The re-integration of the conscripts was tied up with the future of the British community in Egypt after the war. The following section looks at the back and forth between British officials in Egypt and in the metropole regarding the demobilization and resettlement of Maltese conscripts. This analysis will help us situate the NSEO as an attempt to strengthen the imperial position of Britain in Egypt rather than just merely a labour power initiative. Furthermore, it will highlight how the relationship between British officials, Maltese British subjects, Egyptian locals, and other European migrant communities sustained what Ann Laura Stoler and Frederick Cooper call the "differentiated space of empire," where racial, cultural, and class differences determined social standing and degrees of inclusions and exclusion<sup>98</sup> within the empire.

### **Imperial Viability and the Issue of Resettlement**

In arguing for the exigency of National Service in Egypt, it was proposed that one potential benefit of the NSEO would be the "moral results of emphasising the importance in the war of the

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<sup>96</sup> Ann Laura Stoler, *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule* (Berkeley: University of California Press, 2002), 135-36.

<sup>97</sup> LAB 13/41, Letter from the Foreign Office to the Ministry of Labour and National Service, 24 August 1945; Secret Telegram from Foreign Office to Cairo, 11 October 1945; Letter from the Foreign Office to the Ministry of Labour, 15 November 1945.

<sup>98</sup> Ann Laura Stoler and Frederick Cooper "Between Metropole and Colony: Rethinking a Research Agenda," in *Tensions of Empire: Colonial Cultures in a Bourgeois World*, ed. Frederick Cooper and Ann Laura Stoler (Berkeley: University of California Press, 1997), 3-4.

local British community and of putting beyond all doubt our national determination to defeat the present threat to Egypt by mobilisation of every available British resource."<sup>99</sup> As it turned out, by early 1944, a total of twenty-eight women and 2,067 men had been conscripted into the British military. The majority of men were assigned positions in the army, though the Navy and Air force received a total of 744 conscripts as well. Out of the twenty-eight women, twenty were stationed with the ATS, four with the Royal Navy Services, and four for the Women's Auxiliary Air Force.<sup>100</sup>

According to some officials such as Judge Besly the Embassy's legal counsel, the low enlistment number of men was due to the "low physical standards" of the mostly Maltese and Cypriot pool of liable subjects. A significant number of those called up were rejected for medical reasons. He also points to the religious and social difficulties that resulted in the failure of the call-up of women.<sup>101</sup> Yet regardless of the actual numbers, General Paget, Commander in Chief of the Middle East Forces was of the opinion that the NSEO should continue to operate until the end of war with Japan. He also promised to train those conscripted into the army before their release as a means to ease the foreseeable difficulties of resettlement.<sup>102</sup>

In 1943, Lampson set up an advisory committee regarding the position of the British community after the war problems associated with demobilization and resettlement. Fear of economic dislocation as a result of the NSEO was a worry of the Maltese community since its introduction.<sup>103</sup> Seventy-five percent of the conscripts were from either Maltese or Cypriot backgrounds and administrators of national service acknowledged that a difficult re-integration

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<sup>99</sup> LAB 13/122, Secret memo, National Service (Foreign Countries) Bill, no date.

<sup>100</sup> LAB 13/41, Despatch from Lampson to Eden, 13 March 1944.

<sup>101</sup> LAB 13/41, Memo by A. Hudson Davies on meeting with Judge Besly, 10 July 1945.

<sup>102</sup> LAB 13/41, Letter to Lampson from Paget, 7 April 1945.

<sup>103</sup> LAB 13/122, Report of the Reconstruction Committee 20 December 1943; Letter to the Embassy from CCMCE, 4 June 1943.

would be "bad advertising" for Britain in Egypt. It was "politically desirable," one official wrote, "that they should not be able to claim that the men who were called up on rigid principles in the national emergency were let down."<sup>104</sup> There was a fear that men who had lost their small businesses and jobs as a result of conscription would be thrown unprepared into a labour market in competition with hundreds of thousands Egyptians who had also been discharged by the British army.<sup>105</sup> In the face of the other, be it Egyptian, Italian, or Greek the Maltese are brought back into the fold as part of the larger British community and the empire becomes their country. In this context, the significant percentage of Maltese conscripts, which according to official estimates was around 10 percent, were small business owners who had to liquidate or sell their businesses upon conscription now became part of British business. This reinforces what Stoler terms the "contradictory colonial locations" of certain groups living in the Empire. At particular moments they were excluded and at others they were privileged.<sup>106</sup>

In addition to the loss of business, the fact of compulsion and the unpopularity of the British subject in Egypt worried British officials. By the end of WWII, there were an estimated 12,000 to 14,000 Maltese in Egypt, and resentment amongst the community was not something the British could afford.<sup>107</sup> Some recommended that the welfare and employment programs that were beginning to be instituted in the United Kingdom also be implemented in Egypt as the Maltese were not covered by any social services or unemployment schemes provided by the Egyptian government.

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<sup>104</sup> LAB 13/41, Letter from Foreign Office to the Ministry of Labour, 24 August 1945; Memo by A. Hudson Davies on meeting with Judge Besly; Report of the Interdepartmental Committee on the Release from the Forces, 26 July 1945

<sup>105</sup> Ibid. See also FO 13/40, Mr. Miller's Report.

<sup>106</sup> Stoler, "Rethinking Colonial Categories: European Communities and the Boundaries of Rule," *Comparative Studies in Society and History* 31(1989), 154.

<sup>107</sup> John D. Crawford, "The Maltese Diaspora: The Historical Development of Migration from Malta" (MA thesis, University of Victoria, 1990) 71.

A mix of paternalism and obligation towards the Maltese community in Egypt coloured discussion of resettlement. As one official of the Ministry of Labour noted, "It must be remembered that on the whole the Cypriot or Maltese who stays in Egypt is often there because he is too poor to leave."<sup>108</sup> The 'special difficulties in Egypt,' including the nationalistic policies of the Egyptian government, the labour surplus, and the occupational skills of other foreign workers, meant that Maltese and Cypriots were at risk. The Ministry of Labour in London formed a committee to look at issues of demobilization and in July 1945, they were charged with the task of inquiring into the resettlement of conscripts in Egypt. This committee highlighted the fierce competition that they would face in attempting to restart their small businesses or in securing employment. The education and technical skills of Italians, Greeks and other foreign subjects in Egypt was as the committee put it, "unfortunately usually of a higher standard than that of our own non-Anglo-Saxon community."<sup>109</sup> Politically advantageous options were those that retrenched the Maltese back into Egyptian cities successfully, thereby safeguarding the British community and position in Egypt as a whole.

Between the two committees of 1943 and 1945 a range of solutions were offered. The suggestion put forth by the Ambassador that rehabilitation boards be set up in Egypt to help train the Maltese conscripts was supported by the Ministry of Labour's committee and the commander in chief of the Middle East forces. Other recommendations such as English language training, unemployment benefits, a social security scheme, extending family rations, and other types of financial provisions seem to have been ignored for the most part.<sup>110</sup> For the 1943 reconstruction committee put together by the Embassy, the economic viability of the Maltese community in Egypt was central to their successful resettlement, which is why many of their recommendations

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<sup>108</sup> LAB 13/41, Memo by A. Hudson Davies on meeting with Judge Besly, 10 July 1945.

<sup>109</sup> LAB 13/41, Report of the Interdepartmental Committee on the Release from the Forces, 26 July 1945.

<sup>110</sup> LAB 13/122, Report of the Reconstruction Committee, 20 December 1943.

were financial. Encouraging trade and commerce amongst the Maltese community was one way in which the committee envisioned safeguarding the improvement of the British community as a whole. Thus, to see the standard of living of the many members of the Maltese community reach a level so low that, "they have almost, if not quite, become indistinguishable from the Egyptian proletariat" was a cause for concern.<sup>111</sup> The committee argued that the post-war situation would only worsen their socio-economic standing and their consequent absorption into the local population would be of no benefit to the British.<sup>112</sup>

Despite the fact that lower class Maltese sustained institutions such as schools and churches that set them apart from their Egyptian neighbours, the officials in Egypt were reacting against the process of *mutamişirūn* or "Egyptianization" which for them was a cultural as well as socio-economic process.<sup>113</sup> Throughout long generations of settling and building homes and communities in Egypt, poverty threatened British subjects from becoming indistinguishable from the Egyptian populace thereby collapsing colonial hierarchies. The British viewed the Maltese as a means of reinforcing their position in Egypt especially with the end of capitulations in sight.

Absorption into local Egyptian society was so undesirable that the thought of it prompted suggestions of population transfers to other parts of the empire where they could potentially be of more benefit. In this context, the application of the NSEO must be tied to the longevity of the British in Egypt. National service and the chase after women evaders was not only about meeting immediate labour power needs, but the larger question of the integrity of British hold in Egypt was at stake. Strengthening the ties between the British and Maltese was a means through which the British presence in Egypt could be perpetuated. The value of the labour that they could potentially perform as conscripts was repeatedly diminished, but their presence in Egypt as

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<sup>111</sup> Ibid.

<sup>112</sup> Ibid.

<sup>113</sup> Schewe, "State of Siege," 274.

British subjects was vital. It was not until the later years of the 1940's that the official stance shifted towards the Maltese community. The seriousness of economic distress created a "problem of indigent and unemployed Maltese" in Egypt whom could not be repatriated to Malta since overpopulation there was considered the main factor for severe unemployment and poverty.<sup>114</sup> The consulate and the Ministry of Labour initiated a few serious attempts at the relocation of a handful of Maltese in 1948 and 1949. Though there were some successful cases in which men and women from Egypt were able to secure employment in England, the difficulties faced by other candidates made one official call the scheme a "fiasco."<sup>115</sup>

## Conclusion

With modern techniques of governance, the process of control as experienced through order and discipline affects space, minds and bodies simultaneously. Inextricable from the requirement of order is the unremitting threat of disorder.<sup>116</sup> In the case of the Maltese women evaders, the British envisioned an effective and beneficial result of applying compulsory service to their subjects in Egypt. Yet the result was disorder of space, mind, and body. Wanting to take complete control of the evaders, the British were held back by Egyptians authorities who upheld them to the legally binding rules of the 1936 treaty and forced them to make some room for their own involvement. The British were sent on a dizzying chase in search of their targets but to no avail. Upon invading the houses and neighbourhoods of the Maltese, they were met with resistance. The women had used their familial and communal networks to successfully escape British control. Lastly, an unprecedented policy meant to strengthen imperial defence and presence in Egypt was for the most part unsuccessful and resulted in significant push-back from women.

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<sup>114</sup> LAB 13/261, Files from the Overseas Department of the Ministry of Labour 22 January 1948

<sup>115</sup> LAB 13/261, Files from the Overseas Department of the Ministry of Labour 22 January 1948.

<sup>116</sup> Timothy Mitchell, *Colonising Egypt* (Berkeley: University of California Press, 1988), 79-80.

Thus, the discipline of space, mind, and body the British presumed they could take advantage of was overwhelmed with disorder. The British were met with the challenge of chaos, indiscipline, noise, and confusion.<sup>117</sup> To make sense of this, they made consistent claims to the exceptionality of the situation. The seriousness of the threat from the Axis in combination with the exceptional case of Egypt allowed for the application of NSEO. The persistence of evasion by Maltese women who had "for months defied the Order and eluded all attempts at arrest,"<sup>118</sup> made their chase necessary.

The case of the Maltese women evaders illustrates the daily and intimate workings of empire. By the early 1930s, the concept of free labour had become established as a benchmark for the responsible colonizer. As a result of the long history of anti-slavery, the language of choice and freedom had firmly established itself into the "progressive mission" of new imperialism. But the dichotomy of free and forced is one that needs to be complicated. As Frederick Cooper writes, both the worker and the colonial administrator occupy an ambiguous terrain where governments exercise power over their subjects.<sup>119</sup> In other words, what individuals do, and how they work and do not work, are a result of the various structures of power that permeate their lives. Yet the hegemony of power structures exists simultaneously with the renegotiation of those structures.<sup>120</sup>

During wartime, conscription and military discipline were seen as solutions to problems of low productivity and unresponsiveness to wage incentives. It was argued by British authorities that the war effort required these sorts of policies and the immediacy of the situation allowed for

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<sup>117</sup> Ibid., 116-118.

<sup>118</sup> LAB 13/41, Telegram from Lord Killearn to Foreign Office, 4 February 1945.

<sup>119</sup> Frederick Cooper, *Decolonization and African Society: The Labour Question in French and British Africa* (New York: Cambridge University Press, 1996), 23.

<sup>120</sup> John Chalcraft, *The Invisible Cage: Syrian Migrant Workers in Lebanon* (Stanford: Stanford University Press, 2008), 4-5.



a temporary suspension of international conventions regarding free labour.<sup>121</sup> To protect the empire in times of crisis, a more obvious exercise of force and coercion was required. Labour in Egypt needed to be controlled to ensure the reproduction of the empire in both general and immediate terms. Conscription was one way in which the empire brought together various resources to reproduce and produce the material and ideological conditions of its existence. Yet if we follow the disputes and fault lines as Cooper calls them of the conception of labour in the colonial context, we see power structures being "pried open by the people outside," as in the case of the Maltese women evaders.<sup>122</sup>

As discussed in the introduction, this dissertation is ultimately about the changing relationship between the Egyptian state and lower class women. In the first half of the twentieth century, Egypt did not have a unitary structure of governance, but rather in addition to the expanding Egyptian state there were parallel regimes of governance that presided over foreign locals. How Egyptian administrators reacted to and molded that parallel system is evident in the case discussed here. This case demonstrates the fraught balance characteristic of power relationships in World War II Egypt. It brings to the forefront the tension between different understandings and expectations of citizenship and inclusion held by Maltese subjects and British officials.

It also reveals the bureaucratic details of Anglo-Egyptian cooperation and friction. The Egyptian government relied on the law and pointed to the arrangements stemming from the 1936 treaty to keep the British in check. Egyptian cooperation while in the interest of the empire was also a means of interference by which they were able to reign in British military authority. While taking no drastic measures to undermine the stability of the Middle East Command Base, the

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<sup>121</sup> Cooper, *Decolonization and African Society*, 125.

<sup>122</sup> Cooper, *Decolonization and African Society*, xiii.

1936 treaty laid out the parameters of their relationship and though it ensured British military dominance, it placed limits on what the British could do, a fact that Egyptian police and administrators took advantage of. The attempt to harness women's labour was one site out of many through which British power was perpetuated. The ultimate failure of their attempt revealed the anxieties of empire and its fracture from different angles by different actors at the very same moment.

## Conclusion

In the aftermath of the mass demonstrations of 1919 in which a large cross-section of Egyptian society participated in the call to end British domination, the agitation by workers and unions forced the attention of the state. In a French language report on the labour movement, most likely written in 1919, which I found in the King's Palace archives, the anonymous author makes a case for a, "minimum of legislative provisions," in order to clearly establish the rights and duties of employers and employees.<sup>1</sup> Such legislation was perceived as particularly beneficial to workers as it would protect their personal, familial, and social interests. What these interests were exactly, the author does not specify, but the importance of regulating the labour of both women and children was recommended as a fundamental step.<sup>2</sup> In this equation, the government was called on to ensure the stability of labour relations by codifying expectations and standards.

Labour legislation was slow to materialize. Instead, in response to the increasing labour unrest, the government established a conciliation board centred in Cairo to deal with disputes. The rulings of the board were non-binding and therefore compliance was never guaranteed. The dominant political party at the time, the *Wafd*, had made promises to enact labour legislation yet the government made no move in that direction until 1927 when it finally agreed to set up a commission to study the issue and to offer recommendations on how the state should proceed.<sup>3</sup> As a result of these initiatives, one of the first laws to be passed was law eighty regulating the

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<sup>1</sup> DWQ 0069-027234, Note sur les syndicats, p. 5. While the report in question has not author or date specified, the folder in which its contained is dated 1919. It also was found with another report on the labour movement, also written in french by a F. Pietn, dated July 7, 1919.

<sup>2</sup> Ibid, 5-8.

<sup>3</sup> Joel Beinin and Zachary Lockman, *Workers on the Nile: Nationalism, Communism, Islam, and the Egyptian Working Class, 1882-1954* (Egypt: American University in Cairo Press, 1998), 163.

employment of women in industry and commerce. This law, along with the law governing child labour, was to usher in new forms of state intervention in productive relations. While by no means were these laws progressive for the standards of the time, they initiated a re-ordering of labour in ways that were conducive to the growing capitalist economy and state in Egypt.

This dissertation has analyzed the changing relationship between state, labour, and gender in Egypt from 1919 to 1952. I have drawn on previously unused archival sources, which reveal new aspects of the experiences of lower class working women in these transformations. Changes to law were a vital way through which Egypt was able to become a modern nation-state. I have argued that regulating female labour was one way in which the state as practice unfolded. I reposition women's labour within the context of the state's growing role in labour management, thereby contributing to a more nuanced view of the processes of state development in modern Egyptian history. By interfering in the lives of lower class working women, the government actively produced new practices of labour and introduced the basis of inclusion and exclusion into the structures of modern institutions. Specifically, I have focused on three instances of state regulation of female labour that entailed the promulgation of new law, the revocation of old laws, and the contestation of colonial law. In all of these cases, women's bodies and labour practices became the object upon which communal anxieties regarding the success and longevity of the nation came to stand.

Even before the state initiated standardized guidelines for the employment of women in the form law eighty, working women had already been a concern for intellectuals and reformers for many years. In books and periodicals, the question of whether women should work outside their homes had been addressed since the late-nineteenth century. Socio-economic transformations brought the issue of lower class women's labour to the forefront beginning in the 1930s. While

some writers argued for concrete changes to the material conditions of their labour, the conceptual link between class, employment, and gender limited the efficacy of welfare initiatives. Attempts made by philanthropic organizations to better the lives and conditions of lower class women as well as prevent them from resorting to dishonourable means of making a living such as prostitution, reinforced both gender ideals and class relations. Women were given the opportunity to be trained in occupations suitable not only to their feminine nature but also to their social standing.

The ideals of gender and the class division of labour, as well as definitions of criminality, honour, and benevolent education present in this discourse shaped state intervention in women's labour. In turn, state intervention both modified and reinforced these structures. When law eighty was formulated, it was done so in ways that did not challenge gender roles. Its restriction of hours of work and prohibition of certain occupations deemed dangerous to feminine bodies and morals was in line with international norms as well as dominant perceptions of womanhood in Egypt at the time. This law was also justified as a necessary basis for the fulfillment of economic progress, which increasingly came to require state protection of domestic industry and regulation of the employment relationship. The idea that female labour regulation was an important foundation of national industrial progress was uncontested by government officials, both British and Egyptian. Despite this acknowledgement, the actual practices of working women was consistently minimized or ignored in the drafting of law eighty and in other areas of state-labour relations. The law was not matched with a wider concern for the conditions of women's work and in other government initiatives dealing with labour regulations, such as union laws and minimum wage discussions, women workers were completely ignored and even

intentionally sidelined. Therefore, Jamal 'Abd al-Nasir's attempts to boost the numbers working women in the 1960s and 70s were already based on decades of marginalization.<sup>4</sup>

Working women were unevenly incorporated into the modern structures of governance. Their irregular integration should not be considered an aberration of modern law. Rather, their inclusion and exclusion were part of the same process.<sup>5</sup> Defining eligibility for state protection resulted in the integration of certain occupational categories into new discourses and practices of regulation and economic progress simultaneously with the exclusion of others. This is evidenced not only in the limited scope of the statute which excluded agricultural workers and those involved in familial and household enterprises, but also in the disenfranchisement of women with jobs that by law became illegal for them to perform.

Though government officials made claims to the positive impact of the statute, I have shown that in the first years of its application in the period between 1935 and 1942, evidence of its efficacy is ambiguous. Instead, what my archival research has revealed is that government attempts to secure compliance were plagued by staff and funding shortages as well as uncooperative employers and workers. Additionally, amendments to the law were more beneficial to employers than to the working women that the government purported to protect. What the law did achieve was the standardization of new boundaries in the relationship between lower-class working women and the state. It enshrined new labour norms including the obligation of further government intervention, if and when these standards were not met. Although officials rationalized the law as beneficial to both nation and citizen, regulation of women's industrial and commercial work was not passively accepted. My research has illustrated

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<sup>4</sup> Laura Bier, *Revolutionary Womanhood: Feminisms, Modernity and the State in Nasser's Egypt* (Stanford: Stanford University Press, 2011), 61.

<sup>5</sup> Joan Wallach Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1999), 218; Immanuel Wallerstein, *The End of the World As We Know It: Social Science for the Twenty-First Century* (Minneapolis: University of Minnesota Press, 1999), 117.

how the state as practice was mediated by the very women it targeted. As attested to by labour inspectors, some female workers dodged regulations and cooperated with employers to do so. At the same time, this was not a uniform response among working women. It is clear that many women did indeed comply with inspectors and were not afraid to speak about their conditions. Moreover, other groups such as the Sudanese producers of the *būzah* drink, an occupation prohibited by law, contested the basis of their exclusion. The experience of these women complicates the simplistic binaries of the encroaching state versus the resistant working woman as well as coercive employer versus the exploited worker.

Beyond the law governing female commercial and industrial workers, there were two other instances of state interference in lower-class women's labour in the first half of twentieth century Egypt, namely legislation governing sex work and special legislation implementing conscription during the Second World War. Sex workers had been subject to state regulation beginning in the mid-nineteenth century. These laws evolved over the years and remained the basis of how their work was organized until 1951. The intersecting notions of gender, morality, and nationhood slowly chipped away at any rationalizations for the existence of a system regulating sex work. Old laws governing this occupation were no longer considered appropriate to the self-image and practice of a modern nation-state and its citizens. A new law banning sex work was passed in 1951. The system collapsed slowly, a process challenged at every turn by sex workers. The very same notions of justice, criminality, modernity, and national well being that were used by reformers to argue for an end to regulation were reversed by sex workers in defending their rights as working citizens. The petitions analyzed in this chapter shed new light on the relationship between sex workers, the state, and community, and the boundaries that are drawn between them.

The case of the Maltese women evaders presents an interesting example of state regulation of female labour. In the first half of the twentieth century, Egypt did not have a unitary structure of governance, but rather in addition to the expanding Egyptian state there were other regimes of governance that presided over foreign locals. Thus, this case study illustrates how the British attempt to control female labour also became a moment in which the Egyptian state asserted its sovereignty over its own territory, however partial it may have been. It shows how Egyptian administrators reacted to and molded the parallel systems of law making, while also illustrating the different ways in which women's work was defined and contested.

Three common thread runs through all of the different examples presented here regarding the relationship between state and working women. First, women's reliance on communal networks as vital systems of support actively shaped interactions with the state and its representatives in all the case studies. Women were able to create and sustain alternate forms of social support outside or in addition to familial networks, which were drawn on in times of need. Second, despite the extension of control and new modes of intervening in the lives of citizens that is characteristic of the modern nation-state, the case studies show that women heavily mediated these attempts. The ability of the state to regulate the lives of its citizens in ways appropriate to modernity was as Timothy Mitchell writes, repeatedly threatened and interrupted by disorder<sup>6</sup>. Lastly, all of these women would never have been documented in the annals of history had they not crossed paths with state administration. The visibility of their bodies and practices of work made them objects of state intervention. Through the enactment or reform of law, new categories and practices of labour were both created, destroyed, and negotiated, indubitably shaping the relationship of the state to its subaltern citizens for years to come.

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<sup>6</sup> Mitchell, *Colonising Egypt* (Berkeley: University of California Press, 1988), 79-80, 119.



Through this dissertation, I have juxtaposed multiple sources both archival and literary in order to reveal the variability and complexities of regulating the work of lower class women in post WWI Egypt. I have shown the variable ways working women became the object upon which communal anxieties regarding the success and longevity of the nation came to stand. The case studies presented here show the multiple ways in which women responded to state interference and how they accepted, negotiated, and contested new categories and practices of labour and gender. By no means are the responses documented in the above pages an exhaustive account of women's experiences of work in the context of state-formation in the first half of twentieth century Egypt. I do not make any hegemonic claims in regards to what urban lower class women's labour looked like, but rather I hope to have brought attention to a few variations out of a plethora that existed for working women and the complexity of ideas, laws, and institutions that they engaged with.

## Appendix 1

Cairo, 4 December 1940

To the honourable president of the King's Dīwān,

We the undersigned are owners of public stores —.

[We present] our grievance to you obediently:

And that is that we are owners of public stores licensed by the government two years ago. The police issued a security [warrant] against us on the basis of [the invalidity of] these licenses. As a result of this decision, our means of subsistence has been [taken away from us] and it has put us in a situation that has cost ourselves and our families. It does not please His Royal Highness to see some of his people prevented by the police from making a living until they die of hunger.

To the King's mercy, we raise our voice high, [hurt] by the military command that has been issued against us [taking away] our licenses for our public stores without [reason].

We urgently request the compassion of our gracious King to issue a command to those who hold our fate in their hands to prevail with justice [for all].

God has commanded that our King — by his Glory and Majesty a sanctuary — for the [needy] amongst his people.

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Signed,

Zakiyyah Muhammad Ramzy, owner of — Bar (stamped)

Hanim Salim Khater, owner of Happiness and Sincerity Bar (signed)

Faridah Suliman, owner of — Bar (fingerprint)

Fatimah Ahmad Abu al-Khayr, owner of [The Only] Happiness Bar (signed)

Lowahita Muhammad al-Tibdari, owner of Success Bar (stamped)

Fatimah Salih, owner of The Three Caliphs Bar (fingerprint)

— ‘Abduh, owner of — Bar (signed)

Sharifah Diyab, owner of [The Honey Badger] Bar (signed)

**Source: DWQ 0069-008929**

## Appendix 2

Undated [date stamped from the Diwan, 1930]

Memo from the office of the King's Diwan:

Sudani women complain of police attacks on their *būḏah* stores, which they make a living from.

Excerpt from petition:

...And our condition obliged us to make the *būḏah* drink that we can drink from and also get from it a loaf of bread. Even if one of us [gets] a loaf of bread and some salt — she thanks God for it. — On Our Majesty the King's nation that Sudani women [are not cut off from] *būḏah* ever but everyday policemen attack our stores and [spill] the *būḏah* from us even though we have a need for it. We moved to submit our grievance to Your Majesty — [in order to] prevent the police from attacking [our stores].

**Source: DWQ 0069-012034**

### Appendix 3

25 May 1940

His Excellency, the Chief Secretary {of the King's Diwan]

They submit this, requesting that your Excellencies raise this to the men of royalty, and they are honoured to present the following.

His Excellency, His Majesty the King of Egypt and the Sudan, Faruq I.

Oh your Majesty, we pray to God Almighty that you remain a treasure to men and nations.

After submitting our grievance to you most obendiently, we the undersigned are Sudanese widows and young women, residents in 'Arab al-Muhammadi, part of al-Wayli section [‘Abbassiya] in Cairo.

Your Majesty: we are strangers in this royal country, offspring and wives of Sudani soldiers that were brought by the Egyptian government from their country a long time again ago, which made a child reach old age. As our valiant men have left this life after exerting their efforts and their life spans in the service of the government as prison guards, coastguards, and chasing evil-doers with police — in addition to other sacrifices that they undertook previously in the Sudanese Army that they were enrolled in as children.

As we have reached a great age and our backs, white hair, eyesight, and distress has intensified. If there was no — after that [except through you] and complete misery. As we are a

community of poor Sudani women, deprived of the beauty of the worldly life, and we do not own anything except honesty and dignity that all people acknowledge in us. The strong weapon that makes us patient with the greatest injuries is our honour that not even a mosquito dare prey on it.

As we are members [of the community] in every respect, dealing in [dishonourable acts] is not in our nature. Extending our hand those those who are not honourable is not in our occupation and stealing and looting are not in our religion. As we have presented, we have reached old age and are unable to take up any work that costs us all our effort such as cooking, washing, and cleaning homes or that these [jobs] are not available due to the economic situation in family homes. As all kinds of work have been closed in our faces and we still have to cover the costs of our children's food and clothes or paying off sizeable government taxes. We are able to do it only by [performing] the occupation of our country which we perform by splitting up the days of the week in a just way amongst ourselves so that no one is deprived from sustenance that God has blessed us with from making "*būḏah*" that is made from pure wheat mixed with any [liquid] substance such as water. For this is the custom of our country and with it we live and without it we die.

When a representative of the leaders of the country presented himself to us for us to stop the ongoings of our business and destroyed our places with the pretext of the spread of official prostitution and the wandering of fallen women around our places.

Since purifying these places is required by legislation and it is the duty of the government [to

interfere in various] ways in the shame of those outsider women and those women who split their affairs in many directions, for that is its [the government's] business. It is to be worthy in its care, not with degradation to be subjected to humiliation.

And since the ordinance decrees the elimination of uncivil [rude] manners — which are loathsome from the places of — — and its [removal] from its residents, but this should not mean that policemen count us amongst them —. Since we are elderly Sudani foreigners but now under the patronage of Your Majesty, and we submit to the commands of Your Majesty's government. We were shocked by Your Majesty's knowledge that [differentiates] between Egypt, the place of our residence, and the Sudan, our homeland. [And what shocked us] ——. Your Majesty will not accept for us to go hungry or an injustice against us — for this reason we moved to submit our petition to Your Majesty for your comprehensive review [for] restoration and mercy upon us and with a noble and honourable [word] with the high office of Prime Minister of the nation on the non-[destruction] of our subsistence which [increases] our discomfort and to leave it alone for the few days left that we have in our lives and the work that we took responsibility for and honouring us with a return to our homelands after we [make up for] the cost of our huts so we will have the means to live. [This is our wish].

By God, we ask that he make our Master a righteous King — and a helper to every poor person.

Address of the representative of the petitioners- Cairo, 'Arab al-Muhammadi  
'Uthman Muhammad Khalid in 'Arab al-Muhammadi, in the house near the charitable  
shelter

**Source: DWQ 0069-012034**



## Appendix 4

7 July 1930

His Excellency, our highest trustee, His Majesty the King of Egypt.

We obediently submit this to the King,

(Your loyal charges, the owners and residents of Fadilah Street, city of al-Minya).

The Issue

It has been fifty years and we have been present in the prostitution district in the city of al-Minya and that is street number three and— by the name of Fadilah Street, and it is mostly our property and contains high-rise buildings according to the modern style and it is all under official license from the government. In these past two days we were surprised by the city council of Minya with the chance that this district will be moved to another district, its name, ‘Izbat Iskandir. Attached to this [decision] is great harm and many difficulties for us and for men of government. As subjects of the His Majesty the King, we raise this to you and we draw your attention to the harm that will result if this district is moved to the other area, ‘Izbat Iskandir.

(And it is summarized in the following points)

(What harm will come in case of moving)

1- The alternative district, ‘Izbat Iskandir, is made up of shacks and huts and it is not suitable for living in or even for stables. It is also empty from all sides and it neighbours palm trees,

farms, and gardens, which enables thieves and evil-doers from hiding in it.

2-It is further from the police station by half-hour by foot, just as it further from — by almost one hour because it will be at the end of the town in the South and — is at the end of the city in the North (we request that you turn your judicious consideration to the attached illustration).

3- If, God forbids, some incident [crime] happens then the [criminal] has many outlets for escape and many directions for the police [to pursue in the chase] therefore an arrest will elude the police because there are many paths for deception and escape. In the West [there is] the railroad and the al-Ibrahimiyyah canal, and from the South there are gardens, farms and palm trees, and East is the direction of the huts and towards the shore and the cemetery.

4. We the prostitutes are vulnerable to danger at all times and that there is always greed towards us from all faces that is not hidden, it is the mentality of the peasants and criminals if they notice one of us is wearing jewelry, even if it is shiny tin and cooper it sparkles in the eyes of evildoers as if it was gold and it inflames them and in that there is threat of attack.

5. We are prostitutes and our numbers are almost one hundred in this district, and it was destined by God the misery and— we are in, and naturally we have families and relatives and uncles from all over the country of Egypt, and from them there are those that have a predisposition to love revenge and seek vengeance for shame. Our presence in this district makes them devise plans for revenge with the treacherous and that [‘Izbat Iskandir] makes more opportunities available to them even if you find there is a police station that always [has] twenty

officers and twenty guards, especially if they find the palm trees and gardens that [will serve] as a trusty hideout for the impudent and thieves. Especially if it is dark outside and unfortunately there are no lights and no — and nothingness also.

6. We are prostitutes and we left our families. We are officially licensed which puts us under the protection of the government and it must attest to preventing crimes against us, but how when under these condition we will have been exposed to danger....?

7. This new district, 'Izbat Iskandir, is not sanitary, and none of the important conditions for public health are met because it is all attached shacks, exposed to germs and — because it is close to the place where the corps of dead animals are thrown away and —— for the duration when the straws are burned and this is the most important danger to public health.

(Summary of lack of harm that will come to us and the government in the case of remaining in the current district)

1. It is in the middle of the city and it is not further than a few minutes by foot from the police in the centre of the city. In case of any small incident occurring, it is possible to intercept it in a narrow area with only one policeman. Just as the government can also solve it by putting in nearby telephones — — better [for the] government offices [and] the centre for weekly checkups.

2. We all have official licences for houses and public stores and they are all in one point

neighbouring each other and in case of transfer, there is not way to obtain new licenses than the ones that we already hold because there are no stores in 'Izbat Iskandir that meet the [necessary] legal conditions

3. The housing is solid building and most of it is three floors or four and health conditions are available and we pay taxes to the government and city council of ten pounds, in addition to the lesser value attached to other regular housing, as well as payment of tax for village police and night watchmen that is less than the benefits.

4. The city council did not reflect on the issue because it did not turn it's attention to the direction of the disruption of public security or protection because it is unaware and in reality, it does not care because it [the decision] is not adversarial...!

5. The Ministry of Interior and the management of public security and public health, they are the experts in these affairs and a simple look to the attached drawing, you find great harm will be produced if the district is moved to the Southern point 'Izbat Iskandir that is exposed to danger.

6. It is not just or fair to move this district that is [made up] of our property and abides by health and legal conditions to a vacant district exposed to danger and germs because it is close to pestilence, in addition to that it is all shacks and huts.

Therefore,

We, your loyal subjects, we obediently and faithfully present this to the king with our appeal

to his lordship with his highness the prince Faruq and we petition our highness for his kindness and mercy to his subjects and the honourable command to transfer our case to the Ministry of Interior or the Office of Public Security or Public Health—whatever is necessary from any of these directions for preventing and confirming—and that is cancelling the transfer from the current district location to district ‘Izbat Iskandir which face danger from many facets.

And we repeat our supplication to the honourable lordship for His Majesty’s time and on the life of Prince Faruq,

Presented by Fahmiya Khalil, ‘ayqah, (stamped)  
1930/7/7

26 signatures

23 stamps

2 thumbprints

Signatures:

Mufidah Barakat

Faridah Muhammad

Hussayn Fahmy

Bahiyah Mitwali Mustafa

‘Uthman Ibrahim - coffee-shop owner

— — - coffee-shop owner

‘Abd al-Sami‘ Mahmud - grocer

Badr — - brothel owner

Sayyid ‘Uthman Ahmad

Mufidah Muhammad - brothel owner

Sakkinah Muhammad - brothel owner

Sayyidah —

Yusuf — - Merchant

Anisah Suliman - brothel owner

Mahmud Ahmad Muhammad

Mariyam ‘Abd al-‘Al - brothel owner  
Aminah ‘Ali - brothel owner  
Fatin Qasim - brothel owner  
— — - brothel owner  
Warda Ahmad - brothel owner  
— — - brothel owner  
Muhammad Ahmad - brothel owner  
Hamza ‘Abd al-Basit - coffee-shop owner  
Zaynab Muhammad - coffee-shop owner  
— — - grocer merchant  
Labibah — coffee-shop owner

(Enclosed with petition: Hand-drawn map of the city)

**Source: DWQ 4029- 000556**

## Appendix 5

21 February 1948

### Call of the Oppressed to those of Justice and Equity

His Excellency, the Minister of Social Affairs,

Presented to Your Excellency from licensed prostitutes of the city of Asyut. We are honoured to present the following:

Your Excellency,

We were surprised by a warning from the magistrate of the city of Asyut on the cancellation of licensed prostitution after two months time without showing any preparation [to help us] or payment of money that we can live off of until an honourable life is resumed. It is as if with this way, there will be an increase in bad conditions and it will help the present of clandestine prostitution and it is flourishing in the city of Asyut because each prostitutes finds herself sacked and [if] she has just a touch of beauty she will be attracted from licensed to clandestine prostitution. And from it leads to the spread of wicked diseases. We are not able to leave our houses and our sanctuaries for the streets at the mercy of fate. We have no appointee except God and Your Excellencies. We petition to Your Excellencies to review this decision from a social perspective, especially as beside the city of Asyut there is a [military] camp that holds more than three thousand soldiers who find no place [to find pleasure] for themselves except in the prostitution quarter.

God has made you a refuge for the poor like ourselves. And we pray for you to remain with grace and —. Please accept our highest respects,

Prostitutes of the City of Asyut, amongst them Aminah Muhammad Hasan

[Signature of the representative]

**Source: DWQ 4029-000296**



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