

## Reading between the “Red Lines”

### The Repression of Academic Freedom in Egyptian Universities

Acronyms .....	1
<b>I. Summary.....</b>	<b>2</b>
<b>II. Recommendations.....</b>	<b>7</b>
<b>III. Academic Freedom: Definition and Legal Protections .....</b>	<b>9</b>
Right to Education.....	9
Rights Belonging to Members of the Academic Community.....	11
Freedom of Opinion.....	11
Freedom of Expression.....	12
Freedom of Association.....	13
Freedom of Assembly.....	14
Rights Attached to the Institution: University Autonomy.....	14
Protection from State and Non-State Actors.....	15
Self-Censorship.....	16
Other Human Rights Protections.....	16
Egyptian Law.....	16
<b>IV. Background .....</b>	<b>18</b>
Rise of the National Universities.....	18
The American University in Cairo (AUC).....	21
Influence of Egyptian Universities.....	23
The History of Constraints on Academic Freedom in Egypt.....	25
Egyptian Universities Today.....	27
<b>V. Government Repression.....</b>	<b>29</b>
Instruments of Repression.....	30
Police Presence.....	30
Political Appointments.....	33
Laws and Regulations.....	36
Academic Freedom Violations in the Classroom.....	37
Censorship of Course and Library Books: AUC Case Study.....	37
Censorship of the Arts.....	42
Class Discussion.....	43
Conclusion and Recommendations.....	45
Arbitrary Interference with Academic Research.....	46
Permit Process.....	46
Trial and Imprisonment: Saadeddin Ibrahim Case Study.....	49
Conclusion and Recommendations.....	52
Controls on Student Activities.....	52
Student Groups and Demands.....	52

Student Unions .....	53
Student Clubs, or Usar.....	57
Other Forms of Student Expression.....	59
Conclusion and Recommendations .....	61
Far-Reaching Limits on Campus Demonstrations .....	62
Violence on Campus: Alexandria University 2002.....	62
International Politics: Cairo University and AUC 2003.....	65
University Issues: `Ain Shams University 1999 .....	68
Conclusion and Recommendations .....	70
Government Victimization of Islamist Academics .....	70
Harassment and Detention .....	71
Academic Side Effects .....	72
Conclusion and Recommendations .....	74
<b>VI. Non-State Attacks on Academic Freedom: The Islamist Factor .....</b>	<b>74</b>
Rise of Islamist Attacks.....	75
Classroom.....	77
Research .....	80
Student Activities and Campus Protests .....	81
Conclusion and Recommendations .....	83
<b>VII. Self-Censorship .....</b>	<b>83</b>
Classroom.....	84
Course Books .....	84
Class Discussion .....	85
Research .....	87
Student Activities and Campus Demonstrations .....	89
Conclusion and Recommendations .....	90
<b>VIII. Institutional Restrictions and Proposed Reforms .....</b>	<b>91</b>
Violations of University Autonomy: Professors and Promotions .....	91
Lack of Choice: Student Apathy and Frustration .....	93
Budgetary Burdens.....	95
Professors .....	95
Students.....	96
Facilities.....	97
Proposed Reforms .....	97
The Ministry of Higher Education’s “Strategic Plan”.....	98
UNDP Reports .....	99
<b>IX. Conclusion .....</b>	<b>101</b>
<b>Appendix.....</b>	<b>102</b>
<b>Maps .....</b>	<b>105</b>
<b>Acknowledgments .....</b>	<b>107</b>

## Acronyms

AUC	American University in Cairo
CAPMAS	Central Agency for Public Mobilization and Statistics
CESCR	Committee on Economic, Social, and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social, and Cultural Rights
IRC	Islamic Research Council
LE	Egyptian Pound
MESA	Middle East Studies Association
NDP	National Democratic Party
UDHR	Universal Declaration of Human Rights
UNDP	United Nations Development Programme

## I. Summary

Recent studies of the Arab world have turned a spotlight on the poor state of its university education. In 2003, the United Nations Development Programme (UNDP) *Arab Human Development Report* focused on education in the region. The report concludes, “Knowledge in Arab countries today appears to be on the retreat. . . . Continuing with this historic slide is an untenable course if the Arab people are to have a dignified, purposeful and productive existence in the third millennium.”<sup>1</sup> One important reason for this decline is the lack of academic freedom on university campuses.

Conditions at universities in Egypt, historically a leader in education in the Arab world, exemplify the problem. On a mission to Egypt, Human Rights Watch found that academic freedom violations pervade the country’s system of higher education. Since the early 1990s, Egyptian academics have faced public condemnation, judicial convictions, physical violence, and other forms of intimidation from both government officials and private groups and individuals, particularly Islamist militants. Among the most publicized cases is that of Cairo University professor Nasr Hamid Abu Zaid, who had to flee the country after being declared an apostate by a national court for his scholarship on the Quran. American University in Cairo (AUC) professor Samia Mehrez had a course book with sexual content censored and suffered attacks in the press and parliament. And Saadeddin Ibrahim, an AUC sociologist who had conducted research projects on controversial political and religious subjects for an independent research center, endured three years of trials and prison time before being acquitted. Although some of these events date back several years, they remain vivid in the minds of Egyptian academics.

The assault on academic freedom is more subtle, but more extensive than the headline cases indicate. Repression by government authorities and private groups has affected every major component of university life, including the classroom, research, student activities, and campus protests. Censorship stops professors from teaching certain books. Permit requirements for surveys block research in the social sciences. University officials and police limit student activities outside the classroom. State security forces often respond violently to campus demonstrations. Such widespread abuses stifle debate and the free exchange of information, thus preventing Egyptian students from receiving a quality education and Egyptian scholars from advancing knowledge in their fields.

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<sup>1</sup> United Nations Development Programme (UNDP), *Arab Human Development Report 2003: Building a Knowledge Society* (New York: UNDP, 2003), p. 163.

State and non-state actors alike contribute to the poor state of academic freedom in Egypt. State security forces illegally detain and sometimes torture activist students who run for student union or who demonstrate on campus. The government applies additional pressure through appointed deans and restrictive laws. Most of the non-state interference comes from Islamist militants, whose political activism is religiously driven. This group intimidates professors and students through a variety of tactics, including litigation and physical assaults. One professor accused Islamist militants of creating an “atmosphere of terror” in which scholars worry their lectures or research will be condemned as blasphemous. In some cases, these sources of repression feed on each other. Academics appease Islamists because they fear increased state repression and accept state repression because they fear the wrath of Islamists.

Years of repression have created an environment of self-censorship in Egyptian universities. Professors and students acknowledge that there are certain subjects—chiefly politics, religion, and sex—that they will only discuss in a limited way. They say they feel free to say whatever they want, but only provided they do not cross one of the taboo “red lines.” Self-censorship can be as damaging to higher education as direct repression. It is also a sign that many Egyptian academics no longer resist, or sometimes even recognize, violations of academic freedom.

Institutional restrictions have exacerbated the academic freedom violations on national campuses, contributing to the deterioration of quality education in Egypt. The state controls faculty appointments and promotions, infringing on university autonomy. A rigid approach to learning discourages creativity throughout the university system from entrance exams to Ph.D. programs and deprives students of the power to choose freely their academic pursuits. Inadequate funding has caused professors to seek alternative places of employment and led to decrepit facilities. The Ministry of Higher Education has developed a plan for future reform, but it is too soon to determine if the government has the money and the will to implement it.

The pervasive violations by state and non-state actors and fearful responses by academics have created a stagnant educational environment. Professors and students repeatedly told Human Rights Watch that Egypt’s universities are no longer centers of creative thinking. Higher education has become largely rote, and people take the safe path. “It’s an unexciting environment. It is not stimulating on a daily basis. . . . Most free spirits are seething with frustration,” said Ann Radwan, executive director of the Binational Fulbright Commission in Cairo and long-time observer of Egyptian academia.

“Fear leads people to think it’s better to have continuity, to keep things quiet.”<sup>2</sup> The general sense of apathy not only interferes with the quality of education but also affects society at large. Universities should serve as the training ground for a country’s leaders as well as a forum for discussing solutions to its problems. In the present atmosphere, they fail to do both.

This report presents the findings of a three-week research mission to Egypt from February 12 to March 5, 2003, supplemented by telephone interviews and archival research from 2003 to 2005.<sup>3</sup> Human Rights Watch interviewed twenty-seven professors and sixteen students from Cairo and Alexandria and had access to published accounts summarizing the experiences of many others. It also met with Egyptian government officials, including the minister of higher education and a state censor, and about two dozen lawyers, journalists, NGO representatives, and foreign diplomats who have worked on academic freedom issues. In addition, Human Rights Watch reviewed international and Egyptian laws and university histories. Research focused on Cairo University and the AUC, Egypt’s oldest and most prestigious public and private universities, respectively. It also involved interviews with people from `Ain Shams, Alexandria, and Hilwan universities. This scope covers the most famous and highly regarded academic institutions in the country.

Since the Human Rights Watch mission in 2003, Egyptian professors and researchers have taken some steps toward promoting academic freedom. In fall 2003, a group of professors established the Ninth of March Committee for the Independence of Universities. The committee is named for the date in 1932 on which Rector Ahmed Lutfi al-Sayyid of Cairo University resigned to protest the government-ordered dismissal of renowned professor Taha Hussain. The committee has raised awareness of the lack of academic freedom at annual events on March 9 and has sent letters to the university administration to protest interferences by the security police in education.<sup>4</sup> More recently, the Egyptian Association for Support of Democracy published a report on the October 2004 student elections in four universities, and Cairo University historian Raouf Abbas published an autobiography that includes anecdotes about government

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<sup>2</sup> Human Rights Watch interview with Ann Radwan, executive director, Binational Fulbright Commission, Cairo, February 20, 2003. This report uses the actual names of interviewees unless a name is withheld to protect someone. In that case, the person is identified by their status (such as professor or student at a particular university).

<sup>3</sup> Human Rights Watch has criticized the academic freedom situation in a number of countries, including Afghanistan, China, Ethiopia, Indonesia, Iran, Israel, and Turkey.

<sup>4</sup> Human Rights Watch telephone interview with Laila Souief, member, Ninth of March Committee, Cairo, February 15, 2005.



Professors and students protest just outside the gates of Cairo University on February 22, 2003. The university's domed Great Festival Hall can be seen in the background.  
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interference in university life.<sup>5</sup> Such actions represent important initiatives by members of the academic community on behalf of academic freedom.

In addition to illuminating the troublesome state of Egyptian academia, this Human Rights Watch report explains how the restrictions on academic freedom violate international law. The principle of academic freedom derives in part from the internationally recognized right to education, which is enshrined in the Universal Declaration of Human Rights (UDHR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which Egypt has ratified. According to the Committee on Economic, Social, and Cultural Rights (CESCR), “the right to education can only be enjoyed if accompanied by the academic freedom of staff and students.” Academic freedom encompasses both rights for individual members of the university community, such as freedom of opinion, expression, association, and assembly, and autonomy for institutions, which must be free from state interference with the university’s educational mission.

In its pervasive repression of academic freedom, Egypt violates international law. The government stifles people seeking to participate, as individuals or groups, in all aspects of academic life. It maintains police, administrative, and legal control over the universities, depriving them of institutional autonomy. Egypt should move to correct these violations and infringements through legal and administrative means. It should also prevent attacks on academic freedom by private individuals or groups.

The international community, meanwhile, should recognize the systemic problems with higher education in Egypt and find constructive avenues to press for change. While some of the most egregious cases already have attracted outside attention, foreign governments and media have not always acknowledged the seriousness and pervasiveness of academic freedom violations in Egypt. In its 2002 Human Rights Report, the U.S. Department of State, for example, condemned the prosecution of Saadeddin Ibrahim and its “deterrent effect” on freedom of expression. It stated incorrectly, however, “The Government did not restrict directly academic freedom at universities.”<sup>6</sup> *The 9/11 Commission Report* recommends that the United States spend

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<sup>5</sup> Raouf Abbas, *Meshaynaha Khotan (The Path We Trod)* (Cairo: Dar Al-Hilal, 2004).

<sup>6</sup> The State Department went on to say, “However, deans were government-appointed rather than elected by the faculty. The Government justified the measure as a means to combat Islamist influence on campus. The Government also occasionally banned books for use on campuses, although no such cases occurred during the year.” U.S. Department of State, *Country Reports on Human Rights Practices 2002*, March 31, 2003, <http://www.state.gov/g/drl/rls/hrrpt/2002/18274.htm> (retrieved May 27, 2004). Its 2003 and 2004 reports do not discuss the deterrent effect of the Ibrahim case but make the same assessment of academic freedom. U.S. Department of State, *Country Reports on Human Rights Practices 2003*, February 25, 2004, <http://www.state.gov/g/drl/rls/hrrpt/2003/27926.htm> (retrieved May 27, 2004); U.S. Department of State, *Country*

money to “rebuild scholarship, exchange, and library programs” and to buy textbooks in the Arab world.<sup>7</sup> While financial assistance for resources, technology, and facilities could help remedy existing deficiencies, such funds will be wasted if the restrictions on academic freedom detailed below are not addressed. Large donors to Egypt, such as the United States and the World Bank, should better familiarize themselves with the academic freedom violations in that country and use their leverage to help end them.

## **II. Recommendations**

Human Rights Watch makes the following key recommendations to promote and protect academic freedom in Egypt. Chapters five through seven contain more detailed recommendations at the end of each section.

### **1. The Egyptian government should cease using state security forces to intimidate and physically abuse professors and students.**

State security forces have created a climate of fear on university campuses. They observe selected classes to keep discussions from crossing red lines and sometimes beat students seeking to express themselves by means of posters or speeches. Police detain, physically abuse, and in at least one case allegedly have tortured candidates for student union elections. They also sometimes respond with excessive force to peaceful demonstrations. Professors and especially students described the police presence as one of the major obstacles to academic freedom in higher education. The government should forbid security forces from playing any role on campus other than the strictly limited one of protecting public order.

### **2. State-appointed deans should cease interfering in academic freedom.**

Since 1994, public university deans have been appointed by rectors, who are in turn appointed by the state. As implemented, this process gives the state too much control over internal university matters and favors for deanships professors who support the ruling National Democratic Party (NDP). Such deans frequently interfere with academics’ freedom of opinion and expression. Professors and students told Human Rights Watch of cases in which deans monitored classroom discussions, cut off exchanges on controversial subjects, denied politically active professors contact with students, and blocked leftist and Islamist students from running for student government.

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Reports on Human Rights Practices 2004, February 28, 2005, <http://www.state.gov/g/drl/rls/hrrpt/2004/41720.htm> (retrieved March 31, 2005).

<sup>7</sup> National Commission on Terrorist Attacks, *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States* (Washington, D.C.: U.S. Government Printing Office, 2004), pp. 377-78.

Human Rights Watch was told that, in many cases, deans also closely scrutinize student activities, including student clubs and other forms of association on campus, and stifle expression that threatens to cross red lines. Deans must resist political pressures and act according to academic rather than political or other criteria.

**3. Egyptian legislators should amend or abolish several laws that interfere with academic freedom.**

Besides government security forces and state-appointed deans, Egyptian laws violate the principles of academic freedom. Law No. 20/1936, which allows censorship of all imported course books, should be abolished. Presidential Decree No. 2915/1964 establishes permit requirements for social science research that effectively block research on controversial topics and should be amended. The University Law of 1979 gives state-appointed deans unwarranted power over student activities and should be amended to allow the formation of political and religious clubs and to remove the “good conduct” requirement for student union nominees. Finally, the Emergency Law has been used to authorize arbitrary detention and unfair trials that intimidate and punish academics who cross red lines. It should be repealed.

**4. Egyptian authorities should ensure that academic freedom is protected from threats and acts of intimidation by Islamist militants.**

International law holds states responsible for the actions of their citizens and residents as well as themselves, and in this case, Egypt is responsible for protecting its academics from abuse by Islamist militants. The government should end its own violations, such as a censorship regime, that provide poor role models to private actors. State representatives should also oppose threats from individuals and groups on campus and in the press and protect academics’ rights to teach and research subjects of their choosing.

**5. Private individuals, groups, and associations in Egypt should actively resist Islamist militants’ attempts to restrict academic freedom.**

Islamist militants have used physical, legal, and media attacks to stifle Egyptian intellectuals. In particular, they intimidate professors and students so that they are afraid to assign course books or research topics dealing with religion or sex. Egyptians who oppose such activities—including members of the media—should speak out publicly against them.

**6. The international community should recognize the systemic problems in higher education in Egypt and use its leverage to combat them.**

Members of the international community, including the United States and World Bank, have promised or been asked to fund education in Egypt. Such funding may enhance resources, technology, and facilities, but the system of higher education will not flourish without the elimination of pervasive restrictions on academic freedom. Donors should use their diplomatic and financial leverage to push for such change. The UNDP should also continue to monitor education in the Arab world and call attention to violations of academic freedom.

### **III. Academic Freedom: Definition and Legal Protections**

Academic freedom gives members of the academic community the right to conduct and participate in educational activities without arbitrary interference from state authorities or private individuals or groups, including popular political, religious, or other social movements. It is a broad principle that protects professors and students and applies to the complete range of academic pursuits—formal and informal, inside the classroom and beyond. International law requires states to respect academic freedom, a principle based on a series of basic and widely accepted human rights. In many countries, domestic law provides explicit protection for academics. Egypt is bound to ensure academic freedom for its citizens by both the treaties it has ratified and its constitution, which includes safeguards for the relevant rights.

#### ***Right to Education***

The principle of academic freedom stems in part from the internationally recognized right to education. This right is enshrined in Article 26 of the Universal Declaration of Human Rights of 1948 (UDHR)<sup>8</sup> and Article 13 of the International Covenant on Economic, Social, and Cultural Rights of 1966 (ICESCR) to which Egypt has been a state party since 1982.<sup>9</sup> According to the official commentary on the ICESCR, Article 13(2) requires education to “include the elements of availability, accessibility, acceptability, and adaptability.” This means there must be a sufficient number of institutions; these institutions must not discriminate and must be physically proximate and economically affordable (except for higher education, which need only be accessible “on the basis of capacity” of the individual); the education must be appropriate for

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<sup>8</sup> Universal Declaration of Human Rights (UDHR), G.A. Res. 217 (III 1948), U.N. Doc. A/810 at 71, December 10, 1948, art. 26.

<sup>9</sup> International Covenant on Economic, Social and Cultural Rights (ICESCR), G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316, 993 U.N.T.S. 3, December 16, 1966, art. 13.

students and “of good quality”; and it must be flexible enough to respond to different students and times.<sup>10</sup>

These conditions alone, however, do not guarantee the right to education. The Committee on Economic, Social, and Cultural Rights (CESCR), which interprets the ICESCR, has stated that “the right to education can only be enjoyed if accompanied by the academic freedom of staff and students.”<sup>11</sup> Academic freedom is particularly important in higher education. Its community of young adults and highly educated teachers and researchers includes individuals more inclined to be politically engaged and, therefore, likely to be attacked by intolerant authorities or private citizens.

The CESCR’s definition of academic freedom consists of two parts. The first component relates to members of the academy—professors and students, as individuals or groups. In its comment on Article 13, the committee wrote,

Members of the academic community, individually or collectively, are free to pursue, develop and transmit knowledge and ideas, through research, teaching, study, discussion, documentation, production, creation or writing. Academic freedom includes the liberty of individuals to express freely opinions about the institution or system in which they work, to fulfill their functions without discrimination or fear of repression by the State or any other actor, to participate in professional or representative academic bodies, and to enjoy all the internationally recognized human rights applicable to other individuals in the same jurisdiction.<sup>12</sup>

According to this definition, academic freedom encompasses a series of other widely accepted human rights, including freedom of opinion, expression, association, and assembly. These civil and political rights are enumerated in the UDHR and legally binding on states parties to the 1966 International Covenant on Civil and Political Rights (ICCPR).<sup>13</sup> Egypt ratified the ICCPR in 1982.

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<sup>10</sup> Committee on Economic, Social and Cultural Rights (CESCR), General Comment 13: The Right to Education, E/C.12/1999/10, 1999, paras. 6, 17-20. For ratification information, see Office of the U.N. High Commissioner for Human Rights, Status of Ratification of the Principle International Human Rights Treaties, as of June 9, 2004, p. 4, <http://www.unhcr.ch/pdf/report.pdf> (retrieved July 21, 2004).

<sup>11</sup> CESCR, General Comment 13, para. 38.

<sup>12</sup> *Ibid.*, para. 39.

<sup>13</sup> International Covenant on Civil and Political Rights (ICCPR), G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316, 999 U.N.T.S. 171, December 16, 1966.

The second component of academic freedom relates to the universities themselves rather than members of the community. The CESCR's comment explains, "The enjoyment of academic freedom requires the autonomy of institutions of higher education."<sup>14</sup> In order to serve as a forum where academics can freely exchange knowledge and ideas, universities must be independent of the state.

While governments are the primary protectors of academic freedom, CESCR also places duties on individuals and institutions. Members of the academic community have the "duty to respect the academic freedom of others, to ensure the fair discussion of contrary views, and to treat all without discrimination on any of the prohibited grounds."<sup>15</sup> Universities, meanwhile, must be held accountable, especially for their management of state funding. "Given the substantial public investments made in higher education, an appropriate balance has to be struck between institutional autonomy and accountability. While there is no single model, institutional arrangements should be fair, just and equitable, and as transparent and participatory as possible."<sup>16</sup> Academics and universities not only are beneficiaries of academic freedom, but also play an important role in ensuring its protection.

## ***Rights Belonging to Members of the Academic Community***

### ***Freedom of Opinion***

Freedom of opinion is the first building block of academic freedom. Education involves not only the acquisition of knowledge but also the development of ideas. The CESCR specifically mentions that academics are free to "develop . . . ideas" and "express . . . opinions."<sup>17</sup> Without freedom of opinion, academia would produce only information with no interpretation or analysis. International law protects this right in the ICCPR, Article 19(1) of which says, "Everyone shall have the right to hold opinions without interference."<sup>18</sup> The right is absolute; the law prohibits interference under all circumstances.<sup>19</sup>

It can be difficult to judge whether a government or private actor has violated this right because that requires understanding what is in someone's mind. According to the U.N.

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<sup>14</sup> CESCR, General Comment 13, para. 40.

<sup>15</sup> *Ibid.*, para. 39.

<sup>16</sup> *Ibid.*, para. 40.

<sup>17</sup> *Ibid.*, para. 39.

<sup>18</sup> ICCPR, art. 19(1). This right is also enshrined in Article 19 of the UDHR.

<sup>19</sup> Manfred Nowak, *U.N. Covenant on Civil and Political Rights: CCPR Commentary* (Kehl Am Rhein, Germany: N.P. Engel, 1993), p. 339.

Special Rapporteur on Freedom of Expression, “What exactly constitutes an impermissible interference with the freedom of opinion is not an easy matter to determine. In general, it is possible to speak of such an interference when an individual is influenced against his will and when this influence is exerted by threat, coercion or the use of force.”<sup>20</sup> Censorial pressures can also become routinized to the point where many people take for granted that certain opinions are unacceptable and fail to recognize unlawful restrictions on their academic freedom.

### ***Freedom of Expression***

Freedom of expression is an essential part of academic freedom because it allows for the exchange of knowledge and ideas. As the CESCR explains, academics are free to pursue this exchange “through research, teaching, study, discussion, documentation, production, creation or writing.”<sup>21</sup> Education is a collective as well as an individual undertaking, which depends on discussion and debate. In the classroom, professors need freedom to teach and students to ask questions and try out ideas. In research, academics must have access to knowledge provided by others and the ability to present their own scholarship publicly. Freedom of expression is also important in less formal forums, such as student clubs and campus demonstrations.

International law protects freedom of expression. Article 19(2) of the ICCPR states, “Everyone shall have the right to freedom of expression; this right shall include the freedom to seek, receive and impart information of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”<sup>22</sup> Expression may not be limited by content or form. The provision also encompasses freedom of information, which protects an individual’s right actively to seek information.<sup>23</sup>

International law allows freedom of expression to be restricted only in certain circumstances. According to Article 19(3), restrictions must be “provided by law,” meaning they must be laid out in advance in statute or common law, and they must be “necessary: a) For respect of the rights or reputations of others; b) For the protection of national security or of public order (*ordre public*), or of public health or morals.”<sup>24</sup> To be

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<sup>20</sup> Promotion and Protection of the Right to Freedom of Opinion and Expression: Report of the Special Rapporteur, Mr. Abid Hussain, pursuant to Commission on Human Rights Resolution 1993/45, Fifty-First Session, E/CN.4/1995/32, December 14, 1994, para. 27.

<sup>21</sup> CESCR, General Comment 13, para. 39.

<sup>22</sup> ICCPR, art. 19(2). This right is also enshrined in Article 19 of the UDHR.

<sup>23</sup> Manfred Nowak, *U.N. Covenant on Civil and Political Rights*, p. 343.

<sup>24</sup> ICCPR, art. 19(3).

necessary, a restriction “must be *proportional* in severity and intensity to the purpose being sought and may not become the rule.”<sup>25</sup> International law prohibits pre-publication censorship; academics should have the opportunity to present their work before the state rules it impermissible.<sup>26</sup> Although the law allows some limits to be placed on freedom of expression, they are appropriate only under exigent circumstances and must be interpreted narrowly.<sup>27</sup>

### ***Freedom of Association***

University life is not confined to the classroom and library or laboratory. It also includes gatherings, formal and informal, of members of the community. In its discussion of academic freedom, the CESCR specifically mentions the freedom “to participate in professional or representative academic bodies.”<sup>28</sup> International law protects such formal gatherings under freedom of association. According to Article 22 of the ICCPR, “Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.”<sup>29</sup> People have the right to form associations, and those associations must be free to act on behalf of their members.<sup>30</sup> Although the article only names trade unions, freedom of association extends to groups of varying forms and purposes. “Religious societies, political parties, commercial undertakings and trade unions are as protected by Art. 22 as cultural or human rights organizations, soccer clubs or associations of stamp collectors. Moreover the *legal form* of an association is basically unrestricted,” says a respected treatise on the ICCPR.<sup>31</sup> On campus, therefore, freedom of association provides protection not only for teachers’ unions, a type of trade union,<sup>32</sup> but also for student unions and student clubs.

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<sup>25</sup> Manfred Nowak, *U.N. Covenant on Civil and Political Rights*, p. 351. See, e.g., Article 19, “The Johannesburg Principles on National Security, Freedom of Expression and Access to Information,” November 1996, <http://www.article19.org/docimages/511.htm> (retrieved July 21, 2004).

<sup>26</sup> “Only with respect to *pre-censorship* do the travaux préparatoires reveal that an absolute prohibition was intended.” Manfred Nowak, *U.N. Covenant on Civil and Political Rights*, p. 345.

<sup>27</sup> *Ibid.*, p. 352 (“the relatively limited number of reasons for permissible interference indicates that such are to be interpreted narrowly in cases of doubt.”). For example, restrictions “to protect national security are permissible only in serious cases of political or military threat to the entire nation.” *Ibid.*, p. 355.

<sup>28</sup> CESCR, General Comment 13, para. 39.

<sup>29</sup> ICCPR, art. 22. This right is also enshrined in Article 20 of the UDHR.

<sup>30</sup> Manfred Nowak, *U.N. Covenant on Civil and Political Rights*, p. 387.

<sup>31</sup> *Ibid.*, pp. 386-87

<sup>32</sup> This report does not address teachers’ unions. For information on the relationship between teachers’ unions and freedom of association, see Human Rights Watch, “Lessons in Repression: Violations of Academic Freedom in Ethiopia,” *A Human Rights Watch Report*, vol. 15, no. 2 (a), January 2003, pp. 32-36, 46-48.

As with freedom of expression, the ICCPR allows for some limited restrictions on freedom of association. These restrictions must be “prescribed by law” and “necessary in a democratic society.”<sup>33</sup> “Necessary” again refers to proportionality. The addition of “in a democratic society” means the restrictions must “be oriented along the basic democratic values of pluralism, tolerance, broadmindedness and peoples’ sovereignty.”<sup>34</sup> The permitted purposes for interference are essentially the same as in Article 19, except that “public safety” is added to the list.<sup>35</sup>

### ***Freedom of Assembly***

Freedom of assembly protects less formal gatherings on campus, most notably student and faculty demonstrations. According to the CESCR, academic freedom includes the “liberty of individuals to express freely opinions about the institution or system in which they work.”<sup>36</sup> One of the most common forums for expressing criticism of the government is a demonstration. Such gatherings are important for the political life of a country. In many countries, campus demonstrations are often the first sign of broader public discontent with the government policies. Article 21 of the ICCPR says, “The right to peaceful assembly shall be recognized.”<sup>37</sup> It gives professors and students the right to organize and participate in campus protests or other gatherings, as long as they are peaceful.<sup>38</sup> The restrictions in Article 21 are almost identical to those in Article 22.

### ***Rights Attached to the Institution: University Autonomy***

Academic freedom extends not only to members of the academic community but also to educational institutions. According to the CESCR, university autonomy is a prerequisite for the exercise of professors’ and students’ individual rights. The committee defines autonomy as “that degree of self-governance necessary for effective decision-making by institutions of higher education in relation to their academic work, standards, management and related activities.”<sup>39</sup> Educational institutions should be able to make

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<sup>33</sup> ICCPR, art. 22(2).

<sup>34</sup> Manfred Nowak, *U.N. Covenant on Civil and Political Rights*, p. 394.

<sup>35</sup> Other legitimate interferences must be “in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others.” ICCPR, art. 22(2).

<sup>36</sup> CESCR, General Comment 13, para. 39.

<sup>37</sup> ICCPR, art. 21. The UDHR lists freedom of assembly along with freedom of association in Article 20.

<sup>38</sup> Manfred Nowak, *U.N. Covenant on Civil and Political Rights*, p. 372. “Assembly” refers to “intentional, temporary gatherings of several persons for a specific purpose.” *Ibid.*, p. 373. Nowak explains, “From its location in the Covenant following freedom of expression, it may therefore be inferred that the specific protection of freedom of assembly aims at the *discussion or proclamation of information and ideas* within the meaning of Art. 19(2) that is not dealt with or guaranteed elsewhere.” *Ibid.*, p. 374.

<sup>39</sup> CESCR, General Comment 13, para. 40.

their own rules, administer themselves, and be free of control by state security forces. Autonomy is especially important for universities because they provide a forum for high-level debate on controversial topics. When they are subject to state interference, universities cannot serve as a safe place to engage challenging issues and intellectual life suffers.

### ***Protection from State and Non-State Actors***

Both government officials and private citizens and groups can threaten academic freedom. Under international law, states must take the necessary steps, including implementation of domestic legislation, to protect the rights that make up academic freedom from such threats. According to Article 2(1) of the ICCPR, “Each State Party to the Covenant undertakes *to respect and to ensure* to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”<sup>40</sup> The obligation to respect means states must not restrict rights, unless allowed under exceptions such as those found in Articles 19, 21, and 22. The obligation to ensure requires states to take proactive steps, when necessary, to guarantee the rights laid out in the covenant.<sup>41</sup> The ICESCR, in which the right to education is enshrined, imposes a similar duty on states parties.<sup>42</sup>

International law also provides protection from actors independent of the state. The CESCR explains that individuals have the “duty to respect the academic freedom of others.”<sup>43</sup> The ICCPR places the burden for enforcing that duty on its states parties. Article 2’s clause about ensuring rights means that states parties are obligated to prevent the violation of the covenant by private parties.<sup>44</sup> The ICCPR explicitly lays out some actions states can take. The duty to ensure extends beyond the ICCPR’s specific

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<sup>40</sup> ICCPR, art. 2(1) (emphasis added).

<sup>41</sup> These duties represent, respectively, the negative and positive character of civil and political rights. Manfred Nowak, *U.N. Covenant on Civil and Political Rights*, pp. 36-37.

<sup>42</sup> Article 2(2) of the ICESCR says, “Each State Party to the present Covenant *undertakes to take steps*, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.” ICESCR, art. 2(2) (emphasis added).

<sup>43</sup> CESCR, General Comment 13, para. 39.

<sup>44</sup> Nowak explains that the rights relevant to academic freedom all have “horizontal effects,” which means states are obligated to ensure they are not violated by private parties. Manfred Nowak, *U.N. Covenant on Civil and Political Rights*, pp. 340, 344, 387, and 375 (freedom of opinion, expression, association, and assembly, respectively).

examples, however; states must take any actions necessary to guarantee third parties do not infringe on academics' legal rights.<sup>45</sup>

### ***Self-Censorship***

Direct repression of academic activities often leads individuals to censor themselves. Professors or students who have been repressed may be too frightened to exercise their rights again. Academics who observe the intimidation or punishment of their colleagues may choose not to test the system because of either fear or desire to avoid the bureaucratic hassle. Such a chilling effect on freedom of opinion and expression can be as great a threat to academic freedom as direct repression. It also discourages academics from participating in associations or assemblies. International law holds states responsible for preventing such interferences with academic freedom. According to Article 2 of the ICCPR, states parties must “ensure” that individuals have the rights laid out in the covenant. This obligation includes eliminating the repression that causes self-censorship and creating an environment in which members of the academic community feel free to exercise their rights.

### ***Other Human Rights Protections***

As outlined above, the principle of academic freedom encompasses a range of basic civil and political rights. The CESCR recognizes that the principle extends beyond the most obviously related rights and includes “the liberty . . . to enjoy all the internationally recognized human rights applicable to other individuals in the same jurisdiction.”<sup>46</sup> States routinely ignore this provision. For example, they often use torture, arbitrary detention, unfair trials, and extrajudicial killings, all forbidden under international law, to silence their critics in the academy. Such actions represent both egregious abuses of universally accepted human rights and further restrictions on academic freedom.

### ***Egyptian Law***

In many countries, Egypt included, domestic law provides additional protection for academic freedom. The Egyptian constitution includes four articles that specifically discuss education. Article 18 states, “Education is a right guaranteed by the State. It is obligatory in the primary stage and the State shall work to extend [its] obligation to other stages.”<sup>47</sup> The constitution thus lays out the right to education, which, as discussed above, requires academic freedom. Article 18 concludes, “The State shall supervise all

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<sup>45</sup> ICCPR, art. 2.

<sup>46</sup> CESCR, General Comment 13, para. 39.

<sup>47</sup> Egyptian Constitution, The Middle East Library for Economic Services, trans., November 1998, art. 18.

branches of education and guarantee the independence of universities and scientific research centres, with a view to linking all this with the requirements of society and production.”<sup>48</sup> This part of the article specifically mentions one of the requirements for academic freedom under international law, i.e. university autonomy. The article’s call for state supervision and the mandate to link education to “society and production,” however, could be read to authorize inappropriate limits on that autonomy. The remaining three education articles state that “Religious education shall be a principal subject in the course of general education” (Article 19), “Education in the State educational institutions shall be free of charge in its various stages” (Article 20), and “Combating illiteracy shall be a national duty for which all the people’s energies should be mobilized” (Article 21).<sup>49</sup> The latter two deal more with the right to education than academic freedom per se.

Other provisions of the Egyptian constitution protect the basic human rights essential to academic freedom. Article 47, which guarantees freedom of opinion and expression, says, “Every individual has the right to express his opinion and to publicise it verbally or in writing or by photography or by other means within the limits of the law. Self-criticism and constructive criticism is the guarantee for the safety of the national structure.”<sup>50</sup> The constitution also devotes an article to the protection of research. According to Article 49, “The State shall guarantee the freedom of scientific research and literary, artistic and cultural invention and provide the necessary means for its realisation.”<sup>51</sup> The constitution protects gatherings of academics with provisions related to assembly and association. Article 54 states, “Citizens shall have the right to peaceable and unarmed private assembly, without the need for private notice. Security men should not attend these private meetings. Public meetings, processions and gatherings are allowed within the limits of the law.”<sup>52</sup> Article 55 gives citizens “the right to form societies as defined in the law” as long as their activities are not “hostile to the social system, clandestine or have a military character.”<sup>53</sup> These articles cover the main components of academic freedom.

Despite constitutional protections that are generally in line with international law, Egypt has failed in practice to protect academic freedom. As will be shown below, the government has created and fostered a system of repression that stifles independent

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<sup>48</sup> Ibid.

<sup>49</sup> Ibid., arts. 19, 20, 21.

<sup>50</sup> Ibid., art. 47.

<sup>51</sup> Ibid., art. 49.

<sup>52</sup> Ibid., art. 54.

<sup>53</sup> Ibid., art. 55.

thinking and the free exchange of ideas. State and non-state repression as well as the self-censorship they cause pervade all areas of university life, including the classroom, research, student activities, and campus demonstrations.

#### **IV. Background**

Egypt has long been the intellectual and cultural center of the Arab world. It is home to al-Azhar, one of the oldest universities in the world, and was among the first Arab countries to establish a national secular university, almost a century ago. The latter, which became Cairo University, not only served as a model for other institutions in the region but also provided Egypt with scholars, political leaders, and opposition figures. Over the course of the twentieth century, Egypt's rapidly expanding university system faced periodic violations of academic freedom. In recent years, those attacks have become sometimes less obvious but more pervasive, threatening the freedom of individual academics and the autonomy of educational institutions in unprecedented ways. Whether Egypt's universities can continue to serve as intellectual role models for the region is seriously in doubt.

##### ***Rise of the National Universities***

Egypt's intellectual leadership began with the founding of al-Azhar. Shi`a Fatimids established the religious university in Cairo in the tenth century; about two hundred years later, the Ayyubids under Saladin turned it into a Sunni institution. As Egypt became "the undisputed center of Islamic cultural and intellectual life,"<sup>54</sup> students from across the Arab world came to al-Azhar to pursue Islamic studies. The formation of the Ottoman Empire eventually shifted political and cultural power to Istanbul,<sup>55</sup> but al-Azhar remained (and remains) a significant force in the Islamic world, contributing to the resistance against Napoleon and providing religious leaders for the region.<sup>56</sup>

At the end of the nineteenth century, as part of a broad reform movement, the search began in Egypt for an alternative to al-Azhar's religious education. It was found wanting in its preparation of young Egyptians to meet the demands of the modern age. France and England had turned away from their traditionally Christian universities and either

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<sup>54</sup> Geneive Abdo, *No God but God: Egypt and the Triumph of Islam* (Oxford: Oxford University Press, 2000), p. 47.

<sup>55</sup> *Ibid.*

<sup>56</sup> *Ibid.*

created new institutions or revamped and secularized the old ones.<sup>57</sup> Inspired to modernize their own society, Egyptian politicians, aristocrats, and intellectuals started discussing options for forming a secular university in Cairo.



The minarets of al-Azhar tower over medieval Cairo. Founded in the tenth century, al-Azhar is the oldest university in Egypt and one of the oldest in the world. It continues to serve as a pan-Arab center for Sunni education. © 2003 Bonnie Docherty / Human Rights Watch

The Egyptian University, later renamed Cairo University, opened in 1908. It was created as a private, liberal arts college that sought “knowledge for its own sake.”<sup>58</sup> A university committee policy statement explained, “The firm foundations on which this great structure [of higher education] will be built can only be the introduction of the fields of knowledge which are now neglected in Egypt, like history, the arts, the humanities, and the higher sciences which elevate the individual and his people and make a nation great among nations.”<sup>59</sup> Research was an important part of Cairo University’s mission. As one young professor explained, instead of merely presenting knowledge, “the university tries to discover the unknown, criticizes the achievements in learning, introduces arguments,

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<sup>57</sup> Donald Malcolm Reid, *Cairo University and the Making of Modern Egypt* (Cambridge: Cambridge University Press, 1990), p. 12. Unless otherwise noted, historical information and statistics in this chapter come from this book.

<sup>58</sup> *Ibid.*, p. 32.

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

replaces the old by the new, destroys one viewpoint and builds up another.”<sup>60</sup> These early mission statements provide an important point of contrast to the state of education in Egypt today.

The university’s founders also recognized the need for autonomy. They sought to keep politics off campus and avoided hiring graduates of al-Azhar. They intended to have “no religion but knowledge.”<sup>61</sup> European professors dominated the first generation of faculty while promising Egyptian students were sent abroad to train for future teaching positions.

In 1925, three years after Egypt gained independence from Britain, the private university became part of the country’s first state university. The original institution had insufficient funds and facilities to meet the growing demand for higher education. It was turned into a Faculty of Arts in an expanded institution that added a Faculty of Science and schools of law and medicine. As a condition of accepting reorganization, however, the private university demanded “as much autonomy from the minister of education as possible.”<sup>62</sup> The new university symbolically distinguished itself from al-Azhar, building its Western-style campus on the opposite bank of the Nile. A clock tower, rather than a minaret, dominated the campus. Although founded on a European model, the state university served as an important symbol of an independent Egypt, even appearing on national postage stamps.

Over the coming decades, Cairo University, then known as Fuad I University after the king and former rector, could no longer meet Egypt’s needs for higher education. A second national university opened in October 1942. Originally named Faruq I University, it ultimately became Alexandria University. It followed Cairo’s model, but made college education more accessible to Egyptians outside Cairo. Eight years later, the state added Ibrahim Pasha University, now `Ain Shams, to its system. It was built in Cairo on the east bank of the Nile. By 1952, enrollments at the three state universities totaled 36,622.

After the fall of the Egyptian monarchy in 1952, the state popularized the national universities. Gamal Abd al-Nasser<sup>63</sup> believed education should be open to the people

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60 Ibid., p. 60.

61 Ibid., p. 32.

62 Ibid., p. 77.

63 The Arabic names in this report have been transliterated in a standard way, unless they belong to authors who published in English or interviewees who offered preferred English spellings of their names.

and made universities free in July 1962. The result was an explosion in the number of students. During his years as president, Cairo University's student population grew two-and-a-half times, to 50,000. Nasser also shifted the emphasis of the national universities from liberal arts to science and technology and opened several institutes that provided more vocational training. Anwar Sadat, who succeeded Nasser in 1970, rejected his predecessor's economic views but generally continued his educational policies. The government continued to provide free access to the universities despite the fact that the emphasis on quantity of students led to a decline in quality of education. Expansion included the creation of Hilwan University, another institution in the Cairo area.

Over the past fifty years, the national university system has grown dramatically. Today it consists of twelve universities, spread geographically from Alexandria in the northwest to Suez Canal in Isma`ilia in the east to South Valley in Qina in the south. Branch campuses extend as far south as Aswan. According to the most recent available statistics, more than 1.1 million students are enrolled and about 200,000 graduate each year.<sup>64</sup> In 1999-2000, 120,000 graduate students attended the national universities,<sup>65</sup> and the number of faculty members reached 30,486.<sup>66</sup> The system also includes a number of technical and higher institutes that provide vocational training in two to four years of study. The founders of Cairo University might be pleased that Egypt has a firmly established university system, but as this report will show, they would likely question the direction it has taken.

### ***The American University in Cairo (AUC)***

Shortly after the creation of the Egyptian University, a group of American missionaries founded the American University in Cairo (AUC). It began as a secondary school in 1920. In 1928, AUC graduated its first university class and enrolled its first female student. The school was modeled on other missionary schools in the Middle East, including the Syrian Protestant College, which later became the American University of Beirut. AUC, which moved into the Egyptian University's original home in Tahrir Square, offered an American-style liberal arts education in English. It added master's degrees in 1950.<sup>67</sup>

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<sup>64</sup> *Information Unit Periodical* (Egypt: Ministry of Higher Education, 2001-2002), p. 22. In 1999-2000 1,175,155 students were enrolled. In 1998-1999, 195,156 students graduated.

<sup>65</sup> *Ibid.*, p. 23.

<sup>66</sup> *Ibid.*, p. 22.

<sup>67</sup> Donald Malcolm Reid, *Cairo University*, pp. 23-24; "About AUC [American University in Cairo]: History," January 6, 2003, <http://www.aucegypt.edu/about/history.html> (retrieved May 13, 2004).

The school started small, but its influence grew as the United States became a world leader. In 1945, it enrolled 134 students, compared to Cairo University's 10,534. Statistics from around the same time show its student body consisted of forty-eight percent Christian, twenty-two percent Jewish, and thirty percent Muslim. After World War II, AUC became a more important player in Egyptian society. By the 1960s Muslim students outnumbered Christians. The school's graduates included Nasser's daughter and Hosni Mubarak's wife.



Located at the edge of Tahrir Square, this building houses the administration of the American University in Cairo. It served as the original home of Cairo University when it was founded in 1908.  
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AUC is now the most elite university in Egypt. In fall 2003, it enrolled 3,963 undergraduates and 867 master's students. Of those, 89.3 percent were Egyptians.<sup>68</sup> Although more integrated than previously into Egyptian society, it maintains its commitment to "the ideals of American liberal arts and professional education."<sup>69</sup> Its mission statement says, "As freedom of academic expression is fundamental to this effort, AUC encourages the free exchange of ideas and promotes open and on-going

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<sup>68</sup> "About AUC: Facts and Figures," November 30, 2003, <http://www.aucegypt.edu/about/facts.html> (retrieved May 13, 2004).

<sup>69</sup> "About AUC: Mission," January 6, 2003, <http://www.aucegypt.edu/about/mission.html> (retrieved May 13, 2004).

interaction with scholarly institutions throughout Egypt and other parts of the world.”<sup>70</sup> AUC represents an alternative to Egypt’s public university system. It provides a university education that is liberal arts-based, private, and international to students willing and able to pay tuition.<sup>71</sup>

### ***Influence of Egyptian Universities***

Egypt’s secular universities began to influence politics and society shortly after their creation. During much of the twentieth century, they trained national leaders and provided forums for challenging that leadership. They also served as models for the new institutions of higher education springing up around the Arab world. The significance of these universities thus extended beyond their role as educators of Egyptian youth to shapers of Egyptian and Arab society.

During the first half of the twentieth century, Cairo University produced most of Egypt’s professionals, politicians, and intellectuals. Its first rector later became King Fuad I, who reigned from 1917 to 1936. Between 1908 and 1952 almost all cabinet ministers who were not army officers graduated from the university. In addition to grooming the country’s leaders, Cairo University was a national symbol at a time when Egypt was seeking its independence from Britain. “In France, with its prestigious *grandes écoles*, the University of Paris has not been nearly so vital for national life, nor has Harvard in the decentralized United States. . . . Oxford and Cambridge revived later in the [nineteenth] century, but they were still far less important on the national scene than Cairo University has been in Egypt,” writes historian Donald Reid.<sup>72</sup> Later in the century, Cairo University had to share its influence with new members of the state system. It also lost control of the national leadership; all three of Egypt’s presidents since 1954 graduated from the Military Academy. While Cairo University’s influence has diminished, it remains the most prestigious state university.

Historically Egypt’s universities trained not only society’s leaders, but also citizens willing to challenge the status quo. “Students from Cairo University . . . were in the forefront of demonstrations in 1919, 1935, 1946, 1951, 1968, and 1972-73 which significantly affected the course of Egypt’s history,” Reid writes.<sup>73</sup> These demonstrations usually

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<sup>70</sup> Ibid.

<sup>71</sup> While AUC is the oldest and most prestigious private university in Egypt, other private institutions have sprouted up in recent years. In 1996, presidential decrees established four such universities: the Sixth of October University, October University for Modern Sciences and Arts, Misr University for Sciences and Technology, and the Misr International University. *Information Unit Periodical*, p. 38.

<sup>72</sup> Donald Malcolm Reid, *Cairo University*, p. 4.

<sup>73</sup> Ibid. See also Ahmed Abdalla, *The Student Movement and National Politics in Egypt* (London: al Saqi, 1985).

criticized government policies, with students often focusing on what they considered the state's insufficiently militant policy toward Israel. The student movement peaked in the 1970s when leftists "fought against big government."<sup>74</sup> In 1972, for example, more than three thousand students organized a sit-in at Cairo University to protest Israel's continued occupation of the Sinai Peninsula and to expose domestic problems. They printed leaflets, arranged for food and medicine to be distributed, and guarded the gates. "It was very organized. Egypt's intellectuals joined. It showed at the time students were a strong and organized force. [The movement] began to decline in the next couple years," said `Imad Mubarak, a recent graduate and student activist, who now works at the Hisham Mubarak Law Center, named after his father.<sup>75</sup> Engineering professor Saad el-Raghy remembers that the students in his faculty, who were "fed up" with Israel's presence in the Sinai Peninsula, threw stones and protested for hours. "Outside the gates it was like a battlefield," he recalled.<sup>76</sup> The student movement has since lost much of its power due not only to infighting and generational changes, but also to repression.<sup>77</sup> Nevertheless the memory of these days remains vivid in the minds of activists today.

As one of the oldest in the region, Egypt's state university system influenced similar institutions created later in the rest of the Middle East. The new universities that sprung up in the 1950s and 1960s looked to Egypt for guidance. "Cairo University . . . became the prime indigenous model for state universities elsewhere in the Arab world," Reid writes.<sup>78</sup> The other possible models—private American missionary schools, European colonial institutions, and Turkish universities whose significance faded with the fall of the Ottoman Empire—could not compete. Graduates of Egypt's universities became professors in the new foreign national universities. In 1974, for example, Egyptians represented seventy-one percent of the teachers at the eight-year-old Kuwait University. Egyptian universities opened satellite campuses in Khartoum, Sudan, and Beirut, Lebanon, in 1955 and 1960, respectively. Cairo University also attracted foreign students from around the region, who returned home with Egyptian training. Egypt continues to export academics, especially to the Gulf States, but today Egyptians express concerns that the influence flows in the other direction and is not friendly to academic freedom.

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<sup>74</sup> Human Rights Watch interview with Tamir Sulaiman Ibrahim, Cairo, February 20, 2003.

<sup>75</sup> Human Rights Watch interview with `Imad Mubarak, Cairo, February 23, 2003.

<sup>76</sup> Human Rights Watch interview with Saad el-Raghy, professor of metallurgical engineering, Faculty of Engineering, Cairo University, Cairo, February 23, 2003.

<sup>77</sup> "Factions without one comprehensive vision for change led to disintegration of the movement. There was no transfer of experience from the 1970s to the next generation." Human Rights Watch interview with Tamir Sulaiman Ibrahim, Cairo, February 20, 2003.

<sup>78</sup> Donald Malcolm Reid, *Cairo University*, p. 4.

## ***The History of Constraints on Academic Freedom in Egypt***

Following on the heels of independence, the creation of a national university system gave hope to Egypt's academics. "Cairo University was thought of as an establishment where you could get a free and secular education apart from the complex of religious education at al-Azhar. . . . Cairo University was the beginning of new era. . . . [It] included a lot of space for people of different intellectual movements and backgrounds," said a professor who currently teaches at the university.<sup>79</sup> Nevertheless, Egypt's secular universities faced threats to academic freedom from their earliest days. The challenges ranged from attacks on individuals to interference with university curriculum. While these largely isolated incidents did not significantly hinder the universities' influence at home and abroad, they foreshadowed the crisis that erupted shortly after Nasser's takeover of the state in the 1950s and the systemic and insidious repression that characterizes Egyptian campus life today.

In the first half of the century, university and state officials occasionally charged individual academics with blasphemy. In 1913, for example, the Egyptian University sent Mansur Fahmi to the Sorbonne to prepare for a position in its philosophy department. When the university administration learned Fahmi had written his dissertation on the condition of women in Islam, it said he had defamed Islam by accusing it of mistreating women and claiming that the Prophet Muhammad had written the Quran for personal reasons. The university stripped him of his promised professorship and confiscated copies of the thesis it had funded. He was banned from government posts and only returned to teaching seven years later.

More established scholars were also vulnerable. In 1926, eminent scholar Taha Hussain was at the center of "one of the most famous Arabic literary battles of the century."<sup>80</sup> Al-Azhar condemned Hussain's book *On Pre-Islamic Poetry* as blasphemy and sparked a parliamentary debate. Unlike Fahmi, Hussain received support from the rector of his university and the incident died down. These threats to academic freedom demonstrate the difficulties Egypt's early academics faced trying to find a balance between secular and religious, and imported and more locally rooted approaches to education.

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<sup>79</sup> Human Rights Watch interview with Islamist professor, Faculty of Dar al-'Ulum, Cairo University, Cairo, March 4, 2003.

<sup>80</sup> Donald Malcolm Reid, *Cairo University*, p. 121.

As the national university system began to grow in size and influence, a new government regime moved to co-opt it. Nasser, who took power in 1954, sought to shape higher education to serve his political purposes. He wanted academia to articulate an ideology for his brand of Arab nationalism and tried to enlist its support by controlling the campuses. “[F]reedom of thought, speech, and action was squelched. Police informers saturated the campus, and professors never knew the exact limits of permissible debate,” Reid writes.<sup>81</sup> One academic described the blow as a watershed in university history. “Academic freedom in Egypt ended in 1954 when the soldiers threw out the liberal professors and decided to turn Egyptian universities into a government bureau,” said poet and former professor Ahmad Taha.<sup>82</sup> Nasser also emphasized technical learning rather than “knowledge for knowledge’s sake,” Cairo University’s original mandate. As a result, the Faculties of Engineering and Medicine replaced those of Law and Arts as the most prestigious and popular. While such disciplines are important fields of study, the head of state’s influence over curriculum represented a loss of university autonomy. The universities’ institutional problems started in this era, too. The numbers of students increased dramatically after Nasser eliminated tuition, but the quality of education declined because the faculty and facilities were not expanded at the same time.

Under Anwar Sadat, the universities reached their peak of activism and then were stifled by state repression. Sadat assumed control of Egypt after Nasser died in 1970. During the early years of his tenure, he eased restrictions on the academic community, removing police from campus, allowing professors to elect their deans, and facilitating more student activities. Afraid of the left’s increasing influence, however, Sadat eventually cracked down on student activism with the University Law of 1979, which placed restrictions on student unions and other groups. He also surreptitiously encouraged Islamists in an effort to combat leftist influences; members of this group soon started pressuring their classmates to observe their interpretation of strict Islamic law. After signing the Camp David accords with Israel, Sadat’s alliance of convenience with the Islamists ended. A squad of militant Islamists from the radical group *al-Gihad* assassinated him on October 6, 1981. Sadat not only left a legacy of direct state repression on campus but also unleashed sociopolitical forces that continue to challenge academic freedom today.

Egypt’s universities now operate under the control of President Hosni Mubarak’s government,<sup>83</sup> and academic freedom violations continue. An Egyptian journalist from

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<sup>81</sup> Ibid., p. 197.

<sup>82</sup> Human Rights Watch interview with Ahmad Taha, Cairo, February 15, 2003.

<sup>83</sup> Mubarak has indicated that he plans to run once again, for a fifth six-year term as president in September 2005.

*al-Ahram*, the country's leading paper, told Human Rights Watch, "The government is against all freedom, whether left or right, the existence . . . not [of] a particular group but [of] independent universities."<sup>84</sup> The threats that universities face today may sometimes be less visible than under Nasser or Sadat, but as detailed below, they are pervasive and insidious. Incursions on academic freedom are destroying careers, restricting knowledge, and stifling creativity throughout Egypt's higher education system.

### ***Egyptian Universities Today***

The structure that represses academic freedom today has been built by state and non-state actors and by academics themselves. The Egyptian government uses police, political appointees, and laws to control all areas of university life. Islamist militants, meanwhile, have used physical violence and public attacks to shape the content of higher education. A climate of fear has led professors and students to censor themselves and to avoid discussion of certain subjects.

In Human Rights Watch interviews with professors, researchers, students, commentators, and officials, the existence of so-called "red lines"—taboo subjects—emerged as the central obstacle to academic freedom in Egypt. Egyptians use this term to describe boundaries that cannot be crossed on or off campus. Red lines encompass three controversial subject areas that are particularly subject to scrutiny—politics, religion, and sex.

Academics agree, for example, that criticism of President Mubarak and his family has been completely off limits. "Some people say if anyone talks about the president you will be arrested," said Mai Mustafa, an `Ain Shams student.<sup>85</sup> This area includes discussion of pertinent subjects such as who will succeed the president when he dies or retires and, according to some professors, comments about certain senior officials.<sup>86</sup> "There are implicit red lines, for example, the persona of the president, talking about succession, family members of the president," said a political scientist at AUC.<sup>87</sup> The red line does not extend to all politics or criticism of the government. "You can talk about the lack of

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84 Human Rights Watch interview with *al-Ahram* journalist, Cairo, February 14, 2003.

85 Human Rights Watch interview with Mai Magdi Mustafa, Cairo, March 2, 2003.

86 See, e.g., Human Rights Watch interview with Amr Hamzawy, assistant professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, Cairo, February 26, 2003; Human Rights Watch interview with Mustapha Kamel al-Sayyid, professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, and Political Science Department, AUC, Cairo, February 25, 2003.

87 Human Rights Watch interview with AUC political science professor, Cairo, February 18, 2003.

democracy but not the family of the president,” Mustapha Kamel al-Sayyid said.<sup>88</sup> Egyptians can debate politics, but without using names.

Neither state nor society tolerates criticism, or even innovative interpretations, of Islam. “Religion is all red unless otherwise stated,” AUC researcher Reem Saad said.<sup>89</sup> The boundaries of what is prohibited are broader and less clear than for politics. “In my case [as a political scientist], there is more room than [there is] for religious issues. . . . Religious issues are highly sensitive,” Cairo University professor Amr Hamzawy said.<sup>90</sup> Islamists, who care less about political subjects, apply considerable pressure in the area of religion. Relations between Muslims and Copts (Egyptian Christians) also fall under this restriction. Alexandria University professor Nadia Touba said, “You [might] stay away from issues of Muslims and Christians today. Before it didn’t make a difference but today it makes a difference. You don’t want to offend anyone. We prefer to avoid [the topic].”<sup>91</sup>

Public discussion of sex is considered contrary to the religious and cultural traditions of Egypt. At the national universities, professors said they voluntarily stay away from books that challenge the sexual mores of the Muslim world. For example, vivid descriptions of sex or discussions of homosexuality and extramarital sex are off limits. “If something has sex, it’s not appropriate for the culture. . . . [Y]ou have to respect that. . . . Why would we choose [these books]? We wouldn’t feel comfortable teaching them,” English professor Dalia El-Shayal said.<sup>92</sup> At AUC, censorship of course books has illuminated this red line. The state censor and Islamists have worked together to ban books that deal with sexual topics.

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<sup>88</sup> Human Rights Watch interview with Mustapha Kamel al-Sayyid, professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, and Political Science Department, AUC, Cairo, February 25, 2003.

<sup>89</sup> Human Rights Watch interview with Reem Saad, research associate professor, Social Research Center, AUC, Cairo, February 25, 2003.

<sup>90</sup> Human Rights Watch interview with Amr Hamzawy, assistant professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, Cairo, February 26, 2003. Talking about AUC censorship, his colleague al-Sayyid said, “There is a certain sensitivity when something is related to Islam or going beyond the rules of morality.” Human Rights Watch interview with Mustapha Kamel al-Sayyid, professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, and Political Science Department, AUC, Cairo, February 25, 2003.

<sup>91</sup> Human Rights Watch interview with Nadia Touba, associate professor, English as a Foreign Language, Faculty of Education, Alexandria University, Cairo, February 24, 2003.

<sup>92</sup> Human Rights Watch interview with Dalia El-Shayal, assistant professor, English Department, Faculty of Arts, Cairo University, Cairo, February 27, 2003.

While politics, religion, and sex are the main red lines, other topics are dangerous to discuss in today's universities. According to some academics, criticism of the military is usually off limits.<sup>93</sup> Relations with Israel are also a touchy subject for those who challenge the prevailing view. For example, a professor who is willing to speak with Israeli professors is condemned as "supporting normalization," even if he or she opposes the Israeli government's policies.<sup>94</sup> "[Discussions of] Israel and the Middle East are biased and unethically presented to the students. It's OK to express your opinion, but they should give students the opportunity to get information and come up with their own opinions," said Margo Abdel Aziz, an education specialist at the U.S. Embassy.<sup>95</sup> Public condemnation of such controversial topics quickly leads to self-censorship.

According to one observer, the repression on Egypt's campuses today is a reflection of changes in Egyptian society. "In society in general, the amount of freedom is getting less and less. Academic freedom as one of the signs of freedom in general is bound to be affected," the observer said.<sup>96</sup> Violations of academic freedom, however, also exacerbate the problems of society. They threaten to isolate Egypt from the international community and to create an educated class lacking the skills and knowledge to address the country's problems and unable or unwilling to criticize the status quo.

## V. Government Repression

State-imposed limits on academic freedom pervade Egyptian universities. Academic life, in Egypt as in all countries, can be divided into four major areas: the classroom, center of teaching and learning; research, professors' work outside of the classroom; student activities, including in sports, arts, service, and politics; and campus demonstrations, where students and professors gather to express their views on political questions or school policies. Using a variety of instruments, the Egyptian government interferes in each of these areas.

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<sup>93</sup> Human Rights Watch interview with Reem Saad, research associate professor, Social Research Center, AUC, Cairo, February 25, 2003; Human Rights Watch interview with Saadeddin Ibrahim, professor of sociology, Department of Sociology, Anthropology, Psychology, and Egyptology, AUC, Cairo, February 24, 2003.

<sup>94</sup> Human Rights Watch interview with AUC professor, Cairo, February 16, 2003. This professor said, "I am very much against the policies of the Israeli government. . . . What is the politically most effective means of changing minds? I think it's to intimidate people with your opinion." Many of her colleagues, however, feel it is preferable to avoid contact. Ibid.

<sup>95</sup> Human Rights Watch interview with Margo Abdel Aziz, Senior EFL/Civil Education Programs Specialist, English Language Programs Office, U.S. Embassy, Cairo, February 19, 2003.

<sup>96</sup> Human Rights Watch interview with *al-Ahram* journalist, Cairo, February 14, 2003.

## ***Instruments of Repression***

The Egyptian government uses three main tools, in various combinations, to stifle academic freedom: a pervasive police presence on campus, the political appointment of key administrators, and a series of laws that regulate internal affairs produce a university system under strict control of the state. “University education in Egypt cannot produce proper intellectuals,” said Ahmad Taha, a poet and former professor. “It is nothing more than a government office.”<sup>97</sup> Using these instruments of repression, the state dictates what material can be taught and studied, restricts what opinions can be expressed and how, and interferes with meetings of professors and students. In so doing, it undermines the autonomy universities need to protect academic freedom and violates basic human rights.

### ***Police Presence***

Different branches of the state police, under the authority of the Ministry of the Interior, monitor most aspects of state university life. University guards are stationed at campus gates and have offices in each faculty. Plainclothes members of the state security forces roam campuses to stop spontaneous expression, such as speeches or posters. The police also hire or coerce students into spying on each other. Those belonging to the student club “Horus” are notorious for intimidating their fellow students; this club, or *usra*, which has branches at the major universities, works for President Mubarak’s National Democratic Party (NDP) and receives financial and moral support from the activities department in each faculty.<sup>98</sup> Together these forces strive to silence activist students and deter other, less political students from joining them. They suppress specific expression while creating a general climate of fear.

University guards control access to the campus, keeping people both out and in and heavily scrutinizing politically active students in particular. They make it very difficult for visitors to enter the university, and students of various political leanings told Human Rights Watch of being detained or searched at the gates. Iman Kamil, a self-described socialist who graduated in 2000, said the `Ain Shams guards denied her entry several times even though she presented her university identity card.<sup>99</sup> Nadir Muhammad, a Muslim Brother and third-year student at Cairo University,<sup>100</sup> said that guards routinely harass him when he enters campus. If they find he is carrying religious tapes or

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<sup>97</sup> Human Rights Watch interview with Ahmad Taha, Cairo, February 15, 2003.

<sup>98</sup> Email from Tamir Sulaiman Ibrahim, to Human Rights Watch, June 17, 2004.

<sup>99</sup> Human Rights Watch interview with Iman Kamil, Cairo, February 24, 2003.

<sup>100</sup> The class years given represent the status of the student at the time of his or her interview in 2003.

magazines, they confiscate the material and detain him for a couple hours.<sup>101</sup> The university guards also sometimes block exits. To keep student and faculty demonstrations from spilling into more public areas, they close the gates and confine demonstrators to campus. The use of state security forces to monitor university behavior affects private as well as national universities. Guards are stationed at all gates at the American University in Cairo. They check identification cards to screen visitors and close the gates to contain demonstrations.

Members of the state security forces intimidate students with scare tactics. For example, they call students on their cell phones to advise them they are being watched. Alternatively, they call students' parents to tell them they should stop their children from "causing trouble." Family members then apply the pressure the state desires. "It works well, especially among girls. Parents are so frightened, they prevent them from going outside and they stop being involved," said Kamil, whose parents received such a call when she was in school.<sup>102</sup> As described in detail below, this is just one of the many means that security forces use to limit student expression on campus. AUC students said they suspect plainclothes police mingle with the crowd on their campus, too. "The security forces penetrate the university," a theater professor said.<sup>103</sup> Although it is difficult to prove, this suspicion is a sign of the fear academics feel.

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<sup>101</sup> Human Rights Watch interview with Nadir Muhammad, Cairo, March 4, 2003.

<sup>102</sup> The police called her parents when she was in school, but her father was an activist himself. He ignored the threats and encouraged her to do what she believed in. Human Rights Watch interview with Iman Kamil, Cairo, February 24, 2003.

<sup>103</sup> Human Rights Watch interview with AUC theater professor, Cairo, February 26, 2003.



A Cairo University student scales campus gates to hang a banner during a protest on February 22, 2003. State-appointed university guards initially closed the gates in an attempt to contain a leftist demonstration of professors and students. © 2003 Bonnie Docherty / Human Rights Watch

While some faculty members decry the presence of security forces, others see it as a necessary safeguard. For the most part, police leave professors alone,<sup>104</sup> but that does not prevent many from resenting government interference in university life. “One of our demands for the last twenty years was to get police off campus,” said Cairo University professor Sayyed el-Bahrawy.<sup>105</sup> Other faculty members said security forces posed no academic freedom problems and helped keep campuses safe. “I’m happy the security forces are there. . . . I’m glad they don’t let in anybody [to campus]. Otherwise it would turn into a zoo because of the huge numbers of the faculties,” said Dalia El-Shayal, an English professor at Cairo University.<sup>106</sup> Student protests make some professors ambivalent about the police presence because demonstrators occasionally burn faculty cars and destroy property. A professor from `Ain Shams said, “The security is intimidating, but what do you do when students get completely out of hand [during demonstrations]? I have mixed feelings.”<sup>107</sup>

Minister of Higher Education Moufid Shehab defended the police presence.<sup>108</sup> He noted they take orders from the rector and deans, not from officials outside campus. These administrators, however, represent the state, not autonomous universities. The minister also said that the university guards are “at the university only for order, not to intervene.”<sup>109</sup> Nonetheless, students and professors repeatedly told Human Rights Watch that the constant presence of security forces on campus and the ways in which they are used by university authorities inhibit freedom at the universities.

### ***Political Appointments***

The Egyptian government also controls national universities, the primary source of higher education in Egypt, through politically appointed rectors and deans. The state selects university rectors, or presidents, whose responsibilities include overseeing the “scientific, educational, administrative and financial affairs” of the institutions.<sup>110</sup> In

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<sup>104</sup> Human Rights Watch interview with `Issam Hashish, professor, Department of Electronics and Communications, Faculty of Engineering, Cairo University, Cairo, March 3, 2003.

<sup>105</sup> Human Rights Watch interview with Sayyed el-Bahrawy, professor of modern Arabic literature, Department of Arabic Literature and Language, Faculty of Arts, Cairo University, Cairo, February 25, 2003.

<sup>106</sup> Human Rights Watch interview with Dalia El-Shayal, assistant professor, English Department, Faculty of Arts, Cairo University, Cairo, February 27, 2003.

<sup>107</sup> Human Rights Watch interview with `Ain Shams University professor, Cairo, March 1, 2003.

<sup>108</sup> In July 2004, Minister of Higher Education Moufid Shehab was replaced by Amr Ezzat Salama, former president of Hilwan University. President Mubarak’s new prime minister, Ahmed Nazif, appointed Salama “to help Egypt become a modern knowledge-based society.” Remy Nweke, “Software Expert to Head Egyptian Government,” *All Africa*, July 21, 2004.

<sup>109</sup> Human Rights Watch interview with Moufid Shehab, minister of higher education, Cairo, March 2, 2003.

<sup>110</sup> Executive Statutes of Law No. 49/1972 on Universities Organization as Amended up to November 1994, The Middle East Library for Economic Services, trans., art. 17, p. 23.

1994, it reversed a twenty-two-year-old policy of letting individual faculties elect their deans and gave the appointment power to rectors.<sup>111</sup> Minister of Higher Education Shehab said that the change was necessary because elections had involved dirty campaigns and quarrels between professors. While Egypt is not the only country with appointed deans, professors continue to decry the move.

Faculty members complain that the appointment process gives the state too much control of internal university matters. Mustapha Kamel al-Sayyid, a political scientist at Cairo University, said the deans allow the government to have a dangerous presence on campus.

It's been bad since [the system changed]. All rectors are appointed by the government and are usually NDP [President Mubarak's ruling party] members. Deans are appointed by the rector and therefore have the ambition of becoming rector. They would be unhappy with any action critical of the government. It's an unhealthy atmosphere. We feel deans are the eyes of the government. They don't restrict actions, but it creates a feeling of discomfort. The deans say things pleasing to the government. It reflects badly on an atmosphere of freethinking and debate.<sup>112</sup>

His colleague Amr Hamzawy described the appointment process as part of the government's move toward increasingly "latent" control, which involves state "integration in the apparatus itself."<sup>113</sup> Speaking about the evolution of state repression, Hamzawy said, "There is a different notion of control. Between the sixties and eighties, there was direct control. It eased in the early nineties. Now there is latent control—by regulation, co-opting people, getting critical ability to be controlled by integration in the apparatus itself." He views the appointment of deans, whose job includes "controlling staff members," as part of this systemic restriction of academic freedom.<sup>114</sup>

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<sup>111</sup> The new law is Law No. 142/1994.

<sup>112</sup> Human Rights Watch interview with Mustapha Kamel al-Sayyid, professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, and Political Science Department, AUC, Cairo, February 25, 2003. Al-Sayyid said he challenged the policy change and upset the administration. An administration official told him, "You are leading a revolution," to which he responded, "If you are unhappy, take me to court." The administration official declined, saying "No, I don't want to make a hero out of you." Ibid.

<sup>113</sup> Human Rights Watch interview with Amr Hamzawy, assistant professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, Cairo, February 26, 2003.

<sup>114</sup> Ibid.

The appointed deans wield great power in the academy. They attend lectures, approve guest speakers and research trips, and assign responsibilities to professors.<sup>115</sup> They can abuse these powers for political ends. For example, a dean at Cairo University punished Sayyed el-Bahrawy for his leftist political activities by keeping him away from students. The dean refused to let prospective students visit el-Bahrawy in his office in December 2002 and has denied him approval to supervise clubs. “The dean last year told me it is prohibited [for me] to go to demonstrations or speak with students about politics,” he said.<sup>116</sup> A dean at Dar al-`Ulum, a faculty at Cairo University,<sup>117</sup> punished Islamist professors by closing all but one of their offices in 2000. In the aftermath, “[t]here were fifty professors [sharing] one room. The dean believed it was a way to punish Islamists because he said they used their offices to spread Islam,” a professor said. Twelve months passed before the administration reopened the offices.<sup>118</sup> The system leaves professors no recourse for redress. “If you have a criticism, it wouldn’t reach higher [than the dean] because everyone wants to please their boss. We don’t have a hand in running the university,” said an assistant lecturer in the Faculty of Arts.<sup>119</sup>

The switch from election to appointment of deans left the disenfranchised professors feeling powerless and cynical. Salah al-Sayyid al-Sirwi of Hilwan University said the system “shows how the state can always control the universities and what happens inside.”<sup>120</sup> Aida Seif El Dawla, a psychiatry professor at `Ain Shams, described the policy as an “insult.” “They entrusted us with the education of a whole generation taking care of mental health, but not [with choosing] someone who does administrative work.”<sup>121</sup> An Islamist professor from Dar al-`Ulum described the switch to appointment as the end of the “only free election allowed in Egypt at all.”<sup>122</sup> He said a professor in his

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<sup>115</sup> See, e.g., Executive Statutes of Law No. 49/1972 on Universities Organization as Amended up to November 1994, art. 332, p. 209 (“The approval of the Dean . . . shall be obtained concerning the holding of seminars, lectures, conferences, or exhibitions.”).

<sup>116</sup> Human Rights Watch interview with Sayyed el-Bahrawy, professor of modern Arabic literature, Department of Arabic Literature and Language, Faculty of Arts, Cairo University, Cairo, February 25, 2003.

<sup>117</sup> Dar al-`Ulum literally means “House of Knowledge.” This faculty focuses on Islamic studies, and its departments include Arabic grammar and literature and Islamic law, philosophy, and history and civilization. “Cairo University: Faculty of Dar El-Ulum,” <http://www.cu.edu.eg/Faculties/darelalum.asp> (retrieved March 18, 2005).

<sup>118</sup> Human Rights Watch interview with Islamist professor, Faculty of Dar al-`Ulum, Cairo University, Cairo, March 4, 2003.

<sup>119</sup> Human Rights Watch interview with assistant lecturer, Faculty of Arts, Cairo University, Cairo, February 17, 2003.

<sup>120</sup> Human Rights Watch interview with Salah al-Sayyid al-Sirwi, assistant professor, Arab Language Department, Faculty of Arts, Hilwan University, Cairo, March 4, 2003.

<sup>121</sup> Human Rights Watch interview with Aida Seif El Dawla, professor of neuropsychiatry, Faculty of Medicine, `Ain Shams University, Cairo, February 26, 2003.

<sup>122</sup> Human Rights Watch interview with Islamist professor, Faculty of Dar al-`Ulum, Cairo University, Cairo, March 4, 2003.

faculty who nominated herself and received only two votes during an election was later appointed dean.<sup>123</sup>

Although they have no say in the composition of university administration, students as well as professors are affected by the appointment system. “It’s very obvious when you compare how deans used to deal with students before and after the law. The conduct of deans is not very good,” said `Issam Hashish, a professor in Cairo’s Faculty of Engineering.<sup>124</sup> Deans determine who can run for student union and must approve student clubs and public forms of expression. As will be discussed below, they have used this power to interfere with student activities that might challenge the government.

When Human Rights Watch asked Minister of Higher Education Shehab about these concerns, he said that he would consider a system that combines election with nomination. For example, the professors could elect three candidates, from whom the rector would choose one. Or the rector could present a slate of three candidates, on which the professors then vote. A proposed new university law offers an opportunity for a change in policy, but a return to elections is unlikely.<sup>125</sup> “Democracy is not always an election. . . . I personally am against the idea of a pure election,” the minister said.<sup>126</sup> However deans are selected, they must be free from political pressures and act according to academic rather than political or other criteria. In Egypt today, this is not the case.

### *Laws and Regulations*

The state’s third instrument of academic repression is a series of national laws that impinge on campus affairs. The University Law of 1979, which governs the structure of the administration and student activities, exemplifies state interference with the internal workings of the universities via legal means.<sup>127</sup> The law, 213 pages in its English translation, gives deans approval power over student union nominees and student clubs. `Imad Mubarak, recent graduate and lawyer, described this law and the presence of security forces as the two major obstacles to freedom of expression on campus.<sup>128</sup> Other laws target freedom of expression in general and, in the process, limit academic freedom. Most notably, Law No. 20/1936 requires that all imported printed material, including

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<sup>123</sup> Ibid.

<sup>124</sup> Human Rights Watch interview with `Issam Hashish, professor, Department of Electronics and Communications, Faculty of Engineering, Cairo University, Cairo, March 3, 2003.

<sup>125</sup> This proposal will be discussed in chapter eight.

<sup>126</sup> Human Rights Watch interview with Moufid Shehab, minister of higher education, Cairo, March 2, 2003.

<sup>127</sup> Executive Statutes of Law No. 49/1972 on Universities Organization as Amended up to November 1994 (including amendments from 1979).

<sup>128</sup> Human Rights Watch interview with `Imad Mubarak, Cairo, February 23, 2003.

course books, be reviewed by the censor's office.<sup>129</sup> The academy, like the rest of society, has also felt the effects of Emergency Law, under which Egypt has been governed almost continuously since 1967.<sup>130</sup> In February 2003, the government renewed the law, which gives authorities extensive powers to suspend basic liberties, for another three years. It authorizes the arrest of suspects at will and their detention without trial for long periods; the referral of civilians to military or exceptional state security courts whose procedures fall far short of international standards for fair trial; the prohibition of strikes, demonstrations, and public meetings; and the censorship or closing of newspapers in the name of national security.<sup>131</sup> This report will discuss the implementation of these laws, and others, in more detail below.

### ***Academic Freedom Violations in the Classroom***

In the classroom, the center of academic life, professors and students meet face to face to exchange knowledge and ideas and to discuss them from various perspectives. The Egyptian government interferes with this exchange through a variety of censorship mechanisms. State statutes restrict academic curriculum by legalizing government review of course and library books. Professors at the national universities, who are state employees, censor the opinions of their students during class discussion. Without free access to information and ideas, the learning process becomes routinized, repetitive, and restrictive.

### ***Censorship of Course and Library Books: AUC Case Study***

The Egyptian state controls the classroom through censorship of course books. The national universities, which generally rely on a rigid curriculum of textbooks and classics, rarely challenge traditional strictures, but censorship has greatly affected the curriculum at the American University in Cairo. As a purely liberal arts institution, AUC tends to use more diverse and daring books. As an American university, it teaches most of its classes in English and therefore needs to import books from abroad. Both categories of books are vulnerable to the official censorship in Egypt.

Under authority of Law No. 20/1936, the Ministry of Information screens all imported books and periodicals. The statute does not apply exclusively to academic literature, but it facilitates state interference at the heart of the educational system. The two relevant articles state:

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<sup>129</sup> Law No. 20/1936.

<sup>130</sup> Emergency Law No. 162/1958.

<sup>131</sup> Human Rights Watch, "Egypt's Emergency Without End: Rushed Renewal of Repressive Legislation," Press Release, February 25, 2003, <http://hrw.org/press/2003/egypt022503.htm> (retrieved August 21, 2003).

Article 9: In order to maintain the public order, it is permissible to prohibit printed matter that is produced abroad from entering into Egypt, and this prohibition can come as a special decision from the Committee of Ministers.

From that follows the need to prohibit the reprinting of this printed matter as well as its publication and distribution inside the country.

Article 10: The Committee of Ministers also has the right to ban the distribution and handling of printed matter of a sexual content as well as that which addresses religions in a way that could destabilize public peace.<sup>132</sup>

The law thus gives the state power to censor books in the three major red line areas: politics, religion, and sex.

A multistep censorship process screens all books imported by the AUC bookstore, including course books. The store stocks an average of 15,000 titles and 1,000 course books and has a sales volume of 9.4 million Egyptian pounds (LE), or U.S.\$1.5 million, each year.<sup>133</sup> When the bookstore receives a new shipment of books, it submits an invoice with a list of titles to the censor's office. The office requests to review certain titles, and AUC delivers copies. Because it does not keep good records, the censor's office often asks to review previously approved books, slowing the process and increasing the chances of an overturned decision. After review, the censor tells AUC whether a book is acceptable as is or prohibited. In some cases, a book can be altered to be made acceptable. For example, the bookstore has pasted stickers over illustrations of the Prophet Muhammad, such as one in a book from India, because Islam prohibits images of the prophet. Religious books, which must also be sent to al-Azhar, can take longer to clear. If there are no problems, the process takes a couple weeks.<sup>134</sup>

Books with titles relating to Egypt or to red line subjects face the greatest risk of censorship. In an order from February 4, 2003, for example, the censor requested to review thirty-eight books, including those with the following titles: *Social Life in Egypt*, *Serpent of the Nile*, *The Question of Palestine*, *Shi'ite Islam*, *Ecstasy*, and *The Ultimate Hitchhiker's*

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<sup>132</sup> Law No. 20/1936.

<sup>133</sup> Human Rights Watch interview with Mike Zaug, bookstore manager, AUC, Cairo, March 2, 2003. The monetary figures in this report are based on the exchange rate on October 14, 2004.

<sup>134</sup> Ibid.

*Guide to the Galaxy*, a work of fantasy.<sup>135</sup> Bookstore manager Mike Zaug said the censor rarely asks for textbooks but does scrutinize works on politics or classics known for their frank sexuality, like *Lolita* and *Lady Chatterley's Lover*.<sup>136</sup> Zaug reported that one hundred titles were banned in the first three years after his 1998 arrival at AUC.<sup>137</sup> As of February 2003, the most recently banned item was a Penguin Map of the World that showed the Egypt-Sudan border as contested. When Human Rights Watch asked the censor about the map, he replied, "We have a very clear border. . . . The only maps we go by have a straight line."<sup>138</sup>

Because the censorship system relies on titles, it is often rather arbitrary. Literature professor Ferial Ghazoul said the censor banned three of four books in her Gender and Literature course in the mid-nineties. She suspects that he picked out Toni Morrison's *Beloved*, Alice Walker's *In Love and Trouble*, and Assia Djebar's *A Sister to Scheherazade* because the titles mentioned the word "love" or referred to an Arab tradition of sexually explicit literature (Scheherazade is the heroine of the frequently bawdy *The Arabian Nights*). The fourth book, Ahdaf Soueif's *In the Eye of the Sun*, discussed both politics and sex but was never reviewed and thus not banned.<sup>139</sup> The state also sometimes bans English versions of books available in Egypt in Arabic because the import law facilitates the process.<sup>140</sup>

An official in the censor's office defended his department's work as upholding Egyptian traditions. "Anything that is obscene or immoral should be censored. [So should] anything that doesn't go by our traditions as Muslims and anything that concerns blasphemy of religion and national unity between Muslims and Copts," he said. Asked for clarification, he repeatedly used examples of books with explicit discussions of sex but did not address more borderline works, like the novels and texts from AUC. "I don't think it is against human rights not to allow things like pornography because we are an oriental society with religion and ethics and tradition."<sup>141</sup> The censor said he believed politics were less controversial because Egyptians can criticize their government. Asked

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<sup>135</sup> Memorandum to AUC Bookstore, Subject: Censorship List No. 223, February 4, 2003.

<sup>136</sup> Human Rights Watch interview with Mike Zaug, bookstore manager, AUC, Cairo, March 2, 2003.

<sup>137</sup> Mike Zaug, "The Challenges of Bookselling in Egypt," c. 2001.

<sup>138</sup> Human Rights Watch interview with official, Authority of Foreign Publications and Newspapers, Ministry of Information, Cairo, March 3, 2003.

<sup>139</sup> Human Rights Watch interview with Ferial Ghazoul, professor, Department of English and Comparative Literature, AUC, Cairo, March 3, 2003.

<sup>140</sup> For example, the state has banned the English translations of the Arabic novels *Cities of Salt* by Abdelrahman Munif and *Women of Sand and Myrrh* by Hanan al-Shaykh. Human Rights Watch interview with Ferial Ghazoul, professor, Department of English and Comparative Literature, AUC, Cairo, March 3, 2003.

<sup>141</sup> Human Rights Watch interview with official, Authority of Foreign Publications and Newspapers, Ministry of Information, Cairo, March 3, 2003.

about works discussing President Mubarak, he responded, “I don’t see anything about the president or attacking him. I don’t think anything issued worldwide attacks the president. Nobody ever attacked him.”<sup>142</sup> The censor did acknowledge that times are changing with technology. “People are different. It’s not the sixties anymore. . . . We have an open society and [the world is a] ‘small village’ as they say,” he said.<sup>143</sup> Because Egyptians can access almost any site on the Internet, censorship of publications may be in the future a less potent means of repression.<sup>144</sup> Zaug said, “They need to do it [screen books] now, but with the way the world is going, they will have to stop.”<sup>145</sup>

The state censorship system has adversely affected the AUC library, the premier English-language library in Egypt. Like the campus bookstore, the library submits its packing slips to the censor’s office. The censor then reviews selected books and orders some to be banned. In a compromise worked out about three years ago, after a national scandal over teaching of the Moroccan autobiographical novel *For Bread Alone*,<sup>146</sup> the library keeps banned books on reserve so that they do not circulate but can be used in the library. The computer database specifically states that books may not be photocopied. Currently seventy-eight of the library’s 400,000 volumes are on reserve. Examples include classic literature, such as *Lolita* by Vladimir Nabokov; contemporary Arabic literature, such as *Cites of Salt* by Abdelrahman Munif; books on contemporary politics, such as *Israeli-Egyptian Relations 1980-2000* by Ephraim Dowek and *For the Future of Israel* by Shimon Peres and Robert Little; and works on Islam in general or in contemporary society, such as *Islam, A Concise Introduction* by Neal Robinson and *No God but God: Egypt and the Triumph of Islam* by Geneive Abdo.<sup>147</sup>

Between February 2003 and May 2005, the library added eleven additional books to its reserve list. The additions included eight duplicate copies and three new titles—*The Black Book* by Orhan Pamuk, *The Body in Islamic Culture* by Fuad I. Kuhri, and *Invisible Life: A Novel* by E. Lynn Harris. While new books were added, none was removed from the list during that time.<sup>148</sup>

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<sup>142</sup> Ibid.

<sup>143</sup> Ibid.

<sup>144</sup> The Egyptian government, however, has abused the Internet to entrap homosexuals, leading to their arrest and interrogation. Human Rights Watch, *In a Time of Torture: The Assault on Justice in Egypt’s Crackdown on Homosexual Conduct* (New York: Human Rights Watch, 2004), pp. 73-87.

<sup>145</sup> Human Rights Watch interview with Mike Zaug, bookstore manager, AUC, Cairo, March 2, 2003.

<sup>146</sup> The details of this case will be discussed below.

<sup>147</sup> Course Reserves: Library Intellectual Freedom Files, <http://lib.aucegypt.edu/search/r?SEARCH=Library> (retrieved February 25, 2003).

<sup>148</sup> Course Reserves: Library Intellectual Freedom Files, <http://lib.aucegypt.edu/search/r?SEARCH=Library> (retrieved May 24, 2005). The library added duplicate copies or new editions of *Beyond the Veil: Male-Female Dynamics in Modern Muslim Society* by Fatim Mernissi, *The Black Book* by Orhan Pamuk, *The Egyptians* by



State censorship places restrictions on the AUC library, shown here in a courtyard view. In a compromise reached with the Ministry of Information, the library keeps officially banned books on non-circulating reserve.  
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Barbara Watterson, *Putting Islam to Work: Education, Politics, and Religious Transformation in Egypt* by Gregory Starret, and *Women in Islam* by Weibke Walther. Ibid.

AUC Dean of Libraries Shahira el Sawy emphasized that she was content with the present system. “We have a very good relationship with the government. We have been able to obtain permission for books that are questionable for research. . . . They trust us and have confidence in us. We care about education and learning. We have no other motives,” el Sawy said.<sup>149</sup> The official in the censor’s office said the state distinguishes between books for sale and those used for research. “We never even try to stop anything imported by the AUC library for research,” he said.<sup>150</sup>

The system is precarious, however, and the library is grateful for what appears to be at best a poor compromise. Like many professors, the librarian accommodates government restrictions, satisfied to obtain some books and unwilling to challenge the general censorship. “The system is working well. We are so pleased to have the books. . . . It’s a way to come to a good compromise,” said el Sawy.<sup>151</sup> Although the arrangement allows for access to the volumes, the library should be free to determine which books belong on its shelves. The censorship of the library affects not only the AUC community but also Egyptian academia at large; given the poor quality of libraries at national universities, many academics rely on AUC’s collection for research.<sup>152</sup>

### ***Censorship of the Arts***

The state censorship system that has limited options for course reading lists and library holdings has restricted other parts of classroom and extracurricular life. In this case, the Ministry of Culture plays the lead role.<sup>153</sup> It reviews all films imported into the country, including those used for teaching, and like the Ministry of Information, it uses a somewhat arbitrary system. An AUC theater professor said, for example, that the Ministry of Culture cut the last ten minutes of the school’s copy of *Easy Rider* but ignored the more provocative and sexually explicit *Caligula*.<sup>154</sup> The Ministry of Culture

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<sup>149</sup> Human Rights Watch interview with Shahira el Sawy, dean of libraries and learning technologies, AUC, February 25, 2003.

<sup>150</sup> Human Rights Watch interview with official, Authority of Foreign Publications and Newspapers, Ministry of Information, Cairo, March 3, 2003.

<sup>151</sup> Human Rights Watch interview with Shahira el Sawy, dean of libraries and learning technologies, AUC, February 25, 2003.

<sup>152</sup> Human Rights Watch interview with assistant lecturer, Faculty of Arts, Cairo University, Cairo, February 17, 2003.

<sup>153</sup> The course book censorship is part of a four-pronged mechanism of censorship. As just discussed, the Ministry of Information reviews books and periodicals that are imported into the country. The Ministry of Interior confiscates or shut downs what it does not like. The Ministry of Culture reviews theatrical performances and plays. And al-Azhar reviews any materials dealing with religion. The Ministry of Information has had the greatest impact on course books, but because it only censors books coming into the country, it has primarily impacted AUC, which regularly imports English books from abroad. Mike Zaug, “The Challenges of Bookselling in Egypt,” c. 2001.

<sup>154</sup> Human Rights Watch interview with AUC theater professor, Cairo, February 26, 2003.

also vets student plays. A censor reads the text of the play and attends a rehearsal. In the case of one play, the censor told the director to “cut all sex,” referring to a scene with a hug. To raise awareness of the problem, the AUC theater professor had the actors freeze while the stage manager passed by with a sign saying “cut by censor.”<sup>155</sup> On another occasion, the state completely shut down a 2001 AUC production of *Bay the Moon*, a play by Mahmoud El Lozy. It called the play “anti-Egyptian” because it criticizes government policies and tells the story of an Egyptian man and an American woman.<sup>156</sup>

### ***Class Discussion***

At the national universities, restrictions on class discussion are the major challenge to academic freedom in the classroom. Some professors and students described feeling direct pressure from the administration and police. Seif El Dawla, a psychiatry professor at `Ain Shams, said it took her three years to persuade the administration to allow her to teach a graduate level unit on human rights for mental patients. Although she received the approval, she limited discussion of the topic to one lecture and did not put the material on the exam.<sup>157</sup> In 2000, the state-appointed dean at Dar al-`Ulum prohibited a professor from teaching for a year because he had expressed Islamist views in the classroom. “The dean went to the classroom and told the students [their professor] wouldn’t be teaching because he did bad things.”<sup>158</sup> The administration told another Islamist professor and his colleagues not to speak about certain topics or to “speak softer.”<sup>159</sup> Professor Amr Hamzawy said his dean sometimes attends public lectures or conferences. “If he senses [government] opposition in the atmosphere, he will stand up to rearrange matters,” Hamzawy said.<sup>160</sup>

Hamzawy also said he has heard that a member of the security forces attends classes and reports on what happens. Students have a similar impression of being watched. Tamir Sulaiman Ibrahim, a 2002 graduate of Cairo University described the police presence in the classroom as “constant on the pretext of keeping order and controlling any form of

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<sup>155</sup> Ibid.

<sup>156</sup> Pamela Nice, “Letter from Cairo: Creating (and Destroying) a Culture of Inquiry,” *al-Jadid*, Fall 2000, p. 3. Controversial plays, such as *Bay the Moon* and more recently the *Vagina Monologues*, can usually only be performed in front of private, invitation only audiences. Christopher Walker, “Underground Celebration,” *The Cairo Times*, February 26-March 3, 2004, <http://www.cairotimes.com/content/archiv07/vagina0749.html> (retrieved August 5, 2004).

<sup>157</sup> Human Rights Watch interview with Aida Seif El Dawla, professor of neuropsychiatry, Faculty of Medicine, `Ain Shams University, Cairo, February 26, 2003.

<sup>158</sup> Human Rights Watch interview with Islamist professor, Faculty of Dar al-`Ulum, Cairo University, Cairo, March 4, 2003.

<sup>159</sup> Ibid.

<sup>160</sup> Human Rights Watch interview with Amr Hamzawy, assistant professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, Cairo, February 26, 2003.

student collective movement.” He continued, “Also the professors sometimes summon the police inside the classrooms in order to make sure that the proper conduct and order is kept in class as the classrooms are quite big and can contain more than 2000 students at a time.”<sup>161</sup> Even if such incidents are rare, the perception of police presence is enough to discourage free and open classroom discussion.

Students face additional restrictions from their classroom professors who impose red lines on class discussion. Bassam Murtada, a first-year student at Cairo University’s Faculty of Law, described two controversial areas—religion and politics. The former comes up in his classes about Shari’a law. “It’s very hard to express anything about religion. You can’t criticize or contradict. The people who teach it are very strict religiously,” he said.<sup>162</sup> Restrictions on politics apply to questions about both internal laws, particularly the Emergency Law, and international law. Murtada said, “We don’t talk about Israel as a state, its status in the system or legitimacy as a state. If you try to ask about the legal status of Israel, you are shut up by the professor.”<sup>163</sup> Margo Abdel Aziz, an education specialist and long-time observer of Egyptian academia at the U.S. Embassy, echoed Murtada’s analysis about Israel and class discussion in general. “There is not freedom of opinion for students. Some professors would encourage, tolerate, respect [students’ points of view]. The majority expects falling into line,” she said.<sup>164</sup> The intimidating atmosphere created by administrative and police oversight encourages professors to stifle productive intellectual exchange on important subjects in Egypt’s classrooms.

Long before university, Egyptian students are conditioned to regard censorship in the classroom as acceptable. Journalist Bahega Hussein, for example, described how the Ministry of Education censored the romantic subplots in plays taught in secondary school. “It creates a generation of boys and girls. . . who find everything can be treated as against their own tradition and country. When they reach the university they cannot appreciate freedom,” Hussein said.<sup>165</sup> Samia Mehrez and other professors blame the rigid educational system for producing weak university students. “Students are heir to a national education system based on hierarchy and oppression and memorization. It kills their brains; thinking in itself is horror because if they do, they are defying the authority

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<sup>161</sup> Email from Tamir Sulaiman Ibrahim, to Human Rights Watch, June 17, 2004.

<sup>162</sup> Human Rights Watch interview with Bassam Murtada, Cairo, February 28, 2003.

<sup>163</sup> *Ibid.*

<sup>164</sup> Human Rights Watch interview with Margo Abdel Aziz, Senior EFL/Civil Education Programs Specialist, English Language Programs Office, U.S. Embassy, Cairo, February 19, 2003.

<sup>165</sup> Human Rights Watch interview with Bahega Hussain, journalist, *al-Ahali*, Cairo, February 27, 2003.

of the teacher,” Mehrez said.<sup>166</sup> This early training makes it more difficult for professors to explain the dangers of censorship.

### ***Conclusion and Recommendations***

State interference in the classroom hurts the core of academic freedom by influencing what topics are taught and how they are discussed. Egypt’s censorship of course books violates the freedom of expression of professors and authors. While the ICCPR allows states to restrict this right on certain grounds, including for the protection of public order and public morals, such restrictions must be interpreted narrowly. According to a treatise on the covenant, *ordre public* encompasses “prevention of disorder and crime.”<sup>167</sup> The treatise also states, “Typical examples of interference with freedom of expression to protect *public morals* include prohibitions of or restrictions on pornographic or blasphemous publications,” two types of books the censor mentioned.<sup>168</sup> Egypt has laid out its restrictions in the law, as required by the ICCPR, but it has applied them far too broadly. A map indicating that the Egypt-Sudan border is contested is unlikely to cause public disorder. Routine scrutiny of all imported books touching on religious or sexual themes and continued censorship of many such titles cannot be justified as “necessary” to protect public morals. Finally, screening books before they are imported may be interpreted as a form of prior censorship, which is always prohibited under international law. The same legal argument applies to state censorship of the arts, including films for classes and school plays.

Government restrictions on class discussion violate freedom of expression and in some cases freedom of opinion. Students and professors should be able to exchange knowledge and ideas in the classroom without pressure from administrators or police. State-employed professors who stifle student discussion for arbitrary reasons further restrict freedom of expression. They also interfere with freedom of opinion. Students receive only partial information or no information at all on a range of subjects and are deprived of the opportunity to develop their own positions.

Human Rights Watch recommends that

- The state repeal Law No. 20/1936, which allows censorship of imported publications.

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<sup>166</sup> Human Rights Watch interview with Samia Mehrez, associate professor, Department of Arabic Studies, AUC, February 16, 2003.

<sup>167</sup> Manfred Nowak, *U.N. Covenant on Civil and Political Rights*, p. 357.

<sup>168</sup> *Ibid.*, p. 358.

- Libraries be free to determine their holdings and to establish which books belong on reserve.
- Censorship of plays and films on campuses cease.
- Police be kept out of classrooms.
- Deans not intrude upon lectures for the purpose of intimidation.

### ***Arbitrary Interference with Academic Research***

The Egyptian government maintains strict control over research in certain disciplines. Academic research is a place to advance existing knowledge and ideas. By formulating new questions and seeking answers to them, professors make discoveries and challenge assumptions in their specific fields. In Egypt, however, professors, particularly social science professors who rely on surveys and fieldwork to investigate contemporary issues, face enormous obstacles. “If you talk to anyone, research is a big problem,” said Reem Saad of AUC’s Social Research Center.<sup>169</sup> The state restricts who can research what and severely punishes those who overstep their bounds. In the process, Egypt interferes with the central role of education in advancing society’s intellectual development and runs the risk of stagnation and isolation in a fast-paced and globally interconnected world.

### ***Permit Process***

The government regulates research by requiring permits for certain kinds of investigations. “It’s extremely hard to formally do research on many areas of politics and religion in this country,” an AUC sociologist said. “It’s a serious restriction.”<sup>170</sup> In particular, the government has set itself up as a “gatekeeper” for statistical research.<sup>171</sup> Researchers who want to conduct surveys or large numbers of interviews must apply to the Central Agency for Public Mobilization and Statistics (CAPMAS) for a permit. The decree creating CAPMAS says that individuals cannot “publish any publications, results or statistical data or information from any source except from the reality of statistics of CAPMAS. The statistics that are not included in the programs of CAPMAS may not be published without an approval of CAPMAS.”<sup>172</sup> The application, directed to the general

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<sup>169</sup> Human Rights Watch interview with Reem Saad, research associate professor, Social Research Center, AUC, Cairo, February 25, 2003.

<sup>170</sup> Human Rights Watch interview with AUC sociologist, Cairo, February 18, 2003.

<sup>171</sup> Human Rights Watch interview with Cynthia Nelson, professor of anthropology, Department of Sociology, Anthropology, Psychology, and Egyptology, and director, Institute for Gender and Women’s Studies, AUC, Cairo, February 20, 2003.

<sup>172</sup> The Presidential Decree on Establishing the Central Agency for Public Mobilization and Statistics (CAPMAS), No. 2915/1964, art. 10, [http://www.capmas.gov.eg/ENG\\_V/generalinfo/PRESIDENTIAL%20DECREE.htm](http://www.capmas.gov.eg/ENG_V/generalinfo/PRESIDENTIAL%20DECREE.htm) (retrieved August 6, 2004).

director of CAPMAS's General Department for Security, requires information on the survey subject; sample size, type, duration, and geographical distribution; and the researcher's degrees.<sup>173</sup> Professors seemed unclear, however, about the exact requirements. When asked how big a survey required permission, a professor said twenty interviews would not, but three hundred would.<sup>174</sup>

CAPMAS often denies or indefinitely delays permission to research controversial topics. "You wait and the answer might not come at all, or it may come after a couple months," the AUC sociologist said.<sup>175</sup> If a negative reply does come, CAPMAS does not provide justifications.<sup>176</sup> Receiving a permit "depends on contacts and the sensitivity of topics. Certain topics can't be researched," researcher Saad said.<sup>177</sup> Although some criticism of the government is allowed, permission to research contemporary politics is particularly difficult to obtain. For example, CAPMAS might rubberstamp a request to survey public opinions about seatbelts while rejecting a project about people's satisfaction with the government.<sup>178</sup> The permit system targets the social sciences, which do field research on contemporary issues, more than the humanities, which depend on libraries where censors have control. Scholars wishing to use the largely state-run historical archives also need permits, which are more available for projects on pre-twentieth-century topics.<sup>179</sup>

CAPMAS must approve not only the subject of the project, but also the specific questions asked of interviewees.<sup>180</sup> It rejects some questions and asks others to be rewritten.<sup>181</sup> If it does grant a permit, it requires researchers to provide updates of their findings, monitoring progress to make sure nothing controversial has surfaced.<sup>182</sup> Some academics consider the permit system merely a bureaucratic obstacle while others call it a

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<sup>173</sup> CAPMAS survey application form, [http://www.capmas.gov.eg/serv/eng\\_serv.pdf](http://www.capmas.gov.eg/serv/eng_serv.pdf) (retrieved August 6, 2004).

<sup>174</sup> Human Rights Watch interview with Mustapha Kamel al-Sayyid, professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, and Political Science Department, AUC, Cairo, February 25, 2003.

<sup>175</sup> Human Rights Watch interview with AUC sociologist, Cairo, February 18, 2003.

<sup>176</sup> CAPMAS survey application form.

<sup>177</sup> Human Rights Watch interview with Reem Saad, research associate professor, Social Research Center, AUC, Cairo, February 25, 2003.

<sup>178</sup> Human Rights Watch interview with Hisham Kassem, publisher, *Cairo Times*, Cairo, February 19, 2003.

<sup>179</sup> Human Rights Watch interview with AUC sociologist, Cairo, February 18, 2003.

<sup>180</sup> The survey application requires two copies of the researcher's questionnaire. CAPMAS survey application form.

<sup>181</sup> Human Rights Watch interview with Reem Saad, research associate professor, Social Research Center, AUC, Cairo, February 25, 2003.

<sup>182</sup> Human Rights Watch interview with Saadeddin Ibrahim, professor of sociology, Department of Sociology, Anthropology, Psychology, and Egyptology, AUC, Cairo, February 24, 2003 ("They demand that you keep them informed of your work and findings.").

form of censorship. Either way such government regulations block access to information, slow production of scholarship, and discourage research into areas of social significance.

Researchers work around or try to avoid the state restrictions. AUC professor and researcher Saadeddin Ibrahim said that he usually applied for permits but started his research while he waited. If he got caught, he explained that he was doing a pilot survey of a small sample. “I was caught two or three times and said I was doing pre-testing. Many times it worked,” he said.<sup>183</sup>

Other people bypass the permit process altogether. “If you’re independent or a student, you risk it,” Saad said.<sup>184</sup> While a master’s student, she applied for a permit but gave up and finally went without. As a part of a research center, however, she no longer has that freedom.<sup>185</sup> One university sociologist said that he has never applied. “If you apply to do work . . . then they know what the applicant intends to do. I don’t want to give them information. I will be singled out, potentially face academic trouble. They might watch me more or tap my phone.” Instead he does work without a permit and tries to limit himself to small-scale projects. “It seems like more and more people don’t apply to do research,” the sociologist said.<sup>186</sup> They either try working without a permit or change their topics.

For those who choose the former route, scholarship presents personal risks. Saadeddin Ibrahim was imprisoned and endured a multiyear court battle; although not officially charged with researching without a permit, he believes he was targeted for his failure to follow procedure. “The guerrilla technique caught up with me in the end,” Ibrahim said.<sup>187</sup> He was arrested two or three weeks after the army realized he had not received a CAPMAS permit for a project on public trust in institutions, including the army. “Even though the army received an eighty percent rating, one of the top institutions, they didn’t approve of my doing it without a permit,” he said.<sup>188</sup> Lower profile work can also attract unwanted police attention. A few years ago, two AUC students interviewed passersby in

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<sup>183</sup> Ibid.

<sup>184</sup> Human Rights Watch interview with Reem Saad, research associate professor, Social Research Center, AUC, Cairo, February 25, 2003.

<sup>185</sup> Ibid.

<sup>186</sup> Human Rights Watch interview with AUC sociologist, Cairo, February 18, 2003.

<sup>187</sup> Human Rights Watch interview with Saadeddin Ibrahim, professor of sociology, Department of Sociology, Anthropology, Psychology, and Egyptology, AUC, Cairo, February 24, 2003.

<sup>188</sup> Ibid.

Tahrir Square, the main square in Cairo, for a school project. Security forces took them to the police station and interrogated them. They were later released unharmed.<sup>189</sup>

The risks involved with doing controversial research “illegally” can compromise the quality of scholarship. “There is good quality work in pockets, but it’s disconnected,” Saad said.<sup>190</sup> Large surveys are difficult because they require people to deliver thousands of questionnaires.<sup>191</sup> To avoid needing a permit or to escape detection, researchers instead tend to rely on smaller samples. Foreign researchers often bypass the process. “Somehow they manage. How properly is another question,” the sociologist said. “They do guerrilla-type research—ask and run.”<sup>192</sup> While this approach allows academics to bring attention to the issues they care about, their conclusions are less reliable because they are based on less in-depth research.

### ***Trial and Imprisonment: Saadeddin Ibrahim Case Study***

When research topics cross too many red lines, the Egyptian government responds by shutting down research centers and imprisoning their scholars. The case of Saadeddin Ibrahim, which attracted international attention, exemplifies this situation.<sup>193</sup> An AUC professor, Ibrahim was targeted for his work as director of the Ibn Khaldun Center for Development Studies, a research institute focusing on issues of democratization and the role of civil society. (Many Egyptian academics do their scholarship through independent or university-affiliated research centers.) While the case was unusual, it illustrates the extremes the state will go to stifle research and discourage work on controversial topics.

On the night of June 30, 2000, State Security Intelligence officials raided Ibrahim’s home and the offices of the Ibn Khaldun Center. They detained the professor and two colleagues and interrogated them without lawyers for several hours. The next day Ibrahim and Nadia `Abd al-Nur were placed in preventive detention, which the state can renew every fifteen days under the Emergency Law. The state also shut down the Ibn

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<sup>189</sup> Human Rights Watch interview with AUC sociologist, Cairo, February 18, 2003.

<sup>190</sup> Human Rights Watch interview with Reem Saad, research associate professor, Social Research Center, AUC, Cairo, February 25, 2003.

<sup>191</sup> Human Rights Watch interview with AUC sociologist, Cairo, February 18, 2003.

<sup>192</sup> Ibid.

<sup>193</sup> For more detailed information about this case, see Human Rights Watch, “The State of Egypt vs. Free Expression,” *A Human Rights Watch Report*, vol. 14, no. 1 (E), January 2002. Unless otherwise noted, the information in this section comes from that report.

Khaldun Center, which stayed closed for three years.<sup>194</sup> Ibrahim was released on bail on August 10, and other Ibn Khaldun colleagues who had been detained were released the following week. Ibrahim, however, refused to yield to state pressure and announced that the center would pursue its plans to monitor elections. As a result, on September 24, the Supreme State Security Prosecution indicted Ibrahim and twenty-seven coworkers.

The state brought charges against Ibrahim on four counts related to his work at the research center. First, it alleged he planned to bribe officials of the national Broadcasting and Television Center to obtain more media coverage for his work, which would help him receive more funding. Second, it charged Ibrahim with receiving donations, in this case from the European Union, without prior permission from competent authorities. The military order that this charge was based on requires that an individual obtain permission before receiving certain kinds of foreign funding.<sup>195</sup> Third, the prosecution claimed the professor deliberately disseminated false information abroad about the internal situation in Egypt and thereby undermined the stature of the state. In particular, the prosecution accused Ibrahim of saying that Egypt has religious discrimination and rigged elections. Finally, it charged him with using deceptive means to profit personally from European Union funds made available to the Ibn Khaldun Center. The court convicted Ibrahim on all but the first charge.

Ibrahim's treatment before and during trial was fraught with irregularities and failed to meet international standards for a fair trial. He and his colleagues were detained for up to six weeks before being formally charged. Some of the defendants were arrested without warrants, and prosecution officials interrogated them without counsel present. During the trial, the defense counsel had inadequate time to prepare and inadequate access to documents. The presiding judge failed to consider many of the defense's key arguments and announced the sentence after the tribunal had taken less than two hours to deliberate.

The trial not only halted Ibrahim's research but also put him through a multiyear ordeal, which included significant prison time. The court sentenced Ibrahim and his colleagues on May 21, 2001. Ibrahim received seven years in prison and his colleagues sentences ranging from one year suspended to five years of imprisonment with labor. The Court of Cassation heard Ibrahim's initial appeal in December 2001, and this hearing eventually

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<sup>194</sup> Network for Education and Academic Rights, "Egypt's Ibn Khaldun Center Reopens Three Years after Closure," <http://nearinternational.org/alerts/egypt132003070300000en.php> (retrieved May 20, 2004).

<sup>195</sup> This law, Military Decree No. 4/1992, has been used to crack down on NGOs, such as the Egyptian Organization of Human Rights. Joint Statement by Seven Human Rights Organizations (including Human Rights Watch), "Egypt: Concerns about Ongoing Detention of Human Rights Defenders," July 14, 2000.

led to a retrial. On July 29, 2002, the State Security court handed down a new seven-year sentence to Ibrahim; it ignored his pleas to suspend the proceedings while he traveled abroad to receive treatment for a degenerative neurological condition that had worsened during his incarceration. The court reduced sentences for a few of his colleagues but for the most part they remained unchanged.<sup>196</sup> In December 2002, on a second appeal, the Court of Cassation overturned the verdict and released Ibrahim although he was still prohibited from traveling abroad.<sup>197</sup> The high court finally acquitted Ibrahim and his associations in March 2003 after reviewing the case on its merits for the first time.<sup>198</sup>

While Ibrahim's trials dealt with the prosecution's four charges against him, observers and the defendant himself believe the state really arrested him to stop his research on controversial topics. According to a July 2000 letter from the Middle East Studies Association's (MESA's) Committee on Academic Freedom, "The charges on which Dr. Ibrahim and his colleagues are being investigated appear to have been brought in order to prevent them from exercising their basic right to freedom of expression and freedom of association."<sup>199</sup> Ibrahim was charged the day after he announced plans to monitor elections. He was also researching industries that wanted to enter the American market with regard to social issues, like gender equality, child labor, and environmental protection. "In the end, they got me on research testing," Ibrahim told Human Rights Watch.<sup>200</sup> Irfan Siddiq, press officer at the U.K. Embassy, listed three red lines in Egypt, including political democratization and reform, personal criticism of the regime, and inter-religious conflict. "Saadeddin Ibrahim did all three. He monitored elections, and [discussed] the president's son and serial succession. The center did research on Coptic discrimination."<sup>201</sup> While the targeting of Ibrahim seemed to surprise few Egyptian observers, including the defendant, the case shows the extremes the state will go to to shut down research. Although Ibrahim knew the danger he faced by crossing red lines, those lines constitute unacceptable restrictions on academic freedom.

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<sup>196</sup> Human Rights Watch, "Egypt: Ibn Khaldun Verdict Meant to Silence Criticism: Ibrahim Should Receive Urgent Medical Treatment Abroad," Press Release, July 31, 2002.

<sup>197</sup> Human Rights Watch, "'Politically Motivated' Verdict Overturned in Egypt," Press Release, December 3, 2002.

<sup>198</sup> Human Rights Watch, "Egypt: High Court Overturns Conviction of Rights Activists: Saadeddin Ibrahim and Ibn Khaldun Center Colleagues Vindicated in Ruling," Press Release, March 18, 2003.

<sup>199</sup> Letter to President Hosni Mubarak, from Mark J. Lowder, acting executive director, Middle East Studies Association (MESA), July 11, 2000, <http://w3fp.arizona.edu/mesassoc/CAFMEANAletters.htm#0711Ibrahim> (retrieved July 30, 2004).

<sup>200</sup> Human Rights Watch interview with Saadeddin Ibrahim, professor of sociology, Department of Sociology, Anthropology, Psychology, and Egyptology, AUC, Cairo, February 24, 2003.

<sup>201</sup> Human Rights Watch interview with Irfan Siddiq, head, Press and Public Affairs section, U.K. Embassy, Cairo, February 19, 2003.

## ***Conclusion and Recommendations***

The Egyptian government violates academics' freedom of expression by restricting scholarly research. It particularly infringes on the freedom to "seek, receive and impart information and ideas." The state may legitimately limit research on certain topics under Article 19(3). For example, national security may justify keeping some documents classified. Human Rights Watch found, however, that CAPMAS seems to have a much broader sweep than necessary and, in some cases, indefinitely delays rather than formally rejects topics, thus failing to provide restrictions by law. By interfering with research subjects and methods, the system has contributed to the stagnant nature of contemporary scholarship.

The state has committed other abuses in its efforts to punish especially controversial academic inquiries. In the Ibrahim case, for example, it used arbitrary arrest and unfair trials to squelch research it considered objectionable. Such tactics not only violate academic freedom but also represent unacceptable abuses of human rights.

Human Rights Watch recommends:

- An end to the CAPMAS permit requirements.
- An end to the misuse of other laws, such as foreign funding laws, to stifle academics who research controversial topics.

## ***Controls on Student Activities***

Students in Egypt face considerable limitations on their activities outside of the classroom. Extracurricular activities provide students an opportunity to apply the knowledge and ideas they have acquired elsewhere in their education. They prepare students to be active and responsible citizens by learning to govern themselves and work together for a common end. In Egypt, however, government-appointed deans and state security forces have systematically shut down many forms of substantive expression in campus activities. The state has disempowered student unions and clubs and interfered with other traditional outlets for student opinion. Such repression not only stifles political activism but also deprives students of valuable forums for learning from each other and preparing for adulthood.

## ***Student Groups and Demands***

Most Egyptian university students avoid involvement in campus or national politics. A small minority, however, takes a more activist stance and generally falls into one of two broad categories: leftist or Islamist. The former include the Nasserists (Arab

nationalists), socialists, and communists, who pursue a secular agenda. Islamists, by far the larger group currently, seek to make Egypt an Islamic society based on a conservative interpretation of Shari'a law. Their ranks include the moderate Muslim Brothers and more violent fringes, such as *al-Gama`a al-Islamiyya* (Islamic Group) and *al-Gihad* (Holy War, known abroad as Egyptian Islamic Jihad).

Although they differ on politics and tactics, the leftist and Islamist students share many concerns and face similar restrictions from the state. Politically they oppose the government's normalization of relations with Israel and more recently the U.S./U.K. presence in Iraq. Students on both sides also shared with Human Rights Watch similar complaints about life at the national universities, for example, the rigidity of the educational system, the price of textbooks, and living conditions at the university hostel. Government authorities, fearing the disruptive potential of the leftists' public protests and the Islamists' growing strength, have suppressed any student activities that might challenge the status quo.

### ***Student Unions***

Egyptian authorities take extreme measures to repress student unions. Students in each faculty elect a union of about eleven members, and members of a university-wide union are chosen from these bodies. Delegates from each university union represent their institution at the national Egyptian Student Union. The unions organize cultural, athletic, and social events and serve as liaisons between the students and the university faculty and staff.<sup>202</sup> In the latter role, student unions should provide a valuable means for students to voice their concerns, but state security forces and state-appointed administrators have deprived them of any influence.

The law governing state universities describes a student union that facilitates expression. The first aim of the body is: "Developing the spiritual and moral values, and national consciousness among the students, training them in command traits, and providing the chance for them to express their views."<sup>203</sup> The reality, however, is quite different. The University Law of 1979, which replaced a more liberal statute from 1976, stripped the student unions of power. Among other stipulations, the 1979 law includes a clause requiring nominees to "enjoy good and straight conduct and good reputation."<sup>204</sup> The state-appointed administration has used this vague requirement to screen out both leftist

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<sup>202</sup> Executive Statutes of Law No. 49/1972 on Universities Organization as Amended up to November 1994, art. 319, p. 202.

<sup>203</sup> *Ibid.*, art. 319(a), p. 202 (emphasis added).

<sup>204</sup> *Ibid.*, art. 334, p. 211.

and Islamist applicants. Through this and other provisions, the government has turned student unions into an arm of the state.

The state uses several means to neutralize the political power of student unions. In a number of cases, university officials and security forces have directly intimidated students in an attempt to prevent them from nominating themselves. In many others, administrators have used the law's "good conduct" clause to weed out the most controversial applicants. Some students have challenged their rejection in administrative court and won, but long after the elections, at a time when the term of office had nearly ended. On some occasions, the administration has resorted to interfering with the voting process, thereby affecting election results. According to one student, security forces sometimes detain nominees in the university hostel until the election is over.<sup>205</sup> As noted below, administrators have also held elections on school holidays or used the police to keep Islamists off campus so they could not vote. Such practices give the state control of election results. If a quorum of fifty percent does not cast ballots, the election has to be redone. A second election requires a quorum of twenty percent. If voter turnout is still too low, the administration appoints the winners, giving it *carte blanche* to select students who meet its political criteria.<sup>206</sup> Several students recounted to Human Rights Watch the obstacles they faced when trying to run for student union, and their stories are told below.

The administration has pressured some students to withdraw their names from the ballot through verbal discouragement or intimidation. Socialist Yasir Dahmash first nominated himself for the student union elections at Cairo University's Faculty of Political Science as a second-year student in fall 1999. The administration told him he should not run because he was not going to win. He withdrew his name one week before the election and decided to wait for a time when he could run on a slate with others. The next year, rural-born Dahmash joined candidates from the Egyptian countryside who felt they had been discriminated against by their urban classmates. "We wanted to improve conditions for those from outside Cairo," Dahmash said.<sup>207</sup> Their opponents, who had connections with the university administration and security forces, told them they had no chance of winning and threatened to tell the security forces they were politically active. "The intimidation really worked," Dahmash said. "We preferred to withdraw instead of fighting a losing battle."<sup>208</sup> In his fourth and final year, 2001, Dahmash again nominated

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<sup>205</sup> Yasir Dahmash, for example, said he stayed with friends the night of his elections to avoid this problem. Human Rights Watch interview with Yasir Dahmash, Cairo, March 1, 2003.

<sup>206</sup> Executive Statutes of Law No. 49/1972 on Universities Organization as Amended up to November 1994, arts. 336, 337, p. 212.

<sup>207</sup> Human Rights Watch interview with Yasir Dahmash, Cairo, March 1, 2003.

<sup>208</sup> *Ibid.*

himself as part of the rural students' slate, which included leftists and Islamists staying in the university hostel. At the administration's urging, the two slates cancelled the election and split the union. In Dahmash's view, "It was an injustice because if we had run in a fair election, our chances of victory were better."<sup>209</sup>

The administration has used the University Law of 1979 to disqualify other students. Tamir Sulaiman Ibrahim, a 2002 graduate of Cairo University, nominated himself for the Faculty of Law's union during the 1994-1995 school year. He had proven leadership abilities, having organized a student club and represented his faculty at chess competitions. The administration disqualified him, however, for "poor conduct." It had suspended him previously for leftist political activity.<sup>210</sup> Ibrahim's friend `Imad Mubarak, a socialist who graduated from `Ain Shams in 2000, described the 1979 law as "illegal and a farce." He said he believes students should boycott the union as an illegitimate organization.<sup>211</sup>

In other cases, the administration creates bureaucratic obstacles to running for student union. Mahmud, a Muslim Brother and 2002 graduate of Dar al-`Ulum, faced unanticipated hurdles when he nominated himself for election. Just a day before the election, the administration announced additional requirements, such as the provision of multiple photos and signed, photocopied, and stamped proof of student activities. While his opponents, as they later admitted, had been privately informed of the new requirements and had been able to prepare their papers in advance, the administration tried to deter Muslim Brothers with the extra work. "On the outside the general procedures were for all students, but papers [of non-Islamists] were ready in advance. Some of the students admitted this," Mahmud said.<sup>212</sup>

Some students, especially Islamists, have challenged their disqualifications in court. Samer, a 2002 graduate of Cairo University and a Muslim Brother, tried to nominate himself his first year, but the administration denied him and about thirty other Islamists. Samer told Human Rights Watch that five or six of them challenged the decision in court and won. In new court-ordered elections, some of the initially denied students received eighty percent or more of the vote. Others lost, but in a fair election. Although Samer won a post as secretary of the social committee, he found he faced unfair obstacles to organizing events. "The restrictions make it impossible to perform

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<sup>209</sup> Ibid.

<sup>210</sup> Human Rights Watch interview with Tamir Sulaiman Ibrahim, Cairo, February 20, 2003.

<sup>211</sup> Human Rights Watch interview with `Imad Mubarak, Cairo, February 23, 2003.

<sup>212</sup> Human Rights Watch interview with Mahmud, Cairo, March 4, 2003.

activities,” he said.<sup>213</sup> The next year, the administration again kept him and other Islamists off the ballot, and the students again appealed to the court. This time, however, the university filed a separate administrative procedure that delayed the judgment by three months. Although Samer ultimately prevailed in his case, it was too late to have a new election in April. In October 1999, with the support of a new dean, Samer was elected secretary with more than ninety percent of the vote.<sup>214</sup> While the courts should be commended for giving students a fair hearing, the students should not have had to turn to the legal system to resolve an internal university matter.

Efforts to control the outcome of student union elections escalate as the process advances, and only the most determined activists remain engaged. Fourth-year student Muhammad Faruq said students from the pro-government club Horus throw stones at Islamist voters, and the dean in his faculty sometimes schedules elections for a school holiday when fewer people will be on campus.<sup>215</sup>

In extreme cases, activist students have been arrested and tortured. In October 2001, the administration told the security forces at Dar al-`Ulum to form a human wall to keep out Islamists. Mahmud, an Islamist student, complained and two days later he was arrested, blindfolded, and tortured for two days. Mahmud told Human Rights Watch that police denied him food and water and used a variety of torture techniques including hanging him from his wrists while beating him, inserting a steel rod up his anus, and electrocuting “sensitive areas.” The long-term psychological damage interfered with his studies, hurting his grades and leaving him without a job after graduation.<sup>216</sup> Documents provided by Mahmud’s lawyer show that this incident was not his first run in with the state. The university had previously punished him for vandalizing notices, yelling at a professor in the classroom, and holding the student activities office hostage in order to obtain the names of candidates running for student union.<sup>217</sup>

The physical and psychological dangers of involvement do not end once a student becomes a member of the student union. In January 2000, three months after Samer was elected to his faculty’s union, he and about twenty others were arrested and spent four months in detention. The police falsely accused him of meeting with people whom he barely knew to plan illegal activities. During a thirty-six hour period, they blindfolded

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<sup>213</sup> Human Rights Watch interview with Samer, Cairo, March 4, 2003.

<sup>214</sup> Ibid.

<sup>215</sup> Human Rights Watch interview with Muhammad Faruq, Cairo, March 4, 2003.

<sup>216</sup> Human Rights Watch interview with Mahmud, Cairo, March 4, 2003.

<sup>217</sup> Cairo University documents obtained from `Abd al-Mun`im `Abd al-Maqsud, Muslim Brother lawyer, by Human Rights Watch, Cairo, February 25, 2003.

him, forbade moving or talking, and fed him only one meal. Although Samer was ultimately released, he continues to receive threatening calls from the security service and his case remains open.<sup>218</sup>

Some students express satisfaction with student unions. Rasha Daisty served as assistant head of the student union for Cairo University's Faculty of Economics and Political Sciences in 2002-2003. She said the union transmits student views to the head of the faculty and helps organize seminars, conferences, and parties. "It feels like we have enough opportunity to express our opinion," she said. "In the Political Science Department we try to be neutral, to study but not practice politics."<sup>219</sup> Daisty said she feels free to criticize the government or its economic policy. "Others fear [for] nothing. They won't be arrested. It's in their imagination," she said.<sup>220</sup> Human Rights Watch, however, found that students do have reason to fear harassment and arrest.

Minister of Higher Education Shehab defended both the current state of the unions and the restrictions of the 1979 law. He said Sadat amended the more liberal 1976 law because student representatives had abused their financial power. He argued that the change did not adversely affect the union because under today's rules, "on paper, anyone has the right to be a candidate."<sup>221</sup> The only restrictions, according to the minister, are that students must have experience appropriate to the committees on which they serve. For example, the chairperson of the sports committee should be an athlete. The minister expressed regret that elections often become appointments because not enough students vote.<sup>222</sup> He did not mention, however, university officials' misuse of the good conduct clause or how the frequent lack of a quorum in effect allows state-appointed deans to pick students who do not threaten the status quo.

### ***Student Clubs, or Usar***

The main centers for student activity in Egypt are student clubs called *usar* (singular *usra*), or families. These clubs serve as social centers and forums for intellectual exchange. Like student unions, however, *usar* are restricted by the state. The law requires clubs to have approval from the university administration, which often bases its decisions on politics.

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<sup>218</sup> Human Rights Watch interview with Samer, Cairo, March 4, 2003.

<sup>219</sup> Human Rights Watch interview with Rasha Daisty, Cairo, February 25, 2003.

<sup>220</sup> Ibid.

<sup>221</sup> Human Rights Watch interview with Moufid Shehab, minister of higher education, Cairo, March 2, 2003.

<sup>222</sup> Ibid.

The administration frequently denies students permission to create groups and regulates the activities of those that are created. To form an *usra*, students need a professor supervisor, at least twenty members with student identification cards, and a memorandum about what activities they hope to do. The University Law states, “No organizations or formations shall be established on category, political, or creed basis in the Universities or its units.”<sup>223</sup> Cairo University student Bassam Murtada said, “The administration looks with an eye of doubt on anything to do with politics. . . . You end up with *usar* that do trips.”<sup>224</sup> Dahmash, a 2002 graduate of Cairo University and current master’s student, said some proposed *usar* are turned down for “weird reasons.” A fellow student submitted papers, with the support of a prominent professor, to examine the issue of unemployment and how students can find better work opportunities. Although the student insisted he was apolitical, the administration accused him of being a communist and said communists are not allowed to have *usar*.<sup>225</sup> Islamist students also feel the limitations on *usar*. “If it [addresses] a serious topic, not even a political [one], such as bringing personalities to talk at a conference, it can lead to abolition of an *usra*,” said Muhammad Faruq, a fourth-year student at Cairo University.<sup>226</sup> If a group does something political, its supervisor often abandons it and the administration dissolves it.

Administrative restrictions affect faculty members as well. Some professors fear involvement with *usar*. A Dar al-`Ulum professor said that they hesitate to supervise clubs and when they do, they “put their fingers in each activity to make themselves look pro-administration.”<sup>227</sup> Others are kept out by the administration. Sayyed el-Bahrawy, a well-known leftist professor, used to serve as a club supervisor. In recent years, however, the university banned him from that role as a result of his leftist politics. “I am prevented from any relation with students except inside the classroom,” he said.<sup>228</sup> As the only full professor of Arabic literature at Cairo University, he said, he should supervise all literary activities but is never invited. In addition to blocking valuable interaction between professor and student, this ruling has affected el-Bahrawy’s salary. Professors who supervise *usar* receive extra pay.<sup>229</sup>

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<sup>223</sup> Executive Statutes of Law No. 49/1972 on Universities Organization as Amended up to November 1994, art. 332, p. 208.

<sup>224</sup> Human Rights Watch interview with Bassam Murtada, Cairo, February 28, 2003.

<sup>225</sup> Human Rights Watch interview with Yasir Dahmash, Cairo, March 1, 2003.

<sup>226</sup> Human Rights Watch interview with Muhammad Faruq, Cairo, March 4, 2003.

<sup>227</sup> Human Rights Watch interview with Islamist professor, Faculty of Dar al-`Ulum, Cairo University, Cairo, March 4, 2003.

<sup>228</sup> Human Rights Watch interview with Sayyed el-Bahrawy, professor of modern Arabic literature, Department of Arabic Literature and Language, Faculty of Arts, Cairo University, Cairo, February 25, 2003.

<sup>229</sup> *Ibid.*

### ***Other Forms of Student Expression***

The police and state-appointed administration also block exhibitions, posters, campus publications, and verbal appeals. *Usar* produce some of these media, but others are more individual and impromptu. In addition to the usual red lines, opposition to normalization with Israel and criticism of Israeli treatment of the Palestinians are among the most controversial subjects. The university sees such forms of student expression as threats to be stifled instead of important means of stimulating debate.

Security forces monitor student exhibitions, one of the most popular types of expression on campus. Minister of Higher Education Shehab said, “Students have a right to make exhibitions as long as they are not against morals or [do not] include impolite words about the president.”<sup>230</sup> If the subject is controversial, however, representatives of the state step in. Security forces destroy the students’ exhibitions and sometimes even beat the creators, who stand nearby to answer questions. They often follow students who try to hide and then confiscate their work. “No matter how many students guard it, if they want to tear it, they will,” Murtada said.<sup>231</sup> Repression of exhibitions extends to observers. Pro-government Horus students tell onlookers to move on, calling the exhibition designers troublemakers or infidels. Security forces take members of the crowd to the university guard’s office to intimidate others from gathering to look.<sup>232</sup> While at an exhibition about Palestine, Yasir Dahmash said, he heard an apolitical friend receive a call on his mobile phone. The caller asked after him and his group of friends by name. “Beware of your actions,” the voice continued. “So far you are not classified [as a troublemaker]. I’m talking to you like a brother.” The group later traced the caller’s number to the state security forces station in Giza.<sup>233</sup>

To hang posters called “wallpapers,” another form of protest, students must pass the university guards and obtain the administration’s permission, which is not granted if there is controversial content. Students said the guards regularly confiscate posters they consider inappropriate. According to Mustafa, students at `Ain Shams hide posters in their bags and jump over the campus fence.<sup>234</sup> Recent Cairo graduate Tamir Sulaiman Ibrahim made a wallpaper about the Arab-Israeli conflict that included text and an image of a skeleton with burnt edges. The university guards told him he could not bring the poster on campus, even when he explained he was seeking permission to hang it. He then smuggled it on campus. When the administration denied approval, Ibrahim hung it

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<sup>230</sup> Human Rights Watch interview with Moufid Shehab, minister of higher education, Cairo, March 2, 2003.

<sup>231</sup> Human Rights Watch interview with Bassam Murtada, Cairo, February 28, 2003.

<sup>232</sup> Human Rights Watch interview with Iman Kamil, Cairo, February 24, 2003.

<sup>233</sup> Human Rights Watch interview with Yasir Dahmash, Cairo, March 1, 2003.

<sup>234</sup> Human Rights Watch interview with Mai Magdi Mustafa, Cairo, March 2, 2003.

anyway and stood next to it in defiance. The administration suspended him for about two weeks for what it described as “an exhibition in solidarity with the Lebanese people.”<sup>235</sup> It cited incidents like this one in ruling him ineligible to run for student union.<sup>236</sup>

Distributing pamphlets or student newspapers also poses dangers. Iman Kamil and her socialist colleagues formed a magazine called *The Step*. They kept it running for four years, but at their own expense and at personal risk. “The security forces took and beat the students distributing it to their office and detained them for a number of hours,” Kamil said.<sup>237</sup> After handing out flyers on campus in 1998, she, too, was detained at the university guard’s office for three to four hours. Other students surrounded the office and demanded her release, which was finally granted.<sup>238</sup>

Police respond to oral expression with even more intolerance. The most common means of verbal protest is for students to stand at the podium in their lecture halls before class starts. They may talk about a certain issue or announce an event, such as a demonstration. “It is very hard to do this. It is met with a severe kind of punishment. They are [physically] hit very hard,” Murtada said.<sup>239</sup> Several students said they had witnessed police drag classmates away from the podium.<sup>240</sup> Tamir Sulaiman Ibrahim, for example, used a microphone to address his peers before a lecture started. When police tried to arrest him, a fight broke out between his friends and the police and their supporters. His faculty punished him by prohibiting him from taking his exams that term.<sup>241</sup>

Even if students receive approval for some form of expression, the administration can withdraw it at a moment’s notice. Dahmash, the rural student who had run for student union, helped organize a three-day event about Palestine in April 2002 with the dean’s permission. The event went smoothly until Islamist students in his faculty wrote a public letter thanking the dean for his support. The dean was furious to be publicly associated with the religious group. Dahmash suggested the organizers publish a letter explaining they were not affiliated with Islamists, but the dean ordered the event shut down.<sup>242</sup>

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<sup>235</sup> Human Rights Watch interview with Tamir Sulaiman Ibrahim, Cairo, February 20, 2003.

<sup>236</sup> Ibid.

<sup>237</sup> Human Rights Watch interview with Iman Kamil, Cairo, February 24, 2003.

<sup>238</sup> Ibid.

<sup>239</sup> Human Rights Watch interview with Bassam Murtada, Cairo, February 28, 2003.

<sup>240</sup> Ibid.; Human Rights Watch interview with Tamir Sulaiman Ibrahim, Cairo, February 20, 2003.

<sup>241</sup> Email from Tamir Sulaiman Ibrahim, to Human Rights Watch, June 17, 2004.

<sup>242</sup> Human Rights Watch interview with Yasir Dahmash, Cairo, March 1, 2003.

AUC students are generally considered less political than those in the national system, but they, too, face restrictions on expression.<sup>243</sup> One student explained that “everything has to be approved by an academic adviser and the office of student activities.”<sup>244</sup> Posters, for example, require the stamp of the office of student activities. She argued that this violates the American model of liberal education that the institution is trying to follow.<sup>245</sup> This university is a private institution so its restrictions are not directly attributable to state action. Nevertheless, state practices at the national universities encourage restrictions on free speech at AUC.

### ***Conclusion and Recommendations***

The Egyptian government, through its security forces and university administration, systematically denies academic freedom to its students. First it interferes with students’ freedom of association. Although the state can restrict associations to protect national security, public safety and order, public health and morals, and others’ rights, its interference with the *usar* cannot be justified on any of these grounds. The treatment of student unions also raises freedom of association concerns. The state has clearly violated students’ right to participate freely and the unions’ right to act on behalf of its members.<sup>246</sup>

The state has routinely stifled students’ academic freedom in other ways as well. Its suppression of student exhibitions, wallpapers, publications, and speeches that address serious matters rarely, if ever, fits one of the narrowly defined conditions under which limits on freedom of expression may be justified. Restrictions imposed on students also violate other internationally recognized human rights. Egypt has arbitrarily arrested students, illegally detained them without charge, and tortured them, all acts prohibited under international law treaties to which Egypt is a party.

Human Rights Watch recommends:

- Police intimidation and physical abuse of students cease immediately.

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<sup>243</sup> One AUC student said of her classmates, “Students are largely apolitical. They don’t think they can make a difference. . . . There’s a sense of hopelessness.” Human Rights Watch interview with AUC graduate student, Cairo, February 26, 2003.

<sup>244</sup> Ibid.

<sup>245</sup> Ibid.

<sup>246</sup> Manfred Nowak, U.N. Covenant on Civil and Political Rights, p. 387. According to this authoritative treatise on the ICCPR, associations do not include “juridical persons [i.e., legal entities] under public law, since they are not founded as a result of declaration of will by individuals but rather by law or administrative act.” Ibid. Because student unions in Egypt are created by the University Law, they do not count as associations under this definition. They should be established under a different authority, however, because the current system violates university autonomy.

- The University Law of 1979 be amended to allow the formation of political and religious clubs and to remove the “good conduct” requirement for student union nominees.
- The administration and security forces cease interference with student union elections.
- The administration and security forces allow free student expression in the form of exhibitions, wallpapers, publications, and verbal appeals. Such speech should not be restricted except for the narrow exceptions allowed under international law.

### ***Far-Reaching Limits on Campus Demonstrations***

The Egyptian government keeps an equally tight rein on campus demonstrations, historically an important locus of political expression in society. These gatherings, where professors and students come together, can stimulate intellectual exchange on social and political topics of the day. They also provide a means to challenge existing knowledge and ideas and attract public attention to shared views. They are particularly important in Egypt because campuses are exempted from nationwide limits on public assemblies.<sup>247</sup> While state laws do allow demonstrations at universities, authorities use several methods to restrict their impact.

First, university guards control access. The guards try to confine demonstrations to university grounds, which limits their effect since the public cannot see them. Second, during protests the security forces often use violence against participants or detain them arbitrarily. Finally, the state retaliates against student demonstrators after the fact. The following case studies illustrate these techniques of government control and document academic freedom abuses at high-profile demonstrations.

### ***Violence on Campus: Alexandria University 2002***

State security forces killed a student with live ammunition during a demonstration at Alexandria University on April 9, 2002. Using tear gas, rubber bullets, and batons, they partly blinded four others and wounded additional 118.<sup>248</sup> The violence injured bystanders as well as participants and caused even the most activist students to reconsider and in some cases retreat from their activities.

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<sup>247</sup> The government relies on three laws to stop public protests: Law No. 10/1914, Law No. 14/1923, and Law No. 162/1958 (the Emergency Law).

<sup>248</sup> For these figures and more information on this protest, see Imam Raslan, “Special File: Students and Politics,” *Almussawar*, May 3, 2002, pp. 14-16.

Students had gathered that morning to protest a visit by U.S. Secretary of State Colin Powell. The dean of the Faculty of Medicine told the crowd that the administration would allow a peaceful demonstration that did not damage property. He proposed that the students disband and form a small delegation to take a letter to Powell at the American Cultural Center. After half an hour, the dean disappeared. “It was obviously an attempt just to disband [the students],” a student witness said.<sup>249</sup> The guards had left one gate open opposite the Faculty of Law, implying that they would allow demonstrators to leave campus. When the students started to go out the gate, however, they collided with police and the “usual chaos” ensued.<sup>250</sup>

The peaceful demonstration and police response quickly escalated to violence. Although the sequence of events is in dispute, press accounts report that students hurled stones at the police and those who escaped campus burned cars.<sup>251</sup> Security forces reportedly attacked the students with electric sticks and wooden batons with iron spikes. Students grew more enraged when they saw their injured classmates carried back onto campus. Since the police could not stop the crowd, one group of officers formed a barrier in front of the gate while another mounted high buildings outside the university from which it lobbed tear gas onto campus grounds. The gas suffocated some protesters, and canisters hit others on the head. The police also used a blue water that contains an eye-stinging chemical. “The students were trapped. They tried to get outside [to escape the gas] but others waited outside to hit them,” a witness said.<sup>252</sup> The gas was so thick that it reached professors’ offices two or three stories up. A university guard at the Faculty of Law was suffocating in his office when some students broke down his door to rescue him. Then police started firing rubber bullets into the crowd, which had swelled from five hundred demonstrators to eight thousand students trying to escape the tumult. By the end of the day, student Muhammad al-Saqa had been shot and killed by the police.<sup>253</sup> According to the Ministry of the Interior, police killed him with shotgun fire after protestors threw stones at their ranks.<sup>254</sup>

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<sup>249</sup> Human Rights Watch interview with Alexandria University student #2, Cairo, February 22, 2003.

<sup>250</sup> Ibid.

<sup>251</sup> “Egyptian Student Killed in Anti-US Protest,” Agence France-Presse, April 9, 2002 (quoting the interior ministry’s statement that police fired in response to student stone throwing); “One Student Killed in Most Violent Anti-Israeli Protest in Egypt,” Associated Press Newswires, April 9, 2002 (saying that students responded to the live ammunition with stones).

<sup>252</sup> Human Rights Watch interview with Alexandria University student #2, Cairo, February 22, 2003.

<sup>253</sup> Ibid.; “One Student Killed in Most Violent Anti-Israeli Protest in Egypt,” Associated Press Newswires, April 9, 2002.

<sup>254</sup> “Egyptian Student Killed in Anti-US Protest,” Agence France-Presse, April 9, 2002. See also “One Student Killed in Most Violent Anti-Israeli Protest in Egypt,” Associated Press Newswires, April 9, 2002.

Of the four partly blinded students, at least two were mere bystanders to the demonstration. They both said they were not politically active. One was sitting by the Faculty of Law with his girlfriend. “Students came running because of the tear bomb. We ran to the gate. There was black smoke so we couldn’t see they were firing these kinds of bullets.” One bullet struck him just next to his left eye.<sup>255</sup> The other student had just returned from a vacation in Sharm al-Shaikh and did not know what was going on. When he saw tear gas hit his classmates, he helped carry a handicapped student to a mosque, “but they started bombing the mosque [with tear gas canisters].” A rubber bullet penetrated his eye. The nearest gate was locked so he had to walk around to the other side of the university and to hail a cab to take him to the hospital.<sup>256</sup>

The shooting was just the beginning of a long ordeal for four students who suffered eye damage. Although the severity of their injuries saved them from detention in prison, they were handcuffed to their hospital beds and denied access to visitors, including family members bringing them food. Security forces interrogated them about their political affiliations and state-owned television attacked them as troublemakers and traitors.<sup>257</sup> The day after the event the government tried to place blame on the students by showing videos of security forces injured or collapsed from exhaustion. “It was not anymore students trying to express themselves. It was a battle where they show the victims,” said Bassam Murtada, a Cairo University student who watched the coverage.<sup>258</sup>

The injuries of the four students required further medical attention that was not available in Egypt. Having been denied visas by the United Kingdom, they traveled to Spain. One defected to Italy, but the other three had surgery and returned to Egypt. As of February 2003, the two bystanders whom Human Rights Watch interviewed were still blind in their injured eyes. They needed to return to Spain for a subsequent surgery but the Egyptian government had not granted them the necessary permission. The incident not only caused great physical and psychological injury but also interfered with their education. Both students were in their final year of study at the time of the demonstration. They missed exams in spring 2002 and expected to lose another semester in spring 2003.<sup>259</sup>

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<sup>255</sup> Human Rights Watch interview with Alexandria University student #2, Cairo, February 22, 2003.

<sup>256</sup> Human Rights Watch interview with Alexandria University student #1, Cairo, February 22, 2003.

<sup>257</sup> *Ibid.*; Human Rights Watch interview with Alexandria University student #2, Cairo, February 22, 2003. See also “Egyptian Protest over Student Killed in Anti-US Demo Turns Violent,” Agence France-Presse, April 10, 2002.

<sup>258</sup> Human Rights Watch interview with Bassam Murtada, Cairo, February 28, 2003.

<sup>259</sup> Human Rights Watch interview with Alexandria University student #1, Cairo, February 22, 2003; Human Rights Watch interview with Alexandria University student #2, Cairo, February 22, 2003.

### *International Politics: Cairo University and AUC 2003*

In spring 2003, at the time Human Rights Watch conducted the initial research for this report, campus demonstrations focused on the war in Iraq and the Israel/Palestine conflict. Both leftists and Islamists organized rallies. While the pending war led to an increase in protests, even Minister of Higher Education Shehab noted that activists no longer spoke about domestic issues.<sup>260</sup> The government contained the campus demonstrations without using the extensive violence of Alexandria, in part because professors put themselves between the students and the police. Authorities applied force more aggressively, however, once the gatherings spilled into public spaces.

On February 22, 2003, leftist protestors gathered on the steps of Cairo University's main building, the domed Great Festival Hall, to oppose war in Iraq and Israeli treatment of Palestinians.<sup>261</sup> Professors had organized the demonstration to give students the opportunity to express themselves. After speeches by professors and students, the faculty members led the crowd on a march to the campus exit. Although the demonstration was at Cairo University, it attracted faculty and students from `Ain Shams, Alexandria, and AUC. The university guards tried to contain the demonstration by closing the campus gates. Students quickly scaled the barriers with banners. When the guards opened the gates ten minutes later, possibly fearing negative press coverage, the campus demonstrators joined other anti-war leftists in a small square just outside the university. The protest lasted for more than four hours but a cordon of police officers with black riot gear, shields, helmets, and bamboo sticks carefully confined it to the plaza. A water cannon stood ready nearby. When students sought to push through the cordon after several hours, police started beating some of them. Knowing that security forces rarely attack professors, faculty members formed a human chain between the riot shields and students to protect the latter from the police.

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<sup>260</sup> Human Rights Watch interview with Moufid Shehab, minister of higher education, Cairo, March 2, 2003.

<sup>261</sup> Descriptions of the February 22 and February 26 protests are based on firsthand observation by Human Rights Watch.



A man holding a professors' banner at a demonstration on February 22, 2003, confronts state security forces. Leftist professors organized the protest at Cairo University in which students also took part.  
© 2003 Bonnie Docherty / Human Rights Watch

By all accounts, the police reaction was mild when compared with previous treatment of protestors. “The security forces were given orders not to harass demonstrators. It was very obvious. . . . A soldier couldn’t understand why his officer was stopping him. [He seemed to be thinking] ‘You used to give us orders to hit,’” said a Cairo University lecturer who attended.<sup>262</sup> Nevertheless, a few students suffered injuries. The police punched one named Wa’il in the eye, and `Ain Shams professor Aida Seif El Dawla took him to the hospital.<sup>263</sup> Security forces detained two other students, a man and woman.<sup>264</sup>

An Islamist protest four days later addressed the same international issues in a more orderly form. This anti-war demonstration consisted of an organized march around the campus and did not seek to leave university grounds. Professors in suits led the four-hour march, followed by male students with megaphones and banners. More quiet female students brought up the rear. This protest was much larger than the leftist one, illustrating the size of the Islamist movement. It also put a religious spin on the same political issues. The leftists had been politically divided between Nasserists calling for a pan-Arab nation and socialists and communists calling for revolution. The religiously more united Islamists carried Qurans and signs that read “Jihad is the answer.”

While the largest anti-war rallies took place off campus, members of the university community were inevitably involved. On March 20, 2003, the day the U.S.-led war with Iraq started, a demonstration that some observers said had begun at AUC swelled into a protest of 10,000 people in Tahrir Square, the largest there since 1972.<sup>265</sup> The protest continued the next day, at which point the state responded violently. Security forces arrested about eight hundred activists and injured hundreds more, many of whom were professors or students.<sup>266</sup> One student, for example, was detained for more than twelve hours and was blindfolded and forced to stand for several hours. He heard police slap and electroshock others.<sup>267</sup> On March 22, three female students were arrested while trying to enter Cairo University to attend another antiwar demonstration. Police kicked

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<sup>262</sup> Human Rights Watch interview with assistant professor, Faculty of Arts, Cairo University, Cairo, March 2, 2003.

<sup>263</sup> Human Rights Watch interview with Aida Seif El Dawla, professor of neuropsychiatry, Faculty of Medicine, `Ain Shams University, Cairo, February 26, 2003.

<sup>264</sup> Ibid.

<sup>265</sup> Amira Howeidy, “A Day at ‘Hyde Park,’” *al-Ahram Weekly On-Line*, March 27-April 2, 2003.

<sup>266</sup> For more information on these protests, see Human Rights Watch, “Egypt: Security Forces Abuse of Anti-War Demonstrators,” *A Human Rights Watch Report*, vol. 15, no. 10 (E), November 2003.

<sup>267</sup> Human Rights Watch, “Egypt: Crackdown on Antiwar Protests: Use of Torture, Excessive Force by Cairo Police,” Press Release, March 24, 2003.

Nurhan Thabit, a pregnant Cairo University student, during her arrest and while she was blindfolded and handcuffed in custody.<sup>268</sup>

### *University Issues: `Ain Shams University 1999*

International politics have dominated protests in recent years, but students have also staged demonstrations to challenge university policies on issues relating to campus life. Activist students have frequently rallied in support of peers suffering at the hands of the administration, such as handicapped students denied access to their school or education students denied job protection. While such demonstrations address internal university affairs rather than international or national concerns, police repress them with as much or more violence.



Islamist students march around the campus of Cairo University during a protest on February 26, 2003. This demonstration, which stayed within university grounds, faced less opposition from the state police than the one organized by leftist academics a few days earlier. © 2003 Bonnie Docherty / Human Rights Watch

In March 1999, students rallied at the Faculty of Education at `Ain Shams to challenge a new education policy. The government had recently issued a decree saying that it was no longer responsible for assigning graduates teaching positions in secondary schools, overturning an earlier law guaranteeing employment within two years. Education school

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<sup>268</sup> Ibid.

students feared unemployment. Socialist students at `Ain Shams organized a peaceful demonstration to support their classmates. They faced initial resistance from pro-government Horus students, who beat them, and Islamists who are ideologically opposed to their socialist peers. Then, according to participants, the security forces responded to student speeches by hitting them with belts and steel-toed boots. Iman Kamil, a 2000 graduate of the Faculty of Arts, described being hit by plainclothes security forces with belts, fists, and sticks with iron spikes. The beatings fractured bones in her friends' legs and chest and gave one student a nosebleed. "The guy who was bleeding from his nose had a heart problem so he was scared he might be dying," she said.<sup>269</sup>

Kamil and classmate `Imad Mubarak from the Faculty of Law were among a group of students arrested at the demonstration at 1 p.m. Mubarak said he was kept in a bus until 4 p.m. and then interrogated by the state security prosecutor until 3 or 4 a.m. Accused of distributing flyers that incited students and of disturbing the peace, he spent a total of twenty-two days in Tora prison.<sup>270</sup> Kamil remembered that Yahya Salih of `Ain Shams's Department for Combat against Communism, which is responsible for monitoring socialist students on campus, came to humiliate them. "We were forced to sit on the tile floor. Most of the officers in the department started swearing at us. 'Are you trying to change things, to change the government? You're just kids. You're nothing.'"<sup>271</sup> The five men and two women were separated and shared cells with ordinary criminals for two days of their incarceration. "It was a weird experience to see criminals. I thought those things existed only in movies. It was an eye-opening experience," Kamil said.<sup>272</sup> She was particularly afraid for her safety, she said, because officers took one of her cellmates, not a student, out at night. Upon her return, the cellmate said she had been raped and beaten. The police kept Kamil in jail for weeks and prevented her mother from visiting. She was finally released after about twenty-five days.<sup>273</sup> These particular students stayed involved in campus politics, but many less committed ones would be deterred by such abusive treatment.

State repression of student protestors regularly accompanies campus demonstrations in Egypt. "Students have no right to speak about anything. They are non-existent," Murtada said. "Not only about participation in political issues but also issues students suffer from inside, such as the price of books, number of students in the classroom,

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<sup>269</sup> Human Rights Watch interview with Iman Kamil, Cairo, February 24, 2003.

<sup>270</sup> Human Rights Watch interview with `Imad Mubarak, Cairo, February 23, 2003.

<sup>271</sup> Human Rights Watch interview with Iman Kamil, Cairo, February 24, 2003.

<sup>272</sup> Ibid.

<sup>273</sup> Ibid.

harassment suffered at hands of guards at gates.”<sup>274</sup> Students and recent graduates described first-hand experiences with violence at other protests, including: at `Ain Shams, one in support of handicapped students’ rights in 1996-1997; and at Cairo University, an antiwar and anti-Jewish settlements demonstration in March 1997, a protest related to the Palestinian uprising (*intifadah*) in September 2001, and an April 2002 demonstration in which students broke through the university gates and marched to the nearby Israeli Embassy.<sup>275</sup>

### ***Conclusion and Recommendations***

The Egyptian government’s response to campus demonstrations has repeatedly violated the right to freedom of assembly. Article 21 of the ICCPR protects peaceful demonstrations. The CESCR also states that academics have the specific right “to express freely opinions about the institution or system in which they work,”<sup>276</sup> which they did in the protest at `Ain Shams in 1999. The other protests discussed above addressed political issues but did not threaten national security. International law allows security forces to maintain public order, but they cannot respond to a peaceful demonstration with violence. Even if crowd control is necessary, the use of arbitrary detention and excessive force is illegitimate.

Human Rights Watch recommends:

- Professors and students be allowed to protest peacefully on campus without state interference or violence.
- Demonstrators not be detained under the Emergency Law for exercising their right to freedom of assembly. If demonstrators are detained in a legitimate effort to maintain public order, they should not be mistreated or kept without charges for extended periods of time and they should be given access to counsel and due process.
- The state allow public demonstrations outside of campuses to give all of its citizens the freedom of assembly they are entitled to.

### ***Government Victimization of Islamist Academics***

The Egyptian government is notorious for using different political groups against one another. In the 1970s, President Sadat empowered the Islamists to counterbalance the

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<sup>274</sup> Human Rights Watch interview with Bassam Murtada, Cairo, February 28, 2003.

<sup>275</sup> See, e.g., Human Rights Watch interview with Tamir Sulaiman Ibrahim, Cairo, February 20, 2003; Human Rights Watch interview with `Imad Mubarak, Cairo, February 23, 2003.

<sup>276</sup> CESCR, General Comment 13, para. 39.

leftist groups ascendant at the time. In recent years, as the former have grown in influence, the state has sought to repress Islamist academics. The human rights abuses described below affect to some degree all government opposition groups, but Islamists often suffer more than their fellow activists. Religiously oriented campus groups tend to have larger memberships so they pose a potentially greater political threat to the government. Given their size, the number of potential victims is also larger. The government detains Islamists for longer periods and uses harsher punishments.

As detailed at length in chapter six, the actions of some Islamist militants have contributed to the climate of fear on Egypt's campuses and to the imperiled state of academic freedom in the country today. Such behavior merits strong condemnation and requires an effective response if Egyptian universities are to regain their dynamism and influence. The intolerant or violent actions of these Islamists, however, do not justify an across-the-board crackdown, let alone the targeting of the peaceful Islamist expression and dissent described below.

### ***Harassment and Detention***

Egypt subjects Islamists to regular harassment and detention. A majority of the estimated 16,000 political prisoners in Egypt are Islamists.<sup>277</sup> While all Islamists, especially professionals, are potential targets, students bear the brunt of state repression.<sup>278</sup> Most of the student union candidates who were jailed or tortured, for example, were Islamists. The state also arbitrarily arrests Islamist professors and in 2004 fired thousands of secondary school teachers suspected of anti-government sympathies.<sup>279</sup>

Fearing the rising political power of this religious movement, the state often rounds up professionals, including professors, before elections so that they cannot vote. "It's a seasonal thing. When there is an election, hundreds [of Islamists] are arrested," said

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<sup>277</sup> Email from Mohamed Zarea, director, Human Rights Association for the Assistance of Prisoners, to Human Rights Watch, August 19, 2004. The Egyptian Organization for Human Rights also recently reported that there are at least 16,000 political prisoners. Christopher Walker, "Hunger Strike Reflects Wider Issue of Prisoners in Egypt," *The Daily Star* (Beirut), June 8, 2004.

<sup>278</sup> Islamist and other students represent about forty percent of Egypt's estimated 16,000 political prisoners. Email from Mohamed Zarea, director, Human Rights Association for the Assistance of Prisoners, to Human Rights Watch, August 19, 2004.

<sup>279</sup> Charles Levinson, "Extreme Education," *Cairo Times*, March 18-24, 2004, p. 7. The Minister of Education Hussein Kamel Bahaeddin announced on March 9, 2004, that he "had 'expelled thousands of extremist teachers from teaching.'" Ibid.

ʿAbd al-Munʿim ʿAbd al-Maqsud, a lawyer for the Muslim Brotherhood.<sup>280</sup> On November 6, 2001, for example, nine Muslim Brother professors from seven universities were arrested. Two were found innocent and released, but the rest received sentences ranging from three to five years in prison. Charges, at least for alleged Muslim Brothers, almost always include membership in an illegal organization and possession of publications that promote the group’s ideas. While the state detains these professors more for their political opinions than their academic activities, the arrests interfere with their teaching and spread fear on campus.

The threat of detention makes the daily lives of Islamists harder to endure. “It’s not the repression in demonstrations. I suffer most from the day-to-day bad things,” Cairo University student Nadir Muhammad said. “If I pray at the [campus] mosque, I feel I am watched. If we try to gather money for the poor, someone tries to overhear us. I feel under surveillance.”<sup>281</sup> The knowledge of what has happened to other Muslim Brothers haunts him even off campus. “At home, when I hear someone banging on the door or ringing loudly, I feel unsafe. I could be taken away at any time. If not for my faith, I would have given up a long time ago.”<sup>282</sup> Despite the intimidation Muhammad said he is more frustrated and angry than afraid. “What happens to colleagues is a direct insult on ourselves. We have to keep the fight going on. I shouldn’t feel frightened to express myself. They are scared of us, of our strength and our belief.”<sup>283</sup> Although victimized, such Islamist students feel part of a larger movement that is willing to challenge the state.

### *Academic Side Effects*

Unlawful detention not only violates the basic human rights of students and professors but also infringes on their academic freedom. According to an Islamist lawyer, the most significant academic freedom problem Islamists face is that the government prevents detained students from taking exams. Cairo University, for example, denied student union secretary Samer’s request to take his exams in prison and then, when he was released in time, refused to let him sit for the tests with his peers. As a result, he had to repeat his third year of university.<sup>284</sup> If students receive permission from the university, the Ministry of Interior is supposed to allow the exams. “In eight years, I’ve never seen

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<sup>280</sup> Human Rights Watch interview with ʿAbd al-Munʿim ʿAbd al-Maqsud, Muslim Brother lawyer, Cairo, February 25, 2003.

<sup>281</sup> Human Rights Watch interview with Nadir Muhammad, Cairo, March 4, 2003.

<sup>282</sup> *Ibid.*

<sup>283</sup> *Ibid.*

<sup>284</sup> Human Rights Watch interview with Samer, Cairo, March 4, 2003.

anyone take [an exam in prison],” the lawyer said.<sup>285</sup> Some students challenge this decision in the state council (administrative court). The lawyer, who has tried several such cases, pushes for an expedited decision, but it usually takes a year for the council to rule and by that time the exam has passed, which means students being penalized in this manner have to repeat the course. While in most cases the court rules in favor of the student, the Ministry of Interior presents a serious obstacle to justice. “Even if the court says yes, the person implementing [the decision] is [from] the Ministry of Interior and just ignores it,” he said.<sup>286</sup> One of Samer’s classmates, also a former member of the student union, said the state detained him from January to April 2000. This student’s jailers refused to enforce the court’s ruling that he should take exams. He had to repeat a year of school and could not nominate himself for student union again.<sup>287</sup> On the rare occasion that the ministry succumbs to outside pressure, the university often refuses to administer the exam on the grounds that the student has missed too many classes.<sup>288</sup>

Arrests can haunt academics for years after they are released. Police confiscated the computer of a professor, who asked to remain anonymous, when they arrested him. The state never returned the machine, and as a result, he lost all of his research. “There are a lot of nasty things being done. One accepts them as commonplace for a third-world country, but they are unacceptable elsewhere,” he said.<sup>289</sup> Speaking of ongoing harassment he has faced, he said, “It’s a fact of life we begin to accept. Compared to prison this is nothing.”<sup>290</sup> The fear of severe repression has led Islamist academics to accept more mundane restrictions. The state also blacklists for academic appointment students who have been detained because of their ideology. In general the top four graduates of each faculty receive positions as teaching assistants. An Islamist student from `Ain Shams, who asked that his name and faculty be withheld, explained that three of the top four students in his class were accepted but he, the fourth to qualify, was denied. The security forces had reviewed his application and learned that he had been detained for three years as a teenager. He was never convicted of a crime. Since the paperwork is normally returned without incident, the university had told him to start working. He did so for three months without pay until his application was rejected. The

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<sup>285</sup> Human Rights Watch interview with Islamist lawyer, Cairo, March 1, 2003.

<sup>286</sup> Ibid.

<sup>287</sup> Human Rights Watch interview with Muslim Brother student, Cairo, March 5, 2003. At the main state security office in Cairo, this student, who asked not to be identified, endured four days of particularly severe torture during which he was allegedly electrocuted, beaten and forced to stand up for long periods. He was blindfolded throughout his interrogation, which tried to compel him to give information on colleagues. Ibid.

<sup>288</sup> Human Rights Watch interview with Islamist lawyer, Cairo, March 1, 2003.

<sup>289</sup> Human Rights Watch interview with Islamist professor, Faculty of Dar al-`Ulum, Cairo University, Cairo, March 4, 2003.

<sup>290</sup> Ibid.

student had planned to pursue a Ph.D. and has sued to get his position back.<sup>291</sup> His lawyer said this case is not an isolated one.<sup>292</sup>

### ***Conclusion and Recommendations***

Government abuse of Islamist faculty and students violates their basic human rights. As explained earlier, unlawful detention is illegal under international law. The fear generated by the Egyptian security services deprives these professors and students the freedom to teach or study, and they often suffer academic punishments for political activity.

The state repression described above also represents unlawful discrimination because it targets a group based on its political and religious opinions. ICCPR Article 2 says the state must ensure rights “without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”<sup>293</sup> Egypt’s government has systematically violated the academic freedom of its professors and students of all political and religious persuasions. It has also, however, particularly targeted Islamists for abuse.

Human Rights Watch recommends:

- The Egyptian government cease singling out Islamist students and professors for abuse, including unlawful detention, imprisonment, and academic punishments for political opinions.

## **VI. Non-State Attacks on Academic Freedom: The Islamist Factor**

Campus activist groups with religio-political beliefs are currently the primary targets of government repression at Egyptian universities. Members of such groups, however, also actively seek to restrict the rights of professors and students whose politics differ from their own. An AUC professor described the phenomenon as “privatized repression,” and some academics said they feel even more pressure from these parties than from the government.<sup>294</sup> Islamist militants have intimidated academics in all four areas of university life: the classroom, research, student activities, and campus protests.

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<sup>291</sup> Human Rights Watch interview with `Ain Shams University student, Cairo, February 19, 2003.

<sup>292</sup> Human Rights Watch interview with lawyer, office of Montasser El Zayat, Cairo, February 19, 2003.

<sup>293</sup> ICCPR, art. 2.

<sup>294</sup> Human Rights Watch interview with AUC sociologist, Cairo, February 18, 2003.

According to Hilwan literature professor al-Sayyid al-Sirwi, “the atmosphere of terror [they have created] has aborted intellectual life.”<sup>295</sup>

### ***Rise of Islamist Attacks***

Conservative Islam gained a stronger foothold in Egyptian society in the early 1990s in part because the Egyptian government supported a religious agenda to counterbalance the secular, leftist groups then leading the opposition against the state. Radical Islamists attracted the world’s attention with terrorist attacks like the 1997 shootings of tourists in Luxor by *al-Gama`a al-Islamiyya*. The Egyptian government cracked down hard on this group, but in the meantime, a grassroots Islamic movement gained strength.<sup>296</sup> Some Islamists have since sought to impose their beliefs on others and have successfully restricted academic freedom at the universities.

Over the past decade, Islamist militants have attacked the lives and livelihoods of academics. When one asks Egyptians about the state of academic freedom in their country, the first thing most mention is the case of Nasr Hamid Abu Zaid. In 1993, Cairo University denied Abu Zaid, an educator of twenty years, promotion to professor, following claims that his scholarship on the Quran was blasphemous. Islamists then initiated a nationwide campaign against him. Using *hisba*, a principle of Islamic law that allows “legal action against a fellow Muslim to defend the faith,” they charged he was an apostate and a non-Muslim and therefore could not be married to a Muslim woman. Several Islamist lawyers filed suit to force Abu Zaid to divorce his wife against the will of both.<sup>297</sup> The lower court, following civil law, ruled the plaintiffs had no standing to bring a complaint, but the appellate court overturned the decision, finding for the Islamists and declaring his marriage dissolved. Abu Zaid and his wife fled to the Netherlands where they live today.<sup>298</sup> Islamist militants thus used the state’s machinery to drive an academic away from his career and his country.

Outside the universities, intellectuals have faced physical violence. In 1994 Islamist attackers stabbed Nobel laureate Naguib Mahfouz in front of his home, claiming his

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<sup>295</sup> Human Rights Watch interview with Salah al-Sayyid al-Sirwi, assistant professor, Arab Language Department, Faculty of Arts, Hilwan University, Cairo, March 4, 2003.

<sup>296</sup> For more information on this development, see generally Geneive Abdo, *No God but God*.

<sup>297</sup> *Ibid.*, p. 164.

<sup>298</sup> *Ibid.*, pp. 163-71. For more information on the Abu Zaid case, see Nasr Hamid Abu Zayd, “Silencing Is at the Heart of My Case,” in Joel Beinin and Joe Stork, eds., *Political Islam: Essays from Middle East Report* (Berkeley, University of California Press, 1997), pp. 327-34.

novel *Children of the Alley* was offensive to Islam.<sup>299</sup> In June 1992, Islamists murdered columnist and public intellectual Farag Foda in the streets of Cairo. Al-Azhar had condemned his writings as blasphemous; its Shaikh Muhammad al-Ghazali had declared Foda an apostate and said that Islamic law would condone his killing. *Al-Gama`a al-Islamiyya* accepted responsibility for the murder, saying “al-Azhar issued the sentence and we carried out the execution.”<sup>300</sup>

Recent attacks on academia have relied more on written and verbal harassment. “The private pressure is largely from Islamists,” an AUC professor said. “It’s at the society level not the university level. . . . If you are producing a book, particularly an interpretation of Islam, you get newspaper, especially Islamist, attacks.”<sup>301</sup> In April 2000, for example, the Islamist newspaper *al-Sh`ab* initiated a campaign against the Ministry of Culture’s reprinting of Haidar Haidar’s *A Banquet for Seaweed* in a series of renowned Arab novels. The article, and later al-Azhar’s Islamic Research Council (IRC), claimed the book was blasphemous, had been published without the IRC’s approval as required by law, and should be banned. On May 8, thousands of students from al-Azhar rioted to protest the novel. The police suppressed the demonstration, but the cultural ministry eventually withdrew the book from print.<sup>302</sup>

Government complicity with intimidation by Islamist militants has increased their power. State statutes provide legal mechanisms that legitimize attacks by private individuals on academic freedom. Islamists used *hisba*, for example, to drive Abu Zaid out of the country. The law was later amended so that only the public prosecutor can bring charges in domestic cases, but it remains on the books and Islamists can be expected to pressure the prosecutor to use it.<sup>303</sup> Censorship laws embolden Islamists to challenge course books, especially at AUC. In other cases, government-appointed deans and university professors have conceded to Islamists’ demands, either out of fear or sympathy. For example, university administrations regularly reject research topics

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<sup>299</sup> Geneive Abdo, *No God but God*, p. 67. The assailants said they followed an order from Shaikh `Omar `Abd al-Rahman, a hard-line cleric who was convicted of seditious conspiracy in the 1993 terrorist attack on the World Trade Center in New York City. *Ibid.*; “Weekend Edition—Sunday,” National Public Radio transcript, October 1, 1995.

<sup>300</sup> Geneive Abdo, *No God but God*, p. 68.

<sup>301</sup> Human Rights Watch interview with AUC sociologist, Cairo, February 18, 2003.

<sup>302</sup> “Islam Leader Condemns Syrian Novel after Riot,” Reuters News, May 18, 2000; Nada Ibrahim, “With Arrests, Culture Minister Filing Complaint,” Associated Press, May 18, 2000; Nada Ibrahim, “Egyptian Creative Community Chilled by Attack on Novel,” Associated Press, July 6, 2000 (quoting several members of the artistic community saying they had censored themselves as a result of the incident).

<sup>303</sup> Geneive Abdo, *No God but God*, p. 171. For a discussion of the new law, Law on Ordering of Procedure for Initiating *Hisba* Cases in Matters of Personal Status, Law No. 3/1996, see George N. Sfeir, “Basic Freedoms in a Fractured Legal Culture: Egypt and the Case of Nasr Hamid Abu Zayd,” *Middle East Journal*, vol. 52, no. 3, July 1, 1998.

considered potentially offensive. According to one journalist, “The university takes the side of extremist views at the cost of academic freedom because it doesn’t want political tension.”<sup>304</sup> Whatever the reason, the state’s failure to protect academic freedom from non-state actors adds to the lengthy list of violations discussed in the previous chapter.

## **Classroom**

Pressure from Islamist militants supplements government censorship in the classrooms of national and private universities. “In the past the enemy was the state. . . . Our problem now is society itself and the mentality of people,” Hilwan University’s al-Sayyid al-Sirwi said.<sup>305</sup> AUC academics described the same phenomenon. “Students themselves are the censoring body,” said Arabic literature professor Samia Mehrez.<sup>306</sup> According to a theater professor at AUC, most of the students in his history of theater class favor censorship. His students have told him, “If you allow freedom of expression, the communists will take over, women will be raped in the streets, terrible things will happen. There will be no morality. Everything will be permitted.”<sup>307</sup> Islamist and conservative students, along with their parents and the press, have publicly challenged the choice of course books and thus altered university curricula.

A pair of incidents at AUC in the late 1990s brought the student censorship issue to a head and attracted international attention. In May 1998, Didier Monciaud, an instructor from France, used Maxime Rodinson’s biography *Muhammad* in one of his classes. Parents of AUC students complained to an *al-Abram* journalist that the book violated Muslim beliefs. The uproar led to an order from President Mubarak to remove the volume from the AUC library and to cease assigning it to classes. “The AUC president immediately exercised the order and publicly apologized on the front page of *al-Abram*, [the national newspaper],” AUC professor Samia Mehrez said.<sup>308</sup> She added that she rejects the parents’ interpretation of the book and notes that state libraries had included it in their collections since its publication in the 1960s. Nevertheless, pressure from

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<sup>304</sup> Human Rights Watch interview with *al-Ahram* journalist, Cairo, February 14, 2003.

<sup>305</sup> Human Rights Watch interview with Salah al-Sayyid al-Sirwi, assistant professor, Arab Language Department, Faculty of Arts, Hilwan University, Cairo, March 4, 2003.

<sup>306</sup> Human Rights Watch interview with Samia Mehrez, associate professor, Department of Arabic Studies, AUC, February 16, 2003.

<sup>307</sup> Human Rights Watch interview with AUC theater professor, Cairo, February 26, 2003.

<sup>308</sup> Human Rights Watch interview with Samia Mehrez, associate professor, Department of Arabic Studies, AUC, February 16, 2003. See also Letter to President Hosni Mubarak, from Middle East Studies Association’s Committee on Academic Freedom, June 16, 1998, <http://w3fp.arizona.edu/mesassoc/CAFMEALetters.htm#061698Egypt> (retrieved July 30, 2004); “American University Withdraws Book Accused of Being Blasphemous,” Associated Press Newswires, May 13, 1998.

religious militants pushed the university not to renew Monciaud's contract despite support from his colleagues.<sup>309</sup>

Seven months later, Islamists directed their attacks at Mehrez in a separate censorship scandal. The secretary to the AUC president summoned her from a lecture she was giving to a meeting with the university president, the dean of the faculty, the university provost, and an AUC physician. On behalf of some Islamist and conservative parents, the doctor had lodged a complaint against her assignment of Mohamed Choukri's autobiographical novel *For Bread Alone* in her Modern Arabic Literature class. The book includes some homoerotic scenes from the author's adolescence. "[The doctor] told the other three that if they couldn't subdue me, the parents threatened another scandal in the press. They had learned [from the Monciaud case]," Mehrez said in an interview with Human Rights Watch.<sup>310</sup> The parents claimed the book's references to sex were offensive to Islamic traditions. In an unsigned letter to the AUC administration, they wrote, "This story is far from the principles of Arabic literature, he is talking about his dirty life that is of no interest to any body [sic]. . . . [W]e believe that what has been written in some of the chapters is enough to corrupt a whole generation."<sup>311</sup> The letter threatened a lawsuit and asked AUC to "protect our children and the children of the Egyptian and Arab Societies from such persons who are attacking the innocence of our new generations. . . . [D]o not leave the teacher to control and destroy the minds of our children."<sup>312</sup> Mehrez refused to apologize or remove the book; others had taught it at AUC although they had used the English translation, which generates less controversy than a work in Arabic. She agreed not to require it for the final exam, but heard later the president had promised on her behalf that she would not teach it again.<sup>313</sup>

The internal debate that followed soon became a national and international one. Mehrez appealed to her colleagues at AUC for support. "I thought naively I was in the academy and that an academic issue would be resolved in the academy," she said.<sup>314</sup> The substance of the campus debate was leaked to the parents and the press. "It became a national affair. There were hundreds of articles and it went on for six months.

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<sup>309</sup> Human Rights Watch interview with Samia Mehrez, associate professor, Department of Arabic Studies, AUC, February 16, 2003.

<sup>310</sup> Ibid. See also Memorandum to All AUC Faculty from Samia Mehrez, Subject: Meeting with President Gerhart, Provost Sullivan, Dean Nelson and Dr. Ikram, December 27, 1998 ("Dr. Ikram added that the unidentified parents were certain that I was teaching a banned book, and were threatening to go to the press.").

<sup>311</sup> Letter to the Affirmative Office, the American University in Cairo, around January 12, 1999.

<sup>312</sup> Ibid.

<sup>313</sup> Human Rights Watch interview with Samia Mehrez, associate professor, Department of Arabic Studies, AUC, February 16, 2003.

<sup>314</sup> Ibid.

Parliament asked for my dismissal for ruining the minds of Egyptian youth,” she said.<sup>315</sup> As is often the case in Egypt, the government abetted efforts by Islamists to restrict academic freedom. When two colleagues from the United States publicized Mehrez’s story on the Internet, however, she received international support within forty-eight hours.<sup>316</sup> The AUC president told Minister of Higher Education Shehab that he could not dismiss her because of this foreign support and the potential for a lawsuit against the university. Six months later, the commotion died down. Mehrez said she heard from a high government official that President Mubarak himself ordered an end to the incident.<sup>317</sup> Mehrez first taught *For Bread Alone* again in May 2003 in a course on autobiography. She reported that it “went very well” and that she plans to teach it again some day. The Arabic version, however, remains banned.<sup>318</sup>

Islamist students have also challenged books in the AUC library. In 2002, a student complained she was offended by a book illustration of the Prophet Muhammad so the library covered it.<sup>319</sup> El Sawy worries about publicizing the existence of a reserve list of books banned for circulation because Islamist students might start to challenge certain volumes; even though they do not represent the government, such action could trigger stricter government censorship.<sup>320</sup> El Sawy’s concerns over AUC books demonstrate how state repression and non-state intimidation work together to restrict access to published material.

In 2004, Islamist militants received new support from both al-Azhar and the state for their efforts to ban books. In May 2004, al-Azhar’s Islamic Research Council recommended banning Nawal el-Saadawi’s novel *The Fall of the Imam*, which had been on

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<sup>315</sup> Ibid. According to one article, conservative deputy Alia al-Jaar sought to punish Mehrez, but Minister Shehab refused. Judith Gabriel, “Mohammed Shukri’s ‘The Plain Bread’ Is Target of Hostile Press, Academic Furor in Egypt: International Debate Flares over Book-Banning at AUC,” *al-Jadid*, winter 2002.

<sup>316</sup> Letter to Colleagues from Magda al-Nowaihi, Columbia University, and Muhammad Siddiq, University of California, Berkeley, January 20, 1999. According to this letter, “a public campaign was launched by some of the Egyptian newspapers to discredit Professor Mehrez and to embarrass the American University.” The incident also led to the removal from the bookstore of several volumes, including Ahdaf Soueif’s *In the Eye of the Sun*, Sonallah Ibrahim’s *The Smell of It*, and Alifa Rifaat’s *Distant View of a Minaret*. Ibid.

<sup>317</sup> Human Rights Watch interview with Samia Mehrez, associate professor, Department of Arabic Studies, AUC, February 16, 2003. For more information on this case, see Letter to John Gerhart, president, AUC, from MESA, May 21, 1999, <http://w3fp.arizona.edu/mesassoc/CAFMEANAletters.htm#0521AUC> (retrieved July 30, 2004); Letter to President Hosni Mubarak, from MESA, May 21, 1999, <http://w3fp.arizona.edu/mesassoc/CAFMEANAletters.htm#052199Egypt> (retrieved July 30, 2004).

<sup>318</sup> Email from Samia Mehrez, associate professor, Department of Arabic Studies, AUC, to Human Rights Watch, February 10, 2005.

<sup>319</sup> Human Rights Watch interview with Shahira el Sawy, dean of libraries and learning technologies, AUC, February 25, 2003.

<sup>320</sup> Ibid.

sale in Egypt since 1987.<sup>321</sup> On June 1, Minister of Justice Faruq Seif al-Nasr gave clerics from al-Azhar authority to confiscate books and audio and videotapes that they believe violate Islamic precepts.<sup>322</sup> “The move violates the freedom of speech, belief and expression, all guaranteed in the Egyptian Constitution,” said a statement from the Egyptian Organization for Human Rights.<sup>323</sup> The minister’s order led to the confiscation of hundreds of publications from bookstores a few days later.<sup>324</sup> While these raids were not on university grounds, they will likely affect the number of books available for use or sale on campus.

While Islamists have primarily targeted course books, professors at private and state universities said they also felt pressure from them in other areas of classroom life. The AUC theater professor said he no longer requires his students to see films for courses. “Students complained [I was] exposing them to pornography if there was a kiss or nudity,” he said.<sup>325</sup> Islamists sometimes disrupt class discussion. In fall 2001, while describing the origins of literature to a class at Hilwan University, al-Sayyid al-Sirwi explained that the art form was born after humans formed society and created means of communication. “A human being is a social animal,” he said. “An Islamist student said I should not say this. ‘[A] human [is] not an animal. . . . [To say so] is a desecration of God.’”<sup>326</sup> While the incident may seem like a small one, al-Sayyid al-Sirwi was visibly disturbed and seemed fearful that such interruptions could lead to professional repercussions.

## **Research**

Islamist objections also restrict the range of academic research. The case against Abu Zaid began as a response to his interpretive scholarship about Quran. According to one journalist observer, it “resulted in a tacit decision in all Arab language and philosophy departments to ban registrations of M.A./Ph.D. theses involving an interpretation of the Quran that might lead to the same problem. Any academic researcher thinking of an M.A./Ph.D. on a religious subject no longer has complete freedom to decide the subject.”<sup>327</sup> As representatives of the government, state university officials are legally

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<sup>321</sup> “Islamic Institute Urges Egypt to Ban Novel by Feminist,” Dow Jones International News, May 31, 2004.

<sup>322</sup> “Egypt Grants Islamic Scholars Powers to Seize Materials: Rights Group,” Agence France-Presse, June 2, 2004.

<sup>323</sup> “Al-Azhar Mosque to Seize Anti-Islam Articles,” ANSA English Media Service, June 2, 2004.

<sup>324</sup> “Al-Azhar Confiscates Publications for Not Conforming to Islam,” Agence France-Presse, June 5, 2004.

<sup>325</sup> Human Rights Watch interview with AUC theater professor, Cairo, February 26, 2003.

<sup>326</sup> Human Rights Watch interview with Salah al-Sayyid al-Sirwi, assistant professor, Arab Language Department, Faculty of Arts, Hilwan University, Cairo, March 4, 2003. Another professor said, “Some Islamists react to what I say [in class].” Human Rights Watch interview with AUC sociologist, Cairo, February 18, 2003.

<sup>327</sup> Human Rights Watch interview with *al-Ahram* journalist, Cairo, February 14, 2003.

bound to protect scholars' academic freedom. In many cases, however, they have succumbed to Islamist pressure to impose limits on research.

Human Rights Watch learned of several examples of thesis topics that were discouraged or changed because they dealt with controversial religious or moral topics. A graduate student at `Ain Shams who wanted to do her doctorate on a study of Freud and religious views had "discussion of her work postponed several times . . . to the extent she couldn't complete it."<sup>328</sup> About four years ago, a student at al-Fayum branch of Cairo University had her Ph.D. degree forcibly withdrawn after she had been granted it because her dissertation included a discussion of sex and Islam.<sup>329</sup> Three years ago, Aida Seif El Dawla supervised a master's thesis at `Ain Shams on wife battering. The senior supervisor forced the student to change her topic. When asked if the student did so, Seif El Dawla responded, "Of course. She [did] it in the first place to get her degree. . . . Talking in the language of rights is not welcomed in the university."<sup>330</sup> A Ph.D. candidate at Hilwan wanted to do a master's thesis on the problems of interpreting the Quran, arguing one must place it in the context of the prophet's life. "Most advised him to change the topic. The whole of public opinion was against him. He changed topics and did something else," al-Sayyid al-Sirwi said.<sup>331</sup> The student presumably feared Islamist opposition would prevent him from receiving a doctorate. Ironically, he was a Muslim Brother who is now in prison for belonging to an illegal organization. "He is supposed to be affiliated with the Islamists, but at the same time he had problems with the Islamists for choosing a liberal topic," said al-Sayyid al-Sirwi.<sup>332</sup> While the state uses CAPMAS research permit requirements to block scholarship on political topics, Islamists have foreclosed research on the two other main red line areas—religion and sex—through intimidation of university officials, professors, and students.

### ***Student Activities and Campus Protests***

The government, through appointed deans and security forces, causes the most harm to extracurricular life. It generally targets both leftists and Islamists. In certain faculties, however, professors and students complained that Islamists, with the administration's approval, often put undue pressure on their colleagues.

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<sup>328</sup> Human Rights Watch interview with Bahega Hussain, journalist, *al-Ahali*, Cairo, February 27, 2003.

<sup>329</sup> Human Rights Watch interview with *al-Ahram* journalist, Cairo, February 14, 2003.

<sup>330</sup> Human Rights Watch interview with Aida Seif El Dawla, professor of neuropsychiatry, Faculty of Medicine, `Ain Shams University, Cairo, February 26, 2003.

<sup>331</sup> Human Rights Watch interview with Salah al-Sayyid al-Sirwi, assistant professor, Arab Language Department, Faculty of Arts, Hilwan University, Cairo, March 4, 2003.

<sup>332</sup> *Ibid.*

Islamists have been accused of intolerance toward classmates and have, in some cases, interfered directly with peers' freedom of expression. `Ain Shams freshman Mustafa said, for example, she went to a campus demonstration because "I just wanted to express myself."<sup>333</sup> The Islamists who organized the event, however, told her women were not allowed to speak at protests. This reception combined with government harassment has turned Mustafa away from political activity.<sup>334</sup> Islamist students at the national universities often harass liberal female classmates for not wearing the *niqab*, a full veil. Non-Muslims are also victims of this discrimination. The Islamists imply that "all women who do not cover offend God, therefore all Christians offend God. The students feel intimidated," said a Coptic professor from `Ain Shams, who has noticed increasing extremism on campus.<sup>335</sup>

The state exacerbates this situation by selectively censoring secular critiques while allowing Islamists to express their views. "I don't mind giving the floor to the Islamists as long as we get our own space. If they discuss the Quran, I want to discuss the [Communist] Manifesto of Marx," said an assistant professor in Cairo University's Faculty of Arts.<sup>336</sup> In the English department at Cairo University, several professors complained about Islamist posters. University rules require the administration to approve any posters or exhibitions. In this department, however, Islamists hang posters without approval, and the administration looks the other way. "The dean of the Faculty of Arts has almost given a green [light] to students who belong to Islamist groups to hang stickers, posters calling for jihad and the hijab. . . . If you allow Islamists to hang posters, you should allow leftists, Wafdists, Nasserites, communists. Why only the Islamist point of view?" the Cairo arts professor said.<sup>337</sup> Leftists charge Islamist militants with collaborating with the government, a legacy of the 1970s when Sadat supported Islamists to counter the then-dominant leftists. Islamists deny that such an alliance exists today. As with book censorship and restriction of research topics, however, government-appointed officials accommodate Islamist views on campus, provided they relate to religion and morals instead of politics. Whether deliberately or not, state and non-state repression of academic freedom are again inextricably linked.

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<sup>333</sup> Human Rights Watch interview with Mai Magdi Mustafa, Cairo, March 2, 2003.

<sup>334</sup> *Ibid.*

<sup>335</sup> Human Rights Watch interview with `Ain Shams University professor, Cairo, March 1, 2003.

<sup>336</sup> Human Rights Watch interview with assistant professor, Faculty of Arts, Cairo University, Cairo, March 2, 2003.

<sup>337</sup> *Ibid.*

## **Conclusion and Recommendations**

Though Islamist militants are often at odds with government authorities and the target of crackdowns themselves, they have come to exert restrictive influence on university campuses. They have consistently sought to restrict freedom of opinion, expression, and assembly. Rather than resisting Islamist pressure on behalf of academic freedom, Egyptian government authorities and university officials too often have tolerated or supported their efforts to suppress ideas other than their own. The Egyptian government must create an environment where academic freedom is respected, i.e., restore autonomy to the universities and cease violating the rights of individual members of the community. Such steps would make it harder for those who challenge academic freedom to achieve their goals. The state should also actively oppose intolerant individuals or groups who carry out attacks against academic freedom. For example, it should reject calls to censor books and allow students to choose their own thesis topics. Rather than combating Islamists' attempts to limit academic freedom, Egypt has allowed them to deprive others of their rights.

Human Rights Watch recommends:

- *Al-Gihad, al-Gama`a al-Islamiyya*, the Muslim Brotherhood, and other Islamic militants show respect for the academic freedom of others and help create an environment of tolerance and constructive dialogue on campus.
- The state end its censorship regime to show that all forms of censorship are unacceptable.
- The university administration ensure that students can pursue research topics of their choosing.
- The university administration apply its rules without discrimination, giving members of all political or religious groups equal freedom to express their views.

## **VII. Self-Censorship**

Violations of academic freedom have been so prevalent and severe in Egypt that self-censorship has become common. This chilling effect saps institutions of the intellectual vitality and creativity that they should seek to foster. "The general impression one gets is that freedom of expression in many areas is self-censored. People know if something is frowned on. They take it on themselves not to press the issue. . . . Both in the press and . . . in academic literature, there is a climate where people are aware of where the boundaries lie," said Irfan Siddiq, the head of press and public affairs at the British

Embassy.<sup>338</sup> Self-censorship runs so deep in red line areas, some academics do not even see it as a significant limitation. “If you don’t touch the red lines, you’re free to express your opinion,” Cairo University engineering professor el-Raghy told Human Rights Watch.<sup>339</sup> As with direct repression, self-censorship adversely affects all areas of academic life.

## **Classroom**

### **Course Books**

Fear of state censorship has led AUC professors to screen their own course book selections. “We try to choose things the censor won’t go for,” said one professor. She explained that some faculty members order a few books they expect to attract attention, hoping others will pass by unnoticed. Other professors no longer use a book they did in the past because they want to “give it a rest. We hope to keep it from being censored.”<sup>340</sup> A professor in the theater department said he does not even order books anymore. He relies instead on photocopies. “I haven’t changed what I teach. I no longer order books because if I do, I set myself up to inspection.” He is trying to protect the books as well as himself. “If you order books that are already in [the country], you are endangering them. You have to be devious.”<sup>341</sup>

Self-censorship also affects the availability of books at AUC. Bookstore manager Zaug acknowledged, “You can’t just order anything. I’m banning myself by not ordering certain types of books. I don’t want to go through the hassle.” He said, for example, he was “dumb to try” to import a book entitled *Sex Toy of the Gods* a few years ago.<sup>342</sup> Zaug also noted that the censor sometimes objects to a book over the phone but refuses to file a formal letter; in such cases, he generally sells the shipment he received but will not reorder the disputed work. Such defensive behavior may in part explain why, from 2002-2003, he remembers only one item being banned—the world map with the controversial Egypt-Sudan border. Self-censorship has affected the AUC Press as well. “Part of the reason that there have been fewer censored titles in the 1990s is because of what the Press learned in the 80s. Why even bring up a book for publication when you are sure it will be censored?” Zaug wrote.<sup>343</sup> By provoking self-censorship, the state indirectly

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<sup>338</sup> Human Rights Watch interview with Irfan Siddiq, head, Press and Public Affairs section, U.K. Embassy, Cairo, February 19, 2003.

<sup>339</sup> Human Rights Watch interview with Saad el-Raghy, professor of metallurgical engineering, Faculty of Engineering, Cairo University, Cairo, February 23, 2003.

<sup>340</sup> Human Rights Watch interview with AUC professor, Cairo, February 16, 2003.

<sup>341</sup> Human Rights Watch interview with AUC theater professor, Cairo, February 26, 2003.

<sup>342</sup> Human Rights Watch interview with Mike Zaug, bookstore manager, AUC, Cairo, March 2, 2003.

<sup>343</sup> Mike Zaug, “The Challenges of Bookselling in Egypt,” c. 2001, p. 3.

influences what books are sold and published on campus. The increase in self-censorship may also explain the decrease in outright bans; the state does not need to impose them if universities do not request controversial titles.

Islamist pressure leads to further self-censorship at AUC. Samia Mehrez said that the Islamists' public attacks for her teaching *For Bread Alone* made her worry she would suffer the same fate as Abu Zaid. "Abu Zaid looms large in everybody's head. He's a scapegoat. You think you may end up like him."<sup>344</sup> Fear of non-state interference has deterred the library from fighting state censorship, which keeps controversial volumes on reserve. Challenging the state-imposed reserve system would bring attention to the fact that the library's collection includes books some members of society might object to. "We keep a low profile or get people who don't have good intentions," Dean of Libraries el Sawy said.<sup>345</sup>

### *Class Discussion*

Self-censorship influences class discussion as well as syllabi. Human Rights Watch found comparatively few examples of direct government interference in class discussion, but red lines limit the topics that can be addressed. "People are so used to it they censor themselves. They already know what's acceptable," the AUC theater professor said.<sup>346</sup> Politics, for example, are largely off limits. "Most professors are quite cautious," said Mustapha Kamel al-Sayyid, a political scientist who teaches at Cairo University and AUC. "Very few would dare to express views critical of the government in classes or public meetings. Those who do are a minority."<sup>347</sup> Even professors who said they felt free to discuss most subjects in the classroom avoided a topic as significant as the rule of Egypt's president, Hosni Mubarak. "I haven't felt in the classroom much restrictions," said one sociologist. "I don't say Mubarak is a dictator, but I do say some states like Egypt have a lifetime president."<sup>348</sup> A Cairo University professor who said there is "100 percent academic freedom in the classroom," later clarified, on condition of anonymity, "You can't attack Mubarak but anything else is OK."<sup>349</sup> While not a specific response to

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<sup>344</sup> Human Rights Watch interview with Samia Mehrez, associate professor, Department of Arabic Studies, AUC, February 16, 2003.

<sup>345</sup> Human Rights Watch interview with Shahira el Sawy, dean of libraries and learning technologies, AUC, February 25, 2003.

<sup>346</sup> Human Rights Watch interview with AUC theater professor, Cairo, February 26, 2003.

<sup>347</sup> Human Rights Watch interview with Mustapha Kamel al-Sayyid, professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, and Political Science Department, AUC, Cairo, February 25, 2003.

<sup>348</sup> Human Rights Watch interview with AUC sociologist, Cairo, February 18, 2003.

<sup>349</sup> Human Rights Watch interview with Cairo University professor, Cairo, February 2003.

direct repression, the self-imposed limits on class discussion show the power of red lines in Egyptian academia.

Only senior faculty members, whose rank and established status protect them from some forms of government and public pressure, dare to cross the red lines. Like al-Sayyid, Cairo University's Arabic literature professor Sayyed el-Bahrawy is a full professor who has been teaching for more than twenty years. He said, "They can't ask me to change in the classroom. But weak professors are intimidated, especially about religious or Islamist problems."<sup>350</sup> Nadia Touba, an associate professor in the Faculty of Education at Alexandria University, said she was willing to cross red lines, but also described herself as someone who does not "compromise what I think and I get into trouble for it." "People fear being reported. But if you don't care, what's the problem?" she said.<sup>351</sup> Many professors do not have the level of seniority or the temperament that makes them feel comfortable crossing red lines.<sup>352</sup>

Although AUC is a private, liberal arts institution, the situation there is similar to that at the national universities. Professors' response to red lines depends, in part, on their seniority and nationality. Arabic literature professor Samia Mehrez said, "I'm not intimidated in what I want to teach, but I'm tenured and Egyptian. . . . Foreign faculty are far more sensitive to what they teach and say in the classroom, how they approach students. They are on their toes all the time."<sup>353</sup> More junior professors said they felt less free to voice their opinions. "It's not acknowledged at AUC, but for faculty members who hold [controversial] opinions, it's very dangerous professionally. Even if you're not actively embracing them, political opinions are dangerous," said an American professor who asked not to be named.<sup>354</sup> Although it is difficult to prove, the professor said

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<sup>350</sup> Human Rights Watch interview with Sayyed el-Bahrawy, professor of modern Arabic literature, Department of Arabic Literature and Language, Faculty of Arts, Cairo University, Cairo, February 25, 2003.

<sup>351</sup> Human Rights Watch interview with Nadia Touba, associate professor, English as a Foreign Language, Faculty of Education, Alexandria University, Cairo, February 24, 2003.

<sup>352</sup> Authorities generally ignore classes taught in foreign languages so professors in those fields described the classroom as a comparatively open environment for discussion. Hoda al-Gindi, a professor of English literature at Cairo University, said, "I've never been told what to teach or not. If it happened a number of us would resign." Human Rights Watch interview with Hoda al-Gindi, professor, English Department, Faculty of Arts, Cairo University, Cairo, February 22, 2003. A professor who has taught at `Ain Shams University and a private Egyptian university concurred. "The atmosphere is totally free. We have the luxury of freedom to do a lot of different things. No one interferes with the content of what we teach. We can bring in different perspectives." Human Rights Watch interview with `Ain Shams University professor, Cairo, March 1, 2003. See also Human Rights Watch interview with assistant lecturer, Faculty of Arts, Cairo University, Cairo, February 17, 2003; Human Rights Watch interview with professor of English and Comparative Literature, Faculty of Arts, Cairo University, Cairo, March 4, 2003.

<sup>353</sup> Human Rights Watch interview with Samia Mehrez, associate professor, Department of Arabic Studies, AUC, February 16, 2003.

<sup>354</sup> Human Rights Watch interview with AUC professor, Cairo, February 16, 2003.

crossing red lines can interfere with tenure decisions, and foreigners who lose their jobs at AUC often have to leave the country. In general, politics is a more dangerous subject for Egyptians and religion a more dangerous subject for foreigners, especially if they are not Muslim.<sup>355</sup>

## **Research**

State and non-state repression has arguably had an even greater chilling effect on research than in the classroom. While teaching is mandatory, professors can more easily avoid scholarship or choose conservative topics if they fear repercussions. “Everyone is looking for a safe path, to stay away from danger. We haven’t had brilliant research in recent years. Research is pretty much on the beaten path,” said Ahmad Isma`il, editor at opposition newspaper *al-Ahali*.<sup>356</sup> Self-censorship at Egyptian universities has interfered with both the quantity and quality of research.

The CAPMAS permit system stifles intellectual inquiry not only because it prohibits investigations of certain topics but also because some scholars respond by restricting their own research. They choose “safe” topics, allowing red lines to limit academic freedom. Saad, the AUC researcher, said, “There are certain things you won’t apply for because you know you won’t get a permit.” She gave ethnography of the military as an example.<sup>357</sup> Al-Sayyid said, “There are certain questions that should not be asked. . . . It’s a case of self-censorship. You won’t put questions down that you know will get rejected by the security people.”<sup>358</sup> Al-Sayyid generally avoids surveys because of the CAPMAS requirements and only applied for his first permit last year. He received permission for a project on the middle class three months later because it was “not as objectionable” as other topics, like security.<sup>359</sup> Concern for their sources also may influence researchers’ decisions to avoid controversial topics. “You don’t always want to do something sensitive because you’re not sure you can protect informants. They may be harmed and it’s not just paranoia that they’re afraid,” Saad said.<sup>360</sup>

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<sup>355</sup> For example, Samia Mehrez said as an Egyptian she has more freedom on cultural issues because “I am part of this culture and you can’t tell me that I don’t know the culture.” Human Rights Watch interview with Samia Mehrez, associate professor, Department of Arabic Studies, AUC, February 16, 2003.

<sup>356</sup> Human Rights Watch interview with Ahmad Isma`il, deputy editor, *al-Ahali*, Cairo, February 15, 2003.

<sup>357</sup> Human Rights Watch interview with Reem Saad, research associate professor, Social Research Center, AUC, Cairo, February 25, 2003.

<sup>358</sup> Human Rights Watch interview with Mustapha Kamel al-Sayyid, professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, and Political Science Department, AUC, Cairo, February 25, 2003.

<sup>359</sup> *Ibid.*

<sup>360</sup> Human Rights Watch interview with Reem Saad, research associate professor, Social Research Center, AUC, Cairo, February 25, 2003.

The state has so ingrained in academics the danger of working on red line topics that many do not even consider them legitimate subjects of research. Asked about the impact of the Saadeddin Ibrahim case, Egyptian academics were sympathetic but repeatedly noted that the state targeted him for his research, not his teaching. “He was not criticized for his AUC lectures,” colleague Emad Shahin said.<sup>361</sup> Such reactions are a reminder of the low priority many professors put on research, which they consider an optional or less important part of their careers.<sup>362</sup> They also viewed his case as an isolated one that would not affect them. Because the majority of academics avoid the kind of controversial red line research that Ibrahim and the Ibn Khaldun Center took on, they do not feel restricted by the threat of prosecution. Such avoidance, however, exemplifies the self-imposed restrictions placed on freedom of opinion in the realm of scholarly research.

The case of Abu Zaid, by contrast, elicited strong reactions from academics. Hilwan University professor al-Sayyid al-Sirwi described the case as a “milestone after which academic freedom declined at rapid speed.”<sup>363</sup> Recent graduate `Imad Mubarak said, “When a student finds his professor prosecuted, it spreads an atmosphere of fear, terror, and intimidation. It directly and indirectly affects the educational system.”<sup>364</sup> Part of this reaction may be attributable to the fact that Abu Zaid’s ordeal started with what should have been a routine promotion process, something all academics go through. In addition, the school had required him to do Quranic research because they needed that material covered; unlike Ibrahim, Abu Zaid did not choose his research area and then defy the state by continuing in the face of government opposition.<sup>365</sup> Egyptian academics’ fear of the Islamists may also explain the more blatant chilling effect. “[The Abu Zaid case] has greatly affected cultural life in Egypt. We feel the stakes will be very high, it might be your life. There is an atmosphere of terror. It’s not the administration we have to answer to, but students, mosque, preacher, parent,” al-Sayyid al-Sirwi said.<sup>366</sup>

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<sup>361</sup> Human Rights Watch interview with Emad Shahin, associate professor, Political Science Department, AUC, Cairo, February 18, 2003. See also Mustapha Kamel al-Sayyid, professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, and Political Science Department, AUC, Cairo, February 25, 2003 (“Ibrahim was a more political case, not [based on] his lectures or books.”).

<sup>362</sup> “The professor’s role centers basically on teaching. There is generally an uncritical reliance on the West for research, training and teaching styles.” Hanada Taha-Thomure, *Academic Freedom in Arab Universities* (New York: University Press of America, n.d.), p. 2.

<sup>363</sup> Human Rights Watch interview with Salah al-Sayyid al-Sirwi, assistant professor, Arab Language Department, Faculty of Arts, Hilwan University, Cairo, March 4, 2003.

<sup>364</sup> Human Rights Watch interview with `Imad Mubarak, Cairo, February 23, 2003.

<sup>365</sup> Geneive Abdo, *No God but God*, p. 163.

<sup>366</sup> Not all academics sympathized with Abu Zaid. “Abu Zaid was crazy. He knew he was doing things that aren’t accepted, like walking naked in the street. He’s crazy and he hurts others’ issues. He was wrong on that. He didn’t use common sense...,” said English professor Dalia El-Shayal, who herself is not an Islamist and has spent time living in the United States. “I’m not saying restrict yourself. If you don’t want to do it [follow accepted

Because such opponents of academic freedom are less predictable and in some cases more violent than the state, they can cause more self-censorship by researchers.

### ***Student Activities and Campus Demonstrations***

While Egyptian authorities and Islamist militants both inhibit scholarship, the officials also discourage student activities outside the classroom. The extensive and sometimes violent interference with student union elections, for example, has decreased student participation as candidates and voters. An Islamist professor said his students told him they are afraid to run. “They don’t nominate themselves because they are either arrested or summoned to university or security forces. They would rather not put themselves or their parents in that situation. There is a great deal of pressure on them,” he said.<sup>367</sup> While fear drives some students away, the student unions’ ineffectiveness has caused others to lose interest. An Alexandria University student, who described himself as apolitical, said, “The elections for student union are not real elections. Nothing happens and nothing changes. Therefore most [students] don’t nominate themselves because they know the results can’t be changed.”<sup>368</sup> Engineering professor `Issam Hashish from Cairo University concurred. “Even the students who have no background, no political activity, are not allowed to join [the union]. Over time they have lost interest in elections,” he said.<sup>369</sup> The lack of involvement extends even to casting ballots. “The students are increasingly not voting because they are disillusioned. The student union is seen as a government body that is not representative of students,” said Margo Abdel Aziz, U.S. Embassy education specialist.<sup>370</sup> When students keep themselves out of campus politics, they suffer personal frustration and leave a void in leadership that the administration can fill as it wishes.

Government repression has also affected campus protests. News of the demonstration in Alexandria, for example, quickly spread around the country and frightened students at other universities. “People are afraid to go out. They killed someone. Maybe some of us will die,” said Bassam Murtada of Cairo University.<sup>371</sup> Murtada said he personally responded with a mixture of surprise, anger, and guilt. He could not believe violence had

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mores], don't live here.” Human Rights Watch interview with Dalia El-Shayal, assistant professor, English Department, Faculty of Arts, Cairo University, Cairo, February 27, 2003.

<sup>367</sup> Human Rights Watch interview with Islamist professor, Faculty of Dar al-`Ulum, Cairo University, Cairo, March 4, 2003.

<sup>368</sup> Human Rights Watch interview with Alexandria University student #1, Cairo, February 22, 2003.

<sup>369</sup> Human Rights Watch interview with `Issam Hashish, professor, Department of Electronics and Communications, Faculty of Engineering, Cairo University, Cairo, March 3, 2003.

<sup>370</sup> Human Rights Watch interview with Margo Abdel Aziz, Senior EFL/Civil Education Programs Specialist, English Language Programs Office, U.S. Embassy, Cairo, February 19, 2003.

<sup>371</sup> Human Rights Watch interview with Bassam Murtada, Cairo, February 28, 2003.

reached this level. “The whole thing was turning into an absurd thing, as if [the campus were] a battlefield. . . . I couldn’t envision how the government instilled in young people that they are in war. . . . The government won’t stop anywhere, it will go all the way.”<sup>372</sup> Murtada also felt guilty for recruiting classmates for demonstrations because he now feared for himself and others. “The guy who died died an absurd death,” he said. “He was a human being who thought he had a right to express himself, that his voice would make a difference. It was a very absurd death. It makes you think about life.”<sup>373</sup> The violence of the state security forces not only stifled the specific protest in Alexandria but also forced others, even activist students, to think twice before joining campus demonstrations.

Fearing the state’s intimidation tactics, students tend to avoid not only activism but also their activist peers.<sup>374</sup> “Many of my colleagues are afraid to talk to me,” `Ain Shams student Mai Mustafa said. “They don’t care about politics. They just study and go home safely. . . . Mostly they are afraid to get involved.” Iman Kamil, an `Ain Shams graduate, said ordinary students did not want to talk to her because they believed she was a “bad person.” “It increases the demoralization of others and discourages them from being involved,” she said.<sup>375</sup> Only those truly committed to their cause persevere in such an environment.

Self-censorship in student activities and campus demonstrations not only creates a less stimulating academic environment on campus, but it also ill-prepares Egypt’s youth to be active political citizens as adults. Students do not learn how politics work and may associate activism with abuse. The result is a population unwilling to challenge the status quo.

### **Conclusion and Recommendations**

Self-censorship results from pervasive academic freedom violations of two sorts. First, the state directly infringes on freedom of expression, association, and assembly, creating powerful disincentives to participation in university life. Professors and students do not feel free to exchange ideas or gather formally or informally. Even freedom of opinion has been affected. Siddiq noted, “Self censorship inhibits thinking as well as

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<sup>372</sup> Ibid.

<sup>373</sup> Ibid.

<sup>374</sup> Human Rights Watch interview with Iman Kamil, Cairo, February 24, 2003.

<sup>375</sup> Ibid.

expression.”<sup>376</sup> Second, state authorities have failed in their ICCPR Article 2 duty to ensure these rights are protected against intrusion by others. While not every academic who chooses to censor him or herself has necessarily been repressed by the state, the fact that many choose to do so reflects the general climate of fear present on campus. The state has a legal duty to remove that fear, whether state officials or private groups cause it. The latter, notably Islamist militants, have also failed in their obligation to respect the academic freedom of others.

To combat these problems, Human Rights Watch recommends:

- The state remove the direct repression that has led to self-censorship, including censorship of imported books, CAPMAS permit requirements, interference with student union elections, and violent responses to protests.
- *Al-Gihad, al-Gama`a al-Islamiyya*, the Muslim Brotherhood, and other Islamic militants cease direct threats and other actions that have had a chilling effect on course books and research topics.
- The state defend academics who are targeted by non-state actors’ attempts to restrict academic freedom.

## **VIII. Institutional Restrictions and Proposed Reforms**

Egyptian academics suffer not only from direct repression and self-censorship but also, as many are quick to point out, from institutional restrictions on quality education. These restrictions stem from the structure of the state university system and matters under control of the Ministry of Higher Education. While such problems themselves do not directly violate rights, they demoralize members of the academy and compel them to turn elsewhere for personal and professional satisfaction.<sup>377</sup> In recent years, both the Egyptian state and international organizations have recognized these educational problems and offered recommendations to ameliorate them.

### ***Violations of University Autonomy: Professors and Promotions***

State control of appointment and promotion governs professional advancement in Egyptian universities. This violation of university autonomy discourages individual

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<sup>376</sup> Human Rights Watch interview with Irfan Siddiq, head, Press and Public Affairs section, U.K. Embassy, Cairo, February 19, 2003.

<sup>377</sup> Taha-Thomure lists several institutional problems as “causes for the current state of academic freedom in Arab countries” including “the large number of Arab students studying abroad,” “the intellectual brain drain, that is, the emigration of the well-educated Arabs to western nations,” and “scarcity of research.” Hanada Taha-Thomure, *Academic Freedom in Arab Universities*, p. 8 and ch. 4.

initiative and provides disincentives for independent thought. Instead of having students interested in academia apply to graduate programs, the top few graduates in every class receive appointments as lecturers. “Once you’re tapped [for a professorship] that’s what you’ll become,” said Fulbright director Ann Radwan.<sup>378</sup> In the English Department at Cairo University, for example, top students become “junior assistants” who teach English to non-majors.<sup>379</sup> They continue to teach while they get their master’s and Ph.D. and receive state assistance for research related to their thesis and dissertation. Those who finish their doctorates receive professorial appointments.

Promotion at all levels is close to automatic provided one does not stray too far into red line areas. “If you live long enough, you’ll become full professor,” Radwan said.<sup>380</sup> The progression moves from assistant to lecturer, once the Ph.D. is complete. Usually lecturers become assistant professors after five years, associates after ten years, and full professors after fifteen years.<sup>381</sup> “Cases in which promotion is a problem or delayed are rare,” Hamzawy said. “They are related to highly controversial issues like Abu Zaid.”<sup>382</sup> Others agreed that the Abu Zaid case was an aberration. According to el-Bahrawy, “In the case of Abu Zaid, there were some religious and political issues that the committee didn’t like.”<sup>383</sup> Although promotion is rarely denied, the system involves government intrusions on university autonomy.

Promotion depends on tailoring research to state-imposed standards rather than increasing knowledge in the field. “If you are a master’s student, you have to publish a certain number of research [articles] to get promoted. . . . Supervisors have to agree with what you’re saying and choose the subject,” Seif El Dawla said.<sup>384</sup> A national review committee, instead of a panel of university peers, makes decisions on professorial promotions. It judges cases based on twenty-five percent department performance

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<sup>378</sup> Human Rights Watch interview with Ann Radwan, executive director, Binational Fulbright Commission, Cairo, February 20, 2003.

<sup>379</sup> Human Rights Watch interview with assistant lecturer, Faculty of Arts, Cairo University, Cairo, February 17, 2003.

<sup>380</sup> Human Rights Watch interview with Ann Radwan, executive director, Binational Fulbright Commission, Cairo, February 20, 2003.

<sup>381</sup> Human Rights Watch interview with Sayyed el-Bahrawy, professor of modern Arabic literature, Department of Arabic Literature and Language, Faculty of Arts, Cairo University, Cairo, February 25, 2003.

<sup>382</sup> Human Rights Watch interview with Amr Hamzawy, assistant professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, Cairo, February 26, 2003. See also Human Rights Watch interview with `Issam Hashish, professor, Department of Electronics and Communications, Faculty of Engineering, Cairo University, Cairo, March 3, 2003.

<sup>383</sup> Human Rights Watch interview with Sayyed El-Bahrawy, professor of modern Arabic literature, Department of Arabic Literature and Language, Faculty of Arts, Cairo University, Cairo, February 25, 2003.

<sup>384</sup> Human Rights Watch interview with Aida Seif El Dawla, professor of neuropsychiatry, Faculty of Medicine, `Ain Shams University, Cairo, February 26, 2003.

(including teaching and committee work) and seventy-five percent research. Under these circumstances, research has become primarily a means to an end. “Little is done for the sake of research. It has a function, to get a promotion or degree,” Seif El Dawla said.<sup>385</sup> State control of research at all levels has given professors more reason to fear straying into controversial red line areas and hindered innovation in Egyptian scholarship.

For those who follow the rules, professorial promotion is relatively automatic, but appointment to an administrative position is more narrowly restricted to supporters of the Mubarak government. El-Bahrawy said, “In administrative positions, political views affect [promotion] 200 percent.”<sup>386</sup> This process interferes with academic freedom by limiting advancement opportunities for outspoken professors. If professors want to be deans someday, they must work with the government and avoid any controversial research. “On the whole, the government has great respect for courageous and independent and competent professors. They might express displeasure but no further. But [these professors] won’t become deans or rectors,” al-Sayyid explained.<sup>387</sup> This appointment system punishes independent thought and puts more intellectually conservative academics in leadership positions.

### ***Lack of Choice: Student Apathy and Frustration***

The national universities give students few choices in their education. When high school students graduate from secondary school, they take an exam that determines which university and which faculty they will go to. They have the option of taking the science or humanities exam, but otherwise their test scores determine their future. “If you get good grades, you go to the Faculty of Medicine no matter what you want to do. It’s command education,” Radwan said.<sup>388</sup> Because Egyptian students are not free to choose which faculty they enroll in, they do not necessarily study the subjects that most interest them and are often less committed to the learning process.

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<sup>385</sup> Ibid.

<sup>386</sup> Human Rights Watch interview with Sayyed el-Bahrawy, professor of modern Arabic literature, Department of Arabic Literature and Language, Faculty of Arts, Cairo University, Cairo, February 25, 2003.

<sup>387</sup> Human Rights Watch interview with Mustapha Kamel al-Sayyid, professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, and Political Science Department, AUC, Cairo, February 25, 2003.

<sup>388</sup> Human Rights Watch interview with Ann Radwan, executive director, Binational Fulbright Commission, Cairo, February 20, 2003. In recent years, students have been allowed to join a faculty with a lower grade if they pay more. They usually do home study and take exams pass/fail. While it generates income, the system has sparked some resentment. “If you have two thousand places, you should fill them with students who got the grade required by the state,” recent graduate Ibrahim said. Human Rights Watch interview with Tamir Sulaiman Ibrahim, Cairo, February 20, 2003.

Once at university, students find education very rigid. The curriculum is largely standardized, and they have virtually no electives. Class sizes are huge and teaching is done primarily in lectures. At Cairo University, the Faculties of Law and Commerce commonly have two thousand students per class.<sup>389</sup> Many students said they skip class and just take the exams at the end of the semester. “The whole process of education is based mainly on learning by heart,” said Seif El Dawla.<sup>390</sup> If students fail a course, they have to take it again before moving on to the next year of college, thus delaying the rest of their education. The impersonal character of the university system, standardized curriculum, and lack of class discussion dampen enthusiasm for learning.

While a rigid educational system is not uncommon in certain parts of the world, Egyptian students repeatedly expressed frustration. `Ain Shams student Mustafa, who was having difficulty interpreting Machiavelli, said her professor told her, “Just memorize it, don’t understand.” She added, “You can’t challenge any doctor [of philosophy].”<sup>391</sup> Muhammad Faruq said he feels stifled by the system. “The whole educational system doesn’t encourage creativity. It’s a way of thinking, way of upbringing. It doesn’t allow for different points of view. . . . We memorize like parrots. If you don’t write exactly what the professor says, you don’t get good grades,” Faruq said.<sup>392</sup> He contrasted the national university system to AUC where students can choose courses and research topics. “It helps to make students feel like humans. Their point of view is important. It helps to introduce better humans into society.”<sup>393</sup> Nadir Muhammad said students in the state universities have to make an effort to find the good professors and “spark debate” in the classroom.<sup>394</sup> The administration, however, sometimes cuts such professors off from their students. “Professors are fixed in their jobs like tenure, but if they dissent, they give him a salary but won’t let him teach, or only [for] a few hours, or only [at a] post-graduate level,” the *al-Ahram* journalist said.<sup>395</sup> Rather than serve as intellectual role models for students, professors often become part of the state’s repressive system.

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<sup>389</sup> Human Rights Watch interview with Tamir Sulaiman Ibrahim, Cairo, February 20, 2003.

<sup>390</sup> Human Rights Watch interview with Ann Radwan, executive director, Binational Fulbright Commission, Cairo, February 20, 2003. Radwan said, “There are large lectures with sections and TAs [teaching assistants]. Students rarely go to class. It is exam driven—buy books and memorize, not the Socratic method.” Ibid.

<sup>391</sup> Human Rights Watch interview with Mai Magdi Mustafa, Cairo, March 2, 2003.

<sup>392</sup> Human Rights Watch interview with Muhammad Faruq, Cairo, March 4, 2003.

<sup>393</sup> Ibid.

<sup>394</sup> Human Rights Watch interview with Nadir Muhammad, Cairo, March 4, 2003.

<sup>395</sup> Human Rights Watch interview with *al-Ahram* journalist, Cairo, February 14, 2003.

## **Budgetary Burdens**

Budget limitations exacerbate the other institutional restrictions on Egyptian intellectual life. Although the university's budget has increased in recent years, its resources are still insufficient. Minister of Higher Education Shehab said his ministry's budget, which was 4.7 billion LE (about \$763 million) in 2003, is inadequate.<sup>396</sup> "Of course it's not enough for the number of students, but when you compare to twenty years ago, it was 283 million LE [\$45.9 million]. The government is giving more but still not enough," the minister said.<sup>397</sup>

## **Professors**

Professors frequently complain about insufficient salaries. Al-Sayyid, a full professor at Cairo University, makes 1,800 LE, or \$292, per month.<sup>398</sup> He supplements this income by teaching at AUC and serving as director of the Center for the Study of Developing Countries at Cairo University.<sup>399</sup> El-Bahrawy, a full professor in Cairo University's Arab Language and Literature Department, makes 2,000 LE, or \$325, per month. He said his base salary is much less—about 300 LE, or \$49—but it is supplemented with money for administrative work and thesis advising.<sup>400</sup> An `Ain Shams professor who is on leave at a private university described the financial situation as "devastating." "Salaries are not at a human level. The basic salary is embarrassingly funny. An associate professor makes not more than 500 LE [\$81] a month. You never exceed 2,000 LE," she said.<sup>401</sup> When teaching at `Ain Shams, she said she "always had to look for extra work to do. I needed another [means] of living."<sup>402</sup> A lecturer in Cairo University's Faculty of Arts reported that salaries are very small compared to those at private universities or in other fields. "The decision to remain in the university is not an easy one to make," she said.<sup>403</sup>

The low salaries affect the quality of teaching and research in Egypt. Many professors increase their earnings by selling books or photocopied packets to students. They prefer

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<sup>396</sup> Human Rights Watch interview with Moufid Shehab, minister of higher education, Cairo, March 2, 2003.

<sup>397</sup> Ibid.

<sup>398</sup> Salary figures date to the time of interview in February or March 2003.

<sup>399</sup> Human Rights Watch interview with Mustapha Kamel al-Sayyid, professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, and Political Science Department, AUC, Cairo, February 25, 2003.

<sup>400</sup> Human Rights Watch interview with Sayyed el-Bahrawy, professor of modern Arabic literature, Department of Arabic Literature and Language, Faculty of Arts, Cairo University, Cairo, February 25, 2003.

<sup>401</sup> Human Rights Watch interview with `Ain Shams University professor, Cairo, March 1, 2003.

<sup>402</sup> Ibid. The average annual income in Egypt in 2001 was \$1,490 or 9,290 Egyptian pounds (LE). World Bank Group, "Country Brief: Middle East & North Africa Region (MENA)—Egypt," February 2004.

<sup>403</sup> Human Rights Watch interview with assistant lecturer, Faculty of Arts, Cairo University, Cairo, February 17, 2003.

large classes because they can make more money and in the process increase the student-faculty ratio. “It’s not what they can teach them, it’s what they can sell them,” said Nadia Touba of Alexandria University. “It’s the result of the economic circumstances here.”<sup>404</sup> The salary problem has affected scholarship because many professors no longer prioritize research. They use their free time to teach at private universities or to take high-paying consultancies. “They work in the morning in national universities, then go to private universities to work. Therefore there is no time to do academic research,” el-Bahrawy said.<sup>405</sup> Earning enough money, not teaching and scholarship, is the main goal of many professors.

Dissatisfaction with salaries has caused an exodus of Egyptian academics to the Gulf states where salaries are significantly higher. “The door is open to thousands of professors to work in the Gulf,” el-Bahrawy said.<sup>406</sup> This emigration deprives Egypt of some of its homegrown academics. Those who do return bring back the region’s more socially, intellectually, and religiously conservative attitudes. “Some university professors who go to the Gulf come back to spread the culture of the Gulf to their students,” the *al-Ahram* journalist said. “The first to separate girls and boys in lectures were from Saudi Arabia.”<sup>407</sup> Such imported practices move Egypt even further from a system of education that respects and protects academic freedom.

## **Students**

Although advanced education in Egypt is state-funded, students complain about the need for more financial support. First, many students find they cannot afford textbooks. They try to use cheaper photocopied versions, but some professors who depend on book royalties to supplement their meager income will compel their students to buy their books. They ask the bookstore to keep track of who purchases books and penalize students with bad grades if they are not on the list.<sup>408</sup> “You have to buy books [inside campus] because professors intimidate students. Most students cannot afford them,” Murtada said.<sup>409</sup> Second, although university education is free in principle, the

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<sup>404</sup> Human Rights Watch interview with Nadia Touba, associate professor, English as a Foreign Language, Faculty of Education, Alexandria University, Cairo, February 24, 2003.

<sup>405</sup> Human Rights Watch interview with Sayyed el-Bahrawy, professor of modern Arabic literature, Department of Arabic Literature and Language, Faculty of Arts, Cairo University, Cairo, February 25, 2003.

<sup>406</sup> Ibid.

<sup>407</sup> Human Rights Watch interview with *al-Ahram* journalist, Cairo, February 14, 2003.

<sup>408</sup> Human Rights Watch interview with assistant lecturer, Faculty of Arts, Cairo University, Cairo, February 17, 2003. Some students resort to photocopying books because they are expensive and not always available. Some books, like dictionaries, are subsidized.

<sup>409</sup> Murtada outlined a different five problems including the price of books, numbers of students, system of exams, university guards, and increasing student body without money or facilities. Human Rights Watch interview with Bassam Murtada, Cairo, February 28, 2003.

universities do charge a small annual fee of about 80 LE, or \$13, which can be difficult for poor students. The state has no system of financial aid to help low-income students cover the costs of books and fees. Interviewees from Cairo, `Ain Shams, and Alexandria universities echoed these concerns.

### ***Facilities***

Both professors and students complained about poor facilities. Professors have to rely on their own resources for professional necessities. “There is no motivation even if you want to do work well. There is no pay, no facilities,” al-Sayyid said.<sup>410</sup> In Cairo University’s Faculty of Economics and Political Sciences, six professors share one office. An assistant lecturer in the Faculty of Arts said she did not have an office and worked at home.<sup>411</sup> Professors repeatedly disparaged the quality of university libraries. “Libraries, laboratories, and computer labs are at a very elementary level. It’s all a matter of resources and administration and management,” an `Ain Shams professor said.<sup>412</sup> Rachid described the library in her faculty as “very bad” without a budget to buy new books.<sup>413</sup> The situation is even worse for those who need labs, and professors in the natural and physical sciences thus have priority when the state sends academics abroad.<sup>414</sup> Students suffer not only from poor libraries and labs but also from decrepit hostels, where out-of-town students live. The rising number of students makes matters worse. “There is something wrong in the system of education. There is not enough money or facilities,” Murtada said.<sup>415</sup>

### ***Proposed Reforms***

Both national and international bodies have recognized Egypt’s educational problems and called for reform. In 2000, the Ministry of Higher Education published a twenty-five

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<sup>410</sup> Human Rights Watch interview with Mustapha Kamel al-Sayyid, professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, and Political Science Department, AUC, Cairo, February 25, 2003.

<sup>411</sup> Human Rights Watch interview with assistant lecturer, Faculty of Arts, Cairo University, Cairo, February 17, 2003.

<sup>412</sup> Human Rights Watch interview with `Ain Shams University professor, Cairo, March 1, 2003.

<sup>413</sup> Human Rights Watch interview with Amina Rachid, professor, Department of French, Faculty of Arts, Cairo University, Cairo, February 25, 2003. In addition, after she turns sixty years old she can no longer borrow books. An assistant lecturer from Cairo University said, “I don’t have a library that covers my needs. I rely on AUC, but not everyone is allowed in and you can’t take books out.” Human Rights Watch interview with assistant lecturer, Faculty of Arts, Cairo University, Cairo, February 17, 2003.

<sup>414</sup> Human Rights Watch interview with Sayyed el-Bahrawy, professor of modern Arabic literature, Department of Arabic Literature and Language, Faculty of Arts, Cairo University, Cairo, February 25, 2003; Human Rights Watch interview with Mustapha Kamel al-Sayyid, professor, Political Science Department, Faculty of Economics and Political Sciences, Cairo University, and Political Science Department, AUC, Cairo, February 25, 2003.

<sup>415</sup> Human Rights Watch interview with Bassam Murtada, Cairo, February 28, 2003.

step strategic plan to improve Egyptian universities. These reforms have yet to be implemented, but they provide useful recommendations to supplement those in this report. In 2002 and 2003, the United Nations Development Programme (UNDP) issued *Arab Human Development Reports*, which include assessments of contemporary education and its potential impact on the Arab world.

### ***The Ministry of Higher Education's "Strategic Plan"***

When asked about the universities' poor condition, Minister of Higher Education Shehab emphasized his package of proposed reforms. The "Strategic Plan to Reform the System of Higher Education" includes twenty-five projects designed to improve university education in Egypt.<sup>416</sup> They do not directly address the more egregious academic freedom violations discussed in chapters five through seven of this report, but they offer some possibilities for improving the institutional structure. For these reforms to be more than hollow promises, the ministry must ensure that they are implemented in a way that upholds international standards for academic freedom.

The proposed reforms are designed in part to improve the quality of higher education. "We've lived for forty years taking care of numbers, and not qualitative [changes]. Now we're trying to balance quality and quantity," Minister Shehab said.<sup>417</sup> The plan, for example, gives students more choice in their education. The sixth project modifies the matriculation process so that students' placements are based on "the capabilities of students enrolling and their interests, in addition to their cumulative grades."<sup>418</sup> Such a reform could increase students' involvement in and enthusiasm for their education and better match skills to potential careers. The eighteenth project tries to help students at the other end of their education by studying how successful they are in finding appropriate jobs.<sup>419</sup>

Other projects focus on improving facilities. The seventh project seeks to improve the libraries, which many academics described as disastrous. While well-intended, this project calls for an assessment and strategic plan instead of actual improvements based on available resources. It does not address the censorship of imported books.<sup>420</sup> Project twenty-three calls for new sources of financing for the national universities.<sup>421</sup> According

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<sup>416</sup> National Conference on Higher Education, *The Strategic Plan to Reform the Organization of Higher Education*, February 13-14, 2000 [hereinafter *The Strategic Plan*].

<sup>417</sup> Human Rights Watch interview with Moufid Shehab, minister of higher education, Cairo, March 2, 2003.

<sup>418</sup> *The Strategic Plan*, p. 42.

<sup>419</sup> *Ibid.*, p. 55.

<sup>420</sup> *Ibid.*, p. 43.

<sup>421</sup> *Ibid.*, p. 61.

to the minister, the state has asked for an 11 million Euro (\$13.6 million) grant to help fund the reforms. The World Bank has already agreed to disburse a \$50 million, or 312 million LE, loan from 2002 to 2007 to pay for eleven reform projects, and the Egyptian government has pledged 720 million LE, or \$117 million, over five years to contribute to the plan's implementation.<sup>422</sup>

At least two of the projects have the potential to increase academic freedom in Egypt, but if implemented improperly, they could make the situation worse. The first project would create a new university law.<sup>423</sup> As discussed above, the University Law of 1979 is one of the major obstacles to academic freedom on campus. Drafting new legislation would give the ministry the opportunity to reform problems like the deans appointment process or the "good conduct" clause for student union elections. The project says universities should "achiev[e] financial and administrative independence," which would also increase their autonomy.<sup>424</sup> New legislation, however, could tighten restrictions on academic freedom if international law is not heeded. The twentieth project requires a review of "prevailing techniques in cultural, artistic, and athletic extra-curricular student activities."<sup>425</sup> Such activities need major reform because the university administration and state police have prevented them from being meaningful forums for expression. The proposal also calls for "deepening national feelings and creating a unity of values of morals."<sup>426</sup> This clause suggests that the project might be used to decrease rather than increase freedom in student activities.

The *Strategic Plan* is far from a panacea and at this point it remains a paper proposal. It does have potential to improve university life in some ways. To ensure that any changes have a positive effect on higher education, the ministry should bear in mind the recommendations of this report as well as the principles of academic freedom when implementing the proposed reforms.

### ***UNDP Reports***

The UNDP has issued two *Arab Human Development Reports* that address education in the Arab world. The 2002 report found that the education in the region generally compares unfavorably to that of other countries. The UNDP concluded, "Arab countries have

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<sup>422</sup> Human Rights Watch interview with Moufid Shehab, minister of higher education, Cairo, March 2, 2003; "Egypt: World Bank Approves \$50 Million to Improve Higher Education," World Bank News Release No. 2002/281/MENA, April 16, 2002.

<sup>423</sup> *The Strategic Plan*, p. 37.

<sup>424</sup> *Ibid.*

<sup>425</sup> *Ibid.*, p. 56.

<sup>426</sup> *Ibid.*

made great strides in education, particularly since the middle of the twentieth century. Nevertheless, educational achievement in the Arab countries as a whole, judged even by traditional criteria, is still modest when compared to elsewhere in the world, even in developing countries.”<sup>427</sup> It describes quality as “the Achilles heel of education in the Arab world.”<sup>428</sup> The findings accurately describe the situation in Egypt, reflecting poorly on the region’s historic intellectual leader and role model.

The report offers recommendations to address these shortcomings at all levels of education. Of particular relevance here are four reforms that the UNDP says are “urgently needed” to improve higher education. The first relates directly to one of the core principles of academic freedom—university autonomy. “[H]igher education should be liberated from the domination of both government and the unregulated profit motive,” the report says.<sup>429</sup> While the state should retain responsibility for facilitating reforms, it should free universities so that they are run by independent boards. The second and third reforms address some of the institutional restrictions on university education described above. The second calls for expansion, without “a deterioration of quality,” and the third a “powerful shake-up to improve quality.” According to the UNDP, improved quality involves a financial investment that includes increasing salaries, bettering facilities, and enhancing “teaching and research capacities.”<sup>430</sup> The study also calls on the government to reform its rigid matriculation system. Fourth and finally, it argues for additional “flexibility” to allow students and universities to adapt to a rapidly changing world. It urges universities to use a variety of educational methods, continuously adapt to changing circumstances with new technologies, and provide students the opportunity to engage in lifelong learning.<sup>431</sup> If implemented, such reforms would help alleviate the academic freedom repression and institutional restrictions that pervade Egypt’s universities.

In its 2003 *Arab Human Development Report*, the UNDP focuses on building a “knowledge society” in the Arab world and expands its analysis of the state of education in the region. The report reiterates the reforms proposed in 2002 for higher education and continues to emphasize the need for greater autonomy and better quality. It also addresses specifically concerns raised here about Egypt, most notably, the importance of protecting freedom of opinion, expression, association, and assembly. As the UNDP report phrases it, it is “imperative to end the era of *administrative control and the grip of*

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<sup>427</sup> UNDP, *Arab Human Development Report 2002* (New York: UNDP, 2002), p. 51.

<sup>428</sup> *Ibid.*, p. 54.

<sup>429</sup> *Ibid.*, p. 61.

<sup>430</sup> *Ibid.*

<sup>431</sup> *Ibid.*, p. 62.

*security agencies* over the production and dissemination of knowledge.”<sup>432</sup> The report also calls attention to the role of non-state actors in repressing intellectual freedom. It finds, “Official and unofficial religious circles have also sought to muzzle freedom of opinion and speech through censorship, banning and libel.”<sup>433</sup> If existing conditions are not remedied, the report concludes, “Arabs [will] remain in a marginal position in this next phase of human history.”<sup>434</sup>

## IX. Conclusion

Higher education in Egypt is in urgent need of reform. Systemic government repression has stifled the four major areas of university life—the classroom, research, student activities, and campus protests. Private actors, primarily Islamist militants, have produced an atmosphere of intimidation that authorities have abetted in some cases and tolerated in others to the further detriment of academic freedom. Self-censorship and institutional problems also contribute to a climate where professors and students are too fearful or apathetic to challenge the status quo. Together these factors violate Egyptian academics’ rights to freedom of opinion, expression, association, and assembly as well as university autonomy. To regain its intellectual leadership in the Arab world, Egypt must free its universities from these restrictions and create an environment where academic freedom is allowed to flourish.

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<sup>432</sup> UNDP, Arab Human Development Report 2003, p. 165.

<sup>433</sup> *Ibid.*

<sup>434</sup> *Ibid.*, p. 163.

## Appendix

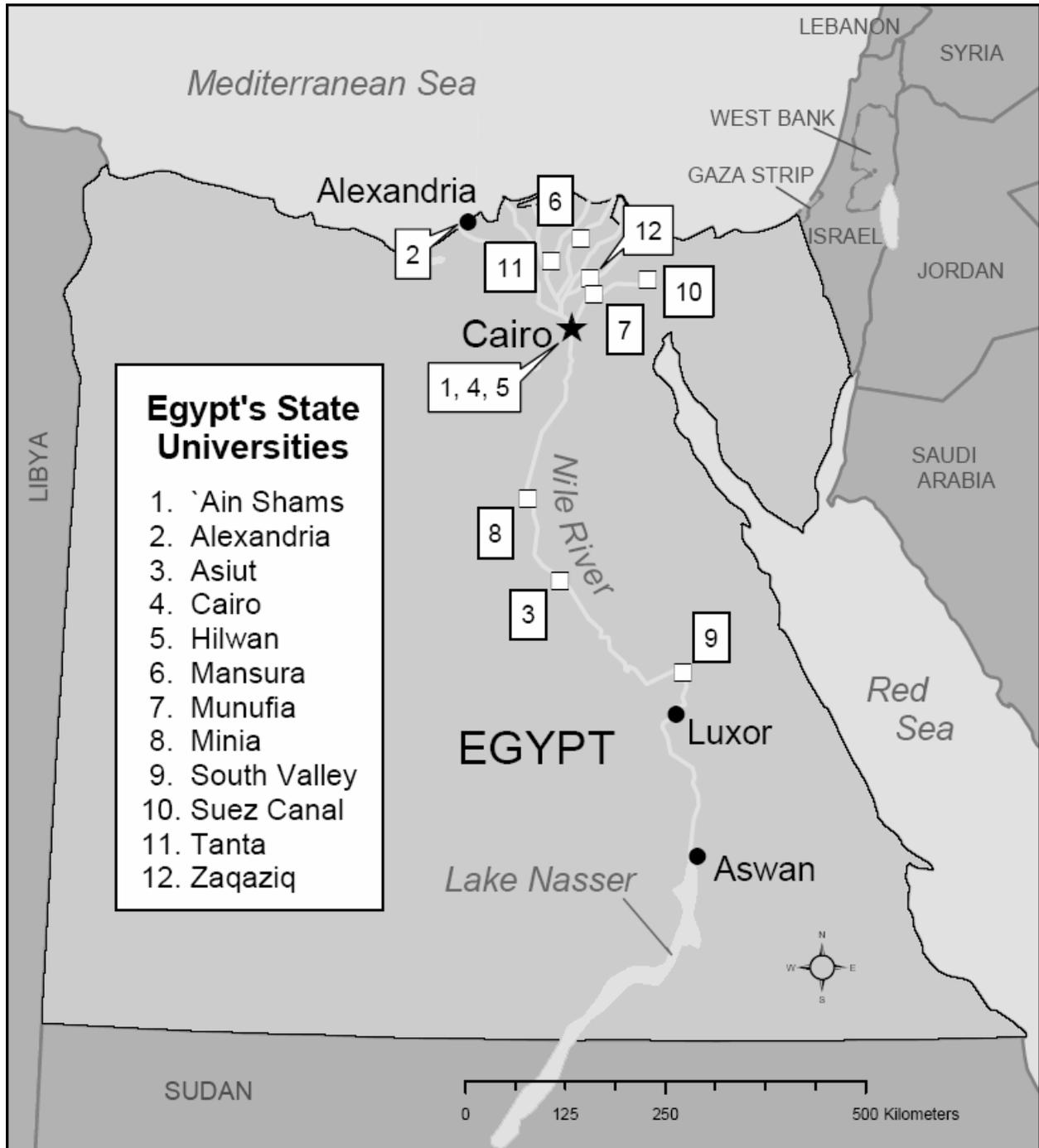
**The National Conference on Higher Education**  
***The Strategic Plan to Reform the Organization of Higher Education***  
**February 13-14, 2000**

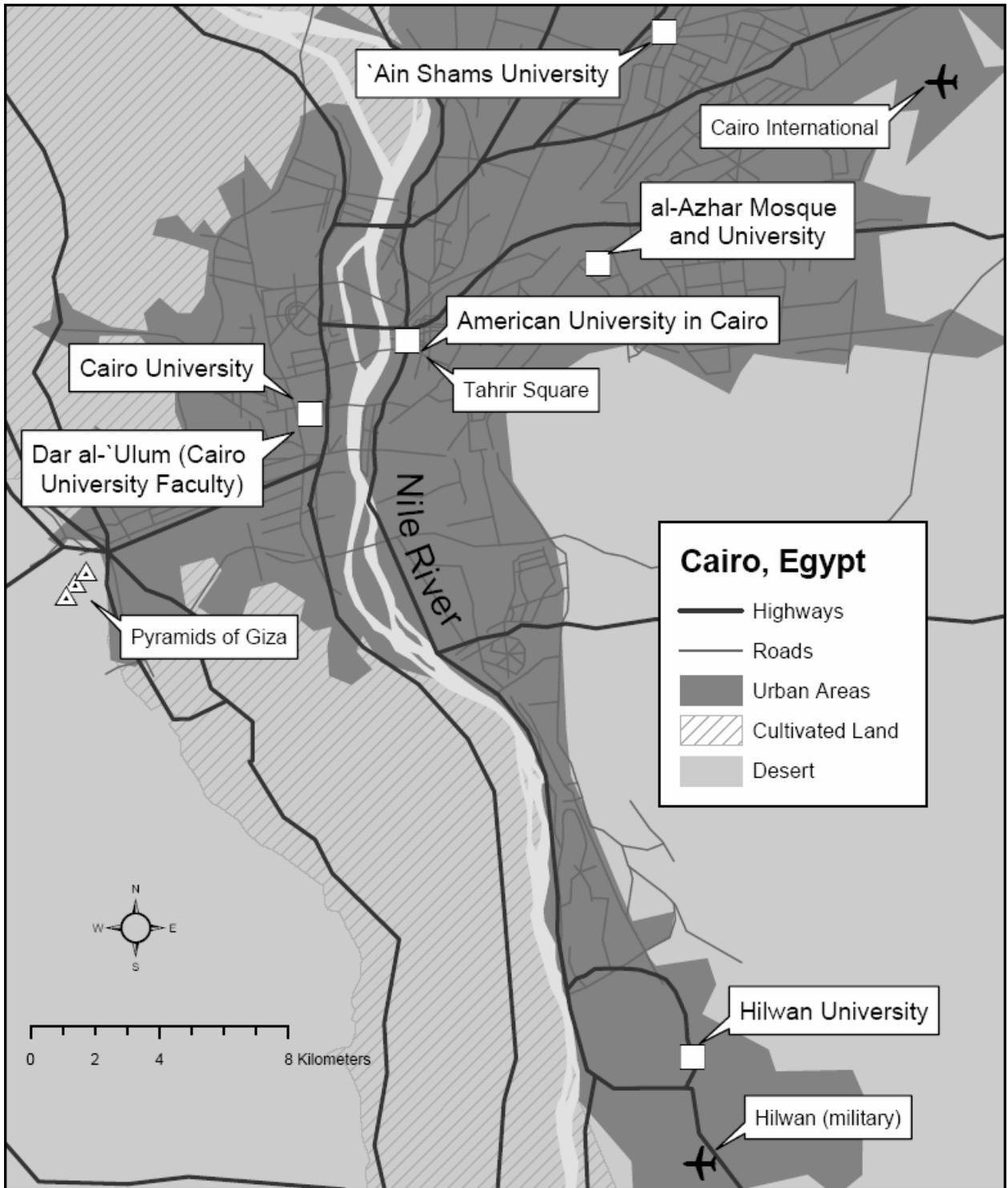
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|------------|--|
| Project 1  | Preparation of new legislation for higher education  |
| Project 2  | Preparation of a new organizational map for higher education   |
| Project 3  | Development and rearrangement of colleges of education and teacher preparation   |
| Project 4  | Creation of a national center for the development of technologies and teaching aides and the development of systems and testing techniques |
| Project 5  | Complete overhaul for curricula and training courses   |
| Project 6  | Development of processes for enrollment in higher education  |
| Project 7  | Improvement of libraries, sources of information, and educational materials  |
| Project 8  | Improvement of higher and mid-level institutes   |
| Project 9  | Evaluation and development of systems and programs and technologies for “open education” and new modes of higher education                 |
| Project 10 | Intensification of IT use and development of systems for decision-making processes   |
| Project 11 | Rearrangement of scientific departments and planning of vocational structures  |

- Project 12      Creation of the national center for the creation and development of faculty affairs
- Project 13      Development of higher education systems and programs
- Project 14      Support and development of systems and methods for scientific research
- Project 15      Modernization of administration of higher education
- Project 16      Creation of the national center for the development of administrative leadership in higher education
- Project 17      Intensification of bonds between institutes of higher education in the sectors of industry
- Project 18      Establishment of a center for the monitoring and integration of higher education graduates into the work force
- Project 19      Development of scientific cooperation and exchange between Egyptian institutes of higher education and others abroad as well as the utilization of Egyptian scientists abroad
- Project 20      Cultural, artistic, athletic, and social development of the student body
- Project 21      Development of mechanisms to cater to the gifted and accelerated students
- Project 22      Support of programs in project 21 in higher education and the creation of a roadmap for them
- Project 23      Development of multiple additional sources for the financing of higher education

- Project 24      Creation of a national system for quality control and accountability
- Project 25      Creation of an “equivalence” system for degrees from institutes of  
higher education

## Maps





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