

### 3. A Reading of the Incidents of Violence in Daqahliya Governorate

#### 3.1 Introduction

In May 1982, in the early days of Mubarak's regime, the farmers' refusal to grow the government-mandated quota of rice was dealt with in the following manner: a wave of pre-dawn raids in the Nile Delta was staged, involving the use of heavily armed police troops and masked informants to round up people in numerous villages. In the governorate of Daqahliya alone, as many as 14,000 farmers were dragged before the courts, and if the 'suspects' could not be found at the time, their family members were taken hostage. It was more common for local representatives of the Ministry of Agriculture to rely on economic sanctions, such as fining farmers or threatening to withhold government credit, in order to pressurise them into growing the required quota.<sup>1</sup> The Daqahliya raid, however, indicated the measures that the regime was prepared to take, in order to impose its authority. This theme will be taken up in the following chapter, which focuses on incidents of violence related to Law 96 that occurred in Daqahliya during the first years of its implementation.<sup>2</sup>

Landholding issues became particularly intense in the governorate of Daqahliya when Law 96 was introduced. One reason for this may have been a higher degree of politicisation of the land issue, due to rallies that were organised by the left-leaning opposition party Tagamu' in the months leading up to the full implementation of the law. In addition, conflicts over land and related issues in Daqahliya were particularly bitter, as a greater number of large estates (over 100 feddans) had remained intact over the years compared to other areas of the Delta. The implementation of Law 96, therefore, often involved the expulsion of many leaseholders from their land and attached housing rented from the same family. The Land Centre for Human

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<sup>1</sup> Sadowsky 1991, pp. 51, 52

Rights (LCHR) documented incidents of violence related to Law 96 that occurred in 23 villages in Daqahliya in 1997, resulting in 90 injuries and 484 arrests, as shown in the table below.

As can be seen from the figures, no deaths resulted from violence that broke out in Daqahliya in 1997, but together with the governorates of Fayyum and Qena (to the south of Cairo), the number of injuries sustained by farmers was higher than in other areas (these three governorates accounted for 44 percent of the total number of injuries). In addition, there were more arrests in Daqahliya than in any other governorate (21 percent of the total number of arrested farmers).<sup>3</sup> If one analyses the events of violence pursuant to Law 96 in Daqahliya, particularly in the years of 1997/98, a familiar pattern emerges. Whether the incidents were connected directly to contestation over agricultural land, such as the eviction of tenants from their plots, or indirectly, such as conflicts over housing, irrigation and inheritance issues; it soon became clear that the regime was in no mood to negotiate. Sporadic and largely spontaneous resistance by dispossessed farmers in some villages was met with violent and arbitrary intervention on the part of the police and state security, leading to an escalation of violence that could have been averted in many instances.

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<sup>2</sup> There are 438 villages in the ten districts of Daqahliya governorate: El Mansûra, Aga, El Simbillâwein, El Manzala, Dikirnis, Shirbîn, Bilqâs, Mît Ghamr, Muniyet El Nasr and Talkha. The area of land under agricultural cultivation in Daqahliya covers around 638,092 feddans, which makes up almost eleven percent of the total cultivated land in Egypt (most recent figures available for year 1995, CAPMAS 2001, p. 67). See Appendices X and XI for details about the distribution of landholdings in Daqahliya.

<sup>3</sup> See also Tables B and C at the end of the chapter.

**Table A: Recorded Deaths, Injuries and Arrests in Rural Egypt Relating to Law 96, January – December 1997**

Governorate	Deaths	Injuries	Arrests
Giza	4	66	194
Assuit	4	18	129
Sharkia	3	37	78
Minya	5	5	156
Daqahliya	–	90	484
Sohag	1	15	3
Damietta	–	–	–
Fayyum	4	91	183
Suez	–	–	–
Minoufia	–	15	67
Kalubia	–	16	26
Gharbia	1	57	191
Qena	2	106	412
Beheira	2	68	180
Aswan	–	–	–
Beni Suef	–	21	72
Port Said	–	–	–
Kafr El Sheikh	1	17	26
Ismailia	–	–	–
Alexandria	–	22	22
Other	1	15	118
<b>Total</b>	<b>28</b>	<b>659</b>	<b>2,341</b>

Source: Land Centre for Human Rights, Cairo, 1998<sup>4</sup>

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<sup>4</sup> This data was compiled from figures published in Ismail 1998, pp.137–139. They should only be taken as a rough estimate, however, as other fatalities and injuries reported in the media were not included in the data provided by the LCHR.

One key motivation for actions taken by the champions of ‘law and order’ was to implement the law as quickly and efficiently as possible, without referring to proper arbitration procedures as this would have dragged out the entire process. But why did the police and security forces respond to the farmers’ resistance with such seemingly unnecessary brutality? Kienle once referred to the “possible tendency of authoritarian regimes to reinforce their authoritarian features over time”.<sup>5</sup> This tendency may have been further exacerbated by the heightened atmosphere of political violence in Egypt from the early nineties, due to the increased number of attacks by militant Islamist groups. These incidents included bombings, ambushes, assassinations and other armed incidents mainly in the governorates of Upper and Central Egypt, but also in the capital. According to the Ibn Khaldun Centre, political violence resulted in the deaths of 30 persons in 1991 alone, as many as in the previous ten years of Mubarak’s rule. Moreover, the number of victims grew rapidly from 93 in 1992 to 415 in 1995, while the notorious Luxor massacre of 1997 hit the international headlines, as 58 of the 62 people killed were foreign tourists.<sup>6</sup> At the same time, the growing popularity of certain factions of the Islamist groups, some with rural origins, posed a serious threat to the regime’s legitimacy.

Although the increased vigilance on the part of the state was an important aspect of the political context in which Law 96 was implemented, it should also be emphasized that many individual acts of violence perpetrated by the regime’s agents may have been linked to personal agendas. These agendas were concerned with localised regimes of power that had their own internal logic. For example, there were numerous cases in which the police and/or state security colluded with influential power brokers at the local level for their mutual benefit. In such cases, a scenario of violent action ensued, whereby “the perpetual threat of excessive violence, the perpetual readiness to use violence is, in itself, a means of power as it enforces compliance and prevents sanctions”.<sup>7</sup> Kienle emphasised that although Mubarak’s regime successfully sought centralization of power and the monopoly over legitimate political activities, the effectiveness of the state apparatus, including that of its ‘security’ forces left much to be

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<sup>5</sup> Kienle 2000, p. 158

<sup>6</sup> Ibid, pp. 134–137

desired, partly because ‘loyalty to the state was only one of the loyalties that officials could have’.<sup>8</sup> This is fundamental to the understanding of how the liberalisation of land rents and the concurrent de-liberalisation of liberties took place at the village level.

Yet, a certain patina of legitimacy was necessary for the regime’s agents to implement their reformative agenda successfully, no matter how fake it proved to be in reality. Thus, ‘the rule of law in the interests of national security’ was the slogan raised by the so-called peace keeping forces, providing them with a virtual *carte blanche* to go into villages like fire fighters. Even the smallest spark of resistance had to be quelled immediately to prevent the outbreak of a conflagration. The justification for this intervention was containment. Rural violence had to be contained and the fire fighter rhetoric applied, even when conflicts over land were not directly related to Law 96 as will be shown in the village case studies below.

### **3.2 Methodological Challenges**

Incidences of rural violence in Egypt have often been widely under-reported and/or misinterpreted. Any studies so far conducted on the issue have been sporadic and piecemeal, due to severe censorship and restrictions of movement faced by local and foreign researchers. In addition, Bush points out that ‘given the level of political and police repression, it is not surprising that many rural dwellers have been subjugated to very limited spaces wherein they can express their grievances’.<sup>9</sup> It is also true that in most cases, there is simply not enough reliable evidence. As Mitchell writes, “Victims can disappear, survivors may fear to speak, investigations, if they occur, produce only accusations and hearsay, or they are organized to serve larger political purposes.”<sup>10</sup> This makes it difficult to analyse the extent to which agrarian tensions have played a key role in the genesis of rural dissent, as the motives for its occurrence

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<sup>7</sup> Eckert 2000, p. 142

<sup>8</sup> Kienle 2000, p. 10. Similarly, Eckert emphasised that in India, “the failure of the agents of the state to act as neutral arbiters is due to the fact that the representatives of the state are, beneath their uniforms, also part of communities”. (Eckert 2000, p. 161)

<sup>9</sup> Bush 2002a, p. 193

<sup>10</sup> Mitchell 2002, p. 153; see also Hopkins and Westergaard 1998, p. 10.

are not accounted for in any official sources. Yet individual recollections may be crucial for the piecing together of the events, even if recounted by those who were not involved directly at the time.<sup>11</sup> Indeed the way in which the experience of violence continues to live on in people's memories may tell us more than the original act itself. And as Hopkins and Westergaard once observed, 'violence is as important by its representation as by its reality, since what matters is not only its direct political outcome, but what is said or not said about it'.<sup>12</sup>

Moreover, as already noted in Chapter 2, most official reports about rural violence in Egypt tend to be one-sided. This is even the case for existing literature on the subject. For example, in Nathan Brown's extensive study of rural resistance and rebellions in modern Egypt, the actions taken by the fellahin against local and national symbols of authority are well-documented.<sup>13</sup> However, there is little documentation of the state's response to such actions.<sup>14</sup> To quote Mitchell: "It seems to be a convention of the literature that rural violence refers to the violence of the poor and the powerless. The phrase is not usually taken to mean violence against these groups. Although the latter may be discussed in explaining the context of rebellions or the reactions they provoke, it is seldom the focus of analysis."<sup>15</sup> The public discourse on land-related violence during Law 96's implementation is a case in point. The fact that all forms of protest on the part of the farmers were met with brutal state repression will be further evidenced in the following case study examples.

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<sup>11</sup> Scott once stated, "However partial or even mistaken the experienced reality of the human agents, it is that experienced reality that provides the basis for their understanding and their action." (Scott 1985, p. 46)

<sup>12</sup> Hopkins and Westergaard 1998, p. 10; see also Mitchell 1991.

<sup>13</sup> See Appendix to Chapter 5 on 'Communal Action' in Brown 1990, pp. 128-147.

<sup>14</sup> One reason for this is that repressive measures taken by the wielders of power would have been rarely documented. One of the few comments Brown makes regarding the role of police violence in the escalation of conflict is the following: "What is worth noting for the present is that such incidents became more common as the police presence increased." (Brown 1990, p. 100)

<sup>15</sup> Mitchell 2002, p. 153

### 3.3 Sparks of Resistance

Although it is debatable whether one can really talk about rural mobilisation in the months leading up to October 1997<sup>16</sup>, the farmers' meetings that were held in Daqahliya did play an essential role in increasing people's awareness about the procedures associated with the law's implementation and how forceful eviction could be resisted legally. Although these meetings were largely unorganized and uncoordinated, they informed tenant farmers about the necessity for a court order to be issued by the executive authority, if attempts were made by landlords to evict them. The meetings that took place in a number of villages were supported initially by opposition political parties, farmers' committees, and a number of non-governmental organisations, such as the LCHR. As these meetings attracted farmers from neighbouring villages, and the government was called upon to postpone the implementation of the law, the police began to take in people for questioning. Farmers were threatened with detention if any further meetings were arranged, while the names of all those who had attended were demanded. Yet there were leading farmer figures in Daqahliya and elsewhere who continued to lobby for the cause of the tenant farmers. These initiatives played a key role in encouraging the fellahin to resist the implementation of the law through various forms of protest.<sup>17</sup>

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<sup>16</sup> Bush writes that the rural mobilisation of tenant farmers began as a 'spontaneous response', which later hardened into an 'entrenched battle of wits between farmers and landowners and police and security forces' (Bush 2002a, p. 191).

<sup>17</sup> One of the most famous farmer activists in Egypt's recent history was Salah Hussein, a villager from Kamshish, who conducted a campaign of outspoken opposition to the powerful landowning Fiqqi family in his village. He began the campaign in the fifties because of the Fiqqis' refusal to relinquish land targeted for redistribution by the regime. When he was co-opted onto the new ASU (Arab Socialist Union) committee in his village in the mid-sixties, he renewed his campaign. The government's response, however, was to have him placed immediately under surveillance, whereupon investigators discovered that he was a leader of a group of 'communists', and that he was 'creating dangerous divisions among party members in the village, causing a threat to the country's internal security'. A month after this report was produced Salah Hussein was shot dead in April 1966. It is said that thugs hired by the Fiqqi family committed the murder. The Kamshish affair did not end there, however. Under Sadat's regime, the Fiqqis won legal cases to have their land returned to them, while many fellahin from Kamshish were imprisoned or subjected to internal exile. (Mitchell 2002, pp. 169, 170 and Bush 2002a, pp. 23, 24) To this day, state security is tight in villages such as Kamshish. It has remained a no-go zone for researchers and journalists alike.

For example, in June 1997, farmers in a village in Talkha district designed and hung banners in their village, condemning the law. This led to their immediate arrest by the security forces. They were charged by the prosecution office for stirring up public opinion and inciting people to protest against the law, and were detained for fifteen days without trial. Meanwhile, in a village in Dikirnis district, other activist fellahin had planned to hang black banners on the walls of the agricultural cooperative as a sign of mourning to protest against Law 96. The police, tipped off by an informant that the farmers were intending to do this, carried out an inspection on the 25<sup>th</sup> of June 1997. Six villagers were subsequently arrested, and although a few were released immediately; others were referred to the prosecution office and were issued detention orders. Undeterred, the villagers continued to raise black flags over their rooftops and lodge complaints with local and national political figures, including the President and the Council of Ministers. As similar forms of protest took place in other parts of the Egyptian countryside and the date of the law's implementation loomed closer, it became evident to those who dared defy the lawmakers that their resistance would not go unchallenged. The regime meant business and its security forces were well trained to do the job.

### **3.4 Contesting the Contesters: The Eviction of Tenant Farmers**

In the same village referred to above in Dikirnis district, more than thirty tenant farmers who refused to hand over their land in October 1997 were arrested. They had already filed court cases requesting the continuation of their rental contracts in accordance with Law 96, which stated that contracts could not be terminated without the agreement of both parties, or by a court order. The security forces did not wait for the court orders to be issued, but arrested farmers instead and detained them. During this time, they were threatened and beaten in an attempt to force them to sign declarations indicating that they would hand over the land to the owners, but they refused to comply. One man was detained by the police for three days, because he refused to sign the deed of cessation presented to him. His family went as far as to send petitions to the Prosecutor General and the Minister of Justice, which led to his release in

the end.<sup>18</sup> However, on the 20<sup>th</sup> of October 1997, the owner whose land was under contestation took his tractor and began ploughing up the fields, destroying the crops of the lease holders. This was done under the supervision of the police and state security whose forces blocked the roads in the village. One tenant farmer tried to go to his fields during this time, but was beaten with sticks and forced back. The security forces continued to maintain a tight grip on the village until the destruction of the crops was complete. The following day, the owner started planting his land. The LCHR reported that the cases of illegal detention and torture reached eighteen (see Appendix I). The following account was given by a 49-year-old farmer leasing 19 qirats of land in the area:

“While I was in my house on the 19th of October 1997, a police officer arrived at ten in the evening, accompanied by some detectives. My wife told them that I was sleeping, but they dragged me out of my bed to the police car. At the Dikirnis police station, they took me to the investigations department and I was told to sign a deed of cessation and then go home... I refused to sign, so they abused me and beat me, saying, ‘If you think that you can leave without signing, you are dreaming. There is no way, no one can take you from our hands, and you know it well.’ To be honest, I felt that there was no other way, no one can challenge the government, so I was forced to sign.”<sup>19</sup>

As the above extract shows, it is clear that the regime’s agents were not prepared to make any compromises with the tenant farmers. On the contrary, the legal recourse taken by the latter to prevent their eviction proved to be the death knell of their cause in the end. The destruction of the farmers’ crops and the fact that their landlord was able to start planting his fields the very next day constituted a powerful warning to all the villagers. The illegality of such actions was irrelevant, since the main aim was to show who was in charge. As Eckert writes, “Violent action is not merely a means of mobilisation; nor is violence merely a compensatory experience of those who wield it. It is, moreover, a means to power.”<sup>20</sup> This demonstration of power is made obvious in the words of the police officers above, ‘If you think that you can leave without signing, you are dreaming. There is no way, no one can take you from our hands, and you know it well.’”

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<sup>18</sup> LCHR 2002, p. 128

<sup>19</sup> This extract was taken from one of the cases documented by the LCHR in Ismail 1998, p. 98.

<sup>20</sup> Eckert 2000, p. 140

Indeed, if one traces the history of violence in the Egyptian countryside back to the days of British colonial rule, it becomes evident that the potential or actual threat of rural unrest remained a constant theme throughout. And it seems that the response of both foreign and national rulers to any outbreaks of rural violence tended to be disproportionately harsh. One of the most famous cases was the Dinshiway incident, which took place in the summer of 1906. In one version of the story, angry villagers accosted British soldiers who had unintentionally wounded the wife of the *imam*, during an unofficial pigeon shoot. In another version, it was said that the inhabitants of Dinshiway approached the officers when one of them fired some shots and accidentally set fire to a threshing floor.<sup>21</sup> In the ensuing struggle between the indignant villagers and the British officers, a gun went off wounding two villagers. This enraged them further and they surrounded the soldiers wielding sticks. One officer was hit on the head and escaped, but subsequently died of sunstroke, while four others were injured. In the meantime, a villager was beaten to death.<sup>22</sup> The British and Egyptian authorities reacted by arresting fifty-nine villagers, although the number of the accused was narrowed down to fifty-two. Twelve were imprisoned, nine were publicly flogged and four were condemned to death by a special court and were hung on June 28<sup>th</sup> 1906.<sup>23</sup> The sentences were considered to be

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<sup>21</sup> It was known that the villagers resented the British past-time of pigeon shooting generally, as the latter usually belonged to them. In the Dinshiway case, however, the British officers stated that they had been given permission to undertake the shoot from a leading notable in the neighbourhood.

<sup>22</sup> According to one version, the villager had tried to assist a wounded officer, offering him water to drink, but was beaten to death by another soldier who thought he was an attacker. (Badrawi 2000, p. 23)

<sup>23</sup> Kazemi and Waterbury 1991, pp. 182, 183

unjustifiably severe by many and questions were raised in the House of Commons about the fairness of the trial.<sup>24</sup>

To return to more contemporary events, similarly harsh treatment was meted out to farmers attempting to resist eviction from their land in Village A in Muniyet El Nasr district. On the 14<sup>th</sup> of October 1997, police officers accompanied by two carloads of state security forces, arrested twenty people, detained them and tried to force them to sign documents stating they had given up their tenancy rights. The farmers, led by one of them, tried to explain to the Chief of Police that they had court cases against the owners, because the latter had sold the land without consulting them first. They pointed out that the owner's action did not comply with Law 96, which stipulated that tenants would be given first priority to buy the land at the going market price should the owner want to sell. The Chief of Police listened to their story, but decided to send them to the Head of Investigations Department. According to Ismail, this individual proceeded to insult them, the law and the entire court system, demanding from them one thing only: to sign the declarations stating they had relinquished their tenancy rights. Initially the farmers refused, but they were tortured, several sustaining severe injuries (see Appendix II). More than one hundred lease-holding farmers filed cases against owners, but were eventually obliged to give up the land, due to the campaign of violence conducted against them by the police and state security forces. The following account given by a farmer leasing 2 feddans is one example of what occurred two weeks before the major crack-down in the village took place:

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<sup>24</sup> Badrawi 2000, pp. 22, 23. During the revolution of 1919, repressive military measures were taken by the regime again in response to outbreaks of rural violence. Within one week of the arrest and exile of the leaders of the nationalist movement, led by Sa'd Zaghlul, violent protests had spread from Cairo out to the provincial towns and the villages. During the widespread revolts in the countryside that began in early March and continued for some weeks, 63 railway stations were burnt down and the railway itself was damaged at over 200 points. In Daqahliya governorate alone, very few estates were spared as irrigation systems were sabotaged, cattle were driven away and local bank branches were robbed. When the fellahin began to seize large estates and turned against 'foreign elements', usually of Greek origin, as well as migrant farm workers; the notables decided it was time to intervene with British troops in order to re-establish law and order. Extensive patrols in the villages were conducted by British troops, while collective punishment was meted out for damaged or interrupted communication/transportation systems and other infrastructure, as well as attacks against British

“While I was in the fields on the afternoon of the 1st of October 1997, preparing to cultivate clover, I was surprised by three escorts, who took me to a waiting police car. Once the officer saw me, he got out the car and started to shower me with abuse. I tried to make him understand that the law gave me the right to buy the land and that I was willing to buy it. But I could not finish what I was saying, because he wasn’t listening to me and continued to abuse and insult me. Then he hit me. I wish the story ended there, but when I arrived at the police station, the officers threw me to the ground and beat my feet until they bled. All of this took place in front of the other arrested farmers. So I signed the declaration, but afterwards I felt that this country is not for us.”<sup>25</sup>

Hence the pattern of violence repeated itself. Local power brokers reinforced their authority by resorting to extra-legal action, in order to teach anyone trying to stand up to them that ‘this country is not for you’. Incidents that occurred in a hamlet in Shirbîn district between the 15<sup>th</sup> of December 1997 and January 1998 developed in a slightly different manner. Here, the new landlord established his ownership rights by referring to his personal network of connections with the police together with a gang of local thugs. The land (100 feddans) that the owner had recently acquired following Law 96’s implementation had been formerly rented out to 150 tenant farmers. The new owner, however, wanted to cultivate vegetables commercially and had informed the farmers they had to leave. As the tenants resisted eviction initially, the contesting parties were called upon to attend a reconciliation committee as stipulated by the law (see Section 2.4). But the owner refused to attend and instead hired a gang of hoodlums to come in and intimidate the farmers. These thugs, in addition to beating up a number of people, managed to cut off the irrigation water to the wheat fields with some help from the local police, thus ruining the farmers’ entire crop.<sup>26</sup>

Nevertheless, the tenants continued to resist their eviction by attempting to negotiate paying a higher rent (LE 2,300 per feddan), but to no avail. The next step taken by the owner was to file a police report, which led to the intervention of the security forces and consequent arrests; more than twenty farmers were detained. The violation of the farmers’ rights, in this instance,

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troops and the police. This led to the pillaging and burning of entire villages. In the end one hundred villages were raised to the ground. (Kazemi and Waterbury, pp. 189–192)

<sup>25</sup> This extract was taken from the case study documented in Ismail 1998, p. 96. The LCHR recorded ten cases of torture in this instance.

prompted the LCHR to file a petition to the public prosecution office contesting the detention of the latter and demanding a full investigation of the events. Although the case was referred to the district prosecution office of El Mansûra, it was deferred for twelve months. It cannot be proved that the case was deliberately delayed, but the tenant farmers eventually abandoned their land, as it became increasingly evident that they were engaged in a losing battle. The LCHR documented further evictions of leaseholders that were carried out in a similar manner throughout the Egyptian countryside.<sup>27</sup>

In the Shirbîn instance, it is clear that the interests of a powerful new landlord, the local police, a gang of thugs, the state security, and perhaps even the provincial judiciary, happened to coincide. The active collaboration of the various perpetrators of violence was to their mutual benefit. Meanwhile, any excesses committed were conveniently overlooked. The use of intimidation and torture of those resisting eviction could always be legitimised by referring to the need for containment. After all, the security forces were only ‘doing their job’. Furthermore, the latter knew they had the full backing of powerful landed interests within the innermost circles of the regime itself.<sup>28</sup>

The behaviour of the owner in the Shirbîn case may be compared to that of a powerful landlord some thirty years earlier in a village in the Delta governorate of Sharqiya.<sup>29</sup> The man (a former parliament member) had allegedly beaten, tortured and/or killed a number of fellahin,

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<sup>26</sup> LCHR 2002 and unpublished material collated by Ismail, December 2002.

<sup>27</sup> See LCHR 2002, pp. 132, 133

<sup>28</sup> Perhaps the most notorious case of illegal eviction of tenant farmers is that concerning land in Faiyûm governorate belonging to the descendants of Amin Wali, the grandfather of the Minister of Agriculture at that time (see Section 2.4).

<sup>29</sup> The case is described in one of the reports compiled by criminal police investigators for the ‘Higher Committee for the Liquidation of Feudalism’ in October 1966. It was reproduced twenty years later in Appendix D of Ansari’s book, pp. 257, 258. The mid-1960s were years of uncertainty and economic crisis in the Egyptian countryside. Even before the disaster of the June 1967 war, the rural poor had been hit badly by the economic depression, causing the cost of living to rise more than fifty percent in four years as real wages dropped ten percent between 1965 and 1967. Numerous protests and hunger strikes were organised around large towns in the provinces, particularly in the Delta. In 1965, an incident in the town of Damietta between local fishermen and the police led to a large protest, in which people marching to the police station were fired upon. Farmers, students and the unemployed joined in and the violence escalated, until the central authorities intervened and declared martial law in the area. (Mitchell 2002, pp. 168, 169)

as well as harassing their wives and children in various disputes, more than half involving land cultivation rights. For example, one of his tenants had asked for his plot to be converted into a *hiyaza* (registered tenancy). In response to this request, the landlord tied him to the back of his car and dragged him naked through the village streets; the tenant was then beaten and maimed in front of his mother. In one case, the landlord resolved a dispute over a plot of land in a neighbouring village with one of his rivals by terrorising the tenants of the latter, through the deployment of a group of regular and private guards, as well as members of his gang.<sup>30</sup>

Although the reliability of the information may be questionable as the use of terror to collect such information in the sixties was not unknown, Mitchell points out that the details included in it, such as the dates, locations, sums of money that changed hands, as well as the precise nature of relations between the parties involved; could only have come from the villagers themselves. To quote him: “The details suggest, if not the absolute reliability of the events, their status as stories that have been placed carefully in the memory and told and retold among the victims. The accounts, by what seems to us their excess (something we have no way of measuring), reveal a culture of fear.”<sup>31</sup> Correspondingly, the collusion of the security forces and gangs of thugs with powerful landlords to evict tenants in 1997 and 1998 nurtured an already prevailing sense of apprehension of the regime amongst the fellahin. This seems to have been an effective means of silencing outspoken dissent in many other villages, as will be shown later in the case of El Bîr.

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<sup>30</sup> In another incident, he demanded more fertiliser than his quota from the cooperative clerk who happened to be a relative. When the latter refused to comply with his wishes, the landlord damaged the cooperative warehouse and its contents, for which his unfortunate relative was later made to pay. (Ansari, pp. 257, 258)

<sup>31</sup> Mitchell 2002, p. 158. Throughout the report, references are made to suspended investigations due to lack of evidence and/or the refusal of villagers to come forward to testify.

### 3.5 Conflicts over Housing Attached to Agricultural Land

Law 96 of 1992 stipulated in Article 4 that, if the termination of a tenancy contract included eviction from housing attached to agricultural land, the government was obliged to provide alternative housing at an appropriate rent, provided this was the only housing available to the tenant farmers and his/her dependants. Furthermore, it stated that any eviction would not be considered valid until alternative housing had been provided.<sup>32</sup> That is, provision of alternative housing was a precondition for eviction. In reality, however, these legal obligations were not met by the state, resulting in a number of violations regarding housing attached to agricultural land. The following case study is only one example of conflicts that occurred over housing attached to agricultural land in other parts of the Egyptian countryside.<sup>33</sup> In this particular case, the owner was in the process of negotiating the sale of a piece of land then rented out to more than seventy-five farming families in the district of Muniyet El Nasr (Village B). The tenants were not informed about the sale, so when the owner appeared with the buyer and a number of government employees to inspect the land and the attached housing, they were naturally surprised and suspected they were going to be evicted. Their reaction was to throw mud and stones at the newcomers, thus preventing the inspection procedures from being completed.

The landowner subsequently filed a police report in Muniyet El Nasr (report no. 19973/year 12) stating that he had sold his land (around 80 feddans), but that the residents of the hamlet had prevented him and the prospective owner from completing the land inspection process. The evacuation of the tenants was requested. In response, the state security forces arrived on 12<sup>th</sup> of March 1997 in the hamlet and terrorized its residents, entering their houses by force. Ninety people were later arrested on charges of resisting the authorities. They were held in custody and only released four days later. During their incarceration, twenty-six farmers were tortured, household furniture was destroyed or burned and twenty-one farmers were put on

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<sup>32</sup> LCHR 2002, p. 136

<sup>33</sup> The LCHR documented further incidents, for example, in the governorates of Giza, Isma'iliya and Minufiya (Interview with co-founder of LCHR, November 2002).

trial for contending with the security forces. In addition, the LCHR documented that a number of women miscarried as a result of the torture they were subjected to.<sup>34</sup>

The original landowner then tried to come to an agreement with the residents of the hamlet, but without success. The security forces, meanwhile, continued to harass the tenants in an attempt to evict them. They beat them and used abusive language against them at the police station, as well as in the hamlet itself in the presence of their wives and children. The extract below is one example of the kind of harassment a 55-year-old tenant farmer was subjected to:

“Every day, the police come to my house asking me to go with them to the station... They took me in before on the 23rd of October 1997 and ordered me to sign a document agreeing to leave my land and house. I have become too afraid to sleep in my own house. On the 25th of October at noon, six cars of the central security arrived with the police commissioner and officer of investigation and the landowner. When I saw them coming, I ran away to another village. Other farmers ran into the fields. I came back home around midnight, once I was sure that they had left. But the police did not leave us alone and every day they sent for us. So I left my house and stayed in the village of my wife’s people.”<sup>35</sup>

Although the district court announced a discussion of the case on the 25<sup>th</sup> of October 1997, the security forces re-entered the hamlet three days later<sup>36</sup>. But most of the residents had already fled leaving behind women and children. In the days between the 23<sup>rd</sup> and 28<sup>th</sup> of October, the LCHR recorded nine cases of detention and torture (see Appendix II). It later filed a communiqué (no. 936/1997) to the Prosecutor General to investigate the circumstances of the incidents that had occurred, demanding legal procedures to protect the residents of the hamlet.<sup>37</sup> In 1999, more attempts were made to evict the residents from their homes despite the fact that no alternative housing had been provided for them. A request for their evacuation was then made by the owners in 1999 in the form of a civil appeal. The case is still in court to this day. In this instance, it seems that neither the informal negotiations that went on between the original owner and his former tenants, nor the formal recourse to legal procedures that both parties made, addressed the conflict in a satisfactory manner. It is clear, however, that the

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<sup>34</sup> Ismail 1998, p. 102

<sup>35</sup> This extract was taken from one of the cases filed by the LCHR in Ismail 1998, pp. 102, 103.

<sup>36</sup> Ibid, pp. 105, 106

escalation of violence resulted directly from the intervention of the security forces on more than one occasion.

### **3.6 The Logic of Fire Fighters: The State Security ‘Does its Job’**

The case study of a village in the district of El Simbillâwein is an interesting example of how a dispute over four feddans between two families coincided with the implementation of Law 96, to the misfortune of all the village’s inhabitants. The dispute began when the brother of the original owner’s agent faked a second sales deal, resulting in two different families buying the same piece of land. One of the sales contracts dated back as far February 1985, seven years before Law 96 was issued. Violence only broke out, however, when a government engineer came to measure the land area, upon the request of the first buyers, the Sayeds (no. 765 for the year of 1997) on the 15<sup>th</sup> of May 1997. While the engineer was carrying out the land measurements, he was shot at along with members of the Sayed family by one of the second buyers from the Amin family. The following is an account of the conflict given by a 70-year-old member of the Sayed family, who was present at the time:

“It was the Amin family who began the fight and the district police from El Simbillâwein came to finish off what the Amin family had started... My relatives and I bought four feddans from the Palestinian (the original owner). That was back in 1985. We did not know that the brother of the Palestinian’s agent sold the same piece of land to the Amin family. And if we had known that, we would have tried to solve the matter on a friendly basis by means of the traditional councils. The incident took place while we were trying to register the land at the notary office, something that required several government employees to inspect the land. During the inspection, we were surprised to find Mohammed, a member of the Amin family, shooting at us, while one of his uncles attacked our relative and his brother. All we could do was escape and head for the El Simbillâwein district police to report what happened to us... This matter had nothing to do with the law to evict tenants. It became a big issue later because one of the Amin family members insulted some of my relatives, and the security forces intervened in large numbers and arrested a lot of people, claiming they were suspects.”<sup>38</sup>

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<sup>37</sup> Ibid, p. 102

<sup>38</sup> Interview conducted in the village in December 2002.

As confirmed by the interviewee, the dispute was not related to Law 96, but the way in which the security forces reacted to it indicates that they may have been informed otherwise; or at least that the tightening of security measures during the law's transition provided a good excuse to intervene in any event. It is significant that the option of using traditional councils to solve the matter is referred to here, because this might have come about if the heightened atmosphere of violence during that time had not been so successfully propagated by the regime's agents.<sup>39</sup> In the meantime, the police chief of El Simbillâwein ordered the arrests of members from both families involved in the conflict. They were arrested on the 24<sup>th</sup> of May 1997 and the case was presented to the prosecutor's office a day later. Although the prosecutor released them, the police did not comply with this order, but presented the case instead to the criminal department. The situation worsened when another member of the Amin family harassed a member of the Sayed family and the two families began to set each other's fields on fire.

The police chief of El Simbillâwein accompanied by the security forces in twelve cars arrived in the village at dawn on the 29<sup>th</sup> of May 1997. The residents of the village thought they had come to contain the situation, but were soon to find that they had been mistaken. They broke into several houses, kicking down doors and smashing windows, destroying furniture and arresting people, including women and elders. In addition, those village residents who were unlucky enough to be around were arbitrarily accosted. Around fifty people were arrested and led to the police station of El Simbillâwein where they were severely beaten. Thirty-two people (including a number of women) were released after being detained for up to five days, while sixteen were transferred to the prosecutor's office on the 1<sup>st</sup> of June and were detained for one month (case no. 685 for the year 1997). The following two accounts indicate the views of those who were caught in the fray. The first was given by a 63-year-old construction worker:

“These events had nothing to do with me... I do not own land and I am not a farmer. But my house was broken into by the security forces at dawn on one of the days of the conflict. My wife was surprised to

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<sup>39</sup> It may also be that the real motive behind the security forces' draconian response was that a government official had been shot at while attempting to carry out the land inspection.

find the security forces forcing their way in and demanding our daughter's arrest. Our daughter's husband is related to one of the families involved in the dispute. Even though she and her husband do not live with us, the security forces kicked in the house door and broke the windows, driving my wife into a state of hysteria. The matter didn't end there... They also broke into the bedroom of my two unmarried daughters who were sleeping there... The chief of the security forces insulted and cursed my wife and daughters. I was arrested later on.

Researcher: "Did you file a police report?"

Construction worker: "What report are you talking about? We can't file a report against the police... Complain to the police about the police?"

The second account is that of a 45-year-old man, farming on half a feddan of land:

I was not at home on the day of violence... We were working outside. My wife told me how the security forces broke into our house on that day at dawn. They came into the house and destroyed our furniture. They were looking for me and when they didn't find me, they took my wife as a hostage until I gave myself in. When I returned to the village that morning, I learnt what had happened. I gave myself in, hoping that they would release my wife, but they only let her go after two days. During this time, they insulted her and they even beat her. All this was for a reason that we did not know of... We knew was that there was a conflict between two families over a piece of land. The problem was because the land was sold twice; once to the Sayed family and another time to the Amin family. It was theft, but instead of arresting the thieves, the security forces arrested people like us who had nothing to do with it. We were surprised to find a large number of security forces breaking into the village, arresting anyone they met..."<sup>40</sup>

The extracts above give a good indication of how the conflagration of violence between two families ended up by harming many others; it was as though the fire fighters had doused the flames with petrol instead of water. And as pointed out by the second interviewee, the "thieves", that is, the original owner's agent and his brother who had faked the sales deal in the first place did not seem to have been brought to justice. Their role in the unfolding events seemed to be viewed by the police and the state security as peripheral. The fact that the events of El Simbillâwein became known to other farmers in Daqahliya as being related to Law 96

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<sup>40</sup> Interview conducted in the village in December 2002.

was probably unintentional<sup>41</sup>, but it certainly helped to spread the fear of reprisals to be undertaken by the regime's yes men against anyone who caused trouble, for whatever reason.

### **3.7 The Escalation of Individual Acts of Violence**

In the meantime, violent disputes between households and individuals struggling to gain access to diminishing resources in the Egyptian countryside intensified in the years following the law's implementation. This is indicated in the examples provided in Appendix VIII for Daqahliya governorate. The main issues related to these individual acts of violence may be summarised as follows: conflicts over ownership claims and land boundaries, access to irrigation water, inheritance disputes, and the inability of farmers to pay back debts or to survive on severely reduced household incomes. This was due in part to the introduction of Law 96, but was also related to other government policies, such as the privatisation of state-owned companies, resulting in widespread job losses and redundancies. To quote Bush: "It has become difficult to account for continuing violence in the countryside across Egypt. Yet it is explicable when it is understood that one issue the law created was a much more intense conflict over demarcation of land boundaries between holdings."<sup>42</sup>

These disputes increased within households suffering from job losses, due to rising unemployment. And those who were affected most were of course resource-poor villagers, such as landless labourers or pure leaseholders without a second income, and in particular female-headed households. Nevertheless, Bush underlined that despite growing tensions in certain villages, it was also the case that 'the divisions within communities may have further strengthened family and kinship bonds, as the more active use of informal support networks was the only means to buffer household members from market failure. But these ties were being stretched to their limit, in their uneven delivery of material assistance'.<sup>43</sup>

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<sup>41</sup> For example, during discussions about the events of October 1997 with interviewees in El Bîr, several farmers referred to the violence that broke out in El Simbillâwein as being related to Law 96 (see Section 5.3).

<sup>42</sup> Bush 2002a, p. 191

<sup>43</sup> Bush 2002b, p. 39

For example, it was common practice in the seventies and eighties for migrant workers to allow relatives to cultivate their share of the paternal land in their absence virtually for free.<sup>44</sup> However, this changed when household members returning jobless from the Gulf or from Cairo, tried to establish tenancy and/or ownership claims contested after 1997.<sup>45</sup> Hence a combination of reduced access to fundamental resources, such as land and water, in addition to rising unemployment and farm production costs in the last decade, has led to an intensification of individual acts of violence even if such problems existed before. Indeed the LCHR believes that, “What seem to be trivial conflicts for small amounts of land have grown and become more violent”.<sup>46</sup>

### **3.8 The Reconstruction of Fragmentary Evidence**

The following tables illustrate the extent and geographical spread of incidents of violence that occurred in the Egyptian countryside between January 1997 and December 2000. As Bush emphasised, however, the figures presented below for fatalities, injuries and arrests are indicative rather than complete. The LCHR has monitored this type of rural violence since 1997, but it is not clear from the figures provided how many fatalities resulted from the dispossession of tenants by the police, security forces, landowners and thugs; and how many fatalities were related to conflicts among household members or neighbours over disputed boundaries, irrigation and other issues. Furthermore, no comparative data is available for the years preceding Law 96’s implementation, so the extent to which such incidences have escalated in the last decade cannot be fully ascertained. Nevertheless, it is clear that social tensions have worsened considerably in the Egyptian countryside since the mid-nineties. At the same time, I would concur with Saad that the fragmentation into local disputes of post-97 tenancy-related violence is not insignificant.<sup>47</sup>

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<sup>44</sup> Bach 2002, p. 166

<sup>45</sup> Bush 2002a, p. 191

<sup>46</sup> LCHR 2002, p. 138

<sup>47</sup> Saad 2004, p. 14

What is more difficult to determine, however, is why there were far more incidents of violence in certain villages and areas of the Egyptian countryside than in others. The figures below indicate that fatalities were higher on average in Central and Upper Egypt than in the Delta region of Lower Egypt. For example, the total number of deaths in the governorates of Qena, Sohag and Assuit alone make up 40 percent of the overall fatalities that occurred between January 1997 and December 2000. These regions cover some of the most impoverished and neglected parts of the country with a long history of vengeance feuds.<sup>48</sup> Such factors may account for the greater number of deaths to a certain degree, but the issue cannot be reduced to broad generalisations about socio-economic status.<sup>49</sup>

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<sup>48</sup> See for example, Abu-Zayd's study on revenge killings in Upper Egypt: *al-Thar-dirasa anthropolojiya bi ahda qura al-Sa'id*, 1965, Cairo: Dar al-Ma'rif.

<sup>49</sup> An in-depth and comparative sociological analysis would need to be done in order to draw any concrete conclusions.

**Table B: Recorded Deaths, Injuries and Arrests in Rural Egypt, January 1998 – December 2000, Relating to Law 96 and Related Land Conflicts**

<b>Governorate</b>	<b>Deaths</b>	<b>Injuries</b>	<b>Arrests</b>
Giza	12	116	169
Assuit	24	92	157
Sharkia	10	122	243
Minya	8	69	61
Daqahliya	6	21	36
Sohag	15	70	79
Damietta	–	–	42
Fayyum	6	44	103
Suez	–	–	7
Minoufia	1	35	84
Kalubia	4	34	46
Gharbia	5	58	123
Qena	13	53	66
Beheira	4	39	74
Aswan	1	8	3
Beni Suef	9	27	46
Port Said	–	25	30
Kafr El Sheikh	1	27	31
Ismailia	–	6	9
<b>Total</b>	<b>119</b>	<b>846</b>	<b>1,409</b>

Source: Land Centre for Human Rights, Cairo, 2002

**Table C: Overall Summary of Fatalities, Injuries and Arrests Relating to Law 96 and Related Land Conflicts, January 1997 – December 2000**

<b>Governorate</b>	<b>Deaths</b>	<b>Injuries</b>	<b>Arrests</b>
Giza	16	182	363
Assuit	28	110	286
Sharkia	13	159	321
Minya	13	74	217
Daqahliya	6	111	520
Sohag	16	85	82
Damietta	–	–	42
Fayyum	10	135	286
Suez	–	–	7
Minoufia	1	50	151
Kalubia	4	50	72
Gharbia	6	115	314
Qena	15	159	478
Beheira	6	107	254
Aswan	1	8	3
Beni Suef	9	48	118
Port Said	–	25	30
Kafr El Sheikh	2	44	57
Ismailia	–	6	9
Alexandria	–	22	22
Other	1	15	118
<b>Total</b>	<b>147</b>	<b>1,505</b>	<b>3,750</b>

Source: Land Centre for Human Rights, Cairo, 1998 and 2002

For example, some of the most violent incidents related to the new law occurred in villages in Daqahliya, where there were relatively high standards of education and better employment opportunities than in other areas. At the same time, if one compares levels of violence in villages in Daqahliya with similar land tenure patterns, employment figures and education, it emerges that there were still more incidences in some villages than in others. The overall living conditions in El Bîr, for instance, are similar to those of the villages in Muniel El Nasr and Dikirmis districts referred to in the case studies above.<sup>50</sup> Yet in El Bîr there were few direct clashes between farmers and local power brokers (influential landlords, cooperative officials, police officers, etc.), in contrast to the events that took place in the other two villages.

The case studies presented in this chapter indicate that one important factor determining whether there were outright conflicts or not was the extent to which the land issue was politicised by the fellahin themselves. For instance, if one takes the example of Village A in Dikirmis, it is not surprising that there were violent confrontations here when Law 96 was implemented, because activist farmers had already organised two public meetings to discuss the impact of the new law in June and July 1997. Despite police intimidation in response to the farmers' public denouncement of the law, the latter still filed court cases requesting the continuation of their rental contracts. And as already emphasised, those fellahin who took legal recourse to prevent their eviction were the ones who received the harshest punishment. Another important factor that influenced the actions and counter-actions taken by the various parties involved in the conflicts was the behaviour of particular landlords and other figures of authority, that is, representatives of local family power. This theme will be taken up in the following chapters which will focus on the case study of El Bîr.

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<sup>50</sup> This fact was confirmed by the co-founder of the LCHR, who conducted research in all three villages.

### 3.9 Conclusion

It is clear from the fragmentary evidence presented above that the real perpetrators of violence were more often than not local agents of the state, or at least that their actions led to an escalation of conflict. The scenario thus created could be defined as ensuing from a shift in norms. As Eckert writes, “Violence as a means of power is restricted by norms which legitimate and legalise the use of it. If laws that codify a certain normative order are not upheld, the norms encoded in them are likewise easily eroded.”<sup>51</sup> But whether the regime intended its security forces to do their job so well or not is a matter for debate. For example, the LCHR concluded that “the police aggravated farmer losses as they seemed unaware of the rights that tenants had”.<sup>52</sup> The implication is that the regime’s agents did not deliberately deprive tenant farmers of their rights. In fact, it is probable that they were as misinformed about the new tenancy law as were the farmers themselves.

The thesis here, therefore, is that much of the violence that broke out was a result of localised power agendas and personal loyalties taking on a life of their own. Mitchell once pointed out how “The local forces the government attempted to co-opt would inevitably overflow the new channels and require further diversion or supervision.”<sup>53</sup> But in the case of Law 96, it seems that it was politically expedient for the Egyptian government to turn a blind eye to the intimidation and torture of farmers by local power brokers, who successfully exploited their connections with certain members of the state apparatus. This is not to say that the human rights violations committed during the transition did not reach the highest echelons of state power. After all, if the relatives of Yusef Wali (the Minister of Agriculture at the time) were given the implicit go ahead to evict tenants from land that did not even come under the

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<sup>51</sup> Eckert 2000, p. 173

<sup>52</sup> LCHR 2002, p. 129

<sup>53</sup> Mitchell 2002, p. 169. Harik once observed that, “District and provincial officers had little authority over local leaders, since the latter owed their positions to local constituents.” (Harik 1974, p. 78)

jurisdiction of the new law and by employing illegal means, such as torture<sup>54</sup>; who would prevent any other minor official from ‘asserting’ his ownership rights?

At the same time, it appears that the regime committed a grave error of judgement in its handling of the events that unfolded. First, it will be shown in the following chapters that a crucial element was lacking for a potentially explosive rural uprising: that is, the farmers did not have a united cause. So it is unlikely that the anger of the dispossessed would have transformed itself into a war of retribution against local symbols of power, thus posing a serious threat to rural stability. Hence the so-called threat to social peace posited by the authorities proved to be exaggerated. Indeed, the strong prevalence of an underlying culture of fear in the Egyptian countryside should not have been underestimated by its very propagators.

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<sup>54</sup> See Section 2.4 for more details about this case.

**Section II: Narratives of Contention and Avoidance:**

**Law 96 and the Case Study of El Bîr**