

5. The Ordinary versus the Extraordinary

5.1 Introduction

The ‘tenancy web’ in Egypt, as Abdel-Aal called it, represents far more than a contractual reality; it involves solidarity, obligations to the community and personal ties, as well as religious and/or traditional norms. He emphasised that “The relations that hold the web together are not simple. They have emerged over years. It is a bundle of rights provided by the legal statutory or customary systems. They are enforced by the multiplicity of customary and state laws, religious doctrines, kinship ties, socio-economic interests and many other issues.” Hence, agricultural holdings cannot be reduced to the neat categories of tenants and owners¹ and this is fundamental to the understanding of how dynamics of confrontation and/or avoidance evolved in El Bîr in the years following the full implementation of Law 96.

It will be shown in this chapter that the absence of contention over the tenancy bill was related in part to its perceived non-negotiability, whereby the law was shifted onto a plane of the extraordinary, far beyond the scope of any normal course of arbitration. The contrast between the ordinary circumstances in which day-to-day disputes arose and were dealt with by the villagers and the extraordinary state of affairs resulting from the changes in tenancy relations is reflected in the narratives of the interviewees themselves. However, it also emerged from discussions with farmers that rumours of police intimidation in other villages, as well as actual incidents that occurred in El Bîr, played a significant role in deterring outspoken opposition to the new tenancy law.

At the same time, it will be illustrated here that the emphasis on good relations between people in El Bîr was a fundamental explanatory narrative given by interviewees for the lack of conflict in their village. Positive comparisons were frequently made between the levels of education and awareness of El Bîr’s inhabitants in contrast to other villages of the region or to the south of Cairo. Although the relative prosperity of the villagers may have been a key mitigating factor, there were other mechanisms at play. Maintaining

¹ Abdel Aal 2002, pp. 144, 145, 140; see also Bruce 1998 and Scott 1985.

congenial relations with one's neighbours was not only an intrinsic element of functional community life, but also a key aspect of village politics. Hence, a high degree of mutual interdependency meant that it was often in people's interests to subscribe to at least a semblance of harmonious coexistence, as this constituted the basis upon which their economic and social livelihood depended. In the following part, therefore, the central role played by reconciliation procedures in resolving day-to-day conflicts will illustrate how norms of reciprocity among El Bîr's inhabitants were actively maintained. The way in which such standard procedures operated at the community level will then demonstrate the sense of departure from the latter that Law 96's implementation entailed.

5.2 Notions of Reconciliation and Conflict in Day-to-Day Life

The notion of a right (*haqq*) or rights (*huquqq*) in the Egyptian countryside encompasses a whole range of meanings. For example, as Ghosh described, 'a person's inheritance may be spoken of as his or her *haqq*, which in this context, is used in the sense of a right, but it may also imply notions of justice and truth: that is to say, a person's individual right refers to his rightful due or what is owed to him by the past'². In the case of El Bîr, a similar definition of *haqq* was referred to by interviewees, as in the words of one young man: "A right is something that is a 'given', and every person should take what is his/her right."³ Ghosh continues to explain that "the notion of *haqq* is the fulcrum of the relationship between individuals and society, it defines not only that which is due to him, but also what he thinks of as his own worth."⁴ In this way, the rights of a person may refer to what is owed to him/her by the community or society, yet it may also imply the obligations to be fulfilled in return. For example, one farmer in El Bîr gave his definition as follows:

"The *haqq* [duty] of a person in his village is to be polite, not to be a troublemaker. On his land, he should be polite with his neighbours, to coordinate with them, to take care of the land, to love his neighbours and to love what is good for them. If he takes care of his crop, he should look after his neighbour's crop as well, as he knows how

² Ghosh 1987: p. 117

³ Interview no. 29

⁴ Ibid, p. 118

much money has been invested in it. People should be considerate with one another... And the obligation of a tenant is to pay all his dues if he rents land like we do. We pay the rent, the land tax and we pay for the input costs. You get your rights from the state, so you should give back what is owed to the state.”⁵

Some villagers were reluctant to talk about their own rights. One young woman said “I do not seek rights, I have all my rights”. However, when people were asked to define the rights of their family and neighbours, they expressed strong feelings: “I don’t seek rights for myself. I don’t try to reach something that is above me. If you mean the rights of the people around me whom I love; I would fight for these rights.”⁶ However, it was agreed by all interviewees, that a fundamental right in El Bîr was to be respected and that it was everyone’s duty to respect others in return. This was associated in turn with the key notion of reconciliation, as defined below:

“*El tasaluh* [reconciliation] is a very beautiful thing. There is nothing better than people loving one another. It is the basis of life. For example, if I am on good terms with my neighbour and something goes wrong on my land, he will take care of it; whereas if we are not on good terms, he will let my crop burn. Reconciliation is also a characteristic of Muslims. It says in the Koran that when two people are fighting, they should try to reconcile with one another. I, for one, pray that I will never experience any hostility.”⁷

As land in El Bîr was seen to be the source of life and of all good things in a material sense, so reconciliation was viewed as the basis of life and the source of well-being in a spiritual sense: “Reconciliation is *kheir* [goodness/wealth], it is beautiful. There has to be reconciliation in everything, or else you would not be able to live together. This does not mean that people don’t feel bad. They can be angry for a while, that is normal too and then it goes away. If people don’t talk to each other for three days, this is okay, as it says so in the Qur’an, but if it continues for longer than that, it is *haram* [forbidden].”⁸ Thus Islam would often be invoked in the matter of reconciliation, as would the everyday behaviour expected of those who were considered functional members of the village community. For example, a man in his sixties recounted the following story:

“Here in the village, everyone knows everyone, so it is important to reconcile with one another. People do it for the sake of each other’s families. It is not like in Cairo where people don’t know each other. I

⁵ Interview no. 23

⁶ Interviews no. 39, 27

⁷ Interview no. 23

⁸ Interviews no. 27

remember once when I went to Cairo to watch a football match with Amira's grandfather: Upper Egypt was playing Lower Egypt. We were going to spend the night with a cousin of mine, but when we reached the building, I couldn't remember the number of the flat. So we walked up and down the stairs, but there was no-one around to ask. We were afraid that people would think we were thieves if they saw two fellahin wandering around the place, but we were pretty sure it was on the fourth floor. Amira's grandfather decided to knock on one of the doors and ask for my cousin. I was going to stop him and kept telling him we should just go spend the night in a hotel, but he went up and banged on the nearest door anyway. Someone peered through a tiny barred window to ask what we wanted... he told us that he didn't know the person we were asking for and shut the window in our faces. By chance, my cousin heard us and came to our rescue immediately. He lived in the flat right opposite and his neighbour didn't even know who he was! People in Cairo are all living in their own head. It is not like that here."⁹

The above excerpt illustrates the importance to the speaker of belonging to the close-knit community of El Bîr. The interviewee continued to emphasise that "In the village, there is a lot of respect. Everyone knows that this is the son of so-and-so, this is the father of so-and-so, and this is the uncle of so-and-so... we are all together."¹⁰

The fundamental framework within which villagers operated was built upon norms of reciprocity and etiquette, such as showing politeness and mutual respect. So any kind of behaviour that negated this, like the rude and unfriendly manner of the man in Cairo who did not even open his door, would have been inconceivable within the social context of the village: "If people here have a disagreement over something, they may be angry for one day, but the next morning, they will greet their neighbour once again."¹¹

It was emphasised that if you were treated with respect you had dignity: "To have freedom and dignity should be every person's right. No matter how poor you are, you should have the freedom to say what you think, and pride, so that no-one can touch you."¹² According to a younger interviewee, "A very important right is the right of a man to make sure that no one hassles his women; his mother, his wife and his daughters. It is the right of every man in the village to ensure that women are treated well and respected." Showing one's respect meant greeting one another on the street or in the fields, talking in a polite manner and above all, attending important occasions:

⁹ Interview no. 45

¹⁰ Ibid

¹¹ Ibid

¹² Interview no. 34

“*El addab* [politeness] in El Bîr is the most important value. People here care greatly about paying one’s respects. If someone visits you, you are expected to visit him in return. You go to funerals, you visit people during the Eid and they visit you.”¹³ And in the words of an older man, “It is important for people in the village to talk decently to each other as there are a known number of families, and the kids are afraid that their fathers will find out if they cause trouble with another family.”¹⁴



“In the village, there is a lot of respect”

When certain rights and obligations were not deferred to by members of the village community, it could lead to friction and eventually erupt into full-blown conflict. For example, the most common causes for dispute in El Bîr were related to the breaking of

¹³ Interview no. 29

¹⁴ Interview no. 33

specific norms regulating access over important resources, such as land and water. This is indicated in the following comments:

“Most conflicts in El Bîr are related to land. For example, if a greedy man plants 20 cm over the boundary of his land, his neighbour may respond by destroying the crop, and then a conflict ensues. Quarrels over water are also a frequent cause for disagreement. There are no water shortages at all, but during the rice season, a conflict may arise over whose land should be irrigated first (this happens when the farmers do not take it in turns properly)...”¹⁵



Access to water is a common cause for dispute in El Bîr

¹⁵ Interview no. 29

And even if boundaries were unintentionally transgressed, there was always potential for disagreements to escalate, as one man stated: “Serious conflicts start from the little things, for example, when a man’s donkey tramples on part of a neighbour’s crop or the water from one farmer’s land gets into another farmer’s land.”¹⁶



Unofficial markers of subdivided land

¹⁶ Interview no. 33: Another potential conflict was described as follows: “If I am walking in the field and I step onto my neighbour’s land, he may come running to me and tell me to stop ruining his crop. I may tell him: ‘No, I am not trying to destroy your crop’, and from there, the argument starts...” (Interview no. 45)

It was emphasised that conflicts over land boundaries in particular were frequent. Ustâz Gamal, who acted as the unofficial land surveyor in the village, explained that “When there is a conflict over the boundaries of the land, we go back to the original maps and the contract that was drawn up between the seller and the buyer. I have to dig up the pole that marked the subdivision of the land as proof.”¹⁷ However, it was not always easy to solve these disputes, as people sometimes resorted to the removal of the markers defining their boundaries. This is illustrated by the following example: “An argument may occur when one farmer moves the metal pole marking his boundary, in order to expand his piece of land... the other farmer discovers this and accuses his neighbour, but in order to prove it, the engineer who makes the measurements has to be called in. A fee has to be paid and who will agree to pay it? Neither of them is willing to pay, as they both deny that they are in the wrong. Sometimes, the metal stick may be removed altogether, even though it is against the law and you can go to prison, so the boundaries are no longer clear at all and so it goes on...”¹⁸

The same interviewee (Amm Hisham) went on to describe a similar argument he had with his own neighbour:

“Once, my neighbour started to take mud from the canal that divides our land, until he piled up so much mud on his side of the canal that the water changed its course. He then came to me and said: ‘We need to sort out the problem with the canal’, but when I ignored him, he started going around the village, saying that I didn’t want to share the water from the canal properly. The story finally reached Mahmoud, Shukri’s father, who came and told my neighbour: ‘You know that Amm Hisham is not like this’ [i.e., stop being so silly], and Mahmoud agreed to oversee the canal for the time being. Nothing changed, so I went to my neighbour and I told him: ‘You know that it is easy for me to take back my soil, but in order to make it a bit harder for you, you should remove all the soil on your side of the canal, and I will fill up the gap on my side with soil from somewhere else.’ He agreed to do this in two days. The third day came and still nothing had happened, so I went over to his land and made sure that I took my rights. I took back my soil and the canal went back to its original course.”¹⁹

¹⁷ He explained further that the poles he used were not like the four metal ones used by engineers from the Ministry of Agriculture. These poles marked the boundaries of a piece of land, before it was subdivided. The poles he used, on the other hand, were made of wood and were unofficial markers of subdivided farmland. (Interview no. 48)

¹⁸ Interview no. 33

¹⁹ Ibid

In the case described above, the man called upon to mediate (Mahmoud) had been unable to influence the behaviour of Amm Hisham's neighbour, so Amm Hisham took the situation into his own hands and nothing more had been heard from his neighbour since. Inheritance issues were also a frequent cause for serious dispute in El Bîr, as explained below:

“Inheritance conflicts are a big issue. They cause a lot of tension, to the extent that people refuse to greet one another on the street. For example, if a father signs a document before he dies stating that all 3 feddans should go to the son; this son will be hated by his sister. According to *shari'a*, the son should get 2 feddans and the daughter 1 feddan. But it may be that from the father's point of view, he already invested LE 15,000 to 20,000 to marry his daughter off, so why should she get any more from him? Also, a conflict may arise if a man owns 15 feddans and he signs a paper saying that 10 feddans should go to the son who is really working the land, while the remaining 5 feddans should be divided among the other three sons.”²⁰

Inheritance conflicts often remained unresolved in the village because the landholding registers were outdated and it was extremely difficult even to prove where the inherited land was located. In one bitter argument over inheritance, two nieces were barely on speaking terms with their uncle, as he had taken over all the land in his deceased brother's name, and was renting it out to a tenant family at a large profit. He continued to claim that he had been unable to obtain the right documents to prove which share of this land should go to his nieces. He also told them that he could not afford to buy them out, even though he had invested in other properties over the years without their knowledge.²¹

Other conflicts were related to building rights, as described by one man often called upon to mediate when disputes arose:

“Just yesterday, two people asked me to help them solve a quarrel. The one man lives in a narrow street and he built a wire fence outside his house, in order to protect the building from being damaged by the donkey cart that always passes by that way. The owner of the donkey cart was complaining, because now he cannot pass through the street easily. So I asked him, ‘Why do you have to take that road?’ ‘I need to go that way, in order to collect bricks and other material’, he replied. They were both stubborn and did not want to reconcile, so the problem has been put off, until I go and inspect the fence... Another disagreement could be like this: the law says that your balcony can

²⁰ Interview no. 29

²¹ This story was recounted on various occasions during informal chats with various family members.

only jut out 40 cm into the street, but one man may want a bigger balcony than his neighbours to show off, so he might start quarrelling with the man who lives opposite about it, and then more and more people get involved. They make them sit down and talk it out. It is made clear to everyone that according to the law, it should only stick out so much and these rules have to be followed.”²²

Tensions could also arise between members of the Coptic and Muslim communities, although villagers from both communities emphasised repeatedly how few problems of this kind there were in El Bîr. For example, one woman explained, “If there is a problem, an older person will come and resolve it. There are no conflicts between Copts and Muslims. Sometimes, the children make mistakes, but they are educated by the elders on how to address one another... there is no *gahl* [ignorance] here.”²³ Another group of interviewees affirmed that “women and children” were the cause of many conflicts in the village: “If a woman is married to a stupid man who beats her, for instance, she may ask her brother for help. Then he goes and beats up the husband, and so it continues. Also, a fight may start if a man in the village harasses a beautiful woman and the relatives come to her assistance. Or else, when two kids start fighting and the women intervene. Then the husbands come home and it all escalates.”²⁴ According to one young woman, most of the disputes in El Bîr were over domestic issues. For instance, if someone throws water onto the street and a child slips in it; the mother comes along and starts shouting and from there, more and more people become involved. She stated that “Sometimes, people get into a fight simply because they feel like having one or because they don’t like the look of someone... there are a lot of stupid quarrels in the village.”²⁵ However, some inter-familial disputes reached such a level that serious bodily harm could be inflicted. For example, one man recounted an incident that had just occurred in one of the surrounding hamlets in the vicinity:

²² Interview no. 33

²³ Interview no. 48: One interviewee explained how a potential conflict between the two communities was avoided as follows: “Once, a young Coptic boy wanted to marry a Muslim girl. They went to the priest, who told them: ‘You are free to do as you like’. But when it became more serious and the boy said he would convert to Islam, the girl’s family were still unhappy about the situation. So the priest told him to leave the village, as they didn’t want to have any trouble of this kind in El Bîr.” (Interview no. 30)

²⁴ Interview no. 34: Another interviewee described a potential dispute as follows: “Two kids start fighting then the mothers get involved and then the fathers... someone hits someone and so forth. This is how small things escalate into big things.” (Interview no. 33)

²⁵ Interview no. 37

“It all started when one man hit another man and broke his arm (he is married to the daughter of my cousin). The case was taken to the police and charges were pressed against the offender. So the family of the accused decided to get rid of the other man’s father... Two days ago, several of them went up onto the balcony of a house and dropped wood from it as he was passing by and they killed him. They continued to drop wood to make it look like an accident, but people saw them and someone else got hit by a piece of wood, so the police were called in. When the police arrived, they arrested three men who had been seen running out the back of the house, but it was only verified later that they had killed the man, as all the neighbours testified. Now they are in jail. I went and paid my respects to the deceased last night.”²⁶

In fact, if a disagreement continued between two people for a considerable time or if physical violence were resorted to, it was the duty of other community members to become involved immediately. One older woman pointed out that “God blesses and raises up those who forgive, reconciliation and forgiveness are generous. But not everyone forgives... there are people with hard hearts, who should have their heads fixed.”²⁷ And the most common way for people to have their heads ‘fixed’ would be to arrange a ‘sitting’ (‘*âda*)²⁸, as follows:

“The relatives intervene and they try to reconcile the two parties. They may try to convince the man who started the fight to make peace for the sake of the other man’s father or uncle. Otherwise, the relatives arrange a sitting, when everyone hangs out together. They make an appointment for the following day and bring the two parties together, and then the judges have to decide who is in the wrong... The elders have to judge fairly between the two people who have a problem. Sometimes, they set a rule from the beginning about the

²⁶ This hamlet was located on the outskirts of El Bîr and was not considered, therefore, to be part of the village proper. The interviewee also emphasised that such cases were exceptional and in his view, they resulted from extreme ignorance. (Interview no. 33).

²⁷ Interview no. 39

²⁸ Nielsen explained that the traditional reconciliation councils in the governorate of Aswan (Upper Egypt) were known by various names, but most commonly as *majlis al-sulh*, *majlis ‘urfi* or *majlis al-‘arab*. *Majlis al-sulh* implies a council that should reach an ‘amicable truce’ (*sulh*); *majlis ‘urfi* means a council of traditional lore (‘*urf*’); and *majlis al-‘arab* refers to the idea that a settlement of disputes between people is conducted by a council consisting of men of an established reputation, believed to be a re-enactment of the practice among the tribes of the Arabian Peninsula (Nielsen 1998, pp. 357–370). Zayed pointed out that the customary assemblies were also called *majlis al-mi‘ad* in his area of study in Upper Egypt. This term is closer to the one used by the villagers in El Bîr: *mi‘ad* means appointment, so either the verb *yuma‘id* (to sit in an appointment) or the verb *yuq‘ud* (to sit) may be used, and *q‘âda* (or ‘*âda* in colloquial Egyptian Arabic) meaning ‘sitting’, is derived from the verb *yuq‘ud* (see Zayed 1998, p. 381).

amount of money that will be paid as a sort of fine by the one deemed to be in the wrong.”²⁹

The sittings often took place outside on one of the mud-brick benches along the canal and, in theory, anyone could attend. Women, however, would not be expected to attend unless they were directly involved, in which case they would be represented by a male relative. These gatherings could also be held in the house of one of the mediators. However, it was underlined that not all of the men called upon to mediate were worthy of this honour: “There are the sittings’ con men. They just want to attend, in order to get a free meal in the evening. For example, that man who lives next to our family mosque, he is a big con man. He walks around with a stick much bigger than himself and he likes to pick fights with people...”³⁰

It should be noted here that El Bîr had been without an *’omda* or village head since the last one died a few years before.³¹ Normally, the *’omda* would be in charge of forming the committee for the sittings. Members would be notables of various families, including family elders and other influential persons. The people who were responsible for reconciling disputing parties gained power and respect within their community by taking on the role of mediator. Zayed emphasised that “Mediation is an open field for practising, or training to practise, power.”³² Since the introduction of a new law in 1994, the village heads were no longer elected by voters of the local administrative unit, but appointed by the Minister of the Interior. Even under the old law, a commission would screen the candidates and it was well-known that the vast majority of its members belonged to the regime’s security agencies. Therefore any candidate appointed in such a manner could become a useful agent for state surveillance at the local level.³³

In fact, arranging a sitting was often regarded as the second or third stage of the reconciliation process in El Bîr. First, friends and/or relatives would attempt to help the

²⁹ Interviews no. 27, 29, 34, 45. It was also explained that “People pay fines, sometimes as much as LE 500, but if the one who is judged to be in the right is very proud, he may decide to give the sum to an orphaned child or to some association, instead of keeping the money himself.”

³⁰ Interview no. 29

³¹ One woman stated that in her view: “The man who is better than the *’omda* is the one who does not go to the *’omda*. We are better off without an *’omda*, we can solve things among ourselves.” (Interview no. 48)

³² Zayed 1998, p. 380

³³ Kienle 2000, pp. 75, 76

two parties solve the problem amongst themselves; they would only go to a well-known and respected person, such as the *sheikh el balad* (village sheikh) if a formal, written complaint needed to be signed, as he had the authority to send people to the police station or tell them to go to court.³⁴ Thus the extent to which a conflict would be formalised or not was often an indication of its seriousness; if all else failed, the villagers would go to the police and press charges. In the words of one young man, “The *mastaba* (mud-brick bench) solves a lot more problems than the courts. We only go to the police if we cannot solve our problems on the *mastaba* first.”³⁵ However, another interviewee stated, “The system of sittings is not used that much anymore, because people go straight to the police. The police station is always full, like the hospitals... people are not like they used to be, they do not tell the truth.”³⁶ At the same time, if the conflict reached the stage of a police report, in the words of one informant, “the friends or the families may still try to persuade the two parties to come to an agreement and drop the charges.”³⁷

Indeed it was seen as preferable by many people to attempt to reconcile in an informal manner, without resorting to lawyers or the police. This is indicated in the following statements: “People resolve conflicts in the village in a friendly way... Ninety-nine percent of the time, the problems are solved like this in the village”; “It is a hundred times better to use this system. If people go to lawyers, it takes much longer and it costs money. You need to pay for the stamps for the documents, and by the time it gets to court, you may wait one, two months”; “It is something that people feel comfortable with... it is in their blood to resolve disagreements in this way”.³⁸

³⁴ The *sheikh el balad*, therefore, was one of the main figures of authority in El Bîr at the time. He had a good education and came from a well-respected family, in addition to being a wealthy landowner by village standards.

³⁵ Interview no. 26, 34. One woman emphasised that “people stop talking to one another for small things and for bigger things they may go to the courts... If people do not want to go to the courts and the dispute is between family members or among neighbours, they may arrange a sitting.” (Interview no. 37)

³⁶ Interview no. 36

³⁷ Interview no. 33

³⁸ Interviews no. 27, 33, 45. Harik explained how, in his case study, “Villagers had recourse to state courts if they could afford it; but courts in general gave great weight to the judgement of the local arbitration committee... The police and the courts were hardly ever sought out in personal differences in family or financial matters and very little in property disputes”. (Harik 1974, pp. 54, 108)

Be that as it may, several younger interviewees in El Bîr pointed out that recourse to lawyers in the village was becoming increasingly common: “People do go to lawyers now. A long time ago, there was only one lawyer based in our neighbouring village and people would go to him. Nowadays, there is more education and there are lots of legal offices in the village”... “Many people are starting to go to lawyers now, instead of going to the old, respected men. The lawyers fulfil the same function and there are many of them in El Bîr.”³⁹ One reason given for this trend was that “The traditional way of reconciling is not functioning as it used to in the village. It is difficult because all the young people are educated and they don’t want to go to an elder who has no education.”⁴⁰

Overall, people would resort to one system or another, depending on their personal preferences, or if an informal solution could not be reached. However, it was emphasised that the traditional (*‘urfî*) norms referred to during the sittings were considered to hold the same weight as those stipulated by the civic legal code and *shari‘a*. This is corroborated by Nielsen, who pointed out that “Quite often people express the view that *‘urf* is *shari‘a*, or at least should be understood as an extension of the religiously based legal code, in the sense that *‘urf* specifies, for instance, the nature of a particular compensation being sanctioned by *shari‘a*.”⁴¹ As one man who had often been called upon to judge at sittings explained, “The law is what we consult during the sitting and everything is documented. There are witnesses as well.”⁴² Thus, formal and informal institutions of conflict control, in the eyes of the villagers, were interlinked.

5.3 An Extraordinary Situation: The ‘Non-Negotiability’ of Law 96

The perception that formal and informal institutions of conflict control were closely related changed completely, however, when the subject of the new tenancy law was broached. Any disputes that arose as a result of the latter represented a radical departure from the day-to-day happenings in the village, as will be illustrated in the following

³⁹ Interviews no. 45, 29

⁴⁰ Interview no. 16

⁴¹ Nielsen 1998, p. 361

⁴² Interview no. 33

pages. In contrast to the everyday conflicts in the village, it emerged during discussions with inhabitants of El Bîr that tensions which had arisen due to Law 96's implementation could not be viewed in the same light. It was inconceivable that normal procedures for reconciliation could have been resorted to, as the law was non-negotiable in this instance.

The fact that there was nothing to be done about Law 96 was repeated time and again during discussions with farmers: "Before, things were comfortable for the poor people, but the law is a law and you cannot do anything about it. The law was explicit". Not only is the emphasis here on the fact that there 'was nothing to be done about it', but also that there was no room for interpretation, there were no ambiguities: "I knew that I had to leave the land, it was the law"; "A law like this should never have been untied. It was a Republican law made by Gamal Abdel Nasser. But the law is the law."⁴³ And as one young farmer stated, "The owners wanted LE 65 to 70 per qirat for the annual rent and the tenants wanted to pay LE 50 per qirat, but we were left with no option. It was a question of take it or leave it."⁴⁴ None of the villagers in El Bîr ever mentioned the option of going to court, although it had been stipulated specifically by Law 96 that 'the contract could not be considered terminated unless the tenant and landowner had agreed to it, i.e., a farmer could only be forced to leave a tenancy if it had been sanctioned by a court of law'.⁴⁵

Not only was the possibility of going to court ruled out, but also the idea of negotiating a settlement within the informal context of a sitting: "it was an automatic change, they changed the names of the registered holdings. The law is not like a sitting: you can't negotiate, or try to solve things among yourselves."⁴⁶ Such statements express the view that here was a situation in which the traditional relationship between the law and customary assemblies had been supplanted. Zayed pointed out, for example, that customary assemblies or sittings generally proceeded in such a way that it made them 'seem more like a negotiation'. He writes, "The task assigned to those present at the

⁴³ Interviews no. 4, 13

⁴⁴ Interview no. 19

⁴⁵ LCHR, Cairo (2002, p. 129)

⁴⁶ Interviews no. 33, 34

assembly is to try and bridge the gap between the viewpoints of the two parties, each one of whom claims to have the right on their side”.⁴⁷ The sittings in El Bîr were conducted in a similar manner. So when the villagers emphasised the non-negotiability of Law 96, it was another means of contrasting the latter to an everyday situation, in which a settlement would be at least nominally arbitrated.

Moreover, as Mitchell pointed out, reconciliation committees generally “served the useful function of diverting and dissipating the grievances of tenant farmers (they did nothing for the landless), while legitimizing the underlying relations that are the source of coercive power.”⁴⁸ A study of local conflicts conducted in Middle Egypt between 1967 and 1970 came to similar conclusions. That is, the village committees handling common disputes over tenancy arrangements were dominated by influential landowners, who benefited from their position in order to obtain a favourable outcome. Nielsen, on the other hand, emphasises that “the arrangements surrounding the formation of the *majlis al-sulh* are focused, to a large degree, on removing doubts about the impartiality of the council”. He describes how these ‘men of authority’ are ‘more-or-less professional truce makers’ with a renowned reputation and whose status is enhanced by their family background. He also points out that most of them are farmers ‘of a certain economic standing’, who come from families of former village heads. And yet he does not question how these selection criteria could affect the ‘impartiality’ of such council members.⁴⁹

In El Bîr, the majority of the elders called upon to mediate during disputes also came from well-educated and esteemed landowning families, although some of these men derived their privileged status from the mere fact that they were related to the former ‘*omda* and were not necessarily well respected, as described in the previous section. It comes as little surprise, therefore, that the tenant farmers in El Bîr laughed at the idea of taking their complaints regarding the new law before a customary assembly that would be mediated, for example, by the *sheikh el balad*, one of the wealthiest landowners in

⁴⁷ Zayed 1998, p. 382

⁴⁸ Mitchell 2002, p. 159

⁴⁹ Nielsen 1998, pp. 363, 364

the village.⁵⁰ As one tenant farmer put it, to try and talk about how things could have gone differently was pointless, it was like “talking into a straw with only air at the end of it”.⁵¹ In any event, it would have been unlikely for absentee landlords to become involved in such proceedings, as they did not have the same obligations and ties to their kin as those who resided in El Bîr. Furthermore, the close connections that several members of the customary assemblies maintained with local state institutions meant that they would not have risked their position by openly going against a decree issued by the government, even if they expressed strong criticisms about the law in private.⁵² For example, one of the elders frequently called upon to mediate during disputes also ran El Bîr’s Community Development Association (CDA), while another man with similar status was an active member of the elected village council.⁵³ One young interviewee expressed his scepticism regarding the role of the elders as follows:

“In El Bîr, there are too many bosses and decision makers. A whole bunch of ex-military guys who are retired and their lives are empty, so, what do they do? They create problems. They are always talking and they can never agree on anything, so nothing gets done. And the ones who also get involved in the local administration are chosen by the NDP to stay where they are, as in reality, they are nobodies, who just compete aggressively with one another to become a ‘somebody’. They don’t do anything. The really educated people have left the village and are too busy with their lives and their work in Cairo to be bothered with such petty quibbles.”⁵⁴

At the same time, rumours of police intimidation in other villages and actual incidents that occurred in El Bîr certainly played an important role in deterring outspoken opposition to Law 96. This is illustrated in the excerpt below:

“The five-year period before October 1997 was a time given to the fellah to complain to the authorities... they were sending truckloads

⁵⁰ Interviews no. 21, 53, 61. The *sheikh’s* family, in addition to owning farmland, had date palms, a citrus tree plantation and a large poultry breeding outfit.

⁵¹ Interview no. 21: It is interesting to note here, that Law 178 of September 1952 was also viewed by the fellahin at the time of its implementation as non-negotiable, but for an entirely different reason, that is, it formed an integral part of Nasser’s Republican Constitution.

⁵² If such criticisms were made in private by these individuals, they always insisted that these were strictly ‘off the record’. The cooperative officials also stated that they felt the new law had been very unfair for the tenant farmers in El Bîr, but this did not stop them from following the orders of their superiors to change the names of the registered holdings in their records.

⁵³ CDAs play a central role in promoting the Egyptian government’s development agenda at the village level, while the Ministry of Social Affairs provides most of their premises, staff, funding and programme directives (Assaad and Rouchdy 1999, pp. 48, 49). The village council is an official government body in charge of local political affairs, whose members are elected by the ruling NDP.

⁵⁴ Interview no. 29

of fellahin to the regional office of the Ministry of Agriculture in Mansura. People were protesting about the law. They were angry and the whole village complained. The officials told them, 'We will take your complaints to the Minister and we will see what we can do'... But of course the fellahin never heard anything more about it and then they implemented the law. The owners went to the cooperative and put the landholdings in their names and started dictating prices to the tenants. Those who did not want to give back their land were taken to the police and they would say to the tenant: 'Now you give back the land to the owner or you will go to prison'. This happened a lot."⁵⁵

In this instance, it is clear that the law was seen to be non-negotiable because anyone who dared to express his/her objections would soon find him/herself behind bars. The interviewee referred to the five-year transitional period preceding the law's implementation as a "time given to the fellah to complain to the authorities", and he stressed that people were "angry and the whole village complained". But his scepticism is revealed in the same breath: "Of course, the fellahin never heard anything more about it". Another farmer pointed out that "It rarely happened here that owners came with the police to take back their land."⁵⁶ This did not mean, however, that the threat of police intimidation was completely absent in El Bîr. Furthermore, many people had heard about 'problems' related to Law 96 that had occurred in other villages.⁵⁷ As one farmer stated, "I heard there were big problems with the law in some places, for example, in the district of El Simbillâwein." Another interviewee said, "We heard that things got really bad in other areas of the Delta and in Upper Egypt."⁵⁸

Indeed the villagers were extremely reluctant to talk about any incidents of police intimidation, although there were occasions when these were referred to directly.⁵⁹ One case involved the eviction of sixty tenants renting land belonging to a rich Coptic family. The children of the original owners no longer lived in the village, and so had appointed a supervisor to oversee their land. According to several interviewees, this man was not well-liked at all. When 'the law was untied in 1997', he decided to farm 50

⁵⁵ Interview no. 18

⁵⁶ Interview no. 18

⁵⁷ It should be noted here that whenever farmers were asked about incidents of violence related to Law 96, they generally preferred to use the term 'problems'.

⁵⁸ Interviews no. 28, 36

⁵⁹ The farmers' reluctance to talk openly about these incidents could also be attributed to a general feeling of insecurity that had pervaded their lives since the recent upheavals that had taken place. Eckert explains that in the aftermath of the Bombay riots of 1992/3, many Muslims reacted as follows: "The extreme feeling of insecurity paradoxically led many to hide their feeling of insecurity and their anger at injustice." (Eckert 2000, p. 168)

feddans of the land himself, so he told the tenants they had to go. As one farmer explained, “The tenants did not want to leave, so the owners went to the police station and came back with some men. It was ‘explained’ to the tenants that this was the law and they had to give up the land”. The interviewee went on to say that the supervisor subsequently rented out land to new tenants and “every time someone meets him, he wants his money... He would say: ‘the rent is now LE 70 per qirat, pay it or you are out’, or he would tell them at rice harvesting time: ‘Give me the money now or I will take your crop’.”⁶⁰

Indeed, the feeling that it would have been pointless to express any form of resistance to Law 96 was a frequent explanation given by tenant farmers for the relatively few incidents of outright contention in El Bîr. However, this did not stop the farmers from signing the petition that was taken to the regional office of the Ministry of Agriculture in 1996, as described below:

“The tenants here complained about the new law, but nothing happened... Two or three hundred tenants signed a petition and three or four elders from the village took it to the representative of the Ministry of Agriculture in 1996. The engineer told them, “this is a government initiative and we are simply following orders... *la bi idna wala bi idku* [it is not in our hands, nor is it in your hands]. The only thing to do is to execute the law and the jail is open for those who do not agree...’ The rent was not negotiable, no one here objected. They did not want to go to jail.”⁶¹

The petition mentioned here was signed by 350,000 farmers over a period of eight months protesting against the implications of the law, but the Minister of Agriculture, Youssef Wali, refused to look at it.⁶² The idea that Law 96 had been unpreventable was strengthened further by the fact that the leaders of the opposition forces had failed to gain any concessions from the government. As one farmer declared, “The only one who stood up for the fellahin was Khaled Mohieddin. He brought it up in parliament, when the farmers were reaching out for help, but the response of the MPs was: ‘This is a law

⁶⁰ Interview no. 28

⁶¹ Interview no. 28

⁶² Bush 2002, p. 190. Brown explains that in the early 20th Century, the practice of signing petitions in the Egyptian countryside was common, although “The majority of petitions that truly came from peasants concerned individual and personal grievances and never adopted the threatening tones occasionally used in the rent campaigns of the 1920s.” (Brown 1990, p. 171)

that was passed five years ago, it is the law and that's it'... nothing could be done".⁶³ This statement illustrates clearly that as far as the interviewee was concerned, if Khaled Mohieddin could not do anything to prevent the law's implementation, what could the fellahin possibly do about it?

Another farmer specified why, in his opinion, it made no sense for the fellahin to try lobbying for their rights in the first place: "It needs to be done at a higher level... There is someone in Mansura who is supposed to represent the fellahin and one in Cairo too, but they are only interested in looking after themselves."⁶⁴ Thus a sense of inevitability regarding the law was compounded by the conviction that no-one at the top would have been willing to risk his own job by standing up for the rights of the nobodies. This is expressed in the following comments: "Who will listen to the fellah? Whom can I complain to? The fellahin had no chance of getting anywhere with this [i.e. the petition]..."; "The fellah is *tabân* [weak/sick] these days. He has nothing to fall back on. Who will run after his interests?"; "The decisions come from the top. Although the fellahin feel that they are the spinal cord of the country, they have been forgotten".⁶⁵

5.4. 'We Are All One'

On the other hand, many villagers emphasised that internal factors had played an equally significant role in the unfolding events. In their view, the relatively minimal levels of conflict in El Bîr could be attributed to a well-functioning community, in which specific patterns of social interaction were subscribed to, as explained in the first part of this chapter. And it was not in people's interests for it to be otherwise. That is, the overriding importance of maintaining harmonious relations with influential members of the community was a fundamental aspect of local politics. For instance, interviewees tended to highlight the fact that dealings between tenants and landowners in El Bîr were 'good' and this was a frequent reason given for the absence of overt

⁶³ Interview no. 17. Khaled Mohieddin was the Secretary General of the leftist Tagamu' party at the time, the only party that really supported the tenants' case, although in the end, the draft law that was presented to parliament in 1992 did not take into account any of the objections or suggested amendments to the law made by the Tagamu' (see Saad 2002, pp. 111–113).

⁶⁴ Interview no. 36

⁶⁵ Interviews no. 34, 18, 19

confrontation over the implementation of Law 96. This is illustrated in the excerpt below:

Researcher: When the law changed in 1997, were there any conflicts in the village?

Farmer 1: No, no, no...

Researcher: Okay, but why do you think it was like this?

Farmer 2: Here, people are kind. We don't have problems.

Farmer 3: The village has been calm from the day it existed.

Researcher: In all of Daqahliya, or is it only here in El Bîr that there were no problems over the new law?

Farmer 1: It differed from one area to another, more-or-less.

Farmer 3: It's not all the same. There were problems in some areas and there were no problems in others.

Farmer 2: Here too. But our village is quiet.

Farmer 4: The relations are good here. We pay our respects when someone dies and they pay their respects to us. We go visit them in the Eid and they also come to visit us.

Farmer 1: In the village, the relations are strong.

Farmer 3: It is normal between us and them [i.e. us tenants and they, the owners]... *ihna wi humma wahid* [us and them are one]. There are no problems.⁶⁶

The idea of relations being good or strong between people and that life in the village had always been calm, referred not only to the land issue, but to the overall sense of community that was intrinsic to its members. As described in Section 5.2, reconciling with one's relatives and neighbours, the right to be respected and the obligation to respect others in return were considered pivotal to daily interaction in El Bîr. Yet the affirmation made by one of the interviewees, that 'here too' there were more problems in some areas than in others, is a reference to underlying currents of contention. Some villagers were more explicit about tensions that had arisen as a result of the law, but it was always emphasised that these were minimal. Other interviewees stated that those who lost out were 'disturbed' or 'upset'; that 'emotions had played a role' and

⁶⁶ Interview no. 26

people's feelings were 'not so good anymore'; or that this time had been 'difficult for the fellahin' and the new situation was 'not positive for the farmers'.⁶⁷

However, many villagers felt that although there had been tensions, one could not really talk about outright conflict. This is reflected in the following statement:

"Boundary conflicts have become more normal now. There were problems in 1997 and 1998, but they have been settled. The owners came back to define the borders of their land. Before the law, people were farming without worrying about boundaries... You can't really talk about conflict. It was more a question of redefining ownership. The taking away of the Law caused a lot of problems, but it didn't take long to sort them out... it was all over in a year. *Hina, osra wahda* [here, we are all one family]."⁶⁸

The notion of being part of 'one family' was mentioned on numerous occasions, whether people were referring to relations between tenants and owners or to relations between Copts and Muslims, or to the atmosphere in the village in general. For example, one man expressed his view as follows: "Here, there were not many conflicts between owners and tenants, either they were members of the same family or they were neighbours, so they sorted things out."⁶⁹

5.5 Positive Comparisons

In a similar manner, the view that El Bîr's inhabitants were more 'educated' and 'aware' than in other villages, was a common explanation given for the lack of outright conflict between tenants and owners. This is indicated in the dialogue below:

Researcher: "Did conflicts over the definition of boundaries increase after the law of 1997?"

Amm Hisham: "No, they have always existed... there was no change."

Researcher: "Why do you think that it was calm here in the village during that time?"

Amm Hisham: "Perhaps, there is more awareness (*w'at*) in our village."⁷⁰

⁶⁷ Interviews no. 5, 9, 8, 4. Bach underlines, for example, that in the Upper Egyptian village of her case study, "the relative peacefulness of the transfer does not hide the growing economic and social tensions in the village" (Bach 2002, p. 179).

⁶⁸ Interview no. 40

⁶⁹ Interview no. 17

⁷⁰ Interview no. 33

The tendency for the villagers to minimise internal conflicts by referring to conflicts elsewhere could also be interpreted as a means of distancing disharmony, or rendering it abstract, thus enabling people to talk about the phenomenon more freely. According to Elwert, another means of ‘excluding conflict from a society or a community’s self-representation’, is the tendency for people to ‘simply deny the existence of conflict’, or for ‘existent conflicts within a group to be hidden behind other conflicts with outsiders’.⁷¹ For example, the interviewees in El Bîr would compare the congenial relations among the well-educated of El Bîr to the poor and oppressed living in places as close as the village opposite them, or the one a few kilometres down the road, or as far away as in Upper Egypt (El Sai‘d). As one interviewee stated, “Most of the fellahin here prefer to reconcile, everyone knows everyone; we have strong family ties. Not like in Village A. There, it is not as peaceful and in Village B, people have a reputation in the area for being trigger-happy drug dealers. The father was in prison and the son is going to prison. The whole village is like that.”⁷²

The idea expressed above that people were more ‘aware’ recognised possession of a good education, but it also referred to the existence of strong traditions and values. For example, it was pointed out by several interviewees that El Bîr was a very ‘old’ village, with a long history of well-established traditions and a close-knit community. This would be linked to the concept of ‘we are all one family’, but it would also refer to the village’s unique history. For example, the claim that one of the earliest mission schools had been established in El Bîr and that it had the first village sports club, as well as a number of ancient sites of archaeological interest.

People would often talk about the village on the opposite side of the canal as being ‘Bulaq’ (a slum area of Cairo) where gun-runners were dealing in drugs, and the unemployed hung around all day long at the coffee house smoking their *shîshas* (water pipes). The El Bîr side of the canal, on the other hand, was ‘Zamalek’ (one of the smartest suburbs of Cairo) and walking along their stretch of the canal was like walking

⁷¹ Elwert 2001, p. 2543

⁷² Interview no. 38

on the beautiful Corniche by the Nile. Explanations of differences between the respective villages were given as follows:

“In the village opposite to us, people are not as well educated as those in El Bîr, and they tend to marry young and start having lots of kids, without ensuring that they have a steady income to start with. They are poorer and they earn their living through farming and livestock projects, or they hire out their labour during peak seasons and work in construction. Young people in El Bîr want to make sure that they can set themselves up in a separate apartment when they get married, whereas those others are content to live with their family in one room, in the same house as their parents. Since people in El Bîr are better educated, they have more chances of getting a government job, or to travel abroad to work.”⁷³

“There are very ambitious young people in El Bîr, as they hear from their elders about people from the village, who ended up as ministers under Nasser. Everyone is well educated and they have high expectations, it is not like in the village opposite us or the one down the road, where the most they aspire to is for their sons to go to medical school, or something like that. No one from El Bîr went to the Gulf to make money... In the village a few kilometres away, a man may come back with a Saudi who employed him while he was there and try to get more money out of him. He may even set him up with a local woman, for example. Saudi marriages do not occur here; people are too educated”.⁷⁴

Several interviewees stated that concerning the lack of conflict between people in El Bîr, “having an education was an important factor, as the children of tenants had the possibility to go to school before the removal of the law, so they could find work in the 10th of Ramadan City. The level of education is high here. It is also an old village and tradition can play a stabilising role, in addition to higher levels of income”; “those tenants who had to leave farming were okay, because they had enough time to build up an income and their children were all educated, so they could get jobs”.⁷⁵ In this way, ‘awareness’ and ‘education’ was linked to notions of tradition and history on the one hand, and on the other, better employment opportunities and higher levels of income.

⁷³ Interviews no. 29, 43

⁷⁴ ‘Saudi marriages’ is a euphemism for a semi-legalised form of prostitution (a marriage ‘contract’ is signed), whereby rich Gulf Arabs pay large sums of money to find themselves a pretty young Egyptian ‘wife’ to enjoy for the summer or to take back home: this phenomenon has become more and more common in the Egyptian countryside in recent years. Many people deny that anything so shameful would be going on in their village, but it is known that a bride can fetch a sum as high as LE 10,000 (see Tingay and Sarhan 2001).

⁷⁵ Interviews no. 43, 36

Furthermore, a number of interviewees pointed out that the distribution of wealth in the village was more equal than it used to be: “The differences are not as big as before. If we take a scale of wealth from one to ten, no-one in El Bîr would be below five, while one percent would be ten out of ten.”⁷⁶ The main reason for this was that a considerable number of El Bîr’s inhabitants had accumulated wealth in the seventies and eighties working in the Gulf States, although the trend was beginning to reverse. And despite increasing unemployment, most villagers were quick to distinguish between poor people (*nâs ghalaba*), and those who had absolutely nothing (*muahddam*). They underlined that this level of absolute poverty did not exist in the village, as the sense of community was strong enough to ensure that even the destitute would be guaranteed a proper burial: “The rich families from the village who live outside send money to their poor relatives, especially during the month of Ramadan. We Copts have a similar system. The wealthy land owners are obliged to give a percentage of their income to the poor and this is supervised by the Church. Thank God, we have a rich Church.”⁷⁷

Positive comparisons made between El Bîr and other places in Upper Egypt (El Sai’d), was another common explanatory narrative referred to by interviewees regarding the lack of conflict in their village. This is illustrated by the following comments: “Some people like problems in Upper Egypt, but not here. There they kill each other and it’s normal”; “We are not like in the Sai’d where people get into big fights and take out their guns. Reconciliation is a normal thing here.”⁷⁸ Another villager stated, “I heard that in the Sai’d there are people who have nothing at all and others who are extremely rich. It is not like that here.”⁷⁹ The view was that revenge killings or blood feuds were far more common in Upper Egypt because the fellahin of that region had always suffered greater oppression than elsewhere. So many of El Bîr’s inhabitants believed that the reversal of Nasser’s land reforms had a bigger impact on the fellahin in the Sai’d: “Here, the pieces of land that were taken from the tenants or changed hands were small – half a feddan here, half a feddan there, *hâga basîta* [nothing much]”; “It was not like in the Sai’d, where there were big landlords, whose families came and took back the land. There,

⁷⁶ Interview no. 48

⁷⁷ Interviews no. 48, 47

⁷⁸ Interviews no. 26, 45

⁷⁹ Interview no. 46

they had many more conflicts.” Another villager expressed his view as follows: “On the estates, the landlords are feudalists one hundred percent, especially where there is one big owner and even the houses are owned by him. The tenants must have been affected a whole lot more there than they were in El Bîr.”⁸⁰

In fact, as shown in Chapter 3, there were many incidents of violence in Daqahliya itself for the same reasons referred to here by the villagers. Large tracts of land changed hands and many tenants were evicted, not only from their land, but also from their houses. And in one of the neighbouring hamlets only a few kilometres from El Bîr, as many as three hundred tenants had been evicted; but the *sheikh* of this hamlet explained that at least they had been allowed to keep their houses, so there were relatively ‘few problems’.⁸¹ It is interesting, therefore, that the inhabitants of El Bîr distanced themselves from the potential for conflict within their immediate community by referring to problems in far away Upper Egypt, rather than mentioning cases of evictions that had occurred closer to home.

At the same time, the idea that tenant farmers in El Bîr were more conscious of the implications of Law 96 than in other villages was also attributed to the theory that they never forgot who the real owners were. One government employee stated, “The tenants always knew that the land was not theirs... Here, there were few problems because they understood that it wasn’t their land in the first place and the law stated clearly what was going to happen.” And in the words of a tenant farmer, “Even before they untied the Law, everyone knew that this land belonged to so-and-so and that land belonged to so-and-so. If the owner wanted his land back, he could compensate the tenant or make a compromise with him.”⁸² The contrast made between those farmers who were ‘educated’ and those who were ‘ignorant’ is illustrated clearly in the following excerpt.

Sara: “I knew that if we had given up our land before 1997, we would have been paid LE 5,000 in compensation. I believe that most tenants in El Bîr knew about this. It was the government’s way to ensure that the carpet under our feet was taken away slowly, step by step. It was on TV, in the papers, the neighbours were talking about it, and the People’s Assembly was discussing it. It was a big thing and people knew it was going to happen.

⁸⁰ Interviews no. 43, 1, 9

⁸¹ Interviews no. 55, 57

⁸² Interviews no. 48, 14

Researcher: “But even if people knew about the law, do you think that they believed it would really happen?”

Sara: “Yes, they believed it. At least those fellahin who were educated and aware... perhaps those who did not believe it were ignorant... they did not want to believe it. The tenants were always aware that the land did not belong to them. Why should the owner get peanuts for the rent forever? It was his right to get back the land. The owners were *mazlumîn* (oppressed)... the tenants knew this and they acknowledged it. Very few people left the land and those who did were planning to leave anyway.”

Researcher: “But what about people who do not own land at all and do not have government jobs like you and your husband?”

Sara: “I do not know anyone who does not have any land at all, but even if people had no land, their sons were able to get work in the 10th of Ramadan.”⁸³

The young Coptic woman talking here could be said to represent the views of a smallholder with a second income in El Bîr. The main family income was derived from government employment in the local school, but she and her husband also owned several heads of livestock and 5 qirats of land. They had continued to rent in 25 qirats from the same owners, despite the increase in rent. She was adamant that the farmers knew what was coming and that the five-year transitional period was ‘the government’s way of taking the carpet from under our feet slowly, but surely’.⁸⁴ Other farmers stated the opposite, however. For example, according to two interviewees, “The fellahin did not know about the law before it happened... there was a lot of disbelief”; “I did not believe that the law would be implemented and I regretted my decision to refuse to negotiate with the owner”.⁸⁵

It should be noted that findings of other studies confirm the sentiments expressed by the latter. For instance, Abdel Aal’s extensive survey of the level of farmers’ knowledge concerning Law 96 in Upper Egypt revealed that a high percentage of both landowners and tenant farmers were uninformed about many aspects of the new legislation. He concluded that “The lack of knowledge on the part of those whose lives would be so dramatically affected by the law was remarkable. Farmers were not consulted about the

⁸³ Interview no. 46

⁸⁴ Scott described a similar process of gradual change in his village case study as follows: “The screws were turned piecemeal and at varying speeds, so that the victims were never more than a handful at a time.” (Scott 1985, p. 242)

⁸⁵ Interviews no. 17, 20

law and the GoE seemed uninterested in spreading information to the countryside.⁸⁶ Saad also pointed out that ‘there was widespread disbelief that the law would be fully implemented’, not only on the part of the fellahin, but also on the part of political observers. And although many agricultural cooperatives, village banks and sugar factories stopped dealing with tenants during the last year of the transition, leaseholders continued to hope that the deadline would be postponed or that the law would be repealed. Furthermore, Bush underlined that even when farmers did hear about the changes in the status quo, it happened in an extremely haphazard manner and they were rarely informed by government officials, extension officers or governorate personnel.⁸⁷

5.6 Conclusion

In light of this, the emphasis placed by interviewees on the greater degree of awareness in El Bîr or the fact that relations between people were good as reasons for avoidance of conflict may not have reflected the entire picture. For example, the tendency to emphasise that the fellahin in El Bîr were better educated or more conscious of the implications of the new law than in other villages, or that the rapport between tenants and owners was generally amicable also made it easier for people to avoid talking about the negative aspects of the new status quo, particularly if they had benefited from it. Indeed, those interviewees who emphasised better education levels and employment opportunities as mitigating factors for the tenant farmers, tended to be landowners or government employees; while the former did not always paint such a rosy picture of their future prospects. This is not to say, however, that a higher number of alternative employment opportunities open to El Bîr’s inhabitants than in other villages, did not contribute significantly to the lessening of social and economic tensions arising from Law 96’s implementation, at least in the short term.

⁸⁶ Abdel Aal 2002, pp. 152: He continued that “the area of lowest knowledge among landowners and tenants related to the provision within the new law for compensation for the tenant who would evacuate land during the transitional period”. In the meantime, Bush noted that respondents stated “they did not imagine that President Mubarak would allow such a denial of previous tenant rights” (Bush 2002, p. 201).

⁸⁷ Bush 2002, p. 203

Moreover, the fact that Law 96 was seen to be non-negotiable by the villagers did not mean that this was an actuality in legal terms, although the case studies presented in Chapter 3 indicate that the farmers' ability to negotiate any concessions from the government was extremely restricted in reality. Given the prevailing atmosphere of political repression in which Law 96 was fully implemented in October 1997, as described in Section I, it appears that the non-confrontational attitude taken by most farmers in El Bîr reflected a realistic assessment of the limited options available to them at the time. It was more constructive to avoid contention over the new status quo, as it was clear that anyone who openly opposed it would end up in jail. Likewise, if references were made to tensions between tenants and owners resulting from Law 96's implementation in El Bîr, these were oblique and would be sidelined during discussions, as it was usually in people's interests to maintain good relations with one another, in order to continue about their daily business in the smoothest manner possible. At the same time, the very nature of tenancy arrangements in El Bîr was so complex, that people's responses to the events of October 1997 tended to be mixed and in many cases, even contradictory. This will be the core theme for analysis in the following chapter.