

# **STATE SANCTIONED PERSECUTION OF JEWS IN EGYPT**

(From Research conducted at the UNHCR Archives in Geneva)

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**(PLEASE NOTE: This does not represent an exhaustive survey  
but rather as a sample of such decrees and enactments)**

## **I) Discriminatory Decrees and Violations of Human Rights**

The first Nationality Code was promulgated by Egypt on May 26, 1926. According to this Nationality Code, a person born in Egypt of a 'foreign' father, (who himself was also born in Egypt), was entitled to Egyptian nationality only if the foreign father "belonged racially to the majority of the population of a country whose language is Arabic or whose religion is Islam."<sup>1</sup> The requirement to belong "racially to the majority of the population of a country whose language is Arabic or whose religion is Islam" operated for the most part against Jews in Egypt, a great proportion of whom, through Ottoman subjects, could not thus acquire Egyptian nationality. Later, during the fifties, having failed to become 'Egyptian', this provision served as the official pretext for expelling many Jews from Egypt.

On July 29, 1947, an amendment was introduced to the Egyptian Companies Law which made it mandatory for at least 75% of the administrative employees of a company to be Egyptian nationals and 90% of employees in general. This resulted in the dismissal and loss of livelihood for many Jews since only 15% of them had been granted Egyptian citizenship.<sup>2</sup>

Under Article 3, Paragraph 7 of Emergency Law No. 5333 of 1954, on the Proclamation of a State of Siege in Egypt, the Military Governor of Egypt was authorized

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<sup>1</sup> Article 10(4) of the Code. See: Maurice de Wee, La Nationalité Egptienne, Commentaire de la loi du mai 1926, p. 35.

<sup>2</sup> H.J. Cohen, *"The Jews of the Middle East, 1860 – 1972"*

“to order the arrest and apprehension of suspects and those who prejudice public order and security.” At least 900 Jews, without charges being laid against them, were detained, imprisoned or otherwise deprived of their liberty.<sup>3</sup>

A mass departure of Jews was sparked when Egypt passed an amendment in 1956 to the original Egyptian Nationality Law of 1926. Article 1 of the Law of Nov 22, 1956, stipulated that “Zionists” were barred from being Egyptian nationals.<sup>4</sup> Article 18 of the 1956 law asserted that “Egyptian nationality may be declared forfeited by order of the Ministry of Interior in the case of persons classified as Zionists”. Moreover, the term “Zionist” was never defined, leaving Egyptian authorities free to interpret as broadly as they pleased.

A telling signal as to the dire future of Egyptian Jewry was the promulgation in 1957 of Army Order No. 4 relating to the administration of the property of the so-called people and associations (“Zionist” i.e. Jewish) subject to imprisonment or supervision.<sup>5</sup> Once again, the Law itself did not specify who was a “Zionist”, but was defined as “not a religion but the spiritual and material bond between Zionists and Israel”.<sup>6</sup> A more precise definition is found in a subsequent amendment, published by the Egyptian Interior Minister in the Official Gazette on April 15, 1958. This regulation prescribes, in unambiguous terms, that all Jews (“Zionists”) between the ages of 10 and 65, leaving Egypt, are to be added to the list of persons who are prohibited from returning to Egypt.<sup>7</sup>

This 1958 decree includes a similar provision that, while not specifically excluding non-Moslems from citizenship, is even more clearly of an ethnic and political tenor showing that Egypt wished to be an Arab, Mohammedan country. Thus, the Minister of Interior is permitted by the law to accord “Arab nationality” to aliens or

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<sup>3</sup> Confidential Memorandum provided to the UNHCR, Feb, 26, 1960

<sup>4</sup> Law No. 391 of 1956, section 1(a). See *Revue égyptienne de Droit International*, Vol. 12 (1956), p. 80

<sup>5</sup> *Egyptian Official Gazette*, No. 88, November 1, 1957

<sup>6</sup> Decision of the President of the Republic, Law No. 391 of 1956 regarding Egyptian nationality, See *Revue égyptienne de Droit International*, Vol. 12 (1956), p. 87

<sup>7</sup> Now according to the International Encyclopedia of Comparative Law vol. 1 (article “Egypt” p. E 10), after an amendment under the Law No. 282 of 1959, article 10 of the Nationality law reiterates the racial criterion, already found in the 1926 Code, for the acquisition of Egyptian nationality.

strangers who have “rendered eminent service to the state, to Arab nationalism or to the Arab fatherland.”

These two nationality laws made it very easy for Egypt to take away the citizenship of any Egyptian Jew. Provision both in the 1956 and 1958 laws permitted the government to take away citizenship of persons absent from UAR territory for more than six consecutive months. That this provision is aimed exclusively at Jews is shown by the fact that the lists of denaturalized persons published time and again by the Official Journal contains Jewish names only, despite the fact that there were many non-Jewish Egyptians who stayed abroad for over six months.<sup>8</sup>

## **II) Economic Discrimination and Strangulation**

A government decision, taken in 1951, required that all employees, foreign or Egyptian, to apply for a work card. It is significant that the card asked for, immediately after the person's name, his/her religion.

Law No. 26 of 1952 obligated all corporations to employ certain prescribed percentages of “Egyptians.” A great number of Jewish salaried employees lost their jobs, and could not obtain similar ones, because they did not belong to the category of Jews with Egyptian nationality.

Militarily Proclamation No. 4 appeared under the heading of “Regime of Sequestrations.” Between November 1<sup>st</sup>-20<sup>th</sup> 1956, official records reveal that by a series of sequestration orders issued under Military Proclamation No. 4, the property of many hundreds of Jews in Egypt was taken from their owners and turned over to Egyptian administrators.<sup>9</sup> The effects of these sequestration measures, enacted in 1956-1957, affected Egyptian Jews, stateless Jews as well as Jews of other nationalities (except British and French citizens). With the people listed in the published decrees already interned or placed under surveillance, in fact, the provision of this Proclamation No. 4

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<sup>8</sup> Confidential Memorandum provided to the UNHCR, Feb, 26, 1960

<sup>9</sup> Confidential Memorandum provided to the High Commissioner, Mr. Auguste Lindt, on Feb. 21, 1957

was carried into effect almost exclusively against Jews; and though a number of Copts and Moslems were also interned, their assets were never sequestered.<sup>10</sup>

Of the published lists of 486 persons and firms whose properties were seized under Military Proclamation No. 4, at least 95 per cent of them are Jews. The names of persons and firms affected by this measure represented the bulk of the economic substance of Egyptian Jewry, the largest and most important enterprises and the main sustenance, through voluntary contributions, of Jewish religious, educational, social and welfare institutions in Egypt.<sup>11</sup>

As the Egyptian government began to take over more and more sectors of the economy, nationalization legislation often hit Jews particularly hard because the measures affected areas of the economy in which Jews had been prominent, and in which there were many Jewish employees(e.g. banking, insurance, etc.)

In addition to the vast sequestration of property and other discriminatory treatment, Directive No. 189 issued under the authority of Military Proclamation No. 4, authorized the Director General of the Sequestering Agency to deduct from the assets belonging to interned persons, or persons under surveillance, or others, 10% of the value of the sequestered property, presumably to cover the costs of administration. Hence, without regard to the question of whether a property is legally sequestered, the Jews of Egypt are being taxed to pay for the machinery or improper sequestration and withholding.<sup>12</sup>

The Jews leaving Egypt were subjected to additional deprivations and inconveniences. A regulation was established which only authorized Jews leaving Egypt to take with them travelers checks or other international exchange documents up to a value of 100 pounds sterling per capita. A diabolically shrewd maneuver was precipitated upon these unfortunate refugees because they received documents that were not freely

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<sup>10</sup> Confidential Memorandum provided to the UNHCR, Feb, 26, 1960

<sup>11</sup> *Egyptian Official Gazette*, No. 88, November 1, 1957

<sup>12</sup> Confidential Memorandum provided to the High Commissioner, Mr. Auguste Lindt, on Feb. 21, 1957

negotiable abroad. The Bank of Egypt provided Jews leaving the country with instruments specifically drawn on Egyptian accounts in Britain and France, when Egyptian authorities knew well that those accounts were blocked in reciprocation for the Egyptian blocking of British and French assets in Egypt.<sup>13</sup>

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<sup>13</sup> Ibid