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The Private Affairs of Public Officials: Mixed Marriage and Diplomacy in Interwar and Post-Mubarak Egypt

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Abstract

This article examines the 1933 legislation that criminalized Egyptian diplomats abroad who married foreign, especially European, women. While this law emerged during a period of anticolonial nationalist struggle against British colonial rule, it continues to be implemented in contemporary Egypt. This article situates the law in the broader public debates about bachelorhood and mixed marriage that dominated the pages of the Egyptian press in the 1920s and 1930s. The diplomatic legislation served as an arena to define the rights and duties of upper-class Egyptian national men who represented the semi-independent nation internationally in its newly created foreign service. It was a vehicle for the state to shape the normative national subject vis-à-vis its intervention into the private lives of public officials. By exploring the various ways in which Egyptian legislators, journalists, and social commentators conceptualized mixed marriage and

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national service, this article sheds light on upper-class masculinity in early 20th-century Egypt and its intersections with new formations of gender, governmentality, and national identity.

Keywords

mixed marriage – governmentality – masculinity – national identity – bachelorhood – foreign service – diplomacy – Egypt – gender

On 30 March 2011, the Supreme Council of Armed Forces (SCAF) – which assumed full legislative and executive control of Egypt after the resignation of President Hosni Mubarak six weeks earlier – announced the rules of eligibility for potential candidates in Egypt's first post-Mubarak presidential elections. Two of the three conditions legislated the necessary requirements for a nomination: full disclosure of the candidate's wealth and evidence of fulfillment or official exemption from Egypt's compulsory military service. The third one – the one that concerns us here – was about the national identity of the candidate.

The first rule for presidential eligibility stated: "Candidates have to be born in Egypt, may not hold dual nationality, and may not be married to a foreigner."¹ The original Article 75 of the Egyptian constitution only required that the president of Egypt must be an Egyptian born to Egyptian parents. The modified article of the 2011 Amended Constitutional Declaration detailed the following qualifications: The nominee must be an Egyptian citizen; both of the nominee's parents must be Egyptian citizens; neither the nominee nor the nominee's parents may have held foreign citizenship, and the nominee must not be married to a foreigner.² In order to register for the race, a presidential candidate was required to submit paperwork proving that he or she was born in Egypt, that he or she was born to two Egyptian citizens, that he or she was not married to a foreigner, and that the candidate, the candidate's parents, and the candidate's spouse did not hold a second citizenship.³

1 Editor, "Report No. 1 on the Egyptian Presidential Elections", *The Egyptian Organization for Human Rights*, 30 April 2012, on <http://en.eohr.org/2012/04/30/exceeding-the-campaigning-financial-ceiling-by-the-presidential-candidates/>, last accessed 25 September 2012.

2 "Amended Constitutional Articles 2011", *Egypt State Information Service*, on <http://www.sis.gov.eg/En/Story.aspx?sid=53945>, last accessed 25 September 2012.

3 Gamal Essam El-Din, "The Idiot's Guide to Egypt's Presidential Elections 2012", *Ahram Online*,

An eleven member group of constitutional law experts, composed by SCAF, drafted these stipulations and presented them to the public on 25 February 2011 for debate. They were voted on in a popular referendum on 19 March 2011 and passed into legislation.⁴ While some resisted the requirements of “Egyptianness” of the candidates and their parents and spouses in Article 75, the vast majority did not contest its new definitions of citizenship and its ostensible “purity”, despite the fact that such conditions were unprecedented in Egyptian legal history. Some suspected that the revised Article 75 was added to the 2005 Presidential Election Law (Law No. 174 of 2005) to prevent Mubarak, whose wife held British citizenship, or his sons, who also held British citizenship, from running for office. Others speculated it was incorporated in order to exclude certain possible candidates like Ahmed Zewail, the Egyptian-American Nobel Prize winner who is married to a Syrian-American.⁵ While none of these men entered the 2011 presidential race, Article 75 did disqualify the Salafi candidate Ḥāzim Abū Ismā‘īl, whose deceased mother held a US passport.⁶

Most Egyptians did not question the origin of these new stipulations of nationality and these new definitions of citizenship. Indeed, Egypt’s previous presidents were each married to women who, according to these new norms, were not “full” Egyptians. Jamāl ‘Abd al-Nāṣir, was married to the daughter of an Iranian merchant⁷; Anwar al-Sādāt was married to the daughter of a

23 April 2012, on <http://english.ahram.org.eg/News/36418.aspx>, last accessed 25 September 2012.

4 “Amended Constitutional Articles 2011”.

5 Nathan Brown and Michele Dunne, “Egypt’s Draft Constitutional Amendments Answer Some Questions and Raise Others”, *Carnegie Endowment for International Peace*, 3 March 2011, on <http://egyptelections.carnegieendowment.org/2011/03/03/egypt%E2%80%99s-draft-constitutional-amendments-answer-some-questions-and-raise-others>, last accessed 30 September 2012; Nadia Elawady, “Egypt’s Constitution Has No Right to Shed Doubt on My Egyptianness”, 27 February 2011, on <http://nadiaelawady.wordpress.com/2011/02/27/egypt%E2%80%99s-constitution-has-no-right-to-shed-doubt-on-my-egyptianness/>, last accessed 13 October 2012; Bel Trew and Salma Shukrallah, “Morsi in Power: A Time-Line of Diminishing Presidential Prerogatives”, *Ahram Online*, 24 June 2012, on <http://english.ahram.org.eg/NewsContentPrint/1/0/45982/Egypt/0/Morsi-in-power-A-timeline-of-diminishing-presidential.aspx>, last accessed 30 September 2012; and based on personal conversation with Marie Ramona Canaan, External Government and Communication Adviser, The United Nations Development Programme (UNDP) in Egypt, 31 October 2012, Cairo, Egypt.

6 Mohamed Fadel Fahmy, “10 Egyptian Presidential Candidates Disqualified”, *CNN U.S.*, 14 April 2012, on http://articles.cnn.com/2012-04-14/middleeast/world_meast_egypt-elections_1_vice-president-omar-suleiman-president-hosni-mubarak-al-ghad?_s=PM:MIDDLEEAST, last accessed 26 September 2012.

7 Earl L. Sullivan, *Egyptian Women in Public Life* (Syracuse: Syracuse University Press, 1986), 84.

British woman;⁸ and Ḥusnī Mubārak was married to the daughter of a Welsh nurse.⁹

Former judge Ṭāriq al-Bishrī, the chair of the constitutional committee that drafted these articles, explained that the inspiration for Article 75 was another equally unaddressed law that forbids Egyptian diplomats from marrying “foreigners”. He argued that such a regulation should be applied with even greater weight to the Egyptian president.¹⁰ Few, if any, are aware of the historical circumstances from which Law 41 of 1933 emerged, or that it continues to apply in the Egyptian diplomatic corps today. This law against mixed marriage materialized during the period of anticolonial nationalist struggle against British colonial rule. Its introduction must be historicized in the broader public debates about foreign colonial occupation, mixed marriage,¹¹ and bachelorhood that dominated the pages of the Egyptian press in the 1920s and 1930s.

This article focuses on the state’s attention to mixed marriage between Egyptian men and European women through its diplomatic legislation. It demonstrates how the 1933 law served as a platform to define the rights and duties of elite Egyptian national men who represented the semi-independent nation internationally in its newly revived foreign service. The law was a vehicle for the state to shape the normative national subject through its intervention in the private lives of public officials. By exploring the various ways in which Egyptian legislators, journalists, and social commentators conceptualized mixed marriage and foreign service, this paper sheds light on elite masculinity in early 20th-century Egypt and its intersections with new formations of gender, governmentality, and national identity.

8 Ibid., 86.

9 Martin Evans, “Egypt Crisis: Mubarak Family Profile”, *The Telegraph*, 30 January 2011, on <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/egypt/8291530/Egypt-crisis-Mubarak-family-profile.html>, last accessed 30 September 2012.

10 Policy Analysis Unit – ACRPS, “The Popular Referendum on the Amendments to the Constitution in Egypt”, *Arab Center for Research and Policy Studies*, 21 March 2011, on <http://english.dohainstitute.org/release/730f6ce2-b8a4-4970-adba-5b85b2e81167>, last accessed 30 September 2012.

11 In this article, the term “mixed marriage”, unless indicated otherwise, is used to refer to marriage between Egyptian men and European women. In all of the articles I surveyed, the writers did not use the term “mixed marriage” but rather “marriage between Egyptian men and European women” or “foreign women”. The topic of the marriage of Egyptian women to foreign men rarely appeared in my extensive survey of the various periodicals of the Egyptian press from the 1890s to the late 1930s.

The Law

On 8 June 1933, the Egyptian government passed Law 41, making it illegal for Egyptian diplomatic and consular representatives and officials (as well as administrators in the delegations and consulates and students enrolled in the diplomatic and consular corps) to marry non-Egyptian women.¹² Those who did so were forced to resign, although they were permitted to retain their governmental benefits and pensions.¹³

Despite widespread support, this law dictating whom Egyptian civil servants and students abroad could and could not marry did not pass easily. From its initial introduction by the Foreign Ministry in April 1932 to its eventual passage in June 1933, members of the Foreign Ministry's Legislative Advisory Committee, the Cabinet, and finally the Parliament debated and revised it considerably until King Fu'ād (r. 1917–1936) finally signed it into legislation on 8 June 1933.¹⁴ Former diplomats and press reporters, particularly those of *al-Ahrām*, the country's largest daily newspaper, covered the sessions unfailingly with great detail, and also weighed in on the debate.¹⁵ Before analyzing the various arguments for and against Law 41 of 1933, a brief introduction to the Egyptian Foreign Ministry, and how and why it proposed this law amidst the backdrop of the broader public debates on mixed marriage is warranted.

The Egyptian Ministry of Foreign Affairs

On 15 March 1922, the government of Britain, which had been occupying Egypt since 1882, informed the Egyptian head of state, King Fu'ād, that the Egyptian Ministry for Foreign Affairs should be revived. Muḥammad 'Alī (r. 1805–1849), the first Ottoman ruler of Egypt who is widely considered the founder of

¹² *Al-Waqā'ir al-Miṣriyya*, 12 June 1933, 3.

¹³ Ibid.

¹⁴ "Marriage to Foreigners and Forbidding It for Delegate and Consular Employees", *al-Ahrām*, 18 April 1932, 1; "Marriage to Foreigners and Employees in Delegations and Consulates", *al-Ahrām*, 11 May 1932, 6; "Marriage of Foreign Dignitaries", *al-Ahrām*, 28 March 1933, 2; and "Marriage of Foreign Politicians", *al-Ahrām*, 25 May 1933, 3.

¹⁵ In 1919, for example, the best-selling *al-Ahrām* sold 20,000 copies a day in 1919, far outnumbering the sales of the second most popular daily *al-Afkar* that sold 12,000 to 14,000 copies per day. See Beth Baron, *The Women's Awakening Magazine in Egypt: Culture, Society, and the Press* (New Haven: Yale University Press, 1994), 91. Between April 1932, when the law was first proposed, and June 1933, when the law was passed, *al-Ahrām* published ten articles on the subject.

modern Egypt, originally established the Foreign Ministry in 1826.¹⁶ The decision was made after Britain had granted its former protectorate a limited form of independence and domestic sovereignty the month before in response to Egypt's three-year revolution demanding independence from its colonial rulers. Although Britain occupied Egypt militarily in 1882 and established a new colonial regime, Egypt nominally remained a province of the Ottoman Empire. At the onset of World War One in 1914, however, the British placed Egypt under a temporary protectorate, ending all vestigial legal ties with the Ottoman Empire. After World War One, when Britain failed to immediately remove this protectorate status, Egyptian nationalists initiated a three-year struggle for independence beginning with the 1919 revolution. In 1922, the British conferred nominal independence and a constitution was signed in 1923. Under this new agreement, Egyptians assumed responsibility for their internal affairs, while the British retained authority in foreign affairs and continued to maintain a military presence. This awkward political arrangement persisted until 1954, when Egypt achieved full independence.¹⁷

To qualify to serve in a diplomatic mission in London, Paris, Rome or Washington, DC, which were the four initial Egyptian embassies abroad, an applicant had to be an Egyptian male, no more than thirty years old, and hold a law degree. He also had to pass a thorough background check to ascertain that the title and profession of his father, the schools in which he received his education, his foreign language proficiency, and the extent and sources of his income were deemed adequate. Membership in Egypt's miniscule wealthy elite was not an explicitly stated condition. Applicants, however, were cautioned that the universities and academies in Paris and London where they would complete courses in political and other social sciences before serving required "extensive expenses that government stipends will not be able to

16 Yunan Labib Rizk, "A Diwan of Contemporary Life (347)", *al-Ahrām Weekly On-Line* 491, 20–26 July 2000, on <http://weekly.ahram.org.eg/2000/491/chrncls.htm>, last accessed 30 September 2012. See also *ibid.*, "A Diwan of Contemporary Life (792)", *al-Ahrām Weekly On-Line* 792, 27 April–3 May 2006, on <http://weekly.ahram.org.eg/2006/792/chrncls.htm>, last accessed 30 September 2012.

17 For general works on this period in Egyptian history, see Gabriel Baer, editor, *Studies in the Social History of Modern Egypt* (Chicago: University of Chicago Press, 1969), Israel Gershoni and James P. Jankowski, *Egypt, Islam, and the Arabs: The Search for Egyptian Nationhood, 1900–1930* (New York: Oxford University Press, 1986), P.M. Holt, editor, *Political and Social Change in Modern Egypt: 1850–1950* (London: Oxford University Press, 1968), and Afaf Lutfi al-Sayyid Marsot, *A Short History of Modern Egypt* (Cambridge: Cambridge University Press, 1985).

cover”.¹⁸ Therefore “it is preferable that the applicant [...] be of sufficient means to enable him to sustain the costs of an appearance appropriate to the post and of the additional financial burdens entailed”.¹⁹ The Foreign Ministry was thus limited to young, wealthy, foreign-educated, and elite Egyptian men who were refined (read Western) in manners and appearance.

Mixed Marriage

Some of these young, wealthy, and elite diplomats posted in Europe began to date and marry European women, which “led to problems” because they were choosing inappropriate women who “shame them and their nation”.²⁰ As a result, they were accused of becoming distracted from their work.²¹ Despite the Ministry’s deep concern, it appears that perhaps only a few Egyptian men among the hundred or so members of the elite diplomatic corps were marrying European women deemed inappropriate.²² This unsuitability was not explicitly defined, but when situated among the larger public debates over mixed marriage during this time period, the unsuitability of these European women appears to be a class-based designation. Egyptian participants in the larger public debates over mixed marriage between Egyptian men and European women, which had begun to appear around 1909 but reached its apex in the press during the 1920s and early 1930s,²³ repeatedly and condescendingly high-

18 Ibid.

19 Ibid.

20 “Forbidding Marriage to Foreigners”, *al-Ahrām*, 30 May 1932, 11.

21 “Marriage to Foreigners and Forbidding It for Delegate and Consular Employees”, *al-Ahrām*, 18 April 1932, 1.

22 “Forbidding Marriage to Foreigners”, *al-Ahrām*, 30 December 1932, 1. In my survey of articles about the law, I did not find a single reference to the number of mixed marriages contracted by Egyptian diplomats. See also “The Marriage of Ramsis Shaf’i to a Russian Woman and the New Law that Prohibits Diplomats from Marriage to Foreigners”, *Rūz al-Yūsuf*, 11 April 1932, 14, which discusses the case of the Egyptian consul in Paris who was recalled from his position for marrying a Russian woman.

23 Hanan Kholoussy, “Stolen Husbands, Foreign Wives: Mixed Marriage, Identity Formation, and Gender in Colonial Egypt, 1909–1923”, *Hawwa: Journal of Women in the Middle East and the Islamic World* 1, 2 (2003), 215. I do not claim to have undertaken a comprehensive survey of every journal published in the years before 1909, but I did review the majority of women’s press periodicals that were in circulation in the last decade of the 19th century and the first decade of the 20th century. 1909 was the first year in which I located articles and speeches explicitly discussing mixed marriage.

lighted the inferior class position of the “European servants and working-class women” who would willingly marry colonized men.²⁴

Although early 20th-century statistics are not available for the incidence of mixed marriage between Egyptian men and foreign women, in general, and of the class status of the foreign women who married Egyptian men, in particular, it appears that the majority of European women who did marry Egyptian men – inside Egypt at least – came from lower socioeconomic classes. It was not long into the British occupation before scores of single, working-class women arrived on their own from Europe to act as governesses in wealthy households or to teach female students in the newly proliferating private, church-run schools.²⁵ In Egypt, as in other colonies, working-class European women were placed under heightened surveillance because colonial officials feared that they would transgress colonial boundaries and marry foreign, colonized men.

British colonial officers in Egypt officially discouraged mixed marriage between British women and Egyptian men, although they did not ban it as their German and Dutch counterparts did.²⁶ In 1915, the Egyptian Mixed Court of Appeal affirmed that a woman lost her original nationality upon marriage to a foreigner and acquired her husband’s nationality as determined by the laws of their respective original domiciles, even if that meant colonial subject status.²⁷

24 Ibid., 231. See also Ifdal Elsaket, “Projecting Egypt: Colonial Modernity and the Cinema in Egypt, 1896–1952” (PhD Dissertation, The University of Sydney, 2013), 220 and Shaun Timothy Lopez, “Media Sensations, Contested Sensibilities: Gender and Moral Order in the Egyptian Mass Media, 1920–1955” (PhD Dissertation, University of Michigan, 2004), 109.

25 Margot Badran’s introduction to Huda Shaarawi, *Harem Years: The Memoirs of an Egyptian Feminist*, translated, edited, and introduced by Margot Badran (New York: Feminist Press at the City University of New York, 1987), 13.

26 Mixed marriage was banned in three German colonies: Southwest Asia in 1905; East Africa (1906); and Samoa in 1912. Since the bans infringed on German men’s legal rights to pass on citizenship to their wives and children, however, it was not passed into law and considered illegal by many jurists. See Lora Wildenthal, “Race, Gender, and Citizenship in the German Colonial Empire”, in *Tensions of Empire: Colonial Cultures in a Bourgeois World*, edited by Frederick Cooper and Ann Laura Stoler (Berkeley: University of California Press, 1997), 263–283. The Dutch Mixed-Marriage Law of 1898 specifically addressed unions between lower class European women and colonized Muslim men in the Indies by excluding women of this class from Dutch citizenship rights. See Ann Laura Stoler, *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule* (Berkeley: University of California Press, 2002), 101–106.

27 “Mixed Court Ruling”, *Egyptian Gazette*, 15 December 1915, 5. The Mixed Courts and the Mixed Court of Appeals (1845–1937), whose judicial membership included both European and Egyptian judges, were Egyptian national courts that covered all civil and commercial

This ruling, which was derived from the Code Napoléon, was also followed by other European countries.²⁸ A European woman's political relation to the nation was thus determined through her marital relation to a man.²⁹ Similarly, Egyptian civil nationality laws permitted a foreign woman who married an Egyptian man to claim Egyptian citizenship if she so desired and if her native country permitted her.³⁰

The British Consulate in Cairo issued to single, working-class British women a "solemn and detailed warning about the risks they would incur" if they married Egyptian Muslim men.³¹ A 1911 memorandum, for example, addressed the legal consequences of marriage to an Egyptian Muslim husband, cautioning British women that he would have the right to marry up to four wives, absolute physical control over his wife, including the right to inflict "mild" corporal punishment, access to easy divorce, and that all children would be raised as Muslims.³²

Historian Ann Stoler describes the strict policing of membership in, and the prestige of, the colonial community as characteristic of late 19th- and early 20th-century European colonialism.³³ She has called to attention the importance of not treating the colonizer as an ahistorical homogenous category, but rather as a historically shifting social category that needs to be explained. She also points out that Europeans in the colonies were "neither by nature unified nor did they inevitably share common interests and fears" and indeed lived

suits between Egyptians and foreigners and between foreigners of different nationalities, except personal status issues which were left to the jurisdiction of the various religious courts of the parties involved. See Jasper Yeates Brinton, *The Mixed Courts of Egypt* (New Haven: Yale University Press, 1968) for a thorough history of the Mixed Courts.

28 Anne McClintock, "No Longer in a Future Heaven: Nationalism, Gender, and Race", in *Becoming National: A Reader*, edited by Geoff Eley and Ronald Grigor Suny (Oxford: Oxford University Press, 1996), 262.

29 It is worth noting that an Egyptian woman did not lose her citizenship if she married a foreigner. Her children, however, were not entitled to Egyptian citizenship. See Maḥmūd Muḥammad Sulaymān, *al-Ajānib fī Miṣr* (Cairo: Ein For Human and Social Studies, 1996), 22.

30 Solaiman, *al-Ajānib fī Miṣr*, 22.

31 Derek Hopwood, *Tales of Empire* (London: I.B. Tauris, 1989), 70–71 quoting Sir Thomas Rapp.

32 G.E. Jeffries, Esq. to Arthur D. Alban, 13 June 1911, FO 926/21/652, PRO as cited in Bruce W. Dunne, "Sexuality and the 'Civilizing Process' in Egypt", Doctoral Dissertation (Washington, DC: Georgetown University, 1996), 148f.

33 Ann Laura Stoler, "Rethinking Colonial Categories: European Communities and the Boundaries of Rule", *Comparative Studies in Society and History* 31, 1 (1989), 137.

in “imagined communities” that were “consciously created and fashioned to overcome the economic and social disparities that would in other contexts separate and often set their members in conflict”.³⁴ According to Stoler, the presence of “poor whites” in the colonies was far more widespread than most colonial histories would lead us to imagine and there was a “particular anathema with which the British regarded ‘poor whites’”.³⁵

Egyptian critics of mixed marriage recognized the social and class distinctions among European communities in Egypt. They were not afraid to utilize class distinctions across colonial boundaries to disdainfully refer to the “poor whites” Egyptian men would concede to marrying. As scholar Christy Brown explains, “most of those who married into colonized cultures during the colonial era came from classes in which they had less prestige to lose by marrying a man considered racially inferior, whatever his status in his own society.”³⁶ Regardless of whether the European women whom Egyptian diplomats were dating and marrying in Europe belonged to a lower social stratum, it seems that the larger assumptions about which kind of European women would be interested in Egyptian men led the Egyptian Foreign Ministry to deem these women inappropriate. More importantly, it was the deep-seated anxieties over marriage to foreign women, regardless of their socioeconomic background, that led the Ministry to propose banning its diplomatic servants from mixed marriage.

As I have argued elsewhere, mixed marriage in early 20th-century Egypt was a contested site of national identity formation that attracted the growing attention of intellectuals and laypeople.³⁷ It served as an arena where notions of colonial modernity were produced and reproduced as a condition for the enlightenment and progress of the semi-colonial Egyptian nation and its subjects, most notably its women. An analysis of these debates reveals that mixed marriage was often portrayed as an impediment – and occasionally as a facilitator – to Egypt’s path of modernity, its reform, and its ultimate arrival to the designation of the “modern” and, in turn worthy of political independence.

Most mixed marriage analysts opposed marriage between all Egyptian men – not just diplomats – and European women. This opposition expressed an

34 Ibid.

35 Ibid., 150.

36 Christy Brown, “Literary Images of Intercultural Relationships Between Westerners and Middle Easterners”, in *Inside the Mixed Marriage: Accounts of Changing Attitudes, Patterns, and Perceptions of Cross-Cultural and Interracial Marriages*, edited by Walton R. Johnson and D. Michael Warren (Lanham: University Press of America, 1994), 102.

37 Kholoussy, “Stolen Husbands, Foreign Wives”, 206–240.

overlapping set of anxieties and fears revolving around cultural loss. One was the potential attenuation of Egyptian masculinity and the national identity of their offspring in the face of the “strong characters” of European wives. As Balsam ‘Abd al-Malik, the owner of a women’s journal, put it in 1920,

a man who takes a wife outside his nationality is unconsciously led to like her own race even if they are his most hated enemy. He prevents his children from being in solidarity with their brothers and sisters and cousins, who are sons of the nation [...] To marry a foreign woman is to lose one’s nationality and destroy the backbone of the nation.³⁸

By emphasizing the influence a European woman wielded over her husband and their children, mixed marriage critics frequently inferred the dearth of control that the Egyptian man commanded over his household, thereby emasculating him. During a period in which Egyptian men lacked full political and economic power in their public lives, these writers charged that these Egyptian colonial men also lacked patriarchal control in their private lives. In their forewarnings against mixed marriage, critics challenged Egyptian masculinity while strategically emphasizing Egyptian mothers’ unique ability to raise “pure” Egyptian citizens in order to warn men about the political consequences of mixed marriage and the divided loyalties of offspring – the future citizens of Egypt.³⁹

Another anxiety about mixed marriage was the fear that Egyptian women would be bereft of eligible men even when commentators blamed women (and/or their parents) for Egyptian men’s inclination for European women.⁴⁰ These critics faulted the “backward” condition of Egyptian women vis-à-vis Eu-

38 Balsam ‘Abd al-Malik, “Marriage”, *Majallat al-Mar’a al-Miṣriyya* (May 1920), 148.

39 In the case of Egyptian anticolonial nationalist discourse, it was women, not men, who were assigned the responsibility of raising citizens of the future. Historian Beth Baron has argued that between the 1890s and 1920s, the various journals of the Egyptian women’s press promoted a domestic ideology that posited women’s roles as “mothers of the nation” whose job was to inculcate their sons and daughters with patriotism. Many of these journal writers employed notions of motherhood to underscore female solidarity with Egyptian men and to open up a space for the contributions of women in the nationalist struggle against the British. See Beth Baron, “Mothers, Morality, and Nationalism” in *The Origins of Arab Nationalism*, edited by Rashid Khalidi, Lisa Anderson, Muhammad Muslih, and Reeva S. Simon (New York: Columbia University Press, 1991), 271–288 and idem, *The Women’s Awakening in Egypt: Culture, Society, and the Press* (New Haven: Yale University Press, 1994), 168–187.

40 ‘Abd al-Malik, “Marriage”, 148.

ropean women who were ostensibly more educated and more efficient household managers and mothers and who did not succumb to “traditional” marital customs such as arranged marriage that prevent couples from becoming acquainted prior to marriage or demand exorbitant dowers and other conjugal expenses that overburdened Egyptian husbands. Their mobilization of an idealized portrait of European women functioned within a complex set of assumptions about the “backwardness” of Egypt, especially as it related to the education and advancement of its women. Yet even when writers sympathized with Egyptian suitors, they argued that their marriage to Egyptian women and the education of wives and daughters into “modern” subjects was a national duty. The context of an intense anticolonial nationalist struggle for full independence was the framework for the molding of these national duties and norms for both men and women.⁴¹

In my survey of hundreds of issues of over thirty Egyptian periodicals from the women's press and the male-run nationalist press between 1892 and 1938, I found that voices in support of mixed marriage were extremely rare.⁴² Even the occasional advocate did not portray it as conciliation through lovers' yearnings across traditional racial barriers or argue that the colonized man of color marries the white woman with an inferiority complex under colonialism and racism that overwhelms him with the desire to be white, as analysts of mixed marriage in other context have.⁴³ Instead of constructing the purpose of mixed marriage as one of love or revenge, proponents portrayed it solely as a nationalist one in which the objective of such unions was for Egyptian men to take advantage of the superior childrearing and educational skills of European women for the benefit of future Egyptian citizens, that is, the offspring of mixed marriage.

When situated against the backdrop of the larger mixed marriage debates waging in the Egyptian press during the preceding two decades, it is not surprising that the Foreign Ministry's legislative proposal in 1932 to prohibit its diplomats from marrying foreigners did not meet much opposition. Most

41 Ibid., 209f.

42 Ibid., 214, fn. 24; 228.

43 See, for example, Doris Summer, *Foundational Fictions: The National Romances of Latin America* (Berkeley: University of California Press, 1991) who argues mixed marriage in Latin America served as a metaphor for national consolidation across racial and cultural differences, and Frantz Fanon, *Black Skin, White Masks: The Experiences of a Black Man in a White World*, translated by Charles Lam Markmann (New York: Grove Press, Inc., 1967), 69f., who views a colonized man's marriage to a European woman as an unconscious attempt to avenge her for “for everything that her ancestors have inflicted” on his throughout the centuries.

politicians and commentators praised the law. Member of Parliament al-Munzalāwī Bey saw it as safeguarding Egyptian identity and those threatened traditions “that were about to vanish”.⁴⁴ He obviously shared the widespread anxiety over cultural loss with most mixed marriage critics who believed women, as wives and mothers, represented the national and racial purity of their nations as the custodians of national identity. Several scholars have shown how both European colonial and indigenous anticolonial nationalist discourses often placed the burden and responsibility of representing cultural authenticity and national morality on its women.⁴⁵

Another Member of Parliament, Laṭīf Maḥalla, argued for the application of the 1933 law to all Egyptian men as a measure to prevent Europe from “taking from us the best of our youth” while “giving us rejection [in return].”⁴⁶ Maḥalla verbalized the underlying fear that mixed marriage would bereft the Egyptian nation – most notably its women – of its most eligible bachelors. While mixed marriage was often explained in terms of “backward” Egyptian societal practices or the lack of “modern” household managing, childrearing Egyptian women, mixed marriage was imagined by many of these writers as threatening both the national and cultural future of Egypt. Not only could these unions cause the theft of suitable Egyptian husbands and fathers for the nation and the possible spinsterhood of young Egyptian women, but they could also produce disloyal citizens. Discussions of mixed marriage almost always posited the Egyptian woman in the center, whether as a worthy or unworthy contender to her perceived European competitor, but oftentimes both educated male and female citizens were held responsible for the causes behind mixed marriage and its ramifications on the nation. As “modern” and loyal citizens, the Egyptian man was instructed to fulfill his political duty by marrying his female

44 “Marriage of Political Delegates”, *al-Ahrām*, 8 February 1933, 3.

45 See, for example, Baron, “Mothers, Morality, and Nationalism”; idem, “Nationalist Iconography: Egypt as a Woman”, in *Rethinking Nationalism in the Arab Middle East*, edited by James Jankowski and Israel Gershoni (New York: Columbia University Press, 1997), 105–124; Eileen J. Suárez Findlay, *Imposing Decency: The Politics of Sexuality and Race in Puerto Rico, 1870–1920* (Durham: Duke University Press, 1999); Yaël Simpson Fletcher, “Unsettling Settlers: Colonial Migrants and Racialised Sexuality in Interwar Marseilles”, in *Gender, Sexuality and Colonial Modernities*, edited by Antoinette Burton (London and New York: Routledge, 1999), 79–94; Dane Kennedy, *Islands of White: Settler Society and Culture in Kenya, Southern Rhodesia, 1890–1939* (Durham: Duke University Press, 1987); Verena Stolcke, *Marriage, Class, and Colour in Nineteenth-Century Cuba*, Second Edition (Ann Arbor: The University of Michigan Press, 1989); and Ann Laura Stoler, *Race and the Education of Desire* (Durham: Duke University Press, 1995).

46 “Marriage of Political Delegates”, *al-Ahrām*, 8 February 1933, 3.

compatriots and educating his daughters while the Egyptian woman was directed to improve her competence in order to acquire an Egyptian husband. In short, being “modern” meant sometimes imitating Europeans, but never marrying them. By reclaiming their stolen husbands and not marrying foreign wives, Egyptians could thus put an end to colonialism and attain complete independence.⁴⁷

Origins of the Law

Even before the law came into place, the government attempted to define Egyptian identity and contain mixed marriage. Soon after ‘Abd al-Fattāḥ Yaḥyā Ibrāhīm Pasha took the office of Foreign Minister in 1930, he sent a memorandum to all Egyptian delegates and consulates ordering them to prohibit any diplomatic and consular staff, or academic mission member from marrying foreign women without the Ministry’s approval. By April 1932, the Ministry’s Legislative Advisory Committee proposed a single-article draft law that would render diplomatic and consular employees’ marriage to foreigners as both illegal and an immediate act of resignation from their positions.⁴⁸

Reporters in *al-Ahrām* referenced similar proposals and laws in interwar Italy and Germany to justify the Foreign Minister’s proposal.⁴⁹ Many others, however, were quick to point out the specificities of a particular Egyptian logic in outlawing mixed marriage. The justification for these fascist regimes’ desire to prohibit its diplomats from marrying foreigners stemmed from its fears to protect against foreign wives who could potentially be spies for enemy states. In contrast, some writers in interwar Egypt dismissed the threat of espionage and national security interests because, as one writer claimed, Egypt was more inclined to follow the example of the United States whose President Woodrow Wilson was ushering in a new era of open foreign policy and an end to secret agreements.⁵⁰ This writer’s claim is not surprising given that many Egyptian nationalists – like their anticolonial counterparts elsewhere – adopted Wilso-

47 Kholoussy, “Stolen Husbands, Foreign Wives”, 237.

48 “Marriage to Foreigners and Forbidding It for Delegate and Consular Employees”, *al-Ahrām*, 18 April 1932, 1.

49 “Marriage of Italian Men in the Foreign Service”, *al-Ahrām*, 3 October 1930, 3; “Marriage of Employees in the Political and Consular Service”, *al-Ahrām*, 14 June 1932, 6; and “Forbidding Marriage to Foreigners”, *al-Ahrām*, 30 December 1932, 1.

50 “Forbidding Marriage to Foreigners”, *al-Ahrām*, 30 December 1932, 1.

nian rhetoric and adapted it to their own nationalist struggle as they carved a place on the international stage.⁵¹

At the same time, however, as historian Erez Manela argues, the disintegration of the Wilsonian promise left many anticolonial nationalists disillusioned, facilitating the development of uniquely local anticolonial movements.⁵² As a result, one should not discredit the influence of interwar Italy and Germany on some Egyptian writers and intellectuals. As I have discussed elsewhere, a handful of Egyptian commentators on marriage demanded a bachelor tax to resolve the ostensible bachelorhood problem plaguing interwar Egypt.⁵³ They argued that it was the government's duty to impose a bachelor tax that would coerce men to marry because middle-class men were stubbornly refusing marriage (to Egyptian women) for childish reasons and, as a result, needed to be disciplined into marriage. The vast majority looked to Italy and Germany that, from their vantage point, were actively combating bachelorhood as models that the Egyptian state should emulate. That pro-tax advocates chose to focus on fascist regimes and lavishly praise Italy's 1927 bachelor tax indicates their own desires for a strong, paternal and welfare-oriented government that was ready to intervene into the private lives of its subjects, and perhaps even their admiration for fascism during a period of intense anticolonial nationalist struggle for full political and economic independence from the British.⁵⁴

Nevertheless, the law seems to have been mostly inspired from within when set against the backdrop of mixed marriage debates that had intermittently dominated the pages of the Egyptian press for over two decades. It also appears to have been internally motivated when viewed in light of the Foreign Minister's 1930 decree that diplomats must first seek his permission before marrying a foreigner and the already existing 1931 ban on the marriage of Egyptian students abroad. The law, first proposed in April 1932, came on the heels of the Egyptian Ministry of Culture's 1931 ban that prohibited Egyptian students on scientific and academic delegations in Europe from marriage. The logic here was that "as soon as they go abroad to study any science or art, they take a primary interest in marriage that may lead to marriage to a foreigner whose traditions they do not know."⁵⁵ The Ministry also expressed concern about

51 Erez Manela, *The Wilsonian Moment: Self-Determination and the International Origins of Anticolonial Nationalism* (Oxford: Oxford University Press, 2007).

52 Ibid.

53 Hanan Kholoussy, "Internationalizing Interwar Egypt's Bachelor Tax Proposal: The Emasculation of the State and Its Single Sons", *Cairo Papers in Social Science* 33, 1 (March 2014), 12–31.

54 Ibid.

55 "Outlawing Marriage for Members of Scientific Delegations", *al-Ahrām*, 15 January 1931, 6.

potential legal issues that could arise from such marriages since it was responsible for these men while they were abroad.⁵⁶

While Britain and the other European countries that housed Egyptian embassies and consulates did not necessarily have actual anti-miscegenation legislation, they officially discouraged it in their colonies abroad as noted above. Interracial relationships between white women and men of color whether in the homeland or in the colonies aroused hostility.⁵⁷ Several scholars have shown how colonial European women were forced to protect the bourgeois qualities of "Europeanness" or "whiteness" in response to male fears about their protection from indigenous colonized men.⁵⁸ In her rereading of Michel Foucault, Stoler was one of the first scholars to demonstrate how gendered formulations of sexual, moral, and racial purity were actually configured in the European colonies and brought back to the metropolis.⁵⁹ While European nations did not explicitly outlaw mixed marriage, they often followed the Napoleonic law that stated, upon marriage, a woman lost her original nationality and acquired her husband's one as provided by the laws of their respective original domiciles, even if that meant colonial subject status as mentioned above.⁶⁰

Thus, it is not difficult to understand the variety and complexity of legal issues that could arise under these ambiguous set of laws when a colonized Egyptian diplomat married a colonizing European woman in her native country during this semi-colonial period. Just as the strict surveillance of colonialists was a characteristic of early 20th-century European imperialism, the strict surveillance of Egyptians at home and abroad became an objective of the emerging semi-independent Egyptian state: The Minister of Culture ordered Egyptian embassies abroad to refuse to register marriage contracts to members of scientific delegations. He also commanded them to monitor students' private lives and to report their activities daily to the Ministry. The Minister warned that he would not hesitate to fire any member who married before finishing his period of study.⁶¹

56 Ibid. See also "Marriage of Delegation Members to Foreigners Abroad", *al-Ahrām*, 9 January 1931, 6.

57 Lucy Bland, "White Women and Men of Colour: Miscegenation Fears in Britain after the Great War", *Gender & History* 17, 1 (2005), 32f.

58 See, for example, Findlay, Fletcher, Kennedy, and Stolcke.

59 Ann Laura Stoler, *Race and the Education of Desire* (Durham: Duke University Press, 1995), 35.

60 McClintock, "No Longer in a Future Heaven", 262.

61 "Outlawing Marriage for Members of Scientific Delegations", *al-Ahrām*, 15 January 1931, 6.

The government's intervention into the supposedly "private" lives of its diplomats and students is clear in its surveillance of their personal lives and dictates over their right to marry. As the Egyptian government was emerging and establishing itself as the domestic authority in a recently more independent Egypt freer from colonial rule than it had been in decades, it felt it had the right to control and monitor every aspect of its subjects' lives, especially those who represented it abroad. The Egyptian state did not see a division between a subject's so-called private versus public life. Public officials were subject to scrutiny and law in every aspect of their lives, confirming Foucault's conceptualization of governmentality in which the modern state governs the conduct of its populations at every level.⁶²

Certain individuals, however, resisted and resented this hegemonic governmental policing. Although most Egyptians in the press welcomed the state's 1931 ban on marriage for students in academic missions abroad and the 1933 law forbidding mixed marriage for its diplomats, a few fiercely opposed both. These voices of opposition argued that these laws denied their most fundamental right: the right to marry freely. Objecting to the 1933 law in principle, Member of Parliament Fahmy al-Femy believed that "it is not permissible to curtail personal freedom."⁶³ Nearly eight decades later, contemporary opponents to the amended Article 75 of the 2011 Amended Constitutional Declaration also contested the requirement that presidential candidates' spouses be "purely" Egyptian on the basis that it violates the basic human right to marry freely. Scholar Soha Bayoumi, echoing al-Femy's argument, writes that it "takes away from the political rights of candidates based on their choice in marriage, which violates a basic human right."⁶⁴ For some, at least, choice in marital partners is a fundamental personal right that the state should not contravene. These voices, then and now, however, seem to be a minority in Egypt.

Even the few parliament members and press commentators who opposed the legislation were not necessarily supportive of mixed marriage. One unidentified critic, for example, opposed the draft law only on religious grounds. He argued that if Islamic law permits the marriage between a Muslim man and

62 Michel Foucault, "Governmentality", in *The Foucault Effect: Studies in Governmentality*, edited by Graham Burchell, Colin Gordon, and Peter Miller (Hemel Hempstead: Harvester Wheatsheaf), 87–104 and idem, "The Subject and the Power", in *Michel Foucault: Beyond Structuralism and Hermeneutics*, edited by Hubert Dreyfus and Paul Rabinow (Brighton: Harvester), 208–226.

63 "Marriage of Political Delegates", *al-Ahrām*, 8 February 1933, 3.

64 See, for example, Soha Bayoumi, "Why I Will Vote No", *Egypt Independent*, 15 March 2011, on <http://www.egyptindependent.com/opinion/why-i-will-vote-'no'>, last accessed 8 August 2013.

non-Muslim woman of the book (that is, Jewish or Christian), then the government of Egypt, whose official religion is Islam, should not forbid it.⁶⁵ Yet even this commentator supported the idea of the Foreign Ministry warning against mixed marriage and requiring its diplomats to obtain its permission before marrying foreign women. Although he did not encourage mixed marriage, he believed it was better than bachelorhood if these Egyptian men abroad could not marry their own countrywomen. He wrote:

There is no doubt that the married employee or diplomat abroad is better at his job than his unmarried counterpart because it is assumed that his house is in order due to his wife by his side, who helps him be presentable as well as taking care of the things that women should do, such as organizing parties and banquets that have a great impact on his job and relationships. There are many examples of ministers who have succeed over their colleagues because they have smart elegant wives who are well mannered and good at etiquette, who work on establishing what is *a la mode* and not just concerned with diplomacy, but personal and familial relationships [...] with other colleagues and their wives which is the norm. For it is important to develop and maintain contact with these families, something not possible for a single man, no matter his skill and social capabilities.⁶⁶

For this writer, single men were incapable of performing their professional duties without wives. My earlier research on the public fears over the perceived rise in bachelorhood in early 20th-century Egypt has shown that most Egyptians viewed marriage as an institution that would turn males into men and discipline them into proper citizen subjects. Marriage was assumed to make males successfully take on the professional and fiscal responsibilities of work and family and, as a result, lead the fragile Egyptian nation to full economic and political independence.⁶⁷ When it came to the foreign service, its diplo-

65 "Forbidding Marriage to Foreigners", *al-Ahrām*, 30 May 1932, 11. Both Egyptian civil and Islamic laws permitted Egyptian Muslim men to marry foreign and Egyptian non-Muslim women provided that they were "people of the Book" (*ahl al-kitāb*), meaning Jewish or Christian women (*kitābiyyāt*) who adhered to a monotheistic religion that had a revealed book (*kitāb*). See John L. Esposito, *Women in Muslim Family Law*, 2nd ed. (Syracuse: Syracuse University Press, 2001), 19. For a discussion of the distinction made in Islamic law between revealed religions and other religions, see Majid Khadduri and Herbert J. Liebesny, *Law in the Middle East* (Washington, DC: The Middle East Institute, 1955), 136.

66 "Forbidding Marriage to Foreigners", *al-Ahrām*, 30 May 1932, 11.

67 Hanan Kholoussy, *For Better, For Worse: The Marriage Crisis That Made Modern Egypt* (Stanford: Stanford University Press, 2010).

mats were especially in need of wives to assist them in performing their professional duties. According to American historian Molly M. Wood, in the first half of the 20th century, United States Foreign Service officers and State Department officials understood that marriage generally enhanced an officer's career and served American foreign policy needs. She argues, "By managing an American officer's home, family, and social responsibilities, the wife played a crucial role in presenting, and representing, the United States to the rest of the world."⁶⁸ Several Egyptian writers made similar arguments, indicating that they shared a similar conceptualization of wifehood and marriage, as imperative to personal success and national achievement.⁶⁹

Feminist historian Cynthia Enloe has observed, "Every institution that relies on employees who are married is prone to send out messages about what an ideal spouse should be."⁷⁰ As the writer above highlighted, the ideal Egyptian diplomatic wife should be smart, elegant, well mannered, and versed in proper etiquette and building relationships with her husband's colleagues and especially their wives. She "takes care of the things that women should do, such as organizing parties and banquets". In other words, she should assume full responsibility for their social interactions and obligations in addition to running his household and raising his children efficiently. Elite Egyptian men were assumed not to be able to perform or to be responsible for such duties. While one could read this as an emasculation of their abilities, a more likely understanding is that a real man did not bother himself with such trivial tasks as these were "the things that women should do".⁷¹

For most Egyptian commentators, the diplomatic wife should be an Egyptian who would properly embody Egyptian values and traditions. Yet one veteran diplomat, who may have been married to a foreigner himself, argued that Egyptian women were not as capable as their European counterparts in serving as the ideal diplomatic spouse. The only fierce opponent to the 1933 legislation outlawing Egyptian diplomats from marriage to foreigners that I was able

68 Molly M. Wood, "Diplomatic Wives: The Politics of Domesticity and the 'Social Game' in the U.S. Foreign Service, 1905–1941", *Journal of Women's History* 17, 2 (2005), 142. See also Molly M. Wood, "'Commanding Beauty' and 'Gentle Charm': American Women and Gender in the Early Twentieth-Century Foreign Service", *Diplomatic History* 31, 3 (2007), 505–530.

69 See, for example, "Forbidding Marriage to Foreigners", *al-Ahrām*, 30 May 1932, 11, and "Forbidding Marriage to Foreigners", *al-Ahrām*, 30 December 1932, 1.

70 Cynthia Enloe, *Maneuvers: The International Politics of Militarizing Women's Lives* (Berkeley: University of California Press, 2000), 162.

71 Ibid.

to locate highlighted the advantages of a foreign wife for Egyptian diplomacy. He argued:

If the government did not intervene and rush [to implement the proposed legislation], it would see that its employees abroad who are married to foreigners find great facilitation in their duties due to the intermingling of their wives with wives of prominent ministers and figures abroad. It is known that the Egyptian woman, by tradition and discipline, is not accustomed to this conducive mingling. The consular and diplomatic institutions are considered to be in its early days of inception, its members [...] need to exchange acquaintances and relationships in Western territory, and they can do this more than others due to their marriage to foreign women, who are the key to those acquaintances.⁷²

This retired diplomat agreed with his adversaries about the various roles a diplomatic wife should play. He differed from them in that he saw the European woman as better equipped to perform such duties because the Egyptian woman was bounded by tradition that did not permit her to socialize with other men or prepare her to intermingle with foreigners. His critique of Egyptian women vis-à-vis European women mirrored the arguments of earlier, but equally rare, supporters of mixed marriage in colonial Egypt. These earlier voices advocated for mixed marriage because it enabled Egyptian men to take advantage of the ostensibly superior childrearing and educational skills of European women for the benefit of future Egyptian citizens, that is, the offspring of mixed unions.⁷³ By contrasting the superiority of European women's social, household, and management skills with the inadequacy of Egyptian ones, proponents of mixed marriage offered a powerful critique of Egyptian women. Their mobilization of an idealized portrait of Western women also functioned within a complex set of assumptions about the 'backwardness' of Egypt, especially as it related to the education and advancement of its women. Yet both sets of advocates framed their support for mixed marriage in anticolonial nationalist terms. For them, a European wife would help an Egyptian man be a more productive Egyptian citizen who would perform his professional and familial duties more successfully to the benefit of the nascent burgeoning Egyptian nation-state struggling to establish full independence.

⁷² "Forbidding Marriage to Foreigners", *al-Ahrām*, 30 December 1932, 1.

⁷³ Kholoussy, "Stolen Husbands, Foreign Wives", 228–231.

Conclusions

In both the 1933 and the 2011 legislations to prevent diplomats and presidential candidates with foreign wives from working or running for office, it appears that the decision was inspired by specific cases. In 1933, it seems many Egyptians inside and outside the government deemed the mixed unions of a few diplomats inappropriate either because these diplomats married “unsuitable” European women or stirred up legal problems for the Egyptian Foreign Ministry. In 2011, the legislation appears to have been designed to exclude certain candidates with foreign wives from the 2012 presidential elections. While both laws emerged in a tumultuous, politically charged, and hyper-nationalist period, the 1933 law differs from the 2011 legislation in that it was created during an era of anticolonial nationalist struggle and concerns over the mixed marriage of Egyptian colonized men to European colonizer women.

One could argue that the climate of post-Mubarak independent Egypt does not share these circumstances that created the 1933 legislation. Yet the Egyptian government continues to impose this law (although minor exceptions have been made) on its diplomats and even extended it to its presidential candidates after fifty-four years and three presidents with dual citizen wives. Interestingly enough, a former diplomat who was forced to resign when he married a French woman recently challenged this law.⁷⁴ On Sunday, 14 October 2012, however, the Supreme Constitutional Court upheld Law 41 of 1933 on the basis that this law protects national security interests and limits foreign espionage.

After examining the debates over the mixed marriage of Egyptian diplomats it becomes clear that while marriage was seen as paramount to the success of an Egyptian diplomat on a personal and professional level, mixed marriage was mostly perceived as a threat because it had the potential to distract an Egyptian diplomat in his personal and professional life, and endanger the reputation of the nation as a whole. The diplomat and his marriage did not only represent the emerging Egyptian state struggling to establish itself as a modern, independent, but purely Egyptian nation on the world stage. Both also embodied the nation.

74 Hishām al-Miyānī, “The Constitutional Court Warns Diplomats Against Marriage to Foreigners”, *al-Ahrām*, 14 October 2012, on <http://gate.ahram.org.eg/NewsContent/13/70/26161616-أخبار/الشارع-السياسي/المحكمة-الدستورية-تحظر-على-الدبلوماسيين-الزواج-من-26161616.aspx>, last accessed 20 October 2012.