This book, Volume 22 in the Arab and Islamic Laws Series (Series General Editor Dr Mark S. W. Hoyle), published by Kluwer Law International, is an interesting collection of material, enabling the reader either to dip into well-researched chapters as the fancy takes him or her, or to sit down and read through chapter by chapter, thus establishing a sound basis for understanding the approach of modern Egyptian law.

Given the importance of Egypt at the centre of the development and implementation of legal development in the Arab world, it is hardly surprising that different authors have views of their own. The introduction (by the editors), dealing as it does with a general presentation of law and judicial bodies, has a short historical excursus into the background of the present Egyptian court structure and, of course, we immediately come to one of the occasional issues in a historical analysis of Egypt, the true status of the Mixed Courts. This reviewer must immediately declare an interest, having completed his doctorate on the Mixed Courts and being a supporter of their contribution to Egyptian law. The statement that the mahakim wataniyya were established for Egyptian nationals requires qualification. Egypt had, in 1883, a curious status within the Ottoman Empire; able to reform (at a price) its own laws, but still, and despite the British Occupation of 1882, nominally a part of the Ottoman Empire. There was no recognizable Egyptian nationality, but the mahakim wataniyya in essence provided a forum for the resolution of disputes between Ottoman subjects (including those resident in Egypt) and those foreigners not subject to the Mixed Courts or able to claim consular court privileges. What must be emphasized is that however one views the origins of the Mixed Courts, they, together with what were at various times called the Native Courts or the National Courts, both essentially applied the same law, as may be noted from any random comparison of the codes, and gave law in the name of the ruler of Egypt, the Khedive. In that sense, it is a pity that the Introduction did not give greater credit to the Mixed Courts as Egyptian courts, as the implication that can be read into the description is that they were somehow foreign courts; this was never the case, and is a misconception. It is right, of course, that there was much more European involvement in the personnel of the Mixed Courts, not only on the bench, but also in the administration. None the less, the courts were designed by the Khedive Ismail as a return of sovereign power to Egypt and a reduction of the often abusive consular court privileges. It is heartening to see recorded recognition that the rule of law was started through the great reforms in 1875 (mahakim mukhtalita) and 1883 (mahakim wataniyya or ahliyya). This introduction is an excellent one in the way that it draws together the strands that will later be discussed, and provides, for the first time it is thought in a legal book on Egypt, a map showing where the court centres are to be found. This is an inspired inclusion, and reflects the excellent research that has been done.

Chapter 1 is on civil law, and is contributed by I. Khattab. The role of the great Egyptian jurist Dr Abdul Razak Ahmed Al Sanhuri, who was a judge with the Mixed Courts, is highlighted, and the way that the major provisions were gradually amended, resulting in the new Egyptian Civil Code of 1948, are comprehensively described. Chapter 2 deals with the Law of the Family (Personal Status Law) by Y. Qassem. The author rightly points out that personal status law should better be described as rights of the family or law of the family, and emphasizes the overriding principles of Islamic law that apply generally, except in limited instances between non-Muslims. It is useful to note that Islamic law, reflected in Egyptian law, has for a long time had a duty to provide support to those within a person’s care. This includes, as appropriate, care of parents. It should also be recognised that the significant minority of Christians in Egypt, especially the Copts, are also protected by personal status rulings that allow their own interpersonal relationships to be governed by different rules.
M. Akida deals with criminal law in Chapter 3. This chapter gives a broad description to the types of laws that apply in Egypt, with some useful references to further reading. S. El-Kalioubi deals with commercial law in Chapter 4. The new Code of Commerce was finally approved in May 1999, replacing the Code of Commerce originally promulgated in 1883, which itself was based on the Mixed Code of Commerce of 1875. This new Commercial Code clearly establishes Egypt with a modern Code for the 21st century, and it stands scrutiny against any of the modern Commercial Codes in Europe. Mr El-Kalioubi also contributes Chapter 5 on company law, and emphasizes, quite correctly, that the basis of companies in Egypt is a contract where two people or more are committed to contribute to a financial project for the purpose of sharing a possible return of profit or loss, see Article 505 of the Civil Code. Superficially, the law of corporations in Egypt is the same as that in Europe, but this is only superficial, and there are distinct and important differences. This chapter will be of relevance to anyone seeking a greater knowledge of Egyptian company law.

Z. Bahaa-Eldin has contributed Chapter 6 on tax law. It can be seen that collection of taxes is no different in Egypt from anywhere else, but there is a clear formal structure, and a judicial review role of the Constitutional Court. Commercial arbitration, dealt with in Chapter 7 by Mr Abu el-Einein, has a good history in Egypt, and of course Cairo is the base of the Regional Arbitration Centre for International Commercial Arbitration. Mr. A el-Borai contributes labour law and social insurance law in Chapter 8; there have been a number of laws over the years in Egypt to assist workers, and allow worker organizations. Unions rapidly replaced the old guild system, but there is considerable employee protection in Egypt, much of it dating from the Revolution, but equally some of it still being based on laws passed in the 1930s and 1940s. This is a detailed chapter, of considerable assistance to understanding the legal protection of workers in Egypt.

T. Khattab contributes Chapter 9 on land law. The revolution of 1952 forced a change in attitude towards land ownership, whether or not foreigners or wealthy Egyptians owned that land, and there are limits to landholdings still in place. It should also be noted that foreign charities do have rights over land, foreigners may now be permitted to own some land with the permission of the government, and churches are permitted to own land, also with government licence.

W. Mahmoud contributes Chapter 10 on civil and criminal justice. He makes the interesting point that the Mixed Courts replaced a chaotic judiciary situation in Egypt given the existence of Consular Courts, and illustrates also the present different levels of Courts for both civil and criminal matters. The Public Prosecution (the Parquet General) plays an important role in Egyptian criminal matters, and this is highlighted. Judicial rulings do not generally bind lower Courts, but rulings of the Court of Cassation occupy the foremost position in the Egyptian legal system, and the Court is held in high esteem. This chapter does not limit itself only to the practice of the Courts, but shows how the codes of criminal procedure permit the searching for evidence, and there is an interesting section also on the Courts that deal with landlord and tenant matters. The ability to have protection of the domicile in Egypt is very important, and it can be seen that considerable numbers of cases go through these Tenancy Circuit Courts.

A. el-Sawi deals with procedural law (civil procedure, criminal procedure, administrative procedure) in Chapter 11, which is a good complementary chapter to that on civil and criminal justice, and he also deals with law professionals, that is to say judges, members of the Public Prosecution, and experts in Chapter 12. It is especially important to note the role of experts in Egypt, as matters are often referred to them by judges. Equally, the clerks have a role similar to those of clerks in courts in Europe, but unknown to the common law system. Private international law is dealt with by I. A. Ibrahim in Chapter 13. Egypt's busy litigation practice has much recourse to private international law, and this is a useful description of the present state of the jurisprudence.