

Justice and Women

Article number: 37, pp 80 - 89 March, 6 – 12, 2010

<http://www.arabwestreport.info/?q=node/25366>. Accessed 26 June 2010

Article summary: *Rose al-Yūsuf* issues a special report on women judges, following the **recent decision by the State Council general assembly not to allow women judges to sit on the State Council**. In the report, several women judges are interviewed about their lives, and the role of religious rulings about women becoming judges is also discussed.

Article full text:

Press review based on *Rose al-Yūsuf*, March, 6 – 12, 2010 (p. 80 - 89)

The right of women to work as judges is not only based on the idea that equality is part of the constitution, it is also based on the tests held by the Minister of Justice to choose judges. Women candidates successes in these tests have proved that they have the right to join the judiciary, especially because it has been three years since women have been given the right to be judges.

Examples of professional women judges include Susanne °Abd al-Rahmān, who works as a rightist member of the Appeal Sector in the Cairo Economic Court. Before joining this position, Susanne °Abd al-Rahmān used to work in the Administrative Prosecution where she investigated and wrote reports about each case. °Abd al-Rahmān explained that the main difference between the prosecution and the judiciary field is dealing with different types of laws. She commented that becoming a judge did not frighten her since she was used to this kind of job. She added that when the ministry announced vacancies, she applied with other women since they had supervised presidential and parliamentary elections before. °Abd al-Rahmān added that those who disagree with appointing women as judges still promote the idea that women are more emotional than men. She stated that these emotions are the same among men and women.

Other women judges include Dālyā al-Nimakī, head of one of the family courts. "Working in the judiciary field is hard for men and women equally because it requires a huge effort. It needs studying, research and a lot of work." al-Nimakī states. Mahā Mahmūd said that whoever claims women do not qualify as judges are mistaken. The criteria for appointing people should be based on qualifications, not on gender.

Counselor Rif°at al-Sayyid, head of the Cairo Court of Appeal, commented on the situation. He said that although a lot of people object to the decision taken by the State Council concerning appointing women judges, it was the right of women to become judges since 1949, when °Abd al-Rāziq al-Sanhūrī granted °Ā'ishah Rātīb the position of deputy at the State Council. Al-Sayyid added that he hopes this decision changes in the future for the benefit of women.

Counselor Ahmad Husām al-Najjār, head of al-Mansūrah Court of Appeals, commented on the way the media tackled the issue, saying that the propaganda succeeded in affecting public opinion. *Shaykhs* started to issue *fatwās* saying that it is *harām* to appoint women judges.

Isma°il Husnī wrote that the problem lies in the spread of *salafī* thinking among members of the State Council. This way of thinking is the reason behind members rejecting the appointment of women judges, and refusing to prevent women from wearing *niqāb* in universities. Such decisions taken by the State Council do not only imply *Salafī* thinking, but also ignores reasonable *fatwās* issued by Dr. °Alī Jumu°ah, Salīm al-°Awwā and Yūsuf al-Qaradawī, who all permit and agree to the idea of women working in the judiciary field. [For other articles on the issue of women judges and membership of the State Council, see AWR2010 Week 10 Articles 1, 23, 45]

Dr. al-Birrī also blamed the media for escalating sectarian conflict and reflecting bad images of Muslim-Christian relations. Dr. al-Birrī ascribed sectarianism in Egypt to Jamāl °Abd al-Nāsir's regime, which gave way to secularism on the account of the Board of Prominent Scholars that he canceled. However, al-Birrī stated that former President Anwar al-Sādāt was keener on realizing the interior stability of Egypt. He also guaranteed the majority of Egyptians' right to practice their creeds through his statement: "I am a Muslim president of a Muslims state." Although many people considered the statement a confirmation of sectarianism, al-Birrī asserts that it is an assertion of reality.

Dr. al-Birrī is also against canceling religion from schools curricula, because he believes that it guarantees the way of Muslims comportment in society.