

period, when the Egyptian state, like other Arab republics, resolved to revoke the citizenship of most members of its substantial indigenous Jewish population.

Forty years after the signing of the Camp David Accord, the 1975 law remains in full effect: the Egyptian government systematically revokes the citizenship of Egyptians who marry Israeli nationals—such as those families pictured above. In an August 18, 2020 article in *Al-Majalla*, journalist Amal Shehadeh reported that victims of this measure are mainly “Egyptian men married to 1948 Palestinian women.”

Shehadeh learned that 12,000 of these couples reside in Israel, and that the combined total of these Egyptians, their Israeli spouses, and their children—all of whom would be eligible for Egyptian citizenship but for the 1975 provision—exceeds 50,000. Among the Egyptian spouses she interviewed, those who married in the 1990s or earlier recall that the revocations began during the period of the “Al-Aqsa Intifada” and have not abated. Shehadeh also found that a **substantial number**

(<http://arb.majalla.com/node/99791/%2525D8%2525A7%2525D9%252584%2525D9%252585%2525D8%2525B5%2525D8%2525B1%2525D9%25258A%2525D9%252588%2525D9%2525D9%252581%2525D9%25258A-%2525D8%2525A5%2525D8%2525B3%2525D8%2525B1%2525D8%2525A7%2525D8%2525A6%2525D9%25258A%2525D9%252584-%2525D8%2525A8%2525D9%25258A%2525D9%252586-%2525D8%2525A7%2525D9%252584%2525D8%2525AD%2525D9%252586%2525D9%25258A%2525D9%252586-%2525D9%252584%2525D9%252584%2525D9%252588%2525D8%2525B7%2525D9%252586-%2525D9%252588%2525D9%252585%2525D8%2525B9%2525D9>) of these Egyptians wish to have their Egyptian citizenship reinstated, while maintaining their Israeli citizenship, so that they may visit their country of origin without interference and serve as ambassadors of goodwill.

More recently, there have been several signals that rejectionist elements in other Arab countries are looking to incorporate new anti-normalization statutes. Following the Tunisian revolution, a movement of lawmakers involved in the drafting of a new constitution proposed an article that would “criminalize normalization.” (<https://www.turess.com/assabah/80184>) In response, Human Rights Watch warned that the draft article had the potential to “repress various forms of peaceful expression and exchange with Israeli citizens.” (<https://www.hrw.org/news/2012/09/13/tunisia-fix-serious-flaws-draft-constitution>) Though the article did not pass, presidential candidate Kais Saeed pledged (<http://www.timesofisrael.com/new-tunisian-president-regards-any-ties-with-israel-as-high-treason/>) in a 2019 televised electoral debate that, if elected, he would follow through in criminalizing people-to-people relations with Israelis. Though he won the election, President Saeed has so far not acted on this pledge. Reports also indicate that in Algeria, where plans for a new constitution are underway, some lawmakers aim to introduce an equivalent to the proposed Tunisian article.

Fatwas by Institutions of “State Islam”

Islamic jurisprudential rulings, as distinct from the legal canon of the state, bring their own substantial weight to bear in civil affairs. **Numerous Q** fatwas banning relations with Israelis were issued by clerics and Islamic seminaries over the period surrounding the Arab-Israeli wars of 1948, 1956, and 1967. They have provided a further basis for Arab governments and their institutions to mete out judicial as well as extra-judicial retribution for civil engagement. Notably, a **series of findings**

(<https://nasehoon.org/%25D8%25AA%25D8%25AD%25D8%25B1%25D9%258A%25D9%2585-%25D8%25A7%25D9%2584%25D8%25B5%25D9%2584%25D8%25AD-%25D9%2585%25D8%25B9-%25D8%25A7%25D9%2584%25D9%2583%25D9%258A%25D8%25A7%25D9%2586-%25D8%25A7%25D9%2584%25D8%25A5%25D8%25B3%25D8%25B1%25D8%25A7%25D8%25A6%25D9%258A%25D9%2584%25D9%258A>) by the fatwa committee of Egypt’s Al-Azhar Islamic seminary banned all forms of non-governmental contact with Israelis. Over the more recent decades of Egyptian-Israeli diplomatic relations, some Azharite clerics have issued statements effectively condoning Egyptian-Israeli government cooperation, but the elements in the fatwas banning civil ties have not been credibly challenged.

Over the year following the 1967 “Three No’s” conference in Khartoum, large gatherings of state-backed clerics and clerical endowments convened in Cairo, Khartoum, and Islamabad, each concluding in a collective fatwa that civil relations with Israeli citizens are haram (forbidden).

The significance of these fatwas was far-reaching in three key respects. First, they informed the policies of Arab institutions of “state Islam”—i.e., Islamic affairs ministries, state-backed seminaries, etc.—across the region. Second, as most Arab legal systems cite Shari’ah as an authoritative legal reference—defining Shari’ah as whatever state-sanctioned clerics say it is—the fatwas provided reinforcement to existing civil and criminal laws. Third, as a profound moral message for so many believing Muslims, the fatwas lent legitimacy to extrajudicial crackdowns by Arab security forces as well as campaigns of incitement, ostracism, and blackballing of “normalizers” by media outlets and the range of civil institutions.

Gulf Dynasties

Gulf legal systems are eclectic, reflecting the differing relationships between legislative action and executive power. Two examples help demonstrate the variety: Kuwait, a constitutional emirate in which an elected parliament holds substantial authority, and Saudi Arabia, an absolute monarchy.

Kuwaiti law maintains punishments ranging from imprisonment to execution for acts of “normalization.” These sanctions rest on three legal determinations. **First, the Kuwaiti parliament passed its own anti-normalization law in 1964**

(<https://www.alaraby.co.uk/%2525D8%2525A7%2525D9%252584%2525D9%252583%2525D9%252588%2525D9%25258A%2525D8%2525AA-%2525D8%2525AA%2525D8%2525AC%2525D8%2525B1%2525D8%2525A8%2525D8%2525A9-%2525D8%2525B1%2525D8%2525A7%2525D8%2525A6%2525D8%2525AF%2525D8%2525A9-%2525D9%252581%2525D9%25258A-%2525D9%252585%2525D9%252582%2525D8%2525A7%2525D8%2525B7%2525D8%2525B9%2525D8%2525A9-%2525D8%2525A5%2525D8%2525B3%2525D8%2525B1%2525D8%2525A7%2525D8%2525A6%2525D9%25258A%2525D9%252584-%2525D8%2525B4%2525D8%2525B9%2525D8%2525A8%2525D9%25258A%2525D9%2525259>). Second, the ruling Emir’s June 1967 declaration of war on the “Zionist entity” and the “Zionist gangs in occupied Palestine” remains in force. It “**instructs the head of government** (<http://www.timesofisrael.com/new-tunisian-president-regards-any-ties-with-israel-as-high-treason/>) to inform all specialists, and the foreign ministry, of this decision, which is in effect, such that any support to Israel constitutes treason.” Third, Kuwait’s parliament formally adopted the Azharite fatwa committee’s finding that relations with Israelis are haram. In 2018, Kuwaiti MPs **launched** (<http://www.kna.kw/cit-html5/news-details.asp?id=29541>) further legislative action to supplement the original 1964 law with new restrictions. The update bans connectivity between Kuwaitis and Israelis via the Internet.

In Saudi Arabia, the Ministry of Justice does not formally acknowledge a legal system distinct from Shari’ah. In practice, however, it renders judgments based on a combination of fatwas, Ministry of Justice precedents, and royal administrative orders. The legacy of these precedents, in sum, impels Saudi judges to view civil relations with Israelis as haram. Shortly after the signing of the Oslo Accords, seminal Saudi cleric Abdullah bin Baz issued a **fatwa** (<http://bit.ly/3hiuR7i>) allowing for Muslim rulers to enter into a state of truce with Israel—a finding which proponents of Saudi-Israeli rapprochement **have sought to build on.** (<http://arabic.euronews.com/2020/08/14/social-topic-did-former-saudi-mufti-abd-al-aziz-ibn-baz-say-reconciliation-jews-possible>) But the fatwa relates specifically to the ruler (the “wali al amr”), effectively granting him a dispensation from a broader ban which still applies. The principle that civil engagement with Israelis is haram has not been superseded in any formal sense.

Inter-Parliamentary Bodies

In addition to state actions, pan-Arab organizations bringing together the heads of parliaments, “consultative councils,” and other legislative or quasi-legislative bodies have enacted their own measures blocking people-to-people relations. In a recent example, the Union of Arab Parliaments, in a **meeting in Amman in March 2019.** (<https://en.royanews.tv/news/16845/Arab-Inter-Parliamentary-Union-conference--final-statement>) introduced an article to its concluding declaration calling on all Arab parliaments to intensify their struggle against normalization.

Media **reported** (<https://en.shafaqna.com/87874/Arab-inter-parliamentary-union-call-to-end-normalization-of-relations-with-israel/>) that while the declaration was under discussion, delegates from Saudi Arabia, Egypt, and the UAE voiced reservations. The Saudi delegate—Abdullah bin Muhammad bin Ibrahim Al Al-Sheikh, head of the Saudi Consultative Council—opposed the inclusion of such an article on the grounds that the issue of normalization “is a specialty of politicians, not parliamentarians.” The Emirati representative—Amal al-Qubaysi, head of the Emirati National Council—called for revising the article “in accordance with the resolutions of the Arab League.” Media reports about the conference said she meant to reference the fact that according to the Arab League-endorsed 2002 Arab Peace Initiative, the establishment of a Palestinian state along the 1967 borders would trigger a pan-Arab commitment to normalization. **Finally, the Egyptian delegate—Ali Abd al-Al, head of Egypt’s parliament—seconded the Emirati motion.** (<http://elsharqtv.org/57081/>)

But the head of the Union of Arab Parliaments, Jordanian MP Atef Tarawneh, rejected these suggestions. According to media coverage, he received “enthusiastic applause” for doing so, and the resolution passed. No tally of votes was published. Though the statement survives in contemporaneous media reports, it appears to have been removed from the Union of Arab Parliaments web site.

The above laws, edicts, and resolutions, part of a much larger library of Arab rulings against civil engagement with Israelis, cannot be fully appreciated, let alone addressed, in isolation. They are part of an edifice of social inculcation, dating back more than 70 years, that was fueled by actual conflict with Israel on the one hand and by elites’ use of Israel as a tool of blame deflection on the other. It has served to keep Arabs fixated on, but also separated from, their neighbor for generations. The cause of reintegrating Israelis within the region calls for a range of sustained, creative efforts by state and non-state actors alike, of which legislative action is only a part. But the journey to a peace between peoples will certainly not be complete before Arab governments repeal these laws and end the draconian practices they have normalized. ❖

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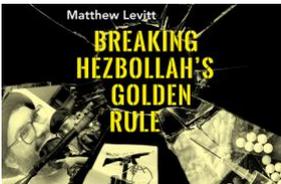
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