

## Today's Talk: al-Azhar and the School of Law

We have already spoken to our readers about what we know of this secret project being prepared—whether it is meant to reform al-Azhar and the School of Law, or to expand al-Azhar and curtail the School. We shared what information we had, and we urged the government to do two things—requests we must repeat today, with even greater insistence.

First, that the government should not go beyond drafting the project to carrying it out before Parliament convenes, so that the people's representatives may debate and either approve or reject it.

Second, that the government should issue a clear public statement explaining what it intends, so that those connected with al-Azhar and the School of Law—and all who care for their welfare—may be reassured.

We asked for these two things, and we still do. But it seems the government has turned away from our plea, intending neither to delay implementation nor to speak to the public, but rather to take them by surprise—confronting them suddenly with a *fait accompli*.

Perhaps the government wished the whole matter to remain hidden until the moment of revelation. But such matters are not easily concealed. People soon sense that something is moving behind a curtain, and they begin to probe and whisper until they uncover part of the truth. Then fear and anxiety seize them.

And indeed, they have every reason to worry. The reform of al-Azhar—or the abolition or restriction of the School of Law—is no small affair to be endured with indifference, as if it were a mere transfer or promotion in the civil service. It is a grave matter that touches the greatest institute of Islamic learning in the world; it concerns a school that experience has shown to be of real usefulness; and it affects an entire branch of the state—the system of religious courts—which stands at the intersection of religious and civil life.

These are matters of deep importance, and people have every right to know what is intended. The constitution has returned their affairs to them; it is therefore their right to speak their mind on all that touches al-Azhar, the School of Law, and the shari'a courts. They are entitled to be anxious, to demand clarity from the government, and to insist that no action be taken before Parliament meets.

We cannot understand the government's secrecy, nor its haste. Reforming al-Azhar and the School of Law is hardly a matter of state security or high diplomacy that must be shrouded in silence. It is an ordinary public issue—indeed, an educational one—and education always benefits from open discussion and the free clash of opinion.

Nor is there any reason for haste. Egypt has borne with al-Azhar and the School of Law as they are until now; she can surely bear with them for a few more months, until Parliament convenes. No harm will come to the state or to the public interest from such delay. On the contrary, this unseemly rush provokes suspicion. If the project is good, why not wait for Parliament to approve it? If it is harmful, why not spare the country from its consequences without Parliament's consent?

It is said that the plan is to add to al-Azhar several new departments of specialization in the various branches of learning, into which students may enter after obtaining the *‘ālamīyya* degree—after twelve years of study—and spend three additional years to earn a higher diploma proving their mastery of a particular discipline. The School of Law, it is said, would become one such department, lasting four years instead of three.

Another report says that the committee drafting the plan wishes to admit students of the School of Law from among al-Azhar graduates holding the secondary certificate, to study there for four years and then receive the *‘ālamīyya* degree, after which they would specialize for another four years to qualify as judges.

It is also said that even after this reform, the judicial specialization will not close the doors of the bench to other Azhari graduates—just as the existing School of Law does not exclude those who never attended it.

If so, what then is the meaning of this reform? What is the purpose of creating a “specialization in law” if it neither alters the current system nor clarifies who may serve as judges?

Rumour has it, too, that there is disagreement within the committee over how to select court clerks (*kuttāb al-maḥākīm al-shar‘īyya*): some want them drawn from Azhari scholars who have not specialized in law but have studied in the reformed school; others want them taken from holders of the *baccalauréat*, provided they pass through the School of Law for a time.

All this is said—and much of it may be true.

But is it all *good*?

Is it all *bad*?

That is something we cannot judge in a brief column like this, especially on the basis of scant and uncertain information.

It would be far better for the government to publish the full plan and to issue an official statement.

Better still, it should not rush to implement anything before Parliament has had its say.

No one doubts that both al-Azhar and the School of Law are in urgent need of reform. But then, what in Egypt is not?

What we do doubt is that reform imposed from above, by a single government acting alone, can be more just or more prudent than reform debated and approved by the people’s representatives.

At a time when rumours multiply and suspicion spreads, some believe that this project conceals a political motive—an attempt to please one faction at the expense of another.

Let us hope that is not true.

But there is only one way for the government to prove it false:

to refrain from enforcing this project until Parliament meets and pronounces its judgment.

**Ṭāhā Ḥusayn**

*al-Siyāsa*, 20 July 1923