

Establishment of Private Landownership in Egypt

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From the modern legal point of view, the Egyptian private landownership was established under the influence of the European legal system towards the end of the 19th century. However, its origin goes back before this date, since the notion of the private property was introduced in the last stage of Muḥammad 'Ali's reign (1805-48), and came to be a fundamental norm in the Egyptian legal system of landholding under the reigns of his followers, before two Egyptian civil codes, namely, the Mixed Civil Code of 1875 and the Native Civil Code of 1883, were enacted.

The aim of this article is to analyze the process of the establishment of private landownership in the middle [of 19th century Egypt and its impact on the rural society, based on the laws and regulations related to the system of landholding, especially a series of the land laws, that is, the First Land Law of 1846, the Second Land Law of 1854, the Sa'id Land Law of 1858 and the Land Law of 1875.

This article is composed of four chapters. Chapter One, as the introductory part, summarizes the traditional legal system of landholding in 19th century Egypt before the enactment of the two civil codes. The next two chapters deal with the establishment of private landownership of various land categories, that is, the sites of houses in villages, the Waqf land, the village common land, the privileged land called *ab'ādīya* or *jafālik*, the taxfarmed land and the land possessed by

foreigners in Chapter Two, and the cultivated land called *kharājīya* most of which was occupied by farmers in Chapter Three. Finally, Chapter Four discusses the relaxation of the communal relationship among Egyptian village inhabitants and their stratification as a result of the establishment of private landownership.