

Chapter 12

The Juvenile Justice System in the Arab Republic of Egypt

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ABSTRACT

Egyptian society is heavily rooted in ancient traditions and religious practices. Islam is the cornerstone of Egypt's social, intellectual, and political cohesion, offering the logical force that bonds communities into a broad nation. Since independence, the Egyptians have modeled the criminal justice system on the existing religious and colonial ideological influences. Despite being one of Africa's largest countries, only a few scholars have examined the Egyptian juvenile justice system. The chapter will explore various aspects of the juvenile justice system in Egypt, its history, organization, and contemporary issues in juvenile justice. The chapter highlights the age of majority and criminal responsibility, trends and statistics of youth crimes, and custodial and non-custodial treatment of young offenders. Through the comparison with western juvenile justice systems, the chapter intends to offer policy implications for the existing problems that youth face and suggest future research areas on youth crime and the juvenile justice system.

INTRODUCTION

Egyptian law prevents the use of the death penalty for young offenders. However, in January 2016, Karim Hemada, aged 17, was apprehended from his house on the charge of being in a terrorist group and was sentenced to death. According to a document sent to the Minister of Interior and the Public Prosecutor, he was reported

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to be tortured with electric shocks, to extract a confession. Amnesty International then appealed for a retrial to ensure that punishment was fair and in adherence to the juvenile justice principle in Egypt (Amnesty International, 2019). The case demonstrates Egypt's unique history and ever-so-conflicted present. The country is a blend of natural and the supernatural, the old and the contemporary, the religious and the secular, and the indigenous and the foreign (Souryal, 1992). The Egyptian justice system is a complex, centuries-old amalgamation of Islamic law, Napoleonic law, and indigenous customs and practices. The system is based on civil law, where judges interpret and apply the rule rather than create it through precedent (Wahab, 2019). This chapter intends to shed light on the juvenile justice system in the Arab Republic of Egypt while comparing it with juvenile justice systems of the West. There are several differences between the juvenile justice systems of the West and Egypt, including the age of criminal responsibility, the treatment of juvenile offenders, and the availability of rehabilitation programs. The chapter includes sections on the treatment of children in both ancient and contemporary Egypt, youth crime by Egyptian youth, the juvenile justice system, the problem of street children, and the comparison with the Western juvenile justice system.

CHILDREN IN ANCIENT EGYPT

Children were highly treasured, and households frequently had numerous children to continue their lineage in Ancient Egypt. Several pharaohs had multiple spouses and offspring to secure the continuance of their families (Brewer & Teeter, 2017). The parents were responsible for the health and education of their children. They thought children were gifts from the gods and must be appropriately reared to ensure their future prosperity. Consequently, parents provided their children received sufficient diet, medical treatment, and education (Hornung et al., 2006). Education in Ancient Egypt was not reserved for the privileged. Children were strongly encouraged to attend school to learn to read and write. Although education was not required, it was viewed as a road to success, especially for males.

In contrast, females were frequently schooled at home and taught crafts like weaving and cooking. Boys attended school from ages 5 to 15 and were instructed in reading and writing by literate scribes. In addition, they were taught mathematics, history, and religion. Children from poor homes might attend school if they had the resources to do so (Johnson, 2011). In Ancient Egypt, children's social standing was defined by their family's wealth and rank. Children from affluent homes were more likely to have successful jobs because they had access to higher education and more resources.

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