

# In the Name of the Mother:

Abortion Politics in Egypt Beyond Religion and Law

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Submitted to

Central European University

Department of Sociology and Social Anthropology

In partial fulfillment of the requirements for the degree of Master of Arts in Sociology and Social Anthropology

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November 2023

## AUTHOR'S DECLARATION

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Cairo, 30 June 2025

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# Abstract

This thesis argues that the prohibition of abortion in Egypt is driven less by religious doctrine or legal criminalization than by the symbolic power of motherhood. While some Islamic opinions prohibit abortion, many schools of Islamic jurisprudence permit it during the early stages of pregnancy under specific conditions. Legally, abortion is criminalized and punishable by prison terms, yet these penalties are rarely enforced, rendering the law largely inactive. Nonetheless, abortion remains difficult to access.

I argue that abortion politics in Egypt emerges from the intersection of symbolic motherhood, state demographic anxieties, and unequal access to economic, social, and cultural capital. Motherhood is not only idealized as the core of womanhood in Egyptian society, but also functions as symbolic capital that grants social value while disciplining women. Any act perceived as a breach of this symbolic order -such as abortion- is punished, whether socially or legally. Women's ability to navigate or overcome these obstacles depends on their financial resources, education, and social networks.

This thesis is based on fifteen qualitative interviews with individuals who underwent or supported an abortion, alongside analysis of state discourse, religious rulings, court cases, parliamentary records, and media coverage. Drawing on Michel Foucault's conception of power and resistance as intertwined and embedded in everyday social interactions, and Pierre Bourdieu's theory of capital, this study analyzes how overlapping and often contradictory structures: legal, religious, symbolic, demographic, and economic, govern reproductive life in Egypt beyond formal institutions. It also examines how women resist these forces through James Scott's notion of "everyday resistance" and Asef Bayat's concept of "quiet encroachment."

## **Keywords:**

Abortion, Egypt, Islam, Motherhood, Power, Resistance

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# 1. Introduction

The initial catalyst for this research occurred in 2017, when a close friend of mine sought an abortion following an unwanted pregnancy outside of marriage which is an act considered a grave social transgression in Egypt. What should have been “one of the simplest and safest medical procedures known today” (Berer, 2004) quickly became a life-threatening ordeal. Her experience revealed for me how, for many women in Egypt, the path to abortion is fraught with sexual harassment, abuse, fraud, exploitation, contempt, and humiliation. Without legal or safe options, women are forced to turn to unlicensed practitioners and accept exorbitant fees, deteriorating conditions, and serious health risks amounting death in order to get abortions.

My initial approach to this research was a comparative legal study between Egypt’s prohibitive abortion laws and Tunisia’s permissive ones. Egypt currently enforces some of the most restrictive abortion laws in the world (EIPR, 2016), criminalizing not only doctors and pharmacists but also pregnant women and anyone assisting them. I originally hypothesized that this severity stemmed from the Egyptian legal system's reliance on Islamic law (*Sharia*), whereas Tunisia’s permissive framework was inherited from secular French law.

To my surprise, I discovered that the Egyptian Penal Code’s abortion articles are direct translations from the French Napoleonic Penal Code of 1810. During the modernization efforts of the late nineteenth century, Egypt adopted the French legal model. While the three countries have since reformed various aspects of their penal codes, Egypt has left the abortion articles untouched. Abortion article in French law was modified then repealed in the 1970s and Tunisia has legalized first-trimester abortions since 1973 which aligns with Islamic jurisprudence.

This discovery revealed a major misconception: the assumption that Islamic law inherently forbids abortion. In fact, most Islamic legal schools (*madhhabs*) permit abortion either absolutely or with conditions, particularly within the first trimester. Three out of the four major Sunni schools of thought allow abortion to some extent.

Despite legal restrictions, induced abortion remains widely practiced in Egypt. Reliable data are scarce due to stigma, underreporting, and limited academic inquiry in the past two decades (Morales Cosano, 2023). Still, some indicators highlight the issue’s scale. At a recent public health conference attended by the Egyptian president, the Minister of Health stated that one in five pregnancies in Egypt is unwanted, and that 13% of contraceptive needs remain unmet (Egypt State Information Service, 2023). Earlier official statistics showed that unsafe abortion accounted for 1.9% of maternal deaths in 2006. A report by the Global Health Council estimated over two million abortions in Egypt between 1995 and 2000, with 2,542 resulting in maternal deaths due to unsafe conditions (Global Health Council, 2002).

This body of evidence complicates the assumption that opposition to abortion in Egypt is solely religious. Over the course of this research, I found that while the laws are highly restrictive on paper, they are largely inactive in practice. This raised new questions: Why are these laws rarely enforced? Why do they remain on the books if they are not actively applied? And if the law is de facto inactive and Islamic jurisprudence allows space for abortion, why does the procedure remain so difficult and dangerous for Egyptian women?

This research aims to answer those questions by examining the power dynamics: legal, religious, social, symbolic, and economic, that govern what I call abortion politics in Egypt. By abortion politics, I do not mean simply legislative debates or state policies, but the broader constellation of forces that shape access to and experiences of abortion. It also incorporates women's resistance within or against these structures in order to end unwanted pregnancies.

## 1.2 Theoretical Framework

This study follows Michel Foucault's incitement to study the power beyond the institutional and formal structures, in the infimsical extremities where he located power operations. In these sites power is always less legal in character (Foucault, 1980: 97). As Smith puts it, Foucault's methodological approach "required him to address the detailed, mundane everyday operations of power and he thus sought to 'seethrough' the institutional meta-narratives of sovereignty, law, the state, democracy and so on which could only obscure or mask more dispersed and subtle modalities of power" (Smith, 2000).

Many earlier studies on abortion in Egypt have focused primarily on these meta-narratives: the law or Islam, as the primary sources of prohibition. Following Foucault, I argue that these narratives mask the complex, everyday mechanisms through which abortion is actually regulated.

This juridical-political type of power is understood by Foucault as a manifestation of sovereign power, which directly controls the body and subjects it to corporal punishment, imprisonment and humiliation. Foucault presented sovereign power as legislative, prohibitive and censoring; a power that primarily makes use of the law and law-like regulations (Foucault 1978: 83–85). However, Foucault describes this type of power as a historical concept that existed in the pre-modern monarchies. He places more emphasis on disciplinary power and biopower, which softly shapes the population through more subtle diffused measures of control and surveillance which he calls "capillary power". According to him, these types of modern power operate not "by right, but by technique, not by law, but by normalization, not by punishment, but by control" and "are employed on all levels and in forms that go beyond the state and its apparatus." (Foucault, 1978: 89).

This historical periodization of the forms of power, which focuses on its less legal daily forms as the modern, has been criticized by many researchers, because it “neglects the state and focuses only on the micro-powers that are exercised at the level of daily life” (Gečienė, 2002). In *Homo Sacer*, Giorgio Agamben (1998) criticizes Foucault's distinction between "productive" bio-power and "deductive" sovereign power, emphasizing that it is not possible to distinguish between these two. However, Mona Lilja and Stellan Vinthagen (2014) point out that the Foucauldian approach for power is exercised by a mixture of different types of power: Foucault described biopower as existing side by side with the sovereign power. In this sense, he made a distinction between the repressive legal sovereign power, on the one hand, and the productive, normalizing power on the other: ‘The powers of modern society are exercised through, on the basis of, and by virtue of, this very heterogeneity between a public right of sovereignty and a polymorphous disciplinary mechanism’ (Foucault 2001: 74 as cited by Lilja, M. Vinthagen, S., 2014) .

Yet, the case of abortion in Egypt complicates both frames. There is neither consistent enforcement of sovereign legal prohibitions nor an obvious biopolitical regime of self-regulation or public health discipline. The laws against abortion are rarely enforced, and yet access remains severely restricted. This paradox suggests that legal and biopolitical frameworks alone cannot fully explain the regulation of abortion.

To address this gap, I supplement Foucault with Pierre Bourdieu’s theory of capital, particularly his insistence that understanding the social world requires attention to multiple, interrelated forms of power. Bourdieu argues that “it is impossible to account for the structure and functioning of the social world unless one reintroduces capital in all its forms”: economic, social, cultural, and symbolic (Bourdieu, 1986). His framework is crucial for analyzing how both ideological and material structures shape access to abortion.

Symbolic power, in Bourdieu’s terms, enables dominant social structures to be accepted as natural, producing a form of “symbolic violence” through which domination is maintained without overt coercion. In Egyptian society, motherhood is the primary form of symbolic capital available to women. Within a normative framework that sanctifies heterosexual marriage and expects the married woman to become a mother, this symbolic order defines womanhood in terms of reproductive success. Abortion, extramarital sex, homosexuality, and other deviations from this symbolic order are treated as crimes, sometimes legal, sometimes social, subject to varying forms of symbolic and material violence.

Thus, this study conceptualizes abortion prohibition not as a result of active legal repression or religious doctrine per se, but as a product of symbolic domination operating through gendered norms, moral hierarchies, and unequal access to different forms of capital. By viewing power as both symbolic and diffuse, this research seeks to trace how reproductive lives are governed beyond the law and how women negotiate, resist, or conform to this complex field of regulation.



### 1.3 Methodology

This study draws from a combination of diverse ethnographic methodologies. I start with a genealogical approach to religion inspired by Talal Asad (2003) to trace abortion discourses in both classical Islamic jurisprudence and modern Islamic scholarship. Following Khaled Fahmy's (2018) critique of Asad, I moved beyond the textual to examine how these discourses are intertwined with other discourses about Motherhood, family and women's role in society. In addition to that I examined how these discourses are interpreted, applied, negotiated, or contested in lived practice.

I applied a similar methodology to the law. Following Jonas Bens and Larissa Vettters (2018) conceptualization of ethnographic study of official law, I approached the law not merely as a codified text enforced by formal institutions but as a social agent that interacts with religious, moral, and informal norms. I focused on the gap between law on the books and law in action, and examined how both state actors and ordinary people navigate this terrain through informal practices and unwritten rules. This interdisciplinary legal-anthropological approach reflects what Cahen (2011) calls the study of law's role in moral politics. Rather than simply measuring law's enforcement, I ask how law shapes behavior symbolically, through fear, stigma, and moral discourse even when rarely enforced.

To understand how these legal and religious discourses on abortion are practiced, I sought to listen to those directly impacted. On August 29, 2020, I published a post on my personal Facebook profile explaining that I am working on a master thesis about abortion and asked those who had gone through abortion to contact me. The post was shared 20 times by friends, people I knew from political activism or academic circles, and anonymously. I was told later in an interview that one of these shares was in a women-only Facebook group which I was not told the name of.

Through this Facebook post and other connections, I conducted 15 interviews: ten virtually and five in person. Nine interviewees were women who had abortions, four of whom had more than one. Three were married at the time. I also interviewed three men who helped their wives get an abortion. In one case I spoke to the wife and husband together and in another case I spoke to each of them separately. In addition, I interviewed a nurse, a pharmacist, a medicine supplier, and a friend who had helped another woman access abortion. Participants were between 19 and 36 years old at the time of their abortion, most were based in Cairo (13), and nearly all were highly educated and employed. Two self-identified as religious.

These interviews were unstructured but guided by key themes. I used open-ended questions and allowed the conversations to evolve based on participants' narratives. Emerging themes from early interviews shaped subsequent ones. Interviews were conducted in Egyptian Arabic, transcribed, translated into English, and reorganized chronologically for analysis. In the

transcripts, I retained certain Arabic religious terms such as *halal*, *haram*, and *fatwa*. Due to the sensitivity of the topic and the fact that some of the interviews were secured through personal relationships, pseudo names were given to the interlocutors and I omitted identifying details. Only public figures who talked in the media were mentioned by real names.

To conduct my analysis I contextualized and supplemented these interviews with other materials including court rulings, media reports, political speeches, and archival materials from the Egyptian Parliament. Therefore, the model of analysis will integrate religion, law, morals, social policies, the state, social class and economic conditions as well as society, to understand the complex story of abortion in Egypt.

Finally, this is an engaged anthropology in the sense defined by Stuart Kirsch (2018). The research was sparked by a personal experience helping a friend access abortion. During the course of this work, I found myself assisting other people seeking abortion through the knowledge acquired during my research. I became part of the informal networks I later theorize in the “Resistance” part. My motivation is not only to document these structures, but also to understand the political and social mechanisms behind them in order to contribute to improve them.

## 1.4 Literature Review

Several studies have addressed the issue of abortion in Egypt, approaching it from religious, medical, legal, and feminist perspectives. Most English-language academic work centers on religious discourse. Asman (2004), for instance, compares abortion laws and religious debates in Egypt, Kuwait, and Tunisia. He identifies Egypt as the most conservative of the three in terms of abortion regulation, attributing this stance to Islamic interpretations. Nonetheless, he argues that there remains space within Islamic Sharia for more permissive abortion policies. Similar arguments are made by Boonstra (2001), Hessini (2007), and Shapiro (2014), who suggest that Islamic jurisprudence can accommodate more flexible approaches to abortion than current legal regimes often reflect.

In contrast, Arabic-language studies tend to focus more directly on the legal framework. Legal scholars such as Al-Shazly (2002) and Abdel Zaher (2023) call for the revision of the abortion articles in the Egyptian Penal Code, highlighting the disconnect between the law’s prohibitive nature and its minimal enforcement.

Feminist researchers have played a key role in reframing abortion as a matter of reproductive justice and bodily autonomy. Ghadeer Ahmed (2023), a feminist activist and scholar, argues in her book “Abortion Tales” that the Egyptian state confines women to reproductive roles, structuring their public identity around motherhood. I agree with this reading to a point, but I argue that the state's position is more contradictory. While women are symbolically confined to

familial roles, the state simultaneously adopts an antinatalist stance, viewing overpopulation as a threat to economic development. Thus, women are simultaneously encouraged to mother and discouraged from excessive reproduction, depending on shifting state priorities.

Morales Cosano, in “Embodying Abortion” (2023), explores the meaning-making processes surrounding abortion among Cairo’s middle and upper classes. She frames abortion as a form of resistance to social and political norms. While this captures the experience of some women, my interviews show that many others undergo abortion primarily out of survival needs. Some even view it as morally wrong or sinful, yet still choose it due to the lack of viable alternatives.

Building on these feminist accounts, I argue that abortion in Egypt is prohibited not solely due to religious or legal reasons, but because it challenges the symbolic power of motherhood. Motherhood functions as the dominant framework for women’s identity in Egyptian society. This symbolic order is enforced not only through formal institutions but also through social expectations and disciplinary norms.

This framework draws from the work of historians such as Beth Baron (2005), Hanan Kholoussy (2010), who have examined the centrality of the family trope in Egyptian nationalism. It also builds on the theoretical contributions of Anne McClintock (1993), and Floya Anthias and Nira Yuval-Davis (1989), who argue that modern nations are constructed through gendered discourses that cast women as reproducers of the national body. Yuval-Davis and Anthias highlight how women’s citizenship is shaped by their reproductive roles, while McClintock emphasizes that national identity is formed through masculine imagination, assigning women to a narrow space defined by motherhood.

To theorize how this symbolic order operates, I draw on Bourdieu’s concept of capital, particularly symbolic capital. Motherhood serves as a form of symbolic capital that grants women legitimacy and value in society. Women who transgress this ideal by refusing motherhood, engaging in premarital sex, or seeking abortion are subjected to symbolic violence and social exclusion.

This symbolic order does not merely shape discourse; it informs state policy as well. Even when demographic policies shift toward limiting population growth, the motherhood framework continues to govern how the state imagines women’s roles. Following Gail Kligman’s (1998) model in “The Politics of Duplicity”, I analyze how these conflicting policy messages influence women’s access to abortion and broader reproductive autonomy.

Finally, this study emphasizes that women are not merely passive victims of patriarchal oppression. Drawing on the theories of James C. Scott (2008) and Asef Bayat (2010), I trace how

women -whether individually or collectively- negotiate, resist, and maneuver the legal, social, and economic constraints to access abortion.

## 2. Power: The Complexity of Abortion Politics

Drawing on Foucault's concept of power as diffuse and productive, and Bourdieu's theory of types of capital, this part explores the power dynamics that shape abortion politics in Egypt across five interconnected chapters:

The first focuses on religious discourse, tracing how abortion is treated in both traditional Islamic jurisprudence and modern Islamic thought.

The second examines the law in its textual form and more importantly in practice. Although the Penal Code formally criminalizes abortion, criminalization exists largely on paper, while in practice abortion is rarely prosecuted.

The third chapter analyzes the symbolic power of idealized motherhood and how it is mobilized to regulate women's bodies and lives. Using Bourdieu's concept of symbolic violence, I argue that motherhood is naturalized as the primary role for women, and abortion is stigmatized as a violation of this symbolic order.

The fourth chapter examines the contradictory position of the Egyptian state. On one hand, it glorifies motherhood and promotes women as wives and mothers through political discourse. On the other, it promotes population control and sees high birth rates as a barrier to development.

The fifth chapter turns to class, analyzing how social, cultural, and economic capital shape women's ability to access safe abortion.

By analyzing these five dimensions: religion, law, symbolic motherhood, state policy, and class; I argue that abortion prohibition in Egypt is not solely a result of religious doctrine or legal repression. It is upheld through overlapping and often contradictory power relations: symbolic norms that idealize motherhood, state policies that criminalize abortion but encourage family planning, and class-based inequalities that determine who can access safe abortion and who cannot.

### 2.1 Religion: A Space for Abortion in Islamic Jurisprudence

This chapter argues that religion is not the source of abortion prohibition in Egypt. It is true that a number of Muslim jurists went extreme to prohibit abortion, but this current is unpopular to mainstream Islamic jurisprudence which have a permissive space for abortion. Some of the scholars who studied abortion in Egypt or in Muslim countries in general claim that the laws are prohibitive and punitive of abortion because of a "religious tradition, almost 1400 years old [...] still controls the Muslims' life until today" as Asman (2004) claims. Studies as such not only misinform on the religious tradition in Islam, that is very tolerant to abortion, but also overlooks

the correlation of colonialism and abortion ban in Egypt, resulting in great scarcity within the prevalent literature. One of the very few academic attempts to draw links between colonialism and abortion bans was provided for by Leila Hessini (2007). In her article, Hessini noted that “the restrictiveness of abortion laws cannot be predicted based only on their use of shari’a or colonial law. Mauritania’s restrictive law is based on French colonial law, not Islam, and Saudi Arabia’s Islamic code is more permissive than Libya’s Italian-derived law.”

Even when acknowledging Islam’s tolerant position towards abortion, it appears hard to let go of pointing fingers at religious power. In their study on abortion law in Muslim-majority countries (2014), Gilla K Shapiro recognizes the diversity in Islamic positions towards abortion and that although “Islamic jurisprudence does not encourage abortion, there is no direct biblical prohibition. Positions on abortion are notably variable, and many religious scholars permit abortion in particular circumstances during specific stages of gestational development.” Nevertheless, Shapiro couldn’t go long in her study before oxymoronically resorting to explain abortion ban in Egypt as an outcome of religious convictions, claiming that doctors who avoid doing abortion in Muslim countries do that because their “power to challenge the religious discourse is limited especially when they are not predominantly answerable to their patients, but to Islamic authority.”

This chapter is divided into two sections: the first will look into the nuances of the abortion discourse within traditional Sunni Islamic jurisprudence, and the grounds of difference among Muslim scholars. The second section will focus on how modern religious authorities viewed abortion.

### 2.1.1 Traditional Islamic Jurisprudence

In Sunni Islamic jurisprudence, there are sources of legislation through which the prohibition or the permission of an action is deduced. These sources come in order of priority, the first is Qur’an, the second is Hadith (the prophet sayings and traditions), and later come the views of Muslim jurists. The process of deducing a ruling in Islamic jurisprudence therefore starts by scanning the Qur’an’s position on the matter, then the Hadiths, etc, and reconcile between them all if a difference appears. What makes an action *Halal* [approved] or *Haram* [prohibited] is the presence of a Quranic text that says so. Meanwhile, according to unanimously agreed upon foundations of jurisprudence, what deems an action *Mubah* [permissible] is the absence of any text that says it is *haram*.

Throughout the text of Qur’an, the primary source of legislation in Islam, there are no explicit or implicit references against abortion. In fact, the processes of creation, of conception and of pregnancy are repeatedly narrated in detail in the Quran with no reference whatsoever to abortion. The volume of prophetic traditions, the Hadith, bear no mention of abortion either. Meanwhile, among the list of sources of legislation is analogy (Qiyas), which is an approach

deployed when the jurist is confronted with a matter that is not regulated either by the Qur'an or the Hadith. The jurist then draws analogy to the actions with highest resemblance to the case in hand, and deduces their understanding of it and their ruling respectively. Muslim jurists who concluded a ruling with regards to abortion based their positions on interpretations of general Islamic principles, particularly the ones that address killing humans (Brockopp, 2008). They all drew a link of aborting a fetus to the murder of a human. The key difference is deciding at which point is a fetus equal to a human being. For most jurists, a fetus transforms into a human being on the 120th day of pregnancy, and to them, abortion at any time before that can be allowed. Jurists who forbid abortion, do so using the same analogy except they argue that an object, such as a fetus, that has the potential of life is worth defending from day one. They reason that whatever has the potential of life urges for the same degree of protection given to that that is already alive.

In Quran: "Man We did create from a quintessence (of clay); then We placed him as (a drop of) sperm in a place of rest, firmly fixed; then We made the sperm into a clot of congealed blood; then of that clot We made a (fetus) lump; then We made out of that lump bones and clothed the bones with flesh; then We developed out of it another creature. So blessed be Allah the Best to create!" (Al-Mu'minun, 12-14)

In Prophet Mohammed saying (hadith): "Each one of you is constituted in the womb of the mother for forty days, and then he becomes a clot of thick blood for a similar period, and then a piece of flesh for a similar period. Then God sends an angel who is ordered to write four things. He is ordered to write down his deeds, his livelihood, the date of his death, and whether he will be blessed or wretched. Then the soul breathed into him..." (Sahih al-Bukhari: 3036).

According to the Qur'an and Hadith, the fetus passes through three stages of 40 days each: Nutfa (sperm), Alaqa (blood clot), Mudgha (embryo). Then, after 120 days of pregnancy, the soul is breathed into the fetus so it becomes a human being.

The traditional Islamic jurisprudence (fiqh) discourse focuses on ensoulment as the concrete sign of life and personhood. Most of Muslim scholars agree that ensoulment takes place 120 days after conception. Therefore, the four Sunni Muslim schools of thought (Hanafi, Maliki, Shafi'i, and Hanbali) agree that abortion after the ensoulment is forbidden, with the exception of saving the mother's life (Ekmekci, 2017). However, it is hard to find such a consensus about the practice of abortion before ensoulment. The positions vary between the schools and within each school's scholars.

Based on Quran and Hadith, the four schools of Sunni Islamic jurisprudence took various positions on the matter of abortion. They can be summarized as follows:

1. The Hanafi school is the most lenient one, as many opinions in the school permit abortion for 120 days after conception with no reason and some jurists condition it on “a valid reason”. The reason may be an economic condition or mental health concern, such as the fear of the mother not being able to breastfeed the baby and the father being unable to afford a wet nurse (Al-Zuhayli, 1985). Some jurists in this school, such as Imam Al-Haskafi (1616- 1677), state that “it’s allowed to abort the baby even without the husband's permission” (Al-Nujaimi, 2011). Hanafi school of Islamic jurisprudence was the formal law of Egypt before enacting the French law and still present in some aspects of Egyptian law until today (Agrama, 2012).
2. In the Shafi'i school some of the jurists agree with the Hanafi school on the permissibility of abortion before 120 days. Others allow abortion in the stages of sperm and clot only, that is, a period of 80 days after conception. A third opinion in the school, like Imam Al-Ghazali, sees that abortion is forbidden from conception.
3. The Hanbali school is similar to Shafi'i school, with a range difference between 40 days to 80 days. The Hanbali school was the formal school in Saudi Arabia until 2001 (Al-Nasser, 2021).
4. The Maliki school is the most restrictive, being the only school that prohibits abortion through all stages of pregnancy (Ekmekci, 2017).

### 2.1.2 Modern religious positions

Modern fatwas on abortion are similar to the traditional ones, but some modern fatwas use different argumentation. Sheikh Abd al-Majid Salim, who was the Grand Mufti of Egypt (1928-1946) and then the Sheikh of Al-Azhar after that, was following the Hanafi school of thought, and had several fatwas in which he permitted abortion. Similarly, Sheikh atiyah saqr who was the head of Al-Azhar committee of fatwa and a famous TV and radio presenter, when asked about abortion, responded by stating different positions by Islamic schools of thought then concluded “These are the various sayings regarding abortion before the soul is breathed into the fetus, that is, before the completion of four months, and there is no objection to taking any of these sayings.” Sheikh Ali Gomaa the former Grand Mufti of Egypt (2003-2013) has many fatwas stating that abortion is allowed before 120 days of pregnancy.

On the other hand, many scholars would say that abortion is *haram*. Some of these opinions that prohibit abortion use traditional arguments that existed in traditional fiqh, but some add new untraditional opinions. In his book *Islam: Creed and Sharia*, Sheikh Mahmoud Shaltout who was the Grand Imam of Al Azhar in the 1950s reviewed some religious opinions that allow birth-control and abortion. In the end, using pro-natalist Islamic views, he argued that these opinions are flawed as they ignore that the Umma (Islamic nation) has a right in the babies, adding that the decision in this matter is not up to the parents alone. (1966).



Souad Saleh, professor of Islamic Jurisprudence at al-Azhar University, rejected abortion bill that was introduced in the Egyptian parliament in 2010. She argued that abortion is absolutely prohibited based on “the new scientific opinion which has proven that the pulse begins after 24 days and that after five days of pregnancy the fetus moves and grows, and as long as the fetus has a pulse, it is a living soul and it is not permissible to kill it.”

The current Sheikh of Al-Azhar, Ahmed Al-Tayeb, used anti-western argument to refuse abortion. During a recent meeting with the United Nations Resident Coordinator in Egypt, Elena Panova, he stated that “the ready-made solutions coming from Western entities and organizations to our problems - such as homosexuality, abortion, and others - do not provide any actual solutions to the problems we suffer from, but rather contradict our culture, and seek to impose many unacceptable behaviors in our societies and establish a new conflict.”

Other Muslim scholars have issued fatwas to make abortion allowed for specific cases such as in rape cases. For example, the previous Egyptian Grand Sheikh of al-Azhar, Muhammed Sayed Tantawi, issued a fatwa in 1998 stating that an unmarried woman who has been raped should have access to an abortion (Hessini, 2007). He later approved a draft law allowing women to abort a pregnancy that is the result of rape which will be further discussed later.

## Conclusion

This wide range of religious opinions on abortion is a normal phenomena in Islamic jurisprudence as there is no central overarching authority to give a decisive ruling on religious matters. As we have seen from reviewing jurists' opinions on abortion, their positions vary with the diversity of the methods of reasoning that each school follows, and even with the differences between the jurists within the same school of thought. This discrepancy is not limited to the issue of abortion, but extends to most jurisprudential rulings. As Sharaf Al-Din points out “the possibilities for flexibility and difference in the creation of meaning and rulings were recognized, condoned, and practiced amongst the classical jurists.” (Sharafeldin, 2013)

As we have seen, neither the Qur'an nor the hadith stipulates a specific ruling for abortion. Therefore, the jurists strived to extrapolate the meaning of the text, and the main determinant of their position on abortion was the date of soul breathing which makes the fetus a human being. Based on this criterion, there is almost unanimous agreement that abortion after the fourth month is forbidden, with the sole exception of saving the mother's life. But before that, there is no consensus among them on the prohibition of abortion. Among the jurists are those who believe that abortion before 120 days is permissible without conditions. Some of the jurists stipulate reasons for allowing abortion, including medical, economic or psychological reasons. Others prohibit abortion from conception. Contemporary jurists also differ in their positions on abortion, some of them repeat the old jurisprudential arguments whether permissible or prohibitive.

However some of them add new arguments such as the right of the nation to children or rely on modern medical opinions that say that the fetus is alive from the beginning of pregnancy.

While the religious discourse on abortion is essential, the broader context of women's social roles and sexuality is more important to get to the lived experiences of women seeking abortion. In the coming chapters, I will discuss how other religious arguments are used to frame women in specific roles that obstruct their access to abortion, and how on other hand people also use the permissive religious fatwas to get access to abortion.

## 2.2 Law: Inactivity of Enforcement and the Symbolic Role

As mentioned earlier, abortion criminalization in the Egyptian penal code did not originate from a religious source. As we will see, the whole religious reasoning of ensoulment and pregnancy stages is completely absent in the legal language. This debate in *fiqh* has no traces in the law. It is also important to mention that abortion is addressed in the penal code which is derived from French Napoleon Code, not in the personal status law which deals with issues related to marriage, lineage, inheritance and other family matters. Personal status law is the only field of modern Egyptian law that is still governed by the principles of Sharia (Agrama, 2012).

One notable case adjudicated by the Court of Cassation in 1959 highlights the complex interaction between law and religion in the Egyptian legal system regarding abortion. A man took his pregnant wife, carrying a fetus under four months, to a junior doctor for an abortion, which resulted in her death due to surgical complications. Both the doctor and husband received one-year suspended imprisonment for abortion and homicide by the court of first instance. On appeal to the Court of Cassation, the husband argued that Sharia permits abortion before 120 days and cited Article 60 of the Penal Code which exempts actions undertaken in good faith based on Sharia. However, the court rejected the appeal, ruling that the legal criminalization of abortion overrides religious justification, and that Sharia's permissibility of abortion before four months is not universally accepted among scholars.

Abortion articles in the Egyptian penal code are literal translations of the French penal code (1810) that Egypt adopted in the late nineteenth century. The same French penal code was the source of Ottoman penal code, and it was the basis for penal code in many Muslim countries that were part of the Ottoman Empire (Assad, 2003). Abortion articles in the French penal code were modified then repealed in the 1970s. As for the articles criminalizing abortion in the Egyptian law, it remained unchanged, despite the fact that the Egyptian Penal Code was amended twice in 1904 and 1937. The law states the following:

Article 260: Whoever willfully causes the abortion of a pregnant woman by beating and other like types of injury, shall be punished with temporary hard labor.

Article 261: Whoever causes the miscarriage of a pregnant woman by giving her medicines or using methods leading to abortion, or by indicating them to her, whether with or without her consent, shall be punished with detention.

Article 262: A woman who accepts to use the medicines although she knows about them, or agrees to use the aforementioned methods, or enables another to use these methods for her, and as a result miscarriage occurs, shall be punished with the aforementioned penalty.

Article 263: If the person causing the abortion is a physician, surgeon, pharmacist, or midwife, he/she shall be punished with temporary hard labor.

Article 264: No penalty shall be imposed on attempted miscarriage.

As these articles show, the Egyptian penal code criminalizes abortion and punishes women who willingly choose an induced abortion according to article 262 by detention, which is a prison sentence ranging from six months to three years. If the person who causes abortion is a doctor, pharmacist, or a midwife they are punished with temporary hard labor which amount to three to 15 years in prison according to article 263, which leaves many women with the choice of going to underground and overpriced physicians or resorting to indigenous methods of unsafe abortions.

There are no clear legal exceptions permitting abortion in the penal code, which could deter health care providers from performing the procedure for fear of legal penalties. However, a second law from penal code but unrelated to the abortion law (article 61) states, "One shall not be punished for a crime, which is in self-defense or for defending someone else against serious danger". This article is interpreted to allow abortion on the general ground of necessity when the pregnancy threatens the pregnant woman's life. But it is also interpreted sometimes to terminate the pregnancy that may cause serious risks to the health of the pregnant woman or even cases of fetal impairment (Asman, 2004).

Abortions performed by doctors are regulated in article 29 of the physicians' Code of Ethics, issued by the Egyptian Medical Syndicate, which states that "the doctor may not perform abortion except for medical reasons that threaten the health of the mother, and with written approval from two specialized doctors". The Syndicate imposes penalties ranging from an ultimatum to a final dismissal from the Medical Syndicate for doing abortion without medical reasons.

Despite the severity of the legal consequences for abortion in Egypt, these penalties are rarely enforced. As Dalia Abdel Hameed, Gender and Women's Rights Officer at the Egyptian Initiative for Personal Rights (EIPR), notes: "The penalty is usually applied when and if a woman dies from complications of abortion and the authorities find out that a doctor has performed the procedure." A similar observation was recorded by Lane et al. (1998), who

reported that physicians interviewed for their study affirmed that the law “is not generally enforced unless a woman dies or a body is found.”

In his book *Assault Crimes Against People and Money* (2002), Professor Fattouh Al-Shazly, head of the Criminal Law Department at the Faculty of Law, Alexandria University, confirms that abortion cases are rarely prosecuted in Egyptian courts. He offers two main explanations for this. First, due to the secrecy surrounding abortion procedures and the legal consequences for all parties involved including the woman seeking the abortion and the medical provider; the crime is rarely reported and is usually discovered only by accident, typically when the woman dies as a result of complications. Second, even when discovered, abortion is difficult to prove in court. According to Article 264 of the Penal Code, attempting abortion is not punishable. For a conviction, the prosecution must meet a high burden of proof: it must first establish that the woman was pregnant, then prove that an abortion occurred, and finally demonstrate that it was carried out without a medical necessity to save the woman’s life. These strict evidentiary requirements make successful prosecution extremely rare. As Asman (2004) notes, such legal thresholds significantly impede the ability of the prosecution to obtain convictions in abortion cases.

Since its establishment in 1931, the Egyptian Court of Cassation, the supreme court of Egypt’s common court system, has adjudicated eleven cases that included articles of the abortion law. In all of these cases, the accusation of abortion was accompanied by other charges. In one case, the other charge was the misdemeanor of battery that led to the victim having a miscarriage. In the remaining ten cases, the woman was the one who chose the abortion, but due to a medical error or contamination of the abortion clinic, the woman died. Those who helped the woman in abortion were tried on charges of abortion and manslaughter. Even in these ten cases, in which the court of first instance ruled for abortion and manslaughter charges, the sentences were simple, ranging from six months to a year of suspended imprisonment in all cases.

Although thousands of abortions occur in Egypt each year without legal consequences, this does not render abortion laws ineffective. As Fabrice Cahen (2011) notes in his study of abortion criminalization in 20th-century France, low prosecution rates should not be mistaken for legal irrelevance. The law, he argues, often functions symbolically rather than coercively, serving to delineate the boundaries of socially acceptable behavior. Even when not actively enforced, criminalization reinforces dominant moral values and resists social change by preserving abortion as a legally defined offense. In this sense, law is not merely a tool of formal justice but a social discourse that co-produces prevailing norms around gender, sexuality, and motherhood.

## Conclusion

As I explained in the previous chapter, the source of the criminalization of abortion in Egypt was not Islam, but rather French law. Abortion articles in Egyptian penal code, does not in any way

pay attention to the religious controversy about the date of ensoulment or the stage of pregnancy which occupies a pivotal position in Islamic jurisprudence discourse about abortion.

Abortion articles in Egyptian penal code stipulate severe punishments for the women who pursue abortion or anyone helping her and the punishment is harsher if the helper is medical professional. However these penalties are rarely enforced, mainly when the woman dies from complications of abortion. In this case those who helped the woman in abortion tried on charges of abortion and manslaughter but the sentences are simple, ranging from six months to a year of suspended imprisonment in all cases.

However, to claim that abortion law is ineffective in policing abortion would be an oversimplification. In the following chapter, I will argue that the law plays a central role in upholding a symbolic order that defines and enforces the ideal behaviors women are expected to follow even when it is not actively enforced through prosecution.

## 2.3 Motherhood: Symbolic Capital and Social Policing of Women's Lives

Each March, the Egyptian state celebrates three occasions dedicated to women: International Women's Day on the 8th, Egyptian Women's Day on the 16th, and Mother's Day on the 21st. In many cases the three occasions are celebrated together. In several speeches celebrating these occasions together, the Egyptian President Abdel Fattah El-Sisi reiterated a fixed form of greetings to the "Egyptian woman, as a mother, wife, daughter and sister." Reviewing the speeches of the Egyptian President, I found out that he repeated this phrase more than ten times on different occasions between 2014 and 2021. On other occasions, such as Egyptian Police Day or celebration of new graduates from police or military academies, women are summoned as mothers of the martyrs. In the 23 speeches examined, the Egyptian President only mentioned fatherhood twice. Men in El-Sisi's narrative belong to the nation through different non-familial roles such as service men in the military, which is praised in his speeches as the "Factory of men and castle of Nationalism". Men are heroes of the army which all Egyptian men have to go for conscription.

The familial trope where women are bound to motherhood, is an established matter-of-fact notion in the Egyptian constitution. Although article 11 starts with "The state commits to achieving equality between women and men in all civil, political, economic, social, and cultural rights in accordance with the provisions of this Constitution", the last two provisions of the article contradicts this promised equality by stating "the duties of a woman toward her family". The previous article in the same chapter "Basic Component of Society", article 10 states that "Family is the basis of society and is based on religion, morality, and patriotism. The state

protects its cohesion and stability, and the consolidation of its values.” Needless to say, there is no mention of fatherhood.

Floya Anthias and Nira Yuval-Davis (1989) argue that the role of women in the nation is based on confinement. Women are set to play specific roles within the society, on top of which are reproduction and nurturing men through their role as mother and wife, and them being daughter and sister as intermediate stages between the two. Women’s belonging to the state is mediated through their roles in the heterosexual family of man, mainly as a mother or wife.

A very similar narrative about women’s role in the society is prevalent in Islamists discourse. For example, in the section on "position of the woman as viewed by Muslim Brotherhood" on their website, the first sentence reads: "The woman is the mother", the rest of the first paragraph cites Islamic sources glorifying motherhood. The second paragraph reads "And the woman is the daughter and sister... and the woman is the wife whom the man can find repose with and she can find repose with him". Whether in the national narrative or the Islamic one, religion plays a certain part in constructing this symbolic discourse of motherhood as the ideal role for women and the religious language is prevalent. Nonetheless religion is not the only source of this symbolization as evident in the popular celebration of motherhood in common proverbs, songs, movies and Mother's Day -one of the most celebrated occasions in Egypt. Although most of these celebrations are perceived by Islamists as non-Islamic heresies they continue to be widely celebrated in Egyptian society. The contest of the ideal mother is widely preserved on the national level and in other institutions such as schools, companies, and NGOs.

Having children is “socially desirable for Egyptian women because childbearing is a fundamental step to affirm their status [...] Maternity has a great value for all women, as having children endows them with power in the household and acceptance at the societal level, while childless women experience social isolation.” (Ambrosetti et al., 2021). Women in the interviews and even in my social circles are constantly asked when they are going to marry, and if they are married they are asked when they are going to bring children.

Motherhood is not just a social role women have to fulfill, rather it is a symbol for the whole nation. “Umm al-Dunya”, literally translates as 'Mother of the World,' which is an Arabic expression that Egyptians use in reference to Egypt. Nation in Arabic is “Umma” directly derived from mother “Umm”. It is common in national media caricatures to depict Egypt as a woman in danger and the current president Sisi is rescuing her. One of Sisi's slogans for the presidential campaign was “Egypt is the mother of the world, and will be as great as the world”. Despite its shallowness, this slogan affirms the centrality of motherhood in Egyptian Nationalism.

The universality of the family trope as argued by Anne McClintock (1993) and Floya Anthias and Nira Yuval-Davis (1989) shows that this discourse is not purely Islamic or natively Egyptian but shared among many national discourses in modern states. This symbolic order is important to achieve four goals for the modern state:

1. “First, the family offers a 'Natural' figure for sanctioning social hierarchy within a putative organic unity of interests.” (McClintock, 1993)
2. Unite the state, religious powers, and people.
3. Subjugate women to male dominance through the family.
4. Subjugate the whole country to the state leader as the national family father, synchronization of family trope with state hierarchy.

According to Pierre Bourdieu and Jean-Claude Passeron (1977), Social control is sustained in the modern world at the symbolic level. The symbolic power is the invisible power that shapes the social order through concepts such as reputation, prestige, honor, morality and esteem “in a word, of all the virtues honored by the ethic of honor”. The symbolic power (re)produces a social hierarchy where the upper class dominate the lower while the dominated accept it as natural and normal order which make it difficult for them to break this symbolic order. Bourdieu’s concept is focused on a class dominance over another class but symbolic capital is also relevant on gender perspective (Miller, 2014). As we have seen in Sisi speeches, those symbols are gendered and create different dispositions to men and women where women are confined to the familial domestic roles.

One of the main features of symbolic power is that this confinement is created with the complicity and acceptance of those who are dominated (Bourdieu, 1994; Kraus, William, 2000). This can partially explain why many of the women I interviewed for this research felt guilty after having an abortion. Although they believed it was necessary, some believed it was their human right, and others believed it was religiously permissible, nonetheless, they bore this guilt. Omnia talked about her abortion experience in third-person pronouns. She never used first-person pronouns during the whole conversation. Perhaps it was a combination of trauma and guilt that made her try to distance herself from the experience. None of the three male partners I interviewed for their role in helping their spouses in abortion expressed such a feeling. There may be other psychological and biological components of this feeling, but there is certainly a social facet that is internalized by these women as they break away from the social and symbolic order assigned for them. If motherhood is the main symbolic capital for women in society, then abortion albeit important and believed to be right, is not perceived to be normative and women who seek abortion subordinate themselves to this internalized ideal of their role.

This internal guilt is reinforced and intensified by shaming, social stigma and moral policing perpetuated by other social actors in what Bourdieu describes as symbolic violence, “a violence that is not recognized as such; it is a subtle, euphemized, invisible mode of dominating, a

concealed form of violence-the realization of a world view or social order anchored in the habitus of the dominating as well as the dominated” (Krais, William, 2000). This “gentle violence” that “constitutes the essential aspect of male domination” (Bourdieu, 1990, p.11). In contrast to the Foucauldian sovereign power that directly controls and subjugates the body through state direct repression by legal regulation and bodily punishment, the symbolic violence is diffused through the whole society, so discipline comes not only from institutions such as school and media but also from all society actors including doctors, pharmacists, nurses, family, and friends, beside the woman who needs abortion herself. This leads those who need an abortion to avoid telling anyone about it, either before or after the abortion. In four cases the interviewees told me it was the first time they talked about their abortion since they did it. In one case a woman told me she could not tell anyone but told a younger sibling last minute before taking abortion pills because she was afraid she might die without anyone knowing.

Abortion is a rupture of the symbolic order, where the only socially acceptable framework for sexual relations is marriage. In this framework, the “naturalized” habitus for the wife is to become a mother. That is why abortion remains difficult even for a married couple. Social stigma plays a role in most stages of seeking an abortion. Some pharmacists not only refrain from selling abortion pills which “many [pharmacists] believe it’s haram to sell in the first place, so they don’t bring them [to their pharmacy]” as Emam, a pharmacist, told me, but also some of them even refuse to sell contraceptives -which are legal-, “there is a pharmacy I know, whose owner does not put contraceptives in it, because he believes it is haram”, he added.

The symbolic power of motherhood overcoming the law is also evident in some doctors' refusal to give the written abortion approval required to get abortion for medical reasons as the “Professional Ethics Regulations”, issued by the Egyptian Medical Syndicate states. Omnia was taking psychological medicine when she got pregnant, but she could not get this medical report:

“The majority of doctors see abortion as haram, it has nothing to do with the condition of the pregnant woman. It is forbidden and the priority is not to have an abortion, even if the pregnant woman is taking medications from the category that may cause deformity or defect in the fetus. Whether he is a Christian or a Muslim for the two it is forbidden, and he will give her a lecture... If she is pregnant and is taking medications that cause deformities or defects in the fetus, and she goes to the neurologist or psychiatrist to ask him to acknowledge that she is really taking these medications, he will give her a lecture and she will be forbidden as well, and they will say that people in worse situation than you gave birth naturally. The idea that a pregnant woman psychologically does not accept pregnancy and her mental health cannot bear it is meaningless for them.”

Still, getting abortion is easier for married couples, some of those I interviewed were able to secure abortion by proving health problems -real or forged- whether in the mother or the fetus. Emam told me that “pharmacies do not follow a medical ethical code... It depends on who is



married and who is promiscuous.. we don't give [abortion pills] to unmarried women". He told me about a pregnant refugee who came to the pharmacy wanting abortion pills, "she was swearing to me that she is married because she understands that no pharmacy would give her if she got pregnant without marriage."

In the case of an unmarried woman, the stigma is doubled. In addition to stigmatizing abortion as haram and disposing of a fetus that should be kept, in the case of an unmarried woman, the stigma of moral/religious accusations of adultery is added. The symbolic violence can vary from uncomfortable looks to verbally telling them to bring a man with them. Omnia told me that "most doctors, whether male or female, act unpleasantly if who is supposed to be the husband is not there, even if she is accompanied by her mother or a female friend." Whether married or not she still needs a man's approval, "as long as there is a man present, the treatment will be good" as Gihan told me. Omnia told me about her endeavor to buy abortion pills: "it's impossible for a woman to buy the pills, it has to be a man who buys them, and it won't be easy even for him".

The mere presence of a man often mitigates the stigma. It signals partial conformity to the family model. Some women I interviewed had to pretend that they were married in order to get abortion. Amira told me how she manipulated this societal constraint to get abortion "My boyfriend went with me... we acted like a young married couple, so no one questioned our marriage."

Health providers operate as double agents in the moral economy of abortion. They are themselves disciplined by social norms, and often become enforcers of that same discipline, redirecting the pressure onto the women seeking care. Several interviewees described being morally lectured or guilt-tripped by healthcare workers, particularly if they were young and unmarried. At the same time, many health providers live under the shadow of social stigma and fear the consequences of being associated with abortion. Two doctors known to perform abortion procedures refused to speak to me for this research, despite assurances of confidentiality and academic purpose. Only Emam, a pharmacist who knows me personally, agreed to speak. Issam, who tried to persuade the family doctor to terminate his wife's pregnancy, said the doctor refused because he feared for his reputation. Performing abortions, he explained, was seen not only as a criminal risk but as a deep social insult. Arwa, who found a doctor willing to perform the procedure in his private clinic, told me that the people's looks as she was leaving made her believe they knew what was happening. These accounts show how stigma extends beyond women themselves to anyone associated with abortion, leaving even medical professionals vulnerable to moral scrutinization.

In my conversation with the pharmacist, he elaborated on this effect:

"The whole idea is that the pharmacist who sells abortion drugs or the doctor who performs these operations are classified as suspicious within the profession..."

- Does this affect or make a difference in practical terms when you are seen as suspicious? Do you face something from the government?  
You face social isolation.. and you find that a box of abortion pills would entail a visit from a customer who wants Seroquel [an antipsychotic medication] and drugs... You start to sustain your living economically by relying on these things after they [customers] have abandoned you.  
But as for the governmental inspection, from a legal point of view abortion drugs' position is not weak... If you have a prescription, no one can talk to you... But from a societal point of view, it is very harmful for the pharmacist."

Omnia confirmed his analysis, after she went to several doctors to get abortion:

"No doctor would write a prescription in his name or the name of his clinic that has an abortion medicine. Abortion medicines are treated as drugs... There was only one doctor who did not lecture me about halal and haram and was relatively sympathetic, but he wrote the name of the medicine on a piece of paper, not on his prescription."

Amira was able to get an official prescription:

"I was able to buy the medicine after extensive searching, and finding that everyone sells it at a different price [medicines are mandatory priced by the government in Egypt], like [drug] Dealers.

- What were the reactions when you ordered it in pharmacies?  
I was ordering it while I had its official stamped prescription with me, but of course there was a certain amount of doubt and discomfort with selling it. In one pharmacy, the doctor told me that she shouldn't provide it, but she made a phone call to ask permission, then she gave it to me. In another pharmacy, the doctor was dealing openly as selling smuggled goods. In a third pharmacy there was a doctor who had no problem at all. He dispensed it and explained to me how to use it, and he knew why I wanted it."

This social stigma makes it difficult also for feminist organizations to support abortion rights publicly as Dalia Abdel Hameed, Gender and Women's Rights Officer at the Egyptian Initiative for Personal Rights (EIPR), pointed out in a media interview: "[Abortion] is a very thorny topic; many feminist organizations choose not to deal with it so that they are not stigmatized for advocating for it. The social discourse around abortion is anti-feminist."

The stigmatization can come even from those who seek abortion, when they view themselves as morally superior to others who seek abortion by labeling them as immoral. When Issam was seeking abortion for his wife due to economic reasons, he was guided to go to a doctor who "does anything for anyone in exchange for more money." He hinted further on the doctor's "unethical practice":

“you understand what I mean? .. of course I felt ashamed to go to a doctor like that. My wife and I are respectable people who are not doing something that is either haram or shameful.

Anyway, out of curiosity my wife went to him... I had a fight with her for going to this dirty person... how come a respectable woman goes to a clinic like this with -excuse my language- slutty women”.

## Conclusion

The symbolic idealization of motherhood in Egypt functions as a mechanism of social control that extends beyond legal or religious proscriptions. It shapes women’s lives, behaviors, and access to healthcare, particularly in relation to abortion. This symbolic order is sustained through national discourse, religious doctrine, and popular celebrations, making it feel natural and even rewarding for many women, while casting any deviation as shameful or dangerous. As a result, those who seek abortion can feel guilty, even when they believe it is their right or the right thing to do. This guilt is not merely self-imposed but enacted and reinforced through symbolic violence of social interactions, from doctors and pharmacists to family members and partners, through moral surveillance, emotional pressure, and social exclusion.

## 2.4 State: Contradiction of Symbolic Order and Demographic Goals

One of the recurring themes in the Egyptian president's speeches is his strong criticism of overpopulation. In a 2017 speech at the 4th National Youth Conference, the president said: “the greatest two challenges Egypt is facing are *terrorism* and *population growth*. We positioned those who try to kill us with the population growth, as a challenge. This (population growth) reduces Egypt’s opportunities for progress. [...] The challenges that we are facing are shared challenges between the state and the people” (Ambrosetti et al., 2021). On the Fifth of September 2023, El-Sisi sponsored “the First World Conference on Health, Population and Development”, a conference for which the state mobilized hundreds of researchers and experts and thousands of participants, including ministers and senior state officials. The main issue of the conference was population increase as the Egyptian President stated in his comments, echoing his previous comparison between population growth, wars and war on terrorism.

While many studies argue that abortion is an effective tool to decrease population (Hodgson, 2009; Mumford SD & Kessel E, 1986; González et al., 2018), it remains illegal in Egypt. This can be understood in the framework of motherhood symbolization as the main role for women in the Egyptian state discourse, therefore any act that preaches this symbolism is prohibited. State officials complain about population increase and demand reduction of birth rates, but they still equate women to motherhood and refrain from opening the door to abortion as a legitimate method for birth control.

This perceived demographic and economic threat posed by population growth results in a form of passive tolerance toward clandestine abortion. The law prohibits abortion, but the state rarely prosecutes it, especially when it is performed privately and discreetly. In practice, this legal ambiguity serves a functional purpose: clandestine abortions resolve the problem of unwanted pregnancies without requiring a direct state intervention or a shift in symbolic commitments. The result is a contradictory policy stance: women are idealized as mothers, yet simultaneously asked to stop having more children.

Unlike other contexts where state reproductive goals conflict with family or individual desires (as Gail Kligman (1998) notes in the Romanian case), Egypt shows a different alignment. The government's goal of limiting reproduction to two children per family coincides with many Egyptian women's own preferences. According to the 2021 Demographic and Health Survey, the average number of desired children for Egyptian women is 2.14, almost 0.7 fewer than the actual total fertility rate. This was also evident in my interviews: many of the women I spoke with expressed a desire to have only two children, while others wanted to delay childbirth -a goal also promoted by the government- or avoid having children altogether. These individual desires are aligned with official goals. In his remarks in the "First World Conference on Health, Population and Development", Dr. Khaled Abdel Ghaffar, Minister of Health and Population, pointed out that 13% of family planning needs in Egypt remain unmet, and that 1 out of every 5 children is unwanted. He acknowledged that fulfilling those two goals would be sufficient to achieve the government's reproductive targets (Egypt State Information Service, 2023).

Despite this apparent convergence between state and citizen goals, state biopolitics remain deeply shaped by the symbolic order of the family. The official demographic survey published by the Ministry of Health and Population was renamed the "Egyptian Family Health Survey" instead of "Egyptian Health Issues Survey," underscoring the centrality of the family unit. Reproductive policies aim not to dismantle this family-centered framework but to moderate it. The state does not challenge motherhood as a norm; it merely encourages mothers to limit themselves to two children. This symbolic commitment is also evident in El-Sisi's speeches, which frequently emphasize that men -not women- should take responsibility for limiting reproduction. Women are consistently confined to motherhood roles, while male citizens are addressed as the ones tasked with managing family planning.

Within this hegemonic familial discourse that seeks to curb the population increase while keeping the family symbolization, abortion is silently left to social regulation. This enables the state to uphold its symbolic hierarchy while benefiting from the population-control functions that clandestine abortions quietly serve. In doing so, it shifts the responsibility to citizens so it is the women's responsibility to find ways to achieve this family planning -desired by women and the state- falls solely on women.

## Conclusion

The Egyptian state's stance on abortion reveals a deep contradiction at the core of its demographic and gender politics. While glorifying motherhood as the natural and essential role of women, it simultaneously frames population growth as a national crisis and urges families to limit reproduction. Rather than addressing this tension through clear policies, the state avoids the topic of abortion altogether, neither enforcing the law strictly nor legalizing the practice. Instead, it shifts the burden to individual citizens -especially women- who are expected to fulfill both the ideal of motherhood and the demands of family planning. In this silence, abortion is pushed into informal, socially regulated channels where the ability to maneuver through an unspoken and often perilous reproductive landscape is a privilege reserved for those with knowledge, financial means, and social capital, as I will explore further in the next chapter.

## 2.5 Class: How Economic, Cultural, and Social Capitals Shape Abortion Access

While presenting my research in the American university in Cairo, an expensive private university usually attended by high and upper middle-class students, a young woman casually commented: "But abortion is very easy in Egypt". This statement was shocking to me, I had never heard anything like this from the women I interviewed. This encounter made me pay attention to the significance of class as an enabling factor in accessing abortion in Egypt.

In this chapter, I examine the role of social class in women's access to abortion, using Pierre Bourdieu's theory of forms of capital. Bourdieu defines capital as "the set of actually usable resources and powers" (1984, p.114). Bourdieu identifies three forms of capital: economic capital, which is the most tangible form of capital, encompassing money, property, and other assets; cultural capital such as education, knowledge, and skills; and social capital which consists of networks, social obligations, and connections. In addition to symbolic capital which I examined earlier in the context of motherhood. These types of capital can be transformed into one another, which will be studied in the abortion case. Bourdieu argues that it is "impossible to account for the structure and functioning of the social world unless one reintroduces capital in all its forms" (1986).

In the case of abortion these forms of capitals are entangled and manifest in a variety of situations. For example, economic capital appears in having a private gynecologist, afford a surgical abortion, afford the medicine price, having a place to take the medicine, and the ability to have a post abortion care. Cultural capital appears in having knowledge about safe sex, pregnancy signs, abortion methods, and procedures. Social capital can be seen in having trusted people to tell about pregnancy and ask what to do, having support before, during and after abortion, and connections with healthcare providers which can improve the medical care quality and giving a room to negotiate the prices.

Cultural capital is a determining factor that dictates the degree of control women have over their bodies and their reproductive choices. Sex education in Egypt is extremely limited, especially for young people. Important yet basic knowledge of issues like safe sex, early signs of pregnancy, and abortion options is a privilege that is not available for everyone. A common theme in the interviewees' experiences, especially those who had abortions when they were younger, is how ignorant and unprepared they were. Reem, who had her abortion when she was 19, recalled her reaction when she found out she was pregnant:

"I stayed for nearly a week completely silent about it. I didn't tell anyone whatsoever. Until I reached a point where I understood that I need to act because there's no other way [...] I didn't know anything back then or how anything worked."

Economic capital comes second, yet it plays a major part in defining the quality and speed of access to abortion. Women with greater economic resources can significantly reduce the time it takes to obtain an abortion, a factor that is often critical to the procedure's safety and effectiveness, as they can afford to pay instantly for private physicians (Morales Cosano, 2023). Lane et al, summarize this:

"This situation of limited access to safe abortion and the harm of unsafe abortion does not apply to all women equally. Wealthy women, whose abortions are performed by their own private gynecologists, can buy safety. Women with some means, such as selling pieces of their gold jewelry, can buy partial safety in clandestine abortion clinics. Poor women, with severely limited financial resources, cannot afford even minimum safety." (Lane et al., 1998)

Most of the women I interviewed fall within the second category, what Lane et al, call "Women with some means." Their "some means" were sometimes their savings, as many of them are highly educated working women. On other occasions, they capitalize on their social and cultural capital. With their limited resources, they were able to access semi-safe surgical abortions costing between 1,000 and 10,000 EGP -though some of these figures date back to 2014 and, due to inflation, are significantly lower than current prices- amounts that remain unaffordable for many, especially young or unemployed women. Many of them had to turn to their acquaintances to fundraise or borrow that amount of money, transforming their social capital to economic one.

Arwa, a dentist who had 3 induced abortions, 2 medical and one surgical, told me that the doctor agreed to accept payment in installments: "Initially we agreed on four [thousand EGP], But I only had two [thousand EGP] with me, which I gave to him, and told him that when I go back to work again, I will pay the rest". Although she lacked sufficient economic capital, she was aware that she was privileged with social and cultural capitals: "I sometimes think, if someone, for example, doesn't have a medical background or doesn't know colleague doctors, how would she act?"

Through her connections and knowledge, Arwa was able to secure a safe cheap surgical abortion. However, other interviewees were not as lucky. Toqa who had two abortions told me: “The first time, of course, was a doctor under the stairs. I came out of the operation well, and then I had a postpartum fever, and my blood pressure was very high. I think this happened to me, because the place was definitely not sterilized enough.” “Under the stairs” or “under the stairwell” are common Egyptian expressions that mean a shady clandestine space where usually illegal activity takes place. Clinics of this type are common for abortion surgeries often lacking proper hygiene and operated by ill-trained health providers (Lane et al., 1998).

Several high-end private hospitals and clinics in Cairo reportedly offer abortion surgeries openly, but at prices beyond the reach of most Egyptians. Isam told me about a doctor his wife saw in 2017:

“Someone told us about a third doctor, he told us that he does anything for anyone as long as they pay [...] It was not a stairwell clinic. It looked like a very decent clinic in a good place, with a licensed gynecologist, and includes everything you can imagine, even an ambulance if you want [...] because it is a good hospital and a good doctor. The higher the quality the higher the price, and the lower you go, the lower the cost. It is a market of supply and demand, like any commodity.”

Most of the interviewees resorted to abortion pills, as a cheaper alternative to surgical abortion. Medical abortion using mifepristone followed by misoprostol is 97% effective in early pregnancies (Chen & Creinin, 2015). However, mifepristone is expensive and not available in Egypt. None of the interviewees who had Medical abortion used it. They all used misoprostol, sold in Egypt under two commercial names: Misotac, which is locally manufactured and legal, but is restricted to hospitals; and Cytotec, which is imported. Both drugs are available but not easy to find. When Ramy was helping his wife Youmna with medical abortion, he had to turn to his father who is a pharmacist to get the abortion pills. He was able to secure them, but with some collateral damage to his social capital, his father stopped talking to him for almost a year, because he opposed abortion and wanted a grandson.

Finding abortion drugs is not the only problem. Because of the restrictions, they are sold unofficially in most cases. This leads to three problems: First, there is price inconsistency. Among the 13 people who bought the medicine, sometimes more than once, nearly none of them bought it at the same price. In 2019, Reem bought Cytotec from an online pharmacy twice, the first time for 1200 EGP -for context the minimum wage in Egypt at that time was 1200 EGP-. A month later she found out that the pills did not work, and she was still pregnant, so she called the pharmacy again and this time they gave her the pills for 600 EGP. Mai, a pharmaceutical company employee, explained that the normal price for this medicine at that time was less than

500 EGP, “the dealers take advantage of women's need and ignorance of the medicine price to sell it at any cost.”

The second problem that was common among those I interviewed was the ineffectiveness of the medication. As it is sold in the informal market, the drug source is not certainly known, and it is sold without governmental supervision. Similar to the aforementioned interviewee, two other interlocutors used the pills but they did not work, so they had to perform a surgical abortion. “The pills are sometimes adulterated” as Mai states, “it either does not contain the active substance, or a different active substance or an active substance in a small amount.”

The third is the correct dosage. Many interviewees reported insufficient instructions or misinformation from the gynecologists. One reason could be ill-training of the doctors by medical colleges on abortion requirements (Lane et al., 1998). Others suspected that the gynecologists wanted a surgical abortion as it is more profitable for them, as an interviewee told me: “He prescribed the medicine at the beginning, but I knew he did not give the correct dose because the surgery would bring more money. My friend told me this already, so I took the medicine in a larger dose than what he said.” Some of the interviewees had to improvise because the first attempt failed: “I called the same pharmacy again and they told me I have to repeat the procedure. This time I didn’t follow their instructions. It misled me the first time. I shoved them all up my vagina [...] it worked.”

The availability of places to take abortion pills is also an issue that faced two of the interlocutors. They have to endure intense physical pain and continuous bleeding while preserving the secrecy of their pregnancy and abortion from their families and people around them. The same applies to the post-abortion, they have to act normally so that no one suspects what happened. Ola had to go to her work the next day, because she could not afford a sick leave. Reem recalls:

“No one knew anything, so I was supposed to act normally. But it wasn’t a normal matter. I had exams at that time. I was in the middle of midterm. I was supposed to go to the university the next day, but I didn’t. My mom used to drop me at the university bus station. As soon as I reached the bus, I decided that I can't, it's not doable. I stood there, ordered an Uber and went to my partner’s house. My appearance was terrifying. At that time, he was aware of what was going on, so it was fine. I was cramping and I was in a lot of pain. I looked horrible. Some friends noticed that something was wrong. The moment they saw me they were like: Are you fine? Why do you look like that? I will never forget this moment because I was this close to my friend, and he looked at my face and asked: what's this? What is with you? I guess it was this moment when I felt: Is this real? Did this happen? But I didn’t tell them.



## Conclusion

The accessibility of abortion in Egypt is profoundly shaped by class, as defined through Bourdieu's interrelated forms of capital. Economic means determine whether a woman can afford a safe procedure; cultural capital informs her knowledge of reproductive health and available options; and social capital shapes the support she receives and her ability to navigate a messy, informal, stigmatized system. While abortion is criminalized and socially condemned, women with access to these forms of capital are able to mitigate the risks, costs, and secrecy required to terminate a pregnancy. Those without such resources face delayed, unsafe, or failed procedures with serious health and emotional consequences.

## 2.6 Conclusion

This part has explored the layered and often contradictory powers that shape abortion politics in Egypt in five chapters: religion, law, motherhood (symbolic power), the state, and class (capitals). While religion and law appear as the most visible authorities, a closer examination reveals that neither is fully determinative. Islamic jurisprudence offers interpretive space for abortion, and the law, though restrictive, is rarely enforced. Yet abortion remains difficult to access.

This can be understood by looking beyond formal prohibitions to the wider symbolic and structural forces at play. The idealization of motherhood as the core of womanhood, promoted by state national discourse, religious rhetoric, and popular culture, forms a powerful symbolic order that disciplines women. Through internalized guilt, moral surveillance, and social policing, women themselves, along with partners, medical professionals, and society at large, act as enforcers of this symbolic order.

The state plays a central but ambiguous role. It simultaneously calls for lower birth rates and glorifies women's reproductive roles, delegating reproductive control to individuals while avoiding direct engagement with abortion. The state's silence functions as a strategy: by leaving abortion to be regulated informally, it upholds the symbolic hierarchy while benefiting from the quiet resolution of unwanted pregnancies.

The class chapter reveals how power operates not just ideologically but also materially. Women with economic, cultural, and social capital can circumvent legal and moral barriers, while those without such resources face significant delays, dangers, and harassment. These inequalities are not peripheral but central to the structure of patriarchal control evident in abortion restriction. They determine whose bodies are protected and respected, and whose are marginalized, policed, or ignored.

Together, these chapters show that abortion politics in Egypt is governed not by a single authority, but by the intersection of overlapping power structures: religious, legal, symbolic, demographic, and economic. These powers create a terrain of reproductive governance that is messy and unjust. Understanding this architecture of power is a necessary step not only toward documenting injustice, but also toward resisting it as the next part will do.

### 3. Resistance: Intentionality, Collectivity, and Fragmentation

In this part I will discuss how women navigate legal, social, religious, and economic restrictions to get access to abortion through some of the themes that emerged during the course of research. Thousands of women get abortion every year in Egypt deploying diverse strategies and argumentation. During the limited course of this research, I interviewed 9 women who aborted their unwanted pregnancy, and was informed about other dozens who went through the same experience. Despite state oppression and legal and social constraints, people find ways to live their daily life and spaces to practice the illegal activities they deem necessary to their life, such as abortion.

Before delving into a discussion on how women resist the power control over their access to abortion, it is important to note that the distinction between power and resistance is a matter of rhetoric. In reality, it's difficult to set boundaries between the two. In the previous two chapters, I cited women who "negotiated with patriarchy" as Deniz Kandiyoti (1991) argues, deploying male authority to obtain abortion surgery or to buy medicines such as Omnia and Amira, and will study in this chapter those who used religious fatwa, whether they are believers or not, to negotiate access to abortion such as Gihan and Isam. The social, cultural, and economic capitals that constitute class control over abortion also constitute the means through which women resist this control. As Foucault points out "resistance is never in a position of exteriority in relation to power" (Foucault 1981: 95). Lilja and Vinthagen (2014) argue that different techniques of resistance emerge in this dynamic relationship with the diverse forms of power:

"Even though the dynamic interaction of power and resistance is currently widely acknowledged, their actual relation remains relatively unclear. This is probably due to the wide range of different techniques of power, creating different relations of power. These, in turn, create a multitude of resistance practices, as a response to the varying forms of power" (Lilja & Vinthagen, 2014)

The term resistance in this chapter reflects this multiplicity encompassing both intentional and unintentional defiance, ranging from solitary survival tactics to informal solidarity networks and public campaigns. While these acts are not always explicitly feminist or political, they nonetheless function as resistance by disrupting the state's control over reproductive bodies. As James Scott (1985) notes in his concept of resistance:

any act(s) by member(s) of a subordinate class that is or are intended either to mitigate or deny claims (for example, rents, taxes, prestige) made on that class by superordinate classes (for example, landlords, large farmers, the state) or to advance its own claims (for example, work, land, charity, respect) vis-a-vis those superordinate classes. (Scott, 1985, p. 290.)

Scott's definition of resistance as acts intentionally denying “claims by superordinate classes,” risks misrepresenting women’s motivations. Most interviewees acted out of immediate necessity, not conscious opposition to state or patriarchal authority. Yet their survival tactics—defying legal bans to secure abortions—function as resistance by destabilizing the state’s control over reproductive bodies, even when unintentional.

In his book “Life as politics: How Ordinary People Change the Middle East”, Asef Bayat (2010) resolves the paradox of intentionality, by centering the focus on the continuity and prevalence of the action. He theorizes this type of resistance, away from Scott’s interpretation, labelling it as “Quiet encroachment”, which he defined as:

“Quiet encroachment refers to noncollective but prolonged direct actions of dispersed individuals and families to acquire the basic necessities of their lives [...] in a quiet and unassuming illegal fashion.” (p.45)

Resistance to abortion criminalization in Egypt does not operate through a single unified movement but through a wide range of actors and fragmented, often improvised tactics. Women navigate legal loopholes, religious doctrines, economic limitations, and social taboos, not as deliberate challenges to patriarchal control, but as acts of survival. Yet, these acts still unsettle dominant power structures, especially those that idealize motherhood. Asef Bayat’s concept of “quiet encroachment” better captures this decentralized, non-ideological form of action, marked by persistence, adaptation, and practical support outside formal politics.

### 3.1 Individual Survival

In most of the cases abortion was the only option these women had especially those who were not married when they got pregnant. Reem told me:

“What was I supposed to do if this is *haram*? [...] Do I run away from my house? If I didn't, my father would [she made a can-opening sound with a hand gesture] break my neck. There is no other option, he himself will abort me.”

Having a child out of marriage is disgraceful and defames the reputation of both the woman and her family. In some extreme cases, the family could go as far as killing the pregnant woman (Khafagy, 2005). Gihaan had two abortions, one before marriage and one while married. She told me:

“The second [abortion] did not affect me as the first did. I wanted to keep the first [...] I was not married but I was happy, so I thought why not? If we were in a different setting... if we were married... if we could even run away... if we could have done anything to keep it.”

Children born out of marriage suffer from social and legal stigma, as they can not be registered in the name of the father as long as his parents are not married. The six unmarried women whom

I interviewed had one of two options: Either marriage, which is not easy or not wanted in some cases, so they were left with no other option but ending their pregnancy.

For married couples, the situation is less threatening. They mentioned a variety of reasons: health issues, whether psychological or physical, instability in the relationship, domestic violence, economic hardship, career challenges, taking care of other children and not wanting children at all. Toqa had two abortions:

“The first time I had an abortion, because I was not married at that time, I was divorced with two daughters. I was very afraid of the idea of marriage, because before that I had gone through a difficult experience [...] The second time, I got married and was humiliated enough to the point where I decided to escape from the house from the beating and humiliation that I saw, and while I was looking for a house for me and my daughters, I discovered that I was pregnant.”

Isam, who helped his wife getting abortion told me different reasons:

"I have been married for 15 years, and we have two daughters... In 2017, the older one was 7 years old, and the younger one was 4. My wife had just finished her childcare leave from her job, and she went back to work. She got a little tired and discovered that she was two months pregnant. Naturally, due to our special circumstances, we could not afford to have a third child.”

I asked: Economic conditions?

“All of this sir; the working conditions of the father and the mother, and having two other children in school, one of whom is in nursery, and therefore there is no time, effort, or money. If my wife had applied for another leave, that would have caused a problem with her job.”

It is important here to recognize the causes that forced my interviewees' abortion, to understand that it was not really a choice in the first place. It is also important not to generalize these reasons for every abortion case. As I mentioned earlier, the research sample was limited in time and my personal circles. None of the women interviewed became pregnant because of being victims of rape for example. In a casual chat, a friend told me that she had an abortion because she did not want children, and it had nothing to do with the aforementioned reasons, as she was enjoying a stable marriage and very good income. This is to say some exceptional cases, where abortion is a choice exist, but in most cases the social, economic and psychological reasons make abortion the only possible available route to survival.

Should we consider this survival tactic as resistance? In “Weapons of the Weak: Everyday Form of Resistance”, James Scott regards “any act” whether individual or collective, as resistance, “there is no requirement that resistance take the form of collective action” (Scott, 1985).

However, the problem comes with the intention, as many of these women were not preoccupied

with “superordinate classes” claims. They acted out of real and immediate need without much regard for the framing of their action. In some cases, they were driven by the need to save their lives such as Omnia, some of them sustained a religious belief that abortion is halal such as Isam, some of them saw it as their human right such as Amira, and others felt guilty as Reem told me about her feelings after the ultrasound check: “Seeing a baby inside of me even if it looks like nothing, made me feel guilty. There is a baby. Not fully formed but there’s a baby [...] I feel guilty sometimes. Sometimes towards myself, sometimes towards God, sometimes towards my mom.” Nonetheless, all of them acted out to survive and had the abortion.

I consider this type of survival acts as resistance, even if they are individual, unintentional, isolated or happen once in a lifetime. This is how most of the human needs are fulfilled. Resistance can be substantial through breaking the legal rules by going through with abortion despite physical and social risks, or symbolic in some cases by imagining different roles for their bodies in society. These tactics achieved the stated goal of these women: to get an abortion. These women survived a threat to their lives, by challenging the legal prohibition and doing abortion. They did not sit powerless, waiting for the state or society to decide on their fate. They took the matter into their own hands and acted accordingly. However, they also did not do abortion as a deliberate act of resistance or as an intentional challenge to the state or patriarchal authority, but because they needed it, whether they believed it to be right or wrong.

### 3.2 Networks of Care and Solidarity

While these survival tactics are often individual and improvisational, they do not occur in isolation. In most cases, women relied on support from other people -friends, colleagues, pharmacists, and even strangers- to access abortion. These connections create informal networks that grow organically through mutual need and care where women do not stop at their own individual survival but they go a step further helping other women to survive. These networks, while scattered and often unacknowledged, form the backbone of what Asef Bayat (2010) calls quiet encroachment: the everyday, collective actions of non-collective actors who slowly alter social norms through persistence and necessity.

Amira, Isam, Arwa, Toqa, Gihan, and Youmna all learned about abortion services -doctors, pharmacists, knowledge- through these networks. Arwa said she was referred to the doctor by a colleague who had been through a similar experience. Toqa, fleeing domestic violence, found not only shelter but access to Cytotec pills and emotional support:

“Many people helped me at that time. They helped me find a home, helped and encouraged me to have an abortion. One woman brought me 5 Cytotec pills, and after I took them, they were not enough. Of course, at the time, I did not have a pound to buy the medicine, so I spent a few days tired until someone got me another strip to get down [with the abortion].”

Other supporters had never had abortions themselves. Hoda, a nurse, was approached by many women who needed abortion pills, but because of the restrictions on the medicine she was not able to get the medicine from the hospital she worked at. Nevertheless, she guided them to a doctor who does the surgery or got them the pills from a Facebook group. Hady, a Facebook friend, told me that he helped three of his acquaintances to get an abortion. He explained his motive:

“The reason why I am interested in telling you and helping with something like this [research] is because I see that abortion is supposed to be a legal right at an early age of the fetus, so that we can stop all the nonsense that is happening. Maybe a research like this can be a beginning for a dialogue that contributes to introducing this problem and dilemma.”

This ethic of care often became reciprocal. Those women who got supported during their abortion, subsequently extended further support to other women. Arwa told me “I tried on a personal level, if I knew someone is pregnant, I would call her, tell her what to do and what not to do, and if I had money, I would help her.” A similar sentiment was expressed by Ola, who has been sending other women who need abortion to her doctor, and sometimes helping with surgery fees. Feeling guilty about her abortion did not stop Reem from helping those in need:

“From that moment on, when women suspect there is something [pregnancy] they come to me. Many girls around me in the last two years came to me asking for help. I connected them with the dealer or with a pharmacist I knew later. I acquired different connections regarding this topic. I try to help girls in similar situations as much as I can. Most of them don’t know me well enough to know about my story, but for unknown reasons they come to me. Maybe it’s something inside me that I want to help with these cases, so people feel it. Maybe I need to resolve it, so it keeps coming to me. I think it’s more of a psychological thing than it being social support. I’ve been through what I could not personally deal with, so I try to solve it through other people. I help them, so they help me get over it. Or maybe I do this to help make this experience better or easier on others. I’m not sure why people come to me for this matter, but they do.”

This continuous circle of solidarity creates a network of people supporting other women who need abortion, and the circle keeps on growing. However, it is a unique type of network, as it is collective although scattered, continuous although immediate, it exists but not at the same time. It is not an established organized network with rules or hierarchies, rather it is instantaneously created by someone asking someone else, and it grows bigger according to the need, reaching out to more people to find a doctor or the medicine or a safe space to take the medicine or to collect the costs, etc. It is fluid, with no structure, containing those who helped by coincidence, those who are neither necessarily active nor care about abortion in general, or those who are known in small circles as more knowledgeable with these situations. It starts with familiar acquaintances such as a friend or a family member, but also extends to strangers. It can be an online network

through social media or created by people who know each other in real life. Their motives are varied: they can be immoral doctors or drug dealers who would do any illegal activity for profit, or liberal doctors who believe abortion should not be banned, either because it is a human right or religiously permissible, or who agree to help to save the woman because otherwise her family would kill her. This network overlaps with other more or less organized circles of human rights NGOs, political activists, feminist groups, etc.

Bayat's concept of quiet encroachment captures this well. While he discusses dispersed actions, he nonetheless clarifies that this encroachment is both enabled by and enables what he calls a "passive network" or "nonmovement" that creates "the collective actions of noncollective actors", which perfectly describes abortion networks. What unites this network is the goal, not the motive. It is a quiet network that does not seek visibility or confrontation with the state or the prevailing patriarchal authority. Nonetheless, it sometimes engages in what Scott (1985) calls symbolic or ideological resistance, by opening up new possibilities for alternative sexual practices and familial narratives, other than the socially sanctioned heterosexual reproductive normativity (Morales Cosano, 2023).

The main theme of Bayat's Quiet encroachment is continuity. As he points out, "these very mundane acts when continued lead to significant changes in the urban structure, in social policy, and in the actors' own lives" (2010). The testimonies and findings of Lane et al (1998) study, show that similar tactics and struggles continue to exist today in 2023. Quiet encroachment, as an enduring phenomenon, opened the door for easier and safer access for more women. For example, ancient or traditional methods that were used to conduct abortion, were merely mentioned by my interviewees, and are now replaced by more advanced and safer ones.

However, these networks are not universally accessible. Their informality makes them vulnerable to disruption, and they often depend on personal connections. While social media has expanded access to some extent, stigma and surveillance continue to pose significant barriers. Quiet encroachment allows for continuity and everyday access to abortion, but it also highlights the limitations of resistance when it remains fragmented and disconnected from formal political reform or broader social movements. Although these tactics and networks have been active and documented for more than twenty years, they have not succeeded in shifting the dominant abortion discourse or ending women's suffering to access abortion.

### 3.3 Organized Campaigns

While most abortion-related resistance in Egypt is informal, scattered, and survival-driven, it is not entirely disconnected from more organized and public forms of activism. Civil society organizations, feminist groups, political parties, and professional syndicates have worked to change abortion discourse and law through advocacy, campaigns, and legislative efforts. These public actors have approached abortion through a range of framings: human right, legal justice,



and occasionally religious legitimacy. While these efforts remain relatively marginal within Egypt's restrictive political environment, they are essential to understanding how resistance is also articulated at a collective, strategic, and explicitly political level.

The Egyptian Initiative for Personal Rights (EIPR), a human rights organization concerned with personal rights, as its name suggests, is one of the main organizations that worked on different types of abortion advocacy. In 2017 they launched a campaign titled "Safe Abortion: The Right of Women with Intellectual Disabilities" framing abortion access as a public health necessity and as an issue of dignity and autonomy for women with cognitive disabilities. Around the same time, Girls' Revolution, a feminist Facebook page that emerged in the wake of the 2011 revolution and gained widespread popularity, called for the decriminalization of abortion in Egypt as a women's right. One of the group's founders, Ghadeer Ahmed, documented personal testimonies about abortion in articles published in different outlets and later was collected in a book titled "Abortion Tales: Women Between Family, Law, and Medicine" (2023). Political parties, such as the Bread and Freedom Party, also participated in some of these campaigns, publishing a statement that collected signatures from non-governmental organizations and public figures titled "Stop the Oppression: Women's Right to Safe Abortion" in 2018. More recently, the "Bar Aman" initiative, a feminist organization, launched a campaign to defend abortion titled "Your Refusal of Motherhood Costs Your Life" which focused on the oppressive nature of the socially idealized motherhood.

Alongside the public campaigns, the Egyptian parliament has witnessed five attempts since the early 2000s to amend the laws that criminalize abortion. Although all of these attempts failed to change abortion regulations, they give a glimpse of the actors who worked to change the abortion politics in Egypt and the various justifications they used.

Two of these attempts were pushed by doctors seeking to amend the Medical Responsibility law and adding articles that allow doctors to do abortion. The first was in 2010 by Dr. Hamdi el-Sayyid, then chairman of the health committee in the People's Assembly -the lower house of the Egyptian parliament- and head of the Egyptian Medical Syndicate. The suggested amendments aimed at allowing abortions by a specialized gynecologist for married women who face "difficult living conditions." The second came in 2017 by Dr. Ayman Abul-Ela, who also chaired the health committee at the time. The submitted draft law suggested amending the Medical Responsibility law, to set conditions for performing abortions, and stipulates that no abortion can be performed except in two cases: If the continuation of the pregnancy poses a threat to the life of the mother, or if it was medically confirmed that the fetus has severe deformities that affect his life.

An earlier attempt in 2005 was initiated by Abdel Azim Ramadan, a liberal member of the Shura Council, the upper house of Parliament. He proposed legalizing abortion in general to give

women the freedom to end unwanted pregnancies. Ramadan justified his call saying that Egypt has to modernize its social laws by accepting the idea of abortion “Societies keep on changing, and in the Western world, for instance, abortion is an accepted practice”.

Two additional efforts focused specifically on cases of rape. The more recent one in 2016 was drafted by parliament member Ilham Al-Minshawi who suggested that abortion should be only for raped women: "I think that if the girl was raped and proved that by the evidence... there is no problem to abort [the baby], because whatever will come in his life will be worse." A more interesting attempt happened in 2007 when parliament member Muhammad Khalil Quwaita from The National Democratic Party (the ruling political party in Egypt from 1978 to 2011) introduced a draft law authorizing abortion for a woman's pregnancy resulting from rape, “while setting regulations that prevent the amendment from being exploited by those who do not deserve it”. The proposed legislation came after a TV series named "Public Opinion Case" was broadcasted on Egyptian channels during Ramadan Holy month. It tells the story of a woman, played by Yusra one of the most famous TV drama stars in Egypt, who become a victim of a rape crime. The series sparked widespread controversy about rape and its consequences in Egypt. The draft was articulated by two Egyptian civil society organizations: The Egyptian Initiative for Personal Rights (EIPR) and New Woman Foundation, a well known feminist organization. Both of these entities are civil society organizations that typically use a liberal secular discourse. However, in this case the two organizations relied on a religious fatwa from Sheikh of al-Azhar, Muhammed Sayed Tantawi, that allwos abortion for rape pregnancies to justify amending the abortion law.

These five legislative attempts reflect more than just the challenges of liberalizing abortion laws in Egypt but they also reveal the dynamic interplay between institutional power structures and grassroots resistance. The proposals, though unsuccessful, demonstrate how religious authorities, medical professionals, human rights advocates, and media narratives compete to shape reproductive politics. Importantly, these formal efforts exist in dialogue with the informal networks discussed earlier. Organized advocacy provides discursive tools such as religious fatwas, rights-based frameworks, and public health arguments, that trickle down to empower individual negotiations with doctors, pharmacists, and other social actors. Conversely, the lived experiences of women navigating clandestine abortions fuel and legitimize public campaigns, creating a feedback loop of resistance.

However these organized efforts, while public and institutional, remain intermittent and fragmented. Their true significance lies in their symbiotic relationship with everyday resistance. The quiet networks of abortion access ultimately prove more vital because they operate within the cracks of state control, providing immediate, tangible solutions where institutional reform fails.

### 3.4 Conclusion

As Foucault reminds us, resistance takes multiple forms depending on the structures and techniques of power it confronts. In the context of abortion in Egypt, most acts of resistance are narrowly focused on navigating or escaping the immediate crisis of unwanted pregnancy. The harsher a pregnancy's challenge to the symbolic authority of motherhood, the greater the consequences tend to be. While abortion is difficult for married women, it is far more dangerous for unmarried women. Having a man involved, even without a legal marriage, can offer some shield from the risks that women face when alone.

To survive and access abortion, women negotiate with patriarchy in varied and creative ways. Sometimes these are direct, individual acts; other times, acts of survival expand into informal networks of support that include women who have previously had abortions, individuals who empathize with women's lives, those offering services for financial motives, and others who participate in symbolic resistance aimed at dismantling the idealized image of motherhood and the patriarchal control over women's bodies and lives. Occasionally, these quiet, underground networks give rise to or are surrounded by more public initiatives and campaigns that seek to change the political and legal framework of abortion.

Although political efforts have so far failed to bring about legislative reform, they remain significant in how they intersect with and amplify the quieter networks that provide women with real-time, practical support. These networks enact what Asef Bayat calls quiet encroachment. This form of resistance grows silently and steadily, even if access to it remains limited to those with the right social connections, and even if its scope remains constrained and unable to catalyze broader structural change.

## 4. Final Remarks

### Is there a space for change?

This thesis has examined abortion politics in Egypt from multiple and often contradictory angles: from religious doctrine that allows space for abortion under certain conditions; to laws that criminalize abortion but remain largely inactive in practice; from the symbolic power of motherhood that stigmatizes any deviation from the idealized maternal role; to state policies that uphold this symbolic order while quietly tolerating clandestine abortions to manage demographic concerns; to how class shapes access, enabling those with economic, cultural, and social capital to obtain relatively safe abortions, while leaving others excluded and vulnerable. Finally, the thesis examined how women resist these structures, individually or collectively, informally or through organized networks.

Despite the significant obstacles outlined in this study, there's indeed room for change. Over the past two decades, several parliamentary proposals have emerged to amend Egypt's abortion laws. While none have succeeded, they offer a crucial foundation to build upon to decriminalize abortion.

For meaningful change to occur, a future movement for reproductive rights in Egypt is needed. This movement may not emerge from a shared ideology, but from a shared goal, strategically uniting diverse perspectives. It can draw upon religious fatwas that support abortion, feminist arguments for bodily autonomy, the state's own demographic concerns to limit population increase, and the advocacy of human rights organizations framing abortion as a fundamental right. To be effective, this movement must bridge the gap between passive, underground networks and formal institutions such as NGOs and syndicates.

However, even if abortion were to be legalized, social stigma and economic exclusion would persist. Legal reform is necessary but not sufficient. Reproductive justice demands more: it requires confronting the financial barriers that prevent many women from accessing safe abortion, challenging the dominant symbolic order that confines women to a singular model of motherhood, and recognizing the plurality of motherhoods and family structures already present in Egyptian society but rarely acknowledged.

While challenging the symbolic order of motherhood and structural inequalities remains difficult, changing the law remains an essential first step. As Fabrice Cahen (2017) aptly puts it, “the policy choice that faces societies is not really between ‘abortions or no abortions’, but between legal or illegal abortion, the latter being nothing but a social hypocrisy, which encourages underground (if not criminal) activities, stigmatizes women, and jeopardizes their health and sometimes also their lives.”



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