

THE AMERICAN UNIVERSITY IN CAIRO AND EGGYPTIAN EDUCATION LAW 160:
INSIGHTS INTO THE POLITICAL ATMOSPHERE UNDER THE RULE
OF GAMAL ABD eNASSER*

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During the 20th and 21st century, the American University in Cairo (AUC)¹ has been an important educational institution in Egypt. The University has maintained a continual presence despite frequent changes in the Egyptian government. In the 90 years of its existence, the University has operated under the rule of a British Protectorate, an independent Egypt ruled by King Fu'ad and King Faruq, and the Republic of Egypt ruled by Presidents Mohamed Naguib, Gamal Abdel Nasser, Anwar Sadat, Husni Mubarak, and now under the Supreme Council of Armed Forces. One period of dramatic change in Egypt occurred during the first decade of rule by Gamal Abdel Nasser (1954-1964). Much has been written about the Nasser presidency and the early years of the Arab Republic of Egypt, yet one unique perspective absent from the literature is that of foreign institutions, like AUC, residing in Egypt during Nasser's rule. The reactions of foreign establishments to legislation and governmental decrees passed during this time may provide additional insight to the political atmosphere that existed during this period.

In 1958, Nasser's government passed education Law 160 which threatened to end the American University at Cairo's presence in Egypt. In essence, Law 160 was an attempt by the Nasser regime to reorganize private educational facilities located in Egypt. As we will see, the Law called for government control of curricular and administrative functions of private schools operating in Egypt

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¹ The AUC Board of Trustees agreed to change the name of the University in November 1961. Originally the school was named "The American University at Cairo" and was changed to "The American University in Cairo" at the urging of the Egyptian government who argued that the word "at" implied that Cairo was a small village.

in addition to requiring that all schools be owned by Arabs. This Law directly impacted the degree of freedom with which the University was able to operate from the late 1960s until today and the correspondence between AUC and the Egyptian government with regards to Law 160 provides four significant insights into the political atmosphere during the early years of Egypt's independence. First, this law was a result of Nasser's desire to rid the newly independent nation of foreign influence by bringing all public institutions under the control of Arabs. During the height of Arab socialism and Pan-Arab nationalism, the Law was an attempt by the government to "Arabize" all educational providers in Egypt. Second, the mixed messages about the Law's applicability to AUC from Nasser and the Ministry of Education are one example of disconnect between the ruler and his bureaucrats in the early days of Egyptian independence. Third, the reaction to this law from the leadership of the American University serves as an example of the conscientious way in which the University approached relations with the Egyptian government during the rule of Nasser. Fourth, despite cool relations between Egypt and the West during this time period, the Egyptian government recognized the value in employing AUC as a tie to the United States and, thus, made legal concessions to the University because of its American character.

Background

The American University at Cairo was founded in 1919 by a group of American businessmen headed by Dr. Charles R. Watson and started full operations in October of 1920.² The founders of the University were associated with the United Presbyterian Church and in the early 20th century were concerned with a broad range of international issues. The associates developed a particular interest in establishing a university in Egypt due to the long history of the Presbyterian

² "The American University at Cairo and Inter-Cultural Relations." Publicity statement issued by the American University in Cairo. 1960. Records of the Office of the President Raymond F. McLain, Box 19/25, University Archives at the American University in Cairo, Cairo, Egypt.

Church's work in the country since the middle of the 19th Century.³ The American University at Cairo was developed as a private university and was built in the heart of downtown Cairo, located just off what is now *Midan El-Tabrir* and a short walk from the Nile. The first few years of AUC's existence were marked by several religious controversies as the University was attempting to figure out to what extent missionary intentions were to be a part of the vision of the school.

The University was based on the American education and cultural tradition in regards to the school's curriculum, schedule, and operational philosophy. In the mid-20th century the University was promoted as an "intellectual meeting-ground for the East and the West."⁴ Although American in character, the University also placed a large emphasis on simultaneously living, operating, and respecting Middle Eastern traditions in its day to day operations. During the middle part of the 20th Century, the faculty of AUC was approximately one-third American citizens, and two thirds from Egypt and other countries around the Middle East.⁵ At this time, students were also mostly from Egypt and some other Arab countries as well. In addition to their educational capacities, the school envisioned itself as helping to find creative solutions to Middle Eastern problems as well as serving as an "influence for peace and understanding in this important and sensitive region of the world."⁶ The University further saw itself as a "bridge of understanding and friendship-between America and the Arab world."⁷ Although, AUC had moved away from its missionary roots, the Christian character of the school could was arguably still present. AUC Catalogues printed during this period give insight into the makeup of the student population. In the late 1950s and early 1960s the student

³ *Report of the Middle East University Survey Commission to the International Cooperation Administration of the United States Government*. 1961. Records of the Office of the President Raymond F. McLain, Box 1/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁴ "The American University at Cairo and Inter-Cultural Relations."

⁵ Ibid.

⁶ Ibid.

⁷ Letter from McLain to Mr. Salah El-Dessouki, General Secretary for the United Arab Republic. Records of the Office of the President Raymond F. McLain., Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

population of 400-450 was 47 percent Muslim, 48 percent Christian, 5 percent Jewish, and less than 1 percent Other.⁸

Dr. Charles Watson served as the first president of AUC from 1920-1944. Upon his retirement he was replaced by Dr. John Badeau who was president for nine years (1944-53) until Dr. Raymond McLain took over on January 1, 1955 and worked in this capacity until 1963. Prior to becoming President of the American University at Cairo, Raymond McLain was president of Transylvania University in Kentucky (1939-1951) and Eureka College in Illinois (1936-1939).⁹ McLain became president shortly after the Free Officers Movement¹⁰ ousted King Faruq and the Egyptian Republic was established in 1953. In June of 1956, just a year after McLain came to AUC, Gamal Abdel Nasser assumed the Presidency of the Arab Republic of Egypt. McLain meticulously documented university affairs during his presidency and his records have been preserved in the archives of the American University in Cairo.¹¹ A review of AUC archival materials previous to 1958 did not indicate any significant communication or altercations between the Egyptian government and AUC. Prior to this time, the University operated largely outside of the influence of the Egyptian government.

⁸ "Bulletin of the American University at Cairo" *Catalog Issue*, June 1956, "Bulletin of the American University at Cairo" *Catalog Issue*, June 1957-1959 and "Bulletin of the American University at Cairo" Biennium 1960-1962. University Archives, Records of Publications: All University Catalog 1955-56 – 1965-66, Box 2, University Archives at the American University in Cairo, Cairo, Egypt.

⁹ "President Raymond F. McLain Biographical Information," Records of the Office of the President Raymond F. McLain, Box 10/25, University Archives at the American University in Cairo, Cairo, Egypt.

¹⁰ The Free Officers Movement began in the 1940s and was made up of middle-class Egyptian government workers and military officers. The group's main goals included ousting the Egyptian monarch and later removing British influence over Egypt. Nasser formed the officers coordinating committee in 1949 and was considered the head of the Free Officers Movement.

¹¹ Note: This paper is based largely on materials retrieved from AUC archives. Although the author has attempted to objectively recreate the happenings of Law 160, archival materials from other actors such as President Nasser, the Ministry of Education, and the U.S. State Department would be helpful to expand the perspective of this issue in future research.

Historical Context

As President of the Arab Republic of Egypt from 1956-1970, Nasser significantly impacted the formation process of the modern Arab Republic of Egypt. During the first decade of Nasser's rule he promoted industrial and agricultural developments, nationalization of the Suez Canal, the building of the Aswan High Dam and the formation of the United Arab Republic. Throughout this time in Egypt Arab socialism, Pan-Arab nationalism, and anti-western attitudes were popular and widely promoted by Nasser's government. The height of Pan-Arabism began in 1958 when the United Arab Republic (UAR) was formed and began to decline in 1961 when Syria withdrew from this union. During the 1950s, Nasser became domestically and regionally popular largely as a result of his defiance of Western powers and by espousing the need to rid the region of imperial influences.

The first decade of Nasser's rule can be characterized by a two stage process in which Nasser attempted to gain political legitimacy by ridding Egypt of foreign influence. As scholar Laura James has noted "Nasser's initial consolidation of power in Egypt...soon came to be based on a more anti-western foreign policy attitude, culminating in the Suez crisis of 1956."¹² The first stage in Nasser's efforts to rid the country of foreign influence manifested in anti-imperial campaigns of the 1950s such as forcing the British to withdraw their troops from Egyptian territory and non-alignment with the world's superpowers. The second stage is characterized by the nationalization of Egyptian institutions beginning with the Suez Canal in 1956 and continuing until the peak of the campaigns of the 1960s which included efforts to Egyptianize public institutions and corporations.

The quality of Egypt's relationship with the United States changed significantly over the course of the 1950s. In the early part of that decade, Nasser was concerned primarily with the

¹² Laura M. James, *Nasser at War: Arab Images of the Enemy* (New York: Palgrave MacMillan, 2006), ix.

influence of the British and, as such, focused the foreign policy of the new Republic on the ousting of British troops from the Suez Canal Zone. Although Nasser was not shy about his anti-imperialist attitudes, his approach to other western powers such as the United States was initially quite positive. Peter Mansfield has argued that “in the early years of the revolution indeed, [Nasser] was regarded as pro-American.”¹³ But as Nasser settled into his presidency and became more outspoken against the imperial powers, relations between Egypt and the United States soon encountered rifts. For the United States it proved to be increasingly difficult for them to be both “an ally of both Egypt and Egypt’s enemies, Britain and Israel.”¹⁴ Nasser’s anti-western campaign was becoming increasingly clear based on this examples of his decision to purchase arms from the Soviets via Czechoslovakia in 1955, refusals to make peace with Israel, and the ejection of the British troops from Suez. The combination of the actions meant that by the mid -1950s “Nasser was well on his way to becoming the West’s chief bogey-man.”¹⁵

During the 1950s, President Gamal Abd El-Nasser became known for speaking out against Western capitalism and imperialism. Nasser gave anti-imperialist speeches which were “broadcast with ever-increasing frequency and range by the new Voice of the Arabs radio program.”¹⁶ It seems that Nasser was no longer satisfied with ending British influence in Egypt, but rather hoped that it would be possible to end all western influence as well. Relations with Western countries further deteriorated when in 1956 Nasser made the bold announcement that the Suez Canal Company would be nationalized. The plan for the High Dam was initiated in 1954 by the Free Officers and was intended “to be the symbol of the new Egypt, to increase both electrical generating capacity and

¹³ Peter Mansfield, *Nasser’s Egypt* (Baltimore: Penguin Books, 1969), 97.

¹⁴ James, 171.

¹⁵ Mansfield, 99.

¹⁶ Kirk Beattie, *Egypt during the Nasser Years: Ideology, Politics, and Civil Society* (Boulder: Westview Press, 1994), 113.

the area of irrigated land, to serve agriculture and industry.”¹⁷ Yet, the costs of the High Dam were immense, and Egypt needed the support of westerners to finance the massive project. Nasser had turned to the U.S., Britain, and the World Bank to support the construction costs of the Dam. Although financial support was initially secured, there was growing unease among western powers in regard to Nasser.

These tensions came to a head in July of 1956. As a result of discontent with Nasser, “the U.S. and Britain forced the World Bank to withdraw its support for financing the High Dam.”¹⁸ In reaction to the withdrawal of support, Nasser announced on 26 July 1956 that the Suez Canal Company would be nationalized and revenues from the Canal would be used to fund the High Dam project. Nasser defiantly stated “The British and French say they will send troops? One hundred million pounds is blocked by the Bank of England? *Maalish* [Nevermind]. The Canal is ours and we will keep it.”¹⁹

Egyptians, as well as Arabs around the region, were thrilled with Nasser’s willingness to stand up to the West. For Egyptians the nationalizing of the Canal Company “was the final step in Egypt’s liberation, claiming as her own the symbol of and the reason for past imperial domination.”²⁰ Despite the initial Arab excitement over Nasser’s seizing of the Canal, it was not long before he received a response from the west. As a result of Nasser’s announcement, the British and French “fussed and fumed and finally conspired with Israel to invade Egypt with the aim of overthrowing Nasser, who the British called a ‘new Hitler.’”²¹ In October 1956, the Suez Crisis²² broke out. For the British, French, and Israel, the goal of the invasion was not only to retain control

¹⁷ Derek Hopwood, *Egypt: Politics and Society 1945-1984* (Boston: Allen & Unwin, 1985), 46.

¹⁸ Nadia R. Farah, *Egypt’s Political Economy* (Cairo: The American University in Cairo Press, 2009), 34.

¹⁹ Keith Wheelock, *Nasser’s New Egypt: A critical Analysis* (New York: Frederick A. Praeger Publishers, 1960), 57.

²⁰ Hopwood, 47.

²¹ Robert D. Lee, *Religion and Politics in the Middle East: Identity, Ideology, Institutions, and Attitudes* (Boulder: Westview Press, 2010), 88.

²² The Suez Crisis is also known as the Tripartite Aggression in the Arab world.

of the Suez Canal Company, but these nations also “wistfully hoped that by sending vast navies and armies against Egypt they would cause Nasser to be overthrown or to resign in humiliation.”²³

The invasion was a careless affair and Donald Neff has argued that the greatest mistake of the three powers was that they had not taken into consideration how United States president Dwight D. Eisenhower would react to the hostilities. Neff argues that “the colluders had failed to take him into their scheme, presumably in the mistaken belief that since they were all U.S. friends the United States would not oppose their ill-conceived machinations.”²⁴ The invasion of Israeli, British, and French forces ultimately failed as a result of “pressure from the United States and the intervention of the Soviet Union, which threatened to use nuclear power.”²⁵

During these early years of Nasser’s rule, AUC administrators and faculty were aptly aware of the tenuous bonds between Egypt and the U.S. during this period. In 1957 AUC Professor George H. Gardner stated that there was almost a schizophrenic nature to the relations between Egypt and the United States. He said that Egyptians “both admire and fear America. They are both fascinated and repelled by our culture.”²⁶ Within this context, AUC made repeated efforts to distinguish and separate the University from the political decisions of the United States of America. During his presidency, McLain often emphasized that the University operated independently of the American and Egyptian governments and was dedicated to movements, like that in Egypt, toward freedom.²⁷ In fact during the early 1960s William Stevenson, Chairman of the Middle East University Survey Commission, advised AUC to retain as far as possible “a distance from the

²³ Donald Neff, “Nasser Comes to Power in Egypt, Frightening Britain, France and Israel,” *The Washington Report on Middle East Affairs*. July (1989), 83.

²⁴ Neff, 84.

²⁵ Farah, 34.

²⁶ Gregory H. Gardner, “The American University at Cairo and Inter-Cultural Relations: The Context,” 19 June 1957. Records of the Office of the President Raymond F. McLain, Box 19/25, University Archives at the American University in Cairo, Cairo, Egypt.

²⁷ President Raymond F. McLain, “The American University in Today’s Middle East,” 23 October 1956, Text of the University Convocation published in the Egyptian Gazette, Records of the President Raymond F. McLain, Box 1/25, University Archives at the American University in Cairo, Cairo, Egypt.

American embassy” in order to not be considered part of the embassy family.²⁸ Because many western nations were not supportive of Nasser socialist approach, AUC tried to emphasize that they were standing with Egypt as Nasser established the Republic.

In particular, President McLain was sensitive to Nasser’s political stance and often made public statements which declared support for Egypt’s political goals. At the University Convocation in 1956, President McLain stated “this century is witnessing the reorganization of the world, with the general trend being towards freedom.”²⁹ He went on to say that Egypt, and more specifically, Cairo stood at the center of these new struggles for freedom. The period in which McLain convocation speech was given, the fall of 1956, was only days before the Suez Crisis broke out. McLain and others in the AUC administration were concerned that if the U.S. government were to change its position during the Suez Crisis that there would be negative repercussions for the University. In November 1956, McLain sent a telegram to President Eisenhower urging him to not waiver in support for Egypt’s position and encouraged the American President not to give in to British and French pressure.³⁰

McLain went to great lengths in his 1956 convocation speech to declare the University’s support for Egypt, reinforcing its separateness from the U.S. government. The President recognized the potential liability of the University’s American character if the United States were to make political decisions that conflicted with the will of the Egyptian Republic. McLain states,

The University has freely chosen to cast its lot with Egypt and the Middle East. This decision was made a full generation ago, and to my knowledge has never been regretted. Its desire has been to be here. There is no cause, now, in Revolutionary Egypt, to change that desire. For thirty-five years the University has been founded on faith in Egypt and the

²⁸ William Stevenson, “Middle East University Survey Commission,” 1961. Records of the Office of the President Raymond F. McLain, Box 1/25, University Archives at the American University in Cairo, Cairo, Egypt.

²⁹ McLain, “The American University in Today’s Middle East.”

³⁰Telegram from Raymond McLain to U.S. President Eisenhower. 2 November 1956, Records of the Office of the President Raymond F. McLain, Box 2/25, University Archives at the American University in Cairo, Cairo, Egypt.

Middle East. That foundation has not been shaken by the deep stirrings and mighty strivings of the Revolution.³¹

Interestingly, McLain also praised the Egyptian government for not dictating to the University its curriculum or hiring approaches. This hands-off approach of the government would soon shift as one can see reviewing the terms of education Law 160.

Origins of Law 160

In the two years following the Suez Crisis, the Egyptian government maintained a stance which opposed any foreign or imperial influences on the nation. One example that demonstrates this new political atmosphere is the fact that the Nasser government began to exercise greater control over education in the country. During the 1960s Nasser attempted to ensure that no part of the Egyptian education system was influenced by outsiders. Although Nasser is well remembered for pledging to provide access to education for all Egyptians, his efforts to eliminate outside influence in Egypt's schools by forcing the closure or takeover of foreign schools is discussed less frequently. Beginning soon after the success of the Suez Crisis Nasser's began "a deliberate policy to eliminate 'foreign elements' from local schools."³²

At the time, there were by some estimates over 100,000 students enrolled in about 300 schools in Egypt that "were run by mission groups and maintained an academic standard far superior to the government schools."³³ For the more wealthy members of Egyptian society, private school the preferred means of education because they offered the best education in the country.³⁴ Peter Mansfield has noted that the students of these foreign schools were often educated in foreign languages and under foreign systems. In regard to their education, there was a sense that these

³¹ McLain, "The American University in Today's Middle East."

³² Wheelock, 117.

³³ Wheelock, 49.

³⁴ Ibid., 117.

young people were increasingly distanced from the plights of average Egyptians. Mansfield has argued that because of this perceived disconnect between privately and publically educated Egyptians, “it is not surprising that the revolutionary regime regarded such schools as a breeding-ground for one of Egypt’s worst social evils, its irresponsible aristocracy.”³⁵ As part of the effort to free Egypt’s education system from foreign influence, the government passed “Law No. 160 of 1958 concerning the organization of private schools in the United Arab Republic.”³⁶ This law was a substitute for a previous education law of 1956 and included many provisions which were intended to bring all private education under total control by the Ministry of Education and “Arabize” private universities.³⁷

As a private University, AUC would fall under the purview of this law. The following seven articles of Law 160 posed particular concern to the American University at Cairo:

Article I: Private schools shall be subject to the control and inspections of the Ministry of Education.

Article II: No private school may be opened or expanded without permission from the Ministry of Education.

Article IV: The owner of a private school shall fulfill the following conditions: He must be a citizen of the UAR [United Arab Republic] or an Arab approved by the Minister of Education, enjoying full legal status.

Article V: If the owner of the school fails to meet any of the conditions mentioned in the previous article, ownership must go to another fulfilling all.

Article VII: He who directs a school whether called headmaster or principal, as well as those engaged in teaching or in any kind of work connected with education, supervision, control or administration, must fulfill the following conditions. They must be citizens of the UAR....Foreigners may be employed to teach foreign languages with permission from the minister of Education.

Article XIX: If a school is allowed to follow a syllabus other than the official one, that syllabus must not be inconsistent with public order or morality.

Article XX: The ministry shall have the right, on the basis of a reasoned report made by a special committee, to prohibit the use of any book that contradicts the national spirit, public order or morality or touches religions or creeds.³⁸

³⁵ Mansfield, 141.

³⁶ “Official Journal, Special Issues No. 29,” 25 September, 1958, Records of the Office of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

³⁷ Statement to the University Faculty on the Application of Law 160 to the University, 17 October 1960, Records of the Office of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

³⁸ Official Journal, Special Issues No. 29. 25.

As President in 1958, McLain was concerned by the prospect of government control of curriculum, staffing, and administration, and censorship of books. More disconcerting was the requirement of Arab ownership contained in Article IV and V. If enforced, Law 160 could remove AUC from the hands of the Board of Trustees. The school would become owned and administered by citizens of United Arab Republic.³⁹ Over the next four years there was great apprehension at the University about the issue of ownership. As the issue dragged out, McLain and the Board of Trustees seriously considered closing the school if American ownership was usurped. If the University was to close, McLain hoped that the Board would at least set up a cultural center in Cairo in place of the University.⁴⁰

Reaction to Law 160

There was little initial reaction from the University in the fall following the passage of Law 160.⁴¹ Starting in the spring of 1959 the University began to take the issue seriously and to engage in communications and negotiations with the Ministry of Education and eventually President Nasser.⁴² The Dean of Graduate Studies, Alan Horton, met with an official in the Ministry of Education, Naguib Hashim, in order to discuss the law.⁴³ Horton left this meeting with the sense that AUC might be granted exceptions to many of the articles, but the issue of Arab ownership of the school would not be negotiable. Another AUC administrator, Alvin Holtz, reported to McLain that he believed there would be exceptions granted to the University. He wrote that university representatives planned to present AUC to the government in such a way as to “get special

³⁹ Statement to the University Faculty on the Application of Law 160.

⁴⁰ “Tentative Judgments of University Committee of Government Relations with Reference to Ministerial Orders No. 54 and 55,” 5 October 1960, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁴¹ The delay was later attributed by McLain to the administration’s initial belief that the law applied only to elementary and secondary schools.

⁴² Statement to the University Faculty on the Application of Law 160 to the University.

⁴³ Alan Horton, Letter to President McLain, 23 February 1959, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

consideration to operate just about as we are now.”⁴⁴ Holtz elaborated by saying he thought the officers in the Ministry of Education would actually prefer to leave AUC alone, but the pressure to enforce this law was coming from Kamal Eddin Hussein, the contemporary Minister of Education. In his letter, Holtz said it was his understanding that the Minister told his employees to “get after our [AUC’s] text books and teachers and when we stalled he gave order that we came under the law no matter what anyone else thought, and they darn well better make it clear to us, or else.”⁴⁵

Hearing rumors of the Ministry’s possible intent to enforce Law 160 upon AUC, McLain began to draft a Working Paper to be sent to the Minister of Education in order to explain why it was not necessary to apply this law to the University. McLain always approached the Egyptian government carefully, arguing that one of the primary responsibilities of the University was to serve Egypt, the UAR, and the Middle East; echoing the tone of his 1956 convocation speech. As the law was seen as a way to rid the country’s education system of foreign influence, McLain’s Working Paper emphasized that the AUC was not trying to “make Americans of Egyptian or Christians of Muslims.”⁴⁶ McLain argued that the traditions of the Middle East and Egypt were so deeply a part of the University that *Americans* were most influenced at AUC: they took the traditions and values of Egypt with them when they returned to the U.S. This comment harks back to the early days of AUC when many Egyptians were sensitive to AUC’s evangelical roots. Interestingly during the years in which AUC was fighting Law 160, there were no religious studies courses offered at AUC.⁴⁷ Starting in 1961, classes on Christianity (Old and New Testament studies) as well as comparative religion

⁴⁴ Alvin Holtz, Letter to President McLain, 25 February, 1959, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁴⁵ Ibid.

⁴⁶ “The Basic Responsibility of the American University at Cairo,” Working Paper, 4th Revision, 11 May, 1959, , Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁴⁷ “Bulletin of the American University at Cairo” *Catalog Issue*, June 1956 and “Bulletin of the American University at Cairo” *Catalog Issue*, June 1957-1959.

were offered again.⁴⁸ This early communication is indicative of the deliberate way in which the University approached the Nasser government as well as one example of the University downplaying its Christian character. As we will continue to see, communication from AUC consistently praised the work of Nasser and expressed support Egypt's development of an independent state.

Inconsistency in the Nasser government

Uncertainty about Law 160 created a serious financial concern for the University in March of 1959 when the U.S. State Department refused to approve a \$1,000,000 grant to AUC without being certain that the education law, particularly the articles concerning Arab ownership, would not be applied to the university.⁴⁹ Since no one from the Egyptian Ministry of Education was willing to officially state that Law 160 would not apply to AUC, McLain decided to seek President Nasser's opinion on the matter. McLain asked a friend of Nasser, the editor of the *Al-Abram* newspaper, Mohamed Hassanein Heikal, to convey the university's situation in regards to Law 160 during a meeting with the President on April 29, 1959. According to McLain, Heikal told Nasser that

we [the American University at Cairo] could not and would not remain in Egypt if any of the Articles of the education law were applied to us. He spoke most specifically about the problems of ownership, staffing, and admission and control of these students, indicating that these were the most crucial points at which the University must have unquestioned authority.⁵⁰

Nasser responded to Heikal stating that he “fully appreciated the forty years of service of the University” and neither he, nor others in the Egyptian government wanted to see the University leave Egypt.⁵¹ Nasser stated that he would work out the applicability of Law 160 to AUC with the

⁴⁸ “Bulletin of the American University at Cairo” *Biennium* 1960-1962.

⁴⁹ Raymond McLain to U.S. Ambassador Raymond A. Hare, 20 March 1959, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁵⁰ Raymond McLain to U.S. Ambassador Raymond A. Hare, 30 April 1959, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁵¹ *Ibid.*

Minister of Education, Kamal Eddin Hussein, and that the University had “nothing to worry about.”⁵²

Just two weeks later the U.S. Ambassador to Egypt, Raymond Hare, also spoke with President Nasser about AUC’s concerns over Law 160. Hare mentioned to McLain “he [President Nasser] had seen Hussein three or four days ago. Everything is all right; there is nothing more to worry or talk about; nothing more need be done, as we do not need to pursue the matter further.”⁵³ Based on this conversation, the Ambassador thought there was little chance that the University would actually be brought under control of the Egyptian government. Hare informed Washington that he thought it was safe to release the first part of the State Department grant. McLain responded to the Ambassador, thanking him for his “inestimable help both in establishing our position with the Egyptian Government and in-shaa-allah [God willing] with reference to the grant.”⁵⁴ Given the positive reaction of Nasser, McLain decided not to send his Working Paper defending the Arab character of AUC to the Ministry, but rather gave it to Ambassador Hare in order to have it “in readiness for any necessary use in the future.”⁵⁵

No action on the part of the American University was taken in the summer of 1959 in regards to Law 160. The Board of Trustees was satisfied with the response from Nasser via Heikal and Hare. Further, the Board and McLain were pleased to have finally received approval for much needed funds from the State Department. Although it seemed that the matter of Law 160 was relatively settled, this conclusion was premature. In September of 1959, a short announcement in the newspaper *Al-Abram* stated that the Ministry of Education intended to apply Law 160 to AUC.⁵⁶ Shortly after this, the Ministry of Education sent a formal letter to McLain which confirmed that

⁵² Ibid.

⁵³ Note from President McLain to self, 11 May 1959, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁵⁴ Raymond McLain to U.S. Ambassador Raymond A. Hare, 12 May 1959.

⁵⁵ Raymond McLain to U.S. Ambassador Raymond A. Hare, 12 May 1959

⁵⁶ *Al-Abram*, 26 September 1959, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

AUC would fall under the jurisdiction of Law 160.⁵⁷ The gap between the oral reassurances by Nasser and the written declarations of the Ministry of Education represent inconsistency in governmental opinion. The Nasser government perhaps did want to implement Law 160, but Nasser himself was hesitant to permanently offend or drive out a university which served as a tie to the United States. Although McLain and the embassy were constantly trying to distance the University from its American character, this may be part of what influenced Nasser to assure the school that the government would not take ownership of the school.

In response to the notice in *Al-Abram*, McLain wrote a series of letters to the Ministry 1) arguing that it seemed that the law was written with primary and secondary education in mind 2) emphasizing that AUC was dedicated to the nation's educational efforts and 3) appealing that the law should not be applied to the University.⁵⁸ Addressing the issue of ownership, McLain explained that the possession of AUC was in the hands of the Board of Trustees. The University would be amenable to having Egyptians become members of the Board, but it was essential that the University remain autonomous and free to determine the individual membership of the Board.⁵⁹ McLain wrote a confidential letter to the editor of the *Al-Abram* newspaper stating that if the government controlled issues such as ownership, staffing, admission of students, control of students, program buildings and the like, "we cannot be an American University....and unless we can be an American University there is no use for us to be here at all."⁶⁰ McLain's letter was perhaps written in the hopes that Heikal would communicate to his friend Nasser the Board's absolute

⁵⁷ Mohamed Taha el-Nimr (Undersecretary of the Ministry of Education) to President McLain, 2 November, 1959, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁵⁸ Raymond McLain to Abdel Rahim Rashwan, Foreign Education Department, Ministry of Education, 3 December 1959, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁵⁹ Raymond McLain to Naguib Hashim, Minister of Education, 27 January 1960, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁶⁰ Raymond McLain to Hassanein Heikal, Editor of *El-Ahram*, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

refusal to consider turning over University ownership to the United Arab Republic. If the issue of ownership was forced, McLain wanted to make it clear that AUC would close its doors.

While the issue of ownership was pending, the Ministry of Education began to exert control over other lesser aspects of University operations including course offerings, books and class schedules. In February the Ministry of Education asked for a list of all the subjects and books used at AUC in order to “check them and to be confident of the national spirit of the graduates of this institution.”⁶¹ Later that month the Ministry of Education issued a decree regulating the AUC’s schedule of classes during Ramadan because they believed there were “a large number of Muslim students in the foreign schools which did not observe the circumstance of Ramadan.”⁶² In part, these actions were driven by a desire to promote nationalist and religious values, but also demonstrated to AUC the Ministry’s readiness to interfere in administrative issues in order to pursue their goal of ridding Egypt’s school of foreign influence.

Fighting the Law in 1960

The applicability of Law 160 to AUC remained vague until another flurry of communication between the school and the Egyptian government in the fall of 1960. McLain met with the Minister of Education in October. During the meeting it was affirmed that the University should indeed fall under Law 160. Minister Hussein tried to console McLain by offering that the Ministry was willing to give the University a transition period of five years before the law would be fully applied. During this period, the Ministry would require the University to have a citizen of the UAR as co-director of

⁶¹ The Ministry of Education, Administrative Foreign Education Office to McLain, 23 February 1959, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁶² “Schedule of Classes during the Month of Ramadan,” *Al-Abram*, 28 February 1959, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

the school, and this person would have to be approved by the Ministry.⁶³ It seemed clear to McLain that “the government is determined that it must own all foreign educational institutions.”⁶⁴ McLain argued “the government’s insistence on applying Law 160 now, or five years from now, was inconsistent with President Nasser’s statement of May 1959, and it would probably be well if he could be talked with again.”⁶⁵ In McLain’s notes, he continued to express great concern that the U.S. government would require the University to give up the awarded \$1,000,000 grant if it became certain that the law would be enforced.

Shortly after the meeting with Hussein, an article in the newspaper *Al-Akhhbar* announced the results of this meeting, and added that an Arab employee would be appointed to the position of Vice President at the University by the Minister of Education.⁶⁶ McLain began to sense that even if President Nasser gave further oral assurances, they would not be enough to keep the University free from the impact of Law 160. McLain set about arranging for a direct meeting with Nasser in order to request that he make a written decree exempting AUC from the application of Law 160.⁶⁷ McLain wrote to Nasser expressing his deep concern, saying,

may I say in all sincerity, that five more years are no better than two more years for our University if five years from now we are going to lose ownership, which is the same as losing our life. Under such circumstances we would immediately have to return to the United States Government the grant that was made us, stop our plans for construction...and in every way immediately forgo all plans for program and staff improvement.⁶⁸

⁶³ Notes on a conference between Minister Kamal Eddin Hussein and Raymond F. McLain. 2 October 1960, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ “The Exemption of the American University at Cairo from the Application of the Private Education Law,” *Al-Akhhbar*, 20 October 1960, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁶⁷ Raymond McLain, Report of Conference with Colonel William Eddy, 8 October 1960, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁶⁸ Raymond McLain to Gamal Abdel Nasser, 13 October 1960, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

McLain explained to Nasser that the University was not trying to avoid living within the legal framework of Egypt, but that Law 160 seemed intended for primary and secondary schools. He emphasized AUC's dedication to Egypt and stated that the University wanted "to be a legally recognized constructive part of the struggle for freedom and self-determination that is being so gallantly made in the United Arab Republic."⁶⁹ In order for the University to continue to operate and contribute to the UAR, McLain appealed for an exception to Law 160 and a public statement of the opinion Nasser gave the previous May to Mohamed Heikal and Ambassador Hare. Further, McLain indicated to Nasser that he and the Board of Trustees hoped the University could be considered completely exempt "until the issue could be decided by the Legislature through a new law."⁷⁰ McLain asked for Nasser to make a declaration and state "until such time as a law governing and facilitating private universities in the United Arab Republic is implemented, Law 160 is to be considered inapplicable to institutions of this level."⁷¹

Although McLain received no direct reply from Nasser, on October 31 the new U.S. Ambassador Frederick Reinhardt met with Nasser and discussed Law 160. The Ambassador reported President Nasser as saying "the University has nothing to worry about." Nasser further emphasized to Reinhardt that Egypt

has no intention of taking over, or nationalizing the University. If it did, we could readily do it in a dozen of different ways. During five years it will be easy to work out new legislation that will not harm the University, although the legislation must be general: not for the University alone...From our point of view the American University really isn't a University, and it might be much better if the University were under 1418, the Law governing institutes.⁷²

⁶⁹ Ibid.

⁷⁰ "Tentative Judgments of University Committee on Government Relations," Notes on a conference between Minister Kamal Eddin Hussein and Raymond F. McLain, 5 October 1960, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁷¹ Raymond McLain to Hassanein Heikal, 31 October 1960, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁷² Report of Tuesday, November 1 Conversation with Ambassador Reinhardt from McLain to self, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

The obvious implication of Nasser's comment was that the University would be allowed to live outside the law. A more subtle inference is that AUC was not actually a university. The change in definition, although legally beneficial, could also be problematic. If AUC was considered simply an institute, perhaps it would then be inappropriate for them to grant academic degrees. McLain remained dissatisfied by Nasser's position on Law 160.

A week later, McLain wrote his most strongly worded letter on this matter to Nasser. McLain stressed that the University did not want to break the law, but also could not comply with it. McLain bluntly wrote: "the University sought to raise the question with you as to whether it was wanted in the United Arab Republic?"⁷³ He suggested that if Nasser believed the time of the University's service has come to an end and the law is applied, this will "force the University to liquidate its property and leave."⁷⁴ But if the University was valued by the UAR then a new law should be formulated. McLain emphasized that the University

has counted it as a high privilege to serve Egypt (and now the United Arab Republic) for these four decades. The University remains committed to the basic aims and aspirations of your government and regrets to leave just when so many promising developments are taking place, developments of which it has wished to remain a humble part. None-the-less, there is really no alternative.⁷⁵

McLain closed the letter by stating that until the situation was resolved all University hiring, construction, grant applications, and admissions would be frozen.

Although the University tried to distance itself from the U.S. government and embassy, it is interesting to note that John Badeau, who was the President of AUC prior to McLain, was appointed U.S. Ambassador to Egypt by President Kennedy in 1961.⁷⁶ In his memoir, Badeau recalls that the recently elected Presidency of Kennedy wanted a "new beginning" with Egypt and

⁷³ Raymond McLain to Nasser, 8 November 1960, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁷⁴ Raymond McLain to Nasser, 8 November 1960.

⁷⁵ Ibid.

⁷⁶ Carl Brown, ed. *The reminiscences of John Badeau* (New York: Columbia University, 1979).

beginning in the early 1960's the tension which had existed previously did began to lessen.⁷⁷ Badeau notes that when he arrived his first task was to “find some positive interests [in Egypt] about which to be concerned.” He notes that at the time the U.S. did not have many direct interests in Egypt; not much investment or property, but that he was concerned about what Nasser “could do to injure us.”⁷⁸ Although not mentioned in the memoirs, AUC was one of the few American owned properties in Egypt at this time. Badeau goes on to say that “our job at the Embassy was to try to develop a series of mutual interests, when we really didn't have too much mutuality upon which to build.”⁷⁹ A natural mutual interest for Badeau, who directed AUC for over ten years, and for President Nasser may have been Law 160 and its applicability to AUC. Although no documentation mentions negotiations between Nasser and Badeau in regards to Law 160, the two did meet frequently in 1961⁸⁰ and AUC could not have been far from the mind of Badeau.

Final Status of Law 160 in 1961

Between November 10, 1960 and June 17, 1961 there are no records to indicate correspondence between President McLain and Nasser or the Egyptian Ministry of Education. During this period the University was allowed to function outside of the law, in that ownership was not transferred to an Arab citizen. Two final documents in the archived McLain files address Law 160. The first is a draft law entitled “For the organization of private Institutes and colleges in the United Arab Republic.” The American University drafted this law itself which addressed concerns about Arab ownership of the University as it gave allowances for foreign ownership and control of

⁷⁷ Ibid.

⁷⁸ **Ibid.**

⁷⁹ **Ibid.**

⁸⁰ Carl Brown, ed. *The reminiscences of John Badeau.*

private universities.⁸¹ The draft law states that “if the president [of an institute or college] happens to be a foreigner, the vice-president should be a citizen of the U.A.R.”⁸² The second document is a series of comments on this draft law in which it was specified that this law would supplant Law 160.⁸³ The comments indicated that the Ministry of Education was willing to prepare a new law and had asked the American University to write this preliminary draft in order to create an education law that would be applied to private institutes and colleges. President McLain’s files show no further evidence of discussion about the Law 160, and so it appears that the University was allowed to function outside of Nasser’s education law until a new one was written. Although there was great effort on the part of the President McLain and former U.S. Ambassadors in regards to pleading for exemption from Law 160, Badeau’s return to Cairo and the changing political relations between the U.S. and Egypt may have been the greatest influence on Nasser’s willingness to allow Law 160 to be altered.

Conclusion

Although a small piece of Nasser’s domestic policy during the early years of his presidency, the government’s effort to implement Law 160 provides insight to the political atmosphere in Egypt at this time. Law 160 was an attempt to rid Egypt of outside influence on education by ensuring that all schools were directed, staffed, and owned by Egyptians and that all curriculum and materials were

⁸¹ Draft Law, “For the organization of private Higher Institutes and colleges in the United Arab Republic,” 17 June, 1961, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

⁸² Ibid.

⁸³ Comments on the draft law prepared by the American University at Cairo for the year 1961: “For the organization of private Higher Institutes and Colleges in the United Arab Republic,” 17 June, 1961, Records of the President Raymond F. McLain, Box 7/25, University Archives at the American University in Cairo, Cairo, Egypt.

favorable to nationalist ideology. Although this approach was straightforward, the mixed messages from the Ministry of Education and Nasser himself are indicative of a disconnect that existed between the President and a Ministry during the early days of Egypt's independence. Despite this gap, the government was successful in exerting its power by nationalizing most private schools, with the exception of AUC. During a period of immense political and social change in Egypt the American University at Cairo survived as an independently owned university.

On one hand, AUC's exemption from this trajectory represented a failure of Nasser's attempt to remove all educational capacities from foreigners. Although the University was non-political, it is probable that Egypt's international political relations played a part in their willingness to let AUC be the only foreign school to exist outside the law. In the late 1950s and early 1960s the American University at Cairo was positioned as to serve as a non-political tie between the U.S. and Egypt. Although much of Nasser's rhetoric was anti-western, his targets were primarily Israel and Brittan, not the United States. Nasser often included the U.S. in his verbal criticism of the west, but because the U.S. had come to Egypt's defense by helping to diffuse the Suez Crisis and Nasser perhaps recognized this intervention as key to keeping him in power. At a time when Nasser's image throughout the region was dependent on his outspoken attitude towards the western world, he was unable to utilize traditional methods of diplomatic relationship building with the U.S. As a result, Nasser may have seen his willingness to allow AUC's independence as a way to demonstrate indirect goodwill towards the U.S. This use of the university as a political back-road may have been one of the reasons that Nasser was willing to bend the law in order to allow AUC to stay.

Although AUC was not forced to abide by the articles laid out in Law 160, the period in which this law came about was a turning point for relations between private universities and the Egyptian government. Previous to 1958, private schools like AUC were relatively free of government control. Although universities like AUC are still allowed to have foreign ownership,

some of the intentions of Law 160 have in fact become a reality for foreign universities. The echoes of Law 160 can be seen in the government's prohibition of certain books from being released by the government appointed censors to the university bookstore, requiring a specific Ramadan schedule for classes, and opening administration positions to non-foreigners. The new Egyptian Republic was unable to bring all foreign institutions under their control, yet they did succeed in gaining some measure of influence over foreign education institutions in Egypt. Although independent, the American University in Cairo of 2010 has less operational freedom than did the American University at Cairo prior to 1958.