



Australian Government
Migration Review Tribunal

Country Advice

Egypt

Egypt – EGY36406 – Valid marriage in
Egypt
22 March 2010

Questions

What constitutes a valid marriage in Egypt? In order for a marriage in Egypt to be considered valid, must the couple live together and have consummated the marriage?

Answer

A number of sources state that the civil registration of a marriage in Egypt is of most importance to the local authorities whilst the religious ceremony is a personal matter.¹ A variety of sources state that in order for a marriage to be considered legally valid in Egypt:

1. The couple must be of minimum marriage age: 18 for males and 16 for females;
2. Must have consent of the couple;
3. Must have consent of their legal guardians;
4. Two legal witnesses;
5. Payment of dowry or *mahr* and;
6. In the case of Muslims, the bride cannot be under a marriage contract with another man.²

According to a 2007 article in *Middle East Review of International Affairs*, “standard” marriage procedures in Egypt are “religious” and “civilian” at the same time. In Muslim weddings, the *ma’zoun*, for Muslims (literally “the authorized” imam), performs a religious ceremony and also acts as an agent for the state. The *ma’zoun* issues a formal Act of Marriage and also completes a state register, which provides detailed information and lists witnesses. It

¹ Guindy, A. 2007, ‘Family Status Issues Among Egypt’s Copts: A Brief Overview’, *Middle East Review of International Affairs*, vol. 11, no. 3, September <http://meria.idc.ac.il/journal/2007/issue3/jv11no3a1.html> – Accessed 23 May 2008 – Attachment 4; ‘Marriage in Egypt’ 2004, U.S Embassy in Egypt web site <http://www.usembassy.egnet.net/consular/marriage.htm> – Accessed 24 May 2004 – Attachment 6.

² ‘Islamic Family Law – Egypt’ (undated), Emory Law School website <http://www.law.emory.edu/ifa/legal/egypt.htm> – Accessed 26 May 2008 – Attachment 1; Sherif, B. ‘Egypt’ in Francoeur, R.T (ed). 1997-2001, *The International Encyclopedia of Sexuality*, vol. 1-IV <http://www2.hu-berlin.de/sexology/IES/egypt.html> – Accessed 19 March 2010 – Attachment 2; Stritof, S. & B. (undated), ‘Egypt Marriage License Information’ About.com website <http://marriage.about.com/od/international/p/egypt.htm> – Accessed 19 March 2010 – Attachment 3; Guindy, A. 2007, ‘Family Status Issues Among Egypt’s Copts: A Brief Overview’, *Middle East Review of International Affairs*, vol. 11, no. 3, September <http://meria.idc.ac.il/journal/2007/issue3/jv11no3a1.html> – Accessed 23 May 2008 – Attachment 4; Human Rights Watch 2004, *Divorced from Justice: Women’s Unequal Access to Divorce in Egypt*, 30 November, Section III <http://www.hrw.org/en/node/11887/section/4> – Accessed 19 March 2010 – Attachment 5.

is also the duty of the *ma'zoun* to record basic legal details such as identity, age, consent, value of the dowry.³

No information was found that states that, in order for the marriage to be considered valid, the couple must live together or have consummated the marriage. An article on marriage and divorce in Egypt states that the signing of the marriage contract may not necessarily take place on the same night as the “celebration of the first night of joint residence”.⁴ This indicates that Muslims in Egypt may not necessarily live together and consummate the marriage immediately after the religious wedding ceremony and signing of the marriage contract.

List of Attachments

1. ‘Islamic Family Law – Egypt’ (undated), Emory Law School website <http://www.law.emory.edu/ifl/legal/egypt.htm> – Accessed 26 May 2008.
2. Sherif, B. ‘Egypt’ in Francoeur, R.T (ed). 1997-2001, *The International Encyclopedia of Sexuality*, vol. 1-IV <http://www2.hu-berlin.de/sexology/IES/egypt.html> – Accessed 19 March 2010.
3. Stritof, S. & B. (undated), ‘Egypt Marriage License Information’ About.com website <http://marriage.about.com/od/international/p/egypt.htm> – Accessed 19 March 2010.
4. Guindy, A. 2007, ‘Family Status Issues Among Egypt’s Copts: A Brief Overview’, *Middle East Review of International Affairs*, vol. 11, no. 3, September <http://meria.idc.ac.il/journal/2007/issue3/jv11no3a1.html> – Accessed 23 May 2008.
5. Human Rights Watch 2004, *Divorced from Justice: Women’s Unequal Access to Divorce in Egypt*, 30 November, Section III <http://www.hrw.org/en/node/11887/section/4> – Accessed 19 March 2010.
6. ‘Marriage in Egypt’ 2004, U.S Embassy in Egypt web site <http://www.usembassy.egnet.net/consular/marriage.htm> – Accessed 24 May 2004.
7. Singerman, D. ‘Marriage and Divorce in Egypt: Financial Costs and Political Struggles’ in Drieskens, B (ed).2008, *The Changing Face of Marriage in the Middle East*, p. 75 <http://ifpo.revues.org/456> – Accessed 19 March 2010.

³ Guindy, A. 2007, ‘Family Status Issues Among Egypt’s Copts: A Brief Overview’, *Middle East Review of International Affairs*, vol. 11, no. 3, September <http://meria.idc.ac.il/journal/2007/issue3/jv11no3a1.html> – Accessed 23 May 2008 – Attachment 4;

⁴ Singerman, D. ‘Marriage and Divorce in Egypt: Financial Costs and Political Struggles’ in Drieskens, B (ed). 2008, *The Changing Face of Marriage in the Middle East*, p. 75 <http://ifpo.revues.org/456> - Accessed 19 March 2010 – Attachment 7.