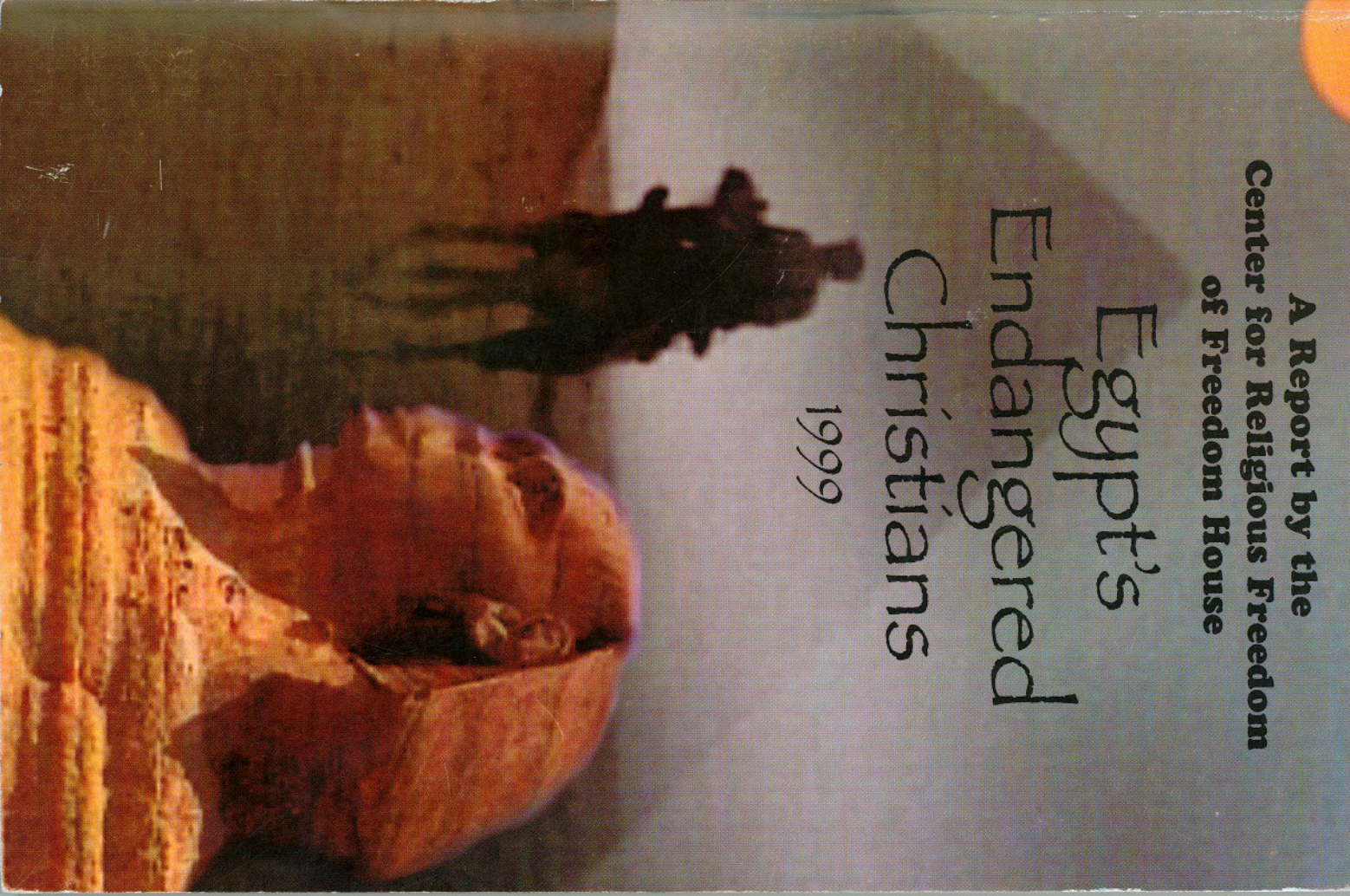


**A Report by the  
Center for Religious Freedom  
of Freedom House**

# **Egypt's Endangered Christians**

1999



## TABLE OF CONTENTS

SUMMARY OF FINDINGS	3
RECOMMENDATIONS	8
I. INTRODUCTION	11
II. CURRENT CONTROVERSIES OVER THE SITUATION OF CHRISTIANS IN EGYPT	13
A. Conflicting Accounts	13
B. Some Reasons for Differing Accounts	13
C. The Effects of Intimidation	15
D. Example: The Attempted Repression of Bishop Wissa and Hafez Abu Seada	17
E. Concluding Comments	18
F. Summary	21
III. BACKGROUND	23
A. Political Situation	23
B. Religion	24
C. Copts in Political Life	25
D. Summary	26
IV. PRESSURES FOR ISLAMIZATION IN EGYPT	27
A. The Growth of Islamist Movements in Egypt	27
B. The Growing Influence of <i>sharia'a</i>	27
C. Education	29
D. Hate Speech in the Media	29
E. The Relation of Verbal Attacks and Physical Violence	31
F. Attacks by Islamic Terrorists	32
G. The Growth of <i>Jizya</i>	34
a. Background	34
b. The Practice	34
c. Police Response	36
H. Concluding Remarks	37
I. Summary	38
V. CHURCH CONSTRUCTION	39
A. Overview	39

B. Examples of Restrictions	41
C. Effects of these Restrictions	44
D. The Government's Position	45
E. Effects of Recent Modifications of the Law	45
F. Summary	46
VI. CHANGING RELIGION	48
A. Apostasy in Egypt	48
B. Converts to Christianity	49
C. Some Converts to Islam	51
D. Example: the Shakir Family	52
E. Example: Theresa Andrawes	53
F. Summary	54
APPENDIX I. Christians Killed for Refusing to Pay <i>Jizya</i>	56
APPENDIX II. Documents Concerning Torture at el-Kosheh Village	
APPENDIX III. Reporting on el-Kosheh	

## SUMMARY OF FINDINGS

This report finds that the religious freedom of Egypt's 6 to 10 million strong Coptic Christian community, while generally able to practice its religion, is threatened in varying degrees by terrorism from extreme Islamic groups, by the abusive practices of local police and security forces, and by discriminatory and restrictive Egyptian Government policies.

The cumulative effect of these threats creates an atmosphere of persecution and raises fears that during the 21<sup>st</sup> century the Copts may have a vastly diminished presence in their homeland. Each year thousands of Copts convert to Islam, many under pressure, and Christians have an emigration rate three to four times that of Muslims. Coptic church sources estimate that over a million Copts have left Egypt in the past thirty years. Even emigration motivated by the desire for greater economic opportunity or democratic freedoms is partially due to underlying religious concerns. Like the Egyptian Jewish community before them, Egyptian Christians are endangered by pressures for a further Islamization of Egypt in which they will be afforded little space.

Since Egypt is the major intellectual and cultural center in the Arab Islamic world, the fate of the Copts, by far the largest Christian community in the Middle East, is an indicator of the future of other religious minorities in the region. As the second largest recipient of U.S. aid, Egypt's treatment of the Copts holds interest for Americans of all religious backgrounds.

### **Freedom House's findings are that:**

**The Copts are persecuted by radical Islamic groups and at times by local police and other security officials and they are discriminated against and have their freedom to worship hampered by the Egyptian Government. Specifically:**

**1. While the Egyptian government does not have a policy to persecute Christians, it discriminates against them and hampers their freedom of worship, and its agencies sporadically persecute Muslim converts to Christianity. In particular:**

- **The government of Egypt enforces onerous *Hamayouni* restrictions on building or repairing churches, restrictions that do not apply to mosques.**

The Copts' ability to exercise their basic right to free worship is frustrated by Egypt's complex, and frequently arbitrary, requirements for building and repairing churches or church-owned buildings. These culminate in the

requirement that the State President must personally approve all building applications, and the Provincial Governors must approve all applications for repairs, even for something as small as repairing a toilet or a broken window.

While the Government does approve some applications, numerous others are delayed for decades or are never acted upon, leaving tens of thousands of Copts with no place to worship. Some churches have collapsed before their application for permission to make repairs has been processed. In other cases, churches have gone ahead with building or repairs on the basis of an implied understanding with the government that permission will be forthcoming, only to have their premises closed off or completely razed.

The procedures required for Church construction and repair are in marked contrast to the procedures for mosques, which are comparatively simple and require no special government permission.

- **The government of Egypt applies religiously-discriminatory laws and practices concerning conversion, marriage, parenthood, education, and clergy salaries.**

While Egypt has signed the International Covenant on Civil and Political Rights, which guarantees religious freedom, Islam is the state religion and the Constitution states that Islamic law is *the* major source of legislation. Egypt is also under attack by terrorist groups who want to enforce an Islamic state; but perhaps the more significant pressure for Islamization comes from militant but ostensibly nonviolent Muslims, such as those in the now-banned Islamic Brotherhood. As a result of such pressure, the legal system is increasingly incorporating Islamic law: for example, there is now a *de facto* law of apostasy. *Sharia'a* law in Egypt denies equal rights to Christians and non-Muslims in areas of conversion, marriage, and parenting.

The history and language programs in the state-run education system marginalizes the role of the Copts in Egyptian history and culture.

Since Muslim converts to Christianity can change neither their religion nor their names on national identity cards, it is difficult for them to avoid identification and abuse. In addition, the children of someone who has embraced Christianity must be educated as Muslims and the convert may face compulsory divorce.

The government subsidizes the construction of mosques and pays the salaries of Islamic clerics, while making no similar provision for other

churches or clergy. Buildings which contain an area used as a mosque are tax exempt in their entirety and receive free utilities: prerogatives which do not apply to churches. This reinforces a sense among many Copts that they are second class citizens.

- **The government of Egypt has effectively restricted Christians from senior government, political, military, or educational positions, and there is increasing discrimination in the private sector.**

Copts are increasingly marginalized in the political system. There are currently six Christian members of the Assembly, none of whom is directly elected but are appointed by the President and are politically beholden to him.

Copts are also restricted in the upper levels of government. By custom, the following positions are occupied by Muslims: President, Prime Minister, Assistant Prime Minister, Minister of Defense, heads of the various branches of the Egyptian Armed Forces, Chairman of the People's Assembly, Governors (of 28 Governors, all are Muslims), heads of all government services offices, chiefs of police, and presidents and deans of Universities. Copts are also under represented among the ambassadorships abroad.

- **The government of Egypt subsidizes media which attack Christianity and restricts Christians' access to the state-controlled media.**

State-owned and state-controlled media allow Islamic preachers to engage in hate speech against Copts, while refusing Copts the chance to reply. This has contributed to increasing discrimination in everyday life and has helped to create an environment that can encourage terrorist violence.

- **The government of Egypt fails to take adequate measures to prevent the persecution and abuse of Copts at the local level, whether the perpetrators are terrorists, members of the community, or the government's own security forces.**

Some terrorists have been arrested, prosecuted and convicted for attacks on Copts as well as on others; nevertheless, many Egyptian Christians say that police protection for them has been grossly inadequate. In areas of Upper Egypt, the police have a reputation of ignoring credible warnings of impending attacks against Christians, and arriving at the scene of anti-Christian violence long after the damage has been done. The Egyptian

Government has shown greater concern for the security of tourists than its own citizen Copts.

The government seems to want to avoid alienating non-violent but radically Islamic elements of public opinion by taking overt steps to improve the situation of Copts. Hence, Copts become victims of the government's carrot and stick approach to the militants. This contributes to an atmosphere that has encouraged societal persecution and discrimination against Christians.

**2. Police at the local level frequently harass and sometimes even persecute Christians, particularly converts, either out of sympathy with or fear of Islamic radicals. In several instances local police have been complicit in the coercive conversion of Coptic girls.**

While Egypt has no explicit law against apostasy, the influence of *sharia'a* law on the civil code is creating a *de facto* law. Converts from Islam to Christianity have been imprisoned and tortured by the police and charged with "insulting religion" or "disrupting national unity." In recent years, the security forces have tended not to deal with converts directly but to inform their families or others in the area, who have in turn mistreated and even killed the convert with impunity.

Religious conversion in Egypt is always intimately tied to marriage and family questions, including the shame felt by a family if a relative converts. Consequently, many of the stories of the abduction of Coptic girls by Muslims are probably cases of elopement to avoid family pressures or are a face-saving measure for the family. Nevertheless there are reliable reports that, often with police complicity, young, including underage, Coptic girls have been manipulated, or occasionally physically coerced, into conversion and marriage.

**3. Islamist terrorists persecute and intimidate Copts by extortion, assault, and sometimes massacre, especially in the Christian areas of Upper Egypt.**

While Islamic terrorists attack security forces, tourists, and the majority moderate Muslims, Copts are their major, Egyptian, civilian target. Terrorists have also imposed an extortionate *jizya* "tax" on thousands of Copts, primarily in Upper Egypt. Inadequate police protection and corrupt local police compound the Copts' plight.

It is difficult to establish the precise nature of human rights problems facing Copts in Egypt because there are many conflicting accounts. In fact, one of the most striking features of Egypt is the degree to which people will in public (or for attribution) deny and

contradict what they say in private. Some reasons for this include different meanings attached to the words "persecution" and "minority," confusion about whether claims of persecution necessarily implicate government and religious leaders, whether only elite sources are consulted, and the suspicion many Copts have about outside groups.

In addition, any report from Egypt on the question of religious persecution must be done with the knowledge that people who say that there *is* persecution can put themselves in real danger, either from terrorists or abusive local officials, or be liable under the law for possible capital offenses. Any public statement must be judged against the knowledge that the speaker lives in a situation where it is illegal and can invite harsh punishment to "damage" "national unity or social peace," incite "sectarian strife," or, in the case of clergy, "insult or criticise" "an act by the administration." Recently, the Government used these laws to suppress clergy and human rights workers who have publicized the mass arrests and torture that took place in the village of el-Kosheh in 1998.

The Copts are not the only ones in Egypt deprived of their basic human rights. Egypt has an authoritarian government with few democratic restraints and its elections exhibit widespread irregularities. Under an emergency law in force since 1981, the State restricts basic freedoms and maintains several large security forces that often act brutally, especially in their campaign against terrorism. On a scale of one to seven (with seven being the worst) Freedom House's annual survey *Freedom in the World* ranks Egypt a six in political rights and a six in civil liberties.

## RECOMMENDATIONS

The Egyptian Government is engaged in a major campaign against Islamic terrorists, who are the cause of the most difficult problems facing Egypt's Copts. Nevertheless, Freedom House's Center for Religious Freedom urgently recommends that it take the following additional measures to safeguard the rights of Christians.

1. Allow full legal recognition of an individual's conversion to a religion of his choice, without distinction or discrimination. As part of this:
  - a. End harassment, detention, or interrogation by the SSI or other security forces of converts to Christianity.
  - b. End the practice of the SSI and other security forces of informing the families of those who change their religion if the converts are legally adults.
  - c. Allow those who change their religion to change the religion shown on their identity cards and other legal documents.
  - d. Allow those who change their religion to change their name as shown on their identity cards and other legal documents.
  - e. Establish in law the rights of parents to choose the religion of their children and their children's religious upbringing.
  - f. End all harassment for the peaceful expression of their religious beliefs.
2. Ensure that the educational system accommodates Copts, for example, by teaching about Copts in Egyptian history classes, expanding readings in Arabic classes to works beyond the Koran, and by not requiring non-Muslims to memorize the *Koran*.
3. Ban hate speech against Christians in the public media and provide proportionate access to the state media to Christian groups.
4. Ease procedures for permitting the construction and repair of churches. In particular:
  - a. Abolish the 1856 *Hamayouni* decree and subsequent revisions, and other extraordinary government restrictions on church repairs and construction.
  - b. Apply same rules to church repair and construction as to mosques.
  - c. Publish the steps required for construction permits and the criteria on which decisions are made.
  - d. Expeditiously grant permits to the many operating churches and other religious buildings that were built or repaired without permission, in order to end harassment and/or arbitrary closure of these churches by security forces.
5. Adopt electoral procedures that would facilitate the election rather than appointment of Coptic members of *Maglis al-Shaab*.

6. Remove the "glass ceiling" and open senior government, administrative and educational positions to Copts.

7. Appoint an independent commission, which is religiously and geographically balanced, to promote religious freedom and tolerance in society and make specific recommendations to the President and the *Maglis al-Shaab* each year.

*Apart from the above steps that focus particularly on religion, the following should be done to prevent abuses that affect all Egyptians, including those abused on religious grounds.*

8. Appoint an independent commission, with representation from all peaceful groups, to examine the steps that need to be taken to bring Egyptian law into conformity with the International Covenant on Civil and Political Rights and to report to the President and *Maglis al-Shaab*.

9. Train State Security Investigators, local police officers, and other security forces in human rights standards set forth in the International Covenant on Civil and Political Rights and other relevant rights treaties.

10. Vigorously prosecute security personnel who engage in torture and other abuse.

#### *Recommendations for the United States Government*

11. Improve reporting in the annual State Department Country Reports on Human Rights to include more detailed discussion of the serious human rights abuses facing Christian Copts, including the imposition by terrorists of *jizya* taxes, and the abduction of Christian women and girls by Islamic radicals.

12. Instruct U.S. embassy officials in Egypt to meet with persecuted Christians and indigenous human rights leaders. (Lawyers and relatives of some of the most severely persecuted Copts described in this report told Freedom House that their requests to speak with U.S. embassy officials were denied.)

13. Raise the main human rights concerns confronting Copts, which are identified in this report, routinely with Egyptian officials at high levels, and especially with President Mubarak, himself.

14. Earmark funding for human rights training of police and security forces in U.S. yearly foreign aid to Egypt.

15. Ensure that no U.S. funding is allocated for the broadcast of hate speech against Christians and others.

*Recommendation for Foundations and other funding agencies*

16. Fund, train, and equip Copts and other groups to document and report their mistreatment.

## I. INTRODUCTION

It is important to highlight the situation of Coptic Christians in Egypt for several reasons. Egypt is perhaps the most important country in both the Arab and Islamic worlds. It is by far the most populous Arab country and its educational institutions, such as the famed Al-Azhar University, are the most prestigious within Sunni Islam. Its preachers, publications, culture, and media reach throughout the Middle East. The Egyptian government seeks to maintain a more moderate Islamic influence in the face of daunting pressures from radical Islamic groups. Consequently, Egypt is a pivotal country and the direction it follows as it continues to deal with the demands of radical Islam will have a major influence throughout the world.

The Coptic community of some 6 to 10 million is by far the largest Christian grouping in the Middle East. There are more Christians in Egypt than in the rest of the Arab world combined. It is an ancient community: Most Egyptian Christians are followers of the Coptic Orthodox Church, known officially in Arabic as the Church of St. Mark since, according to tradition, Mark, the Gospel writer and evangelist, founded the Church in the first century. In church history it is often referred to as the Alexandrian Church, after the seat of its Patriarch.

In addition to Orthodox Copts, other Christians in Egypt include members of the Greek Orthodox Patriarchate, headquartered in Alexandria; the Roman Catholic Church (which includes Coptic, Armenian, Chaldean, Melkite, Latin, Maronite, and Syrian rite churches); Protestant Churches of Egypt; the Anglican Church in Egypt (part of the Episcopal Church in Jerusalem and the Middle East); the Armenian Apostolic Church; the Union of Armenian Evangelical Churches in the Near East; and the Coptic Evangelical Church (Synod of the Nile).

Consequently, in this report on Egypt we are considering the fate and fortunes of a large, ancient Christian community within an influential country. The situation of the Copts is hence both an indicator of the fate of other minority religious communities in the Middle East and a factor in their fate. The diminution of the Coptic community would bode ill for other groups.

There are numerous contradictory accounts of the state of religious freedom for Egypt's Christians, including highly-publicized, repeated claims by the Egyptian Government and other influential voices that there is no persecution against the Copts. The torture of many Christians by the police in el-Kosheh in the Fall of 1998 has also drawn wide publicity in the international media. Hence, a study of the current situation of the Copts is both important and opportune.

To examine the status of Egypt's Coptic Christians, over June and July, 1998, and in August, 1998, Freedom House conducted two fact-finding missions to Egypt led by Dr. Paul Marshall, Senior Fellow at Freedom House's Center for Religious Freedom.

These two missions were supplemented by interviews in Spain in January, 1998, in England in June, 1998, and in Kuwait in January, 1999, by phone interviews, and other regular contacts with Egypt that continue to this day.

We are grateful to the Egyptian Embassy in Washington, which arranged meetings for the Freedom House delegation with Government officials in the Ministry of the Interior, the Ministry of External Affairs, the Ministry of the Wakf, with Grand Sheik Al-Azhar Tantawi, and with other informed Egyptians. We also wish to acknowledge the help of the U.S. State Department in suggesting and facilitating contacts.

The Freedom House delegation also met with other religious and cultural leaders, both Christian and Muslim, with human rights activists, and, most importantly, with people who had themselves directly experienced persecution or discrimination. The names of many of our interviewees must remain confidential. The interviews were conducted in Cairo, in areas around Cairo, and in several areas of Upper Egypt where Christians are concentrated.

This report was researched and written by Dr. Paul Marshall, Senior Fellow of Freedom House's Center for Religious Freedom, with the assistance of Joseph Assad, Middle East Research Director of the Center for Religious Freedom.

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## II. CURRENT CONTROVERSIES OVER THE SITUATION OF CHRISTIANS IN EGYPT

### A. Conflicting Accounts

With the increasing attention in the United States to questions of religious freedom and religious persecution, several governments and ecclesiastical leaders have expressed concern that the situation in their countries is being misrepresented. Perhaps no country has been more persistent or defensive on this score than Egypt.

Certainly, if one goes to Egypt it is clear that there is a great deal of religious freedom in the country. The skyline of Cairo bristles with church towers and crosses. Churches are often full. Egyptians of all religions generally have good and friendly relations with one another and want to continue to do so. Religious leaders exchange official greetings and often appear together. Egypt is very different from its neighbours Saudi Arabia or Sudan.

Because of this relative freedom, the Egyptian Government and several Church leaders have been emphatic that there is no religious persecution in their country and demand that foreigners stop claiming otherwise.<sup>1</sup> Some examples follow:

In March of 1998, the President of Egypt, Hosni Mubarak, invited a delegation from the New York Council of Churches to Egypt "in order to discuss religious freedom with leaders in that country and to see the situation for ourselves."<sup>2</sup> The delegation reported what they called "isolated incidents" of "persecution" but said that reports of widespread persecution were "grossly overstated."<sup>3</sup> But, the Council's statements do not tell the whole story and fail to accurately reveal the serious pattern of human rights abuses against the Copts.

Some religious leaders inside Egypt have also denied that there is persecution. The Coptic Orthodox leader Pope Shenouda III has publicly and repeatedly insisted that the Church is not a "minority," is not persecuted, and that these matters should be left to those in Egypt, notably himself, to resolve.<sup>4</sup>

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<sup>1</sup> See, for example, the interview with Osama Al Baz, President Mubarak's senior political advisor, "Egypt Asks Congress to Leave the Copts Alone," *Middle East Times* (web page), October 27, 1998.

<sup>2</sup> "Report of the Council of Churches of the City of New York's Visit to Egypt," March 25, 1998. The group had a combined mandate to "investigate," "open dialogue," and "develop friendship," goals which can be in marked tension with one another. It included no one with experience of on-the-ground human rights work or with extensive knowledge of Egypt. The mission was hosted by the Egyptian Government, appears to have conferred extensively only with those in leadership positions, and to have bypassed those areas of Upper Egypt where most of the problems arise.

<sup>3</sup> Report of press conference in *National Catholic Reporter*, April 5-11, 1998.

<sup>4</sup> See, for example, "Statement of Pope Shenouda III, Patriarch of Alexandria, on the Al-Kosheh Incident," November 5, 1998 (translation from Arabic by the Egyptian Embassy in Washington, DC).

On April 29, 1998, His Beatitude Stephanus II Ghattos, Patriarch of Alexandria for the Catholic Copts, issued a statement on behalf of his Conference of Bishops that asserted that "there is no barrier whatsoever between Christians and Moslems...." However this statement focuses on denying that there is "racism" against Egyptian Christians and avoids addressing the specific concerns that have arisen about Egypt.

In May of 1998, Christian member of Parliament Edouard al-Dahabi said that those "who are trying to interfere with Egypt's internal affairs are, in fact, stabbing Copts in the heart."<sup>5</sup>

Meanwhile those who have raised concerns about Egypt are subjected to verbal attack in the state-managed press. American Congressman Frank Wolf (R-VA) has been a particular target. The newspaper *Ros al-Youssef* denounced Wolf as "a right-wing Christian who is very extreme and who has a personal vendetta against Egypt."<sup>6</sup> *Al-Ahram*, Egypt's semi-official and largest newspaper accused him of "manufacturing problems" and claimed that his concerns were part of "a political game in the hands of Israel's friends in Washington...."<sup>7</sup>

On November 5, 1998, there were full-page advertisements placed in newspapers in several countries, including *The Washington Post*, Toronto's *The Globe and Mail*, Britain's *Daily Telegraph*, and *The International Herald Tribune*, allegedly signed by 2000 Copts, which denied that there is religious persecution in Egypt.<sup>8</sup> These ads seemed to be in response to articles in, among other outlets, *The Boston Globe*, *The Washington Times*, and the British *Sunday Telegraph* concerning the documented, widespread torture, particularly of Christians, in the village of el-Kosheh. Several of the signatories to the November ads are not Egyptians and Freedom House has received first-hand reports from Copts in Egypt that they were approached by the SSI, the Egyptian Security Police, to sign the ads. In addition, *The Daily Telegraph* reports that the Egyptian government paid for the ad in its pages.

Meanwhile organizations such as Freedom House, Jubilee Campaign, Christian Solidarity International, Amnesty International, and various overseas Coptic groups have continued to document the persecution of Copts.

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<sup>5</sup> "Copts in Egypt: The Danger of Foreign Meddling," *The Economist*, May 23, 1998.

<sup>6</sup> Nina Shea and Paul Marshall (mistakenly called "George") of Freedom House were described by the semi-official *Al-Ahram* as "American Jews who are known Zionists." Shea is not Jewish, while Marshall said: "I'm not an American. I'm not Jewish. I'm not a Zionist, and my name's not George." See *The Oregonian*, October 25, 1998. *Ros al-Youssef* magazine, "Pre-Printing from Washington": "He visited the garbage dump...then he said: There's persecution of Copts in Egypt!!" July 27, 1998.

<sup>7</sup> *Al-Ahram*, August 1, 1998.

<sup>8</sup> Fahny Hwedy, in his "The Story of Coptic Persecution in Egypt," *Al-Ahram*, August 12, 1997, says that of the letters he has received from Copts *within* Egypt, 70% supported Copts living abroad who highlighted discrimination and persecution in Egypt.

Recent events have intensified the controversy over the state of affairs in Egypt. On October 10, 1998, a Coptic Bishop and two priests were charged with offenses that can carry the death penalty simply for calling attention to the fact that police had tortured many of their parishioners in the town of el-Kosheh (see description below). The Egyptian Organization for Human Rights (EOHR), Egypt's oldest and most respected human rights organization, produced a carefully documented report on the torture. The Egyptian Government responded to this by arresting the head of EOHR, Hafez Abu Seada, on December 1, 1998, and charging him with disseminating false information abroad and accepting bribes.

## B. Some Reasons for Differing Accounts

Some of the reasons for differing accounts obviously include inaccurate and insufficient information and political bias. However, beyond these are some factors that reflect genuine terminological and conceptual misunderstandings that need exploring.

For example, Copts and other Egyptians are very sensitive to the term "minority." While in the U.S. the word is neutral in character and some groups may even want to be designated as a "minority" to receive those benefits the status might confer, for the Egyptian government and many Copts, the term seems to imply that they are not real or full Egyptians.<sup>9</sup> Since one of their major aims is to make clear that they are as Egyptian as anyone else, many Copts regard it as undercutting or marginalizing them and, thus, as something of an insult.

Many Egyptians also strenuously resist the use of the term "persecution." This does not necessarily amount to denying certain facts (though many do). Rather, people may agree with critics about the facts but still object to using the term "persecution" to characterize them. This is for two reasons. One is that the Copts have been severely persecuted in the past; indeed, the Coptic calendar begins in A.D. 284, in commemoration of their early persecution under the Romans. Consequently, for many Copts the term "persecution" holds connotations of periods in their history when they were massacred wholesale. Since now the churches are full and people mingle easily, the term strikes them as inappropriate and exaggerated.

The term "persecution" also seems, to many Egyptians, to group them with countries like their neighbor Sudan, which massacres and enslaves Christians and other religious minorities, or with Saudi Arabia, where non-Islamic religions are banned completely. Failing to distinguish Egypt from these extreme examples is correctly seen as unfair to Egypt.

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<sup>9</sup> In its submission to the United Nations Human Rights Committee, the Egyptian Government maintained that "minorities...do not exist in Egyptian Territory...", quoted in Human Rights Watch, *Egypt: Violation of Freedom of Religious Belief and Expression of the Christian Minority* (New York, November, 1994).

Furthermore, neither the Egyptian Government nor church officials seem to distinguish adequately the question of whether Christians are persecuted in Egypt with the question of whether the *government* is engaged in a systematic persecution of Christians. A claim concerning persecution by Islamic terrorists should not be seen necessarily as a criticism of the Egyptian Government, especially as the former are sworn enemies of the latter.

Similarly, some observers also confuse the question of whether there is persecution of or discrimination against Copts with the question of whether there is a desire by Muslim leaders to persecute or discriminate, or whether there is animosity between leaders of religious communities. However, the two levels can be quite distinct. For example, after the massacre of Copts by Islamic terrorists in Abu Qurqas on February 12, 1997, the four highest-ranking Muslim clergy in Egypt visited the village and the site to express their condolences to the families and clergy of the victims.<sup>10</sup> But the goodwill of these Islamic leaders does not mean that the Copts of Abu-Qurqas were not persecuted. Similarly, the question of whether Pope Shenouda III and, for example, the Grand Sheik of Al-Azhar Tantawi have cordial relations (as by all accounts they do) does not tell us what occurs at the grass roots. Indeed the need for public affirmations by leaders may indicate a need to dispel local tensions.

Several political and ecclesiastical leaders do not seem to distinguish the question of whether there is persecution in Egypt from the question of how such persecution should be addressed. One consequence of this is that almost any report of persecution is treated as "foreign interference in [Egypt's] internal affairs" and an invitation to foreign intervention.<sup>11</sup>

Another set of concerns depends on whom one speaks with in Egypt. Prominent among those defending the government of Egypt are Copts in elite positions. These Copts who are in positions of power may genuinely not experience problems. Wealthier Copts, especially in Cairo, and especially if they are secular in outlook, usually do not face persecution, discrimination or other problems in professional, business, or social activities. In addition, they also do not wish to jeopardize their position by embarrassing the government. Similarly, all current Coptic members of Parliament have been appointed by the President, not elected, and so they too are beholden to the government.

Other Copts may experience severe problems but may not know their rights, or they may fear that demanding them will exacerbate their situation. In light of recent events in el-Kosheh, this fear seems well-founded. Since Muslims have been the dominant political force in Egypt for 1300 years, many Copts, especially the poor, accept their problems as simply the way the world is and always will be. As Coptic Bishop

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<sup>10</sup> On the massacre, see section C.VII below.

<sup>11</sup> cf. November 5, 1998, statement of Pope Shenouda referred to above.

Thomas explained to the Freedom House delegation: "Many Christians in Egypt do not know anything different. They grow up with this life.... They have no sense of rights."<sup>12</sup>

Related to this reluctance to raise problems is the fact that many Copts are skeptical that anyone outside of the country, or perhaps even outside their immediate area, can or will do anything to help them. Hence, they feel that nothing can be gained by talking to outsiders, and something could be lost. This feeling is reinforced by Coptic history. Because of its different views on some theological matters, the Coptic Church has suffered rejection, marginalization, discrimination, and persecution by other Christian bodies, especially by the rulers of the Byzantine Empire. Consequently, Copts have learned to be suspicious of other Christian groups.

This suspicion of the motives and effects of outside Christian interference was compounded during the Middle Ages by the Crusades. The Crusaders not only attacked Copts as well as their Muslim compatriots but, by their brutality, helped provoke resentment among Muslims of all Christians, including their own countrymen who had suffered alongside them.

A final problem is that, since the U.S. is seen as a fervent supporter of Israel, almost any action by the U.S., including current concern about religious persecution, is seen through the prism of the U.S.'s and Egypt's relations with Israel. Since many Egyptians are deeply suspicious of Israel and are strongly opposed to Zionism, and since Copts want to be understood as patriotic Egyptians, they often take a particularly hard line vis-a-vis Israel and can be doubly suspicious of human rights scrutiny by the U.S.

Any analysis of the situation of religious freedom in Egypt needs to be sensitive to these factors so that substantive issues do not get lost in semantics, misunderstanding, or misrepresentations. Apart from these factors, commentators also need to be aware of the dangers and effects of intimidation.

### C. The Effects of Intimidation

Church officials may be compromised in that to preserve their position they cannot afford to criticize those in positions of power. This is not necessarily a desire for privilege or safety. Several of those interviewed by Freedom House in Egypt spoke of threat of character assassination, i.e. being framed so that their moral reputation, and thus the credibility of the Church, is destroyed.

Several outspoken Egyptians have experienced such intimidation. Coptic Bishop Thomas has been falsely accused of financial irregularities and of importing arms. Protestant Pastor Menes Abdul Noor has been threatened with accusations of adultery.

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<sup>12</sup> CFRF/FH interview, June, 1998.

Human rights lawyer Moris Sadek has been accused of a wide number of things, including false reporting.

What is insidious about this form of attack is that it discredits the work and ministry of a Church. If members of a congregation believe their minister has been a liar, a cheat, or licentious, then the minister's work of many years may be invalidated and the entire congregation left dispirited and demoralized. Many church leaders may be silent about problems not out of a narrow sense of self-preservation, but in order to preserve their congregations, churches, or dioceses. To quote one church leader: "It is better to be killed as a leader than to have your character destroyed, as that destroys the dream, the vision, the flock."

In other situations there is a more straightforward and brutal possibility. If someone speaks out, they may be attacked by militants, abused by the police, or arrested by the government. Egypt's law, especially in the religious sphere, can sentence a critic to death, though things rarely go this far. As described below, this was illustrated by the recent widespread torture in the village of el-Kosheh and the repression of Coptic clergy and human rights workers for reporting it.

#### D. Example: The Attempted Repression of Bishop Wissa and Hafez Abu Seada

On Friday, August 14, 1998, Samir Oweida Hakim and Karam Tamer Aarsal, two Christians, were murdered in the village of el-Kosheh, Dar el-Salaam, Sohag, near Luxor in Upper Egypt.<sup>13</sup> Although several of the villagers believe that the murderers were Muslims, no one has claimed that the motive for the murders was itself religious. The Coptic Bishop of the area, Bishop Wissa, maintains: "In the village of el-Kosheh, a large number of Christians used to live in complete peace with their Muslim brothers. No Muslim/Christian conflicts have happened before in this village, which indicates that this is a criminal murder with no relation to politics."<sup>14</sup>

Apparently concerned that an inter-religious murder, even one with no religious motive, might cause problems in the village, the police, according to several observers,

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<sup>13</sup> "Egyptian Coptic Christians Allege Police Torture," *Reuters*, September 23, 1998; "Summary Translation of Arabic Text" by J.L. Guirguis of the U.S. Embassy, Cairo of the "Report of a fact-finding mission of the Egyptian Organization for Human Rights to Al-Kush, September 22-25, 1998" (the original report was dated September 28, 1998); letter of Egyptian Ambassador to Congressman Joseph Pitts, October 8, 1998; "Bishop Arrested for Witness Tampering," *Middle East Times*, October 18, 1998; "Outrage Over Egypt Police Brutality," Associated Press, October 31, 1998; "Persecuting Egypt's Christians," *Washington Times*, November 4, 1998; "Egyptian Government Urged to Act Now on Torture," Human Rights Watch, November 11, 1998; and frequent interviews with participants. Some of these materials are in Appendices II and III. In different accounts the name of the village as translated from the Arabic can be either *Al Kush* or *el-Kosheh* or *Kusheh*. Unless otherwise noted, translations are done by Freedom House.

<sup>14</sup> Egyptian human rights groups have been quoted as saying that religion was not a factor in the police actions (*Washington Post*, December 31, 1998). But this does not account for the specifically anti-Christian insults which many villagers reported. See below.

seemed determined to find a Christian responsible so that they could avoid possible religious tensions. On August 15, 1998, the police, while also questioning some Muslims, began rounding up and interrogating large numbers of Christians, subjecting many of them to torture.

The police picked up men, women, and children in groups of up to 50 to 60 at a time. Many were tied to doors, beaten, whipped, suspended, tied in painful positions and -- including women and children -- subjected to electric shock with clamps attached to various parts of their bodies. Christians were also insulted by police with verbal abuse that included "cursing the cross, Christianity, the Saints, Pope Shenouda, and Church leaders, and calling them atheists and polytheists." They were also subjected to extortion by the police.<sup>15</sup> According to the Cairo-based, nongovernmental Egyptian Organization for Human Rights, before they were finished security officials had detained or abused a total of 1200 people.

On August 19 and 20, Bishop Wissa and the two local priests made official complaints to Lt. Said, an SSI Inspector, to the chief of the Security Department, and to the Governor of Sohag. When these complaints were rebuffed with insults and threats of further abuse, the Bishop decided to raise the matter with Egyptian human rights groups.

Throughout August and the first half of September, the detentions, as well as the torture of Christians, continued, as did attempts by Bishop Wissa to halt them. The scale of the abuse caught the attention of journalists and human rights groups outside Egypt.

Embarrassed by international press reports condemning the incident, Egypt's government next attacked the messengers. Egypt's Ambassador to the United States, Ahmed Maher El Sayed, claimed that the Bishop was a "religious extremist" and had escalated the situation by faxing false information to human rights groups abroad. Subsequent human rights reports have confirmed the Bishop's reports.

On October 10 the General Prosecutor of the City of Sohag interrogated Bishop Wissa, Father Antonios, and Father Shenouda for several hours before charging them with, among other things, "damaging national unity" and "insulting the Government."

They were charged with violating:

1. Article 86, penal code: Accused of spreading by words what is damaging to national unity and social peace.
2. Article 98, penal code: Misusing religion for spreading and promoting by words extreme ideas for the purpose of inciting sectarian strife and damaging national unity and social peace.

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<sup>15</sup> Details of the extortion of *itawa* money by the police are given in Appendix II

3. Articles 171 and 187, penal code: Attempting to say things that can influence judges appointed to decide a case that is being reviewed by any office in the country, or by legal personnel and the prosecutor's office ... also with the witnesses who are ordered to testify....

4. Article 201, penal code: Any clergy delivering in a place of worship, or in a religious gathering, while performing his duty, an insult or criticism of an act by the administration.

5. Article 145, penal code: Participating in covering up the evidence of a crime by presenting information regarding that crime while knowing it was incorrect.

Some of these charges can carry the death penalty. The three were released pending trial after posting 100 Egyptian pounds (approximately \$30 U.S.) bail each.

The Egyptian Government also tried to silence the Egyptian Organization for Human Rights. EOHR did intensive investigations of the events in el-Kosheh, and, on September 28, 1998, produced a substantial report on torture and other forms of police brutality in the village.<sup>16</sup> On December 1, 1998, EOHR's Secretary-General, Hafez Abu Seada, was called in for interrogation by the Higher State Security Prosecution. He was charged with disseminating false information abroad and with accepting bribes from the British Government to produce a report on el-Kosheh, and was sentenced to 15 days in Tora State Prison pending investigation. Meanwhile, Hisham Zeidan, the EOHR lawyer who led the investigation of el-Kosheh, was interrogated by the SSI on December 8, 1998, and was released the same day on bail of 200 Egyptian pounds.<sup>17</sup>

The moves against the EOHR are part of a more general pattern of repression of human rights groups. SSI officials have also told Egyptian human rights lawyer Moris Sadek, head of the Egyptian Organization for Human Rights for National Unity -- who at the request of Bishop Wissa helped to publicize the story of el-Kosheh -- that he will be charged under article 186 of the Egyptian Penal Code for disturbing the national peace and fomenting sectarianism; to date, the charge has not been brought.<sup>18</sup> Also on December 8, 1998, the newspaper *El-Shaab* accused Dr. Said Eddin Ibrahim, the head of the Ibn Khaldoun Center for Development Studies in Cairo, of accepting a bribe from a

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<sup>16</sup> Egyptian Organization for Human Rights, "Collective Punishment in *Al-Kosheh* village [Random arrest, torture and degrading treatment of citizens]," Cairo, September 28, 1998. It should be emphasized that EOHR's report makes no claims about any religious dimensions to the events in *el-Kosheh*. It focussed on the question of torture and brutality against Egyptian citizens per se.

<sup>17</sup> On December 2, 1998, an EOHR press release announced that The Attorney General of the Higher State Security Prosecution had decided to arrest Mustafa Zeidan and that on December 1, 1998, an SSI force went to his house, but that he was away.

<sup>18</sup> CFRF/FH interview, November, 1998. In January, 1999, a university student who claimed there is no justice in Egypt was arrested and charged with libel and insulting the president, charges which can carry up to two years in prison. See Associated Press, "Man Charged with Criticizing Mubarek," February 21, 1999.

German organization in order to cause division. Such newspapers accusations frequently are the basis of arrest by security forces.

As this report goes to print, no person in el-Kosheh has been indemnified, though detainees have been released, and the detentions and torture have ceased. Nor has the Egyptian Government properly investigated wrongdoing by the police. The police officers were acquitted around December 8 and Freedom House has received reports that one of those responsible for the brutality has been promoted or given a better job.<sup>19</sup>

On December 6, 1998, Mr. Seada was released but, as this report goes to print, the charges against him still stand. The charges against Bishop Wissa and Fathers Antonios and Shenouda have also not been dropped.

#### E. Concluding Comments

Any reports from Egypt on the question of religious persecution must be done with the knowledge that people who raise charges of persecution place themselves in real danger, either from radicals or from local or central government officials. Any public statement must be judged against the knowledge that the speaker lives in a situation where it is illegal and can invite harsh punishment to be convicted of such vaguely-worded crimes as "damaging national unity," inciting "sectarian strife," or, in the case of clergy, "insulting or criticizing" "an act by the administration."

In fact, one of the most striking features of Egypt is the degree to which people will in public, or for attribution, deny and contradict what they say in private. Of course this situation can occur in any repressive context, but in Egypt it is markedly pronounced. Seventy-five percent of those interviewed by the Freedom House delegation were less outspoken on camera or for attribution. In some cases this went beyond mere reticence for fear of retribution; some interviewees directly contradicted in public what they had said privately. Those who were willing to speak out publicly were persons in desperate straits, currently facing the death or disappearance of a family member, and were persons of remarkable courage.

For all of the above reasons, when evaluating reports from Egypt it is important to remember that many delegations or reporters, foreign or domestic, may simply not be told the truth -- even if they talk to those who are themselves being persecuted, and even if they are trusted to protect confidentiality.

#### F. Summary

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<sup>19</sup> Administrative Report No. 2062/1998, Dar el-Salaam. A translation of this report is available at Freedom House. Egyptian officials have also told American government figures that there was not sufficient evidence to warrant criminal prosecution and that forensic evidence did not provide significant evidence of torture.

Due to complaints by the Egyptian Government and widespread publicity in the Egyptian press concerning U.S. legislation on religious freedom, the situation of Egypt's Copts has received new attention. However, there are numerous contradictory accounts of the true state of Egypt's Christians. Some reasons for these conflicting accounts are different meanings attached to the words "persecution" and "minority," confusion about whether claims of persecution necessarily implicate government and religious leaders, whether only elite sources are consulted, and suspicion among many Copts toward outside groups.

Besides all of these factors, there is widespread intimidation of those who do raise charges of persecution. Some of this is from terrorists, but much of it stems from Egyptian laws that can punish critics with penalties, potentially including death. Currently, the Government is using these laws to suppress clergy and human rights workers who have publicized the widespread torture in el-Kosheh village in August and September, 1998.

### III. BACKGROUND

#### A. Political Situation

Egypt receives U.S. aid of almost two billion dollars a year, a total exceeded only by Israel. According to its Constitution, it is a social democracy in which Islam is the state religion. However, the National Democratic Party (NDP), which has governed since its establishment in 1978, has used its entrenched position to dominate national politics, and it maintains an overwhelming majority in the popularly-elected People's Assembly and the partially elected *Shura* (Consultative) Council.<sup>20</sup>

The ruling NDP dominates the political scene to such an extent that citizens do not have a meaningful ability to change their government. President Hosni Mubarak was reelected unopposed to a third six-year term by the People's Assembly in 1993. The Cabinet and the country's 26 governors are appointed by the President and may be dismissed by him at his discretion. Widespread fraud and irregularities characterized parliamentary elections held in 1995. Political violence killed 51 people and wounded more than 850 during the election period.

The Egyptian Government has for several years been engaged in a struggle against radical Islamic terrorist organizations that are seeking by force to establish what they regard as a pure Islamic state.<sup>21</sup> One consequence of this is a draconian Emergency Law. This Emergency Law, which has been in effect since 1981, was renewed on February 23, 1997, for another three years and continues to restrict many basic rights.

Another response to terrorism has been the establishment of several security services, most of them connected to the Ministry of the Interior. Two of these are concerned with combating terrorism: The State Security Investigations (SSI), which conducts investigations and interrogates detainees; and the Central Security Force (CSF), which enforces curfews and bans on public demonstrations, and conducts paramilitary operations against terrorists.

The Government continued to commit numerous serious human rights abuses, although, according to the U.S. State Department Country Reports on Human Rights, its record has improved somewhat in recent years. The security forces and terrorist groups continue to engage in violent exchanges. In fighting the terrorists, the security forces continues to mistreat and torture prisoners, arbitrarily arrest and detain persons, hold detainees in prolonged pretrial detention, and occasionally engage in mass arrests.

In actions unrelated to the anti-terrorist campaign, local police frequently abuse criminal suspects. Prison conditions are poor. The use of military courts to try civilians

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<sup>20</sup> For this and the following material, see *Freedom in the World: 1997-1998* (New York: Freedom House, 1998), pp. 225-228.

<sup>21</sup> For more details see D.I.

continues to infringe on a defendant's right to a fair trial before an independent judiciary. The Government uses the Emergency Law to restrict citizens' rights to due process.

Although citizens generally express themselves freely, the Government continues to place some restrictions on freedom of the press. State prosecutors brought libel charges in civilian courts against several journalists for criticizing corruption and abuse of authority among government officials and their families. The Government restricts freedom of assembly and association. Although the Government does not legally recognize local human rights groups, these groups do exist and have been allowed to operate. However, as the December 1, 1998, arrest of the Secretary-General of the Egyptian Organization for Human Rights shows, their situation is tenuous. On a scale of one to seven (with seven being the worst), Freedom House's annual survey *Freedom in the World* ranks Egypt a six in political rights and a six in civil liberties.

The various Islamic terrorist groups commit numerous serious abuses and atrocities. Terrorist groups seeking to overthrow the Government and establish a purportedly fundamentalist Islamic state continue their attacks on police, Coptic Christians, and tourists. They were responsible for the majority of the 155 civilian and police deaths in 1997.

While Egyptians of all religions are victimized by terrorists, and while the majority of their victims are Muslims, there are good grounds for believing that Copts are the chief Egyptian civilian target of the terrorists. This is shown in the pattern of terrorist violence against Copts and in the resurgence of the terrorist imposition of *jizya*, understood as a special Islamic tax on non-Muslims. Both of these issues will be discussed in Chapter IV.

## B. RELIGION

The majority of Egypt's 64 million people are Sunni Muslims. There are about 5,000 Shiite Muslims, smaller numbers of other Islamic groups, a small number of Baha'i, and a Jewish community now numbering only several hundred. Apart from Muslims, Egypt's largest religious group is Christians.

Egypt's Christians number between 6 and 10 million, by far the largest Christian community in the Middle East.<sup>22</sup> Most Egyptian Christians are followers of the Coptic Orthodox Church.

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<sup>22</sup> Statistics for the number of Christians in Egypt are uncertain and hard to come by. The government estimate of circa 4 million is almost certainly too low. The U.S. State Department's 1999 *Human Rights Country Reports* uses the figure of 6 million and Coptic groups abroad estimate 12 million. There are indications from church records that the number of baptized Copts within the age cohort that would indicate that they are still alive is about 10 million. From this would need to be subtracted those who have converted to Islam and those who have emigrated. Both of these numbers are unknown, though it appears that Copts emigrate at a rate 3-4 times that of Egyptian Muslims. CFRF/FH interview with Dr. Saed Aldin Ibrahim, Cairo, July, 1998.

Having ratified the International Covenant on Civil and Political Rights, the Egyptian government is obligated to ensure for all freedom of religion, including the freedom "either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching." (Article 18(1) of the International Covenant on Civil and Political Rights). However, the Egyptian Constitution also states that Islam is the state religion and that Islamic law is *the* primary source of legislation. The consequences of this privileged place of Islam in Egyptian law will be discussed in Chapter IV.

## C Copts in Political Life

Copts are increasingly marginalized in the political system.<sup>23</sup> In the past they had a greater voice in the government. For example, in 1942, there were 23 Christians in the 264 seat lower house of parliament, and 16 out of 147 in the upper house. In contrast, in 1996 the People's Assembly (*Maglis El Shaab*) had no Christians.

At the time of this writing, there are six Christian members of the Assembly. None is directly elected, and all are appointed by the President, who has the authority to appoint ten members of the assembly. This means that the President can maintain that he is seeking to give Christians a place in the electoral system. However, it also means that Christians have no independent source of authority and serve at the behest of the President. Consequently they may not feel free to oppose government actions.

When Copts have run for elected office, they have run into religious bigotry. In the 1995 elections, one candidate in the district of Waily near Cairo was forced to withdraw after his opponent, a Muslim, launched an anti-Christian campaign against him. Large banners posted in the streets of Cairo read "No to the Jews, No to the Magi and no to the Nazerites (a term used to refer to Christians)."<sup>24</sup>

Copts are not only under represented in the electoral system, they are also restricted in the upper levels of government. By custom, the following positions are occupied by Muslims: President, Prime Minister, Assistant Prime Minister, Minister of Defense, heads of the various branches of the Egyptian Armed Forces, Chairman of the People's Assembly, Governors (of 28 Governors, all are Muslims), heads of all government services offices, chiefs of police, presidents and deans of universities. Copts are also under represented among the ambassadors abroad.

Consequently, though there are Copts who rise high within Egypt's political structures, most notably Boutros Boutros Ghali, eventually the Secretary-General of the United Nations, these are the exceptions that prove the rule, and Boutros Ghali himself

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<sup>23</sup> Dr. Saed Ibrahim estimates that Copts earn on average about 30% more than Muslims.

<sup>24</sup> Center for Egyptian Human Rights for National Unity, *The Copts of Egypt*, (Cairo, Egypt, 1997), p.35.

did not achieve cabinet rank. The fact is that Copts are systematically marginalized and excluded within Egypt's political life. Some reasons for this will be explored in the next chapter.

#### D. Summary

Egypt has an authoritarian government with few democratic restraints and its elections exhibit widespread irregularities. Under an emergency law in force since 1981 it restricts basic freedoms and maintains several large security forces that often act brutally. The country is home to terrorist groups who are trying to impose a radical Islamicist state by force, and frequently commit atrocities against security forces, tourists, and Copts.

The majority of Egypt's 64 million people are Sunni Muslims. There are between 6 and 10 million Christians, by far the largest such group in the Middle East, of whom over 90% are Coptic Orthodox, but also including Greek Orthodox, Catholics, Protestants, and others. (The Copts are on average better educated and more affluent than Muslims) but they are marginalized in the political system and generally excluded from high government office.

While Egypt has signed the International Covenant on Civil and Political Rights, Islam, as the state religion and the major source of legislation, is favored by the State and Christians are discriminated against.

#### IV. PRESSURES FOR ISLAMIZATION IN EGYPT

##### A. The Growth of Islamist Movements in Egypt

Islam plays a large role in Egyptian law. The Egyptian Constitution states that "Islam is the religion of the state. Islamic Jurisprudence is the principle source of legislation." The expression "Islamic Jurisprudence" refers to *sharia'a* law, which guides Muslims in matters of faith, political life, family life, and economics. The *Koran* is the main source of Islamic law along with the *Sunna*. The *Sunna* is based on the *Hadith*, a large body of literature containing stories of the works of the prophet Muhammad.

Until the 19th century *sharia'a* was the law of Egypt. Since then more secular rulers have introduced alternative civil laws, partly to facilitate economic relations with the western world. In 1955, Gamal Abdel-Nasser abolished *sharia'a* courts except in the area of family law.

In the 1920s several Islamic movements emerged that claimed that these changes were responsible for many of Egypt's social and economic problems. The most important group that arose was the *Al-Ikhwan Al Muslimeen*, or the Muslim Brotherhood. It looked to the origins of the Islamic community in the seventh century as a model for the social and political life of Egypt.

The Brotherhood was founded in 1929 in Ismailia, north of Cairo, by Sheikh Hassan Al-Banna. It gained popularity among the general public and established 18 regional chapters. While religious fervor was a unifying factor for the Brotherhood, the group splintered when some elements called for the use of violence in order to achieve its goals. One result was the assassination of Al-Banna himself in 1948.

Some members of the Brotherhood joined the Free Officers, lead by Gamal Abdul-Nasser, who overthrew the monarchy in 1952, but they were suppressed and forced underground in 1954. The Brotherhood survived the repression under Nasser, and re-emerged under the Presidency of Anwar Sadat in the 1970s. Members were released from prison and were allowed to publish magazines and books again.

During the 1970s several violent splinter groups, such as *Al-Takfir wa al-Higra*, were formed. In the 1980s and 1990s other violent groups emerged such as *al-Jihad al-Islami* (Islamic Holy War or *Jihad*) and *al-Gama'at al-Islamiya* (the Islamic Group). Since 1992, the Islamic Group especially has been engaged in a terrorist campaign to overthrow Egypt's secular government and restore what it regards as full Islamic law. It has been led by Sheikh Omar Abdul-Rahman, who was sentenced to life imprisonment for his role in the 1993 bombing of the World Trade Center in New York.

##### B. The Growing Influence of *Sharia'a*

Although the main body of Egyptian law is civil, *sharia'a* law is becoming a driving force in various sectors of Egyptian society. The most alarming sign of this transformation is the increasing application of *sharia'a* by the judicial branch of the government.

The relation of Egyptian law to *sharia'a* is complex. It is not that *sharia'a* decrees are given the full weight of Egyptian law or that they are applied directly. The 1971 Constitution described *sharia'a* as "a principal source of legislation" (emphasis added). In 1980, President Anwar Sadat introduced an amendment making *sharia'a* law "the principal source" of Egyptian law (emphasis added). The result is that *sharia'a* is increasingly used as an interpretive mechanism for state law. The latter is gradually taking on the color of *sharia'a*. In this process the opinions of Islamic teachers are becoming increasingly influential.

One illustration of the increasing role of *sharia'a* is the case of Dr. Nasr Hamed Abu Zeid, a relatively liberal Muslim and a professor of Islamic studies at Cairo University.<sup>25</sup> His colleague, Dr. Abdel-Sabour Shahin, thought that Abu Zeid's views were a departure from Islam and that he was, thus, an apostate.<sup>26</sup> While Egypt has no law against apostasy, his accusers took advantage of two features of *sharia'a* in Egypt. One was a ninth-century principle of *sharia'a* called *hisbah*. Under this principle any Muslim may pursue a case before the court if he thinks that Islam has been harmed, whether or not he is himself personally involved. The other was that family law still came under the jurisdiction of *sharia'a*. Hence they could try to make a case that, as an apostate, he could no longer be married to his Muslim wife and must divorce her. In 1993, using a combination of these two principles, Dr. Shahin and other Islamic clerics, many of them affiliated with Cairo's prestigious al-Azhar University, mounted a criminal case against Abu Zeid.

It had been decades since *hisbah* had been invoked in Egypt and many legal commentators maintained that it was no longer a principle of Egyptian law. Accordingly, Abu Zeid was acquitted at his trial. However, on appeal, his accusers stressed the 1980 Constitutional amendment making *sharia'a* the source of Egyptian law. The appeal court found in their favor, declared him an apostate, and ordered him to divorce his wife. In August, 1996, the Court of Cassation, Egypt's Supreme Court, upheld the Court of Appeals. According to most observers, this would have been impossible thirty years ago. As Hussein Amin, a former Egyptian Ambassador remarked, it showed that "Islamist thinking has penetrated the highest levels of the Egyptian judiciary."<sup>27</sup>

Another feature of *sharia'a* is that the testimony of non-Muslims (and women) can

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<sup>25</sup>The following account is based on Mary Anne Weaver, "Revolution by Stealth" in *The New Yorker*, June 8, 1998, pp.38-48.

<sup>26</sup>The Abu Zeid case is also discussed with respect to the treatment of apostasy in Section F.I.

<sup>27</sup>Weaver, op. cit., p.41.

be given less weight than that of Muslims. While this is not an official feature of Egyptian law, several people told the Freedom House delegation that judges were beginning to apply it unofficially. The delegation was told of one instance in Cairo involving *jizya* tax in which the testimony of a Christian was refused.<sup>28</sup>

Although the Egyptian government is fighting an arduous battle against militant Islamic groups who use terrorism to establish Islamic rule in Egypt, it is less vigilant about resisting the encroachment of Islamic law per se.

### C. Education

Egypt has several educational systems. One is the state-funded *Al-Azhar* school system, which is oriented toward inculcating Islam in its pupils. Apart from this is the regular state school system. Christians and Muslims have their own separate and required religious instruction classes.

However, within the regular state system problems arise in the general curriculum. For example, in history classes the history of the Copts in Egypt is almost entirely absent. The period before the Arabic conquests is often simply referred to as the "Roman" period. Consequently, many ordinary Muslims know virtually nothing of the Copts and therefore assume that they must be "outsiders." Also, in some history classes, Islam is propounded at the expense of other religions.<sup>29</sup>

Similar problems arise in language and literature classes. Several observers said that Islamic fundamentalists have tended to control the teaching of Arabic, so that it is taught as not just a language, but a holy language. Consequently, in literary readings there is almost no reference to Coptic writings, while in Arabic classes Christian students are required to memorize portions of the *Koran*.

Clearly the *Koran* occupies a major place in the history of Arabic. However, it is possible for Egypt's pedagogues to teach Arabic while respecting the various religious beliefs of their pupils.<sup>30</sup>

### D. Hate Speech in the Media

Several Egyptian groups have expressed concerns that the Egyptian government is complicit in creating a hostile atmosphere against Christians through the state-controlled media, schools, and government agencies.

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<sup>28</sup> CFRF/FH interview, Cairo, August, 1998. Details of the occasion were given but on the condition of confidentiality.

<sup>29</sup> See Institute for Religious Minorities in the Islamic World, "Christians in Egypt: Church Under Siege," ed., John Eibner (Zurich, London, Washington, 1993) p.37: interview with Dr. Saed Ibrahim, Cairo, August, 1998.

<sup>30</sup> Various Egyptian groups, such as the Cairo-based Ibn Khaldun Center for Development Studies, have produced curricula that reflect Egypt's religious diversity.

The government-controlled press, as well as some universities, mosques, and Islamic associations, often engage in anti-Christian propaganda calculated to portray Christians as dangerous alien elements within society. This would seem to violate Egypt's own laws concerning the disruption of national unity, fomenting sectarian strife, and insulting a heavenly religion -- laws taken so seriously that some carry the death penalty.

Egypt has 12 official television stations all of them government-owned. One of these stations is dedicated to broadcasting readings from the *Koran* 24 hours a day, while 25% of all the other stations' total programming is devoted to broadcasting readings from the *Koran*. By contrast, programs or films promoting Christianity are virtually never aired.

All 12 stations broadcast Friday Muslim prayers but not Sunday Christian services. At Easter, the news does cover celebrations at the Coptic Cathedral where Pope Shenouda the head of the Coptic Orthodox Church presides, but as these services are in the Coptic language, the vast majority of Egyptians are not able to understand them. At other times, Protestant services have been shown, but, since these are held in Arabic, the sound is muted on the state broadcast.

Apart from their exclusion in the media, Christians have also been subject to hate propaganda. Both government broadcasting outlets and semi-official newspapers have issued anti-Christian and anti-Semitic statements, including positive allusions to *The Protocols of the Elders of Zion* that deny the Holocaust.<sup>31</sup> Many Egyptian observers, including Islamic scholars and ordinary Muslims, described some of these media statements as "inflammatory" and "divisive" and as the cause of tension between Muslims and Christians.

According to many Muslim and Christian observers, one of the people most responsible for fostering anti-Christian prejudices in society was the late Sheikh Mohammed Mutwali Al-Sharawi. Previously the State Minister for Religious Endowments in 1976-1978 under Anwar Sadat, he was one of the best known preachers in the Islamic world; his charismatic sermons were broadcast weekly on state-sponsored radio and television. He received Egypt's highest civilian honor, the presidential medal of distinction from President Mubarek, and his books, videotapes, and cassettes remain widely available throughout Egypt. When the sheikh died on June 16, 1998, state television interrupted its regular programming to announce the fact. The government has also promised that it will continue to rebroadcast his sermons.

The government-paid sheikh often attacked Christ and Christianity in state-sponsored programs that were broadcast throughout the Arab world and created dangerous levels of resentment toward Christians among Muslims. He has referred to

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<sup>31</sup> See the Anti-Defamation League, *Anti-Semitism in the Egyptian Media* (New York, 1997).

Christians as "infidels" and "sons of dogs."<sup>32</sup>

Christians have not been allowed state-sponsored air time to reply to the Sheikh or other state-sponsored media attacks made against them. Individuals who have attempted to reply in other settings have been subjected to arrest, interrogation, and detention, sometimes charged with "causing civil unrest" and punished with imprisonment. In the summer of 1981, the Coptic Orthodox priest Fr. Basil produced and circulated cassettes in which he attempted to rebut Sheikh Sharawi's diatribes against Christianity. He was jailed for this.<sup>33</sup> We are not aware of any Muslim preachers who have been punished, arrested, or interrogated for publicly attacking Christianity.

These verbal attacks, which occur on state-owned media, raise tensions between the religious communities. People of different religions in Egypt still mix and mingle freely and easily, but several Muslim and Christian observers lamented that the situation is not as relaxed as it was 30 or 40 years ago.

One manifestation of this tension is an increase in private discrimination in employment. It is impossible to know how widespread it is, but the Freedom House delegation received several accounts from Christians of exclusion from jobs on the basis of their religion. It is important to note that even if there is an equal amount of such discrimination by each community (i.e. that people are equally likely to favor doing business with their "own group"), the statistical effects would still be felt much more strongly by Christians, who represent only 10-15% of the population.

#### E. The Relation of Verbal Attacks and Physical Violence

State-sanctioned verbal attacks at times provoke physical attacks. For example, on February 25, 1998, the Egyptian magazine *El Destour* published a statement in which three prominent Christian businessmen were threatened with death. The statement maintained that "The Egyptian economy has become prey in the hands of agents of the Church" and gave the names of the businessmen. It called on them to leave their money and companies behind, or else they would be killed. Similar articles that appeared in the Egyptian press in 1995 are believed to have incited Muslim militants to burn down the Christian-owned textile factory BTM, and an appliance factory near Alexandria.

Even when there is not a direct link, the image of the Copts created by the combination of education and media (coupled with the difficulty of building or repairing churches and other legal disabilities) can contribute to an atmosphere wherein violence against them is encouraged and tolerated.

Christians, like all poor or powerless Egyptians, often suffer police brutality,

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<sup>32</sup> Jubilee Campaign, "Persecution of Christians in Egypt," (London, Autumn, 1993).

<sup>33</sup> Eibner, op. cit., p.19.

occasionally reinforced by radical Islamist sentiment among some local police. One of the starkest illustrations of this is the police attacks on the villagers of el-Kosheh, described earlier in this report. Another is the activity of Islamic terrorists, described in the following section.

#### F. Attacks by Islamic Terrorists

Despite that fact that there were no large scale terrorist attacks in 1998, in the 1990s Egypt has had groups of radical Muslims who have sought, by terrorism and other violent means, to overthrow the Egyptian government and institute their version of an Islamic state. Beginning in Spring, 1992, *al-Gama'at al-Islamiya* (the Islamic Group), tapping into popular discontent with official corruption, high unemployment, and widespread poverty, escalated its terrorist attacks. The militant Islamist's battle against the secular government, fought mainly in the highly Christian provinces of Asyut and Al-Minya, has resulted in over 1,200 deaths since 1992. Additional deaths have been blamed on the security forces, which have been accused of extrajudicial killings of Islamic militants during antiterrorist operations.

The principal targets for the terrorists are Government security forces, moderate Muslims, tourists and Christians. These targets are chosen for a variety of reasons. The attacks on the security forces directly damage the government's ability to counter terrorism. A second goal is to create terror among the majority of Egypt's Muslims so that they will be afraid to oppose the radicals' agenda. Tourists are attacked in order to undercut the Egyptian economy, which is heavily dependent on tourism and the hard foreign currency the industry earns. Attacks on tourists also draw international media attention to the radicals and embarrass the government in the eyes of the world.

Given these goals, most of the people killed or injured by the radicals are Muslims, especially in the security forces. Nevertheless, beyond the pragmatic reasons mentioned above, there is a specifically anti-Christian animus in the radicals' attacks, as is shown particularly in their attempts to enforce a *jizya* tax on Copts (discussed below). The radicals want to enforce a subordinate status on Christians and pressure them to convert or leave.

For example, one Protestant pastor told the Freedom House delegation that he had been consistently targeted by Islamic terrorists because of his work with poor Coptic girls who were being coerced into conversion to Islam. He reported that "they are often raped and become pregnant by Muslim men." The pastor founded a center to help such girls and he testified that this "put [him] on the black list of Muslim militants." Since he began his ministry in 1984, members of the Islamic Group have on several occasions kidnapped, tortured, and tried to kill him and his family. His eleven-year-old daughter was killed and his wife severely injured when militants forced his car over a cliff.<sup>34</sup>

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<sup>34</sup> CFRF/FH interview, Minya, June 1998.

In February 12, 1997, Muslim militants killed ten Coptic Christian civilians (in the town of Abu-Qurqas near Minya) in Upper Egypt. Four armed and masked men, reportedly members of the Islamic Group, burst into Saint George church and opened fire on 30 young Coptic Christians who were listening to a priest's sermon.

Amnesty International reports that in the first three months of 1997, 26 civilians were killed in three separate attacks, at least 22 of them Coptic Christians.<sup>35</sup> Militants bombed a bus containing 33 German tourists in downtown Cairo in September, 1997, killing ten people. In October, 1997, extremists used makeshift roadblocks to stop taxis in rural Upper Egypt, killing 11 passengers whom they identified as police officers. Sixty-two people, mostly foreign tourists, were killed at Luxor on November 17, 1997, by members of the Islamic Group.

On April 5, 1998, two Coptic farmers were shot dead in Ibshadat village near Malawi, about 160 kilometers south of Cairo. Egyptian security officials stated that the attackers belonged to the Islamic Group.<sup>36</sup> On August 13, 1998, three Copts were killed as they were sitting outside their house, and security officials said that the attackers belonged to a "terrorist group," the term Egyptian authorities use to describe Muslim terrorists.<sup>37</sup>

Along with many others, the *Economist* states that Christians are targeted only in proportion to their numbers in the population.<sup>38</sup> However, this ignores the distinction of military and civilian deaths and downplays the significance of the type of occasions described above when Copts are targeted specifically for their religious beliefs. Copts are in fact the radicals' principal Egyptian civilian targets.<sup>39</sup>

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<sup>35</sup> Amnesty International, "Amnesty International Appalled by the Latest Deliberate Killing of Civilians," February 14, 1997.

<sup>36</sup> Reuters, April 6, 1998. The Reuters report does not give the religion of those killed but their names, Moussa Shehata Youssef and Fadl Zaki Ishaak, indicate that they were Copts.

<sup>37</sup> Reuters, August 13, 1998.

<sup>38</sup> May 23, 1998.

<sup>39</sup> In its report "Armed Violence in Egypt: Facts and Conclusions," the Egyptian Organization for Human Rights (EOHR) reported that during the seven month period from December, 1991, to June, 1992, Copts were the largest single group of victims, comprising 18 out of the seven month total of 48, and representing 66% of the killings by radical Islamic groups. For further information concerning attacks on Copts, see:

Youseff Ibrahim, "Muslims Fury Falls on Egypt's Christians." *New York Times*, March 15, 1993, vol. 142, A1.

Egyptian Organization for Human Rights. "A Statement on Recent Incidence of Communal/Religious Violence," April 3, 1990, 1.

*Christian Century*, Virginia Sherry, "The Predicament of Egypt's Christian Minority," July 14, 1993, 717.

International Society for Human Rights. "Religious Fanaticism Against Coptic Christians," Sylvia Wahding and Robert Chambers, ed., July 1991, no. 3,2.

*Al-Ahram*. "A Gun Battle to Capture Leader of al-Jihad in Quina for his Role in Killing a Pharmacist and a Teacher Brother." June 6, 1991.

Egyptian Organization for Human Rights. "Urgent Report on the Sectarian Massacre in Dairut." July, 1992, 21.

*New York Times*, "Heaviest Cross for Egypt's Copts: March of Islam." Chris Hedges, July, 1992.

These attacks come from the Government's enemies and government forces have tried to protect Copts and others from assault. Terrorists have been arrested, prosecuted and convicted for attacks on Christians, and those who reportedly carried out the Abu-Qurqas massacre were later killed in a shoot-out with police. Nevertheless many Egyptian Christians told the Freedom House delegation that the police protection for them has been grossly inadequate.

## G. The Growth of *Jizya*

### a. Background

Since 1992, some Islamic terrorist groups have tried to resuscitate the imposition of a *jizya* tax both in concept and in practice.<sup>40</sup> They maintain that non-Muslims (Christians and Jews) accorded *dhimmi*, or separate and subordinate status, under *sharia'a* law must pay a special tribute to secure their own protection. This practice had its origins in the seventh-century Treaty of Khaybar which granted conditional protection to the defeated Jews of Khaybar so long as in acceptance of their submission they paid a tribute, or *jizya*, to their Muslim conquerors. The *jizya* is not part of Egyptian law, but adherents of radical Islam are trying to reinstate it and take it upon themselves to enforce it.

The most vociferous of these has been the extremist Islamic Group. It was recently joined by the Muslim Brotherhood, or *al-Ikhwan*, the largest Islamic group in Egypt, which in 1997 gave its first public endorsement of the *jizya*. In an interview with the semi-official *Al-Ahram Weekly*, Brotherhood head Mustafa Mashhour called upon Muslims to impose the *jizya* and included a specific reference to Christians. "Christians must pay *jizya*," he declared. "Yes, this is part of *sharia'a*." He also said that Christians should be excluded from the armed forces because they belong to a faith other than Islam.<sup>41</sup> This could be done because, he argued, "*Jizya* is a tax that Christians pay to be defended by Muslims...."

### b. The Practice

In practice, the radicals' campaign can vary from a criminally-motivated mafia-type extortion, in which Copts are simply weak and easy targets, to a religiously-driven imposition. The consequences for those who refuse to pay can include having their home or business attacked and themselves and/or their families beaten, maimed, or killed.

"The [militant] Islamists use the *Koran* to justify taking money from Christians,"

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*Washington Post*, "Copts Became Target of Muslim Militants," Caryle Murphy, May 18, 1993, A22.

*Foreign Affairs*, "The Battle for Egypt," Stanley Reed, September-October 1993, vol. 72,4.

<sup>40</sup> 1992 has commonly been cited in newspapers for a noticeable rise in militant Islamist activity.

<sup>41</sup> *Al-Ahram Weekly*, July 5-9, 1997.

one Coptic Orthodox leader told Freedom House. "It is like a mafia, a religious mafia. Extremists need to have more money, so they naturally go to people who have money and can't defend themselves.... They come to the Christians for that."<sup>42</sup> He believes that the violence serves to terrorize the Coptic community into silence, and that consequently victims are hesitant and fearful about reporting such cases.

Egyptian human rights workers estimate that between 1,000 and 2,000 Christians in Egypt are forced to pay *jizya* each year. The majority of these cases occur in Upper Egypt, particularly in the largely Christian cities of Minya and Asyut, but there are also reports that it is practiced in some poorer areas west of Cairo, including Imbaba and Mounira.<sup>43</sup>

The actual figure may be much higher, given the many factors that could account for an underestimation based on documented cases. These include a general lack of reliable statistical records in Egypt on the number of reported cases. In addition, Christians are fearful to report such victimization. Revealing the threat to police could bring worse consequences from the extremists, while the Egyptian police themselves can be brutal, biased, and arbitrary and, since it is illegal to pay *jizya*, the victim could be arrested himself.

In one case, a Coptic farmer in Minya, who asked not to be identified, was fortunate to live and to tell his story after being targeted for extortion by Muslim militants. He received a letter from the Islamic Group demanding that he give them 15,000 Egyptian Pounds (about \$4,500) in exchange for his safety. "I did not want any troubles with them," said the man, "so I borrowed the money and got it ready." For three consecutive days he bundled the money up and waited for the militants at a designated location. According to the farmer, on the third day, he saw "four masked men emerging from the sugar cane field." They approached him, grabbed the moneybag and left without uttering a word. The man was terrified, but in his words to Freedom House, "at least I know that my family and I are safe for now."<sup>44</sup>

In another incident, in the town of Samalout, near Al-Minya, the victim was a Coptic physician. He too received a threatening letter from the Islamic Group demanding 50,000 Egyptian Pounds (about \$15,000) in exchange for his life. The doctor refused to pay and reported the threat to local police. According to an eyewitness, shortly thereafter, two extremists feigning need of urgent medical care stopped at the doctor's office in September, 1997. "When the doctor came to help one man," said the eyewitness, "the two men attacked the doctor and his assistant with knives they were hiding." They killed the doctor's assistant and severely wounded the doctor, leaving him permanently blind in his left eye.<sup>45</sup>

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42 CFRF/FH interview, Asyut, June, 1998.

43 CFRF/FH interviews, Cairo, August, 1998.

44 CFRF/FH interview, Minya, June, 1998.

45 CFRF/FH interview, Abu-Qurqas, June, 1998.

A number of the 10,000 Coptic Christians near Quisiya have been forced to pay *jizya*. In Quisiya itself, the Freedom House delegation was told that many Christians in at least five villages currently pay it as "protection money."<sup>46</sup> In October 1994, two brothers who owned a grocery store had been paying *jizya* but refused to pay a new tribute of 50,000 Egyptian Pounds. Days later, militants broke into the brothers' home and assassinated them in front of their families.<sup>47</sup>

In recent years, at least forty Copts have been killed for refusing to pay *jizya* (see Appendix I, "Victim List") and, according to several observers interviewed by Freedom House, the number of violent incidents related to the imposition of *jizya* has increased in the past few years.

Moris Sadek, an Egyptian human rights lawyer and head of the Egyptian Organization for Human Rights for National Unity sees a correlation between the government's escalated campaign to crack down on terrorist groups in 1992 and the increase in the number of incidences of *jizya*. Sadek theorizes that terrorists, feeling cramped in their financial transactions by pressure from the Egyptian government and the international community, have turned to alternate sources to fund their extremist campaign. The easiest prey, given their second class status under *sharia'a* law, have been Christians. "*Jizya* is a religiously motivated punishment imposed on non-Muslims living in Islamic countries," Sadek told Freedom House. "It is a form of extortion used by Islamic militants to fund their campaign of intimidation and terror against Christians, tourists, and the government."<sup>48</sup>

### c. Police Response

Egyptian President Hosni Mubarak has stated that "Copts are part of the fabric of Egyptian society...they have the same rights and duties under the law,"<sup>49</sup> and there are police guards near many Coptic churches and some Coptic businesses. Nevertheless, many Egyptian Christians report that the police do not provide them with adequate protection from violent attacks. In many areas, the police have a reputation of ignoring credible warnings of impending attacks against Christians, and arriving at the scene of anti-Christian violence after it is too late.

A Freedom House team visiting Egypt in June observed that Copts are afraid of informing the police when they are directly threatened by extremist militants. One Protestant pastor explained, "The Copts do not believe that the police are interested in helping them." The pastor also was aware of cases where local police officials told

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<sup>46</sup> CFRF/FH interview, Quisiya, June, 1998.

<sup>47</sup> Op.cit

<sup>48</sup> CFRF/FH interview, Center for the Egyptian Human Rights for the Consolidation of National Unity, Cairo, June 1998.

<sup>49</sup> President Hosni Mubarak, Speech broadcast on Egyptian Television channel 2 (May, 1997).

Christians that they needed to protect themselves, because the police cannot protect them.<sup>50</sup> Another human rights activist told Freedom House: "The Egyptian government has been unable to control the activities of these Islamic extremist groups or protect the innocent victims. Too often the police are in complicity with the local extremists who practice the *jizya*."<sup>51</sup>

"The phenomena is even more important than the fanatics killing people in churches. It is a true fundamentalism," said Milad Hanna, a prominent Coptic intellectual based in Cairo, told Freedom House. He maintained that the existence of *jizya* is an attempt to create "a fundamentalist state like Iran or Saudi Arabia."<sup>52</sup> Killing people in churches can be merely sporadic violence, but the *jizya* is an attempt to introduce a systematically repressive version of a claimed Islamic practice. To the degree it succeeds, a radical Islamic order has been instituted.

## H. Concluding Remarks

It is not clear why radical Islamist sentiment has increased in Egypt in recent years, but several factors should be mentioned. One reason often given is the apparent success of the Ayatollah Khomeini and his successors in establishing an Islamic state in Iran. A second is the influence of militant fighters from around the Islamic world who were trained for the war against the Soviets in Afghanistan and are now at the core of terrorist networks in many countries. Another is the fact that, presently, several million Egyptians have worked in the Gulf states and have been exposed to a type of Islam that is more repressive than that traditionally found in Egypt. And finally, the rise in Islamic radicalism may also be attributed to the general frustration that the secular government of Egypt has not made much progress in solving social and economic problems, which leads to a search for more radical solutions.

Whatever the factors, it is clear that the Egyptian Government is at war with the terrorist elements of Islamicism. It is also currently undertaking a major campaign to assert control over Egypt's 75,000 mosques in order to prevent their use in the spread of radical views.<sup>53</sup> The political leadership is no friend of Islamicism.

At the same time the government does not want to alienate Muslim public opinion, some of which is sympathetic to the radicals' goals, if not their methods. Consequently it can be reluctant to take steps to ease the situation of Copts lest it be accused of not being sufficiently Islamic. The result is that Copts become victims of the government's carrot and stick approach to militant Muslims. Two areas in which this shows most starkly are the problems of Church construction and repair, and the problems of changing religion.

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<sup>50</sup> CFRF/FH interview, Tima, June, 1998.

<sup>51</sup> CFRF/FH interview, Asyut, June, 1998.

<sup>52</sup> CFRF/FH interview, Cairo, August, 1998. Several interviewees also said that Egypt applies lesser penalties to those who have killed Copts than they do to other Islamic extremists.

<sup>53</sup> See, for example, "Egypt: Move on Mini-Mosques," *New York Times*, December 8, 1998.

These will be examined in the next two chapters.

## I. SUMMARY

Egypt is under attack by terrorist groups who want to enforce a fundamentalist Islamic state, but perhaps more significant is pressure from militant Muslims, such as those in the Islamic Brotherhood. One result of such pressure is that the legal system is increasingly reflecting Islamic law, leading to, for example, a de facto law of apostasy. Copts also suffer discrimination in history and language classes within the state educational system, and in access to the media.

The government turns over access to the media to Islamic preachers who have engaged in hate speech against Copts while denying Copts the chance to reply. This has contributed to increasing discrimination in everyday life and has helped to create an environment that can encourage terrorist violence.

While terrorists attack security forces and tourists as well as Copts, the Copts are their major Egyptian civilian target. This is exacerbated by terrorist imposition of an extortionate *jizya* ? tax? on thousands of Copts, primarily in Upper Egypt, inadequate police protection, and corrupt local police.

## V. CHURCH CONSTRUCTION

### A. OVERVIEW

One of the most debilitating restrictions on religion confronting Copts in Egypt is the discriminatory state regulation of the construction and repair of church buildings. It is a complaint raised by nearly every Christian body in Egypt interviewed by Freedom House. Under Egyptian law, Christians, but not Muslims, must apply for special government permission to erect new churches or even to undertake repairs, however minor, on existing ones.

This regulation goes far beyond the normal zoning restrictions. Over the generations this regulation, known as the *Hamayouni* decree, has been a major impediment to the churches. Many thousands of Christians are left without houses of worship and are thus deprived of the fundamental right to worship in a public congregation. Those who build without approval in defiance of the decree risk church closures, fines, and possibly violence and arrest.

These restrictions have their roots in the old *Hamayouni* edict (*al Khatt al Hamayouni*), issued in 1856 under Ottoman rule. The edict decreed that churches could only be built or repaired with the king's personal permission. It was the only Ottoman decree to be retained when Egypt became an independent state and abolished all other such decrees in 1923. In 1934, the Ministry of Interior issued an ordinance stating that "no church should be built or repaired without a decree from the king." After the abolition of the monarchy in 1953, the decree was modified only by substituting the term "president" for "king."

Consequently, until January, 1998, the permission of Egypt's State President was required for a church to repair even a broken window or its toilet. This is not a fanciful claim. On April 21, 1991, the President's Office issued the following decree:

Considering the Constitution and Law no. 15 of 1927 which regulates the religious places, the appointment of religious leaders and the questions related to the religions allowed by the state:

Considering Royal Decree no. 30 1928 for the licensing of the establishment of the Church of the Coptic Orthodox denomination which is in Mayietin, the Qusan District of Manufiya Province:

It is decreed as follows:

Article One: The Coptic Orthodox Church is licensed to renew its toilet which belongs to the Church of Mayiet Bara of the Coptic Orthodox denomination of the Qusan District of Manifiya Province.

Article Two: This decree is to be published in the official daily newspaper and is to be effective from the date of its publication.

Issued at the President's Office on 6th Shawal 1411 which is April 21, 1991." <sup>54</sup>

The requirement for such a decree is degrading and humiliating not only for the church that requested it, it must have been equally humiliating for the President's Office as well. The President of one of the most ancient countries in the world surely has more important tasks than approving the repair of church toilets.

Since January, 1998, the matter of granting permission for repairs has been passed on to the Provincial Governors. Meanwhile, Egypt's President must still give permission for any new church construction.

The 1934 ordinance, still in effect today, gives ten conditions that must be met if a church is to be built:

1. The land on which it is to be built must be unoccupied and not designated as agricultural land, and the person asking for the permit must prove ownership of the land.
2. Churches must maintain a distance of 100 meters or more from an existing mosque.
3. The proximity of the proposed site to Christian and Muslim populations must be established.
4. If the location is close to an area heavily populated by Muslims the approval of the Muslim community has to be obtained.
5. The number of churches belonging to the same denomination in the town or village must be established.
6. The distance between the proposed location and an existing church of the same denomination must be established.
7. The number of Christians living in the town or village must be established.

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<sup>54</sup> Quoted in Institute for Religious Minorities in the Islamic World, "Christians in Egypt: Church Under Siege," ed., John Eibner (Zurich, London, Washington; 1993) p.37.

8. If the proposed site is near the Nile, or bridges, or any other public utilities belonging to the Ministry of Irrigation, then a permit must be obtained from the Ministry. If the proposed site is near a railway, then a permit must be obtained from the railroad authorities.

9. An official report meeting all the above requirements must be submitted. The report must also give the layout of the entire area near the proposed site, including the nearest shops, and the distance between the shops and the proposed site.

10. The person submitting the request must obtain the signature of approval of the head of his denomination, and of the planning engineer who is responsible for the area; these must be submitted with all the documents mentioned above.

There are arduous requirements for anyone to meet. For poor congregations it is prohibitive. Apart from the costs and administrative impediments, regulation no. 4 also give local Muslim communities a direct veto power over the construction of churches. Further, even if all these conditions are met, there is no guarantee that permission will be given.

In the case of building new churches, President Hosni Mubarak must give his approval in writing. While President Mubarak's statement that he has never refused such permission is literally true, most applications, in fact, never reach the President's desk, but are intercepted by lower level functionaries. They are never acted on or are delayed beyond a time reasonable for even Egypt's notoriously sluggish bureaucracy. The U.S. State Department noted the difficulty of obtaining authorization to repair and construct churches: "Christians maintain that the Interior Ministry delays, in some instances indefinitely, submission to the President of their requests."<sup>55</sup> In Egypt, Freedom House learned of cases where an entire generation had passed without the necessary approval to build a church.<sup>56</sup>

## B. EXAMPLES OF RESTRICTIONS

For the past ten years, Bishop Thomas of the Coptic Orthodox Church in the town of Quisya, near the city of Asyut, has been trying in vain to obtain permits to build new churches in the eight villages near his town that do not have churches. And in Quisya itself, for the past twenty years officials have rejected applications for a new church, despite the addition of four new districts to the town. "I have suffered so much because of this," the Bishop told Freedom House. "I want to get churches for Christians to

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<sup>55</sup> U.S. Department of State, *Country Reports on Human Rights Practices for 1997* (Washington, D.C.: January, 1998), p. 1434.

<sup>56</sup> For earlier examples see Eibner, op.cit.

worship in, but the government puts up many hurdles that we must overcome." <sup>57</sup>

The Bishop is not alone. Other villages in the upper Nile region have large Coptic Christian populations without any worship facilities. In the villages of Izbit Antoun and Al-Habalsa, in Asyut, no church has ever been built. The same is true in Mubarak City, Asyut, where there is no church to accommodate the one-quarter of Mubarak's 150,000 residents who are Coptic Christians -- many of whom cannot afford to travel far to services. These communities are too discouraged and too impoverished even to go through the lengthy process of applying for authorization to build a church. The Shahid Abadir Church in Kom Abbas, district of Asyut, has had an application to build pending with authorities since 1979.<sup>58</sup>

It is equally difficult to receive authorization for repairs or alterations of churches. Permission to build a toilet at the Church of St. Mary in el-Quisiya district in Asyut has been denied for the past eight years. Father Michael Youssef's request for repairs to the collapsing fence at St. George Church in Abu-Qurqas, near Minya, was denied. The priest was asked to secure a Presidential permit first.<sup>59</sup>

A Protestant pastor in a suburb near Cairo remarks: "It is utterly humiliating to tell us that we have to get President Mubarak's approval in order to repair the church's toilets." When the pastor tried to repair the broken toilet in 1995, government officials falsely accused him of illegally enlarging the church and he was interrogated at a local police station for hours. The government then ordered the toilet to be destroyed since the pastor did not have a proper permit.<sup>60</sup>

Apart from church buildings used for worship, government officials, influenced by the *Hamayouni* decree, also arbitrarily restrict other church-owned property. In 1994, government authorities in the city of Alexandria closed two buildings that since 1990 had been used by Coptic Evangelical Christians for church activities.<sup>61</sup> The government stated that the closure was due to lack of permits. Lawyers representing the church argued that the closure violated previous court rulings upholding the right to conduct religious activities in private buildings (which are not approved churches but are church-owned) without prior government approval.

Authorities also said that necessary building permits under the *Hamayouni* decree had not been obtained for church-owned property (not just churches) when, in December, 1996, the army demolished buildings under construction for the Christian-run Cheerful Heart Center for mentally disabled children.<sup>62</sup>

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<sup>57</sup> CFRF/FH interview, June, 1998.

<sup>58</sup> *Stranglehold on Egypt's Christians*, a report by Jubilee (London, England, Autumn, 1994), p.9.

<sup>59</sup> *The Coptic Voice*, newsletter of the British Coptic Association (Bedfordshire, England, May, 1998), p.3.

<sup>60</sup> CFRF/FH interview, Spain, January, 1998.

<sup>61</sup> CFRF/FH interview, Spain, January, 1998.

<sup>62</sup> U.S. Department of State, "United States Policies in Support of Religious Freedom: Focus on Christians" (July, 1997).

Christians denied permits to build often go ahead with construction, and church services take place at the sufferance of local officials. These congregations live in constant insecurity, knowing that one misstep, one perceived insult on the part of the authorities, or any change in political climate, could bring out the state bulldozers.<sup>63</sup>

Closings of these "unregistered" churches continue. On July 12, 1998, Egyptian security forces closed a Coptic Orthodox church in Maadi, a suburb of Cairo. High-ranking officers from several security agencies accompanied by dozens of soldiers raided the church in a show of force, including the use of sirens and seven armored police vehicles, and sealed off the immediate area surrounding the church. All doors and windows of the four-year-old church were wax-sealed. The surrounding community expressed shock at the presence of such massive security forces.<sup>64</sup>

Egyptian officials cited the church's lack of an official permit as the reason for the crackdown. The community's response was that it had an unofficial understanding with authorities that it could build the church and that a permit would be secured at a later date, a practice that is common in Egypt. Following a protest by 29 members of the United States Congress about the church closure, in October of 1998, President Mubarak ordered that the church be allowed to be reopened.

Carved into the rock of the Muqattam Mountains, east of Cairo, stands a poignant example of the great lengths Christians in Egypt will go to get around the *Hamayouni* strictures in order to worship according to their conscience. The Coptic Church of Saint Samaan was dug in the 1980s by an Orthodox priest, Father Samaan, who in his ministry to 30,000 Christian garbage collectors was determined to create the first and only church in their neighborhood. During the Muslim celebration of Ramadan, with the sound concealed by the traditional blasting of the Ramadan cannons, Father Samaan used dynamite to carve out an elaborate cave in the mountainside where the congregation could worship. With its now seven adjoining chapels, the amphitheatre church accommodates 8,000 congregants for daily services and continues to grow. Nevertheless, the Church of Saint Samaan, which still lacks official authorization, can face arbitrary closure or worse repercussions due to its unapproved status. Hundreds of churches like Saint Samaan have been operating without an official permit in almost all of the 28 major cities in Egypt. General Hani El-Ezaby, First Assistant to the Minister of Interior, told Freedom House that 456 churches were built without official permission between 1969 and 1998.

It is not merely red tape -- though there is enough of that -- that is the root of the problem: more important is the political will of officials. For this reason, the 1998

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<sup>63</sup> Local Christians speculate that the decision to close the Maadi church was approved by top-level government officials in order to discourage "outside intervention" on behalf of Copts, as the government often describes any reporting of the problems facing Copts.

<sup>64</sup> *Al-Ahali* newspaper: "Closure of a Church in Maadi Using Red Wax," by Sami Fahmy, Cairo July 22, 1998.

amendment, which shifted responsibility for approval for church repairs from the President to the provincial governors, does not appear to have significantly eased the problem. The government points to these recent reforms in the *Hamayouni* decree and an alleged liberalization in its procedures, but the fundamental problem is the continued use of the decree itself.

### C. EFFECTS OF THESE RESTRICTIONS

The decree's strict application to churches contrasts sharply with Egypt's markedly lenient terms for the repair and construction of mosques. The only requirement governing the construction of a mosque is a zoning license from the Engineering Department to ensure that there is sufficient space between places of worship. The 1934 ordinance also highlights another disparity. As noted earlier, it states that a church cannot be built less than 100 meters from a mosque. However it does not bar a mosque from being built near a church. Dr. Hamdi Zaqqouk, Minister of the Wakfs (state endowment for religion) told Freedom House that in many cases, the state also helps fund the building of mosques, so that of the some 67,000 mosques in Egypt today, the majority have been funded and constructed with help from the state. The state also funds most Muslim clergy.<sup>65</sup>

Because of this discriminatory practice, the U.S. State Department reports that many priests and pastors describe their situation as "unjust, discriminatory, and humiliating."<sup>66</sup> By applying restrictions to churches and not applying those same restrictions to mosques, the government implies a second-class status for Christians. In the words of Bishop Thomas, "The government is creating anti-Christian sentiments by clinging to the Ottoman edict. It makes people wonder if Christians are equal citizens and if they have the same rights as their Muslim neighbors."<sup>67</sup>

This unequal status can also provoke social subjection of and terrorist violence against Christians. As the U.S. State Department noted in a 1997 report, "Islamists who oppose the spread of Christianity defend the building restriction."<sup>68</sup> This allows Muslim extremists to exploit the decree for their own ends, with tactics ranging from the legal to the violent. In one instance, Muslim fanatics thwarted efforts to build a Coptic Orthodox church in Monerea, in the province of Qanater, 50 kilometers north of Cairo, even though a Presidential permit had been granted. They did so by quickly building a mosque near the church property, thereby preempting Christian construction.<sup>69</sup>

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<sup>65</sup> It should be noted, however, that, in its efforts to combat terrorism, the government has been exerting increasing control over mosques. CFRF/FH interviews with Government officials, August, 1998; "Egypt reins in power of mosques: Clerics criticize plan to nationalize Mosques," *The Washington Times*, September 6, 1997.

<sup>66</sup> U.S. Department of State, Country Reports on Human Rights Practices for 1997 (Washington, D.C.: January, 1998), p. 1434.

<sup>67</sup> CFRF/FH interview, Quisiya, June, 1998.

<sup>69</sup> "United States Policies in Support of Religious Freedom: Focus on Christians," (July 22, 1998)p.25

<sup>69</sup> CFRF/FH interview, Cairo, June, 1998.

In another instance, when lay preachers went to the villages of Izbit Antoun and Al-Habalsa to serve the spiritual needs of the Copts living there and to start a new church, they were attacked by Muslim militants. After being expelled, the preachers were forbidden to return.<sup>70</sup>

In some cases, the decree has been used to consolidate the effects of terrorist violence against Christian churches. In 1981, Islamic extremists firebombed the church of Kasriat Al-Rihan in Cairo.<sup>71</sup> Since then, the community has not been able to obtain a permit for repairs. Local Christians told Freedom House that almost seventeen years after the attack the congregation was still awaiting state permission to repair the church, which remains closed. Often when churches need to be repaired after sustaining damage from terrorist violence, local authorities may be intimidated and, hence, even more reluctant to issue permits for fear of appearing to be too sympathetic to Christians.

#### D. THE GOVERNMENT'S POSITION

Egyptian Government officials told Freedom House that the number of permits it issues has increased in recent years. According to the General Hani El-Ezaby, permits for the construction of new churches between 1988 and 1998 included 57 for the Coptic-Orthodox, 72 for Protestants, and 11 for Catholics, and included construction in new towns. Twenty-nine churches were also given permission to rebuild between 1988 and 1998, and 451 repair permits were granted between January, 1995, and June, 1998<sup>72</sup>.

The U.S. State Department reports that the average number of construction permits increased from 5 per year in the 1980s to 20 per year in the 1990s, but that this dropped to 3 permits for construction and 3 for repairs in 1998.<sup>73</sup>

While figures were provided for the number of permissions granted, it is impossible to know if the situation is getting better or worse without knowing the number of applications actually submitted. Since applications may be in process at many different agencies, the government does not publish such statistics.

#### E. EFFECTS OF RECENT MODIFICATIONS TO THE LAW

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<sup>70</sup> CFRF/FH interview, Asyut, June, 1998.

<sup>71</sup> CFRF/FH interview, Cairo, June, 1998.

<sup>72</sup> CFRF/FH interview, August, 1998.

<sup>73</sup> U.S. Department of State, *Country Reports on Human Rights Practice for 1997*, (Washington, D.C.: January 1999), p. 1434. The State Department gives figures for 1998 of "30 permits for church-related construction, including three permits for the construction of new churches; ten permits for the construction of additional church facilities; and seventeen permits for churches previously constructed without authorization. The Government reported that Governors issued 207 permits for Church-related repair ... "but could not provide a breakdown by governorate.

In January 1998, President Hosni Mubarak modified the decree by formally delegating the authority to grant permits for church repairs to Egypt's 28 provincial governors, representing 28 cities. As before the 1998 changes, however, the construction of churches apparently still requires permission from President Mubarak himself. Church leaders told Freedom House that though the amendment was announced in newspapers, the actual text of the decree was never circulated. Freedom House requested the text of the 1998 amendment from government officials, but did not receive it.

Though figures are not available since the 1998 amendment, improvements so far seem minor. Although some provincial governors have issued some repair permits, as in the city of Asyut, the bureaucratic process remains lengthy and many governors have still failed to act on Christian applications.<sup>74</sup>

For the Assemblies of God church in Sanabu, near Asyut, the permit to repair was too little, too late. For several months a request for state permission to make urgent repairs to the dilapidated church languished on the desks of local officials, and the pastor was told to wait for the governor's approval before attempting any repairs. On August 22, 1998, following a special service for 250 children, the entire church building collapsed and was reduced to rubble minutes after the church had emptied. The governor issued a permit the next day. Church leaders are now forced to seek a permit to rebuild the church.<sup>75</sup>

## F. SUMMARY

One widespread frustration for Copts is Egypt's complex, and frequently arbitrary, requirements for building and repairing churches or church-owned buildings. These culminate in the requirement that Egypt's President must personally approve all building applications and the Provincial Governors must approve all applications for repairs, even for something as small as repairing a broken window.

While the government does approve some applications, there are numerous others that are delayed for decades or are never acted upon, which leaves tens of thousands of Copts with no place to worship. Some churches have collapsed before their applications for permission to make repairs have been processed. In other cases, churches have gone ahead with building or repairs on the basis of an implied understanding with the government that permission will be forthcoming, and then they have found their premises closed off or completely razed.

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<sup>74</sup> CFRF/FH interviews, June, August, 1998. Neither church leaders nor government officials could provide the exact figures on number of permits issued since January 1998 amendment to the law.

<sup>75</sup> CFRF/FH interview by phone, August, 1998.

The procedures required for church construction and repair are in marked contrast to the procedures for mosques, which are simple and require no special government permission. The government also subsidizes the construction of mosques. This continuing discrimination reinforces a sense among many Copts that they are second class citizens, and is a restriction of the Christian community's basic right to worship.

## VI. CHANGING RELIGION

### A. APOSTASY IN EGYPT

Despite the fact that the right to change one's religion is an integral part of Article 18 of the Universal Declaration of Human Rights, it is a right that is denied to Muslims in Egypt. If a Muslim changes his religion, or even takes unapproved views within his religion, he is regarded as apostate. The situation of apostasy in Egypt is well illustrated by the Abu Zeid case.

Nasr Hamed Abu Zeid, a Muslim, was a professor of Islamic Studies at Cairo University.<sup>76</sup> In May of 1993, he read in the daily newspaper that he had been accused of apostasy and that a criminal case had been filed against him in the Giza Primary Court.

The charges centered around the accusation that, because of his more liberal views of Islam, he had departed from the Muslim faith and was thus an apostate. His principal accuser was a fellow professor at the University of Cairo, but the prosecution was advised by a variety of clerics, most of them from the prestigious, state-supported al-Azhar University, an institution influential throughout the Islamic world.

Egypt has no law against apostasy, but the prosecution argued that he was "damaging Islam," and consequently under principles of *sharia'a* law he should be found an apostate and subjected to divorce under the *sharia'a* family law that remains a part of Egyptian law.<sup>77</sup>

In June of 1995 the clerics prevailed and Judge Abdel-Aleem and two others of the Cairo Court of Appeal declared him an apostate. His wife Ebtehal was then regarded as being married to a non-Moslem, also forbidden under Islamic law. Consequently, their marriage was automatically dissolved -- without his or her agreement. The Court of Appeals ordered Abu Zeid to divorce.

Six days later a group of scholars from al-Azhar called for Abu Zeid's death as the orthodox *sharia'a* punishment for apostasy. The radical Islamic Jihad also called for him to be killed. On July 26, 1995, the couple fled to the Netherlands.

Abu Zeid's case has drawn international attention, as has that of Salman Rushdie. However, there is little attention paid to other figures in similar situations such as Sayed al-Qemni, a historian of Islam. And there is almost no attention to the plight of less well-connected Muslims. Most of the situations of alleged apostasy in Egypt concern Muslims who want to change their religion to Christianity.

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<sup>76</sup> A good overview of the Abu Zeid case is given in "Revolution by Stealth," *The New Yorker*, June 8, 1998.

<sup>77</sup> See chapter III for the significance of the Abu Zeid case for understanding the growing influence of *sharia'a* in Egyptian law.

## B. CONVERTS TO CHRISTIANITY

Unlike other jurisdictions, Egyptian law does not forbid changing one's religion from Islam. However, Sheik Mohamed Mutwali Tantawi, the current and relatively moderate head of Al-Azhar University, told Freedom House it is "forbidden for any Muslim to change his religion in Egypt."<sup>78</sup>

Many of the problems concerning changing one's religion are tied to questions of marriage, divorce, child custody, and inheritance. Under Islamic family law in Egypt a Muslim wife is required to divorce an apostate husband, and converts lose all inheritance rights, as well as custody of their children. These penalties do not apply to persons who convert to Islam, only those who move away from it (Law no. 25 of 1920; Law no. 52 of 1929; Law no. 77 of 1943).

Despite this restriction, several observers estimate that each year about a hundred Muslims become Christians. The total number of such converts is unknown, but it is likely to be several thousand. One reason that statistics are scarce is that many are afraid to speak of their new views as long as they remain in their home area. Others move to new areas in the hope of beginning a new life where they are not known, and where they can remain anonymous.

Hiding a religious conversion in Egypt is made difficult by the fact that Egypt requires each citizen to have an identity card that lists each person's religion. The Egyptian Government currently restricts changing names and religion on identity cards, though such changes were allowed under President Gamal Abdul-Nasser. A convert living as a Christian will still be labeled a Muslim on his national identity card and hence will be considered an apostate. And since many Egyptians have names that reveal a Muslim or Christian identity -- for example, Mohamed or Stephen, Mustapha or Joseph -- they are automatically identified as belonging to one or another religious community.

The problems of officially changing the name and religion of converts has profound implications for the convert's family life. Currently, a convert may lose custody of his children or, even if he does not, those children will still be regarded by the state as Muslims and given a Muslim education, and may later face charges of apostasy themselves if they do not live as Muslims.

If a person is found to have changed his religion, the immediate and principal threat he faces is usually from relatives, since it is usually considered a great disgrace for an Egyptian Muslim family to have a member regarded as an apostate. The family response can result in disinheritance and other measures. The converts may even be killed or, especially in the case of women, imprisoned until they reconvert. The response

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<sup>78</sup> CFRF/FH interview with Grand Sheik of Al-Azhar, Sheik Tantawi, August, 1998.

depends on the particular family. In many cases, mothers are more disposed to leniency than fathers and brothers. The greatest threat commonly comes from uncles and cousins, who, as family members, share the shame but have less personal attachment. The

Christian converts may also suffer at the hands of the state. If converts are public about their religion, such as by attending church services or speaking about their beliefs, they can draw the attention of the security police. They can be charged under provisions of the penal code that prohibit the use of religion to "ignite strife, degrade any of the heavenly religions, or harm national unity or social peace."<sup>79</sup> Also, because the existence of converts may cause unrest among some Muslims, the police may accuse them of causing religious division and treat them on a par with terrorists. The security forces have been brutal, as the following incidents show:

In 1990, officers of the State Security Investigators (SSI) arrested two people who changed their religion from Islam to Christianity, Mohammed Hussein Salaam and Mustapha El Sharkawy, at their homes. A third person who asked not to be identified was also arrested few days later.

El Sharkawy had become a Christian in 1980 and was baptized in 1988.<sup>80</sup> On September 29, 1990, his home was raided by the police at 2 a.m. They abused him, confiscated his books, and took him to SSI headquarters, where he was interrogated for five days. During this time he was blindfolded, deprived of food, beaten, subjected to repeated electric shock, forced to stand, hung by the wrists for three days with only his toes touching the floor, and threatened with rape. Without any trial or hearing he was detained for 45 days under administrative law. A judge ordered him released but he was merely moved to another prison for a further 45-day detention. He was subjected, without any form of hearing, to an unbroken series of 45-day detentions until his release, along with the other two converts, on July 13, 1991, after protests by human rights organizations and members of the United States Congress.

In March of 1998, Sharkawy was arrested twice while attempting to leave Egypt with his wife and two children. In this period, he was interrogated about his religion. Sharkawy and his family have now filed for asylum in the United Kingdom.<sup>81</sup>

Similar treatment was given to Mohammed Hussein Sallam and another convert, and their interrogators made clear to them that their "crime" was converting to Christianity and being involved in a local church in Cairo. They were tortured to pressure them to convert back to Islam.<sup>82</sup>

In January of 1998, Mohammed Hussein Salaam was rearrested at the Cairo

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<sup>79</sup> Section 98f.

<sup>80</sup> CFRF/FH interview, London, June, 1998.

<sup>82</sup> CFRF/FH interview with Mustapha El-Sharkawy, London, June 1998.

<sup>81</sup> CFRF/FH interviews, London, Cairo, June, 1998.

International Airport before boarding a plane with his wife. Once again, he was interrogated and severely tortured by the SSI while being held incommunicado. After five days he was released due to international pressure. Salaam now lives in another country in the Middle East.

Similar police action has been taken against persons who have not changed their religion, but are believed to be talking to Muslims about Christianity. If this is known or suspected, it often results in interrogation, detention, and sometimes torture of the individuals involved.

Several interviewees told Freedom House that there has been a change in the practice of the security forces since 1992. Now the police do not usually actively hunt out those who have changed their religion, but only act against them if a third party complains. In the case of such a complaint, the security forces are now less likely to act directly; instead they inform family members of what has happened. Matters then depend on the family, or neighbors, or terrorist groups. This shift of punishment from the state to private action can be sometimes even harsher and can result in the murder of the convert. It also allows the security forces to maintain distance from the consequences of extreme intolerance. Families can usually act without interference from security officials since police often do not interfere when domestic violence occurs in a matter of family honor.

### C. SOME CONVERTS TO ISLAM

A different set of problems arises for people who may want to change, or are accused of wanting to change, their religion from Christianity to Islam. In a number of cases that Freedom House investigated in Egypt, young Christian girls were taken by Muslim men to convert to Islam, often with the cooperation of local police.

Since the conversion of a Christian to Islam also brings shame upon Christian families, such families may be reluctant to admit that one of the members, typically a daughter, has in fact converted voluntarily because she wishes to marry a Muslim. Consequently, there are cases where a family claims that a relative has been kidnapped when in fact she has eloped. Nevertheless, there are credible reports from many areas of Egypt that militant Muslims kidnap or manipulate Christian girls into converting. This can even involve girls below the legal age in Egyptian law at which a person can change his or her religion.

Vulnerable Christian women and girls are one of the primary targets of Muslim militants who are determined to transform Egypt by force into a fundamentalist Islamic state. They often pressure young Christian girls to convert to Islam and offer financial incentives to encourage their conversion. Sometimes the girls are manipulated by offers of wealth and security. In other cases, they can be abducted or coerced into conversion.

One Protestant pastor told the Freedom House delegation that girls in his town near the city of Minya are targets of manipulated conversion to Islam. Christians in the area are very poor, so the young girls can be easily deceived with promises of money, apartments, and husbands. The pastor also said that these girls usually discover that the promises made to them turn out to be untrue, but they fear returning to their families. Not only is it unacceptable in Egyptian society for unmarried women not to be virgins, but they may face death from family members who believe them to be sexually promiscuous.<sup>83</sup>

This targeting of young Christian girls for conversion is not confined to Upper Egypt, where the majority of Christians live, but also occurs in the large cities in the north. The following two cases reported to Freedom House concern the coercion of an underage girl and a case of kidnapping. They are similar to other incidents that were described to the Freedom House delegation.

#### D. THE SHAKIR FAMILY

On March 6, 1997, 13-year-old Teresa Shakir, a Coptic Christian who was in the 8th grade at a state school, was taken by her teacher, Osama Abdu Youssef, believed to be an Islamic extremist, to the police station in Wasta, a village near Beni Suef. There the teacher and the local police tried officially to declare her a convert from Christianity to Islam.

Her family went to the Chief of Police in Wasta and signed a form stating that the underage girl should be returned to her father. However, the local police who held her at the station did not comply. The family then contacted several human rights organizations, Pope Shenouda, the head of the Coptic Orthodox Church, and the office of President Mubarak. The central government intervened and Teresa was released from the local police station on March 15. Security officials had held Teresa incommunicado for nine days. Police sources told the family that in this period she had changed her religion to Islam.

According to defense lawyers and family members, Teresa's older brother, Adly Shakir, testified to prosecutors that on November 30, 1997, he returned home at 4 a.m. to discover that his parents and his younger brother Adel had been shot to death, and his sister, Nadia, had been wounded by gunshot. Teresa was also dead, her stomach cut open and disemboweled (this method is said to be used by the extremist Islamic Group *al Gama'at Al Islamiya*, for those it accuses of apostasy). Adly said that when he ran to the police station to report the incident, the police immediately arrested him and accused him of the murders. He was subjected to electric shock torture and beatings to force him to confess. As a result of the beatings, he was paralyzed on one side of his body, and could not stand. The electric shock had burnt circular marks on his wrists and ankles, which

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<sup>83</sup> CFRF/FH interview, Minya, June 1998.

were observed by Egyptian human rights workers.<sup>84</sup>

Defense lawyers maintain that a number of critical due process violations occurred during Adly's trial and that the eyewitness testimony of a neighbor was ignored. Adly was convicted and sentenced to death by hanging. Since the conviction, he has been denied access to his lawyers, denied family visits, and an appeal filed on his behalf has not yet been acted on. The family says that the American Embassy refused to give them assistance.

Teresa's sister, Nadia Shakir, was hospitalized for nine days for her wounds. Although Izzat, another brother, says that he asked that she be returned to him, she was released to an uncle on the condition that the surviving members of her immediate family not be allowed to see her. The uncle died shortly after and the police took custody of her. At this time, her whereabouts are not known to the family.<sup>85</sup>

Freedom House is concerned that Adly Shakir may have been falsely convicted and that he has been subjected to torture. Freedom House is also deeply disturbed by the police's refusal to allow the family access to Nadia Shakir. Finally, we are concerned that the police were complicit in declaring a thirteen-year-old girl a convert after holding her incommunicado.

#### E. THERESA ANDRAWES

Family members report that on April 2, 1998, Theresa Andrawes, a 22-year-old Coptic woman who worked at the Agricultural Research Center at Giza, near Cairo, was kidnapped. They say she was an active Sunday School teacher at St. Mark's Church and was known to be a devout Christian.

Some colleagues had accused Theresa of making anti-Islamic statements, a charge that she denied. One co-worker, Ala'a El Din Salah Tantawi, an engineer, reportedly threatened that she had blasphemed and would face the consequences under *sharia'a* law.

According to family and lawyers, on April 2, as she left work, Ala'a, along with others believed to be members of the militant Islamic Group, *Al Gama'at Al Islamiya*, followed her. Eyewitness accounts by her employer and other co-workers said that the four physically dragged Theresa into a taxi in front of the Research Center. Her father, with whom she had been living, reported this to the police in Shebeen Al Qanater, but unbeknown to the father, who is illiterate, the police reports listed her case as a "missing person report," not as a case of kidnapping.<sup>86</sup>

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<sup>84</sup> CFRF/FH interviews with lawyer Moris Sadek and with family members, Cairo, June and August, 1998.

<sup>85</sup> CFRF/FH interview with Izzat Shakir, Cairo, June 1998. Police reports and other related documents to this case are on file at Freedom House.

<sup>86</sup> Copies of the police report are on file at Freedom House.

When there was no action by the police, the family sent appeals to the Minister of the Interior, the Prime Minister, the President, and the American Embassy to no avail. They also appealed to the office of Pope Shenouda, who intervened directly on their behalf with the State Security Investigative police (SSI). The SSI promised the Pope that it would arrange a meeting between Theresa and her family. The SSI also reported that Theresa had freely converted to Islam and that as soon as it had time to complete the documentation of her conversion, she would be able to meet with her family.

Several months after these events, there had still been no contact between Theresa and her family. She had not returned to her job and had not been seen publicly. The police and the SSI claimed they were not holding her captive. The family did not know her whereabouts and had not seen or heard from her since April.

In August 1998, Freedom House was told by the First Assistant to the Minister of the Interior, General Hani El-Ezaby, that Theresa had converted to Islam of her own free will. A document presented by General El-Ezaby stated that a meeting had taken place between Theresa, her father, and her priest in July, 1998.<sup>87</sup> She reportedly had said that she loved Ala'a and that she had gone with him freely. The General said that Theresa had married Ala'a on July 12.<sup>88</sup>

Theresa's father and uncle then told Freedom House that Theresa's father was forced to sign a document stating that he would cease looking for his daughter. They said that they were not able to speak to Theresa, that she did not come into the room, but only appeared in the adjoining corridor in the company of the SSI. The father said "she looked drugged ... as she stood in the corridor twenty meters away from me." The priest present on this occasion was not the family priest but a man delegated by the local diocese for liaison with the police and who has an office in the police station. No lawyer was present.

In view of Theresa's known Christian involvement, her active church work, sudden disappearance, lack of public contact, testimony of abduction, and the security force's lack of cooperation with the family in the case, Freedom House fears that Theresa has been held against her will and remains concerned for her well-being. Furthermore, the SSI's promise to produce Theresa after her documentation had been completed implies that they knew where she was, but were not willing to cooperate with the family. Meanwhile, the police had harassed the family for pursuing the case and had demanded that the family members sign an official agreement that they would cease searching for their daughter.

## F. SUMMARY

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<sup>87</sup> Copies of document are on file at Freedom House.

<sup>88</sup> CFRF/FH interview with Theresa's father and uncle, Cairo, June 1998.

While Egypt has no law against apostasy, the influence of *sharia'a* law on the civil code tends to create a *de facto* law. Converts from Islam to Christianity have been imprisoned and tortured by the police and charged with insulting religion or disrupting national unity. In recent years the security forces have tended not to attack publicly known converts directly but to inform their families, in which cases the families may attack them with impunity.

Since converts can change neither their religion nor their names on their identity cards, it is difficult for them to avoid identification and abuse. In addition, the children of someone who has embraced Christianity must still be educated as Muslims and the convert may face compulsory divorce.

Conversion in Egypt is always intimately tied to marriage and family questions, including the shame felt by a family if someone converts. Consequently, many of the stories of the abduction by Muslims of Coptic girls may be cases of elopement to avoid family pressures. Nevertheless there are reliably reported cases of young, including underage, Coptic girls being manipulated, or occasionally physically coerced and kidnapped, into conversion and marriage.

## APPENDIX I

Coptic Christians killed by Muslim extremists in recent years in Egypt for failing to pay protection money

Name of victim	Village and/or City	Date killed
1. Sami Kamel Najuib	Almahras Mal? lawi	9/94
2. Osama Kamel Najuib	Almahras Mal? lawi	11/94
3. Nadi Najuib Shenoudah	Almahras Mal? lawi	11/94
4. Michael Faraj Hinis	Almahras Mal? lawi	11/94
5. Fahmy Faraj Ibrahim	Nawai Mal? lawi	12/94
6. Azmi Mukhtar Aziz	Al Idara Mal? lawi	12/94
7. Sadik Ibrahim Khalil	Izbit Bolos Mal? lawi	12/94
8. Youssef Basaly Boutrus	Asment Abu-Qurqas	1/95
9. Ishaq Henin	Manshait Nasr	1/95
10. Rifaat Kamal Kamel	Nawai Mal? lawi	1/95
11. Nabil Surrwal Qustantin	Malawi	2/95
12. Hana Fares Michael	Herz Abu-Qurqas	3/95
13. Safwat Thabet Kiwan	Manshat Al Maghalqa	4/95
14. Kamal Naguib Bolos	Itqua Mal? lawi	4/95
15. Rida Khalil Amin	Manshat Al Maghaqa	4/95
16. Samir Yunan Zakhari	Samalout	4/95
17. Ilia Najuib Mitri	Mal? lawi	5/95
18. Dr. Safwat Zakhir Saleh	Hur Mal? lawi	5/95
19. Zaghoul Zareef Jon	Nazlat Jiris Abu-Qurqas	5/95
20. Khairi Jirjis	Tandah Mal? lawi	6/95
21. Zareef Mahfouz	Samalout	6/95
22. Immad Raouf Foad	Mal? lawi	9/95
23. Sherief Shawqi Naguib	Mal? lawi	9/95
24. Sami Shihata Kamel	Nazlat Al Badraman	9/95
25. Zareef Anwar Matta	Mal? lawi	9/95
26. Immad Danial Wasef	Qalandool Mal? lawi	9/95
27. Awad Sharbeen Tanas	Nazlat Jaras Abu-Qurqas	2/96
28. Habel Labib Adb-ilsayed	Gawargi Abu-Qurqas	2/96
29. Muhsen Wadia Jirjis	Atleedem Abu-Qurqas	7/96
30. Ihab Amin Ghubrial	Atleedem Abu-Qurqas	7/96
31. William Fa'iq Jirjis	Nazlat Jaras Abu-Qurqas	8/96
32. Osama Fadel Assad	Nazlat Jiris Abu-Qurqas	8/96

33. Taia Sam Assad	Nazlat Jiris	Abu-Qurqas	8/96	
34. Samir Mounier Naseef	Mantoob	Abu-Qurqas	9/96	
35. Zakhir Youssef Zakhir	Bani Obaid	Abu-Qurqas	10/96	
36. Sa'eed Zakhir Youssef	Bani Obaid	Abu-Qurqas	10/96	
37. Dr. Michael Ayyad Hinis	Qaloba	Mal? lawi		10/
38. Samir Sabit Sadique	Abu Qurqas		9/97	
39. Malak Sabit Sadique	Abu-Qurqas		9/9	
40. Zacharia Kamil Hanis	Abu-Qurqas		9/97 <sup>89</sup>	

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<sup>89</sup> Source: Egyptian weekly newspaper *Al-Ahali*, March 19, 1997 (first 37 names); stories of the last three were published in the *Newsletter of the British Coptic Association*, May 1998, Vol 1:2 (p.20).