

THE ARAB REPUBLIC OF EGYPT AND THE COPTIC ORTHODOX POPULATION

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## CAPSTONE ABSTRACT

The Arab Republic of Egypt and the Coptic Orthodox Population

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This essay explores the persecution of the Coptic Orthodox people of Egypt, and how it impacts the government's ability to thrive as a Democratic Republic. The Egyptian government defines itself as an Arab Republic, but does not completely practice secularism. The Egyptian constitution, states Islam as the religion of the state and the principles of Islamic Sharia are the principle source of legislation. This capstone analyzes the historical marginalization of Coptic Egyptians supported by mass conversion, violence, erasure of language, and seizure of property which all directly contribute to the continuing persecution of this set of the population. This paper will discuss the need for secularization by discussing the marginalization of Coptic Christians in modern Egypt beginning with Anwar Sadat's presidency to post revolution Egypt. It will also explore the failures of Mubarak's administration and how the marginalization of Coptic Christians contributed to the government's downfall. This essay will then explore the conditions of post-revolutionary Egypt, and the repetition of Islam as the state religion leading to continued marginalization. In order for Egypt to thrive as a Republic it should practice secularization. This includes limiting the rule of the majority, not declaring an official state religion, enforcing religious freedom, strengthening human rights policies, and providing adequate representation for the Coptic community within the governing body.

**Introduction: The Coptic people and the Arab Republic of Egypt**

The Coptic people of the Arab Republic of Egypt are a highly persecuted segment of the Egyptian population. The historical marginalization of Coptic Egyptians supported by mass conversions, violence, erasure of language, and seizure of property directly contributes to the continuing persecution of this set of the population. Until the Egyptian government is fully based on secular principles, this persecution will continue and Egypt will never become a successful republic. Only through secularization can Egypt become a successful republic, addressing the historical importance of religious identity and the marginalization of Coptic Christians (Armanios 2011, 4). Allowing these historical factors of marginalization to continue by maintaining an Islamic based government lowers the ability of a Democratic Republic to thrive, since a segment of the population has historically been marginalized due to religious belief.

It has been officially declared that about 10% of the 95 million people living in Egypt are Christian, but many question this and believe it is much higher. “According to Open Doors, 128 Christians were killed in Egypt for their faith and more than 200 were driven out of their homes in 2017” (Sherwood 2018). These are indications of the backlash against the Coptic community within Egypt. There is a lack of confidence in the actual number of the population, which is used to suppress the Coptic voice. At the same time reports of violence and forced migration act as evidence for suppression of the Coptic population. Having a higher recorded population than the 10%, would probably reduce or eliminate these signs of persecution. A higher number in the population would result in increased representation of the population, and increased legislation to protect the minority. The Egyptian government defines itself as an Arab Republic, but does not

completely practice secularism. The 2014 Egyptian constitution, states Islam is the religion of the state and the principles of Islamic Sharia are the principle source of legislation. This factor predates the 2014 rewriting of the Egyptian constitution after the 2011 revolution. This is a critical point for those who find themselves within the minority, which the Coptic people fall under.

## **Religious Identity in Egypt and Historical Significance**

When discussing the relevance of religious identity in Egypt it is critical to examine its historical origin. Scholars mark 641 CE as a significant year, identifying it as the end of the Byzantine era and the beginning of the Islamic era in Egypt (Mikhail 2016, 2). This marks a transformative era in Egyptian history for the Coptic people. After the conquest of the Byzantine empire, Christian elites belonged to one of three socio-political groups: landlords, high ranking government officials, and village elites. For a period, the wealthy Coptic individuals were able to maintain the representation of the community with the Islamic empire, but eventually conversion took place. Mikhail states, “A study of conversion and religious identity is of fundamental importance for the social history of Egypt under Arab rule since the prevailing cultural matrix defined an individual’s social status, fiscal liability, and legal standing as a direct function to religious affiliation” (2016, 51). The first documented mass conversion to Islam occurred during the end of the Umayyad rule when Hafis was governor. He declared all converts would be exempt from the poll tax, *jizya* (Mikhail 2016, 64). Conversion also benefited the elite Copts, “conversion provided a means for social mobility, while for others it secured an individual-and a family’s-socio-political standing” (Mikhail 2016, 71). As one can see, there is an historical origin to modern day religious identity. If an individual in modern day Egypt identifies themselves as Coptic this also indicates the social standing of their ancestor due to terms of conversion. The historical significance of a Coptic individual’s ancestors indicates that they were not of the elite class, and this can play into their treatment within modern day society.

This brings us to the question of how this mass conversion impacted identity within the culture during the period of Islamization, the 5<sup>th</sup>-10<sup>th</sup> century CE. One obvious and major impact is that of language. “Arabic replaced Coptic and Greek, first as the language of the administration and socio-political elites, and then as the mother-tongue of Christians and Jews” (Mikhail 2016, 79). Language is a significant aspect of a community’s identity. In this case Coptic identity does not only entail religious belief, but also language. Language unites the community and offers a level of group identity. The Arabic language is also linked to religious identity. It is one of the cornerstones of Islamic identity and faith. Elimination or replacement of a language with another is a method of altering the identity of a population and assimilation into another. This becomes a vital factor when examining modern day Coptic people and identity. Although the Coptic language has become associated only with religious service, it also acts as a reminder of cultural identity for modern Copts. It remains a source of separation between Egyptians within modern culture. It differentiates origin of ancestry of the individual within the modern Egyptian culture. At the same time the Arabic language assimilates individuals into the cultural realm of the dominant society.

The Ayyubid period in Egypt (1169-1250) was a very significant time for the Coptic people. One particular leader, Saladin who took over in 1169, put Egypt under Sunni control. This increased the marginalization of the Coptic people because one of Saladin’s main goals was to build Sunni institutions in the land, and instead of constructing new buildings, which would require high funds, he ordered and instituted the seizure of Coptic properties (Werthmuller, 2010, 44). Along with the seizure of property, he excluded Copts from government posts, where they were in charge of state funds and

enforced boundaries between the Muslim society and the *dhimmi* subordinates, which Copts were classified under (Werthmueller 2010, 44).

The period following the Ayyubid reign further contributed to the marginalization of the Copts. This era which lasted from 1250-1517, is known as the Mamluk era. During this era authorities limited and abolished public celebrations of Coptic festivals (Armanios 2011, 16). They confiscated church holdings and provoked mob violence against Christians (Armonios 2011, 16). Scholars have also identified that by the end of the Mamluk era the number of Copts had been reduced by half or two-thirds between the 14<sup>th</sup> and 17<sup>th</sup> centuries (Armanios 2011, 16). This is a significant factor because the reduction in population is a clear indication that the persecution of Copts had a direct impact on the diversity of Egypt. Conversion, violence, and political reform all acted to marginalize with the ultimate goal of elimination of the Coptic people. This demonstrates how conversion and violence shaped the actual population of the Coptic people.

When analyzing and understanding the marginalization of Coptic people in Egypt during the modern era, it is vital to examine historical impact. As indicated above factors that identified Coptic people, such as language, were suppressed and replaced through acts of conversion to assimilate the population. Further acts such as removal of property, violence against the Coptic people, and elimination from positions of power further demonstrate the historical origins of marginalization of the Coptic people in Egypt. The historical significance of religious identity and marginalization of the Coptic people in Egypt provides support for absolute secularization in modern society. Religion dominated much of the structure of society within Egypt and contributed to economic and social standards within the community as a whole. Maintaining a government that is

based on Islam within modern society reaffirms the historical factors that contributed to marginalization of the Coptic people.

### **Marginalization of Coptic Christians: Sadat and Mubarak Regimes**

Next, when supporting an argument for the need for secularization in order for Egypt to thrive as an Arab Republic, one should examine the marginalization of Coptic Christians in modern Egypt. A major contributor to the marginalization within modern society began during Anwar Sadat's presidency. During his presidency, Sadat added clauses to the Egyptian constitution making Islam the religion of the state and Sharia the primary source of law (Rutherford 2018, 122). Then in the 1980s Mubarak declared the Coptic Pope as, "the official representative of the Coptic community", compartmentalizing the community and stifling the voice of the Coptic lay person (Rutherford 2018, 122). Having a religious leader as the voice of the community further marginalizes the Coptic community because a religious spokesperson cannot actually contribute to the legislation. In this situation, the government falsely gives the Coptic people a voice, the community is not being adequately represented within the governing body. Within the Egyptian community these factors create points of difference and separation, where one group is the majority because of their religious affiliation. The minority's lack of representation within the actual legislative body demonstrates an absence of voice for the community. In order for the Coptic community to have a say on actual legislation there should be actual representation within the governing body, not just a spokesperson. There needs to be Parliamentary representatives to propose legislation that can impact the Coptic community. Allowing the less dominant group to declare its religious leader as the representative does not provide any true authoritative power or even proper representation within the government, especially when it is

declaring a religion to the state. The Coptic community as a whole is poorly represented within the Egyptian parliament.

In order to build a new thriving Republic, Egypt should examine the failures of the previous administration. When examining the Mubarak regime, which also claimed to be a Republic, a major factor that led to the revolution was the marginalization of Copts. As mentioned, earlier under Sadat and Mubarak, Egypt declared Islam the state religion. This declaration within the constitution further marginalized Coptic Christians and eventually led to the movement of Coptic organizations to be one of the groups to participate in the revolution. In a paper El-Issawi, comments on the poor representation of the minority during the Mubarak administration and states, “Mubarak’s National Democratic Party (NDP) nominated 10 Christians out of a total of more than 750 candidates at the parliamentary elections in November 2010, clearly a poor percentage” (2011, 252). El-Issawi further notes in the months after the January 25<sup>th</sup> revolution, the frequency and scale of attacks on Christian communities pushed them and their leaders into the anti-democracy camp, not only in Egypt but in other locations throughout the Arab world, despite the fact that Christian communities were usually strong supporters of Western democratic values (2011, 253). This indicates that maintaining a non-secular governing body weakens the republican system, since the minority associates the governing body with further marginalization and targeted violence. In Egypt, declaring a state religion and having inadequate representation of minority groups, limits the efficacy of the overall democratic rule and creates a lack of confidence in the republican ideology. Repeating the governing principles of the previous administrations increases the risk of failure in building a new republican body.

In Egypt's situation, the marginalized Coptic segment of society contributed to the government's fall by participating in the revolutionary uprising. Maintaining the same governing principles regarding religion does not secure a positive prospect for democratic rule, considering its contribution toward revolutionary action toward the previous administration. Prior to the 2011 revolution Egypt had a history of marginalizing Coptic Christians. Due to their attempted erasure from the country by the government and the continuation of historical practices, Coptic Christians heavily participated in the revolutionary uprising overthrowing the government. Not only does continuing the policies of discrimination in post-revolution Egypt leave the door open for continued political activism and unrest, it also causes Coptic Christians, who contribute to the country's economy and culture, to seek asylum elsewhere. This, in turn, creates a drain on Egypt and stagnates development.

### **Marginalization of Coptic Christians: Post Revolution Arab Republic of Egypt**

Furthermore, marginalized individuals tend to seek asylum in other nations because of oppression experienced within the motherland. One function of a democracy is to prevent the majority from undertaking oppressive acts toward minorities. Patrick explains one of the fundamental democratic principles, “Majority rule is limited in order to protect minority rights, because if it were unchecked it probably would be used to oppress persons holding unpopular views” (2006, 58). A republican system also falls within these principles. The sociologist, Shaul M. Gabbay, has studied the socio-political conditions for Christians in Egypt and how this has been a main source for asylum seeking to other countries. Gabbay’s 2018 paper focuses on three narratives from individuals who were solely persecuted for their religious belief and how this impacted them in seeking asylum to the United States. Gabbay comments, “as the uncertainty grows over Egypt’s transitional period in terms of politics, one thing remains certain, that socio-political conditions facing historically persecuted individuals including Coptic Christians, and other groups deemed to be pariahs in society are only expected to worsen in the coming months and years” (2018, 161). Those who are marginalized are considered outsiders. Part of a democracy’s strength is the protection of its minorities under majority rule.

A 2017 paper by Ha discusses the emotional impact of discrimination and marginalization on the Coptic minority and how this has created cultural boundaries within the nation. This in turn can impact the politics of the nation. Ha states, “Religion is an important social marker for particularly Coptic Christians... Sometimes these religious markers become grounds for discrimination, which has perpetuated a religious

hierarchy that privileges Muslims over Christians” (2017, 135). Ha further demonstrates how the Copts have been marginalized due to the religious markers, “Copts have not only been significantly underrepresented in politics and the media – only a few Copts currently occupy positions of political, military, and educational leadership” (2017, 136).

Again, we see the oppression of the minority threatening the democratic principles. Although the majority rules, the minority needs to be protected in order for the state to function as a democracy. A challenge for the Coptic people is that they are lacking in number, and have inadequate representation. Much of the legislation is based on Islamic law, and this creates a rift within society itself since religion is a critical point of identity within Egyptian society.

Although the Egyptian constitution does state individuals will not be discriminated for their religious belief, the Coptic people are still under represented. The actual practice of religious equality is not evident since we see the minority is under represented. Again, the state of democracy is in jeopardy with declaring an official religion to the state, especially if there is a lack of adequate representation for the religious minority. As scholars have indicated, religion is a factor of identity within Egyptian culture, and this has caused a disruption amongst religious groups. For the minority, they feel threatened therefore their constitutional rights within the democracy are jeopardized due to religious discrimination.

Another indication of marginalization for the Coptic people, is what Paul Sedra refers to as the modern “millet partnership” (2014, 35). The millet is the historical reference to the Ottoman Empire’s, “conception of Christian and Jewish communities under Islamic rule, which mandated autonomy and protection for these minorities as long

as they met certain legal requirements” (Sedra 2014, 35). The application of this term to modern day is due to the relationship between the Coptic patriarch and the Egyptian government. In this situation, “the Coptic patriarch would back the Egyptian president in the political sphere in exchange for state recognition of the patriarch as the sole legitimate representative of the Coptic community” (Sedra, 2014, 35). In essence, the patriarch is the voice of the Coptic people, and this is done to ensure the religious freedom of the Coptic people under an Islamic state. The Maspero sit-in in March 2011 was a protest led primarily by Copts and were geared toward, “rejection of discrimination and persecution, but indeed a specific rejection of the millet partnership-that is to say, a repudiation of the framework of rule that had, for so long, kept lay Copts away from both communal and national politics” (Sedra 2014, 35). The Maspero massacre on October 9-10, 2011, which led to the deaths of 30 individuals, mostly Copts was a huge hit to the community. The average Coptic layperson did not have a true voice, and this was a major inspiration for the protest. This is a key point that needs to be addressed within a nation that considers itself as a democracy. It is as if the Coptic people’s rights as citizens is indirectly represented through their religious leadership. The Patriarch is not representative members within the governing body and do not participate in the act of legislation. The intent is to protect the Coptic community, but this is deviating from the concept of democracy. They are not elected members to represent the community, which is stifling the actual voice of the people. As seen with the Maspero protests and massacre this factor of the millet partnership helped contribute to the revolution.

As previously mentioned, Coptic people have faced violence and discrimination, leading to asylum seeking in other nations and forming diasporas in Western countries.

The Coptic diaspora in the United States has been in support of the Coptic minority in Egypt for decades indicating the weakness of the Egyptian democracy (Yefet 2017, 1205). The Coptic diaspora is looked upon as a voice for the struggling minority in Egypt. They have created a global awareness in hopes of creating political change through the influence of foreign policy. The fact that the diaspora community sees the country that they are in as an avenue to fight for democratic policies for their motherland, raises the question of the existence of a true democracy in the motherland. In fact, Yefet states, “An important factor in shaping the pattern of activity of diaspora activists is the opportunity structures in the host land. The Coptic activists in the United States operate in a liberal and democratic environment, which allows for a multicultural foreign policy” (2017, 1206). Yefet makes an interesting observation on the point that seeking political assistance from another nation due to its “democratic environment” suggests that in the case of Egypt the democratic system is questionable and weak. This indicates that the minority community is threatened within the country of origin signaling a weakened democracy. Marginalization of the Coptic people created a diaspora community in Western countries, such as the United States, that built a community of political activism in response to an apathetic government toward the Coptic minority. The need to do this depicts the motherland as a nation that does not adequately protect the minority, a fundamental aspect of republicanism.

An important note to make about the political activism of the Coptic diaspora in the West is that a small segment has caused discord within the community. Small segments have shown to display neo-conservatism and Islamophobia, which is incongruent with the views of the Coptic people living in Egypt (Haddad and Donovan

2013, 211). This has increased the turmoil amongst Muslims and Christians in Egypt. For instance, in 2012 Nakoula Basseley Nakoula, a Coptic Christian from California created a film on the Prophet Muhammad that sparked controversy because of its offensive nature. According to Haddad and Donovan, “The offensive nature of the film was denounced by Coptic Christians in Egypt, as well as by the officials of the Coptic Church in the United States” (2013, 209). Haddad and Donovan have commented on those within the diaspora that promote negative political ideals by stating, “Inculcated with ideas of Islamophobia and neo-conservatism, they tend to dismiss hopes of national unity” (2013, 208). This demonstrates how the religious discourse within Egyptian society has trickled to those who have immigrated primarily to the West. Some of these individuals have shown to use the marginalization of Copts within Egypt to promote their own negative political views that further contributes to the discord in Egypt. This creates more of a need for the Egyptian government itself to move toward absolute secularization. Non-secularization has opened the door for individuals within the majority to persecute against the minority. At the same time a segment of individuals within the diaspora has used the marginalization of Copts to endorse Islamophobia. This creates the picture of a weakened democracy for Egypt. Secularization can eliminate this cause of factor for discord within the society.

Further evidence of marginalization is seen with the treatment of the *zabbalin* community (garbage collectors) who are primarily Coptic and highly marginalized within Egyptian society (Tadros 2013, chap.8). The *zabbalin* live in three main settlements within Egypt, “One of the common features of the *zabbalin* in all three settlements is that the majority belongs to Egypt’s 10 percent Christian minority” (Tadros 2013, chap.8).

The *zabbalin* are heavily reliant on pigs as a method of managing organic waste (Tadros 2013, chap.8). In May 2009 the Egyptian government announced its plan to cull all of the nation's pigs in response to the swine flu (Tadros 2013, chap.8). This sparked an intense sectarian sentiment in the streets of Egypt (Tadros 2013, chap.8). Tadros quotes environmentalist Marie Assad who worked extensively with the *zabbalin* community, on the incident, "Egypt was sitting on a sectarian volcano about to erupt in the most violent way. People were saying 'the Christians are going to kill us. This is part of the west's plan to eradicate Muslims. We have to kill the pigs before they kill us'" (2013, chap.8). Although the intent of the government was to protect the population from a possible epidemic, in many ways it created a division within Egyptian society. There was already a clear division amongst the population, and the government poorly executed a plan with sectarian implications. The already tense relations between the Muslims and Copts was further intensified by the government's decision, which demonstrated religious implications.

The level of violence against Copts alarmingly increased before and during the revolution. It was so intense that on November 15, 2011 the Commission on Security and Cooperation in Europe, a US government commission that promotes human rights, military security, and economic cooperation in 57 countries around the world, held a hearing to discuss the situation. The hearing was entitled, "From Arab Spring to Coptic Winter: Sectarian Violence and the Struggle for Democratic Transition in Egypt". The commission itself stated at the time, "the transition period has been increasing in violence against Coptic Christians. The current Egyptian government controlled by the Supreme Alliance Council of the armed forces has not adequately responded to this violence, has

not protected vulnerable Coptic Christians and as we have seen on video, to our horror, has even committed acts of violence against Coptic protestors” (2011, 2). At the time, the hearing was held the council questioned whether the transitioning governing body would be an improvement upon the Mubarak regime when it came to human rights and the Coptic people.

The rise of the Egyptian Revolution tackled several human rights issues within the Egyptian government, and one of the major topics of concern was the treatment of the Coptic people. Their marginalization, through the violence against them, questioned and challenged the protection of their human rights under the Egyptian democratic system. Prior to the revolution Egypt defined itself as a Democratic Republic, which the Egyptian public challenged through protest. In order to have a true Democracy, human rights must be at the forefront, and is often the catalyst and justification for protest by the lay person. Continuing to live under a truly non-secular governing body does not improve upon the human rights of the Coptic people. Clearly the situation has been addressed in a global setting, which demonstrates its level of high concern within the human rights community. Questions of human rights of minorities suggest that a country’s democratic policies are at risk. Within Egypt the human rights of the religious minority are of concern, this should question the need to declare the majority’s religion as the official religion of the state.

Although Egypt officially declared itself a Democratic Republic in 1953, it has always maintained a high level of authoritarianism. This authoritarian rule affected both Muslims and Christians, but impacted non-Muslims more, especially when Sadat

implemented policies making Egypt into an Islamic state. Professor Jason Brownlee comments,

The regime of President Anwar Sadat grew more overtly pious in the 1970s, inserting the call to prayer into national television programs and banning the sale of alcohol in much of the country. Copts found Egypt being defined in terms that excluded them from belonging in equal measure alongside Muslim Egyptians (2013, 4).

Creating such policies that were geared toward enforcing religious ideals, and ostracizing others, created a sectarian society. Copts became an even more vulnerable community. The Egyptian government and police were already practicing a strong hold on the population, but the Copts were even more vulnerable within the community. Brownlee writes, “Anti-Coptic violence during the past forty years emerged from the intersection of religious discourse and authoritarian control” (2013, 4). The threat of authoritarian rule did not subside after the revolution. The current President, Abdel Fattah el-Sisi, is seen as imposing a strong authoritarian military rule over the nation. Egypt’s claim that it is an Arab Republic is not only questionable due to evidence of authoritarian like rule, but purposely marginalizing a segment of the population further discredits it as a republican institution.

Furthermore, the 2014 Egyptian constitution and the overall democratic system after the 2011 revolution continued to marginalize Coptic people. For one, Article 2 in the constitution is titled Islam, Principles of Islamic Sharia, and states, “Islam is the religion of the state and Arabic is its official language. The principles of Islamic Sharia are the principle source of legislation”. Creating a state religion, automatically emphasizes minorities as outsiders, communities of others. It imposes the ideologies of the majority on those marginalized. The government is creating a division due to

personal religious belief, weakening those outside the faith. Being within a minority in society puts these individuals at a disadvantage. Having the constitutional support further empowers the majority. In order to function within society, the minority is not given a choice as citizens of the state, they must acknowledge the constitution. If we refer to the previous constitution when Article 2 was first introduced during Sadat's administration there was immediate resistance because Egypt was considered a secular state. For the Coptic population at the time the resistance was voiced by Pope Shenouda III because it was seen as infringing on the freedom of religion. Tadros writes of the Pope's opposition when the Article was first initiated, "He suggested that its application nationwide would signal a flagrant violation of the principle of freedom of religious belief enshrined in the constitution" (2013 chap.3). Again, we see repetition of principles from a failed democracy being repeated in the implementation of a new democratic rule.

It is also important to discuss Article 3 dealing with Christian and Jewish religious affairs. The Article states, "The principles of the laws of Egyptian Christians and Jews are the main source of laws regulating their personal status, religious affairs, and selection of spiritual leaders". This Article allows Christians and Jews to have authority and regulate their personal affairs, but they are still citizens of the state, therefore they must acknowledge state legislation based on Islamic Sharia. They are essentially given the freedom to practice their religion within a non-secular state, but they still fall under the laws of the state which are based on Islamic Sharia.

Egypt is a Democratic Republic with a theocratic constitution. This is a significant discussion point when assessing the marginalization of the Coptic people and how it impacts whether or not Egypt succeeds as a democratic state. A 2017 paper by

Gabor Halmai, a professor of constitutional law, examines state-church relations and religious freedom through three case studies. Egypt is one of the case studies and is examined as a country that started to build up a democratic system with an illiberal theocratic constitutionalism. Halmai discusses that during Mubarak's era the Egyptian Supreme Constitutional Court practiced secular jurisprudence, but "the greatest challenge facing Egyptian regime transition has been the deep moral conservatism and hierarchical nature of society- a challenge that obviously impacts the design of the institutional structure" (2017, 196). He explains that the conservatism is mainly due to the fact that 90% of Egyptian Muslims are Sunni Muslims. "Their religious conservatism and acquiescence to social hierarchies is antithetical to the values of liberal democracy, for example, the ideal of citizenship based on equal human dignity, which defined the Tahrir Square Revolution of January 2011" (Halmai 2017, 196). Halmai is making a critical point in this discussion, which is that even if the constitution offers clauses to protect the religious practices of those outside the religion, the Islamic majority has an impact on the structure of society. The constitution itself offers more power to the conservative Sunnis by stating Islam is the religion of the state. This offers a challenge for the ability of the country to thrive as an Arab Republic. Halmai also states, "the 2014 text in all religious matters is very similar to the 2012 Constitution, which was itself based on the previous constitution adopted in 1971" (2017, 205). If Egypt failed as a Republic before, the lack of change regarding religion in the latest constitution, will not help its movement toward a thriving republican system.

In discussing majority rule within a Democracy, Patrick indicates, "In every genuine democracy today, majority rule is both endorsed and limited by the supreme law

of the constitution, which protects the rights of individuals” (2006, 58). This point can be debated when discussing the Egyptian constitution. The Egyptian constitution does state freedom of belief (Article 64), representation for Christians (Article 244) to protect the Coptic minority, but the general legislation/law is Islamic law. In essence, the supreme law in Egypt is based on Islamic principles. What classifies the majority in Egypt is religion/faith. If the supreme law of the land is based on the principles of the religious majority, this does in fact endorse the majority, but does not limit its rule. In fact, one can argue that it enhances its authoritative rule over the minority. Scott writes, “general law, and the concept of public order has been used to apply Islamic law to general law. Thus, Islamic law is applied to non-Muslims in personal status issues outside of family law” (2010, 87). Scott uses the example of adoption to demonstrate the point, by indicating that non-Muslims are not allowed to legally adopt, since adoption is not allowed under Islamic law (2010, 87). It is important to note that Scott’s book was published in 2010 before the latest Egyptian constitution, but the amendments protecting freedom of belief, equality regardless of religion, and the personal status laws existed in the previous constitution. Since we see a repetition in the constitutional amendments in relation to minorities, this allows for the risk of another failed Republic.

The 2014 Egyptian constitution does not demonstrate an improvement from the previous regime, which was proven to be a failure through the uprisings and revolution. The Coptic people and their marginalization is further impacted by the declaration of Islam as the state religion, and Sharia principles as the source for the law of the state. How does this limit the power of the majority? The Mubarak administration struggled with providing adequate representation for the Coptic minority. When Sadat declared

Islam the religion of the state along with the principles of Sharia law this was seen by the Coptic minority as a threat to their religious freedom, jeopardizing the state of the Arab Republic. Repetition of these theocratic based Articles in the post-revolutionary constitution demonstrates a continuation of marginalization for Copts with inadequate representation. This marginalized segment of the population played an incremental role in the fall of the Mubarak administration which was a declared democracy. In this sense, Egypt is not demonstrating corrective action or an attempt at creating a stable republic if it continues to marginalize the Coptic community by implementing religion and laws of the Islamic majority.

Although the Egyptian constitution states freedom of religion, true secularization is needed in order for Egypt to achieve true democratic rule. Egypt's constitution is theocratic because it acknowledges Islam as the official religion of the country, making non-Muslims the minority with inadequate representation. Dr. Agrama from the University of Chicago examines the relationship between secularism, democracy, and politics in Egypt during and right after the revolution. The fact that the Egyptian constitution states Islam as the official religion of Egypt, but at the same time claims religious freedom for all citizens has Agrama classifying the state as a secular-religious ambiguous state. Agrama states,

The question of whether Egypt is a secular or a religious state is but one manifestation of this power; that it has been continually asked both in and outside of Egypt is just one indication that the country is fully subsumed within the problem-space of secularism, as are Israel, the United States, England, France, Germany, and many other states that continue to exhibit secular-religious ambiguities and that stake fundamental freedoms on their clarification. And this will remain the case until the question of where to draw a line between religion and politics is no longer deemed necessary to ask in relation to the range and distribution of fundamental rights and liberties

(2012, 28).

Agrama makes an interesting point here, he presents Egypt as this ambiguously defined country regarding secularism, and indicates this ambiguity will remain the case until one does not infringe on the “fundamental rights and liberties” of those within the population. When referring to Egypt and its strength as a Democratic Republic, one can argue that the fundamental rights and liberties of the religious minority are affected, therefore it is not truly a secular state.

Agrama’s paper was published in 2012, but the statements regarding secular-religious ambiguity are applicable to the present situation since Article 2 exists in the Egyptian constitution before and after the revolution. In fact, Agrama further elaborates and indicates,

Where the question of Egypt’s secularity or religiosity arose most forcefully was in the debates that unfolded in the run-up to a major referendum over a set of proposed constitutional amendments. Almost immediately after Mubarak’s resignation, the interim military council appointed a committee to draft a set of constitutional amendments to pave the way for democratic elections that would create a new, genuinely representative, civilian government

(2012, 28).

Questioning the religious state of the previous constitution in its relation to building a government, indicates that this was considered a critical factor to building a truer democratic state.

In fact, Agrama indicates the key role Article 2 played in amending the previous constitution. After Mubarak’s resignation, when the country was under military rule. The interim military council created a committee to draft constitutional amendments, with the intent “to pave the way for democratic elections that would create a new, genuinely representative, civilian government” (Agrama 2012, 28). According to Agrama, Article 2 generated much discrepancy in the overall approach to voting on the amendments. He

comments that for some there was a fear that Article 2, “would be retained unchallenged or possibly even be expanded in scope within a new constitution” (2012, 29). For those who backed the amendments, Agrama writes, “some of those who backed the amendments, in turn, framed their support in terms of “saving” Article 2 and, thus, the explicitly Islamic dimension of the state” (2012, 29). When devising the new constitution, Article 2 became pivotal in Egypt’s attempt at creating a democracy with true representation because of what Agrama refers to as secular-religious ambiguity. The threat to a democracy in this situation comes when those outside the majority religion are facing persecution. The majority can rule, but the fundamental rights of the minority must be protected in order to thrive as a republic.

Since one of the root causes of the uprisings against the Egyptian government was fueled by those persecuted for their religious beliefs, continuing to declare a state religion puts the new democratic government at risk. When Agrama spoke to Islamist lawyers who were involved with the amendment voting before and after the vote he comments, “Even though they voted against the reform, these lawyers now support it because, again, this fit the spirit of the protest movement, focused on the democratic will of the people” (2012, 29). For those involved with revising the constitution it was not acknowledged until after the fact that reform should have been implemented in order to move toward a truer democracy. Without constitutional reform, and continuing in a declared Islamic state puts the new democracy at risk since religious persecution was a factor in the fall of the previous government.

Furthermore, the overall drafting and voting for the new constitution increased tensions between religious groups and ignited sectarian violence. This further disrupted

the social order within the country. This demonstrated that the discontent between religious groups was partly impacted by what was actually declared and written in the constitution. In fact, Nossett comments, “with Mubarak gone, long-present tensions between the country’s more conservative Islamist factions on the one hand, and the country’s Coptic minority and liberals on the other hand, took center stage in the form of disputed elections, boycotts of the constitutional drafting process, acts of violence, and large-scale protest” (2014, 1654). This unrest was a clear indication of how the previous constitution and administration lacked adequate protection for minority rights, since it was considered one of the key points when drafting the new constitution. This also offered the new Egyptian government an opportunity to alleviate the social unrest by completely amending the previous constitution especially when considering the articles pertaining to religion. Instead the new Democratic Republic opted to maintain a theocratic constitution, continuing to marginalize the Coptic minority.

The actual practice of religious freedom in Egypt is seen as questionable and has been studied by scholars over the years. Under article 64 of the Egyptian constitution, it states protection for freedom of belief and establishes for its citizens overall freedom of religion. In a 2018 study by Oraby, the author examines the concept of regulation of religion in Egypt through the practice of religious conversion. In Egypt citizens are required to declare their religious orientation on their identification card. Oraby explains that in the twentieth and twenty-first centuries the category of religion was included, “with an administrative significance. This decision meant that religious status would be subject to verification and would determine the rights for which an individual is eligible” (Oraby 2018, 577). Oraby further states, “regulation in modern Egypt consists of bureaucratic

agencies, administrative courts, and ecclesiastical institutions, all of which set the terms of individuals' relationships to themselves, their community, and the state" (2018, 577). To declare one's religious status is to also declare one's social status. The state's requirement to declare a person's religious status on a government identification card creates a questionable situation for those outside of the Muslim majority. In other words, it opens the door for discrimination.

Declaring religious status and its impact can be seen in cases in which an individual wishes to convert to another religion. The conversion for the individual poses complications when converting from Islam to Coptic. Oraby examines this topic of conversion in her 2018 study, "the state regulation of religion is both a global phenomenon and one that assumes particular characteristics in Muslim-majority states" (2018, 576). Oraby's paper challenges who and what regulates religious conversion in Egypt. In the Egyptian judiciary branch, there is an administrative judiciary committee called the Majlis al-Dawla that presides over conversion cases. The paper emphasizes how the conversion cases from Islam to Coptic create much controversy in Egypt since the country identifies itself as Islam, but also declares religious freedom under the constitution (Oraby 2018, 575). Oraby, uses the case of an individual by the name of Maher al-Gohary who in 2008 went before the Egyptian court to argue for recognition by the state for his conversion from Islam to the Coptic Orthodox faith. Oraby explains that the court would not recognize the conversion and states, "the reasoning found that insofar as the Church has limited competency under the law, it may not exercise its competency in the case of "a born Muslim who was originally and inherently Muslim at birth wishing to adopt Christianity" (2018, 595). The state did not recognize the documents from the church as sufficient

enough to acknowledge Mr. al-Ghoray's conversion. In this situation two documents were submitted by al-Gohary as evidence of conversion, and both were viewed as inadequate documentation for recognition of conversion.

According to the Egyptian court individuals have the right to change their religion without legislators specifying limitations, but "legislators do require a set of procedures, conditions, rules, and documents that must be satisfied in order for the administrative body to change the stated religious affiliation and name on a birth certificate and personal identification card" (Oraby 2018, 593). The conditions required are, "an application for a change of religious affiliation that must be presented to the competent civil registry department", attaching supporting documents that "are either a ruling of a change of religious affiliation from a competent court or a certificate of change of religion issued by a competent body", the documents must be validated by a competent civil registry department, and finally the information is sent to the Civil Status Police for review (Oraby 2018, 593). In al-Ghory's case the Court stated, "the Patriarchate of the Church of St. Mark may be able to issue the certificates stating the religious affairs of adherents of the Coptic Orthodox denomination and which ones change from one denomination to another, but it is clearly not competent to take any measure of any kind that involves a Muslim changing his religious affiliation to Christianity" (Oraby 2018, 594). Oraby makes the point that, "Egyptians born to Muslim fathers are marked as Muslim on their vital records regardless of their wishes" (2018, 590). Religious conversion within Egypt opens the door for much debate since the constitution presents dueling concepts regarding religion and state. Does the concept of religious freedom exist in Egypt if religious status and conversion requires specific documentation and procedure? Also, if an individual's father is Muslim, the

individual is limited as far as their religious freedom when it comes to choosing religious orientation as an adult. Limitations on an individual's religious orientation do not coincide with an individual's religious freedom under the constitution. In other words, shouldn't a person's choice to convert fall under the umbrella of religious freedom? This also weakens the constitutional articles stating that individuals have religious freedom.

At the same time, Oraby also discusses regulation when it comes to conversion to Islam. She states, "the Fatwa Council of Al-Azhar acts routinely certifies born Copts' exit from Coptic Orthodoxy. Although conversion is not addressed explicitly in constitutional or statutory law, the registration (*tasjil*) and validation (*tawthiq*) of conversions to Islam are subject to internal regulations of the Justice Ministry" (2018, 596). What is demonstrated here is that there is an inequality regarding an individual's choice in religious conversion depending on the religion of choice. If the Coptic church is not considered competent in presenting adequate documentation to allow a Muslim individual to convert, then should this ruling not also apply to Islamic institutions when the situation is reversed? Although Egypt declares Islam as the state religion, one can also argue that Christians and Jews are granted a level of religious authority under the constitution. This can be seen with Article 3 where it states, "the principles of the laws of Egyptian Christians and Jews are the main source of laws regulating their personal status, religious affairs". Conversion to and from a religion can be argued under this article since conversion is a religious affair. In the cases of religious conversion by limiting the authority of a religious institution the state is limiting the religious rights of the individual, since the individual is asked to provide certification from a competent body. If an individual chooses to enter the Christian or Jewish faith they are under stricter regulation than an individual choosing to enter the

Muslim faith. The individual is not actually practicing freedom of religion especially when they are converting out of Islam. The state is practicing authority over a person's religious freedom by regulating a person's choice to convert in and out of a religion.

In 2008 the Egyptian courts ruled, "Those who profess Judaism are invited to embrace Christianity, and those who embrace Christianity are invited to embrace Islam (the last of the religions). The opposite, in any case, is incorrect according to both the will of God in his arrangement of the revelation of His heavenly religions and Egyptian public order and mores" (Oraby 2018, 590). This statement the courts presented is an obstacle for conversion if the path is not considered fluid for all religions. Clearly there is a hierarchy of religion, within Egyptian society, which questions the democratic system overall.

The process of religious conversion in Egypt poses an obstacle for its progression as a democracy and a contradiction to its constitution. Article 64 of the Egyptian constitution states, "freedom of belief is absolute". This seems to only hold true if an individual remains within the faith they were born into. If an individual chooses to convert that freedom of belief is jeopardized. Egyptians are required to declare their religious orientation on their state mandated ID card. Within Egyptian society and even within the court system there is a display of religious hierarchy creating an opportunity for discrimination. Understanding the process of religious conversion displays Egypt's inequality towards religious groups and lack of religious freedom. The process of religious conversion favors an individual choosing to become a Muslim as displayed above. For one, the Fatwa Council of Al-Azhar, works to successfully aid conversion individuals into the Muslim faith, therefore they are seen as a competent body by the Egyptian court. In

the same respect the Coptic church has been viewed as a body that is not competent when it comes to providing documentation for the conversion of a Muslim individual into the Coptic faith. The courts have shown that religion has a hierarchy therefore the individual's freedom of belief is restricted. The conversion process in Egypt further demonstrates the marginalization of the Coptic people and the need for true secularization.

## **Conclusion**

The Coptic people of Egypt have endured centuries of persecution and are to date still a marginalized segment of the population. Historical marginalization of Coptic Egyptians has been demonstrated by mass conversions, violence, erasure of language, and seizure of property. All these have continued into the present day since religion is a major factor of identity within Egyptian society. Egyptians must state their religious affiliation on their government issued identification cards. This clearly indicates that a person's religion is a determining factor for the Egyptian government and within society. With the beginning of Sadat's presidency in 1971, Egypt implemented Sharia law and Islam as the official religion of the state within the constitution. With the historical factors of marginalization, the declaration of Islam as the religion of the state created an increase in marginalization. The Coptic people played a pivotal role in the 2011 Revolution because of the religious persecution they have faced. They were active in the fall of the Egyptian government.

The Egyptian government does not completely practice secular principles. The constitution is theocratic declaring sharia law as the principle law for legislation and declaring Islam the religion of the state. Egypt also does not demonstrate true religious freedom. Each citizen must declare their religion on their ID and religious conversion has proven to be an obstacle for those who wish to convert from Islam to Coptic.

If Egypt plans to succeed as a Republic, the country must practice true secularization. In declaring a state religion, the government is subjecting the minority religions to persecution, as seen with the Coptic people. Declaring a religion strengthens the majority. A principle of a Republic is to limit the rule of the majority so that they do

not overpower the minority infringing on their rights. In Egypt, the Coptic people have continually endured persecution. Declaring Islam as the official religion has proven to increase the rule of the majority over the minority. The first thing Egypt must do in order to protect the principles of the Republic is to not declare an official state religion. This will allow the government to pursue true secularization and protect the Republic from failure. Secondly, the government will need to enforce religious freedom. This is done by removing the declaration of one's religion from their government ID. This makes a person's religion private, further protecting the individual from persecution. There should also be legislation with severe penalties for discrimination against a person's religion. Egypt will need to strengthen its human rights policies in order to protect the minority. Lastly, the Coptic community will need adequate representation within the governing body to continue the fight for improving human rights. These changes would not only aid the Coptic community in Egypt, but also help the Republic to thrive as a whole.

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