



The Coptic Identity: Recognizing The Coptic Indigenous Population Status For Protection From State-Sponsored Discrimination

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I. INTRODUCTION

Since 2010, Coptic Solidarity has been working to accomplish its one, seemingly basic vision: “Equal citizenship for the Coptic Christians of Egypt and minorities in the Middle East.”¹ This report is a continuation of the efforts set by the organization to protect the rights as indigenous people, exchange information on violations to international protocols and standards that have resulted in discrimination and persecution in the last 1,400 years and increasingly after 1952, and propose recommendations on how to recognize, acknowledge, and protect the Coptic community’s security, heritage, and history.

The Coptic people are an ethnoreligious population that identifies as the descendants of ancient Egyptians² according to their genetic results and the evolution of their language and traditions that root back to the ancient Egyptian civilization. After the Christianization movement in around 60 CE by Mark the Evangelist (known to the Copts as the first Patriarch of the Coptic Orthodox Church), the Church of Alexandria became an intellectual center for the ancient world and a leader in theology and the sciences. Following the great Christological controversies of the fifth and sixth centuries, the Coptic Church, along with the rest of the ‘Oriental Orthodox family,’ became alienated from the universal Church union, with ensuing pressures by the Byzantine Emperors. Mutual efforts were made in recent decades towards rapprochement based on a broad agreement that the differences in Christology were in fact theological formulae seeking to express the same reality.³

In 639 CE, 'Amr ibn al-'As initiated his first Arab invasion of Egypt after a series of conquests in the Levant. After years of siege and surrender, the Byzantine governor and al-'As settled on the Treaty of Alexandria, which included the establishment of the *jizya*, grant of autonomy of Copts and Jews in Egypt, and guarantee of no Muslim intervention in church affairs should the Copts not support a new Byzantine invasion.⁴ The new Arab administration, however, breached this contract as their primary compliance was to the Pact of Umar, or simply to the whims of the various *Caliphs* and their *Walis*. Throughout the different dynasties, the Arab rulers treated the Coptic population with various amounts of discrimination that started from radical increase in taxes and up to full-scale massacres.⁵ With much of the native population converting to Islam, to escape the *jizya* and the humiliations of the dhimmi status, over the next four centuries, the word Copt transformed to define the native population that had not converted to

¹ “What is Coptic Solidarity?” *Coptic Solidarity*, <https://www.copticsolidarity.org/about-us/what-is-coptic-solidarity/>.

² James B. Minahan. *Encyclopedia of Stateless Nations: Ethnic and National Groups Around the World: Ethnic and National Groups Around the World*, Second Edition, Vol Second edition, Greenwood; 2016, 108, <https://search.ebscohost.com/login.aspx?direct=true&db=nlebk&AN=1281605&site=ehost-live>.

³ Guindy, Adel, *A Sword Over the Nile: A Brief History of the Copts under Islamic Rule*, New York, Austin Macauley Publishers, 2020, 29.

⁴ Butler, A. Joshua, *The Arab conquest of Egypt and the last thirty years of the Roman dominion*. Oxford: Clarendon Press 1902, 320, <https://babel.hathitrust.org/cgi/pt?id=uc1.31822011830346&view=1up&seq=9>

⁵ El-Maqrizi, Taqi-ad Din, *A Short History of The Copts and of their Church*, English Translation by Rev. S. C. Mallan, M.A., London, 1873, 76.

Islam. With the central theme in the unity of all Muslims as one *umma*⁶, the term Copt started limiting itself to Egypt's native Christians.

The Copts' distinct identity did not feel the urge to prove itself until the Arabs controlled Egypt, being the descendants of Ancient Egyptians, not only 'genetically,' but by retaining tangible cultural heritage such as language and music.⁷ According to El-Maqrizi, al-'As recognized the division in the church and the population between the Chalcedonian followers (the Greek Melkites, concentrated in Alexandria) and the miaphysite in the rest of Egypt (later identified as Jacobite Copts.)⁸ With the end of the Early Caliphate, persecution status shifted to a Caliph's basis during the Umayyad and Abbasid dynasties. Some of the actions committed by Arab governors went beyond other ruler's; Ahmad ibn Tulun (870-884), for example, incarcerated Pope Khai'il III (880-907) for money for his Syrian campaign, and the Church's bishops had to sell a church and numerous properties to get back their patriarch.⁹

The clearest evidence of the restrictive interpretation of the Pact of Umar on the Copts from the Arab Conquest to this day can be found in the establishment of the dhimmi's inferiority in their faith and citizenship status. Converts' persecution documents back to the 11th century by the execution of John of Phanidjoit, Salib, and Jirjis al-Muzahim, to name a few.¹⁰ The argument that al-dhimmi status was leniently enforced and that it died soon after the invasion is faulty as historical documents show the activeness of the administration from that time to isolate the Coptic community and terminate any prospective members until recently when Muhammad Hegazy applied to legally change his religion and was denied by an Egyptian court in 2008, more than a millennium later. It is unknown whether Hegazy's case was genuine or not as he soon converted back to Islam; in fact, there are sources that speculate that he might have been utilized to uncover any proselytizing efforts. His scenario, on the other hand, shows the legal reaction to religious conversion and hierarchy.

The fluctuation in persecution between each governor and Wali, the Copts, and Egypt in general, entered into a cultural coma in the Mamluk and Ottoman periods which lasted over five centuries, until the awakening shock of French Expedition in 1798.¹¹ Historical sources show the Church's almost exclusive burden to comply with different bylaws like clothing mandates, increases in the *jizya*, displacement of the patriarch, or shutting down or demolishing church buildings. Nevertheless, these restrictions provided a more distinct political, cultural, and economic system in the Coptic community than at any other time in its history. Clothing mandates, such as requiring the wearing of blue turbans, bells on the neck, or only black garments, shaped many of the liturgical and traditional Coptic attires.¹² Increases in the *jizya* and the constant danger to the patriarch's safety motivated the rise of the *Archons*, civilian Copts of high socio-economic status, who usually repaid the ransom to free incarcerated patriarchs,

⁶ Quran 3:103, 30:31-32, Oxford World Classics edition.

⁷ Guindy, *A Sword Over the Nile*, 25

⁸ El-Maqrizi, *A Short History of The Copts*, 72.

⁹ Youssef, Nessim, "Coptic Church History," in *Coptic Civilization*, ed. Gawdat Gabra Cairo, New York: The American University in Cairo Press, 2014, 27-32.

¹⁰ Youssef, "Coptic Church History," 28.

¹¹ Guindy, *A Sword Over the Nile*, 181.

¹² Guindy, *A Sword over the Nile*, 179-214.

stopped orders to demolish churches, and helped with Coptic non-sectarian affairs.¹³ Similarly, the patriarch's role shifted from solely a religious figure to a wise leader who had to have the Copts' security as his priority; patriarchs that did not fit the qualifications were removed even if they were religiously fit but politically unsound (Abba Ghobrial II and Youannes VII).¹⁴ The isolation and discrimination bylaws were not solely targeting the Copts, as in the case of the Egyptian Jewish community, which suffered from looting, burning of synagogues, and were mandated to wear two bells on the neck and red or black pointed hats. To an extent, bylaws enacted on Copts tackled various non-religious aspects of their lives, which demonstrates that many Walis viewed the former as an independent population with a distinct language, customs, culture, and intra-community politics.

With the Copts alienated both religiously and ethnically, the settlement to more peaceful national co-existence and cooperation started in 1855 when influential European powers, notably Great Britain, pressured the Ottoman Sultan Abdelhamid II to waive the *jizya* in the *Tanzimat* Reforms. With about 1,200 years of continuous terrorizing, political approaches divided the Copts between the traumatized clergy and nationalist laity. The Ottoman constitutional reforms allowed non-Muslim sects to host representative councils to regulate their internal affairs so long as they maintained their loyalty to the *Bab- 'Ali*. Several Coptic Communal Councils took place between 1874 and the 1910s, which was much later than other communities' starting dates as the patriarchs were worried about the compromise to their power and the possibility to upset the ruler (an action that had, before, resulted in displacement, massacres, incarcerations, and financial penalties). With several *archons* and elites disappointed at the clergy's overreaching powers and improper economic maintenance of the *waqf* endowments, many individuals called to host the first Coptic Congress to regulate the Church's internal affairs and elect the new Communal Council.¹⁵ In 1910, however, the Congress was postponed after the assassination of the first Coptic Prime Minister, Boutros Ghali Pasha, by nationalist and religious extremist Ibrahim Al-Wardani. Many scholars view Ghali Pasha as the last chief *archon* of the Coptic community as, after his assassination, religious and state powers pushed the idea of secular Coptic autonomy aside to the present day. In 1911, Coptic leaders from Asyut urgently called for the Congress to be held and change its mission from internal reformatations to advocating for equal citizenship for all Copts. For the first time, in March 1911, 1,150 representatives convened to represent the Copts from all across the nation. The congressional body incorporated individuals from all Christian denominations and high-ranking members of the Congress were required to not be senior government officials to prevent the traditional archons' conflict of interest.¹⁶ The conference's five demands were:

1. Exempting Christians from work on Sunday like Muslims on Friday,
2. Reforming government appointments and promotions to be based on merit and competence instead of religion or creed,
3. Restructuring the electoral system to ensure representation for minorities,

¹³ Armanios, Febe, *Coptic Christianity in Ottoman Egypt*, New York, Oxford University Press, 2011, 22-31.

¹⁴ Guindy, *A Sword over the Nile*, 181.

¹⁵ Takawi, Mourad, *Representing the Coptic community: the Communal Council and the road to the 1911 Coptic Congress*, Middle Eastern Studies, October 3, 2022, 2-3, <https://doi.org/10.1080/00263206.2022.2124508>.

¹⁶ Takawi, *Representing the Coptic community*, 6-8.

4. Granting equal educational rights under the Provincial Councils regardless of religion or creed,
5. Promising equality in government funding to all institutions- including equal funding to Coptic and Muslim charitable organizations- without accounting for religion.¹⁷

Although the Congress' demands seem decently appropriate even in this historical context, especially with the emerging secularization trend in the Ottoman Empire, radical powers backfired those demands to destroy the yet best example of Coptic self-awareness, and desire to live as equals to their Muslim peers, in their homeland. A month later, the Islamic Congress- later renamed the Egyptian Congress- convened to refuse the five demands. The Congress' leader proclaimed that those demands did not meet the nationalist vision of political unity under the indivisible state religion, Islam. The idea of a state religion was hence born from this convention. Internally, Patriarch Cyril V was able to obtain a khedival decree in 1912 to further limit the Communal Council's power, which eventually terminated the Council and Congress' power, leaving the Copts with no autonomy other than religious compliance and obedience to a state that no longer represented them.¹⁸

Most importantly, this period reveals two essential themes for this report's argument: the proclamation of the Copts as more than a religious sect and the preexisting Coptic secular autonomy. When the Ottoman administrations established the *millet* system and reinforced it in the Tanzimat Reforms, they did not account for all minorities.¹⁹ For example, the Coptic Orthodox Church religiously fell under the Armenian Orthodox Church *millet* just because the latter had better representation in Istanbul, and they both shared non-Chalcedonian theology, which the imperial government viewed as a proper reason to combine both under one *millet*. However, the official classification of Copts was a *ta'ifa*, which is a sect with distinct ethnicity, religion, and customs.²⁰ Since Ottoman rule, the Coptic population has been classified as what it is: an ethnoreligious population. Secondly, the political fights between the patriarch and his clergy versus the laity show that, at some point, the Coptic community was politically and economically autonomous rather than exclusively religiously independent. The idea that the Copts are just a religious denomination of the larger Egyptian population was a newly indoctrinated idea coming from 19th century European political revolutions, and the emergence of nation-states, where national unity transcends religious and ethnic differences. Yearning to be liberated from centuries-long internal Arab-Islamic colonization and imperialism and realizing that political autonomy – let alone independence – was practically impossible (given that Copts do not live in exclusive/isolated areas), their elites selected the other option: live as equal citizens in one nation-state. Whether or not it was in their best interest, is another story.²¹

¹⁷ Bhr, Samirah, *Coptic Congress of Asyut*, Claremont Graduate University. School of Religion, 1991, The Coptic Encyclopedia Volume 2, 2-3, <https://ccd1.claremont.edu/digital/collection/cce/id/518/>.

¹⁸ Takawi, *Representing the Coptic community*, 8-9.

¹⁹ Strauss, Johann, "A Constitution for a Multilingual Empire. Translations of the Kanun-i Esasi and Other Official Texts into Minority Languages," in *The First Ottoman Experiment in Democracy*, ed. Christoph Herzog, Malek Sharif, Würzburg: Orient-Institut Istanbul, 2016, 21-51.

²⁰ Takawi, *Representing the Coptic community*, 3.

²¹ Guindy, in private communication with author

After the declaration of Egypt as a British protectorate in 1914, Egyptians developed a theme of unity against a new common enemy, the colonial power.²² Simultaneously, a new power of Pan-Islamism emerged in the Muslim Brotherhood which advocated that, as stated by Sheikh Abdel-Aziz Gawish, "The Copts' cheek-skins are good to make shoe-soles... The Copts must be beaten to death."²³ The sectarianism movement was facilitated, however, with a spirit of equal civil discourse and freedom of expression, which faded away with the end of the monarchy and British occupation in 1952 by the "Free Officers." The first two presidents, both supporters of the Muslim Brotherhood, established a dictatorial regime that heavily depended on military power and censorship. One of the biggest visions adopted by Gamal Abdel-Nasser, and later by all other presidents, is Arab nationalism, which ignited even more hatred and discrimination against Copts, whom many saw as the non-Arabs who followed the colonizers' faith.²⁴ This idea was the latest attempt to alienate the Copts from their motherland and, eventually, unofficially transform their identity from the Christian indigenous population to the heretic foreigners.²⁵

II. INTERNATIONAL STANDARDS

A- INTERNATIONAL TREATIES

The Preamble of the Charter of the United Nations states that it serves to "reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women."²⁶

According to the United Nations Declaration of Human Rights Article 18, everyone has the freedom of thought, conscience, religion, conversion, and private and public religious exercise and expression. Article 20, section 2 states that individuals should not be compelled to belong to an association, which may include mandatory official documentation of this affiliation. Articles 21 and 22 grant equal opportunity in civic service, national security, and equal cultural, economic, and social rights.²⁷

The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities establishes in Article 2, Section 3 that minorities have the right to participate in national decisions. In Article 5, states are asked to take due regard for minorities in their laws and interests.²⁸

²² Abaza, Khairi, Nakhla, Mark, "The Copts and Their Political Implications in Egypt," *The Washington institute for Near East Policy*, October 25, 2005, <https://www.washingtoninstitute.org/policy-analysis/copts-and-their-political-implications-egypt>.

²³ Samuel Tadros, "إعادة قراءة في التاريخ المصري الحديث: الأقباط تحت الاحتلال الإنكليزي," *Al-Hurra*, February 21, 2018, <https://www.alhurra.com/different-angle/2018/02/21/إعادة-قراءة-في-التاريخ-المصري-الحديث-الأقباط-تحت-الاحتلال-الإنكليزي/>.

²⁴ Sarah C. Medina, "Religion: Egypt's Copts in Crisis," *Time*, September 28, 1981, <https://content.time.com/time/subscriber/article/0,33009,953135,00.html>.

²⁵ Guirguis, Laure, *Copts and the Security State: Violence, Coercion, and Sectarianism in Contemporary Egypt*, Stanford, Board of Trustees of the Leland Stanford Junior University, 2012, 25-27.

²⁶ United Nations General Assembly, *Charter of the United Nations*, Preamble, 26 June 1945, <https://treaties.un.org/doc/publication/ctc/uncharter.pdf>.

²⁷ United Nations General Assembly, *United Nations Declaration of Human Rights*, R 217 A, Article 18, 20, 21, and 22, December 10, 1948, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

²⁸ United Nations General Assembly, *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities*, R 47/135, Article 2 and 5, December 18, 1992,

The United Nations Educational, Scientific, and Cultural Organization Universal Declaration on Cultural Diversity states in its Fifth Article that cultural rights are a part of human rights. As per the Declaration, all people maintain the right to the free flow of thought and expression.²⁹

According to the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion and Belief, Article 3 states that discrimination based on religion or belief is considered a violation of human dignity and hence to the Charter of the United Nations. Article 4 calls upon all States to actively seek the elimination of discrimination within to provide equal freedoms in civil, economic, political, social, and cultural life. In Article 6, different applications to this freedom are presented, including the right to establish and maintain a place of worship and assembly, the ability to write and share material in the religious field, and the right to observe and celebrate one's holidays.³⁰

The Second Article of the Convention on the Prevention and Punishment of the Crime of Genocide states that genocide is an act committed to destroying, wholly or partially, a national, ethnic, racial, or religious group. Subsection (b) lists physical and mental harm to group members as a form of genocide. Subsection (e) designates the forcible conversion of children to another group as a form of genocide.³¹

According to Article 2 in the United Nations Declaration on the Rights of Indigenous Peoples, indigenous peoples have full and equal rights as all other individuals and shall not face any forms of discrimination according to preceding statutes and charters. Article 5 grants indigenous communities the right to self-determination while offering full participation in State affairs should they choose to do so. The basic rights of indigenous peoples are stated in Article 7, Section 1 as "life, physical and mental integrity, liberty, and security of person." Article 8 calls on States to actively eliminate any forms of discrimination, prohibit any forms of cultural or identity deprivation, and disable any forced integration. Articles 11, 12, and 13 grant the right to cultural preservation, representation, freedom of expression, and freedom of transmission. This is later reemphasized in Article 34 to include the right to promote, develop, and maintain their "distinctive customs, spirituality, traditions, procedures, practices." Article 32 protects the indigenous people's autonomy over their land and property, and a State shall not impose any legislation or projects over indigenous lands before consultation and agreement. Article 33 grants the freedom of identification to which indigenous populations can choose their specific way of identification in relation to the State without impairment to their right of citizenship. Lastly,

<https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-rights-persons-belonging-national-or-ethnic>.

²⁹ UNESCO, *Universal Declaration on Cultural Diversity*, Article 5, November 2, 2001,

<https://www.ohchr.org/en/instruments-mechanisms/instruments/universal-declaration-cultural-diversity>.

³⁰ United Nations General Assembly, *Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion and Belief*, R 36/55, Article 3, 4, and 6, November 25, 1981,

<https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-elimination-all-forms-intolerance-and-discrimination>.

³¹ United Nations General Assembly, *Convention on the Prevention and Punishment of the Crime of Genocide*, R 260 A, Article 2, December 9, 1948, https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf.

Article 37 grants the right of recognition, observance, and enforcement of treaties by States toward their indigenous populations.³²

B- CATEGORIZATION OF INDIGENOUS POPULATIONS

With all the resolutions and propositions set by relevant bodies in the UN, there has been no official or bounding definition limiting what and who the indigenous people might be. However, notably, The United Nations Permanent Forum on Indigenous Peoples and the “Study of the Problem of Discrimination Against Indigenous Populations” by José Martínez Cobo set a list of criteria that, for the purposes of this report, can be considered as the standards that, if passed, refer to the presence of an indigenous identity. This report considers each of these standards and their compatibility with the Coptic population. These standards are:

1. A strong link to territories and surrounding natural resources

The general genetic makeup of most Egyptians shows a significant link to the land. While about 17% of DNA origin (according to one study by the National Geographic) is connected to Southwest Asia, Egyptian DNA origin comprises about 68% of Northern African descent and smaller percentages of Jewish Diaspora, Southern Europe, Eastern Africa, and Asia Minor.³³ However, according to a study done on the genetics of Eastern African populations in 2015, the Coptic population shows no Sub-Saharan and significantly fewer Middle Eastern/North African ancestral links than the whole Egyptian population.³⁴ Rather, Copts own a much more distinguishable genetic and ancestral makeup (DNA) that makes up the majority of their total ancestral results.

Aside from genetics, cultural heritage and continuity are distinctive. For example, the farming populace in Egypt depends on the Coptic calendar, an edited version of the Ancient Egyptian Calendar. In contrast to other calendars, the Coptic one is customized to determine the Nile flood times and the optimal times for planting and harvesting as well as peak seasons for sandstorms and cold weather.³⁵ Not only is it an example of cultural continuation, but the calendar is one of the numerous examples of everyday activities and practices that reflect the Copts' indistinguishable link to their land.

2. Distinct social, economic or political systems

Copts maintained their own educational system and family status regime over the centuries under Arab-Islamic rule, which was initially governed by the Church, and later by the Melli Councils. As of 1956, educational curricula became subject to government control, and Copts had to adhere to the national Family Status laws. Those laws dictate religious tenets to non-Muslim citizens (followers of ‘Heavenly Religions’), provided that these provisions do not

³² United Nations General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples*, A/RES/61/295, Article 2, 5, 7, 8, 11, 12, 13, 32, 33, 34, and 37, September 13, 2007, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/512/07/PDF/N0651207.pdf?OpenElement>.

³³ “National Geographic's DNA Analysis Concludes that Egyptians are Only 17% Arab,” *Cairo Scene*, January 16, 2017, <https://cairoscene.com/Buzz/National-Geographic-s-DNA-Analysis-Proves-Egyptians-Are-Only-17-Arab>

³⁴ Dobon, B., Hassan, H., Laayouni, H. et al. *The genetics of East African populations: a Nilo-Saharan component in the African genetic landscape*. *Sci Rep* 5, 9996 (2015). <https://doi.org/10.1038/srep09996>.

³⁵ Naguib, S. (2008). *Survivals of Pharaonic Religious Practices in Contemporary Coptic Christianity*. UCLA Encyclopedia of Egyptology, 1(1). Retrieved from <https://escholarship.org/uc/item/27v9z5m8>.

violate Article 2.³⁶ This means that marriage, divorce, and child custody rules are specific for marriages within the denomination. However, Sharia rules prevail should a marriage partner ‘convert’ to another denomination. Also, a Christian couple cannot adopt a child as this is prohibited by Sharia. The law stipulates that Muslim women are not permitted to marry non-Muslim men. Non-Muslim men who wish to marry Muslim women must convert to Islam. Alternately, Christian and Jewish women are not required to convert to Islam in order to marry Muslim men.

From the 7th and up to the late 19th century, the mandated *jizya* typically constituted an enormous burden on the majority of the population. The Patriarch was frequently kidnapped by the governor and demanded a ransom for his war efforts. An unofficial council of bishops usually met to plan how to pay for ransoms and extra fees and decide on the status of many of the church properties should they need to sell them due to financial crises.³⁷ The Ottomans ended the *jizya* mandate across their Empire and substituted it with *badal-asskari* (tax for non-Muslims to be exempt from military service). In Egypt, it was Khedive Saïd Pasha who ended the *Jizya* in January 1855.

Until near the time of the assassination of Prime Minister Boutros Ghali, Copts maintained a much more established community leadership aside from religious leadership. *Archons* were Coptic notables of elite financiers, landowners, and bureaucrats, as well as modest farmers, artisans, and laborers who represented the Coptic public in the administration. They were usually not officially appointed and executed the work voluntarily, and they almost always had a say in the choice of new patriarchs. This social system was eventually weakened after 1952, when the political parties (where Copts were disproportionately more active) were dissolved, and later the land reforms and nationalizations occurred, which decimated the Coptic secular elites. Eventually, new types of Coptic elites emerged, composed of businessmen, liberal professionals and bureaucrats. But these professionals were much too weak to challenge either the State or the clergy. The inevitable result is that management of church assets was left under the clergy’s authority, and secular elites were not permitted to represent the overall interests of the community vis-à-vis the government.³⁸

3. Distinct language, culture and beliefs

The Coptic language is the last stage of the Ancient Egyptian language, which was initially written in hieroglyphics, then in Demotic (‘popular’) characters, before adopting the Greek alphabet (with additional 6-7 characters to represent specific sounds.) With the advent of Christianity, the theological and liturgical terms of the new religion were adopted from Greek into Coptic. Coptic is a fully structured language that is still used today in liturgy and can be spoken fluently by many members of the clergy and devoted Copts. The language’s common use declined over several centuries for a variety of reasons, ranging from coercion by certain rulers to the practical needs of working in the *diwans* or conducting daily business. A major blow was dealt in the mid-twelfth century when the Patriarch decided to prioritize the translation to Arabic of the Gospel and the liturgical books. A strong pillar of Coptic identity was thus shaken.³⁹ Some

³⁶ *Constitution of the Arab Republic of Egypt* [Egypt], Article 3, 18 January 2014, https://www.constituteproject.org/constitution/Egypt_2019?lang=en.

³⁷ Youssef, “Coptic Church History,” 28.

³⁸ Guindy, in private communication with author

³⁹ Guindy, *A Sword...*, 25, 331-334.

villages in Upper-Egypt still used Coptic fluently until the 1930s.⁴⁰ On the other hand, the Coptic language survives in the Egyptian ‘colloquial’ language, which retains numerous Coptic words as well as the grammatical construction of sentences.

Coptic culture and civilization are the result of the emergence of political and cultural scatter in Egypt around the Greek conquest. With the blending of Egyptian, Ptolemaic, Greek, and later Christian tenants around Lower Egypt, the Coptic culture emerged with distinct culture, practices, and beliefs. Historically, the Copts gradually maintained their unique attire, calendar, food, language, and holidays.⁴¹ For example, the majority of the Coptic holidays, cannot be found in either national or Western Christian celebrations, making them religiously and socially distinct.⁴²

The Coptic Orthodox Church, to which most of the modern Coptic population belongs, was historically one of the four leading universal churches in addition to the Churches of Constantinople, Antioch, and Rome. Two of the first three universal church councils were presided over by Coptic Patriarchs, and much of the fundamental church documents were written and theorized by Coptic theologians. In 451, the Council of Chalcedon discussed the nature of Christ, which, due to mostly linguistic and cultural misinterpretations, caused a schism in the universal church between the Coptic Church and its sister Oriental Orthodox Churches and the rest of the churches (all of the other orthodox churches, the Catholic Church, and later most of the Protestant churches).⁴³ While Copts often identify themselves as monophysites rather than miaphysites- with which many Chalcedonian churches correctly identify them - the Coptic Church established a unique form of belief and prayer in comparison to most other churches, transforming their religious practices to a mix of liturgy and historical symbolism.

4. Historical continuity with pre-invasion and/or pre-colonial societies that developed on their territories

Evidence of Coptic texts date back to remnants in ancient temples and tombs to modern-day books with similar text in the same language. Much of the clergy's clothes and components of liturgy have evolved from Ancient Egyptian religions and times of Arab persecution. Coptic liturgical music, for instance, involves many elements of Ancient Egyptian chants that were preserved by chironomy, particularly any foreign influence such as that of Greeks. Much of the vocal techniques and vowel projection suggest an undeniable link between Coptic liturgical chants and Ancient Egyptian hymns.⁴⁴ The same idea applies to language, dietary systems, holidays, funerary rites, and secular rituals.

⁴⁰ Quibell, James E., *When did Coptic become extinct?*, *Zeitschrift für ägyptische Sprache und Altertumskunde*, 1901, 87.

⁴¹ Gabra, Gawdat, *Coptic Civilization*, Cairo, New York: The American University in Cairo Press, 2014.

⁴² El-Gergawi, Sherry, “Why Copts celebrate Christmas on 7 January,” *AhramOnline*, January 6, 2014, <https://english.ahram.org.eg/NewsContent/1/2/286689/Egypt/Society/Why-Copts-celebrate-Christmas-on--January.aspx>.

⁴³ Ritter, Adolf Martin, “Chalcedon, Council of”, in: *Encyclopedia of Christianity Online*, 2011, http://dx.doi.org/10.1163/2211-2685_eco_C358.

⁴⁴ Gillespie, John, *The Egyptian Copts and Their Music*, 1964-1967, 11-12, https://tasbeha.org/content/articles/dl/The_Egyptian_Copts_And_Their_Music-John-Gillespie.pdf.

5. Distinctiveness

Despite Greek, Roman, and Arabic influence on Coptic culture, the Copts maintained a strictly conservative view of protecting their existence. For example, despite the change of holiday dates by the Catholic Church, the Orthodox Church still uses its original calendar to determine holidays' dates. Other aspects include their unique liturgy and form of prayer that differs from all other orthodox and non-orthodox churches. Even in secular life, Copts still maintain unique rituals for *al-sebou'* (newborn celebrations), *tehour* (circumcision ceremonies), weddings, and funerals.⁴⁵

6. Non-dominance

As a central theme, Coptic representation has been a question that fluctuated during all Arabic political dynasties and stabilized by the twentieth century. When Sa'ad Zaghlul planned a delegation in 1918 to represent Egypt in Great Britain after World War I, George Khayat, a Coptic notable figure, asked Zaghlul where the Copts' place was in this delegation, as not a single delegate was Coptic. Zaghlul answered him: "Rest assured, Copts will have the same rights and duties as us, in all equality." This "us" resulted in consistent discrimination in for Copts.⁴⁶ Otherness has been a standard way in which to treat Copts, as a second group and a population with divided loyalties because of their faith. Historically, Copts were isolated from governing and persecuted as hieratic monophysites. After the Arab invasion, they were considered a desperate population sharing a religion with the Western enemy. Today, the only progress that has been made is to reserve the appointment of the Minister of Immigration and Expatriate Affairs, which has been filled by a Coptic woman, to fill in for two underrepresented peoples, Copts and women in general, with one junior ministerial position. The Coptic population has very minimal representation in government and is almost non-existent in higher education, national sport teams, and any entities that represent the state internationally.⁴⁷ Christians are underrepresented in the military and security services, and those admitted at entry levels of government face limited opportunities for promotion to the upper ranks. No Christians serve as presidents of the country's 27 public universities. The government bars non-Muslims from employment in public university training programs for Arabic-language teachers, stating that the curriculum involves study of the Quran.⁴⁸

⁴⁵ Naguib, S., Survivals of Pharaonic Religious Practices in Contemporary Coptic Christianity, *UCLA Encyclopedia of Egyptology*, 1(1), 2008, <https://escholarship.org/uc/item/27v9z5m8>.

⁴⁶ Guirguis, *Copts and the Security State*, 119.

⁴⁷ Bureau of Democracy, Human Rights, and Labor, *2016 Report on International Religious Freedom: Egypt*, Washington DC: U.S. Department of State, 2016, <https://2017-2021.state.gov/reports/2016-report-on-international-religious-freedom/egypt/index.html>.

⁴⁸ Bureau of Democracy, Human Rights, and Labor, *2016 Report on International Religious Freedom: Egypt*, Washington DC: U.S. Department of State, 2021, https://eg.usembassy.gov/2021-report-on-international-religious-freedom/?_ga=2.223385048.217989719.1679523511-1479234764.1679523511

7. A determination to preserve, develop and transmit to future generations their ancestral territories and identity as peoples in accordance with their own cultural patterns, social institutions and legal system⁴⁹

The only major, living institution that focuses on Coptic cultural preservation is the Coptic Orthodox Church. The Church hosts many of the projects that were initiated with Coptic language revival and Coptic theological education. The Church has also sponsored projects to teach Coptic iconography and calligraphy. Oral tradition is also the major source to transmit rituals and oral historical records, which some independent NGOs and the Church have recently started recording. There are some limits on those activities to avoid "evangelism" or "defamation of religion," both legal crimes in Egypt.⁵⁰

C- INTERNATIONAL POLICY TOWARDS THE COPTIC CASE

In 2016, Coptic Solidarity worked with Rep. Dave Trott to draft and introduce H. R. 5974 - Coptic Churches Accountability Act, with 3 original cosponsors. While the bill did not move beyond the Foreign Affairs Committee, the introduction of this legislation was enough incentive for the Egyptian government to finish repairing churches destroyed and damaged in the August 2013 anti-Christian riots that occurred when President Morsi was ousted.

Coptic Solidarity worked with U.S. Congressman French Hill to draft and introduce resolutions supporting protection and equality for the indigenous Copts of Egypt in the previous three sessions of Congress. Despite broad bi-partisan support and numerous cosponsors on each resolution, partisan and individual politics prevented the resolutions from moving beyond the Foreign Affairs Committee. For example, former Congressman Ed Royce (R-CA) was Chairman of the Foreign Affairs Committee during one of the sessions that a resolution was prevented from moving forward. Immediately after retiring from Congress, Mr. Royce became a lobbyist for the Egyptian government, shedding light on how personal profit can thwart good policy. These types of obstacles are omnipresent. In September 2022, U.S. President Joe Biden authorized the withholding of 130 million USD of the total 300 million USD FMF grant to Egypt pending the improvement of human rights conditions. US Senator Patrick Leahy successfully blocked an additional \$75 million in military aid to Egypt in 2022, due to human rights concerns and political prisoners. In the 2021 Report on International Religious Freedom: Egypt by the U.S. State Department, there were several cases of harassment, persecution, and unreasonable detention based on the "blasphemy" laws.⁵¹

In November 2022, the European Parliament issued the Joint Motion for a Resolution on the Human Rights Situation in Egypt (RC-B9-0505/2022), which condemns the lack of fundamental political rights and freedoms in Egypt. The report calls on the government to stop discriminating and grant full equality to the Coptic population. The report also condemns the

⁴⁹ Office of the United Nations High Commissioner for Human Rights. Indigenous Peoples and the United Nations Human Rights System. Fact Sheet No. 9/Rev.2, 2-3. 2013, <https://www.ohchr.org/sites/default/files/Documents/Publications/fs9Rev.2.pdf>.

⁵⁰ Bahgat, Hossam, *Criminalizing Incitement to Religious Hatred- Egypt Case Study*, OHCHR, <https://www.ohchr.org/sites/default/files/Documents/Issues/Expression/ICCPR/Nairobi/HossamBahgat.pdf>.

⁵¹ US Commission on International Religious Freedom, *Annual Report 2022 - Egypt*, 2022, <https://www.uscirf.gov/sites/default/files/2022-05/2022%20Egypt.pdf>.

methods of torture and lawless detention used by the government. The report also calls for the government to repeal NGO Law 149/2019, which severely restricts domestic and foreign nongovernmental organizations. The report urges the amending or repealing of the 2018 Anti-Cyber and Information Technology Crimes Law, its 2015 Terrorist Entities Law and the 2013 Law on Public Meetings and Peaceful Demonstrations.⁵² Egyptian Senate Speaker Abdel Wahab Abdel Razek declared in a session that the resolution is based on "fragile assumptions and misconceptions."⁵³

The Human Rights Council issued its Universal Periodic Review on Egypt in its Forty-Third Session (A/HRC/43/16/Add.1), where 133 member-states made 372 recommendations. Recommendation 161 by The Republic of Haiti asks for local and regional governments to take measures to protect Christians from extremists, especially in Upper Egypt, which the government accepted. Many recommendations were not accepted, deemed inaccurate, or considered hostile, and most of those were centered around freedom of expression, releasing political detainees, and limiting restrictions on NGO activity. Those recommendations include, but are not limited to, 25, 130, 167, and 201. The government also did not accept the Principality of Liechtenstein's 36th Recommendation to "Join the Code of Conduct regarding Security Council action against genocide, crimes against humanity and war crimes, as elaborated by the Accountability, Coherence and Transparency Group."⁵⁴⁵⁵

The Amnesty International Report for 2021/2022 criticized the government's repression and discrimination against Christians in law and practice. The report condemns the 2016 law that regulated the licensing of church buildings and reparations and reports that less than 20% of the submitted applications get approved. The report condemns the government's lack of urgency in saving Nabil Habashy, a Christian in North Sinai that was recorded as being killed execution-style by the Sinai Province. The government, according to Amnesty, also failed to help the hundreds of Christians in North Sinai that were displaced by terrorist organizations.⁵⁶

III. CURRENT NATIONAL SITUATION

A- LEGAL STATUS

The Constitution of Egypt officiates the state's name as the Arab Republic of Egypt, declaring in the Preamble and Article 1 that Egypt is a part of the Arab Nation and the Muslim World. Article 2 names Islam as the state religion and states that Shari'a is the primary source of

⁵² European Parliament, *JOINT MOTION FOR A RESOLUTION on the human rights situation in Egypt*, RC-B9-0505/2022, November 23, 2022, https://www.europarl.europa.eu/doceo/document/RC-9-2022-0505_EN.html.

⁵³ Mohamed, Gobran, "Senate slams European Parliament decision criticizing Egypt's human rights record," *Arab News*, November 28, 2022, <https://arab.news/9rtpp>.

⁵⁴ United Nations Human Rights Council, Report of the Working Group on the Universal Periodic Review, A/HRC/43/16/Add.1, 24 February–20 March 2020, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/063/71/PDF/G2006371.pdf?OpenElement>.

⁵⁵ United Nations Human Rights Council, Universal Periodic Review - Egypt, Third Cycle, November 13, 2019, <https://www.ohchr.org/en/hr-bodies/upr/eg-index>.

⁵⁶ Amnesty International, *Amnesty International Report 2021/22 - Egypt 2021*, 2021, <https://www.amnesty.org/en/location/middle-east-and-north-africa/egypt/report-egypt/>.

legislation. Article 3 recognizes Christian and Jewish canonical laws as a source of legislation for the religions' followers in personal status, religious affairs, and selection of spiritual leaders. Article 63 prohibits all forms of forced and arbitrary migration for all citizens as the act is considered a crime without a statute of limitations. Article 64 grants absolute freedom of belief but limits the practice of religious rituals and the building of places of worship to be organized by law. Article 65 grants freedom of thought and expression in all forms: speech, writing, imagery, or any other means of expression and publication. Article 71 prohibits the censorship, confiscation, suspension, or shutting down of any Egyptian media outlet except for limited censorship in times of war or general mobilization. Article 72 ensures the independence of all media and publication institutions to prevent governmental influence and lack of neutrality. Article 74 prohibits establishing political parties based on religion or discrimination based on sex, origin, sect, or geographic location. The article prohibits parties that are anti-democratic, secretive, or ones with military or quasi-military nature. Article 102 grants the President 5%-about 23 seats- of total seats in the House of Representatives to be appointed at their discretion. Article 250 grants the President one-third- about 60 seats- of the total seats in the Senate to be appointed at their discretion. Article 180 requires that, in local council elections, one-quarter of the seats be allocated for those under 35 years old, one-quarter for women, half for farmers and workers, and "proper representation" for Christians and people with disability. Article 235 endows the House of Representatives the right to issue legislation on the process of building and renovating churches.⁵⁷It is worth noting that regardless of the content of the articles, legal enforcement is a major factor that trumps the articles' content itself as enforcement usually faces obstacles and ineffectiveness, clearly denoting a lack of political will to implement even the most basic measures that could reinforce the Copts' citizenship rights.

According to Article 235, the House of Representatives passed law 80/2016, which legislates the building of churches. It specifies what components make up the building and prohibits the practice or use of any building to practice Christian rituals unless that building is licensed. Article 7 states that once a church building is licensed, it cannot be used for any other purposes even if there is no congregation for the building. Article 8 establishes a committee appointed by the Prime Minister to watch over the status of all churches and stop the licensing process as seen fit.⁵⁸ The law does not provide for review or appeal of a refusal, nor does it specify recourse if a governor fails to respond within the required time frame.

The judiciary branch is responsible for deciding on many sectarian cases through the shari'a law than the constitution and bylaws. On May 18, 1996, the Supreme Constitutional Court ruled (SCC-18-Y17) on a case on the supremacy of the *shari'a* law over any legislation. The Court also ruled that *shari'a* shall "result in a restriction that the legislative and executive branches must enact and submit to in all their legislations issued after this amendment."⁵⁹ This provision constitutes the looseness of all provisions in the constitution as the only mandated laws will be the *shari'a* regulations and not the national constitution. For example, in 2008, the Constitution of 1971 (the active constitution at the time) included Article 46 which grants

⁵⁷ *Constitution of Egypt*, Article 1, 2, 3, 63, 64, 65, 71, 72, 74, 102, 180, 235, and 250.

⁵⁸ Muhammad Kamel, "الجريدة الرسمية تنشر القرار الجمهوري بإصدار 'تنظيم بناء وترميم الكنائس'", *Al-Youm Al-Sabe'*, September 28, 2016, <https://www.youm7.com/story/2016/9/28/-الجريدة-الرسمية-تنشر-القرار-الجمهوري-بإصدار-تنظيم-بناء-وترميم-الكنائس> و2900893.

⁵⁹ SCC-18-Y17, Supreme Constitutional Court, 1996, <http://hrlibrary.umn.edu/arabic/Egypt-SCC-SC/Egypt-SCC-18-Y17.html>.

"freedom of belief and the freedom of practicing religious rights."⁶⁰ However, a court ruled in the year that Muhammad Hegazy, a Muslim convert who wanted to change his name and religion on his ID "can believe whatever he wants in his heart, but on paper, he can't convert." The judge explained that he relied on the Second Article of the constitution that gives *shari'a* supremacy over any other civil laws, and the *shari'a* bans conversion from Islam to any other religion.⁶¹

Article 98F of the Criminal Code of Egypt states that at least six months imprisonment or 500 pounds fine shall be imposed on anyone who "uses the religion in advocating and propagating by talk or in writing, or by any other method, extremist thoughts with the aim of instigating sedition and division or disdain and contempting any of the heavenly religions or the sects belonging thereto or prejudicing national unity or social peace."⁶² The "blasphemy law" leaves much room to justify the imprisonment of journalists, activists, and religious thinkers due to the vague language of the article. This article is often used to prohibit evangelical activity as well.

B- EMERGING TRENDS

Adding religious affiliation to identification documentation has been a central symbol of discrimination in Egypt. The only three options for this section are Muslim, Christian, and Jewish. ID cards are required in nearly every aspect of life: healthcare, military service, university enrollment, and more everyday agencies. The other more recent option is to have (-) on IDs, which is usually granted to Baha'is who had no official classification or formal recognition. This limitation excludes minorities and makes it impossible for anyone to convert from Islam, especially with the 2008 Court ruling that banned legal conversion from Islam.⁶³ The only justification for including religious affiliation on identification documents is for the government to censor and limit religious activity and differentiate the treatment of Christians and Muslims once the ID is presented.

The law to license church buildings violates the right to establish and maintain places of worship set by the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion and Belief, the International Covenant on Civil and Political Rights, and the African Charter on Human and Peoples' Rights. According to published reports, by the end of 2022, six years after the promulgation of the law, the Church Regularization Committee granted *preliminary* approvals to 68% of the outstanding (3730) applications for Christian religious buildings.⁶⁴ On the other hand, tens of churches are closed annually due to

⁶⁰ *Constitution of the Arab Republic of Egypt 1971*, Article 46, <https://www.ilo.org/dyn/natlex/docs/electronic/34111/67289/f>.

⁶¹ Cole, Ethan, "Egypt Rules Christian Convert Must Remain Legally Muslim," *CP World*, February 3, 2008, <https://archive.ph/20120728135657/http://www.christianpost.com/article/20080203/egypt-rules-christian-convert-must-remain-legally-muslim/index.html>.

⁶² *Criminal Code of Egypt as of 1992 (English version)*, Article 98(f), https://sherloc.unodc.org/cld/uploads/res/document/criminal_code_of_egypt_english_html/Egypt_Criminal_Code_English.pdf.

⁶³ Egyptian Initiative for Personal Rights, *Prohibited Identities: State interference with Religious Freedom*, Human Rights Watch, November 1, 2007, Volume 19, No. 7(E), <https://eipr.org/sites/default/files/reports/pdf/ProhibitedIdentitiesEN.pdf>.

⁶⁴ <https://www.copticsolidarity.org/2023/01/15/seven-months-on-legalisation-of-23rd-batch-of-churches-24th-batch-approved/>

the bureaucratic, lengthy licensing process, and such difficulties often lead to sectarian attacks.⁶⁵ Despite all this, Al-Nour Party, a political-religious party⁶⁶ (which should have been considered illegal under Article 74 of the Constitution, but the courts ruled otherwise because the party's principles are in line with Article 2), considers this law as an undeserved, un-Islamic privilege to Christians.

Although Article 63 prohibits the forced migration of all citizens, Soad Thabet, 74, and her husband were forced out of their village after she was assaulted and stripped naked by three men who believed that her son was in a relationship with a Muslim woman. Within six years of court proceedings, the three accused were acquitted multiple times, and Thabet now faces a civil compensation suit.⁶⁷ The courts have proven to be ineffective to rule in sectarian incidents as, according to a study, 45% of these are decided by customary reconciliation sessions. These sessions are usually biased against the Christian participants, and a common result is the forced migration of the Christian family. Authorities have typically submitted to these sessions instead of prioritizing a legal proceeding. According to the Egyptian Initiative for Personal Rights, there are six common categories for the sessions:

1. Conflicts over worship and the public exercise of religious rites;
2. Conflicts over consensual romantic and sexual relationships;
3. Disputes related to freedom of expression in religious matters;
4. Conflicts related to local feuds;
5. Conflicts related to political differences; and
6. Disputes related to crimes attached to Copts' generally weaker position, such as abduction or extortion.

The evolving problems with reconciliation sessions are: they are not consensual from both parties of the dispute; they are often used as a substitute to official judicial streams; their ruling is often against the law- which includes banishment, destruction of property, imposition of curfews, and even murder-; and their leadership is easily manipulated by powerful families, parliamentarians, or religious sects.⁶⁸

Per the international statutes that grant the right for minorities' participation in national decisions, Coptic representation has been radically disproportionate if not absent. Of the 100 vice-presidents of the State Council that were appointed by Presidential Decree 12, only one of them was a Copt. Out of the 516 deputy persecutors that President El-Sisi appointed in September 2022, five of them were Copts. There are almost no Copts among all university

⁶⁵ The Tahrir Institute for Middle East Policy, *Church Construction Law*, Washington DC, July 29, 2019, <https://timep.org/wp-content/uploads/2019/07/ChurchConstructionLaw8-29-19.pdf>.

⁶⁶ Al-Nour Party, *About The Party*, <https://alnourpartyeg.com/ar/info/about>.

⁶⁷ Masr, Mada, "Door of Justice Slammed Shut in High-Profile Sectarian Case, Thabet Now Faces Civil Suit from Men Who Assaulted Her," *Coptic Solidarity*, January 17, 2023, <https://www.copticsolidarity.org/2023/01/17/door-of-justice-slammed-shut-in-high-profile-sectarian-case-thabet-now-faces-civil-suit-from-men-who-assaulted-her/>.

⁶⁸ "Whose Customs? The Role of Customary Reconciliation in Sectarian Disputes and State Responsibility" Four years, four presidents, and 45 unjust customary reconciliations that violate the rights of Coptic citizens," Egyptian initiative for Personal Rights, June 15, 2015, <https://eipr.org/en/press/2015/06/whose-customs-role-customary-reconciliation-sectarian-disputes-and-state>.

administrators, and that applies to all 98 newly appointed female judges, national sports teams⁶⁹, government posts, or any other discipline. In fact, in almost all areas, Copts have an average representation of 0-2% in public posts.⁷⁰

Throughout the last decade, hundreds of Coptic minor females have been lured, kidnapped, raped, and forcibly converted to Islam.⁷¹ Under only one priest's jurisdiction, about 15 girls are kidnapped and coercively converted and married annually. Although the government takes an official stance against human trafficking, Article 2 of the Constitution conflicts with that position, so the government assumes an ineffective position or creates contradictory laws. These laws may include voiding a marriage should an adult married woman convert to Islam or the provision that a minor is allowed to formally convert to Islam after a Muslim custodian approves a marriage. The systematic and practical mental and physical harm as well as the forcible conversion of children comes in direct violation of the UN Convention on the Rights of the Child; The Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; The Trafficking Victims Protection Act of 2000; Article 10 of The Arab Charter on Human Rights; Article 3 of Egyptian Law Number 64 of 2010 on Human Trafficking⁷²; and most dangerously Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide.

The "blasphemy law" has long been a major human rights concern in Egypt as it severely limits freedom of thought and expression. A deeper, lesser-known concern is the disproportionality and execution of the law that authorities have been using to particularly target Copts and other religious minorities. In a study by Tahrir Institute of Middle East Policy's Eshhad, 41% of all recorded blasphemy cases are against Christians. Of the 36 blasphemy cases made between 2011 and 2012, 35 were made for blaspheming Islam and the only one against Christianity was dismissed. This law has been abused by authorities and religious officials to prohibit any evangelical activity and even comments on the Islamic State. Utilization of blasphemy charges have not decreased since the removal of former President Muhammad Morsi, but are used continuously against advocates, activists, and evangelists.⁷³

⁶⁹ "Coptic Solidarity Urges Fifa to Investigate Discrimination Against Coptic Footballers in Egypt," *Coptic Solidarity*, Washington DC, June 18, 2018, <https://www.copticsolidarity.org/2018/06/18/coptic-solidarity-urges-fifa-to-investigate-discrimination-against-coptic-footballers-in-egypt/>.

⁷⁰ Ibrahim, Raymond, "Systemic Discrimination: Comparing America's Blacks to Egypt's Copts," *Coptic Solidarity*, January 26, 2023, <https://www.copticsolidarity.org/2023/01/26/systemic-discrimination-comparing-americas-blacks-to-egypts-christians/>.

⁷¹ Ibrahim, Raymond, "Abduction, Rape, and Forced Conversion of Christian Girls in Egypt," *Middle East Forum*, September 27, 2020, <https://www.meforum.org/61600/abduction-rape-and-forced-conversion-egypt>.

⁷² Coptic Solidarity, *'Jihad of the Womb': Trafficking of Coptic Women & Girls in Egypt*, Washington DC, September 10, 2020, <https://www.copticsolidarity.org/wp-content/uploads/2020/09/jihad-of-the-womb-report-fa.pdf>.

⁷³ Eshhad, *Issue Brief: Egypt's Blasphemy Laws*, Washington DC, Tahrir Institute of Middle East Policy, March 2016, https://static1.squarespace.com/static/5947e4266a49635915ac0a31/t/59ee823bf43b55e080277fa5/1508803132566/I_B_Egypt+Blasphemy.pdf.

IV. CONCLUSION AND RECOMMENDATIONS

The current status of Egypt's indigenous Copts has been one of subservience and systematic discrimination for centuries. Most foreign governments and international organizations have failed to intervene in effective ways, due to not understanding the Islamic legal system and its impact on minorities. The Egyptian state's philosophy of governance is based on the experience that the international community, and many Copts themselves have accepted the negation of massacres, persecution, and systematic and ideological discrimination throughout the last 1,400 years in Egypt., as a gesture of pacification and absolving the historical injustices. The state strategy is composed of three factors: denial, legal manipulation, and forced tolerance,

First, the system has developed a culture of deniability of Coptic civilization, history, identity, and mere existence to challenge the ability to recognize whether a "Coptic case" exists. The definition of a Copt has been scattered enough for most states to understand what Coptic means as, to this day, there is no absolute definition of Copts as the ethnoreligious, indigenous community of Egypt. The Egyptian government has especially ignored the definition that would necessitate their action and intervention to protect Coptic Christians as not just a religious minority group but an indigenous population. This report has clearly demonstrated evidence for this assumption. Coptic studies are rarely present in public education, if at all, and the Coptic language has been intentionally removed from curricula schools. Continued efforts to distort the Coptic identity and forcibly integrate it into the one "Arab nation" is clear evidence of the denial of the unique characteristics that define Coptic, and, unfortunately, an increasing number of Copts find it challenging to distinguish their own identity anymore. Deniability, however, may be the primary evidence of the distinctiveness of the Coptic civilization as authorities feel the need to suppress this unique culture that may disrupt the "national unity" state project.

Second, excellence in legal manipulation has been the foremost reason why it is complicated for any international organization to recognize the existing discrimination against Copts or to act on it. The government has focused its efforts on lobbying many organizations and member-states to procrastinate on any provisions that make it easier to recognize the occurring national legal monopoly. For example, Coptic Solidarity gained consultative status in the United Nations Economic and Social Council after seven years of tabling and stalling perpetrated by the Egyptian delegation. Legally, the government has been imposing numerous laws that, even though presented as improvements in the legal status of minorities, are intentionally vague enough to maintain or worsen the situation of Copts as those laws are abused by the legal system and citizens at large. Much of the United Nations and other international organizations' lack of urgency on the matter is due to the false perception of improving the status of Copts. In reality, the real improvement is in the Egyptian government's ability to control the narrative surrounding the Coptic situation through lobbying, public relations campaigns, select cosmetic changes, and a campaign of complete repression and retaliation against those who dare speak against their narrative, including Copts and their sympathizers in Egypt, as well as in the diaspora.

Lastly, due to the long history of oppression and heavy governmental pressure, many Copts, including numerous Coptic Orthodox leaders, have developed an acceptance of oppression as the status quo, to the extent that most Copts perceive their life as second-class citizens with daily aggressions as normal. The result is that the Egyptian government can allude to a picture of tolerance when the situation is the opposite. The government has been using superficial gestures such as the annual presidential visit to the state-built cathedral on Christmas

Eve or officiating Christian holidays for Christian employees. From a history of massacres, kidnapping of patriarchs, and increasing burdens of *jizya*, a large number of Copts initially viewed those actions as a gesture of good faith and tolerance, and hoped discrimination would dissipate. This sense of forced tolerance that the government has been cultivating in many peoples' heads traces back to the idea of deniability and manipulation, where discrimination against Copts cannot happen if there is no Coptic identity and Copts themselves do not testify to discrimination.

Through the overt governmental and societal discrimination in Egypt in cases such as that of Soad Thabet, Baby Shenouda, sports, and church fires, increasing numbers of Copts are recognizing their status and fleeing Egypt. Few dare speak out as it will likely result in imprisonment, travel bans, loss of income, and hardship for one's entire family. Coptic The Solidarity's research and publications, advocacy campaigns, and awareness efforts have led more Copts in the diaspora to speak out, and given moral and at times physical support to those remaining in Egypt. The last hope for Copts to protect and preserve their unique identity is recognition for what they are: the indigenous peoples of Egypt. Legal recognition of this status through the United Nations Special Rapporteur on the Rights of Indigenous Peoples, the African Commission on Human and Peoples' Rights' Working Group On Indigenous Populations/Communities And Minorities In Africa, and other relevant institutions can support the preservation of Coptic identity. Urging the Egyptian government to recognize their duty to implement The United Nations Declaration on the Rights of Indigenous Peoples statutes towards Copts would be an important step towards effectively removing legal and practical features of discrimination in Egypt.

The founding and mission of Coptic Solidarity has always been with the purpose to attain a more actualized version of the Coptic Congress, while maintaining independence from the Church(s). Ironically, human rights advocacy for Coptic rights within Egypt would have been possible over one century ago, but the current political climate, the invasive imposition of Islamic tenets (via the constitution and laws), and targeting of activists of all types has made these efforts impossible inside the country.

The scope and norms of human rights worldwide have evolved greatly since the time of the original Coptic Congress, and thus the approach towards achieving equal citizenship has consequently developed, taking into account the numerous international organizations and charters Egypt has joined.

A primary difference between the era of the Coptic Congress and modern times is the near complete absence of a secular Coptic elite both inside and outside of Egypt. The type of Coptic elite who formerly served the community as archons no longer exist, except for charitable and strictly church-related activities. Those in the diaspora are living a generational transformation and the majority of their elite are tied to Coptic churches of various denominations who have often been co-opted by Egypt's government. Egyptian intelligence services have invested heavily in influencing clergy and the elite of all churches in the diaspora in an effort to discredit and silence the few vocal Copts, and most especially Coptic Solidarity. Coptic Solidarity has been the target of numerous attempts to neutralize the efforts of the leadership and the mission of the organization.

RECOMMENDATIONS BY COPTIC SOLIDARITY

- 1) Modify the Constitution to remove Article-II and other references to Islamic sharia and jurisprudence.
- 2) Institute affirmative action to ensure Copts have at least 10% presence in all governmental positions at all levels, including the Cabinet, diplomatic corps, the judiciary, military, police, academia, and national security agencies.
- 3) Enact the anti-discrimination commission stipulated in the 2014 Constitution.
- 4) Apply one, fair, legal system equally for all Egyptians. End the use of religion-specific laws such as the 2016 Church law that treats mosques and churches differently. End the preferential treatment for memorizers of Quran in military service and competitive openings.
- 5) Remove the mention of religion from IDs and all formularies.
- 6) If a uniform (secular) personal status law for all Egyptians were to be difficult to have in the immediate future, then adopt for non-Muslims laws that are in line with their respective canons and the needs specified by community councils.
- 7) Allow all faiths to build houses of worship and practice their faith freely.
- 8) Remove all “blasphemy laws” from Egypt’s penal code.
- 9) Ensure Copts and athletes of other minority faiths are permitted to compete on national teams and to represent Egypt in international competitions such as the World Cup and Olympics
- 10) Ensure equality and justice for Copts in the judiciary including prosecuting perpetrators of crimes against Copts to end impunity for those who attack Coptic persons, churches, businesses, and homes.