

Church-State Relations: Copts between Citizenship, Coptism and *Millet* System

Alaa Al-Din Arafat¹

Abstract

This paper explores the roots of the sectarianism against Coptic Christians and how Coptic-state relations are still revolved around the "*Millet* System", a partnership between the Pope and the president, which has been renovated by president Nasser (1954-1970), consolidated by Mubarak (1981-2011), and revived by president El-Sisi. It also examines different attempts to challenge the "*Millet* System", whether by Pope Shenouda III in the 1970s or by Coptic activists in 2000s. It also addresses how Coptic Church is wavering between "citizenship", "Coptism" and "*Millet* System". This paper argues that the "*Millet* System" is still institutionalizing Coptic-state relations. Second, the "*Millet* System" is not related to escalation or stopping the sectarian violence against Copts. Third, the popular culture about Christianity resulted from sectarianizing the most conservative elements within the Egyptian society in poor urban and rural areas by the Islamist groups such as the MB, *al-Jama'a al-Islamiyya* (Islamic Group), and Salafist Call, is responsible for sectarianism and for the clash of identifications between Copts and Muslims. Thus, rules and laws alone will not secure Copts from sectarianism, as long as popular culture is still a dominating factor in the Egyptian society and is still able to create such sectarian environment.

Keywords: Copts, Coptic Church, Sectarianism, Citizenship, Islamism, the Muslim Brotherhood

Introduction

Egypt is a fortunate country in its ethnic homogeneity. Roughly 90 percent of Egypt's population is a Sunni Muslim, and the non-Muslim minority is predominately Coptic Christian. (Stacher, 2012: 6-8). In fact, Copts are an integral part of Egyptian society. Copts share with their Muslim counterparts the same professions, classes, clothing, traditions, habits, language, and worldview. However, since the 1970s, Copts have suffered from marginalization and sectarianism as seen in the decline of Coptic representation in Egypt's elected bodies (including the parliament and professional associations), the severe restrictions imposed upon church building, and the sectarian attacks on Coptic churches and private properties. Sectarian violence against Coptic Christians increased after the downfall of the Muslim Brotherhood (MB) from power in 2013 as Copts suffered from unprecedented sectarian violence conducted by the supporters of the ousted president, Mohamed Morsi.

This paper explores the roots of the sectarianism against Coptic Christians and how Coptic-state relations still revolve around the millet system, a partnership between the Coptic Pope and the Egyptian president, which was restored by president Nasser (1954-1970), consolidated by Mubarak (1981-2011), and revived by president Al-Sisi. The author uses the term neo-millet system to refer to the revival of the Ottoman millet system that was inaugurated by Nasser in the 1950s and has continued to be institutionalized in church-state relations until the present day. This neo-millet system both resembles and differs from the old millet system that was in place throughout the Ottoman occupation of Egypt. This paper also examines different attempts to challenge the neo-millet system, whether by Pope Shenouda III in the 1970s or by Coptic activists in 2000s. It also addresses how the Coptic Church is wavering between citizenship, Coptism, and neo-millet system.

¹ Teaches at Strategic Studies' Program for National Security and Defence Studies, Sultan Qaboos University & National Defence College, Oman. Phone: 00968 24143282 (Office). GSM Numbers: Egypt: (002)0111 0926 553, Muscat: 0096890154220. Email address: alaaarafat@hotmail.com

This paper argues that the major principles of the millet system are still institutionalized in church-state relations. Second, the neo-millet system that has been developed between the church's different Popes and different Egyptian presidents does not have a role in either in the escalation of the sectarian violence against Copts or in stopping these repeated incidents. Rather, sectarian violence was on the rise during the confrontation between President Sadat (1970-1981) and Pope Shenouda III (1971-2012) was further increased when Mubarak modernized and consolidated a neo-millet partnership with the Pope Shenouda III. Third, responsibility for sectarianism and for the clash of identifications between Copts and Muslims lies not with the laws regulating church building, but with the popular culture about Christianity and sectarianization of the most conservative elements within the Egyptian society in poor urban and rural areas by the Islamist groups such as the MB, *al-Jama'a al-Islamiyya* (Islamic Group), and Salafist Call. The popular culture armed by some extremist *fatwas* (Islamic legal opinions) concerning church building in particular and Christianity in general created a supportive environment that aggravated religious polarization and sectarianism. This does not mean that Islamic culture produced sectarianism or that the Muslim majority in Egypt are extremists or sectarianists by nature, but rather it means that some *fatwas* became an inherited part of popular culture and affected the behavior of some Muslims on church building and Christianity. For instance, "Islamist culture rejects the erection of any new church in countries of Dar al-Islam, literally the 'House of Islam', meaning Islamic countries in the world"(Sidhom, 2016).The Islamist culture has been influenced by a famous *fatwa*, dating back to the middle ages, that states, "new churches are not allowed and that existing churches may not be renovated, restored or repaired" (Sidhom, 2016).That is why Muslim hardliners, supported by the sectarian popular culture and sectarianized Muslim residents, sharply oppose anything related to building, renovating, restoring or repairing churches on the ground that it damages the Islamic character of Egypt and violates Islamic teachings and *fatwas*. Security forces and local authorities, under pressure from popular culture, do not follow laws permitting church building and renovation nor do they prevent sectarian violence against Copts on the ground that this may undermine social peace or expose them to the violent reaction of the Muslim community. Popular culture is responsible for some sectarian conceptions such as considering Copts as second-class citizens who should not enjoy full citizenship rights. Thus, Egypt needs to design legislative reforms to create a single unified act that prohibits discrimination on religious grounds or more broadly, an Equality Act that reflects the Universal Declaration of Human Rights and the *International Covenant on Civil and Political Right* (ICCPR).

2. Wavering between the milletSystem and the neo-milletSystem

Coptic-state relations have been governed historically by five rules and systems. First, there was the *dhimma* system, by which the state provided protection for non-Muslims, including Jews and Christians (known collectively as *Ahl al-Dhimma*, the People of the Book) on condition that they paid the *jizya*, a poll tax" (Melcangi, 2012: 11-12). The *dhimma* lasted from the middle of the 7th Century until the Ottoman Empire replaced it with the milletSystem in the 16th century. Second, the milletSystem which evolved into a collective pact between the sultan and the religious communities that became formalized in the old or traditional milletSystem, granting communities relative autonomy in managing their internal affairs under their own chiefs(Melcangi, 2012: 11-12). The third system began with the infamous "Hamayooni Line" decree that institutionalized new barriers on the Copts.Despite the fact that the decree provided some rights for Copts, it formed in practice "the basis of discrimination between Muslims and Copts" (Mohieddin, 2013: 8-9).The fourth system began with the infamous the El-Ezaby Ten Conditions, issued by El-Ezaby Pasha, the then deputy interior minister in 1934.El-Ezaby Ten Conditionsimposed new institutional barriers upon church building. The Ten Conditions came as a result of the alliance between the MB, established in 1928 by Hassan Al-Banna (1906-1949), and Ismael Sedeqi Pasha (1875-1950), Egypt Prime Minister (1930-1933). (Zakher, 2016). The El-Ezaby Ten Conditions included notorious and ill-defined criteria for building churches. They imposed the oppressive and humiliating stipulations on Copts to license church building or restoration (Zakher, 2016). "They specify that approval by local Muslims is pre-required for a church to be built; that the proposed church should be sufficiently far from the nearest mosque; that there should be no other same-denomination church in the neighbourhood, village or town; that the number and needs of Christians in the area should warrant a church; and that the proposed church should be away from the Nile, historic sites, public utilities or railways" (Zakher, 2016 and Sidhom, 2016).Nevertheless, the restrictions of El-Ezaby Conditions were not imposed on church construction up to the middle of the Twentieth Century (Fawzi, and Morcos, 2012: 9). Still, the Ten Conditions remained the only rules that institutionalized church building and Coptic-states relations since Sadat until President Abdel Fattah Al-Sisi replaced them by issuing a new law for church building in 2016 that was based on the same rules included in El-Ezaby Ten Conditions.

Nevertheless, since its very inception until the 1970s, no restrictions were imposed upon church building, nor did the regime need to impose the “Ten Conditions”. It seems that Egypt social climate with its semi-liberal popular culture at that time prevented the MB from dragging the Egyptian society into sectarianism.

The five system was the neo-millet partnership or the neo-millet System developed by President Gamal Abdel Nasser (1954-1970). In this context, Nasser replaced the inherited old Millet System of the Ottoman Empire with a neo-millet System or neo-millet partnership that determined the relationship between the Patriarch of the Coptic Orthodox church, the sole representative of the Copts, and the president of Egypt, the sole representative of the Egyptian regime. Despite the fact that both the old millet System and neo-millet System or the neo-millet partnership share little resemblance, they differ in four aspects. First, the Patriarch of the Coptic Orthodox Church and the Coptic Orthodox Church lost the relative autonomy they enjoyed under the Ottoman Empire. Second, state-church relations have differed from president to president and from Patriarch to Patriarch according to the loyalty the Patriarch represents to the president in particular and to the regime in general. In this context, the Nasser/Kirollos VI relationship was personal friendship; the Sadat/Shenouda III dynamic was combative, while Shenouda was sycophantic toward Mubarak, as Tawadros is to Sisi. Third, Muslim-Coptic relations are dependent on the extent of the relationship between the president and the Patriarch. Fourth, Coptic Christians have become the Patriarch's subjects and gradually lost their sense of citizenship in favor of the Church and Coptism. They have considered the Patriarch as their president and the Church as their mini nation. The walls of their Churches became the borders that isolated them from the otherness (the state or/and Muslims). However, both the neo-millet System share one commonality. They both formalized the State-Church relationship on a 'client-patronage relations/system' that has continued to govern the regime relations with public or private institutions in Egypt since Nasser regime (Arafat, and ben Nefissa, Paris, 2007). Based on the neo-millet System, the Patriarch of the Coptic Church, Kirollos VI, developed a neo-millet partnership with President Gamal Abdel Nasser. In return the loyalty of Copts to the regime and the ability of Copts to present demands directly to the president, "Nasser ensured the security of the community and the status of the Patriarch as the Copts' legitimate representative and spokesperson." (Sedra, 1999: 226). As a result of the neo-millet System "Kirollos VI joined hands with Nasser in laying the cornerstone of the Cathedral of Saint Mark." (Sedra, 1999: 225-226). Kirollos VI also insisted on distancing any voices that opposed such a partnership with Nasser. It was for this reason, Kirollos asked Shenouda, the Bishop of Education to withdraw to a monastery at Wadi Natrun. (Sedra, 1999: 225-226). However, with a support of some Coptic reformist elements, Shenouda challenged the neo-millet System in the 1960s, which had developed into an overt confrontation between the new Patriarch of the Coptic Church, Shenouda III, and the new president, Sadat, in the 1970s. It was an early signal that not only the clerics were uncomfortable with the neo-millet System, but also the Coptic community were as well. Nevertheless, the neo-millet partnership has governed church-state relations since it was developed by Nasser.

3. Sadat and the Rise of Coptic Question

Coptic-state relations under Sadat were governed by four interconnected factors. The first factor was the emergence of the political role of Coptic youth who opposed the neo-millet System. To institutionalize their activity, the church established a bishopric for youth in 1980. This move helped alienate and isolate Copts as they considered the church as the Copts' mini nation, the patriarch as their actual president, and Coptism is their real citizenship. That is why "in 1980, at the peak of sectarian tensions, Copts chanted, 'Shenouda is our President' and 'We will sacrifice ourselves for you' (Sedra, 1999:226). The second factor was Sadat's tactical alliance with Islamism, specifically the MB. The MB alliance with Sadat endangered Coptic-state relations. The MB has reactionary conception on citizenship and minority rights. They remain reluctant to endorse equal rights for Copts. (Brown et al., 2006: 6). They considered Christian Copts as second-class citizen. According to the MB, only Muslim males deserve full citizenship. Thus, the MB cannot accept Egyptian Christian Copts to occupy the presidency or to be the head of state, or even Prime Minister. (Shehata, 2012: 105-106). With the MB-Sadat alliance, Islamists "pushed Islam again to the fore as the common denominator of the majority, thus leaving the Copts out of the political arena" (Melcangi, 2012: 8-9). A third factor can be seen in Sadat's Islamization policies. These policies were expressed in amending the 1971 constitution by adding the phrase 'Shari'a is a main source of legislation' to the second article; this phrase was later amended to 'Shari'a is *the* main source of legislation' in 1980. (<http://www.sis.gov.eg/Newvr/Dustor-en001.pdf>: 22).

Sadat followed these amendments by stating that he is “a Muslim President of a Muslim nation,” which gave Copts the impression that they had become second class citizens (Alhies et al., 2011: 19-20).

Sadat's statement, according to one Coptic activist, established the real beginning of the sectarian violence against Copts in Egypt. (An interview with one Coptic activists, Cairo, August 20, 2017).

The final factor was the selection of Bishop Shenouda as the 117th Patriarch of the Coptic Orthodox church in October 1971. He challenged the neo-millet System and failed to replaced it by full citizenship for Copts. Shenouda III opposition to Sadat Islamization policies and his challenge to the neo-millet System led to an overt confrontation between Shenouda III and Sadat. As self-defense tactic in his confrontation with Sadat, Shenouda III insisted upon the preservation of Copts' rights of citizenship, (Sedra, 1999:225- 226) and had the support of a strong Coptic middle class that were much more vocal in their opposition to state activity " (Smith, 2013: 65-67), and on their reluctance to the neo-millet System. Sadat, on the other hand, was supported by extremist Islamists. The gulf between Copts and the state increased, especially after the Ten Conditions were imposed on the building and renovation of churches (Alhies et al., 2011, 11-12). As a result, sectarian violence erupted between Copts and Muslims, especially after the MB was able to sectarianize the popular culture against Copts in the poor urban and rural areas of Egypt. To highlight a few examples, the first significant incident erupted in 1972, when the Holy Book Society centre in Al Khanka, near Cairo, was set on fire (Mohieddin, 2013, 8-9). In total, forty-eight people died during these riots. After the incident, a parliamentary fact-finding committee, known thereafter as Gamal al-Oteifi committee, recommended that "the terms of building churches should be reconsidered, and that more should be done in the direction of securing the rights of Copts; otherwise, the committee warned, sectarian conflict was bound to rise in volume and viciousness" (Sidhom, 2016).

On January 6, 1980, "the eve of Coptic Christmas," "several bombs exploded in churches in Alexandria." (Brown, 2000,1060-1061). Because of the increasing threats of violence, Pope Shenouda III canceled all Easter celebrations and withdrew to a desert monastery with his bishops in March 1980. (Brown, 2000,1060-1061). Sadat added fuel on the already flaming fire by his allegation that "the source of religious conflict in the state can be traced back to Shenouda III. Moreover, he accused Shenouda III of attempting to establish a Coptic state within the state of Egypt" (Smith, 2013, 66-67). As a result, on June 17, 1981, the worst sectarian violence erupted in the Cairo district of Al-Zawya Al-Hamra. "In total, seventeen people were killed "([nine] Copts, [seven] Muslims and one unidentified), 112 were injured and 171 public and private" buildings were damaged over a three day period" (Brown, 2000,1061-1062). The confrontation between Sadat and Shenouda III reached its zenith in September of 1981 when Sadat deposed Shenouda III from his office and placed him under house arrest at a monastery in Wadi Natrun (Smith, 2013, 66-67). Days prior to the deposing of Shenouda III Sadat arrested over 1,500 dissidents of varying religious and political persuasions (Smith, 2013, 66-67). Just one month later, Sadat was assassinated by violent Islamists. (Brown, 2000,1059-1060).

4. Mubarak and Shenouda III: neo-millet System vis-a-vis Citizenship

In October of 1981, Sadat was assassinated and Mubarak became the new president of Egypt. Under Mubarak, Shenouda III was reinstated after a total 1,213 days of house arrest and he was given a second opportunity to interact with a head-of-state (Smith, 2013, 67). Under Mubarak, Shenouda III developed a neo-millet partnership with President Mubarak as his predecessor, Kirolos VI, had built with President Nasser. According to the neo-millet partnership, Shenouda III "would adopt a low profile, cooperate with the regime, embrace the rhetoric of national unity, negotiate with the government behind the scenes, avoid public confrontation at all costs, and consolidate his power within the church" (Smith, 2013, 67). There is no information available to interpret why Shenouda III changed his confrontational position with the regime into building a neo-millet partnership with Mubarak. We just have some justifications for the adoption of that system. Melcangi, for instance, argues that "it was in the Church's interest to make the Copts – once again – into a millet, a sectarian community that is largely autonomous, while at the same time, the Church itself was pressing the state to implement the rights of modern citizenship" (Melcangi, 2012, 11-12). Additionally, according to one Coptic activist, it was in the interest of both Coptic community and Shenouda III to revive the neo-millet partnership with Mubarak as his predecessor, Kirolos VI, had built with President Nasser (An interview with one Coptic activist, Alexandria, August 25, 2017). Other reason was to avoid paying that high cost that would result from challenging the neo-millet system. According to one Coptic activist, both Copts and the Patriarch of the Coptic Church paid a high cost for challenging the neo-millet system. (An interview with one Coptic activist, Alexandria, August 26, 2017). To not expose the Patriarch and Coptic community to the anger of the regime, the Patriarch was forced to revive such partnership with Mubarak (An interview with one young Coptic activist, Alexandria, August 27, 2017).

However, Shenouda-Mubarak partnership deepened the alienation and isolation of Copts as they considered the church as if its mini nation, "Coptism" as their citizenship, and the Pope as their de facto president. Additionally, Shenouda-Mubarak partnership did not save Copts from the sectarian violence. Throughout the Mubarak era, inter-religious tensions escalated.

For instance, while estimates indicate that there were 20 violent incidents against Copts between 1982 and 1991, the years 1992 and 1993 alone witnessed 58 violent attacks against the Coptic community, and the attacks continued well into the late 1990s (Hafez and Wiktorowicz, n.d. 72). During the 1990s, sectarian violence against Copts was concentrated in southern Egypt and conducted by the Islamic group. In March 1990, for example, Islamists set fire to two Christian churches, a Christian hospital, and other property in the Minya province after being stirred up at a Friday prayer service by groundless rumors that a Christian boy had seduced a Muslim girl. Islamist leaflets had urged Muslims to "Wipe Out the Disgrace," calling Christians "Crusaders" (Rubin, 2013, 40). In virtually every case, Muslims attacked Christians, setting fire to houses, shops, and churches, killing people merely because of their religion. (Rubin, 2013, 40). Most cases of attacks came under "the pretext of Copts building churches" (Sidhom, 2016). In most cases, "the government remained passive and refrained from intervention or action." (Melcangi, 2012, 8-9). It is not surprisingly that the Egyptian Organization for Human Rights ("EOHR"), in a report issued in 1993, "accused Egyptian security forces of allowing Islamic extremists to commit acts of anti-Christian violence with their complete knowledge, sometimes even when they had advance warnings" (Brown, 2000: 1070-1071). Since the 2000s, sectarian violence against Copts has increased. The worst of all was the bloodiest sectarian clash in the village of Al-Kosheh, which left twenty Copts and one Muslim dead, on January 2, 2000 (Brown, 2000: 1070-1071). As always, according to the EOHR, security forces failed to prevent the bloody massacre against Copts (Brown, 2000: 1070-1071). Since then sectarian violence against Copts has grown, despite the fact that Mubarak issued a decree in 2005, authorizing local governors to make decisions concerning building, maintaining and expanding church premises (Mohieddin, 2013, 8-9). Influenced by popular culture and their fears from Muslim community and radical Islamists, security forces intervened to prevent the implementation of these decisions on the grounds that they would anger Muslims and threaten social peace (Mohieddin, 2013, 8-9). It is also the same reason the security forces remained neutral in preventing sectarian violence against Copts. Thus, violence against Coptic Christians increased dramatically in the final years of Mubarak's rule. According to the Egyptian Initiative for Personal Rights, 53 incidents of communal conflict occurred between January 2008 and January 2010. Among others since then, the Nag Hammadi massacre in January 2010, clashes in Marsa Matruh in March 2010, and an Alexandria church bombing in January 2011 have been the most prominent (Stacher, 2011:7-8). Bombing the Two Saints Church in Alexandria was worst of all as it left 23 dead and 97 injured (Brown, 2012: 4-5). The attack represents a failure of Egyptian security as it has come after a threat al-Qaeda made against Egyptian Copts one month before the attack (Friedman, 2011). It is not surprising, therefore, that Coptic activist and lawyer Mamduh Ramzi accused Habeeb al-Adly – former interior minister – of responsibility in the Alexandria bombing (Alhies et al., 2011: 32). As always Egyptian officials, including President Mubarak and Minister of Interior Habib al-Adly, blamed the Gaza-based Army of Islam for the attack (An interview with Habeeb Al-Adly, Al-Ahram, January 25, 2011). Ironically, the attack was denounced by the Supreme Guide of the MB, Salafist Call, and some leading Salafist scholars such as Sheikh Abu Ishaq al-Huwaini and Sheikh Mohamed Hassan (Alhies et al., 2011: 35-36).

In fact, Copts have not only suffered from sectarian violence, but their political participation representation in different elected bodies has also declined (Habib, 2013). While in the first elected National Assembly of the Sadat era (1979–84) 3.7 per cent of those elected were Copts, in all subsequent elections, including the post-revolutionary election of 2012, their representation in the Assembly never exceeded 2.2 per cent and on several occasions was as low as 1.4 per cent. (Mohieddin, 2013, 8-9).

5. Incomplete Challenge to the neo-millet System

As a reaction to the consolidation of the neo-millet partnership under President Mubarak, Coptic youth became more involved in political activism. Coptic activists participated in the political mobilization leading up to the 2011 uprising. Kefiya, a national movement established in 2004 against the authority of President Mubarak, was established and co-led by one Coptic activist, George Ishaq (Arafat, 2009, 77-78). Seeking to emulate Kefiya, Coptic activists established some social movements such as the Million Movement in 2005 and Copts for Egypt Movement in 2009, which included some Coptic figures such as Milad Hanna (Casper, 2013: 3-4).

The establishment of Coptic social movements coincided with the rise of the opposition of some Coptic elements against neo-millet partnership which resulted from the series of sectarian violence against Copts in 2010. It also resulted from the fact that "Coptic middle class particularly has come to conclusion that "Shenouda III, in developing a neo-millet partnership with Mubarak, has abandoned the struggle for their rights of citizenship" (Sedra, 1999, 225-226). Realizing that "since Shenouda III would not speak the message they wanted to send to the state, they developed a voice of their own"(Smith, 2013, 65-67).

Coptic social movements employed these new dynamics for calling for a full citizenship for all Egyptians, not for Copts alone and led some demonstrations against sectarianism. On February 14, 2010, the Copts for Egypt Movement led what he claims is the first Coptic protest outside the walls of the church, going even to Tahrir Square to protest the Coptic Christmas killings in Naga' Hamadi, January 7(Casper, 2013: 3-4). On January 1, 2011, Copts rallied in demonstrations against the January 1, 2011 suicide bombing of a Coptic church in Alexandria (Hawkings, 2012: 5-6). Some of these demonstrations included not only Coptic activists, but also secular activist group such as Egyptians against Discrimination and veteran political figures such Hamdin Sabbahi, later to run for president (Hawkings, 2012: 5-6). Coptic social movements and subsequent demonstrations paved the way for the Coptic activists to participate actively in the 2011 against Mubarak and helped challenge the neo-millet partnership.

6. The Church, Copts and the 2011 Revolution

In fact, there is a clear divergence in the position of the Coptic Church towards the 2011 revolution (Habib, 2013). While the Coptic Church and Coptic Pope Shenouda III (who died on 17 March 2012), in general, opposed the revolution and urged Copts not to take part in the January 2011 uprisings, and declared his support for the Mubarak regime, "many Christians in Egypt supported and actively took part in it" (Mohieddin, 2013: 8-9). However, they were not a dominant group (Australian Government, 2014: 5-6). In fact, the 2011 revolution reflects an interreligious collaboration between Copts and Muslims. No a single Church was targeted during the uncertain days of the protest. "In contrast, remarkable accounts emerged of Muslims protecting churches from the possibility of looting" (Chandler, 2011: 1-2). "Muslim prayers in Tahrir Square were conducted safely because Coptic Christians created a human wall around them to protect them from riot police" (Hawkings, 2012, 1). 'Muslim, Christian – One hand!' was a defining chant in Tahrir Square in January and February 2011 (Casper, 2013, 3-4). However, the interreligious collaboration evaporated after revolutionary succeeded in removing Mubarak from power on February 11, 2011 and after the Islamists, the MB and the Salafist Call, held compromise with the Supreme Council of the Armed Forces (SCAF), the de facto president of Egypt from February 2011 to June 2012. Nevertheless, Copts participation in the 2011 revolution was a partial success to challenge the neo-millet partnership. But, their participation in the 2011 revolution and their challenge to the neo-millet system did not protect them from the sectarian violence after the downfall of Mubarak and the rise of Islamists to power in 2012.

In fact, sectarian violence under Mubarak regime came as a result of accumulated popular culture that originated from the sectarian discourse of the Salafism, specifically the Islamic Group and Jihad Group (Younis, 2011). In fact, Salafism become the most important Islamist trend in Egypt since 1970s. According to Youssef Esmat Morshedy, 70% of mosques in Egypt are under the Salafism ideology(Morshedy, 2014: 18). On important pillars of the Salafism is "*al-walā' wa al-barā'*",loyalty and disavowal that urges Muslims to show loyalty to fellow Muslims, but to distance themselves from non-Muslims (Van Den Bent, 2012: 10-11). *al-walā' wa al-barā'* is the major the reason behind Salafists position against Copts (Shehata, 2012, 112-113). In fact, most sectarian violence against Coptic, specifically in Upper Egypt, resulted from the Friday sermons delivered by Salafist sheikhs, which included proactive discourse against Copts. After being stirred up at a Friday prayer service, they headed to destroy or attack their village or suburb's church. To quote one Coptic medical doctor, "it has become standard that Coptic churches are attacked after the Friday sermons"(An Interview with one Coptic medical doctor, Cairo, July 8, 2016.).

To sum up,throughout Mubarak era sectarian violence and discrimination against Coptic minority escalated. "In 2009, towards the end of Mubarak's rule, a report placed Egypt 'High' in terms of its religious hostility and 'Very High' in terms of government restrictions on freedom of religion" (Mohieddin, 2013, 8-9).Mubarak employed sectarian violence as a political tool. For instance, "A report by the Union of Lawyers for Legal and Democratic Studies at the beginning of 2011, for example, blamed the state for using religion and sectarianism as a political tool to stay in power, while providing immunity to the perpetrators of these crimes." (Mohieddin, 2013, 18-19).In brief, Mubarak failed to build fully-fledged equal citizenship and depended both "Coptism" and "Islamism" within Egyptian society.

6.1. Islamism vis-à-vis Coptism

Although the sense of harmony and unity between Muslims and Copts during the 2011 revolution, sectarian division erupted soon after the removal of Mubarak. In fact, the rise of Islamists to power after the downfall of Mubarak, specifically the Salafist Al-Nour Party- established on June 8, 2011- the political arm of the Salafist Call with its sectarianist and extremist trend had the major reason for sectarianism against Copts. For the Salafist Call, Copts are described as “disbelievers” and they therefore called for violent attacks against them.

According to the Salafist Call, Copts are not citizens but *dhimmis*—a religious minority subject to Muslim rule (Lacroix, 2012: 3-6 and McCants, 2012: 4-5). In one instance, on a Salafist website a question was posed about citizenship. The answer rejected the idea of equal rights between Muslims and non-Muslims because this concept contradicts the Koran. The ‘disbelievers’ are not allowed access to high posts of the state or even join the army. They are not allowed to join the police, the judiciary corps or any higher bureaucratic position than a Muslim (Shehata, 2012, 60). For instance, Al-Nour Party’s previous spokesperson, *Yusri Hammad*, has said the Copts cannot be given any ministerial position that gives them authority over Muslims (McCants, 2012: 3). In brief, they oppose full citizenship rights to Christians (Høigilt, 2011: 6-7). They considered Christian Copts as second-class citizens. Largely due to its sectarian rhetoric towards Christians, the regime suspects that the Salafist Call was behind the bombing of a Coptic Church in Alexandria on New Year’s Day 2011 (Awad, 2014).

What aggravated sectarian violence against Coptic minority was the fact "Salafists considered securing Copts who converted from Christianity to Islam as a religious duty" (An Interview with one Salafist Call's member, Alexandria, August 8, 2016). It should be noted that the only instances of the Salafist Call holding in the past was in 2010 was due "their conspiratorial conviction that the Church was imprisoning Christian women after they had converted to Islam" (Awad, 2014). Dangerously, the 2011 revolution provided the Salafist Call with a new impetus and official existence to publicize both its sectarian discourse against Copts and its goals to establish "Islamic state" with "Shari'a" as its legal reference. For instance, on 12 February, the day after the ousting of Mubarak and as Egyptians were still celebrating victory, demonstrations orchestrated by Salafist groups took place in a number of governorates calling for an Islamic state in Egypt (Nkrumah, 2011). At this point, Coptic Christians realized that Salafists would apply Shari'a and they would be practically second-class citizens in the conceived Islamic state of Islamism (An interview with one Coptic activists, Cairo, March 28, 2011.) To quote one Copt, "Copts will expose for the Jihad [armed struggle against non-Muslim] of Islamists" (An interview with one Coptic activists, Cairo, March 26, 2011). Furthermore, the result of first post-Mubarak parliamentary elections, held between November 2011 and February 2012, frightened the Coptic community, specifically after Islamist parties won about 76% of the seats (Habib, 2013). While the MB's Freedom and Justice Party (FJP) received about 47% of seats and the hardline Salafist Al-Nour Party received 29% (Melcangi, 2012, 21-22), "Christians were awarded 2.5 percent of the available 508 seats (50 of which were appointed by the SCAF as acting head of state)" (Brown, 2012: 44-45). Thus, Copts viewed the rise of Islamists, specifically the Salafists as a threat to their liberties and as a signal for escalating sectarian violence against them. That is why the International Human Rights group “Freedom House” released a statement declaring “Sectarian Violence on the Rise in Egypt” in the wake of the 2012 election (Hawkings, 2012, 45-6).

In fact, rarely has a month passed since the fall of Hosni Mubarak in February 2011 without a sectarian incident (Habib, 2013). To highlight some examples; in March, Muslim mobs burned a Coptic church south of Cairo and attacked protesters, leaving 12 dead and 140 injured; in April, Muslim protests were held opposing the appointment of a Coptic governor and torched Christian homes and businesses, in May, two Coptic churches were burned and Islamists clashed with Copts over a Christian woman converting to Islam, leaving 15 dead and 55 injured; and at the end of September, Muslim mobs burned a Coptic church that was under reconstruction (Brown, 2012: 44-45). According to the Egyptian Initiative for Personal Rights, "the SCAF was criticised for failing to protect Christians during fatal sectarian violence in Imbaba, Cairo on 7-8 May 2011" (Australian Government, 2012: 28-29). Worst of all was the Maspero incident, on October 9, 2011 (Habib, 2013). As an estimated 28 people—most of whom were Coptic demonstrators—were killed and over 300 injured when the military fired on, and armoured personnel carriers crushed, demonstrators at a Coptic protest at the state radio and television building in Maspero, Cairo (Australian Government, 2014: 5-6). In the eyes of many activists, however, this incident represented the first time the army opened fire on Egyptian citizens, violating their promise from the revolution never to do so. (Casper, 2013, 4-5)

In fact, Salafist leaders denied participating in a series of sectarian incidents that occurred after the downfall of Mubarak regime. Nevertheless, there is no doubt, however, that Salafists were involved in many ugly incidents against Coptic Christians, (Cynthia, 2011) including the sectarian violence against Copts in March 2012 and clash between Muslims and Christians around the Virgin Mary Church in Imbaba (Brown, 2011: 7). They were also involved in the April 7 clashes in Upper Egypt (the southern region) that resulted from their opposition to the appointment of a new Christian governor for the province of Qena (Al-Sawani, 2011). There were threats to bar the governor from the province and even to kill him.

But Salafist concerns soon dominated, with one speaker complaining, "A Copt won't implement Islamic law," and demonstrators chanting, "We will never be ruled by a Christian governor" and "Mikhail [the new appointed governor] is an infidel pig" (Marshall, 2011).

To conclude, sectarian violence against Coptic Christians in Egypt is not a new phenomenon, but it became aggravated as a result of sectarianizing Egypt's popular culture and encouraging sectarianism against Copts by Salafists. Generally, the SCAF failed to fulfill their responsibilities toward Coptic citizens. Annual government and non-government reports after the downfall of Mubarak indicated that the Egyptian authorities generally failed to investigate or convict perpetrators of sectarian violence in Egypt (Australian Government, 2012: 34-35). For instance, the Egyptian Initiative for Personal Rights and the US State Department report that police and military forces have failed to adequately protect Christians and their property in the post-Mubarak period. (Australian Government, 2012: 25-26). The International Federation for Human Rights, USCIRF, noted in its 2016 report on religious freedom, "most perpetrators from large-scale incidents that occurred between 2011 and 2013 – and even before that – have not been prosecuted" (Catholic News Agency, 2016).

7. The Patriarch and the President:

Sectarianism under Morsi Regime

Shenouda III died before the election of Mohamed Morsi (the head of the FJP), the political arm of the MB) to the presidency in June 2012. The election of a new president presented unavoidable challenges for the new Pope, Tawadros II, who was selected to be Pope of the Coptic Orthodox Church in November 2012. Additionally, the selection of the new Pope coincided with the escalation of the opposition against the new MB's president and the establishment of the National Salvation Front (NSF), a coalition of opposition parties, which aimed at holding early presidential elections, and growing the Coptic youth participation in Egyptian politics. In fact, Copts viewed the ascendancy of the MB to power as an existential threat to their lives and as a signal for escalating sectarian violence against Copts. A Coptic expert and editor of Al-Watan, commented that "Copts were mortified when Morsi won. It was as if the sky had fallen" (Eric, 2012: 71-72). Many Coptic clerics thought that fears are justified and that "the Coptic Community will not be protected by the Muslim Brotherhood and as a result they will be subject to increased prejudice and violence from Muslim extremists" (Eric, 2012: 71-72). According to one young Coptic activist, "[t]he culture has changed, ... and [a]ny problem no matter how small, that has anything to do with Christians is quickly turned into a cause for jihad" (Eric, 2012: 72). In fact, Morsi attempts to reach out to the wary Egypt's Christians failed. For instance, in his meeting with representatives of Egypt's churches, Morsi promised that he will be as a "president to all Egyptians".... regardless of religion or political orientation" (The Arab American News, 2012). However, Morsi's attempts failed as result of mistrust between Christian minority and the new president. To quote one Coptic activist, "I don't trust them, [the MB]...." Morsi's nice words to the Christian community are only cosmetic. We know that the Brotherhood wants to Islamize the country and Egyptian society" (The Arab American News, 2012). Practical evidence of this mistrust, according to some Coptic activists is the failure of the president to respect his promise during the presidential elections to appoint a Christian as vice president (An interview with a number of Coptic Christian, Cairo, June 17-22, 2015). Mistrust also had the major effect on the withdrawal of the Coptic representatives, in November 2012, from the Constituent Assembly that would draft the new constitution. Their withdrawal resulted from the pressure of Coptic activists who demonstrated in the front of Abasseya's St. Mark's Cathedral against the Islamization of Egypt's new constitution. One of the most pressing issues to the Copts is the attempt by the MB and Salafist members in the Constituent Assembly to change the text of Article II from its current wording states that law in Egypt is based in the "principles" of Sharia into "law is Sharia" (Molloy, 2012). With its decision to withdraw from the Constituent Assembly, Coptic Orthodox Church joined other secular and liberal forces in their public opposition to the MB Islamization and anti-democratic policies. Since then Coptic-MB relations have deteriorated.

The only card that the MB employed in its political differences with the church and the Coptic community is the sectarian card. Only to quote some examples, the first sectarian violence that erupted in July 2012 in Dahshur, Giza governorate, occurred after Mohammed Morsi won the presidency in June 2012 (Australian Government, 2012: 26-29). On 18 September 2012, a Coptic teacher from Sohag governorate was sentenced to six years in prison after being convicted for blasphemy and defamation (Australian Government, 2012: 31-35). Two other sectarian incidents erupted in October 2012; the first sectarian violence occurred when the predominantly conservative Muslim crowd gathered around the only Coptic Church in the area forbidding Copts from neighbouring villages from entering the church. (Australian Government, 2012: 29).

The second incident was erupted when nine Christian families living in Rafah near Egypt's border with Israel left their homes and fled to El-Arish, about 30 kilometres away, "after Islamist militants made death threats and gunmen attacked a Coptic-owned shop" (The Egyptian Gazette, October 4, 2012). The worst of all was the Sectarian violence against Copts in El-Khosous in April 2013. Four Copts and a Muslim died in the ensuing violence. Two days later, following the funeral for the four Copts killed in the attacks, another outbreak of sectarian conflict occurred outside St. Mark's Cathedral in Cairo that led to two more deaths and 90 injured (Mohieddin, 2013: 20). The incident was officially condemned "but no investigation took place to identify the perpetrators" (Mohieddin, 2013, 8-9). The MB even denied the sectarian nature of the incident. A Brotherhood-affiliated television channel even reported that the violence was instigated by Copts protesting against the policies of the Pope (Mohieddin, 2013: 6). However, Pope Tawadros II accused Morsi of "negligence" in failing to prevent the attacks and the NSF blamed the President and the Ministry of the Interior (Mohieddin, 2013: 20). It is not surprising, therefore, that the United States Commission on International Religious Freedom, in its April 2013 annual report, designated Egypt as a Country of Particular Concern and highlighted the government's complicity in "systematic, ongoing, and egregious violations of freedom of thought, conscience and religion or belief" (Mohieddin, 2013: 6)

8. An overt Nationwide Sectarian Violence

Coptic Christians have suffered from violence and attacks on their churches and private properties, particularly in July and August 2013, since the MB was removed from power as result of a popular revolution in which both the church and Coptic activists played a key role. In fact, both Morsi and Tawadros II were in a similar position to that of Sadat and Shenouda III. Therefore, the relations between Morsi and Tawadros II quickly changed into an overt confrontation despite the fact that Pope Tawadros emphasized his desire to distance himself and the church from politics (Smith, 2013: 79-80). However, the new Pope quickly has found himself forced to criticize publicly the President and even to encourage Copts not to hide their opposition to the president. "He told Christians they were free to actively participate in politics and that the church will not discourage them"

(<http://www.therepublic.com/view/story/a2993adf26174fdb8e1cbe8664ca2b50/ML-Egypt-Anti-Christian-Backlash>).

Thus, Copts were part of the "20 to 30 million Egyptians who took to the streets, showing that Egypt is united despite its diversity, and that it is their country as much as any Muslim" (Daftari, 2013). Additionally, Tawadros II openly supported ousting Morsi and the MB from power. He supported the June 30 demonstration and the removal of Morsi from power in July 3. In mid-June 2013, he stated "Egyptians deserved better governance than that provided by the Morsi Government." (Australian Government, 2014: 5-6). On 2 July 2013, he publicly backed the anti-Morsi protests. Finally, Tawadros II (along with al-Azhar Grand Imam Sheikh Ahmed El-Tayeb) publicly endorsed the 3 July military intervention that removed Morsi from power (Australian Government, 2014: 5-6). Thus, Morsi has fiercely criticized Coptic Pope Tawadros II "for giving his blessing to the removal of the president and attending the announcement by armed forces commander General Abdel Fattah Al-Sisi suspending the constitution" (Egypt Independent, July 6, 2013). With this overt political opposition against the MB, Copts become targets for Morsi radical supporters and pawns in the destructive zero-sum power struggle between the MB and the military. For instance, "supporters of President Morsi have openly blamed the Copts for the removal of their president" (Human Rights First, 2013: 6-7). They "accused the Pope of waging a 'crusader conspiracy' against Morsi. Others accused the Coptic community of being manipulated by foreign interests" (Australian Government, 2014: 4-6). As result, a series of attacks on Christian homes, churches and businesses by the MB supporters. The State Department reported that 78 "churches and other Christian buildings" were attacked, and the military has restored 26 of them (Catholic News Agency, 2016). It seems that Copts are paying the price for their political position against Morsi.

Only to quote some examples, on the evening of July 3, angry supporters of the deposed president, "looted and torched a building belonging to the Catholic church in Dilga in the Minya governorate, also looting the Islah Church in the same village, terrorizing local Copts and attacking their homes. One citizen was killed and several injured in the events; other governorates saw less severe attacks" (Jadaliyya, July 16, 2013). During its rampage in Dilga, the crowd shouted, "There is no god but Allah and the Christians are God's enemies." (<http://www.therepublic.com/view/story/a2993adf26174fdb8e1cbe8664ca2b50/ML-Egypt-Anti-Christian-Backlash>). In the same context, some extremists opened fire on the Mar Mina Church in the Port Said governorate, injuring two citizens.

In Marsa Matrouh, some extremists destroyed parts the Church of the Virgin (Jadaliyya, Jul 16 2013). Furthermore, a Coptic priest was shot dead in the North Sinai neighbourhood of Al-Masaeed (Egypt Independent, 6-7-2013). Sectarian violence further escalated and swept over the whole country as scores of Copts came under attack nationwide after security forces cleared out two Cairene sit-ins supporting ousted President Mohamed Morsi on 14 August 2013. It was unprecedented wide-scale sectarian violence "led by what were described as Muslim Brotherhood (MB) members, supporters, and sympathizers. Such terrifying violence is considered by many as proof that the MB has been fanning the flames of sectarianism in Egypt" (Stamboliyska, 2013). According to Human Rights First, "Over 130 Coptic churches and Christian religious structures, homes and businesses were attacked in the weeks after August 14. Around 45 churches and religious structures came under simultaneous attack in the immediate aftermath of the violent dispersals of the pro-Morsi protests" (Human Rights First, 2013: 6-7). In a television interview with a Christian satellite station, the Pope described the attacks on churches as "brutal crimes" by people who had twisted religion for their own purposes (Adel, 2013). Furthermore, on 16 August, the Coptic Church issued a statement denouncing the attacks and reiterated its "commitment to solid national unity, rejecting completely any attempt to drag the country into sectarianism" (Adel, 2013). As always, according to report issued on August 25 by Egyptian Initiative for Personal Rights, security apparatus did not demonstrate enough professional in confronting the sectarian violence against Coptic churches and properties (Human Rights First, 2013: 6-7). Ironically, the Egyptian regime employed sectarian violence against Copts as evidence to prove the extremism of the MB than to take effective measures to protect Copts from these barbaric attacks. According to one leading Coptic activist, the Egyptian regime employed violent attacks against Coptic churches and properties to achieve political interests (An interview with one leading Coptic activists, Cairo August 28, 2017).

There is no doubt that supporters of president Morsi and the MB leadership are involved in the escalation of attacks on the Copts. "The Brotherhood in its official publications and websites, and in the statements of some of its leaders, has long tolerated anti-Christian sectarian statements, speaking about the need for an Islamic Egypt in which the Copts would be, at best, second-class citizens" (Human Rights First, 2013: 6-7). According to Suleiman Shafik, a researcher on Coptic affairs, "For the first time in decades we are seeing Muslim Brotherhood members directly involved in attacks against Copts" (Ezzat, 2013). As former Coptic MP put it, "the actions taken by supporters of ousted former president Mohamed Morsi had shown the real face of the Muslim Brotherhood" (Adel, 2013). Ironically, the MB has denied involvement in the widespread attacks on churches after August 14, 2013 (Sedra, 2013).

9. The Patriarch and the Field Marshal: Renovating "neo-millet System": *Putting the El-Ezaby's Ten Conditions in a New Bottle*

Since 1970s, the restrictions on church building and restoration have become the key concerns of Coptic Christians in Egypt. Throughout Mubarak's regime, building and church restoration had been left completely to local authorities, specifically the security services in a way that gives these authority unlimited powers to determine whether these conditions are met or not (Mada Masr, August 26, 2016). A licence to build a church took many years, if it got issued at all, and had to go through many steps to overcome bureaucratic barrier and gain approval from the security forces. According to Coptic activist Samia Sidhom, "In one notorious case of a church in Maamoura, Alexandria, it took more than 40 years for a licence to be issued" (Sidhom, 2016). Influenced by popular culture or/and fearing protests by Muslim ultraconservatives or a revenge from radical Islamists, local authorities and security services routinely refuse to give a permission for building new church. Faced with refusal, Coptic Christians turned to either build churches illegally or establish churches in other buildings, which in many cases prompted riots and attacks by ultraconservatives (Michael, 2016). Islamists and local residences influenced by popular culture invented countless ways to hinder church building approvals. One method frequently used by fanatics to abort the building of a church was to build a mosque near the area that the church would be built.

"This effectively rendered the intended church illegal since it violated one of the Ten Conditions"(Sidhom, 2016). That is why Pope Shenouda portrayed the Ten Conditions as "unjust and oppressive" Pope Tawadros II voiced the same view by saying that "Years after years, fanatics and hardliners have used the near-prohibitive Ten Conditions to halt building churches." (Sidhom, 2016). In fact, all attempts to enact a unified law on building places of worship, for mosques and churches alike, have been ignored by the SCAF and Morsi as they continued to operate according to the old rules (Fahmi, 2016). However, after the barbaric destruction of the Coptic Church by MB supporters in July and August 2013, the Egyptian regime promised to enact a new law for church building and to rebuild the destroyed churches (Jadaliyya, August 15, 2013). In this context, article 235 of the 2014 Constitution stipulates that parliament should pass a law organizing the building and restoration of churches during its first session (Mada Masr, August 26, 2016).

However, after constant delays, on August 30, 2016, the law was approved by more than two-thirds of the 596 members of Parliament, mostly belonging to the majority that supports President Abdel Fattah Al-Sisi (Independent Catholic News, August 31, 2016).

The law itself and the negotiation that led to its release is a reminiscent of the principles of the neo-millet System that has governed Coptic-state relations since Nasser regime. It was issued as a result of direct negotiations between the Church and government behind closed doors in which the Egyptian regime treated with the representatives of Egyptian churches, including the Coptic Orthodox church, the Catholic and Evangelical Churches, as they are the sole political representatives of Egypt's Christians (Fahmi, 2016). The president himself, as the political representative of the regime, intervened several times to facilitate enacting the new law (Mada Masr, August 26, 2016).

In fact, the law has come under criticism from some observers and groups belonging to the Egyptian Christian community. For instance, the second article of the law, specified that the size of a church seeking a permit for construction should be proportionate to the number and need of Christians in the area, has come under fire because it includes a condition that can be used to place restrictions on church construction (Fahmi, 2016). Additionally, articles 8 to 10 are so loosely worded as to be ambiguous. In their current form, they could be used to close churches (Adel, 2016). Furthermore, the new law reflects the same approach included in the "Ten Conditions" that have governed church-state relations for decades. For instance, the new law provides that the security services and local authorities determine whether the application of church building meet rules of the new law or not, an old habit the law kept from the previous restrictions imposed upon building churches. That is why the new law was described by some Coptic activists as "a sectarian law that shows the state prefers the adherents of one religion over another" (Michael, 2016). It "empowers the majority to decide whether the minority has the right to hold their religious practices" (Michael, 2016), according to one another Coptic activist. Importantly, the wording of the law insisted on using such sectarian words as the term "religious sect" instead of "Egyptian Christian citizen" (Fahmi, 2016).

The new law will not likely resolve the problem of church building in Egypt and the sectarianism related to church building. On the contrary, it might aggravate it. The vagueness of law's articles and the full mandate the law provided to the security services and local authorities in determining church building will push Copts to build illegally if they are faced with the refusal of their requests, which will incite the anger of Muslim community and in turn cause sectarian violence to erupt against Copts. The law does not resolve the major reason for not enforcing rules concerning church building or/and the negative position of the security services against sectarianism: the popular culture and the relations between both security services and local authorities with local Muslim community have proved stronger than the legislation itself. It is important, therefore, to design sophisticated legislative reforms to create a single unified act that prohibits discrimination on religious grounds or more broadly, an Equality Act.

10. Conclusion

In fact, the neo-millet system/partnership (1952-), sectarian violence against Copts, the popular culture of the Muslim community, and restrictions imposed upon church building are symptomatic of the absence of equality rights in Egypt. Egypt needs to design legislative reforms to create a single unified act that prohibits discrimination on religious grounds or more broadly, an Equality Act that reflects the Universal Declaration of Human Rights and the *International Covenant on Civil and Political Right* (ICCPR). It is true that the SCAF amended provisions of the Egyptian Penal Code (EPC) to explicitly prohibit discrimination on religious grounds (Australian Government, 2014: 18), but the penalties and fines of the amended EPC do not do enough to forbid discrimination.

The new proposed unified Equality Act should spell out all forms of religious discrimination, Equality courts should be established to enforce its provisions, and penalties relating to the violation of these provisions should be increased. An independent nongovernmental and representative committee of lawmakers and human right experts should be tasked to draft the proposed Equality Act for parliament to enact. Egypt can learn from the international experience in enacting equality acts, including the British, Australian, South African and Latvian models.

In fact, Egypt does not need constitutional reforms to enact an Equality Act as the Egyptian constitution includes provisions that deal with freedom of religion or belief and even an equality provision. The current 2014 constitution includes provisions for absolute freedom of belief (Article 64), equality and non-discrimination (Articles 9, 11, 14, 51 and 53). Article 64, for example deals explicitly with freedom of belief: "Freedom of belief is absolute.

The freedom of practicing religious rituals and establishing worship places for the followers of Abrahamic religions is a right regulated by Law." (<http://www.sis.gov.eg/Newvr/Dustor-en001.pdf>: 22). Article (99), for example, criminalizes any violation of personal freedom, or the sanctity of the private life of citizens, or any other public rights. The article grants the National Council for Human Rights the right to "file a complaint with the Public Prosecution of any violation of these rights, and it may intervene in the civil lawsuit in favor of the affected party at its request." (<http://www.sis.gov.eg/Newvr/Dustor-en001.pdf>: 28). Article 3 gives the Christian and Jewish communities sovereignty over personal and religious matters. Furthermore, Article 40 forbids the confiscation of property, which can guard against the seizure of church land and the demands of payment for its return." (<http://www.cswusa.org/filerequest/3104.pdf>). On the other hand, "The 2014 constitution makes commitments to equality, non-discrimination, and equal opportunity in several articles, and even binds the state to establishing an independent commission to 'eliminate all forms of discrimination'".

(<http://www.cswusa.org/filerequest/3104.pdf>) Article 9, for example, states that "The State shall ensure equal opportunities for all citizens without discrimination." (<http://www.sis.gov.eg/Newvr/Dustor-en001.pdf>: 7). Article 11 adds, "The State shall ensure the achievement of equality between women and men in all civil, political, economic, social, and cultural rights in accordance with the provisions of this Constitution."

(<http://www.sis.gov.eg/Newvr/Dustor-en001.pdf>: 7-8). Article 14 ensures that, "Public offices are a competence-based right for all citizens without bias or favoritism, and are deemed a mandate to serve the people. The State shall ensure the rights and protection of public servants and that they perform their respective duties in serving the interests of the people." (<http://www.sis.gov.eg/Newvr/Dustor-en001.pdf>: 8). Article 180 states that "Every local unit shall elect a local council by direct and secret ballot for a term of four years." The article ensures that "one quarter of the seats shall be allocated to youth under thirty-five (35) years of age and one quarter shall be allocated for women, and that workers and farmers shall be represented by no less than 50 percent of the total number of seats, and these percentages shall include an appropriate representation of Christians and people with disability." (<http://www.sis.gov.eg/Newvr/Dustor-en001.pdf>: 48). Article 244 ensures that "The State shall endeavor that youth, Christians, persons with disability and Egyptians living abroad be appropriately represented in the first House of Representatives to be elected after this Constitution is approved, as regulated by law." (<http://www.sis.gov.eg/Newvr/Dustor-en001.pdf>: 65).

Therefore, the lack of religious freedom and equality rights in Egypt has been caused not by a lack of constitutional provisions, but rather by the lack of enforcement of such constitutional provisions and the absence of political will. Egypt needs to establish an independent commission to eliminate all forms of discrimination by drafting a comprehensive, detailed, and unified equality act employing provisions included in the 2014 constitution. In this context, Egypt can learn from previous international models, especially the British Equality Act of 2010 (<http://www.legislation.gov.uk/ukpga/2010/15/contents>).

The British Equality Act of 2010 is the outcome of 14 years of campaigning by equality specialists and human rights organisations (Hepple, 2010):11). The Act is big: 218 Sections and 28 Schedules (Ashtiany, 2010: 25). It creates a unified legal framework to advance equality and to protect the rights of individuals against direct and indirect discrimination, harassment and victimisation because of religion or belief. (Edge and Vickers, 2015:30-31). Religion or belief can mean "any religion, for example an organized religion like Christianity, Judaism, Islam or Buddhism, or a smaller religion like Rastafarianism or Paganism, as long as it has a clear structure and belief system." (<https://www.equalityhumanrights.com/en/advice-and-guidance/religion-or-belief-discrimination>).

Influenced by *Declaration of Principles on Equality* that issued in London in 2008 (Petrova, 2008:68; and the Equal Rights Review, 2008:51-52), the act defines accurately the differences between direct discrimination and indirect discrimination (Edge and Vickers, 2015:26-27 and McColgan, 2015: 49). The act does not establish specific equality courts to task the litigation procedures to enforce its provisions as had occurred in the South Africa act, but rather a lawsuit can be heard at a County Court, appealed to the High Court and then to the Court of Appeal (Edge and Vickers, 2015:9).

To conclude, some features of the Equality Act of 2010 may serve as a model for other countries, in particular: "Adopting a unitary or integrated perspective of equality law enforced by a single Commission; Clarifying the definitions of discrimination, harassment and victimisation and applying them across all protected characteristics; Expanding positive duties on public authorities to advance equality in respect of all protected characteristics; widening the circumstances in which positive action is allowed; and a new duty on public authorities to have due regard to socio-economic disadvantage when taking strategic decisions." (Hepple, 2010):11).

Equally, Egypt can learn from the Australian experience, particularly the recommendations proposed by the 1998 Australian Human Rights and Equal Opportunity Commission, especially in terms of the following four recommendations: 1. The Parliament should enact a Religious Freedom Act which, among other things, recognises and gives effect to the right to freedom of religion and belief;" 2. "The Religious Freedom Act should affirm the right of all religions and organized beliefs as defined to exist and to organise and determine their own affairs within the law and according to their tenets;" 3. The proposed Religious Freedom Act should make unlawful direct and indirect discrimination on the ground of religion and belief in all areas of public life, in accordance (ICCPR) articles 2 and 18 and Religion Declaration article; 4. "The obligations in the Religious Freedom Act should apply to individuals, corporations, public and private bodies and all other legal persons" (Human Rights and Equal Opportunity Commission, 1998: v-vi).

Likewise, Egypt could learn from the South African equality act (the Promotion of Equality and Prevention of Unfair Discrimination Act) which was passed by the parliament by using a provision included in the constitution. The South African act establishes specific equality courts to enforce its provisions. (Krüger, 2011: 27), has its own specially trained clerk to assist the court in the performance of its functions. (Krüger, 2011: 30-31), and grants human rights organizations (The South African Human Rights Commission or the Commission for Gender) the right to institute equality court proceedings. This last provision is similar to article 99 of the Egyptian constitution that grants the National Council for Human Rights the right to "file a complaint with the Public Prosecution of any violation of these rights" (<http://www.sis.gov.eg/Newvvr/Dustor-en001.pdf>: 28).

On the other hand, Egypt should avoid the Latvian reforms that split up legislations relating to equality rights and discrimination into different legislative acts. In this context, Latvian equality rights are included in more than nine legislative acts. (Dimitrovs, 2012:12-13).

However, models or equality acts cannot simply be transplanted from one jurisdiction to another. Egypt legal and human rights experts should consider the historical, political, and socio-economic circumstances in which equality legislation is made and enforced. They can learn from the aforementioned four models in either drafting a proposed Equality Act by selecting such provisions that fit with Egypt's circumstances or by avoiding the weaknesses included in some models such as the Latvian model.

To conclude, enacting the proposed Egypt Equality Act will deepen equality rights within Egyptian society, strengthen the sense of citizenship among Copts, and put an end to the neo-millet system that has governed state-church relations since the Nasser era. However, to be fair, laws alone are not sufficient to end sectarianism against Copts in the long term. They should be accompanied with state-led programs and public awareness campaigns to change popular sectarianist culture against Copts.

References

A. Books and Journal Articles

- Adel, Michael, The war on Egypt's Copts, Al-Ahram Weekly August, 20, 2013.
 Adel Michael, Congregational divides, Al-ahram weekly, 1 September 2016.

- Alhies, Abdulaziz et al. Can We Speak of a "Coptic Question" in Egypt? Research Papers, Arab Center for Research and Policy Studies (ACRPS), May 2011.
- Al-Sawani, Alaa, When we Talk, you Should be Salient, Al-Maseri Al-Youm, April 26, 2011.
- Arafat, Alaa Al-Din and Sara ben Nefissa, *"Vote et démocratie dans l'Égypte contemporaine"*, IRD Édition et Karthala, Paris, 2007.
- Arafat. Alaa Al-Din, the Mubarak Leadership and the Future of Democracy in Egypt, Palgrave Macmillan, London, New York, 2009.
- Ashtiany, Sue, The Equality Act 2010: Main Concepts, (The Equal Rights Review, Vol. Five (2010), PP. 25-30).
- Australian Government, State Protection for Coptic Christian in Egypt, Refugee Review Tribunal, Issues Paper, 7 December 2012.
- Australian Government, Department of Foreign Affairs and Trade, DFAT Thematic Report, Egyptian Copts, 28 January 2014.
- Awad, Mokhtar, The Salafi Dawa of Alexandria: The Politics of A Religious Movement, Hudson Institute, 2014, Available at: <http://www.hudson.org/research/10463-the-salafi-dawa-of-alexandria-the-politics-of-a-religious-movement->.
- Brown, Jonathan, "Salafis and Sufis in Egypt," Carnegie Paper, December 2011, Carnegie Endowment for International Peace.
- Brown, Kyle, Institutional Design in Post-Mubarak Egypt: Consociationalism and the Protection of Coptic Christian Interest, MA thesis in Global Studies, Lund University, 2012.
- Brown, Nathan and et al., Islamist Movement and the Democratic Process in the Arab World: Explaining the Gray Zone, Carnegie Endowment for International Peace, March 2006.
- Brown, Scott Kent, "The Coptic Church in Egypt: A Comment on Protecting Religious Minorities from Nonstate Discrimination, (Brigham Young University," Law Journal, Issue 3, September 2000: 1049-1089).
- Catholic News Agency, August 30, 2016, Will Egypt take step towards religious freedom with new law? Available at: <http://www.angelusnews.com/articles/will-egypt-take-step-towards-religious-freedom-with-new-law>
- Casper, Jayson, Mapping the Coptic Movements: Coptic Activism in a Revolutionary Setting, Arab West Report, May 15, 2013.
- Chandler, Paul-Gordon, Muslim and Copts Together, Egypt's Interfaith Revolution, the Christian Century, May 4, 2011.
- Cynthia Farahat, The Arab Upheaval: Egypt's Islamist Shadow *Middle East Quarterly*, Summer 2011, available at <http://www.meforum.org/2887/arab-upheaval-egypt-islamist>
- Daftari, Lisa, Egypt's Christians target of Islamist anger in wake of Morsi's ouster, Fox News, July 11, 2013, available at: <http://www.foxnews.com/world/2013/07/11/egypt-christians-bear-brunt-islamist-anger-in-wake-morsi-ouster/>
- Dimitrovs, Aleksejs, Equality Law in Latvia: Current Trends and Challenges, *The Equal Rights Review*, Vol. 9 (2012), 11-23).
- Edge, Peter and Vickers, Lucy, Review of equality and human rights law relating to religion or belief, Equality and Human Rights Commission, Research report 97, Oxford Brookes University, First published Summer 2015.
- Eric, Leckie, the Muslim Brotherhood and the Perception of Democracy, MA Thesis in Security Studies, the Naval Postgraduate School, December 2012.
- Ezzat, Dina, Paying the price, Al-Ahram Weekly, August 15, 2013.
- Fahmi, Georges, A New Law in Old Bottles, Carnegie Endowment for International Peace, available at: <http://carnegie-mec.org/diwan/64602>
- Fawzi, Sameh and Morcos, Samir, Governance of Religious Diversity: The Copts of Egypt as Example, Arab Reform initiative, Paris, June 2012.
- Friedman, George, Egypt and the Destruction of Churches: Strategic Implications, Stratfor January 4, 2011.
- Habib, Mai, Copts in the Political and Social Struggle, *Journal of Democracy*. No. 51, Cairo, July 2013.
- Hafez, Mohamed and Wiktorowicz, Quintan, Violence as Contention in the Egyptian Islamic Movement, available at: <http://www.eden.rutgers.edu/~spath/351/Readings/Hafez%20%26%20Wik%20-%20Violence%20as%20Contention%20in%20Egyptian%20Islamic%20Mvmt.PDF>
- Hawkings, Justin R., The Copts in Post-Awakiung Egypt, *Glosolalia*, Vol. 5, No.1, December 2012: 63-76.
- Hepple, Bob, The New Single Equality Act in Britain, *The Equal Rights Review*, Vol. Five (2010), 11-24).
- Høigilt, Jacob, The Salafis are coming- but where are they going?, Norwegian peacebuilding Resources Center, July 2011.

- Human Rights and Equal Opportunity Commission, Article 18 Freedom of religion and belief, Human Rights and Equal Opportunity Commission, Sydney, July 1998.
- Human Rights First, How to Turn Around Egypt's Disastrous Post-Mubarak Transition: Blueprint for U.S. Government Policy, Human Rights First, December 2013.
- Independent Catholic News, August 31, 2016, Christians concerned about Egypt's new law on church construction, available at: <http://www.pravmir.com/christians-concerned-egypts-new-law-church-construction/>
- Jadaliyya, July 16 2013 EIPR Statement on Wave of Attacks on Copts and Churches in Egypt, available at: <http://www.jadaliyya.com/pages/index/12984/eipr-statement-on-wave-of-attacks-on-copts-and-chu>, accessed on March 23, 2017.
- Jadaliyya, Churches Torched Across Egypt in Anti-Coptic Violence by Morsi Loyalists, Jadaliyya, August 15, 2013.
- Krüger, Rosaan, Small Steps to Equal Dignity: The Work of the South African Equality Courts The Equal Rights Review, Vol. Seven (2011), (27-43).
- Lacroix, Stephane, Sheikhs and Politicians: Inside the New Egyptian Salafism, Brookings Doha Center, Policy briefing, June 2012.
- Mada Masr, August 26, 2016, Egypt's Cabinet approves church building law, available at: <http://www.madamasr.com/news/egypts-cabinet-approves-church-building-law>
- Marshall, Paul, Egypt's other Extremists, The Weekly Standard, May 16, 2011.
- McCants, William, The Lesser of two Evils: the Salafi Turn to Party Politics in Egypt, Saban Center at Brookings, Middle East Memo, No.23, May 2012.
- McColgan, Aileen, Discrimination on Grounds of Religion and Belief, (The Equal Rights Review, Vol. Fourteen (2015), PP. 47-52).
- Melcangi, Alessia, Before and After the Revolution: A "Spring" Also for the Copts of Egypt? British Society for Middle Eastern Studies (BRISMES), 2012, Graduate Section Annual Conference.
- Michael, Maggie, Egypt's New Law on Churches Angers Christian Critics, Associated Press, August 30, 2016, available at: <http://abcnews.go.com/International/wireStory/egypt-approves-law-churches-christian-opposition-41746919>
- Mohieddin, Mohamed, No Change in Sight: the Situation of Religious Minorities in Post-Mubarak Egypt, Minority Rights Group International, Netherlands, December 2013.
- Molloy, Connor, "Copts Demonstrate Against Constituent Assembly," *Daily News Egypt*, July 29, 2012, accessed November 29, 2012.
- Morshedy, Youssef Esmat, Constructing An Islamist Vision: A Discourse Analysis of Egyptian Islamist Websites, MA Thesis in Journalism and Mass Communication, the American University in Cairo, January 2014.
- Nkrumah, Gamal, Copts on the beat, Al-Ahram Weekly, May 12-18, 2011.
- Nasira, Hani, Salafists, Copts and Sectarianism in Egypt after the Revolution, Terrorism Monitor Volume: 9 Issue: 22, June 2, 2011, available at: http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=38004#.U_sROfmSySo.
- Petrova, Dimitrina, *The Declaration of Principles on Equality: A Contribution to International Human Rights*, (The Equal Rights Review, Vol. Two (2008): 58-70).
- Rubin, Barry, revolutionary Salafi Islamists in Egypt: An Analysis and Guide, Middle East Review of International Affairs, MERIA, Vol. 17, No. 2 (Summer 2013): 37-54).
- Sayigh Yezid, Armies and Civilians in the Arab Awakening: An Inevitable Compromise?, New Arab Reform Bulletin, SADA, October 27, 2011, available at: <http://carnegieendowment.org/sada/index.cfm?fa=show&article=45839>
- Sedra, Paul, "Class Cleavages and Ethnic Conflict: Coptic Christian communities in modern Egyptian politics", (Islam and Christian-Muslim Relations, Vol. 10, No. 2, 1999: 219-235).
- Sedra, Paul, From Citizen To Problem: The New Coptic Tokenism, Jadaliyya, August 18, 2013, available at: http://www.jadaliyya.com/pages/index/13669/from-citizen-to-problem_the-new-coptic-tokenism
- Smith, Julianna Kaye, Coptic Papacy and Power in a Changing Post-Mubarak Egypt, Thesis Presented in Partial Fulfillment of the Requirements for the Degree Master of Arts in the Graduate School of the Ohio State University, 2013.
- Shehata, Dina (Principal Researcher), Mapping Islamic Actors in Egypt, Netherlands-Flemish Institute in Cairo, March 2012.

- Sidhom, Samia, Do Christians in Egypt need a law to build churches? Mada Masr, August 24, 2016, available at:<http://www.madamasr.com/news/egypts-cabinet-approves-church-building-law>
- Stacher, Joshua, Countries at the Crossroad 2011: Egypt, Chatham House, 2012.
- Stamboliyska, Rayna, Sectarian Violence Sweeps Over Egypt, Jadaliyya, August 17, 2013.
- Tadros, Mariz, Egypt's Bloody Sunday, MERIP, October 13, 2011.
- The Arab American News, "Coptic Christians Wary of Future Under Muslim Brotherhood Leadership" *Arab American News*, September 22, 2012, accessed October 16, 2012.
- The Equal Rights Review, Declaration of Principles on Equality, The Equal Rights Review, Vol. Two (2008), 47-57).
- The Equal Rights Review, The Declaration of Principles on Equality: A New Covenant for the 21st Century,(The Equal Rights Review, Vol. Two (2008), 43-46).
- The Public, available at: <http://www.therepublic.com/view/story/a2993adf26174fdb8e1cbe8664ca2b50/ML-Egypt-Anti-Christian-Backlash>
- Van Den Bent, Josephine, 'We are always the ones paying for the drinks' Egypt's Salafyo Costa as a Post-Salafist Horizontalist Social Movement Organisation, August 2012.
- Younis, Mohamed Fathi, the Salafists are the Fuel of Extremism, Swat Al-Oma, January 15, 2011.
- Zakher, Kamal, on the Coptic Question, El-Ezaby's Mine, Al-Watan, July 24, 2016.

B. Websites:

- <https://www.equalityhumanrights.com/en/advice-and-guidance/religion-or-belief-discrimination>
- <http://www.legislation.gov.uk/ukpga/2010/15/contents>
(<http://www.sis.gov.eg/Newvr/Dustor-en001.pdf>).