During the Arab Spring protests in 2011, long-time President Hosni Mubarak resigned and was later replaced in an election by the Muslim Brotherhood-supported Mohammed Morsi. Morsi was himself overthrown in 2013 leaving the country to be ruled by the military under President Abdel Fattah el-Sisi. Egypt is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

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<td>There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious. Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious. It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities.</td>
<td>Religious or ideological instruction is mandatory in all or most state-funded schools with no secular or humanist alternative.</td>
<td>Systemic religious privilege results in significant social discrimination. Prohibitive interreligious social control (including interreligious marriage bans). Religious control over family law or legislation on moral matters. It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization.</td>
<td>It is illegal or unrecognised to identify as an atheist or as non-religious. Expression of core humanist principles on democracy, freedom or human rights is severely restricted. ‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence.</td>
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<td>State legislation is partly derived from religious law or by religious authorities.</td>
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Constitution and government

The current 2014 constitution is an amended version of the 2012 constitution signed into law by the Morsi administration. The new constitution was signed into law after a referendum in January 2014. It has been criticised by human rights groups for putting too much power in the hands of the military. The Muslim Brotherhood and various socialist groups boycotted the vote.

The Egyptian constitution is based on positive (mainly secular) law as well as Islamic hanafi law. It places Islam at its core whilst only recognising other “Abrahamic” religions (Islam, Judaism and Christianity) as legitimate forms of worship. Other religion or belief minorities, even those with a demonstrable presence such as Baha'is and the non-religious, are not recognised.

The constitution begins, “In the Name of Allah, Most Gracious, Most Merciful”, and part 1 of the document lays out the role of religion. Article 2 describes Islam as “the religion of the State. […] The principles of Islamic Sharia are the main source of legislation.” Courts must refer to the principles of Islamic law, if the positive law is missing legal dispositions. While the Islamic law does not touch the penal code, it is mainly in family law that such legal dispositions are absent. Christians and Jews can refer to their own laws instead of the Islamic law. The constitution states that the religious al-Azhar university is the “main reference in theology and Islamic Affairs”.

Discrimination in practice

“Atheists are one of Egypt’s least-protected minorities” according to Human Rights Watch, and there has been a prolonged campaign to turn “youth” away from atheism, with several prominent atheists arrested and convicted (see “Anti-atheist campaign”, below).

According to the law, every citizen is theoretically equal and discrimination based on religion is criminalized in the penal code. In practice, however, there is significant discrimination, with disproportionate use of the law against religious minorities, and atheists have been repeatedly maligned by media and by government officials.

The constitution distinguishes between freedom of belief and freedom to practice religion. It states
that the freedom of belief is absolute (Article 64), however, at the same time it limits the freedom to practice religion. Since 1913, the Egyptian penal code has not included an article on apostasy or conversion. However, a conversion from Islam has legal consequences in family law, regarding marriage, child custody and inheritance (see below).

Restrictions and tensions around belief identities

Egyptian State ID cards include a section on religion and only members of the three “divine religions” can be recognized. Many elderly members of Baha’i or other minority communities further lack birth and marriage certificates. In 2009 the situation was slightly but not sufficiently improved, when two Baha’is were given permission to use a dash (“-”) in the religion section. Muslim-born individuals who leave Islam are not allowed to change the religion field on their identity card. Since the Arab spring, the ID card issue has become a major campaigns issue for the Coptic Christian minority as sectarian tensions have increased.

The state tries to prevent sectarianism and religiously founded violence by monitoring imams and publishing weekly instructions for their sermon contents. Sectarian tension exists throughout the country. In Upper Egypt, however, Christians especially are targeted for kidnapping and extortion.

Education and children’s rights

Muslim and Christian students are required to take Islamic and Christian courses respectively, in public schools, in all grades. Non-religious and religious minority students must choose one or the other course; they may not opt out or change from one to the other.

The Ministry of Interior prohibits the wearing of hijab in primary schools. Upon a written request of a girl’s parents the hijab can be allowed in secondary schools.

Family, community and society

In family law, the government recognizes Islam, Christianity, and Judaism as a basis for religious rulings. Cases involving individuals who are not Muslim, Christian or Jewish are adjudicated based on civil law, though in practice it is highly likely to be socially impossible for some individuals to opt out due to pressure to conform to religion.

Marriage

In marital affairs Jews and Christians can apply their own laws, if both spouses belong to the same denomination (ta’ifa). In mixed marriages and in matters of inheritance and adoption the court always refers to Islamic law.

A marriage between an “apostate” and a Muslim will be declared void. The involvement of religion in family law greatly restricts interreligious marriages, disadvantages women, and privileges Muslims over other religious and non-religious individuals. For example, non-Muslim men must convert to Islam to marry Muslim women, although non-Muslim (Jewish or Christian) women need not convert to marry Muslim men. A non-Muslim woman who converts to Islam, however, must divorce her husband if he is not Muslim and is unwilling to convert, and custody of children is then awarded to the mother.

Sharia prevents Coptic men and Muslim women from marrying each other and does not recognize a
marriage outside the country between such individuals. Coptic Orthodox laws prohibit all mixed marriages; in situations where these laws conflict with sharia, sharia takes precedence.

Societal pressure relating to religious interpretations of law can represent a threat. For example, in November 2015 a Muslim woman in al-Fayoum was reportedly beheaded by her relatives for marrying a Christian man. <tahrirnews.com/posts/339531/>

“Apostasy” surge

During the 1990s and the 2000s there was a surge in apostasy accusations between siblings and others, trying to obtain a judicial decree that a family member had “renounced” Islam in order to disinherit the “apostate” and accrue their share of an inheritance.

“Apostasy” accusations were also used as a weapon against intellectuals and politicians; there was no direct punishment, however it was a way to ridicule or marginalize them, and the consequences for their personal life regarding marriage for instance were far-reaching.

In recent years court trials do not focus on “apostasy” itself, but use the rationale of “public order” to persecute the non-religious, atheists and political critics (see “Blasphemy laws” below).

Women

Besides marriage, the religious family laws discriminate against women also in relation to divorce, child custody and inheritance. No law criminalizes domestic violence and sexual harassment of women is a major problem on the streets. Other forms of violence against women, as for instance female genital mutilation (FGM) and child “marriage” are prohibited by law, but continue in some areas.

The law provides for women filing for divorce the Islamic principle of “khul”, which allows a Muslim woman to obtain a divorce without her husband’s consent, but only provided that she is willing to forego all of her financial rights, including alimony, dowry, and other benefits. The minor children of Muslim converts to Christianity, and in some cases adult children who were minors when their parents converted, automatically remain classified as Muslims because the government does not recognize conversion from Islam, irrespective of the religion of the other parent.

Freedom of expression, advocacy of humanist values

The authorities may ban or confiscate books and works of art, if they consider them as offensive to public morals or detrimental to religion. President Sisi issued a decree in January 2015 that allows the ministries to ban any foreign publications that are deemed offensive to religion. The government further appoints imams and pays their salaries.

“Blasphemy” law

The Egyptian Criminal Code explicitly outlaws blasphemy. Nestled among prohibitions on advocating “extremist thoughts”, “instigating sedition” or “prejudicing national security”, Article 98 (f) outlaws “demeaning and contempting any of the heavenly religions or the sects belonging thereto”. Demeaning any of the Abrahamic religions or harming “national unity” carry jail terms from six months to five years and/or fines of up to LE1,000. In addition, the desecration of religious symbols is punishable by up to five years in prison and/or fines of up to LE500 (Article 160).
The propagation of atheism in words, writing, or other means, is punishable by sentences of up to five years imprisonment. The law has been used to limit the freedom of speech of religious and non-religious groups and individuals alike.

Blasphemy cases have been increasing since 2011. According to the Egyptian Initiative for Personal Rights (EIPR), from 2011 to 2013, courts convicted 27 of 42 defendants on charges of contempt for religion.

<um.edu/humanrts/research/Egypt/criminal-code.pdf>

Anti-atheist campaign

What the New York Times described as “Egypt’s War on Atheism” flared up in 2014, and has continued in various forms since then. “Blasphemy” arrests, guilty verdicts, and a campaign of intimidation against atheists has been described by Human Rights Watch (HRW) as part of the ongoing “coordinated government crackdown on perceived atheists”. HRW also notes that “Atheists are one of Egypt’s least-protected minorities”.

<nytimes.com/2015/01/28/opinion/mona-eltahawy-egypts-war-on-atheism.html>
<hrw.org/news/2015/01/13/egypt-3-year-sentence-atheist>

Beginning in June 2014, the Ministry of Youth, Ministry of Endowments began a media and re-education campaign to “eradicate” atheism. The initiative was linked to a wider campaign that also targeted “religious extremists”, most of whom were associated with the recently outlawed Muslim Brotherhood, and there were overt attempt to explicitly associate atheism per se with threats to national security and extremism. The programme was aimed at “confronting and abolishing [atheism] through religious, educational and psychological means handled by experts in these fields.”

<al-bab.com/blog/2014/may-june/egypt-to-eliminate-atheism.htm#sthash.E4Wp4e1S.dpbs>
<english.ahram.org.eg/NewsContent/1/151/120204/Egypt/Features/Egypts-war-on-atheism.aspx>

The backlash against the apparent growth of atheism, increasingly associated with young people and expressed on social media, has come primarily from government leaders and Islamic clerics and scholars. However in November 2014 it was reported that Christian churches held a joint conference and were “joining forces” with Egypt’s Al-Azhar to fight the spread of atheism. The new Egyptian Council of Churches organized, in late October 2014, a workshop for young people discussing the “dangers” of atheism.

<madamasr.com/news/govt-announces-campaign-save-youth-atheism>
<worldbulletin.net/africa/148163/egypts-muslim-christian-authorities-unite-against-atheism>

IHEU is deeply concerned that these organised, authoritarian programmes against the organic growth of non-religious thinking. While pretending to be a “scholarly” response to a social trend or a lawful process in favour of public order or national cultural identity, the authorities are in fact maligning atheists as dangerous and a threat to the state and society, in such a way that demonizes individual atheists and presents a clear threat to atheists’ freedom of thought and expression.

Highlighted cases

In February 2015 an Egyptian court sentenced a student of Suez Canal University, Sherif Gaber Abdelazim Bakr, to one year prison with hard labour for posting content on Facebook which “professed atheism” and “insulted” Islam, as well as “defending homosexuality”. He had initially been arrested in 2013 in a dramatic raid, with armoured cars surrounding his house in the middle of the night. The arrest came after an incident at his university, in which Gaber’s science teacher, in
April 2013, had asserted that homosexuals should “be crucified in the middle of the streets”. Gaber challenged him, suggesting that he should stick to scientific topics. A lecturer from the university responded by printing and distributing posts from Gaber’s Facebook page that questioned religion. In front of a class, the lecturer declared that he would submit them as evidence to the university’s president and the prosecutor general. Gaber was found guilty in late 2013 for “contempt of religion” and “spreading immoral values and abnormal thoughts”, and he paid fines in order to escape jail. But the case was ongoing, and after the 2015 verdict he fled into hiding. He resurfaced in summer 2015 making pro-science videos. He has continued to produce occasional content, often of a satirical nature, challenging pious attitudes to religion and pointing out fallacies within religious debates.

In January 2015, atheist activist Karim al-Banna was sentenced to three years jail for “insulting the divine” after declaring his atheism online. The prosecution, led by a infamous Islamist lawyer, had tried to demand that Al-Banna be sent to prison without trial, and the defence complained that they were not given time to make a case; a campaigner described the trial as “highly politicised…the prosecution has tried to prove him guilty by whatever means possible.” Though the January sentence was initially suspended, the prosecution appealed and the suspension was overturned in March 2015. With the three-year sentence now due to be enforced, Al-Banna, who did not attend the retrial, went into hiding. Karim al-Banna had been arrested in November 2014 in a cafe in Cairo for announcing his atheism on Facebook and therefore “insulting Islam”. Karim al-Banna’s own father testified against him and stated that he had found his son to be owning provocative books, and that his son “was embracing extremist ideas against Islam” (the ‘extremism’ here refers only to his atheist position, there has never been any suggestion of actual militantism or similar). Banna’s name had earlier been included in a list of “known atheists” in a local daily newspaper, after which he was harassed by neighbours. Banna himself went to file a complaint against the neighbours, but police accused him of insulting Islam.
In October 2014 Ahmad and Sally Harqan (Nada Mandour) were attacked in their home by a group of men. After fleeing the scene Ahmad and Sally (who was pregnant) arrived at a police station, only to be assaulted by the police and imprisoned overnight. Ahmad is an atheist and an activist. His friends and supporters told IHEU that the arrest was linked to a complaint filed against him by several academics, in connection with his appearances on Egyptian and international media during which he discussed atheism and the right to express atheism. They were released by the prosecutor.

Describing himself as a humanist after dissenting from Christianity, Ayman Ramzy Nakhla was interviewed on al-Nahar TV in April 2014. The interviewer, Reham Said, noting Nakhla’s occupation as a college librarian, explained his rejection of religion by suggesting he was “confused” by reading too many books.

In the weeks following the interview, the education minister announced that Nakhla was being suspended from his job and referred to the public prosecutor for spreading ideas that were “atheistic and abnormal for Egyptian society”. He was accused of “denying the existence of God and denying religions, prophets and holy books, directly by satellite and indirectly within the educational institution”.

On September 14, 2012, during the riots over the “Innocence of Muslims”, Alber Saber was arrested after a mob formed outside his home and demanded his arrest for “insulting religion”. Saber was a prominent activist for secular democracy in Egypt. Raised in a Coptic Christian household, Saber is an atheist who operated the Egyptian Atheists page on Facebook and has been a vocal critic of fundamentalist Islam. Saber was reportedly beaten after a prison guard announced his charges to others in Saber’s cell. On December 12, 2012, Saber was sentenced to three years in prison. Upon being released on bail, Saber was able to escape Egypt, and is now living abroad.

In late July 2012 a Coptic Christian teacher, Bishoy Kamel, 32, was arrested in the southern governorate of Sohag over an accusation that he posted images “insulting” to Islam on his Facebook page. Police were reported by al-Ahram newspaper as saying Kamel could be charged with blasphemy and would face up to five years in prison if convicted. The images he allegedly posted were cartoons depicting the Prophet Mohammed and Egypt’s new President Mohamed Morsi. Mohamed Safwat, who filed the charges against Kamel, reportedly argued that that the teacher had also “insulted members of his own family.” Kamel admitted to managing the Facebook page under investigation but denied the charges, claiming his account had been hacked. In September 2012 Kamel was sentenced to six years in prison for blasphemy.

On 4 April 2012, An Egyptian court sentenced 17-year-old Christian boy, Gamal Abdou Massoud to three years in jail for publishing cartoons on his Facebook page that “mocked” Islam and the Prophet Mohammad. Massoud was also accused of distributing some of his cartoons to his school friends in a village in the southern city of Assiut, home to a large Christian population. The child’s court in Assiut sentenced Gamal Abdou Massoud to three years in prison “after he insulted Islam and published and distributed pictures that insulted Islam and its Prophet.” The cartoons, published by Massoud in December, had already prompted some Muslims to attack Christians, with several Christian houses burned and several people injured in the violence.

In February 2012, a Christian school secretary named Makram Diab was sentenced to six years in prison for “insulting the Prophet Mohammed.” A mob of 2,500 Muslims rallied outside the courthouse and demanded Diab be sentenced to death. Diab was apparently convicted on the testimony of Muslim colleagues, who stated he had made offensive remarks.
On 12 October, 2011, a court gave Ayman Yusef Mansur, 24, a three-year prison sentence with hard labor because he allegedly insulted the dignity of the Islamic religion with criticism on Facebook. The court did not make available what exactly Mansur posted on Facebook to draw the sentence.

On February 22nd, 2007 An Egyptian court sentenced a blogger, Abdel Kareem Soliman, aka Kareem Amer, to four years’ prison for insulting Islam and the president. Soliman’s trial was the first time that a blogger had been prosecuted in Egypt. He had used his weblog to criticise the country’s top Islamic institution, al-Azhar university and President Hosni Mubarak, whom he called a dictator. On 27 October, 2007, he was sentenced for Facebook posts deemed offensive to Islam, along with being seditious toward Hosni Mubarak. He was released on 17 November 2010, upon which he was re-detained by security forces and allegedly tortured.

Testimonies

“I come from a Muslim family and discovered my unbelief in my teenage years. To come out as an atheist to my family and close friends was not exactly acceptable, but it was not a danger. Some people didn’t like to hear that and tried to ignore me. Others tried to talk to me friendly to convince me about my “fault”. Until today, my mother tries to bring me back to Islam every time I talk to her. It is the same with many family members and it is really annoying.

To break fasting in public or to criticize Islam or religion publicly would be hard. And Christians face more discrimination in Egypt, it is for instance hard for them to get a promotion at work. In general I would say that the normal society silently tolerates a person being atheist, although they don’t really understand and accept it. They might think that you are crazy or stupid and you lose your credibility as an ethical and honest person. But being gay or an unveiled woman brings more problems than being atheist itself. Consequently, you can think and believe whatever you want, as long as you keep it to yourself, but any public manifestation of it raises anger.”

— Mahmoud

“I did not come out as an atheist in Egypt although only some of my friends knew that I am. The reason was that I already struggled with my family and at work just because I don’t practice Islam. For my family part, I used to spend most of my time on my own in front of my computer, almost everyone didn’t speak to me, didn’t want to share anything with me just because I had different ideas.

For work, most of companies in Egypt don’t hire Christians just because they are Christians, so I didn’t have other choice but stay Muslim in their eyes. Even then, everyone at work was wondering why I am not veiled, why I don’t do Ramadan or why I don’t pray. I actually once had a terrible problem with my boss back then… because she doesn’t like my outfits and that everyone at work say that I am kind of a slut because I am not covered enough.

Since my life was hell as an atheist in Egypt, I had to leave. Only now I can say out loud to my family that I am an atheist, and only now they accept it.