

While freedom of religion is constitutionally guaranteed, Article 98(f) of the Penal Code forbids “insulting or denigrating the heavenly religions.”

*This law is used almost exclusively against those who blaspheme Islam, and **disproportionately targets minorities**; Sunni Muslims are also targeted as a means of maintaining orthodoxy.*

*The use of blasphemy charges has **increased markedly since 2011**, under both Islamist and secular governments, and **continues since the 2013** removal of President Muhammad Morsi.*

BACKGROUND

“Blasphemy” is typically used to refer to Article 98(f) of Egypt’s Penal Code, which [forbids](#) “insulting or denigrating the heavenly religions” (i.e., Islam, Christianity, and Judaism). In practice, however, charges are brought disproportionately against members of religious minorities, and almost always for insulting Islam. Of the 36 blasphemy cases brought to court in 2011 and 2012, [35 were for blaspheming Islam](#) and only one—which was later dismissed—was for blaspheming Christianity. Since the 2011 Revolution, there has been a noted rise in such blasphemy cases, a trend that has continued under President Abdel-Fattah El Sisi in spite of his self-depiction as a protector of Egypt’s minorities following the ouster of Muhammad Morsi and the Muslim Brotherhood.

THE USE OF BLASPHEMY LAWS TO TARGET CHRISTIANS

Some 41 percent of blasphemy cases are [filed](#) against Christians, though they make up only about 10 percent of Egypt’s population. Such cases often rest on flimsy evidence, including Facebook posts. In one prominent case, Kirillos Shawky Atallah was [convicted](#) after [liking a Facebook page](#) that later posted anti-Islamic materials. Another Christian, noted convert from Islam [Bishoy Armia](#) (né Muhammad Hegazy), is facing blasphemy charges in his third case since his conversion in 2007. Despite having served a one-year sentence to completion, Armia was arrested and has been held in pretrial detention for over two years, being [charged](#) with insulting Islam. In another prominent case, a Coptic teacher in Luxor, Dimyana Obeid Abdel Nour, was [charged](#) in June

2013 with “denigrating Islam” after students accused her of insulting the Prophet Muhammad during a lesson. In June 2014, an appeals court [upheld](#) her six-month sentence, overturning an earlier ruling that only imposed a fine.

In July 2015, three Christians were [charged with](#) “showing contempt for Islam” in Alexandria after distributing dates at sunset during Ramadan that had Bible verses on their packaging; their case was [dropped](#) in February. In September 2015, Maher Fayeze, an 18-year-old student in Beni Suef, was [accused of blasphemy](#) for comments he made on Facebook that allegedly insulted Islam and [spent](#) three months in jail without being tried. In May 2015, four Coptic students and their teacher from Beni Mazar, Minya, were arrested and [charged with blasphemy](#) after making a video mocking the Islamic State. In February, the Idku Criminal Court [sentenced](#) three of the students to five years in prison, the maximum sentence for blasphemy, and referred the fourth to a punitive juvenile institution. The teacher was sentenced to three years.

THE USE OF BLASPHEMY LAWS TO TARGET OTHER MINORITIES

Besides Christians, other minorities in Egypt have also been subject to prosecution under Article 98(f). Of these, atheists are among the most widely targeted. In early 2015 Karim al-Banna was [sentenced to three years](#) in prison on blasphemy charges and accused of “devil worship” for declaring in a Facebook post that he was an atheist. Then, in June, liberal activist Sherif Gaber was [sentenced to one year](#) in prison for declaring himself an atheist. Additionally, in a somewhat rare instance of blasphemy charges being filed

against a Shi'a, Amr Abdallah received a [five-year sentence](#) for “insulting the companions of the prophet” after being arrested while attempting to pray at the al-Hussein Mosque in Cairo on the prominent Shi'a holiday of Ashoura.

AL-AZHAR AS AN UNOFFICIAL ENFORCER OF BLASPHEMY LAWS

While the state is the official judicial authority in Egypt, the tremendous influence of al-Azhar—the Sunni mosque and university establishment—allows its clerics to serve as unofficial enforcers of blasphemy laws. For example, in May 2015, television presenter Islam al-Beheiry was charged with blasphemy after the authorities at al-Azhar filed a complaint that his program “made people question what is certain in religion.” After nearly a year of trials and appeals, Beheiry was convicted in February 2016 and will [serve one year](#) in prison. In September 2015 al-Azhar officials [demanded](#) that several Cairo booksellers stop selling the “anti-Islamic” book *Blasphemy in Egypt* and threatened to file charges of blasphemy if they did not comply.

POLITICAL AND CIVIL SOCIETY REACTIONS

All of the above cases, with the exception of intimidation from al-Azhar, were carried out by the Egyptian state. Under Morsi, Islamist politicians [generally supported](#) the use of blasphemy laws to [restrict speech against religions](#) (particularly Islam). While under Sisi, who [claims to protect](#) Egypt's minorities, officials' statements have been more positive, the use of blasphemy charges [continues unabated](#). There have been [more charges of blasphemy](#) under Sisi than there were under Morsi. Mona Mounir, a current member of parliament, [submitted](#) proposed legislation to repeal Article 98(f) of the Penal Code in February 2016. Ali Abdul 'Al, speaker of the parliament, also [called](#) on al-Azhar and the Ministry of Endowments to draft law, encouraging renewal of religious discourse. However, members of al-Azhar and other facets of the state religious establishment have [repeatedly spoken](#) of the danger posed by the spread of [Shi'ism](#) and [atheism](#).

Through religious freedom reports issued by entities like [USCIRF](#) and the [State Department](#), the U.S. government has regularly noted the frequent use of blasphemy charges with disapproval. The

Egyptian Initiative for Personal Rights has covered these issues in depth and [condemned](#) a number of cases, while several other human rights groups have published reports documenting and condemning Egypt's use of blasphemy charges.

ANALYSIS

Although the 2014 constitution contains expanded commitments to “freedom of belief,” any “insults to religion” continue to be criminalized under Article 98(f). Freedom of religion exists largely in name only for anyone who does not adhere to the moderate Sunnism endorsed by the state. Blasphemy charges are one of the government's prime weapons for enforcing orthodoxy on religious issues and constraining speech. The blasphemy law is used not only to persecute minorities but also to charge anyone who openly questions the official religious narrative and policies of the state. The government's attempts to control even Sunni belief—via blasphemy charges against Beheiry and [Fatima Naoot](#), whose three-year sentence was upheld on appeal on March 31, 2016, as well as the endowments ministry's attempts to [control sermon content](#)—do not bode well for religious freedom.

While many observers and reports noted a post-revolution [increase](#) in blasphemy charges under Muhammad Morsi, this alarming trend has continued under the government of Abdel-Fattah El Sisi, notwithstanding his claims to be a secular protector of Egypt's minorities. In fact, the use of blasphemy charges has served as a powerful tool of regaining and maintaining control. The government has continued to frequently enforce blasphemy laws by intimidating dissidents, minorities, and other ideological opponents. Additionally, by positioning himself as a strong defender of Islam, Sisi has attempted to regain the confidence of society, particularly since he has come under fire from religious political groups including the Muslim Brotherhood and Salafists.

RESOURCES

“In Sisi’s Egypt, Blasphemy Is Still a Crime,” Hazel Haddon

<http://foreignpolicy.com/2015/04/21/in-sisis-egypt-blasphemy-is-still-a-crime/>

“Blasphemy in New and Old Egypt,” Mahmoud Salem

http://www.mei.edu/content/blasphemy-new-and-old-egypt#_ftn2

“In Brotherhood’s Egypt, Blasphemy Charges Against Christians Surge Ahead,” Kristen Chick
<http://www.csmonitor.com/World/Middle-East/2013/0522/In-Brotherhood-s-Egypt-blasphemy-charges-against-Christians-surge-ahead>

“EIPR Releases Report on Defamation of Religion Cases in Two Years Since the Revolution”

<http://www.eipr.org/en/pressrelease/2013/09/11/1818>

“Egypt’s War on Atheism,” Mona el-Tahawy

http://www.nytimes.com/2015/01/28/opinion/mona-el-tahawy-egypts-war-on-atheism.html?_r=0

ESHHAD

Eshhad is an online platform that aggregates and collates alleged religious persecution and sectarian attacks in Egypt.

Eshhad, which previously existed as an independent entity and is now an incubated project at the Tahrir Institute for Middle East Policy (TIMEP), seeks to encourage transparency and to influence policy by explaining the context in which sectarianism occurs throughout the Middle East.

THE TAHRIR INSTITUTE FOR MIDDLE EAST POLICY

The Tahrir Institute for Middle East Policy (TIMEP), a nonpartisan and nonprofit organization, is dedicated to understanding and supporting Middle Eastern countries undergoing democratic transitions and committed to informing international policymakers and the public of developments in these countries.

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APPENDIX: BLASPHEMY CASES IN 2015

Michael Mounir Arrested and Charged for Contempt of Religion (February 2015)

On February 3, 2015, Michael Mounir Beshay was detained for four days pending investigation for defamation of religion charges after allegedly sharing a video that insulted the Prophet Muhammad. Muslim youth had gathered around Beshay's home in Daqhaliya to burn his home; police cordoned the home and took Beshay into custody. He was sent to the prosecutor on charges of blasphemy and the dissemination and promotion of rumors. On February 21, 2015, a misdemeanor court postponed his hearing to February 28 in case number 2906/2015; no February 28 updates were published. However, on March 1, 2015, Beshay's lawyer presented the defendant's case before the court, and sentencing was scheduled for March 28, though no March 28 updates were published. On April 30, Beshay was sentenced to one year in prison and a fine of 1,000 Egyptian pounds (LE), with an appeal scheduled for May. On May 23, Beshay was released on bail of LE2,000. On appeal, his defamation of religion sentence has been reduced to six months on July 25, 2015.

Coptic Teacher and Four High School Students Sentenced for Filming Video Defaming Muslim Prayers (April 2015)

In April 2015, Gad Youssef Yunan, a Coptic English language teacher, was detained for four days pending investigation of his alleged involvement in filming and disseminating a video mocking the Islamic State, facing charges of inciting sectarian violence and defamation of religion. Four high school students were also detained for contempt of Islam after they participated in the video. Colonel Essam Zain and Major Essam Abou al-Fadl executed the arrest after the commissioner officer in Bani Mazar received a complaint from Muslims in the village, al-Nasriah. After the detention of the four students was extended, the judge denied an appeal of the renewed detention on April 18, 2015. On May 20 Yunan was released on bail but was displaced from his home village, al-Nasriah, Beni Mazar following a reconciliation meeting. The four students remained in detention until June 8, when they were released on bail of LE10,000 each. Following multiple adjournments, Yunan was sentenced by the Beni Mazar Misdemeanor Court for three years in prison on December 31, 2015 and on February 25, 2016, the court sentenced three of the students to five years in prison for blasphemy charges, and referred the fourth to a punitive juvenile institution.

Coptic Homes Attacked with Molotov Cocktails in Beni Suef After "Defamatory" Facebook Posts (May 2015)

In May 2015, Coptic homes in al-Fashan village in Beni Suef were attacked with rocks and Molotov cocktails, leading to a number of fires in homes and the destruction of at least one car. The attacks occurred in the wake of allegations that Coptic resident Ayman Yusuf Tawfik posted defamatory content to Islam on his personal Facebook page.

Maher Fayeze Accused of Defamatory Posts in Beni Suef (May 2015)

In May 2015, Maher Fayeze Habeeb Hanna was detained in Mayana Village in Beni Suef after accusations that he posted material defamatory to Islam and the Prophet on his Facebook. On May 18, Hanna's detention was extended after the expiration of a preliminary four-day investigatory detention. On June 4, his lawyer reported being harassed for choosing to represent his client. Additionally, Hanna's family was forcibly removed from their village and remaining Coptic families faced verbal harassment. On June 11, 2015, his detention was extended for another fifteen days. Although his family returned to the village, they were unable to visit their son during his detention. On June 28, Hanna's detention was extended for another 45 days, and it was repeatedly extended until November 15, 2015, when the court released him due to having spent the maximum period in pretrial detention without being referred to trial.

Appeal of Bishop Kamel in Defamation Case Accepted (May 2015)

An appellate court in Cairo agreed to review the case of Bishop Kamel, a Coptic teacher from Sohag who was sentenced in July 2012 to six years in prison for defamation of religion charges relating to Facebook posts about Islam and Prophet Muhammad. Kamel alleges that his page was hacked and that the posts are not his own. On July 11, 2015, Kamel's appeal was adjourned until July 25 when his original defamation sentence was vacated and a retrial ordered. On September 12, the Cairo Court of Cassation released Kamel on bail and halted the implementation of his sentence. On October 10, Egyptian Homeland Security forces asked Kamel to temporarily leave his home out of "fear for his and his family's lives" and for the "sake of the public interest." The security forces renewed their request on October 21, 2015, despite Kamel's desire to return home.

Three Christians Detained While Passing Out Dates, Accused of Proselytizing, Now Dropped (July 2015)

On July 10, 2015, Fawzi Osama, was detained by a journalist, Mahmoud Abdel Halim Mousa, who took him to the Sidi Bishr Police Station after confiscating

Osama's national identification card. Osama had been passing out dates to Muslims breaking their fast at sunset during Ramadan. Osama then called two of his friends, Stephen and Shadi, who arrived at the station to help Osama and were subsequently arrested and detained. They were kept until 1 a.m. on July 13, when they were each released on bail of LE10,000. All three boys (ages 24, 22, and 16) were charged with contempt of religion and using modern methods to proselytize. Allegedly the journalist threatened Fawzi saying "I won't let you go. The police will deal with you and I will deal with you and your family." On February 24, 2016, a family member announced that the case against Osama, Stephen, and Shady had been dropped.

Coptic Policeman Transferred to Reserves in Preparation for Removal Without Cause (August 2015)

On July 29, 2015, policeman Khalil Malak Khalil was transferred to the reserves in preparation for potential removal without cause. When Khalil, who is stationed at Luxor Airport, asked the Ministry of Interior about the removal order, he was told that he was being transferred after accusations (that arose during the Morsi regime) that he posted defamatory posts about Islam on his Facebook page, leading to the refusal of some police officers to work alongside him. Although the prosecution cleared him of any blasphemy charges while he was working at the Department of Personnel Affairs at the Luxor Police Station, he was transferred to Qena for alleged security reasons. He was eventually transferred back to Luxor just months before his removal order. On August 2, a memorandum requesting the cancellation of Khalil's removal was submitted but no further updates have been published.

Arrest of Church Custodian Reportedly Handing Out Bibles Outside of a Mall (August 2015)

A church custodian, Medhat Ishaq, was detained for four days after being arrested on August 9, 2015, by security forces outside of the Mall of Arabia in Sixth of October City while allegedly in possession of nine copies of the Bible. Security forces accused Ishaq of standing outside of the mall and proselytizing. The man, who is from Beni Ebeid in Minya, is facing accusations of "the exploitation of religion for the purposes of inciting sectarian strife and harming national unity." On August 10, prosecution extended Ishaq's detention for another 15 days and added a new charge of "defamation of religion." On August 24, 2015, the Sixth of October Misdemeanor Court extended Ishaq's pretrial detention for another 15 days. The Misdemeanor Court ordered his release on bail of LE300 on September 7, 2015.

Noted Convert to Christianity Bishoy Armia Arrested, Facing Charges (February 2016)

On December 4, 2013, noted convert to Christianity Bishoy Armia was arrested in Minya. Authorities claimed he was contributing to a "false image" that there was violence against Christians in Minya. Bishoy Armia first made headlines in 2007 as the first Egyptian Christian convert to file a lawsuit to try to change his religious status on his national identification card. In June 2014, Armia was sentenced to five years in prison and fined LE500 for "depicting Christians as suffering from sectarian oppression" and reporting the "misinformation." On the date of the appeal hearing (July 20, 2014), the court ordered his release after his lawyer filed a complaint stating that bail had not been appropriately set. Armia was rearrested as he left the courtroom on blasphemy charges that state security prosecutors decided to renew from 2009. On December 28, 2014, an appeals judge found Bishoy not guilty of two charges relating to the Minya arrest, but sentenced him to one year in prison on the charge of "filming Muslim Brotherhood demonstrations without permission and spreading false news harmful to national interests." Despite having spent more than one year in detention and being eligible for release for time already served, Armia has been held without an opportunity to post bail because of blasphemy charges that had been belatedly brought. On June 5, 2015, Armia was subject to beatings while detained at Tora Prison. His lawyer submitted a complaint to the prosecutor-general stating that his client is being beaten because of his conversion to Christianity. On February 23, 2016, the Cairo Criminal Court extended his pretrial detention for 45 days, despite the fact that December 2014 marked the end of his maximum two-year period of pretrial detention..

