

# SUDAN

## **The Copts: Passive Survivors under Threat**

*Dedicated to Sudan Airways pilot Giorgis Yustus, who was executed in February 1991 for contravention of a currency law that was removed from the Sudanese statute books less than a year later.*

The Sudanese Copts are a small but prominent minority (150-200,000) who have lived in Sudan for more than one hundred years. They have significant communities in urban towns in the Northern provinces, especially Dongala, Athara, the capital Khartoum and Omdurman, Wad Medani, Port Sudan, and al-Obeid, served by twenty three churches and two bishops. They are now threatened by an Islamic fundamentalist government that seems determined to drive them out of their country. They are subjected to a wide range of discriminatory practices.

Copts are the followers of the Egyptian Coptic Orthodox church, the largest Christian group in the Middle East. It was founded in the first century in Alexandria (Egypt), and now has the lion's share of followers among the Christians of Egypt, Ethiopia, and the Northern Sudan. Christianity was introduced South to Upper Egypt, Northern Sudan, and then to Ethiopia in the first definite missionary endeavor of the Church of Egypt and was the first contact Christianity had with black Africa. However, after the collapse of the Christian Kingdoms of Northern Sudan, the Coptic communities disappeared. Christianity was revived in Sudan by the arrival of Coptic immigrants from Egypt to the Sudan, in waves of refugees triggered by bouts of oppression from Moslem rulers of Egypt. The peak of that movement was reached after the Turco-Egyptian invasion of the Sudan in 1821. These Coptic immigrants came as civil servants, craftsmen, and merchants, for whom Sudan became the land of opportunity and tolerance. After the Mahdi seized power in 1885, however, they were left with no choice but to convert to Islam. Only those who managed to escape from the country succeeded in keeping their faith.

The Copts returned to Sudan once more after the Anglo-Egyptian troops conquered the Mahdist State (1885-1898). Some of those who converted to Islam returned to Christianity, but some could not, in view of the complications

of intermarriage. They lived in peace and harmony with other groups in the society, and were prominent in trading, banking, engineering, and the medical profession, but avoided political involvement. Their political concerns were awakened in the 1960s when the issue of an Islamic constitution began to dominate Sudanese political life. Coptic community representatives joined the public opposition to the proposed Islamic constitution and voiced strong protest, highlighting for the first time the determination of their community to play an active role in shaping the future constitution of the country. The May 1969 military intervention under Nimeiri, and the sidelining of the Islamic question, was a great relief to the Copts, whose community leaders publicly welcomed the change. In the early 1970s a Copt who was one of the top civil servants was appointed as a senior minister, and in the mid-seventies the government donated money and freehold land (13,300 square meters) to build Coptic clubs in Khartoum and Omdurman.

A few years later, however, Sudan witnessed the increasing Islamization of the Nimeiri regime, which culminated in the implementation of "Sharia" (Islamic law) in 1983. Islamic law by its very nature relegates non-Moslems to second class status. At first discrimination against Copts was limited, until the current regime, headed by General Omer Hassan al-Bashir, seized power in June 1989 in alliance with the National Islamic Front. The outrages against the Coptic community then began in earnest, although the regime denies this and the international community has been preoccupied with the ordeals of minorities elsewhere.

The Copts cannot escape to Egypt this time, as most of them have been born in Sudan and no longer have connections in Egypt. The greater obstacle to flight, however, is the growth of Islamic absolutism in Egypt, with its encouragement of sectarian hatred and violence. Public harassment of Copts and the refusal to allow them to perform their religious rituals or celebrate social events have become common in many cities in Upper Egypt. Twelve Christians were killed in Egypt in an attack by Islamists in May 1992. In the same year a bus was attacked and five Copts were killed, and a Coptic physician was murdered in his clinic.

Facing such dangers, and the fact that Egypt and Sudan do not officially recognize refugees from each other's countries, Copts now face a dilemma over asylum. Some Sudanese Copts' applications for asylum have been rejected in Germany and Canada, and they are left with no option. The days are gone when Coptic monks used to hide in the desert monasteries: even the desert is no longer a safe hiding place.

## **Relations with Islam**

Egypt was one of the first nations to adopt Christianity, and the history of the Coptic church goes back to the first division in the Christian Church.

Facing hostility from the Catholic Church in Rome, the Coptic priests were obliged to escape to the desert to maintain their faith. Persecution from this quarter ended with the Islamic invasion of Egypt in the seventh century, when Coptic Christians were at least allowed second class citizenship; their status was reduced to that of "Dhimma". This codified system of legal duties and obligations was introduced by

the Khalifa Omar, the second Khalifa in Islam, and regulated the treatment of the non-Moslem indigenous population. The code dictates that:<sup>1</sup>

- (1) The Dhimma should pay a regular fee in order to keep their religion.
- (2) They should not prevent any Christian from converting to Islam, and should not attempt to convert any

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<sup>1</sup>Abdullahi An-Na'im, *Towards an Islamic Reformation*, Syracuse University Press, 1990, chp. 4.

- Moslem to their belief.**
- (3) They should not hold any public post that would give them any authority over Moslems.**
  - (4) They should not sell their books or crosses in the markets.**
  - (5) They should not raise the sound of their church bells or raise their own voices in front of Moslems.**
  - (6) They must walk on the edge of the street, and leave the middle to the Moslems.**

**It is significant that some Copts worked as clerks in the Islamic administration due to the shortage of literate and numerate people, but they suffered from the many disadvantages inherent in the code.**

**The last phases of the Ottoman empire saw some improvement in the condition of the non-Moslems after the legal reform made by Emperor Suliman the Great, but the most important change for the Copts began after Mohammed Ali, the Khedive of Egypt (1801-46) introduced some French laws into the consulate courts.**

**In 1882 Egypt became a British Protectorate. Judicial reform was introduced by Lord Cromer in 1883 and Egypt became a secular state. Nevertheless some of the Islamic or - more precisely - Ottoman laws have remained in the Egyptian legal system. The most notorious is the "Hamayony Khat" issued in 1856, a rule which prevents the building of new churches or repairing of old ones without a presidential decree. The absurdity of this was illustrated in 1991 when the Egyptian newspapers published a presidential decree allowing the mending of toilets in two churches.**

**The current UN Secretary General Boutros Boutros Ghali was never permitted to hold the full title of Foreign Minister of Egypt, and was appointed acting Foreign Minister for only a few months after the Camp David agreement. He was later demoted to State Minister in the Foreign Affairs Ministry when a more suitable Moslem was found to fill the post. A man who is qualified to be the Secretary General of the UN is not entitled to be a foreign minister in his own country because of his religion.**

**Sudanese Copts had partially escaped that fate. The law codes in force between 1900 and 1983 awarded equal rights to followers of all religions. The Copts were able to live peacefully and without prejudice by virtue of the tolerance of Sudan's laws and the people's attitudes. In fact, the Copts were always considered as a prestigious minority as result of their proficiency in business and administration as well as their good social and financial status. Additionally, the Copts benefitted from having light colored skin among a population that was trying hard to distance itself from the blacks. For all these reasons Sudan was a much better place for them than Egypt. The Copts became integrated into Sudanese society in every respect but marriage. They were given the name Nagada - after a village in southern Egypt to which some Sudanese Copts originally belonged - as a label which equated them with the Sudanese tribes.**

### **Nimeiri's September Laws**

**In September 1983, shortly after a strike by Sudanese judges, the then President Nimeiri surprised Sudan by issuing a new set of supposedly "Islamic" laws, guided by members of what is now the National Islamic Front. These laws included the Penal Code, Criminal Procedures, Traffic Act, Civil Procedures, and the Law of Evidence. They were followed by the Sources of the Judicial Rules Act, and the Civil Transactions Act. Nimeiri's move did not merely assert Islam as the state religion, but started to create a religious state built on the Koranic Code, whose principles would dominate all aspects of life. Non-Muslims would have a place in Sudan, but a subordinate one, and should be subjugated. The Sources of Judicial Rules Act gave the interpretation of "Sharia" as the principal source of the law, and together with a section in the Penal Code this interpretation made it possible for the judges to sentence defendants for crimes which had not existed in the written codes when the alleged crime was committed. Given the prejudices and**

**absolutist motivation of the newly appointed Islamic judges, this led to clear violations of human rights.**

**The first abuses of this free interpretation occurred when men who worked as women's hairdressers were sentenced to fines and flogging. The second occurred when the leader of the Republican Brothers, Ustaz Mahmoud Mohamed Taha, was executed in January 1985 for the alleged crime of Ridda (apostasy). The exercise led to an era of chaos and anarchy. No one felt safe with "laws" that undermined the rule of law, and "emergency courts" which were themselves in contempt of justice.**

**The Copts had reason to feel unsafe and victimized. After the declaration of the September Penal Code, alcoholic drinks (valued at around 10 million dollars) were confiscated and destroyed the following day. It was not clear whether the government was going to compensate the traders or not. The majority of the alcohol traders were non-Moslems and a significant number of them were Copts.**

**The Law of Evidence of 1983 determined that the testimony of non-Moslems was not admissible in certain "hudud" crimes, even if a non-Moslem was involved in the trial. A Roman Catholic priest was flogged for possessing communion wine. Although the priest was not a Copt, the incident offended and frightened them. Moreover, an application for building a church in an existing Christian cemetery was rejected.**

**Although they provided a catalyst for the 1985 popular uprising, the September Laws remained in place after the fall of Nimeiri, both under the transitional government and the elected Parliament (1986-89) - but the use of amputation and capital punishment was suspended. During this period, the Sudanese Copts became more aware of the effect of politics on their rights as a minority. They formed the "Christian Alliance", a pressure group to lobby for the rights and interests of Christians of all dominations. They participated zealously in the campaign against the Islamists' proposed "amendments" to the September Laws. For the first time they tried to influence the 1986 general election, voting for the secular candidates and campaigning against the National Islamic Front (NIF) program for a religious state. This provided the fundamentalists with added incentives to eradicate them. The newspapers of the NIF wrote angrily about an alleged coalition between the Communists and Christians aiming to undermine the will of the Moslem community (although the Moslem community was itself divided over the imposition of Sharia), and whipped up public fears by labelling them as "fifth columnists". Pro-NIF businessmen began a coordinated effort to encourage the Copts to leave the country, and offered them twice the market value of their real estate.**

## **The Present Regime**

**Under the current Bashir regime, what had hitherto been considered as isolated incidents or merely theoretical assumptions became state policy. Hundreds of Copts were dismissed from the civil service and the judiciary, simply because they were Christians. Mr. Justice Henry Riad was dismissed from the Supreme Court. He lost his position despite the fact that he had opposed on procedural grounds an appeal to consider Ustaz Mahmoud Mohamed Taha's 1985 trial null and void. The case was brought by Taha's daughter and a second accused of apostasy, to protect their constitutional rights in November 1986. Mr. Justice Riad's stance was seen at that time by the public, irrespective of his real motives, as support to the NIF.**

**By September 1990 more than 30 churches, set up by different dominations to serve the displaced people around Khartoum and Omdurman were closed. In al-Obeid and al-Nahud in Western Sudan two churches were closed and some of their staff were deported by the authorities.**

**In their 1992 letter to the Secretary General of the UN, the General Secretariat of the Sudan Catholic Bishops' Conference confirmed that job applicants in Sudan are required to produce a legal testimonial that they are Moslems. They also said that they knew of two young Christian men who failed to obtain an interview because of these**

requirements.

### **Giorgis Yustus**

The Coptic community was deeply shocked by the execution, after a summary trial, of airline pilot Giorgis Yustus in 1991. Although ostensibly concerning only a single individual, this act was clearly aimed at frightening the Coptic community, and it succeeded in doing so. Giorgis, a Sudan Airways pilot and the son of a Coptic priest, was convicted of possessing foreign currency under the Currency Restriction Act then in force, which carried the death penalty. (In 1992 the government lifted all restrictions on possessing and dealing in foreign currency.) Although two Moslems were also executed for the same alleged crime, there were clear indications that religious prejudice was involved in Giorgis' case. The government-controlled media insisted on referring to him as "Giorgis, the son of Yustus the priest". Giorgis was informally offered a pardon and money if he converted to Islam, an offer which he refused. Those who visited him during the trial, including some of his Sudan Airways colleagues, say Giorgis remained steadfast to the end. When he was executed in February 1991, thousands of people, Moslems as well as Copts, attended Giorgis's funeral in a clear demonstration of protest and solidarity.

The Giorgis case prompted a new exodus of the Copts from Sudan, who felt that a secret and subtle war had been launched against them. They came under attack from new rules on nationality, education, military and para-military recruitment, as well as restraints on Coptic businessmen and a media war.

### **Nationality**

Nationality questions in Sudan are decided by the Nationality Act of 1957, which specifies two types of nationality: one by birth and the other by naturalization.

Many Copts obtained Sudanese nationality by naturalization, and their children who were born after that were entitled to nationality by birth. Until recent years it was generally easy for Copts to obtain either kind of nationality, but this has now changed. Recently, when a Coptic woman, married to a Sudanese Copt for thirty years, applied for Sudanese nationality by naturalization, the application was refused. The Egyptian Consulate in Khartoum could not issue her a passport because they did not have her records, and consequently she was not able to travel abroad for medical treatment.

The dilemma for the government is that its wish to drive the Copts out of the country is contradicted by its nationality policy, because Copts need nationality papers in order to obtain a travel document. A solution has been found by unofficially instructing nationality officials not to award any Copt nationality by birth: those Copts who were eligible for Sudanese nationality by birth were given naturalization instead. A motivating factor in this decision is that a naturalized Sudanese loses his nationality if he remains absent from the country for a certain number of years.

### **Education**

Sudan's Arabic language and history syllabuses have now become Islamic studies, and school songs have been changed to Islamic absolutist anthems in praise of "Jihad" (Holy War) and martyrdom. Christian children face constant harassment. Many children have had their crosses snatched from their necks, and a Coptic child was savagely flogged because he failed to recite a verse from the Koran, which children are obliged to learn by heart. Schoolgirls are forced to wear Islamic dress, an issue which goes beyond the confines of educational institutes. On 19th December 1991, a presidential decree was announced in the government newspaper "Al-Sudan Al-Hadith"

**newspaper by the Wali (governor) of Khartoum, requiring women to wear Islamic dress on grounds of "modesty". Governors in other states subsequently did the same. Copts have always dressed modestly: the problem is that what should be a personal matter has been decided for them by others, based on the teachings of another religion.**

**In the institutes of higher education, two "Institutes for the Islamization of Knowledge" were set up in 1991; one in Khartoum and the other within the University of Gezira. The aim of these institutes is to ensure that all knowledge and learning emanates from "Islamic Principles". This presumably includes the natural sciences. The authorities have already introduced doctrinaire subjects like "Islamic Economics" and "Islamic Accounting", and have suggested dropping the Hippocratic Oath at the Faculty of Medicine. The idea of Islamization of knowledge is at odds with academic freedom because it excludes the contributions of Sudanese Christians, animists and secular Moslems, and rejects the common human heritage and the free exchange which enrich all cultures. This concept of Islamization is applied to all public higher education institutes.<sup>2</sup> At present the only important difference between these institutes and the Islamic University of Omdurman is that the latter does not accept non-Moslem applicants, even in faculties such as law, journalism or medicine.**

### **Military training**

**The Copts have been conscripted into the army and the Popular Defence Force (PDF) militias, a cynical move at a time when the government is fighting a war against the south of the country in the name of "Jihad", or Islamic Holy War. The majority of the population in the South are non-Moslems, and a substantial number of them are Christians, so the Christian Copts are in fact obliged to fight a holy war against Christianity. Young Copts are summoned for compulsory military service, while older Copts in the civil service are summoned to train for the Popular Defence Force.**

**Africa Watch has obtained the testimony of a Copt who was conscripted into one of the PDF camps. His name and other personal details are omitted for security reasons:**

**"I am 46 years old, married with children. I was summoned from my workplace to the PDF camp in Al-Geteina. I tried to refuse on the grounds that I was 45 and diabetic, but I was told that I would lose my job if I failed to join the PDF for any reason.**

**"I went to the camp at the appointed time. There were two other Copts in the camp at that time, along with four Christian Southerners.**

**"The day starts with the Moslems' dawn prayer. We must all wake up by that time. Moslems go to their prayers and we start cleaning the tents until they join us.**

**"We go to the showers from there, and the day's routine continues with the various exercises and training. In the evening there is a lecture in the camp's mosque, an Islamic lecture. We are obliged to attend the lectures, yet inside the mosque some of the trainees say to us, "You infidels, you have defiled the mosque!". We were asked on several occasions to convert to Islam. The request was usually made in a polite way and in friendly conversation. But given the fact that we could not make the same comparison that they make between the two religions from our own point of view, and given the whole atmosphere, the request appeared provocative and intimidating.**

**"The food was poor and badly cooked. It was a problem for everybody, but nevertheless we had our special problems in that respect as well. In Ramadan, the Moslems' fasting month, meal times were changed to suit**

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<sup>2</sup>"Sudan: Violations of Academic Freedom" (New York: Africa Watch, November 7, 1992), pp. 6-7.

those who were fasting. There was no arrangement made for us and we had to stay without food the whole day, until sunset. It was extremely difficult for me because I have diabetes. During the fast for Lent, not only did they refuse to provide us with the required food, but they also refused to allow us to bring it in from outside. We were allowed a week's vacation for Easter, granted after long and persistent requests on our part.

"At the end of the training course we were released and told that we might be summoned for "Jihad" in two weeks' time. I could not wait for that summons."

## **The Media War**

The growing campaign of Islamization by the government is strongly manifested in the media. Television programs contain a large amount of Islamic propaganda; children's programs consist largely of Islamic education and principles. Many Coptic children have asked their parents: "Is it true that if you are not a Moslem you will go to Hell?"

The programs often contain provocative notions. In a program about charity work called "Kind Relations", during a visit to the women's prison, the presenter asked an inmate: "Which is better, Islam or Christianity?" The answer was "Islam." The presenter then asked, "Why did you convert to Islam?" "Because they are going to release me and they gave me money," replied the inmate.

There is widespread coverage of the Moslems' Friday prayers on television and radio. The coverage of the Christian Sunday prayers which used to be allowed on the radio has been stopped. A Coptic priest named Filosaweth Faraj used to write a column in "Al-Sudan Al-Hadith" (Modern Sudan) newspaper every Sunday. It was an attempt by the priest to ease the relations between Moslems and Christians. One Sunday he wrote an article about the ties and the common issues in the two religions. The following day the paper published a comment from a reader, who stated that Christians were "Dhimma" who should pay the "Gezia" fee for Islamic protection. The following Sunday the Coptic priest wrote an article about love and forgiveness in his column: then he stopped writing.

## **Coptic Businessmen**

The harassment of the Coptic businessmen is subtle and therefore difficult to pin-point, yet it has a serious effect. Many Coptic businessmen fled Sudan despite the fact that the low value of their Sudanese currency holdings forbade the majority of them from working as businessmen in any other country.

The government in Sudan has always had a strong influence over business, through the control of customs, import licenses, taxes, and various local authority licenses. The Bashir government has used these controls to the maximum benefit of pro-NIF businessmen. Business transactions are made generally difficult for any non-NIF businessman, but the Copts suffer particular additional harassment. It is extremely difficult for them to renew their operating licenses; they often receive visits from local authority officials to inspect their workplaces, and the inspectors usually find reasons either to impose fines or to close down the business.

## **Conclusion**

The Sudanese Copts, along with other ethnic and religious minorities, are facing systematic violations of their rights. The government's claim that the Islamic state guarantees other believers their rights is belied both by the past history and present practices. It is insufficient to grant a limited measure of rights on the grounds of religious law: basic rights are an indisputable entitlement. The Copts in the Sudan cannot complain to the international community, since the current government has threatened that any complaint they make will further endanger their security and

**businesses. The Copts' supreme religious leader Pope Shenouda III, in Egypt, cannot speak publicly on the matter, because of the potential backlash of Islamic absolutists against Copts in Egypt. What can be done to stop the continuing injustice and discrimination against a people who have lived peacefully with Islamic compatriots for the past century?**

## **Recommendations**

**Africa Watch calls for the removal of the discriminatory laws and practices levelled against Copts in Sudan. Specifically:**

- \* **The 1991 Penal Code should be abolished.**
- \* **The Islamization process in the army, civil service and schools should guarantee equal rights to followers of all religions and noble spiritual beliefs.**
- \* **Coptic Christians be permitted to worship freely and enjoy the freedom to facilitate this basic right, including the building and maintenance of churches.**
- \* **The Sudan Government should halt the denigration of Christianity in schools. School syllabuses should be prepared to respect equally all religious and secular thought.**
- \* **Nationality by birth should be granted to Copts who are so entitled.**

*Dr. Salah Bandar and Alex de Waal made a major contribution to this report.*

*Africa Watch is a non-governmental organization created in May 1988 to monitor human rights practices in Africa and to promote respect for internationally recognized standards. Its Chair is William Carmichael. Its Vice-Chair is Alice Brown. Janet Fleischman and Karen Sorensen are Research Associates; Bronwen Manby is a Schell Fellow; Abdelsalam Hassan is a consultant; Ben Penglase, Urmi Shah, and Anthony Levintow are Associates.*

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