

**Arab-West Report, January 28, 2014**

**Title: Interview with Bishop Antonius, Representative of the Coptic Catholic Church in the Constituent Assembly**

**Interviewers: Cornelis Hulsman and Jayson Casper**

**Transcribed by: Ahmad Deiab and Raafat Nabil**

**Translated by: Ahmad Deiab and Jeanne Rizkalla**

**The interview took place at the residence of the bishop in Six October City on December 10, 2013. The interview was entirely in Arabic and was transcribed and translated into English.**

**CH:** The first question is about the 50 members in the Constituent Assembly. How were they selected?

**Bishop Antonius:** I think the President had a difficulty selecting the 50 members, because it's difficult for fifty people to represent the whole society. There are people representing organizations. The President contacted those organizations and told them I want a representative, so they gave him a representative.

The Azhar has three representatives. The same goes for the churches. Because there are also three churches, he called them and each church gave him a representative. Thus, there was no difficulty when it comes to organizations. There were only between 10 and 15 members left to be selected from among public figures. The reserve members were also selected, because we were asked to select the key members as well as the reserve members, and we as a church selected both.

As for the church, when the patriarch chose me, I told him "Father, it would be better if you send a layman, he will have more freedom to speak, and at the same time some people do not want a member of the clergy." I was thinking that he could be inside the Constituent Assembly, while a team helps from the outside, and writes the notes on the Constitution.

He replied, "They are asking for a church representative, thus the representative of the church must be wearing the uniform of priests, or else he doesn't represent the church," and he told me, "I want you to go, not with the mentality of a person who represents the church, but with the mentality of a person who represents all of Egypt. Young people, children and adults." That's what convinced me and made me accept. I think this is the answer to your question.

**Jayson:** Now before we get into discussing the articles and subjects, what are the rules of procedure of the Constituent Assembly? In the Assembly, how does the decision of full approval come out?

**Bishop Antonius:** First thing we did was create an internal list of regulations to determine how the system will work. Then we divided the work into five groups.

One group was studying the basic components of the state, another group was studying the rights and duties, and a third group was studying the system of governance.

There were two other groups; one is the hearing committee, which meets all the people to know what they want, and another committee for drafting. This is besides the 10-member expert committee. The drafting committee was formed among the fifty. We distributed not only the fifty, but the 100 on these subcommittees, and every person who wanted to participate in a specific committee did. It was open for everyone.

I found that the list allows one to participate in two committees at the same time, as a member in two committees, so I participated in the drafting and basic components subcommittees. It was a bit tiring, but when I finished with the basic components subcommittee, the drafting committee started, so I started going to the drafting.

**Jayson:** How does the hearing subcommittee work?

**Bishop Antonius:** The hearing subcommittee was held each Sunday. There could be one or two person a day. It was possible to bring farmers, unions, workers, doctors, artists and judges. Anyone who has an idea that he wants to put in the constitution would go speak with the hearing subcommittee, and the subcommittee summarizes what he says, considers his requirements, and if he has a written proposal, they take it and give it to the relevant subcommittee.

**Jayson:** Was there interest from the general public?

**Bishop Antonius:** There was a turnout that exceeded our ability. Many people came. Not only that, but they also wrote to us all the time in the mail. Every one of us has a mailbox. We would open and see what they wrote, summarize it and present it to the committees to formulate the articles of the constitution.

Our main job was focused on the draft which the ten experts have written, the amendments to the 2012 constitution. Unfortunately, we are attached to the 2012 constitution. In fact, the 2012 constitution was a disaster for Egypt by all means. All the political forces and the churches withdrew from it, and no one was left but those who wrote it. So they made it to fit their size, the way they wanted it. No one liked that at all.

Of course there was a referendum, but you know how it was, and we continued the whole year in the same way. It was indeed a year of suffering, but we thank God that they got the chance to rule so we know how they act when in power. If we would have stayed until today without the Muslim Brotherhood's rule, we would have kept on saying that they are poor, they didn't take their chance. When they took their chance, it was possible for them to be good; it was possible for them to govern the country well. But when they took over power, they appeared not to seek anything

but their own interest. There is no such thing as the interest of the country to them. There is no such thing as a homeland.

**Jayson:** Because of all those issues you thought the constitution needed more than just amendments?

**Bishop Antonius:** We wanted a new formulation, but it was not possible because the Constitutional Declaration which was issued stated that the 2012 constitution is suspended. This could not have been done differently because when Sisi supported the uprising of the Egyptian people, the Constitutional Declaration stated that the 2012 Constitution is to be suspended and not canceled. It was necessary that things happen this way.

The President's assignment to the fifty was to amend the suspended 2012 constitution, so that we can add, delete, modify even from the first to the last article. And when we add or modify, we have all our previous constitutions. Not only that, but if there is a constitution anywhere else in the world that contains useful articles, it is possible to use them. This is, in fact, what happened.

First, the Committee of Ten [translators note: also known as the Experts Committee] deleted 40 or 50 articles. We added 42 new articles. No single article remained without amendment in the whole constitution, except for Article 2, which is still the same text. All the rest has been amended.

What does this mean? Even if it were legal amendments, it's in fact a new constitutional text. Even if I don't say a new constitution, I say a new constitutional text. There are two paragraphs in the new constitution. The last paragraph says this constitution shall be published in the Official Gazette and shall be effective from the day of its publication. But the paragraph besides it states that the constitution, after having a referendum, cancels the previous the Constitutional Declaration and the constitution of 2012, but its effects remain as they are.

All previous constitutions before this constitution, after having a referendum, cancel all of the above. Thus, there is no problem of whether I've got a new constitution or amendments to the constitution. Intuitively, the constitution is to be named the Constitution of 2013. At the beginning, there was the problem of whether this is a new constitution or amendments, and in the end we solved the problem with the rest. We told them that this is enough. You get yourselves into nonsense and get involved into legal debates. Eventually we are the ones who will work, and our work will show whether we did the amendments or not.

**Jayson:** That's why you named your work a new constitutional text, not a new constitution?

**Bishop Antonius:** It will certainly be named a new constitution after the referendum approves it. It will turn into a new constitution once we have a

referendum, because the old constitution will be useless, not an amendment. Its name will become the constitution of 2013. But from now until the referendum, it's a new constitutional text gaining its power from the mission the president gave us.

**Jayson:** A new constitutional text of 2012?

**Bishop Antonius:** A new constitutional text only, based on the amendments of the 2012 constitution.

**Jayson:** Yes. There was a committee, but what did the committee decide?

**Bishop Antonius:** How did it work? How did it work? We took the text, the draft coming from the ten experts, and it was divided into 3 parts, and went to three committees. Each committee was examining its own part only.

But it was possible for any member to attend. If a member is interested in something, and there are certain articles that will be studied this day, he can attend. It is possible to leave his committee and go attend. There, he has the right to vote, and has the right to say his opinion, even the reserve members. When we finished this work, the reserve members no longer attended, and our work started in the Drafting Subcommittee.

The Drafting Subcommittee amended it again, for the formulation and the content as well. It is possible to say, this article for example does not work because it is unconstitutional, the Drafting Subcommittee would then go back to sit with the subcommittee that carried out this work, and come out with a consolidated text. This text goes to the Constituent Assembly.

From this moment there are no reserve members, and we, the fifty, discuss the text coming from the subcommittees. We agree upon it, then it goes to the Committee of Experts, and they put their observations. But their remarks were not mandatory. In the sense that it is possible to take their observations and accept the text they put, but it is also possible to say we will not accept their remarks and will leave our text as it is.

It is also possible to reach a compatible text. For instance, we might like a word or phrase from the experts, so we add it to our text to come up with a single text, and vice versa. This text should get 75%, otherwise it doesn't pass. We worked on an agreement, and went down after this to vote. During voting, the story of the preamble took place when we started reviewing every single article. All the articles got from 90 to 80 or 85 percent agreement, except for four articles. These articles used the methods of elections and positive representation, which is...

**Jayson:** The quota?

**Bishop Antonius:** Something like the quota, because the quota was totally rejected.

It was a temporary positive representation of groups that could not be elected. When we found that there was no agreement on them, we went back over and sat for hours debating until we put a formula accepted by almost everyone and we voted. Rates were very high this time.

**Jayson:** The other side of the positive representation is that the law must find a way to represent them right. Without a quota or without a particular thing, but the principle exists...

**Bishop Antonius:** Of course, there are many ways. I do not know much on the subject of elections, but there are many methods. It is possible to put a regulation that the electoral list is to include that a woman should be in the second place of a party list, and thus ensure that there will be a specific representation. It is possible for the third person to be a Copt and so on.

These conditions are possible, and it's possible that there is a list for these groups alone where no one else enters. It guarantees you that a certain percentage of them will succeed. It is possible to use appointments; I do not know, I prefer elections. We can say that we have elections and if these categories don't get elected, we take whoever gets the highest votes amongst them. All of these methods are available to those who put the law, the legislators, to find the best way. But legislators must find a way because the constitution demands a representation of these groups in Parliament.

**Jayson:** Is there a specific number?

**Bishop Antonius:** No, we have left this too.

**Jayson:** I thought that was in the transitional articles?

**Anthony:** Yes, because in the future, we don't want to have a positive representation nor a quota. In the future we want elections to be free for all. So we put it in the transitional clauses.

This is our philosophy, until we know the meaning of democracy. Democracy is not only a ballot box as interpreted by the Muslim Brotherhood, democracy is a long process. We must make the child live it from a young age and accept others. I told them that democracy includes that the majority leaves a space for the minority to live, and not to tell them, thank you you are alive and able to breathe in this country. No, democracy is where the minority lives a comfortable life and has the same rights as the majority. In this case, it is democracy.

**Jayson:** But what is required for this article to be transitional? I mean the positive representation.

**Bishop Antonius:** When we were writing the constitution we were in fact thinking

that it will be an interim constitution, but no one writes a constitution thinking that it will be an interim constitution.

**Jayson:** Who will decide how will the positive representation be? Are there choices?

**Bishop Antonius:** The one drafting the Elections Law.

**Jayson:** In the next parliament?

**Bishop Antonius:** No, it might be the president, because currently there is no parliament.

**Jayson:** This compels the president?

**Bishop Antonius:** Currently it is the president, no one else, because legislation is in the hands of either the parliament or the president. We do not have the Shūrā Council now. Currently it is the president.

But in order to do so, the president will not do it alone. He will bring parties, their representatives, and the political factions in society and make them sit together. They will have the time, unlike us when we had only two months to draft the entire constitution plus we had to work on the Elections Law. It was difficult.

In addition to that, we almost reached an agreement. Will the candidates run individually or through party lists? This also must be resolved before the positive representation. Positive representation is easy. The hardest is the question of the individual or party list. Because some parties want the list, and others want the individual and no one knows which system is better. Is it the one-third and two-thirds or half and half? No one knows.

We were almost about to come to an agreement, but they differed in the end, and said it is better to leave it for later to think about it carefully. When you leave it to the president it is not, as some say, that we are throwing the ball in the president's playground. This is not true, because the president is not drafting the election law. The president will certainly form a committee and this committee will develop the law, and the president will give his approval. This committee will develop the law through agreement, as happened in the constitution. This wouldn't 'constitutionalize' a particular method for electing.

**Jayson:** The parties wanted the party list while all the others wanted the individual?

**Bishop Antonius:** No, not all of them.

**Jayson:** What is the ratio?

**Bishop Antonius:** We had two parties. Not all the parties were represented. It is not

fair to write a constitution by relying on fifty people, while the rest of the parties are not represented. But when there is a committee specified only in this law and is represented by the parties, their ideas would be more encompassing. The idea was not to put the responsibility on the president. No. But the two parties that were present wanted the lists system, both parties.

**Jayson:** They were in need of 75% for approval?

**Bishop Antonius:** No. It was possible to attain it, but in the end, we saw that instead of doing this within the constitution and have it permanently fixed, it is better to leave it open to change. The legislators can do it this way, this time, but next time they could change it. One time, it could be two-thirds and one-third, next time it could be half and half. Half individual and the other half is party-list. It is also possible to have it all individuals or party-lists, and this will give greater representation for those who want to be elected.

Representation for us was more of setting the constitutional provisions. Yes, it would have been a representation of the community, but it would be unfair that those fifty would set the system of elections. The election system is broader than this.

We as a church have nothing to do with this topic. Our political work involves human and community service, those are the largest two parts in politics. Politics involves providing services, paying attention to social service and focusing on the human being as a human being. It also involves authority. We have no interest in authority. If we go out, six substitutes for us could join; three substitutes for us and three for the Azhar. They could determine which electoral system is better for Egypt.

**Jayson:** In the 2012 Constitution, they asked the Supreme Constitutional Court to review the law after it came out, but...

**Bishop Antonius:** No, it's the opposite. This constitution prevented them from reviewing it with anyone. It only gave them the reviewing option before. This is wrong, because the flaws in any law in the world only appear after we apply it.

They prevented the Constitutional Court from reviewing laws after it takes effect. The Constitutional Court can only review laws before, because the Constitutional Court dissolved the Parliament for them. They did not want that to happen, so they canceled this possibility for the Constitutional Court, and this is a wrong. Because the Constitutional Court should all the time - before, during and after - have the right to decide whether this law is constitutional or not. Because if it is not constitutional, it could turn the world upside down and mess the system.

**Jayson:** Now the president will issue the law?

**Bishop Antonius:** Not now. He will start first with the referendum; this is the most important thing for him now. After finishing the referendum, he will start focusing on the elections. I am personally convinced that he is going to do the parliamentary elections first. But some people told him he could leave it. He is free to call for the presidential election before the parliamentary election, or hold both at the same time.

**Jayson:** How was this decision issued?

**Bishop Antonius:** In the end, we found it more appropriate to leave the decision of the election of the High Election Commission [HEC] alone. The idea is that we are writing a constitution. There is a difference between forming an assembly to write the country's constitution, and forming a commission for elections.

This assembly wasn't really well suited for this, even though we were about to reach an agreement. But it is possible that it wouldn't satisfy everyone. Some parties might say we were not represented here or there. We are writing a constitution that everyone agrees upon, and the Election Commission can then set the appropriate method for elections. We left it open. I think this is the ultimate wisdom.

**Jayson:** Was this transitional article required in order to cancel the Constitutional Declaration?

**Bishop Antonius:** The Constitutional Declaration was canceled anyways, because in order to declare the constitution, you should remove the Constitutional Declaration.

**Jayson:** The Constitutional Declaration made the road map.

**Bishop Antonius:** Even if the Constitutional Declaration is removed, we have our road that we started. You say that when we removed it, it was necessary to write the Elections Law. We left it open for the future, we did not limit it, we left it to him [the legislator] to follow the mentioned system or change it.

I mean, to call for the first presidential elections first, or the parliamentary elections first, or hold both at the same time. This is not essential. This is just something that the community as a whole has to agree upon.

**Jayson:** What do you personally prefer?

**Bishop Antonius:** I personally prefer nothing. I tend to like stability. This is the nature of the church; it is traditional and always prefers stability. So when I say the road map, it's because we don't want to shake the world. Not for any other reason.

If people are content with having the presidential elections before the parliamentary, we do it. This does not bother me. The church - this is what people do not understand - did not make the revolution of June 30<sup>th</sup> in Egypt. Because one

of the characteristics of the church is that it prays for the ruler. If he is good, may God help him, and if he is bad, may God guide him. It never starts a revolution. It lets its members do these acts.

**Jayson:** I heard in the media, and from the critics, that the decision on the Elections Law is now in the hands of the president, one person. People can vote in a referendum, and approve it. But you, fifty people, had an opportunity for a community consensus. Yet, you didn't agree on a single system.

**Bishop Antonius:** No, we did agree.

**Jayson:** You agreed on a community consensus?

**Bishop Antonius:** No, we were about to agree on a system. But we found that it would be unjust that fifty people put the system. As I said, the church and the Azhar can get replaced by economists. We don't understand the elections methods and it's not our field of specialization.

We are confident that when we leave it to the president, he is not going to draft the elections law. Is the president going to draft the elections law on his own? Absolutely not. He is definitely going to form a committee. First, there exists a committee for supervising the elections. This is included in the constitution. But this is not the committee that will draft the elections law. The Elections Committee will include experts in the topic of elections, those who have been organizing elections for years now.

People who used to discuss elections knew what it means. Policemen, political parties and the youth understood what they are talking about, because they participated in elections and were content with the experience. They know the elections mechanism, how to campaign for it, who wins and how. This is why we thought that a specialized committee would do the job better than we could, not that we wanted to throw the ball in the president's playground.

**Cornelis:** In the Netherlands, an organization called the Netherlands Institute for Multiparty Democracy [NIMD] has a book in English, which describes the different electoral systems. This book is very good, because it shows the different methods that could be applied, and this could be very helpful for you.

**Bishop Antonius:** We can draw the attention of the people who will make the election system to take this book and read it. But they surely know better. I listen and learn from them, and there was nothing I could add. Why force people to follow something I'm not an expert in?

This is what we agreed upon. We left it open, so that nothing in the constitution is fixed. This time only, but next time it would be different. This is the beginning. First, one person cannot establish the law alone. He must form a committee and this

committee must represent society as a whole. They will represent the society better than the fifty. The fifty had a role of writing the constitutional text, but they are not specialized in the electoral systems.

Second, when you give the responsibility to the president, you're not giving it to one person; you're giving it to a group. Third, you're not adding a rigid text to the constitution which always has to be followed. No, it's flexible. This time we followed such system, next time we could change it.

**Jayson:** Without pressure from outside?

**Bishop Antonius:** It was always through voting.

**Jayson:** Through all the months you have been working, we didn't hear about a text that has been replaced [concerning the electoral procedures].

**Bishop Antonius:** But, in fact, there were some articles that we postponed. The articles that we are unable to agree upon, we left them till the end. There were several articles that were left till the end, like the identity articles. Article 1, Article 3 and Article 7. All the time we were telling them to give us a text to work on, but they would reply, "OK, alright, we are still working on an agreement." The agreement between the Azhar and the Nūr Party was much more difficult than the agreement between the Azhar and the Church. I assure you.

**Jayson:** There was a strong agreement between the Azhar and the Nūr Party?

**Bishop Antonius:** At the end, there was not. I don't know. I did not feel so. But I really can't talk for them, because I didn't attend. But the echoes I heard from inside says no, there was no big consensus. In the end, I feel that the Nūr Party's agreement was an agreement of a party that has nothing left to do.

**Jayson:** Tell us about the role of the Nūr Party inside the Constituent Assembly.

**Bishop Antonius:** It was an effective participation. He was always participating, speaking his mind and getting involved. But in the end, there is voting.

**Jayson:** I did not hear the results of the individual voting. There were 45 against 1 or 2. No names were mentioned.

**Bishop Antonius:** Names will never be mentioned. What happens is the following, no one person was always objecting. But there might be an article I like, while you don't, so you object. You might like the second article, but he doesn't like it [referring to Cornelis], so he objects. I might not like the article that you both like, so I object. There was no one person always objecting, he changes.

This is what I've been saying, not everyone likes the whole constitution. I like it by

the total percentage that came out, which is more than 90%. I don't like the remaining 10%. But what I don't like is the best you got; it's what you're holding to. This is why I can't remove it. Because I found someone else who wants it badly. So I accept it, and he accepts what I want. This is how it worked.

It was clear to us during voting, because upstairs we voted using names or raising hands. But downstairs we voted electronically, so we knew who is with whom, and who is against whom. Orientations are clear. If an article is discussing huge liberation without any discrimination, you find traditionalists opposing. On the other hand, when there is a very traditional article, liberals oppose it. That is how it was.

**Jayson:** Was there a discussion about Article 2?

**Bishop Antonius:** To tell you the truth, we didn't have a big debate about it. The idea was that when we started the Nūr Party representative brought Article 219, so we told him to forget about this article. Thus, he left us and another representative was appointed. No, actually two. They appointed the key and reserve members. But he didn't leave for this reason. The stated reason was for his health conditions.

When the new member came and wanted to talk about Article 219, we told him that this article is not discussable. He said well okay, but I have suggestions regarding Article 2. We remove the word 'principles' and leave 'Islamic *sharī'ah*' only. We looked at him bewildered, and said to him, "Do you understand what you're saying?" This way, you are changing the whole world. Of course not.

So he said, add the word 'rules' instead of 'principles'. So we said to him, "Look, Article 2 won't be touched. It's enough that we accepted it," because there was a stream, after the revolution of January 25, requesting the elimination of this article. So we just accepted it for the sake of having a social consensus. Because when it was added to the Constitution, it didn't have a big or negative effect, so we accepted it.

He said no, but the principles of *sharī'ah* are few, there aren't many, so we want to put an interpretation for it in the preamble. We said no problem, we can add it, but we agreed that it should be left to the Supreme Constitutional Court [SCC]. He thought that the Supreme Constitutional Court ruling is saying more than they said. We had to explain to them over a very long period what the Constitutional Court's ruling is – I thought they already knew.

The Constitutional Court ruling is nothing more than the principles of *sharī'ah* law, which is equal to the definitive and peremptory norms of Islamic *sharī'ah*. I don't know if my words are clear to you or not, but there's a big difference between the two. The principles Islamic *sharī'ah* is like the principles of any other religion.

**Jayson:** Like the aims of *sharī'ah*?

**Bishop Antonius:** No, the aims of *sharī'ah* are something else. The aims of *sharī'ah* are that of protecting the soul, the honor and the blood. This is a different topic.

Regarding the principles of *sharī'ah*, they are the definitive norms of Islamic *sharī'ah*, meaning that we are certain of their existence. No two people question whether it's a strong, weak or a fabricated *hadīth*. It's 100 percent correct. It's definitive. The peremptory norms of Islamic *sharī'ah* means that no two people differ on its meaning. Those, in fact, are limited. There aren't much.

If we add to it something else, it unfolds again. He wanted to add *ijmā`* which means consensus of Muslims, so I asked him, "Which consensus are you talking about? The consensus of the companions after the Prophet, or of the people after them, or the consensus of today?" The consensus of today needs all the Muslims and all the Muslim scholars. So we cannot reach it.

Concerning the consensus of the Prophet's companions after his death, if the companions lived today they wouldn't agree on what they agreed on 1400 years ago. Beside, its application to us would mean that no Christian would join the army nor the police. No Christian would become a police officer. Christian testimonies wouldn't be accepted, and if one kills or swears at a Christian, he wouldn't undergo a trial. All of this is related to consensus.

You want all of this besides the *jizyah* [*translator note: protection tax paid by non-Muslims in an Islamic state*]. So he told me, "Not these, there are other things agreed upon." So I asked him to tell me a thing that we could apply today. Professor 'Abd Allah was insisting on the issue of consensus, but after returning to himself, going back to his notes and studies, he came two or three days at the office of 'Amr Mūsā and said, "No, I have seen and witnessed that the consensus does not work, we cannot write it. And who has knowledge and hides this is a sinner. And if the Muftī would insist on the concept of consensus, I will tell him, 'No, it is wrong.'"

You see, talking with them can be useful. They tried to add *ijtihād* which is the endeavor of a Muslim scholar to derive a rule of divine law from the *Qur'ān* and *Hadīth*. Introducing a new law means that I'll include the whole *sharī'ah*. The decisions of the constitutional court says 'the definitive and peremptory norms of Islamic *sharī'ah*,' because in this case *ijtihād* is not included.

Ijtihad shall not be in it, and this doesn't allow any falsification, amendment or misinterpretation, and this applies to all eras. The probable laws, because the circle of *ijtihād* is confined to it. This is what has *ijtihād* in it, and this is why it has a circle of *ijtihād*, and who exerts *ijtihād* in it, does it according to the purposes and rules of *sharī'ah*. But the same probable laws are not included among the principles of Islamic *sharī'ah*. This is what is not clear. He wanted to put *ijtihād* in any way. I said, when they tell you that it's possible in the first group, this is because there isn't *ijtihād* in it, and doesn't tell how to add *ijtihād*. And the others, the other group, can be exerted *ijtihād* in it, but it cannot be included in the first group. That's the idea.

In the end he understood and eventually we agreed that we write an explanation – because we were taking a big formula of 6 lines. I told him that the rule is in their hands, take it, write it, and remove from whatever you want for it, but don't add a word. So we sat to cross and we ended up with 5 or 6 lines, it was long. We found that the text was long so we said we put it as a note. But we also found that the note was long.

In the end 'Amr Mūsá said we should cancel it. They told him ok cancel it but on the condition that you put for us “according to the decisions of the constitutional court,” and this is what we agreed upon. Because the constitutional court is the only one competent for explaining the principles of *sharī'ah* or the constitution's articles.

**Jayson:** Was it you or was it the Nūr Party that insisted on the term 'for the constitutional court'?

**Bishop Antonius:** It was us. Because they were insisting on adding the term 'ruling'.

**Jayson:** Just to be sure that I understood this last part; you insisted on interpreting the term, 'the constitutional court ruling'?

**Bishop Antonius:** Interpretation of the principles of Islamic law.

**Jayson:** A replacement for Islamic law in the preamble?

**Bishop Antonius:** No, it is in the preamble. They wanted to add the interpretation in the preamble. What interpretation? There were different formats. To either keep 'ruling', or add a part, line, or two lines. Or we could just write, 'the definitive or peremptory norms of Islamic *sharī'ah*.' All of this was deleted.

What was kept is just a constitution stating in its second article that Islamic *sharī'ah* is the main source of legislation in Egypt and that the matter on interpreting Islamic *sharī'ah* issues should be left to the Supreme Constitutional Court [SCC]. If you like, I can read to you the exact text to be more precise. “We are writing a constitution which ensures that the principles of Islamic *sharī'ah* are the main source of legislation.” It referred to rulings of the Supreme Constitutional Court to define these principles.

**Jayson:** Article 2 and the preamble were together in the discussion?

**Bishop Antonius:** Yes.

**Jayson:** But was there a discussion about Article 3?

**Bishop Antonius:** In Article 3 when I write, “The canon principles of Egyptian Christians and Jews are the main source of legislation for their personal status laws,

religious affairs and the selection of their spiritual leaders." This way I am taking my rights. But I didn't go to ask for my rights. I went to ask for the rights of all Egyptians.

Where are the rights of the rest of people who are not Muslim, Christian or Jew? They are Egyptians and they deserve to live in Egypt as much as we do. But our brothers in the Azhar, the Nūr and some others who supported them had another opinion. In the end, we had to accept.

**Jayson:** Who was supporting them?

**Bishop Antonius:** Someone like Mamdūh [Editor's note: Possibly Mamdūh Hamādah, head of the farmers' cooperative union. There is no other representative named Mamdūh in the Committee of Fifty], for instance, whenever anyone says yes, he instantly approves.

We, along with Muslims, respect the Azhar, even if we see them leaning towards a particular thing. For there to be calmness in the community. If we did not support the Azhar in the Constitution, who is going to support us? We have to take this into consideration. That was their opinion, so we accepted it.

But at least now according to the new constitution, Bahā'i religion will be written in the birth certificate and a Bahā'i will receive an identity card proving that. He will be able to practice his region's teachings at home, but he will not have a temple in which to pray. This is the difference.

**Jayson:** Is it just the issue of voting, or the issue of respecting others opinion?

**Bishop Antonius:** In the end, everything is by voting. I know that the article will not pass unless we vote. Even if I don't agree, I have to give my vote, otherwise the article doesn't pass. I mean, if we all the time kept on saying, "No, no, I'm against this article," this article will never pass, then what? You find yourself compelled to accept something and say yes. Well, that's the most we could do in respect to this article.

**Jayson:** You removed Article 4 which grants the Azhar an advisory role on all legislation relating to *sharī'ah*?

**Bishop Antonius:** Of course, we didn't accept this. The Azhar's opinion should be taken in religious matters and matters of conscience, not legislation. For legislation, we have the Constitutional Court, and the law. We are a state that respects law, not a religious state.

**Jayson:** Was there any objection to this suggestion?

**Bishop Antonius:** Yes, there was, it was strongly objected.

**Jayson:** By who?

**Bishop Antonius:** By the Azhar itself.

**Jayson:** Did the Azhar want to take over this role [as arbiter on the interpretation of Sharia laws]?

**Bishop Antonius:** No, in fact it was discernibly Muhammad 'Abd al-Salām's [the representative of the Azhar] personal opinion, and he repeatedly tried to present it as being that of the Grand Imām of the Azhar as well. I know the Grand Imam personally, and such could not possibly be his viewpoints as he is known for his open-mindedness. We all, finally, agreed on the present formulation.

The discussion, however, was also on whether the Senior Religious Scholars should revise new laws and legislation as far as compliance with Islamic law or its principles is concerned. We rejected this suggestion, of course. The Azhar body presently in charge has moderate views. Nevertheless, we don't know who will be in charge in the future, and the Azhar would be in a position of power - a fatal repressive weapon if seized by some.

**Jayson:** I understand the reasons behind omitting this article. However, as far as I perceive the position of the Azhar and its representatives, isn't it regrettable that they insisted on keeping this article?

**Bishop Antonius:** Yes, of course.

**Jayson:** Was it the Nūr Party who insisted on keeping it?

**Bishop Antonius:** Oh yes! The Nūr Party not only wanted to keep this article, it wanted a reproduction of the 2012 constitution. Every suggestion on the articles was met with the argument that it is not in accordance with the [suspended] constitution of 2012. This would lead us nowhere, we argued.

**Jayson:** Has the Azhar, eventually, succeeded in keeping the issue of the Bahā'is and non-Muslims unmentionable?

**Bishop Antonius:** What does the issue of the Bahā'is have to do with that?

**Jayson:** I referred to the Bahā'is because you have mentioned that the Azhar, as well as the Nūr Party, insisted on exclusively mentioning Muslims in the formulation. And, if both – the Azhar and the Nūr Party - agree on keeping Article 4 in the draft constitution, why would they then persist on this formulation?

**Bishop Antonius:** These are two different issues that stand in no relationship to one another. Whether we take into consideration the Bahā'i status or not is one

issue. The Azhar's status, on the other hand, has never been questioned, not until the suspended 2012 constitution. It would seem inappropriate not to consider the Azhar in the new wording; however, it is a logical assessment. How far it has been persuasive, I cannot analyze that situation.

Nevertheless, it shouldn't be included. Neither the Islamic *sharī'ah*, nor its principles, nor its general evidence should be used as a reference for the constituency of the laws. It [the Azhar] should be resorted to in matters concerning Islam and religious science. I have urged the Grand Mufti [of Egypt] to formulate 'the matters concerning Islam' does not mean to consult the Azhar in matters pertaining to constitutional laws. The Supreme Constitutional Court, not the Azhar, is the sole resort in matters of legislation.

**Jayson:** Well, the Azhar, finally, agreed on the drafted formula.

**Bishop Antonius:** We, too, support the presence of the Azhar. The Azhar did not impose its initial wording; it was a proposal, and the amended text emerged after joint discussions.

**Jayson:** But the amendment was made in consensus?

**Bishop Antonius:** Of course.

**Jayson:** What if the Azhar had rejected the amendments?

**Bishop Antonius:** The Azhar was finally convinced that consulting senior religious scholars in matters of *sharī'ah* principles could be a misleading formulation, and fatal if misused for constitutional matters. A distinction had to be formulated.

**Jayson:** The principles of *sharī'ah* is the source of Egyptian law: the goal is reached, but without any assignment in political responsibilities?

**Bishop Antonius:** Any Muslim in the world, and any Christian who senses that the *sharī'ah* has an impact on him as an individual, can seek the opinion of the Azhar. The Azhar maintains the position of *sharī'ah* in social conscience, but not on constitutional jurisdiction.

In today's world, the needs of one person are not necessarily identical with the needs of another; the Azhar will always be the authority that passes the *fatwás*; who else than its religious scholars could be resorted to for matters of the Islamic *sharī'ah*? The question is for whom *fatwás* are applicable. Are they applicable for individuals or groups? It is a religious matter on the human conscience, and cannot be implemented by what is known as external courts, or courts of law or courts of conscience or of equity.

**Jayson:** The term 'in accordance with Islamic Sharia' has been removed in some articles, especially those related to the status of women.

**Bishop Antonius:** The principles of Islamic *shari'ah* are the principle source of legislation. The legislative body will never stipulate a law that does not have the principles of *shari'ah* as its principle sources, or else it is null and void. To repeat this term in other articles is redundant and elusive. We strongly objected its repetition, in order to avoid ambiguities in the interpretation of some articles.

**Jayson:** You have strongly objected the repetition. Was the Azhar representative against the omission?

**Bishop Antonius:** Yes, he absolutely rejected the omission. It was not in accordance with his vision.

**Jayson:** But he finally accepted the omission?

**Bishop Antonius:** Yes, but it required prolonged discussions to convince him. The Azhar knows best that the principles of *shari'ah* as a principle source of legislation is established in Article 2 of the constitution; to repeat it in the article on women can only mean a restriction on their rights.

**Jayson:** And on what concerns Christians and houses of worship?

**Bishop Antonius:** The Azhar was very supportive on that. There was no disagreement. My personal experience was that all the people I have met, acknowledge the right of Christians to have their own houses of worship.

The problem is not with building churches, nor is it with freedom of belief. Freedom of belief is an absolute right and is not negotiable. I may imprison a person or place him or her under house arrest, but I can never restrict his or her thought. This is a matter of common sense on which we all agree on.

After discussions, we agreed on the wording "establishing places of worship for the followers of 'revealed' religions, and freedom of practicing their religious rituals is a right organized by law." At first, we were against the term 'revealed', as the Azhar wanted to exclude followers of non-revealed religions from the freedom of practicing their religious rituals. The idea of a person worshipping a cow in public squares, for example, the Tahrir Square, was totally rejected.

Honestly, I have never experienced or seen anyone do that. But the Azhar insisted that the formulation would be clear and free of any misinterpretation. So, we finally consented on the final wording, "establishing places of worship for the followers of 'revealed' religions, and freedom of practicing their religious rituals." The formulation added, "A right organized by law" is a matter of course, no right is practiced without a law that regulates it.

**Jayson:** Some liberals and human rights groups strongly attacked this formulation.

**Bishop Antonius:** They were initially against it, but then they approved it.

**Jayson:** Did they surrender to reality?

**Bishop Antonius:** [*Laughing.*] Name it as you wish, but this is a *de facto* reality. The mental factors that move a person to reject or approve a position that is different than his own, are never clearly defined. At least, this is the view of the church.

As for the liberals or the human right groups, and on their motivations that lead them to give their consent, I think, we do not need to elaborate on that. Finally, we resorted to the Azhar, whose status is highly regarded and respected. This is my answer on your question, without causing embarrassment to anyone.

**Jayson:** Bans on defaming messengers and prophets have been removed as well.

**Bishop Antonius:** Egyptians, whether they are Muslims or Christians, are profoundly religious. Individuals need protection from false statements of fact which damage their reputation. They can file a complaint with the public prosecutor to restore their reputation. Let alone the defamation of a prophet.

However, articles that criminalize defamation should not be left in the hands of individuals and their understanding of constitutional articles. Any creative work of art, be it a movie or a theater play, is the production of freedom of speech, and should not be banned by individuals. We know how harmful such individual actions can be on producers and directors, not to mention the financial loss they endure due to interruptions of their work. Any defamation of that sort should be investigated by the public prosecutor, but never left to the judgment of individuals.

**Jayson:** It is said that the Salafis exercised a strong influence in the formulation [of the constitutional articles], despite the narrow number of their representatives in the committee. Nevertheless, they were represented, they were supported by the Azhar body. On the other hand, their support of the regime...

**Bishop Antonius:** We supported them, too. I was not opposing the Salafis all along the line. When they present a sound suggestion, why should I reject it? If suggestions require further aspects, then we should discuss them to meet a joint decision.

For example, the article on the Arabization of science. We rejected this article, not because we are against the Salafis. The idea of Arabizing science or knowledge is essentially wrong. For example, if a child is not made familiar with the programming language of the computer, how could it manage to use it? Or if a student in the field of medicine is looking for specific medical references, he would

not be able to understand any of the medical terminologies given in the English language. He will never be able to make progress in this field. The fields of sciences that have been long established should not be altered for the sake of Arabization. During the great age of Arab science, many scientific and medical terms were then in Arabic languages and had not been altered to fit the then European mentality.

**Jayson:** Some were against the military coup, and some said that by backing this coup, you [the Christians of Egypt] were against the Islamists?

**Bishop Antonius:** Look, first of all, I have nothing to say to those who call what happened a coup. 30 million Egyptians took to the street [demanding the removal of Mūrsi]. We urged the Armed Forces to intervene for the protection of the legitimacy of the people who took the streets. I believe if the army had not intervened, Egypt would have been on the brink of a civil war, which we do not want Egypt to endure.

We have endured a lot. The church does not intervene in political affairs, however, in this particular point, it spared no effort to prove to the world that this was not a military coup. We started shuttle visits to diplomatic missions and went as far as the European Union.

**Cornelis:** You mean the European Parliament?

**Bishop Antonius:** I have sought embassies here in Egypt, whereas Bishop Botros joined the delegation which left to Europe. We have asked the embassies to urge international media for authentic reporting. Heads of governments did not take the initiatives to do that.

**Cornelis:** Bishop Kyrollos delivered a report in English, and the Muslim Brothers delivered a report in English as well. What is your opinion on the statement of Bishop Kyrollos?

**Bishop Antonius:** You know, we are not experts in political matters. Others may well contribute with more input than ours.

**Cornelis:** But the church has its advisers; I mean, the statements delivered by the Church ought to be persuasive, don't you agree?

**Bishop Antonius:** I know.

**Jayson:** In your viewpoint: do you believe that the amended constitutional draft will be supported by a larger majority than the previous one?

**Bishop Antonius:** I expect that a certain percentage of the voters might not approve the amended constitutional draft. However, I personally sense that a large number will support it. The majority of the political powers have voiced support. Those who

oppose it, as far as I perceive the scene, are the Muslim Brothers.

**Jayson:** I mean in particular the Nūr Party. Their support is significant.

**Bishop Antonius:** Not as significant as assumed, when taking into account the large number of their supporters. On the contrary, it was mainly the Nūr Party who hurried to offer compromises in order to secure a good place in the political process. The Nūr Party would have lost a lot, otherwise. Our position was very clear; we revealed our disagreement over some issues. Finally, the Nūr Party said it can no longer put its party in the position of pleasing everyone all the time.

**Jayson:** Was the Nūr Party put under pressure? Do you think a pressure was necessary?

**Bishop Antonius:** I guess the party was under immense pressure. It had to, if it wants to remain on the political scene. At least, this is my personal view.

**Jayson:** The new constitutional draft bans political parties based on religion – but, the Nūr is a political party based on religion.

**Bishop Antonius:** Let us wait and see. After the referendum, laws will be stipulated accordingly and will clarify the formulation that categorizes a political party in term of its ideological leanings, whether religious or non-religious. Eventually, the Nūr Party will have to be in line with the legislation. In this case, the Da'wah [the Call] and the party will not be in line with one another.

**Jayson:** Did the Nūr Party show concern over this article?

**Bishop Antonius:** No, it didn't. I think, the Nūr Party is aware that any political party based on religion will jeopardize the stability of the country. In fact, it was the only amendment that the party did not object to, whereas it disagreed on all other proposed amendments or omissions.

**Jayson:** But it finally agreed?

**Bishop Antonius:** Actually, we wanted to add a further formulation to this article; not only to ban political parties based on religion, but also to ban those based on creed or race.

**Jayson:** There is another controversial area in the draft: exceptions for military trials for civilians.

**Bishop Antonius:** Let me first tell you that my relationship with the Azhar and the representatives of the Nūr Party is amicable, and when sometimes, I couldn't join the meetings, they expressed their concern for my well-being.

**Jayson:** That sounds great. In this case, could you arrange for us a meeting with the representative of the Nūr Party?

**Bishop Antonius:** Of course, with great pleasure!

**Jayson:** We would like to arrange the meeting as soon as possible.

**Bishop Antonius:** Okay, we will call him first. He is a pleasant person, and when we meet we give each other a hug, and we both know that it is a sincere gesture.

**Jayson:** I believe because you both have something in common.

**Bishop Antonius:** Of course. We have to join our efforts and work closely with each other. At the beginning, he didn't shake hands with me, while he shook hands with others. So, I finally asked him, "Aren't you going to shake hands with me? You are important for me, and I should be important for you too." So he reached out his hand and I responded with a hug. Since then, we have become friends.

**Jayson:** Thank God.

**Bishop Antonius:** I admire this person because he is frank and very transparent, and straight-forward, unlike others.

**Jayson:** Before we started our interview, we have mentioned the final text on 'a civilian government', that may imply behind-the-scenes Salafi involvement. A Salafi government member could as well be 'civilian', in other words, a 'Salafi' civilian 'ruling'.

**Bishop Antonius:** I will tell you the details on what happened.

**Jayson:** Please do.

**Bishop Antonius:** Afterward, we will go back to your question on the role of the Army. A very important point!

We were on our way to vote on the final draft of the text containing the word 'civilian rule' in the preamble. During the final voting, we were surprised to hear 'Amr Mūsá [head of the panel] reading 'civilian [secular] government' instead of 'civilian [secular] rule.' He stopped for a couple of seconds; a few of us yelled, "It's 'rule', Mr. President," because we thought he'd misread it. But he repeated 'civilian government'.

**Jayson:** He repeated it?

**Bishop Antonius:** Yes, and we opposed, repeating: "It is 'rule', Mr. President. However, he proceeded with the reading of the text. In fact, we had discussed this

during the Constituent Assembly general session behind closed doors. The votes on final texts are always held in public, so we didn't want to cause a public clamor. Mūsá, then, stated that civilian 'government' means civilian 'rule'. We felt a relief, of course. Afterward, we voiced our vote.

One day later, Mūsá submitted the final draft to the interim president. On the same day, in the evening, the Supreme Council of Armed Forces had invited the panel to dinner, and General Majdī Barakāt [the representative of the Armed Forces in the Constituent Assembly], gave each one of us a copy of the final draft. I was very upset when I realized that the wording of the text was changed after the committee had approved the final draft; it was altered to change the phrase 'civilian rule' to 'civilian government'. I asked them how they could alter something we, the Constituent Assembly, had not voted for.

What I opposed was not the term itself but rather the fact that they changed it without telling us. In fact, the term 'government' itself in this context doesn't make sense. The government is anyway the ministers, the governors, the local administrators. How these 'rule' is in my opinion the key question. The constitution is 'civilian', meaning, non-religious, and in other words, it [Egypt] is not a theocratic state ruled by the clergy, and is not ruled by the military, either.

The text, "Citizens are equal before the law and they are equal in public rights and duties without discrimination on the basis of sex, origin, gender, language, religion or belief," and, "the State shall guarantee equal opportunities for the citizens," further, "Sovereignty is for the people," – all these elements bear the meaning of "civilian" in the modern sense of the word.

There is no constitution in the whole world that requires the inclusion of the word "civilian" to explain the sovereignty of the state. In fact, it was the youth who spread this word, to manifest their rejection of the ruling of the [MB] Supreme Guide and objecting as well a military ruling. So we took this word over.

We suggested to include the word 'civil' to the text of Article 1 of the constitution, but other members preferred to include it in the preamble, instead. Then we suggested the phrasing 'a civil state' in the preamble, many objected for fear it would imply the controversial meaning of a 'secular' state. Noteworthy is that the Grand Muftī was the one who suggested the term 'rule'. And yet, it has been altered.

**Jayson:** Please, correct my understanding: you said, you all voted for the wording a civilian 'rule', and 'Amr Mūsá repeated twice a civilian 'government' – which you all objected, did he alter the wording before voting?

**Bishop Antonius:** No, the alteration was after we had voiced our votes. Amr Mūsá assumed we had voiced our votes in favor for the term 'government'. He said he could not make any further alterations. I do not know how this could happen.

Whether it was a typographical mistake, or a lexical one, I wonder.

**Jayson:** But you voted in favor?

**Bishop Antonius:** We all had the final draft, and we all read civilian 'rule', unless Amr Mūsá had a different copy than ours?

**Jayson:** You all had a copy of the draft before the voting?

**Bishop Antonius:** No, I meant the copy we received after the voting. I have the final draft printed from the notebook.

**Jayson:** Can we have a copy of the final draft before the voting, as well?

**Antonius:** It is identical. I am not complaining about the committee. You will have to trust my words.

**Jayson:** Absolutely, the copy is for the documentation.

**Bishop Antonius:** Two days ago, a TV program hosted Dr. Kamāl al-Halbāwi [he represented the Islamist currents and is a prominent Islamist thinker and writer and ex-leading Brotherhood figure] and myself. He, as well, commented on the way how the alteration from 'rule' to 'government' was passed. 'Amr Mūsá should have kept the term 'rule'; perhaps, if we know the reason behind the alteration, we might understand Mūsá's motivations.

**Jayson:** To confirm my understanding: You said a representative of the army distributed copies of the final draft among the members of the assembly.

**Bishop Antonius:** It was not a representative of the army.

**Jayson:** Who was it then?

**Bishop Antonius:** Not the representative personally, but one of the employees. Here is the draft! As you can see, the official seal on the letterhead, and it's written "The Constitutional Draft preceding the final vote". This is the copy that had been distributed on December 29. On December 30, when the panel met for casting its vote, this is the copy we all had, in the morning. [Editor's note: Perhaps the bishop misspoke or there was an error in transcription. The events were in November 29-30.]

**Jayson:** Can we have a copy?

**Bishop Antonius:** But not of the entire document.

**Jayson:** Perhaps the first page, and pages on major amendments?

**Bishop Antonius:** Yes, that is possible. So, during the session we read each text and voice for or against it. So, he [Mūsá] read: 'the government' is civilian. After our dinner, every member received a copy with the official seal. I read the content right away, and saw the alteration. I was very upset. Look, I do not want the issue to escalate. I'd rather not give you a copy.

**Cornelis:** I do not want you to be concerned. This is not for the press. It is a research project.

**Bishop Antonius:** I have no objection if it is, as you say, for a research project.

**Cornelis:** It is definitely not for the press.

**Bishop Antonius:** I do not want the issue to escalate. On the contrary, there are other [more] crucial articles than this one, and for which fighting for is worthwhile, such as Articles 9 and 14, human rights, sovereignty of law. It is unprecedented for Egyptian constitutions to have a constitutional article that clearly complies with international conventions which Egypt had acknowledged.

The international convention on human rights is the core of Article 93 which says, "The state is committed to the agreements, covenants, and international conventions of human rights that were ratified by Egypt. They have the force of law after publication in accordance with the specified circumstances."

**Jayson:** This is an achievement.

**Bishop Antonius:** Oh, of course. An entire section in the draft constitution has been dedicated for cultural components. Section 4 from Article 47 down to Article 50. Four Articles! These issues have never been taken into consideration in the previous constitution.

Culture is a right that should be protected by the state. The protection of antiquities, for example; it is not long ago that ancient artifacts were covered with wax [in order to smuggle them out of the country]. The Egyptian legacy of Ancient Egypt, the Coptic and Islamic cultures, all are national and human resources that should be maintained, and attacks upon them are crimes punishable by law. The entire Coptic era was omitted from Egyptian history: a gap of 600 years in the education that hardly tackled the Greek and Byzantine era moving to Islamic era.

**Jayson:** Some Islamist were contemptuous on omitting 'the Islamic Ummah'

**Bishop Antonius:** No, no. In fact, I have insisted to omit this determinant. They used to say that Egypt is part of both the Arab and the Islamic Ummah, and that there are many features that connect them to each other, such as the borders that extend from the Maghreb to the Gulf, the language, the history, and of course, the faith.

So I asked them whether they considered me part of the Islamic Ummah. I think I was able to convince them that the term Islamic Ummah does not apply to Egypt and its people; as a Christian, I have contributed in the edification of the Islamic culture; as Christian, I may as well belong to an Islamic country like Egypt - because the majority of Egyptians are Muslims. But, without offense, I refuse to belong to an Islamic Ummah.

**Jayson:** There is a text in the draft on the 'Islamic World'.

**Bishop Antonius:** Yes, this is why we altered 'the Arab and the Islamic Ummah' to 'Egypt is part of the Arab world and part of the Muslim World'.

**Jayson:** And the Azhar voiced in favor of this alteration, as well?

**Bishop Antonius:** The nature of the state in the first article of the constitution, of course he approved it. Moreover, I told them that they cannot impose on me, an identity that does not belong to my culture. At the same time, you cannot exclude me from the Islamic culture, which I have contributed to in establishing it.

So we agreed on the wording, 'Egypt is part of the Arab nation and enhances its integration and unity. It is part of the Muslim world, belongs to the African continent'. I am not a fanatic, but I talk fact: faith is the only feature common among citizens of the Islamic Ummah, and I am not a Muslim.

**Jayson:** You convinced them.

**Bishop Antonius:** Absolutely! It is challenging to have 50 representatives from different factions and viewpoints come into consensus in one document. All with the grace of God.

To tell the truth, the military forces have contributed a lot in the supportive engagement with the people and its revolutionary movement. Our profound gratitude for what al-Sīsī did for Egypt. Suppose the military support of the people had failed and the Islamists had come into power, al-Sīsī would have been paid the highest price.

However, this gratitude doesn't mean to alter articles in his favor. But we need a profound reading of the articles in what concerns the military. Contrary to what some think, the article limits the types of cases for which a civilian could stand trial before a military court. It stipulates that a civilian would face a military trial only in cases of assaulting military individuals at a military facility, which makes sense. If a civilian comes close to a military zone, and a soldier needs to identify him. It makes sense in this case that the civilian will have to face a military trial.

Otherwise, disputes between civilians and personnel in a military zone will not be referred to military trial. Suppose my neighbor for example is an army officer, and my wife would have a dispute with him, both will solve their dispute before a civilian trial, not a military one. The army deals with the dangerous circumstance through which Egypt passes. Civilians are not to be tried in military courts except for crimes that represent direct attacks on military installations, camps or what is in its territory, military border zones, equipment, vehicles, weapons, ammunition, documents, secrets, and crimes that represent a direct assault on its officers or members performing their jobs. As soon as the situation in Egypt stabilizes, trust me, the military will go back to its camps.

Look at the destructive behavior of students of the Azhar, who are supposed to bear the responsibility for the moral and ethical education of future generations. And yet, not one civilian had been referred to military trial since the revolution of June 30, despite the state of emergency and curfews. Some insist that state of emergency should be implemented only in cases of wars. The state of emergency provides security for the time being, on what concerns military trials.

**Jayson:** It seems that all the constitutional articles are controversial.

**Bishop Antonius:** In fact, you tackled the articles that were controversial. There were many positive articles that did not require less effort and discussions. The articles on freedom, for example, on budgets required to improve the educational system, health care and insurance. The article on health stipulates that every citizen is entitled to health and to comprehensive health care, and the article that says 'Education is obligatory until the end of the secondary stage', and without discrimination.

Egypt endured a collapse of education. Qur'ān verses are imposed, on phone calls, public transportation, how can an Egyptian Christian enjoy his own identity? A constitution that achieves equality among us in rights and duties with no discrimination, without omitting of its memory all eras of its history, this is a major milestone. We need a revolutionary change in TV programs, educational curricula. The words written in the Constitution will shape the agenda for future actions.

**Cornelis:** Rev. Dr. Safwat al-Bayādī, the ambassador for Egypt in the Netherlands, and myself were discussing the so-called Venice Commission. The primary task of this commission is to assist countries in constitutional matters. It provides legal advice and advises national authorities in the preparation of the relevant law. Why not seek the legal advice of this commission in shaping the Egyptian constitution?

**Bishop Antonius:** Had we known earlier about the Venice Commission, I think it would have been feasible. But now, the constitution is drafted and approved. Very soon the referendum will be held.

**Jayson:** The articles have been sent to the 10 member committee of judicial and constitutional experts for review?

**Bishop Antonius:** Yes, of course.

**Jayson:** Was it done upon the approval of all the committees.

**Bishop Antonius:** The task of the 10 member panel of judicial experts reviews the latest draft of the constitution and makes early suggestions to the new charter before it goes to the 50-committee for discussion and amendment. The final decision is met by the 50-committee panel, not the 10.

**Jayson:** I thought the task of the 10 member panel is accomplished?

**Bishop Antonius:** No. The Committee of 10 is responsible for the technical articulation because they are the legal experts. Nevertheless, The Committee of 10 suggested we remove the article on building houses of worship for Christians from the transitional provisions, because it is already stipulated in the article on freedom of belief. But it was the Committee of 50 who insisted that it remains in the transitional provisions.

**Jayson:** You mean the president, the House of Representatives, and the government will comply to building houses of worship as stipulated in the related article?

**Bishop Antonius:** It is not the president, but the House of Representatives which will ratify and pass the law directly upon its first meeting. If it were stipulated in the general provisions, it would have taken forever. It is not the case when it is transitional. It is then not only a legislation but also an absolute right.

**Cornelis:** Would you like to discuss any further aspects which we might have not considered in this interview?

**Bishop Antonius:** You have left no questions unasked. But what I would like to say, is that the recently drafted constitution has a number of positive articles that have not been highlighted enough, such as healthcare, education, women rights, and the protection of the child, on the needs of the disabled, the Nūbia culture, Egyptian expats' right for election, and their rights to candidate, and to be actively represented in the House of Parliament. All this is a new and an important transition for Egypt's welfare.

**Cornelis:** Thank you.