

Coptic Pope Rejects Egyptian Court Ruling on Remarriage of Divorcees

Contributed by Mary Abdelmassih, AINA
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(AINA) -- The head of the Coptic Church in Egypt has rejected a court ruling (AINA 5-30-20) that orders the church to allow divorced Copts to remarry in the church. In a press conference held on Tuesday June 8, Pope Shenouda, reading from the statement issued by the Holy Synod's 91 Bishops including himself said "The Coptic Church respects the law, but does not accept rulings which are against the Bible and against its religious freedom which is guaranteed by the Constitution." He went on to say "the recent ruling is not acceptable to our conscience, and we can not implement it."

He also said that marriage is a holy sacrament of a purely religious nature and not merely an "administrative act." This statement came in response to the Supreme Court's ruling which said that the duties of the church was administrative. He pointed out that the second marriage for divorcees is a religious issue, governed by the Bible.

Pope Shenouda added that Islamic Law (Sharia) says "judge between people of the Scripture according to what they believe in," and this principle came in all personal status laws. He pointed out that many of the provisions of the Court of Cassation and the Supreme Constitutional Court stressed the principle of the application of Christian law on its followers.

In answer to fears expressed by Copts of the possibility of the Pope being imprisoned for not implementing the ruling, he confirmed that the Patriarch is not a public official and is therefore not bound by civil provisions. "The law of religious leaders is the Gospel and the Church Laws," he said.

During the press conference, he lashed out at the Media which, accused him and the Coptic Church of being "a State within a State" that disrespects court rulings, and misinterpreting facts about the Coptic Church forbidding its followers to marry for a second time. He explained that widowers and those who have obtained a divorce through the Church -- according to the teachings of the Bible -- and who are the "innocent partner" are issued a permit to re-marry, but not the "guilty partner." He said that whoever gets a civil divorce is free to marry but not in the Coptic Church. "Let whoever wants to remarry to do it away from us. There are many ways and churches to marry in," said Pope Shenuda III. "Whoever wants to remain within the church has to abide by its laws."

Pope Shenouda further threatened to defrock any priest who allows a divorced Christian to remarry, except in cases where the divorce was on the grounds of adultery. Those that have remarried after divorce will not be allowed in Church.

At present the Coptic Church does not allow re-marriage except in very limited circumstances of adultery and conversion to another faith. The Church maintains that these rules safeguard the Christian family.

According to Bishop Bola of Tanta, who is in charge of divorce matters in the Coptic church, "there are just over 200 cases of divorce presented to his office every year "and not 20,000 or even 2,000,000 as some newspapers claimed."

Azza Suleiman, director of the Center for Women's Issues, said there are currently five million postponed divorce cases in Egypt, in addition to 13 million cases under consideration by the personal status courts. She added that a divorce occurs every six minutes in the country, and that 250 thousand women resort to the courts annually to obtain divorce.

The Pope evaded answering a question presented by a reporter in the press conference on whether the court would dare order Al-Azhar to agree to a Muslim marrying a fifth wife and not only four, comparing it to the interference of the Court in the Bible teachings through its recent ruling.

A draft of a unified personal status law for all sects of Christianity, which was signed by all churches in Egypt, was submitted to the People's Assembly by Pope Shenouda nearly 25 years ago. All churches agreed that no divorce is permitted except for adultery. "This draft law must be locked away in some one's drawer," he laughed. It is seen by many that passing this law is the only way to put an end to such court verdicts.

When asked during the press conference whether he will appeal to President Mubarak to sort out this controversial court ruling, he said that he does not wish to embarrass him, in case he does not like to interfere with the judiciary. However, he said, that if the President knows that the church and the millions

of Copts are not happy with this ruling, he might do something about it. He said that he does not yet know what is his next step.

Ramsis

El-Naggar, an attorney for the church, said that since the Administrative Court's ruling cannot be appealed, he expects that the church will appeal the verdict in front of the Supreme Constitutional Court for an interpretation of Article 69 of the denominational regulations, which deals with the remarriage of divorcees.

A

sit-in is arranged for Wednesday June 9 in front of the St. Mark's Cathedral in Cairo during the Pope's weekly sermon to protest the court's ruling and the interference of the judiciary in the affairs of the Coptic Church.