

Abstract of my PHD thesis submitted by/ Ahmed Ismaael
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Its subject:

The constitutional and judicial protection for citizenship- a
comparative study between law and Sharia

Citizenship is considered a political, legal and social concept contributed to developing the human society in a large-scale alongside to the state's progress to equality, justice, equity as well as democracy, transparency, partnership and securing rights and duties.

This is due to human diversity as one rule of the universe, it is a sign of God, and this diversity; between people in religion and other affairs will remain until the Day of Resurrection.

Thus, any attempts to dissolve differences on any level was an attempt for nature collision, so that the attempts; that aimed to dissolve religious, racial, cultural or civilizational differences, did not success and will not success because it tries to challenge one of Allah's rules- Almighty – spent in eternity – Glory of God - it will remain to enhance humanity with the growing knowledge, the citizenship concept came out and strongly appeared to defense this privacy, harmonize among the miscellaneous humors and prevent any conflict.

So, the Egyptian constitutional legislator has persisted in providing explicitly in the Egyptian constitution issued in 2014 that the citizenship principle is deemed one basis of the democratic republican system, and the legislator did not settle for that but he explicitly provided, for the first time in the Egyptian successive constitutions history, for making the concepts of citizenship, tolerance, non-discrimination and preserve the national unity one of education objectives.

Citizenship, in its content, means:" The impact of affiliation relationship between the individual and the state and the consequent rights and duties" and it is based on two bases: participation in authority in one hand and equality between citizens in the other hand, and it is considered one of the interlaced concepts politically, socially, culturally and economically, and basically associated with many common political concepts in contemporary thinking, and citizenship principle applying requires that citizens enjoy their rights and comply with their duties,

and practicing rights and duties is limited to citizens without others, and this association appears in the political field, in particular, such as the right of election, candidacy for parliaments and parties formation.

So, citizenship is deemed one of community's basic supports in the capacity of the higher levels of justice when treating with all people of the same country as equal in rights and duties, no discrimination between citizens on religion, gender or race. This means, in truth, upholding the value of the homeland, and comprehensive application of the most important human rights principles stipulated in the heavenly laws and international conventions.

The constitutional protection for citizenship's rights and duties represents in two basic matters: providing for it in constitution text and controlling constitutionality of laws and regulations, and the judicial protection is considered one of the basic guarantees for citizenship's rights and duties before the managerial body.

By research, it became clear the extent of protection guaranteed by the Egyptian constitution; issued in 2014 and the previous constitutions, for the rights and duties of citizenship by comparing that with Sharia and protection guaranteed by the Supreme Constitutional Court and council state courts for rights and duties of citizenship.