



Tanzania

International Religious Freedom Report 2002

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The Constitution provides for freedom of religion, and the Government generally respects this right in practice, subject to measures that it claims are necessary to ensure public order and safety; however, there were a few limits on this right.

There was no change in the status of respect for religious freedom during the period covered by this report. Some urban Muslim groups are sensitive to perceived discrimination in government hiring and law enforcement practices. Muslims continued to perceive government discrimination in favor of Christians in schools, the workplace, and places of worship.

There are generally amicable relations among religions in society; however, there was an increase in tension between Muslims and Christians and between secular and fundamentalist Muslims.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

The country has a total area of 364,900 square miles, and its population is approximately 35 million. Religious leaders and sociologists generally believe that the country's population is 30 to 40 percent Christian, 30 to 40 percent Muslim, and that the remainder consists of practitioners of other faiths, traditional indigenous religions, and atheists. Zanzibar, which accounts for 2.5 percent of the country's population, is 98 percent Muslim. Current statistics on religious demography are unavailable; religious surveys were eliminated from all government census reports after 1967. The Christian population is comprised of Roman Catholics, Protestants, Pentecostals, Seventh-Day Adventists, the Church of Jesus Christ of Latter-Day Saints (Mormons), and Jehovah's Witnesses. Between 80 to 90 percent of the Muslim population is Sunni; the remainder consists of several Shi'a groups.

Foreign missionaries operate in the country, including Catholic, Lutheran, Baptist, Seventh-Day Adventist, Mormon, Anglican, and Muslim.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respects this right in practice, subject to measures that it claims are necessary to ensure public order and safety; however, there were a few limits on this right.

In October 2001, the Zanzibar Government passed a bill to establish an Islamic leader (mufti) office on the island, similar to an office on the mainland. Government officials claimed that a mufti office was needed to coordinate Islamic activities and improve religious understanding; however, several Muslim organizations criticized the proposal as an effort by the union Government to institutionalize government oversight of Islamic organizations.

The Government requires that religious organizations register with the Registrar of Societies at the Home Affairs Ministry. In order to register, religious organizations must have at least 10 followers and must provide a constitution, the resumes of their leaders, and a letter of recommendation from their district commissioner. Groups no longer are required to provide three letters

of recommendation from the leaders of registered Christian churches or from registered mosques; however, some Muslim groups claim that they still are required to submit a letter of recommendation from BAKWATA, the National Muslim Council of Tanzania. There were no reports that the Government refused the registration of any group.

Prior to 2000, religious groups were exempt from paying taxes because they were presumed to be nonprofit organizations. The Government discovered in 1998 that some religious groups were importing goods duty-free and then selling them for a profit and began requiring these groups to pay taxes. After successfully identifying these organizations, the Government allowed legitimate religious groups to order goods internationally without paying duty, provided that they receive an exemption certificate from the Tanzania Revenue Authority.

Customary or statutory law in both civil and criminal matters governs Christians. Islamic law is applicable only for civil matters in Zanzibar; it is not applicable for Muslims on the mainland. Zanzibar's court system generally parallels the mainland's legal system but retains Islamic courts to adjudicate cases of Muslim family law, such as marriage, divorce, child custody, and inheritance; however, Muslims may choose to apply civil law in these matters instead of Islamic law. Islamic courts only adjudicate cases involving Muslims.

Missionaries are permitted to enter the country freely, particularly if proselytizing is ancillary to other religious activities. Citizens are permitted to leave the country for pilgrimages and other religious practices.

In 1998 the Government dissolved its national and regional parole boards after complaints that they did not include Muslim members, even though the majority of the prison population is Muslim. The boards were reconstituted in February 1999 with a more religiously diverse membership. During the period covered by this report, the Government's investigation determined that the allegations that the National Muslim Council was receiving money from outside of the country were unfounded.

Restrictions on Religious Freedom

The law prohibits preaching or distribution of materials that are considered inflammatory and represent a threat to the public order. In 2000 the Government banned the publication and distribution of a book by a Muslim academic on the grounds that it was inflammatory. The book, titled "The Mwembechai Killings," described Muslim grievances against the Government and provided the author's version of events surrounding the killings of three Muslim protesters in 1998 in the Mwembechai area of Dar es Salaam. Unlike in the period covered by the previous report, urban Muslims did not distribute videotapes of the Mwembechai riots to document perceived human rights abuses; the Government previously had outlawed these videotapes for being incendiary.

The Government has banned religious organizations from involvement in politics, and politicians are banned from using language intended to incite one religious group against another or to encourage religious groups to vote for certain political parties. The law imposes fines and jail time on political parties that campaign in houses of worship or educational facilities.

The Government does not designate religion on any passports or records of vital statistics; however, it requires an individual's religion to be stated on police reports, school registration forms, and applications for medical care.

Government policy forbids discrimination against any individual on the basis of religious beliefs or practices; however, individual government officials are alleged to favor persons who share the same religion in the conduct of business. The Muslim community claims to be disadvantaged in terms of its representation in the civil service, government, and parastatal institutions, in part because both colonial and early post-independence administrations refused to recognize the credentials of traditional Muslim schools. As a result, there is broad Muslim resentment of certain advantages that Christians are perceived to enjoy in employment and educational opportunities. Muslim leaders have complained that the number of Muslim students invited to enroll in government-run schools still was not equal to the number of Christians. In turn Christians criticize what they perceive as lingering effects of undue favoritism accorded to Muslims in appointments, jobs, and scholarships by former President Ali Hassan Mwinyi, a Muslim. Christian leaders agree that the Muslim student population in institutions of higher learning is disproportionately low; however, they blame this condition on historical circumstances and low school attendance rates by Muslims rather than discrimination.

The Government failed to respond to growing tensions between the Muslim and Christian communities (see Section III). The Government recognized that a problem exists, but it chose not to take action. The Government cancelled several meetings with Muslim and Christian leaders aimed at improving relations between the two communities. Even senior Muslim officials in the Government appear unwilling to address the problem, apart from general criticism of those who would foment religious conflict. In 1999 President Mkapa met with leaders of the Muslim community at a Dar es Salaam mosque to listen to their grievances and propose solutions; however, urban Muslim leaders claim that no action has been taken to address their concerns.

The overall situation for women is less favorable in Zanzibar, which has a majority Muslim population, than on the mainland. Although women generally are not discouraged from seeking employment outside the home, women of Zanzibar, and on many parts of the mainland, face discriminatory restrictions on inheritance and ownership of property because of concessions by the Government and courts to customary and Islamic law. While provisions of the Marriage Act provide for certain inheritance and property rights for women, the application of customary, Islamic, or statutory law depends on the lifestyle and stated intentions of the male head of household. The courts have upheld discriminatory inheritance claims, primarily in rural areas. Under Zanzibari law, unmarried women under the age of 21 who become pregnant are subject to 2 years' imprisonment.

Abuses of Religious Freedom

In July 2001, a local magistrate in Morogoro sentenced Kahmis Rajab Dibagula to an 18-month jail term for blasphemy against Christianity for publicly stating "Yesu si Mungu" (Jesus is not God). In August 2001, police banned Muslim protests scheduled for August 23 in Dar es Salaam on public safety grounds. Despite the Inspector General's refusal to grant a permit for the rally, in August 2001, Muslim youths marched to the Attorney General's office while High Court Justice Chipeta heard the Dibagula case. While Chipeta agreed to overturn the sentence and ordered the release of Dibagula, the High Court widely was criticized in the Muslim community for only overturning the conviction rather than stating that the blasphemy charge was unconstitutional and discriminatory towards Muslims. More than 170 Muslims were arrested, and cases remained pending against 41 persons, with no trial date set by the end of the period covered by this report.

In December 2001, police on Zanzibar arrested more than 20 leaders of the Muslim Answar Sunna group for conducting Eid el Fitr prayers on a day other than the one designated by the Government of Zanzibar.

On February 13, 2002, violence began after police intervened and fired tear gas at a Muslim prayer meeting to commemorate the 1998 Mwembechai mosque riots; two persons, including a police officer, were killed. The organizers of the banned prayer meeting claimed the protest event had been peaceful until the police intervened; the police claimed that they used tear gas in order to disperse demonstrations and prevent a clash between rival Muslim groups. The Government subsequently convinced Muslim groups to cancel a series of demonstrations planned for March 29, 2002, to protest the February events. Following the violence, the police arrested nine Muslim leaders, who remained in prison at the end of the period covered by this report; their hearing date was scheduled for August 2002. They were denied bail while a government investigation into the incident was ongoing. Other Muslim leaders went into hiding and were not caught by the end of the period covered by this report.

In 1999 police arrested Sheikh Issa Ponda, a popular Muslim leader, for inciting his followers against other religions. A week later, the police canceled a planned Muslim demonstration to protest his arrest. The Sheikh later was charged with seditious intent and released on bail; however, in February 2002, he was rearrested and charged with murder as one of the nine Muslim leaders held responsible for the Mwembechai mosque riots. Ponda was denied bail and remained in prison at the end of the period covered by this report.

Prior to the 2000 elections, government officials called on political candidates to avoid using religion as a campaign issue and urged the public to reject religiously oriented campaigns. In 2001 a demonstration on Pemba, which is 98 percent Muslim, turned violent and led to the deaths of at least 23 protestors, and also sparked an outburst of religious enmity. Police killed two persons, including one imam. There were reports that police officers and soldiers made anti-Muslim slurs against persons during house-to-house searches. In January 2001, in Wete, police turned away persons who were going to mosques to pray; police reportedly beat those who resisted the order. Following the demonstration, there were reports of isolated cases of harassment of individuals who were perceived as supporters of radical Islam, including the alleged forcible shaving of beards of certain Muslims who had been detained.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Section III. Societal Attitudes

While Muslim-Christian relations remained generally stable, tensions rose due to urban Muslim groups' claims of discrimination in government hiring and law enforcement practices (see Section II). Rural Muslim groups do not appear to share urban Muslims' concerns to the same extent. There also were other signs of increased religious tensions between Christians and Muslims.

There were signs of increasing tension between secular and fundamentalist Muslims, as the latter feel that the former have joined with the Government for monetary and other benefits. The fundamentalist Muslims accuse the Government of being a Christian institution, and Muslims in power as being interested only in safeguarding their positions. There were increased tensions within the Muslim community between moderates and fundamentalists seeking ideological control of mosques in Dar es Salaam and other cities. Fundamentalist Muslims severely criticized secular Muslims who drink alcohol or marry Christian women. Muslim fundamentalists attempted, unsuccessfully, to introduce Muslim traditional dress into the national school system. Fundamentalist groups also have exhorted their followers to vote only for Muslim candidates.

During the period covered by this report, Muslim fundamentalist organizations engaged in increasingly confrontational proselytizing in Zanzibar, Morogoro, and Dar es Salaam. Anti-Christian slogans became more prevalent in newspapers and pamphlets, and on clothing. Muslims threatened tourist establishments in Zanzibar, warning proprietors who cater to Western customers that they risked retribution for serving alcohol or engaging in other perceived vices. In Zanzibar there were gasoline bomb attacks against bars and hotels, and on the mainland, Christian fundamentalist organizations also reportedly engaged in confrontational proselytizing, including the distribution of leaflets branding Muslims as "unbelievers" or "servants of Satan."

In 2000 a University of Dar es Salaam organization conducted a study of the possible role of religion in impeding the country's future development as a multiparty democracy. The organization, Research, Education and Democracy in Tanzania (REDET), which consists of a number of academics--Muslim and Christian--surveyed the public's views of religion as a potential societal faultline. The results of the study, which was not published by the end of the period covered by this report, were discussed publicly at a symposium held by REDET in December 2001. The study concluded that Muslims as a group were underrepresented in educational, governmental, and private sector institutions. The study was inconclusive on the cause of such underrepresentation; some scholars blamed outright discrimination by the Government and school administrators, while others blamed postcolonial historical circumstances, such as the legacy of Christian missionary control of private schools.

An interdenominational religious council periodically meets to discuss issues of mutual concern, such as the recent violence in Zanzibar. The council is comprised of Catholic, Protestant, and Muslim representatives. The Muslim representative belongs to the BAKWATA; several urban Muslim leaders and a majority of urban Muslims believe that the BAKWATA is a government-imposed watchdog organization.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Government encouraged continued economic reform as a means to alleviate poverty, which has been identified as a contributing factor in the growth of religious intolerance. The U.S. Government and the U.S. Embassy also encouraged democratic reform in the country, particularly in Zanzibar, which is 98 percent Muslim. In 2001 the Embassy sponsored a series of lectures and town hall meetings in Zanzibar that encouraged discussion of tolerance and the role of religion in a democratic society. The U.S. Government also supported the country's initiative to implement the 2001 reconciliation agreement between the CCM, the country's ruling party, and the CUF, the main opposition party on Zanzibar, to reduce the conflict between the parties that frequently erupted into violence with religious overtones.

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