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Bahrain

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

July-December, 2010 International Religious Freedom Report

Report

September 13, 2011

The constitution does not explicitly protect freedom of religion but does provide for freedom of worship, and the government generally respected the right of citizens and foreign residents to practice their religion. The constitution provides for freedom of conscience, the inviolability of places of worship, and the freedom to perform religious rites and hold religious parades and meetings, in accordance with the customs observed in the country, and states that Islam is the official religion and Sharia (Islamic law) is a principal source for legislation. The constitution also stipulates that there shall be no discrimination in the rights and duties of citizens on grounds of religion; however, in practice, the Sunni Muslim citizen population enjoyed favored status, and the Shia population faced discrimination.

There was no change in the status of respect for religious freedom by the government during the reporting period. The status and treatment of Shia within society, including government arrests of Shia political activists during the reporting period, have both political and religious origins, complicating classification of incidents as ones of religious freedom alone. During the reporting period there were reports of mass arrests of Shia activists, including clerics, with some allegations of torture, censorship of religious sermons, and the revocation of citizenship of a prominent Shia religious leader and his family -- although later restored. The government continued to exert a level of control and monitoring over both Shia and Sunni Muslims. International and local nongovernmental organizations (NGOs) asserted that Shia citizens, as a whole, faced discrimination as evidenced by lower socio-economic indicators than the Sunni population. In August and September, authorities arrested a number of Shia political activists, some of whom were charged with conspiring against the government, alleged ties to terrorism, and spreading false information.

Regional Sunni-Shia tensions and historical political divisions continued to affect intra-Muslim relations.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 231 square miles and a population of 1.24 million, of whom 46 percent are Bahraini nationals. The citizen population is 99 percent Muslim; Jews, Christians, Hindus, and Bahais constitute the remaining 1 percent. Muslims belong to the Shia and Sunni branches of Islam. The Government of Bahrain does not publish statistics regarding sectarian breakdown among Shia and Sunni citizens, however many international organizations and media indicate that the Shia represent a majority of the country's population.

Foreigners, mostly from South Asia and from other Arab countries, constitute an estimated 54 percent of the population. Approximately half of resident foreigners are non-Muslim, including Christians (primarily Roman Catholic, Protestant, Syrian Orthodox, and Mar Thoma from South India), Hindus, Bahais, Buddhists, and Sikhs.

Some of the tensions between Shia and Sunni Bahrainis stem from social and economic factors. Shia Muslims compose the majority of the low socio-economic status citizen population and have a higher unemployment rate than Sunni Muslims.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution does not explicitly protect freedom of religion. The constitution provides for freedom of conscience, the inviolability of places of worship, and the freedom to perform religious rites and hold religious parades and meetings, in accordance with the customs observed in the country, and states that Islam is the official religion and Islamic law is a principal source for legislation.

The constitution imposes no restrictions on non-Muslims' right to choose, change, or practice their religion of choice, including the study, discussion, and promulgation of those beliefs. In declaring Islam as the state religion and Islamic law as the source of legislation, the constitution implies that Muslims are forbidden to change their religion. The constitution prohibits discrimination in the rights and duties of citizens on the basis of religion or creed; however, there was no further law to prevent discrimination, there was no procedure to file a grievance, and the Sunni Muslim citizen population enjoyed favored legal and social status.

The government does not designate religion or sect on national identity documents. While the birth certificate application recorded the child's religion, it did not record the sect. The actual birth certificate does not include the child's religion.

The civil and criminal legal systems consist of a complex mix of courts based on diverse legal sources, including both the Ja'afari (Shia) and Maliki (Sunni) schools of Islamic jurisprudence, tribal law, and other civil codes and regulations.

Sharia governs personal status, and a person's rights can vary according to Shia or Sunni interpretation, as determined by the individual's faith or by the courts. In May 2009 the government adopted the country's first personal status law, which regulates family matters such as inheritance, child custody, marriage, and divorce. The law was only applicable to the Sunni population as Shia clerics and lawmakers opposed legislation that would have applied to the Ja'afari courts. The passage of this law institutionalized protections for women such as requiring consent for marriage and permitting women to include conditions in the marriage contract.

Construction of places of worship required approvals from a number of national-level entities, as well as municipal entities. The government's budget for constructing mosques was split evenly between Shia and Sunni projects. In newer developments such as Hamad Town and Isa Town, which often have mixed Shia and Sunni populations, there tended to be a disproportionate number of Sunni mosques.

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The press and publications law prohibits anti-Islamic media, but imposed no other restrictions on religious expression or speech. The law allows the production and distribution of religious media and publications. The law does not prohibit, restrict, or punish the importation, possession, or distribution of religious literature, clothing, or symbols. The law does not impose a religious dress code.

Islamic studies were a part of the curriculum in government schools and mandatory for all public school students. The Maliki school of Sunni jurisprudence formed the basis for the 17-year-old curriculum, which does not include the Ja'afari traditions of Shia Islam.

The government observes the following religious holidays as national holidays: the Birth of the Prophet Muhammad, Eid al-Fitr, Eid al-Adha, Islamic New Year, and Ashura.

Restrictions on Religious Freedom

The government generally respected the right of citizens and foreign residents to practice their religion; however, the government continued to exert a level of control and to monitor both Sunni and Shia Muslims. Members of other religious groups that practiced their faith privately did so without government interference and were permitted to maintain places of worship and display symbols of their religion. There were incidents of government censorship of sermons. The government revoked (and later restored) the citizenship of a Shia cleric.

The government did not punish links with co-religionists in other countries, although some government officials expressed concern about Iran's influence on the Shia population.

According to several non-Muslim religious groups, the Ministry of Social Development's (MOSD) restrictions on contact with "foreign" entities caused significant operational difficulties for some churches and other groups. These groups relied on guidance and funding from umbrella organizations based overseas for their operations. The groups reported that the MOSD often did not respond to their requests for permission to interact with their umbrella organizations.

Although there were exceptions, the Sunni Muslim citizen population enjoyed favored status. Sunni citizens often received preference for employment in sensitive government positions, in the managerial ranks of the civil service, and in the military. Shia politicians and activists asserted that the government and certain business elites discriminated against Shia citizens in employment and promotions. Senior civil service recruitment and promotion processes often favored Sunni candidates. Educational, social, and municipal services in most Shia neighborhoods were inferior to those in Sunni communities. Shia politicians and activists asserted that the government naturalization and citizenship processes favored Sunni applicants over Shia applicants.

Only a few Shia citizens held significant posts in the defense and internal security forces, although more were in the enlisted ranks. Although the police force reported it did not record or consider religious belief when hiring employees, Shia continued to assert that they were unable to obtain government positions, especially in the security services, because of their religious affiliation. Shia were employed in some branches of the police, such as the traffic police and the fledgling community police.

Shia citizens were underrepresented in the Ministry of Education in both the leadership and the ranks of head teachers who teach Islamic studies and supervise and mentor other teachers. Although there were many Shia Islamic studies

teachers, school authorities discouraged them from introducing content about Shia traditions and practices and instructed them to follow the curriculum.

Curriculum specialists in the Islamic Studies Department at the Ministry of Education's Curriculum Directorate were all Sunni. The curriculum directorate formed a separate committee of Shia teachers and clerics, along with members of the curriculum directorate, to develop the Islamic studies curriculum for the Ja'afari Institute, which is the only publicly funded institution in which teachers can legally discuss Shia beliefs and traditions. There were five registered Ja'afari Hawzas (Shia religious schools) and five registered Sunni religious schools.

International media and NGOs reported extensively on the arrests of more than 200 Shia men and boys in August and September. The arrests were tied to political demonstrations and street violence affecting several Shia neighborhoods and villages. Twenty five of those arrested, including several leaders of two political rejectionist groups and several activists, were brought to trial on charges of conspiring against the government, alleged ties to terrorism, and spreading false information. Other men and boys were prosecuted for engaging in violence and vandalism that affected both Sunni and Shia neighborhoods. The arrests and reports of torture and abuse while in custody strained pre-existing tensions between the Shia and Sunni communities during the reporting period.

In the lead up to parliamentary elections on October 23, the government reaffirmed restrictions on the use of places for worship for political campaigning. A Shia cleric associated with a political rejectionist movement, Shaikh Abdul Jaleel al-Miqdad, was banned from delivering Friday sermons for a period of two weeks. The Minister of Justice and Islamic Affairs said that al-Miqdad's sermons violated the ethics of religious discourse, among other things.

Every Muslim religious group must obtain a license from the Ministry of Justice and Islamic Affairs (MOJIA) to operate. Non-Muslim religious groups must register with MOSD to operate. Religious groups may also need approvals from the Ministry of Education, the Ministry of Culture, the Information Authority, or the Ministry of Interior, depending on the nature of the group's intended activities. No religious groups submitted registration applications with the MOSD during the reporting period. Altogether 13 non-Muslim religious groups were registered with the MOSD, including Christian churches and a Hindu temple. In May 2010 several Christian churches reported that the MOSD instructed them to re-register, although the MOSD did not provide a reason for its directive. A number of unregistered non-Muslim religious groups, most of which operated without government interference, said they did not seek to formally register with the MOSD because they believed the MOSD would refuse the application of any new non-Muslim religious groups.

Holding a religious meeting without a permit was illegal; however, during the reporting period there were no reports of the government denying religious groups a permit to gather.

The government funded, monitored, and exercised control over official Muslim religious institutions, including Shia and Sunni mosques, religious community centers, Shia and Sunni religious endowments, and the religious courts, which represent both the Shia and Sunni affiliated schools of Islamic jurisprudence. The Supreme Council for Islamic Affairs reviewed and approved clerical appointments within both the Sunni and Shia communities. The government rarely interfered with what it considered legitimate religious observances. The government permitted public religious events, most notably the large, annual commemorative march by Shia Muslims during the Islamic months of Ramadan and Muharram.

There were approximately 750 Shia mosques and 460 Sunni mosques, and the government's budget for constructing mosques was split evenly between Shia and Sunni projects. In newer developments such as Hamad Town and Isa Town, which often have mixed Shia and Sunni populations, there tended to be a disproportionate number of Sunni mosques.

There were clashes between Shia villagers and police officers in and around Karranah and Malikiyah villages in mid-December after police officers removed Muharram-related black banners from entrances to at least two villages -- actions considered provocative to many in the Shia community.

The Supreme Council for Islamic Affairs maintained program oversight on all citizens studying religion abroad. The government monitored travel to Iran and scrutinized carefully those who chose to pursue religious study there.

Abuses of Religious Freedom

There were reports of abuses in the country.

The citizenship of a Shia cleric and his family was restored on November 4 after the Ministry of Interior revoked it on September 19, citing procedural irregularities in the naturalization application process. Bahrain-born Shia cleric, Sheikh Hussain Al-Najati, was naturalized in 2001. His status prior to naturalization was "stateless," a status that many Bahrain-born Shia held prior to political reforms in 1999. (Stateless status does not provide voting rights; it does impose travel restrictions.)

There were also reports by 23 of the detained Shia activists of being subjected to torture and other mistreatment, including beatings, deprivation of sleep, electrocution, and being subjected to forced standing for long periods of time.

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

Regional Sunni-Shia tensions and historical political divisions continued to affect intra-Muslim relations.

During the campaign of arrests in August and September, a pro-government newspaper repeatedly published inflammatory articles describing many leading Shia politicians and activists, including those from mainstream organizations, as "terrorists." These inflammatory articles served to escalate tensions between the Sunni and Shia communities.

Regular rioting continued in several predominantly Shia villages, with protesters reportedly using both non-violent and confrontational methods including burning of tires, blocking roadways, and throwing of incendiary devices, including Molotov cocktails. The rioting stemmed partly from many Shia communities' perception of unequal treatment by the government under the law and in other areas such as employment. Some rioting and other illegal activity was actively encouraged by political extremists.

Some anti-Jewish political commentary and editorial cartoons appeared, usually linked to the Israeli-Palestinian conflict, without government response.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

U.S. government officials continued to meet regularly with representatives of human rights NGOs to discuss matters of religious freedom among other human rights-related topics.

The U.S. government sponsored the visit to Manama of New York-based Sufi cleric Imam Feisal Abdul Rauf. Imam Feisal visited several homes during Ramadan and gave a number of talks, attracting positive coverage in local newspapers in subsequent days. Also during Ramadan, the embassy sponsored an exhibit at the American Corner on Islam in the United

States. The exhibit illustrated how Muslim-Americans make significant contributions to civil, political, and social life in the United States.

In late July the embassy hosted a Muslim-American lecturer from Columbia University, Zaheer Ali, to conduct a series of film screenings of the documentary *New Muslim Cool* with Bahraini youth. The documentary explores indigenous American Muslim culture and illustrates Islamic principles of justice, mercy, and compassion. The screenings in Bahrain sparked considerable discussion among attendees on how Islam is practiced among people of diverse backgrounds and ethnicities.

As a result of the participation of Shaikh Salah Al-Jowder in an interfaith dialogue program (under the International Visitor Leadership Program, a U.S. government professional exchange program) in early 2010, Shaikh Salah authored a number of op-ed articles in local newspapers about his experience meeting American families and having interfaith discussions. He called on clerics to increase their cultural awareness and promote interfaith discussions in Bahrain. In subsequent articles over the past few months, some of his sermons have focused on elimination of violence, promotion of tolerance of all people and creeds, and open dialogue among disparate populations.

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