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## Tanzania

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **July-December, 2010 International Religious Freedom Report**

Report

**September 13, 2011**

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The government generally respected religious freedom in law and in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were a few reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

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 364,900 square miles and a population of 43 million, of whom 41.8 million live on the mainland and 1.2 million on the Zanzibar archipelago, which has a president and semiautonomous political structure. The government does not gather religious identification data in its census as a matter of policy. However, recent information suggests that 62 percent of the population is Christian, 35 percent Muslim, and 3 percent adhere to other religious groups.

On the mainland, Muslim communities are concentrated in coastal areas, with some large Muslim minorities also in inland urban areas. Zanzibar is 98 percent Muslim. Between 80 and 90 percent of the Muslim population is Sunni; the remainder consists of several Shia subgroups, mostly of Asian descent. The Christian population is mostly composed of Roman Catholics, Protestants, Pentecostals, Seventh-day Adventists, members of The Church of Jesus Christ of Latter-day Saints (Mormons), and Jehovah's Witnesses. Other active religious groups include Buddhists, Hindus, Sikhs, and Bahais.

#### 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>.

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Customary and statutory laws govern Christians in both criminal and civil cases. Muslims are governed by customary and statutory law in criminal cases; however, Muslims in Zanzibar have a parallel system of kadhi (Muslim judge trained in the Islamic legal tradition) courts to judge matters of divorce, child custody, inheritance, and other matters covered by customary Islamic law. All cases tried in Zanzibar courts, except those involving constitutional issues and Islamic law, can be appealed to the Court of Appeals of the Union on the mainland. Decisions of Zanzibar's kadhi courts can be appealed to a special court consisting of the Zanzibar chief justice and five other sheikhs. The kadhi, who is the senior Islamic scholar responsible for interpreting the Qur'an, is approved by the president and recognized as a judge. There is also a kadhi court of appeal.

The National Muslim Council of Tanzania (BAKWATA) has called for the establishment of a mainland kadhi court. During the year a committee formed by Prime Minister Mizengo Pinda forwarded recommendations on the proposed structure and operation of a mainland kadhi court and its legal authority, budget, and incorporation into the existing legal system to a panel of clerics and legal experts.

Religious organizations must register with the registrar of societies at the Ministry of Home Affairs on the mainland and with the chief government registrar on Zanzibar. Religious organizations must have at least 10 followers to register, provide a written constitution, resumes of their leaders, and a letter of recommendation from their district commissioner. In addition groups registering on Zanzibar must provide a letter of approval from the mufti, the community's religious leader.

On the mainland, BAKWATA elects a mufti. On Zanzibar the mufti is appointed by the president of Zanzibar under the 2001 Mufti Law and serves both as a leader of the religious community and as a public servant assisting with local governmental affairs.

The Zanzibar mufti possesses the authority to settle some religious disputes involving Muslims.

The Zanzibar mufti nominally approved all Islamic activities, including gatherings on Zanzibar, and supervised all Zanzibari mosques. The mufti also approves religious lectures by foreign clergy and the importation of Islamic literature from outside Zanzibar. Under the Mufti Law, Zanzibar's mufti is authorized to recommend that the chief government registrar approve or deny the registration of any Islamic organization. However, the small staff and resources of the mufti's office significantly limit the mufti's role in practice.

During the reporting period, the chief government registrar did not receive any new applications for registration.

Public schools may teach religion, but it was not part of the national curriculum. Parents or volunteers taught religion on an occasional basis. School administration or parent and teacher associations must approve the classes. Many private schools and universities were associated with religious institutions. There was an Islamic university in Morogoro, a Catholic university in Mwanza, a Lutheran university in Dar es Salaam, numerous Islamic and Christian primary and secondary schools throughout the country, and a Bahai secondary school in Iringa.

In May there were reports that the Zanzibar University Christian Students Association complained to Zanzibar State University authorities regarding what it considered discriminatory treatment. The association claimed Muslim students

were given more opportunities to worship and more financial support for their activities, including Islamic rallies on campus. They reported that during Muslim prayers, university departments closed, including the library, computer laboratory, and cafeteria, and Christian women were forced to wear traditional Muslim dress or face expulsion. The association initially said it planned to take the university to court in protest, but there was no legal action by the end of the reporting period.

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Religious organizations were banned from involvement in politics; however, during the reporting period, Muslim media outlets alleged that religious leaders were telling their followers for whom to cast their ballots in the October general elections. While campaigning in Lindi Region on October 20, President Kikwete criticized political and social leaders who preached religious bias during the campaigns and urged the public to reject them because they were dangerous to the progress of the country. He also warned political parties to contend through policies and not religious sentiments.

Politicians were restricted from using language intended to incite one religious group against another or to encourage religious groups to vote for certain political parties. However, in September some cell phone users received anonymous text messages and emails urging Muslims not to vote for the opposition Chama Cha Demokrasia na Maendeleo political party's presidential candidate, Willbroad Slaa. The messages alleged that Slaa, a former priest, was an "agent" of the Roman Catholic Church. It was not clear whether any political party was responsible for these messages. Director of Criminal Investigation Robert Manumba said the police would investigate. A senior official of the Tanzania Communications Regulatory Authority, Innocent Mungy, said his office could not restrict such communications.

The law prohibited preaching or distributing material considered as inflammatory or that represented a threat to public order.

The government did not designate religion on passports or records of vital statistics; however, it required religion to be stated in police reports in cases where individuals may be asked to give sworn testimony. The government also required children to indicate a religion on school registration forms, so children can be assigned to the appropriate religion class if the school offered religious instruction, and on applications for medical care, so any specific religious custom may be observed.

Government policy prohibited discrimination against persons based on religious affiliation, belief, or practice; however, some officials and businesspersons were believed to favor conducting business with coreligionists.

The government observes the following religious holidays as national holidays: Maulid, Good Friday, Easter Monday, Eid al-Fitr, Eid al-Hajj, and Christmas.

#### Restrictions on Religious Freedom

The government generally respected religious freedom in law and in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

Following reports in February that a religious group in Mbeya Region prohibited the children of its members from singing the national anthem in school, Prime Minister Mizengo Pinda announced in parliament that the government would take legal action against religious denominations that breached the law. No action had been taken against the group at the end of the reporting period.

In June a coalition of Christian leaders, led by the head of the Tanga Denominational Coalition, Bishop Jotham Mwakimage, unsuccessfully petitioned the National Electoral Commission. The purpose of the petition was to reschedule the national elections from a Sunday to a weekday (other than Friday) so as not to interfere with religious services and the public's constitutional right to worship.

On September 1, a resident magistrate of the Ilala District Court sentenced Ally Sururu to six months in prison for contempt of court after he refused to take off his Muslim cap while facing other charges in court. BAKWATA publicly denounced the sentence, claiming it violated Sururu's right to religious freedom. Sururu was released by the High Court after three days in jail following an outcry from Muslims across the country, and after the Office of the Principal High Court Judge reviewed the records of the lower court and ruled that wearing the cap in court was not an offence.

On September 26, Muslims in Dar es Salaam inaugurated the "Hijab Day for the Muslim woman," during which Sheikh Ahmed Abdulsamad of the Supreme Council of Muslim Societies and Institutions asked the government to fulfill its pledge to allow female students to wear the hijab (woman's headscarf) in all the primary, secondary, and higher institutions of the country. A few hundred Muslim women marched across the city in support of the event, waving placards advocating chaste dress in society. The hijab is permitted in all government schools but not all private schools.

#### Abuses of Religious Freedom

There were reports of abuses of religious freedom in the country.

According to the Tanganyika Law Society, some prison inmates complained they were forced to worship in denominations chosen for them by prison wardens. Seventh Day Adventists complained they had to work on Saturday. Generally, however, prisoners and detainees had reasonable access to visitors and were allowed to worship freely.

On February 11, two evangelists, Eleutery Kobelo and Cecil Simbaulanga, were charged with holding an illegal assembly in Kariakoo, Dar es Salaam, and inciting religious animosity between Muslims and Christians. The two evangelists denied the charges. They said Muslims invited them to debate religion. The case was dismissed in September for lack of evidence.

There were no reports of forced religious conversion. Although some women traditionally take the religion of their husbands after marriage, this practice has continued to decline.

#### Section III. Status of Societal Action Affecting Enjoyment of Religious Freedom

There were a few reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

It was reported in January that an Assemblies of God pastor was subjected to public humiliation by a group of traditional Maasai for refusing to allow the circumcision of his sons according to local custom. The Arusha Churches Association condemned the abuse and reported the incident to the Arusha regional commissioner and the Arusha regional police commander. During the same month, the regional commissioner convened a meeting of traditional leaders and bishops from different Pentecostal churches in Arusha and warned traditional leaders against forcing the Maasai to uphold traditional beliefs. He also gave them a letter declaring the government allowed all citizens the freedom to practice their religion without hindrance.

In February a mob killed one person and severely injured another suspected of stealing from a church and desecrating a statue of the Virgin Mary in Silai village in Peramiho, Ruvuma Region. No further information was available at the end of the reporting period.

On November 21, residents of Masingini, Unguja, Zanzibar demolished two church buildings belonging to the Pentecostal Assemblies of God Church. At year's end, parishioners complained that the government had not followed up on the incident.

There were efforts to improve interfaith dialogue and societal tolerance during the reporting period.

During the year the Global Network for the Religion of Children (GNRC), an interfaith network of organizations and individuals specifically dedicated to securing the rights and well-being of children, held more than 50 workshops in Dar es Salaam Region for religious leaders and children of different faiths. In September the GNRC visited Zanzibar, where it held two workshops and a forum for adults and children on the significance of working together with people of other religions. It also held talks in Anglican and Catholic churches and a mosque. In November it held workshops in 22 schools in two districts of Dodoma, with an emphasis on interfaith cooperation on development projects.

During the reporting period, Christian, Muslim, Hindu, and other religious leaders drafted a constitution for the Interreligious Council of Tanzania, which is planned to function as a body to advise the government on peace initiatives.

#### 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.

During Ramadan the embassy engaged several hundred Muslims at iftars (evening meals during Ramadan) on the mainland and Zanzibar. The ambassador also hosted two interfaith luncheons for prominent Muslim and Christian religious leaders.

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