



## Tanzania

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **International Religious Freedom Report 2009**

**October 26, 2009**

The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The Government generally respected religious freedom 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 40 million, of which 38.8 million live on the mainland and 1.2 million on the Zanzibar archipelago, which has a president and semiautonomous political structure separate from the mainland political system. 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 is Muslim, and 3 percent are members of other religious groups.

On the mainland, Muslim communities are concentrated in coastal areas, with some large Muslim minorities also in inland urban areas. Between 80 and 90 percent of the Muslim population is Sunni; the remainder consists of several Shi'a 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 Baha'is. Zanzibar is 98 percent Muslim.

#### Section II. Status of Government Respect for Religious Freedom

##### Legal/Policy Framework

The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. The law at all levels protects this right in full against abuse, either by governmental or private actors.

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

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 courts

to judge matters of divorce, child custody, inheritance, and other matters covered in customary Islamic law. 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.

In March 2009 the National Muslim Council of Tanzania (BAKWATA) renewed its call for the establishment of a mainland kadhi court, an issue that has engendered heated debates among Muslim leaders, Catholic bishops, and other Christian groups in the past. This debate was revived during the 2008 parliamentary budget session when the Minister for Justice noted the Government was studying a report on the issue.

Zanzibar's court system generally parallels the mainland's legal system, and 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 comprised of the Zanzibar Chief Justice and five other sheikhs.

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.

On the mainland, BAKWATA elects a Mufti, the community's religious leader. 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 a public servant assisting with local governmental affairs.

The Zanzibar Mufti possesses the authority to settle all religious disputes involving Muslims, approve all Islamic activities and gatherings on Zanzibar, supervise all Zanzibari mosques, approve religious lectures by foreign clergy, and approve the importation of Islamic literature from outside Zanzibar. Under the 2001 Mufti Law, Zanzibar's mufti is able to recommend that the Chief Government Registrar approve or deny the registration of any Islamic organization.

Public schools may teach religion, but it is not part of the national curriculum. Parents or volunteers teach religion on an ad hoc basis. School administration and/or parent and teacher associations must approve the classes. Many private schools and universities are associated with religious institutions. There is an Islamic university in Morogoro, a Catholic university in Mwanza, numerous Islamic and Christian primary and secondary schools throughout the country, and a Baha'i secondary school in Iringa.

Religious organizations are banned from involvement in politics, and politicians are restricted 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 representatives who campaign in houses of worship or educational facilities.

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

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

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

#### Restrictions on Religious Freedom

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

#### Abuses of Religious Freedom

On March 18, 2009, police in Dodoma stopped two Christian evangelists from reading excerpts of the Qur'an during an open-air ceremony. The police temporarily detained both ministers and temporarily confiscated video recording equipment. The police released the ministers with a warning not to read the Qur'an during their sermons lest it antagonize the Muslim community and disrupt public order.

#### 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 who had not been allowed to be returned to the United States. Although some women traditionally take the religion of their husbands after marriage, this practice continued to decline.

#### Section III. Status of Societal Respect for Religious Freedom

There were a few reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Some tensions between Muslims and Christians persisted.

According to the March 15, 2009, edition of *Msemakweli*, BAKWATA sent a team to Iringa to investigate reports of persons who had forced Muslims working in a local tea manufacturing plant to eat pork and drink alcohol. The Government investigated the incident; a final report was pending at the end of the reporting period.

Members of a Pentecostal church in Zanzibar reported social tensions with Muslim neighbors arising from the church's outdoor services.

On March 14, 2009, Christian, Muslim, and Hindu leaders issued a joint statement supporting government efforts against the killings of persons with albinism for their body parts, promising to work together and with the Government to end the practice.

#### 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.