Tanzania

Released by the Bureau of Democracy, Human Rights, and Labor

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 period covered by this report.

Some societal tensions between Muslims and Christians persisted. There were a few cases of increased tension between secular and fundamentalist Muslims as the latter frequently called for Muslims to adopt a stricter interpretation of Islam in their daily lives.

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 million live on the mainland and 2 million on the Zanzibar archipelago, which has a semi autonomous political structure separate from the mainland political system. Current statistics on religious demography are unavailable because religious surveys were eliminated from government census reports after 1967. Religious leaders and sociologists estimate that the Christian and Muslim communities are equal in size, each accounting for 30 to 40 percent of the population, with the remainder consisting of practitioners of other faiths and traditional indigenous religions. However, 99 percent of the population on the Zanzibar archipelago is Muslim.

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 members of Jehovah’s Witnesses. There are also active communities of other religious groups, primarily on the mainland, such as Buddhists, Hindus, and Baha’is.

Section II. Status of 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 Constitution does not establish an official religion; it recognizes eight holidays, divided equally between Christian and Muslim holy days. There is also an unwritten rule that the presidency alternates between a Christian and a Muslim at least every 10 years, the normal cycle of a two-term president.

Customary and statutory laws govern Christians in both criminal and civil cases. Muslims are governed by
customary and statutory law in criminal cases; however, in civil cases involving family matters such as marriage, divorce, child custody, and inheritance, Islamic law is applied if both parties are Muslim and they agree to be adjudicated under Islamic law. Some Christian judges on the mainland continue to administer Islamic law for civil cases involving family law where all parties involved are Muslim. Some Muslim groups have protested this as inappropriate.

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. There was occasional debate during the reporting period about the establishment of Shari'a (Islamic law) in Zanzibar, but at present the number of advocates remained too small.

The Government requires religious organizations to 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, mosques belonging to the National Muslim Council of Tanzania (BAKWATA) elect a Mufti who, unlike in Zanzibar, is not a public servant. The Mufti is allowed to appoint his leadership from sheiks who are members of the Council.

Zanzibar elects its own President to serve as head of government for matters internal to Zanzibar and a parliament that can approve legislation pertaining to local affairs. The 2001 Mufti Law authorizes the President of Zanzibar to appoint an Islamic leader, or Mufti, to serve as a public employee of the Zanzibari Government. The 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.

Religion may be taught in public schools, but it is not part of the national curriculum. Such classes are common, although they are generally taught on an ad hoc basis by parents or volunteers. Classes must be approved by the school's administration and/or parent and teacher associations. Many schools and universities are associated with the Catholic Church. The country maintains an Islamic university in Morogoro and numerous Islamic schools in Zanzibar. Some private schools make religious classes compulsory for all students.

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 that is considered inflammatory and represents a threat to public order.

The Government does not designate religion on 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. The Government requires stating religion in police reports in cases where individuals are asked to give sworn testimony according to their religion. The Government requires children to indicate their religion on school registration forms so that children can be assigned to the appropriate religion class if the school offers religious instruction.

Government policy forbids discrimination against persons on the basis of 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 period covered by this report.

According to a letter of complaint dated April 2008 and addressed to the Kinondoni District Police Officer, leaders of the Full Salvation Church reported that police officers broke up a rally using batons and guns. Church leaders alleged that the police officers were bribed by Arabs who wanted the same outdoor space for their use. The letter also reported that police officers injured preachers at the rally, to the point they had to seek medical treatment.

Occasionally conflict arose between the Christian and Muslim communities over governmental decisions. In April 2008, a newspaper reported conflict between Muslims and Christians after the Government designated land for Muslims for the construction of a mosque that was originally designated for a public college. All land is owned by the Government and can only be leased to others for use and caretaking. Christian leaders demanded an explanation from the college leadership who were the original caretakers of the land. Christian leaders cited statutes that place a ban on religious institutions using government/public property. The mosque was under construction at the end of the reporting period.

In March 2008 a Muslim publication reported that Muslim primary school girls who wore the headscarf in public schools were being harassed by some of their teachers. A Muslim cleric complained that some children were not allowed to wear the headscarf in class. Although this situation did not appear to be widespread, there was more than one such incident reported during the reporting period.

On October 19, 2007, Reverend Christopher Mtikila, the Chairman of the opposition Democratic Party, petitioned the Dar es Salaam High Court challenging the Government's proposal to introduce a Kadhi court to adjudicate using Islamic law, claiming that this would undermine the secular nature of the state by violating the Constitution. Reverend Mtikila was arrested 1 month later and charged in court with distributing seditious material to different religious institutions. Mtikila was released on bail and announced that he would sue the Inspector General of Police for unlawful custody and also the local Radio Koran, which had been telling Muslims that the reverend's head should be cut off for interfering in matters of Islamic interest. The case was pending at the end of the reporting period. On November 12, 2007, the President, fearing that the issue of the Kadhi court could divide the country, urged citizens to be patient as the Government looked into the possibility of establishing the court.

In November 2006 Zanzibar’s Mufti recommended denying registration of two groups, the Baha’i Faith and the Islamic group Ahmadiyya, citing contradictions between the beliefs of these groups and Islam and adding that it was not for him to make a decision about another religion. However, the local authority refused to accept the petitions without the Mufti's approval. The Ahmadiyya filed suit against the Mufti's office in a regional magistrate's court in protest. The suit was dismissed and they filed an appeal. They lost the appeal and were denied permission to register in Zanzibar. The Baha’is did not pursue the denial of registration. However, leaders of the Baha’i Faith also admitted that they did not forcibly make the distinction that they are not a sect of Islam and therefore should not be subjected to the decision of the Mufti. Neither group sought registration after these initial attempts.

Some Muslim groups on the mainland claimed that they were required to submit a letter of recommendation from BAKWATA to register; however, such groups did not report any difficulties in obtaining one. There were no reports that the Government refused the registration of any group on the mainland.

Abuses of Religious Freedom

Some arrests related to religious activity. In March 2008 three Seventh-day Adventists were jailed for 2 years for keeping their children out of school in order to await the imminent return of Jesus Christ and the end of the world. In a similar event, a group of parents and teachers where arrested on March 27, 2008, for removing their children from school also to await the coming of Christ. The law requires that all school-age children attend school.

On March 30, 2008, an Anglican and a Baptist preacher were arrested for breaking the law against sedition and making public statements likely to cause a breach of the peace. They were accused of making public
statements against the Prophet Mohammed and, at the end of this reporting period, were being held in custody until a court date or bail money could be arranged.

In September 2007 Zanzibar Urban West Regional Police announced that anyone who ate in public during the fasting period would be prosecuted for not respecting Ramadan. On September 22, 2007, authorities on Pemba Island arrested and charged Said Ali Abdullah for drinking alcohol during Ramadan. At the end of the reporting period, the Mufti's office in Zanzibar confirmed the arrest but did not provide additional information about the outcome of the case.

Forced Religious Conversion

There were a few reports of forced religious conversion, but none included 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. The reports of forced religious conversion centered primarily on women who were forced to take the religion of their husbands after marriage.

Improvements and Positive Developments in Respect for Religious Freedom

Christian and Muslim leaders on Zanzibar came together April 7, 2008, to show solidarity during a memorial service for Amani Abeid Karume, the country's founding father and father of the current President of Zanzibar. After a local NGO, Uamsho, held a rally to criticize another interfaith event on the island of Pemba, part of the Zanzibar archipelago, the Zanzibar Mufti went on television on May 16, 2008, to urge Zanzibaris and Pembans to cooperate with persons of different religions.

Section III. Societal Abuses and Discrimination

Some societal tensions between Muslims and Christians persisted. During the reporting period, Christians complained on several occasions that Muslims were allowed to hold rallies until 1:00 a.m. but Christians had to end theirs by 9:00 p.m. Christian leaders brought their concerns to the district police commander, but officials took no action.

Religious organizations occasionally appealed to the secular civil authorities for assistance in resolving quasi-religious disputes over ownership of places of worship, leadership of religious organizations, or burial practices within their denominations. Clashes erupted on March 29, 2008, between Muslims and Christians over the body of Paul William Goliama, also known as Shaibu Goliama, who was born Christian, became Muslim, and returned to Christianity before his death. The police intervened by taking possession of the body pending a court decision, which ruled that Paul Goliama be buried a Christian.

Despite generally improved relations between religious groups, there were sporadic reports of religious-based violence and disturbances in various communities. Most reports of violence center on practitioners of animism. In January 2008 villagers in Idiwili, Mbeya region, fled their homes for fear of reprisal from the police after burning down the house of a Pentecostal preacher they accused of using witchcraft against them. Also, in October 2007 community members killed a man and his wife based on allegations of practicing witchcraft in Tanga region.

In December 2007 and March 2008, the Deputy Mufti of Zanzibar revoked the permit of the Daawa Islamic Youth Group, which had been allowed to preach throughout the country, for making defamatory statements against Christianity.

In October 2007 a member of the Christian NGO, Common God International, threatened to take two pop artists, Amani Temba and Lalama Masoud, the latter a Muslim, to court the next time they mentioned the name of Jesus Christ in a defamatory manner in their music.

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.

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