

MALAWI 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution prohibits discrimination based on religion and provides for freedom of conscience, religion, belief, and thought. An investigation by the Malawi Human Rights Commission regarding a 2016 case of religious discrimination against a Rastafarian student for wearing dreadlocks remained unresolved at the end of the year. Muslim leaders continued to express concern about the role of Christian religious education in state-funded schools and the impact of staggered school shifts on the ability of students to attend religious education after school hours.

Persons of all faiths continued to participate freely in business and civil society organizations together. Religious organizations and leaders regularly expressed their opinions on political issues, which received coverage in the media. In November the Public Affairs Committee, an umbrella organization for 25 Christian churches and 20 parachurch organizations, petitioned the speaker of parliament to accelerate action on long-awaited electoral reform bills.

U.S. embassy officials regularly sought input from leaders of religious groups on issues of religious freedom, such as the removal of a hijab for government identification photographs. The embassy hosted several events during the year to encourage intercommunal dialogue and to discuss community issues.

Section I. Religious Demography

The U.S. government estimates the total population at 19.2 million (July 2017 estimate). According to the 2016 Demographic and Health Survey, 86.9 percent of the population is Christian and 12.5 percent Muslim. Christian denominations include Roman Catholics at 18.1 percent, Central Africa Presbyterians at 17.4 percent, Seventh-day Adventist/Seventh-day Baptists (the survey groups the two into one category) at 6.9 percent and Anglicans at 2.6 percent. Another 41.9 percent fall under the “other Christians” category. Individuals stating no religious affiliation are 0.5 percent, and 0.1 percent represent other religious groups, including Hindus, Bahais, Rastafarians, Jews, and Sikhs.

The vast majority of Muslims are Sunni. Most Sunnis of African descent follow the Shafi’i school of Islamic legal thought, while the smaller community of mostly

ethnic Asians mostly follows the Hanafi school. There is also a small number of Shia Muslims, mostly of Lebanese origin.

According to the 2008 census, there are two majority-Muslim districts, Mangochi (72 percent) and Machinga (64 percent). These neighboring districts at the southern end of Lake Malawi account for more than half of all Muslims in the country. Most other Muslims live near the shores of Lake Malawi. Christians are present throughout the country.

Traditional cultural practices with a spiritual dimension are sometimes practiced by Christians and Muslims. For example, the *gule wamkulu* spirit dancers remain of importance among Chewas, who are concentrated in the central region of the country.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution prohibits discrimination on the basis of religion and provides for freedom of conscience, religion, belief, and thought. These rights may be limited only when the president declares a state of emergency.

The law states that holders of broadcast licenses “shall not broadcast any material which is...offensive to the religious convictions of any section of the population.”

Religious groups, like nonprofit organizations, must register with the government to be recognized as legal entities. Registered groups, like other legal entities, may own property and open bank accounts in the group’s name. Groups must submit documentation detailing the structure and mission of their organization and pay a fee of 1,000 kwacha (\$1). The government reviews the application for administrative compliance only. According to the government, registration does not constitute approval of religious beliefs, nor is it a prerequisite for religious activities, but allows a group to acquire land, rent property in its own name, and obtain utility services such as water and electricity. Religious groups may apply to the Ministry of Finance for tax exemptions regardless of registration status.

Detainees have a right to consult with a religious counselor of their choice.

Religious instruction is mandatory in public primary schools, with no opt-out provision, and is available as an elective in public secondary schools. According

to the constitution, eliminating religious intolerance is a goal of education. In some schools, the religious curriculum is a Christian-oriented “Bible knowledge” course, while in others it is an interfaith “moral and religious education” course drawing from the Christian, Islamic, Hindu, and Bahai faiths. According to the law, local school management committees, elected at parent-teacher association meetings, decide on which religious curriculum to use. Private Christian and Islamic schools offer religious instruction in their respective faiths. Hybrid “grant-aided” schools are managed by private, usually religious, institutions, but their teaching staffs are paid by the government. In exchange for this financial support, the government chooses a significant portion of the students who attend. At grant-aided schools, a board appointed by the school’s operators decides whether the “Bible knowledge” or the “moral and religious education” curriculum will be used.

Foreign missionaries are required to have employment permits.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Several Muslim women reported that Department of Road Traffic and Safety Services (DRTSS) photographers required they remove their hijab to take their driving license picture. Alerted by the Muslim Association of Malawi (MAM), the DRTSS issued a statement in May reaffirming that Muslim women were free to wear a hijab when taking pictures for official documents as long as their faces and eyes were visible. However, MAM continued to receive reports every few months of DRTSS staff asking Muslim women to remove their hijab for identification photographs.

Representatives of the Rastafarian community reported children with dreadlocks continued to be prohibited from attending certain public schools. Children are usually required by school policy to shave their heads to attend. Most Rastafarian parents relented and shaved their children’s heads, but the children of several families continued to be denied access to public school, and at least one child dropped out of school because of her dreadlocks. In September a child who through a highly competitive process had been selected to attend Malindi Secondary School in Zomba was denied enrolment because of his hair. The Malawi Human Rights Commission continued to investigate the issue of Rastafarian children’s access to education. In January the solicitor general reaffirmed in writing Rastafarian children’s constitutional rights to education, but

as of the end of the year, the Ministry of Education had taken no further measures to ensure access.

Some Muslim groups continued to request the education ministry to discontinue use of the “Bible knowledge” course and use only the broader-based “moral and religious education” curriculum in primary schools, particularly in predominantly Muslim areas. The issue arose most frequently in grant-aided, Catholic-operated schools.

Muslim organizations continued to express concern about the impact of operating schools in two shifts. Due to rapidly rising enrollment, certain schools in urban areas offered classes in two shifts – one in the morning and another in the afternoon, or staggered start and end times. Muslim groups stated the shifts complicated the delivery of religious education at madrassahs in the afternoon on government school premises.

Most government meetings and events began and ended with a prayer, usually Christian in nature. At larger events, government officials generally invited clergy of different faiths to participate.

During events marking the Catholic Church’s 51st Communications Sunday on August 2, Information Minister Nicholas Dausi praised the country’s Catholic media services for their evangelization work and expressed continued government encouragement of Catholic media organizations.

In November President Mutharika gave official comments at the opening of the annual Muslim gathering where Muslims shared experiences and challenges facing their religion. President Mutharika commended the Muslim community for its contributions to the development of the country and emphasized the freedom to worship and the peaceful co-existence of religions.

Section III. Status of Societal Respect for Religious Freedom

Christians, Muslims, and Hindus often participated in business or civil society organizations together, including in Rotary and Lions clubs. Religious organizations and leaders regularly expressed their opinions on political issues and their statements received coverage in the media. In March the General Assembly of the Church of Central Africa Presbyterian, the country’s largest denomination, engaged with the president on the issue of unabated corruption. In October the Evangelical Association of Malawi released a statement calling on the government

to table and enact the political parties' bill, which seeks to enhance transparency in party funding, in preparation for the 2019 elections. In November the Public Affairs Committee petitioned the speaker of parliament to accelerate consideration of long-awaited electoral reform bills.

Religious groups operated at least 18 radio and 10 television stations. Approximately 80 percent of radio stations are Christian affiliated, while 20 percent are Muslim affiliated.

Section IV. U.S. Government Policy and Engagement

The embassy regularly invited leaders of religious groups to embassy events, and embassy officials engaged them regularly on issues of religious freedom. In January the Ambassador hosted an interfaith luncheon with 30 representatives of various denominations to commemorate U.S. National Religious Freedom Day and encourage intercommunal dialogue. During Ramadan, the Ambassador held an iftar dinner engaging with local Muslim leaders in discussions on community issues. Embassy officials regularly engaged local religious leaders of diverse faith traditions and faith-based organizations as allies in program planning and implementation of health and humanitarian assistance needs. Embassy officials also often met with representatives of religious groups, including an October meeting with leadership of the Muslim Association of Malawi, the largest Islamic association in the country, to discuss their organizational plans and concerns, in particular regarding removal of the hijab for government identification photographs.