

MALAWI 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution prohibits discrimination based on religion and provides for freedom of conscience, religion, belief, and thought. A court case involving a Rastafarian child's ability to attend school with dreadlocks remained pending, and by court order, the child was able to attend school with his hair intact pending conclusion of the litigation. Seven other Rastafarian students who had been denied enrollment registered complaints, and on January 4, the High Court in Zomba granted an injunction compelling the Ministry of Education to allow all Rastafarian children to be admitted and enrolled in government schools. Upon the reopening of schools following the COVID-19 shutdown, the Rastafarian students' attorney received complaints from seven additional Rastafarian students who had been denied enrollment. In July, the city council in Blantyre removed a billboard urging persons to read the Quran after having read the Old Testament and New Testament, stating it was a "recipe for religious conflict." Following mediation by an interfaith civil society organization, the two sides agree to a reworked billboard message that highlighted reading the Quran only. Muslim organizations continued to request the Ministry of Education to discontinue use of the "Bible knowledge" course and use only the broader based "moral and religious education" curriculum in primary schools, particularly in areas inhabited predominantly by Muslims.

According to media reports, religious conflicts often arose related to locally promulgated school dress codes. On September 18, a Joint Technical Team was established under the guidance of the Public Affairs Committee comprising seven Muslims and seven Christians to engage in dialogue on general dress codes in schools. On October 28, a group of Muslim individuals set fire to the office of the head teacher of a primary school in a majority-Muslim district after he turned away a female student wearing the hijab.

U.S. embassy officials engaged with religious leaders from Christian, Muslim, and other faiths to discuss religious freedom, interreligious relations, and community engagement. The Ambassador hosted an interfaith event in commemoration of U.S. National Religious Freedom Day, and the embassy facilitated discussions between the country's Christian and Muslim communities and the visiting nonresident Israeli Ambassador.

Section I. Religious Demography

The U.S. government estimates the total population at 19.8 million (midyear 2020 estimate). According to the 2018 census, 77.3 percent of the population is Christian and 13.8 percent Muslim. Christian denominations include Roman Catholics at 17.2 percent of the total population, Central Africa Presbyterians at 14.2 percent, Seventh-day Adventist/Seventh-day Baptists (the survey groups the two into one category) at 9.4 percent, Anglicans at 2.3 percent, and Pentecostals at 7.6 percent. Another 26.6 percent fall under the “other Christians” category. Individuals stating no religious affiliation are 2.1 percent, and 5.6 percent represent other religious groups, including Hindus, Baha’is, 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 2018 census, there are two majority-Muslim districts, Mangochi (72.6 percent) and Machinga (66.9 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 ethnic 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 must register with the government to be recognized as legal entities. To do so, 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 endorsement of religious beliefs, nor is it a prerequisite for religious activities. Registration allows a religious group to acquire land, rent property in its own name, and obtain utility services such as water and electricity.

The law authorizes religious groups, regardless of registration status, to import certain goods duty free. These include religious paraphernalia, vehicles used for worship-related purposes, and office equipment. In practice, however, the Ministry of Finance rarely grants duty exemptions to registered groups.

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 Baha’i 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.

National school policy requires children to wear closely shaven hair to attend but makes exceptions for religious and health reasons.

Foreign missionaries are required to have employment permits.

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

Government Practices

On January 4, the High Court in Zomba granted an injunction compelling the Ministry of Education to allow all Rastafarian children to be admitted and enrolled in government schools. The court action came in response to a case filed in 2017

that involved a child who was denied enrollment to the Malindi Secondary School in Zomba due to his dreadlocks, as well as another case in 2019, in which the attorney requested that the court ruling be broadened to cover all Rastafarian students. Following the issuance of the injunction, the Attorney General asked, and the attorney for the Rastafarian students agreed, to settle the matter out of court, since the Ministry of Education was willing to enforce the injunction. Implementation of the injunction became temporarily moot when schools were closed from March 20 to September 7 in response to the COVID-19 pandemic. Upon the reopening of schools, the Rastafarian student's attorney received complaints from seven Rastafarian students who had been denied enrollment. The Attorney General and the attorney agreed that there was no legal justification for the denied enrollments. On October 23, the Attorney General and the attorney formally communicated their views to the Ministry of Education, and the Ministry agreed to enroll the students. At year's end, all Rastafarian students were enrolled in school.

During the night of July 29, Blantyre City Council workers removed a street billboard that the Muslim Association of Malawi's (MAM) Islamic Information Bureau had erected to advertise the Quran, following complaints by the Evangelical Association of Malawi (EAM). The billboard, which read, "If you have read the Old Testament and the New Testament, now read the Last Testament, The Quran, the Ultimate Miracle," was said to be "unacceptable and a recipe for religious conflict in the country" by the Blantyre College of Spiritual Fathers. The interfaith civil society organization, the Public Affairs Committee mediated between EAM and MAM, and a reworked billboard message reading, "Read the Quran, the Ultimate Miracle" was agreed on by both sides.

In contrast with previous years, neither of the Muslim associations in the country reported that female students were asked to remove their hijab in order to have their pictures taken for secondary school examination identification cards. The two organizations also reported that there were no cases of Department of Road Traffic and Safety Services photographers asking Muslim women to remove their hijabs before taking photographs for driver's licenses, as had occurred in previous years.

According to media reports, conflicts often arose related to school dress codes, established locally, prescribing a particular uniform and appearance that did not allow female students to wear the hijab. The conflicts most often arose when religious schools that received government money turned students away in violation of national policy. The reports stated that some religious school leaders

believed, erroneously, that religious schools could make their own policies; in fact, only if they were fully private and received no government funds could they do so.

On September 18, a Joint Technical Team was established under the guidance of the Public Affairs Committee, comprising seven Muslims and seven Christians, to foster dialogue on general dress codes in schools.

Muslim organizations continued to request that the education ministry discontinue use of the optional “Bible knowledge” course and use only the broader-based “moral and religious education” curriculum in primary schools, particularly in predominantly Muslim areas. According to Alhaji Twaibu Lawe, the MAM secretary general, the issue arose most frequently in grant-aided, Catholic-operated schools.

Rastafarians continued to object to laws making the use and possession of cannabis a criminal offense in the country, stating its use was a part of their religious doctrine.

Religious organizations and leaders regularly expressed their opinions on political issues, and their statements received coverage in the media. On June 27, the Episcopal Conference of Malawi issued a statement on the successful conduct of the June 23 court-mandated presidential elections. On August 6, the Public Affairs Committee held an interfaith dialogue with Lazarus Chakwera, the newly elected President of Malawi, and publicly released remarks on the meeting.

In September, President Chakwera promised to open a diplomatic mission in Jerusalem, the first African nation to do so. Foreign Minister Eisenhower Mkaka reiterated the plan during a visit to Israel in November. Commentators attributed the government’s ability to make this move, in part, to what they stated was the high level of religious tolerance in the country, noting the prior election of an Israeli-born Jew as a member of parliament.

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. On July 16, President Chakwera declared three days of prayer and fasting for “religiously inclined citizens” against the COVID-19 pandemic. The President also asked citizens to observe a National Day of Thanksgiving on July 19. The prayers were conducted in compliance with COVID-19 guidelines.

Section III. Status of Societal Respect for Religious Freedom

On October 28, a group of Muslim individuals set fire to the office of the head teacher of Mpiri Catholic Primary school, as well as to a house on school premises, after the teacher turned away a female student wearing a hijab. Mpiri is in Machinga District, where Muslims are in the majority. The head teacher and 28 others were transferred elsewhere for their own safety, and the school was temporarily closed. Police investigated the incident. Following a 2019 incident in neighboring Balaka District, the Ministry of Education, adopting a “nondiscrimination approach” that allowed religious dress in schools, including schools run by religious organizations, had issued guidance stating that female Muslim students should be allowed to wear the hijab.

Religious groups operated at least 18 radio and 10 television stations. Approximately 80 percent of the radio stations in the country were Christian-affiliated, while 20 percent were Muslim-affiliated.

Section IV. U.S. Government Policy and Engagement

U.S. embassy officials engaged with representatives of religious groups from Christian, Muslim, and other faiths to discuss religious freedom, interreligious relations, and community engagement.

On January 23, the Ambassador hosted an interfaith event to commemorate U.S. National Religious Freedom Day at which embassy officials and local religious leaders discussed interfaith coexistence and religious leaders’ and organizations’ relationships with the government.

The embassy facilitated discussions between the country’s Christian and Muslim communities and the visiting nonresident Israeli Ambassador.