

# **BOTSWANA 2022 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution provides for freedom of religion, with certain exceptions, and for protection against governmental discrimination based on creed. It also provides for freedom of thought and religion, the right to change religion or belief, and the right to manifest and propagate religion or belief in worship, teaching, practice, and observance.

In February, the government amended the Societies Act, which governs the operations of businesses, societies, and organizations, including churches, to protect those organizations against financial abuse and strengthen the act's compliance with the country's anti-money-laundering regime. This move drew significant resistance from interfaith groups, who said they were not consulted. Some members of the Botswana Council of Churches (BCC) said they had reservations regarding a clause in the amended act that would prevent clergy charged or convicted under the act from being appointed to future religious positions, even after completing their sentences. They also stated that churches should not be regulated by the broader Societies Act, but by a separate law covering religious groups only. The BCC also raised its concerns with President Mokgweetsi Masisi. The government continued to pursue court cases involving unregistered churches and required pastors of some of those churches to apply for visas – even those from countries whose nationals were normally allowed visa-free entry.

Representatives of religious organizations, including Christian and Muslim, again said that interfaith relations were strong. BCC members described their project with the Ministry of Health to address issues of alcohol and substance abuse. The representatives agreed that there was a high degree of tolerance for religious diversity in the country. The Botswana Muslim Association visited the Gaborone Prison regularly to minister to Muslim prisoners.

U.S. embassy officials met on several occasions with representatives of religious groups to discuss religious freedom, interreligious relations, community engagement, and the role of the interfaith community in social change. Specific topics included the impact of the amended Societies Act on religious groups,

government tolerance of minority religious groups, and the importance of interfaith cooperation to address community challenges.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 2.4 million (midyear 2022). According to the country's 2011 Population and Housing Census data on the population, age 12 and older (the most recent government data available on religious membership), 79 percent of citizens are members of Christian groups, 15 percent espouse no religion, 4 percent are adherents of the Badimo indigenous religious group, and all other religious groups together constitute less than 2 percent of the population. The World Religion Database estimated in 2020 that 71.6 percent of the population are Christian, 27 percent members of indigenous religious groups, such as the Badimo, with all other religious groups, or those not espousing religion, comprising the remainder.

Anglicans, Methodists, and members of the United Congregational Church of Southern Africa make up the majority of Christians. There are also Lutherans, Roman Catholics, members of The Church of Jesus Christ of Latter-day Saints, Seventh-day Adventists, Jehovah's Witnesses, Baptists, Mennonites, and members of the Dutch Reformed Church and other Christian denominations. According to the 2011 census, there are approximately 11,000 Muslims (more recent sources suggest a number of approximately 8,000), many of whom are of South Asian origin. There are small numbers of Hindus, Baha'is, Buddhists, Sikhs, and Jews. Immigrants and foreign workers are more likely to be members of non-Christian religious groups than native-born citizens.

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

### **Legal Framework**

Under its broader protections of freedom of conscience, the constitution provides for freedom of thought and religion, the right to change religion or belief, and the right to manifest and propagate religion or belief in worship, teaching, practice, and observance. The constitution's provision of rights also prohibits discrimination based on creed. The constitution permits the government to restrict these rights in the interest of protecting the rights of other persons,

national defense, public safety, public order, public morality, or public health when the restrictions are deemed “reasonably justifiable in a democratic society,” such as during the 2020-22 COVID-19 crisis, when the government limited the size of regular religious gatherings and meetings.

The constitution permits religious groups to establish places for religious instruction at their expense. The constitution prohibits requiring religious instruction or participation in the religious ceremonies of a religion other than one’s own. The constitution also prohibits compelling an individual to take an oath contrary to that individual’s religious beliefs. The penal code criminalizes hate speech towards any person or group based on “race, tribe, place of origin, color or creed” and imposes a maximum fine of 500 pula (\$39) per violation. Hate speech is defined as saying in public or publishing anything that “expresses hatred against a person because of their race, tribe, place of origin, color or creed.”

All organizations, including religious groups, must register with the government. To register, a group must submit its constitution to the Registrar of Societies section of the Ministry of Labor and Home Affairs. Registration enables religious groups to conduct business, sign contracts, and open a local bank account. In order to register, new religious groups must have a minimum of 150 members. For previously registered religious groups, the membership threshold is 10. Any person who manages, assists in the management of, or holds an official position in, an unregistered group is subject to a fine of up to 1,000 pula (\$79) and up to seven years in prison. Any member of an unregistered group is subject to penalties, including fines up to 500 pula (\$39) and up to three years in prison. According to 2019 data from the Registrar of Societies (the latest available), there are 2,318 registered religious organizations in the country. In February, the government amended the Societies Act with the stated aim of countering money laundering. The amended Societies Act requires all societies, including registered religious groups, to reregister with the Registrar of Societies. It also introduces qualification criteria for the officers of registered societies, including pastors, who are required to possess theology certification from a reputable institution to ensure that they are fit to perform their functions.

Government policy permits students to wear a hijab or religiously based head covering in public schools.

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

### **Government Practices**

Leaders of some interfaith groups said they were dissatisfied that the government did not consult with them regarding the amendments to the Societies Act that addressed money laundering. BCC members said they had reservations concerning a clause in the amended act that stipulates that any member of the clergy who was convicted and charged for any offense should not be appointed to any religious position even after serving his or her sentence. The BCC elevated its concerns to President Masisi. They also stated that churches should not be regulated by the Societies Act and called for the government to develop a separate law that would govern the conduct of all religious groups.

The government continued to pursue court cases involving unregistered churches (sometimes called “fire churches”) it said were coming into the country to “take advantage of” local citizens by demanding tithes and donations for routine services or special prayers. The government required all pastors to have a certificate in theology and further required pastors of some of the unregistered churches to apply for visas – even those from countries whose nationals were normally allowed visa-free entry. The government said in 2019 that it was reviewing the visa policy for these foreign pastors, but as of year’s end, authorities had not released the results of this review or announced any changes.

Optional religious education remained part of the curriculum in public schools. This curriculum continued to emphasize Christianity, but it also discussed other religions practiced in the country. Government regulation of private schools did not distinguish among Christian, Muslim, or secular schools.

Although government meetings usually opened with a Christian prayer, members of non-Christian groups occasionally led prayers as well.

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

Representatives of religious organizations, including Christian and Muslim, again said that interfaith relations were strong. BCC members described their project with the Ministry of Health to address the country’s widespread alcohol and

substance abuse problem through joint workshops and awareness raising. The representatives agreed that there was a high degree of tolerance for religious diversity in the country. The Botswana Muslim Association visited Gaborone Prison regularly to teach about Islam and provide religious guidance to prisoners.

#### **Section IV. U.S. Government Policy and Engagement**

U.S. embassy officials regularly engaged with Muslim, Buddhist, Christian, and other religious representatives to discuss issues related to religious freedom, interreligious relations, and community engagement. The main issue of concern centered around the amended Societies Act and its impact on organized religious groups. BCC members outlined their misgivings regarding the act and recounted details of their meetings with government officials on the issue. Other general topics discussed included the government's tolerance of minority religious groups and interfaith cooperation to address community challenges.