

MALAWI 2018 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution prohibits discrimination based on religion and provides for freedom of conscience, religion, belief, and thought. Rastafarian children continue to be denied enrollment in public school unless they shaved their dreadlocks. A test case remained pending and, by court order, the child involved was attending school with his hair intact pending conclusion of litigation. The Malawi Human Rights Commission sided with the child and joined the case *amicus curiae*. Muslim leaders reported that Muslim female students were required to remove their headscarves to attend class in some public schools.

In February United Religious Initiative, a global interfaith network, organized its annual “World Interfaith Harmony Week,” which entailed a tour of houses of worship, speeches highlighting the importance of interfaith dialogue, soccer and netball matches, and activities encouraging peaceful coexistence. More than 7,000 persons from various religious groups attended.

In an effort to foster collaboration with influential interfaith leaders, the Charge d’Affaires hosted a luncheon with 30 representatives from various religious groups to celebrate the U.S. Religious Freedom Day. The Ambassador and senior embassy officials attended iftars, engaging with local Muslim leaders on issues affecting their coreligionists. U.S. embassy officials also regularly sought input from leaders of religious groups on issues of religious freedom and tolerance. To encourage interfaith and civil dialogue among religious, civil society, and political leaders, the embassy regularly invited religious leaders of different faiths to its events.

Section I. Religious Demography

The U.S. government estimates the total population at 19.8 million (July 2018 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 of the total population, 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, 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 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 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 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 even 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.

Foreign missionaries are required to have employment permits.

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

Government Practices

Despite guidance from the Department of Road Traffic and Safety Services (DRTSS), the Muslim Association of Malawi (MAM) continued to report that some DRTSS photographers required Muslim women to remove their hijabs to take their driving license picture.

MAM reported that some teachers asked female students to remove their headscarf in order to attend class. Muslim leaders also continued to express concern about staggered school shifts that complicated the organization of after-school religious education.

Muslim organizations also 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.

Representatives of the Rastafarian community continued to report that public school principals prohibited children with dreadlocks from attending certain public schools. Although in January 2017 the solicitor general reaffirmed in writing Rastafarian children's constitutional rights to education, school policy usually requires children to shave their heads to attend. By year's end, the Ministry of Education had taken no further measures to ensure access. Most Rastafarian parents relented and shaved their children's heads, but the children of several families continued to be denied access to public school by principals. A child who was selected through a highly competitive process to attend Malindi Secondary School in Zomba was denied enrollment in September 2017 because of his hair. He was allowed to attend school with dreadlocks after a December 2017 Zomba High Court ordered that he be enrolled pending the conclusion of litigation initiated by the Malawi Women Lawyer Association on his behalf. The Malawi Human Rights Commission officially joined the case as a plaintiff filing an *amicus* brief. As of the end of the year, the case remained pending. Several families whose children were also denied education or were forced to shave their heads to enroll were in the process of joining the suit.

Rastafarians continued to object to the laws making use and possession of cannabis a criminal offense in country, noting that it is 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. In April and June the Episcopal Conference of Malawi (Catholics) and the Evangelical Association of Malawi released pastoral letters denouncing poor governance, corruption, and political violence.

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 October 28, at a government-convened national prayer for good rains, President Peter Mutharika hailed religious organizations' role in service delivery but warned them not to get involved in politics and "stick to their mandate."

Section III. Status of Societal Respect for Religious Freedom

In February the United Religious Initiative organized its annual “World Interfaith Harmony Week,” which included a tour of houses of worship such as St. Peter’s Anglican Church, Falls Area 1 Mosque, the Rastafarian Tabernacle, and the Shree Hindu Seva Samaj Temple in Lilongwe. Other activities included soccer and netball matches as well as speeches highlighting the importance of interfaith dialogue and activities encouraging peaceful coexistence. Political parties that participated included the United Democratic Front, Malawi Congress Party, Peoples Party, and the ruling Democratic Progressive Party. Participating religious groups included Christians, Muslims, Buddhists, Hindus, Rastafarians, Jews, and indigenous traditional representatives. More than 7,000 persons attended the event throughout the week.

Christians, Muslims, and Hindus often participated in business or civil society organizations together, including in Rotary and Lions clubs.

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

Section IV. U.S. Government Policy and Engagement

The embassy regularly engaged religious leaders on issues of religious freedom. In January the Charge d’Affaires hosted an interfaith luncheon with 30 representatives of various denominations to commemorate U.S. Religious Freedom Day and encourage interfaith dialogue. During Ramadan, a senior embassy official attended an iftar dinner engaging with local Muslim leaders in discussions on community issues. Another embassy official attended a documentary film screening and discussion on religious freedom at the Baha’i temple. 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 engaged representatives of religious groups, such as MAM, the largest Islamic association in the country, regarding girls being denied access to school for wearing headscarves. They also discussed with leaders of the Rastafarian community the issue of Rastafarian children with dreadlocks being denied access to school.