

THE GAMBIA 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution stipulates the right of all to enjoy, practice, profess, maintain, and promote any religion, so long as they do not impinge on the rights of others or on the national interest, and prohibits religious discrimination and the establishment of a state religion. It bans religiously-based political parties. Police enforced a decision by the Supreme Islamic Council, closely allied with the government, mandating all Muslims observe the start of Eid al-Fitr on the date chosen by the council. The government arrested and put on trial two community leaders who chose to observe Eid prayers a day later. The president fired the imam of the State House Mosque, a day after the imam called for banning and expulsion of Ahmadi Muslims.

The Interfaith Group for Dialogue and Peace, comprising representatives from the Muslim, Christian, and Bahai communities, met regularly to discuss matters of mutual concern, such as religious freedom and the need to live together in harmony.

The U.S. embassy regularly engaged with government officials, religious groups, and religious leaders concerning religious tolerance and the importance of respect for religious freedom. The embassy hosted a series of iftars with regional governors where participants emphasized a message of religious freedom.

Section I. Religious Demography

The U.S. government estimates the total population at 1.9 million (July 2014 estimate). According to religious leaders, an estimated 90 percent of the population is Muslim, most of which is Sunni. Islamic groups include Malikite, Qadiriyyah, and Sufism/Tijaniyyah. There are also small numbers of Ahmadi and Ndigal Muslims.

The Christian community, situated mostly in the west and south of the country, is 9 percent of the population. It is predominantly Roman Catholic, but there are also several Protestant groups including Anglicans, Methodists, Baptists, Seventh-day Adventists, and various evangelical denominations. Approximately 1 percent of the population practices indigenous animist religious beliefs, although many maintain some traditional practices while also adhering to Islamic or Christian

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beliefs. There is a small community of Hindus among South Asian immigrants and business persons.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution states that “every person shall have the freedom to practice any religion and to manifest such practice.” It stipulates the right of all to enjoy, practice, profess, maintain, and promote any religion so long as they do not impinge on the rights of others or on the national interest, especially unity. It prohibits religious discrimination and the establishment of a state religion and provides for equality before the law regardless of religion. The constitution bans political parties organized on a religious basis.

The constitution establishes *qadi* courts, with Muslim judges trained in the Islamic legal tradition, in specific areas that the chief justice determines. The *qadi* courts are located in each of the country’s seven regions and apply sharia law. Their jurisdiction applies only to marriage, divorce, custody over children, and inheritance questions for Muslims. Sharia also applies to interfaith couples where there is one Muslim spouse. Non-*qadi* district tribunals, which deal with issues under customary and traditional law, apply sharia, if relevant, when presiding over cases involving Muslims. A five-member *qadi* panel has purview over appeals regarding decisions of the *qadi* courts and non-*qadi* district tribunals relating to sharia.

There are no formal guidelines for registration of religious groups, but faith-based nongovernmental organizations (NGOs) must meet the same eligibility criteria as other NGOs. All NGOs are required to register with the NGO Affairs Agency under the Protocol of Accord, and must register as charities at the Attorney General's Chambers under the Companies Act. They are required to have governing boards of directors of at least seven members responsible for policy and major administrative decisions including internal control. The NGO Decree requires all NGOs to submit to the NGO Affairs Agency a detailed annual work program and budget, a detailed annual report highlighting progress on activities undertaken during the year, work plans for the following year, and financial statements audited by NGO Affairs Agency-approved auditors.

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The law requires all public and private schools throughout the country to include basic Muslim or Christian instruction in their curricula, depending on the affiliation of the majority of the student body. Students cannot opt out of these classes. The government provided religious teachers to schools that could not recruit such teachers.

Government Practices

The Supreme Islamic Council (SIC), a faith-based nongovernmental organization with close ties to the government, declared Eid al-Fitr to fall on July 28. Traditionally, various groups wait to observe the first glimpse of the crescent moon themselves or await a decision from their local imam to decide on the date for Eid-al-Fitr. During his remarks at an Eid al-Fitr gathering on July 28, President Jammeh ordered a ban on performing Eid prayers on the following day, July 29. On July 29, police enforced the ban in the Greater Banjul area and the West Coast Region, surrounding mosques and preventing residents from praying. Police arrested Sheikh Muhideen Hydera, Khaliph General of Darsilami Sangajor in Foni Kansala district, and Buyeh Touray, the *alkalo* (local leader) of the same village, for observing the Eid prayers on July 29. The Brikama Magistrate Court later granted bail at the sum of D100, 000 (approximately \$2,200). During the trial on August 18, they were charged with “conspiracy and disobedience to lawful order,” which they denied. The police officer who made the arrest maintained that he was acting under orders from his superior. At year’s end, the case was ongoing.

The Ministry of Basic and Secondary Education ordered the Brikama Methodist Upper Basic and Senior Secondary School and Longman Memorial Lower Basic School to cease operations on November 13, because of their failure to include Islamic teachings in the curriculum for their majority-Muslim student body. The schools were allowed to reopen on December 1, when they agreed to allow Islamic instruction. The schools also continued to offer Christian instruction to their Christian students.

On November 4, the president relieved the Imam of the State House Mosque in Banjul, Oustass Abdoulie Fatty, of his position. The presidential press release provided no reason for the change. Imam Fatty’s termination was widely attributed to comments he had made a day earlier, characterizing Ahmadi Muslims as “not part of the Islamic Faith,” and asserting that they should be banned and expelled from the country.

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In October the government invited a renowned and controversial Islamic scholar from India, Dr. Zakir Naik, who delivered lectures defending President Jammeh's ban on Muslims performing Eid prayers on any date other than the Supreme Islamic Council's chosen date. Dr. Naik also supported President Jammeh's anti-homosexual stance and his view that Muslims cannot be gay. The government publicized his lectures in a pro-government newspaper.

Section III. Status of Societal Respect for Religious Freedom

On November 5, the Ahmadiyya leadership issued a public statement reacting to Imam Fatty's call to ban their group: "If the government and people of this country had not been sensible to discern your true intent, there might have been a civil strife here due to your fiery way of preaching." There were no other public reactions noted in local newspapers.

There were numerous reactions to President Jammeh's decision to ban Eid prayer on the day following the Supreme Islamic Council's declared date. One opposition leader questioned why his executive order only stretched to the West Coast Region, while Muslims in other regions could pray without restriction. A police officer who testified in the trial of those arrested for praying questioned why the accused were on trial.

The Interfaith Group for Dialogue and Peace, comprising representatives from the Muslim, Christian, and Bahai communities, met regularly to discuss matters of mutual concern, such as religious freedom and the need to live together in harmony. The Christian component of the interfaith group was represented by the Gambia Christian Council, which included three Christian denominations: Anglican, Catholic, and Methodist.

Intermarriage between Muslims and Christians was common. However, there was anecdotal evidence from Christian minorities that individuals converting to Christianity through marriage sometimes experienced hostility from Muslim neighbors and family members.

Section IV. U.S. Government Policy

In July the U.S. embassy hosted iftars with the governors of the respective regions in Basse, Upper River Region; Janjanbureh, Central River Region; Mansakonko, Lower River Region; at the regional education directive in Brikama, West Coast

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Region; and at the Kerewan Area Council, North Bank Region. At each of the iftars, the Charge d’Affaires and the governors cited the importance of religious freedom, highlighting the country’s record of religious tolerance and peaceful co-existence among people of diverse faiths.

On August 7, the U.S. embassy hosted a discussion on religious tolerance. Religious leaders Father Edu Gomez, Father Peter Gomez, Dr. Omar Jah, and Imam Sheikh Cham discussed personal experiences in dealing with religious tolerance and used examples from religious texts. The speakers emphasized the shared humanity and similarity in values between Islam and Christianity and a strong sense of community as a reason for the long tradition of religious tolerance in the country.