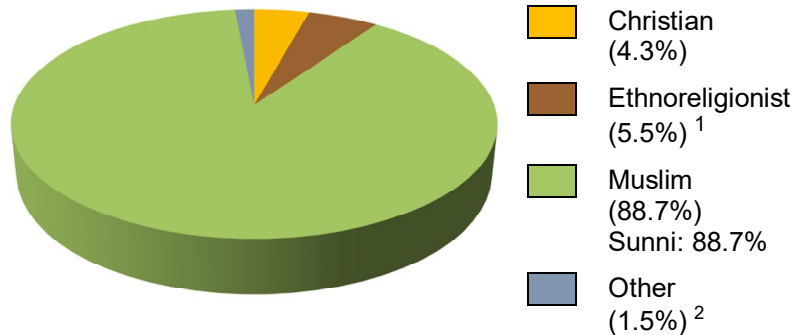


# GAMBIA



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<b>Area:</b> 11,295 km <sup>2</sup>	<b>Population<sup>3</sup>:</b> 1.97 million	<b>Political system:</b> Autocracy <sup>4</sup>	<b>Major Language(s):</b> English
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## Legal framework on freedom of religion and actual application

The Republic of The Gambia was until recently a secular state, according to its constitution. However, shortly before Christmas 2015, the long-ruling Gambian head of state, President Yahya Jammeh, proclaimed the “Islamic Republic of the Gambia”. This makes it, after Mauritania, the second formal Islamic Republic in Africa.<sup>5</sup>

What does this mean in practice for The Gambia and for the region? Many people see this step by President Jammeh as a clear signal that all non-Muslims are formally excluded. For years now The Gambia has been the focus of attention of human rights organisations, such as Amnesty International, which accuse President Jammeh of glaring human rights abuses, in particular against freedom of expression and press freedom. Critics of the regime have been imprisoned, they claim, and, according to some reports, tortured.<sup>6</sup>

“The fate of The Gambia lies in the hands of Allah, the Almighty,” said President Jammeh, according to information from the presidential office on 10<sup>th</sup> December 2015. He was speaking in Brufut, 25km from the capital Banjul, during a tour of this tiny African country.<sup>7</sup> He told state television: “As Muslims are the majority in the country, The Gambia cannot afford to continue the colonial legacy. As from today, [The] Gambia is an Islamic state. We will be an Islamic state that respects the rights of its citizens.”<sup>8</sup>

At the same time, he maintained that Christians and members of other religions in The Gambia would continue to be able to practise their faiths. “No one has the right to interfere in their way of life,” the President said, adding that the Christian feast of Christmas would continue to be respected. Women would also be allowed to dress as they wished. He gave no official explanation as to what implications this change would otherwise have.

President Jammeh has ruled over this country since seizing power in a coup 21 years ago. Since then, he has been elected as president for four successive terms, in 1996, 2001, 2006 and 2011. In 2002 he pushed through constitutional changes allowing the president to be re-elected repeatedly, without restrictions. President Jammeh is a practising Muslim who frequently appears in public with the *Qur'an* in his hand. Many Gambians attribute mystical powers to him. In March 2014 he announced that The Gambia would cease to use English as the official national language and would instead decide upon an African language, though to date no changes have been introduced.<sup>9</sup>

In 1888 The Gambia became a distinct colony under British rule, and in 1965 it gained independence as part of the British Commonwealth. In October 2013 President Jammeh announced that The Gambia was leaving the Commonwealth, since this English-speaking union was, in his view, a “colonial” establishment.

Last year, more than 11,500 people left The Gambia. According to UN data, The Gambia is one of the poorest countries in the world. Islam is the dominant religious and cultural force in The Gambia. Many Muslims belong to Sufi brotherhoods, for example Tijaniya, Qadiriya and Muradiya, which are known for their particular form of mysticism and their belief in non-violence. Catholics make up the majority of Christians, but there are also Anglican and other Protestant as well as Pentecostal communities.

## **Incidents**

In early January 2016, less than a month after the president declared The Gambia an Islamic Republic, in a memo to staff, female government employees were ordered to wear headscarves at work. Apparently, the president, Yahya Jammeh, had personally issued the directive.<sup>10</sup> However, there was widespread protest, and a short time later the ban was lifted again. According to The Guardian newspaper, “The order sparked resistance from opposition leaders, activists and pro-democracy groups. In a statement to state radio on Wednesday (13<sup>th</sup> January 2016), the presidency said the directive had been lifted.”<sup>11</sup>

The government of The Gambia is now planning to adapt the country’s laws to suit the requirements of an Islamic Republic.<sup>12</sup> For the time being, article one of the constitution defines The Gambia as a sovereign and secular republic.<sup>13</sup> Article 25 acknowledges freedom of religion. Generally speaking, the government has respected this provision in the past. Religious groups are not required to register. For Muslims, *Shari’a* law applies in matters of marriage, divorce and inheritance. The law provides for Islamic and Christian religious instruction in state and private schools, and the state generally respects this provision.

Good relations exist between the Islamic institutions and the Catholic Church. In addition to the major Muslim festivals, the main Christian feast days of Christmas, Good Friday and Easter are also celebrated. Members of the “Interfaith Group for Dialogue and Peace” – which includes Muslims, Christians and Baha’i – meet regularly to discuss matters of importance for all the religions in The Gambia, above all that of religious coexistence. Marriages between Christians and Muslims are not uncommon in The Gambia.<sup>14</sup>

During the period covered by this report there were no (further) serious incidents concerning violations of religious freedom.

## Prospects for Religious Freedom

One of the biggest challenges for Gambian society is the massive exodus of young people to Europe, a trend that has increased in recent times.<sup>15</sup> For the most part, it is a flight from poverty, hopelessness and the lack of freedom prevalent in the authoritarian state. Those who depart leave behind great gaps, not only in their own families but also in their own local communities and faith groups. While the money sent back by these exiles are important for many families, they cannot replace the often permanent absence of a young family member.

It also remains to be seen what effect the announcement of an Islamic Republic by President Jammeh will have on the flourishing tourist industry in The Gambia.

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<sup>1</sup> Traditional African religions.

<sup>2</sup> U.S. State Department: International Religious Freedom Report for 2014

<sup>3</sup> CIA 2016: The World Factbook, estimate, July 2015

<sup>4</sup> Yahya Jammeh seized power in 1994, his government has been criticised by international rights groups for its attitude to civil liberties, especially freedom of the press; <http://www.bbc.com/news/world-africa-13376517>

<sup>5</sup> Die Tagespost vom 09.01.2016

<sup>6</sup> [https://www.amnesty.de/jahresbericht/2015/gambia?destination=suche%3Fwords%3DGambia%26search\\_x%3D0%26search\\_y%3D0%26form\\_id%3Dai\\_search\\_form\\_block](https://www.amnesty.de/jahresbericht/2015/gambia?destination=suche%3Fwords%3DGambia%26search_x%3D0%26search_y%3D0%26form_id%3Dai_search_form_block)

<sup>7</sup> Die Tagespost, 09.01.2016

<sup>8</sup> ibid.

<sup>9</sup> ibid.

<sup>10</sup> <http://www.theguardian.com/world/2016/jan/05/gambia-female-government-workers-headscarves-islamic-republic>

<sup>11</sup> <http://www.theguardian.com/world/2016/jan/14/the-gambia-lifts-headscarves-directive-after-resistance>

<sup>12</sup> Die Tagespost, 09.01.2016

<sup>13</sup> [http://www.wipo.int/wipolex/en/text.jsp?file\\_id=221242](http://www.wipo.int/wipolex/en/text.jsp?file_id=221242)

<sup>14</sup> U. S. State Department 2016: International Religious Freedom Report for 2014

<sup>15</sup> [http://www.deutschlandfunk.de/gambia-flucht-vor-armut-und-arbeitslosigkeit.799.de.html?dram:article\\_id=332218](http://www.deutschlandfunk.de/gambia-flucht-vor-armut-und-arbeitslosigkeit.799.de.html?dram:article_id=332218)