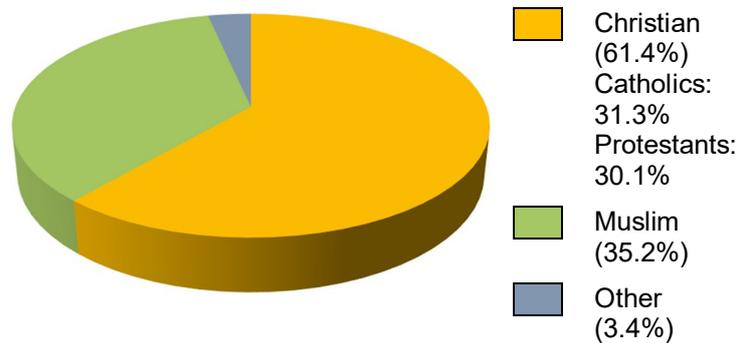
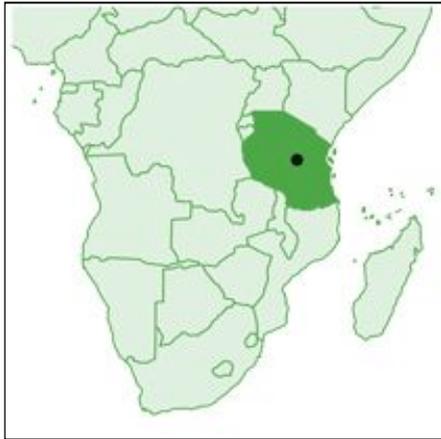


# TANZANIA



Area:	Population:	Political system:	Major Language(s):
945,087 km <sup>2</sup>	55.2 million	Democracy	Swahili, English

## Legal framework of freedom of religion and actual application

The Constitution of the United Republic of Tanzania dates from 1977. In 2011 and 2013 it underwent three amendments and in 2014 a nation-wide consultation process was opened, for which religious groups were also asked to give their views. At the time of going to press, the text of the new constitution was completed. However, after a planned referendum was blocked by Parliament in April 2015, the text had not yet been officially approved and enacted into law. Furthermore, the text of the new constitution is only available in Swahili and it awaits translation into English.

The 1977 constitution proclaimed the principle of the secular character of the State. Article 19 stated that “every person has the right to the freedom to have conscience, or faith, and choice in matters of religion, including the freedom to change his religion or faith.”<sup>1</sup> It further states that no one shall be discriminated against on the grounds of religious convictions, and that every person has the right to practise their faith in association with others and to change religion if they wish to do so. It prohibits political parties whose programme involves the promotion of the interests of a definite religious group.

The Constitution of Zanzibar – which since 1964 has been a part of the United Republic of Tanzania, but which is self-governing, with its own president and parliament – likewise contains these same guarantees of religious freedom.<sup>2</sup>

Practically, all principles concerning the right to freedom of worship present in the 1977 constitution are to be found in the new fundamental law. Article 41, on freedom of faith and religion, contains seven paragraphs, stating the following: 1) every person has the right to freedom of conscience and faith, 2) every person has the right to celebrate and propagate their religion freely so long as it does not trespass the law of the country, 3) the task of organising religious communities is outside the competence of the government, 4) the protection of the right to freedom of worship shall be regulated by the law, 5) the state shall ban any misuse of the freedom of worship for purposes of disrupting the country’s peace, spreading hatred or stirring social confusion, 6) faith and religion shall never be used to foster hostility or division among the citizens.<sup>3</sup>

All religious organisations are required to register with the Interior Ministry on mainland Tanzania and with the principal government General Register Office on Zanzibar. For registration, the names

of members are required, together with written statutes, CVs of the leaders and a letter of recommendation from the prefect of their district of origin. In addition, Muslim organisations are required to produce proof of authorisation from the National Muslim Council of Tanzania (*Bakwata*), or a similar authorisation from the local mufti if they are based on Zanzibar.

The Zanzibar government appoints a *mufti*, a professional jurist who interprets *Shari'a* (Islamic law), to oversee Muslim organisations. Some Muslims have argued that this practice represents excessive government interference.

The teaching of religion in State schools is permitted, however only as an extra-curricular subject. Lessons must be approved by the school management or teachers associations and by the parents, and are offered free of charge by parents or other volunteers. Religious schools and universities are legal, and there are many of them, whether Christian (both Catholic and Protestant) or Islamic. Christian organisations are required to present the Interior Ministry with a letter of accreditation from the hierarchy of their own denomination.

The recognised national religious festivals include the Christian feasts of Good Friday, Easter Monday and Christmas Day, and the Muslim feasts of Maulid, Eid al-Fitr, and Eid al-Hajj.

## **Incidents**

Tanzania has a long tradition of peaceful coexistence between different religious denominations, particularly between Christians and Muslims, and freedom of religion is generally respected. However, Christians in Tanzania – and to a lesser extent, moderate Muslims – are witnessing escalating Islamist violence. Since 2013 there have been an increasing number of attacks on churches as well as on security forces and any moderate Muslims who oppose the Islamists.

The first serious incidents started in 2013. In February that year, a Catholic priest was shot dead and a church was set on fire on the Muslim-dominated archipelago of Zanzibar. Another priest was beheaded by unknown assailants in Buseresere, next to Lake Victoria, during the same month. On 3<sup>rd</sup> May that year, a bomb blast outside a church in Arusha – which was being consecrated by the Nuncio and the archbishop of that diocese – killed two people and injured 30 others. On 13<sup>th</sup> September 2013, an elderly Catholic priest, Fr Anselmo Mwangambwa, was seriously injured after attackers threw acid at him on a street in the capital of Zanzibar. In September 2014, attackers assaulted Pastor Prince Simon and his wife in their home in Zanzibar, declaring that they did not want Christians on the island and calling on them to return to the mainland.<sup>4</sup>

On 14<sup>th</sup> June 2014, a bomb explosion near a mosque in Zanzibar left at least one person dead and several others injured. The incident coincided with the opening of Zanzibar's International Film Festival, which every year attracts scores of foreign tourists.

Tensions between Muslims and Christians led to a fatal attack in Bukoba in October 2014 –Muslim assailants wielding machetes attacked a Bible study group, leaving one man dead and another seriously injured.

One of the strongest points of friction between Christians and Muslims is the issue of slaughtering animals for human consumption. Many Muslim leaders have argued that they are the only ones who are qualified to perform this task. This has taken the form of a public heated debate. A prominent Muslim cleric was quoted as saying: "This is our custom. We will not allow Christians to engage in this business, as we feel that it will create violence in society. Christians are allowed to sell meat, including to their own butchers; the only problem is around slaughtering the animal."<sup>5</sup> This conflict got to the point that in February 2013 the President's Office issued a statement that the task of slaughtering animals for public consumption should only be done by Muslims.

Sporadic attacks on Christian churches continued to be reported in 2015 and 2016. In December 2015, the secretary of the local Bukoba Pastors' Fellowship said that since 2013 they had over 13 churches torched in Kagera, and that no one had been held accountable.<sup>6</sup> On 2<sup>nd</sup> May, a Catholic

church in Nyarwele, also in the Kagera region, was burned to the ground in a suspected arson attack. No group claimed responsibility for this attack. It was the third church in four months to be burnt down, after the Tanzania Assemblies of God and Pentecostal Assemblies of God churches.

Muslim leaders known for their moderate stances have also been targeted by presumed extremists linked to Islamic radical groups. In the early hours of 5<sup>th</sup> July 2014, it is thought that Islamic militants threw a hand grenade into a residential house in Majengo area where Muslim leaders were taking a pre-fast Ramadhan meal called Suhoor.<sup>7</sup> Two of them were seriously injured, including a Muslim Cleric, Sheikh Sudi Ally Sudi, director of an Islamic group called Answar Sunni, and also the Imam of the Kilombero Sunni Mosque.

On 19<sup>th</sup> May 2016 a moderate mosque in the Mwanza region of north-west Tanzania was attacked by a group of around 20 people armed with axes, swords and a gun and carrying a black flag similar to that used by Daesh (ISIS). They ordered all the people to lie on the ground and asked for the mosque leader, Imam Feruz, before killing him and two others.<sup>8</sup> Witnesses said the attackers asked worshippers why they were praying while “our comrades are in prison” before attacking them. No group claimed responsibility for the attack, which occurred days after a video emerged of masked people alleging they were the East African branch of Daesh.

### **Prospects for freedom of religion**

Tanzania’s long-standing tradition of respect for the right to religious freedom and of religious coexistence has been seriously damaged at least since 2013. The cause of this deterioration is the spread of violent Islamic extremist groups, which target not only Christian churches but also moderate Muslim clerics. Despite the efforts of the last two governments to ensure the practice of religious freedom, and public opinion’s openness to religious pluralism and respect for one another’s beliefs, repeated attacks against church buildings and religious ministers remains a grave cause of concern.

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<sup>1</sup> <http://www.judiciary.go.tz/downloads/constitution.pdf>

<sup>2</sup> The provisions of the new Constitution concerning the freedom of religion have been provided by an expatriate missionary who is knowledgeable with Swahili.

<sup>3</sup> The new Constitution, in its original Swahili language, uses the word “dini” to refer to faith, religion denomination, sects or to refer to the followers of any religious group. In Swahili, “dini” means what we may call “religions of the book”, and does not include traditional religious beliefs.

<sup>4</sup> <https://freedomhouse.org/report/freedom-world/2015/tanzania>

<sup>5</sup> <https://voiceofthepersecuted.wordpress.com/category/christian-persecution-news/africa/tanzania/>

<sup>6</sup> <http://dailynews.co.tz/index.php/features/44998-year-of-nasty-incidents-of-burning-churches>

<sup>7</sup> <http://www.bbc.com/news/world-africa-22425364>

<sup>8</sup> <http://allafrica.com/stories/201407072108.html>