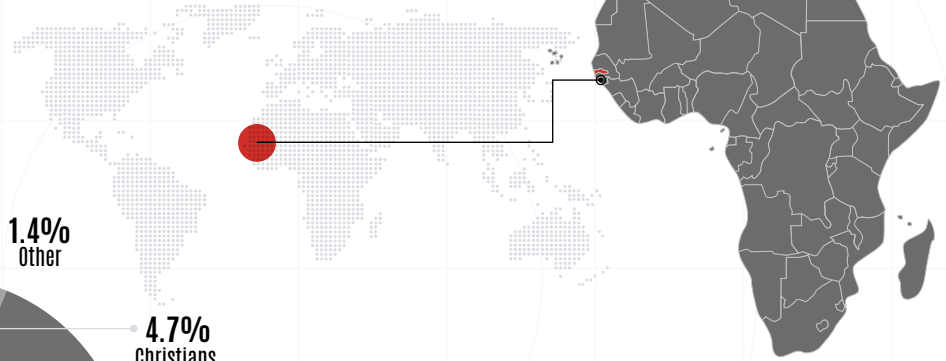
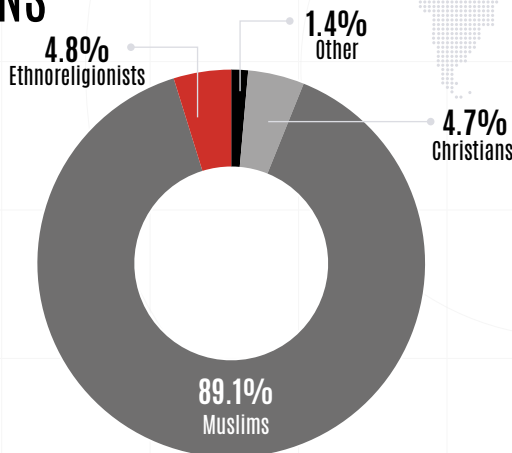




GAMBIA

RELIGIONS



LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

According to Article 1 (Section 1) of its constitution, The Gambia is a “Sovereign Republic”.¹ Article 25 (Section 1, c) guarantees “freedom to practise any religion and to manifest such practice”. The constitution prohibits religious discrimination (Article 33, Section 4) and religiously based political parties (Article 60, Section 2, a). Religious communities are not required to register with the authorities; however, if they offer social services, they must register as charities.² For Muslims, Shari’a (Islamic law) applies to marriage, divorce and inheritance.³ Existing legislation provides for Islamic and Christian religious instruction in state and private schools; this is generally respected by the government.⁴

The situation of religious freedom in The Gambia has improved significantly in recent years. In January 2017, the then newly elected President, Adama Barrow, reversed the decision of his predecessor, long-time dictator Yahya Jammeh, to make The Gambia an Islamic republic. Under a previous constitution, the country was a secular state but in December 2015 Jammeh turned it

into an “Islamic Republic”, making it the second country in Africa after Mauritania to be designated so.⁵

Following the December 2016 presidential election, the country saw a peaceful transition of power, a first since it gained independence in 1965. After his inauguration, the new President, Adama Barrow, said that the country would once again be simply known as a “Republic”, removing the word “Islamic”, which was added by Jammeh.⁶ He also pledged to promote good governance, the rule of law, democratic institutions and freedom of the press.⁷ President Barrow established a Truth and Reconciliation Commission to investigate crimes perpetrated during the previous regime, including “torture, disappearances and extrajudicial killings”.⁸ He also announced a return to the Commonwealth, which it had left in 2013. Barrow also overturned Jammeh’s decision to withdraw from the International Criminal Court (ICC).⁹ Barrow’s party, the United Democratic Party (UDP), scored a clear victory in the parliamentary elections held in April 2017¹⁰ – elections that were considered peaceful, free and fair.¹¹

Currently, a new constitution is being drafted for the post-Jammeh era.¹² The members of the Christian Council of Gambia (representing the Catholic, Anglican

and Methodist churches) have demanded that the new constitution incorporate the words “secular state”.¹³ In fact, at national level there is currently an important debate over this issue.¹⁴

Although the law does not require public or private schools to teach religion, most do so, and students by and large attend. The authorities also help schools recruit the teachers they require.¹⁵

Islamic organisations and the Catholic Church maintain good relations. In addition to the major Muslim festivals, the Christian feasts of Christmas, Good Friday and Easter Monday are celebrated.¹⁶ Members of the Interfaith Group for Dialogue and Peace, which includes Muslims, Christians and Baha'is, meet regularly to discuss matters of importance to all religious communities, in particular interfaith coexistence.¹⁷ Mixed marriages are commonplace and accepted.¹⁸

INCIDENTS AND DEVELOPMENTS

In the past two years, there were no incidents of interreligious violence, intolerance, discrimination or persecution involving any religious group. Nonetheless, President Adama Barrow was criticised by many observers when he announced plans to build 60 mosques around the country.¹⁹ Several observers saw this as blurring the lines between state and religion and showing bias for one religion over the others. A Gambian pastor stated that “some section of the Gambian Christian population felt marginalized and alienated by the president’s announcement.”²⁰

On 6th December 2019, the president announced that the Religious Affairs portfolio would be transferred to the Ministry of Lands and Regional Affairs but gave no explanations.²¹ In early February 2020, along with Togo and Senegal, The Gambia decided to join the 27-country Alliance to Protect Religious Freedom whose aim is to “unify powerful nations and leverage their resources to stop bad actors and advocate for the persecuted, the defenceless, and the vulnerable”.²²

PROSPECTS FOR RELIGIOUS FREEDOM

The Gambia has a longstanding tradition of interreligious tolerance, and this is most likely going to continue in the foreseeable future. However, there are

several issues that could potentially affect interfaith relations. In the political field, the former dictator, Yahya Jammeh, announced in January 2019 his intention to come home.²³ Thousands of his supporters then took to the streets to demand his return.²⁴

All of this is happening at a time when the more liberally oriented President, Adama Barrow, is increasingly unpopular. Jammeh’s return could be damaging for religious minorities and those politicians encouraging the secularisation of the state, as Jammeh is an important political figure who favours the Islamisation of The Gambia.

Tensions between proponents of Islamic and secular ideologies are affecting the process of constitutional reform with the proposed secular state at the centre of the debate. Furthermore, regional dynamics must be taken into account. West Africa has seen an important rise of Islamic extremism in recent years with several jihadi terrorist groups already operating across the region.

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