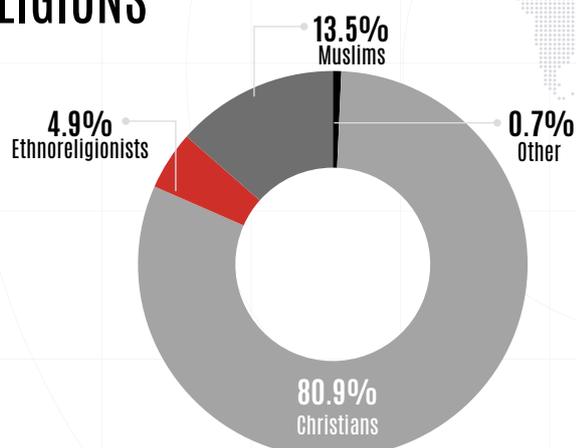




# MALAWI

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Republic of Malawi is predominantly Christian, though Islam predates Christianity with estimations of Islam's arrival in Malawi with Arab traders occurring between the 15th and 18th centuries.<sup>1</sup> The first Christian missionaries arrived in the late 1800's.<sup>2</sup>

Malawi's constitution enshrines freedom of religion.<sup>3</sup> The country's laws require religious communities to register with the authorities,<sup>4</sup> however, their religious beliefs and activities are not subject to state monitoring.

Religious instruction in primary schools is compulsory.<sup>5</sup> Depending on the faith or confessional affiliation of the pupils, this includes Bible studies or moral and religious education.

According to the constitution, education seeks to overcome religious intolerance (Article 13, f, iv).<sup>6</sup> Religious groups are allowed to run their own private schools and offer religious education reflecting their respective faiths. Private "grant-aided" schools - usually religious establishments - also exist where the government pays

the teaching staff but in turn can select a large portion of the students who attend.<sup>7</sup> Faith groups can also operate radio and television stations. At least 18 radio stations and 10 television stations are affiliated to religious groups; about 80 per cent are Christian affiliated and 20 per cent Muslim.<sup>8</sup> However, material that is "offensive to the religious convictions of any section of the population" is banned.<sup>9</sup>

Muslims continue to request the education ministry, particularly in predominantly Muslim areas, to favour "moral and religious education" over the Bible studies courses offered in "grant-aided" Christian schools.<sup>10</sup>

## INCIDENTS AND DEVELOPMENTS

Relations between Malawi's religious communities are usually good. Nevertheless, in November 2019 there were disagreements between the Anglican Church and some Muslims in the Balaka district that led to violence. It started when two girls were prevented from attending a Christian school as a result of their wearing the hijab in contradiction to the school dress code.<sup>11</sup> A mosque, a primary school and the home of a clergyman were damaged during subsequent clashes.<sup>12</sup>

The UN issued a statement condemning the acts and encouraging Malawians to engage in peaceful dialogue to resolve their differences.<sup>13</sup> The Muslim Association of Malawi (MAM) condemned the violence highlighting the generally amicable relations between Anglicans and Muslims in Malawi.<sup>14</sup>

The Muslim group went to court stressing that freedom of religion includes the right to dress as commanded by their faith; hence, the call on the government to respect this right.<sup>15</sup> For his part, the Anglican Bishop Brighton Malasa “appealed to other churches to stand in solidarity with the Anglican Church,”<sup>16</sup> believing that this was a national matter.<sup>17</sup> The case is now before the courts.

Rastafarians have traditionally suffered discrimination in Malawi with schools requesting Rastafari students to cut off their dreadlocks.<sup>18</sup> According to Malawi’s Education Ministry, such measures were necessary to assure the pupils’ neatness and school cleanliness.<sup>19</sup> Two years ago, a group of Rastafari parents appealed to the Centre for Human Rights, Education, Advice and Assistance because their children were “denied admission into government schools”.<sup>20</sup> In January 2020, a Malawi High Court judge ordered the country’s 7,000 government-run schools to admit “all children of Rastafari religion, who have dreadlocks.”<sup>21</sup>

Malawi held general and presidential elections in May 2019. In February 2020, the High Court overturned the presidential vote over allegations of fraud. The Supreme Court ordered new elections<sup>22</sup>, which were held in June 2020 and were won by opposition leader Lazarus McCarthy Chakwera.<sup>23</sup> The new president was a Pentecostal preacher for 24 years in the Assemblies of God denomination.<sup>24</sup>

The Catholic Bishops’ Conference of Malawi issued a statement<sup>25</sup> calling on the new president (and vice president) to live up to their pledge to fight corruption, respect the rule of law, uphold the constitution, provide quality public services, and promote economic development. Malawi’s Catholic bishops hope that the country’s new leaders will embody the “true meaning of leadership which [means being in] the service of citizens and national unity.”<sup>26</sup>

The election campaign was marred by some violence. In Lilongwe, three people died when a petrol bomb was thrown at the office of a political party.<sup>27</sup> Condemning the act of violence, the Public Affairs Committee (PAC),

a Malawi-based multi-faith association, stressed that “Every human life is sacred,” and called on the authorities to bring the perpetrators to justice.

## PROSPECTS FOR RELIGIOUS FREEDOM

Freedom of religion in Malawi is generally well respected and faith groups, for example in cases of religious dispute between Muslims and Anglicans, seek to work towards dialogue. The government and the courts too have taken steps to protect this freedom reflecting a strong interest keeping peace between Malawi’s faith groups.

- 1 [http://jiscnet.com/journals/jisc/Vol\\_7\\_No\\_2\\_December\\_2019/5.pdf](http://jiscnet.com/journals/jisc/Vol_7_No_2_December_2019/5.pdf)
- 2 <https://www.worldatlas.com/articles/religious-beliefs-in-malawi.html>
- 3 Malawi 1994 (rev. 2017), Constitute Project, [https://www.constituteproject.org/constitution/Malawi\\_2017?lang=en](https://www.constituteproject.org/constitution/Malawi_2017?lang=en) (accessed 6th September 2020).
- 4 Office of International Religious Freedom, "Malawi," Report on International Religious Freedom for 2018, U.S. Department of State, <https://www.state.gov/reports/2018-report-on-international-religious-freedom/malawi/> (accessed 21st February 2020).
- 5 Ibid.
- 6 Malawi 1994 (rev. 2017), op. cit.
- 7 Ibid.
- 8 Office of International Religious Freedom, op. cit.
- 9 Ibid.
- 10 Ibid.
- 11 Yohane Symon, "Hijab battle goes to court," The Times, 7th January 2020, <https://times.mw/hijab-battle-goes-to-court/> (accessed 21st February 2020).
- 12 Yohane Symon, "Christians, Muslims clash in Balaka," The Times, 5th November 2019, <https://times.mw/christians-muslims-clash-in-balaka/> (accessed 21st February 2020).
- 13 Maria Jose Torres, "Religious tolerance and respect for fundamental human rights and freedoms," United Nations Malawi, 5th November 2019, <https://malawi.un.org/en/46784-religious-tolerance-and-respect-fundamental-human-rights-and-freedoms> (accessed 21st Feb. 2020).
- 14 Hussein Musa, "MAM condemns Balaka hijab unrest", Malawi Muslims Official Website, 6th November 2019, <https://malawimuslims.com/mam-condemns-balaka-hijab-unrest/> (accessed 21st February 2020).
- 15 Yohane Symon, "Hijab battle goes to court," The Times, 7th January 2020, <https://times.mw/hijab-battle-goes-to-court/> (accessed 21st February 2020).
- 16 Yohane Symon, "Hijab battle goes to court," op. cit.
- 17 Ibid.
- 18 Bureau of Democracy, Human Rights, and Labor, op. cit.
- 19 "Malawi's Rastafarians win landmark dreadlock ruling", Daily Nation, 8th February 2020, <https://www.nation.co.ke/news/afrika/Malawis-Rastafarians-win-landmark-ruling/1066-5448200-fgk37dz/index.html> (accessed 21st February 2020).
- 20 Ibid.
- 21 Ibid.
- 22 Laura Angela Bagnetto, "Malawi's supreme court rules in favour of election rerun, but only with original candidates," RFI, 8th May 2020, <https://www.rfi.fr/en/afrika/20200508-malawi-s-supreme-court-rules-in-favour-of-election-rerun-but-only-with-original-candidates> (accessed 28th August 2020).
- 23 "Malawi opposition leader Lazarus Chakwera wins historic poll rerun," BBC News, 27th June 2002, <https://www.bbc.com/news/world-africa-53207780> (accessed 28th August 2020).
- 24 Damian Zane, "Lazarus Chakwera: Malawi's president who 'argued with God'," BBC News, 29th June 2020, <https://www.bbc.com/news/world-africa-53221035> (accessed 28th August 2020).
- 25 "ECM Statement on fresh presidential elections," Episcopal Conference of Malawi, 27th June 2020, <https://www.ecmmw.org/new/2020/06/30/ecm-statement-on-fresh-presidential-elections/> (accessed July 3rd 2020).

- 26 “The Bishops: ‘Congratulations to the new president; we hope he will keep his election promises’,” Agenzia Fides, 30th June 2002, [http://www.fides.org/es/news/67948-AFRICA\\_MALAWI\\_No\\_a\\_la\\_violencia\\_politica\\_lideres\\_religiosos\\_condenan\\_la\\_masacre\\_de\\_Lilongwe](http://www.fides.org/es/news/67948-AFRICA_MALAWI_No_a_la_violencia_politica_lideres_religiosos_condenan_la_masacre_de_Lilongwe) (accessed July 2nd 2020)
- 27 “Malawi political violence kills three ahead of election rerun,” Barron’s, 7th May 2020, <https://www.barrons.com/news/malawi-political-violence-kills-three-ahead-of-election-rerun-01588884903> (accessed 28th August 2020).