

JAMAICA 2018 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religion, including the freedom to worship and to change religion. It prohibits discrimination based on belief. A colonial-era law criminalizing the practices of Obeah and Myalism remains in effect, but it is not enforced. In August the Supreme Court ruled that a five-year-old girl with dreadlocks could attend a Kingston primary school until the court could hear her case, overriding the school's policy of preventing her attendance until she cut off her dreadlocks. Religious rights advocates viewed the case as a significant development toward removing discrimination against Rastafarians seeking government services. The government reviewed private religiously-based schools receiving public funding with the aim of ensuring the schools' practices did not contravene government policies on individual rights. The government mandated a nondenominational religious curriculum in schools and sponsored public events to promote interfaith engagement and respect for religious diversity.

Rastafarians stated that while prejudice against their religion continued, there was increasing acceptance of their practices and more societal respect. They cited their continued progress in achieving higher positions in both the private and public sectors. Seventh-day Adventists welcomed an April pronouncement from the Private Sector Organization of Jamaica (PSOJ) that the PSOJ would criticize and possibly expel members of the organization who adopted policies limiting Seventh-day Adventists' ability to gain employment because of their observance of a Saturday Sabbath. Local media outlets continued to provide a forum for religious dialogue open to participants from all religious groups. The nongovernmental organization (NGO) Jamaica Council for Interfaith Fellowship, which includes representatives from Christian, Rastafarian, Hindu, Family Federation for World Peace and Unification (Unification Church), Baha'i, Jewish, Muslim, and Buddhist organizations, continued to hold events to promote religious tolerance and diversity.

U.S. embassy officials met regularly with leaders of religious groups, including Christians, Muslims, Jews, and Rastafarians. In January the Charge d'Affaires hosted an interfaith dialogue with leaders from 10 religious groups in recognition of Religious Freedom Day. Participants discussed religious pluralism, tolerance, and the role of religion in addressing social issues. Embassy officials promoted religious tolerance through official remarks, press releases, social media venues, and public engagements.

Section I. Religious Demography

The U.S. government estimates the total population at 2.8 million (July 2018 estimate). According to the most recent census in 2011, 26 percent of the population belongs to various branches of the Church of God; 12 percent is Seventh-day Adventist; 11 percent Pentecostal; 7 percent Baptist; 3 percent Anglican; 2 percent Roman Catholic; 2 percent United Church of Christ; 2 percent Methodist; 2 percent Jehovah's Witnesses; 1 percent Moravian; and 1 percent Brethren. Two percent maintain some other form of spiritual practice. Other religious groups constitute 8 percent of the population, including approximately 29,000 Rastafarians, 5,000 members of the Church of Jesus Christ of Latter-day Saints, 1,500 Muslims (Muslim groups estimate their numbers at 6,500), 1,800 Hindus, 500 Jews, and 270 Baha'is. The census reports 21 percent have no religious affiliation. There is no census data on adherents of Obeah and Myalism.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for freedom of thought and religion, including the freedom to change one's religion or belief either alone or in community with others, both in public and in private, and to manifest and propagate one's religion or belief in worship. It prohibits discrimination based on belief. The constitution provides that rights and freedoms are protected to the extent they do not "prejudice the rights and freedoms of others."

A law criminalizing Obeah and Myalism, religious practices with West African influences, remains in effect. Potential punishment for practicing Obeah and Myalism includes imprisonment of up to 12 months. Authorities have rarely enforced the law since the country became independent in 1962.

Registration with the government is not mandatory for religious groups, but registered groups obtain incorporated group status and gain benefits, including the ability to hold land, to enter into legal disputes as an organization, and for clergy to visit members in prison. Groups may seek incorporated status by applying to the Companies Office, an executive agency. The Companies Office application comprises a standard form and a fee of 2,500 Jamaican dollars (\$20). NGOs register via the same form and fee structure to gain incorporated status. Groups

incorporated through this process must subsequently submit annual reports and financial statements to the Companies Office.

Alternatively groups may petition the parliament to be incorporated by parliamentary act. Such groups receive similar benefits to those incorporating through the Companies Office, but parliament does not require annual reports or regulate the organizations it incorporates.

Regardless of incorporation status, religious groups seeking tax-exempt transactions must register as charities. To be considered a charity, an organization must apply to the Cooperatives and Friendly Societies Department in the Ministry of Industry, Commerce, Agriculture, and Fisheries. Once registered, groups must submit their registration to the customs agency in the Ministry of Finance and the Public Service or apply to the tax administration to be considered for tax-free status.

The constitution states religious groups have the right to provide religious instruction to members of their communities. Immunizations are mandatory for all children attending both public and private schools. The law requires school administrators to adhere to several practices regarding the teaching of religion. No individual may be required to receive religious instruction or participate in religious observances contrary to his or her beliefs. The public school curriculum includes nondenominational religious education, which focuses on the historical role of religion in society and philosophical thought and includes group visits to Christian, Jewish, Muslim, and Hindu houses of worship. Students may not opt out of religious education; however, religious devotion or practice during school hours is optional.

Churches operate a number of private schools. Churches also run some public schools; they receive funding from the government and must abide by Ministry of Education, Youth, and Information rules. Regulations mandate that religious schools receiving public funding must admit students of all faiths. Religious schools are not subject to any special restrictions; they do not receive special treatment from the government based on their religious or denominational affiliation. Most religious schools are affiliated with Catholic or Protestant churches; the Islamic Council of Jamaica runs two schools.

Foreign religious workers traveling to the country to perform religious work, as is the case with all foreign visitors, require an entry visa. The entry visa may be obtained upon arrival or in advance, depending on the nationality of the traveler

and the length of stay. Religious workers, regardless of affiliation, who visit the country to work with a religious organization, require a work permit from the Ministry of Labor and Social Security.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

On August 28, the Supreme Court ordered that a five-year-old-child with dreadlocks be allowed to attend school until the court could hear the full constitutional challenge. The girl was accepted to Kensington Primary, a public school in a suburb of Kingston, but administrators told her parents that she would have to cut her dreadlocks or find another school. The case garnered much attention from various advocacy groups, all of which supported the girl. Religious leaders said the case symbolically represented Rastafarianism because wearing dreadlocks was Rastafarian custom, and prohibiting dreadlocks was violating Rastafarians' right to practice their religion. Although the girl did not self-identify as Rastafarian, media outlets noted the case for its wider context of cultural identity and religious expression. Legal practitioners stated that the court's decision on this matter could have ramifications for Rastafarians seeking employment or government services as well.

Rastafarians continued to state their religious opposition to immunization, a requirement for children to register and attend school and part of the government's stated campaign to reduce the resurgence of many communicable diseases in the country. According to Rastafarian sources, however, most Rastafarian students could obtain a doctor's note excusing them from the required immunizations. Rastafarians also stated discrimination against Rastafarian children at schools was very rare and generally occurred only in rural areas.

The government undertook an analysis of potential discrimination in faith-affiliated private schools, attended by approximately 10 percent of students at the secondary and primary levels. The overwhelming majority of these schools are Christian-based, and 35 percent received some form of public funding through direct subsidies, stipends for food, or discounted textbooks.

A member of the Jamaica Council for Interfaith Fellowship said conflicts of interest arose when public policy and religious preferences did not align. In one report a Christian-affiliated secondary school asked a student to withdraw after becoming pregnant. The council member said civil society and senior educational

officials then intervened on the stated grounds that the act was illegal. The student was subsequently reinstated.

From October 8 through October 15, the Jamaica Cultural Development Commission held its annual National Heritage Week, coordinating with the Committee for the Promotion of National Religious Services on a national interfaith thanksgiving service. Similar events occurred throughout the country at the parish (sub-county) level during the year.

The government routinely conducted outreach to religious minorities, including Muslims, Jews, and Rastafarians, as well as Baha'i, Buddhist, and Hindu groups, with the stated goal of fostering tolerance and acceptance. Outreach included participating in the annual National Heritage Week to celebrate the country's religious tolerance and diversity.

Section III. Status of Societal Respect for Religious Freedom

Rastafarians continued to report wider societal acceptance. Many religious leaders stated that this was due to a different public perception of Rastafari; they said the country's youth and middle-aged populations believed the Rastafarian religion had become more closely associated with the country's development. Religious leaders said there was more societal respect and appreciation for what they said was the historic role Rastafarians played in support of equal rights, removing discrimination from public spheres, anti-colonialism, and holistic living. They also stated that while entrenched prejudices regarding Rastafarians' preferred manner of dress and appearance continued to dissuade some employers from hiring them, Rastafarians continued to achieve higher positions in both the private and public sectors. For example, at the Mona School of Business & Management in Kingston, Rastafarian and senior lecturer K'adamawe A.H. K'nife had supervised all curriculum development for the subject of entrepreneurship since 2010. On October 15, National Heroes Day, the government honored Rastafarian author, producer, and filmmaker Barbara Blake-Hannah with the Order of Distinction in the Rank of Officer. Rastafarians also led an increasing number of NGOs focused on environmental sustainability, civil society groups, and state agencies.

In April the PSOJ announced it would take action against those member companies that denied employment to Seventh-day Adventists on the basis of their observance of a Saturday Sabbath. In announcing the policy, the PSOJ president said that the constitution did not permit discrimination based on religion, religious practices, or a day of rest.

Christian, Jewish, and Muslim groups continued to state that society was tolerant of religious diversity, pointing to their continued involvement, along with other faiths, in the Jamaica Council for Interfaith Fellowship. The interfaith council included representatives from the Rastafari Innity Council Sanatan Dharma Mandir United Church, Unification Church, and National Spiritual Assembly of the Baha'is, United Congregation of Israelites, Islamic Council, and Soka Gakkai International. Other organizations sometimes participated in council events. The council continued to coordinate public educational events, including annual interfaith awareness days. The Islamic Council of Jamaica said large groups of secondary school students continued to regularly visit the council's 13 mosques as part of the government's religious education syllabus.

Local media outlets continued to provide a forum for extensive coverage and open dialogue on religious matters through radio and television shows, as well as on opinion pages and letters to the editor in newspapers such as *The Gleaner* and *The Jamaica Observer*. Discussion focused on the intersection of gay rights with Christianity, and religions' role in the government.

In January the government refused the entry of a U.S. clergyman who had engaged in Holocaust denial and who had called for the killing of gay individuals and the removal of women from the workplace. The denial came after a bishop from the Jamaica Evangelical Alliance stated that church groups had disavowed the clergyman and a petition with 36,500 signatures protesting the visit was sent to the Office the Prime Minister. The official reason cited by the government for denying the visa was the clergyman's statement that he did not intend to register and obtain a permit before beginning his public evangelizing.

Section IV. U.S. Government Policy and Engagement

U.S. embassy officials engaged senior officials of the Ministry of Foreign Affairs and Foreign Trade in August to discuss the status of religious freedom in the country. In January the Charge d'Affaires hosted an interfaith dialogue to recognize Religious Freedom Day with faith leaders from 10 diverse groups. They discussed pluralism, tolerance, and religion's role in addressing social issues. Embassy officials also met regularly with leaders of religious groups, including Christians, Jews, Muslims, and Rastafarians, to discuss the importance of religious tolerance and social inclusion, citizen security concerns of religious groups, and the freedom of expression and assembly in relation to religious freedom. In

October embassy officials discussed the religious organizations' roles in combating violence and the greater protection of the LGBTI community.

The Charge d'Affaires and other embassy representatives included references to the value of religious freedom and tolerance in speeches and other public engagements, press releases, and social media.