

JAMAICA 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religion, including the freedom to worship and to change one's 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 July, the Supreme Court ruled the constitutional rights of the claimant were not violated in the 2018 case of a child blocked from attending Kensington Primary School due to her locs (dreadlocks) because her parents did not identify as Rastafarian. School officials, however, allowed her to continue attendance. The Supreme Court decision continued to garner attention from advocacy and religious groups that noted the case's potential impact on cultural identity and religious expression. Rastafarians said the court's judgment underscored false misconceptions about the health and cleanliness of people who wear their hair in locs. The government formally began compensating individuals from a trust fund it established in 2017 for victims of the 1963 Coral Gardens incident, in which eight persons were killed and hundreds injured in clashes between a Rastafarian farming community and security forces. Seventh-day Adventists reported that their observance of a Saturday Sabbath was not taken into account by government COVID-19 lockdown restrictions because the government made Saturdays one of only two permitted shopping days.

Rastafarians continued to report prejudice against their religion, while they also said there was increasing societal acceptance and respect for their practices. 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, Islamic, and Buddhist organizations, continued to hold events to promote religious tolerance and diversity.

U.S. embassy officials regularly engaged with senior officials in the Ministry of Foreign Affairs and Foreign Trade; the Ministry of Culture, Gender, Entertainment and Sport; and the Jamaican Defense Force to discuss the state of religious freedom in the country, including the rights and treatment of religious minorities. Embassy officials also met regularly with leaders of religious groups, including Christians, Muslims, Jews, and Rastafarians. The embassy published a press release on January 17 from the Ambassador celebrating U.S. National Religious Freedom Day and recognizing the importance of religious freedom. Other

embassy representatives included similar references to the value of religious freedom and tolerance in speeches and other public engagements, press releases, and social media.

Section I. Religious Demography

The U.S. government estimates the total population at 2.8 million (midyear 2020 estimate). According to the most recent available data (2011 census), 26 percent of the population belongs to various branches of the Church of God; 12 percent Seventh-day Adventist; 11 percent Pentecostal; 7 percent Baptist; 3 percent Anglican; 2 percent Roman Catholic; 2 percent United Church of Christ; 2 percent Jehovah's Witnesses; 2 percent Methodist; 1 percent Revivalist; and 1 percent Rastafarian. Two percent maintain some other form of spiritual practice. Other religious groups constitute 8 percent of the population, including approximately 23,000 members of the Church of the United Brethren in Christ, 18,000 Moravians, 6,500 members of The Church of Jesus Christ of Latter-day Saints, 1,500 Muslims (Islamic 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 Yahweh, Sikhism, Jainism, or Obeah and Myalism, religious practices with West African influences, although these practices are reportedly more common in rural villages.

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 colonial-era law criminalizing Obeah and Myalism remains in effect. Potential punishment for practicing Obeah and Myalism includes imprisonment of up to 12 months.

Registration with the government is not mandatory for religious groups, but groups, including churches or congregations, may incorporate to gain benefits, including the ability to hold land, enter into legal disputes as an organization, and

allow their clergy to visit prisoners. Groups seeking incorporated status apply to the Companies Office of Jamaica, an executive agency. The application comprises a standard form and a fee of 24,500 Jamaican dollars (\$160). NGOs register through the same form and fee structure. Groups incorporated through this process must subsequently submit annual reports and financial statements to the Companies Office.

Alternatively, groups may petition 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 status must register as charities. To be considered a charity, an organization must apply either to the Department of Co-operatives and Friendly Societies, located in the Ministry of Industry, Commerce, Agriculture, and Fisheries, or to the Companies Office. Once registered, groups also submit their registration to the Jamaica Customs Agency in the Ministry of Finance and the Public Service and apply to Tax Administration Jamaica to be considered for tax-free status.

The constitution states religious groups have the right to provide religious instruction to members of their communities.

By law, immunizations are mandatory for all children attending both public and private schools; however, exceptions for medical reasons may be granted.

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, Islamic, and Hindu houses of worship. Students may not opt out of religious education, but religious devotion or practice during school hours is optional. The law permits homeschooling.

Churches operate several private schools. Churches also run a number of public schools, for which 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 and adhere to ministry standards. 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 four schools.

Foreign religious workers, regardless of affiliation, who visit the country to work with a religious organization must obtain a visa and 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

In July, the Supreme Court ruled Kensington Primary School had not infringed on the constitutional rights of a child blocked from attending the school in 2018 until her locs were cut. The court decided that, because the child's parents did not identify as Rastafarian, nor did they claim they were raising the child as Rastafarian, the claimant's contention that the school's order was violation of the child's right to religious freedom was invalid. The court highlighted that, "Children have long been allowed to wear locs to school as a religious expression of their, and their parent's faith." Although the Supreme Court's stay authorizing her to attend school while the case continued had expired, Kensington Primary School officials subsequently issued a statement that the school would allow the child to attend class without cutting her locs. The decision continued to garner attention from advocacy and religious groups who noted the case's symbolic representation and potential impact on cultural identity and religious expression. Rastafarian religious groups, in particular, said the court's judgment underscored false misconceptions about the health and cleanliness of people who wear their hair in locs. In commenting on the case in August, Prime Minister Andrew Holness said, "[Jamaica's] children must not be discriminated against or deprived of their right to an education on the basis of their hairstyle." He said the government needed to review and amend the Education Act to reflect a "modern and culturally inclusive" position that "protects our children from being barred from any educational institution on the basis of wearing locs as an ordinary hairstyle, irrespective of religious reasons." Similarly, the Minister of Culture, Gender, Entertainment, and Sport, Olivia Grange, expressed concern over reports and the ruling, explaining to media in an August 3 interview that, "Wider society must also examine its approach to members of the Rastafarian community and pledge to end discrimination that is manifested in our actions, including the denial of school admission to children with locs."

In May, Minister of Culture, Gender, Entertainment, and Sport Grange called for an investigation of allegations that a Rastafarian elder's beard was cut without his consent while he was a patient at a public hospital. According to a statement from the ministry, Grange asked Minister of Health and Wellness Christopher Tufton to launch an investigation because it was not government policy to cut the hair of members of the Rastafarian faith seeking medical attention at public facilities.

Rastafarians continued to report discrimination against their children at schools, mostly in rural areas, and at some workplaces. Protests in August following the Supreme Court's decision to allow schools to block children from attending school because of their locs sought to bring attention to the issue. Speaking to press in August, Rastafarian Gardens Benevolent Society Secretary Pamela Rowe-Williams stated that Rastafarians still faced discrimination and the onus was on the government to "embark on a public-education campaign to counter the false misconception." She said that Rastafarian parents were coming under increasing pressure to cut their children's hair. Minister of Education Karl Samuda met with the protesters in solidarity, noting that Jamaicans must not tolerate indifference to the Rastafarian faith. He said, "No child should be denied the right of entry to any school in Jamaica, so there is no issue in relation to the rights of the Rastafarians." According to the minister, a definite, definitive policy of tolerance for Rastafarians in "all aspects of Jamaican life" was "paramount to the administration, the Prime Minister, and the Cabinet."

The Jamaican Defense Force (JDF) generally did not accept Rastafarians into its ranks. The JDF had previously noted it did not discriminate based on religion or denomination, but rather the force's strict codes of conduct regarding hair length and the prohibition of marijuana use among its members were the obstacles to Rastafarian participation in the force.

While by law practicing Obeah and Myalism were still criminal acts, both the government and media reported no enforcement cases nor new discussion to repeal the law during the year.

Seventh-day Adventists continued to report their observance of a Saturday Sabbath caused them difficulties. According to media reports, some Adventists said the selection of Wednesday and Saturday as the only shopping days during government-imposed COVID-19 lockdowns conflicted with their ability to observe the Sabbath on Saturdays.

National Heritage Week, observed on October 11-17, culminated with a religious service at William Knibb Memorial Baptist Church. The service, one of the main events marking the country's Heritage Week, was streamed live on national television as well as social media.

According to media, during the year the government began formally compensating individuals from a trust fund it established in 2017 for victims of the 1963 Coral Gardens incident, in which eight persons were killed and hundreds injured in clashes between a Rastafarian farming community outside Montego Bay and security forces. Prime Minister Holness apologized for the incident in 2017, and in December 2019, the government finalized the creation of a trust to compensate the victims. In April, Minister of Culture Grange said her ministry contributed an additional 78 million Jamaican dollars (\$520,000) to the trust, bringing its total to 90 million Jamaican dollars (\$600,000), as well as an additional six million Jamaican dollars (\$40,000) in housing support for four survivors needing special care.

According to Sheikh Musa Tijani, Director and Head of Education for the Islamic Council of Jamaica, the government was helpful in supporting the council's efforts to reach Muslims across the island.

Section III. Status of Societal Respect for Religious Freedom

Rastafarians continued to report wider societal acceptance despite continued negative stereotyping and stigma associated with their wearing locs and smoking marijuana. Major press outlets, including *The Gleaner* and *The Jamaica Observer*, published articles noting the celebration of the 75th birthday of Bob Marley, a Rastafarian advocate whose music and rhetoric helped popularize the religion in the 1970s. The celebration culminated in the release of a documentary series exploring Marley's legacy, including how his spirituality brought the Rastafarian religion to the forefront of Reggae culture.

Christian, Jewish, and Islamic groups continued to state that society was tolerant of religious diversity, citing their continued involvement, along with other faiths, in the Jamaica Council for Interfaith Fellowship. The interfaith council included representatives from the Rastafari Ininity Council, Sanatan Dharma Mandir United Church, Unification Church, 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 education events and to publicize World Interfaith Harmony

Week sponsored worldwide by the Baha'i Faith and celebrated annually during the first week of February.

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*. Topics included the intersection of LGBTI rights with religion, the shared values and beliefs of religions, interfaith harmony, and religion's role in the government. *The Gleaner* also published a series of academic discussions on religion and culture, exploring the history and practices of Yahweh, Sikhism, and Jainism, among others.

Section IV. U.S. Government Policy and Engagement

Embassy officials regularly engaged with senior officials in the Ministry of Foreign Affairs and Foreign Trade; Ministry of Culture, Gender, Entertainment, and Sport; and the JDF to discuss the state of religious freedom in the country.

Although limited by COVID-19 restrictions, embassy officials also met with and encouraged dialogue among leaders of religious groups, including Christians, Jews, Muslims, and Rastafarians, to discuss the importance of religious tolerance, social inclusion, and freedom of expression and assembly in relation to religious freedom.

On January 17, the Ambassador published a press release celebrating U.S. National Religious Freedom Day, emphasizing the importance of religious freedom for all. Other embassy representatives included similar references to the value of religious freedom and tolerance in speeches and other public engagements, press releases, and on social media. On October 21, the Ambassador and other embassy officials met Sheikh Musa Tijani of the Islamic Council of Jamaica to discuss the general state of Islam in the country.