

# JAMAICA 2021 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 is not enforced. The Independent Commission of Investigations (INDECOM), an independent government agency responsible for investigating police abuses, investigated a claim that a Rastafarian woman's locs (also called "dreadlocks") were cut while she was in police custody in July. Rastafarians said the incident underscored misconceptions about the health and cleanliness of people who wear their hair in locs. The government continued 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. Over the course of the year, curfew dates, including for Sundays, fluctuated in response to COVID-19. Media reported the Jamaica Umbrella Group of Churches in August negotiated an agreement with the Office of the Prime Minister to allow a maximum of 20 attendees in places of worship on Sundays, with streaming services for those unable to attend. Religious groups, primarily nonmembers of the Jamaica Umbrella Group of Churches, opposed the government's imposition of movement restrictions and other barriers to free assembly to combat the COVID-19 pandemic. In April, a church brought a constitutional challenge stating that the restrictions impaired religious freedom and were applied unequally to religious and secular gatherings. 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, while other denominations negotiated exceptions to COVID-19 movement restrictions for Sunday religious services.

In October, three members of a church in Montego Bay were killed in a ritual human sacrifice, prompting calls for action by religious leaders that included increased scrutiny of churches and further cooperation between churches and government entities. Rastafarians continued to report prejudice, while also saying 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, held virtual events to promote religious tolerance and diversity, such as an Interfaith Awareness Day event in April.

U.S. embassy officials regularly engaged with officials in the Ministry of Foreign Affairs and Foreign Trade, the Ministry of Culture, Gender, Entertainment and Sport, the Ministry of National Security, the Jamaican Constabulary Forces (JCF), and the Jamaican Defense Force (JDF) 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, to discuss the importance of religious tolerance, social inclusion, and freedom of expression and assembly in relation to religious freedom.

### **Section I. Religious Demography**

The U.S. government estimates the total population at 2.8 million (midyear 2021). 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. The government, however, does not enforce this law.

Registration with the government is not mandatory for religious groups, but groups, including churches or congregations, need to 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 (\$1,600). 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, religious 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 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 operate several 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 operates several 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**

National and international media reported that a police officer forcibly cut a Rastafarian young adult woman's locs while she was in custody in July. The individual, Nzinga King, stated the officer cut her hair as part of the jail's intake process for hygiene purposes while she was serving a 10-day sentence for failing to pay a fine in connection with a disorderly conduct charge. Authorities released her after payment of the required fine. According to media, the incident created significant public controversy, with politicians from the ruling Jamaica Labour Party and the opposition People's National Party speaking out against anti-Rastafarian discrimination. Deputy Prime Minister and Minister of National Security Horace Chang said in an August 10 press statement, "There is no place and absolutely no acceptance of discriminatory actions towards Rastafarians. Everyone must be treated with dignity by the members of the Jamaica Constabulary Force." Police Commissioner Antony Anderson ordered an investigation into the incident, telling media that, "it must be stated categorically that the cutting of people's hair – particularly that of Rastafarians – has no place in the modern Jamaican Constabulary Force." In September, INDECOM took over the investigation. According to media, in September, People's National Party

senator Donna Scott-Mottley called on the government to report the status of the investigation. On December 8, INDECOM released a media statement saying that it had submitted its findings to the Office of the Department of Public Prosecutions (DPP) on November 11. On December 21, DPP official Paula Llewellyn told Radio Jamaica News that the DPP was requesting further information from INDECOM before issuing a final ruling. By year's end, DPP had not issued a final ruling.

Advocacy and religious groups noted the case's symbolic representation and potential impact on cultural identity and religious expression. Rastafarian religious groups, in particular, said the case underscored misconceptions about the health and cleanliness of people who wear their hair in locs.

Rastafarians continued to report discrimination against their children at schools, mostly in rural areas, and at some workplaces. In October, a couple appealed a 2020 Supreme Court ruling that a primary school was justified in barring their child from attendance unless she cut her locs. While the court stated that it based its decision on the fact that neither the child nor her parents self-declared as Rastafarians when the child was first barred, national media reported the couple and their lawyer said that such policies breached their right to freedom of expression.

The JDF generally continued to refuse acceptance of Rastafarians into its ranks. The JDF previously noted it did not discriminate based on religion or denomination, but it stated that 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.

According to an October Humanists International *Freedom of Thought Report*, a group of legislators was working on a draft amendment to the law that criminalizes abortion, making it legal, but no vote had been held by year's end. Most religious leaders remained opposed to abortion. One leader also accused supporters of the legalization of abortion as "blaspheming the Word of God."

Seventh-day Adventists continued to report that their observance of the Sabbath on Saturdays 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. Seventh-day Adventists continued to report facing difficulties with employment due to their inability to work on Saturday.

Over the course of the year, curfew dates, including for Sundays, fluctuated in response to COVID-19. Media reported the Jamaica Umbrella Group of Churches in August negotiated an agreement with the Office of the Prime Minister to allow a maximum of 20 attendees in places of worship on Sundays, with streaming services for those unable to attend.

Some religious groups, primarily nonmembers of the umbrella group, opposed the agreement negotiated by the umbrella group and the government's imposition of movement restrictions and other barriers to free assembly to combat the COVID-19 pandemic. In April, the Tarrant Baptist Church brought a constitutional challenge before the courts stating that the restrictions impaired religious freedom and were applied unequally to religious and secular gatherings.

In April, the Broadcasting Commission launched an investigation into one church-affiliated radio station after it broadcast a sermon urging listeners to refrain from receiving COVID-19 vaccinations.

National Heritage Week, observed from October 10-18, included a religious service at Waltham Park New Testament 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 continued to compensate 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.

### **Section III. Status of Societal Respect for Religious Freedom**

According to media, three members of Montego Bay's Pathways International Kingdom Restoration Ministries were killed and one injured as part of a ritual human sacrifice at the church's compound in October. When JCF officers responded, an exchange of gunfire resulted in the death of an additional congregant. Media also reported Pathways' leader Kevin Smith later died on October 25, along with a JCF officer, in a car crash while being transported in a police convoy following his arrest for multiple counts of murder. The incident led several prominent religious leaders and government officials to call for increased scrutiny of churches. "It seems to me that the major church umbrella groups need

to sit down and have a conversation among themselves, and then make recommendations to the government, so that not every person who wants to set up a church can so freely do,” said Mark Dawes, a pastor within the Missionary Church Association in Jamaica. Catholic Archbishop of Kingston Kenneth Richards stated, “[I]t’s very difficult; this is where some of the complexity resides, because there’s the constitutional right to freedom of religion that has to be respected.” Jamaica Council of Churches president Reverend Newton Dixon proposed the establishment of an “ethical charter” between and among churches and the government to protect people in religious spaces and prevent further violent incidents. Deputy Prime Minister Chang told media that it would have been difficult to take action against Smith’s church beforehand, given constitutional protections, although he raised the possibility of increased regulations. By year’s end, the government had not introduced any new regulation of church activities resulting from the incident.

Rastafarians continued to report wider societal acceptance, despite continued negative stereotyping and stigma associated with their wearing locs and smoking marijuana. In April, Minister for Culture, Gender, Entertainment, and Sport Olivia Grange attended celebrations of Groundation Day, a major holiday for Rastafarians.

Christian, Jewish, and Islamic groups continued to state that society was tolerant of religious diversity, cited 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, such as offering virtual programming for Interfaith Awareness Day in April, and to publicize World Interfaith Harmony Week, celebrated annually during the first week of February.

LGBTQI+ individuals continued to report negative attitudes and discrimination from some religious groups, although media reports and surveys suggested an overall trend toward increasing acceptance. Sex between men continued to be criminalized, with the support of some religious groups. Media reports quoted one leader of a group of churches opposed to decriminalizing sex between men as saying, “We definitely don’t support the established organizations of support to homosexuality, and we are against all their proposals and their recommendations

for legalization [and] anything that has to do with the advances of the practice of homosexuality in Jamaica.”

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 in opinion pages and letters to the editor in newspapers, such as *The Gleaner* and *The Jamaica Observer*. Topics included the intersection of LGBTQI+ rights with religion, the status of regulation of churches, and religion’s role in society. *The Gleaner* also published a series of academic discussions on religion and culture that explored the history and practices of Yahweh, Sikhism, and Jainism, among others.

#### **Section IV. U.S. Government Policy and Engagement**

U.S. embassy officials regularly engaged with officials in the Ministry of Foreign Affairs and Foreign Trade, the Ministry of Culture, Gender, Entertainment and Sport, the Ministry of National Security, JCF, and the JDF to discuss the state of religious freedom in the country, including the rights and treatment of vulnerable individuals by religious groups as well as the status of church oversight and regulation by civil authorities.

Embassy officials also met virtually with and encouraged dialogue among leaders of religious groups, including Christians, Jews, Muslims, and Rastafarians, on the importance of religious tolerance, social inclusion, and freedom of expression and assembly in relation to religious freedom.