



PRONOUNCEMENT OF THE GAMBIA AS AN ISLAMIC STATE: PERCEPTIONS AND REALITIES

1.0 INTRODUCTION

On December 11 2015, President Yahya Jammeh declared The Gambia as an 'Islamic State' during his tour of Brufut, a community, 20km from Banjul. He stressed that the rights of the Christian minority and other religions will be respected while women would not be held to any particular dress code. However, a directive from the presidency on January 4 2016 exhorted women to wear head ties, a dress code in conformity to Islamic teachings. The decision was later rescinded according to another directive from the presidency because it made some females 'unhappy'¹.

Home to approximately 2 million people, with this pronouncement, The Gambia will be the second African country to become an "Islamic Republic" after Mauritania. According to the constitution of August 8, 1996, the country remains a secular state despite the fact that 90 percent of the populations are Muslims. According to President Jammeh "In line with the country's religious identity and values, I

proclaim The Gambia as an Islamic state...as Muslims are the majority in the country, The Gambia cannot afford to continue the colonial legacy." In 2013, Gambia pulled out of the Commonwealth, which President Jammeh described as neo-colonialist.

The declaration seems to have thrown the nation into a state of uncertainty, as the president did not give full details of what the practices, institutions and instruments entailed in operationalizing an Islamic Republic following his pronouncement. Furthermore, there is no Bill in the Gazette on such a declaration and yet there is a subsisting law in relation to secularism. In expressing some elements of perception as a result of the pronouncement, Halifa Sallah in his New Year message to the Gambian people stated "In an era of increasing rate of violent extremism, dividing the country into a religious majority and a minority will only breed dissent, dissidents and eventually instigate instability².

Despite the multiple diversities within

the country, The Gambia has been able to maintain peaceful coexistence among its people largely due to a number of cultural and social ties between its ethnic and faith groups. There is perception and perhaps reality that the declaration of the country as an Islamic state could negatively impact the social fabric that has underpinned Christian-Muslim relations for generations. In actuality, in the context, virtually every Christian family has close relations who are Muslims. Therefore, a lot of analysts opine that a secular state makes it possible for citizens of The Gambia from diverse religious and philosophical backgrounds to maintain respect and tolerance to their differences. The cynics believes that the evolving situation may increase the risks of exclusion, conflict and sectarian violence while the optimists consider that since the country is over 90% Muslims, the pronouncement would rather increase their faith in Islam and by implication, better stability. While the situation remains unclear, it requires close monitoring and analysis

¹ The directive from the office of the President was issued on 31 December for females in government departments to wear head ties only for it to be lifted on 13 January 2016 by executive directive.

² Gambia: PDOIS' New Year Message 2016 - the Year of Decision Forward With a New Gambia Owned and Driven By the People to Attain a Life of Liberty, Dignity and Prosperity a Third Secular Democratic Republic Ushering in the Sovereignty of the People Is in View. The Point newspaper (7 January 2016)

West Africa Early Warning & EARLY RESPONSE Network (WARN)

The West Africa Early Warning Network (WARN) is an integral part of the West Africa Preventive Peacebuilding Program co-ordinated by the West Africa Network for Peacebuilding (WANEP). Through its WARN Program, WANEP is setting the stage for a civil society-based early warning and response network in Africa with emphasis on human security.

WARN covers the entire Economic Community of West African States (ECOWAS) region.

Since 2002, WANEP entered into an agreement with ECOWAS through the signing of a Memorandum of Understanding (MOU) in the framework of capacity building in Conflict Prevention. One of the goals of

this agreement is to interface WARN with the ECOWAS Early Warning Systems to optimize early warning conflict prevention in West Africa. In view of this development, WANEP has been operating a liaison office located at the ECOWAS Secretariat in Abuja, Nigeria since April 2003.

In recognition of the role and achievements of the West Africa Network for Peacebuilding (WANEP) in Conflict Prevention and Peacebuilding in Africa, particularly in West Africa, the Economic and Social Council of the United Nations at its substantive session of 2006 granted WANEP Special Consultative Status to the UN. WANEP is therefore mandated to designate official representatives to the United Nations in New York, Geneva and Vienna to further its advocacy and outreach strategies for peace and human security.

of factors that could breach the peace in the country. This policy brief is an attempt to provide insights to the current dynamics, and proffer policy options to maintain the peace and stability of the country.

2.0 PUBLIC PERCEPTIONS AND REALITIES.

The declaration of The Gambia as an Islamic State has stirred debates among citizens and groups within the country and in the Diaspora over its viability and applicability. Most opinions are anchored on Section 100 of the National Constitution, an entrenched clause, which aptly states, **“The National Assembly shall not pass a Bill to establish any Religion as a State Religion.”** It reinforces the secularity of The Gambia, which promotes inclusivity and zero tolerance for politicizing of religion. Opposition groups have therefore termed the declaration as unconstitutional and a violation of the oath sworn by the President to uphold and defend the constitution of The Gambia. It is also viewed as a decision that undermines the functions of the National Assembly. Hamat Bah, leader of the opposition National Reconciliation Party (NRP) has strongly criticized the declaration. According to him, “there is a constitutional clause that says that Gambia is a secular state”; as such, a declaration of this magnitude

cannot be passed without a referendum³. Others have argued that the move is a direct consequence of the deteriorating relationship between The Gambia and western powers, which have resulted in the latter's withdrawal of financial support to the country owing to what they described as deplorable human rights record and economic mismanagement. As such President Jammeh is allegedly looking towards the Arab world as substitute for support and source of resources for development.

Some citizens have also expressed their concerns over the danger of rescinding religious tolerance and mutually beneficial co- existence in The Gambia. With the current rising trend of violent extremism globally, Christians are concerned about possible unintended negative consequences of the declaration. These fears have also been articulated by the Knights of Saints Peter and Paul, a society open to all Catholic Men in their statement on the matter⁴.

*“Government's duty, in our view, is to protect the welfare of its entire people and to promulgate and implement just and equitable laws that promote religious freedom. But where one religion becomes the religion of Government, it becomes impossible to see how citizens of the country who belong to other faiths can enjoy full equitable treatment. In all cases where a country is known to be an Islamic state, law and/or practice discriminate against Christians. In all such cases, one's value as a citizen is weighed against the religion one professes. That prospect is not reassuring to Christians in The Gambia, and it naturally engenders alarm.”*⁵

Reacting to the new development,

Momodou Lamin Touray, the president of The Gambia's Supreme Islamic Council (GSIC) who doubles as the Imam of State House⁶ and Imam Ratib of Banjul Cherno Alieu Mass Kah, led a delegation of Muslims to a solidarity visit in support of the declaration. They followed up with a national conference organized at its headquarters on February 7, (2016) to deliberate on the issue. In a bid to assuage the fears of Christians and other interest groups, the council indicated *“...the country is proud of its multi-faith status, which has incubated peaceful co-existence for decades”*. Muhammadou Lamin Touray, President of the Supreme Islamic Council said; *“It has nothing to do with how we are living in this country, both Muslims and Christians. If anything, it is more about Muslims living their lives, as instructed to us by Allah. This is what the President means. Anything other than that is untrue.”*⁷ The leader of the group appealed to religious members of different hues to be tolerant, respectful and out-ward looking. He called on Muslims to stand up and be counted in the dark cloud of twisted and poisonous version of extremist Islamists, highlighting that *“Terrorism and extremism have no place in Islam. Those involved are doing it of their own and not in the name of Islam. Islam is a religion of peace and tolerance and does not entertain any form of violence.”*⁸

Despite the new development, there is no indication that President Jammeh would implement a full-fledged Sharia law or call for referendum that will determine civic acceptance of the declaration. It is widely seen as crucial especially in the backdrop of general elections scheduled to hold on 1st December 2016 and with growing public perception that the President is seeking to legitimize his stay in power by

³ Section 100 of the 1997 Constitution Subsection 2 reads "The National Assembly shall not pass a Bill

a) To establish a one party state; b) To establish any religion as a state religion

⁴ Knights of Saints Peter and Paul- Our View on The Declaration of The Gambia as an Islamic State- (Published in The Point Newspaper of 3 February, 2016)

⁵ Ditto

⁶ The official residence of the President

⁷ Supreme Islamic Council Speaks on Islamic State Declaration-(Published in The Standard Newspaper of 8 February,2016)

⁸ The National Conference was witnessed by the Libyan and Turkish ambassadors whose countries are faced with security challenges emanating from threat of terrorism and violent extremism.

invoking Islam⁹. Already, the adoption of the new electoral code introduced in the Parliament by the Independent Electoral Commission (IEC) in July 2015, that increases the security deposit for elections and requires the audit of party accounts is interpreted by many as a move towards a one party state that excludes opposition and limits popular participation in the political system. The Election Amendment Act is seen as a threat to the Independence of the Commission and a barrier to the democratic and unrestricted participation of the people in electing their representatives. Provisions in the act, which was passed by the National Assembly on July 7, 2015, include the reduction of deposits for presidential candidates from 1 million dalasi (\$24,822) to 500,000 (\$12,411) and 50,000 (\$1,241) for National Assembly candidates. To register a new political party requires 1million dalasi. According to a press release signed by the Chairman of the Independent Electoral Commission (IEC), Alhaji Mustapha Carayol, the proposed implementation of this law will require that on or before 31 March 2016, all political parties are required to regularize their status by providing the IEC with an updated list of their party executive and the addresses of all their parties' secretariats in each administrative region¹⁰.

IMPLICATIONS FOR PEACE AND STABILITY OF THE COUNTRY AND REGION

The declaration of The Gambia as an Islamic State has diverse implications on the State, its foreign policy and its relations with other states in the region, continent and globally. The declaration poses critical questions such as: Would the Judiciary continue to operate the present legal system in an Islamic State? Will the existing governance, administrative and financial systems subsist?

Despite the government's intentions,

assurances and efforts, there is expressed fear that religious fundamentalists may capitalize on this situation to violently entrench or resist this policy thereby raising public insecurity and violent extremism. Consequently, the peace and stability of the country and West African region can be undermined especially in the wake of the terrorist attacks in Mali and Burkina Faso in November 2015 and January 2016 respectively.

Due to porous borders, criminals and religious zealots for their illicit enterprises may use The Gambia, which is highly vulnerable to infiltration and transit as a staging post and even sleeper cells.

Financial experts have indicated that the cost implication of the name change to the country is enormous when juxtaposed to the country's dwindling economy which is tax based. The name change will require the country to reproduce all its official documents such as passports, visas, currency, and all government documents. This is in addition to the challenges of the tourism industry, which recorded a 60 percent decline in 2014/2015 due to the Ebola outbreak in the region. Agricultural output due to the erratic weather was much lower; however, there are expectations that with the abundance of rain in 2015 production growth prospects are projected at 4.7 percent¹¹. Nonetheless, the statement could also jeopardize the resumption of funding from the West especially from Europe with secular political structures. The country already has frosty relationship with this region following the suspension of funding in December 2014 amid criticism of human rights abuses.

Furthermore, conflict analysts continue to link The Gambia as a country in a sub region (Sene-Gambia) that is highly vulnerable to insecurity due to political instability, ethnic and communal conflicts and most recently the upsurge

and spread of violent extremism. Based on this new declaration, there is fear of a potential radicalization and violent extremism from the push and pull factors already existing in countries within the region such as Mali and Nigeria and the protracted Casamance conflict.

3.0 SCENARIOS

Realistic Case Scenario: The declaration of an Islamic State increases political and religious prejudice. The constitution is amended to pave way for the declaration of a one party state; opposition employs the declaration as a campaign tool against the president in the December elections (**Very Likely**). On grounds that Muslims form the majority, radical religious groups and interested politicians advocate for the full implementation of Sharia law; this leads to increased campaign against the government by Gambians in the diaspora and international groups. (**Likely**). In a bid to assuage public anxiety, President Jammeh with support from the GSIC and the National Assembly, concedes to hold a referendum; the referendum is held and Gambians vote for an Islamic State restoring an atmosphere of tolerance and mutual respect for predominant religions (**Likely**). The international community unanimously accepts the decision of Gambians, recognizing and accepting the country as an Islamic State; elections are held in an atmosphere of relative peace, transparency and level playing field for all actors. (**Unlikely**)

Worst Case Scenario: The National

⁹ The Gambia fashions itself as a kind of Islamic state, <http://www.economist.com/news/middle-east-and-africa/21685736-how-tiny-west-african-tourist-trap-turning-itself-islamic>; accessed February 10, 2016

¹⁰ The release also stated "any political party that fails to comply with this Act shall be de-registered after the mentioned deadline". (political parties urged to regularize status) The Point newspaper- 10 February 2016

¹¹ 'Gambia's Economy Characterized by Major External Shocks'- The Central Bank Governor told the Joint Session of the Public Accounts committee and Public Enterprises Committee. (The Point Newspaper 10 February 2016)

Assembly unanimously adopt the presidential declaration devoid of the constitutional provisions and referendum; this acceptance and its consequent implications instigate widespread demonstrations across the country and in the diaspora; security officials are deployed to clamp down on demonstrators. The situation turns violent and many people are arrested and detained (**Likely**). The country becomes more polarized, with politicians reinforcing the politics of divide and rule. International sanctions are further imposed on the country. (**Likely**).

4.0 RECOMMENDATIONS

In a region facing numerous challenges, the unfolding situation in The Gambia requires vigilance and close monitoring of the dynamics especially over sectarian issues capable of threatening the peace and stability of the country. As such, the following options are proposed for response to prevent and or mitigate eruption of violence in the country

To the Government:

- The government should develop and implement civic and peace education programs that promote co-existence and tolerance.
- The government with cooperation from the National Assembly needs to develop an acceptable framework/strategy to hold a referendum on citizen's acceptance of an Islamic State or otherwise. A committee of eminent persons cutting across religious divides should be constituted to identify the modalities for organizing the referendum.
- The government should engage in political dialogue with strategic stakeholders and the opposition and

relevant intergovernmental organizations including the Economic Community of West African States (ECOWAS), African Union (AU) and the United Nations (UN) to promote constitutional and electoral reform.

Civil Society:

- Religious institutions such as the Gambia Christian Council and the Supreme Islamic Council should encourage inter religious dialogue and avoid hate speeches or inciting languages that can trigger violence.
- The media should respect media ethics and remain objective in their reporting.
- Civil society organization should advocate for electoral reforms including term limit to the presidency following the proposal made to the Authority of Heads of State and Government by the ECOWAS Commission.

To International Community:

- ECOWAS should employ mediation efforts to find a consensus in relation to the constitutional amendments and electoral reforms.
- ECOWAS should continue to work with the government to ratify human rights treaties, including the Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment and its Optional Protocol, the International Convention for the Protection of All Persons from Enforced Disappearance, and the African Charter on Democracy, Elections and Governance.

5.0 CONCLUSION

Religion as a value-based issue has always been a delicate matter to deal with. It has bred love and hatred amongst believers for centuries. Religious tolerance and co-existence is

embedded in almost all religious teachings and doctrine including but not limited to Islam, Christianity, and Traditional African religion. Islam teaches Muslims to tolerate and cooperate with Muslims and non-Muslims alike. Islamic doctrine on tolerance is found in the Koran. For example, the Koran (Baqarah 2: 256) states, "Let there be no compulsion in religion: Truth stands out clear from error: whoever rejects evil and believes in Allah has grasped the most trustworthy bond that never breaks and Allah hears and knows all things." The Koran (Baqarah 2: 256) in this regard prohibits Muslims from forcing or compelling non-Muslims to convert to Islam since Islam wants people to voluntarily and willingly convert to Islam; their conversion to Islam must solely depend upon their wills and faiths in Islamic beliefs and practices or in Islamic teachings in general.

On the other hand, the Christian doctrine through the Bible requires all Christians to love their neighbors and other human beings even though they are their enemies. For example, Luke (6: 27) asks all Christians to love their enemies and do good to those who hate them. Luke (6: 30-31) stresses, "Give to everyone who asks of you. And from him who takes away your goods do not ask them back. And just as you want men to do to you, you also do to them likewise."

These two faiths (Islam and Christianity) provisions on tolerance and co-existence were further envisaged and expressly provided for in the Constitution of The Gambia and accounts for the secular nature of the country. In the event that the government want to change these provisions and declare Gambia as an Islamic State, it is important that the other religious groups are carried along through dialogue, consensus building and in adherence to the rule of law. Religion should continue to be the bridge builder in The Gambia rather than a divider and the current harmony and tolerance the country enjoy should remain sacrosanct.

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