

## **Religious freedom in the Maldives: Present and future challenges**

HRWF (22.07.2017) - In the last few years, the expansion of radical Islam across the Maldives has been accompanied by the gradual introduction of Sharia law. Several scholars believe that there is even worse to come, especially as youths sent to overseas madrasas return home with Salafist and Wahhabi forms of Islam. Those "returnees" then import back home the Islam they have learnt in Saudi Arabia and Pakistan, just to name the two main countries behind the worldwide radicalization of Islam, and further undermine the island's historically tolerant Islam and democratic credentials. Religious education abroad of the youth is a crucial issue in the Maldives and in Muslim majority countries. It is also a major avenue for the radicalization of the future intellectual, political and social elite of those countries. All states, including liberal democracies with Muslim minorities, should adopt appropriate proactive policies to stop such a process as those "returnees" educated abroad in controversial religious institutions and countries are promoters of religious and political ideologies that challenge the values of the Universal Declaration of Human Rights.

See for example

### **The Rising Tide of Islamic Radicalism in the Maldives by Raamy Majeed, Cambridge University, September 2014**

[https://www.academia.edu/8515955/The\\_Rising\\_Tide\\_of\\_Islamic\\_Radicalism\\_in\\_the\\_Maldives](https://www.academia.edu/8515955/The_Rising_Tide_of_Islamic_Radicalism_in_the_Maldives)

### **The Perils of Rising Religious Fundamentalism in the Maldives by Djan Sauerborn for South Asia Democratic Forum, September 2013**

[https://www.academia.edu/7428520/The\\_Perils\\_of\\_Rising\\_Religious\\_Fundamentalism\\_in\\_the\\_Maldives](https://www.academia.edu/7428520/The_Perils_of_Rising_Religious_Fundamentalism_in_the_Maldives)

### **Maldives: Country Overview by Xavier Romero-Frias in Maldives: Country Overview by Xavier Romero-Frias**

[https://www.academia.edu/4679385/Maldives-Religious\\_Practices](https://www.academia.edu/4679385/Maldives-Religious_Practices)

### **Islamism and Radicalism in the Maldives, a thesis by Hasan Amir**

[https://www.academia.edu/6646445/Islamism\\_and\\_Radicalism\\_in\\_the\\_Maldives](https://www.academia.edu/6646445/Islamism_and_Radicalism_in_the_Maldives)

In May 2015, the human rights records of the Maldives were reviewed in the framework of the Universal Periodic Review (UPR). The European Center for Law and Justice contributed to it with a submission about the situation of religious freedom in the country. See hereafter excerpts of their contribution, the full version with footnotes being accessible at <http://bit.ly/2vsChh1>

### ***The Constitution and Freedom of Religion or Belief***

The Maldives, after transferring power to its first democratically elected government in 2008 under the presidency of Mohamed Nasheed, implemented a new constitution that purports to ensure the equal protection of human rights; however, it only grants those freedoms to the extent they are compatible with Sunni Islam, under Sharia law.

The Constitution's Non-Discrimination Clause provides that "[e]veryone is entitled to the rights and freedoms included in this Chapter without discrimination of any kind, including race, national origin, colour, sex, age, mental or physical disability, political or other opinion, property, birth or other status, or native island". Noticeably, religion does not appear in the Clause. Instead, "it is the responsibility of every [Maldivian] citizen . . . to preserve and protect the State religion of Islam".

Thus, there is no freedom of religion or religious expression in the Maldives as the Constitution forbids the practice of any religion other than Islam. Only Muslims are granted citizenship, while formerly-Muslim religious converts are punished by revocation of citizenship. Therefore, it is unlikely that the Maldives is making any effort to work towards religious freedom for non-Muslims because Islam, as the official religion, holds both religious and political power. "Islam is so intertwined with politics in the Maldives that it is the only country in the world where it is illegal [for citizens] to be anything other than a Muslim".

The Maldivian Constitution stipulates that "a non-Muslim may not become a citizen of the Maldives". Additionally, the Maldivian government has incorporated an aspect of Sharia law into its legal system which provides that "citizens who convert to another religion can have their citizenship revoked" or be sentenced to death.

### ***Protection of Religious Unity Act***

The Protection of Religious Unity Act of 1994 maintains that "both the government and the citizens of the country must protect the religious unity that they have created". Despite the 2010 Working Group's "grave concern" for religious freedom under the religious unity regulations, which enforce the Religious Unity Act, the Maldivian government ratified and published the new draft of the regulations in 2011. The religious unity regulations of the Act make it "illegal in the Maldives to propagate any faith other than Islam or to engage in any effort to convert anyone to any religion other than Islam". It is also illegal to publically carry or display non-Islamic religious books and writings, and is illegal to translate non-Islamic religious writings into Dhivehi, the Maldivian language. Only the following remain exempt: "articles that disseminate information about various disciplines, intellectual studies carried out, comparative studies between Islam and other religions, description of sayings and expressions about Islam by people of other religions, and dissemination of Muslim expressions on other religions".

Further, it is "illegal to display in public any symbols or slogans belonging to any religion other than Islam, or creating interest in such articles". This regulation-in addition to the Regulation on the Protection of Religious Unity forbidding the media from publicising material that "humiliates Allah or his prophets or the holy Quran or the Sunnah of the Prophet (Mohamed) or the Islamic faith"-authorised the Maldivian Ministry of Islamic Affairs to block eight websites in 2008 and 2009 "for allegedly publishing anti-Islamic and pro-Christianity content in [] Dhivehi [language]".

In November 2011, the Ministry of Islamic Affairs also banned a controversial blog written by Ismail 'Hilath' Rasheed, a Maldivian freelance journalist and religious freedom campaigner. Rasheed spoke against the Maldivian Constitution's proscription against Islamic schools outside the "Sunni school of Islam". Rasheed's blog was banned for containing anti-Islamic statements. In a statement defending his blog's Islamic character, Rasheed stated, "I am a Sufi Muslim and there is nothing on my website that contradicts Sufi Islam".

### ***Apostasy Law***

A major concern to the country is the Islamists' rising influence. In addition to the constitutional provisions granting equal protection of human rights only to the extent they are compatible with Islam, there has also been talk about fully integrating and implementing Sharia law in the country. Even under current law, however, aspects of Sharia are incorporated into the legal system. For example, starting at age seven, apostasy is punishable by death.

In May 2010, during a public question-and-answer session with Islamic speaker Dr. Zakir Naik, Mohamed Nazim stated that he was "Maldivian and not a Muslim". Nazim was the first Maldivian to publicly announce he was not a Muslim. The Islamic Foundation, a local religious non-governmental organisation, called for Mohamed Nazim to be stripped of his citizenship and sentenced to death if he did not repent and return to Islam. Nazim's statement challenged the constitutionality of revocation for renouncing the Muslim faith. The 2008 Maldivian Constitution states that anyone who was a Maldivian citizen at the commencement of the Constitution is a citizen of the Maldives. It also states that "[n]o citizen of the Maldives may be deprived of citizenship". Thus, Maldives' adherence to Sharia law, which punishes apostasy with revocation of citizenship, is contradictory to the Maldivian Constitution. Nazim said, "When I did what I did, legally I was absolutely convinced that there was no way I could not be a Maldivian".

Ultimately, Nazim re-embraced Islam, after being detained for five days at the Dhoonidhoo prison where he received counseling from religious scholars. He said, however, "[t]he extremism that was taking hold in the Maldives was increasing so rapidly. . . . I needed to speak about it". Nazim stated that "[s]omebody had to do it, it needed to be spoken about. The repression of thought, the lack of debate and a lack of a proper public sphere in which such discussion can take place, is dangerous".

### **Conclusion**

While the Constitution of Maldives grants rights and freedoms to its citizens, it limits those freedoms based on the government-authorised, Sunni Islam. There is no freedom of religion or religious expression in the Maldives as the practice or propagation of any religion other than Sunni Islam is not only forbidden but is punishable by revocation of citizenship or death. With Islamic extremists gaining political power in the Maldives, religious freedom will continue to diminish, even within the Muslim community. Currently, there have only been limited demonstrations of religiously motivated instability and violence. But, as radical Islamic groups continue to gain power, moderate Muslims and non-Muslims will begin to experience severely restricted religious freedom. Thus, the Working Group must stress the importance of the freedom of religion and its free expression, and specifically urge the Maldivian government to resist embracing radical Islamic ideals.