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2023 Report on International Religious Freedom: Jamaica

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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.

In September, the Ministry of Education and Youth published The National Student Dress and Grooming Policy for use in public schools. The policy removed the requirement for Rastafarian students to cover their hair, which they refer to as "locs." Rastafarian advocates welcomed the policy, noting decades of what they say was institutionalized discrimination by the state. 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.

While Rastafarians continued to report discrimination, they said there was rising 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 Ambassador engaged various segments of the religious community via numerous activities throughout 2023. Embassy officials also met with a variety of groups, including

Christians, Rastafarians, and the Jewish community; they discussed the importance of religious tolerance, social inclusion, and freedom of expression and assembly in relation to religious freedom. In meetings with Rastafarian leaders, embassy officials discussed issues of religious freedom, including discrimination in schools against their children, employment rights, religious use of marijuana, and the wearing of locs.

Section I.

Religious Demography

The U.S. government estimates the total population at 3 million (midyear 2023). According to the most recent available data (2011 census), 26 percent of the population belong to various branches of the Church of God; 12 percent are 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; 2 percent maintain some other form of spiritual practice. Members of other religious groups in total 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, 1,800 Hindus, 1,500 Muslims (Muslim groups, however, estimate their numbers at 6,500), 500 Jews (Jews estimate their numbers at approximately 6,000), and 270 Baha'is. The census reports 21 percent have no religious affiliation. There are 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, did not in practice 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 organizations, and allow their clergy to visit prisoners. Groups seeking incorporated status are required to apply to the Companies Office of Jamaica (Companies Office), an executive agency. The application comprises a standard form and a fee of 24,500 Jamaican dollars (\$160). Nongovernmental organizations 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, within the Ministry of Industry, Investment and Commerce, or to the Companies Office of Jamaica. Once registered, groups also submit their registration to the Jamaica Customs Agency within 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.

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 collective religious worship during school hours is optional. The law permits homeschooling.

Churches operated several private and public schools; the public schools receive funding from the government and are subject to the Education Act. Regulations mandate that religious schools receiving public funding must admit students of all faiths and adhere to the ministry's

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

Civil proceedings initiated by the family of Nzinga King, a 19-year-old Rastafarian student who was arrested by police in 2021 and had her locs cut while in custody, continued at year's end.

Rastafarians continued to report discrimination at some workplaces and against their children at schools, mostly in rural areas. A couple continued their appeal of a 2020 Supreme Court ruling that a primary school was justified in barring their child from attending unless she cut her locs, based on her lack of self-declaration as a Rastafarian. Other Rastafarians also reported discrimination from school administrators based on their hairstyle.

To address the continued discrimination based on students' hairstyles and grooming practices, the government announced the publication of a dress and grooming policy in 2023. The government stated that Rastafarian students, especially boys, were often forced to cover their locs and it was time to end discrimination against Rastafarians by respecting their religious beliefs and practices. Daily newspaper *The Gleaner* reported in September that Rastafarian Elder Lewis Brown hailed the decision and also called on workplaces to narrow the gap between mainstream culture and Rastafarians by allowing them to freely wear their locs.

The Jamaica Defense Force (JDF) generally continued to refuse acceptance of Rastafarians into its ranks. The JDF previously said 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.

Most religious leaders remained publicly opposed to abortion, while several legislators spoke out in favor of its legalization. In June, the *Gleaner* reported that Minister of Legal and

Constitutional Affairs Marlene Malahoo Forte told parliament that the government did not intend to amend any clauses in the constitution or repeal pre-existing laws that would offend fundamental beliefs held by religious groups.

Seventh-day Adventists continued to report that their observance of the Sabbath on Saturdays caused them difficulties, for example by facing challenges with employment due to their inability to work on Saturday.

According to media reports, 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 and security forces outside Montego Bay. Rastafarian leaders advocated further steps by the government to account for past and present discrimination against the Rastafarian community, including assistance to develop a monument or museum for the preservation of their culture.

In November, the *Jamaica Observer* reported that 23 children who had been removed in June from the Qahal Yahweh religious compound were returned to their parents or other relatives. They were removed in June due to parental refusal to have their children vaccinated, and 13 adults, including the leader of the group, were subsequently charged with violations of the Child Care and Protection Act. The case was scheduled to return to family court in February 2024.

In September 2023, the Ministry of Education and Youth published guidelines on the proper conduct of school devotions to ensure the safety and emotional well-being of the student population. This policy was adopted in response to an incident in 2022 at Oberlin High School in St. Andrew Parish in which several students began writhing on the ground and speaking in tongues following a school devotion presented by one of their instructors. In response to the government-issued Guidelines for Devotions in Schools, a Roman Catholic deacon wrote that, while government-owned schools would have to adhere to the guidelines, church schools might well be justified in ignoring them. In his article in the *Gleaner*, Peter Espeut characterized the guidelines as "...telling churches how they are to conduct prayer and worship in their schools." Church officials continue to warn government against interfering with the current practices.

Section III.

Status of Societal Respect for Religious Freedom

Christian and Jewish groups continued to state that society was tolerant of religious diversity and they along with other faiths continued to participate in the Jamaica Council for Interfaith Fellowship and the National Interfaith Service. The interfaith council included representatives from the Rastafari Innity Council, Sanatan Dharma Mandir United Church, Family Federation for World Peace and Unification (Unification Church), National Spiritual Assembly of the Baha'is, United Congregation of Israelites, Islamic Council, and Soka Gakkai International. In October, the council helped organize a National Heritage Week interfaith service.

In light of persistent societal discrimination against lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) individuals, LGBTQI+ rights activist and educator Angeline Jackson formed a Christian ministry to affirm members of her community, providing an environment for them to express their spirituality without fear of abuse or discrimination.

Section IV.

U.S. Government Policy and Engagement

The Ambassador engaged various segments of the religious community and participated in several national activities throughout the year. In January, he attended the National Leadership Prayer Breakfast and the National Interfaith Service. The latter was organized by the government and attended by representatives of the Hindu, Muslim, Jewish, Christian, and Indigenous religious communities. The Ambassador was a guest speaker at an 85th anniversary church service and delivered remarks on health care at another religious event. He attended the Manipur Dance Show and Diwali Celebrations as well.

Embassy officials also met with a variety of groups, including Christians, Rastafarians, and the Jewish community, on the importance of religious tolerance, social inclusion, and freedom of expression and assembly in relation to religious freedom. In discussions with Rastafarian leaders, issues of religious freedom, including discrimination in schools against their children, employment rights, religious use of marijuana, and wearing of locs were discussed. Following the October 7 Hamas attacks on Israel, embassy officials met with the leader of the Jewish community, who commended the country for being a model for religious freedom in the Caribbean.

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