

Institute on Religion and Public Policy

Report on Religious Freedom in Madagascar

Executive Summary

(1) The Constitution of Madagascar provides protection for religious freedom and protection against discrimination. However, in its implementation, many religious communities have suffered both governmental and societal discrimination. The religious landscape of the country is diverse, but the government is controlled by the large Christian population. Most of the religious freedom abuses have occurred within the different sects of Christianity because they are often competing for power and influence. Many of the recent presidents have been supported by Madagascar's churches, and they have gone to great lengths to ensure that this support is secure. Minority groups, because they are not competing for power, are not often the target for overt religious discrimination, but their concerns are often overlooked. The government was recently overthrown, leaving the potential for a new constitution that leaves the possibility for greater protections for religious freedom. While Madagascar's new president has promised to keep religion and politics separate, his challenge will be to gain legitimacy for his government.

Institute on Religion and Public Policy

(2) Twice nominated for the Nobel Peace Prize, the Institute on Religion and Public Policy is an international, inter-religious non-profit organization dedicated to ensuring freedom of religion as the foundation for security, stability, and democracy. The Institute works globally to promote fundamental rights and religious freedom in particular, with government policy-makers, religious leaders, business executives, academics, non-governmental organizations and others. The Institute encourages and assists in the effective and cooperative advancement of religious freedom throughout the world.

Demographics and Religious Make-Up

(3) Madagascar has a population of 18 million who inhabit the fourth largest island in the world. Slightly less than half of the population is Christian, with almost an even split between the number of Protestants and the numbers of Catholics. Traditionally, the Catholics have been the working class and poorer members of the nation, whereas Protestants have dominated the business and corporate sectors. The rest of the population is made up of indigenous believers, Muslims, and a small number of Jewish and Hindu followers. The Muslims in the country are primarily Pakistani and Indian immigrants who came to the country over the last hundred years. Generally, the different religious groups keep themselves geographically isolated with Protestants in the cities, Catholics on the coast, and Muslims in the north and northwest regions.

Recent History of Freedom and Politics in Madagascar

(4) Religious freedom has been constitutionally guaranteed since August 1992, when the current constitution came into force creating a formal separation of church and state. This separation existed until April 2007. Despite assertions of separation, religion and politics are very much intertwined in Madagascar. Most of the government leaders have ties with religious groups and strong religious affiliations. All of Madagascar's presidents, with the exception of one, have been Catholic while the royal family supports the Protestant groups. In addition to personal beliefs, most presidential and parliamentary candidates require church backing to gain enough political capital to be elected. For example, former president Marc Ravalomanana served as the lay vice president for the Church of Jesus Christ in Madagascar (FJKM). The Church is rumored to have funded his campaign.

(5) In addition to violations of religious freedom, another human right that is of particular concern in Madagascar is freedom of speech. The government owns the only radio and television stations that are allowed to broadcast nationally. There are claims that religious groups do have access to public and private media outlets and can even conduct prayers on the airwaves, but some religious groups report that they censor themselves to avoid being shut down by the government.

(6) The restrictions placed on the freedom of speech contributed to the overthrow of the government in early 2009. VIVA, a major television and radio station, was shut down in December 2008 for airing an interview the government claimed would disrupt the public order. The government was also upset because of the degree to which this interview criticized the government. Former head of VIVA and mayor of Antananarivo, Andry Rajoelina, led demonstrations and riots calling for the resignation of the government in power at that time. Over 100 people were killed in these riots. Power was transferred to Rajoelina in March of 2009 after President Ravalomanana resigned. A few sources claim that the reason President Ravalomanana resigned, and effectively gave power to Rajoelina, is because he lost the backing of the church leaders. Rajoelina declared that his government would no longer mix religion and politics.

Legal Status

(7) President Rajoelina, whose government is not officially recognized by the West, has stated that there will be a new constitution with 24 months of his March 2009 rise to power. There has been no mention of whether the freedom of religion clauses will be edited.

(8) The current Constitution of Madagascar states, in several articles, that all citizens have freedom to practice their religion without interference from the government. Article 8 Section 2 of the Constitution prohibits discrimination on the basis of religion. Article 10 declares that freedom of religion must be guaranteed, except in situations in which

public safety is at risk and if the rights of others are be limited as a result. Article 14, outlining restrictions on political parties, forbids any political party from discriminating against any religion or religious group. Article 27 forbids discrimination and injury at the workplace on account of religion.

(9) Madagascar has no official state religion. However, on April 4, 2007 a constitutional referendum was passed to eliminate the description of the country as “secular.” This referendum ended the formal separation of church and state. Some believe President Ravalomanana sought to eliminate the separation of church and state so that he could make Madagascar a Christian state, but he did not take steps to establish a state religion. Others believe he sought only to ensure Christian morals would be engrained in society.

(10) Religious organizations are encouraged to report themselves to the government by officially registering with the Ministry of Interior. In order to officially act as a religious association, and be eligible to receive gifts, the organization must have 100 members and all members of its board or administrative council must be citizens. When the membership of the association expands to 1000 members, they may then apply to be officially recognized as a religious organization. But if a member of an organization’s or association’s administrative council are not citizens, then the organization may only be recognized as an organization “reputed to be foreign.” Religious groups that do not meet any of these requirements have to instead register as an association, which forbids them from holding religious services and receiving gifts. There are an estimated 1,000 religious associations which are not legally recognized and only 109 that are recognized by the government.

Specific Instances of Religious Discrimination

(11) No reports of religious discrimination have been reported since President Rajoelina came to power.

(12) Due to technicalities in the application for citizenship, being born in Madagascar does not qualify one for citizenship; to be declared a citizen upon birth, the baby’s maternal bloodline must prove their citizenship. This regulation has the tendency to negatively impact Muslim groups because many of them are recent immigrants who cannot show a maternal lineage of citizenship in Madagascar.

(13) In 2007, Father Urfur, a Jesuit missionary was expelled from the country even though he held a permanent visa. There is no consensus on why he was expelled. Some, including Father Urfur, believe that President Ravalomanana was taking a stand against the Catholic Church and feared Urfur was a threat because of his work observing public life – which sometimes included criticism of the government.

(14) President Ravalomanana banned the Universal Church of the Kingdom of God in 2007. He accused them of being a cult and not a religious organization. They were registered as an organization “reputed to be foreign,” therefore not officially recognized as a religious organization. The Minister of Interior claimed they should have been

registered as a cult society. Thirty-six of their members were forced to flee the country and all branches were shut down. In 2005, four members of the same church were imprisoned for burning a Bible.

(15) In 2005, it is reported that President Ravalomanana shut down the New Protestant Church in Madagascar, a charismatic Protestant church, because its growing membership was threatening the membership of his church, The Church of Jesus Christ in Madagascar. The two churches used to be one larger church, but the New Protestant Church broke away. The Supreme Court claimed they needed more evidence of abuses to keep the Church shut down. It was reopened in 2007.

U.S. Foreign Policy

(16) The relationship between the United States and Madagascar has been strained since Rajoelina took over the government. They have suspended all non-essential humanitarian aid to the country. The United States supports the efforts of the African Union to ensure a free and fair election. Until an election is held, the government is not considered legitimate.

(17) Prior to the coup d'etat, the United States had a longstanding relationship with Madagascar. They provided assistance in areas such as agriculture, democracy, family planning and media. Madagascar also received \$110 million dollars when they became a member of the Millennium Challenge. The U.S. Embassy also seeks to ensure that human rights, especially religious rights are upheld. Their work includes meeting with religious leaders and community leaders.

(18) The relationship between the U.S. and Madagascar was previously challenged in 1970 when Madagascar aligned with the Soviet Union and expelled the U.S. Ambassador from the country. The Embassy was restored in 1980.

Conclusion

(19) Political competition has been one of the greatest sources of religious discrimination in Madagascar. Politicians and government gain legitimacy through the support churches and church leaders. Furthermore, because of lack of independence from religious institutions, these government officials have actively engaged in limiting the freedom of speech closing churches that either criticize the government or are in competition with the churches that are supporting their political campaigns. With a new government in place Madagascar has the opportunity to ensure greater protection for religious freedom. President Rajoelina must hold free and fair elections. His desire to keep religion and politics separate is admirable, but must be carried out providing adequate protections for religious freedom in the new constitution.