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Madagascar

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2010

November 17, 2010

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were few reports of societal abuses and discrimination based on religious affiliation, belief, or practice.

Before the March 2009 coup d'etat, the U.S. government discussed religious freedom with the government as part of its overall policy to promote human rights, but since the coup U.S. interaction with the government has been extremely limited.

Section I. Religious Demography

The country has an area of 226,657 square miles and a population of 20.6 million.

Although precise official figures were unavailable, approximately half of the population is Christian. There are four main Christian denominations, which compose the dominant religious association, the Council of Christian Churches in Madagascar (FFKM): Roman Catholic, Reformed Protestant Church of Jesus Christ in Madagascar (FJKM), Lutheran, and Anglican. Smaller groups include The Church of Jesus Christ of Latter-day Saints (Mormons), Jehovah's Witnesses, and Seventh-day Adventists. A significant minority of citizens also observe indigenous religious practices.

Muslims constitute 10 to 15 percent of the population, with strong concentrations in the north, northwest, and southeast. Native-born persons and ethnic Indian and Pakistani immigrants represent the majority of Muslims; there is also a small number of Hindus.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion; however, the current regime called the legal validity of the constitution into question and ignored its requirements

to draft a new one, which must be approved by a public referendum. They have not specifically questioned religious freedom as a general principle.

The April 2007 constitutional referendum eliminated the explicit secular nature of the state, but it did not diminish legal protection for freedom of religion.

Former President position as a lay vice-president of the FJKM generated allegations of favoritism and his occasional comments expressing a desire to transform the country into "a Christian state" generated controversy. After the March 2009 coup d'etat, Protestants expressed concern about backlash against the FJKM. Some FJKM churches, particularly those that received benefits from Ravalomanana, were victims of looting, possibly politically motivated, during 2009. The government denied the leaders of the Ecclesiastical Movement (HMF) within FJKM the right to hold demonstrations and public prayer meetings in municipal stadiums and on private church property.

The government observes the following religious holidays as national holidays: Easter, Ascension, Pentecost, Assumption, All Saints' Day, and Christmas.

State-run media granted religious organizations free access to state media provided that their use constituted a public service. Malagasy National Television (TVM) provided free broadcast time every Sunday morning for five hours to churches that are members of FFKM and the Malagasy Bible Society. Several evangelical denominations also signed contracts with TVM, approved by the station's director, to purchase broadcast time on weekdays. TVM also provided Muslims free broadcast time twice daily during Ramadan. National radio provides 30 minutes weekly to the FFKM, each of its four branches, the Adventist church, and the Muslims, as well as an additional 30 minutes of religious musical programming.

The law mandates that religious organizations register with the Ministry of Interior. By registering, religious organizations acquire the legal status necessary to receive direct bequests and other gifts. To qualify as a religious association, a group must consist of at least 100 members with an elected administrative council of no more than nine members, each of whom must be a citizen. If the group's leadership and members are foreign, they have the right to form an association "reputed to be foreign."

Religious organizations that fail to meet the Ministry of Interior's registration requirements can register as "simple associations." Simple associations do not have the right to receive gifts or hold religious services, which limited them to social projects. If these groups overstepped the allowances of their status, they violated the law and could be subjected to legal action. Ministry officials estimated in 2008 there were more than 1,000 religious organizations in the country operating without official state recognition, including both simple associations and unregistered organizations.

Restrictions on Religious Freedom

The government generally respected religious freedom in practice.

In April 2009 the current regime allowed leaders of the original New Protestant Church in Madagascar, formerly known by its Malagasy acronym FPVM, to reopen the church, which had closed in 2005.

The Universal Church of the Kingdom of God remained banned after overstepping the limits of its registration in 2005.

Muslim leaders estimated that the government considered as many as 4 percent of Muslims noncitizens, despite being born in the country and having longstanding family roots, because of citizenship laws and procedures. Lack of citizenship prohibited them from voting and enjoying important civic benefits. Members of the Muslim community suggested that a

Muslim-sounding name alone could delay one's citizenship application indefinitely; others suggested that their ethnic/religious difference sometimes limited their access to government services and financial assistance.

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Abuses of Religious Freedom

Police intimidated, arrested, detained, and killed Protestant pastors involved with the Ecclesiastic Movement (HMF). Following an unauthorized demonstration of the HMF on May 20, 2010, police arrested FJKM Pastor Valisoa Lilia Rafanomezantsoa. While in detention police beat the pastor, who was subsequently hospitalized and charged with murder, incitement to rebellion, and attempting to threaten state security. Police arrested a second FJKM pastor, Tiburce Soavianarivo, soon afterwards during a raid on the FJKM radio station Fahazavana for allegedly spreading false news and inciting civil disobedience. A third FJKM pastor, Ranaivo Rivoharison, suffered a fatal gun shot during clashes between protesters, a rebel faction of the gendarmerie who had offered them protection, and the state security forces on May 20. Police threatened additional leaders of the HMF movement with arrest. Police targeted members of the FJKM, and particularly the HMF, due to the organization's political activities and association with ousted President Ravalomanana and his supporters rather than an explicit policy by the regime to limit religious freedom.

Two FJKM pastors, Valisoa Lilia Rafanomezantsoa and Tiburce Soavianarivo, were detained and a third pastor, Ranaivo Rivoharison, was shot in May 2010. The current regime conducted an investigation into this incident; however, it is currently on-hold while investigators wait for testimonies from eight religious movement leaders who are still in hiding.

On March 17, 2009, military members of what became the self-proclaimed transitional government beat, abused, and briefly detained FJKM President Pastor Lala Rasendrasahina. The aggressors reportedly targeted him due to his proximity to President Ravalomanana at the time of the coup, rather than for religious reasons. The new regime did not condemn the attack or prosecute possible suspects.

There were no reports of religious prisoners or detainees in the country.

Forced Religious Conversions

There were no reports of forced religious conversion.

Section III. Status of Societal Respect for Religious Freedom

There were few reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

The four largest Christian denominations occupied an important role in public life. The FFKM, led by the Catholic archbishop, served as an intermediary in the early stages of the 2009 crisis but withdrew entirely following the March 2009 coup and has not assumed its historical role as mediator due to ongoing divisions within its branches. Leaders of the Catholic Church (associated with the current regime of Andry Rajoelina) publicly tried to maintain a careful distance from the ongoing political struggle, while the FJKM association was openly critical of the current regime. Both FJKM's and the Catholic Church's reputations as neutral actors in civil society were severely tainted by perceptions of partisan engagement during the recent political turbulence.

Section IV. U.S. Government Policy

Before the March 2009 coup, the U.S. government discussed religious freedom with the government and civil society as part of its overall policy to promote human rights; however, since the coup, U.S. interaction with the government has been extremely limited and remained so at the end of the reporting period.

The U.S. ambassador publicly condemned the arrests of Pastors Rafanomezantsoa and Soavianarivo and the killing of Pastor Rivocharison in May 2010.

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