



## South Africa

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **International Religious Freedom Report 2009**

**October 26, 2009**

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 or discrimination based on religious affiliation, belief, or practice.

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights.

#### Section I. Religious Demography

The country has an area of 470,693 square miles and a population of 48.7 million. The 2001 religious demography census estimated that 80 percent of the population is Christian. Hindus, Muslims, Jews, Buddhists, and adherents of traditional African beliefs constitute 5 percent of the population. Approximately 15 percent of the population indicated it adheres to no particular religion or declined to indicate an affiliation. Many combine Christian and indigenous religious practices.

African Independent Churches (AICs) are the largest group of Christian churches. Once regarded as Ethiopian churches, the majority are now referred to as Zionist or Apostolic churches. There are more than 4,000 AICs, with a membership of more than 10 million. The Zionist Christian Church is the largest AIC, with an estimated membership of more than four million. AICs serve more than half the population in the northern KwaZulu-Natal and Mpumalanga areas. There are at least 900 AICs in Soweto.

Other Christian groups include Protestants (Dutch Reformed, Anglican, Baptist, Congregational, Lutheran, Methodist, and Presbyterian) and the Roman Catholic Church. Greek Orthodox, Scientology, and Seventh-day Adventist churches are also active.

According to the 2001 census, African Traditionalists make up less than 1 percent of the population. However, of the 15 percent of the population that claimed no religious affiliation on the 2001 census, many of these persons probably adhere to unaffiliated indigenous religions.

An estimated two-thirds of the ethnic Indian population, a majority of which resides in KwaZulu-Natal, practices Hinduism. The small Muslim community is mostly made up of Cape Malays of Indonesian descent, and the remainder is largely of Indian or Pakistani extraction.

#### 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. The law at all levels protects this right in full against abuse, either by governmental or private actors.

The Bill of Rights prohibits the Government from unfairly discriminating directly or indirectly against anyone based on religion; it states that persons belonging to a religious community may not be denied the right to practice their religion and to form, join, and maintain religious associations with other members of that community. Cases of discrimination against a person on the grounds of religious freedom may be taken to the Constitutional Court.

The Constitution is deliberately religion-neutral. Leading government officials and ruling party members adhere to a variety of faiths.

The Promotion of Equality and Prevention of Unfair Discrimination Act of 2000 prohibits unfair discrimination on the grounds of religion.

The Government observes Good Friday and Christmas as national holidays.

The Government does not require religious groups to be licensed or registered. Religious groups can qualify as public benefit organizations which are exempt from paying income tax.

The Constitutional Court is reviewing a case brought by a local nongovernmental organization which seeks to compel the Government to recognize Muslim marriages. This action is opposed by 34 Muslim organizations, who consider recognition to be unwarranted state regulation of religion.

The Government allows, but does not require, religion education in public schools; however, religious instruction, or the advocating of tenets of a particular religious group, is not permitted in public schools. The Government has made special accommodation for individual religious groups' holy days in the scheduling of national examinations.

## Restrictions on Religious Freedom

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.

In January 2009 Deputy Minister of Foreign Affairs Fatima Hajaig remarked at a public rally that the United States and other western countries were "in the hands of Jewish money." The South African Jewish Board of Deputies (SAJBD) lodged a formal complaint of anti-Semitic hate speech with the South African Human Rights Commission. Ms. Hajaig apologized for any pain caused and repudiated racism, but did not retract her remarks. Press sources reported she was summoned by the President and urged to withdraw her comments.

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

## Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States or who had not been allowed to be returned to the United States.

## Section III. Status of Societal Respect for Religious Freedom

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

According to the SAJBD, there was a low but increasing level of hostile behavior toward the Jewish community. Reported anti-Semitic incidents during the reporting period included mainly verbal abuse, as well as graffiti, hate mail, and distribution of offensive literature. There were very few acts of violence or vandalism recorded.

On September 14, 2008, during Ramadan, unknown assailants broke into a mosque in Potchefstroom, smeared the prayer room with blood, and left two pig heads behind. Faith groups, including the Council of Muslim Theologians and the Bishop Desmond Tutu Diversity Trust, condemned the desecration. Police launched an investigation; no further information was available at the end of the reporting period.

There are many ecumenical and interdenominational organizations among the various churches. The largest of these is the South African Council of Churches (SACC), which represents the Methodist Church, the Church of the Province of South Africa (Anglican), the Catholic Church, various Lutheran and Presbyterian churches, and the Congregational Church, among others. The major indigenous religious groups, most of the Afrikaans-language churches, and the Pentecostal and charismatic churches are not members of the SACC and usually have their own coordinating and liaison bodies.

The National Religious Leaders' Forum (NRLF) represents the country's seven main faith-based communities (Christian, Muslim, Jewish, Hindu, African Traditionalist, Buddhist, and Baha'i). The NRLF, in cooperation with the Government, aims to leverage its grass-roots networks to undertake social welfare initiatives such as poverty alleviation or combating HIV/AIDS.

#### Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights.

The U.S. Consulate General in Cape Town continued its support of the Cape Town Interfaith Initiative (CTII). The CTII brings together Christians, Muslims, Jews, Hindus, Baha'is, Buddhists, and African Traditionalists.