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South Africa

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

July-December, 2010 International Religious Freedom Report

Report

September 13, 2011

The constitution and other laws and policies protect religious freedom, and in practice, the government generally enforced these protections.

The government generally respected religious freedom in law and 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 49.1 million. The latest census (2001) estimated that 80 percent of the population is Christian. Hindus, Muslims, Jews, Buddhists, and adherents of traditional African beliefs together constitute slightly less than 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 is now referred to as either Zionist or Apostolic churches (with 6.9 and 5.9 million adherents, respectively). There are said to be more than 10,000 AICs, with a membership of nearly 13 million. The Zion Christian Church is the largest AIC. 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 (Methodist, Dutch Reformed, Anglican, Baptist, Congregational, Lutheran, and Presbyterian), Pentecostal/charismatic churches, and the Roman Catholic Church. Greek Orthodox, Scientology, and Seventh-day Adventist churches are also active.

According to the 2001 census, traditionalists (followers of traditional South African religions) make up less than 0.5 percent of the population. However, out of the 15 percent of the population that claimed no religious affiliation on the 2001 census, some likely adhere to unaffiliated indigenous religions.

Approximately half of the ethnic Indian population, a majority of which resides in KwaZulu-Natal, practices Hinduism. The small Muslim community is made up mostly of Cape Malays of Indonesian descent. The rest of the Muslim population is largely of Indian or Pakistani origin. There is also a significant population of Somali refugees in the Western Cape.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution and other laws and policies protect religious freedom, and in practice, the government generally enforced these protections.

The bill of rights prohibits the government from unfairly discriminating directly or indirectly against any individual based on religion; it states that persons belonging to a religious community may not be denied the right to practice their religion nor 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 religion-neutral. Leading government officials and ruling party members adhere to a variety of faiths.

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

In a case brought by a local nongovernmental organization seeking to compel the government to recognize Muslim marriages conducted according to Islamic law, the Constitutional Court ruled in July 2009 that it did not have the power to obligate the president or the principal office bearers of parliament to enact the legislation in question. The Muslim Marriages Bill, which is draft legislation supported by most Muslim and women's groups but opposed by a conservative Muslim minority, was prepared in 2003 but has never been voted on in parliament, ostensibly because of lack of consensus in the Muslim community. Meanwhile a continuing series of court cases were gradually building a common law basis of case precedents that achieved the bill's aims of validating Muslim marriages for purposes such as property inheritance.

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 government allows, but does not require, religious 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.

The government observes the following religious holidays as national holidays: Good Friday and Christmas.

Restrictions on Religious Freedom

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

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

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

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

The South African Jewish Board of Deputies reported a significant drop in the level of hostile behavior toward the Jewish community. Reported anti-Semitic incidents during the reporting period included mainly verbal abuse, as well as hate mail and distribution of offensive literature. There was one case of Jewish graves in Bloemfontein being defaced with anti-Semitic graffiti.

While there were incidents of robbery in religiously denominated cemeteries, such robberies also occurred in secular cemeteries, suggesting a mainly economic motive for the thefts, which did not include any antireligious statements or graffiti.

There were reports that persons, particularly elderly women, accused of witchcraft were attacked and driven from their villages in rural areas, and in some cases killed, particularly in the provinces of Limpopo, Mpumalanga, KwaZulu-Natal, and Eastern Cape.

In March two men from Khayelitsha township petrol-bombed a house because they believed the owner was a witch. Sisters Thembakazi and Anelisa Matwa and their mother escaped unhurt from the blazing shack, but their sister Yalezwa Pulwana and her two-year-old daughter died from burns. On December 7 the court sentenced Kwanele James to 25 years in prison and Mzuvukile Thoswa to 15 years. The pair was found guilty of two counts of murder, three of attempted murder, arson and damage to property, and an offence under the Suppression of Witchcraft Act.

There are many ecumenical and interdenominational organizations among the various churches. The largest 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 represents the country's seven main faith-based communities (Christian, Muslim, Jewish, Hindu, African Traditionalist, Buddhist, and Bahai). The forum, in cooperation with the government, aims to leverage its grass roots networks to undertake social welfare initiatives such as poverty alleviation and combating HIV/AIDS. The National Interfaith Leaders Council, inclusive of all religions, was established in 2009 to partner with the government to tackle issues such as early childhood development and municipal service delivery problems with electricity, roads, and water. The National Religious Association for Social Development, established in 1997, also aims to strengthen the capacity and programming of religious organizations and networks working on community development projects.

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.

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The U.S. consulate general in Cape Town continued its support for the Cape Town Interfaith Initiative, which brings together Christians, Muslims, Jews, Hindus, Bahais, Buddhists, and African Traditionalists.

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