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South Africa

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 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 49.3 million. The 2001 census estimated that 80 percent of the population is Christian. Hindus, Muslims, Jews, Buddhists, and adherents of traditional African beliefs constitute 4 percent of the population. Approximately 16 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 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, with an estimated membership of 6.9 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 (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, African Traditionalists make up less than 0.5 percent of the population. However, of the 16 percent of the population that claimed no religious affiliation on the 2001 census, some may 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, 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 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 2000 Promotion of Equality and Prevention of Unfair Discrimination Act prohibits unfair discrimination on the grounds of religion.

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

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.

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 on July 22, 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, 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 the lack of consensus among 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 allows, but does not require, religion education in public schools; however, religious instruction, or the advocating of tenets of a particular religious group, was 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.

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

Forced Religious Conversion

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.

According to the South African Jewish Board of Deputies (SAJBD), anti-Semitic incidents hit a new peak in 2009, although two-thirds of those were in the first two months of 2009 in connection with Israeli military strikes on Gaza. The SAJBD reported a still low but increasing level of hostile behavior toward the Jewish community, mainly linked to its support for Israel, to which pro-Palestinian voices in the country drew parallels with apartheid. Reported anti-Semitic incidents during the reporting period included mainly verbal abuse, as well as graffiti, hate mail, and distribution of offensive literature. The SAJBD recorded only three minor cases of assault in 2009, and vandalism was limited to destruction of posters and damaging Jewish Web sites.

A cartoon of the Prophet Muhammad, drawn by popular political cartoonist Jonathan Shapiro (Zapiro) in the context of a May 20, 2010, campaign on Facebook encouraging participants to depict the Muslim prophet, drew controversy and terror threats. The Muslim Judicial Council expressed "hurt" and "outrage" in a press release urging Muslims to condemn the cartoon "in a responsible and dignified manner," but the council also declared that death threats against the cartoonist had no place in religion or society and were "un-Islamic." Other prominent Muslims tried to explain the matter of "Muslim aversion to depiction" in newspaper editorials. Jihadist Web sites received new posts vowing attacks against Westerners during the World Cup held in the country in June and July 2010 because of the cartoon campaign, echoing prior al-Qa'ida threats.

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

There were reports that persons accused of witchcraft were attacked and driven from their villages in rural communities and in some cases killed, particularly in provinces of Limpopo, Mpumalanga, KwaZulu-Natal, and the Eastern Cape, where suspicion of witchcraft activity could lead to accusation, assault, forced exile, and killings, particularly of elderly women.

There were many ecumenical and interdenominational organizations among the various churches. The largest of these was the South African Council of Churches (SACC), which represented 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 were not members of the SACC and usually had their own coordinating and liaison bodies.

The National Religious Leaders' Forum represented the country's seven main faith-based communities (Christian, Muslim, Jewish, Hindu, African Traditionalist, Buddhist, and Baha'i). The forum, in cooperation with the government, aimed 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 for the Cape Town Interfaith Initiative, which brings together Christians, Muslims, Jews, Hindus, Baha'is, Buddhists, and African Traditionalists.

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