



**REPORT TO THE GENERAL SYNODICAL ASSEMBLY: 24–26 FEBRUARY 2026 AT EMSENI
CONFERENCE CENTRE, BOKSBURG**

CRL RIGHTS COMMISSION

South Africa's Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities

Oral feedback regarding the CRL Rights Commission and the Dutch Reformed Church's involvement in matters relating to the CRL Rights Commission was presented to the General Synodical Assembly on 11–13 November 2025. This brief report expands on that presentation.

1. HISTORICAL BACKGROUND

The Dutch Reformed Church (DR CHURCH) has been well informed about and actively involved in CRL-related processes since 2017. From the outset of these discussions, the DR CHURCH ensured representation in the relevant engagements. Outcomes of the initial talks included, inter alia, the establishment of the ²General Competency Council of the DR CHURCH, the development of a ³Code of Conduct, and a ⁴Management Manual, which, together with the Church Order of the DR CHURCH, contributes to accountable institutional governance, particularly regarding legitimately appointed employees of the DR CHURCH.

The DR CHURCH's current involvement is under consideration.

2. BACKGROUND

Following a CRL report in 2017 ("The Hearings on Commercialisation of Religion and the Abuse of the People's Belief Systems"), the CRL established a Section 22 Commission.

The Commission was established in terms of section 22(1)(a) of the CRL Act No. 19 of 2002, which provides that:

"The Commission may establish one or more committees consisting of members only; or members and staff; or other persons; to assist the Commission in the performance of its functions."

² Afrikaans: Algemene Bevoegdheid Raad (ABR) van die NG Kerk

³ Afrikaans: Gedragskode van die NG Kerk

⁴ Afrikaans: Bestuurshandleiding van die NG Kerk

3. PURPOSE OF THE CRL

The CRL Rights Commission was established to prevent the abuse of people's belief systems.

The mandate of the CRL Rights Commission includes, inter alia, the following:

- i. To advise the CRL Rights Commission on matters affecting religion in the country.*
- ii. To act as mediator in disputes between religious organisations and/or between such organisations and their members.*
- iii. To serve as an appeal structure for religious leaders against decisions taken by their umbrella organisations.*
- iv. To resolve complaints lodged with the CRL Rights Commission by ordinary members of various religions.*
- v. To promote the need for, and to persuade Parliament to pass, legislation aimed at professionalising the religious sector.*
- vi. To develop a code of conduct for all religious leaders.*
- vii. To promote the establishment of a database for the registration of all religious organisations in the country.*

The South African Council of Churches (SACC) describes the role of the CRL as follows:

- Its responsibility is to promote and protect the rights of cultural, religious and linguistic communities.
- The Commission was established as a Chapter 9 Institution to strengthen constitutional democracy in South Africa by safeguarding cultural, religious and linguistic rights.
- Its purpose is to promote tolerance, understanding and unity among diverse communities, ensuring that their heritage, traditions and identities are respected and protected.

4. THE INVOLVEMENT OF THE DUTCH REFORMED CHURCH IN THE CRL DISCUSSIONS

The DR CHURCH is an active member of the SACC through its broader ecumenical engagement. During a SACC meeting held from 5–7 November 2025 in Midstream, Centurion, the DR CHURCH was represented by a delegation. Feedback was provided on the composition, mandate and activities of the CRL Rights Commission.

The SACC indicated that this matter has since been included as a standing item on the SACC Central Committee's agenda.

The following aspects are of importance:

- That SACC member churches are represented in the CRL Rights Commission discussions;
- that SACC members are thereby allowed to provide input; and
- that they can participate in follow-up discussions with the CRL Rights Commission.

5. DUTCH REFORMED CHURCH INVOLVEMENT

The General Synodical Moderamen appointed Drs Tertius Erasmus, Johan Botha, Dewyk Ungerer, and Rev Hanri Joubert to attend the SACC Religious Sector Summit on the CRL Section 22 process on 28 January 2026 at Khotso House, Johannesburg.

6. RESPONSE BY THE DUTCH REFORMED CHURCH

Our delegation appreciates the opportunity to provide feedback on the SACC-organised summit on the commercialisation of religion and the abuse of people's belief systems. We further emphasise the importance of committing ourselves to a constructive process of contributing our views in cooperation with the SACC.

The Dutch Reformed Church:

- i. shares the CRL Commission's concerns about identified abuses within religious communities. We repudiate in the strongest possible terms both the claims and the unlawful actions of so-called prophets and other church leaders. There are serious problems within the religious sphere. There are undoubtedly swindlers and con artists who exploit people financially in exchange for fake "cures" and "healings". Numerous prosperity cults operate throughout the country, preaching a message of material prosperity as a sign of God's favour—a message inevitably linked to the material enrichment of the cult leader. Many desperate South Africans spend large amounts of hard-earned money on individuals who present themselves as religious leaders. The fact that several religious bodies have jointly condemned these practices underscores the seriousness with which churches view this matter.
- ii. While we share the CRL Commission's concerns about abuses within religious communities, we must object to any measures that may undermine religious freedom as guaranteed by the Constitution.

7. POSSIBLE INFRINGEMENT OF RELIGIOUS FREEDOM

In South Africa, the relationship between religion and the state is cooperative. Under this model, freedom of religion is acknowledged and constitutionally guaranteed. Individuals, religious communities and institutions enjoy maximum freedom to operate within the law. At the same time, the state has a duty to create a safe environment in which religion and religious liberty can flourish. This position is affirmed in section 15 of the Constitution.

Should legislation compel religious communities and institutions to register with and be licensed by statutory bodies created in terms of such legislation, this would not only signify the adoption of a fundamentally different model governing the relationship between religion and the state, but would also infringe upon the constitutional right to freedom of religion to such an extent that the constitutionality—and thus the validity—of such legislation would be questionable.

The right to believe and to choose one's faith, worldview, religion or religious institution with which to affiliate or to which one belongs would be infringed. When the state establishes bodies—even if they include representatives from various religious traditions—to recognise and license religious institutions and communities, this right is limited, as individuals are no longer free to believe and to choose their religious affiliation without state interference.

Furthermore, the right to manifest one's beliefs through religious observances and practices—including the rights to associate with others, to form and join religious associations, to organise religious gatherings, and to establish and maintain places of worship—would be jeopardised.

Religious institutions are recognised and protected for their authority over their internal affairs. The state, including the judiciary, is required to respect this authority and may not regulate matters of doctrine or religious ordinances. Any legislation that confers extensive powers on state bodies in this regard would result in deep state involvement in the internal affairs of religious institutions.

The conclusion is that several dimensions of the right to freedom of religion would be severely limited. Consequently, the Dutch Reformed Church, together with other churches, religious associations and institutions, wishes to appeal to the Commission:

- i. To respect the right to religious freedom in all its dimensions, as protected by section 15 of the Constitution and the Charter of Religious Rights and Freedoms;
- ii. To respect the right of every person to believe and to manifest those beliefs; and
- iii. To affirm the right of religious communities to determine their own doctrines and regulate their own internal affairs.

The Dutch Reformed Church supports the duty of the state to create a positive and safe environment for the exercise of religious freedom, and to act impartially and without unfair discrimination based on faith, religion or religious affiliation. At the same time, the state bears responsibility for preventing the erosion of religious freedom and for encouraging religious communities to respect all human rights enshrined in the Constitution.

This can only be achieved through cooperation between the state and religious organisations.

The Dutch Reformed Church accepts the invitation to participate in the SACC in addressing this matter. As the DR CHURCH, we support the efforts of the appointed SACC sub-commission to convene follow-up engagements with the CRL Rights Commission and to remain involved in the Section 22 Committee, while exercising due caution as the process unfolds.

8. CONCERNS OF THE DUTCH REFORMED CHURCH

The following is a summary of the DR CHURCH's primary concerns:

- i. Infringement of the constitutional right to freedom of religion.
- ii. An approach in which the Commission defines its functions without a comprehensive national consultative process.
- iii. Vague and unclear mandates and parameters governing the functioning of the Committee; and
- iv. The risk that the state, through envisaged legislative mechanisms, would become excessively involved in the internal affairs of religious institutions.

RECOMMENDATIONS TO THE GENERAL SYNODICAL MODERAMEN

1. To adopt the above as its official position on the constitutional right to freedom of religion as protected in section 15 of the Constitution.
2. To support the SACC and participate in its engagement with the relevant authorities on this matter.
3. To mandate Drs Erasmus, Botha, Ungerer and Rev Joubert to represent the Dutch Reformed Church in these discussions within the SACC.

Compiler: D Ungerer

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