**DECLARATION & ACCOUNTABILITY STAND**

A Stand Against the licensing and regulation and regulation of [Faith Name] by the state

Declaration on the Freedom and Autonomy of the Church in South Africa

Issued by: [Name of organisation/s]

## Preamble

We, the undersigned, do hereby solemnly declare our unified faith-based conviction and constitutional stand against the peer-review mechanisms proposed by the CRL Rights Commission to license and regulate religious institutions and leaders.

We stand, not as political activists, nor as religious professionals, but as watchmen on the wall — guardians of the sacred responsibility entrusted to us [by ….].

We do not seek confrontation with the State, but we will not compromise the integrity of our divine calling or fail to stand as guardians of the spiritual inheritance of South Africa.

## 2. We Affirm Constitutional Rights and Freedoms — and Reject Doctrinal Interference

We affirm the rights and freedoms enshrined in the Constitution:

Section 15: “Everyone has the right to freedom of conscience, religion, thought, belief and opinion.”

Section 18: “Everyone has the right to freedom of association.”

Section 22: While every citizen has the right to choose a profession, the fivefold ministry is not a profession but a divine calling (Ephesians 4:11).

Section 31: Guarantees the rights of religious communities to practice their faith and maintain their institutions independently.

The CRL Rights Commission has no constitutional authority or lawful right to examine, license, or oversee doctrinal or spiritual matters unless they violate valid and established laws of the Republic.

## 3. We Respect Civil Institutions — But Deny Them Spiritual Jurisdiction

We honour our nation’s Constitution, but we do not submit the [Name of faith – EG Christian, Islamic etc.] to state regulation. We acknowledge the functional role of government institutions and we honour lawful civil institutions such as:

* South African Revenue Service (SARS): taxation and financial compliance;
* Companies and Intellectual Property Commission (CIPC): registration of NPCs and legal entities;
* Department of Social Development (DSD): oversight of registered NGOs and child protection where applicable;
* Department of Home Affairs (DHA): registration of births, marriages, and immigration services;
* South African Police Service (SAPS): enforcement of criminal law and public safety;
* Department of Justice (DoJ): background checks and judicial functions;
* Department of Employment and Labour (DoE): Employment standards, dispute resolution, UIF and COIDA compliance; and
* Local municipalities: adherence to local by-laws and regulations.

However, we draw a firm line between administrative compliance and spiritual governance of [Name of Faith] by the state. None of these institutions have jurisdiction over our faith, doctrine, or calling.

We urge all ministries to uphold the law, act with integrity, and report criminal activity to the relevant authorities. We reject all forms of abuse, financial misconduct, and exploitation in the name of religion.

## 4. We Encourage the CRL Rights Commission to Fulfil Its Constitutional and Statutory Role

We affirm and appreciate the existence of the CRL Commission as a vital Chapter 9 institution entrusted with safeguarding our nation’s diverse heritage. As outlined in Section 5 of the CRL Rights Commission Act, Its role is not to regulate or police religious beliefs and practices, but rather to promote and protect the rights of religious communities.

We believe the CRL Commission can be most effective when it serves as a bridge-builder, not a gatekeeper, ensuring the vibrancy of South Africa's religious communities while honouring their freedom and spiritual sovereignty as guaranteed in our Constitution.

We therefore encourage the Commission to focus on:

* Facilitating peaceful dialogue among diverse religious expressions, in line with its mandate to promote tolerance and understanding;
* Uplifting the dignity of faith communities by affirming their constitutional right to self-governance and doctrinal autonomy;
* Conducting research and education that advances freedom of religion, conscience, belief and opinion, without interference in the internal affairs of faith-based organisations; and
* Acting as a mediator in times of inter-religious tension, not an enforcer of religious standards or doctrine.

We further encourage the CRL Rights Commission to fulfil its current mandate, as defined in Section 5 of the CRL Act to:

* Help religious leaders to better serve their communities by educating and advising them on issues of compliance, recognising that problems of non-compliance often arise through ignorance of legal requirements, and not wilful lawlessness;
* Engage whenever issues of “abuse” are brought to the CRL’s attention so it can “monitor, investigate and research any issue… [and] bring any relevant matter to the attention of the appropriate authority or organ of state… and make recommendations”; and
* Establish and maintain databases of religious organisations and experts. This includes the creation of a register of religious practitioners and organisations and databases of religious institutions and experts. However, it does not include their regulation by an examination of doctrine or religious practice, unless the law has been violated.

We raise at the same time concern over any idea of a national register of religious practitioners, which, though it may be intended for administrative use, poses a serious risk of becoming a tool of religious control and credentialism.

Our Constitution guarantees freedom of religion, belief and opinion (Section 15), and this includes the right to operate outside of institutional frameworks, including house churches, street ministries and itinerant ministries.

We therefore encourage:

* That any register be voluntary and never mandatory;
* That it be used solely for statistical purposes and dialogue, not for issuing legal recognition or disqualifying faith expressions;
* That the Commission explicitly protects the right of anyone—trained or untrained, institutionally credentialed or not—to freely proclaim the Gospel, start churches, teach the Word, or preach in public;
* That there be no interference in the calling, ordination or commissioning of preachers by churches or ministries; and
* That the Commission formally recognise the divine calling and spiritual autonomy of religious practitioners as being outside the scope of governmental registration or approval.

We stand ready, as religious leaders, to partner with the CRL for mutual education, respect, and the upliftment of communities — not the imposition of uniformity.

## 5. We Support Voluntary Accountability — But Reject Forced Subjugation and Spiritual Interference

We support voluntary peer relationships and encourage ministers to join fraternals and associations of their choice, for fellowship, guidance, and mutual edification.

We support the voluntary adoption of the *South African Charter for Religious Rights and Freedoms* (Religious Freedom Charter) and the *Code of Conduct for Religions in South Africa*. (Code of Conduct).

These documents were developed by the South African Council for the Protection and Promotion of Religious Rights and Freedoms (SACRRF) in collaboration with a wide diversity of South Africa’s faith communities to:

* Reflect the responsibilities corresponding to the rights in the Charter, already adopted by approximately 22 million members of the religious community;
* Provide a shared ethical benchmark and standard for the conduct of the religious community; and
* Promote internal self-regulation without compromising religious freedom.

However, we reject:

* The imposition of peer-review councils mandated by the State;
* The coercion of ministers to conform to man-made hierarchies or secular ethics boards or any compulsion to belong to any national or regional association or fraternal; and
* The attempt to regulate religious practitioners through licensing or certification.

*Freedom of association is enshrined in the South African Constitution.* Therefore no spiritual leader or religious practitioner may be forced to affiliate or submit to man-made alliances or religious councils. These bodies may assist in fellowship and networking, but they hold no spiritual or legal jurisdiction over [Name of Faith].

## 6. Section 22 of the Constitution Does Not Justify the Licensing of Religious Practitioners of any Faith

The CRL has cited Section 22 of the South African Constitution to justify licensing of religious practitioners and organisations.

We reject the CRL’s claims that Section 22 allows them to regulate religious practice.

Section 22 allows the regulation of trades and professions — not of divine callings.

[Name of Faith] does not operate under a professional guild and no State has the right to license or define spiritual offices.

## 7. We Declare Our Unwavering Commitment

We will not:

* Bow to pressure;
* Sign regulatory contracts;
* License the divine calling of spiritual office;
* Submit to bureaucratic regulation of doctrine, worship, or ordination; or
* Mute our voices to gain state approval.

We will:

* Honour God in our conduct and calling;
* Be accountable to our [Holy Texts], our congregations, and spiritual oversight;
* Promote lawful conduct and the reporting of abuses and crimes;
* Encourage transparent financial and organisational governance; and
* Resist all efforts to compromise the spiritual autonomy of religious organisations.

## 8. Our Call to Action

We call on:

* All spiritual leaders to stand firm and united in this hour;
* Parliament to reject any law that enables the CRL Rights Commission to intrude into spiritual matters;
* The CRL Rights Commission to honour its lawful mandate to protect and support — not suppress — religious communities;
* The CRL to honour Sections 15, 18, 22 and 31 of the Constitution — which guarantee religious freedom, cultural rights, and freedom of conscience; and
* South African society to defend the constitutional right to religious freedom and the institutional autonomy of religious organisations.

## 9. Signatories of This Declaration

Signed on this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2025.

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| Title | First Name | Last Name | Organisation Name |