

## **PRESS STATEMENT BY REV. PROFESSOR MUSA XULU**

### **THE STATE OF THE CHURCH IN SOUTH AFRICA: IMPORTANT UPDATE ON THE CRL/STATE VS THE CHRISTIAN CHURCH IN THE CONTEXT OF THE SECTION 22 COMMITTEE**

**NOTE: NOT for release or publication until Thursday 15 January at 11:00**

**Date: Thursday 15 January, 2026**

**Time: 11:00**

**Venue: Birchwood Hotel and OR Tambo Conference Centre**

**Good morning members of the media,**

Thank you for attending this press conference at short notice. I appreciate your presence and your willingness to hear directly from me as the Chairperson of the Section 22 Committee established to investigate abuses within the Christian sector.

Before I proceed, allow me to acknowledge and introduce those who are seated with me today and who will, if necessary, assist in responding to questions or making follow-up statements:

I have called this press conference because I have decided that it has become necessary, in the interests of transparency, constitutional accountability, and personal integrity, to resign as Chairperson of the Section 22 Committee for the Christian Sector of the CRL Rights Commission and feel that I need to explain the circumstances under which I am resigning.

#### **BACKGROUND INFORMATION**

To give you some background, I had believed I was approached to chair the Section 22 Committee because of my background and experience at the intersection of culture, religion, governance, and scholarship.

I was present at, and co-organised, the 1998 national conference that gave conceptual birth to what later became the CRL Rights Commission, at a time when I served as Deputy Director-General for Arts and Culture in the Department of Arts, Culture, Science and Technology.

I am an ordained Christian minister, a lifelong churchman, and an academic who has spent decades studying religion, culture, theology, governance, and constitutional democracy. I have served both the Church and the State, and I have always sought to do so with fidelity, balance, and integrity.

It was therefore not surprising to me that I was approached as an *outsider* to the Commission, precisely because I was not embedded in its internal affairs, and because I could bring an independent, scholarly, and faith-rooted perspective to a highly sensitive national task.

My appointment, confirmed in writing on 25 April 2025, was clear. I was to chair the Section 22 Committee, to call and preside over its meetings, and to conduct extensive research into abuses within the Christian religious sector, with a view to protecting religious freedom, not undermining it. I wish to emphasise that there was no reference whatsoever in my letter of appointment to the development of a legislative framework, or to any form of State control of religion. On the contrary, my understanding was that the task before me and the Section 22 Committee was to explore self-regulation, grounded in Scripture, Church history, sound theology, and the lived experience of Christian communities in South Africa.

I therefore approached this task as an academic because, when confronted with a complex and sensitive mandate, one does not work in isolation. I conducted extensive research and shared draft academic papers with theologians, church leaders, and scholars across denominations. This is how scholarship works. Ideas are tested, critiqued, refined. I did so openly and transparently, because I believed that this process had to win the confidence of the Church, not undermine it.

## THE SECTION 22 COMMITTEE – SERIOUS IRREGULARITIES

I need to state, for the record, that from the outset I have been concerned about perceived irregularities in the Section 22 Committee. To this day, I do not know whether the Section 22 Committee was properly constituted by a formal resolution of the Commission. However, I was aware that at least one Commissioner (there may be others), Advocate Sipho Mantula, did and does not see the need for this Committee at all.

I do not know what process was followed to appoint me or the other members of the Committee. Some were nominated by selected church groupings identified by Mrs Thoko Mwanazi-Xaluva, the CRL Chair. Others appear to have been simply co-opted by the CRL Chair. New members would arrive at meetings without explanation or consultation with myself.

My only formal dealings were with the CRL Chair, who ‘appointed’ me as the Chair but who, in practice, exercised complete control over the Committee and all its meetings.

I was also deeply troubled when I learned that the Chair of the COGTA Parliamentary Portfolio Committee, Dr Zweli Mkhize, had expressed serious unease about the Section 22 process. I was shown correspondence confirming that the 2018 COGTA Portfolio Committee report had expired and was never adopted by Parliament, thereby removing any legal basis for reviving its recommendations.

The CRL Chair dismissed this entirely, stating that no one could tell her or the CRL Rights Commission, what to do.

Despite the CRL Chair’s repeated statements to the media that she was handing over the process to the Committee and that the CRL Executive would only play a logistical and secretarial role, from the beginning, there were procedural irregularities and undue interference by the CRL Chair. Despite my letter of appointment stating clearly that I was to call and preside over meetings, this never occurred.

The CRL Chair, through what she calls, the Secretariat that is headed by the CEO of the CRL, called every meeting. She chaired most of them, often for extended periods.

Agendas were drawn up by the Commission. The Secretariat operated under the authority of the CRL executive. I never presided over a single meeting from beginning to end. My repeated attempts to establish the independence of the Committee from the CRL Chair and the Commission were not allowed to take effect.

### **A TOXIC, EXCLUSIONARY, AND INTIMIDATING PROCESS**

I also learned, from Committee members' admissions to me, that private meetings were taking place between the CRL Chair and selected members outside formal Committee meetings. Dr Rev. John Maloma, who claims to represent TEASA, relayed such information to me, at least once, when I confronted him about his rudeness to me every time I got a small chance to chair a meeting of the Section 22 Committee. This explained the strong synchrony between the CRL Chair's stated preferences and the positions consistently advanced by a small inner circle within the Committee, particularly on matters relating to regulation and legislative control. My research was ignored. My cautions were dismissed. My leadership role was hollow.

Committee meetings became increasingly toxic. Those who questioned the direction of the committee were marginalised or attacked. Entire sectors of Christianity, particularly Pentecostal and Charismatic churches, were treated with open suspicion and hostility. The SACC also expressed its reservations about the process. As a result, the document released on 19 December 2025 was hurriedly finalised in meetings chaired by the CRL Chair, in an apparent attempt to 'pre-empt' an anticipated public announcement by the SACC expressing its unease with the Section 22 Committee, as reported to the Chair by Rev. Maloma.

During that drafting, chaired by the Chairperson of the CRL Rights Commission and where I became a spectator for two days (December 17 and 18), I was alarmed by continued discussions about excluding so-called "disruptive elements", by invitation-only consultations, and by proposals to involve the SAPS, including references to policing, force, and even teargas, to prevent dissenting voices from participating. Although I was present in the room I could not participate, as the atmosphere was just too toxic to do so. On the third day, I opted to go back to my province of KZN after telling the Chair that I did not see any reason to stay as I had no role to play in the

drafting of the Section 22 Document, titled “Final Draft Christian Sector Self-Regulatory Framework in RSA”.

This is not consultation. This is intimidation.

### **REPRESENTATIVITY AND THE MYTH OF “45 MILLION CHRISTIANS”**

I must also address a claim made repeatedly in public by the CRL Chair, namely that the Section 22 Committee represents 45 million Christians in South Africa.

Based on my direct experience as purported Chair, I do not believe this claim can be factually supported. As the work of the Committee progressed, it became increasingly clear that significant Christian structures and constituencies were excluded, either by design or by consequence, and that the Committee could not credibly claim to speak for the breadth and diversity of Christianity in South Africa.

In particular, while Rev. Maloma sat on the Committee claiming to represent TEASA, and while he actively supported the CRL Chair’s regulatory agenda, this representation was formally repudiated by TEASA’s own constituency. Three of the largest and most significant denominations that together constitute the majority of TEASA’s membership and footprint — the Apostolic Faith Mission, the Assemblies of God, and the Full Gospel Church — wrote formally and unequivocally to renounce both TEASA’s position and its participation in the Section 22 Committee, and any claim that TEASA was representing them in this process.

In addition, the South African Council of Churches (SACC), historically one of the most significant and broadly representative Christian bodies in our country, is not formally part of the Section 22 Committee. Charismatic Christians are formally viewed as enemies of the CRL and the Section 22 Committee. In one of my advisory notes to the Chair of the CRL, I expressed my discomfort about the CRL’s apparent US vs THEM approach to the brief and work of the Section 22 Committee.

Unfortunately, the Terms of Reference of the Section 22 Committee keep changing almost daily. I was surprised during the launch event of the Committee on the 2<sup>nd</sup> October 2025, where I was required to read the terms of reference. While I was on my

way to the podium to speak (and holding the terms of reference which are contained in my letter of appointment), a CRL official hurriedly gave me a new set of terms of reference to read out to the public and comment. That was embarrassing to me, even a bit dishonest on the part of whoever suddenly came up with new terms of reference.

Taken together, these realities reveal a serious representational deficit at the heart of the process. One cannot credibly claim to represent tens of millions of Christians while excluding major denominations, proceeding without the SACC, marginalising Pentecostal and Charismatic churches, and dismissing dissenting voices as “disruptive elements”.

### **RACIST REMARKS, PERSONAL VENDETTAS, AND ABUSE OF STATE POWER**

I must also place on record my profound shock and dismay at the racist and defamatory language used in meetings by the Chair to describe critics of her agenda. For example, in my presence, Mr Michael Swain, the Executive Director of Freedom of Religion South Africa (FOR SA), was referred to as “*the white man from England who came to South Africa in 1983 to enjoy apartheid.*” Rev. Maloma repeated this when he and the Chair presented the 19<sup>th</sup> December document to the media. I thought that was in direct conflict with the Constitution of the Republic of South Africa, which outlaws all forms of racism.

Even more disturbing was the Chair’s personal fixation on Mr Swain. I was told directly by the CRL Chair that she had laid criminal charges against him for crimen injuria, that pressure was being exerted on SAPS via the Director of Public Prosecutions, Adv Shamil Bathohi, to ensure his arrest before Christmas, and that she hoped he would be imprisoned, facing five years in jail. I was shocked that the Chair of a Chapter 9 institution would speak in this way about a citizen whose record of many years is to defend and uphold religious freedom and whose only “offence” was to criticise the current public process initiated by the CRL Chair.

Such remarks are not only false and offensive, but they are also deeply inconsistent with the spirit of our Constitution.

## **THE “FINAL DRAFT” DOCUMENT – A TURNING POINT**

In November and December 2025, I was presented with a document titled the “Final Draft Christian Sector Self-Regulatory Framework in RSA”.

Its sudden appearance shocked me. I warned clearly and unequivocally that the document was not fit for purpose, not scripturally grounded, not theologically sound, and constitutionally problematic. I warned that in my view it infringed the Constitution.

Those warnings were ignored. In fact, I was attacked by certain individuals in the Section 22 Committee, some sort of cabal, in a newly formed WhatsApp group of the Section 22 Committee, for pointing out that this document was flawed. I left the WhatsApp group, after Rev. Maloma boasted that he had discussed the Document with the Chair

During the meetings of 17 and 18 December 2025, the CRL Chair completely took over the process, usurping my role as Chair of the Committee. On 19 December, the document was released to the media without ever being approved by the full Section 22 Committee and without my approval as appointed Chair. I was excluded from meaningful participation on that final day and was not present at the media conference on that day. To date, the final document has not been shared with me as the Chair of the Section 22 Committee. The public and Christian leaders have been calling and writing to me as Chairman of the Section 22 Committee. I have, embarrassingly, been unable to address that document.

## **WHY I AM RESIGNING**

I have done everything within my power to discharge my duties faithfully and in line with my appointment. However, I can no longer serve as Chair of a Committee the processes of which I do not control, the outcomes of which I do not endorse, and the existence of which is being used as a front to disguise a predetermined agenda of State control of religion, driven in part by personal hostility toward particular Christian faith and traditions.

To remain would be to compromise my integrity. I am an Ordained and Commissioned Minister of the Word and Sacraments. My Loyalty is to the Great Commission

commanded by Christ Jesus in Matthew 28: 19-20. I must also point out that Church History tells us that the Church has in free and democratic societies been self-regulating for its entire existence over the past 2000 years.

For these reasons, I hereby tender my resignation as Chairperson of the Section 22 Committee with immediate effect.

I do so with sadness, but with a clear conscience.

Thank you.

**Rev Professor Musa Xulu**

The Resigning Chair of the Section 22 Committee

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