

AFFIDAVIT

BY PROFESSOR MUSA KHULEKANI XULU

FORMER CHAIRPERSON OF THE CRL RIGHTS COMMISSION SECTION 22 COMMITTEE ON THE CHRISTIAN SECTOR

REGARDING CONTACT BY A PERSON CLAIMING TO REPRESENT THE NATIONAL INTELLIGENCE AGENCY / STATE SECURITY AGENCY

I, the undersigned,

PROFESSOR MUSA KHULEKANI XULU

do hereby make oath and state as follows:

INTRODUCTION

1. I was the Chairperson of the CRL Rights Commission's Section 22 Committee on the Christian Sector.
2. I voluntarily resigned from this position on 15 January 2026, citing, amongst other concerns, dissatisfaction regarding interference in the work of the Committee by the Chairperson of the CRL Rights Commission, Ms Thoko Mkhwanazi-Xaluva.
3. Following my resignation, I have on various occasions been invited by the Portfolio Committee on Cooperative Governance and Traditional Affairs ("COGTA") in the National Assembly to make contributions regarding my experiences relating to the Section 22 Committee process.
4. I hereby record that on 14 May 2026, at approximately 13h16, I received a telephone call from a person identifying himself as Mr Vincent Mnguni Mothutkung, who stated that he was from the National Intelligence Agency and/or the State Security Agency ("SSA").
5. For purposes of identification and reference, I attach a brief profile relating to the said Mr Mnguni Mothutkung, insofar as I was able to obtain such information.
6. I must state that I cannot independently verify the identity of the caller and it remains possible that the individual may not in fact be affiliated with the National Intelligence Agency or State Security Agency. I nevertheless consider the contents of the conversation sufficiently serious to place on record and to share with the Christian community and relevant stakeholders.

BACKGROUND CONTEXT

7. I am aware that previous South African state security-related assessments and reports have, in certain instances, referred to so-called "mushrooming charismatic churches" as a potential internal security concern, and that references have reportedly been made in such assessments to the CRL Rights Commission's earlier

report into the commercialisation of religion and the abuse of people's belief systems.

8. Against that background, I considered the contents of the conversation referred to below to be particularly concerning.

CONTENT OF THE CONVERSATION

9. During the conversation, Mr Mnguni informed me that he was acting in his capacity as a representative of the NIA/SSA.

10. He stated that he had been tasked to investigate me following a referral by the Chairperson of the CRL Rights Commission, Ms Thoko Mkhwanazi-Xaluva.

11. According to him, the focus of the inquiry concerned how I had obtained and circulated:

- 11.1 the analysis of the legal opinion presented to the CRL Rights Commission Plenary on 11 February 2026 regarding the establishment of the Section 22 Committee; and

- 11.2 the Parliamentary legal opinion relating to the same matter,

which I had posted in the iNdonsa Yesizwe Institute WhatsApp group during the afternoon of 11 February 2026.

12. I explained to him that the documents and opinions in question were already circulating widely on various social media and communication platforms.

13. During the course of the discussion, which initially appeared confrontational but later became more cordial and professional, Mr Mnguni indicated to me that he considered it possible that State Security resources may have been improperly invoked or utilised in relation to internal disputes and disagreements surrounding the CRL Section 22 process.

14. Mr Mnguni further informed me that various Christian leaders and organisations, including FOR SA, Church Defenders, and others, had allegedly been referred to State Security structures for investigation, profiling, and/or possible surveillance.

15. He further stated that Ms Thoko Mkhwanazi-Xaluva was unhappy with the fact that the COGTA Portfolio Committee had engaged directly with members of the Christian sector regarding concerns surrounding the Section 22 process, and that this dissatisfaction had allegedly been raised with State Security structures.

16. Mr Mnguni also requested that I explain the reasons for my resignation as Chairperson of the Section 22 Committee.

17. Following this discussion, I shared with him via WhatsApp:

- 17.1 my public resignation statement; and

- 17.2 my formal resignation letter,

MKX

both of which had already been made public on or about 15 January 2026.

18. I subsequently telephoned Mr Mnguni again after the initial conversation, during which he requested further assistance in understanding my experiences as Chairperson of the Section 22 Committee.

19. During our interactions, it appeared to me that State Security structures may already have been aware of concerns regarding:

19.1 the manner in which members of the Section 22 Committee were selected; and

19.2 allegations that certain members may have been handpicked by the Commission and/or its Chairperson.

CONCLUSION

20. I was deeply unsettled by this interaction.

21. My last direct interaction with state security structures was in approximately 1982, when, as a second-year student at the University of Zululand during the apartheid era, I and other fellow students were accused by apartheid security officials of inciting insubordination following Africa Day activities organised by students.

22. I am concerned that methods reminiscent of apartheid-era state security intimidation may again be emerging, this time directed toward members of the Christian community and those expressing dissenting views regarding the CRL Section 22 process.

23. Mr Mnguni expressed concern to me that the CRL Rights Commission was increasingly being perceived as disproportionately focused on Christian organisations and leaders, while not applying the same level of scrutiny to other religious, cultural, or linguistic communities.

24. I explained to him that concerns regarding what many perceive to be a disproportionate focus on Christians by the CRL had arisen particularly during the period from approximately 2015 to 2019, and again from 2025 onwards.

25. It appeared to me from the discussion that he was already aware of these concerns and that, according to what he conveyed, some persons within or associated with State Security structures were themselves uncomfortable with the apparent determination by elements within the CRL Rights Commission to focus negatively on sections of the Christian community.

26. I make this statement because I believe South Africans, and especially members of the Christian sector, should be aware of these developments and allegations, particularly where concerns exist regarding possible profiling, monitoring, or surveillance of individuals and organisations based on their religious beliefs or their opposition to perceived abuses of power.

MK X

27. The contents of this affidavit are, to the best of my recollection and belief, a true account of the events and discussions between myself and the individual identifying himself as Mr Vincent Mnguni Mothutkung on 14 May 2026.

28. Mr Mnguni did not indicate that the engagement between the two of us as initiated by himself, was confidential, neither did I perceive it to be so, and I appreciated his openness to me.

DEPONENT: 
REV. PROF. MUSA KHULEKANI XULU

I certify that the Deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn to before me at EMPANGENI on this 15 day of MAY 2026, the regulations contained in Government Notice R1258 of 21 July 1972, as amended, having been complied with.

COMMISSIONER OF OATHS

Name: PIANNO SIBUYI
Designation: OWNER PISUNU
Address: SHOP 20, 5 WAY, MALL EMPANGENI

1. Do you know and understand the contents of the declaration? Answer: Yes
2. Do you have any objection to the deponent's taking the oath? Answer: No
3. Do you consider the prescribed oath to be binding on your conscience? Answer: Yes
I certify that before administering the prescribed oath, the Deponent has explained the contents of this declaration to the Deponent and the Deponent has acknowledged that he knows and understands the contents of this declaration. I truly affirm that the contents of this declaration are true and correct. The Deponent's signature (mark) was placed thereon in my presence.

15 MAY 2026
9/1/8/2 R/O KZN
9/1/8/2 R/O KZN
EMPANGENI
2013/10/22

COMMISSIONER OF OATHS (RSA)
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AKK X

Vincent Mnguni M...

Assembly aspect that it does not have to approve for the Commission to do it work.

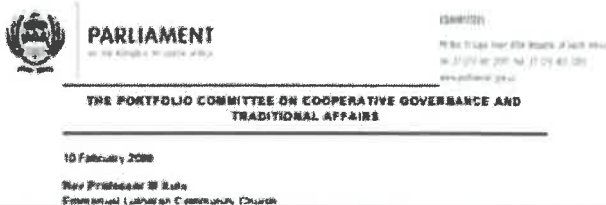
2. My main issue is and has always been on the legal reading, not the constitutional reading into the doctrine. The constitutional reading is for later on whether the doctrine is interfered with or not.

3. My legal reading concerns the establishment of the s22. The irregularity or unlawfulness at para 25 is in a procedural context which in itself is truly an internal matter between members to agree on.

4.. The context that I have always raised ... [Read more](#)

13:51

Voice call 11 mins 14:11



1LETREXVULU110226.pdf

2 pages • 119 kB • PDF

14:34

Message

MKR

13:16

0.05 KB/s 4G 98%



Vincent Mnguni Mothutkung

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MEX