

Opposing abuse in religious high-demand groups in South Africa: the case study of the “prophet” of Hertzogville¹

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ABSTRACT

Opposing abuse in religious high-demand groups in South Africa: the case study of the “prophet” of Hertzogville

Since the new Constitution came into force, there has been an increase in the number of high-demand religious groups. The more accommodating and tolerant approach towards religions brought about by the Constitution has created a fertile environment for the development of alternative religious groups. In certain cases, unfortunately, this has resulted in the violation of other basic human rights within the confines of these groups. There is very little monitoring of the various religions in South Africa and these violations seem to be on the increase. A need arose to oppose the infringement of human rights in high-demand religious groups. The organisation RIGH (Rights of Individuals Grant Honour To) was established to address this need. This article aims, first, to point out how the exercising of one basic human right, in this particular case the right to freedom of religion as exercised in Hertzogville, led to the violation of other basic human rights. Secondly, it suggests ways of opposing the infringements on other basic human rights by high-demand religious groups.

1 INTRODUCTION

The seeds of *apartheid* were sown in 1910 after the Reunited National Party won the white minority elections. The victory was seen as a miracle and clear proof that God was watching over his people – the white people (Anon 2007:1). This view reinforced the belief in some kind of divine preference of the white race that later led to the *apartheid* era.

As a result a Christian national ideology developed that was supported by various Afrikaans newspapers and Afrikaner cultural movements such as the *Afrikaner Broederbond* and *Ossewabrand-*

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wag (Boddy-Evans *s.a.* (a):1). According to this ideology: a separate Afrikaans nation, with a western civilization, was appointed by God to play a dominant role in South Africa until the end of time (de Grunchy 2005:33; Moodie 1975:1).

This ideology was further supported by the Bible, the Dutch Reformed, Reformed and the *Hervormde* church, who all embraced this ideology as the right path (Verkuyl *s.a.*:1; De Grunchy 2005:31-33; Hexham 1981:59-60). This support from the church created the perception of an alliance between government and the church. The Afrikaans churches and the Christian belief system became the yardstick against which everything was tested in order to determine if it was ethical, spiritual and acceptable.

The political scene changed in South Africa in the early 1990s. In February 1990 President F W de Klerk announced Mr Nelson Mandela's release and began the slow dismantling of the *apartheid* system. In 1992 a whites-only referendum approved the reform process and on 27 April 1994 the first democratic elections were held in South Africa. On 7 February 1997 the new Constitution came into force and replaced the interim constitution of 27 April 1994. As a result a new cultural, sociological and religious face appeared in South Africa. One major change came about in the approach to religions, namely that all religions were now afforded equal status, whereas under the old regime only one religion dominated.

Writers of the new Constitution ensured that the previously strong Christian base made room for a liberal, accommodating and tolerant approach to all religions. One of the results of this new religious freedom was an increase in high-demand religious groups, which has led to the violation of other basic human rights of some members in these groups. The question is: what kind of action should be taken? From what point of view should this action be taken? Should it be from a religious or from a human rights point of view? From a religious point of view, the doctrinal issues seem to be at the centre of the argument. Under the new Constitution, one religion or its doctrines can no longer dominate over others. A religious approach will thus not suffice. The human rights point of view addresses the very issue at stake and therefore seems the most appropriate.

2 THE DEVELOPMENT OF HIGH-DEMAND RELIGIOUS GROUPS

A high-demand religious group can be defined as a relatively small group of people zealously following a leader with a special gift. The group exhibits radical new, so-called Christian religious beliefs and practices in opposition to traditional Christian beliefs. The leader and his or her followers believe that they are the final arbiters of what is or is not the truth. The group isolates itself from the outside world, exhibiting inward, innovative behaviour that both differentiates it from the rest of society and makes for conformity among group members, thus establishing a group identity. Sophisticated techniques are utilised in order to bring about thought reform (mind control), group identity and dependence on the group (Pretorius 2004:609).

As mentioned previously, the religious freedom guaranteed by the new Constitution has resulted in an increase in the number of high-demand religious groups over the last few years. On the one hand, the Constitution affords a “free hand” to religious practices without any monitoring. On the other hand, the fact that it affords equality to all religions seems to have created the belief among some “Christians” that the once dominant Christian religion has been shunted aside and afforded equal status with religions previously viewed as cults and heathen faiths. It is even more strongly interpreted as a *subtle onslaught of the enemy* on the Christian faith in order to diminish it. The result is that these small religious groups develop the belief that they have been separated by God to counteract the onslaught of the enemy and restore his church and preserve the Christian tradition.

The new Constitution of South Africa makes provision for the freedom of religion (section 15). This means that the tolerance of all religions is ensured and one religion is not favoured above any other religion. Religious tolerance addresses the previous situation of domination by the doctrines of one religion. Furthermore, the former strong alliance between Church and State as the ruling force has also been eliminated. This lenient, less controlled approach to religious affairs has unfortunately left an opening and opportunity for another form of control – the form of control found in religious high-demand groups. High-demand religious groups seem to disregard adherence to the *other basic human rights* of their followers because they believe that *membership* of these religious groups signify submission

to a “Godly” institution that *grants exemption* from the provisions of an earthly (evil) institution/system.

The question is, can freedom of religion overrule adherence to other basic human rights? In order to answer this question we need to understand the Constitution and the freedoms and limitations it provides.

3 CONSTITUTION OF SOUTH AFRICA

The first version of the new Constitution of South Africa was adopted on 8 May 1996, after the interim Constitution of 1994. However, the Constitutional Court found on 6 September 1996 that it was unable to certify that all of the provisions of the Constitution of the Republic of South Africa, 1996, complied with the Constitutional principles contained in schedule 4 to the Constitution of the Republic of South Africa Act 200 of 1993. A second version was therefore drafted. The amended text was adopted on 11 October 1996 and came into force on 7 February 1997. It has an extensive Bill of Rights section headed by a human dignity provision, which makes it similar to the German Constitution.

One of the values of democratic South Africa is that *human dignity*, the achievement of equality and the advancement of freedoms be promoted (*Government Gazette* 1996:5).

For centuries, the relationship between Church and State and between religion and law dominated politics in large parts of the world. The religious persecution conducted by many states gave rise to the idea of human rights (Currie & de Waal 2005:337). The earliest advocates for religious freedom called for religious tolerance and for a secular state, in other words, a state that did not favour one religion over another.

When the South African Constitution was drafted, the authors were aware of the problems that could be encountered as a result of the strict separation between Church and State. However, the relationship that existed previously, between the apartheid regime and the three Afrikaans churches, necessitated such a separation. The compromise that was entrenched in the Bill of Rights is not unique. In the new Constitution, section 15, the State is not prevented from recognising or supporting religion, *but is required to treat religions equally*. This right, together with section 31, also entrenches the right of individuals and communities to the free exercise of religion.

When read together with the equality clause section 9(3), section 15 prohibits the State from discriminating against any particular religious group. According to the South African Constitution, the right to freedom of religion has a *free exercise* component and an *equal treatment* component (Currie & de Waal 2005:337).

In summary, although the Constitution awards every religion in South Africa equal rights and guarantees the free exercise of a religion of choice, the Constitution has taken into consideration the fact that religion may lead to conflict with other rights. Section 31(2) therefore provides that the right to freedom of a religious community to practise their religion may not be exercised in a manner inconsistent with any provision of the Bill of Rights.

A proper understanding of human dignity as one of the pillars of the Constitution is needed before the different rights and freedoms can be understood.

3.1 Human dignity – different viewpoints

Traditionally, human dignity was viewed as a religious or philosophical idea that had neither any legal relevance nor provided inalienable rights (Kretzmer & Klein 2002:43). Indeed, the question of its legal relevance is very topical in the light of the increasing secularisation of western society. However, the recent development and affirmation of human dignity in constitutions and international declarations confirms that human dignity still plays an important role in a relatively secular age. The moral standing of human beings, as well as the concepts “person” and “sanctity of life” are much debated today. Different religious and philosophical answers are being put forward (Collste 2002:13).

During the Renaissance (in about the fifteenth century) the biblical viewpoint that man was created in the likeness of God was presented as the unique, outstanding feature of all human beings. Man was viewed as a microcosm that contained the aptitude for all kinds of behaviour. Man’s destiny was determined by his rational decision on the basis of his *anima rationalis*. Man’s dignity – *hominis dignitas* – was constituted by *man’s ability to make autonomous decisions*.

The recognition of the concept of universal and equal human dignity followed in the modern era. Man had equal human dignity because of his *immortal soul and because he was equipped with the*

light of understanding. Universal and equal human dignity became a principle of law and politics. *Only human relations could give dignity to human beings – dignatio nominis human* (Kretzmer & Klein 2002:45).

What is the Bible's viewpoint on human dignity?

The underlying idea for the concept of human dignity in the Bible (by which I mean the Old Testament and the New Testament) is based on the fact that human beings were created in the image of God (Gen 1:26 -27; Eph 4:24) (Starck 2002:180). The concept based on the biblical idea of humankind created in the divine image is insufficient to make the claim that *Imago Dei* – man created in God's image – constitutes the sole basis for the concept in western culture. However, there can be no doubt that the idea of *Imago Dei* is one of the primary sources for the concept of human dignity in western culture (Lorberbaum 2002:55).

There are many interpretations of the concept *Imago Dei*. Some believe it refers to the human shape, others to the rational faculty, and others to the conscience, and the ability to discern between right and wrong, and still others to various other aspects of humanity. .

Other religions also view humankind as special. According to Islam, humankind is special because of the commission that God has given to human beings. God's commission to human beings is to be God's *kalif* – God's representative on earth. The commission was given to human beings because of their rationality. As a result of the value of human beings some moral implications come into place. It is *prima facie* forbidden to kill human beings. This also includes infants and foetuses. Killing can, however, be justified if it is done for specific goals such as to defend Islam or to punish a man or woman who has committed some specific crime (Collste 2002:105).

It is clear from the above discussion that humanistic evaluation holds in general that human value is based on some inherent human characteristic, whether it be rationality, insight or an immortal soul. The Christian evaluation is based on the belief that human beings are created in God's image and, as a result of God's intervention, salvation and relationship with mankind, the human person receives value. Whether viewed from a humanistic or religious perspective, the principle of human dignity applies to all human beings and all human beings are equally valuable.

3.2 Human rights and the authority of government

In order to maintain good order in a society it is important that government lay down laws. In a state of law such as South Africa has become since 1994, the Bill of Rights forms part of the constitutional law. The Bill of Rights is constitutionally protected against arbitrary change by government.

The idea that human beings are valuable and, in their original natural state, possess unlimited, but unprotected rights in need of the protection of government justifies the litigation and the limitations of government action (Venter 1999:15-16).

Human rights display a vertical and a horizontal functioning. Historically, the idea of human rights developed in order to ensure the protection of civil society against unbridled government power. This refers to the vertical functioning of the Bill of Rights. As time progressed, however, the values taken up in the Bill of Rights also focused on interpersonal legal relationships amongst individuals. Human rights are not absolute. Rights have a mutual limitation on one another. An individual's rights reach as far as the next person's rights limit that right. This refers to the horizontal functioning of the Bill of Rights (Kruger 1999:12-14).

Not only all laws made at whatever government level, but also interpersonal relationships between individuals (in whatever sphere of life) must be reconcilable with the rights protected by the Bill of Rights. *In the case where a law is in part or in totality irreconcilable with the Bill of Rights it can be tested against article 36 – Limitation of Rights, also in the Bill of Rights* (Kruger 1999:13). The Article on Limitation of Rights reads that a right can be limited only in terms of the law of general application to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom, taking into account all relevant factors (*Government Gazette* 1996:16).

3.3 Freedom of religion

The Constitution affords everyone the right to freedom of religion (section 15), as well as the freedom to practise that religion through participating in the rituals and abiding by the tenets of that particular religion [section 31(1)(a)]. However, the practices and rituals of the religion, whether physical or emotional in nature, may not be inconsistent with the provisions of the Bill of Rights.

The right to freedom of religion has two important elements to it. First, it refers to the freedom of a person to choose the religion of his/her choice [section 15(1)]. Secondly, the right to freedom of religion also affords a free and voluntary act of will on behalf of the person [section 15(2)(c)] when participating in the rituals and practices of the religion [section 31(1)(a)]. In no manner should anyone be forced, either by physical strength, emotional or psychological duress, to participate in or attend any religious ritual. Such practices are inconsistent not only with section 15(2)(c) but also with section 18, the right to freedom of association.

The elements of the right to freedom of religion can be summarised as follows:

- A person has the right and freedom *to choose* any religion [section 15(1)].
- Participation in religion must be *a free and voluntary act of will* on behalf of the person [section 15(2)(c)].
- No right may be exercised in a manner *inconsistent with any provision* of the Bill of Rights [section 31(2)]. The freedom of religion is not an absolute freedom. This freedom needs to function within the boundaries of the other basic human rights and common law, otherwise there will be disputes regarding these rights and freedoms. These disputes must be resolved. How a dispute regarding freedom of religion is addressed will be discussed later.

3.3.1 Practices of high-demand religious groups that violate other human rights

Infringements upon other rights in high-demand religious groups occur as a result of a leader using his or her position of authority to control or dominate his or her followers; these followers, unaware of the leader's hidden agenda, have committed themselves to what they believe to be the will and purpose of God. The belief that they are committing their lives to God makes the followers vulnerable to the idea that they must obey the instructions of the leader at all costs, even if such actions infringe upon their human rights. The leaders of these groups utilise the emotions of shame, guilt and fear to emphasise the substandard nature of their followers' behaviour in order to get their followers to do what the leader requires. The feelings and opinions of the individual in need are overridden in

order to achieve the leader's selfish goals. This abuse leaves its victims spiritually wounded (Pretorius 2007:264).

The "godly sanctioning" that gives the leaders of these groups their authority results in dynamics and practices aimed at controlling their followers' lives. Total control in itself leads to inconsistencies with the provisions of the Bill of Rights. The dynamics of these religious groups can be described as totalistic, or all encompassing in the way they control their members' behaviour; the dynamics of these groups are also ideologically totalistic, and their world views tend to exhibit zealotry and extremism. Eventually, high-demand religious groups expect members to devote increasing time, money, possessions and resources to the professed goals of the group so that they can obtain salvation (Pretorius 2004:611).

All practices within the group are justified under the banner of a so-called "offering" that is necessary in order to become a full member of the "chosen people of God" and obtain salvation. The follower is moved to this "offering" by the subtle techniques and practices of the group. The harm caused by this "offering" is extensive and results in the materialistic and emotional dependency of the follower on the group. This dependency causes spiritual harm and can result in the following:

- Depression and a sense of alienation.
- Loneliness.
- Low self-esteem and low self-confidence.
- Phobic-like constriction of social contacts.
- Fear of joining other groups or making commitments.
- Distrust of professional services.
- Doubt in own ability to make good choices.
- Problems in reactivating a value system they can live by.

This dependency creates an opportunity for leaders of such groups to infringe upon the other rights of their followers.

Unethical techniques are utilised, first to proselytise and then to retain members. This practice is a transgression of the condition that membership and participation in the practices of a religion must be a free and voluntary act of will on behalf of the person (section 15 (2)(c) of the Constitution). It is difficult to point out the unethical

techniques used by these religious groups because of their subtle nature, and attempts to do so are generally downplayed by arguments based on the Constitution, for example:

- *The person is mature of age, and can make his/her own choices.*
- It is a person's *constitutional right* to belong to the religious group of his/her choice.

Alleged spiritual abuse can only be investigated when *a member of the group lodges an official complaint*. Because of the sensitivity surrounding religious issues in South Africa and the difficulty of proving spiritual abuse in religious practices, an approach that emphasised the freedoms of human beings is required.

Based on the Constitution, which states that all human beings are equal whether viewed from a humanistic or religious perspective, and that all rights and freedoms of human beings must be protected equally irrespective of the context they find themselves in, the final conclusion is that all basic human rights of individuals, even in the confines of a religious setting, must be protected equally. It thus follows that the practices of some *alternative religious groups that lead to conflict with other rights* must be pointed out and opposed.

The most fitting and effective approach to opposing spiritual abuse is to appeal to the Bill of Rights and to point out how the exercising of religion can lead to *conflict with the other freedoms* of individuals. The *emphasis must be on the protection of the rights of individuals*.

The way to address this conflict is by means of the *limitation clause, section 36*, which stipulates that a right may be *limited* in terms of the law of general application to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom.

3.3.2 Resolution of disputes regarding freedom of religion

The purpose of the Bill of Rights is not only to protect the individual from the unbridled exercise of government power (vertical functioning) but also to protect individuals that exercise power over one another (horizontal functioning).

It seems, however, that there is a reluctance to resolve disputes involving freedom of religion under the limitation clause because of the difficulty of the analysis required. Such analysis is difficult, first

because considerations of faith need to be weighed against those of reason, and secondly because it is difficult to separate which aspects of an activity are religious and are protected by the Bill of Rights and which are secular and open to ordinary regulation.

The State may never force believers to choose between their faith and respect for the law. However, society can only cohere if certain basic standards and norms apply to all. There is no automatic right to be exempted from the laws of the land on the grounds of religious belief (Currie & de Waal 2005:343).

If persons practise their religion and it is found that their exercise of freedom is inconsistent with the other provisions of the Bill of Rights, action is required (Currie & de Waal 2005:342). For example, if the State compels children to attend school and a religious group refuses children that right on the grounds of religious belief, a court may hold that that this practice is inconsistent with the right of children to a basic education [section 29(1)].

In order to resolve disputes involving the individual's right to the free exercise of religion, the limitation clause (article 36) should play a crucial role. At least three methods of restricting the scope of the right can be identified. The first is to question the sincerity of the claimant's belief and the second is to require the claimant to show a "substantial burden" on the exercise of the freedom of religion, or that the prohibited practice is a "central tenet" of the religion. The third technique is a form of contextual interpretation: the court will not protect practices under section 15 that are specifically *excluded from protection elsewhere in the Constitution* (Currie & de Waal 2005:342).

The above methods seem to address any infringement that prevents or hinders the individual from exercising his or her religion freely.

In the case of high-demand religious groups, disputes occur at the horizontal level and the most important question must be: how do the practices, tenets and rituals of the religion impact on the other rights of the individual and on society?

The criteria used to protect religion are the same criteria used to place limitations on certain religious practices (Meyerson 1997). Two substantial questions need to be asked in this regard. The first question is: should different degrees of protection be given to

different beliefs, depending on the content of these beliefs? If the answer is “yes”, religions that promote key constitutional values, such as dignity, equality and freedom, must be afforded greater protection than those that seek to undermine these values. If content is not a criterion for differentiating between legitimate and illegitimate types of religion, a neutral principle must be found. The second question must be: is the religion causing harm? Religious practices may be limited only if they cause harm. Religious communities’ quest to stringently exercise their religious practices and, in the process, disregard the other rights of their followers, may cause such harm.

Disputes regarding rights and freedoms in the context of high-demand religious groups are based on the harm caused. It is therefore necessary not only to prevent harm, but also to address the continuation of existing practices that cause harm.

With reference to the methods for restricting the scope of rights mentioned earlier, the following stipulations can be made: The recruitment methods used by these groups should (a) not include psychological techniques that subtly force individuals to become part of the group while creating the impression that they joined out of free will; and (b) not make excessive use of emotions such as fear and guilt in order to instil a high level of susceptibility in their followers for the purpose of gaining and retaining control over them. Individuals should be free to leave the group and not be restrained by coercive techniques that create the impression that there is no life outside the group.

4 CASE STUDY: THE PROPHET OF HERTZOGVILLE AND THE ACTION FOR CHRIST MINISTRY KINGDOM OF GOD ON EARTH

4.1 Introduction

The purpose of the case study is to illustrate how two basic human rights, the right to human dignity and the right to freedom of association of the followers of the religious leader known as David Francis, alias the “prophet of Hertzogville”, were violated as a result of their adherence to his orders.

In Hertzogville a small group of believers are clinging wholeheartedly to a prediction of their “prophet”, David Francis. According to Francis one of his followers, known as uncle Paul

Meintjies, who died on 1 July 2004 will be raised from the dead (De Kock 2004:11). When Francis heard of Meintjies' death he sent an sms message stating, "do not bury" to the family of the deceased.

David Francis justified his order with the following claims:

- God gave him a message on *1 July 2004* that Paul Meintjies should not be buried because he would rise from the dead to glorify God.
- His resurrection will take place long after his death so that people will not say that he did not die, but it will be soon.
- This message is a test of faith. A previous prophecy by Francis claimed that uncle Paul would live to the age of 85, yet he died when he was only 76.
- There was no specific date for the resurrection – God would speak to him when the time was right. Rumour among the people of Hertzogville had it that the resurrection would take place on 29 July 2004. This was later changed to 5 and 8 August 2004. Nothing happened on either of these dates.
- The family of the deceased acted on their own faith. He was just the courier bringing God's message.

Francis warned the undertaker, Mr Foulds, that if he touched the corpse he would drop dead instantly (Foulds 2004). He gave orders to his followers not to make contact with anyone unless he approved it. He also sent a letter to one of the minister of a church in Hertzogville accusing him of working against God's plan. He claimed to have received a message from God in which God told him that the church is nothing more than "a wishy-washy, convenient, compromising, candy coated Christian club collecting cover charge Christians" (De Wet 2004:3).

On 1 August 2004 Francis arrived at the mortuary in Hertzogville with the Bible in one hand and his shoes in the other in order to raise uncle Paul Meintjies. He repeated the passage about the resurrection of Lazarus (John 11) in an attempt to raise uncle Paul Meintjies. When nothing happened he said the following to the undertaker: "I have got the event right but not the time" (Foulds 2004).

The orders and utterances of the “prophet” had serious consequences not only for his followers and the deceased but also the community of Hertzogville as a whole:

- The body of uncle Paul Meintjies was kept in the mortuary for 50 days. The undertaker was not paid for this service. He eventually threatened to send the remains of the deceased to the state mortuary.
- The corpse was eventually moved to the house of uncle Paul’s widow on day 51 and the coffin placed next to her bed (Phillips 2004:3).
- The community became upset because of the smell and they unhygienic conditions, and some community members threatened to whip the prophet and chase him out of town (Kok 2004b:2).
- The body was eventually laid to rest on day 56 after the government became involved (Kok 2004a:1). By then, Francis had changed his prophecy, claiming that uncle Paul would rise from the grave.
- False expectations were created in the mind of the widow of the deceased. She was in a hurry to finish a jersey that she was knitting for her deceased husband. The day before the prophet arrived from Durban to resurrect the deceased she baked his (the deceased’s) favourite cookies and set the table for him.

Although the followers of Francis exercised their right to religious freedom, in this particular situation it was in conflict with other basic human rights, not only of the followers and the family of the deceased, but also the community. Their basic human rights were violated in the following manner:

4.2 Right to human dignity (section10)

- The disrespectful manner in which the body of uncle Paul was treated was a violation of the family’s right to human dignity.
- With his prediction Francis not only deprived the family of their right and need to mourn their loss (mourning would have been viewed as unbelief) but also displayed a general insensitivity to the family’s emotional state. Their personal hurt was displayed to the world and they became a laughing stock.

- The *persona* of the diseased (as a respected member of the community) was dishonoured and his right to be laid to rest in a dignified manner violated.

4.3 Right to freedom of association (section 18)

- Francis' avoidance of contact with outsiders led his followers to believe that they should also avoid contact with anybody unless he approved it. In a subtle way they were isolated from the outside world. *This prevented them from sharing their hurt and doubts with friends in the community.*
- The consequences of Francis' orders not only upset and confused the community but also impacted on its harmonious functioning in that community members felt unable to assist and comfort the Meintjies family. Some believed they had lost touch with reality.

This case clearly underlines how the exercising of one right can lead to conflict with other basic human rights. It furthermore underlines not only the need to point out and oppose such occurrences, but also to put in place measures to limit or prevent them.

4.4 Organisations in South Africa that oppose the violation of human rights in religious groups

In the South African Constitution a general limitation section (section 36) sets out specific criteria for the justification of restrictions of the rights contained in the Bill of Rights (Currie & De Waal 2005:163). Although reasons for limiting a right must be exceptionally strong, the South African Constitution permits limitation of rights by law, but requires the limitation to be justifiable.

So-called watchdog organisations are born from the quest to ensure that the rights of all individuals are upheld. The aim of these organisations is to expose infringements on the rights of individuals in order to apply the correct remedies.

In South Africa a number of these watchdog organisations focus on the arena of religion. For the purpose of this article, we will concentrate on organisations concerned with spiritual abuse in Christian religious groups.

Two such organisations are the Cult Information and Evangelisation Centre (CIEC) and Right of Individuals Grant Honour To (RIGHT).

4.4.1 Cult Information and Evangelisation Centre (CIEC)

CIEC has its roots in the early 1970s when a man by the name of Japie Grobler encountered a number of high-demand religious groups.

In the 1980s, Grobler met Peter Andrews of *Night Watch Ministries* and received insight, training and information from Andrews regarding these groups. Grobler approached his church board and started his own organisation by the name of *Night Watch* as a leg of evangelisation in the church. Later, the name CIEC was decided on and CIEC became an interdenominational organisation with the aim of providing information on religious groups and cults. A quarterly newsletter, *Sentinel*, was also started in the late 1980s.

CIEC, although aware of the unethical techniques utilised by high-demand religious groups, focuses on exposing their “false doctrines” that are viewed as *detrimental to the Christian faith*. These false doctrines are exposed as *non-Christian* since they deviate from the accepted Christian doctrine and *misleading* because of the change in semantics of known Christian terminology to suit the aims of the group, which is justified by a “new revelation or new light” (Grobler 2007:1-3).

The Christian apologetic approach of CIEC somewhat lost its footing under the provisions of the new Constitution. A *shift in approach* was needed to expose the unethical and harmful practices of these groups.

4.4.2 Right of Individuals Grant Honour To (RIGHT)

Under the new Constitution discrimination on the grounds of religion is illegal. In the light of the Constitution’s strong emphasis on human rights, it was decided that an organisation addressing the infringement of these rights in religious groups should come into being. RIGHT was established at the beginning of 2004.

Although RIGHT is a very young organisation with a few members from different fields of interest such as psychology, law, sociology and theology, a webpage <http://right.za.org/> is already in place and certain issues have been investigated. The approach of

RIGHT is to oppose the violation of basic human rights of individuals in religious groups.

4.5 The role of RIGHT in opposing the violation of basic human rights in high-demand religious groups

The role of RIGHT in opposing the violation of basic human rights in high-demand religious groups can best be illustrated by the actions taken in Hertzogville. Through interviews with members of the Herzogville community and other information gathered, RIGHT identified the need, first, to inform the community of the impact that demanding religious groups can have on the lives, thoughts and actions of their followers and on the broader community and, secondly, to point out how the orders and practices of the “prophet” violated other basic human rights of his followers. Representatives of RIGHT visited Hertzogville and addressed the situation in the following manner:

- Had discussions with various prominent roleplayers such as spiritual leaders and community leaders.
- Handed out pamphlets explaining the dynamics of the control of the prophet and how it infringed upon human rights.
- Interacted with the media also present.
- Compiled a report for the South African Police Service’s Section for Harmful Religious Practices.
- Arranged for a follow-up visit and formal information session for the community.
- Published an article in a scientific journal and posted the case on the RIGHT website.
- Brought this case and its impact on Francis’ followers and the broader community to the attention of the Human Rights Commission.

RIGHT will continue to oppose the violation of basic human rights in high-demand religious groups through:

- creating a greater awareness in communities and at other levels of life.
- broadening their expertise to assist victims and their families.

- obtaining support from government to oppose and possibly regulate harmful practices in terms of section 36 of the Constitution.
- the timely identification of possible situations where such violation may occur.
- suggesting appropriate action to be taken.

Although RIGHT will never attempt to prescribe to anyone it will continue to warn against and oppose the violation of human rights.

5 SUMMARY AND CONCLUSION

It is difficult to imagine that freedom of belief can ever be legitimately restricted by the State. Given that, in a free society, there can be no such thing as a “wrong” belief or idea, and given that belief as such cannot cause harm, there is no justification for thought control. Although it may be true that belief as such does not pose any harm in itself, the dynamics and practical functioning of actualising such a belief system, as manifested in certain groups’ practices and rituals, may and do indeed cause harm, as we have seen. In such cases, thought reform brings about control that can be damaging to group members. Measures need to be in place to address and curb such practices.

Freedom of religion does not grant people automatic exemption from the laws of the land. The freedom to practise religion must be balanced against the possible harm and consequences certain practices could have for individuals in particular, and for society as a whole.

In high-demand religious groups, the right to freedom of religion should be understood to be the right to participate in the rituals and practices of the group of one’s own free will. In other words, an individual joining such a group, of his or her own free choice, should not be subject to any subtle psychological techniques. Also, while participating in the group’s activities, no unethical techniques such as emotional blackmailing should be utilised in order to motivate the individual to do what a normal person would not do or to instil fear of leaving the group.

The article clearly indicated that high-demand religious groups infringe upon basic rights. The attractive appearance of these religious groups has an almost pacifying effect on society in general and frees such groups from scrutiny. Unfortunately, many people are

vulnerable when it comes to spiritual issues and these groups exploit this vulnerability to further their own selfish aims. Insight into the dynamics and methods of the functioning of these groups opens up a whole new world of understanding. The most disturbing issue here is that practices that seriously impact on people's basic human rights are exercised in a seemingly safe environment. Watchdog organisations can assist the government in dealing with this problem. RIGHT is such an organisation.

RIGHT knows how these groups function and is familiar with their dynamics. As such, it can assist in providing information to governmental organisations, and can help the families and friends of people who have become members of such groups.

In terms of section 31(2) of the Constitution, religious practices are susceptible to limitation. The State may, and indeed must, prohibit practices that cause physical and emotional harm to persons. The State must, *inter alia*, act to fulfil its duty under section 12(1)(c) – the right to be free from all forms of violence from either public or private sources.

Consulted literature

Anon. 2007. *Apartheid in South Africa*. Available at http://www.rebirth.co.za/apartheid_history1.htm [Accessed 20 April 2007].

Boddy-Evans, A *sine anno*(a). *About: African History: Who supported Apartheid?*. Available at <http://africanhistory.about.com/od/apartheidfaq/f/support.htm> [Accessed 20 April 2007].

-, A *sine anno*(b). *About: African History: When did Apartheid end?*. Available at <http://africanhistory.about.com/od/apartheidfaq/f/HowEnded.htm> [Accessed 20 April 2007].

Collste, G 2002. *Is human life special?* Bern: Peter Lang.

Currie, I & De Waal, J 2005. *The bill of rights handbook*, fifth edition. Landsdown: Juta & Co, Ltd.

De Grunchy, J W & De Grunchy, S. 2005. *The Church struggle in South Africa*. Minneapolis: Fortress Press

De Kock, G 2004. Oom Paul kry 'n grafsteen, maar wat woel is die profeet! *Rapport*, 28 November.

De Wet, T 2004. "Profeet" kryt kerk uit, maar swyg oor oom Paul se opstaan. *Beeld*, 13 August.

Foulds, N 2004. Personal interview with Mr Foulds in Hertzoville.

Government Gazette, 1996. *Constitution of the Republic of South Africa*. Vol 378, No 17678, 18 December.

- Grobler, J 2007. *Geskiedenis*, a letter explaining the history of CIEC.
- Hexham, I 1981. *The Irony of Apartheid*. New York: The Edwin Mellen Press.
- Kok, D 2004a. Oom Paul vandag sonder seremonie begrawe. *Beeld*, 25 August.
- , 2004b. Woedende inwoners gooi klippe om “profeet” uit dorp te jaag. *Beeld*, 18 August.
- Kretzmer, D & Klein, E (eds). 2002. *The concept of human dignity in human rights discourse*. London: Kluwer Law International
- Kruger, J 1999. Menseregte – wat sê die Grondwet? *Die Kerkblad* 21 April, 12-14.
- Lorberbaum, Y 2002. Blood and the image of God: on the sanctity of life in Biblical and early Rabbinic law, myth and ritual, in: Kretzmer, D & Klein, E (eds). *The concept of human dignity in human rights discourse*. London: Kluwer Law International, 55-85.
- Meyerson, D 1997. *Rights limited: freedom of expression, religion and the South African constitution*. Kenwyn: Juta.
- Moodie, T, DUNBAR. 1975. *The rise of Afrikanerdom: Power, Apartheid and Afrikaner Civil Religion*. Berkeley: University of California Press
- Phillips, M 2004. Oom Paul lê nou langs vrou se bed. *Beeld*, 20 August.
- Pretorius, S P 2004. Mind control the secret weapon utilised by religious cults to control their followers. *Koers* 69(4), 607-621.
- , 2007. Seemingly harmless new Christian religious movements in South Africa pose serious threats of spiritual abuse. *HTS* 63(1), 261-281.
- Starck, C 2002. The religious and philosophical background of human dignity and its place in modern constitutions, in: Kretzmer, D & Klein, E (eds). *The concept of human dignity in human rights discourse*. London: Kluwer Law International, 179-191.
- Venter, F 1999. Menseregte en die gesag van die owerheid. *Die Kerkblad* 21 April, 15-16.
- Verkuyl, J *sine anno*. *The Dutch Reformed Church in South Africa and the Ideology and Practice of Apartheid*. Available at <http://www.anc.org.za/ancdocs/history/misc/verkuyl.htm> [Accessed 20 April 2007].