

South African Pagan Rights Alliance

# Witch-hunts in South Africa

Advocacy against human rights abuses committed as a result of accusations of witchcraft and violent witch-hunts. (2014)

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by Damon Leff



### ABSTRACT

The test of Nelson Mandela's legacy will be marked by how and to what extent South Africans will eventually treat those whom it despises and fears. To paraphrase Tata Madiba's profound statement on eliminating poverty, overcoming one's fear and hatred of 'witches' "is not a task of charity, it is an act of justice... It is man-made and it can be overcome and eradicated by the actions of human beings." This fear and hatred, I would argue, are symptoms of a deeply rooted spiritual insecurity; one born from false imaginings and paranoid fantasy not easily lifted from the hearts and minds of thousands of South Africans who still firmly believe that all misfortunes must find their cause in 'witchcraft'.

In 'Reflections on Spiritual Insecurity in a Modern African City (Soweto)', Adam Ashforth superbly examines this question of spiritual insecurity amongst people who sincerely believe that 'witches' really are responsible for misfortune. He does so within the context of poverty and violence. Ashforth echoes many earlier academics in searching for the sociological causes of accusations of witchcraft and the inevitable human rights violations which accompany them. Unfortunately a multitude of such studies have failed to resolve the underlying motivations for often brutal hate crimes against completely innocent civilians caught in the crossfire of paranoid fantasy and delusion.

Whilst material poverty may certainly add to one's sense of insecurity about one's survival, accusations of witchcraft are not limited to the poor and destitute, any more than irrational beliefs about witches are held only by the uneducated. As a human rights activist, a purely academic understanding of the perceived mechanism of accusation does not even begin to address the real causes of witch-hunts - the irrational beliefs people hold about 'witchcraft'. In some sense, the search for purely sociological causes for witch-hunts past and present has avoided challenging these beliefs directly as irrational, indefensible, scientifically implausible, and dangerous.

In 'AIDS, Witchcraft, and the Problem of Power in Post-Apartheid South Africa' Ashforth writes "Witchcraft in the South African context typically means the manipulation by malicious individuals or powers inherent in persons, spiritual entities, and substances to cause harm to others... the motive of witchcraft is typically said

to be jealousy." In the 1995 Report of the Ralushai Commission of Inquiry into Witchcraft Violence and Ritual Murder in the Northern Province, Professor N. V. Ralushai records "All kinds of misfortune, including matters as varied as financial problems, illness, drought or lightening strikes, are blamed on witchcraft." The Ralushai Commission's report defined the term 'witch' to mean a person who "...through sheer malice, either consciously or subconsciously, employs magical means to inflict all manner of evil on their fellow human beings. They destroy property, bring disease or misfortune and cause death, often entirely without provocation to satisfy their inherent craving for evil doing." Testifying before a Truth and Reconciliation Commission Amnesty Hearing in 1999, Ralushai confirmed his Commission's definition of a witch when he was asked by attorney Patrick Ndou to define what a witch was. Ralushai stated "A witch is supposed to be a person who is endowed with powers of causing illness or ill luck or death to the person that he wants to destroy."

Such wholly false and prejudicial beliefs about a wholly mythical witchcraft and imaginary witches, left unchallenged or unchecked by rational fact and demonstrable evidence, only serve to feed hysteria and paranoia and encourage further accusations and witch-hunts.

Every citizen of the Republic is constitutionally and legally entitled to:

1. Equality
2. Human dignity
3. Life
4. Freedom and security
5. Freedom from slavery, servitude and forced labour
6. Freedom of movement and residence
7. Freedom of trade, occupation and profession
8. Freedom to own a home and maintain property
9. The right to access to justice
10. The right to health care, food, water and social security
11. The right to just administrative action
12. The right to access to courts
13. The right not to be unfairly arrested, detained and accused
14. The right to citizenship.

The vast majority of victims of accusation of witchcraft, both deceased and still living, in South Africa have been and are being denied their legal right to all of these constitutional rights. Accusations of witchcraft are not condoned under the constitutional rights to freedom of religion, belief and opinion, or expression, as incitement to propaganda for war; incitement of imminent violence; or advocacy of hatred based on race, ethnicity, gender or religion, that constitutes incitement to cause harm, is not protected under South African law. Accusations of witchcraft and resulting witch-hunts constitute a series of clearly identified crimes under both international and national law.

In almost all cases of accusation of witchcraft, the accused who survive attempted murder will:

- a. not be offered access to legal defense against the accusations,
- b. not be considered innocent until proven guilty in a court of law,
- c. be driven from their communities,
- d. lose their homes as a result of arson,
- e. be forcibly separated from their families, loved ones and friends,
- f. be placed in custody by the South African Police Services, ostensibly for their own safety, spending at least one night in a prison cell to avoid being attacked by members of their own community,
- g. may never return to their homes and communities of birth, and
- h. be forced into unwilling exile in unofficial and unacknowledged refugee camps.

By being denied access to counseling and restorative justice, the living victims of accusation – refugees of incitement, hatred and violence – are currently not afforded any assistance or protection by the South African government.

**Note:**

Throughout this paper I use the common noun 'witchcraft' because Witchcraft, as a twentieth century religious belief system, is not of direct issue where violent witch-hunts are of concern. The victims of accusation are not real Witches, do not practice Witchcraft as a religion or way of life, and do not identify traditional African beliefs as 'Witchcraft'. Most of the accused are Christians. This does not mean that Witchcraft or modern Witches are irrelevant to international discussions of alleged witchcraft or resulting witch-hunts. On the contrary, our advocacy against witch-hunts in South Africa is firmly rooted in our being Witches, not in the denial of our self-identified religious identity. Naturally, what our fellow countrymen believe about the mythical 'witch' and imaginary 'witchcraft' does affect real Witches and the way in which society generally perceives Witches and Witchcraft.

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## Contemporary witch-hunts in South Africa

Witch-hunts have become epidemic throughout Africa. Although witch-hunts have historically been viewed as gender specific, with a large percentage of victims still identified as elderly and solitary women, recent reports show that victims of witch-hunts include both women and men of all ages. [1]

[1] **Witch Hunts In Modern South Africa: An Under-Represented Facet Of Gender-Based Violence (June 2009)**

by Yaseen Ally - <http://www.mrc.ac.za/crime/witchhunts.pdf>

*\* Article appended as addendum 1.*

Published media reports [2] highlight tragic human rights abuses arising as a result of witchcraft accusations. The true extent of witch-hunts in Africa (and elsewhere in the world) however has yet to be determined. Many incidences of witch-hunts go unreported and very few governments actually keep detailed statistics of such incidents.

[2] **Remember their Names – Victims of witch-hunts in South Africa 2000 to 2013**

compiled by SAPRA - <http://www.paganrightsalliance.org/remember-their-names/>

*\* Article appended as addendum 2.*

Witch-hunts are largely perpetrated by individuals and groups who believe that misfortune is enabled through the agency of 'a witch'. Such accusations are sometimes motivated through localized forms of religious extremism by practitioners of traditional African religions who believe that witchcraft is always the cause of misfortune, traditional healers (including diviners, herbalists, 'witch-doctors') who use various forms of divination to point out suspected witches, and charismatic revivalist Christian religious leaders (pastors and prophets) who use their prejudicial notions of witchcraft as a manifest form of satanic evil to encourage their followers to find (accuse) and convert suspected witches.

### The victims do not identify themselves as Witches

The words 'witch' and 'witchcraft' are used predominantly as an accusation throughout Africa, either to describe a number of clearly defined traditional religious practices that do not self-define as witchcraft, as well as a number of variable urban legends perpetuated by religious leaders and traditional healers to identify women, children and men who are not actual Witches. In rare instances where alleged confessions of being a witch or practicing witchcraft are made by the accused, reported testimony is either irrational or coerced through torture or threat.

The 'witchcraft' most often referred to through accusation, allegation and harmful superstition, exists only in the minds of those who believe that witchcraft is the embodiment of evil and that witches are responsible for misfortune, disease, accident, natural disaster and death.

### Victims have the right to be presumed innocent

Since 2008 the South African Pagan Rights Alliance has repeatedly appealed to the South African Commission for Human Rights to encourage the South African government to:

- a. halt the persecution of suspected or accused witches,*
- b. uphold and strengthen a culture of human rights for all equally,*
- c. respond appropriately and humanely to incidences of accusations of witchcraft,*
- d. make the eradication of violence against suspected witches an international priority,*
- e. train local police to manage witchcraft accusations and violent witch-hunts in a way that affirms the dignity and humanity of those accused of practising witchcraft,*
- f. create victim support units to facilitate reintegration and conciliation of those accused,*

- g. adopt comprehensive public education and awareness programmes aimed at eradicating the real causes of witchcraft accusations, and*  
*h. reform legislation that currently seeks to suppress witchcraft or criminalize accused witches.*

### **There can be no human culture without human rights for all**

The South African Human Rights Commission has declined to engage with the South African Pagan Rights Alliance and has refused to undertake any formal investigation into ongoing human rights abuses committed as a result of accusations of witchcraft and witch-hunts in South Africa. [3]

Whilst initially showing interest in supporting a national campaign to end witch-hunts, the Commission for the Promotion and Protection of Cultural, Religious and Linguistic Communities (CRLRC) later withdrew its support for the campaign. No action to end witch-hunts has been undertaken by the CRLRC, and SAPRA has subsequently been removed from the CRLRC's database. The CRLRC refuses to work with SAPRA further – no written reasons have been given for this about-turn, although religious bias is strongly expected to be behind this surprising decision; representative members of the CRLRC represent traditional African religions and evangelical Christian groups strongly opposed to SAPRA's representation of Witches and our advocacy against witch-hunts.

#### **[3] Concerns raised by witchcraft accusations and witch-hunts in South Africa**

Stakeholder Submission prepared by the South African Pagan Rights Alliance for the Commission for the Promotion and Protection of Cultural, Religious and Linguistic Communities. (February 2013)

<http://www.paganrightsalliance.org/concerns-raised-by-witchcraft-accusations-and-witch-hunts-in-south-africa-2013/>

*\* Article appended as addendum 3.*

### **Refugees of witchcraft accusation and Traditional Courts**

South Africa faces a growing refugee crisis as victims of witchcraft accusation who survive assault are expelled from their communities by community leaders, traditional leaders and traditional healers, after being tried in traditional courts and found guilty through divination, of alleged but still unproven accusations of witchcraft activity.

Under existing traditional customary law, Traditional Courts currently adjudicate on matters relating to accusations of witchcraft. Existing customary laws and beliefs concerning witchcraft however, remain prejudicial to citizens who may actually identify as Witches and who practice Witchcraft as a religion. [4]

#### **[4] SAPRA Objections against Traditional Courts Bill**

SAPRA submission to National Council of Provinces on the Traditional Courts Bill (June 2012)

<http://www.paganrightsalliance.org/traditional-courts-bill/>

*\* Article appended as addendum 4.*

Traditional Courts within sub-Saharan Africa share a commonly held belief that witchcraft is not a faith that people openly profess, and do not recognize Witchcraft as a constitutionally protected religion.

Customary beliefs about witchcraft remain wholly prejudicial to actual Witches, where witches are viewed as being responsible for misfortune, illness or untimely death. Traditional beliefs do not assume that a witch may be innocent of such accusation because it is believed that such criminal acts are in keeping with the nature of the practice of witchcraft.

Within traditional courts, witchcraft is viewed as a malevolent magical act, one punishable under customary African laws. Accusations of Witchcraft, though illegal under the 1957 Witchcraft Suppression Act, are frequently heard by traditional courts. [5] Accusations are always based on suspicion, rumor, or gossip.

**[5] South African Law Reform Commission Review of Witchcraft Suppression Act**

<http://www.paganrightsalliance.org/review-of-witchcraft-suppression-act-update/>

*\* Article appended as addendum 5.*

Citizens accused of witchcraft and tried within traditional courts are not provided with legal counsel and evidence presented in such courts, including formal consultations with diviners in determining or alleging guilt, does not qualify as proper evidence in any other court of law. Accusations of witchcraft discriminate against those accused, and marginalize an already existing religious minority that identifies Witchcraft as its religion.

The South African government will not acknowledge the existence of these refugee villages or refugees, and seeks to increase the authority and influence of traditional leaders and traditional courts. Refugees of witchcraft accusation cannot remain an unspoken secret or unchallenged opportunity. Victims of accusation deserve true restorative justice. They deserve to live with dignity, without shame, guilt or fear.

### **Muti murderers are not Witches**

In South Africa witches are incorrectly believed to be responsible for human mutilations, often referred to by the media as ‘muti murders’. [6]

**[6] Muti murderers are not Witches!**

<http://www.penton.co.za/muti-murderers-are-not-witches/>

*\* Article appended as addendum 6.*

African traditions ascribe supernatural properties to medicines (muti / muthi) derived from both plant and animal sources. In extreme circumstances, unethical traditional healers (nyangas and sangomas) resort to using so-called “muti” made from human body parts harvested from the victim whilst he or she is still alive, a practice widely eschewed by both ethical healers and actual Witches.

Despite accusations to the contrary, evidence will show that the muti murderers themselves are not Witches, but are most often paid by unscrupulous so-called “traditional healers” to harvest human body parts and tissue for sale, for use in alleged magic. Those found guilty in courts of law have not identified themselves as Witches, but as traditional healers. Despite this, even ethical traditional healers have and do incorrectly identify those responsible for such criminal acts as witches or witchdoctors, in order to disassociate themselves and traditional healing from such acts.

Scapegoating witchcraft and witches for the crimes committed by criminals, not Witches who practice Witchcraft, contributes to general prejudice and fear of witchcraft and witches. Traditional healers are often responsible for inciting violent witch-hunts by identifying other traditional healers as responsible for muti murders and other misfortune. Baseless accusations of muti murders repeatedly published in the media against witches and witchcraft in general have and will continue to incite witchcraft accusations and further defame real Witches.

### **South African Police Services approach to witch-hunts problematic**

The investigation of accusations of witchcraft and witch-hunts falls under the ambit of the Occult-related Crime Unit, a poorly constituted special branch of the South African Police Services staffed by evangelical Christians who believe that ‘witchcraft’ constitutes evidence of Satanic activity.



Despite attempts by this Alliance to engage with members of this unit in order to constructively cooperate with and assist said unit to manage witchcraft accusations and violent witch-hunts in a way that affirms the dignity and humanity of those accused of practicing witchcraft, to create victim support units to facilitate reintegration and conciliation of those accused, and adopt comprehensive public education and awareness programmes aimed at eradicating the real causes of witchcraft accusations, members of this investigative unit have refused to engage with this Alliance or acknowledge this advocacy against accusations of witchcraft and witch-hunts.

Formal submission submitted to the SAPS ORC unit in 2012 was responded to by the national head of this unit, Attie Lamprecht, through an online evangelical Christian magazine. No formal SAPS response has ever been received by this Alliance. [7] [8]

**[7] Occult Crime Unit to investigate the supernatural**

<http://www.paganrightsalliance.org/occult-crime-unit/>

*\* Article appended as addendum 7.*

**[8] SAPS targets Occultists, Esoterics and Pagans**

<http://www.paganrightsalliance.org/saps-targets-occultists-esoterics-and-pagans/>

*\* Article appended as addendum 8.*

## **What is Pagan Witchcraft and Who are Pagan Witches**

‘Paganism’, with a capital ‘P’, refers to the modern revival and reconstruction of ancient religious, spiritual and ritual practices of pre-Christian peoples. Modern Pagans have reclaimed the term ‘Paganism’ as an overarching definition for reconstructed pre-Christian European religions (also referred to as Ethnic European Religions) and post-Christian neo-Pagan syncretic religions. [9] Pagan academics refer to Paganism as a modern religious movement containing several distinct and separate religions. Modern Paganism is characterized by a diversity of spirituality, belief and religious practice, and by tolerance of religious and theological diversity. Most South African Pagans self-identify as Witches; as practitioners of Witchcraft.

Witchcraft may be defined as:

- i) the practice of sympathetic folk magic,
- ii) a modern neo-Pagan religion (as Wicca, Stregheria and many others)
- iii) Witchcraft is not synonymous with “black” (malevolent) magic, and is
- iv) not cognate to / with Traditional African religio-magical belief systems.

**[9] Paganism in South Africa**

<http://www.paganrightsalliance.org/paganism-in-south-africa-2/>

*\* Article appended as addendum 9.*

## **What is the South African Pagan Rights Alliance (SAPRA)**

The South African Pagan Rights Alliance (SAPRA) was formed in 2004 as a faith-based (Pagan) human rights activist alliance. SAPRA currently fulfills several important functions in line with its constitutional mandate, namely, to promote the guaranteed liberties and freedoms enshrined for all South African Pagans in the Bill of Rights and assist South African Pagans, whose constitutionally guaranteed rights and freedoms have been infringed due to unfair discrimination, to obtain appropriate redress. The South African Pagan Rights represents its members, many of who identify as South African Witches and other non-Witch Pagans. [10]

**[10] About SAPRA**

<http://www.paganrightsalliance.org/about-sapra/>

*\* Article appended as addendum 10.*

## **Addendum 1.**

### **Witch Hunts In Modern South Africa: An Under-Represented Facet Of Gender-Based Violence (June 2009) by Yaseen Ally -**

<http://www.mrc.ac.za/crime/witchhunts.pdf>

#### **BACKGROUND**

- Evidence exists that indicates that witch hunts exist in modern South Africa where a witch hunt is taken to refer to a situation whereby a person is accused of witchcraft and perceived as the cause of others' misfortune, illness or death through supernatural means.
- Those accused of witchcraft are often subjected to violence from others which may result in their injury or death.
- Accusers are likely to be neighbours, members of the immediate community, and in some cases family members.
- Most witch hunts are directed at women, although there have been reports of witch hunts against men.
- Burning, hanging, stoning and beatings are among the types of violence the accused are subjected to.

#### **TYPES OF VIOLENCE EXPERIENCED BY 'WITCHES'**

Having established the existence of beliefs in witchcraft and 'witches', a study was undertaken to understand phenomena and consequences of belief in witchcraft and 'witches'.

The study was based on an analysis of newspaper reports making reference to witchcraft during the period 2000 to 2008.

Preliminary analysis has revealed that damage to property was the most common for violence experienced by those accused of witchcraft. Being forced relocate from one village to another was the next common type of violence experience, followed by being beaten and being burnt (see Figure 1). Other forms of violence included being stoned, hacked, hanged, shot and dismissed from work.

#### **RISK FACTORS RELATED TO WITCH HUNTS**

##### **Age as a factor in witchcraft accusations [1]:**

- Most 'witches' are older women. The physical appearance of these women attributable to age seems to be taken as an indicator of the presence of malevolence.

##### **Concentration in certain provinces and rural areas [2]:**

- Witch hunts are largely found in rural communities of South Africa.
- In particular, communities in Limpopo, Mpumalanga and KwaZulu-Natal provinces reportedly have a prevalence of witch hunts.

##### **Economic elements of witch hunts [3]:**

- Competition for scarce resources is connected to witch accusations.
- Apparently, relatively wealthier members of a community are targeted by others as they are believed to have used witchcraft to gain their wealth.
- At the same time relatively poorer members are also accused of causing misfortune to others who lose their economic status in the community or believe they are supposed to be better off than they actually are. Relatively well off persons may accuse poorer members of a community of practicing witchcraft in an attempt to assume ownership of land, property or even livestock.

### **Socio-psychological dimension of witch hunts [4]:**

- 'Witches' are believed to cause misfortune and to bring disease and even death to persons in a community.
- Psychological disturbances, divorce, business misfortune and even HIV/AIDS are believed to be caused by 'witches'.
- Jealousy, rivalry and envy at success or beauty may make individuals vulnerable to an accusation of using bewitchment to attain these attributes.

### **'WITCH' HUNTS AS GENDER-BASED VIOLENCE**

- Even though some men may have accusations of witch leveled at them, women are more vulnerable to witch accusations and subsequent hunts [5].
  - Women who assume power positions, either financially or through a role that provides power, are more vulnerable to accusations of witchcraft from men *and* women.
  - Men who level witch accusations against women can be said to be threatened by the socio-economic standing of the accused. Witch hunting is thus essentially about gender-based control in that men assert and reassert their power and control over women's independence, bodies, sexuality and individuality.
  - Women who level accusations against other women can be said to function from within a patriarchal ideology, which is used to support the accusers' economic, social, material or psychological needs and motives. Jealousy or envy, as examples, may be the real motive of the accuser but in charging another woman of witchcraft the accuser employs a patriarchal ideology
- Website: <http://www.unisa.ac.za/ishs>

### **PREVENTION AND INTERVENTION STRATEGIES**

- Non-governmental or cultural activists located within or around the community may have a better understanding of the issues at play, and may not be viewed as a threat to the cultural belief. Approaching them to facilitate engagement by researchers and other professionals with those who accuse others of witchcraft and those so accused about intervention to change violent practices linked to witchcraft beliefs is advised.
- It is important to frame witch hunting as related to place, economic elements, psychosocial motivations and gender power.
- Emphasis should be placed on the violence dimension to witchcraft accusations. Community leaders and government officials in affected areas may need to be sensitised to violence aspects of witchcraft beliefs.
- Increased female involvement in community decision-making needs supporting as it will increase the status of women in these communities, and possibly reduce the stigma attached to women in positions of power.

### **REFERENCES**

1. Briggs, R. (2002). *Witches and neighbours: The social and cultural context of European witchcraft*. USA: Blackwell Publishers.
- \* 2. Leff, D., Fontleve, M., Martin, L. (2008). *A pagan witches touchstone*. Cape Town: South African Pagan Rights Alliance.
3. Baten, J., & Woitek, U. (2003). *Economic determinants of witch-hunting*. Retrieved online 20 April 2009 from <http://www.unituebingen.de/uni/wwl/baten%20woitek%20witic%20final.pdf>
4. Ivey, G & Myers, T. (2008). The psychology of bewitchment (Part I): A phenomenological study of the experience of bewitchment. *South African Journal of Psychology*, 38 (1), 54-74.
5. Roy, P. (1998). Sanctioned Violence: Development and persecution of women as witches in South Bihar. *Development in Practice*, 8 (2), 136-147.

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## Addendum 2.

### Remember their Names – Victims of witch-hunts in South Africa 2000 to 2013 – compiled by the South African Pagan Rights Alliance

<http://www.paganrightsalliance.org/remember-their-names/>

The following represents available published news reports of witch-hunts in South Africa for the periods 2000 to 2005 and 2010 to 2013.

\* Reports covering the period 2006 to 2009 are being collected. This content is regularly updated.

Many more witchcraft accusations and witch-hunts remain unreported. Refugees of witchcraft accusation receive little or no media coverage in South Africa.

2013

August 2013

Alice Dlamini and her daughter Nkhesikhona Xulu were murdered on accusation of witchcraft. Thulani Xulu (25) hit the women's heads with a hammer. His brother Bongani Xulu (28) used a bolted stick on them and Zakhele Nkosi (26) speared them. The three men were found guilty of murder and jailed for 20 years. [SOURCE](#)

July 12 2013

Mgagane Ngcobo (62) accused of witchcraft after a girl from his neighbourhood had become ill, had to flee his home after he was assaulted and his house burned down in Ndwedwe, Durban. [SOURCE](#)

May 08 2013

Nozolile Nohiya (82), and Nomvula (84) are among women at Gotyibeni village in Mqanduli (Eastern Cape) who live in fear after a woman, Nocupheni Ngoyana (47) was accused of witchcraft and murdered after two gunmen stormed into the rondavel in which she was sleeping and shot her at point blank range. [SOURCE](#)

2012

June 19 2012

An elderly woman Thokozile Tembe (72) and her two grandchildren Slindile Mnguni (11) and Sphehile Mnguni(3) in Ngwavuma, Zululand, were burnt to death by community members who accused the pensioner of being a witch, Social Development MEC Weziwe Thusi confirmed on Tuesday ... "As the government, we are doing our best to raise awareness about abuse of the elderly, but, clearly, we have to step up our efforts if our people are still not getting the message." [SOURCE](#)

April 12 2012

Tarazeta Mathebula (79), accused of witchcraft, and his unnamed sister-in-law (55) torched inside their home in Giyani, Limpopo, and burn to death. [SOURCE](#)

March 22 2012

Gauteng – Residents of Evaton have accused the pastor of The Rivers of Living Water church of bewitching children and allege that some were "turning into snakes." The area has been the scene of violence since Tuesday and residents have threatened to burn the church down. [SOURCE](#)

February 07 2012

Limpopo – Police in Mecklenburg arrested a 55 year old man for setting alight the house of an unnamed 70 year old woman after he suspected that she had killed his son through witchcraft. The pensioner was attending a church service when her house was burned down. Provincial police commissioner Lieutenant-General Simon Mpembe has strongly condemned the burning of the woman's house and said pointing out someone as a witch was a serious offence. [SOURCE](#)

February 02 2012

KwaZulu-Natal – Premier Zweli Mkhize condemned the killing of people suspected of practising witchcraft. “We call on our people never to use suspicion of witchcraft as an excuse to commit murder.” [SOURCE](#)

January 2012

KwaZulu-Natal - Masisi Mhlongo (50), Fanelesibonge Ntuli(6) and Amahle Nxumalo (5 years old), were burnt to death inside their home in Maphumulo, near Stanger, after Masis Mhlongo was accused of being a witch.

January 2012

KwaZulu-Natal - Elsa Dubazane (62) was burnt to death in her home in Lindelani. Her husband Rafael Zikhulu, who managed to escape the burning shack, was “necklaced” a few metres away. The couple had been accused by residents of witchcraft. Eleven suspects have been arrested. [SOURCE](#)

January 27 2012

Limpopo – The community of Roadhouse in Malamulele booed Civic Association chairman Thomas Bila after he refused to expel an unnamed Mozambican woman they accused of witchcraft from the area. “If the civic is not telling us that the witches are going, they must go,” a villager said. The witchcraft accusations follows claims that a woman took some soil from a graveyard on the day a woman who was her neighbour was buried. Police spokesman Warrant Officer Alson Mapindani confirmed the situation at Roadhouse and said police were monitoring it. [SOURCE](#)

2011

December 07 2011

Kwazulu-Natal - Grace Hadebe (57) was burnt to death in Gomora informal settlement in Edendale, allegedly for practising witchcraft. Her two grandchildren, aged four and six, escaped through a window. [SOURCE](#)

September 07 2011

Eastern Cape – The Eastern Cape’s Social Development department report released this week has found that the elderly are often accused of witchcraft. Social Development spokesman Gcobani Maswana told the Daily Dispatch “We have five cases of elderly women who have been hacked to death in the past three months alone, because some community members believe they are witches.” “Our greatest concern is that the stigma [of witchcraft] also affects grandchildren, who are also accused of being used by their grandmothers,” said Maswana. He said in one of the Lusikisiki cases, a 72-year-old granny was attacked and killed along with her two grandchildren, both girls, aged 10 and 11. The research found that in many instances, women accused of witchcraft were “people suffering from dementia and other illnesses”. [SOURCE](#)

August 12 2011

Eastern Cape – The murder of an unnamed 65 year old woman, her son (24) and daughter (20), accused of witchcraft, was condemned by the chairperson of the women’s caucus of the Eastern Cape legislature, Koliswa Fihlani. Fihlani said she believed the murder of the Mayihlome family was “symptomatic of cultural stereotypes against poor and vulnerable women”. Two children aged between 2 and 4 survived the attack. [SOURCE](#)

July 26 2011

Eastern Cape – A 72 year old woman accused of witchcraft was stabbed to death in her home near Mthatha. The woman was asleep with her granddaughter at home in Ncihane village. The granddaughter was not injured. The suspect aged 52 was charged with murder in the Elliotdale Magistrate’s Court. [SOURCE](#)

July 05 2011

Eastern Cape – Two people were killed and four others were injured when a mob swooped on two homes in Slovo Park where they believed witchcraft was being practised. A 67-year-old woman sustained severe burns and died when the group set her flat alight in the first incident. Her grandson (16) was stabbed but survived the attack. In a second incident, the elderly victim's 35 year old son was hacked to death. Another son and daughter, aged 25 and 30, were in hospital. One had sustained stab wounds and the other burns. Five grandchildren escaped unhurt. [SOURCE](#)

March 28 2011

Kwazulu-Natal – Two 25 year old men appear in the Ntuzuma Magistrate's Court accused of murdering their unnamed 54 year old neighbour because they thought she was a witch. Her daughter witnessed the killing and alerted the police. [SOURCE](#)

March 23 2011

Limpopo – Police warn that “recently empowered rural people are increasingly being accused of witchcraft by jealous neighbours, sometimes with grave consequences”. [SOURCE](#)

March 22 2011

Limpopo - Cynthia Lemaho (26) and her grandmother Mupala Motopela (81) were stoned and then set alight by a mob in Maake village outside Tzaneen after being accused of witchcraft. Lemaho's two-year-old toddler and 12-year-old child managed to escape unharmed. [SOURCE](#)

March 14 2011

Limpopo – The Tzaneen municipality is trying to locate two families who fled from their temporary shelter after being accused of practising witchcraft. [SOURCE](#)

March 03 2011

Limpopo – 13 people, aged between 19 and 50 years, were arrested on charges of public violence after a group of angry villagers set alight seven houses belonging to people accused of practising witchcraft. This followed allegations that a 13-year-old girl was caught naked casting a spell over a neighbour's house just after midnight. The girl was allegedly arrested and forced to appear before the village's kangaroo court where she was grilled by the villagers. The girl allegedly implicated some elderly people in the village, who she claimed had sent her to cast an evil spell at the house. She allegedly revealed the names of those with whom she had allegedly practised witchcraft at night. A woman, whose name cannot be released and whose house was also set alight, pleaded with the police outside the court for protection. The woman said her life and the lives of members of her family could be in danger if the suspects were granted bail. She and her family, including those of the other victims of the attacks, have been accommodated in an empty building belonging to the Maruleng municipality, while others were given tents as temporary shelter. “We are asking for the police to safeguard our tents 24/7 until investigations are completed and the court makes a decision,” she said. The 13 arson suspects were granted R500 bail each and their case would be heard again on March 30. [SOURCE](#)

February 01 2011

Mpumalanga – An unnamed woman (aged 62) was dragged from her home and beaten but escaped being burned to death when her home was set alight by a mob. Twelve people were arrested. [SOURCE](#)

2010

December 27 2010

Limpopo - Matome Albert Shai (64) was accused of practising witchcraft and stoned to death.

December 2010

KwaZulu-Natal - Coshele Mabhida (45), Angelina Mabhida(58), Sindi Mabhida (25), Njabulo Mabhida (9), Siphesihle Mabhida (7), Olwami Mabhida (6), and Andiswa Mabhida(9 months old), and relative Nelisiwe Khumalo (16), were burnt to death. They were accused of witchcraft.

December 2010

Kwazulu-Natal - Tholakele Shoba (54), a trainee traditional healer and her husband Shezi Shoba (60), were killed in Snathing near Edendale after they were accused by another traditional healer of having abducted a 7 year old boy to use for witchcraft.

October 29 2010

Kwazulu-Natal – The murder of four people in Mariannhill, Durban, has brought to 12 the number of people killed in KwaZulu-Natal in the past three days, and prompted national police commissioner Bheki Cele to visit the province. At Hlabisa, in northern KZN, a 52 year old woman Thoko Sibiya and her granddaughter were killed. A long running dispute over suspected witchcraft is thought to be the motive. [SOURCE](#)

October 2010

Eastern Cape – A 20 year old man murdered his unnamed parents, aged 75 and 80, and wounded two others, a 38 year old sister and a 60 year old woman, identified as the family's neighbor with a spear in Mooiplaas over accusations of witchcraft. Names of the victims were not released by the media.

September 2010

Eastern Cape - An unidentified 54 year old woman and her 3 year old granddaughter were wounded by gunmen seeking revenge for a killing they believe was caused by witchcraft. They shot the woman twice, in the shoulder and leg and the teenager once in the leg.

August 22 2010

Eastern Cape - Masilengenge Bambusiba (85), her grandsonsLwazi (17), Lwando (10), and Vela Nogemane (9), and granddaughter Ezile Nogemane (aged 5), were found dead at their home in Sigubudu village in Ngqeleni. Ten men attacked the family believing the woman was going to bewitch youths in the village.

August 04 2010

Mpumalanga - Philip Mnisi, Phumula Secondary School principal was accused of witchcraft by a mob, including pupils, after criticising his community for torching two houses during a witch-hunt. "He condemned us for burning the houses, and now children at the school are complaining that they see animals," said Themba Maseko, on behalf of the protesters. He said the animals were the principal's familiars and were used for black magic. [SOURCE](#)

June 02 2010

Kwazulu-Natal – A 31 year old trainee sangoma, Mthunzi Ngcobo, shot his stepmother Vonto Ngcobo, whom he accused of practising witchcraft. Some villagers are now allegedly demanding that women suspected of witchcraft be eliminated. Mthunzi Ngcobo later shot himself in front of his brother. It is alleged that he claimed to have visions of his stepmother (Vonto) colluding with women who practised witchcraft. [SOURCE](#)

May 30 2010

Eastern Cape – An unnamed 70 year old Eastern Cape woman was shot and killed. Police suspect the victim was accused of witchcraft. [SOURCE](#)



March 03 2010

Limpopo – The Mafogo family of nine in Sekororo, outside Tzaneen, is now homeless after angry community members burnt down their house after accusing them of practicing witchcraft. Malesela Letsoalo of Makgaung village in the same area says the community went on the rampage after a man from the Mafogo family was allegedly found naked in a neighbour's house just after midnight. The Mafogo family has rejected the allegations. "There are no witches in my family. We don't know the first thing about witchcraft or using a broom or bread to fly. These are the deeds of jealousy because of our success," said a relative, who asked to remain anonymous. [SOURCE](#)

March 02 2010

Western Cape - Yalezwa Phulwana (22), and her 2 year old daughter Liyema died in hospital from burns after their home was set alight. Yalezwa's mother, Nonjengezinye Matwa, was also severely burned and had to be hospitalised. She was accused of being a witch by a traditional healer.

March 01 2010

Limpopo - An elderly Limpopo woman (not named) accused of witchcraft had her house burnt down in Magaung village at Sekororo, Maake.

February 2010

Kwazulu-Natal - Mbongeni Zungu (68) died after community members attacked him and burnt down his shack in Umlazi E section. They accused him of practising witchcraft.

February 04 2010

Eastern Cape – Three men, aged between 21 and 28, were arrested for beating a 60 year old woman to death they accused of practising witchcraft. Her husband escaped. The same suspects later went back to the same homestead and set alight two rondavels. The 11 occupants survived with minor injuries. In a separate incident, three men accused of stabbing to death 65 year old Nokitani Tshemesi and her three granddaughters, appeared in the Elliotdale Magistrate's Court. They had suspected the woman of practising witchcraft. [SOURCE](#)

February 03 2010

Eastern Cape - Nokitani Tshemesi (65) and her three grandchildren, Phumeza Ntakani (13), Nonkoliseko Malolo and Akhona Malolo (both aged 10), were found stabbed to death in their home in Kwaaiman, Eastern Cape. They were accused of witchcraft.

January 15 2010

Kwazulu-Natal – Eric Mthembu (22) told the Pietermaritzburg High Court that he killed a woman who claimed she used witchcraft to kill his mother, in order to make his mother a tokoloshe. The man was jailed for 18 years by Judge Anton van Zyl who said that Mthembu seemed to have a genuine, but misplaced, belief that the professed witch, Catherine Gina, had killed people by using supernatural powers. [SOURCE](#)

January 13 2010

Kwazulu-Natal - Badabukile Ndlovu (81) was stabbed 50 times and her throat slit by her neighbour who accused her of witchcraft in KwaKwiliza near Mtubatuba.

January 04 2010

Eastern Cape - Mamakazi Mkhwanazi and her granddaughter Thobile Mbatha were burnt beyond recognition in Gunjaneni after being accused of practising witchcraft.

\* Reports covering the period 2006 to 2009 are being compiled.

## 2005

### February 2005

90 teenagers in Polokwane (Limpopo Province) appeared in the Giyani Magistrate's court after they torched 39 houses in four villages in an area north-east of Polokwane. Police reported that the vigilante crowd told the occupants of the houses "you are a witch!" before setting their homes on fire. When some of the youths opened fire on the police who were trying to stop them police returned fire, killing Solly Mathebula (20).

SOURCE: '90 in court for fiery witchhunt' South African Press Association – 28 February 2005

[http://www.news24.com/News24/South\\_Africa/News/0,6119,2-7-1442\\_1668997,00.html](http://www.news24.com/News24/South_Africa/News/0,6119,2-7-1442_1668997,00.html)

### March 2005

A 15 year old Limpopo girl from Timbavati village tried to drink paraffin three times after being expelled from Timbavati Primary School because teachers and pupils believed she was a Witch. "The girl was accused of writing a letter, placing it on the teacher's desk, and telling her friends that the teacher would die if she opened it." When confronted, the girl allegedly confessed to practising Witchcraft. The girl's grandfather sent her to Masingitana High School the following year but teachers there also allegedly "refused to touch her books".

SOURCE: 'Teen witch just wants to die' by Neville Maakana African Eye News Service – 16 March 2005

[http://www.news24.com/News24/South\\_Africa/News/0,6119,2-7-1442\\_1677287,00.html](http://www.news24.com/News24/South_Africa/News/0,6119,2-7-1442_1677287,00.html)

### March 2005

An Mpumalanga family burnt and buried a doll they were told was placed at their front door to bewitch them. They were assisted by a local prophet, Knowledge Makhubela, who performed a cleansing ceremony for the family. A family member named by reporters as Shadow Tshabalala allegedly said in an interview, "Though we all know that witchcraft exists, the Constitution doesn't recognise it, so we have to let this incident slide".

SOURCE: 'Family burns 'witch-doll' by Bismark Lubisi African Eye News Service – 22 March 2005

[http://www.news24.com/News24/South\\_Africa/News/0,2-7-1442\\_1679833,00.html](http://www.news24.com/News24/South_Africa/News/0,2-7-1442_1679833,00.html)

### April 2005

Villagers of Giyani in Limpopo Province accused a rooster and hen of being Witch's familiars. The rooster and hen were allegedly smeared with ochre. One resident, Josiah Rikhotso, suggested the rooster and hen be killed to identify the Witch. He said, "Every black person knows that if an animal used for witchcraft is killed, then the owner of that animal dies magically". Giyani police confiscated the chickens. Captain Maano Sadike of Mopani police is reported to have said, "We're afraid these chickens may spark a witch hunt in an already volatile area".

SOURCE: 'Witch' chickens cause flutter' by Riot Hlatshwayo and Kulani Mavunda African Eye News Service –

19 April 2005 [http://www.news24.com/News24/South\\_Africa/News/0,2-7-1442\\_1692658,00.html](http://www.news24.com/News24/South_Africa/News/0,2-7-1442_1692658,00.html)

### August 2005

Micas Khoza (65) was attacked with a panga and locked inside a burning house in Bushbuckridge (Mpumalanga) by his two grandchildren aged between 12 and 16 after they accused him of being a Witch.

SOURCE: 'Kids burn grandpa to death' by Riot Hlatshwayo African Eye News Service – 22 August 2005

[http://www.news24.com/News24/South\\_Africa/News/0,6119,2-7-1442\\_1757985,00.html](http://www.news24.com/News24/South_Africa/News/0,6119,2-7-1442_1757985,00.html)

### September 2005

Pietermaritzburg police in the KwaZulu-Natal midlands offered a reward of up to R25 000 for information which could lead to the arrest and conviction of those responsible for the death of two middle-aged sisters, Madudu Shandu (57) and Bongekile Zungu (59) who had been accused of being Witches.

SOURCE: 'Reward for 'witch' killers' South African Press Association – 28 September 2005  
[http://www.news24.com/News24/South\\_Africa/News/0,2-7-1442\\_1807957,00.html](http://www.news24.com/News24/South_Africa/News/0,2-7-1442_1807957,00.html)

September 2005

A Howick magistrate's court in Kwazulu-Natal granted bail of R10 000 to a man believed to have been involved in the death of Bheki Sibiya, a traditional healer in the Mpophomeni area in the KwaZulu-Natal midlands. Sibiya was attacked by members of his community who accused him of practising Witchcraft. He was stoned to death.

SOURCE: 'Witch killer' granted bail' South African Press Association – 29 September 2005  
[http://www.news24.com/News24/South\\_Africa/News/0,6119,2-7-1442\\_1808746,00.html](http://www.news24.com/News24/South_Africa/News/0,6119,2-7-1442_1808746,00.html)

October 2005

A Pretoria man named William Nkuna accused the family of his alleged victim, Frances Rasuge, of trying to bewitch him. He stated, "I found out the Rasuge family had gone to a witch doctor in order to bewitch me because they blamed me for her disappearance". In Nkuna's trial for the alleged murder of Frances Rasuge he told the Mmabatho Circuit Court sitting in Ga-Rankuwa that Rasuge had been forced by a police Captain named Simon Letseka to hire a hitman to kill him.

SOURCE: 'Family 'tried to bewitch me' South African Press Association – 10 October 2005  
[http://www.news24.com/News24/South\\_Africa/News/0,2-7-1442\\_1814409,00.html](http://www.news24.com/News24/South_Africa/News/0,2-7-1442_1814409,00.html)

October 2005

22 people were arrested in NwaXinyama village near Makhado (Limpopo Province) and charged with public violence after attempting to stone a grieving father at his daughter's funeral. Superintendent Ailwei Mushavhanamadi of the Vhembe police in Limpopo clarified that his daughter had died in a motor car accident but the mob had accused her father of using Witchcraft to cause her death. Mushavhanamadi said, "her father had also believed someone had cast a spell on her, and was conducting a spell of his own to bewitch whoever had caused her death". The man's identity was withheld by the police.

SOURCE: 'Mob stones father at grave' by Riot Hlatshwayo African Eye News Service – 17 October 2005  
[http://www.news24.com/News24/South\\_Africa/News/0,6119,2-7-1442\\_1818435,00.html](http://www.news24.com/News24/South_Africa/News/0,6119,2-7-1442_1818435,00.html)

October 2005

Journalist Chris Makhaye reported in The Sunday Independent of October 2, 2005, "Hidden in the dry, rocky flatlands of Limpopo Province lies a small village called Helena. With its dusty roads and cattle pens it looks like any other village in the region. But it has an air of mystique. Neighbouring villagers call it Tulo Yabaloyi – Place of Witches. Some say Helena is populated by sorcerers who are capable of sending deadly thunderstorms to wreak havoc on an enemy's home, or of using muti to bring about misfortune on their rivals. But its residents call it a sanctuary for those who have been falsely accused of witchcraft. There are 42 households lining Helena's dusty road. They come from different parts of Limpopo Province and were forced by circumstances to settle there. Each family has a tale to tell about how they were uprooted from their daily lives because they were accused of witchcraft."

SOURCE: 'Banished to Helena' by Chris Makhaye published in The Sunday Independent – October 2, 2005

November 2005

Police in Tzaneen (Limpopo Province) arrested 17 people after a mob attacked a 73 year old woman at Sasekani village, accusing her of Witchcraft. Mopani police spokesperson Superintendent Moatshe Ngoepe said, "It is very disturbing that even though we are more than 10 years into democracy, people continue to call each other witches and take the law into their own hands". Suspects were charged with public violence, attempted murder, defeating the ends of justice, malicious damage to property and contravening the Suppression of Witchcraft Act.

SOURCE: 'Mob stone 'witch', 73' by Riot Hlatshwayo African Eye News Service – 3 November 2005  
[http://www.news24.com/News24/South\\_Africa/News/0,6119,2-7-1442\\_1828423,00.html](http://www.news24.com/News24/South_Africa/News/0,6119,2-7-1442_1828423,00.html)

December 2005

Two men who admitted they killed Alice Mamtshulu Mntungwa because they thought she was a Witch received 15-year sentences in Pietermaritzburg (Kwazulu-Natal). The article reported, "Judge Vuka Tshabalala said that because Siphele Jobe Sithole and his friend Thokoza Mvelase (both 20) are from a rural background and genuinely believed the elderly woman was a witch, they deserve a lesser sentence of 15 years' imprisonment, instead of life".

SOURCE: 'Witch killers get 15yrs' by Mokgadi Seabi The Witness – 2 December 2005

[http://www.news24.com/News24/South\\_Africa/News/0,,2-7-1442\\_1844298,00.html](http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_1844298,00.html)

December 2005

Neville Maakana reported that a 14 year old schoolgirl had told her community that she had been abducted by Witches at night and forced to drink human blood. She accused a 73 year old woman in Sasekani village near Tzaneen (Limpopo) of being one of the Witches, claiming to have seen zombies at her house. The old woman was ordered to leave the village but she refused, challenging community leaders to hire a sangoma to conduct a proper Witch hunt. On October 31 villagers attacked the woman. Seventeen people were arrested in connection with the incident.

SOURCE: 'Teen 'forced to drink blood' by Neville Maakana African Eye News Service – 6 December 2005

[http://www.news24.com/News24/South\\_Africa/News/0,,2-7-1442\\_1846228,00.html](http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_1846228,00.html)

2005

Senzo Mkhize and Sphiwe Mkhize killed 71-year-old Velephi Dlamini at Maphumulo, Kwazulu-Natal after accusing him of being involved in witchcraft.

SOURCE: 'Witchcraft' killers get life sentences – 1 November 2013 - <http://www.iol.co.za/news/crime-courts/witchcraft-killers-get-life-sentences-1.1600922#.UnPmgHCmi5s>

2004

February 2004

In 'Witchcraft made donkey do it' an Mpumalanga inyanga (traditional herbalist) claimed Witchcraft made a donkey maul Ditgetho Motjieng's face. Bushbuckridge inyanga, Daniel Ngobeni said to reporter Riot Hlatshwayo, "A witch might have sent the donkey to attack the boy... But you are one of those educated people who believe there is no witchcraft, so I won't tell you how it happens, because it is a big secret."

SOURCE: 'Witchcraft' made donkey do it' by Riot Hlatshwayo African Eye News Service – 9 February 2004

[http://www.news24.com/News24/South\\_Africa/News/0,,2-7-1442\\_1481003,00.html](http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_1481003,00.html)

June 2004

A Phalaborwa tribal authority in Limpopo Province refused to grant permission for a Witch hunt after local women complained that evil spirits were raping them at night.

SOURCE: 'No to witch-hunts' by Merriam Nekhavambe African Eye News Service – 1 June 2004

[http://www.news24.com/News24/South\\_Africa/News/0,,2-7-1442\\_1535857,00.html](http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_1535857,00.html)

July 2004

Limpopo villagers demanded their local Induna (tribal leader) Daniel Magomani, account for R300 they raised for a Witch-sniffing ceremony in 1996. The money was allegedly collected to hire a car with which to evict a villager accused of using Witchcraft.

SOURCE: 'Induna in tight spot over money' by Victor Mashele African Eye News Service – 1 July 2004

[http://www.news24.com/News24/South\\_Africa/News/0,6119,2-7-1442\\_1551239,00.html](http://www.news24.com/News24/South_Africa/News/0,6119,2-7-1442_1551239,00.html)

July 2004

An Mpumalanga man slit the throat of grand-mother Grace Chabalala (80) in front of shocked neighbours at her home in Peterskraal near Groblersdal after accusing her of bewitching him.

SOURCE: 'Man slits granny's throat' by Riot Hlatshwayo African Eye News Service – 29 July 2004

[http://www.news24.com/News24/South\\_Africa/News/0,,2-7-1442\\_1565260,00.html](http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_1565260,00.html)

August 2004

Hlalaphi Malandula (45) was hacked and stabbed with butcher's knives, doused in petrol and set alight at her home in Khumbula tribal trust near White River in Mpumalanga Province by her own family, including her father, two sisters, brother and cousin, because they believed she had used Witchcraft to kill someone.

SOURCE: 'Witch' killing: 5 in court' by Jabu Mhlabane African Eye News Service – 3 August 2004

[http://www.news24.com/News24/South\\_Africa/News/0,,2-7-1442\\_1567484,00.html](http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_1567484,00.html)

August 2004

A Mozambican-born man was banished from Rhulani village near Tzaneen (Limpopo Province) after neighbours accused him of using Witchcraft to drive three people to commit suicide.

SOURCE: 'Suicides blamed on witchcraft' by Brilliant Mthembi African Eye New Service – 23 August 2004

[http://www.news24.com/News24/South\\_Africa/News/0,6119,2-7-1442\\_1577259,00.html](http://www.news24.com/News24/South_Africa/News/0,6119,2-7-1442_1577259,00.html)

September 2004

Umtata High Court Judge Irma Schoeman sentenced Siyabulela Ndoda for the murder of his grandmother, Mamlothana Ndoda, and Manqoma Novumile Tyebisa on the night of April 4 2000. Ndoda claimed he had contacted a witchdoctor to find the cause of the illness and death of his two children and the witchdoctor had identified the two women as Witches.

SOURCE: 'Man shot 'witch' gran dead' South African Press Association – 22 September 2004

[http://www.news24.com/News24/South\\_Africa/News/0,,2-7-1442\\_1593700,00.html](http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_1593700,00.html)

November 2004

Bismark Lubisi reported that Pastor Mphatsi Mazibuko of the First Apostolic church in Langeloo, south of Malelane in Mpumalanga Province, went into hiding with relatives after his village accused him of Witchcraft and burned down his house on October 31. Villagers accused him of bewitching a 17 year old girl who had died of unknown causes.

SOURCE: 'Pastor hiding from villagers' by Bismark Lubisi African Eye News Service – 9 November 2004

[http://www.news24.com/News24/South\\_Africa/News/0,,2-7-1442\\_1618174,00.html](http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_1618174,00.html)

November 2004

Villagers believing a monkey to be a Witch's relative searching for the Witch started to accuse each other of Witchcraft after one of the women claimed she saw a monkey herd cattle out of her yard.

SOURCE: 'Monkey' scares village' by Bismark Lubisi African Eye News Service – 11 November 2004

[http://www.news24.com/News24/South\\_Africa/News/0,6119,2-7-1442\\_1619549,00.html](http://www.news24.com/News24/South_Africa/News/0,6119,2-7-1442_1619549,00.html)

2003

January 2003

13 people in Polokwane (Limpopo Province) were arrested after attacking Mr. Matome Molele (67), whom they accused of Witchcraft. Police initially arrested 30 people who participated in burning down five houses in their attack on Molele. Molele managed to flee without being injured.

SOURCE: 13 held for attack on 'witch' South African Press Association – 2 January 2003

[http://www.news24.com/News24/South\\_Africa/News/0,,2-7-1442\\_1302987,00.html](http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_1302987,00.html)

March 2003

Riot Hlatshwayo reported that parents of pupils at Madlala High School in Justicia village, Bushbuckridge (Limpopo Province) were raising money to hire a sangoma in Swaziland to "sniff out" a Witch whom pupils were convinced was responsible for bewitching their school. After several deaths and incidences of violence at the school, pupils boycotted classes for two weeks until police formed a committee to investigate their concerns. Captain Moatshe Ngoepe of Mopani police warned the community that "witch-sniffing" was illegal. He told reporters that terrified villagers had killed a baboon believing it to be a Witch's familiar.

SOURCE: 'Bewitched school': Kids return' by Riot Hlatshwayo African Eye News Service – 10 March 2003

[http://www.news24.com/News24/South\\_Africa/News/0,6119,2-7-1442\\_1331045,00.html](http://www.news24.com/News24/South_Africa/News/0,6119,2-7-1442_1331045,00.html)

## 2002

March 2002

A Durban (Kwazulu-Natal Province) police sergeant shot Lina Magagula at her home with his service pistol after accusing her of killing his father, mother and son through Witchcraft. Magagula was seriously wounded.

SOURCE: Off-duty cop shoots 'witch' South African Press Association – 25 March 2002

[http://www.news24.com/News24/Archive/0,,2-1659\\_1161131,00.html](http://www.news24.com/News24/Archive/0,,2-1659_1161131,00.html)

May 2002

Pupils at Makgongwana High School in Makanye village, Polokwane (Limpopo Province) attacked a 15-year-old whom they accused of "casting a spell to make more than 20 girls faint during break". Pupils allegedly smashed the windscreen of a police van with stones. The accused was taken into protective custody.

SOURCE: 'Teen 'witch' attacked' by Riot Hlatshwayo African Eye News Service – 22 May 2002

[http://www.news24.com/News24/Archive/0,,2-1659\\_1188589,00.html](http://www.news24.com/News24/Archive/0,,2-1659_1188589,00.html)

## 2001

February 2001

An unnamed 60 year old woman from Gumbani village in Malamulela, Limpopo Province, was accused by villagers of being a Witch and of involvement in the death of a local headman who died after an illness. Her home was set on fire and her family was expelled from the village. The woman laid charges against the villagers responsible for malicious damage to property and public violence at a local police station. The family was placed in protective custody.

SOURCE: 'Witch' hounded from village' by Dumisane Lubisi African Eye News Service – 5 February 2001

[http://www.news24.com/News24/Archive/0,,2-1659\\_975896,00.html](http://www.news24.com/News24/Archive/0,,2-1659_975896,00.html)

April 2001

Four Limpopo Province farm labourers appeared in the Duiwelskloof Court on a charge of accusing Khensani Makhubele (31) of being a Witch after hiring a prophet in September 2000. The four accused painted Makhubele white and she was dismissed from work. The accused were released with a warning and the case was postponed for trial to July 10.

SOURCE: One convicted of painting girl African Eye News Service – 5 April 2001

[http://www.news24.com/News24/Archive/0,6119,2-1659\\_1007063,00.html](http://www.news24.com/News24/Archive/0,6119,2-1659_1007063,00.html)

August 2001

A 67 year old man named Amoni Mokoena who was accused by a mob of being a Witch was burned to death in Masoyi village near Hazyview in Limpopo Province by angry school children and community members who were convinced he had bewitched a schoolgirl. The group forced Mokoena from his home, tied him up with wire, and took him to an isolated spot where they assaulted him before setting him alight. Mokoena, a night watchman at the same school the girl attended, was accused of having turned her corpse into a zombie.

SOURCE: 'NProv 'witch' burned alive' South African Press Association – 14 August 2001

[http://www.news24.com/News24/Archive/0,,2-1659\\_1065872,00.html](http://www.news24.com/News24/Archive/0,,2-1659_1065872,00.html)

October 2001

Sekororo village, near Tzaneen (Limpopo Province) was placed under police surveillance after seven people and two goats were struck by lightning and killed. Lowveld police spokesperson Inspector Moatshe Ngoepe is alleged to have said to a reporter, "It is common for violence to erupt in villages if people believe such things are as a result of witchcraft".

SOURCE: 'Witch-hunt feared in village' African Eye News Service – 25 October 2001

[http://www.news24.com/News24/Archive/0,6119,2-1659\\_1099646,00.html](http://www.news24.com/News24/Archive/0,6119,2-1659_1099646,00.html)

2000

September 20 2000

African Eye News Service reported that 16 people, eight of whom were teenage girls, accused 58 year old Mrs. Matjatji Selaelo Makhuna of Mokgolobotho village, Tzaneen (Limpopo Province) of Witchcraft after a 27-year-old villager, Flora Mohale, was killed in a car accident. The villagers besieged Mrs. Makhuna's house, breaking windows and dismantling the roof in their attempt to apprehend her. She was rescued together with three daughters and two granddaughters by police and they were forced to spend three nights in the Tzaneen police station for their own safety. Tzaneen police spokesperson Inspector Caroline Sidutla advised Mrs. Makhuna not to return to Mokgolobotho village and undertook to help settle her and her family at Lusaka village 10km away. [15] The article confirms that the 16 accused appeared in the Ritavi Magistrates' Court near Tzaneen and were charged with malicious damage to property and illegally identifying someone as a Witch. An article of 31 October reports that although Mrs. Makhuna and her family did move to Lusaka village, they were evicted by residents and forced to settle at another unnamed village 20 km away from Mokgolobotho. The 16 accused were released with a warning not to engage in further acts of revenge and the case was postponed to 16 January 2001.

SOURCES: Ten more up for 'witch-hunt' by Dumisane Lubisi African Eye News Service 20 September 2000 [http://www.news24.com/News24/Archive/0,,2-1659\\_914577,00.html](http://www.news24.com/News24/Archive/0,,2-1659_914577,00.html) and '16 up for attacking 'witch' South African Press Association – 31 October 2000 [http://www.news24.com/News24/Archive/0,,2-1659\\_933938,00.html](http://www.news24.com/News24/Archive/0,,2-1659_933938,00.html)

October 10 2000

The South African Press Association reported that an elderly woman suspected of being a Witch and five others burnt to death after their home in Ngema in northern KwaZulu-Natal was attacked and set alight by five men. Neighbours only informed the police of the incident two days later. The victims were reported as being Makhemu Ngema (65), Mbhejile Sibiya (28), Hlengiwe Ntuli (20), Samukelisiwe Masikane (7), Khanyisane Ngema (6) and Siyabonga Masikane (aged 3).

SOURCE: Six dead in KZN 'witch' attack South African Press Association – 10 October 2000 [http://www.news24.com/News24/Archive/0,6119,2-1659\\_924183,00.html](http://www.news24.com/News24/Archive/0,6119,2-1659_924183,00.html)

November 02 2000

In 'Bewitched rooster case set for trial' Zenzele Kuhlase reported that five of the six men accused of hanging a suspected Witch, Simon Magagula (30), from a graveyard tree in Nelspruit, Mpumalanga, were freed on R1 500 bail each. The sixth, a minor when he was arrested, was released into the custody of his parents pending trial. Mr. Magagula was hanged on 26 December 1999 after being accusing of bewitching roosters. Four people who had been pecked by roosters belonging to Magagula complained of headaches and died shortly after. A chief of the local Clau-Clau tribal trust issued instructions that all roosters be killed and he established a committee to investigate the deaths of the four people who had been pecked. The committee consulted a sangoma who accused Mr. Magagula of being responsible for bewitching the roosters.

SOURCE: "Bewitched rooster' case set for trial' by Zenzele Kuhlase African Eye News Service – 2 November 2000 [http://www.news24.com/News24/Archive/0,,2-1659\\_934818,00.html](http://www.news24.com/News24/Archive/0,,2-1659_934818,00.html)

December 2000

Dumisani Zondi reported that 76 year old Mrs. Maria Ngcobo was hacked to death in Khokhwane, Pietermaritzburg (Kwazulu-Natal) by an unknown assailant. Her grandson Sibusiso Ntombela (26) was shot. His body was discovered 150m from his home. Mrs. Ngcobo was in her home with her two grandchildren Andile (8) and Siyabonga Ntombela (6). Andile and Siyabonga escaped through a window and ran to fetch their neighbours. Andile sustained severe lacerations to her face and neck. Her sister Sibongile (14) told journalists she believed the attack was prompted by continuous accusations that her grandmother was practising Witchcraft. Zondi reported that neighbours suspected the attack was linked to the death of a local policeman who had died from an unknown cause.

SOURCE: 'Brutal attack on 'witch' by Dumisani Zondi African Eye News Service – December 2000  
[http://www.news24.com/News24/Archive/0,,2-1659\\_957729,00.html](http://www.news24.com/News24/Archive/0,,2-1659_957729,00.html)



### **Addendum 3.**

#### **Concerns raised by witchcraft accusations and witch-hunts in South Africa - Stakeholder Submission prepared by the South African Pagan Rights Alliance for the Commission for the Promotion and Protection of Cultural, Religious and Linguistic Communities. (February 2013)**

<http://www.paganrightsalliance.org/concerns-raised-by-witchcraft-accusations-and-witch-hunts-in-south-africa-2013/>

#### **Accusations of witchcraft and Human Rights**

Every citizen of the Republic is constitutionally and legally entitled to:

1. Equality
2. Human dignity
3. Life
4. Freedom and security
5. Freedom from slavery, servitude and forced labour
6. Freedom of movement and residence
7. Freedom of trade, occupation and profession
8. Freedom to own a home and maintain property
9. The right to access to justice
- 10 The right to health care, food, water and social security
11. The right to just administrative action
12. The right to access to courts
13. The right not to be unfairly arrested, detained and accused
14. The right to citizenship.

The vast majority of victims of accusation of witchcraft, both deceased and still living, in South Africa are essentially being denied their legal right to all of these above-mentioned constitutional rights. Accusations of witchcraft are not condoned under the constitutional rights to freedom of religion, belief and opinion, or expression, as incitement to propaganda for war; incitement of imminent violence; or advocacy of hatred based on race, ethnicity, gender or religion, that constitutes incitement to cause harm, is not protected under South African law. Accusations of witchcraft and resulting witch-hunts constitute a series of clearly identified crimes under both international and national law.

In almost all cases of accusation of witchcraft, the accused will:

- a. not be offered access to legal defense against the accusations,
- b. not be considered innocent until proven guilty in a court of law,
- c. be driven from their communities,
- d. lose their homes as a result of arson,
- e. be forcibly separated from their families, loved ones and friends,
- f. be placed in custody by the South African Police Services, ostensibly for their own safety, spending at least one night in a prison cell to avoid being attacked by members of their own community,
- g. may never return to their homes and communities of birth, and
- h. be forced into unwilling exile in unofficial and unacknowledged refugee camps.

By being denied access to counseling and restorative justice, the living victims of accusation – refugees of incitement, hatred and violence – are currently not afforded any assistance or protection by the South African government.

## **Traditional Courts**

Where cases of accusation of witchcraft are heard by Traditional Courts in South Africa, the victims of accusation are not afforded any legal defense. Traditional Courts rely on culturally biased beliefs and processes to try cases involving witchcraft. Traditional Courts may rely solely on the testimony of the accuser, corroborated only by the additional testimony of a traditional diviner, in judging whether or not an accusation of witchcraft is true or not. Judgements made by traditional courts are not readily accessible to review or appeal, and those victims of accusation found guilty on the basis of allegation and divination, are not afforded access to any appeal process within such courts.

Whilst victims of accusation found guilty by such courts may not be sentenced to death, imposed fines may constitute onerous and unfair burdens on those accused without any actual verifiable evidence of criminal activity being produced or proven against them. Since traditional courts still remain far more accessible for both accusers and victims of accusation in rural areas, most cases of accusation will be heard outside of the ambit of both acceptable legal jurisprudence and constitutionally protected human rights.

### **Read SAPRA's appended objections to the Traditional Courts Bill – Addendum 4.**

## **South African Police Services**

Response by members of the South African Police Services to accusations of witchcraft and mob attacks on victims of accusation, fails to protect the dignity of the accused. Victims of accusation are seldom if ever given access to counseling either during or after enforced incarceration following incidences of accusation. No coordinated programme of action to deal with spontaneous and random accusations and resulting attacks by vigilante groups or individuals against those accused of witchcraft currently exists within SAPS operations.

Members of the SAPS must be trained to manage witchcraft accusations and witch-hunts in a way that affirms the dignity of those accused. Capacity must be created by the State to include victim support units in every police station across the country, especially where incidences of accusations of witchcraft are high, in order to ensure that the SAPS is able to facilitate immediate access to justice and facilitate timely trauma counseling to victims of accusation.

Without access to a coordinated and accurate national database of incidences of accusations of witchcraft and witch-hunts, the SAPS and the State will remain unable to measure or take accountable responsibility for properly and humanely managing such human rights offences in the future.

### **Read SAPRA's objections to the SAPS Occult Crime Unit mandate – Addendum 7.**

## **Witchcraft Suppression Legislation**

Since the practice of witchcraft remains criminalized under Act 3 of 1957 (Witchcraft Suppression Act), the burden of guilt is still automatically placed on the shoulders of the victims of accusation, irrespective of whether or not actual criminal action has or can be proven against the accused. Even if Act 3. of 1957 is repealed entirely (as has been extensively motivated by this Alliance and its partners in its formal request to the South African Law Reform Commission for the repeal of Act. 3 in 2007) in order to give effect to the right of citizens to freedom of belief and religion (including the right to practice divinations and Witchcraft), the making of accusations of witchcraft must remain a criminal offence.

Whilst both the belief in and practice of Witchcraft may no longer be considered a crime (given the constitutional protection of the right to freedom of belief and religion), no person may use their belief or

religion to advocate or incite propaganda for war; imminent violence; or advocacy of hatred that constitutes incitement to cause harm.

### **Read SAPRA's objections to the Witchcraft Suppression Act – Addendum 5.**

#### **Refugees of Accusation**

Refugees of witchcraft accusation arguably constitute the most marginalized and disenfranchised citizens in South Africa. An accusation of witchcraft carries with it an unchallenged and culturally imposed obligation of shame against the victim of accusation. Suspicion of guilt by those around a victim of accusation, reinforces both socially acceptable stereotypical beliefs about witchcraft and how it operates even (allegedly) on individuals who are not consciously aware of its controlling influences, and the resulting sense of shame and guilt experienced by the victim of accusation for having brought such tragic misfortune (the accusation) upon his or her own family. More often than not, where accusations of witchcraft have been leveled at only one member of a family, the entire family has lost their home to fire, family members and extended family members to vigilante assault, or entire families have been murdered.

Where the accused have survived, the police, community members, traditional leaders (including Traditional Court authorities) and traditional healers have been known to forcibly evict whole families related to the victim, from their homes and communities of birth, from their livelihoods, possessions and land. The victims and their families receive no compensation where access to justice is not even considered.

The Limpopo Province currently houses several, both formal and informal, refugee villages whose inhabitants (individuals and families) are almost entirely composed of victims of accusation of witchcraft and those who were forcibly relocated with them. Given that the Limpopo provincial government (including the health and social development department) has been under partial administration as a result of financial mismanagement since December 2011, and that most people living in these “witch-camps” remain unemployed, urgent attention must be focused at both Provincial and National government level to providing adequate services and access to justice to these victims of societal prejudice.

Refugees of witchcraft accusation cannot remain an unspoken secret or unchallenged opportunity. Victims of accusation deserve true restorative justice. They deserve to live with dignity, without shame, guilt or fear.

## Addendum 4

### SAPRA Objections against Traditional Courts Bill

#### SAPRA submission to National Council of Provinces on the Traditional Courts Bill (June 2012)

<http://www.paganrightsalliance.org/traditional-courts-bill/>

The South African Pagan Rights Alliance would like to place the following objections to the proposed Traditional Courts Bill, and to Traditional Courts in general, on public record.

1. The South African Pagan Rights Alliance represents South African citizens who identify publicly and privately as Witches and who identify Witchcraft as their religion.

The South African Pagan Rights Alliance (SAPRA) is a designated faith-based human rights advocacy organization founded in 2004. The Alliance is a 'not for profit' voluntary association, constituted to a) Promote the guaranteed liberties and freedoms enshrined for all South African Pagans in the Bill of Rights, Chapter 2 of the Constitution of the Republic of South Africa (Act 108 of 1996), and to b) Assist South African Pagans, whose constitutionally guaranteed rights and freedoms have been infringed due to unfair discrimination, to obtain appropriate redress.

In 2008 the Department of Home Affairs approved an application submitted by SAPRA for designation as a religious ('Pagan') organization in terms of and in accordance with section 5 (1) and (2) of the Civil Union Act (Act 17 of 2006). According to section 5 of the Civil Union Act SAPRA may solemnize marriages and civil partnerships between both heterosexual and same-sex partners.

Contemporary Paganism is identified by academics internationally as a New Religious Movement, under which several distinctly different, new or resurgent pre-Christian European religions, have formed or reformed respectively since the early 1900's. Witchcraft is one of these religions.

The English word 'Witch' comes from the Anglo-Saxon words 'wicca' (meaning a male Witch) and 'wicce' (meaning a female Witch), and these originated from an Old High German word 'witega', which means 'seer' (diviner, prophet). [The word 'sorcerer' (male) and 'sorceress' (female) are derived from French words for 'Witch'.]

Contemporary Witchcraft, as a religious belief system, originates from the folklores and mythologies of pre-Christian civilizations of Europe (particularly from the Greeks, Romans, Celtic- and Germanic-speaking peoples of Britain and continental Europe respectively), and diverse international post-Christian spiritual philosophies and religious practices.

Internationally, Witchcraft is regarded as a neo-Pagan spirituality; a religion of modern Paganism. In South Africa, most Pagans identify their personal Pagan religion as Witchcraft. With few exceptions, the members of SAPRA identify Witchcraft as our personal religion and identify ourselves as Witches, or 'Pagan Witches'.

In South Africa the number of self-identified Pagans is conservatively estimated at 5000. No official or definitive South African census on the number of self-defined Pagans exists.

2. Under existing traditional customary law, Traditional Courts currently adjudicate on matters relating to accusations of witchcraft. Existing customary laws and beliefs concerning Witchcraft, however, remain prejudicial to citizens who may actually identify as Witches and who practice Witchcraft as a religion.

Traditional Courts within sub-Saharan Africa share a commonly held belief that Witchcraft is not a faith that people openly profess, and do not recognize Witchcraft as a constitutionally protected religion.

Customary beliefs about Witchcraft remain wholly prejudicial to actual Witches, where Witches are viewed as being responsible for misfortune, illness or untimely death. Traditional beliefs do not assume that a Witch may be innocent of such accusation because it is believed that such criminal acts are in keeping with the nature of the practice of Witchcraft.

Within traditional courts, Witchcraft is viewed as a malevolent magical act, one punishable under customary African laws. Accusations of Witchcraft, though illegal under the 1957 Witchcraft Suppression Act, are frequently heard by traditional courts. Accusations are always based on suspicion, rumor, or gossip.

3. This Alliance seeks to ensure that Traditional Courts may no longer hear accusations of Witchcraft, and that customary laws and beliefs concerning Witchcraft be brought in line with acceptable constitutional norms and standards, especially with regard to the constitutional protection and promotion of religious freedom.

Article 27 of the 'International Covenant on Civil and Political Rights' states "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language".

Article 5 of the 'Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities' obliges all governments to consider the legitimate interests of minorities in developing national policies and programmes. These minority rights are not subject to official recognition of a minority by a government.

According to both international and South African law the South African government is legally obligated to consider the legitimate interests of South African Witches in developing national policies to correct inequalities to which Witches are currently subjected as a result of institutionalized prejudice by the state and traditional law.

In this instance, with special regard to ensuring that Witches in this country are able to benefit equally from every other right enshrined in the Bill of Rights including the right to safety and security, and are not unfairly prejudiced by either customary law or traditional courts.

4. Since the protection and promotion of freedom to religion must be regarded as a constitutional matter, we believe that accusations of witchcraft must not be heard or determined by any traditional court.

SAPRA is opposed to the automatic criminalization of Witchcraft and Witches by Traditional Courts and South African legislation (1957 Witchcraft Suppression Act). This Alliance wishes to assert that accusations of Witchcraft do not constitute any evidence of complicity in criminal activity.

Citizens accused of Witchcraft and tried within traditional courts are not provided with legal counsel and evidence presented in such courts, including formal consultations with diviners in determining or alleging guilt, does not qualify as proper evidence in any other court of law. Accusations of Witchcraft discriminate against those accused, and marginalize an already existing religious minority that identifies Witchcraft as its religion.

This Alliance wishes to reassert the constitutionally guaranteed freedom of religion and belief of its members, as citizens of the Republic of South Africa. South African Witches must retain and advocate for their right not to be discriminated against.

5. This Alliance wishes to ensure that where such matters are currently being heard under traditional customary law by traditional courts, that those who have been accused of witchcraft be afforded representation by a legal representative, and that their rights to a fair trial be guaranteed by the State.

SAPRA believes that the current practice of hearing matters relating to accusations of witchcraft by traditional courts is prejudicial to the legal, constitutional and human rights of the accused. We are firmly convinced that such matters must be presented in a court of law that demonstrates no existing institutional or cultural bias against Witchcraft or Witches.

This Alliance trusts that the National Council of Provinces and the South African National Assembly will address these concerns without bias or prejudice.

## Addendum 5.

### South African Law Reform Commission Review of Witchcraft Suppression Act

<http://www.paganrightsalliance.org/review-of-witchcraft-suppression-act-update/>

The South African Law Reform Commission has confirmed that a lead researcher (Ms Jennifer Joni) and Project Leader (Judge Dennis Davis) has been designated for **Project 135: The Review of Witchcraft Suppression Legislation**, as approved by the Minister of Justice and Constitutional Development in September 2010. An Issue paper is currently being developed in order to stimulate debate on issues arising from the legislation and request for review requested by SAPRA in February 2007. The Minister of Justice will appoint an Advisory Committee to guide the research in the near future.

#### 1957 Witchcraft Suppression Act (Act 3)

South African law currently presumes that the practice of 'witchcraft' may be used to commit or justify the commission of criminal activity. This presumption is based in part on the untested belief (not evidence) that a) so-called muthi murderers, criminals who murder their victims whilst harvesting body parts for sale to rogue traditional healers for use in magic, are complicit in the practice of 'witchcraft', and in part on the historical belief that b) all black (malevolent) magic is "witchcraft", and c) traditional African religions and religio-magical practices are 'witchcraft'.

The lack of corroborating evidence to link the practice of real Witchcraft (or actual self-identified Witches) to these criminal acts however, obfuscates all legal imperative for legislative suppression of Witchcraft, and South African Witches have been campaigning for the repeal of the 1957 Witchcraft Suppression Act (Act 3) since 2007.

In February 2007 the South African Pagan Rights Alliance (SAPRA), an organization representing self-identified Witches, appealed to the South African Law Reform Commission (SALRC) to have Act 3 repealed on the grounds that it contradicts several sections of Chapter 2 of the Constitution, including the right to freedom of belief and religion.

Witches are already a visible religious minority in South Africa. SAPRA argued that Act 3 "must be declared unconstitutional and invalid to the extent to which this legislation identifies one group of persons (Witches), on the grounds of belief alone, to be prohibited and criminal". The appeal was supported by the South African Pagan Council and the Traditional Healers Organization in September 2007.

In July 2008 the South African Law Reform Commission (SALRC) agreed to conduct a preliminary investigation in order to determine whether or not Act 3 undermines the constitutionally guaranteed freedoms and rights of an existing religious minority (Witches) by deliberately criminalizing and prohibiting the right of Witches to exist and to practice their religion (Witchcraft). SALRC considered the inclusion of a Review of the Witchcraft Suppression Act 3 of 1957 and the Mpumalanga Witchcraft Suppression Bill (2007) on 1 August 2009. The Commission recommend that the Minister of Justice and Constitutional Development approve the inclusion of this investigation in the Commission's research programme.

Act 3 was originally drafted with the intention of suppressing indigenous African practices, practices incorrectly identified by previous (and current) regimes as 'witchcraft'. In support of the South African Pagan Council's submission to SALRC, Dr. Dale Wallace of the University of KwaZulu Natal wrote *"When this legislation was promulgated in South Africa, it was consistent with the approach taken by colonial administrators across Africa, and modeled on the anti-witchcraft laws in Britain, that were repealed in 1950. They arose from a specific worldview by which, 'in the colonies', African indigenous religious forms fell victim to the colonial propensity to distinguish between religion and 'superstition', and by which distinction it was*

*relegated to the latter category. This Act can be seen as an extension of the colonial approach to witchcraft beliefs and practices; namely that witchcraft is a superstition that could be overcome through education and economic advancement."*

Traditional Healers have themselves submitted that they have never, and do not, identify their traditional religious and magical practices as Witchcraft.

Whilst the Act criminalizes South African citizens who do self-identify as Witches and who do practice Witchcraft as a religion simply by prohibiting anyone from professing to be a Witch or to having knowledge of Witchcraft, it also criminalizes identified practices associated with and practiced by both Traditional Healers and Witches, including the use of sympathetic magic, the making of magical charms, enchantments or conjurations, and divination.

*"This criminalization of witchcraft that focused on both indigenous practices and practitioners was grounded epistemologically on the discourse of the witch as a heretical diabolist. The development of the witch as one who makes a conscious pact with the devil, had become a religious narrative that incorporated and developed mythologies that had arisen in church history, particularly during what is known as the witch-craze of the medieval period. This discourse, that linked the witch with Satanism, and which informed South African religious history from the late nineteenth century, was supported at the highest level by the apartheid government... [I]n the equalities entrenched in the post 1994 SA Constitution, the practices that are listed in the Act as an offense, have to be seen as discriminatory and prejudicial. The belief in, and practice of, magic, is common to countless religious and spiritual traditions in South Africa, and practices listed as prohibitive are linked with 'evil' only through the lens of those carrying the self-certainty of exclusive truth. The practices of divination, charms, and the practice of fortune telling (amongst others), are, for instance, at the heart of Hindu practices, and are given salience in their sacred texts."* Dr. Dale Wallace

Whilst the Act has not yet been used to imprison self-identified Witches who have publicly declared their religious affiliation, its existence continues to stigmatize actual Witches in general as 'criminals in potentia'. It does this by reinforcing negative and harmful stereotypical bias against Witchcraft (and Witches) which serves to indirectly encourage witch-hunts against suspected alleged Witches. In practice and as a rule, witch-hunts themselves target non-Witches, individuals who deny practicing Witchcraft and who do not self-identify as Witches. In much of Africa it is ordinary citizens, women, men and children who bear the burden of prejudice and hostile discrimination born from centuries of bias against Witchcraft.

Dr. Wallace writes *"Witchcraft violence in South Africa has been noted to escalate during times of social and political change and is particularly prevalent in certain provinces in the country. During the time of transition to a democratic government in South Africa, witchcraft violence escalated in many African communities and was given renewed attention by academics, in fundamentalist Christian churches and in the African Initiated Churches. It is through talk of witches and witchcraft that most Africans articulate their notions of human evil and, through it, seek explanation for illness, misfortune and death that are otherwise attributable to ancestral wrath. Outside of these contexts, witchcraft discourses have been used to political ends, as a tool across economic, social and educational boundaries, and gained new function in relation to the AIDS pandemic in the country."*

Attempting to suppress the widespread belief in the agency of Witchcraft as a cause for misfortune, harm, disease, murder and death won't stop some people from continuing to believe that Witches are malevolent and must be murdered. Prejudicial beliefs about Witchcraft won't change overnight, but changing them must start with education, not with the suppression of access to the truth.

*"One cannot legislate negative attitudes away, cannot draft laws to eliminate stereotypes, cannot remove from the hearts and minds of people the tendency to discriminate. But we can speak out. We can begin to eliminate negative perceptions and prejudices."* Hissa Al Thani – UN Special Rapporteur on Disability



## Addendum 6.

### Muti murderers are not Witches!

<http://www.penton.co.za/muti-murderers-are-not-witches/>

African traditions ascribe supernatural properties to medicines (muti / muthi) derived from both plant and animal sources. In extreme circumstances, unethical traditional healers (nyangas, sangomas and witchdoctors) resort to using so-called “muti” made from human body parts harvested from the victim whilst he or she is still alive, a practice widely eschewed by both ethical healers and actual Witches.

Despite accusations to the contrary, evidence will show that the muti murderers themselves are not Witches, but are most often paid by unscrupulous so-called “traditional healers” to harvest human body parts and tissue for sale, for use in alleged magic. Those found guilty in courts of law have not identified themselves as Witches, but as traditional healers. Here are just a few of many published examples.

In 2006, 4 year old Connie Ncube was abducted and murdered by traditional healer Mandla Ephraim Zulu because he wanted to remove parts of the young girl's body to make “a muti for financial prosperity”. He was hired by a hairdresser Lourence Eric Ngoveni. Neither Zulu nor Ngoveni identified themselves as Witches.

Also in 2006 Bishop Joseph Tanzwani of the Holiness Apostolic Church, and sangomas Mukondeleli Phosha and Shumani Dzebu were tried in the Thohoyandou High Court for the murder and mutilation of Shonisani Thinandavha. Her right hand, left ear, nipples and upper lip were cut from her body. None of the accused identified themselves as Witches.

In 2007 KwaDabeka police investigated the beheading of a 7 year old KwaZulu-Natal boy believe to have been the victim of a “witchdoctor syndicate”. The body of Vuyani Ngqulunga, who went missing on November 1, was found with his head and testicles removed. The alleged perpetrators, two 18 year olds named Lizwi Gwiqisa and Bandile Msikiofwere, were hired by building contractor Petros Gwosebenn. None of the accused identified themselves as Witches.

Also in 2007 Abigail Njapha and five men, all allegedly members of a “muti gang”, were accused of harvesting and selling body parts and charged with conspiracy to murder 15 women. None of the accused identified themselves as Witches.

In 2008 Vusi Sixikixa and Sonwabile Qhosha appeared in the Bizana magistrate's court for the alleged murder of 9 victims. Police confirm that they were investigating two sangomas implicated in the murders. None of the accused identified themselves as Witches.

In 2009 Demakatso Sheli Shabangu was allegedly sold by her caregiver to a teacher from Sibange village. The teacher later admitted to being part of a “human body part syndicate”. None of the accused identified themselves as Witches.

Despite evidence to the contrary, a 2007 article published in The Daily News and republished on IOL entitled **‘Muti killings on the rise in KZN’**, quotes Kara Heritage Institute director, and ANC Chief Whip Dr. Mathole Motshekga as saying “...the increase in witchcraft and muti-related crimes was the result of the socio-economic conditions that affect the majority of South Africans... witchcraft and muti-related crimes posed a major challenge to the country”.

This accusation implicating Witchcraft (and therefore Witches) in muti murders was again leveled at Witches in 2009 and twice in 2010 by Traditional Healers Organization national co-ordinator, Phephisile Maseko.

*“I can't speak for others, but our members are well-informed. They would never participate in muti killings and don't believe in it. We heal, we don't kill,” she said. “I have heard reports of muti killings but I have never*

*personally seen it. Those who do that are witches who don't belong to any organisation. They haven't been trained so they do as they please," she said.*

[Phephisile Maseko - Muti killings up ahead of 2010? - published 06 March 2009]

[2] She (Phephisile Maseko) said traditional healers who used body parts to make muti were not true healers, but *"heartless witches"*. *"How could a healer use body parts or remove somebody's body parts while the person is still alive? That means you are a witch, not a healer,"* she said.

[Money muti harvesting increases - published 08 February 2010]

[3] *"Witchcraft is all about greed and jealousy... unless there are leaders in government, who are willing to lead the fight against witchcraft, legitimate traditional healers are not going to get over this hurdle."*

[Phephisile Maseko - Dept, healers declare war on muthi killings - published 18 February 2010]

Neither Maseko nor Motshekga are able to provide any evidence to link muti murders to the practice of Witchcraft or to actual identified Witches, because the alleged Witches are not Witches, but rogue traditional healers acting outside the boundary of approved traditional healing practices. Maseko and Motshekga are knowingly and deliberately using Witches as scapegoats to deflect negative attention away from those who abuse traditional healing practices for their own criminal gain.

The often repeated defamation against Witches by the media generally cannot be excused by appeals to contextualize accusations of witchcraft within traditional African beliefs concerning 'witches' and 'witchcraft'. The general public will believe that Witches are indeed the muti murderers and the protest of real Witches who dare to make their religious affiliation known in public will be ignored, as it is, by the public clamor for justice and vengeance. A lie told often enough is rarely examined by the mob.

## Addendum 7.

### Occult Crime Unit to investigate the supernatural

<http://www.paganrightsalliance.org/occult-crime-unit/>

The South African Police Service is launching new regional occult crime units. According to a **leaked memorandum**, Provincial Commissioners were recently instructed to appoint two detectives in every province tasked with investigating alleged harmful occult-related crimes.

Those already familiar with the work of the old ORC unit then led by Kobus Jonker, will recall that between 1992 and 2001 the unit is alleged to have investigated 300 cases of muti-related crimes (murders committed for the express purpose of harvesting human body parts for sale to traditional healers).

The ORC's previous mandate included: a) investigating occult-related crime, b) in conjunction with the South African Police Service Crime Intelligence, promoting the prevention of occult-related crime, c) managing the use and dissemination of information on occult-related crime, and d) rendering services to victims of occult-related crime.

In addition to investigating muti murders, newly appointed detectives will be required to also investigate spectral evidence including spiritual intimidation and astral coercion, curses intended to cause harm, allegations of rape by tokoloshe spirits, and poltergeist and paranormal phenomena.

The units will also be responsible for investigating alleged offences relating to Witchcraft (identified as "black magic" by the SAPS), Voodoo, vampirism, harmful cult behavior, suicide where evidence of occult involvement is present, animal mutilation and sacrifice where evidence of occult involvement is believed to be indicated, human sacrifice, and the interpretation of alleged occult signatures, vandalism and graffiti at crime scenes.

This newly envisioned scope of investigation must be viewed with suspicion and be of concern to anyone engaged in the practice of Witchcraft, Traditional African religion, and other Occult spiritualities (including Satanism). Given the already evident bias expressed by ex-members of ORC and new members of provincial Religious Crimes Units against Witchcraft, SAPRA believes the new mandate potentially threatens religious minorities who may be scapegoated on the basis of belief alone.

It is the informed opinion of this Alliance that the given investigative mandate for the establishment of new provincial Occult Crime Units, in particular, certain 'categories of crime' as mentioned in said memorandum, contravene internationally recognized policing ethics and conduct related to a) jurisprudence in the identification and verification of evidence, and b) respect for religious diversity and belief.

#### Law of Evidence

The SAPS memorandum states *"For a crime to be considered a harmful occult-related crime, the elements of legality, conduct and unlawfulness and culpability have to be present and the motive must be rooted in the supernatural."*

The term 'supernatural' is generally defined as something above or beyond the laws of Nature. In a strictly scientific context, the belief in the supernatural agency of a non-corporeal entity (spirit, fairy, demon, God) cannot be proven using the law of evidence in any Court of Law, and therefore cannot be submitted as evidence of anything other than faith in the unknown. Since the courts will not accept evidence of the supernatural on principle, the ORC detectives will be wasting valuable time and effort investigating para-psychological phenomena.

This Alliance is of the informed opinion that SAPS special unit detectives should not be considering the role of alleged supernatural occurrences in the commission or investigation of crimes. A belief in the existence of the supernatural is not, and cannot be viewed as proof of the supernatural. The SAPS must deal in matters of verifiable fact, not religious or cultural belief. The SAPS should not be fulfilling what should remain the role of religious or psychology specialists.

This Alliance objects to the inclusion of unexplained and unprovable supernatural and paranormal activities, as such matters are best left to para-psychologists and spiritualists, not police detectives.

### **Religious bias, prejudice and propaganda against the Occult**

In the SAPS memorandum under objection, newly appointed detectives of regional occult crime units are encouraged to consult with “trained individuals in their respective provinces... with the investigation of an alleged harmful occult-related crime”.

It must be noted that former occult unit detectives, many of whom now independently pursue careers in Christian ministry and in particular, ministry against the Occult, Witchcraft, Satanism, and ‘Spiritual-warfare’ ministries targeted specifically at Witches and Satanists, will be consulted by detectives assigned to regional occult crime units.

This Alliance is of the opinion that consultations with such persons will introduce highly subjective religious bias and prejudicial reasoning into investigations which should remain rationally objective.

SAPRA has submitted formal objection to the scope of the new SAPS mandate and will be closely monitoring the activities of all new ORC units to ensure that innocent civilians are not targeted by un-provable allegations of criminal or harmful activities.

### **SAPRA’s Objections to the SAPS ORC investigation mandate (10 September 2012)**

<http://www.paganrightsalliance.org/documents/SAPRA%20objection%20to%20SAPS%20Religious%20Crimes%20Unit.pdf>

South African Pagan Rights Alliance

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10 September 2012

Lieutenant General V. Moonoo Divisional Commissioner: Detective Service South African Police Services  
cc. SAPS Parliamentary Portfolio Committee

### **SAPRA Objections – Investigation of harmful occult-related crimes: Investigation support capacity**

A recent SAPS memorandum dated 21 August 2012 regarding the above-mentioned refers. The South African Pagan Rights Alliance (SAPRA) would like to submit the following objections to the investigation mandate for the launch of regional Occult-Related Crime Units by the South African Police Service.

#### **Part A.**

It is the informed opinion of this Alliance that the given investigative mandate, in particular, certain 'categories of crime' as mentioned on pages 2 and 3 of said memorandum (and listed below), contravene internationally recognized policing ethics and conduct related to a) jurisprudence in the identification and

verification of evidence, and b) respect for religious diversity and belief. Said 'categories of crime' are listed as follows:

1. Witchcraft-related offences, including black magic, witch finding and witch purging
2. Traditional healers involved in criminal activities rooted in the occult
3. Curses intended to cause harm
4. The practice of voodoo intended to cause harm
5. Vampirism and joint infringement of the Human Tissues Activities
6. Harmful cult behaviour that infringes on the rights of members of the movement
7. Spiritual intimidation, including astral coercion
8. Vandalism / graffiti leaving evidence that the motive is occult related
9. Suicide leaving evidence of occult involvement
10. Ritualistic abuse in a cult setting
11. Allegations of rape by a tokoloshe spirit
12. Animal mutilation and sacrifice leaving evidence of occult involvement
13. Murder / human sacrifice leaving evidence of occult involvement
14. Interpretation of occult "signatures" and paraphernalia at a crime scene
15. Poltergeist phenomena (unexplained activities by paranormal disruptive entities).

This Alliance would like to comment on, and object to each of these given categories as follows:

**1. i) Witchcraft-related offences, including black magic,  
ii) witch finding and witch purging.**

**i)** SAPRA is a designated religious organization representing South African citizens who identify as Witches and who identify Witchcraft as their religion. Witchcraft is not synonymous with 'black magic'. Whilst the latter (black magic) constitutes a wholly separate historically documented belief system in which ritual practices identified as magic are said to be used to bring harm to others, the former (Witchcraft) constitutes an internationally recognized religious belief system. Citizens who are Witches identify Witchcraft as a mystery religion belonging to the new religious movement of Paganism. Witchcraft is inspired by both pre- and post-Judaean-Christian religion, philosophy and folk-lore. Witches identify themselves as practitioners of a clearly defined system of sympathetic magic, involving the worship / veneration of the Ancestors, pre-Christian Gods and Goddesses, Nature-spirits and Spirits of Place. Witches engage in various forms of divination and specialize in clearly identified ritual (magical) practices which constitute acts of worship / veneration and spiritual development. We (Witches) are a recognised religious minority in this country and we constitute the only minority in Africa that uses the terms 'witch' and 'witchcraft' with which to self-identify.

**ii)** Historically the term 'witchcraft' has incorrectly been applied to all non-Christian forms of religio-magical beliefs and practices. In contemporary South Africa, this misnomer is used to incorrectly identify traditional African religio-magical beliefs and adherents of traditional African religion. Traditional healers who identify

as iSangomas and iNyangas do not self-identify as Witches and do not identify traditional African ritual magical practices and beliefs as Witchcraft.

### **Witches Advocacy against witch-hunts**

Since 2007 this Alliance has been actively engaged in advocating against accusations of witchcraft (witch finding) and witch-hunts (witch purging). SAPRA, under the banner of Touchstone Advocacy, is the only non-governmental organization in South Africa engaged in such advocacy. The **'30 days of advocacy against witch-hunts'** campaign was launched in March 2008 by SAPRA, under the banner of 'Touchstone Advocacy', in response to ongoing accusations of witchcraft and brutal witch-hunts in South Africa and elsewhere on the African continent. Since 2008 the South African Pagan Rights Alliance has repeatedly appealed to all Commissions for Human Rights internationally to encourage all governments to: a. halt the persecution of suspected or accused witches, b. uphold and strengthen a culture of human rights for all equally, c. respond appropriately and humanely to incidences of accusations of witchcraft, d. make the eradication of violence against suspected witches an international priority, e. train local police to manage witchcraft accusations and violent witch-hunts in a way that affirms the dignity and humanity of those accused of practising witchcraft, f. create victim support units to facilitate reintegration and conciliation of those accused, g. adopt comprehensive public education and awareness programmes aimed at eradicating the real causes of witchcraft accusations, and h. reform legislation that currently seeks to suppress witchcraft or criminalize accused witches.

In March 2011 the South African 'Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities' (CRLRC) publicly announced its support for this annual campaign as a result of successful lobbying by SAPRA.

**Murders of people accused of witchcraft - Issued by Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (29 Mar 2011)**  
<http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=17419&tid=31101>

In January 2012 the CRLRC, at the request of this Alliance, publicly condemned *"the ongoing violent victimisation and the killing of elderly persons labelled as witches"* and called on Traditional leaders, community councils and government departments to *"assist in deepening peace, friendship, tolerance and respect for human dignity and communal cohesion among all the people of South Africa in pursuit of social justice and equality, irrespective of suspicions that would not be proven in the court of law."*

**The CRL Rights Commission condemns the killings of alleged witches in Ntuzuma, KwaZulu-Natal (13 Jan 2012)**  
<http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=24429&tid=53643>

The CRLRC launched 2012's '30 days' campaign in Maupye (Limpopo), one of four identified refugee villages occupied by South African citizens who have been falsely accused of either being witches or of engaging in witchcraft. No further action to end witch-hunts has been undertaken by the CRLRC.

### **1. Witchcraft Suppression Act**

South African law currently presumes that the practice of 'witchcraft' may be used to commit or justify the commission of criminal activity. This presumption is based in part on the untested belief (not evidence) that a) so-called muthi murderers, criminals who murder their victims whilst harvesting body parts for sale to rogue traditional healers for use in magic, are complicit in the practice of 'witchcraft', and in part on the historical belief that b) all black (malevolent) magic is "witchcraft", and c) traditional African religions and magico-religious practices are 'witchcraft'.

The lack of corroborating evidence to link the practice of real Witchcraft (or actual self-identified Witches) to these criminal acts however, obfuscates all legal imperative for legislative suppression of Witchcraft, and South African Witches have been campaigning for the repeal of the 1957 Witchcraft Suppression Act (Act 3) since 2007.

In February 2007 this Alliance submitted a formal appeal to the South African Law Reform Commission (SALRC) to have Act 3 repealed on the grounds that it contradicts several sections of Chapter 2 of the Constitution, including the right to freedom of belief and religion.

SAPRA argued that Act 3 “must be declared unconstitutional and invalid to the extent to which this legislation identifies one group of persons (Witches), on the grounds of belief alone, to be prohibited and criminal”. The appeal was supported by the South African Pagan Council and the Traditional Healers Organization in September 2007. In July 2008 the South African Law Reform Commission (SALRC) agreed to conduct a preliminary investigation in order to determine whether or not Act 3 undermines the constitutionally guaranteed freedoms and rights of an existing religious minority (Witches) by deliberately criminalizing and prohibiting the right of Witches to exist and to practice their religion (Witchcraft). SALRC considered the inclusion of a Review of the Witchcraft Suppression Act 3 of 1957 and the Mpumalanga Witchcraft Suppression Bill (2007) on 1 August 2009. The Commission recommend that the Minister of Justice and Constitutional Development approve the inclusion of this investigation in the Commission’s research programme. Said investigation is ongoing.

Act 3 was originally drafted with the intention of suppressing indigenous African practices, practices incorrectly identified by previous (and current) regimes as 'witchcraft'. In support of the South African Pagan Council's (SAPC) submission to SALRC, Dr. Dale Wallace of the University of KwaZulu Natal wrote –*When this legislation was promulgated in South Africa, it was consistent with the approach taken by colonial administrators across Africa, and modeled on the anti-witchcraft laws in Britain, that were repealed in 1950. They arose from a specific worldview by which, in the colonies, African indigenous religious forms fell victim to the colonial propensity to distinguish between religion and ‘superstition’, and by which distinction it was relegated to the latter category. This Act can be seen as an extension of the colonial approach to witchcraft beliefs and practices; namely that witchcraft is a superstition that could be overcome through education and economic advancement.*

Traditional Healers have themselves submitted that they have never, and do not, identify their traditional religious and magical practices as Witchcraft. Whilst the Act criminalizes South African citizens who do self-identify as Witches and who do practice Witchcraft as a religion simply by prohibiting anyone from professing to be a Witch or to having knowledge of Witchcraft, it also criminalizes identified practices associated with and practiced by both Traditional Healers and Witches, including the use of sympathetic magic, the making of magical charms, enchantments or conjurations, and divination.

—*This criminalization of witchcraft that focused on both indigenous practices and practitioners was grounded epistemologically on the discourse of the witch as a heretical diabolist. The development of the witch as one who makes a conscious pact with the devil, had become a religious narrative that incorporated and developed mythologies that had arisen in church history, particularly during what is known as the witch-craze of the medieval period. This discourse, that linked the witch with Satanism, and which informed South African religious history from the late nineteenth century, was supported at the highest level by the apartheid government... [] ...In the equalities entrenched in the post 1994 SA Constitution, the practices that are listed in the Act as an offense, have to be seen as discriminatory and prejudicial. The belief in, and practice of, magic, is common to countless religious and spiritual traditions in South Africa, and practices listed as prohibitive are linked with ‘evil’ only through the lens of those carrying the self-certainty of exclusive truth. The practices of divination, charms, and the practice of fortune telling (amongst others), are, for instance, at the heart of Hindu practices, and are given salience in their sacred texts.*— Dr. Dale Wallace

Whilst the Act has not yet been used to imprison self-identified Witches who have publicly declared their religious affiliation, its existence continues to stigmatize actual Witches in general as “criminals in potential”. It does this by reinforcing negative and harmful stereotypical bias against Witchcraft (and Witches) which serves to indirectly encourage witch-hunts against suspected alleged Witches. In practice and as a rule, witch-hunts themselves target non-Witches, individuals who deny practicing Witchcraft and who do not self-identify as Witches. In much of Africa it is ordinary citizens, women, men and children who bear the burden of prejudice and hostile discrimination born from centuries of bias against Witchcraft.

Dr. Wallace writes — *Witchcraft violence in South Africa has been noted to escalate during times of social and political change and is particularly prevalent in certain provinces in the country. During the time of transition to a democratic government in South Africa, witchcraft violence escalated in many African communities and was given renewed attention by academics, in fundamentalist Christian churches and in the African Initiated Churches. It is through talk of witches and witchcraft that most Africans articulate their notions of human evil and, through it, seek explanation for illness, misfortune and death that are otherwise attributable to ancestral wrath. Outside of these contexts, witchcraft discourses have been used to political ends, as a tool across economic, social and educational boundaries, and gained new function in relation to the AIDS pandemic in the country.*<sup>11</sup>

Attempting to suppress the widespread belief in the agency of Witchcraft as a cause for misfortune, harm, disease, murder and death won't stop some people from continuing to believe that Witches are malevolent and must be murdered. Prejudicial beliefs about Witchcraft won't change overnight, but changing them must start with education, not with the suppression of access to the truth.

In September 2010 the South African Law Reform Commission informed this Alliance that Project 135: The Review of Witchcraft Legislation was approved by the Minister of Justice and Constitutional Development. In March 2012 the South African Law Reform Commission confirmed that a lead researcher and Project Leader has been designated for Project 135. An Issue paper is currently being developed in order to stimulate debate on issues arising from the legislation and request for review requested by SAPRA in February 2007. The Minister of Justice will appoint an Advisory Committee to guide the research in the near future.

**This Alliance would like to appeal to the SAPS to cooperate with SAPRA, as an interested and affected party, with regard to advocacy against ongoing witchcraft accusations, witch-hunts, and the provision of justice and reconciliation to refugees of witchcraft accusations currently being housed in informal refugee villages in Limpopo Province.**

## **2. Traditional healers involved in criminal activities rooted in the occult**

African traditions ascribe supernatural properties to medicines (muti) derived from both plant and animal sources. In extreme circumstances, unethical traditional healers (nyangas, sangomas and witchdoctors) resort to using so-called muti made from human body parts, a practice widely eschewed by both ethical healers and actual Witches. Despite accusations to the contrary, evidence will show that the muti murderers themselves are not Witches, but are most often paid by unscrupulous so-called traditional healers to harvest human body parts and tissue for sale for use in alleged magic.

Those found guilty in courts of law have not identified themselves as Witches, but rather as traditional healers.

Here are just a few of many published examples. In 2006, 4 year old Connie Ncube was abducted and murdered by traditional healer Mandla Ephraim Zulu because he wanted to remove parts of the young girl's body to make a muthi for financial prosperity. He was hired by a hairdresser Lourence Eric Ngoveni. Neither Zulu nor Ngoveni identified themselves as Witches. Also in 2006 Bishop Joseph Tanzwani of the Holiness Apostolic Church, and sangomas Mukondeleli Phosha and Shumani Dzebu were tried in the Thohoyandou High Court for the murder and mutilation of Shonisani Thinandavha. Her right hand, left ear, nipples and upper lip were cut from her body for muthi. None of the accused identified themselves as Witches. In 2007 KwaDabeka police investigated the beheading of a 7 year old KwaZulu-Natal boy believe to have been the victim of a "witchdoctor syndicate". The body of Vuyani Ngqulunga, who went missing on November 1, was found with his head and testicles removed. The alleged perpetrators, two 18 year olds named Lizwi Gwiqisa and Bandile Msikiofwere, were hired by building contractor Petros Gwosebenn. None of the accused has ever identified themselves as Witches.

Also in 2007 Abigail Njapha and five men, all allegedly members of a muthi gang, were accused of harvesting and selling body parts for muthi and charged with conspiracy to murder 15 women. None of the accused identified themselves as Witches. In 2008 Vusi Sixikixa and Sonwabile Qhoshla appeared in the Bizana



magistrate's court for the alleged murder of 9 victims. Police confirm that they were investigating two sangomas implicated in the murders. None of the accused identified themselves as Witches. In 2009 Demakatso Sheli Shabangu was allegedly sold by her caregiver to a teacher from Sibange village. The teacher later admitted to being part of a "human body part syndicate". None of the accused identified themselves as Witches. Despite evidence to the contrary, media reports still conflate muti murders as the work of Witches and Witchcraft. Witches are also being used as scapegoats by traditional healers to deflect negative attention away from those who abuse traditional healing practices for their own criminal gain.

**This Alliance appeals to the SAPS to desist from contextualizing human mutilations and the trade in human body parts as “witchcraft activities”. They are not, and have nothing at all to do with Witchcraft or Witches.**

### 3. Curses intended to cause harm

This category of intended investigation constitutes, in our informed opinion, a potentially dangerous divergence from international best practice with regard to the identification of evidence in law. Whilst we acknowledge that many people do believe in 'curses', allegations of curses must always be viewed with rational circumspection, especially by members of the SAPS who must seek to ground their investigations in fact established within scientifically plausible parameters. The belief in the supernatural is not evidence of the supernatural. Allegations of curses (bewitchment) frequently form an integral part of accusations of witchcraft that result in violence. Since such allegations can never be proven using verifiable evidence as accepted within Courts of Law, this Alliance believes that this category of investigation will result in the victimization of those accused of cursing or bewitching others. Whilst alleged curses and their believed ability to cause harm are a matter firmly rooted in belief, curses and cursing (allegations of harm through the supposed use of verbal, written or constructed spell or prayer) are not supported by any scientifically verifiable data. Curses and cursing must therefore be regarded purely as a matter of faith (the belief in any supernatural agency without requiring evidence), not of fact (verifiable evidence). It must also be borne in mind that the threat of a curse, whether uttered, written or otherwise indicated, does not denote proof of any supernatural ability to effect same, nor does the making of a curse automatically imply that such is even possible under strictly scientific investigation.

### 4. The practice of voodoo intended to cause harm

*Vodun or Vodun (meaning spirit in the Fon and Ewe languages, is an indigenous religion of coastal West Africa from Togo to Nigeria. Vodun is practised by the Ewe people, Kabye people, Mina people and Fon people of southern and central Togo, southern and central Benin and the Yoruba of southwestern Nigeria. It is distinct from the various traditional animistic religions in the interiors of these same countries and is the main origin for religions of similar name found among the African Diaspora in the New World such as Haitian Vodou, the Voodoo of Puerto Rico and the Dominican Republic, Candomblé Jeje in Brazil (which uses the term Vodum), Louisiana Voodoo and Santería in Cuba. All these are syncretized with Christianity and the traditional religions of the Kongo people of Congo and Angola. Louisiana Voodoo, also known as New Orleans Voodoo, describes a set of religious practices which originated from the traditions of the African diaspora. It is a cultural form of the Afro-American religions which developed within the French, Spanish, and Creole speaking African American population of the U.S. state of Louisiana. It is one of many incarnations of African-based religions rooted in West African Dahomeyan Vodun. They became syncretized with the Catholicism and Francophone culture of south Louisiana as a result of the slave trade. Louisiana Voodoo is often confused with—but is not completely separable from—Haitian Vodou and southern Hoodoo. It differs from Vodou in its emphasis upon Gris-gris, voodoo queens, use of Hoodoo occult paraphernalia, and Li Grand Zombi (snake deity). It was through Louisiana Voodoo that such terms as gris-gris (a Wolof term) and voodoo dolls were introduced into the American lexicon. Vodouists believe in a distant and unknowable creator god, Bondyé. As Bondyé does not intercede in human affairs, vodouists direct their worship toward spirits subservient to Bondyé, called loa. Every loa is responsible for a particular aspect of life, with the dynamic and changing personalities of each loa reflecting the many possibilities inherent to the aspects of life over which they preside. In order to navigate daily life, vodouists cultivate personal relationships with the loa through the presentation of offerings, the creation of personal*

*altars and devotional objects, and participation in elaborate ceremonies of music, dance, and spirit possession.*

**SOURCES:** [http://en.wikipedia.org/wiki/West\\_African\\_Vodun](http://en.wikipedia.org/wiki/West_African_Vodun) [http://en.wikipedia.org/wiki/Louisiana\\_Voodoo](http://en.wikipedia.org/wiki/Louisiana_Voodoo)  
[http://en.wikipedia.org/wiki/Haitian\\_Vodou](http://en.wikipedia.org/wiki/Haitian_Vodou)

Since Voodoo is not a popular religious practice in South Africa, this Alliance cannot find any rational justification for including any such investigation. SAPRA can find no media reports highlighting any actual crimes or criminal activities undertaken by any citizens professing to follow the Voodoo (or Vodun-related) faith in this country.

## **5. Vampirism and joint infringement of the Human Tissues Activities**

According to informed sources, the practice of Vampirism is not linked specifically to any occult religion or religious ideology in particular. South Africans who identify as Vampires clearly identify the practice of Vampirism as a “necessary life-style”, an identity - and not as a religion.

Two recently conducted and much publicized surveys (VEWRS and AVEWRS 2006) conducted by Suscitatio Enterprises, LLC in the USA, of 950 plus participants among the world's vampire population, indicated that of those who participated, many self-identified vampires around the world are in fact Christians, with only a very tiny minority identifying with various forms of Satanist theology. This Alliance is not aware of any crime or criminal activity in this country emanating from citizens who have identified themselves as Vampires. During all our interactions with the South African vampire community, it has been very obvious that they follow clear and well advertised guidelines and ethics which are intended to ensure safe interaction for all members of their groups and social interactions within the framework of the law.

Vampyres have community laws and guidelines which specifically regulate behavior in the context of the laws of whatever country/state they reside in. Two well known examples within the VC include the Black Veil and the Totum Lex Vampyrica (transcripts of both are available on the SA Vampyre Alliance information site, the SA Vampyre Culture Center, at <http://vampyreiculturecenter.info>

We would like to refer your attention specifically to point 2.3 on the South African Vampyre Alliance site - <http://vampyreiculturecenter.wordpress.com/misconceptions/the-vc-human-rights/advocacy-information-links-resources/>

*"2.3) The allegation that Vampyres are all —satanistsll: Vampirism and Energy Work Research Study (VEWRS & AVEWRS), 2007-2009 – <http://www.suscitatio.com>: This study shows that of the multitude of religious affiliations within the VC, the 5th most common affiliation (in multiple choice format) is Christianity. This indicates that the 5th highest scoring religious affiliation within the part of the international VC which participated in the study, identifies as Christian – while Luciferianism and Satanism only features at low to mid range affiliations – in fact, even Michelle Belanger’s Kheprian spirituality, which is only about a decade old, scored higher in this study – with 45 respondents, compared to Luciferianism’s 33 and Levayan Satanism at 40. Responses of those who identified as Christian on the other hand, topped the 100 mark, and Neo Pagan, 155. The statistical facts seem to debunk the stereotype being perpetuated – yes, some Vampyres are Satanists – but like the general population, only a small percentage of them."*

Individuals who identify as vampiric form part of what is increasingly being described today in medical, scientific and religious study circles, as "alternate identity groups". Other identity groups (aside from vampires) include cultural or social phenomena such as Goth and Emo subcultures, BDSM and Fetish subculture, the Otherkin phenomenon etc.

Should you have any additional questions about what constitutes "real vampirism" you may contact Dr. D.J. Williams of Idaho State University who has worked with the FBI on this topic along with the research of Suscitatio Enterprises, LLC on the real vampire subculture. In 2011 he published his paper (Contemporary Vampires and (Blood-Red) Leisure: Should We Be Afraid of the Dark? DJ Williams, LCSW, PhD - Idaho State University, Leisure/Loisir - Volume 32 (2) (2008); Pages 513-539) on the real vampire community which is

the academic paper for understanding real vampirism at the moment. Also in 2010, Dr Joseph Laycock (Joseph Laycock, PhD - Author of *Vampires Today: The Truth About Modern Vampirism*) published his work "Real Vampires as an Identity Group: Analyzing Causes and Effects of an Introspective Survey by the Vampire Community" which was published in *Nova Religio - The Journal of Alternative and Emergent Religions* August 2010, Vol. 14, No. 1, Pages 4–23 (<http://www.jstor.org/pss/10.1525/nr.2010.14.1.4>). Both works by Williams and Laycock are peer reviewed and highly respected in scholarly and legal circles."

This Alliance urges the SAPS to engage constructively and without bias with members of the South African Vampyre Alliance (SAVA) at <http://savampyrealliance.wordpress.com/> prior to assuming suspicion of criminal activity which might be construed as prejudice or bias against said community.

## **6. Harmful cult behaviour that infringes on the rights of members of the movement**

In Sociology, a "cult" is defined as a group having a sacred ideology and a set of rites centering around sacred symbols. Within such a context, every religion, including Judaism, Christianity, Islam, Hinduism and Buddhism must be understood to be a form of "Cult". All cults are founded on a particular system of religious worship, especially with reference to its rites and ceremonies, and an instance of great veneration of a person, ideal, or thing by a group or sect bound together by veneration of the same thing, person, ideal. By undertaking to investigate "harmful cult behavior", detectives charged with investigating such will be required to investigate crimes ranging from coercion and intimidation to fraud and physical and emotional abuse, irrespective of religion or religious ideology. SAPRA fails to see how such crimes, when committed by leaders of religious organizations or new religious movements, warrant special treatment. During the tenure of the former Occult Crime Unit under Kobus Jonker, the term "cult" was applied prejudicially by the SAPS against minority religions such as Satanism and Witchcraft only. This Alliance is concerned that should this prejudicial, and wholly incorrect focus remain unchanged within the newly configured Religious Crimes Units, this category of investigation may well be used to victimize and unfairly prejudice members of minority religions only, including Pagan Witches, and Satanists (who do not form part of the new religious movement identified as Paganism).

## **7. Spiritual intimidation, including astral coercion**

As previously stated (section 3. Curses intended to cause harm), whilst the belief in 'astral coercion / spiritual intimidation' is rooted in a belief in the existence and agency of supernatural forces and abilities, the belief in astral coercion remains a matter firmly rooted in religion and belief, not science.

Members of different faiths may equally regard the prayers of conversion of members of other faiths as 'spiritual intimidation'; when Christians pray for the conversion of Witches from their Pagan faith. Since allegations and accusations of astral coercion and spiritual intimidation can not be verified through the strictly rational rigour of science, this Alliance believes that this category of investigation will also result in the victimization of those falsely accused of engaging in such coercion or intimidation, where actual evidence of criminal activity is absent.

This Alliance is aware of news reports in relation to cases of human trafficking where threats of magical retribution have been used by abductors to intimidate their victims into acquiescence and silence. SAPRA must again assert that such cases do not constitute evidence of either actual Witchcraft practice, or of real supernatural ability to cause harm. Intimidation (threat of harm, harassment) is already acknowledged as a crime, irrespective of the motivation for such. This Alliance believes that categorizing certain acts of intimidation within the paradigm of "the occult" as meriting special investigation into occult activity, is an error of judgement.

## **8. Vandalism / graffiti leaving evidence that the motive is occult related**

This Alliance is of the informed opinion that the repeatedly used term "occult", in relation to the name and focus of the former and newly reconstructed special crime units, not unlike the prejudicial use of the term "cult" as discussed in section 6 (Harmful cult behavior), constitutes evidence of prejudicial bias against not

only the Occult but also members of religious minorities who identify the term “occult” within an entirely different, and correct, context.

### **The supernatural**

The SAPS memorandum states —*For a crime to be considered a harmful occult-related crime, the elements of legality, conduct and unlawfulness and culpability have to be present and the motive must be rooted in the supernatural.*¶

The term “*supernatural*” is generally defined as something above or beyond the laws of Nature. As already discussed in section 3. (Curses), in a strictly scientific context, the belief in the supernatural agency of a non-corporeal entity (spirit, fairy, demon, God) cannot be proven using the law of evidence in any Court of Law, and therefore cannot be submitted as evidence of anything other than faith in the unknown.

### **The prejudicial use of the term Occult by the SAPS**

Between 1992 and 2001, the former Occult Crime Unit defined ritual crimes as „occult-related crime“ and defined this as, —*...any human conduct that constitutes any legally recognized crime, the modus operandi of which relates to or emanates primarily from any belief or seeming belief in the occult, witchcraft, Satanism, mysticism, magic, esotericism and the like. Included in the scope of occult-related crime are ritual muti-medicine murders, witch purging, witchcraft related violence and sect-related practices that pose a threat to the safety and security of the Republic of South Africa and/or it's inhabitants.*¶

It must be assumed, given the content of the memorandum under objection, that reconstituted special crime units will continue to use this prejudicial definition.

This Alliance objects to this definition as clearly indicating inherent institutionalized bias against Witchcraft and Satanism – two distinctly different minority religious groups protected under the Constitutional right to freedom of religion and belief. There is no body of evidence to suggest that members of these two minority religious groups are more likely to commit ritual (or any other) crimes than members of any other religious group in this country. Why target only “occult” religions?

### **Terminology – occultism, mysticism, esotericism**

An examination of the terms used in conjunction with Witchcraft and Satanism by the SAPS to date reveals that the drafters of this definition were motivated not by evidence of actual wrong-doing on the part of actual Witches and Satanists, but rather by religious prejudice against incorrectly identified “new age” spiritualities.

**Occultism** has its basis in a religious way of thinking, the roots of which stretch back into antiquity and which may be described as the **Western esoteric tradition**. Its principal ingredients have been identified as Gnosticism, the Hermetic treatises on alchemy and magic, Neo-Platonism, and the Kabala, all originating in the eastern Mediterranean area during the first few centuries AD.

Occultism has found many variant expressions, but it has also suffered an unfortunate interpretive disfigurement. Films, novels, reporters and so-called experts keep reminding the general public (without producing any actual evidence) that the Occult is dangerous and should be avoided. The word *occult* means *hidden wisdom*, nothing more! It derives from the Latin *celare* (hide), and refers to spiritual knowledge of the hidden / supernatural according to The Concise Oxford Dictionary. An understanding of the modern and ancient history of the development of ideas and initiatory philosophies in both the west and east will show that occultism is wholly concerned with inner spirituality and spiritual evolution, and not with the commission of crimes as alleged repeatedly by members and ex-members of the SAPS.

**Mysticism** is derived from the Greek words *mystikos*, meaning an initiate of the ancient Greek (and pagan) Eleusinian Mysteries; and *mysteria* meaning *initiation*. Mysticism means *direct communion with the divine* through the contemplation of „hidden wisdom“ – the occult - either directly in meditation or through the

medium of awe-inspiring symbolism. A Mystic seeks direct experience of and communion with the Divine within the Self and within or through Nature.

**Esotericism** means a *hidden wisdom* philosophy or doctrine meant only for the initiated. Esotericism refers to a body of traditional knowledge or traditional belief passed on through training and initiation. Esoteric (inner) knowledge is gained through following self-proscribed religious and ritual practices in order to achieve communion with the Inner Self / Higher Self / Divine Self / Holy Guardian Angel / God – Goddess within.

Pagans; Witches, Magicians, Druids, Shamans and Asatruans, are practitioners of esotericism, mysticism and the occult, in the sense that we collectively work with a body of spiritual (occult - hidden) knowledge that is passed on to new adherents through personal revelation and initiation. It should be noted that all three terms (Occultism, Mysticism, Esotericism) are associated with modern Paganism and modern Witchcraft. These terms may however equally apply to several other larger religions including Judaism, Christianity, Hinduism and Islam, as the concealing of religious or spiritual wisdom through symbolism and allegory is common to all religious expressions.

### **Vandalism / graffiti**

Since the terms occult and occultism, as herein demonstrated, do not serve as synonyms for crime or ritual crime, but rather, synonyms for hidden spirituality, ascribing spiritual or religious meaning to symbolism (identified here as graffiti) depends wholly on the world-view of the observer and interpreter. This Alliance would caution the SAPS to refrain from interpreting alleged occult symbolism from the world-view of any one particular religious ideology. Historically, members of the prejudicially and incorrectly named occult crime unit have sought to interpret alleged occult symbolism from within a distinctly Christian world-view. The Unit's bias against "the occult" and subsequent attempts to interpret graffiti believed to be evidence of "the occult", must be regarded as potentially incorrect or wholly propaganda. Interpretation of any symbolism is highly subjective, despite the fact that a broad category of symbols (religious and spiritual) are already clearly and objectively identified and defined by both academics and those who actually use these symbols as vehicles of faith from within their own religious world-views. Evidence of alleged occult symbolism present at crime scenes must be independently reviewed. SAPS detectives who receive training in detecting evidence of the occult will no doubt be using the same information used by former occult unit detectives, many of whom now independently pursue careers in Christian ministry and in particular, ministry against the Occult, Witchcraft, Satanism, and Spiritual-warfare ministries.

These are discussed in greater detail in **Part B**. of this written objection before summary remarks.

### **9. Suicide leaving evidence of occult involvement**

Given the misuse of the term occult by the special crime unit historically, any allegation of occult involvement remains highly subjective and religiously biased. Allegations of the Occult or Occultism must never be used as a scapegoat or explanation for suicide. The recent report on the suicide of a teenager, Kyle Mudaly, in Kwazulu-Natal is an example of how the media and former detectives of the Occult Crime Unit manipulate events to promote personal religious agendas against the occult and in particular, Satanists and Satanism.

#### **Satanic cult fear in suicide | September 7 2012 at 02:55pm By Yogas Nair**

A Durban teen was found hanged in his bedroom this week, with a symbol drawn on his wall and a deep cut on his chest. Durban - Satanic cults in KwaZulu-Natal are luring more and more children into their fold, occult specialist and sociologist, Dr Kobus Jonker, has warned. Jonker's warning comes as speculation mounts that Reservoir Hills teenager, Kyle Mudaly, who ended his life at midnight on Monday, had allegedly been dabbling in satanism. His mother, Sheena, made the gruesome discovery at 7am on Tuesday when she went to wake him for school. He had hanged himself with a sweatshirt and tracksuit pants from a curtain rail in his bedroom. A bizarre symbol, drawn in black ink, was found on his bedroom wall, and a deep incision to his chest with blood smears around it, signalled something sinister.

SOURCE: <http://www.iol.co.za/news/south-africa/kwazulu-natal/satanic-cult-fear-in-suicide-1.1378292#.UEo1kLjmRkl>

This Alliance must agree with the opinion expressed in this article by Dr Dale Wallace, a lecturer in religious studies at the University of KwaZulu-Natal, that *—many tragic incidents were labeled as satanic to cover up issues such as bullying, family or psychological problems.*||

Sensationalized media speculation by ex-SAPS detective Kobus Jonker on the possible cause of a suicide cannot and must not be considered normal police procedure. As will be demonstrated in the closing section of this objection, Mr. Jonker's personal religious motivations and those of his former colleagues in the old Occult Crimes Unit, are evidently prejudiced against Satanism and therefore lack the required objectivity expected from detectives of the Police Services.

### **10. Ritualistic abuse in a cult setting**

As already discussed in section 6. (Harmful cult behavior), Sociology defines a cult as a group having a sacred ideology and a set of rites centering around sacred symbols. Within such a context, every religion, including Judaism, Christianity, Islam, Hinduism and Buddhism must be understood to be a form of Cult. Given the existing bias against identified minority religious groups by the Occult Crimes Unit between 1992 and 2001, this Alliance believes that this category for investigation by specialized investigation units must be reviewed as pertaining to any and all religions and religious groups in South Africa. Such investigations should not target Witches, Satanists, or Occultists only, and reporting on these cases should not further unfairly prejudice members of said faith groups by characterizing them as most likely to exhibit criminal activity. The SAPS must clearly identify what is meant by ritualistic abuse, and demonstrate how or why this differs from harmful behaviour or spiritual intimidation.

### **11. Allegations of rape by a tokoloshe spirit**

This Alliance is of the informed opinion that SAPS special unit detectives should not be considering the role of alleged supernatural occurrences in the commission or investigation of crimes. As discussed in sections 8. and 3. the belief in the supernatural agency of a non-corporeal entity (spirit, fairy, demon, God) cannot be proven using the law of evidence in any Court of Law, and therefore cannot be submitted as evidence of anything other than faith or belief in the unknown and un-provable. A belief in the existence of the supernatural is not, and cannot be viewed as proof of the supernatural. The SAPS must deal in matters of verifiable fact, not religious or cultural belief. The SAPS should not be fulfilling what should remain the role of religious or psychology specialists. Since the courts will not accept evidence of the supernatural on principle, the ORC detectives will be wasting valuable time and effort investigating para-psychological phenomena.

### **12. Animal mutilation and sacrifice leaving evidence of occult involvement**

Animal sacrifice is already a permitted cultural and religious right in South Africa. Since the term occult has already been correctly defined by this Alliance in this objection as spiritual knowledge of the hidden / supernatural, it could be argued that there should be no distinction made between such practices routinely undertaken by traditional African specialists and those allegedly undertaken by non-Traditional African specialists. Historical assertions repeatedly made by the Occult Crime Unit and members between 1992 and 2001, that Satanists and Witches in particular routinely commit such sacrifices, remains untested by any actual evidence. Despite false allegations to the contrary, the practice of animal sacrifice is not common amongst either religious minority (Satanists and Witches), and animal sacrifice has not become a standard Pagan practice in this or any country, and is unlikely to become so in the future. This Alliance suggests that animal mutilation be viewed correctly as animal abuse – a crime already covered by non-specialist units, and falling within the ambit of specialist animal protection organizations.

### **13. Murder / human sacrifice leaving evidence of occult involvement**

Allegations of human sacrifice as an expected routine practice by citizens who identify as Satanists or as Witches have been exaggerated by ex-detectives of the Occult Crimes Unit in the past. The facts do not actually support these allegations. Whilst it is evident that any religious ideology may hypothetically provide motivation to the criminally insane in the perpetration of such a crime, no religious minority (including Satanists and Witches) in this country advocates or encourages human sacrifice as a religious obligation or duty. It is therefore prejudicially incorrect to assume or assert that such a crime is indeed required by Satanists and Witches in the practice of their faiths. Belief does not murder, criminals do. This Alliance would further argue that human sacrifice does not qualify as a contemporary form of religious act in any religion, whether dominant or minority, in any country.

#### **14. Interpretation of occult “signatures” and paraphernalia at a crime scene**

This Alliance would encourage the SAPS to formally review what is believed to constitute alleged occult signatures and paraphernalia. We wish to reiterate comments made in section 8 (Graffiti and Symbolism) here and caution against the acceptance of existing prejudicial interpretation of evidence in any formal investigation, without independent review of the same alleged evidence by unbiased authorities and specialists. Many religious minorities use specific religious paraphernalia in the conduct of their religious activities. Such paraphernalia may, under prejudicial investigation, be misunderstood or deliberately misconstrued as evidence for criminal or potential criminal activity.

#### **15. Poltergeist phenomena (unexplained activities by paranormal disruptive entities)**

As discussed in sections 11., 8. and 3., the belief in the supernatural agency of a non-corporeal entity (spirit, fairy, demon, God) cannot be proven using the law of evidence in any Court of Law, and therefore cannot be submitted as evidence of anything other than faith or belief in the unknown and un-provable. Thousands of stories relating to paranormal phenomena (including everything from ghosts and other spiritual entities to extraterrestrial life and unidentified flying objects) are found in popular culture and folklore. None may be proven using scientific evidence. A belief in the existence of the supernatural is not, and cannot be viewed as observable scientific proof of the supernatural. This Alliance objects to the inclusion of unexplained activities by alleged paranormal disruptive entities as a category for investigation by the SAPS, as such matters are best left to para-psychologists and spiritualists, not police detectives. The SAPS must deal in matters of verifiable fact, not religious or cultural beliefs.

### **Part B.**

In the SAPS memorandum under objection, newly appointed detectives of regional occult crime units are encouraged to consult with *—trained individuals in their respective provinces... with the investigation of an alleged harmful occult-related crimell.*

It must be noted that former occult unit detectives, many of whom now independently pursue careers in Christian ministry and in particular, ministry against the Occult, Witchcraft, Satanism, and Spiritual-warfare ministries targeted specifically at Witches and Satanists, will be consulted by detectives assigned to regional occult crime units. This Alliance is of the opinion that consultations with such persons will introduce highly subjective religious bias and prejudicial reasoning into investigations which should remain rationally objective.

SAPRA submits the following small sample of material as evidence of intentional bias against identified religious minorities by the SAPS and former detectives of the SAPS Occult Crime Unit.

#### **SERVAMUS Safety and Security Magazine - Special Community Edition on 'Drugs & Occult-related Crime'**

The most vehement opposition to Witchcraft and the Occult in general in South Africa was published in an on-line publication of Servamus Safety and Security Magazine, called a Special Community Edition on 'Drugs & Occult-related Crime'. Servamus provides its readers, through this publication which is still available for

purchase online, with the following incorrect and highly prejudicial definition for Witchcraft: — 1. A witch is a person who is possessed by a spirit of witchcraft. 2. Witches cause misery, destruction and bloodshed. 3. Witches and magicians work with spirits who ultimately carry out Satan's orders. 4. The only escape for a witch is to accept Jesus Christ - FOR HELP: 083 917 JESUS (53787).||

The cited sources for this discriminatory propaganda against Witches and other Occultists include amongst others, 'The Solution, Youth and Satanism Exposed' by F. H. Havenga and Kobus Jonker, and 'Satanism in South Africa' by Els, Lien and Jonker. In 2000 Kobus Jonker's occult-related policy structure was accepted as SAPS policy on the Occult in South Africa. SAPRA understands that these cited books are still extensively used in the training of new occult unit detectives. In a featured article on Kobus Jonker published by Servamus entitled 'God's Detective: Left But Not Lost', Madaleen Fourie writes, *Having suffered some terrible childhood years, Kobus has always had a passion for the youth and an interest in the supernatural. The beginning of Kobus Jonker's involvement with occult-related investigative work started after Senior Supt Kobus Jonker had given his life to Jesus Christ in the early 80's.*

In preview of the Servamus Special Community Edition on 'Drugs & Occult-related Crime' featuring the work of Jonker, the editors of Servamus claim, *"In a time when information addiction is rife, the line between fact and fiction, and right and wrong becomes even finer, and compromise even easier. The SAPS, in carrying out its constitutional duties, endeavours to promote a safer South Africa, and, along with the community, is doing all it can to curb drug- and occult-related crime. The need for accurate information about these crimes was identified and, especially, the provision of an answer for those involved. This project is mainly sponsored by the private sector. More sponsors will be needed to reach our aim of 1 million copies. This special edition forms part of a proactive action and supports priority three of the SAPS policing priorities focusing on the combating of crime against women and children and is fully supported by our National Commissioner J S Selebi."*

**This Alliance is concerned that transparent religious discrimination against religious minorities in this country is allegedly being sanctioned by the South African Police Services, in direct contravention of the South African Police Service Code of Conduct which requires all police officials to at all times uphold the Constitution and the law, protect the fundamental rights of every person and act impartially.**

The Community Edition in question, published in a magazine whose target audience are members of the South African Police Services states, *Ninety-five percent of all mass murders in history are said to be directly related to the occult. In South Africa more than 60 statutory Acts concerning the occult, have been and are still being violated. These crimes include murder, attempted murder, rape, attempted rape, sodomy, bestiality, drug abuse, weapon smuggling, kidnapping people (to cruelly torture and sacrifice them to Satan, for example street children, the homeless and prostitutes), abortion (of unwanted babies usually fathered by other Satanists, who are then sacrificed to Satan), cruelty to animals (to torture them and sacrifice them to Satan), desecration of graves, etc. [...] You cannot be a satanist and not be involved in crime.* The statements made in this Community Edition contradict actual statistics, and unfairly stereotype all Satanists as criminals. This constitutes religious discrimination and contravenes the Bill of Rights with regard to respecting and protecting the Constitutional right to belief and religion. In the memorandum under scrutiny here, it is stated, *—It is important to note that people who practice a belief that is for example, rooted in satanic doctrine, do not commit a crime. However, it is considered criminal if the rituals performed are in violation of legislation.*||

Despite Kobus Jonker's repeated media statements to the effect that South African Satanists always, and as a rule of thumb, commit crimes and that criminal Satanic activity is widespread, the U.S. Department of State's International Religious Freedom Report for 2006 stated categorically, *There were no reports of killings linked to the practice of Satanism. The government does not keep records on cases of reported witchcraft and satanic killings. These cases are investigated and prosecuted as homicide by law enforcement officials.*

Yet the Servamus Special Community Edition on 'Drugs & Occult-related Crime' claims that *—Ex-Satanists or survivors of Satanism say that this cult is growing rapidly*||. The article also states incorrectly and prejudicially that, *—A witch or wizard is a person who is possessed by a spirit of witchcraft. A black witch is more feared than the white and grey witches. Witches and wizards cause misery, destruction and bloodshed. They use magic and*



*charms for their powers. They have spirit eyes with which they are able to see into the spirit world at all times. For example, whenever the witches are angry with a person and wish to destroy him/her, they will place a spiritual mark upon the forehead of that person. This mark can only be seen in the spirit world with witch eyes. No matter where this person tries to escape, s/he can never get away. The witches in the new location will see the mark and begin fighting against that person until they have destroyed him/her. The only escape is to accept Jesus Christ. A witch, wizard, or magician can travel in the astral world. Working with the servient spirits, they are the ones who ultimately carry out Satan's orders. The servient spirits are called so because they serve the Principalities, Powers and Rulers of Darkness. The familiar spirits, they are the ones who ultimately carry out Satan's orders. The servient spirits are also servants, but one of their primary functions is to gather information about humans for the Dark Kingdom. Evil spirits must have a physical body in order to operate in the physical world. These spirits cause sickness, poverty and even death within the human race. Only the word of God and the Name of Jesus are powerful enough to stand up against these wicked spirits.¶*

This prejudicial and false definition and description of a Witch as a servant of Satan, one popularized and promoted by Kobus Jonker and members of the Occult Crime Unit, is one often repeated by ex-Unit members (Christians) against Witches in South Africa. As a Pastoral Counsellor, Kobus Jonker continues to promote his personal religious views on the Occult, Satanism and Witchcraft, counselling conversion to Christianity as the only solution to salvation.

Additional references: <http://www.saap.za.net/resources/9/21-article-occult-counselling> and <http://www.iol.co.za/news/south-africa/kwazulu-natal/rise-in-witchcraft-satanism-in-kzn-1.1383758>

### **Warfare Ministries – Pastor James Lottering (ex-member of the Occult Crimes Unit)**

Pastor James Lottering, an ex-member of the South African Police Service and assigned to the Occult Crimes Unit as Provincial Coordinator for the Eastern Cape between July 1992 and 31 December 1997, now runs 'Warfare Ministries'. 'Warfare Ministries' website states, *During this time he was appointed to assist in the investigation of Satanism, witchcraft and other supernatural occurrences which constituted crimes through these practices. God took James to another level spiritually and placed him into the DELIVERANCE ministry to assist people who are bound, demon possessed and where curses and bondages have been placed on their lives to set them free through the blood and the Name of Jesus Christ. During this time he was appointed to assist in the investigation of Satanism, witchcraft and other supernatural occurrences which constituted crimes through these practices. James has been involved in the training up of Pastors, leaders and members of churches to do deliverances and to cause damage to the kingdom of satan. [...] The vision that James has is to raise up leaders all over South Africa, Africa and the world to do what he does as to become a nightmare to the devil's kingdom. [...] Businessmen and –women who are Christians are also coming under attack in the market place. The competition are consulting with sangomas, mediums, witchdoctors and other occult practices to curse the Christian businesses. Instead of the Christian calling on their spiritual leaders in the church, they also in turn consulting with the devil, which then opens the door and satan destroys their businesses.* Lottering himself writes, *As a member of the South African Police Service for 21 years, I (James) was assigned to the Occult-related crimes unit as Provincial Coordinator, Eastern Cape in July 1992. At that stage the unit consisted of 52 members but today, due to the sensitive nature of this work, there are only two of us left, namely myself and Kobus Jonker. During this period I was invited to lecture at 300 different venues, where many lives were touched and changed by Jesus Christ. I received many telephone calls daily from concerned parents who were worried about their children being involved or dabbling in satanism/the occult. During this time I also helped 200 young people out of Satanism. Due to the fact that we are dealing with the supernatural many of these children fall back into the occult because they do not receive ongoing specialized counselling. Eph. 6:12 - "for we do not wrestle against flesh and blood, but against principalities, against powers, against the rulers of the darkness of this age, against spiritual hosts of wickedness in the heavenly places." The constitution of South Africa declared freedom of religion thereby recognising satanism as a religion. Due to this, Marie and I had to seriously consider my future within the Police Service. We eventually decided to step out in faith and run "WARFARE MINISTRIES" on a full-time basis. We will be opening a counselling office and in due course a centre to help these adults/children.*

In order to understand what is meant by "warfare ministries" we consulted a definitive on-line source of information. In 'A Quick Primer on Spiritual Warfare', spiritual warfare is defined as, ... *a battle between the*

*kingdom of darkness ruled by Satan and the kingdom of light ruled by God and His Son Jesus Christ. The weapons of this warfare are not fleshly human weapons but spiritual weapons such as truth and righteousness, blessings and curses, forgiveness and repentance. The battle involves an intense wrestling with powers and principalities—in the heavenly realms from which Christians need protection.*

This handbook condemns Witchcraft as a sin, including as sins any occult practices, including astrology, fortune telling, séances, hypnotism, psychic healing and all new-age practices and beliefs. But it also lists playing Dungeons and Dragons together with these occult practices as *"those which can allow Satan and his demons to have access to demonize you."*

## **AUKSANO**

Auksano Trauma Therapy Centre advertises its service as providing *"... long-term Christian therapy and support to victims of destructive subcultures (Such as Goths, Emo"s, Self-mutilators, Witchcraft, Substance abuse, Satanism and Cults) and their families as well as acting pro-active by the transfer of knowledge to society."*

Auksano was established by Johan de Beer in 1998. Johan de Beer served as a co-coordinator of the Occult Related Crime Unit of the SAPS in the Free State. According to its website, *Due to the increasing number of victims of destructive subcultures as well as a definite call from God, Johan resigned as Captain from the SAPS in 2002 to commit himself full-time to the mission of Auksano. The other founding members were: Rev. Johan Cilliers, Danie Krügel and Barbara de Beer. Auksano was registered as a non-profit organisation with the Department of Social Development in 1999 and is currently also a registered service provider of Department of Education. Auksano focuses its primary ministry work on preaching against the Occult, Paganism and Witchcraft.*

## **ASERAC**

ASERAC, led by F.H. Havinga, focuses on Christian counseling for alleged victims of ritual abuse. Their advertised focus includes Satanic practices, Witchcraft practices, Dangerous Cults, Occult practices, African Traditional practices and Ritual abuse. Havinga claims to be the first and only specialized reservist in South Africa for the Occult Related Crime Unit of the SAPS and also acts as a Therapist for Occult Related Crimes, and promotes false propaganda about Satanism, Paganism and Witchcraft. *"We have a growing awareness and participation in witchcraft related practices, ranging from the seemingly—harmless esoteric Pagan to the anarchistic and anti-Christian Satanist. The children of God and the church of Jesus Christ is constantly confronted with these practices and people wanting to brake (sic) free from their participation in these occult beliefs. The Pagan, Wiccan, Satanist and even the teenager only dabbling in the occult knows that the only way out is the God of the Christians, thus going to Churches across South Africa for help, only to find that the Christians can't or do not know how to help or even don't want to help"*

SOURCE: [http://www.trumpetcall.co.za/newsletter\\_archive.php?mail=144](http://www.trumpetcall.co.za/newsletter_archive.php?mail=144)

More recently, Havinga has promoted through local media, untested allegations of an increase in alleged criminal occult and Satanic practices.

## **SUMMARY**

It is the opinion of this Alliance that the given investigative mandate for the establishment of new provincial Occult Crime Units, in particular, certain 'categories of crime' as mentioned on pages 2 and 3 of said memorandum (and listed below), contravene internationally recognized policing ethics and conduct related to a) jurisprudence in the identification and verification of evidence, and b) respect for religious diversity and belief.

## **Law of Evidence**

The SAPS memorandum states —*For a crime to be considered a harmful occult-related crime, the elements of legality, conduct and unlawfulness and culpability have to be present and the motive must be rooted in the supernatural.*¶

The term *supernatural* is generally defined as something above or beyond the laws of Nature. In a strictly scientific context, the belief in the supernatural agency of a non-corporeal entity (spirit, fairy, demon, God) cannot be proven using the law of evidence in any Court of Law, and therefore cannot be submitted as evidence of anything other than faith in the unknown. Since the courts will not accept evidence of the supernatural on principle, the ORC detectives will be wasting valuable time and effort investigating para-psychological phenomena. This Alliance is of the informed opinion that SAPS special unit detectives should not be considering the role of alleged supernatural occurrences in the commission or investigation of crimes. A belief in the existence of the supernatural is not, and cannot be viewed as proof of the supernatural. The SAPS must deal in matters of verifiable fact, not religious or cultural belief. The SAPS should not be fulfilling what should remain the role of religious or psychology specialists. This Alliance objects to the inclusion of unexplained and un-provable supernatural and paranormal activities, as such matters are best left to para-psychologists and spiritualists, not police detectives.

### **Religious bias, prejudice and propaganda against the Occult**

In the SAPS memorandum under objection, newly appointed detectives of regional occult crime units are encouraged to consult with —*trained individuals in their respective provinces... with the investigation of an alleged harmful occult-related crime*¶. It must be noted that former occult unit detectives, many of whom now independently pursue careers in Christian ministry and in particular, ministry against the Occult, Witchcraft, Satanism, and Spiritual-warfare ministries targeted specifically at Witches and Satanists, will be consulted by detectives assigned to regional occult crime units.

This Alliance is of the opinion that consultations with such persons will introduce highly subjective religious bias and prejudicial reasoning into investigations which should remain rationally objective. In closing, SAPRA would suggest that the intended specialized units be renamed to exclude the term Occult, and that the scope of said units be limited to rationally objective investigations into 1) accusations of witchcraft and witch-hunts, and 2) human mutilations and muti murders where the terms Witchcraft and Witch are not implicated in such criminal activities.

This Alliance looks forward to mutual cooperation with the South African Police Services in the future.

Yours Sincerely

Mr. Damon Leff

Director: South African Pagan Rights Alliance

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## Addendum 8.

### SAPS targets Occultists, Esoterics and Pagans

<http://www.paganrightsalliance.org/saps-targets-occultists-esoterics-and-pagans/>

South African Police Services 'Occult crime unit' Warrant Officer says unit targets Occultists (including Witches and Satanists), Esoterics and Pagans.

Warrant Officer Matsena from the provincial occult department in Durban addressed social workers, nurses, teachers, psychiatrists and welfare representatives to equip them with knowledge on the occult. According to W/O Matsena, KwaZulu-Natal has a major Satanism problem. To his knowledge, there are not many Satanists in Newcastle, but rather more people dabbling in magic and witchcraft. *"Estcourt has a Satanism problem, but people are not reporting it," said W/O Matsena. The occult unit investigates crimes relating to witchcraft, magic, Paganism, Satanism, muti and esoteric societies. W/O Matsena said there was a difference between possession, magic and witchcraft and going to a priest was not always a bad idea.* " [0]

[0] **Paganists (sic) defend themselves against a new 'Dark Ages'**  
Newcastle Sun – July 26, 2013 | Quinton Boucher

"There has never been any demonic possession or magic related crimes proven in a court of law." This was the emphatic claim of a pagan, following the visit by a member of the SAPS Occult Unit to a Victim Empowerment Victim Programme (VEP) meeting held last Thursday. Warrant Officer Matsena from the provincial occult department in Durban addressed social workers, nurses, teachers, psychiatrists and welfare representatives to equip them with knowledge on the occult. According to W/O Matsena, KwaZulu-Natal has a major Satanism problem. To his knowledge, there are not many Satanists in Newcastle, but rather more people dabbling in magic and witchcraft. *"Estcourt has a Satanism problem, but people are not reporting it," said W/O Matsena. The occult unit investigates crimes relating to witchcraft, magic, Paganism, Satanism, muti and esoteric societies. W/O Matsena said there was a difference between possession, magic and witchcraft and going to a priest was not always a bad idea. "You must just be careful which priest you use, as there are con artists who take advantage of people."* However, a psychiatrist at the meeting said it was often difficult for a medical professional to diagnose a person as possessed. "From my side, I would diagnose a person as schizophrenic or as delusional." A local pagan, who wishes to remain anonymous, claims she views the occult unit as a biased and useless part of the SAPS. "The occult unit is made up of Christians and are therefore biased and consider any other form of belief as from the devil. If someone murders, rapes or mutilates another person, it is a crime regardless of a person's religious beliefs."

According to Damon Leff from the South African Pagan Rights Alliance (SAPRA), there are no official or credible statistics available to indicate the number of self-identifying pagans in South Africa. Mr Leff added there are certain misconceptions about pagans. "There is a general misconception that paganism is only Wicca, the term used to identify a specific 'witchcraft' religion founded in the 1950's by Gerald Gardner. Wicca is actually identified as a neo-pagan religion because of its lack of historically verified existence (as a religion) in pre-Christian societies. Modern paganism is a new religious movement, not a religion, which includes many modern reconstructed 'pagan' religions which find their origin within pre-Christian European cultures." These pagan religions include Asatru (reconstructed from Germanic speaking cultures), Druidry, classical Greek and Roman religion, and Kemeticism (Egyptian religion). "In South Africa, however, both witches and Wiccans, including other forms of neo-pagan witchcraft such as Stregheria, are identified as belonging to Paganism as a new religious movement. Most, but not all, public pagan groups in South Africa are Wiccan."

While Mr Leff says that South African pagans have never been truly persecuted, he claims they are collectively and incorrectly perceived by the general populace as a threat to the current Christian hegemony and society. "Witches in particular do however experience prejudice and hostile discrimination, whether it be in child custody cases, employment, or interaction with government authorities, but pagan witches are not the real victims of actual violent witch-hunts in South Africa. We are naturally concerned the victims of witchhunts in

this country do not identify as witches, but are innocent victims of prejudice, both religious and cultural, against witchcraft.” Mr Leff explained SAPRA has advocated against witch-hunts since 2008, and submitted an appeal to the SA Law Reform Commission in February 2007 to have the 1957 Witchcraft Suppression Act repealed on the grounds that it discriminates against witches by criminalising them. SAPRA has consistently argued that all prejudicial definitions of the word ‘witch’ describe a wholly unrealistic and fabricated depiction of actual living witches today, irrespective of the culture they originate from, and that such definitions ascribe implausible supernatural abilities and powers to same which contradict both the laws of nature and common sense evidence.

SAPRA would suggest the following morally neutral definition accurately describes what witchcraft truly is, irrespective of the cultural context in which it finds itself being practiced: Witchcraft may correctly be defined as: i) The practice of sympathetic folk magic (which includes divination, herbalism and ritual) ii) A modern neo-pagan religion (as Wicca, Stregheria) Witchcraft is iii) Not synonymous with “black” (malevolent) magic, and iv) Not cognate to / with traditional African religio-magical belief systems. While Satanism is not deemed as paganism, Mr Leff says Satanism, like other occult religious minorities including witchcraft, have been and are being scapegoated by evangelical Christian commentators, the SAPS Occult Crime Unit, government ministers and MECs, and the media in general, as dangerous beliefs which lead to criminal acts. “This repeated allegation remains false, and constitutes deliberate hate speech against constitutionally protected religious minorities.”

While agreeing with Mr Leff, the local pagan said the occult unit was feeding an epidemic which is currently plaguing Africa. “Witch burning seems to be a problem again: it is like we are going back to the Dark Ages. It all starts with an unqualified person making a statement about a person being a witch and things get out of hand.” Comparing the occult unit to the Catholic Church in the Inquisition era, the pagan claims Paganism as a whole is a peaceful religion, based on nature worship and the divine feminine and is seriously misunderstood. “Pagans do not believe in Satan at all and are in no way linked to Satanism. Satanism is a Judeo-Christian phenomenon as Satan is viewed as the opponent of God.” The source does not believe there is a satanic epidemic at all and thinks that the cause of alleged Satanism can be linked to children rebelling against their parents and their belief systems. “They most likely just painted some symbols and either hurt themselves or others and blame it all on the devil.” According to the source, he further believes that it is way too easy for people to blame witchcraft and Satanism when found committing a crime. “A person is responsible for their own actions, not their religion.” In conclusion, the pagan said those who claim possession should be taken to either a psychologist or a psychiatrist. “They might have issues at home or schizophrenia and with the right help and treatment, the problem will most likely go away. As for entities plaguing schools, it could be mass hysteria as teenagers are often easily influenced. Get to the cause and see what the actual problem is.”

## Addendum 9.

### Pagan Witchcraft and Witches

<http://www.paganrightsalliance.org/paganism-in-south-africa-2/>

#### Part I. Pagan

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#### Part I. Pagan

Etymology and usage

The word pagan comes from the Latin words 'pagani', meaning 'rural', and 'pagus', meaning 'country-district'. It was used in a Christian inscription of the early fourth century to describe rural civilians of Rome who had not converted to Christianity. The 'pagani', more often than not, practiced ancient Roman, Greek, Celtic, Teutonic and Egyptian religions, religions closely associated with Nature (as is evidenced in what we now know about pre-Christian beliefs, Gods and Goddesses, and their relationship to natural places, elements and forces (wind, wave, rain, fertility etc.).

The general use of the word in ancient Rome however made no direct reference to religion at all. A pagan was simply a person who dwelt in the country and in this Roman context may have referred equally to members of very divergent belief systems and spiritualities.

Within a fourth century Christian context a pagan referred specifically to non-Christians not only in Rome but throughout the Mediterranean world. Subsequent Christian colonization and the work of Christian missionaries broadened the usage of the words *paganism* and *pagan* to include pre-Christian and non-Christian religions and peoples of Europe, Asia, Africa and the Americas. The reader should bear in mind that adherents of these religions did not refer to their faiths as *paganism* and did not identify themselves as *Pagan*.

'paganism', with a small 'p', is a term used as a form of derision by Christian Missionaries and Churches with reference to pre-Christian religious belief systems and practices and today the term is commonly used to

collectively define divergent pre-Christian cultures and religions, cultures and religions which do not identify themselves as Pagan today.

'Paganism', with a capital 'P', refers to the modern revival and reconstruction of ancient religious, spiritual and ritual practices of pre-Christian peoples. Modern Pagans have reclaimed the term 'Paganism' as an overarching definition for reconstructed pre-Christian European religions (also referred to as Ethnic European Religions) and post-Christian neo-Pagan syncretic religions. Pagan academics refer to Paganism as a modern religious movement containing several distinct and separate religions. Modern Paganism is characterized by a diversity of spirituality, belief and religious practice, and by tolerance of religious and theological diversity.

Most South African Pagans self-identify as Witches; as practitioners of Witchcraft. Witchcraft may be defined as:

- i) the practice of sympathetic folk magic,
- ii) a modern neo-Pagan religion (as Wicca, Stregheria and many others)
- iii) Witchcraft is not synonymous with "black" (malevolent) magic, and is
- iv) not cognate to / with Traditional African religio-magical belief systems.

## **Part II. Paganism in S.A.**

Since 1995 a number of South African Pagans have taken the opportunity to express their pleas for religious tolerance and an end to discrimination against religious minorities in South Africa.

Many new Pagan religious communities have been formed, each of which have and are contributing toward building, through networking, sharing and teaching, the Pagan community of South Africa.

### **Census**

To date (2012) there is no accurate census of the number of Pagans in South Africa. Official government censuses have never listed Paganism as a census choice. It may be assumed that Pagans who registered for the 2001 Census, were collectively lumped with 'others' under either one of these listed figures:

Other beliefs 283815 – No religion 6767165 – Undetermined 610974

No official or definitive South African census on the number of self-defined Pagans exists.

### **Community structure**

Insular Pagan communities around the country are bound by their own religious rules, codes of conduct, religious traditions and theologies.

### **Conversion**

Entry into formal and insular communities sometimes involves an initiatory rite of entry or initiation into the mysteries of that community.

### **Legal Standing**

In accordance with Chapter Two of the South African Constitution, the right to practice and promote Pagan religions is a pre-existing constitutional guarantee for all South African Pagans.

Several Pagan organizations and religious institutions are designated 'religious organizations' by the Department of Home Affairs and may nominate Pagans as religious marriage officers in accordance with provisions of the Civil Union Act.

### **Public Pagan Groups**

Many diverse Pagan groups have been formed since 1996, reflecting the independent spirit of diversity so characteristic of the modern Pagan movement in South Africa. No one person or group may be said to speak for all Pagans in South Africa. The most visible of these groups include...

**The Grove** was founded in 1996 as an eclectic South African Pagan Mystery School dedicated to the exploration of Pagan gnosis and the practice of neo-Paganism. The order is an initiatory tradition founded on the praxis of ancient and modern Pagan traditions.

The **Clan of Ysgithyrwyn** was founded 1998 in the southern Cape. The Hearth of Ysgithyrwyn was formed as a Pagan circle of fellowship and ceremony and is the foundation stone of an eclectic Pagan Coven.

The **Lunaguardia Tradition** was founded in December 2000 in Nelspruit. Lunaguardia is an eclectic coven aimed at personal identification with Divinity and the Solitary path.

The **Circle of the African Moon** (CAM) was founded in 2001 and promotes itself as a proactive Pagan educational network.

The **Celestine Circle** was founded in 2001 in Kwazulu-Natal.

The **Correllian Nativist Church** (CNC) was launched in South Africa in 2002. A number of Correllian Temples have been formed in Gauteng and the Western Cape.

The **Pagan Freedom Day Movement** was founded in 2003 through the cooperative efforts of the Pagan Federation of South Africa, CORD, The Grove, Lunaguardia, The House of Ouroboros and other non-aligned Pagans. The Pagan Freedom Day initiative was launched to facilitate an annual national and regional Pagan celebration of 10 years of Religious Freedom in South Africa on Freedom Day 27 April 2004. In January 2004, this initiative was formerly chartered as the Pagan Freedom Day Movement (PFDM).

The **South African Pagan Rights Alliance** (SAPRA) was founded in 2004 as a Pagan human rights activist alliance. The Alliance was constituted to promote the guaranteed liberties and freedoms enshrined in the Bill of Rights and to assist South African Pagans, whose constitutionally guaranteed rights and freedoms have been infringed due to unfair discrimination, to obtain appropriate redress.

The **Notrenlim Phoenix Tradition** was founded in 2004.

The **Clan of Kheper Temple** was formed in Cape Town in 2005. The Clan of Kheper is a Temple of the Correllian Nativist Tradition dedicated to the study of Correllian Philosophy and Training in the Correllian degree's of Clergy.

The **South African Pagan Council** (SAPC), was formed in December 2006 and currently serves as a round table organization for almost every existing public Pagan organization and religious community, and many solitary Pagans who choose not to belong to organized groups, in South Africa. All affiliated members (individuals and groups) to the Council remain independent and autonomous.



Many South African Pagan newsletters (including Penton Independent Pagan Media, circa 1995) have also appeared to network a growing and diverse national community of Pagans seeking to identify with and to shape the emerging identity of South African Paganism as a minority religion.

### **Part III. Pagan Religions**

#### **Common Beliefs and Practices**

##### **Religious authority**

Paganism nationally and internationally has no central religious authority. Communities are governed by initiatory hierarchy or by democratic consensus.

##### **Theologies**

Paganism has no central theology and embraces a number of theologies and belief systems including but not restricted to polytheism, monotheism, pantheism and animism. Paganism draws spiritual and religious inspiration from many credible and authentic ancient and modern sources of religious doctrine, theology and philosophy. Modern Pagan theology is composed of beliefs and practices originating in many distinct pre- and post-Christian religious traditions. Modern Pagans may embrace all or part of this tapestry of belief systems.

Pagans may explore their family and ethnic heritage to discover the indigenous practices of their distant ancestors. Others do respectfully incorporate indigenous practices that belong to a wide variety of cultures. Many Pagans create new practices that in turn may form part of a new Pagan tradition.

##### **Nature and Divinity**

Modern Paganism encourages a strong environmental ethic. This is expressed in the veneration for the Divine Feminine (God as Goddess), most often portrayed as 'Earth Mother' or as the 'Goddess of the Earth'. Paganism encourages a personal inner relationship with the Divine, in and through Nature, whether through the worship of a Goddess, or through worship of a God and Goddess, or through the worship of many Gods and Goddesses.

Pagans also venerate Nature by observing seasonal changes through religious ritual and ceremony. Paganism encourages reverence for the Divine within Nature, and the pursuit of the development of sacred relationships with Nature in many forms. Many neo-Pagans celebrate eight religious holy-days which occur on the solstices, equinoxes and four seasonal mid-points between them. These are the festivals that celebrate the seasons and the turning of the Wheel of the Year in the southern hemisphere.

#### **The 8 Seasonal neo-Pagan (Wiccan) Festivals:**

##### **1. Samhain**

Also known as Halloween.

This sabbat celebrates the start of the new spiritual year with the veneration of the ancestors.

Date: 30 April / 1 May

## **2. Winter Solstice**

Also known as Yule.

This sabbat celebrates the Winter Solstice Sun.

Date: 21 June (or on the date of the winter solstice)

## **3. Imbolc**

Also known as Imbolg.

This sabbat celebrates the end of Winter and the quickening of stem and field to new life.

Date: 1 August

## **4. Spring Equinox**

Also known as Ostara.

This sabbat celebrates the Spring Equinox and new life.

Date: 21 September (or on the date of the spring equinox)

## **5. Beltane**

Also known as Beltain.

This is a fertility sabbat in honour of Sun and Earth.

Date: 31 October / 1 November

## **6. Summer Solstice**

Also known as Litha.

This sabbat celebrates the Summer Solstice Sun.

Date: 21 December (or on the date of the summer solstice)

## **7. Lughnasadh**

Also known as the Festival of First Fruits

This sabbat celebrates the First Fruits Harvest.

Date: 2 February

## 8. Autumn Equinox

Also known as Mabon.

This sabbat celebrates the Autumn Equinox and the second harvest of fruit and vegetable.

Date: 21 March (or on the date of the autumn equinox)

*\*Reconstructionist Pagans do not observe the above holy-days, a fairly modern construct, choosing instead to adopt religious celebrations, rites and rituals of their pre-Christian ancestors. Modern Pagans encourage respect for ancestral traditions and respect for the living memory of their Ancestors.*

Pagans are encouraged to live ethically and to obey the just laws of the Land.

### Part IV. Suggested Further Reading

Paganism Today: Wiccans, Druids, the Goddess and Ancient Earth Traditions for the Twenty-First Century  
Graham Harvey and Charlotte Hardman  
ISBN-10: 0722532334 and ISBN-13: 978-0722532331

Being a Pagan: Druids, Wiccans, and Witches Today  
Ellen Evert Hopman and Lawrence Bond  
ISBN-10: 0892819049 and ISBN-13: 978-0892819041

The Paganism Reader  
Edited by Chas Clifton and Graham Harvey  
ISBN-10: 0415303532 and ISBN-13: 978-0415303538

Contemporary Paganism: Listening People, Speaking Earth  
by Graham Harvey  
ISBN-10: 0814736203 and ISBN-13: 978-0814736203

Paganism: An Introduction to Earth-Centered Religions  
by River Higginbotham and Joyce Higginbotham  
ISBN-10: 0738702226 and ISBN-13: 978-0738702223

The Triumph of the Moon: A History of Modern Pagan Witchcraft  
by Ronald Hutton  
ISBN-10: 0192854496 and ISBN-13: 978-0192854490

## Addendum 10.

### What is the South African Pagan Rights Alliance (SAPRA)

<http://www.paganrightsalliance.org/about-sapra/>

The South African Pagan Rights Alliance (SAPRA) was formed in 2004 as a faith-based (Pagan) human rights activist alliance.

**Director:** Mr. Damon Leff · **Chief Executive Officer:** Ms. Morgause Fonteleve

**Registrar:** Mrs. Christa Martin · **Treasurer:** Ms. Nidhi Chaitow

**Executive Committee:** Mrs. Retha van Niekerk, Mrs. Sonet Jordaan, Ms. Christina Engela, Mr. Francisco Fumarola

SAPRA currently fulfills several important functions in line with its constitutional mandate, namely, to promote the guaranteed liberties and freedoms enshrined for all South African Pagans in the Bill of Rights and assist South African Pagans, whose constitutionally guaranteed rights and freedoms have been infringed due to unfair discrimination, to obtain appropriate redress.

Several successive Executive Committees have executed their mandate in a number of ways, including addressing and challenging media prejudice against Paganism, promoting positive media coverage of Paganism in general, challenging institutional and legislative prejudice against Witchcraft, and offering non-legal assistance to Pagans seeking advice or assistance in dealing with incidences of discrimination.

In February 2008 the South African Department of Home Affairs approved an application submitted by SAPRA for designation as a religious organisation in terms of section 5 (1) and (2) of the Civil Union Act (Act 17 of 2006). According to section 5 of the Civil Union Act SAPRA now appoints Pagan religious marriage officers who may solemnise both same-sex and heterosexual marriages. SAPRA was the first South African Pagan organisation to be granted this designation.

### Legal Defence Fund

The South African Pagan Rights Alliance offers financial assistance to Pagans who have incurred legal costs as a result of legal disputes involving discrimination against their faith.

Support SAPRA's legal fund. The more you donate, the more we can assist those in need. \* Please indicate your deposited contribution as 'Legal Fund'.

Account holder: South African Pagan Rights Alliance

Nedbank Account number: 2536578852

Account type: Savings

Branch: George – Garden Route Mall

Branch code: 153614

### SAPRA on the Web

For an update on the activities of the Alliance visit:

<http://www.paganrightsalliance.org/category/press2013/>

Support '30 days of advocacy against witch hunts' - Touchstone Advocacy is an advocacy initiative of SAPRA

<http://www.paganrightsalliance.org/advocacy>

Find Touchstone Advocacy on Facebook?

<https://www.facebook.com/TouchstoneAdvocacy>

Participate in Touchstone Advocacy?

<https://www.facebook.com/groups/6416194117/>

Require a Pagan marriage officer? Find a Pagan religious marriage officer in your region.

<http://www.paganrightsalliance.org/pagan-religious-marriage-officers/>

Have your rights been infringed?

Do you require assistance or advice?

E-mail: [info@paganrightsalliance.org](mailto:info@paganrightsalliance.org)

Contact the South African Pagan Rights Alliance (SAPRA)

Email: [info@paganrightsalliance.org](mailto:info@paganrightsalliance.org)

Telephone: 044 850 1297

Website: <http://www.paganrightsalliance.org/>

