

Connect the dots: why the South African refugee question is, at its root, the religious persecution of Christians

A factual brief concerning the Plymouth Brethren of South Africa, resettled in the United States, and the basis for recognising religious persecution of Christians within the South Africa refugee program (E.O. 14204). Enclosures: (1) FOR SA Legal Opinion — risk of religious persecution in South Africa (Aug 2025); (2) The South African Government's Committal to Socialism & Communism (Mar 2025); (3) Exhibit: COVID-era enforcement; (4) Exhibit: the Rwanda model the CRL is copying.

1. In short

The Plymouth Brethren are South African Christians — approximately **[N] families / individuals** now resettled in the United States. They do not dispute the premise of the Administration's South Africa refugee program. The basis for this brief is a documented, escalating pattern of state hostility to independent Christian worship in South Africa that bears directly on the program — and the conclusion of an independent legal body that contributes to the U.S. State Department's own annual International Religious Freedom Report, which examined the community's situation and found that it faces "**a clear and credible threat of religious persecution**" (Enclosure 1).

The request is narrow: that the program **recognise religious persecution of Christians as a parallel and overlapping basis for protection — alongside race, not in place of it.**

2. The pattern — and what ties it together

The evidence is in the government's own conduct. Three developments, each documented in the enclosures, point the same direction:

- **COVID-19 showed the intent.** Using emergency powers, the government **banned worship, baptism and the Lord's Supper**, broke up church services (in one instance with rubber bullets and stun grenades), and **arrested more than 411,000 people** — among the highest lockdown-arrest totals of any country, reportedly exceeding even the Philippines. Two facts matter: the force fell on **citizens of every colour** — heaviest on black and coloured communities — so it was about **control, using race as its instrument**; and it **specifically criminalised Christian worship**. (*Enclosure 3, fully sourced.*)
- **The CRL Rights Commission is institutionalising that control.** It is moving to license and regulate churches through its Section 22 Committee, and its Chair, Thoko Mkhwanazi-Xaluva, has stated on record that "*Christianity needs to be regulated as well*" (Enclosure 1, p.8). Tellingly, **the Commission has named its model: Rwanda** — a state that has closed roughly 7,700 churches, requires pastors to hold theology degrees, and has banned house-church worship and open-air evangelism. (*Enclosure 4, fully sourced.*) The Commission's own appointed Christian-sector chair

has since turned whistle-blower: **Rev. Prof. Musa Xulu** resigned and, in a **sworn affidavit (17 May 2026)**, stated that he was contacted by a person claiming to act for the **National Intelligence Agency / State Security Agency**, and that Christian bodies opposing the CRL — including Freedom of Religion South Africa — had allegedly been **referred to the State's security structures for investigation and surveillance**; he noted that the country's 2024–2028 National Security Strategy reportedly treats the "*mushrooming of charismatic churches*" as a national-security concern.

- **The legal architecture already reaches into doctrine.** The Equality Act (PEPUDA, Act 4 of 2000), §8(d), treats "*religious practice... which impairs the dignity of women and undermines equality between women and men*" as unlawful gender discrimination — exposing core Christian doctrine to the State's statutory Equality Courts. South African churches have already been compelled to defend doctrine before those courts on related questions, and the Brethren's conviction on male teaching falls squarely within §8(d)'s reach.

What ties these together is not inference — it is the government's own stated programme. The governing alliance has, by its own published doctrine, pursued the "National Democratic Revolution" — a strategy the ANC formally adopted in 1969 and has pursued in government since 1994 — which subordinates independent institutions to the State, expressed today in the government's own language of "radical economic transformation" and "expropriation without compensation." In South Africa, race has been the **visible instrument** of that programme; the control of independent institutions — the Church among them — is where its logic leads. The CRL's embrace of the Rwanda model is that logic now reaching the Church.

That mechanism is visible in real time in mid-2026. As a wave of anti-foreigner unrest spread across the country — with vigilante movements setting a 30 June 2026 deadline for migrants to leave, and Ghana, Nigeria and Malawi repatriating citizens — the leader of the third-largest party, Julius Malema (EFF), did not oppose the racial logic of the violence but **re-pointed it**: renaming it "Afrophobia, not xenophobia," calling the popular anger "false consciousness within the working class" (SACP conference, 30 May 2026), and redirecting the grievance to white land ownership and the Expropriation Act. This is the National Democratic Revolution's own method stated almost openly — **race is the mobilising vehicle, to be aimed and re-aimed at will, while the destination remains the dismantling of the "colonial," Western-Christian-rooted order.** That such racial incitement is judicially protected — South African courts have repeatedly held the "Kill the Boer" chant is *not* hate speech (Supreme Court of Appeal, *AfriForum v EFF* [2024] ZASCA 82) — while anti-migrant violence goes under-prosecuted, is the permission structure within which a small Christian minority the State has already declared it intends to "regulate" must assess its own safety.

3. What this means for the community

By sincere conviction, the Plymouth Brethren cannot comply with a regime of state licensing. They have no formal, degreed clergy; they worship in homes and halls under decentralised governance; they share their faith publicly; and they recognise no government as the arbiter of doctrine. Under the Rwanda model the CRL has named, a community such as this **could not lawfully exist**. On return, its members would face compulsory registration and licensing they cannot in conscience accept, criminal

exposure under the Hate Speech Act for ordinary expressions of their faith, and the real prospect of their gatherings being treated as unlawful — the loss of the only form of worship their convictions permit.

The natural question is: *South Africa has a liberal constitution that protects religious freedom — why is that not enough?* The answer is that the threat operates **beneath** the constitution — through regulators such as the CRL, through equality statutes, and through enforcement practice that the constitution has not, in fact, restrained. That the constitution's protections are unreliable in practice is not the community's assertion alone: in 2026 a domestic High Court (Gauteng Division) formally found that the South African Police Service and the Departments of Home Affairs and Justice had **failed in their constitutional duty to protect** people from vigilante violence, and the police service itself now carries some **R56.7 billion in unlawful-arrest and detention liability — roughly 42% of its annual budget**. A community criminalised under the CRL or Hate Speech apparatus could not, on this record, rely on the courts-on-paper to shield it in fact. The United States' own assessment is to the same effect: the U.S. State Department's **2024 Country Report on Human Rights Practices: South Africa** found that the human rights situation "*significantly worsened during the year,*" citing "*arbitrary or unlawful killings; arbitrary arrest or detention; and the repression of racial minorities,*" the signing of the Expropriation Act as "*a substantially worrying step towards land expropriation... and further abuses against racial minorities,*" and a government that "*did not take credible steps to investigate, prosecute, and punish*" officials for racial rhetoric or violence against minorities. It is precisely after examining these mechanisms that **Freedom of Religion South Africa concluded the community faces a clear and credible threat of persecution**, finding that on return its members would face harassment, criminal charges, or the closure of their worship "*merely for exercising their religious convictions*" (Enclosure 1).

The point is legal as well as factual: **religion is an independent and overlapping protected ground — alongside race** — in both U.S. and international refugee law.

4. The request

The community respectfully asks that the United States **recognise religious persecution of Christians as a parallel, overlapping basis within the existing South Africa program**, so that religion can be weighed alongside race in adjudicating South African cases. Concretely: - to be directed to the right office to receive this information — the **Office of International Religious Freedom (IRF, within the Bureau of Democracy, Human Rights and Labor)** and the **Bureau of Population, Refugees and Migration (PRM)** are understood to be the relevant bodies; and - for the opportunity of a briefing, at which the enclosed evidence can be presented and first-hand testimony offered.

This brief offers information and testimony, not a request for any commitment in advance.

5. In closing

This is not a request that the Administration set aside its concern for race-based discrimination — it is a request that it see the whole of what that discrimination serves. A government that will use force on

citizens of every colour to impose control, and that has openly named a model under which churches are closed by the thousand, is a government from which Christians need protection.

Prepared on behalf of the Plymouth Brethren community in the United States.

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