

**TAB N**

**TAB N1**

# The Lord's Supper and Worship of God banned in South Africa

Author: Jared Pudney

Date Published: December 10<sup>th</sup> 2021

Updated: Aug 8<sup>th</sup>, 2022

## Background

This document has been drawn up to show beyond all controversy that had the Assembly remained in South Africa, we would not have been able to practice Christianity according to the Holy Scriptures for a significant portion of the last two years, and the majority, if not all of the church would have been imprisoned for up to 6 months each.

The severe lockdown regulations of the South African government would have banned our gatherings for a total of 155 days, and prohibited the Lord's Supper from taking place on 78 occasions over the last 2 years. The government is in the process of amending the existing Health Act to give themselves authority to do this again at a moment's notice.

## The Lord's Supper

The Lord's Supper is *central* to practice of Christianity, and to the worship of God Himself.

The Lord Jesus Himself initiated it on the night that He was taken prisoner and subsequently crucified by this world. As gathered with his disciples He took a loaf of bread and having given thanks, broke it, and said, "This is my body, which is for you: this do in remembrance of me." After they had eaten, he took a cup of wine in like manner, and said "This cup is the new covenant in my blood: this do, as often as ye shall drink [it], in remembrance of me." (1 Corinthians 11:23-25).

The Apostle Paul makes it clear that the Lord Supper involves *one* loaf and *one* cup that we all are to share, as this symbolizes the one body (1 Corinthians 10:16-17). The Lord said about the cup (when He gave it to his disciples), "drink ye all of it" (Matthew 26:27). We all have fellowship together.

The Lord only made two requests to His own when He left this world. One of them is "This do in remembrance of Me". Keeping this is an evidence of love for Him - "If ye love me, keep my commandments." (John 14:15)

Early Christians held the Lord's Supper daily (Acts 2:46), and later we see it was held at least weekly, on the first day of the week (Acts 20:7).

To every true lover of Jesus, keeping the Lord's Supper each week is a vital matter, and everything in his/her life is ordered around holding this occasion.

## Worship of God

The Lord Jesus revealed that God the Father seeks worshippers who will worship Him in spirit and in truth (John 4:23).

The full thought of worship is honor and adoration rendered to God *together* with other worshippers. Admittedly an individual can worship God, but the full thought involves communion with others.<sup>1</sup>

This is because the full thought is the Lord *Himself* in the midst, leading praises to God the Father (Hebrews 2:12). The Lord Jesus said, "For where two or three are gathered together unto my name, there am I in the midst of them." (Matt 18:20) So you need to be gathered together with others for the Lord's presence, and full worship of God. The Lord Supper and the worship of God are closely connected.<sup>2</sup> When the Lord and His disciples had finished the Supper, they sang a hymn (Matthew 26:30; Mark 14:26).

This together with Hebrews 2:12, would show that the worship of God is mainly in song.

## South Africa's COVID Regulations

Due to the outbreak of COVID-19, the government of South Africa imposed a 'lockdown' starting from 27<sup>th</sup> March 2020, from which date all gathering were banned. The country went through a series of differing lockdown levels thereafter, as set out in the following table (obtained off official SA government website<sup>3</sup>):

Adjusted alert level 1 is in place from 1 October 2021.
The country is on adjusted alert level 2 from 13 September 2021.
The country was on adjusted alert level 3 from 26 July to 12 September 2021.
The country was on adjusted alert level 4 from 28 June to 25 July 2021.
The country was on adjusted alert level 3 from 16 June to 27 June 2021.
The country was on adjusted alert level 4 from 16 June 2021.
The country was on adjusted alert level 2 from 31 May to 15 June 2021.
The country was on adjusted alert level 1 from 1 March to 30 May 2021.
The country was on adjusted alert level 3 from 29 December 2020 to 28 February 2021.
The country was on alert level 1 from 21 September to 28 December 2020.
The country was on alert level 2 from 00h01 on 18 August 2020.
The country was on alert level 3 from 1 June to 17 August 2020.
The country was on alert level 4 from 1 to 31 May 2020.
The country went into lockdown from midnight 26 March to 30 April 2020. (Alert level 5)

<sup>1</sup> See extract 1 from "On Worship" (Collected Writings of John Nelson Darby – Doctrinal vol 2: pg 88-89) at end of this document

<sup>2</sup> See extract 2 from "On Worship" (Collected Writings of John Nelson Darby – Doctrinal vol 2: pg 111-112) at end of this document

<sup>3</sup> <https://www.gov.za/covid-19/about/about-alert-system>

These regulations were issued by Nkosazana Dlamini-Zuma, the head of the “National Coronavirus Command Council” NCCC, an unelected body with almost unfettered powers to issue laws that are not subject to parliamentary nor High Court review. (Dlamini-Zuma is the Minister of COGTA, to which the CRL Rights Commission, which seeks to regulate religion in South Africa, reports.)

Based on regulations published in the government gazette<sup>4</sup>, religious gatherings were only allowed again between June 1<sup>st</sup> 2020 – December 28<sup>th</sup> 2020. From the 29<sup>th</sup> December 2020 through 28 February 2021, all faith-based gatherings were again banned. ***This was in spite of the fact that gatherings at (a) Cinemas; (b) theatres; (c) casinos; (d) museums, galleries and archives; (e) gyms and fitness centres; (f) restaurants; (g) venues hosting auctions; and (h) venues hosting professional sport were allowed!*** (Gov Gazette 44044, 29 December 2020).

(Throughout the entire period, private gatherings in houses were banned.) Then again from 27th June 2021 through to 25th July 2021 all faith-based gatherings were again banned, but other types of gatherings were allowed!

During the period from June 1<sup>st</sup> 2020 through to September 31<sup>st</sup> 2020, and again whenever gatherings allowed during 2021 and 2022, ‘faith-based’ gatherings were subjected to the following further *specific* regulations. (From 1 October 2020 to date, the “no singing” requirement has been repealed – Gaz. 43762 – 1 Oct 2020) :

*Regulations relating to religious gatherings - Gov Gazette 43365 – 28 May 2020 (Effective June 1 2020)*

5(1)(d) – no singing

(d) singing of hymns is limited to solo performances, or pre-recorded performances during the religious service or activity.

6(2) - no baptism allowed

(2) Any religious ritual that requires personal contact may not be performed during any religious activity.

8(6) – No use of one loaf or one cup at the Lord’s Supper

(6) No substance or liquid may be shared between persons.

**(Note that none of the provisions above exist for other forms of gatherings – only religious)**

This means that for the majority of the time when gatherings *were* allowed, the Lord Supper could not be held (in contradiction of the Lord’s own request), nor could the collective worship of God in song have taken place!

---

<sup>4</sup> See *References* → *Gov Regulation* Links at the end of this document.

This effectively means that for most of 2020, the whole of 2021, and for most of this year so far, *the fundamentals of Christianity could not be practiced in South Africa!*

Recommendation from government is that 'remote services' are used instead of actual gatherings. Admittedly a preaching could be broadcast over 'Zoom'. But the Lord's presence is based on "two or three gathered together unto my name." (Matthew 18:20) The assembly as convened is the temple of the Holy Spirit (1 Corinthians 3:16), the habitation of God in the Spirit (Ephesians 2:22). True worship takes place in the *presence* of the Father. This cannot be replaced by 'Zoom'!

Besides, we are told in Hebrews 10:25 : "Not forsaking the assembling of yourselves together, as is the custom with some".

### **Regulations Communistic in character**

The South African government abused the outbreak of Coronavirus in order to pursue their Communistic agenda, and strengthen their control over the population.

No government should ever be allowed to determine whether you can practice Christianity or not. Where a government hinders the Lord's Supper and the worship of God taking place, a christian cannot live under that government.

The practice of Christianity has been targeted. This is made glaringly obvious by the fact that while all 'faith-based gatherings are prohibited', cinema's, theatres, casinos, museums, galleries, gyms, restaurants, auction houses and professional sports venues may open daily!

### **Enforcement of regulations**

Regulations 21(22) and 21(23) explicitly state that anyone who convenes a faith-based or religious gathering, or anyone who attends such a gathering when they reasonably ought to have known it is prohibited, commits an offence. If convicted, they are liable to a fine and/or six (6) months in jail. On a number of occasions congregants were arrested for gathering for religious services<sup>5 6</sup>. In fact, all the lock-down regulations have been strictly enforced. The military was called in to assist with the initial lockdown (extended to 75,000 troops in April 2020!)<sup>7</sup>, and by the end of May 2020, more than 230,000 people had been arrested, and 11 killed by police or military.<sup>8</sup> BY April 2021, there had been over 400,000 people arrested for breaking covid-19 regulations!<sup>9</sup>

---

<sup>5</sup> <https://www.timeslive.co.za/news/south-africa/2021-01-11-police-use-force-to-disperse-churchgoers-violating-lockdown-regulations/>

<sup>6</sup> <https://www.sowetanlive.co.za/news/south-africa/2020-04-20-pastor-congregants-arrested-for-violating-lockdown-rules/>

<sup>7</sup> <https://www.bbc.com/news/world-africa-52387962>

<sup>8</sup> <https://www.dailymaverick.co.za/article/2020-06-01-ramaphosa-calls-11-lockdown-deaths-and-230000-arrests-an-act-of-over-enthusiasm-really/>

<sup>9</sup> <https://businesstech.co.za/news/lifestyle/481707/over-400000-people-have-been-arrested-for-breaking-south-africas-covid-19-rules/>

There is no way we would have escaped arrest had we remained in South Africa. We would have continued to have attempted to hold the Lord's Supper regardless of the regulations (see James Taylor Jr ministry extract under References), and would have quickly been targeted as a 'group' who were 'defiant'. **We would all have been arrested and subject to 6 month imprisonment had we remained in South Africa.**

*“More specifically, the SAPS high-density policing approach became government's primary lockdown compliance strategy. Such a strategy involves the use of forceful policing tactics to control crime, as well as "assert" or "stamp" the authority of the state. It frequently takes the form of saturating targeted areas with security force personnel, followed by roadblocks, robust interactions with residents and mass arrests of those regarded as law-breakers.”*

*“Indications from the SAPS leadership and the Ministry of Police are that the police will continue to adopt a forceful and militarised approach to the policing of the pandemic in 2021.”*

Analysis by Dr Guy Lamb - criminologist in the Department of Political Science at Stellenbosch University.<sup>10</sup>

## Current Situation

The South African government ended the “State of Disaster” on April 4<sup>th</sup> 2022, but kept all regulations in place for 30 days, to allow time for other controls to be implemented. (NB: The *Regulations relating to religious gatherings*, which prohibits sharing substances, has not yet been repealed, although it is not currently being enforced.)

They are now amending the Health Act to bring in ability to quickly and easily implement similar control again! With the proposed amendments, **they can designate any transmissible disease as a ‘notifiable medical condition’** or NMC (they have already designated COVID-19 as a ‘level 2’ NMC, alongside leprosy etc), and then enforce regulations on gatherings. Nothing in the regulations stipulates how severe the disease needs to be – they could enforce regulations based on a common cold going around!

Here are the published further proposed amendments (note that amendments to existing Acts do not need to go through parliamentary approval):

---

<sup>10</sup> <http://www.sun.ac.za/english/Lists/news/DispForm.aspx?ID=7954>

## Regulations Relating to the Surveillance and Control of Notifiable Medical Conditions: Amendment.

### Gatherings

- 16J.** (1) In order to contain, during an epidemic or pandemic, the spread of notifiable medical conditions listed in Annexure A, Tables 1, 2, and 3, which notifiable medical conditions may be spread, the containment measures stipulated in subregulations (2) to (4) must be adhered to at gatherings.
- (2) Every person, when attending a gathering during an epidemic or a pandemic, must—
- (a) be guided by the scientific evidence of the risk of transmission;
  - (b) wear a face mask;
  - (c) adhere to all health protocols;
  - (d) maintain a distance of 1 meter as guided by the scientific evidence of the risk of transmission from each other; and
  - (e) adhere to any other health protocols and social distancing measures put in place.
- (3) An owner or operator of any indoor or outdoor facility, where gatherings are held, must display the certificate of occupancy which sets out the maximum number of persons the facility may hold.
- (4) Indoor and outdoor gatherings may be restricted in accordance with the scientific evidence of the risk of transmission. During the Covid-19 pandemic, the indoor and outdoor gatherings will be up to the 50% of the venue capacity may be occupied on the proviso that:
- (a) production a valid vaccine certificate;
  - (b) they practice social distancing of at least 1 m; and
  - (c) compulsory mask wearing for indoor gatherings.

Clauses (a), (c), and (e) would give open legal authority to any protocols (not defined in the Act) that the Health Dept might insist on at any time (eg. The banning of 'shared substances' during COVID-19).

## **Difference in the United States**

The fundamental reason why we left South Africa and came to this country was to escape a government communistic in character, which impacted our ability to practice Christianity, and to live under a government which recognized God, and where we would be free to practice Christianity according to the Scriptures and guidance of the Holy Spirit.

There are four key factors which show the difference for a believer living here in the USA during these times:

### **1. First Amendment**

The First Amendment of the U.S. Constitution protects the freedom of religion. In recent cases relating to banning or restrictions on religious gatherings, the Supreme court has sided with religious groups in affirming that State regulations singling out religious gatherings for more stringent rules is unconstitutional.<sup>11 12</sup>

### **2. Federal guidelines (CDC)**

The CDC guidance for 'Communities of Faith'<sup>13</sup> states that "CDC offers these suggestions for faith communities to consider and accept, reject, or modify, consistent with their own faith traditions...

This guidance is not intended to infringe on rights protected by the First Amendment to the U.S. Constitution or any other federal law, including the Religious Freedom Restoration Act of 1993 (RFRA). The federal government may not prescribe standards for interactions of faith communities in houses of worship..."

In other words, the Federal Government respects the First Amendment, and while making recommendations, recognizes that it cannot prescribe how one should go about worship.

---

<sup>11</sup> <https://www.bbc.com/news/world-us-canada-55069040>

<sup>12</sup> <https://www.usatoday.com/story/news/politics/2020/12/15/churches-take-covid-19-supreme-court-sides-religious-freedom/3813310001/>

<sup>13</sup> <https://www.cdc.gov/coronavirus/2019-ncov/community/faith-based.html>

### 3. State Executive Orders

In the States we live in, gathering has remained possible:

*Tennessee:*

The governor of TN did issue a “stay-at-home” order, but exempted “religious facilities, entities, groups, personnel, services, rites, and gatherings,”

*North Carolina:*

The governor of North Carolina issued a stay-at-home order that exempts places of worship as an essential activity.

*Kentucky:*

Governor Andy Beshear issued an executive order which banned mass gatherings completely from March 19<sup>th</sup> 2020 until May 22<sup>nd</sup> 2020.<sup>14</sup> (Thereafter gatherings have been allowed, but with limited numbers). However, police in the cities which we live in in KY confirmed that this did not apply to private gatherings in private houses, and so we were able to hold the Lord Supper and Worship of God in our houses in small numbers throughout this period. (Note that in RSA, private gatherings in houses are *strictly* prohibited, and this is enforced by the police.)

### 4. 50 States

We have left our homes previously for the sake of being able to continue to hold the Lord’s Supper and worship of God, and would be prepared to do so again.

If any of the States which we lived had legally and totally restricted any gatherings, we would have moved to another state. In South Africa we didn’t have this option – provinces have basically no autonomy, so the laws are the same everywhere.

In the USA, seven states never issued any ‘stay-at-home’ orders<sup>15</sup>, and most states had religious exemptions to COVID-19 regulations.<sup>16</sup> We have faith that there will always be a state where we can hold the Lord’s Supper.

---

<sup>14</sup> [https://governor.ky.gov/Documents/20201020\\_COVID-19\\_page-archive.pdf](https://governor.ky.gov/Documents/20201020_COVID-19_page-archive.pdf)

<sup>15</sup> [https://ballotpedia.org/States\\_that\\_did\\_not\\_issue\\_stay-at-home\\_orders\\_in\\_response\\_to\\_the\\_coronavirus\\_\(COVID-19\)\\_pandemic,\\_2020](https://ballotpedia.org/States_that_did_not_issue_stay-at-home_orders_in_response_to_the_coronavirus_(COVID-19)_pandemic,_2020)

<sup>16</sup> [https://www.pewresearch.org/fact-tank/2020/04/27/most-states-have-religious-exemptions-to-covid-19-social-distancing-rules/ft\\_20-04-27-covidexemptions\\_01/](https://www.pewresearch.org/fact-tank/2020/04/27/most-states-have-religious-exemptions-to-covid-19-social-distancing-rules/ft_20-04-27-covidexemptions_01/)

## Conclusion

While these regulations in South Africa may have been relaxed for the time being, the simple fact that the government has been prepared to ban what is the *essence* of Christianity, and for such periods of time, means it cannot be trusted as a government for a Christian to live under. **The permanent authority it is giving itself to do this again is ominous.** It is also of relevance that for most of 2020, and again more recently, no international travel was allowed for South African's living in South Africa. This means that you are effectively trapped in a country where you cannot practice your religion!

## References

### Gov Gazette extracts:

44044 – Change to adjusted level 3 (29 Dec 2020):

#### **SECTION 36 - GATHERINGS**

(3) All social gatherings, including faith-based gatherings are prohibited for two weeks, after which this provision will be reviewed.

**HOWEVER...**

(5) Gatherings at a workplace for work purposes are allowed, subject to strict adherence to all health protocols and social distancing measures.

(6) Gatherings at cinemas and theatres are limited to 50 persons or less for indoor venues and 100 persons or less for outdoor venues and if the venue is too small to hold the prescribed number of persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used.

(7) Gatherings at casinos are limited to 50 persons or less for indoor venues and 100 persons or less for outdoor venues and if the venue is too small to hold the prescribed number of persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used.

(8) (a) Gatherings at museums, galleries, libraries and archives are limited to 50 persons or less and if the venue is too small to hold the prescribed number of persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used, subject to the strict adherence to the times of operation provided for in regulation 33(3), and further subject to health protocols and social distancing measures, as set out in directions by the relevant Cabinet member.

(15) Gatherings at the following places are allowed, subject to the limitations set out below—

- (a) restaurants, subject to a maximum of 50 persons or less for indoor venues and 100 persons or less for outdoor venues and if the venue is too small to hold the prescribed number of persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used, subject further to strict adherence to the times of operation provided for in regulation 33(3), health protocols and social distancing measures, as provided for in the directions issued by the relevant Cabinet member, after consultation with the Cabinet member responsible for health;
- (b)
  - (i) hotels, lodges, bed and breakfasts, timeshare facilities, resorts and guest houses are allowed full capacity of the available rooms for accommodation, with patrons observing a distance of at least one and a half metres from each other when in common spaces; and
  - (ii) conferencing, dining and entertainment facilities are subject to a limitation of a maximum of 50 persons or less for indoor venues and 100 persons or less for outdoor venues and if the venue is too small to hold 50 persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used; and

(16) Gatherings at auctions are allowed, subject to a maximum of 50 persons or less for indoor venues and 100 persons or less for outdoor venues and if the venue is too small to hold the prescribed number of persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used and further, subject to strict adherence to all health protocols, social distancing measures and directions issued by the relevant Cabinet member, in consultation with the Cabinet member responsible for health.

**ENFORCEMENT:**

(18) An enforcement officer must, where a gathering in contravention of the regulations takes place—

- (a) order the persons at the gathering to disperse immediately; and
- (b) if the persons refuse to disperse, take appropriate action, which may, subject to the Criminal Procedure Act, 1977 (Act No. 51 of 1977), include the arrest and detention of any person at the gathering.

**Gov Regulations links:**

**Change to adjusted level 3: GovGazette 44044 (Dec 29 2020):**

[https://www.gov.za/sites/default/files/gcis\\_document/202012/44044rg-11217gon1423s.pdf](https://www.gov.za/sites/default/files/gcis_document/202012/44044rg-11217gon1423s.pdf)

**Extended by: Adjusted Level 3 update: GovGazette 44066 (Jan 11 2021):**

[https://www.gov.za/sites/default/files/gcis\\_document/202101/44066rg11223gon11.pdf](https://www.gov.za/sites/default/files/gcis_document/202101/44066rg11223gon11.pdf)

**Regulations relating to Religious gatherings: Gov Gazette 43365 (May 28 2020)**

[https://www.gov.za/sites/default/files/gcis\\_document/202005/43365gon609s.pdf](https://www.gov.za/sites/default/files/gcis_document/202005/43365gon609s.pdf)

**replaced 1 October 2020 by:**

**Directions relating to norms and standards for religious gatherings: Gov Gazette 43762 (1 Oct 2020)**

[https://www.gov.za/sites/default/files/gcis\\_document/202003/4314825-3cogta.pdf](https://www.gov.za/sites/default/files/gcis_document/202003/4314825-3cogta.pdf)

**Full list of Government Gazette's relevant to COVID-19 can be found here:**

<https://www.gov.za/covid-19/resources/regulations-and-guidelines-coronavirus-covid-19>

Home | Akn | Za | Act | Gn | 2020 | 1052 | Directions Relating to Norms and Standards for Religious Gatherings (Government Notice 1052 of 2020)

**Directions Relating to Norms and Standards for Religious Gatherings** (Government Notice 1052 of 2020) Government Gazette no. 43762

Primary work  
Disaster Management Act, 2002 (Act 57 of 2002)

This is the latest version of this legislation commenced on **03 Oct 2020**.

Legislation Timeline

- 03 Oct 2020 Amended by Directions Relating to Norms and Standards for Religious Gatherings: Amendment
- 01 Oct 2020 Assented to [Read version](#)
- 26 May 2022 Today

Download as PDF

Share on Facebook

Share on Twitter

Search the table of contents

[Expand All](#) [Collapse All](#)

Preface

1. Definitions
2. Purpose

South Africa  
Disaster Management Act, 2002  
**Directions Relating to Norms and Standards for Religious Gatherings**  
Government Notice 1052 of 2020  
Published in Government Gazette no. 43762 on 1 October 2020

*Law prohibiting the celebration of the Lord's Supper has not been repealed or replaced*

## **Ministry References:**

**Extract 1 from “On Worship”** (Collected Writings of John Nelson Darby – Doctrinal vol 2: pg 88-89)

What, then, is worship?

It is the honour and adoration which are rendered to God, by reason of what He is in Himself, and what He is for those who render it.

Worship is the employment of heaven; and a blessed and precious privilege for us upon earth, if the enjoyment of it be vouchsafed to us. **One might, indeed, add to the above definition, by describing it as rendered in common.**

**Extract 2 from “On Worship”** (Collected Writings of John Nelson Darby – Doctrinal vol 2: pg 111-112)

If Jesus attaches value to our remembrance to Him -- if He presents Himself to us with so much tenderness in the memorials of His dying love, that love, at the same time, produces in us the very deepest affections -- affections which are connected with what is most exalted in the grace of God, and which express themselves in the adoration of the heart. **We can understand, then, that although worship is offered in various ways, by hymns, by thanksgivings, in the form of prayers, in praise, etc., we can understand, I say, that the Lord's supper, as representing that which forms the basis of all worship, is the centre of its exercise,** around which the other elements that compose it are grouped. The worshipper is thereby reminded of that which is the most precious of all things in the sight of God -- the death of His beloved Son. He recalls the act in which the Saviour has testified His love in the most powerful way.

**Extract from ministry of James Taylor Jr** of New York, NY (b.1899 d.1970) (Vol. 10 pp 365-366)

“You rely on what [the Lord] said. If He said it, then we do it. **They might bring in a law to say that we could not break bread. Would you follow it? You could not. If they said you could not break bread, the Lord has said, “you do it”. If you had to do it in a cave, you would do it.** There were those who dwelt in caves, you know, in Hebrews. There were those who were sawn asunder. Think of that. Think of what those have gone through, who have gone before us in their love for the truth. So this matter is for us to get the Lord's command, and that is what the Corinthians had to come to; what Paul wrote was the Lord's commandment, and that is what is to govern us. **We are not to be disobedient to the powers that be, but when it comes against conscience, against the word of God, then the Christian has to suffer for it, to obey the Lord, as Peter says, “If it be righteous before God to listen to you rather than to God, judge ye”. Let them judge.”**

**Extract from ministry of Deryck Noakes** of Port Elizabeth, South Africa (b.1932 d.2017) (Vol 38 pg. 62)

“.. because I think what we have said (often said too) is right, and I stand by it too: that **God – and you can say the Father – is mainly interested in the service of song,** more so than in speaking.”

**TAB N2**

the Somaliland authorities arbitrarily closed the independent Universal TV and Star TV stations. The Minister of Information ordered local television cable providers to remove the two stations from their receivers and revoke their licences. Universal TV was targeted for allegedly failing to broadcast Independence Day celebrations and events as demanded by the authorities, and Star TV owners said they were targeted for airing reports and analysis on the condition of a detained former air force pilot, Fouad Youssouf Ali, in neighbouring Djibouti. In August, the Information Ministry issued arbitrary fines of SOS127,500,000 (US\$15,000) and SOS42,500,000 (US\$5,000) on Universal TV and Star TV respectively. Star TV paid the fine and resumed operations, but Universal TV remained closed as of mid-December.

In June, Abdimalik Muse Oldon, a journalist, was released from Hargeisa Central Prison after spending over a year in prison for criticizing the President on Facebook. He had been arrested and sentenced to three-and-a-half years in prison in 2019 and charged with “spreading anti-national propaganda” and “disseminating false news”. He was released following a presidential pardon.

1. [Somalia: Zero accountability as civilian deaths mount from US air strikes \(Press release, 1 April\)](#)
2. [“We live in perpetual fear”: Violations and abuses of freedom of expression in Somalia \(AFR 52/1442/2020\)](#)
3. [Somalia: Authorities must immediately release journalist Mohamed Abdiwahab Nur \(Abuja\) \(AFR 52/2649/2020\)](#)
4. [Somalia: Internally displaced people surviving by “the grace of God” amidst COVID-19 \(Press release, 21 July\)](#)

## SOUTH AFRICA

### Republic of South Africa

Head of state and government: **Matamela Cyril Ramaphosa**

**The use by security forces of excessive and lethal force increased during the COVID-19 lockdown. At least 115 people died in police custody. Incidents of gender-based**

**violence soared. The asylum system failed those most in need; immigrants and other non-nationals were subjected to xenophobic social media campaigns. COVID-19 put health workers at particular risk of infection due to the lack of PPE, while women’s access to sexual and reproductive health services was restricted. Children faced significant inequalities and hardship in the public education system. Millions of people did not have access to safe drinking water; and lockdown placed an additional burden on women having to walk long distances for water.**

### BACKGROUND

The President continued to take a lead in national and regional efforts to resolve political instability and address the need for human rights reforms in Lesotho and Zimbabwe.

The Commission of Enquiry into State Capture continued to hear testimonies in relation to allegations of corruption and other abuses of power known as “state capture”, during former President Zuma’s rule. Jacob Zuma was removed from office in 2018 by the African National Congress (ANC).

On 15 March the President declared a National State of Disaster in response to the COVID-19 pandemic which, in turn, invoked the Disaster Management Act (2002). A national lockdown was imposed on 27 March which threatened to undermine rights to freedom of movement and association, and was eased in August.

The President established a ministerial team to investigate allegations of corruption connected to COVID-19-related procurements, including PPE and food aid, which was allegedly distributed by ANC-aligned politicians in a way that favoured certain communities.

The pandemic forced several media houses to close, cut down on staff or cut salaries due to the pandemic’s effect on advertising revenue.

## EXCESSIVE USE OF FORCE

In March, during lockdown, the authorities deployed around 76,000 officers of the South African National Defence Force (SANDF) and police officers onto the streets to enforce lockdown restrictions. Widespread reports of their use of excessive, and sometimes unnecessary, lethal force against the population quickly emerged.

The Independent Police Investigative Directorate (IPID), an official oversight body, received 828 complaints of police misconduct between 25 March and 5 May. They included 16 deaths in police custody; 32 deaths as a result of police action; eight incidents of rape by police officers; 25 reports of torture in custody; and 589 assaults.

On 7 April, South African Police Service (SAPS) officers fired rubber bullets at homeless people living in a camp at the Strandfontein sports grounds in Cape Town when they protested against their poor living conditions, including lack of food.<sup>1</sup>

In August, police fired rubber bullets and stun grenades at protesters who had gathered peacefully outside Parliament in Cape Town to mark the first anniversary of student Uyinene Mrwetyana's murder and to protest the soaring levels of gender-based violence. Eighteen protesters were arrested. Uyinene Mrwetyana had been raped and killed in Cape Town by a male post office employee.

### Unlawful killings

Elma Robyn Montsumi, a 39-year-old sex worker, died in suspicious circumstances in custody in Mowbray police station in Cape Town, four days after being arrested on 9 April on suspicion of possessing drugs. The police claimed she had committed suicide and the IPID said they were looking into the circumstances of her case. No one had been arrested in connection with the case by the end of the year.

Collins Khosa died on 10 April in Alexandra, a township north of Johannesburg

city, after he was assaulted and brutally beaten by members of the SANDF and the Johannesburg Metropolitan Police Department. Collins Khosa's attackers claimed he had violated lockdown rules when they found a half-consumed glass of beer in his yard. The authorities had banned alcohol during lockdown.<sup>2</sup> On 19 August, the Military Ombudsman found that SANDF officers implicated in the killing had acted "improperly".

Between 29 August and 1 September, the IPID arrested three police officers and charged them with the murder of Nathaniel Julies, a 16-year-old disabled boy, on 26 August in Eldorado Park, south of Johannesburg. He was allegedly shot by police officers after he refused to answer their questions.

## GENDER-BASED VIOLENCE

Gender-based violence continued to soar and the rate was nearly five times higher than the global average. The President described the increase as "a war" against women. Reports of rape and sexual assault increased by 1.7% in the first quarter of the year, with more than 42,000 rapes reported in 2019-2020 and almost 144 sexual offences committed every day. Such violence increased during the lockdown period and within the first week, police had received over 2,300 complaints. Twenty-one women were reportedly killed in June alone, including Tshogofatso Pule, a 28-year-old pregnant woman from Roodepoort town, west of Johannesburg, who was found hanging from a tree with multiple stab wounds. A man was charged with her murder and he was awaiting trial at the end of the year.

## SEXUAL AND REPRODUCTIVE RIGHTS

During lockdown, medical and civil society organizations documented complaints relating to the lack of availability of, or access to, sexual and reproductive health services, including safe abortion.

**TAB N3**

**jared.pudney@gmail.com**

---

**From:** FOR SA (Freedom of Religion South Africa) <no-reply@forsa.org.za>  
**Sent:** Friday, March 25, 2022 8:10 AM  
**To:** jared.pudney@gmail.com  
**Subject:** FOR SA Objections to Draft Health Regulations

[View this email in your browser](#)



Dear Friend,

We are facing a severe threat to our religious freedom - and to the future of our democracy - in the form of the National Health Act's Draft Regulations, which are **open for comment only until Friday, 15 April 2022.**





[Click here to send in your submission and make your voice heard!](#)

As you are aware, for the past TWO years we have lived under a State of National Disaster, where most of our fundamental human rights have been severely (and in some cases completely) limited. We have been ruled by Government Regulations, with virtually no effective oversight by Parliament or the courts.

**There is a pattern of unfair discrimination against the religious community**

During this time, it is evident that there has been a consistent pattern of unfair discrimination against the religious community:

- From the outset, religious workers and religious organisations were not included in the category of essential workers. Despite numerous letters to the President, the COGTA Minister and a legal action in the High Court, this is STILL the situation.
- Religious gatherings were branded as “super spreader events”, without any scientific proof or evidence.

- Religious gatherings have been (and continue to be) subjected to more burdensome sanitation, record keeping, health and hygiene protocols than any other sector of society.
- Religious gatherings were shut down while casinos, fitness clubs etc. continued to operate.
- Helicopters, rubber bullets and batons were used to break up prayer meetings, while party-political rallies and other events continued without any police interference.

### **There is no valid rationale for removing our Constitutional rights**

With the appearance of the Omicron variant of COVID-19, the Government can no longer argue that they require these extensive executive powers to save lives.

According to Prof Shabir Madhi, professor of vaccinology at the University of the Witwatersrand, [“Government’s target of 70% of the population being vaccinated is now irrelevant, as between 80% and 85% of the population have boosted immunity against the virus, either from previous infection, the vaccine, or a combination of both.”](#)

Globally, countries are rolling back their COVID-19 regulations, no longer limiting numbers at gatherings or requiring mask wearing, because they recognize that these measures have been ineffective and the collateral damage of continuing them is too high.

Again - and in the words of Prof Mahdi - [“We see no reason for the continued use of this legislation, nor for the National Coronavirus Command Council.”](#)

### **Government is NOW seeking to expand its rule**

Government proposes exiting the National State of Disaster but intends keeping (and even expanding its powers) in terms of Regulations made under the National Health Act on the pretext of continuing to manage the COVID-19 pandemic.

**These Draft Health Regulations – which are open for comment only until Friday, 15 April 2022 – require no Parliamentary oversight, do not require the**

**Minister to give reasons for any decisions, and effectively grant Government the same extraordinary executive powers they have had under the National State of Disaster - INDEFINITELY.**

Unless we ALL speak up and make our opposition heard, this will shortly become the “new normal”.

**[Click here to send in your submission and make your voice heard!](#)**

**Here are some of the “lowlights”:**

- The Minister of Health has the **sole discretion to list any disease as a “notifiable medical condition” (“NMC”) without any consultation with the public and/or Parliament and/or any requirement to give reasons for such a listing.**
- In **drastically limiting our Constitutional rights**, the Draft Regulations simply consider the “risk of transmission”, NOT the actual severity of the disease. **Something as inconsequential as a “common cold” could be listed as an NMC.**
- The Draft Regulations impose the **same degree of limitation of human rights irrespective of the severity of the disease**, and can do so indefinitely as long as a disease is listed as a NMC.
- There is **no defined criteria, or process, for a disease to be declared an endemic**, let alone a pandemic.
- The Regulations impose **mandatory medical examination**, hospitalisation, quarantine, isolation and treatment, for merely having been exposed to someone with a NMC, or for being simply **“suspected” of having contracted a NMC.**
- “Treatment” is undefined and could **include mandatory vaccination or compulsory quarantine in a State facility.**
- You **must show proof of vaccination** if you wish to attend any gathering of over 1,000 people indoors or 2,000 outdoors. This is a gross and

unjustifiable violation of the right to religious freedom guaranteed by sections 15 and 31 of the Constitution.

- o Failure to comply with these provisions is a criminal offence with a sanction of an unspecified fine and/or 10 years in jail.

[Click here to send in your submission and make your voice heard!](#)

### **CALL TO ACTION**

It is vital that you act **NOW** to make your voice heard and to push back against these draconian Regulations, which will centralise and confirm power in the hands of an unaccountable political elite.

**The deadline for comments is Friday, 15<sup>th</sup> April 2022.**

*FOR SA* has teamed up again with DearSA to make it quick and **easy for you to send an individual submission to the Department of Health**. The main reasons to object are on the landing page and the form can be completed with a few easy clicks.

[Click here to send in your submission and make your voice heard!](#)

### **ACT NOW!**

Then **send this on to all your friends, family and contacts** to make them aware of this danger and so that they too can make their voice heard.

Yours for faith & freedom!

**MICHAEL SWAIN**

Executive Director – *FOR SA*

## Support FOR SA - donate today!

### Donations to FOR SA are tax deductible

FOR SA is a registered public benefit organisation for income tax purposes, and may issue section 18A receipts which entitle (individual / corporate) donors to claim tax deductions in respect of donations made from 12 February 2020. For more details, see [www.forsa.org.za/donate](http://www.forsa.org.za/donate)

\*To be compliant with the Protection of Personal Information Act (POPIA), *FOR SA* has recently updated our [Privacy Policy](#). POPIA pertains to the protection of your personal information, and indicates how this information may be collected, used and shared.

*FOR SA* is only permitted to collect and use your information for a specific purpose, if obtained from you, for the reason of communicating with you regarding alerts about religious freedom issues and *FOR SA* newsletters which you signed up for. The details surrounding these particulars are outlined further in our Privacy Policy, published on our website.

No action is needed, except if you wish to opt out from further communication, or be removed from our database, then please contact us in writing at [privacy@forsa.org.za](mailto:privacy@forsa.org.za) (for the attention of the Information Officer), and we will attend to your query.



*Copyright © 2022 Freedom of Religion South Africa, All rights reserved.*

Subscribers signed up on the FOR SA website for the newsletter

**Our mailing address is:**

Freedom of Religion South Africa

12 Wingate Crescent

Sunningdale

Cape Town, Wc B-7441

South Africa

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).

