

Editors/Reporters

26 July 2020

**MEDIA STATEMENT ISSUED BY THE CRL RIGHTS COMMISSION AFTER ITS MEDIATION  
INTERVENTION AT THE IPHC CHURCH**

Following the terrible incident that transpired at the International Pentecost Holiness Church (IPHC) in Zuurbekom on 11 July 2020, where approximately five people were fatally wounded, the Commission endeavoured to find out the genesis of the conflict and the historical conflicts that have plagued the church since the passing of the late founder Comforter F. S. Modise and the succession battle that has subsequently ensued. Although the matter is before the courts at present, the Commission made a decision to bring the various parties together to try and ventilate their views on this issue. Invites were issued to various leaders of the different groups allegedly involved in the conflict in an attempt to mediate a settlement between the different parties embroiled in this conflict.

The objectives of the intervention by the Commission were that the leadership must:

- outline the core issues of concern to the Church;
- advise on how the prevailing divisions (conflict and feuds) may possibly be addressed to ensure that the church members can work together and promote peace and stability;
- arrive at a consensus that would build a mutual covenant in which co-existence would be cemented and guaranteed in the body of Christ.

The fact finding and mediation was held on 22, 23 and 24 July 2020. Regrettably one out of the four invited groups chose not to attend this very important matter. They submitted written correspondence that they would not be attending as they did not participate in the incident that took place on the 11<sup>th</sup> July 2020, and further that “the church’s succession trial is still with the courts pending the trial date and that they did not want to comment on issues that are sub judice.”

**1. Mediation plan/frame**

The Commission planned to frame the mediation as a phased process:

1.1 ventilation of issues: - opportunity for all parties to state their perspective in the presence of each other with agreed basic ground rules;

1.2 the Commission to deliberate on matters ventilated and particularly the intersection/nexus with the legal issues and implications for the mediation of the next phases;

1.3 the Commission to ascertain whether further consultations need to take place with any other stakeholders who have acted in mediatory role or to make a determination of the impact of other processes on mediation;

1.4 the Commission not to commit itself to an ongoing process yet but rather to state that the next steps will be determined by the legal processes and other related factors;

1.5 the Commission to manage the expectations within the purview of its mandate;

1.6 the Commission urge/enjoin the parties to consider the core values at the centre and for the parties to ask themselves the questions relating the nature and mission of the church and how the parties are able or enabled to provide spiritual guidance to its members in the midst of turmoil?

## **2. Proceedings**

### **2.1. Key aspect**

Each group was given an opportunity to put their case forward on what they perceived to be the cause of the conflict that prevails in the church.

### **3. Discoveries**

The Commission has established that the problems are premised on the contested succession battle taking place, power, the assets and finances of the church. The issues of financials and assets in the church are incidental to the discoveries made by the Commission during its investigation into commercialisation of religion and abuse of people's belief system.

### **4. Resolutions made by the parties**

It was impressed on the parties, at the beginning of the deliberations that they need to find a workable solution to stop the conflict, as the church is supposed to be a sacred and safe environment for the congregants to practise their right of religious freedom.

In response thereto, the groups came up with the following resolution. These include but are not limited to:

4.1 That each group/church remain where they are currently located subject to the leadership court case;

4.2 That the groups have to respect each other; and that no leader should incite or instigate any form of violence towards the other parties;

4.3 That each group upholds the agreement entered into by their respective legal teams, before the court, as mandated by each church; and

4.4 That all churches converge annually at the headquarters in Silo, Zuurbekom for pilgrimage and church rituals, and that all leaders come to the table with other leaders who are willing to cooperate with one another

## **5. Observations**

It became clear to the CRL Rights Commission that the lack of a clear succession plan in the church is one of the main contributing factors of the conflict. This gap is not confined to this church, but has affected various other churches and bodies of worship resulting in the country seeing various court battles over succession like in other churches.

The Commission is of the opinion that there is a need for a Guide on the succession plan in the religious sector and will be developing such guidelines, in consultation with the broader church, to resolve this issue. The plan is to go beyond hereditary succession and to look at a leadership based on the character, skills and integrity of leadership.

The mediation embarked upon was a fruitful exercise in that it did not only try to resolve the matter at hand but is also a step to future engagements and other cases.

## **6. Litigation process vs mediation**

The Commission, although it is of the opinion that the current court processes may not necessarily end the friction soon, as the court battle which to date has taken 5 years, could still continue for a while, will continue to try and mediate between the parties to assist them to find each other with a view to foster tolerance, peace, mutual respect and co-existence.

The Commission is mandated to achieve these objects and always strive thereto to build a united South Africa. It is enjoined and guided by its Act 19 of 2002 to:

- “facilitate the resolution of friction between and within cultural, religious and linguistic communities or between any such community and an organ of state where the cultural, religious or linguistic rights of a community are affected.”

The cultural, religious or linguistic rights of a community are as entrenched under section 31 of the Constitution of the Republic of South Africa, 1996 which provides that:

- “Persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community to enjoy their culture, practice their religion and use their language; and to form, join and maintain cultural, religious and linguistic associations and other organs of civil society.”

## **7. Conclusion:**

- All leaders agreed to meet with the Commission on a future date.

For further enquiries, you can contact the CRL Rights Commission – Mpiyakhe Mkholo: 0836594974 or Beverley Mukhahvuli – 0723944075.

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