



E-mail: info@paganrightsalliance.org · Tel: (044) 850 1297
P.O. Box 184 Hoekwil 6538 · Website: <http://www.paganrightsalliance.org>

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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.

[Touchstone Advocacy – http://www.paganrightsalliance.org/30_days.html
An initiative of the South African Pagan Rights Alliance]

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.

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.”*

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 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 for muti and charged with conspiracy to murder 15 women. None of the accused identified themselves as Witches.

In 2008 Vusi Sixikixa and Sonwabile Qhoshu 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 Vudu 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/Louisiana_Voodoo

http://en.wikipedia.org/wiki/Haitian_Vodou

Since Voodoo is not a popular religious practice in South Africa, this Alliance can not 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 "satanists":

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 undertaken by traditional African specialists and those 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 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 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.

SEVAMUS 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:

"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, counseling 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, Selfmutilators, 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 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

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

South African Pagan Rights Alliance (SAPRA)

E-mail: info@paganrightsalliance.org · Tel: (044) 850 1297

P.O. Box 184 Hoekwil 6538 · Website: <http://www.paganrightsalliance.org>