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Pentecostal discourses on regulatory oversight by the Cultural, Religious and Linguistic Rights Commission in South Africa

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Background: The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL Rights Commission) have made many attempts to promote accountability and protect followers from exploitation by religious practitioners, but significant tensions remain between the government and the church.

Objectives: This article investigates Pentecostal discourses surrounding government intervention, spiritual authority, divine calling and ministry leadership within the context of regulatory oversight by the CRL Rights Commission in South Africa. Moreover, it examines how Neo-Pentecostal and New Prophetic churches respond to the Constitution's proposed regulations and to Spirit-based pastoral legitimacy in the existing literature. It critically analyses the relationship between the proposed regulatory framework for pastoral leaders and the CRL Rights Commission, as it pertains to Neo-Pentecostal churches and New Prophetic churches across South Africa.

Methods: The qualitative, interpretive study uses a combination of policy analysis, theological literature and media framing of Neo-Pentecostal churches and New Prophetic church leaders from diverse organisations and contexts. The study advocates for a dialogical, context-sensitive regulatory paradigm to embrace Pentecostal epistemologies and ethical accountability in religious organisations.

Results: The findings reveal that tensions between CRL regulatory oversight and Spirit-led Pentecostal authority arise from competing understandings of legitimacy, accountability, and religious freedom. They further show that Pentecostal churches increasingly respond to regulatory pressures through internal accountability mechanisms, ethical reforms, and engagement with broader socio-political expectations.

Conclusion: The study concludes that effective regulation of Pentecostal churches in South Africa requires a collaborative, context sensitive, and participatory approach that promotes ethical accountability while respecting Spirit-led leadership, Pentecostal theological perspectives, and religious freedom, thereby fostering trust between regulatory authorities and faith communities.

Contribution: It contributes to the ongoing conversation about contemporary religion-state relations in South Africa and builds a framework for co-operative, collaborative, and trust-based accountability.

Keywords: charismatic practice; CRL Rights Commission; Pentecostalism; pastoral leadership; religious regulation; spiritual authority; public policy.

Introduction

The democratic government of South Africa is constitutionally obligated to protect religious freedom and is equally obliged to protect its citizens against harm, exploitation, and abuse (De Freitas 2024:2–4). This dual commitment has been most apparent in the last several years through the activities of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL Rights Commission), which has investigated various religious practices, particularly as seen in certain Neo-Pentecostal and New Prophetic churches, and sparking widespread debate (publicly, theologically, and politically) (Banda 2019:2). The debates have generated varied Pentecostal discourses about what makes state regulation of religious affairs legitimate and where its boundaries should be drawn. Consequently, the proposals from the CRL Rights Commission are viewed by many as both a means to establish constitutional accountability and an attack on ecclesiastical autonomy and spiritual legitimacy.

This has led to greater scrutiny of Neo-Pentecostal church pastors and New Prophetic church leaders; as a result, there are now serious questions being raised about the nature of spiritual authority, the legitimacy of the charismatic ministry, and the level or nature of the relationship between the state and that religion in terms of regulatory oversight (Foster 2025:77).

Pentecostalism continues to be one of the fastest-growing faith movements in South Africa and plays a significant role in the lives of millions of adherents across social, economic, and spiritual dimensions (Haustein 2026:74). Pentecostal churches tend to use a theological framework centred on divine calling, glossolalia (speaking in tongues), anointing, and spiritual discernment, to the exclusion of formal institutionalisation; hence, the absence of any formal credentialisation processes and bureaucratic structures (Macdonald 2024:298).

The CRL Rights Commission's recommendations for greater regulation and oversight of religious organisations were met with considerable resistance from many leaders of Neo-Pentecostal and New Prophetic churches, who argued that such measures threatened religious freedom and the autonomy of churches (Mutavhatsindi 2023:6), even after the Commission conducted several investigations that illustrate the resistance demonstrated by leaders in various prominent cases (Banda 2019:1–11). For instance, while the actions of Penuel Mnguni may be viewed as controversial because of the instruction of his followers to eat grass or drink petrol as signs of God's divine power, he defended these actions against criticism and concern expressed by government authorities alike (Kgatle 2017:5; Qiki 2020:39). Likewise, Lesego Daniel justified his action to his followers as an act of faith and opposed any type of government intervention. Furthermore, leaders such as Shepherd Bushiri and Alph Lukau have invoked the labels of 'persecution' and 'misunderstanding' in reference to government regulation of their activities (Banda 2021:6579; Letswalo & Naidoo 2024).

For many Pentecostal leaders, the regulation of all things done by the state is viewed as an unwarranted invasion into their sacred space, as a misunderstood view of authority based on the Holy Spirit, as well as yet another chapter in the attempts by colonialism and apartheid to control African expressions of religion (Dube 2020:1–2; Ramalaine 2022:21). Previous research has examined issues of abuse, commercialisation, and constitutional issues surrounding Neo-Pentecostalism, but there has been little research on Pentecostal discourses on state regulation and oversight. This article attempts to address that gap by examining how Pentecostal communities in South Africa are responding to proposed oversight from the CRL Rights Commission.

Conceptualising religious regulation in democratic states

The various histories of colonial influence, colonial religion, and apartheid in South Africa have all played a part in shaping the dynamic between the state and religion in South Africa (Davids 2024:1330). Often throughout these histories, there was a connection between Christianity (mainly the mainline denominations and the Reformed traditions) and state authority, which legitimised racially based segregation and also led to the emergence of various forms of resistance theology (Mokhutso 2025:137; Sukdaven 2023:257). African Initiated Churches and the various indigenous African religions were frequently marginalised and/or criminalised because of their relationship with the state (White 2024:5). This has contributed to a continuing legacy of distrust towards state involvement in religion.

The transition to a democracy in 1994 fundamentally changed the relationship between the state and religion in South Africa by enshrining freedom of religion (s15) and protecting the rights of all people collectively based on their culture, religious beliefs, and/or language (s30, s31) while also allowing the state to restrict the exercise of these freedoms in order to serve the public interest, protect human dignity, and protect the rights of others (s36). This legal framework balances the protections of religious freedom, pluralism, and freedom from religious coercion and/or advantage (Ferrari 2016).

The rapid expansion of Pentecostalism has significantly altered the relationship between religion and the state (Mokhutso 2025:129). The author furthermore demonstrates how decentralised or transnational networks of leadership in an entrepreneurial model of ministry challenge traditional accountability, representation and regulation. While at the same time, Neo-Pentecostal churches and New Prophetic churches have become significant social institutions, as well as subjects for regulatory surveillance in relation to their financial, healing and prophetic practices. An example of this emerging environment is the CRL Rights Commission.

Numerous Neo-Pentecostal and New Prophetic church leaders have identified the Commission's regulatory oversight as a form of postcolonial epistemic domination that denies their recognition of spiritual authority and creates dissonance between religious authority grounded in spirituality and African cultural sensibility (Kaunda 2020:225; Kgatle 2022:2519; Shingange 2023:2763). Academic discourse thus recognises that the issue of freedom versus regulation is continually debated; however, few studies examine how Pentecostal pastors experience and enact these dynamics in their daily ministries (Pondani 2019:4). Situating present-day regulation against such a historical and constitutional backdrop provides a window into the rather troubled relationship between Neo-Pentecostal and New Prophetic churches.

Religion–state relations in South Africa

Recently in South Africa, religion–state relations have been altered again because of the rapid expansion of Pentecostalism (Mokhutso 2025:129). Pentecostal churches now serve as both powerful social movements as well as entities requiring regulation because of issues connected with finances, healings and prophecies (Freeman 2012:20). The difficulties

the CRL Rights Commission has faced as it has developed are a clear representation of this changing environment (Khan, Amjad & Usman 2020:242). The Commission, established in terms of Chapter 9 of the Constitution to promote, protect and fulfil the CRL rights of communities, aims to institutionalise dialogue and provide oversight without interfering with religious freedom (Constitution of the Republic of South Africa 1996, Ch. 9). However, its recent regulatory interventions (especially since they became publicly known as abusive) have moved its focus away from dialogue towards enforcement and created tension with the religious sector (Henrico 2019:3). The ambivalence of the post-apartheid state has become apparent and somewhat contradictory: The state promotes religious pluralism, and interfaith cooperation yet retains the authority to intervene and uphold constitutional values.

Pentecostal leaders tend to view regulatory oversight as a form of postcolonial epistemic domination that denies recognition of both Pentecostals' authority in Spirit-based leadership and African religious sensibilities (Low 2024:295). While the existing literature emphasises ongoing negotiation between freedom and regulation, very little empirical research examines how Pentecostal pastors perceive these relationships in their day-to-day ministerial contexts (Low 2024:299). Examining current regulations in the historical constitutional context provides great insight into the relationship among Pentecostal pastoral leadership, the church, and the state. It provides the basis for this analysis of post-apartheid government regulation of religious expression and of how Pentecostal pastoral leaders negotiate legitimacy, authority, and religious freedom (McEwen & Steyn 2016:1–8).

The Cultural, Religious and Linguistic Rights Commission and the regulation of religious practice

Media coverage of Penuel Mnguni, Lethebo Rabalago, and Shepherd Bushiri has brought to light controversies surrounding potentially dangerous practices and allegations of malpractice, raising questions about safety, ethics, and accountability (Kgatle 2017:4, 2023:15; Resane 2024:1). In all three situations, the leaders defended their behaviour through a theological lens; however, the public and regulators believe that more oversight should be put in place. Reactions from followers have also differed, with some remaining loyal and others distancing themselves. Following these several high-profile incidents involving Neo-Pentecostal churches and New Prophetic church leaders accused of unethical or harmful practices against their followers, the Commission enhanced its regulatory profile, conducted investigations, and made recommendations to increase oversight of religious institutions (Shupe 2010:86). These recommendations included the registration of practitioners, standardised training for ministers, and peer-review councils to oversee ethical behaviour (Banda 2019:6). The intervention framework adopts a protectionist approach grounded in the constitutional mandate to safeguard human dignity. Thus, it seeks to ensure that the right to religious freedom is not invoked to justify practices that cause harm to others.

The CRL's attempt to implement measures such as the mandatory registration of all religious organisations or pastors may violate Section 15 of the Constitution and convert the CRL from a protective authority to one engaged in coercive oversight (Edge 2017:4). Some theological scholars assert that, by prioritising the authority of established, credentialled religious entities, the CRL unfairly harms the churches that are most likely to identify with Pentecostal or charismatic expressions of religion and have created authority through the work of the Holy Spirit and through the exercise of relational leadership as opposed to formal theological training (Packard 2011:25).

Sociological examination further shows that media framing and moral panic influence perceptions of similar behaviours; therefore, the denationalisation of a select few cases of abuse generates a negative view of all instances of Pentecostal community behaviour. This means that, even though various methods of governance and self-regulation exist across the broader diversity of Pentecostal communities, they will continue to be viewed as having an overall high risk (Blanc & Ostheimer 2021:1015). Regardless of whether one agrees with all critiques of how this should be carried out, scholars do support the need for checks and balances, whether conceptualised or executed, when accountability is required. There is an increase in advocates using models that emphasise dialogue, participation, and relevant context, in which the religious community can generate ethical standards and monitoring processes while still maintaining autonomy (Nicoară, Nicoară & Popescu 2024:320).

A notable gap in the literature is the lack of empirical examination of the perspectives of Neo-Pentecostal and New Prophetic church leaders who have been viewed more as passive subjects of regulation rather than as active agents involved in ethical reasoning and reform (Freeman 2012:31). Although this study does not generate any new empirical evidence, it critically engages with existing literature to highlight and reconstruct Pentecostal leader perspectives, providing a more complex theoretical account of Pentecostal Leaders as thinking agents who think through ethics. The study thereby addresses this gap by reconceptualising how these leaders are framed within the academic literature and presenting opportunities for other researchers to gather additional empirical data related to this topic.

Charismatic authority and Spirit-based pastoral leadership

Charismatic authority is an important characteristic of Pentecostalism and Charismatic Christianity, as it represents a form of pastoral leadership grounded in the leader's spiritual experience, divine calling, or perceived anointing rather than on formal credentials. It is derived from extraordinary qualities that are believed to have been given by and therefore acknowledged to be of a divine source by

those in the community (Berndorff 2026). In Pentecostal settings, this is validated through manifestations of the divine's authority through prophecies, healings, deliverances, and Spirit-led preaching. Each of these acts embodies the divine authority. The divine calling is defined as a call from God that is discerned through personal revelation, communal affirmation, and ministerial success (Lovell 2025).

The relational and performative basis of charisma provides leaders with a flexible response to community needs, while making them susceptible to misuse in the absence of accountability mechanisms (Metz 2026:42). As movements develop, the growth of an organisational base through the establishment of governance structures may limit the spontaneity of Spirit-led activities, thereby increasing the tension between the two (White 2022:198). Critics of such leadership assert that divine calling or anointing could permit leaders to become above scrutiny or to engage in authoritarianism (Muonwe 2024:67). However, many scholars caution against placing charismatic authority into the category of psychopathologies; Spirit-led authority can provide a foundation for moral responsibility and ethical pastoral care as well as social engagement when developed within the discernment of the community and through acceptable ethical norms (Khorram–Manesh & Burkle 2024:20). Most leadership roles within African Pentecostal traditions are rooted in familial connections and community oversight, establishing informal accountability mechanisms that are often overlooked by external mechanisms because of the absence of formalised systems (Freeman 2012:17–19).

Boff (2012) indicates that there is both epistemological and theological conflict between state-controlled authority and charismatic authority. Traditional regulatory methods for creating legitimate leaders are based on qualifications to characterise a leader's ability to lead. Such methods are often ineffective in creating legitimacy for leaders whose authority arises from spiritual encounters with God (Boff 2012:4). This results in scepticism for both parties; while the state views the charismatic leader as ambiguous and a potential threat, charismatic leaders perceive the regulatory agency as countering their spiritually based authority and infringing on their religious liberties. There is scant literature on how charismatic leaders articulate their legitimacy, uphold ethical behaviour, and fulfil their obligations to the community. The available literature on charismatic leadership has focused on the external perspective, while there is sparse research on the internal, reflexive actions of charismatic leaders that produce successful outcomes for their followers.

Ethics, accountability, and abuse in religious leadership

An ethical accountability framework for religious leadership is a pressing issue through theological, sociological, and public policy lenses, given the intersection of faith-based authority with vulnerability, trust, and uneven power dynamics. Religious leaders have considerable influence over adherents' moral, emotional, and/or spiritual lives and the potential to cultivate care and transformation; they can also create circumstances that facilitate abuse in the absence of appropriate safeguards (Vettukallel 2024:13).

Several types of religious abuse exist, including but not limited to spiritual abuse, which occurs when someone uses authority or religious language improperly to control or coerce or silence followers (Mohammed et al. 2024:107). Many contemporary financial abuses (coercive tithing) and the commodification of spiritual services occur in ministries that focus on prosperity (Lazarus, Tickner & Button 2025:350). Psychologically and physically harmful actions can result from unregulated healing or deliverance practices because of no oversight or consent. Misconduct leading to religious abuse is rarely solely the result of individual pathology; it is typically facilitated by a combination of structural factors, for example, concentrated, charismatic leaders; purported divine authority that precludes them from being critiqued and/or lack of clear governance.

Researchers are urging the adoption of strong ethical standards and accountability systems within organisational structures based on faith, including codes of conduct, financial transparency, shared leadership, and independent oversight. Some Pentecostal churches have established internal governance structures and Pastoral Ethics committees and developed training programmes for their leaders that integrate charismatic leadership with ethical accountability (Mtula et al. 2025:116–136). These initiatives challenge the assumption that Pentecostal churches are always unregulated and promote ongoing governance reform within their membership.

Critics point to a potentially limited role for internal systems of governance in informal or centralised contexts, particularly when dealing with senior leaders. Because the organisation's failure to protect its most vulnerable members calls for public intervention (Arnold & Jeglic 2024), the key question in deliberations over the establishment of new accountability mechanisms is not whether they are necessary, but rather how they should be implemented (Baider 2023:254). External regulation may weaken trust or may not align with an organisation's religious epistemology, and as a result, organisations that operate independently could normalise harm. Because of these concerns, hybrid accountability systems where both internal and external mechanisms are present are becoming more common (Maroun 2022:584). Recent research suggests adopting dialogical and collaborative processes among religious organisations, professional associations, and government bodies to develop accountability systems (Orchard & Bowen 2024:39). These methods promote the development of shared ethical standards through educational activities, build a greater capacity for collaboration, and encourage leaders to be recognised as moral agents capable of transformation through reflective practice.

Research methods and design

This study used a qualitative desktop research methodology within an interpretive framework to look at the relationship between Pentecostal pastoral leadership and the regulatory

oversight of the CRL (Wahid et al. 2025:443). Using secondary sources, the article examines how Pentecostal leaders' spiritual authority, ethical commitments, and ministerial practices are represented in policy documents, scholarly literature, and media coverage. This method is well-suited for delving into complex religious and socio-legal interactions, where primary fieldwork is unnecessary, thereby facilitating a comprehensive, contextually informed exploration of the regulatory, theological, and socio-cultural facets (Dale, Arber & Procter 2025).

Data collection and organisation followed predefined procedures for systematic collection and analysis; data were analysed through the use of at least two methods: thematic analysis and interpretative qualitative analysis (Humble & Mozelius 2022:76–81). Policy documents and legal texts were collected and combined to generate thematic evidence of regulatory intention or responsibilities, oversight methods and constitutional limitations. Academic literature was combined to reveal similarities in spiritual authority and governance of organisations, as well as ethical responsibility (Turner et al. 2023:145). Trends or discrepancies in the literature were also compared using data available through the lens of South African Constitutional frameworks and theological contexts within the Pentecostal tradition (Sun, Hsieh & Gao 2025). While the research relies on publicly available data from all sources (including data types), the researchers maintained proper ethical conduct throughout the study (Takats et al. 2022). Researchers cited all sources exactly to ensure academic honesty and maintained all insights based on critical evaluations of evidence within context to avoid damaging the reputations of individuals (or groups) associated with the studies being reported, as well as false representation of those individuals. All quality media content was carefully assessed to clearly delineate between objectively reported news stories, analysis of news stories, and fact based but sensationalised (i.e. biased) news stories (Aiko 2024:4). Methodological triangulation (the combining of policy analysis, academic literature and media content) was used to establish the rigour and reliability of the analyses as well as provide a variety of analytical perspectives (Schlunegger, Zumstein-Shaha & Palm 2024:619). All interpretations are based in context upon historical, legal and cultural factors, which enhances validity, and analytical transparency is provided via systematic coding and development of thematic groupings within the data (Lim 2025:200).

Reflexivity also bolstered credibility as the researcher was mindful of possible interpretive biases, especially those stemming from prevailing secular or Western knowledge frameworks. In this article, a systematic analysis of a collection of sources was conducted. These sources included policy statements from the Commission for the Rights of the Child, constitutions and constitutive statutes of South Africa, peer-reviewed scholarly articles, and print media reports on leaders of Christian Neo-Pentecostal churches in South Africa. A systematic analysis of these sources revealed that recurring discourse themes arose out of the reviewed materials both within the realm of policymaker sources, media reporter sources and scholarly sources. The recurring themes included: (1) basic dispute regarding Spiritual Authority; (2) the concept of regulated legitimacy and constitutional interpretation; (3) the resistance demonstrated by many Pentecostals to oversight from the State; (4) tension between Spirit-directed leadership versus bureaucratic leadership or regulation; and (5) church as a structure of ethical accountability.

Ethical considerations

This article followed all ethical standards for research without direct contact with human or animal subjects.

Results

Tensions between state regulation and Spirit-based authority

The article reveals an unresolved dispute over the CRL's regulatory actions regarding claims of Spirit-based authority made by leaders of Pentecostal churches. In contrast to policy and constitutional frameworks that emphasise ethics, human dignity, and protection from harm, Pentecostal writings focused on God-given authority and legitimacy grounded in charisma and spiritual discernment.

Ethical accountability as both an internal and external concern

A number of Pentecostal churches have developed codes of conduct, peer-review systems and mentoring programmes for leaders. Continued media coverage of reports of abuse, financial exploitation, and unsafe healing practices in certain church-based ministries has drawn continued public scrutiny and diminished institutions' credibility, while also fueling calls for greater government regulation and control.

Pentecostal leadership negotiates legitimacy within broader socio-political contexts

Assessing desktop-based research shows that Pentecostal leaders negotiate their legitimacy not only on the basis of theological claims to divine calling but also through their engagement with society and politics, including through media narratives, societal expectations, and the Constitution. As a result of being cognisant of the possibility of misrepresentation and regulatory oversight, these leaders adopt adaptive strategies such as ethical behaviour reform, internal accountability, and public messaging. The implementation of such strategies reflects a more comprehensive understanding of religious freedom, authority, and accountability, and how these principles apply today in South Africa.

Discussion

Recommendations

Desktop analysis of CRL regulatory oversight and Pentecostal pastoral leadership identifies several interrelated recommendations. The first recommendation is that the CRL Rights Commission or any other regulatory body make use of a dialogical, context-specific approach when dealing with

congregations. The second recommendation is that regulatory bodies should move away from solely compliance-based oversight to allow for the utilisation of Spirit-based epistemologies, as well as the theological justification for the pastoral leadership of Pentecostals. In this regard, the idea of participatory co-regulation is put forward as a means to enable religious organisations to take a greater role in establishing ethical standards, accountability systems, and regulatory bodies that are both constitutionally valid and contextually relevant.

Building on their credibility and ethical accountability to the general public will also require Pentecostal organisations to create more formalised systems of internal governance. This objective can be accomplished through the development and implementation of written codes of conduct, establishment of peer-review councils, and the strengthening of leadership programmes that educate current and future leaders on the importance of ethical behaviour and the misuse of authority. When self-regulatory mechanisms are documented in writing and made available to the public, churches can demonstrate transparency, fostering trust between the public and the church.

Third, to ensure that regulations do not unintentionally perpetuate historical power imbalances, policy designers should incorporate a postcolonial and decolonising perspective into their policy design. Policymakers should also recognise the vast differences in religious knowledge across South Africa and not impose Western credentialism as a universal standard. By emphasising African Pentecostal frameworks such as Spirit-led leadership and community discernment when creating regulations, policymakers can establish ethical safeguards while crafting rules that are culturally and religiously appropriate.

Conclusion

The CRL Rights Commission and Pentecostal pastors in South Africa face complex tensions owing to diverse constituent requirements of their members, different theological approaches, each entity's historical background, and the broader sociological context in which these organisations operate. Operating in a challenging environment of Spirit-led authority, media representations, and government regulation, Pentecostal leaders face the challenge of gaining legitimacy and acting ethically as they lead their congregations. There is evidence that regulatory approaches need to be context-specific, dialogical, and participatory. The models provided by postcolonial and decolonial perspectives indicate that epistemic injustices occur when faith-based regulatory authorities fail to incorporate both Pentecostal epistemologies and Pentecostals' internal governance models. Trust-based regulations established through collaborations to ensure ethical oversight can be demonstrated to support both accountability and the existence of Spirit-led leadership by establishing respect for those who led their communities as Spirit-led leaders.

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CRediT authorship contribution

Thalukanyo C.M. Sadiki: Conceptualisation, Data curation, Formal analysis, Investigation, Methodology, Project administration, Resources, Writing – original draft, Writing – review & editing. Mashudu E. Muthivhi: Conceptualisation, Data curation, Formal analysis, Investigation, Methodology, Project administration, Resources, Writing – original draft, Writing – review & editing. All authors reviewed the article, contributed to the discussion of results, approved the final version for submission and publication, and take responsibility for the integrity of its findings.

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Data availability

The data that support the findings of this study are not openly available and are available from the corresponding author, Thalukanyo C.M. Sadiki, upon reasonable request.

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