A Christian experience of religious freedom in the South African context

E Stegen

1 INTRODUCTION

Approximately 80 per cent of South Africa identifies with Christianity. The idea that we are a pluralistic, multi-faith society is not justifiable when one considers that Muslims, Jews, Hindus, Bahai and Buddhists together comprise less than 5 per cent of the population. The Kwasizabantu Ministers' Conference document Christianity and Religious Freedom (1992), states: 'While we support the concept of religious freedom and tolerance towards people of other persuasions, we firmly reject tendencies towards religious uniformity ....' The Evangelical Fellowship of Congregational Churches declared in 1992 that 'Public and private life should be built on the Christian ethos, and the duty of the state should be to uphold Christian values and civilized norms, and act at all times in humble submission to Almighty God'.

Before we can understand a Christian perspective on religious freedom in particular we need to examine the Christian perspective and world-view in general.

2 THE UNIQUENESS OF CHRIST

Central to the whole debate on religious freedom is the understanding about the uniqueness of Christ. Are we dealing with just one of the world’s religions
or are we dealing with the truth - immutable and absolute Truth? Is the Christian God the god that is worshipped by all other religions (which happen to use another name for him)?

The Bible refers to the second Person of the Trinity, the Lord Jesus Christ, as ‘the way, the truth and the life’ (Jn 14:6). It also insists that ‘There is salvation in no one else. For there is no other Name given among men by which we must be saved’ (Ac 4:12). He is looked upon by Christians as not just a prophet, a good person, a perfect example, but as the very Son of God. ‘Thou art the Christ, the Son of the Living God’ (Mt 16:16). He is the incarnation of God himself and only through his redemptive work on the cross and his resurrection can a person be saved. He is not only the Saviour. He is also the King, the Lord of Lords. He rules over governments and demands the allegiance of all persons. One day, the Bible says, all mankind will stand before the Son of God and will be forced to bow to him and ‘confess that He is Lord’.

It is with this understanding of Christ that the church has a world-view in conflict with the rest of humankind. Christians believe in the sovereignty of Jesus Christ over everything and everybody. There is no area of life, no individual, no institution, no moment in time, no place in the universe, now or ever, which is not the personal possession of the risen Christ. The first commandment, ‘You shall have no other gods before me’ locks biblical Christianity into irreconcilable conflict with all other religions on the face of the earth.

3 A DEFINITION OF FREEDOM

‘For He delivered us from the domain of darkness, and transferred us to the kingdom of His beloved Son ...’ (Col 1:13). No one is free until they have been freed by the Son of God from the slavery of sin. True liberty is walking in the statutes of God. In the book of James (1:25, 2:12), biblical law is called ‘the law of liberty’.

Thus, Christians regard the government as being an institution of God (Rm 13) which is his ‘servant to do good’ (Rm 13:4). This is why biblical Christianity cannot accept the idea of a neutral state. Christians remember the words of Jesus who settled the issue of neutrality once and for all when he said, ‘He who is not against us is for us’ (Mk 9:38).

Any ideology, religion or philosophy which does not exalt Jesus Christ as Lord over all must be rejected by Christians.
4 WHY THE INTER-FAITH MOVEMENT MUST BE REJECTED

4.1 Syncretism

Despite all the objections to the contrary there is still the inescapable truth that the inter-faith movement in general, and the World Conference on Religion and Peace (WCRP) in particular, are syncretistic in theology and do not hold to the Christian belief that only the Bible is the Word of God and that only through Jesus Christ is there salvation.

Professor Peter Beyerhaus (1992:16-17), uncovered the syncretistic nature of the WCRP:

The second [WCRP] conference was held in Louvain, Belgium in 1974 .... They didn’t say a word about man’s spiritual need - not even the Christians spoke of the need of Jesus Christ and evangelising people in His Name. The basic assumption was: all religions must contribute to the coming World Order. Let me quote from their findings: ‘Buddhists, Christians, Hindus, Jainists, Jews .... We all tried here to listen to the voice of the spirit in our various venerable religious traditions.’ (Note here again the presupposition that the Holy Spirit speaks through all spiritual traditions.) .... In the final lecture and message, it was said: ‘May the spirit which has blessed our Louvain conference move all believers who receive this message - in churches, mosques, cordobas, pagodas, shinto shrines and temples all over the world - may our message become their message, as they address themselves to their believers.’

One finds the same underlying syncretistic attitude in the statements, radio talks, prayers and other material coming from the WCRP-SA. The prayer offered by Maarten Turkstra at the 1993 WCRP conference in Johannesburg was an example of the spirit that prevails in the inter-faith movement (CFT Special Report 1993, CFT Newsletter Jan/Feb 1993).

The church of Jesus Christ cannot afford to prostitute herself. She has sworn allegiance to the Living God who has demanded that ‘You shall have no other gods before me’.
4.2 The content of the declarations is unbiblical

Since the spirit of the inter-faith movement is certainly not the Spirit of God, the third Person of the Trinity, it is only natural that the contents of the WCRP declarations should be anti-Christian. The overwhelming criticism from nearly all quarters of the Christian church in South Africa against the Draft Declaration (1992a) is evidence that most Christians reject the inter-faith direction. A variety of documents points out to anti-Christian and totalitarian nature. The Statement by Kwasizabantu Ministers’ Conference (1992) is just one of them. This conference presented its document ‘Christianity and Religious Freedom’ to the churches of South Africa. It should be noted by the WCRP and those deciding on the new constitution that over 200 000 individuals signed this document which specifically rejects the inter-faith movement and what it represents, upholding instead the need for government to reflect biblical principles in the new constitution. The final ‘Declaration on Religious Rights and Responsibilities’ will have to be examined by the next Kwasizabantu Ministers’ Conference.

4.3 The inter-faith movement is an enemy of the church

By trying to co-opt the church into supporting its declaration, the inter-faith movement is attacking the church’s foundational principle of allegiance to the Living God alone. The church has suffered enough exploitation in the past. The history of sections of the church bowing to, and even giving theological support to, the apartheid government cannot be repeated in the future. The inter-faith movement, in collusion with the new dispensation, wants to entice the church to be part of the new order, hence the constant use of political jargon in the Draft Declaration (of the WCRP) which would have the church declare itself in favour of ‘a democratic, nonracial and nonsexist South African society’. Dorothy Sayers feared that the church (in America), having long submitted to one gang of exploiters, would simply transfer its allegiance to its new opponent. ‘If the churches make this mistake, they will again be merely following the shift of power from one class of the community to the other, and deserting the dying Caesar to enlist the support of his successor’ (Schossberg 1969:244).

5 NEUTRALITY - IS IT POSSIBLE?

We need to understand that a man never can lay down his religion and act as a religionless person. He can have his religion changed, but he cannot act or think in a religionless manner, because religion is the governing principle of all he
Proponents of the secular state claim that government can only be neutral when it is totally secular with no religious bias at all. It is difficult to refute the allegation that secularism is in essence religious. Secularism bases its beliefs on the fundamental humanistic belief that man is accountable only to himself. Man becomes the ‘master of his destiny; the captain of his fate’. When government becomes humanistic it has an automatic bias against Christianity, which proclaims that man and government are accountable to God and cannot make their own decisions without him. The secular government will be diametrically opposed to nearly all the fundamentals of the Bible. For instance, the secular view of man holds that man (while I do not regard myself a sexist I make no apologies for using so-called ‘sexist terminology’ as the very changing of terminology is again the acceptance of humanist principles) is essentially good and if he behaves badly it is because of his environment. The Bible claims exactly the opposite. Man is ‘totally depraved’. He does not become bad because of his environment, but makes his environment bad because he is bad.

Because of its very nature, the secular humanist government must because of its very nature, have an inbuilt bias towards its own religious belief system and must be antagonistic towards God’s demands. The history of secular governments has proved this to be so. The following are six examples of the anti-Christian nature of secularism.

5.1 Education

The year 1962 was a turning point in the history of the United States of America. Until then, prayer and Bible-reading had been a normal part of public schools because of America’s strong Christian heritage. The First Amendment, which reads, ‘Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof’, had always been taken to mean that Congress could not favour a particular denomination. In 1962 the Supreme Court changed the definition of ‘church’ to mean religion. Ever since, the best-selling book in America has been officially banned from all government schools. The ACLU (American Civil Liberties Union) has people
snooping on school libraries just to check that it is not found on the shelves. Where they have found copies of the Bible (or any literature of a Christian nature), the ACLU has been known to open lawsuits against such schools.

The purge is an ongoing one. Schools which dare to display crucifixes, the Ten Commandments or other Christian symbols continually lose their cases in court. I quote some examples from Barton’s book (1991:23):

* Freedom of speech and press is guaranteed to students unless the topic is religious, at which time such speech becomes unconstitutional.

* If a student prays over his lunch, it is unconstitutional for him to pray aloud.

* It is unconstitutional for a Board of Education to use or refer to the word ‘God’ in any of its official writings.

* Public schools were barred from showing a film about the settlement of Jamestown because the film depicted the erection of a cross at the settlement, despite the historical fact that a cross was erected at the Jamestown settlement.

* In the Alaska public schools, students were told they could not use the word ‘Christmas’ in school because it had the word ‘Christ’ in it, nor could they have the word in their notebooks.

* In Virginia, a federal court has ruled that a homosexual newspaper may be distributed on a high school campus, but religious newspapers may not.

The situation in England, which has a multi-faith religious curriculum, is also in crisis. Last year Lady Olga Maitland MP made a blistering attack on the state of religious education in the nation’s schools last year. She said that schools had adopted a ‘multi-faith mishmash’ even though a recent MORI poll had showed that other faiths comprised only three per cent of the total.

Some of the results of banning prayer and Bible-reading in schools in the USA (Barton 1991:31, 55):
Figure 1: SAT total scores

Score Basic Data from the College Entrance Exam Board

Years

# 1 - Average achievement level prior to the separation
# 2 - Amount of reduced academic achievement since separation

Figure 2: Pregnancies of unwed girls under 15 years of age

Total pregnancies (value X 10000)

Years

Live Births Population Growth Interpolated Data

Basic data from Department of Health and Human Services
Statistical abstracts of the United States, the Center for Disease Control, and the Department of Commerce, Census Bureau
Instead of a curriculum with a biblical base, the religion of humanism (so-called ‘neutrality’) has created an anti-Christian bias. No wonder that the black American Thomas Sowell (a senior fellow at the Hoover Institution) felt compelled to say, ‘Today’s school curricula should come with a warning: “May be dangerous to your child’s mental health”.’

Is it even necessary to look at examples of secular Marxist states that proclaimed religious freedom in their constitutions and yet consistently denied this freedom to Christians? Is it necessary to examine the inherent anti-Christian bias in the education systems and how this has reduced most communist nations to beggars? Is it not ironic that the Russian education authorities are now calling upon western Christians to assist them in drawing up a syllabus that has a biblical foundation? When I was in Russia two years ago I asked some academics as to why such a large nation with the world’s best resources should be so poor. They answered unanimously, ‘Because we didn’t have God!’

5.2 Sex education

Neutrality in the name of religious freedom must cause chaos in the classroom. This is especially true when it comes to sex education. Many publications and a great deal of research show that sex education in schools under government control has served to make children more promiscuous. When God’s laws are ignored in the realm of sexual behaviour there will always be an alternative ‘religious’ point of view. Humanism will tell the children, ‘Don’t worry about your parent’s views and all the moralistic and puritanical ideas that you’ve been brought up with - you must decide for yourselves!’ The sex education curriculum then helps children to decide and, invariably, rebellion against Christian values wins.

In South Africa this is of particular importance. Our Department of Health and Population Development has opted for a humanistic point of view and most of its educational publications about sex and AIDS are anti-Christian. The unvarying theme is basically: ‘It is better not to have sex before marriage but when you do this is how to do it safely - with a condom!’ Professor John Young (from Florida State University), in reacting to our Health Department’s philosophy on sex education, said that ‘it is as stupid as telling a child, “Don’t steal the cookies, but when you do, make sure you clean up the crumbs afterwards”.’
As an example of the results of humanistic sex education, let me quote from a poem that was written by a matric student, Hlengiwe Makhanya, after an AIDS education course.

The Condom
It is the saviour
It is the saviour of our lives
Oh yes, we know that AIDS is after us
But the condom is our saviour
Oh the power belongs to it
It is the saviour of our lives.

Viva Comrade Condom Viva!
We trust you with your power
To save the people of this world
From this harmful virus.

Should the new government of South Africa continue with the lie that the condom is going to save us from the AIDS epidemic, it may well be that millions will suffer as a result.

5.3 Abortion

When a secular government leaves every choice to man, with no higher authority than a Supreme Court, it is only natural that ‘choices’ will be anti-biblical and even anti-human. If freedom of religion is to have any meaning at all, the most basic freedom must be the freedom to live! When governments take a neutral stand on this issue and refuse to bow to the plain biblical view that abortion is murder (see Ps 139:13-15; Jr 1:5; Lk 1:15,44; Mt 1:20), the sanctity of human life loses all meaning and a holocaust is the result.

Since the USA watershed case of Roe versus Wade in 1973, over 30 million babies have been aborted. This is the result of humanism! This is the consequence of handing the ‘choice’ to humankind instead of insisting on a superior divine law that upholds the sanctity of human life from conception to natural death.

The Bible says that ‘The compassion of the wicked is cruel’ (Pr 12:10). So it is with all governments who reject God’s law and choose human law. Under the
Clinton administration, in the name of compassion, human fetuses are used for experiments to cure diseases. In some American hospitals there are NFBM signs on the cots in remote areas of the nurseries. These signs mean No Food By Mouth and are intended to allow the newborn baby to die from starvation because it has Down's Syndrome or is in need of an expensive operation. Indeed, 'The compassion of the wicked is cruel!' (Life Force Newspaper 1991:7-8).

The natural consequence of the lack of respect for life which God has created is that this disrespect extends (as in the NFBM cases) beyond the birth. Now the debate is euthanasia. In recent polls in the Netherlands it was discovered that the greatest fear among old people is that they will receive a lethal injection. Some carry around cards saying, 'If you discover me unconscious please do not kill me'. Old people are exchanging lists of hospitals where euthanasia is less likely to be carried out. It is reported that the rate of euthanasia cases rises sharply just before holidays because children do not want their vacations to be spoiled by the burden of caring for aged, diseased parents. 'The compassion of the wicked is cruel!'

It is heartbreaking that most of the proposed constitutions for the new South Africa guarantee the right to abortion on demand (even though they use more euphemistic terms).

5.4 Freedom of speech

In the Netherlands the 'anti-discrimination' law, though it certainly has its advantages (such as banning racial discrimination), also has its weaknesses. While gays are protected as a group that has special civil rights, the result is that Christians have their freedom of speech curtailed. It is no longer permissible publicly to condemn homosexuality as a sinful lifestyle that needs repentance of, because this 'discriminates against gays!' Theoretically, a minister of the gospel can be jailed if he insists on declaring what the Bible has said: 'Do not be deceived ... neither the effeminate nor homosexuals ... shall inherit the kingdom of God' (1 Cor 6:9).

When society limits the faithful proclamation of the Word of God, then that society has become totalitarian.

Let us take a brief look at Singapore, the country that has been hailed as the example of freedom because of its 'neutral', secular government. There have been recent cases of evangelists who have been arrested because of their zeal
to convert members of other religions. (Some citizens of Singapore say that ‘Singapore is a fine country! You pay a fine for chewing gum. You pay a fine for eating sandwiches at the railway station. You get a fine for many things. Singapore is just fine!’)

What about South Africa? The University of Natal’s Student Representative Council has purportedly refused permission for Christians to put up posters with Bible verses because, horror of horrors, the Bible contains sexist language!

What about our local chapter of the WCRP? There have been many debates over the point on slandering others. The Draft Declaration on the Rights and Responsibilities of Religious People (WCRP 1992a) contains the menacing words: ‘Religions shall be free to propagate their beliefs .... This should be done with respect for the beliefs of others, without malice, slander or the denigration of any person or religion’ (13:2). Christians find no consolation in the toning down of these words in the final declaration, which states that, ‘The propagation of religious teachings should be done with respect for people of other religious communities, without denigrating them’ (6:1). Since the Declaration wants these principles to ‘function within the framework of a Bill of Rights’ these are ominous words when it comes to the Christians who know that they have been commissioned by their Saviour to ‘go to all the nations ... teaching them to obey everything I have commanded you’ (Mt 28:20). And Jesus has given us harsh words about the worship of other gods. Who is to say whether our faithfulness to his commission is ‘denigrating other religions’? Will it be the ‘inter-faith body’ that consists of religious people ‘committed to the inter-faith movement’? It would amount to an intolerable interference in personal freedom if expression of religious criticism by anyone were restricted.

Again, many Christians are not encouraged by the removal of the idea of the ‘inter-faith advisory body’ from the final Declaration on Religious Rights and Responsibilities. Instead, they realise that an inter-faith committee, a reminder of the Soviet ‘Department of Cults’, is the spirit and intent of the WCRP, and it will be easy for the WCRP to reintroduce this theme under a more sympathetic government. Instead, over 200 000 Christians in South Africa have signed the Christianity and Religious Freedom (1992:2.1, 2.3, 2.4) document which states -

We hold to the following freedoms because we believe they are essential in order to freely practice our faith:
* The freedom to proclaim that the Lord Jesus Christ is the only mediator between God and people.

* The freedom to proclaim the God of the Bible to be the only true and living God.

* The freedom to point out the errors and deficiencies in the beliefs and ideologies of others ....

(It is interesting that Jews, Hindus, Muslims, and those of other faiths must admit that, in countries where their own religion is dominant, Christians do not enjoy the freedom of religion that they enjoy here. For instance in Malaysia, which is not yet fully ruled by shariah law, it is strictly forbidden for Christians to print invitations to Church meetings without the words, ‘Only for non-Muslims’. They must also provide ushers to stand at the door and discourage Muslims from entering.)

5.5 Pornography

Secular states claim neutrality when it comes to the sensitive issue of censorship. Their neutrality means that there are few restrictions and all sorts of pornography flood society - in the name of freedom! If the new constitution outlaws all censorship of pornography, it may well be that South Africa will become a haven for child pornography, ‘snuff-videos’, and the worst types of pornographic perversion.

The result is more rape, child-abuse and filth in society. This impinges on freedom of religion. Parents who do not want their children to grow up in such an environment find it increasingly difficult to protect them.

It is already an embarrassment to walk into any South African airport with one's children because of the offensive advertisements for Penthouse and similar magazines.

Legislation against pornography is imperative if we want to uphold freedom, because the porn industry by nature is destructive to social order, liberty and morality, as it demands a world of moral anarchy, where everything is acceptable, especially if it is warped. True religious freedom can be upheld only in a society where there is law and order instead of legalised moral anarchy.
5.6 Parental responsibility

The 'neutral' state that decides that man's decisions are more important than biblical law finds itself in conflict with God's commands to parents.

Most countries that are secular, or tend in that direction, have child-abuse laws that impose severe limitations on freedom of religion for parents (although child-abuse laws should be present to protect children from sexual and physical abuse). These laws have come to be interpreted as meaning that any parent who gives his or her child a hiding (and I do not mean an unbiblical, sadistic attack that injures a child) finds himself in difficulty with the law. There have been many cases in Europe (and some in the USA) where a normal hiding given by a loving parent to a disobedient child has resulted in the police forcibly removing the child from its parents and a lawsuit to have the child or children permanently removed if the parents are not 'rehabilitated'. There was a case in England earlier this year when a father was arrested for assault because he hit his two boys three times with a belt. The father rightly objected that 'If parents were stricter with their children we might not have ten-year-olds killing toddlers and mugging grannies' (Rees 1993:15).

The secular state finds itself in direct opposition to the Bible which proclaims, 'The rod of correction imparts wisdom, but a child left to himself disgraces his mother' (Pr 29:15). The neutral state makes laws that claim greater wisdom than the Bible by outlawing the loving parental 'rod of correction' and demanding that the child 'be left to itself' (this is euphemistically termed 'child-empowerment').

Is it not clear from the above examples that, when a government refuses to acknowledge a superior source for its law, it becomes a law unto itself and it begins the slippery slide into totalitarianism and the accompanying collapse of freedom of religion?

The neutral state is simply a government and nation in rebellion against the Living God.

Why do the nations conspire and the peoples plot in vain? The kings of the earth take their stand and the rulers gather together against the Lord and against his Anointed One. 'Let us break their chains', they say, 'and throw off their fetters'.

(Ps 2:2, 3)
What do Christians want, then, in regard to religious freedom? Are we asking the state to become the patron of the church? Are we demanding that Christ be ‘cotton-wooled’ (a term Bishop Peter Storey has used on a number of occasions)? Have Christians left their calling to pray for the government to demand special state protection for themselves? Are we saying that God is not strong enough to defend himself?

Are Christians demanding special rights in addition to the normal human rights for the other citizens? Are Christians not merely afraid of adversity and persecution?

A bold ‘no!’ to all these questions. Of course God can and does defend himself. His Son does not need to be ‘cotton-wooled’. Christians should not be given special civil rights (such as those that gays are demanding).

* What Christians are saying, and what the Bible has always said, and will always be saying, is that the government is accountable to God. The state’s duty is not towards the Christians but towards God who created the institution of government as part of his divine order in this world. Allegiance to God and his law is not just for the church, or his covenanted nation, Israel; it is for all governments, kings and rulers. ‘Therefore, you kings, be wise; be warned, you rulers of the earth. Serve the Lord with fear and rejoice with trembling. Kiss the Son, lest he be angry and you be destroyed in your way ...’ (Ps 2:10-12).

* At the same time we proclaim to the church that healing of the nation does not come via the state. Constantinian rule is not the solution for, ‘if my people, who are called by my name, will humble themselves and pray and seek my face and turn from their wicked ways, then I will hear from heaven and will forgive their sin and will heal their land’ (2 Chr 7:14). Nothing short of a wholehearted return to God and genuine repentance can save a people from tyranny. The spiritual and moral condition of the church determines the political, economic and social condition of that society in which the church exists. An apostate church will be vexed by an oppressive state and a hostile society. How blessed South Africa would be if there was a national turning back to God with a humble confession of sin, and if South Africans would openly confess allegiance to the Lord Jesus Christ as King of Kings and Lord of Lords.

* Even if the government guarantees full religious liberty as set out in this document, the one who does not believe in Jesus Christ will still not be free.
Freedom is not granted by government. Freedom from apartheid will not come just by removing this injustice from the statute books. Racism resides in the heart and cannot be removed by laws. True freedom can be obtained only by repentance and receiving forgiveness through Christ's atonement on the cross and by living in an obedient relationship with him and his law. In that sense, liberty is not a human right but a free gift to all who put their faith in Jesus Christ (Rm 6:23). Any person or society that rejects Christ has automatically turned down God's only offer of liberty.

*Any government that rejects God and his revealed law cannot expect the allegiance of Christians. Our consciences are bound by the Word of God. 'God alone is the lord of the conscience, and has left it free from the doctrines and commandments of men which are in anything contrary to his word, or beside it, in matters of faith or worship. So that to believe such doctrines, or to obey such commandments out of conscience, is to betray true liberty of conscience ...' (Westminster Confession of Faith).

With these points in mind let us look next at some specifics for religious liberty in the South African context.

7 SOME SPECIFICS FOR RELIGIOUS LIBERTY IN SOUTH AFRICA

* Evil can never be justified in the name of religious freedom.

There can be no freedom for pornography, perversion, cruelty to animals, rape and child abuse (which occur in Satanism). Neither can abortion on demand or the exploitation of women's bodies (legalised prostitution) be tolerated. 'The sanctity of each human life shall be recognised from the moment of conception' (Africa Enterprise 1993).

* Parents must be free to educate their children according to their convictions.

As is stated in the Kwasizabantu Ministers' Conference document (Christianity and religious freedom 1992), we should have the freedom 'to educate our children in our faith, in all educational institutions, and to establish our own Christian schools or home schools independent of state control' (2.6).

* Christians should also have 'The freedom to point out the errors and deficiencies in the beliefs and ideologies of others'. (Christianity and religious freedom 2.4).
* There should be no attempt to register or regulate churches, missions or religious movements.

Thus, *The Kwasizabantu Affirmation* of 1991 claims, in point 5, the ‘right of the Church to choose its leaders without any State interference (Ac 6:3-6) .... We reject the establishment of a Department of Religious Affairs as an unacceptable interference by the State in religious matters and a step towards State control of the Church’ (point 5c & d). *The Africa Enterprise Consultation on Human Rights and Religious Freedom* (1993) puts it this way: ‘We affirm the autonomy of religious bodies over their theological and ecclesiastical affairs. This does not imply that the state should be secularistic or that it has no spiritual accountability ....’

* There should be a recognition of the right of parents to raise their children in the ways of God.

(*The Kwasizabantu Affirmation* 1991:5a): ‘... And thou shalt teach them diligently unto thy children’ (Dt 6:7).

* Christians must have the right to persuade a person to change his or her religious views.

True liberty must safeguard the right for anyone to change convictions and to seek to persuade others to do the same.

* The Triune God must be acknowledged in the constitution.

As Prof Pieter Potgieter (1993:4) (Chairman of the General Synodal Commission) stated in an article in the Kerkbode [translation mine]:

... anything less than the Triune God is not God .... Therefore, from a Christian perspective we cannot but insist that the only true God should also be openly acknowledged ... since almost 80 per cent of our population according to official figures, consider themselves as Christian.

It is only by means of the Trinity that God draws near to his creatures. Without this approach God would remain far from us, veiled from our understanding and cut off from our experience. A God without the Trinity is only a figment of our human imagination.
It is crucial that reference to God in the constitution is not watered down by some vague name such as 'higher power' or 'divinity'. It must be clear that he is the Living God, the creator of heaven and earth, the Triune God. In the book by the World Council of Churches (WCC), *One God, One Lord, One Spirit* (Link 1988:32), this point is clarified in the following way:

The *Father* is not the God projected by deism, .... Nor is he the God of theism .... Nor is he merely creative power or absolute will as proclaimed in some religions and philosophies. In dialogue with such views the church should not too quickly assume that the first article of the Creed is common ground with them, for if the decisively Christian element is missing the entire perspective is altered.

Also, 'The *Trinitarian perspective* is indispensable from the beginning. The Triune God is the God who created all that is ...' (Link 1988:35).

8 CONCLUSION

'Religious liberty is a frail plant that, in the long context of human history, has rarely been allowed to come to full blossom. Thanks initially to the truths set loose by the Reformation, the West has a history, relatively recently, of religious freedom, but only after hard struggles' (*Evangelicals Now* [sal]).

South Africans should not perpetuate the disastrous myth of religious neutrality. Yes, government can 'legislate morality'. That is not to say that the government can make people moral - only the gospel of Jesus Christ can do that. However, we cannot escape the fact that all laws have a moral and not a neutral basis. The question is whose morals will be legislated. Will they be the morals of the anti-Christian secular humanism, or will they be the morals contained in the revealed Word of God? The one will bring death and destruction while the other will bring life and liberty! I repeat the vow made by the 1 000 ministers and Christian workers who attended the Fourth Kwasizabantu Ministers' Conference in 1992: 'We reaffirm our obedience and unconditional loyalty to our Sovereign Lord, Jesus Christ. “God forbid that we should forsake the Lord, to serve other gods ... the Lord our God will we serve, and his voice will we obey” (Jos 24:16, 24)'.

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WORKS CONSULTED


CFT Newsletter Jan/Feb 1993: Worms and snakes, be with us: An Interfaith prayer.


Evangelicals Now [sa]. The Interfaith Movement and religious liberty. Reprinted with permission by The Protestant Association of South Africa.


A Christian perspective on religious freedom in the South African context

G J A Lubbe

1 INTRODUCTION

Kindly allow me to preface my contribution with two remarks, the one brief and the other a little longer.

First, it was my express wish that the adjective 'Christian' be added to the title of the present contribution and I owe a word of gratitude to the organisers of this seminar for conceding my request. The reason behind this request is twofold, namely that I cannot claim, nor do I wish, to hold a neutral position and that I feel fully justified in presenting my understanding of religious freedom as a particular Christian perspective. Both my involvement in the interfaith movement in South Africa and my present discussion of the contribution which this movement has made to the debate on religious freedom are taking place against the backdrop of my own personal commitment to the Lord Jesus Christ. This fact, I make bold to say, is well known to all my partners in dialogue.

Second, whilst the preceding contributions by adherents of other religious traditions are called 'experiences', the present paper is looked upon as a 'perspective'. Assuming that the distinction has been made intentionally, I venture to make the following marginal notes which, to my mind, are valid:
1.1 As a Christian, reared and trained in the Calvinist tradition, I certainly find myself among that section of the South African religious community which has, until now, enjoyed the largest degree of freedom. Bearing in mind that Christianity in this country has, to use the words of Charles Villa-Vicencio (1988:201), been ‘trapped in the dominant structures of oppression, controlled by an entrenched bureaucracy, conditioned by a history of compromise and impoverished by an inability to break out of the iron cage of history’, I nevertheless feel obliged to confine myself to a perspective on, rather than an experience of, religious freedom.

1.2 With Christianity having been the dominant religion in South Africa since at least the turn of the century, and remaining so for the foreseeable future, an important instrument for gauging religious freedom is to be found in the perceptions of the so-called minority religions. Their experience of religious freedom, or lack thereof, will continue to serve as an indicator of whether progress is being made in this regard.

2 THE PRESENT DEBATE

In tracing the history of the present debate, one inevitably arrives at the historic speech which President F W de Klerk made in Parliament on 2 February 1990. Among several important announcements, De Klerk envisaged a Bill of Human Rights which, according to him, would include a clause on religious freedom. Taking this announcement as its cue, the South African Chapter of the World Conference on Religion and Peace (WCRP-SA) started planning an inter-faith event at which the matter of religious freedom could be discussed and, if possible, consensus could be reached. What was initially planned as a small consultation eventually ended up in a full-scale conference in Johannesburg from 2 to 4 December 1990. At this first ‘National Inter-Faith Conference on Religion-State Relations’, as the event was called, the following recommendation was, inter alia, accepted: ‘WCRP-SA should initiate a process of developing a charter of religious rights and responsibilities within the context of a new constitutional framework’ (Kritzinger 1991:81). In accordance with this recommendation, a process was initiated by WCRP-SA in 1991 to develop this charter. After several single- and multi-faith workshops in Cape Town, Durban, Johannesburg and Pretoria, enough issues were identified to produce a draft charter. Being the product of a workshop attended by about 30 people from five different faiths, this draft was released at the end of June 1992. Known as the Draft Declaration on the Rights and Responsibilities of Religious People (WCRP-SA 1992a), this document was disseminated widely. Responses were subsequently received over a wide spec-
trum and many of these directly contributed to a revised draft which was
finalised and endorsed at the second National Inter-Faith Conference held in
Pretoria from 22 to 24 November 1992. The *Declaration on Religious Rights
and Responsibilities* (addendum) (WCRP-SA 1992b), as the final document is
known, is at present being presented to religious communities and individuals
for endorsement. The Pretoria conference, however, did not rule out the pos­
sibility of further revisions, should such a need arise.

3 THE DECLARATION

For reasons of time and space, I do not intend a detailed discussion of the 1992
Declaration on Religious Rights and Responsibilities. I will, instead, give an
outline of the three main principles which, according to my understanding, in
this document. The principles are the following:

* The reality of religious diversity in South Africa.
* Separation between religion and state in a future constitutional dispensa­
tion.
* Equal opportunities for all religions in societal life.

3.1 The reality of religious diversity in South Africa

It can safely be stated that, for as long as our subcontinent has been inhabited
by people, it has known religion in a variety of forms. Archaeological findings
have established beyond doubt that the observation of traditional religious
beliefs and practices by the indigenous peoples of our land formed an integral
part of their respective cultures. With the arrival of Christian settlers on the
one hand, and Muslim slaves and political exiles in the middle of the seven­
teenth century on the other, religious pluralism became more pronounced.
Adherents of Hinduism who arrived here in the second half of the nineteenth
century, and East European Jews who made their way to South Africa at the
turn of the century, added even more facets to the local religious scene. In
addition to these religious traditions South Africa is also the home of Bahaists,
Buddhists, Jainists, Rastafarians, Sikhs and Zoroastrians, albeit rather small
numbers in some cases.

The unique aspect of religious diversity in South Africa, however, is not to be
found in the relatively large number of faiths represented here. The striking
fact is rather that, with the exception of the relatively small number of Jews,
white Buddhists and white Muslims, all the adherents of religions other than
Christianity are black (that is, African, coloured or Indian). 'When Christianity, and in particular white Christianity, therefore over a period of three hundred years had to come to terms with the otherness of people of other faiths, it was an otherness comprising both colour and creed' (Lubbe 1990:210).

Against the policy of racial discrimination, which has for decades prevailed in our country, it becomes clear why adherents of minority religions have the general perception that they are tolerated but not free. They found their very existence so closely linked to racial issues that virtually every experience of racial prejudice was also understood and interpreted as an experience of religious prejudice.

On the other hand it can be asserted that, while religious diversity has always been a reality of South African society, many Christians have only vaguely been aware of the presence of people of other faiths. Apartheid legislation, which enforced separate residential areas for different races, which prohibited marriages across the colour line and which prescribed separate educational facilities for different population groups, managed to isolate communities from each other and minimised situations in which normal contact could occur. What Saayman (1981:114) said some twelve years ago certainly held true until very recently: 'The socio-political set up in South Africa makes it possible for perhaps the majority of (Christian) South Africans to go through life without ever encountering someone of a different religious persuasion.'

The 1992 Declaration (addendum, preamble f) gives recognition to the reality of religious diversity when it wants to 'affirm the rightful and lawful existence of diverse religious communities and call upon the state to recognise them and guarantee their autonomy'. When it further urges people (addendum 1.2) to 'respect and practise tolerance towards other people whatever their religious beliefs', it deals with matters which are only really possible where religious pluralism prevails.

While religious diversity, or plurality of religion, is then an inescapable reality in South Africa, this is not necessarily the case with religious pluralism, since the latter presupposes the existence of relationships between different religious traditions. Shockley (1988:140) aptly describes the difference between these two concepts when he says:

Religious pluralism must be distinguished from religious diversity, the reality and presence of a variety of types and forms of religious expressions. This is minimal religious
pluralism. The essence of religious pluralism is not regalia but relationships. What is the relation of the content of the various faiths in a community? What is their common history, if any? What are their status and power relations? How do they relate to each other? What are some common human efforts that can be planned and worked on jointly?

We must honestly admit that of religious pluralism, in the sense in which Shockley uses this concept, very few traces are to be found in our country. Perhaps the existence of the inter-faith movement in general and the formulation of the Declaration in particular are some of the few examples of inter-faith relationships in our country. One of the important challenges which are facing our deeply divided nation is the acceptance of people of other faiths as colleagues, neighbours, friends and fellow citizens. The establishment of religious pluralism is an important element in the laborious process of nation-building which is awaiting us in the post-apartheid era.

While there are many who welcome the signs of better understanding and increased cooperation between people of different faiths, this development poses a large threat to others. One of the strongest points of criticism which Christians raised against the Declaration in particular, and inter-faith activities in general, is the perceived presence of syncretistic tendencies. Syncretism, according to Kraemer (1977:203), has the connotation of expressing the illegitimate mingling of different religious elements:

This peculiar conception of syncretism could only grow in a Christian atmosphere - and has actually grown there, for the word and the concept are a result of theological controversies in seventeenth-century Protestant theology - where it is legitimate and obligatory to speak about illegitimate mingling, because an absolute standard of reference is implicitly assumed.

A close scrutiny of the Declaration, to my mind, fails to produce evidence of syncretistic tendencies. The document contains no reference to any doctrinal matters or 'religious elements', to use Kraemer's expression, nor any attempt to merge religious truths into a unitary system. Even when it comes to the moral responsibility to society, it is clear that both the Declaration and the proposed Clause enjoin religious communities to exercise their responsibilities in
terms of their respective teachings and not in terms of some universally shared doctrinal stance. It is abundantly clear that the Declaration is dealing with relations between religions and the state, as well as relations between different religious traditions. It is not religious dogma but the presence of religion in society that forms the essence of this Declaration.

Because no critic has as yet pointed out anything in the contents of the Declaration which, in terms of Kraemer’s definition, would qualify as syncretism, one is led to suspect that the real target is not the document itself, but the process by which it came about. The Declaration, it should be remembered, is the result of inter-faith workshops and conferences. The very fact that people of different faiths could work together and agree on a statement on religious freedom probably earned this document its label of syncretism. At this point I will concede that the Draft probably contributed to this misunderstanding by using concepts which could give the outsider the impression that some sort of amalgamation of different systems of belief was at hand. Examples of such concepts are ‘independent inter-faith advisory board’ (clause 3.1), ‘inter-faith advisory board’ (clause 3.2), ‘multi-faith religious education’ (clause 6.1) and ‘multi-faith courses’ (clause 8.3). The ambiguity of these concepts was realised and therefore omitted in the final Declaration.

Two impressions, which several responses from Christian side created, do suggest, however, that more than a mere lack of clarity was at stake.

In the first instance, the rather emotive demands that those responsible for the document should identify themselves, that they should explain who mandated them to undertake this task, and that they should reveal their international links, suggest that the theory of the great conspiracy is still alive and well. In order to dispel all the suspicions and misgivings about WCRP-SA and its role in the Declaration, the following brief outline of its objectives should suffice:

Linking itself to an international body, with a well-known track record of religious concern for matters of justice and peace, the South African Chapter of WCRP was born in 1984 and immediately identified three reasons for its existence. First, it intended to create a platform for all religious traditions in this country to express - in terms of their own traditions - their opposition to the ideology of Apartheid and their abhorrence of its denial of human dignity and freedom. Secondly, WCRP-SA wanted to create awareness of the fact that South Africa is, and always has been, a country of religious
pluralism. Thirdly, it wanted to be available as an instrument of reconciliation in situations of inter-religious conflict and confrontation.

(Lubbe 1991:v)

As to the international connections of the World Conference on Religion and Peace, one almost senses relief when its critics are informed that it is linked, not to the World Council of Churches, but to the United Nations where it enjoys the status of a non-governmental organisation!

The demise of communism has created the need for a new enemy and the quest for religious freedom seems a suitable substitute. It is understandable that a period of political transition could cause people to feel insecure. However, to suggest, as many did, that the adoption of the Declaration will mean the end of Christianity in South Africa is bordering on the absurd.

In the second instance, the feeling that racism is at the root of so many negative responses cannot be laid to rest. For instance, during the 1983 referendum, which dealt with the inclusion of coloureds and Indians into the parliamentary system, much was made of the intrusion of our Christian-national heritage by Hindus and Muslims. However, the real issue at stake was the fact that so-called ‘non-whites’ were being allowed into the previously whites-only chambers. If only Hindus and Muslims were white, much less political dust would have been kicked up from right-wing quarters then and much less controversy would have surrounded the Declaration now!

The culture of tolerance, which is so desperately needed in the political arena in our country, is certainly also necessary with regard to people of other faiths. Religious tolerance will certainly preclude people from casting the suspicion of syncretism on well-meant attempts to create harmony and understanding between people of different faiths. With so many examples of inter-religious conflict leading to untold misery in many parts of the world, attempts by people of different faiths to work together on matters of social concern are to be welcomed. It is in this sense that we should grow from the reality of religious diversity to that of religious pluralism.

It will certainly be in the interest of our country that each one of us should become a pluralist as Rosenak (1987:10) sees it:
In an age in which democracy and freedom confront totalitarianism, I may find myself the ally of people whose principled understandings of God and His creation differ from mine, but with whom I share social ideals that demand application, and for me, demand it religiously. I am ‘pluralistic’ with regard to those people because, despite our differences, we share concerns that we see as currently important.

This makes it clear that full acceptance of the spirit of the Declaration will take place only when we discover just how much we share with our fellow citizens who hold different religious beliefs. In this process no religious or theological compromises are required. Discovering our common humanity is the only prerequisite for moving towards nationhood across barriers of religion, race, colour, culture, language and gender. The British experience can certainly be ours as well:

What makes dialogue between us possible is our common humanity, created in the image of God. We all experience the joys and sorrows of human life, we are citizens of one country, we face the same problems, we all live in God’s presence.

(British Council of Churches 1981:4)

3.2 Separation between religion and the state

At the WCRP conference in Johannesburg in 1990, Albie Sachs (1991:39) mentioned the following constitutional options which are available for governing the relations between religious organisations and the state:

* Theocracy, that is, the acknowledgement of religious organisations as the holders of public power and of religious law as the law of the state.
* A partly secular, partly religious, state with legal powersharing between it and religious institutions - each exercising constitutionally recognised power in its own sphere, usually with the religious bodies controlling family law and, possibly, criminal law, and the state controlling all other aspects.
* A secular state with interaction between the state and religious organisations, which not only have a constitutionally recognised sphere of autonomy, but collaborate with the state in tasks of mutual concern.
* A secular state in which religious organisations have a tolerated, private sphere of action, but there is no overlapping or joint activity with the state.
* A secular state in which religious organisations are repressed.

Sachs (1991:39) then continues by saying that

in the light of South Africa's history and culture, something along the lines of the third option mentioned above would achieve the greatest support, namely, a secular state with active interaction between the state and religious organisations.

In clause 2.1 the Declaration gives evidence of sharing Sachs' preference for a situation in which there is healthy interaction between religion and state. Under closer inspection, this particular clause is asking the state to meet three rather important requirements, namely:

* To uphold the equality of all religious communities before the law.
* Not to identify with or favour any religious community.
* To consult and cooperate with religious communities in matters of mutual concern.

The first of these will receive attention when, in the next sub-section, the matter of equal opportunities for all religions is discussed; the other two requirements need to be briefly looked at here.

By asking the state not to identify with or favour any religious community, the Declaration is clearly suggesting separation between religion and state. The state acts as an overarching structure, under cover of which all its citizens, regardless of culture or creed, are living and operating. As such it is responsible for the wellbeing of all and it ought to promote its functions in an unbiased way. The constitutional doctrine of separation of religion and state had its origin in the United States of America and from that context Swomley (1987:17) interprets it as follows:

It means that government has no authority to invade the field of religion, that government agencies may not take account of a person's religion or lack of it in determining qualification for holding public office or for government employment. The
only function of government with respect to religion is that of protecting the right of conscience, worship, autonomous control over doctrine, governance and resources of religious groups, and the private and public expression of religious conviction.

While the Declaration does not use the concept ‘secular state’, it is common practice to apply it in circumstances where there is a clear separation between religion and the state. The use of this term is problematic in the sense that people tend to think of a secular state in which secularism is the dominant ideology and where the state demonstrates itself as unconcerned with, if not aloof from, religion as such. In order to prevent the appearance of a vacuum of this kind, the Draft Declaration suggested a formal link between religions and the state. The idea of an independent inter-faith advisory board, however, came under such heavy criticism that this suggestion was omitted from the final document. Some critics saw this suggestion as an attempt to introduce a covert form of theocracy, giving religion more influence in matters pertaining to the state. Others, almost exclusively from Christian side, read it as a socialist ploy which had the intention of ensuring that the state had full control of all organised religion - which, in the long run, would lead to all kinds of hostilities towards religious people from the side of those in power. From the same quarters came total rejection of the idea of a secular state, since South Africa was a Christian country and should remain so. Supporting the view that the state should be neither hostile nor friendly towards any religion, Swomley (1987:7) specifically addresses the issue of hostility:

A secular state is not hostile to religion. It can be defined as a state that is uncommitted to any religious institution or institutions or to religious beliefs and practices. Its basis for state authority is in civil and natural law, not in religious doctrine or in divine revelation.

In a recently held consultation under the auspices of Africa Enterprise a resolution was adopted which, although differently worded, did not deviate substantially from what has been stated above:

We affirm the autonomy of religious bodies over their theological and ecclesiastical affairs. This does not imply that the state should be secularistic or that it has no spiritual accountability or that the church may not challenge the state
if it falls short of its divinely ordained responsibilities. But it does affirm that there shall be no established state religion.

(Africa Enterprise 1993:3-4)

The assertion that South Africa is a Christian country and that separation between religion and state, or in this case more specifically between church and state, would seriously damage its Christian character, formed the essence of negative responses to both the draft and final Declarations. Since this is an important reservation which will also emerge when equal opportunities for all religious traditions are being discussed, it needs to be attended to at this point.

Statistically it is certainly correct that the vast majority of South Africans are adherents of the Christian faith. Percentages varying from 78 per cent to 94 per cent are mentioned. Be this as it may, quantitatively speaking South Africa certainly qualifies to be called a Christian country. It is, however, important to note Chidester's observations (1987:11). Taking the 1980 census with its 76,6 per cent Christians as his point of departure, he points out that:

* If the expression 'Christian country' means affiliation to some or other form of conventional European Christianity, then the percentage of the population which belongs to the Christian religion is 56,3 per cent.
* If a more specific affiliation to conventional European Protestant denominations is intended, then 38,9 per cent of the population qualifies to be called Christian.
* If the expression 'Christian country' specifically refers to those who feel themselves committed to the doctrines, practices and political interests of churches of the Reformed tradition, then only 15,9 per cent of the South African population is meant.

Looking at the fact that Christianity is decidedly pluriform in belief, in worship and in expression, Tutu (1992:4) states, with reference to the claim that South Africa is a Christian country, the following:

It becomes obvious that we could not apply the appellation 'Christian' univocally so that its meaning was obvious and identical to all who were interpreting the term. If the meaning is so idiosyncratic, is there any useful purpose being served by using such a confusing description?

While it is then in a certain sense problematic quantitatively to refer to South Africa as a Christian country, it is even much more so when it comes to the
qualitative side of our society. There are probably very few Christians who would assert today that the ideology of apartheid and its devastating consequences can be reconciled with the teachings of the Christian faith.

When the Declaration lodges a plea for a future dispensation free from the 'establishment of religion', to use the American expression, it is doing so against the backdrop of South African history. The close association which existed between the apartheid regime and the Christian church, albeit by and large with one particular denomination, brought the credibility of the Gospel of Jesus Christ into question. The loser in this case proved to be not the state but the church, whose message of love, peace and justice became tarnished by an inhumane and sinful ideology. With this history in mind Tutu (1992:5) questions the advantage for a country to have a religious tag attached to it: 'Almost always the adherents of that particular dominant faith in that country fall disastrously short of the high ideals of their professed faith, which tends to be brought into disrepute by its association with the state in such an intimate way'.

Clause 2.1 of the Declaration (addendum) finally suggests that the state should 'consult and cooperate with religious communities in matters of mutual concern'. It is obvious that sound relations are envisaged between the two parties. Among the 'matters of mutual concern' which the Declaration foresees for the joint agenda of religious communities and the state are the recognition of systems of family and customary law (clause 8), the drafting and implementation of curricula for religious instruction and education in state schools (clause 4) and the recognition of certain holy days as public holidays (clause 9). While the Declaration holds out the prospect of positive interaction, it certainly does not compromise on the prophetic role of religion in society. In outlining the moral responsibilities of religious communities, it states in clause 3.5 that they should 'critically evaluate all social, economic and political structures and their activities'. The clause on religious freedom which the conference of the WCRP-SA in Pretoria proposed for a future Bill of Human Rights goes even further when it states in 2.3 (cf addendum) that every religious community should have the right 'to criticise and challenge all social and political structures and policies in terms of the teachings of their religion'.

Swomley (1987:17) supports this view, when he states that 'Separation of church and state does not mean separation of religion and politics. The religious or nonreligious person or group may freely engage in political speech and action that criticizes or supports government policies.'

Given that South African society is characterised by religious diversity and that strong religious convictions generally prevail, one has to conclude that religious
freedom in our context can be guaranteed only in a secular state. It seems to be the only way in which no privileged position is occupied by any religious group and in which total freedom of conscience and expression is possible. Christianity, being the dominant religious group in our country, finds itself in a unique position in this respect. Ruled by a secular state, it is bound to forfeit certain privileges but at the same time make many unexpected gains.

While the matter of levelling the playing field between religions will be attended to below, the liberation experience which is awaiting many Christians is well portrayed by Tutu (1992:12) when he summarises the advantages of living under a secular state:

It is far better for all concerned that we should have a secular state than one in which one religious faith has privileges which are denied to others. The common experience is that in an Erastian situation, where the Christian faith is accorded a privileged position, this has almost always been at the cost of compromising its stand for the truth, fearful of upsetting its patrons. It is almost always constrained to adjust its message for fear of upsetting those who pay the piper. For Christianity it is a further betrayal of the teachings of its Founder and Master, who asserted that Christians should delight not in possessing power as worldly rulers enjoy exercising it, but must show their distinctiveness in the scandalous manner of positively seeking to be the servant of all, washing the feet of those He honoured by claiming them as the least of His brethren. Christians must, like Him, exist to serve and not to be served, and to give their lives as a ransom for others.

3.3 Equal opportunities for all religions

From the outset a clear distinction should be made between the equality of religions in terms of the truth, and equal opportunities for all religions. The first matter is of a theological nature, while the second deals with sociopolitical realities. To acknowledge the existence of other communities of faith and to request respect for people who hold different religious views from ours does not suggest that all religions are the same and that they are all equally true. However, it has never been the intention of the Declaration to address these issues or to avoid them. The issue at stake is the freedom of all religions practised in South Africa and their access to equal opportunities.
In view of the clearly stated objectives of the Declaration, it is therefore rather surprising that it is being charged with advocating religious equality. While the Declaration asserts that all religions should be regarded as equal in the eyes of the law, the allegation thrown at it has it that this document actually denies any theological difference between various religions. This allegation comes from some Christian churches and organisations and the reasoning behind it seems to be that Christianity is being equated with all other religions vis-à-vis the state. Finding this treatment objectionable, the Christian protagonists make the following two statements:

First, they assert that Christianity is a way of life and not a religion. Therefore it is totally unacceptable to regard it as a religion among other religions.

Second, they argue that, because of its preponderance in terms of numbers, it should not be expected of Christianity to consent tacitly to the termination of its dominant position which has lasted more than three centuries.

With regard to the first argument, it needs to be pointed out that we are dealing here with a value judgement. Christians are certainly free to regard their faith as a 'way of life' as long as they bear in mind that people of all other faiths avail themselves of the very same terminology. To regard Christianity as a religion in no way detracts from the uniqueness which it has in the eyes of its adherents. If the argument is to be carried through consistently, Christians should campaign for the removal of Christianity from the curricula of religious studies at tertiary educational institutions as well as from textbooks which offer the contents of the world's religions. If Christianity is not a religion, we will make it extremely difficult for our Christian sisters and brothers in minority situations to campaign for recognition and for religious freedom.

As for the second argument, namely numerical preponderance, enough has been said above about Christians being in the majority in this country. Suffice it to say that, while everything seems to be designed to ensure that, in constitutional matters, the rights of all people are entrenched and cared for, it appears odd that Christians would want preferential treatment on account of their numerical strength. A political dispensation aimed exclusively at the safeguarding the rights of blacks, simply because they are in the majority, will certainly evoke a public outcry.

While the Declaration lends itself to much discussion as far as equal opportunities are concerned, it will be sufficient here to point out that in at least three areas the implementation and upholding of religious freedom will have a significant impact on South African society. The areas concerned are
religious education, access to public media and respect for the holy days of religious communities.

Clause 4.4 of the Declaration advocates access for religious communities to their own adherents in state schools, for the purpose of religious instruction. With this principle the Declaration is certainly not asking for the removal of religion from school curricula, even though a secular state is envisaged. The practical implementation of this clause should be worked out between religious bodies and the education authorities. The added suggestion that the study of world religions should be implemented as a school subject is aimed at fostering respect and better understanding between adherents of different religions. Such a subject could also contribute to the much-needed peaceful co-existence of people in our country: ‘If I taught religious studies in a divided country, I would certainly focus on the peace-making potential of every religious tradition’ (Lubbe 1986:35).

The right for all religions in South Africa to have access to the publicly-owned media, such as radio and television, is of crucial importance. Such access will not only acknowledge the presence of the different traditions in our society, but it will also fulfil the function of informing and educating the general public. Tutu (1992:2) supports this principle when he says: ‘Christians have unlimited access to the media, including the electronic media, which are supposedly owned by the entire nation. When last did you see on TV, for example, a Muslim or Jewish service?’ When clause 7 of the Declaration advocates ‘reasonable access to the publicly-owned communications media’ it is using a justiciable concept. Fears from Christian quarters that the dominant religion and minority religions will be granted equal time are therefore certainly unfounded. The fact that the draft Declaration used the expression ‘proportional and meaningful access’ clearly illustrates the intention that the writers of the Declaration had in mind.

The practical implementation of respect for the holy days of religious communities, as requested in clause 9, may prove to be one of the most difficult aspects of this Declaration. Economic realities will certainly militate against the idea of declaring all holy days public holidays. On the other hand it can be safely assumed that public holidays such as Christmas and Good Friday will be maintained, since Christians constitute the majority of the population. While private companies which are owned by Hindus, Jews and Muslims already observe their respective holy days as if these were public holidays in the case of the public sector, it may be a solution to give employees who are adherents of faiths other than Christianity a choice in this regard. The draft Declaration, in clause 19.1 gives cognisance to the dominant position of Christians when it
states that 'Sunday shall remain the recognised weekly day of rest'. The only reason that this clause was omitted from the final Declaration was the decision, as stated above, to concentrate on matters of principle and to refrain from practical details.

4 CONCLUSION

It is my prediction that the Declaration on Religious Rights and Responsibilities, with all its shortcomings, will prove an important beacon on the road to full religious freedom in South Africa. As a Christian I regard the affirmation of religious freedom as inseparable from my Christian witness, since we are dealing here with a fundamental human right which, in its essence, is non-negotiable. The defence of religious freedom, to my mind, therefore forms an integral part of the mission of the Church of Jesus Christ.
ADDENDUM

Declaration on religious rights
and responsibilities

WE WHO SUBSCRIBE TO THIS DECLARATION

a understand, for the purpose of this declaration, a religious community to mean a group of people who follow a particular system of belief, morality and worship, either in recognition of a divine being, or in the pursuit of spiritual development, or in the expression of a sense of belonging through social custom and ritual;

b recognise that the people of our continent, Africa, belong to diverse religious communities;

c regret that in South Africa religion has sometimes been used to justify injustice, sow conflict and contribute to the oppression, exploitation and suffering of people;

d acknowledge the courageous role played by many members of religious communities in upholding human dignity, justice and peace in the face of repression and division;

e are convinced that our religious communities can play a role in redressing past injustice and the construction of a just society;

THEREFORE

f affirm the rightful and lawful existence of diverse religious communities and call upon the state to recognise them and guarantee their autonomy;

g call upon religious communities to promote spiritual and moral values, reconciliation and reconstruction, in accordance with their own teachings;

AND AFFIRM THAT

1 People shall enjoy freedom of conscience

1.1 All persons shall be free to have and give expression to a system of values or religious beliefs and practices of their choice, and no-one shall be coerced into accepting or changing his/her religious affiliation.
1.2 Everyone should respect and practise tolerance towards other people whatever their religious beliefs, provided that the expression of religion shall not violate the legal rights of others.

2 Religious communities shall be equal before the law

2.1 The state shall uphold the equality of all religious communities before the law, not identifying with or favouring any, but shall consult and cooperate with religious communities in matters of mutual concern.

2.2 Religious communities, singly, jointly or collectively, shall have the right to address the state and enter into dialogue on matters important to them.

2.3 The state shall uphold the professional confidentiality of people who exercise a leadership function in religious communities concerning any information acquired in the course of their religious duties.

2.4 There shall be no discrimination on the basis of religious affiliation in employment practices, except where religious affiliation is an essential job qualification.

3 Religious communities have moral responsibilities to society

Religious communities should, in accordance with their particular teachings,

3.1 educate their communities in spiritual and moral values and promote these in society;

3.2 direct energies, talents and resources towards the service of their fellow human beings;

3.3 direct their land resources to the benefit of the landless;

3.4 remain self-critical at all times and strive to eliminate discrimination based on gender, race, language or social status in their own structures and among their members;

3.5 critically evaluate all social, economic and political structures and their activities;

3.6 ensure that people who exercise a leadership function in religious communities follow the dictates of their consciences to avoid conspiring or colluding to violate the public good or the legal rights of others.

4 People have the right to religious education

4.1 Parents, guardians and religious communities have the primary responsibility for the faith development of their children, and parental consent is required in all matters pertaining to their religious instruction and worship in schools.
4.2 The decision about whether or not to offer religious education in state schools shall be made by each local school community.

4.3 Schools that offer religious education may choose single-faith instruction in each of the religions represented in the school, or the study of world religions, or both.

4.4 In the case of a single-faith curriculum, school communities should ensure that suitably qualified persons from religious communities give religious instruction to their own adherents.

4.5 Religious communities shall be entitled to establish and maintain their own educational institutions at all levels.

4.6 Such institutions shall have the right to financial support by the state, provided that they comply with the academic norms laid down by the educational authorities.

5 People in state institutions shall enjoy religious rights

5.1 Members of the security forces, prisoners, as well as patients and residents in state institutions, shall have the right to observe the requirements of their religions.

5.2 Such persons shall have access to spiritual care from their own religious communities.

6 Religions have the right to propagate their teachings

6.1 The propagation of religious teachings should be done with respect for people of other religious communities, without denigrating them or violating their legal rights.

6.2 Such propagation should not take unfair advantage of anyone on the basis of age, physical and mental weakness, economic need or any other vulnerability.

7 Religious communities shall have access to the public media

7.1 Every religious community shall have reasonable access to the publicly-owned communications media and the right to establish its own.

7.2 To ensure such reasonable access and to avoid misunderstandings and intolerance, the broad religious spectrum of society should be represented on all boards responsible for religious media.
8 The state shall recognise systems of family and customary law

8.1 The state shall grant legal status to systems of family and customary law of religious communities with regard to marriage and its dissolution, the support of dependents and succession.

8.2 The state shall recognise persons from all religious communities as marriage officer.

8.3 Marriages and dissolutions contracted under family or customary law should be registered with the appropriate civil authorities.

8.4 People whose family or customary law has been granted legal status may also have legal recourse to the civil authorities on issues of family law.

8.5 In the case of the dissolution of a marriage, recourse may be sought in civil law after the avenues of family or customary law have been reasonably utilised.

9 The holy days of religious communities shall be respected

9.1 Authorities and employers shall make reasonable allowances for people from all religious communities to observe their religious holidays and days or times of worship.

10 Religious institutions may own property and be exempt from taxes

10.1 Local authorities shall set aside adequate land for religious purposes, such as worship, burial and cremation, and shall respect the religious integrity of these sites.

10.2 Such land shall be allocated to religious communities in terms of the needs of the local population.

10.3 Assets, religious objects or symbols imported, and funds received by religious communities for worship, education and works of mercy shall be exempt from taxation, and donations or bequests for the above purposes shall be tax-deductible.

AFFIRMATION

We, the signatories to this declaration,

* convinced that there is an urgent need for all religious communities and the state to accept and implement the principles in this declaration;
* trusting that this will contribute to better relations between the state and religious communities and between religious communities themselves;
recognising that these principles will function within the framework of a Bill of Rights;

hereby commit ourselves to implement this declaration and appeal to all religious communities to promote these principles everywhere.

A National Inter-Faith Conference, held in Pretoria on 22-24 November 1992 under the auspices of WCRP-SA, adopted this Declaration on Religious Rights and Responsibilities. It is the result of two years of discussion and consultation among religious groups, and is hereby presented to all religious communities and individuals for endorsement.

IF YOU ACCEPT THE DECLARATION, PLEASE RETURN THE ATTACHED POSTCARD. IF YOU ARE UNABLE TO ENDORSE IT, PLEASE RESPOND BY EXPLAINING TO US THE REASONS WHY YOU DISAGREE

On the basis of the Declaration, the National Inter-Faith Conference also proposed the following clause on religious freedom to be included in a future Bill of Human Rights for South Africa. This clause, together with the Declaration, will be presented to the writers of a new South African constitution for their consideration.

PROPOSED CLAUSE FOR THE BILL OF HUMAN RIGHTS

1 All persons are entitled:

1.1 to freedom of conscience,
1.2 to profess, practise, and propagate any religion or no religion,
1.3 to change their religious allegiance;

2 Every religious community and/or member thereof shall enjoy the right:

2.1 to establish, maintain and manage religious institutions;
2.2 to have their particular system of family law recognised by the state;
2.3 to criticise and challenge all social and political structures and policies in terms of the teachings of their religion.
WORKS CONSULTED


