

SAOU communiqué: Religious observances in public schools

Date: 2017

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In view of the mischievous reporting on the approach of the SAOU to religious observances in public schools, the SAOU gladly communicates the correct SAOU position and interpretation to its members.

1. On what provisions does the SAOU base its standpoint about religious observances in public schools?

The point of departure of the SAOU as a teacher union was and still is Section 15(2) of the [Constitution of the Republic of South Africa](#), namely:

15(2). Religious observances may be conducted at state or state-aided institutions, provided that

(a) those observances follow rules made by the appropriate public authorities;

(b) they are conducted on an equitable basis; and

(c) attendance at them is free and voluntary.

The SAOU subscribes to the rules made by the appropriate public authorities, which were published as the [National Policy on Religion and Education in Government Gazette 25459](#) on 12 September 2003.

2. Does the SAOU support a specific organisation in connection with the court action which is to be heard on 15 to 17 May 2017?

No. The participation of the SAOU is autonomous as a “friend of the court” and takes cognisance of the following realities:

a. Religion and debates about religious observances are highly sensitive and emotional;

b. The great majority of SAOU members render service in heterogeneous communities, that is multi-cultural communities with fairly widely diverse cultures;

c. The member corps of the SAOU is not homogeneous and the SAOU must adopt a position which is inclusive of all members;

d. The majority of SAOU members are employees of the various departments of education and it is expected that they should adhere to policy prescriptions; and

e. Majority decisions cannot simply be forced on people – each member is entitled to a personal point of view which can be expressed responsibly, freely and voluntarily without the risk of intimidation and discrimination.

3. Is the SAOU in favour of religious observances in schools?

The SAOU was and still is totally supportive of the principle that religious observances at schools must be conducted in accordance with the rules laid down by the School Governing Body, subject to the following:

a. Participation must at all times be free and voluntary;

b. Thorough cognisance and recognition of the points of view and convictions of other faith communities and approaches to faith;

c. All faiths and approaches to faith must be dealt with on an equitable and non-discriminatory basis; and

d. National and/or provincial policy on religious observances.

4. Why must national and/or provincial policy be taken into account?

Principals and the great majority of SAOU members are employees of the various provincial Departments of Education. Judgments of the Constitutional Court on language and admissions policy make it clear that such policy must be taken into account. If such policy is not taken into account in an objective and inclusive manner by the School Governing Body, the school principal concerned, as well as the educators, can be caught in the cross-fire and are exposed to the risk of disciplinary charges.

5. What is the risk if the points of view of minority faith groupings or cultures are not properly taken into account?

A good example of how quickly opposed points of view can escalate would be the clear and opposing cultural viewpoints on rules about hairstyles at the end of 2015. A case in the Constitutional Court which dealt with the wearing of a nose-stud emphasised the necessity for recognition, respect and equal treatment of all faiths.

6. How does the SAOU determine its mandate?

The SAOU has conducted several surveys among members and also obtained senior legal advice. The results of the surveys and legal advice is submitted to the National Standing Committee, comprising the President and the nine Provincial Chairpersons, where after a well-considered mandate that will accommodate the various communities, is determined.

7. Does the SAOU foresee wide-ranging changes to the way in which religious observances at schools will take place?

It is clear from a comprehensive opinion poll done at schools where SAOU members render service that especially in schools which serve heterogeneous communities, this matter is approached professionally, with great circumspection and in a culturally sensitive manner. Although it is a given that the rules for religious observances will differ from school to school, the SAOU requests that schools re-examine their approaches in the light of the following:

- a. Religious observances at the school, as indicated above;
- b. Religious education in terms of which learners can learn more about different religions in an objective manner and on an appropriate cognitive level; and
- c. Possible religious instruction which concentrates on the detail of only one faith.