

Chief Justice responds to criticism over religion, law

Chief Justice Mogoeng Mogoeng on Wednesday responded to criticism over remarks that infusing religion into the law might lead to a high moral fibre in the country.



Chief Justice Mogoeng Mogoeng: "I am in no position to make any law, no position to change the Constitution."
(Image: GCIS)

Speaking to the media on Wednesday, the Chief Justice reiterated that there were certain principles of religion that could play a positive role in the law-making process.

He said his speech was about the challenges the world faces and what society can do about it. He made a reference to adultery as one of the major reasons families break down.

"The question should perhaps be, which other areas of the law could be enhanced to the benefit of all our people by allowing religion to play a greater role than it has hitherto been allowed to play."

Chief Justice Mogoeng last week caused a stir by suggesting religion could be used to strengthen legislation and lead to a better society in a speech titled, "Law and Religion in Africa: The Quest for the Common Good in Pluralistic Societies".

Mogoeng said the reason his speech focused on religion and law was that the focus of the conference was religion and law.

He said in his speech, he spoke about all religions, and not just Christianity.

"I underscored the importance of religious tolerance across the board. I also mentioned other religions such as Islam,

Judaism, Buddhism and African religions."

Mogoeng said he used Christianity as his reference point because he knew it better, not because he undervalued other faiths.

"There was no attempt to superimpose the Christian faith on any other religion."

Mogoeng reiterated that he takes his oath of office seriously.

"I will not give precedence to my faith at the expense of our Constitution," he said, adding that he had no power or intention to change or make any law.

"I am in no position to make any law, no position to change the Constitution ... All that can flow from me is a calm discussion."

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