

Court rules that schools may not promote single religion

The South Gauteng High Court this morning ruled that public schools cannot promote one religion to the exclusion of others.



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This ruling is consistent with the Department of Basic Education's own policy informed by South African Schools act and the Constitution that no one religion should be promoted above another, said the DBE in a statement released following the judgement.

The case was brought by the Organisation for Religious Education and Democracy against six schools and was opposed by Solidarity who represented the schools in question.

"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," said Judge Van der Linde, quoting the ruling being handed down.

The aim is not to ban religious practices in schools but about protecting children and emphasising that schools should engage in religion education rather than religious instruction and not promote one religion over another.

In its statement, the DBE said that no change will take place as a result of this judgement, as the court merely reinforced and emphasized its existing policy in terms of religion in schools, but reminded School Governing Bodies to review their rules to ensure that they are in compliance with legislation.

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