

APPEALS TO RELIGIOUS AUTHORITY IN THE SA CONSTITUTIONAL ASSEMBLY

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1. Introduction

The aim of this paper is to identify and describe the rhetorical function of the appeals to religious authority made in the debates during the plenary sessions of the Constitutional Assembly.

In order to assemble the data for this paper the term 'appeals to religious authority' was rather broadly interpreted. References to God/the gods, church, Christianity, Islam/Muslim, Bible, Old Testament, New Testament, religion, religious in the debates of the Constitutional Assembly were assembled. Furthermore, allusions to religious figures or stories or quotes from religious texts were assembled.

2. The Constitutional Assembly

The Constitutional Assembly of South Africa came into being in accordance with the stipulations of Chapter 5 (Articles 68-74) of the transitional constitution, Act No 200 of 1993 (*Government Gazette* Vol. 343 No 15466).

This chapter stipulated the composition and brief of the constitution making body (Article 68), offices (Article 69), rules and orders (Art 70), constitutional principles and certification (Art 71), appointment of commissions, committees and bodies (Art 72), the adoption of new constitutional text (Art 73) and procedures for amendments relating to Chapter 5 (Art 74).

The Constitutional Assembly consisted of the members of the National Assembly (NA) and Senate sitting jointly for the purpose of drafting and adopting a new constitution for the Republic of South Africa.

The following seven political parties were represented in the Constitutional Assembly:

Political Party	Members in National Assembly	Members in Senate	% representation
African National Congress (ANC)	250	60	64,2%
National Party (NP)	82	17	20,4%
Inkatha Freedom Party (IFP)	45	5	10,4%
Freedom Front (FF)	7	4	2,3%
Democratic Party (DP)	5	2	1,5%
Pan Africanist Congress of Azania (PAC)	4	0	0,8%
African Christian Democratic Party (ACDP)	2	0	0,4%
	395	88	

During the whole period of its existence, the Constitutional Assembly had three sessions:

- Session 1: 24 May – 5 September 1994
31 October – 14 November 1994
Session 2: 24 January – 20 February 1995
19 May – 25 August 1995
Session 3: 29 March – 8 May 1996
17 September – 11 October 1996

3. Statistics and general observations

3.1 Political parties, speakers and religions

The breakdown of speeches with references or allusions to religion or religious texts between the political parties are as follows:

Party	Number of 'religious speeches'	% of 'religious speeches'	% representation in CA
ANC	15	37,5%	64,2%
NP	6	15%	20,4%
IFP	0	-	10,4%
FF	5	12,5%	2,3%
DP	2	5%	1,5%
PAC	0	-	0,8%
ACDP	12	30%	0,4%

The IFP did not participate in the Constitutional Assembly. The four PAC members hardly ever participated in the debates during the plenary sessions but even when they did participate, they never made any references to religion or religious texts.

Most of the speakers in the different parties who did make references or allusions to religion or religious texts were former clergymen or people with a previous career or a specific interest in the Christian Church. Most prominent in the ANC are Carl Niehaus and Simon Farisani, in the NP Boy Geldenhuys and in the FF Willie Botha. The ACDP's ticket is Christianity and it was to be expected that its two members (of whom one is a clergyman) would use Christianity in all their speeches. However, references or allusions to religion or religious texts were by no means limited to former clergy. Speakers from a variety of occupational backgrounds sometimes made these references or allusions.

The speakers who made these references or allusions represent various Christian traditions and denominations. Most prominent were the Meshoe and Green (of the ACDP) representing the charismatic/fundamentalist tradition, Geldenhuys, Botha, Viljoen, Van Heerden, De Klerk and Mulder representing a mainline Protestant tradition (the Dutch Reformed Church) (although with significantly different views on the various issues), Farisani (a Lutheran) and Niehaus (DRC) representing the Christian Liberation Theological tradition and Khobe and Stofile representing another mainline Protestant tradition (#Methodist, Anglican#).

It is significant that the various minority religions of South Africa (like Islam, Hinduism, Jewish religion and African traditional religion), although all represented in the Constitutional Assembly hardly made any reference or allusion to religion in their speeches in the CA. The exception was Tony Leon (DP) who hails from a Jewish tradition who referred to religion twice and even quoted the Old Testament directly.

3.2 Issues addressed in the speeches containing references or allusions to religion or religious texts

Issue	Number of speeches
Preamble of the constitution	10
Education (recognising religious, cultural, linguistic interests)	10
Non-discrimination (sexual orientation)	7
Supremacy of constitution / The Bible and constitutionalism	5
Abortion	5
Christianity and State (sphere of state, separation)	3
Christian values, family values, morality	3
Volkstaat (based on appeals to religion)	2
Death penalty	1
Human rights in general	1
Justice	1

Summary of the stances of the various political parties on these issues:

3.2.1 The Preamble

The Preamble containing the words 'May God protect our people' at the end as well as the first phrase of the National Anthem 'Nkosi Sikelel'iAfrika' (in 6 languages) was the result of a compromise between the ANC and the NP. The NP, however, argued that it preferred 'In humble submission to Almighty God: but was prepared to settle for the Preamble as proposed by the ANC. Both the FF and ACDP argues strongly against this formulation and for 'In humble submission to Almighty God maintaining that the majority of South Africans are Christians and the Preamble must reflect their belief in the Triune God of Christianity' They accused the NP of slackness. The NP responded with reference to Matthew 7:21: 'No everyone who says to me 'Lord, Lord' shall enter the kingdom of heaven, but he who does the will of my Father who is in heaven.' On this point there was an acrimonious debate between the ANC and the NP with the ANC pointing out the atrocities done under the old constitution's 'in humble submission to Almighty God.'

3.2.2 Linguistic, cultural and religious rights

ANC speakers were all prepared to recognise linguistic, cultural and religious rights but warned again and again that this recognition should not be interpreted as a means of maintaining unjust privileges or racially exclusive educational institutions. The NP speakers argued strongly in favour of these rights with

priority given to cultural rights (specifically mother tongue education). The recognition of religious rights was usually mentioned merely as part of the formula 'cultural, religious and linguistic rights.' From the NP's speeches it is clear that they deemed cultural and linguistic recognition as much more important than religious issues. However, it must be said that religious freedom was never under any threat in the whole constitution-making process. The recognition of cultural, linguistic and religious rights were of utmost importance for the FF-speakers, again with emphasis primarily on cultural rights. For the ACDP the recognition of religious rights was the priority with hardly any concern for cultural and linguistic rights.

3.2.3 The inclusion of 'sexual orientation' in the non-discrimination clause

This issue was addressed in almost all the speeches of the ACDP. One ANC speaker addressed this, but only in response to an ACDP speaker. No other party ever raised this issue. For the ACDP this clause was extremely important and extremely dangerous. In fact, they held that this undermines the validity of the whole constitution. They pointed out again and again that the Bible as well as the Qur'an denounce homosexuality as a sin.

3.2.4 Church and state, the supremacy of the constitution and Christian values

All parties were in favour of the separation of church and state and freedom of religion was generally espoused. However, the ACDP argued that there could never be a full separation between state and religion because that would imply a morally neutral state. They held that a state could never be morally neutral. The ACDP was also the only party that argued that they do not hold the constitution to be the supreme law of the land. For them the constitution is subject to the Bible because the Bible as God's Word carries higher authority than any human document. Arguments for the recognition of Christian values (also sometimes called family values) came mostly from the ACDP but the sentiment is also included in some of the NP and FF speeches on the recognition of cultural, linguistic and religious rights.

3.2.5 Abortion and the death penalty

The provision in the Constitution for abortion as a choice of a mother prompted the same response from the ACDP as the non-discrimination clause. They raised it again and again and considered it as the reason why the whole constitution was invalid, unjust and immoral. No other party raised the issue in the plenary sessions of the Constitutional Assembly. However, the issue was hotly debated in the ANC without an eventual unanimous position. The NP and FF are known to be against the provision for abortion but they did not raise it in the plenary sessions of the Constitutional Assembly. Strangely enough the highly public issue of the abolition of the death penalty did not feature much in the CA (only in one ACDP speech). Because the Constitutional Court pronounced on this issue early in the constitution-making process, the issue was closed.

3.2.6 Volkstaat

The FF was the only party to raise this issue, arguing that a Volkstaat for Afrikaners was 'in the plan of God'.

3.2.7 Human rights and justice

The claim that human rights are God-given (and thus cannot be given or taken away by any state) as well as a direct appeal to an Old Testament text calling for justice came from the DP.

4. References and allusions to the bible in the constitutional assembly

4.1 Direct quotes

In the 40 CA-speeches considered above 15 direct quotes from specific Biblical passages were made in order to substantiate a specific argument:

Old Testament	1. 2 Chron 19:1-2 (ACDP, speech #14)
	2. Judges 12 (NP, speech #19)
	3. Ps 33:12 (FF, speech #22)
	4. Deut 1:13 (ACDP, speech #26)
	5. Ps 33:4 (ACDP, speech # 32 and #38)
	6. Ex 20:12 (ACDP, speech #36)
	7. Num 35:31 (ACDP, speech #36)
	8. Num 35:33 (ACDP, speech #36)
New Testament	9. Mt 7:21 (NP, speech # 19)
	10. Luke 9:26 (FF, speech #22)
	11. Rom 13:1 (ACDP, speech #26)
	12. Mat 5-7 (ANC, speech #34)
	13. Rom 1:26 (ACDP, speech #36)
	14. 1 Cor 6:9 (ACDP, speech #36)
	15. Ps 127:1 (ACDP, speech #39)

4.2 Allusions to the Bible or the use of Biblical metaphors

- 1) *The creation story* (ACDP, speech #5): arguing against the non-discrimination clause, Meshoe said: '... in the beginning God created Adam and Eve, not Adam and Steve... Eve needs Adam not Madam to build a family.'
- 2) *Paul's conversion* (ANC, speech #17): referring to F.W. de Klerk's 1990 speech, Sifora said: 'I asked him 'What came over you? Is this an ordinary conversation, or have you experienced something that frightened you so much that you are a changed person today?' I wondered whether he possibly, like Saul or Paul on the road to Damascus, suddenly changed like a flash of lightning. He has not answered me.'
- 3) *The Day of Judgement* (NP, speech #25): responding to Niehaus' remarks about the lack of morality of the NP, Van Heerden said: '. :I really take exception to the contemptuous and derogatory reference Mr Niehaus made regarding the motives of the NP. However, I am grateful to be able to say that one day, when it is time for Judgement, I would rather fill my own shoes than those of someone else. And I say this without mentioning names.'

- 4) *The Exodus* (crossing the Red Sea) (ANC, speech #27; NP speech #28, ANC speech #31). In a wide-ranging speech Farisani maintained: 'The Constitution, and not law and order, is the supreme authority in our country, no longer promoting the culture of some citizens who live above the law – the like of Magnus Malan. Now the ANC is ready. We stand before the Red Sea. The ANC is ready to cross. Are the NP and their friends ready to cross the Red Sea?' Responding to this, Ackermann said: 'I want to tell Dr Farisani that the NP has long since crossed the Red Sea. We crossed the Red Sea in 1989. I want to tell him and the ANC today that if they wish to cross it only now, they should watch out that it does not submerge them like it did the Egyptians. That is what could happen to them.' This prompted an angry reaction from Surty: 'We have also heard Sen. Ackermann stating that they have already – look at the arrogance, the condescension – crossed the Red Sea, which means that God has already favoured them as His people. He has taken them across the Red Sea, but ANC beware, you may be swallowed by the Red Sea. What is the suggestion here? Is it that those chosen people are already on the other side, and that is why they have to cling to their property clauses and to the labour rights, since they feel there may be an impingement on their privileges of the past? Is that what they are saying? They should rather say, thankfully, that they are crossing through the Red Sea and that the ANC is taking them along, so that they can aspire to freedom and equality and, for the first time, achieve human dignity.'
- 5) *The Exodus* (ANC, speech #29): Ms O.N. Khobe said: 'In fact, the NP ate the manna that did not belong to them. Today this manna is back with us. We, however, do not say that we do not want to give them this manna. They were greedy and ate the wrong manna, yet we are saying let them come and share this manna with us.'
- 6) *The Exodus* (FF, speech #30): Botha said: 'As an Afrikaner on his way to a volkstaat, I find myself on a journey on a road that runs through the new South Africa. It may even happen that I will be here for such a long time that I will perish in the desert like the Israelites of old before I reach the promised land. I only hope that I do not perish for the same reasons as those for which the Israelites perished.'
- 7) *The Noah-story* (ANC, speech #33): G.M. Mushwana said: 'In the past we were governed by a constitution which was written by others who thought that God had given them the power to tell and dictate to Blacks where they should live and with whom, which education was right for them so that they remain hewers of wood and drawers of water.'
- 8) *The Exodus* (ANC, speech #33): G.M. Mushwana said: 'Those who do not accept this constitution should go into some enemy territory. Those who want to live in the past want us to go back to Egypt where there is too much suffering.'
- 9) *Pontius Pilate washing his hands* (ACDP, speech #36): Criticising the abortion provision Green said: 'Like Pontius Pilate in the Bible, the negotiating parties are attempting to wash their hands of a crucial moral issue, namely the right to life of the innocent unborn person.'

5. Three general observations

- The ACDP features very prominent in the use of direct Biblical quotes but is hardly present when it comes to the more subtle, metaphorical use of biblical images and stories.
- The popularity of various dimensions of the Exodus story is noteworthy
- By far the majority of Biblical images and metaphors used in the CA came from the Old Testament. Only two (Paul's conversion and Pilate's hand-washing) are from the New Testament.

6. Rhetorical functions of the use of the bible in the constitutional assembly

6.1 As an appeal to authority to substantiate an argument

- Geldenhuys' reference to Mt 7:21 and Judges 12 to substantiate the NP's support for the watered-down Preamble
- Mulder's references to Lk 9:26 and Ps 33:12 to substantiate the FF's insistence on a stronger and more explicit Christian Preamble
- Green's references to Rom 13:1 and Deut 1:13 to substantiate his views on the nature of the state
- Green's references to Ex 20:1, Num 35:31, Num 35:33 to substantiate his stance on abortion, euthanasia, infanticide and the death penalty
- Green's references to Rom 1:26, 1 Cor 6:9 to substantiate his opposition against the non-discrimination clause (sexual orientation)
- Meshoe's reference to Ps 33:4 to substantiate his claim that the Bible as the Word of God is right and true and should therefore be used as a blueprint for a right and true constitution

6.2 As a threat and/or insult

- Meshoe warning the NP that if they do not insist on honouring God Almighty in the beginning of the preamble, they are breaking their covenant with their forefathers and should therefore quickly go and read 2 Chron 19:1-2 19:1: 'Then Jehoshaphat the king of Judah returned in safety to his house in Jerusalem. 2 And Jehu the son of Hanani the seer went out to meet him and said to King Jehoshaphat, 'Should you help the wicked and love those who hate the LORD and so *bring* wrath on yourself from the LORD?' Meshoe did not in fact quote the words of this reference during his speech. It is obvious that the function of this statement was to insult the NP.
- Van Heerden insulting Niehaus by saying that he is glad that he will not be standing in Niehaus' shoes on the Day of Judgement
- Ackerman threatening the ANC that they will be submerged in the Red Sea like the Egyptians of old
- Surty insulting/threatening the NP by saying that they will be swallowed by the Red Sea because they cling to their privileges (e.g. property) as if they were the chosen people already on the other side of the Red Sea.

- Green threatening the whole Constitutional Assembly for the provisions for abortion with Ps 127:1 with the implication: This new Constitution was not build with the Lord and therefore all the labour was in vain, the constitution will come to naught.
- 6.3 To provide a metaphor for colourful language and effective persuasion
- Sifora wondering whether De Klerk's 'conversion' was like 'in a flash of lightning' Paul's on the road to Damascus
 - Farisani saying that with the new Constitution the ANC is crossing the Red Sea
 - Khobe maintaining: 'Jesus our Lord will be born. Today a child is born in Jerusalem, and his name is Mandela.'
 - Khobe accusing the NP of having eaten manna that did not belong to them
 - Khobe comparing the generosity of the ANC to people willing to share their manna with others
 - Botha comparing the presence of FF-members like him in the new South Africa to a trek through the desert and even foreseeing that they might perish in this desert. However, he expresses the hope that the FF will not perish in this 'desert' for the same reasons as the Israelites of old. The implication is that the FF will remain obedient to God and will remain faithful to God.
 - Surty comparing the 'promised' land to the situation of freedom, equality and human dignity created by the ANC
 - Mushwana describing apartheid's Bantu Education as an attempt to keep black's the hewers of wood and drawers of water for the whites
 - Mshwana comparing those who oppose the new constitution as people who want to go back to the Egypt of the past where their was too much suffering
 - Ramgobin claiming that the ideas of the long imprisoned ANC leaders are the ideas of Jesus Christ as expressed in the sermon on the Mount
 - Green comparing the stance of the big parties on abortion with Pilate washing his hands from a crucial moral issue
- 6.4 To make a humorous statement
- Meshoe referring to the creation stories to substantiate his opposition against the provision for non-discrimination against homosexuals. In the beginning God created Adam and Eve, not Adam and Steve... Eve needs Adam not Madam to build a family.'

7. In conclusion

This analysis is too superficial to make any significant conclusions regarding the actual influence of religion and the Bible in the South African Constitutional process.

While working through the 40 speeches considered for this paper I got the distinct impression that the debates during the plenary sessions of the full Constitutional Assembly were mostly 'mere rhetoric' – in the restricted and popular sense of the word rhetoric! These debates were of no real significance and influence. The actual debates and actual drafting of the constitution took place in the committees of the CA, in the bosberade between the bigger parties and perhaps most significantly, in the caucus and informal meetings of the majority party. In order to determine the actual influence of the Bible and religion in the drafting of the South African constitution, those debates and discussions must be studied. The problem is that much of those deliberations and debates were and still is mostly inaccessible.

The question then arises: why were the plenary sessions given so much prominence and why were those debates carefully recorded in printed word-for-word in the Hansard? I think the answer to this question must be sought in the public role of the CA. The CA was the Assembly of the elected representatives of the whole population of South Africa and those 483 people had to finally approve the constitution. In order to come to this point of approval, a number of public debates were necessary even though those debates were mostly simply window dressing (costing the South African taxpayers a lot!)

Thus, the more interesting and more intriguing problem remains: what was the influence of appeals to religion and religious texts in the Constitution-making process in South Africa?

ADDENDUM

#	DATE	SPEAKER	PARTY	I S S U E	QUOTE	ALLUSION
1	15/8/94	MV. Moosa	ANC	<i>Consulting religious bodies</i> 'Religious bodies will be consulted in the Constitution making process'		
2	5/9/94	LM Green	ACDP	<i>Sphere of the state</i> The state is one of a number of spheres of authority ordained by God Humans are created equal by the Triune God and endowed with equal dignity and inalienable rights; religious freedom, abortion		
3	5/9/94	F.N. Ginwala	ANC	<i>Religious, cultural, linguistic interests</i> 'Religious, cultural and linguistic interests are healthy and legitimate but affect only one aspect of a citizen's life and everything else cannot be predicted on them.'		
4	31/10/94	KR Meshoe	ACDP	<i>Christian moral values; abortion</i> The constitution should reflect the moral values of the Christian majority Abortion (value of human life) The Constitution should provide the society with respect for God		
5	24/1/95	KR Meshoe	ACDP	<i>Sexual orientation</i> Homosexuality is against family values, African culture and biblical teachings Millions of Christians but also Muslims, Jews, Hindus and 'Africans who still believe in moral values' oppose the sexual orientation clause '... in the beginning God created Adam and Eve, not Adam and Steve... Eve needs Adam not Madam to build a family		

6	24/1/95	K Asmal	ANC	<p>Minorities, separation of Church and State</p> <p>All forms of minority views must be given due weight and attention</p> <p>Respect and uphold the right of people to believe and participate in religious activities of their choice</p> <p>There should be a clear separation of church and state. The nonbeliever as well as the believer has the right to believe according to his conscience</p>		
7	24/1/95	J Chiolé	FF	<p>Islam as international force</p> <p>The New World order, nationalism, Islam and the pressure of Islamic fundamentalists and communism are the four major forces that influence constitutional changes and constitutional processes in an increasing rate all over the world today</p>		
8	24/1/95	LM Green	ACDP	<p>The Bible and constitutionalism</p> <p>‘We need to define what we mean by a ‘constitutional republic’ and what the Word of God has to say concerning a framework for a godly government.’</p> <p>A decentralised form of government is a biblical principle that the constitution should promote</p> <p>Man is sinful and although government is an institution of God, government can easily degenerate into tyranny in the absence of sufficient checks and balances</p>		
9	24/1/95	GNM Pandora	ANC	<p>Reproach the ACDP for their position on sexual orientation</p> <p>‘I believe that we need to be beware of some of these so-called Christian utterances that can lead our country into a situation where we impose an inquisition which would deny rights to our people.’</p>		

10	24/1/95	PH Groenewald	FF	<p>Volkstaat is in the plan of God</p> <p>The FF demands self-determination for the Afrikaner in his own Volkstaat where he alone, within the framework which God has planned for us, can decide on his survival.</p>		
11	24/1/95	LM Green	ACDP	<p>Sexual orientation (reacting to Pandor)</p> <p>'Both the Bible and the Koran condemn homosexuality outright. Believing, practising Christians and Muslims should not be party to a constitution that would entrench this right.' Homosexuality cannot be defended biblically</p>		
	29/3/96	COMMITTEE		<p>1438 submissions received from private individuals, 238 from organisations</p> <p>245 523 petitions were received on a wide range of subjects, including the death penalty, equality clause and sexual orientation, Christianity and state, abortion</p>		
12	23/4/96	FW de Klerk	NP	<p>Education on a linguistic, cultural and religious foundation is internationally recognised</p> <p>'For those who want it and where it is implimentable in practice, culturally linked and religion-based education with State support must be made possible.'</p>		
13	23/4/96	CL Viljoen	FF	<p>Preamble</p> <p>'With many other religiously orientated South Africans of various faiths, we are disappointed that only at the end of the preamble to our constitution does it give recognition to God Almighty. We believe in God and many a prayer has been said from our ranks for this constitution making process and has already been answered. The human idolasation, which now prevails in the preamble neither, does not belong there nor does it fit in. We believe that this constitution should not only be advantageous to people, but also to the Kingdom of God'</p>		

14	23/4/96	KR Meshoe	ACDP	<p>Preamble; sexual orientation; education, supremacy of the constitution</p> <p>‘We believe in honouring God before man. We are not impressed by the words ‘God protect our people’ which appear towards the end of the preamble. They are meant to pacify Christians who want the Almighty God to be honoured as Creator in our constitution... How can people who undermine and define God Almighty by constitutionalising sinful lifestyles like homosexuality that God calls an abomination, turn around and say ‘God bless our rebellion?’ This is like a thief asking for God’s protection while he steals or a rapist asking for God’s protection during the rape.’</p> <p>The CA received 3075 petitions calling for the acknowledgement of Almighty God in the preamble; over 230 000 signed the submission <i>Christianity and religious freedom</i> stating ‘We require that those who will formulate the new laws of the land acknowledge the Triune God in the constitution.’</p> <p>My warning to the NP is that if they do not insist on honouring our Almighty God at the beginning of our preamble, then they have now future. The NP must remember the covenant their forefathers mad with the Almighty God in the past and then please go and read 2 Chron 19:1 and 2</p>		
15	23/4/96	PG Marais	NP	<p>Education</p> <p>‘Any community which wants to retain its schools, its own language, its cultural background, its religion, is free to do so’</p>		
16	24/4/96	AJ Leon	DP	<p>Human Rights; Christian National Education</p> <p>‘Our Second Fundamental Is That Human Rights Are God-given. They Are Not Bestowed On Free Citizens As A Gift From A Government To Be Removed By Caprice.’</p> <p>‘This Constitution Must Learn The Lesson Of Language And Culture, Not As Practised By Lords Somerset And Milner In The Days Of Colonial Overlords, Nor Indeed By The Overlords Of Apartheid Christian National Education.’</p>		

17	24/4/96	TV Sifora	ANC	<p>Uses a biblical metaphor with reference to FW de Klerk and the 1990 change in NP policy</p> <p>‘I asked him ‘What came over you? Is this an ordinary conversation, or have you experienced something that frightened you so much that you are a changed person today?’ I wondered whether he possibly, like Saul or Paul on the road to Damascus, suddenly changed like a flash of lightning. He has not answered me.’</p>		
18	24/4/96	KR Meshoe	ACDP	<p>Non-discrimination clause: sexual orientation; supremacy of constitution; abortion</p> <p>‘The ACDP will not accept attempts by the CA to make what the Word of God says invalid... No Constitutional Court, liberal bishop, religious leader or any court of law in SA will tell me that I am wrong in saying that, according to God’s word, homosexuality is a sin.’</p> <p>The supremacy of the constitution of SA will be supported by the ACDP as long as it does not undermine the supremacy of God’s law. We judge laws made by humans by using the most reliable yardstick – the Bible.’</p> <p>‘Any provision in the constitution which undermines the Bible should actively be resisted by committed Christians. Absolute authority and power belong to God alone, and no earthly institution can claim to have absolute authority and power.’</p> <p>The ACDP strongly opposes having immoral abortion slaughterhouses and abattoirs in the constitution described as ‘reproductive health care centres.’</p>		

19	24/4/96	BL Geldenhuys	NP	<p>Preamble (Responding to Meshoe on the preamble issue)</p> <p>The NP has proposed 'in humble submission to Almighty God' and if they had their way, that would have been part of the preamble. 'Let me, however, remind my colleague of the words in Matthew 7:21: 'No everyone who says to me 'Lord, Lord' shall enter the kingdom of heaven, but he who does the will of my Father who is in heaven.'</p> <p>The NP amended that 'May God protect our people' be substituted by 'May God, in whom we trust, protect our people.' If this amendment is not adopted, the NP will accept 'May God protect our people' because there will never be unanimity on the way which God should be referred to.'</p> <p>'My colleague must go and read the Book of Judges, the twelfth chapter. There it is mentioned that Jephthah, when he wanted to identify the Ephraimites at the passages of Jordan, said to them: 'Say now Shibboleth,' and if they said 'Sibboleth' he killed them. Each one of us has his 'Shibboleth' when it comes to the reference to God in a constitution, but we should avoid a situation in which we figuratively kill one another at the passages of Jordan because we pronounce 'Shibboleth' as 'Sibboleth.' We should display tolerance here. We should not crucify one another with theological semantics. In the end I as a nationalist and a Christian can live with a preamble that is concluded with a prayer: 'May God protect the people of South Africa. Nkosi Sikelela iAfrika.'</p>	Mt 7:21	
20	24/4/96	M Bhabha	ANC	<p>Language and religion</p> <p>Language and religion are matters that strike an emotive chord in an individual. These are issues that are rightfully dear to us, but they must never be used to maintain privilege.'</p>		

21	6/5/96	BL Geldenhuys	NP	<p>Religious, cultural and linguistic rights; preamble</p> <p>'In the preamble the rich diversity of the South African population is recognised, but if recognition is not the same time afforded to the religious, cultural and linguistic rights of this diversity, one can simply forget about national unity or nation-building.'</p> <p>The NP appreciates the fact that recognition is given to God in the preamble, despite the fact that many believers and unbelievers perceive SA to be a secular state. The biggest common denominator in SA society is our mutual trust in God Almighty.'</p>		
22	6/5/96	PWA Mulder	FF	<p>Preamble</p> <p>'I am a Christian and have never been ashamed of that. The point of departure and philosophy of Christianity, as I understand it, attempts to promote tolerance towards everyone. We therefore have religious freedom in this constitution. However, this does not mean that a Christian can compromise on his standpoints. I would like to quote from Luke 9:26:</p> <p>'For whoever is ashamed of Me and My words, of him will the Son of Man be ashamed when He comes...'</p> <p>I can also refer to Psalm 33:12, which reads: 'Blessed is the nation whose God is the Lord.' '... the Freedom Front accepts that the Triune God rules the destinies of peoples and nations, and that we as fellow citizens undertake to live to the glory of God. Against this background we proposed an amendment. We would have liked the following: 'in humble recognition of Almighty God.'</p> <p>That would place SA and all of us in a position where a greater power – God Almighty, the Triune God – who is appointed above us, is recognised... The preamble as it now stands, creates the impression that people are more important than God, and we are convinced that this cannot succeed.'</p>		

23	6/5/96	CG Niehaus	ANC	<p style="text-align: center;"><i>Preamble</i></p> <p style="text-align: center;">‘... it is with pride that I stand before you as a Christian South Africa.’</p> <p style="text-align: center;">The preamble is the product of long negotiations. The ANC wanted a preamble that recognises that we are a diverse country of diversity of peoples and of religions and also a country where there are nonbelievers... The preamble meets this demand.</p> <p style="text-align: center;">What happened under the constitution which started with ‘In humble submission to Almighty God’? .. people lost their land, District Six, the evidence before the TRC, Griffiths Mxenge, Solomon Mhlangu... ‘If what was done to them in the name of Almighty God, then it was indeed treacherous to God. Then that was a heresy, and we cannot allow heresy of any kind to prevail in South Africa.’</p> <p style="text-align: center;">This preamble expects of the NP, as of all parties, to tackle its task in a real spirit of reconciliation and co-operation and justice. Dr Geldenhuys as a former clergyman ought to know that confession means one should do something in order to rectify the sins of the past.</p> <p style="text-align: center;">I thank all my comrades, those who are religious and those who do not belong to any specific religious group, for their struggle to unite us here today. I thank them that we can have this constitution and that we can say together to one another: God bless South Africa. Nkosi Sikelel’ iAfrika.’</p>
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24	6/5/96	PAC Hendrickse	ANC	<p style="text-align: center;">Preamble</p> <p>One would have expected the NP members to show some sign of humility, and not the arrogance of one who has done nothing wrong, evil, immoral or shameful. Dr Geldenhuys did not disappoint us today with his knee-jerk response. This is the same Dr Geldenhuys who, with his commitment to so-called Christian values, supported apartheid through its darkest years.</p> <p>In the past we have had preambles – this has been stated – to constitutions which started ‘In humble submission to Almighty God.’ They referred to the upholding of Christian values and civilised standards. All of us know what was perpetrated in the name and the disguise of civilised standards and Christian values. I appeal to all parties to accept this preamble which cannot be considered contrary to the beliefs of anyone present.</p>		
25	6/5/96	FJ van Heerden	NP	<p style="text-align: center;">Christianity and morality of the NP</p> <p>‘I react to what Mr Carl Niehaus said about the Christianity and morality of the NP.’ ‘I have experienced the NP as a party which has discussed this matter of political rights intensely and in depth... I take exception to what he said... When it comes to a superior issue such as the understanding of God, I look at the person who is levelling accusations against the motives of the NP. I really take exception to the contemptuous and derogatory reference Mr Niehaus made regarding the motives of the NP. However, I am grateful to be able to say that one day, when it is time for Judgement, I would rather fill my own shoes than those of someone else. And I say this without mentioning names.’</p>		

<p>26</p>	<p>6/5/96</p>	<p>LM Green</p>	<p>ACDP</p>	<p>Preamble; authority of state; Bill of rights</p> <p>‘We believe that the preamble should explicitly recognise the sovereignty of Almighty God over South Africa. The fact that the previous government had in its preamble ‘In humble submission to Almighty God’, but did not submit to His sovereignty and his law, does not mean that we must discard the principle of submission to Almighty God.’ The authority of the state originates with God. In Romans 13:1 the Bible says: ‘There is no authority except that which God has established. The authorities that exist have been established by God.’</p> <p>‘The people are to choose their own leaders. In Deut 1:13 it is said: ‘Choose some wise, understanding and respected men from each of your tribes, and I will set them over you.’ So God recognises governments. He recognises the authority that governments have over us. However, the government’s authority is derived from God, and that we must admit. Governments are accountable primarily to God as their source of authority. It is on issues where God has not given commands in the Bible that we, the people and the will of the people, become the guide and the decision making process or the democratic process takes over.</p> <p>It is important that the preamble, as a statement of intent by the writers of the constitution, and that includes all of us, should reflect the Christian consensus in SA. This would not inhibit individual religious freedom but would affirm the obligation on the State to uphold moral principles rather than secular value systems</p>
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27	7/5/96	TS Farisani	ANC	<p><i>Preamble; lockouts, language, property rights. (Sermonic language, typical language of liberation theology; considers the acts of the ANC as acts of God)</i></p> <p>‘God is waiting, the nation is waiting, everybody is waiting. The child must now be born, for this dispensation has been pregnant for the past two years.’</p> <p>‘I want to dedicate this speech to God Almighty who made it possible for us to perform the miracle that has earned the respect of the international community.’</p> <p>He compares the preamble of the ‘old, now discredited document once called the Constitution of South Africa’ with the preamble of the new constitution and concludes: ‘This preamble takes us across the Rubicon. Where God and apartheid were synonyms, here God is the Spirit who moves the process of transformation.</p> <p>‘We shall fight for this dream, for a SA where property will not be the monopoly of the select members of a <i>Herrenvolk</i>, but where property will be accessible to everybody. Where is one’s Christianity, where have those Christian values gone, when one talks the language of lock-outs, of Afrikaans only, of property for a few? What has happened to that Christianity of yours?’</p> <p>‘Where is the Moses of the ACDP, Rev Meshoe? Why do we not hear him preach Christian values on this issue?’</p> <p>‘The Constitution, and not law and order, is the supreme authority in our country, no longer promoting the culture of some citizens who live above the law – the like of Magnus Malan. Now the ANC is ready. We stand before the Red Sea. The ANC is ready to cross. Are the NP and their friends ready to cross the Red Sea?’</p> <p>‘God is waiting upon the nation. The ANC is ready to take this nation to its tomorrow. The ANC is ready to create a new South Africa for our children. Why is the NP trembling? ... Let us cross the Rubicon!’</p> <p>‘We will not be judged by our rhetorical support for Christian and democratic values. People will judge us on whether, like God, we give this planet to all or whether we want to keep some continents for ourselves.’</p>		
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28	7/5/96	C Ackermann	NP	<p style="text-align: center;">Responding to Farisani</p> <p>‘I want to tell Dr Farisani that the NP has long since crossed the Red Sea. We crossed the Red Sea in 1989. I want to tell him and the ANC today that if they wish to cross it only now, they should watch out that it does not submerge them like it did the Egyptians. That is what could happen to them.’</p>
29	7/5/96	ON Khobe	ANC	<p style="text-align: center;">Various biblical metaphors; preamble, abortion</p> <p>‘Jesus our Lord will be born. Today a child is born in Jerusalem, and his name is Mandela.’</p> <p>‘I was also very annoyed about those people who say this constitution does not say anything about God. There is no one in this House who does not believe in God, because everybody knows God. The NP sat down, took the Bible and extracted anything that had something to do with apartheid. But today, when the NP tells us that the constitution does not say anything about God, we want to say we do not want to talk about imitation Christians, but we talk of believers. People who are believers are those Whites who joined us in the ANC, who realised that we are suffering and they wanted to share that suffering with us. Not he NP.</p> <p>In fact, the NP ate the manna that did not belong to them. Today this manna is back with us. We, however, do not say that we do not want to give them this manna. They were greedy and ate the wrong manna, yet we are saying let them come and share this manna with us.’</p> <p>‘Abortion should be freely available. Those self-righteous religious bodies who treat women as second-class inferior citizens, for instance – and members will excuse me – the Roman Catholic fraternity of unmarried men and the Dutch Reformed fraternity of married Calvinist men, the NP, have no right to impose and force their male chauvinist doctrines onto a democratic government, or onto the women who are not members of their congregations. They should preach their doctrines within the limits and boundaries of their specific congregations.’</p>

30	7/5/96	WJ Botha	FF	<p><i>Biblical metaphor; religious, cultural and linguistic rights</i></p> <p>‘As an Afrikaner on his way to a volkstaat, I find myself on a journey on a road that runs through the new South Africa. It may even happen that I will be here for such a long time that I will perish in the desert like the Israelites of old before I reach the promised land. I only hope that I do not perish for the same reasons as those for which the Israelites perished.’</p> <p>It is a pity that not enough time has elapsed so that everyone who still doubts whether the FF’s claim to religious, linguistic and cultural rights a genuine, can be assured, and that they can realise that the FF no longer needs to be suspected of harking back to apartheid or isolation.’</p>		
31	7/5/96	ME Surty	ANC	<p><i>Responds to Ackerman on Red Sea metaphor; property rights; lock-out clause</i></p> <p>We have also heard Sen. Ackermann stating that they have already – look at the arrogance, the condescension – crossed the Red Sea, which means that God has already favoured them as His people. He has taken them across the red Sea, but ANC beware, you may be swallowed by the Red Sea. What is the suggestion here? Is it that those chosen people are already on the other side, and that is why they have to cling to their property clauses and to the labour rights, since they feel there may be an impingement on their privileges of the past? Is that what they are saying? They should rather say, thankfully, that they are crossing through the Red Sea and that the ANC is taking them along, so that they can aspire to freedom and equality and, for the first time, achieve human dignity.’</p>		

<p>32</p>	<p>7/5/96</p>	<p>KR Meshoe</p>	<p>ACDP</p>	<p><i>General Christian values; supremacy of the constitution; separation of church and state; freedom of religion</i></p> <p>If the objections raised by the ACDP are not considered favourably then this constitution will become a source of ongoing friction, resentment and mobilisation of committed Christians whose values, principles and beliefs are being threatened.'</p> <p>... biblical laws which has brought liberty and prosperity to millions of Christians in many nations over many centuries, cannot be subjected to a constitution that was drafted by mortal and fallible men and women within a period of two years.'</p> <p>We do not question the relevance of the Bible that addresses moral, social, economic, and all other bread-and-butter issues. We believe that the Word of the Lord is right and true as stated in Psalm 33:4. Therefore any law or constitution that is against the Word of the Lord is not right and true.'</p> <p>'The ACDP agrees with the separation of church and state, but not with the separation of church and religion, which includes morality. The idea that it is possible to have a religiously neutral state is erroneous... a religiously neutral state is impossible. Christianity, with which the overwhelming majority of South Africans aligns themselves, is tolerant of other religions and thus there is no need to adopt a policy of secularism that does not guarantee the rights of people to worship as they choose. We believe in freedom of religion because it is a biblical principle and not a policy of secularism</p>
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33	7/5/96	GM Mshwana	ANC	<p>Preamble; Biblical metaphor</p> <p>‘In the past we were governed by a constitution which was written by others who thought that God had given them the power to tell and dictate to Blacks where they should live and with whom, which education was right for them so that they remain hewers of wood and drawers of water.’</p> <p>‘Those who do not accept this constitution should go into some enemy territory. Those who want to live in the past want us to go back to Egypt where there is too much suffering.’</p>		
34	7/5/96	MR Ramgobin	ANC	<p>Metaphor;</p> <p>‘... my mind goes back to 26 years ago, when I was one of those people who said to the world that for as long as the Mandelas, Sisulus, Kathadras and Bram Fishers were in jail, their ideas would be compatible with those of Jesus Christ.</p> <p>No matter how much one talk about God, we need to reflect on the ideas left to us by Bram Fisher and Oliver Tambo, the ideas that are still exposed to us by Nelson Mandela and Walter Sisulu. These are the ideas that have formed the basis and genesis of what I believe to be Christianity. I believe they are compatible with the Sermon on the Mount. We will not tolerate sermons here today from certain detractors in this House, whether they be about God or any economic feature.</p>		
35	7/5/96	YI Carrim	ANC	<p>Religious, cultural and linguistic rights</p> <p>‘It has to promote religious, cultural and linguistic rights in a way that enhances and does not undermine nation-building.’</p>		

<p>36</p>	<p>7/5/96</p>	<p>LM Green</p>	<p>ACDP</p>	<p>Death penalty; Abortion, sexual orientation ‘The Bible usually refers to fundamental rights in terms of their corresponding duties. For example the sixth commandment says in Exodus 20:12, ‘Thou shalt not murder.’ This is saying, in other words, that everyone has a right to life. However, the right to life which should be protected by the State becomes meaningless if the State is incapable of reducing the level of violent crime in SA.’ The Word of God says in Numbers 35:31: ‘Do not accept a ransom for the life of a murderer, who deserves to die. He must surely be put to death.’ ³³ ‘Do not pollute the land where you are. Bloodshed pollutes the land, and atonement cannot be made for the land on which blood has been shed, except by the blood of the one who shed it.’ Clause 11, referring to the right to life, as it stands is too vague, in that it fails to address crucial issues relating to abortion, to euthanasia, infanticide and the death penalty. ‘Like Pontius Pilate in the Bible, the negotiating parties are attempting to wash their hands of a crucial moral issue, namely the right to life of the innocent unborn person.’ The Bible teaches that homosexuality and lesbianism are sins. The book of Romans, chapter 1 verse 26 says: ‘Even their women exchanged natural relations for unnatural ones’ The Bible also teaches that homosexuality does not have to be a permanent condition but that, like other sins, it can be forgiven and can be overcome by repentance and faith in Jesus Christ. In I Corinthians 6:9 it says: Do you not know that the wicked will not inherit the kingdom of God? Do not be deceived: Neither the sexually immoral nor idolaters nor adulterers nor male prostitutes nor homosexual . . . will inherit the kingdom of God. ¹¹ And that is what some of you were. But you were washed, you were sanctified, you were justified in the name of the Lord Jesus Christ . . . /</p>		
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37	8/5/96	AJ Leon	DP	<p style="text-align: center;">Justice</p> <p>‘We have to ask ourselves a fundamental question: Does this constitution redeem the pledge of the Old Testament: ‘Justice, justice shalt thou seek’? We believe it substantially does.</p>	Isa 58:1(?)
38	8/5/96	K.R Meshoe	ACDP	<p>Supremacy of constitution; family values</p> <p>The ACDP finds the subjection of biblical laws to this constitution totally unacceptable. We believe that the Bible, that took more than a thousand years to put together, should have supremacy over this constitution which has been drafted by mortal and fallible men over a period of 24 months’</p> <p>‘We believe that the Word of the Lord is right and true as stated in Ps 33:3</p>	
39	11/10/96	LM Green	ACDP	<p>Abortion, sexual orientation</p> <p>Repeats repeatedly used arguments against abortion. And concluded:</p> <p>‘In conclusion I wish to quote from the book of Psalms. I want to leave this Assembly with these words from Psalm 127:1: ‘except the lord build the house, they labour in vain that build it.’</p>	
40	11/10/06	A Stoffle	ANC	<p>Christianity and the constitution</p> <p>It is not a perfect constitution, and no such document exists in the world. It is also not a Christian catechistical directive. It is a constitution to give guidance on how this country should be ruled. The churches and religious groupings should resist the temptation to ask parliament to do what they themselves have failed to do in our societies. For indeed, our successes and failures can only be measured by the extent to which parliaments are rendered obsolete in having to pronounce and legislate on the moral decay of a given society.’</p>	

PRESENTATION OF THE DATA