

CHRISTIANS FOR TRUTH

Kranskop
May 31 1996

OBJECTION TO NEW CONSTITUTION

The new Constitution does not directly provide for a right of protection of family and marriage. This right is universally protected by *inter alia* the following:

- a) Section 12 of the Universal Declaration of Rights of the UN (1948).
- b) Article 10 of the International Covenant on Economic, Social and Cultural Rights (1966)
- c) Article 23(1) of the International Covenant on Civil and Political Rights (1966)
- d) Articles 8(1) and 12 of the European Convention on Human Rights (1950)
- e) Article 5(d)(iv) of the International Covenant on the Elimination of All Forms of Racial Discrimination (1965)
- f) Part I(16) of the European Social Charter (1961)
- g) Article 18 of the Banjul Charter on Human and People's Rights (1981) (The African Charter of Human Rights)
- h) Article 6 of the German Basic Law (1949)
- i) Article 41 of the Irish Constitution (1937)

In view of the above, it is submitted that the new Constitution must be amended to make provision for the inclusion of a right on the protection of the family and marriage.

REV. K OLSEN

Deputy President of CFT

NEW CONSTITUTION IGNORES CHRISTIAN CONCERNS -- PRESS STATEMENT 13 MAY 1996

Our new Constitution lays great emphasis on human rights. Though this is laudable in certain respects it is nevertheless built on flimsy foundation by not acknowledging the source of human rights - God Himself.

A number of clauses are of great concern to Christians. These concerns had been brought to the parties, shown to be the will of the majority and major polls, but ignored

nevertheless. One of the submissions, 'Christianity and Religious Freedom', contained over 230,000 signatures. Some of the anti-Biblical clauses include:

1. The refusal to submit to God. The previous preamble to the New Constitution began with: 'In humble submission to Almighty God'. These words have now been replaced by: 'We ... honour those who suffered for justice and freedom in our land ..'. The appeal to God to 'bless South Africa' is presumptuous. He will not bless laws that are in direct rebellion to His.
2. The absolute 'Supremacy of the Constitution' (clause 2) creates the possibility to persecute those who, recognising the error of certain clauses, will 'obey God rather than man.' By stating that 'This Constitution is the supreme law ... law or conduct inconsistent with it is invalid 'South Africans who oppose abortion homosexuality and pornography may find themselves behind bars.
3. Prostitution may be legalised by the Constitutional Court's interpretation of 'Freedom of Occupation' (clause 22). The sentence: 'Every citizen has the right to choose their trade, occupation or profession freely', opens the way for pornographers and prostitutes to protect their professions.
4. Abortion on demand is very likely in the near future when a number of clauses are interpreted by the Constitutional Court. One of the clauses, under the Health Care section states: 'Everyone has the right to have access to ... reproductive health care'. Pro-abortionists are already hailing the 'pro-choice' Constitution as a major victory.
5. Perversion receives state sanction under the anti-discrimination section which includes the phrase 'sexual orientation'. This makes South Africa the only country in the world to have a Constitution which protects deviant sexual behaviour. Paedophilia and other depraved life-styles might also receive protection if these lobbies can prove to the Constitutional Court that their behaviour is a 'sexual orientation'.
6. There is no protection from pornography. Indeed, hard-core pornography was accepted by the Constitutional Court on the same day that the Constitution was accepted.

CFT will continue to encourage its members (over 70,000) to obey God and their consciences and do their best to influence citizens and leaders to give God the honour due to Him. Without His blessing it will soon be part 2 of 'Cry the Beloved Country'".

RIGHT TO PROTECTION OF FAMILY AND MARRIAGE

1. In terms of Constitutional Principle II of the interim Constitution everyone shall enjoy all the universally accepted human rights which shall be provided for and protected by the Constitution.
2. The new Constitution adopted on 8 May, 1996 by the Constitutional Assembly does not directly provide for a right of protection of the family and marriage.

3. This right is indeed universally protected as evidenced by *inter alia* the following:
 - a) Section 12 of the Universal Declaration of Rights of the UN (1948)
 - b) Article 10 of the International Covenant on Economic, Social and Cultural Rights (1966)
 - c) Article 23(1) of the International Covenant on Civil and Political Rights (1966)
 - d) Articles 8(1) and 12 of the European Convention on Human Rights (1950)
 - e) Article 5(d)(iv) of the International Covenant on the Elimination of All Forms of Racial Discrimination (1965)
 - f) Part I(16) of the European Social Charter (1961)
 - g) Article 18 of the Banjul Charter on Human and People's Rights (1981) (The African Charter of Human Rights)
 - h) Article 6 of the German Basic Law (1949)
 - i) Article 41 of the Irish Constitution (1937)
4. In view of the above, it is submitted that the new Constitution must be amended to make provision for the inclusion of a right on the protection of the family and marriage.

CHAIRMAN PRETORIA COMMITTEE
D J BOSMAN