

# A comparative analysis between the religious and comprehensive sexuality education policies in South African schools

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## Abstract

With the dawn of a constitutional democracy, South Africa has enacted contentious policies, such as outlawing capital punishment and legalizing same-sex marriage. Within the educational environment, the religious education (RE) and comprehensive sexuality education (CSE) policies remain the most controversial to date. A comparative analysis of their overriding objectives suggests the two policies coincide in terms of their purpose (e.g. protecting the rights of religious and sexual minority groups), reform (conscientizing learners about the oppression of othered groups), and action (instilling inclusivity and diversity in religious and sexuality education). Yet, despite the two policies' corresponding position toward oppression encountered by minorities, the analysis shows some schools privilege the implementation of one policy over another. For example, the orthodox position taken by some faith-based schools in removing the teaching of sexuality diversity, and replacing it with religious studies. On the other hand, the analysis also shows that learners from both religious and sexual minority groups (e.g. queer Muslim youth), outside of faith-based schools, may face compounded forms of oppression based on religious, gender and sexual minority status. The analysis explores this sometimes conflicting intersection of religion, gender and sexuality, while suggesting new directions for future studies in RE and CSE.

**Keywords:** Comprehensive sexuality education; implementation; intersections; LGBT youth; religious education

## Introduction

Since the end of the National Government's apartheid system<sup>1</sup> (1948–1994), South Africa (SA) has been engaged in the process of nation-building and restorative justice through the values of its constitutional democracy (Prinsloo, 2008). The Constitution of the Republic of South Africa Act 108 of 1996, together with its democratic values and laws, stand as an interpretive framework for the new government to enact various strategies and processes to re-imagine citizenship (Prinsloo, 2008). However, prior to the new dispensation, SA used to be a predominantly White, Christian nation intolerant of religious, gender and sexuality diversity, following its colonial British rule (Prinsloo, 2008). Besides racial segregation in schools, the apartheid government's Christian National Education for example, restricted multi-religious education (Roux, 2009), while the Immorality Act of 1957 prohibited learners from learning about and engaging in 'unnatural/immoral sexual acts' usually associated with homosexuality (De Beer, 2018). Although most studies have explored the relationship between South Africa's racialized past and its consequence for religious (Nogueira-Godsey, 2016), gender (Bhana et al., 2019) and sexuality diversity (Francis, 2019a) within schooling environments, few studies have explored the intersections of policies which safeguard the rights of religious, gender and sexual minorities in school settings. Furthermore, there is limited research which investigates how schools prioritize the implementation of such policies within most schooling environments. This article provides a

comparative analysis of the intersections of the religious education (RE) and comprehensive sexuality education (CSE) policies, whilst looking at how do schools prioritize their implementation in school settings. The article broadly asks, what intersections can be drawn between the two policies, as well as their effect on youth from religious, gender and sexual minority groups? This becomes paramount given that oppression may become more compounded for learners who identify with more than one marginalized group. A theoretical framework that could be utilized to make sense of this complicated and multi-layered nature of oppression is intersectionality theory.

### *Theoretical framework: Intersectionality theory*

Intersectionality theory holds that social categorizations such as race, sex and class are interconnected and create overlapping and multiple systems of discrimination and prejudice (Crenshaw, 1989). The theory was coined by American civil rights advocate, Kimberly Crenshaw (1989), to refer particularly to the marginalization of sex (female), race (black) and class (poor) experienced by African American women in social, economic, legal and professional domains. For Crenshaw (1989), critically analyzing these intersections reveals underlining systems that maintain privilege and power of one group over another. A limitation of intersectional theory is that individuals and groups may face multiple forms of oppression at the same time, with justifiable needs, which may conflict against each other (Reilly-Cooper, 2020). This may considerably complicate action to be taken (Reilly-Cooper, 2020). In other words, reconciling multiple, overlapping identities and experiences of oppression is hard, and can sometimes result in further discrimination to those who are already oppressed (Reilly-Cooper, 2020). Although these internal debates may not be resolved, Collins (1986) maintains that the work of critical theories such as intersectionality theory is to expose that we are all oppressed and need to dismantle ourselves from the systems of domination.

### *Dominant discourses of religious, gender and sexual minorities*

As indicated earlier, South Africa (SA) has its roots and entanglements to British colonization as well as Christianity as its dominant religion (Prinsloo, 2008). From this political history, SA inherited and continued to retain hegemonic socio-cultural discourses of normative sexuality and religion as mainly heteronormative (Bhana et al., 2019; Francis, 2017a; Francis & DePalma, 2015) and euro-centric Christianity (Chidester, 2003; Prinsloo, 2008; Roux, 2009). Despite much policy-making intended to usher inclusivity and openness to diversity over the last decades, discursive socio-cultural practices (e.g., dominant language and images used in sexuality education) still perpetuate historical systems of oppression (e.g., discrimination, bias and oppression towards non-normative sexualities and religious groups) (DePalma & Francis, 2014; Shefer & Macleod, 2015; McDonald, 2015). For example, Francis (2017b) conversations with bisexual learners and their teachers showed how moral/religious discourses around normative desire, sexuality and gender-conformity is discursively used to produce sexual minorities as deviants and other, as evidenced in the following extracts:

I don't understand how bisexuality works but doesn't that mean they will be having more sex. How will they then be faithful to one person? (Mr. Tau AMH57, p. 212)

But then you go outside of the classroom, and you get bombarded with Bible verses and people telling you're going to hell... (Pretorius, WMB/G18, p. 215)

What is more is that the discrimination and victimization of lesbian, gay, bisexual and transgender (LGBT) youth becomes more prevalent within single faith-based schools, and their religiously-conservative teachers (Bhana, 2012). For example, Hendricks (2010, p. 31) notes that, in broader society, “Queer Muslims face a multitude of challenges, of which one is rejection. This is anchored by the belief that homosexuality is a major sin in Islam and punishable by death under Sha-riahlaw.” Bhana’s (2012, p. 314) study also shows oppression drawn from intersections of non-normative religious and sexuality background in her interviews in 5 schools with 25 teachers, wherein teachers in a religiously-conservative school stated that they would “use religious teachings to cure and get rid of the sin” when confronted with an openly gay learner as evidenced by one of them here:

... you know this is what the Bible says, or in Islam this is what the Quran says, ... I give them all the knowledge, orientation, this however what the Bible says ... and then it is your decision that you have to make ... when you go to church there's definitely gonna be that judgement ...

In other words, the teachers subordinate same-sex attraction as “sinful” based on dominant religious views<sup>2</sup> such as those of the Judeo-Christian branch, while naturalizing heterosexuality as acceptable (Bhana, 2012, p. 313). Whilst religion, gender and sexuality have been highlighted as prominent statuses of oppression here, literature further suggests other intersectional aspects to take into account such as race, social class and age when discussing relationships, intimacy, and desire LGBT youth (see Bhana, 2012; Francis, 2017c; 2019a). Francis and Reygan (2016) further recommend more contextually-relevant models such as postcolonial and Southern theory are needed to unpack and mobilize action against these oppressions.

While these injustices against religious, gender and sexual minorities took place under the orchestration of the apartheid government (Prinsloo, 2008), the new government has strived to recognize religious, gender and sexuality diversity in schools and broader society under its constitutional democracy framework (Bhana et al., 2019; Chidester, 2003; Roux, 2009). For example, in the last two decades, the new government has legalized same-sex marriage as well as the teaching of RE<sup>3</sup> and CSE<sup>4</sup> in schools (as discussed below). The latter two policies refer to the National Policy on Religion and Education (Republic of South Africa, 2003) and National Policy on the Prevention and Management of Learner Pregnancy in Schools (Department of Basic Education, 2020a). These two policies, amongst others, represented crucial transformation within the schooling environment for learners considered non-normative given their religion (Chidester, 2003), gender (Bhana et al., 2019) and sexuality (Francis, 2017c), or a combination of these categories (Msibi, 2015).

### *Implementing educational policy protecting the rights of religious, gender and sexual minorities within the schooling environment*

Although the local literature has separately explored the teaching and implementation of RE (Chidester, 2006; Ntho-Ntho & Nieuwenhuis, 2016a, 2016b; Roux, 2013) and CSE in schools (Francis, 2017c; Ngabaza & Shefer, 2019; Venketsamy, 2018), the problem is that there are no available studies which have explored the intersections of both policies together.

For example, a perusal of the two policies' overriding goals shows that both policies have been introduced in schools to cater for and safeguard the human rights and wellbeing of all learners, including learners from religious (Chidester, 2003; Nogueira-Godsey, 2016; Roux, 2009) and sexual minority groups (Bhana, 2012; Reygan, 2016; Ubisi, 2020a). In the case of the RE policy, the policy aims to integrate teaching about marginalized worldviews from marginal religious groups, such as traditionalists and alternative religions alongside the dominant branches of Christian religions (Chidester, 2003). Within the CSE policy, the policy attempts to foster an inclusivity in the teaching about gender and sexuality diversity to de-centre compulsory heterosexuality by integrating knowledge about the diverse sexuality of LGBT youth in sexuality curriculum such as Life Orientation (LO) (Bhana et al., 2019; Francis & Kuhl, 2020; Wilmot & Naidoo, 2017).

### *National policy on religion and education*

It has been close to 17 years since the controversial passing of the National Policy on Religion and Education (Republic of South Africa, 2003). As noted earlier, paragraph 7 of the policy defines RE as “a curricular programme with clear and age-appropriate educational aims and objectives, for teaching and learning about religion, religions, and religious diversity in South Africa and the world” (Republic of South Africa, 2003, p. 30). With religious diversity in mind, paragraph 29 of the policy echoes the unified goal of the policy with the Constitution which emphasizes freedom from religious discrimination (Republic of South Africa, 2003, p. 16):

We believe we will do much better as a country if our pupils are exposed to a variety of religious and secular belief systems, in a well-informed manner, which gives rise to a genuine respect for the adherents and practices of all of these, without diminishing in any way the preferred choice of the pupil.

However, according to Roux (2009), Chidester (2006) and Nthontho (2020), the rollout of the RE policy has been a complex and contested issue, particularly for state-funded, public schools<sup>5</sup> which face unique structural and classroom challenges. At the crux of these challenges and contestations are debates around the readiness in teacher education (see Chidester, 2006), whether the themes covered are suitable for a multi-religious classroom (Roux, 2009), the climate of (in)tolerance for religious diversity in the classroom (Nogueira-Godsey, 2016), the social justice and human-rights based approach in pedagogy and teaching and learning (Miedema, 2014), as well as the (un)willingness of school managers to implement RE in schools (Nthontho, 2020). More recently, the CSE policy has generated similar debates amongst parents, teachers, learners and other significant social figures (Bhana et al., 2019; Ngabaza & Shefer, 2019; Ubisi, 2020b).

### *The national policy on the prevention and management of learner pregnancy in schools*

The South African Department of Basic Education (2020b) maintains CSE has been part of the LO curriculum since 2000. CSE refers to a life-long approach at educating learners about the values, attitudes, beliefs, skills around safe and healthy sexual practice, communication, consent, power in sexually-related, gender, sexuality, relationship and HIV education (UNESCO, 2018). According to the Department of Basic Education (2020a, p. 6), provision of CSE forms part of a national holistic of sexual and reproductive health services

intervention for all schools based on the National Policy on the Prevention and Management of Learner Pregnancy in Schools:

This Policy seeks to ensure the accessible provision of information on prevention; choice of termination of pregnancy (CToP); care, counselling and support; frameworks for impact mitigation; and guidelines for systemic management and implementation. In particular, it commits the basic education system and other role players to providing the Comprehensive Sexuality Education (CSE) crucial to optimal sexual and reproductive health. The aim of CSE is to ensure that young people gain the knowledge and skills to make conscious, healthy and respectful choices about relationships and sexuality. It provides an age-appropriate, culturally-relevant and right-based approach to sexuality and relationships, which explicitly addresses issues of gender and power, and provides scientifically accurate, practical information in a non-judgemental way.

An analysis of the hegemonic discourses toward the rollout of CSE in South African schools indicated mixed public responses including those in favor of, those in opposition to, and those neutral toward the rollout (Ubisi, 2020b). Gender and sexuality diversity education is meant to form part of the CSE curriculum (Potgieter & Reygan, 2012). Yet scholars contend that when CSE is offered, the curriculum not only emphasizes compulsory heterosexuality (Francis, 2019b, 2019c), but is also disease (Ngabaza & Shefer, 2019) and abstinent-focused (Bhana et al., 2019), designed with heteronormative norms in mind (Brown & Buthelezi, 2020). A review by Francis (2017c) around homophobia and sexuality diversity in schools further revealed South African schooling environments have become sites of homophobic and transphobic abuse for LGBT youth. Within these environments, Francis (2011) noted some teachers lack confidence to teach about certain CSE themes such as same-sex relationships, while some teachers experienced conflict with the contradictory values of the curriculum (Francis & DePalma, 2015).

### *South African schools' comparative responses to the implementation of the RE and CSE policies in schools*

Indeed, the responses of the South African schooling system to the implementation of the RE has been entangled in the historical trajectories of the apartheid era (Chidester, 2003; Prinsloo, 2008; Roux, 2009). As stated earlier, in the previous political dispensation, SA was governed by a White Christian administration with no consideration of a multi-religious classroom (Prinsloo, 2008). Within the post-apartheid setting, there are still cases of religious intolerance being reported within classroom and the media (Nogueira-Godsey, 2016). For example, in a study with 12 principals from several multi-faith schools, Ntho-Ntho and Nieuwenhuis (2016b) found that the principals in these schools failed to reconcile their own traditions with the requirement of the policy, while partly referring to the policy when faced with conflicts of religious interests (Ntho-Ntho & Nieuwenhuis, 2016a). Yet, in a recent study with school managers in multi-religious schools, Nthontho (2020) found that compliant principals relied on the problem-solving and transformational mediation in managing the implementation of the RE policy.

On the other hand, Niehaus (2011, p. 20) stated that in some faith-based schools, such as Islamic schools, certain 'unacceptable' CSE themes in LO are either removed or merged with Islamic studies, to be taught from an Islamic perspective:

Islamic schools in South Africa are obliged to teach democratic citizenship education since it is part of the post-apartheid National Curriculum. It is mainly taught within the subject of Life Orientation and deals with, among others, diversity, religious beliefs, human rights, rights and responsibility of citizens, and any personal issues. Islamic schools teach these topics from an Islamic point of view, and remove what seems unacceptable to include, such as HIV-Aids education and sexual relationships between teenagers. In some schools, Life Orientation was combined with Islamic studies to ensure that the subject is taught from an Islamic perspective.

According to Francis (2011), it is not uncommon for the teaching about gender and sexuality diversity to be disregarded from CSE curriculum as these themes may conflict with teachers' religious and cultural beliefs. For instance, Venketsamy's (2018) investigation into the challenges experienced by South African black male and female teachers teaching CSE revealed that these teachers failed to teach on themes such as same-sex relationships based on conflicting values with their cultural and religious beliefs. Similarly, the interviewed learners in Mayeza and Vincent (2019) study demanded more knowledge about dating and same-sex relationships. Francis (2019b, 2019c) also maintains that counter-normative sexualities such as queer and transgendered identities remain further policed and subjugated to compulsory heterosexual identities. With that said, there has been some positive steps taken which reflects the reformulation and implementation to ensure the rights of LGBT youth. For example, Ubisi (2020a) states the admission of a transgender girl into the single-sex Wynberg Girls' High School in Cape Town South Africa, shows how schools are grappling but also engaging with gender and sexuality diversity.

### *South African general public's comparative responses to the implementation of the RE and CSE policy in schools*

As highlighted earlier, SA is historically a White Christian nation with its religious values embedded within its education system as seen in the former Christian National Education (Chidester, 2003). However, branches of Christian religion remain the most prominent religions alongside other worldwide known religions, including Islam, Hinduism and Judaism (Nogueira-Godsey, 2016). Within this religious landscape, for adherents of marginal religious and faith-based groups such as traditionalists and alternative religious groups, discrimination against their religious freedoms becomes a common occurrence within everyday public and educational domains (Nogueira-Godsey, 2016). For example, Parker (2020) notes that in 2013 and 2014 there were reported incidents of two Cape Town based schools where the general public's response demanded to revisit their uniform policy to accept Muslim head coverings. Yet the most common form of discrimination has been Christian indoctrination (e.g. compulsory Christian assembly) and its support by some parents in state-funded public schools (Singham, 2017). According to Singham (2017), Christian indoctrination presents an enduring discourse based on the public's demand for the teaching and learning environment to follow a Christian value system.

Similarly, in an analysis of hegemonic public discourses against the rollout of CSE in South African schools, opposition from parents' right to choose the timing and appropriateness of CSE was framed alongside the public's demand for Christian values in the educational environment (Ubisi, 2020b). These discourses often promote religious and sexual morality which promotes measures of abstinence instead of open communication about young people's growing sexuality (Bhana et al., 2019; Ngabaza & Shefer, 2019; Shefer &

Macleod, 2015). Yet, the South African landscape is slowly changing with examples by the Cape Town based religious leader Imam Muhsin Hendricks. Imam Hendricks established the organization called 'The Inner Circle', which supports education and acceptance for same-sex and queer Muslim communities (Hendricks & Krondorfer, 2011). The Inner Circle provides a positive response to the public's response to the implementation of CSE in schools (Hendricks & Krondorfer, 2011). In other words, 'The Inner Circle' shows a great example of the grappling and yet positive engagement with the conflicting intersection of faith and religion on one hand, with gender and sexuality on the other (Hendricks & Krondorfer, 2011).

## **Material and methods**

No ethical clearance was needed to conduct this research. A desktop search was conducted on Google Scholar for any publications, journal articles, books, and official documents published between 2003-2020 to investigate the implementation of both RE and CSE policies in South African schools. The search utilized broad key terms to search for publications in the area, including terms such as 'religious education', 'comprehensive sexuality education', 'implementation', 'schools' and 'South Africa'. Further techniques of snowballing from reference lists was utilized wherein the work of prominent researchers in field were obtained. A total of 86 publications regarding the teaching and implementation of the RE policy and 130 for the CSE policy were retrieved based on an initial search. After perusing and classifying these publications according clustered themes (see Table 1), the search for more publications ceased based on data saturation of themes. Overall, 31 publications for the RE policy and 53 for the CSE policy were selected for the final analysis.

### *Selection criteria*

The publications which were selected for final analysis must have discussed tensions, challenges and implications in implementing RE or CSE for religious, gender and sexual minority youth in schools. Preference was given to publications which: (a) conducted a policy analysis in the prioritization of RE and CSE in schools; (b) employed some level of intersectional analysis, particularly based on religion, gender and sexuality diversity; and (c) published between 2003-2020. Yet, because Google Scholar was utilized as a desktop search, there are countless number of publications which could have been missed. Furthermore, it should be noted that because of the journal's space and word count, only a certain number of publications could be referred to in the analysis.

## **Results**

Below, Table 1 presents a comparative analysis of the implementation of the RE and CSE policies in South African schools. The table firstly states the referred policies. Next, the table compares the respective policies based on their purpose, reform and provision. Thereafter, Table 1 provides a comparative analysis using the available literature of reasons why schools are (or not) effectively implementing the referred policies.

Table 1. A comparative analysis of the implementation of the religious education and comprehensive sexuality education policies in South African schools.

	Religious Education (RE)	Comprehensive Sexuality Education (CSE)
Referred policy documents:	<ul style="list-style-type: none"> <li>National Policy for Religious Education 2003;</li> <li>Section 7 of South African Schools Act 84 of 1996;</li> <li>Section 9(3-5), 15(1-2), 16(2)(c), 31 of the Constitution of the Republic of South Africa Act 108 of 1996</li> </ul>	<ul style="list-style-type: none"> <li>The National Policy on the Prevention and Management of Learner Pregnancy in Schools (2018) and Integrated School Act (2012);</li> <li>Chapter 2, Section 13 of the Children's Act 38 of 2005;</li> <li>Section 9(3-5), 27(1)(a) of the Constitution of the Republic of South Africa Act 108 of 1996</li> </ul>
Purpose:	<ul style="list-style-type: none"> <li>For schooling environments, implement 'a curricular programme with clear and age-appropriate educational aims and objectives, for teaching and learning about religion, religions, and religious diversity in South Africa and the world' (Republic of South Africa, 2003, paragraph 17, p. 30);</li> <li>Within schooling environments and communities more broadly, awareness, education and protection of religious minorities (Chidester, 2003; Nogueira-Godsey, 2016; Roux, 2009)</li> </ul>	<ul style="list-style-type: none"> <li>For schooling environments, implement 'an age-appropriate, culturally-relevant and right-based approach to sexuality and relationships, which explicitly addresses issues of gender and power, and provides scientifically accurate, practical information in a nonjudgmental way' (Department of Basic Education, 2020a, p. 6);</li> <li>Within schooling environment and communities more broadly, awareness, education and protection of sexual minorities (Francis, 2017a; Francis &amp; Kuhl, 2020; Francis &amp; Msibi, 2011)</li> </ul>
Reform:	<ul style="list-style-type: none"> <li>Inform students of and about the marginalization of religious worldviews (Chidester, 2003; Ntho-Ntho &amp; Nieuwenhuis, 2016b; Roux, 2009)</li> </ul>	<ul style="list-style-type: none"> <li>Inform students of and about marginalized genders and sexualities (Wilmot &amp; Naidoo, 2017; Reygan, 2016)</li> </ul>
Provision:	<ul style="list-style-type: none"> <li>Provide diversity in religious education (Nogueira-Godsey, 2016; MacDonald, 2015; Driesen &amp; Tayob, 2016)</li> </ul>	<ul style="list-style-type: none"> <li>Provide inclusivity in sexuality education (Bhana et al., 2019; Ngabaza &amp; Shefer, 2019; Wilmot &amp; Naidoo, 2017)</li> </ul>
Reasons why South African schools are effectively implementing the referred policies:	<ul style="list-style-type: none"> <li>Curriculum knowledge and pedagogy in social justice, human-rights and anti-oppression toward the teaching of RE (Chidester, 2003; Miedema, 2014; Roux, 2009)</li> <li>Previous teacher experience and training in RE (Nthontho, 2017)</li> <li>Problem-solving and transformational mediation approach (Nthontho, 2020)</li> <li>Fighting against Christian indoctrination to inculcate religious diversity in schools (Singham, 2017)</li> </ul>	<ul style="list-style-type: none"> <li>Curriculum knowledge and pedagogy in social justice, human-rights and anti-oppression toward the teaching of CSE (Bhana et al., 2019; Francis, 2019d; Shefer &amp; Macleod, 2015)</li> <li>Teaching gender and sexuality diverse to pre-service teachers using an inclusive, queer praxis (Msibi, 2015)</li> <li>Nominating trained, expert teachers to offer CSE (Venketsamy, 2018)</li> <li>School-based support team responses to sexual diversity and homophobic bullying (Brown &amp; Buthelezi, 2020)</li> </ul>



Reasons why South African schools are not effectively implementing the referred policies:

- Legacy of apartheid - public demand for Christian values in teaching learning (Chidester, 2003; Roux, 2009; Singham, 2017)
- Inadequate teacher education (MacDonald, 2015)
- Deficient teacher curriculum knowledge and pedagogy in teaching a multi-religious classroom (Roux, 2009)
- Teachers inability to reconcile personal values with requirements of policy and curriculum knowledge (Ntho-Ntho & Nieuwenhuis, 2016b)
- Teacher and learner's intolerance toward religious diversity in the classroom (Nogueira-Godsey, 2016)
- Unwillingness by school managers (Ntho-Ntho & Nieuwenhuis, 2016a)
- Entrenched compulsory heterosexuality in LO textbooks (Francis, 2017b; Potgieter & Reygan, 2012; Wilmot & Naidoo, 2017)
- Teacher preparedness and characteristics (Francis & DePalma, 2015)
- Teachers inability to reconcile contradicting values in teaching gender and sexuality diversity (Francis, 2011)
- Hegemonic discourses opposing the rollout of CSE
- Single faith-based schools removing certain 'unacceptable' CSE themes and replacing them with religious studies (Niehaus, 2011, p. 20)
- Denial and silencing by school managers of LGBT learners and the need to address abuse experienced by sexual minorities (Bhana, 2014)

## Discussion

The paper aimed to provide a comparative analysis between the implementation of the RE and CSE policies in South African schools. The consulted policies in RE and CSE included both curriculum (i.e. the National Policy on Religion and Education and the National Policy on the Prevention and Management of Learner Pregnancy in Schools) as well as national polices (Children's Act 38 of 2005 and the Constitution of the Republic of South Africa Act 108 of 1996). Based on the analysis, it became evident that both RE and CSE policies intersect regarding their position toward the discrimination of learners from minority statuses. For instance, scholars in RE (e.g. Chidester, 2003; Miedema, 2014; Roux, 2009) and CSE (Bhana et al., 2019; Francis & Msibi, 2011; Shefer & Macleod, 2015) maintain that for the implementation of both policies to be effective, a social justice, human rights-based and anti-oppressive approach needs to be adapted in curriculum knowledge and pedagogy to ensure the representation of all learners, including learners from religious and sexual minorities groups. In the case of the RE policy, the policy aims to incorporate teaching about diverse worldviews from multiple religious and faith based groups, including those religions which stand marginal as opposed to the dominant branches of Christian religions (Chidester, 2003; MacDonald, 2015; Nogueira-Godsey, 2016). Within the CSE policy, the policy strives to engender an inclusive praxis in teaching about gender and sexuality diversity by incorporating knowledge about non-conforming sexualities, such as those of LGBT youth in sexuality curriculum such as LO (Francis, 2017a; Potgieter & Reygan, 2012; Wilmot & Naidoo, 2014).

A finding from the analysis that religiously conservative or single faith-based schools prioritize the implementation of RE over CSE. In other words, single faith-based such as Islamic schools may remove certain 'unacceptable' CSE themes like young people's sexuality in LO to be taught from an Islamic perspective, or replaced with Islamic Studies (Niehaus, 2011, p. 20). Regarding implications for LGBT youth, this finding suggests single faith-based schools, as noted in publications about some Islamic schools, might protect their

religious minorities (i.e. devout Muslim youth), but not their sexual minorities (i.e. queer Muslim youth). Put slightly differently, this finding demonstrates aspects of privileging and the transference of oppression to other marginalized bodies. Gender identity justice author, SJ Miller (2019), holds that privilege occurs when one does not become bothered by oppression - as long as that oppression does not affect them directly. Other gender identity theorists like Judith Butler (2015) uses this definition to reveal new oppressive narratives within recent movements like #BlackLivesMatter. In her analysis, Butler (2015) draws an underlying discourse of the perpetrators of homophobic and transphobic violence in black communities. Butler (2015) uses identity politics around black-on-black violence to highlight an underlying discourse of how black lives matter as long as they are not LGBT bodies. In a similar vein, for those LGBT youth outside of faith-based schools (e.g. queer Muslim youth), wherein both policies are often ignored, Butler (2015) and other intersectionality theorists (e.g. Crenshaw, 1989) would suggest that their oppression may be double-fold given their marginalization on sexuality and religious minority.

Regarding the implications for policy, teacher education and teaching and learning of RE and CSE, the study suggests that despite espousing one of the leading transformative and social justice legislative framework around RE and CSE, South African schools are not fully implementing and teaching about the RE (MacDonald, 2015; Nogueira-Godsey, 2016; Ntho-Ntho & Nieuwenhuis, 2016a, 2016b) and CSE in schools (Bhana et al., 2019; Ngabaza & Shefer, 2019; Wilmot & Naidoo, 2017). Another implication is that, South African schools, particularly faith based schools, should be encouraged to acknowledge religious and sexuality diversity within their school's code of conduct. That is, a school code of conduct that recognizes religious and sexuality diversity commits to the admission of learners from diverse religious and sexuality background as well as teaching and learning about RE and CSE. From a teaching and learning point of view, the existing literature in RE suggests more experience and support in school leadership for school managers to managing the implementation of RE in their schools (MacDonald, 2015; Nthontho, 2017, 2018, 2020; Ntho-Ntho & Nieuwenhuis, 2016a, 2016b). On the other hand, Brown and Buthelezi (2020), Reygan (2016) and Hendricks and Krondorfer (2011) suggest the introduction of school-based support team within public and faith-based schools in response to sexual diversity and homophobic bullying to effectively implementing CSE curriculum. For teacher education, pre-service teachers need to be trained in practical and theoretical knowledge in the teaching of subjects such as gender and sexuality from diverse perspectives such as queer theory (see Francis, 2017c; Francis & Msibi, 2011; Msibi, 2015) and transformative paradigms to RE pedagogy (Chidester, 2006; Miedema, 2014; Roux, 2009).

## Conclusion

This comparative analysis of the implementation of the RE and CSE in South African schools demonstrated intersections when it comes to their positionality against the discrimination, prejudice and oppression of minority groups (i.e. youth from religious and sexual minority groups) (Chidester, 2006; Francis & Msibi, 2011; Roux, 2009). The study revealed privileging in the prioritization of the RE over the CSE policy, particularly in single faith-based schools. In other words, the study suggests single faith-based and orthodox schools, such as Islamic, Hindu and Jewish-based may cater for the human rights of their religious minorities (e.g. devout Jewish youth), but not for sexual minorities (e.g. bisexual Jewish youth) in privileging of one policy over the other. On the other hand, the study also suggests that LGBT youth outside of faith-based schools, wherein both policies are often ignored, may

experience multi-fold forms of oppression based on being religious and sexual minorities. A methodological limitation of the study is the data collection method used (i.e. a desktop search using the single search engine of Google Scholar). The limitation of the study is that the strategies provided here may be complicated by the complex and overlapping nature of oppression experienced by one minority learner to another. Future studies in RE are encouraged to draw other intersections with other policies such as language in teaching and learning policies. For future studies in CSE, the study suggests following school managers in South African single-faith based schools to interrogate their strategies in prioritizing the teaching of sexuality diversity within their schools.

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### Notes on contributors

*Lindokuhle Ubisi* is a PhD candidate in Psychology at the University of Witwatersrand and lecturer at the University of Pretoria. His research interests are mainly within the psychology of sexual minorities, including the sexuality of children, persons living with disabilities as well as LGBT individuals.

### Notes

1. The apartheid system refers to the former South African National Government's (1948-1994) political dispensation of racial, ethnic, sexuality and religious segregation.
2. A community survey by Statistics South Africa (2020) lists the various branches of Christian religions as dominant in SA: African Independent Church (25.4%), Pentecostal (15.2%), Catholic Church (6.8%), Methodist (5.0%), Reformed (4.2%), Anglican (3.2%), Other Christian denominations (8.4%), Non-denominational Christian (4.5%), no religion (10.9%), Traditional African religion (4.4%), Islam (1.6%), Hinduism (1.0%), Judaism (0.1%) and other religions (2.7%).
3. RE is defined in the National Policy on Religion and Education as “a curricular programme with clear and age-appropriate educational aims and objectives, for teaching and learning about religion, religions, and religious diversity in South Africa and the world” (Republic of South Africa, 2003, paragraph 7, p. 30). RE is offered as part of the compulsory school subject Life Skills (Grades R-6) and Life Orientation (Grades 7-12) as opposed to Religion Studies, an optional school subject selected in Grades 10-12.
4. CSE refers to a broad curriculum based on a life-long, value-driven approach of teaching about the beliefs, values, agency, communication, power and consent around sexually-related activity, gender, sexuality, relationship and HIV education (UNESCO, 2018). In SA, CSE is also offered in the compulsory school subject Life Skills (Grades R-6) and Life Orientation (Grades 7-12) (Department of Basic Education, 2018).
5. In respect to private, independent or single faith-based schools, paragraph 16 (in line with Section 57 of the South African Schools Act) maintains that Grade R-9 learners

cannot be refused the right to their own religious practice, observation or RE as envisioned by the policy (Republic of South Africa, 2003).

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