



**Communication and Marketing Department**  
**Isebe loThungelwano neNtengiso**  
**Kommunikasie en Bemarkingsdepartement**

Private Bag X3, Rondebosch 7701, South Africa  
Welgelegen House, Chapel Road Extension, Rosebank, Cape Town  
Tel: +27 (0) 21 650 5427/5428/5674 Fax: +27 (0) 21 650 5628

[www.uct.ac.za](http://www.uct.ac.za)

**28 July 2015**

## **UCT response to developments around SRC member's Facebook posting**

Please see below a statement issued today to the University of Cape Town community by Vice-Chancellor Dr Max Price.



Dear colleagues and students,

During the past three weeks, a conflict has erupted within UCT's Student Representative Council (SRC) and student body, triggered by a post that Ms Zizipho Pae, the Vice President External of the SRC, put on her personal Facebook page. She was reacting to the legalisation of same-sex marriages in the USA. Ms Pae's message was: "We are institutionalising and normalising sin! Sin. May God have mercy on us." I write to report on two developments regarding this matter and to explain the stand that I have taken, representing the University's leadership.

Firstly, a group of students who call themselves UCT Queer Revolution lodged a formal complaint against Ms Pae, alleging that she had breached the UCT Student Code of Conduct. On Friday, 24 July 2015, the UCT legal counsellor for student discipline informed UCT Queer Revolution that this complaint had been carefully considered and that Ms Pae's Facebook statement was not considered a basis for a charge of a breach of the Student Code of Conduct.

Secondly, it has been reported that the SRC took a decision on 21 July 2015 to expel Ms Pae from the SRC though it appears there has been no formal announcement of this from the SRC and no formal notification to Ms Pae. In response to an appeal to my office from Ms Pae challenging her reported expulsion from the SRC, I have asked the SRC to clarify what decisions they have taken, to explain the process that was followed and the grounds for making the decisions they have taken. I intend to take expert legal opinion on the SRC's actions, in light of the SRC's constitution.

We recognise that there are strong feelings on both sides of this conflict, mirroring differences of opinion and values that exist in our country, and on our continent, more widely. These are the sorts of differences that a robust democracy seeks simultaneously to permit and contain. Our democratic

constitution strongly affirms the right to freedom of expression and freedom of religion (provided these freedoms do not inflict harm on others) at the same time as the right to sexual preference and the right of those with different sexual identities and orientation to be treated with equal dignity. How to balance and negotiate between these rights, often in tension, is a matter of interpretation, taking account of the specific context in which they are being asserted.

UCT as an institution takes a firm position in promoting the equality and dignity of individuals in the lesbian, gay, bisexual, transgender, queer, intersex and asexual (LGBTQIA+) community. The diversity of sexual orientation on campus contributes to our imperatives of transformation. We recognise that discrimination against the minority LGBTQIA+ community is widespread, within South Africa and on the continent, leading at times to overt abuse and violence. In a context such as this, statements such as Ms Pae's, especially when made by people in public and/or powerful positions, may contribute to an environment that is hostile and unwelcoming for LGBTQIA+ individuals, and may further inhibit some from being able to acknowledge openly their sexual orientation. This will be even more strongly the case for those LGBTQIA+ individuals who are also members of certain religious communities.

At the same time, we strongly affirm the rights of members of the UCT community to express their sincerely held views and beliefs. Universities in particular should be safe spaces in which differences of opinion can be asserted and debated – even when (and perhaps especially when) the consequences of these differences weigh so heavily on the wider society. In this case, we also take guidance from the Constitutional Court on the particular case of religious beliefs. A 1998 ruling held that “those persons who for reasons of religious belief disagree with or condemn homosexual conduct are free to hold and articulate such beliefs.” This is especially so when a religious belief is articulated in a way that is not intended to insult, harm or discriminate, and if there is no incitement to taking harmful action against others. On our reading, Ms Pae's Facebook post was an expression of her sincerely held religious belief, rather than an intervention to insult or hurt those with whom she disagrees.

The issue of LGBTQIA+ rights is one on which emotions run high. There is good reason for this as LGBTQIA+ communities have suffered inexcusable discrimination. Furthermore, those who express views which contradict the values of UCT, and which offend many of their fellow students and staff, must anticipate vigorous reaction and even protest. But this should be done within an environment that is free from intimidation and harm. We therefore condemn the invasion and vandalism of Ms Pae's SRC office and other actions that exceed the bounds of legitimate debate and protest.

My appeal to all members of the University is that we do everything in our capacity to respect the differences amongst ourselves, whatever those might be. I encourage all of us not to lose the opportunity that this incident has provided to talk honestly and robustly about our own positions, but also to listen with respect and sensitivity to the positions of others.

Sincerely,

Dr Max Price  
Vice-Chancellor

***Issued by: UCT Communication and Marketing Department***

**Patricia Lucas**

Tel: (021) 650 5428 Fax (021) 650 5628

Cell: **076 292 8047**

E-mail: [pat.lucas@uct.ac.za](mailto:pat.lucas@uct.ac.za)

University of Cape Town

Rondebosch

Website: [www.uct.ac.za](http://www.uct.ac.za)