

sê nou maar in President Reagan se geval, n konstruktiewe beleid teenoor Suid-Afrika, sou propageer of voorstaan, en dan sou dit natuurlik vir ons koerante noemenswaardig gewees het, sou dit ingekom het dat die WRK daardie beleidsrigting van President Reagan nie sou aanvaar nie, met ander woorde, dit sou dan - dat iets wat President Reagan gedoen het, nie aanvaar nie, dit sou dan - dit vind die buiteland onaanvaarbaar. Dit sou dié tipe berig wees.

En sou dit buite u opdrag geval het om te bepaal wat die rede vir die WRK is hoekom hy nou byvoorbeeld op 10 hierdie voorbeeld wat u aangebied het, die President aangeval het? --- Ja, dit was nie my - dit was net my taak om te sê wat hulle gesê het, nie die rede daarvoor nie.

VOORSITTER: Dankie, dr Conradie.

Dit, dink ek, voltooi die getuienis wat voor die Kommissie geplaas word. It is now over to you, Mr Kentridge. Are you ready to call your first witness?

MR KENTRIDGE: Yes, I propose to call Dr W Kistner, whose name you have heard in various connections, in particular in connection with the Commission for Justice and 20 Reconciliation.

WOLFRAM KISTNER, duly sworn states:

MR KENTRIDGE: Dr Kistner, do you at present hold a position in the South African Council of Churches? --- Yes, M'Lord, I am the Director of the Commission of Justice and Reconciliation.

How long have you held that position? -- For more than 6 years.

Now, Dr Kistner, you have prepared a response to certain allegations made against that division and its 30

activities/...

activities, and that has been placed before His Lordship and the other members of the Commission. However, before I ask you to turn your attention to that, I would like you if you would, to give the Commission something of your personal history and background. Dr Kistner, where were you born? --- Mr Chairman, I was born in Hermannsburg in Natal.

When? --- In 1923.

And when you were still a child, did you leave Hermannsburg and South Africa? --- Yes, my parents were in charge of the school there, but my mother died when I was 7 years old, and then when I was 11, my father sent me to Germany and I was in Germany from 1934 to 1938. 10

What was your father's occupation? --- My father was a minister of religion, at the same time he was in charge of a school, a private school institution which placed very much emphasis on the German tradition and on the Lutheran tradition and on the contribution which this can make to the South African context.

And what specifically was the church of which he was a minister? --- Lutheran Church. 20

And were you brought up in that church? --- Yes.

Does it remain your church? --- Yes.

And Dr Kistner, you say you went to Germany in 1934. That was during the Hitler era? -- Yes.

And can you just insofar as it is relevant to what you are going to say here, can you just tell His Lordship something about your schooling in Germany during the Hitler era? --- I was quite on my own, as a child of about 11 years, and I went into the Gymnasium, the school in Germany, where we had a very strong ideological training, and my class teacher/... 30

teacher during the last two years was a friend of Julius Dreicher. That was the main agitator against the Jews, and Julius Dreicher, his friend, was later sentenced to death as a war criminal, and I had a complete or severe physical and emotional collapse at the age of 16. I could not stand this very well, and my father then had to come to fetch me back to South Africa. They wanted to send me back to Germany, but the recovery took very long and as a result I had to complete my school training, but more than half of my school mates in Germany lost their 10 lives during the Second World War, and I then during the war did my matriculation examination.

Where, here in South Africa? --- In Hermannsburg, where my father was in charge, and then visited the University of Pretoria, the Faculty of Arts, studied in the Faculty of Arts; later I studied in Honingen in the Netherlands, and thereafter I decided to study theology in Germany. I completed my training in theology in Germany, and then worked there for two years, and when - about in 1955 my father had to retire, and the church here in South Africa 20 asked me to take over his post, and I was in church educational work as a minister for 10 years, at Hermannsburg, in a very German and isolated Lutheran setting.

You say it was isolated and Lutheran. For whom was this school? Who were the pupils? --- It was a White school mainly, catering for the children of missionaries and of farmers, German speaking farmers.

When you say it was isolated, do you mean simply physically isolated? --- Well, not so much physically, but the whole orientation was towards Germany and 30 German/...

German tradition, and - but I was there for 10 years and after 10 years the Hermannsburg mission asked me to take over their headquarters in Natal for mission work, and then I realised what happened in the country. At that time there were very severe removals of Black people, but I also noticed that something is wrong in our church, for instance, I was invited to a mission festival of a White Lutheran congregation, and they had sent me a letter and told me - informing me that they had adopted the principle of separate development for their congregational life, and 10 then I wrote back, if that is the case, I cannot really come to a mission festival and sing these songs and preach about all, as we sing them in Germany, all people of all nations belonging together, and I noticed that in our church there is something definitely wrong, if the church does not determine what its relation is in public matters, the attitudes of the public will determine its internal life, and that made me to think about the relationship between church and society quite a lot. After about four years I decided that the attainment of independent 20 status by the churches, which had emerged from the mission work of this mission society, made it necessary to retrench my office as a general superintendent, and I advised the mission society accordingly, and decided to go into congregational work in Germany, and worked there for 3 years.

That will take us, I think, from 1909 to 1972--  
Yes, and while I was in the mission in South Africa, the regional church of Hanover, which supports that mission very much, had decided that they wanted me as their minister, because they provided for me and they enrolled 30  
me/...

me as minister of the regional church of Hanover in Germany, and I have remained a minister of that church since that time, and they seconded me to different types of work in the later years. When I was in Germany, after three years, I got a call from the Lutheran Church in South Africa to help them in a training scheme for ministers in South Africa, and that started in Pietermaritzburg, and I worked there for three years, and in 1975 ..

Before we come to that, was that training scheme connected with the University of Natal? --- Yes, it is still connected with that. 10

Just go on, in 1975? --- The SACC had the intention of appointing a full-time Director of the Division for Justice and Reconciliation, and they approached me whether I would be prepared to accept that post, and I agreed, subject to the approval of the church authorities, and the various church authorities starting from the regional church of Hanover, the foreign office of the EKD, they released me via the church in South Africa for the task in the South African Council of Churches. I am a South Africa citizen. My wife is a German citizen. We have five children; four of the children are grown-up. Four of these children are at home in South Africa, The son is not at home in South Africa. I do not think he could be at home here, because he is a conscientious objector. He has done substitute service in Germany for military service, and in the course of that service he has discovered his profession, he is working with retarded people, but he could not serve here because that is not recognised in South Africa. 20 30

Now/...

Now, in a certain context we are going to return to the question of how you became the Director of the Division of Justice and Reconciliation, but at this stage I would like to ask you to turn to your memorandum. Do you have it? --- Yes.

I believe Your Lordship does have it, and the members. Now, Dr Kistner, this is headed "Responde to the Evaluation of the Activities of the SACC Division of Justice and Reconciliation in the memorandum of the South African Police, submitted to the Eloff Commission". Now, are you 10 referring there to the memorandum which was presented by General Coetzee? -- Yes, that is right.

And were you present when he gave evidence? --- I was present only part of the time. I did not have the time to stay all the time.

Did you read his whole memorandum? -- Yes.

And have you studied it? --- Yes.

And this deals specifically with the references to your Division? --- Well, largely, it also deals with other divisions. 20

So the memorandum, when you say at the beginning, in the memorandum the South African Police submitted etcetera, you mean the memorandum presented here by General Coetzee? --- That is right.

Now, you start with the introduction and the heading, "The Basic Assumption". Would you read this to His Lordship? --- Should I stand up?

CHAIRMAN: No, I do not think so, unless you prefer to? --- (READING)

"In the memorandum the South African Police 30  
submitted/...

submitted to the Eloff Commission with the aim to prove the following basic assumption".

MR KENTRIDGE: You are now quoting from the memorandum of the Police? --- This is a summary, it is not a quote.

"It is the task of the South African Police to be on the alert against people or organisations which intend to bring about fundamental change in the South African political and economic system by unconstitutional means. The South African Council of Churches is alleged to be an organisation of this nature. 10  
However, the South African Council of Churches does not enjoy the support of its member bodies for its alleged subversive activities. This is, from the viewpoint of the SAP, evident from the fact that more than 90% of its funds come from abroad, partly even from foreign governments.

The memorandum furthermore maintains that the South African Council of Churches covers up its work of 'destabilising' South African society and the South African State by religious arguments and ac- 20  
tivities and by a particular type of theology. According to the memorandum, the biblical and theological arguments which are used for disguising the work of 'destabilisation' are also inspired by foreign influences and do not have their roots in South Africa."

That is the basic assumption.

Is that what you are going to deal with? --- Yes.

Go on? --- (READING)

"THE DIVISION OF JUSTICE AND RECONCILIATION

Within the framework of the above assumption, the 30

authors/...

authors of the memorandum refer to a number of activities and emphases in the work of the South African Council of Churches which are initiated or promoted particularly by the Division of Justice and Reconciliation.

The most important are the following:

- The emphasis on the principle of non-violent action.
- The emphasis on the contribution which labour organisations can make for fundamental change.
- Activities relating to the relocation of Black people. 10

- The interpretation of the overall policy of the South African Government as an unjust policy and of the political system as a fundamentally unjust system.

- A particular theological or ideological approach in the interpretation of the South African situation.

- The emphasis on the lesson to be learnt from the experience of the Confessing Church at the time of the Nazi regime in Germany.

- The importance of the Status Confessionis concept for the South African Churches and their witness in the South African context. 20

- The obligation of the churches and Christians to resist the policy of the South African Government.

RESPONSE ON THE PART OF THE DIRECTOR OF THE DIVISION OF JUSTICE AND RECONCILIATION"

MR KENTRIDGE: That is you? --- That is me. M'Lord, I put it in this way, because in the report of the Police my name is mentioned, and I think very sharp criticisms are expressed, and I wanted to say that all my actions in the Council have been discussed, or nearly everything, 30

with/...

with the Committee, and thus if they speak about me, and give the impression that I am influencing or directing them, they really speak about the members of that Commission, and I think therefore it is better to speak about the Director of the Division of Justice and Reconciliation, because it is his office which is attacked, and indirectly it is the churches and church representatives on that Committee who are attacked.

That is why you used this objective form, the Director of the Division instead of saying I? -- That is right. 10

Go on? --- (READING)

"Because of the significance, the authors of the memorandum attribute to the above aspects of the work of the Division of Justice and Reconciliation, the Director of this Division has been asked by the South African Council of Churches to respond to the passages and arguments in the memorandum which pertain particularly to this Division. It will be possible only to highlight and respond to the most important features and the general trend of the arguments. The 20 Director shall do so under three main headings:

I. The method applied in the investigation of the South African Police.

II. The response to the contents of some of their allegations.

III. A critical analysis of the theology and ideological presuppositions of the South African Police memorandum".

This last part is given as an annexure.

"THE METHOD APPLIED IN THE INVESTIGATION OF THE 30

SOUTH/...

SOUTH AFRICAN POLICE

General remarks

It is my contention that the authors of the memorandum have found great difficulty in evaluating the material by which they should have tested their basic assumption".

MR KENTRIDGE: Again to make it clear, by the authors of the memorandum, you mean of the Police memorandum? ---

That is right.

Yes, go on? --- (READING)

"They have been selective in their use of material, 10 which is often quoted as evidence, out of context.

They have neglected to take account of the particular nature of an ecumenical organisation which comprises a diversity of member bodies with a great variety of doctrinal traditions, and of views and opinion in their constituency. They have not taken account of the particular nature of discussions and decision-making processes in a body of this nature. The authors of the memorandum furthermore, have neglected to take account of the particular status of certain: 20 statements and documents of the South African Council of Churches according to the context in which they had their origin.

The memorandum at various points reveals that the investigation of the activities of the South African Council of Churches by the South African Police, and the findings, have been deeply influenced by theological presuppositions which have not been exposed to a critical reflection on their validity.

The memorandum furthermore comprises a number 30 of/..

of over-interpretations and misinterpretations of particular statements and documents."

I then mention several examples of basing contentions on inadequate information.

"THE EMPLOYMENT OF THE PRESENT DIRECTOR OF THE DIVISION BY THE SOUTH AFRICAN COUNCIL OF CHURCHES

On page 112, the memorandum of the South African Police maintains that the Director of the Division was sent out by the Evangelical Church in Germany with the specific aim to support the South African Council 10 of Churches in activities with a view to confronting the existing order and promoting resistance to it in several crucial areas such as relocations, withdrawal from co-operation with the State, non-violent action, racism, labour issues, legislation on mixed marriages etcetera.

The authors of the memorandum refer to a confidential report of Dr W Hoerschelmann on his journey to South Africa, dated 6 August 1979, to support their content- ion that the Director of the Division was sent 20 out from Germany for this purpose. The factual position is the following".

MR KENTRIDGE: Now, Dr Kistner, in the beginning of your evidence, you dealt with paragraphs (a), (b), (c), (d) and (e). Paragraph (e) shows that you came here in fact in 1972, for the purposes stated, so would you continue your reading from paragraph (f) please? --- (READING)

"In 1975 the South African Council of Churches consider- ed the appointment of a full time Director for the Division of Justice and Reconciliation. Dr A I 30

Berglund/...

Berglund, at that time a South African Council of Churches official, drew the attention of this organisation to Dr W Kistner, who was working at the University of Natal in Pietermaritzburg. The South African Council of Churches, thereupon, requested the United Lutheran Church of Southern Africa, the Evangelical Lutheran Church of Southern Africa (Cape) and the EKD as well as the Regional Church of Hannover, to release him for this task. Dr W Hoerschelmann, at that time Africa Secretary of the EKD Foreign Office in Frankfurt, 10 strongly supported the request of the South African Council of Churches, but he also encountered reservations on the part of several church officials. In view of these reservations he states in the report of 1979 to which the memorandum of the South African Police refers:

'Certainly his work in the first instance is a service to the Churches of South Africa and not to the EKD. However, his ability to serve in a context in which other people have the desire to dominate and his 20 ability to remain objective and not to lose himself in emotions, did not only help us during our journey, but is conducive in principle to the EKD through his being released by the EKD''.

M'Lord, I here have in brackets the term 'Entsendung', which apparently the Police report has understood as sending somebody to another place, but actually it is a legal term; it means releasing from one organisation to service in another. It has not necessarily geographic connotations. You can be released according to this term and stay in the same 30

building/...

building; you are only transferred to another organisation.

"We have been particularly impressed by the fact that many Black people consider him to personify the "alternative of the White man" to the master-race type which is otherwise widely known. He symbolises for them a real chance for reconciliation'.

The Director only refers to this passage because it has been underlined by the investigator of the South African Police (in the appendices) and because it has been used as evidence to prove that the EKD has sent the present 10 Director from Germany to South Africa to carry out what the South African Police consider to be subversive activities. The Director submits to the Eloff Commission that the contention of the South African Police in this respect is based not only on inadequate information, but also on a distorted interpretation of a document. THE PARTICULAR NATURE OF AN ECUMENICAL ORGANISATION AND OF ITS CONSULTATION AND DECISION-MAKING PROCESSES".

This also has to do with the interpretation of documents.

"On page 6 of the memorandum, the authors ask 20 whether it is necessary to investigate whether 'a theologically grounded plan of action' inspired by forces outside this country, is underlying the activities of the South African Council of Churches".

MR KENTRIDGE: Dr Kistner, again the Police memorandum is being referred to? -- That is right.

"The findings of the memorandum appear to confirm the view of the South African Police that such a plan of action, is discernible in the work of the South African Council of Churches. 30

The/...

The queries raised by the South African Police outlined above require one to pay particular attention to the way in which consultations take place in the South African Council of Churches and to consider the procedures of decision-making.

The work of the Division is controlled by the Committee of Justice and Reconciliation in which delegates of the member churches of the SACC are represented. The Justice and Reconciliation Committee in turn is responsible to the Executive Committee and to the National 10 Conference of the South African Council of Churches. The way in which the Justice and Reconciliation Committee arrives at resolutions in the context of its discussions are recorded in the minutes of the Committee meetings. In the half yearly meetings, great care is taken that the delegates of the member churches are the first to report on the activities of the member churches on Justice and Reconciliation issues and to receive suggestions from them on how they would like the Division to relate and to be supportive to their work. 20

The reports on the activities of the member churches are extensively discussed. Clear indications of these discussions and of the exchange of experiences can be found in the minutes.

On page 51, the authors of the memorandum refer to a resolution of the SACC to become a Confessing Church. It is true that at a consultation of Church Leaders on Racism in February 1980 a closed meeting of Black representatives formulated a statement of which one paragraph reads as follows: 'If after a period 30

of/...

of twelve months there is no evidence of repentance shown in concrete action, the Black Christians will have no alternative but to witness to the Gospel of Jesus Christ by becoming a Confessing Church'. However no traces can be found of a resolution of the SACC to become a Confessing Church."

MR KENTRIDGE: Dr Kistner, if I can just interrupt you here. Later in this memorandum you explain what you mean by a confessing church? --- That is right.

Then I will not ask you about it now. Would you go on at the top of page 9 please? --- (READING) 10

"The memorandum is furthermore mistaken in numerous instances in referring to documents as if they were official SACC documents. Thus the paper 'Response of the South African Council of Churches to the WCC Programme to Combat Racism (1969-1979)' is a historical survey which was written by the Director of the Division for the purpose of his own personal clarification. This paper has occasionally been used as background information material. It has, however, not, 20 as far as the Director is aware, ever been discussed by any committee of the South African Council of Churches and has not been given the status of an official South African Council of Churches paper. The 'Background Paper for the discussion of the problem of a just revolution' was originally worked out as a working paper for preparing a response to the WCC study document 'South Africa's Hope'. The paper went through various stages of discussion and consultation and redrafting, and was never finalised and given 30

an official status by the Praesidium or the Executive Committee of the South African Council of Churches, simply because of the time pressure under which these bodies have at times to work at their meetings. These observations do not refer to the quality of the contents of the paper, but to the degree of its acceptance within the South African Council of Churches and its constituency. Various papers exist which describe the variety of opinions and views existing within the South African Council of Churches and its 10 member bodies on particular issues such as the issue of violence and non-violence and the issue of foreign investments."

These papers describe the variety of opinions that exist, because there is no uniform opinion.

"These papers at the same time outline the parameters of agreement that has been found in consultation processes in spite of the different stances. The memorandum of the South African Police does not make use of these papers. They indicate how the representatives of 20 the member bodies in the committees of the South African Council of Churches wrestle under the guidance of the Gospel for more clarity in order to find agreement and a basis for common witness in word and action with regard to particular issues."

I found this to be strange, because these papers are in the exhibits of the South African Police report.

"On several issues on which the Division of Justice and Reconciliation has undertaken work, member churches of the South African Council of Churches have 30 taken/...

taken resolutions which are very close to the stance taken by the South African Council of Churches, e.g. the homeland issue, relocations, civil disobedience in the case of mixed marriages, legislation, moral support to conscientious objectors. Some of these resolutions are of a very high standing, since they have been passed by the highest legislative body of the respective church".

Such resolutions are not mentioned in the Police report.

"One of the functions of an ecumenical organisation is to establish links and an exchange of theological insights, practical experiences, and to promote co-operation between member churches and churches in other countries with a view to furthering the biblical aim of Christian unity. This task makes it imperative for the South African Council of Churches to be adequately informed about the developments that take place within its member churches and in churches in other countries, and to know how they respond to the challenges and issues they face in their own context and in a global context. In view of this need, the Division of Justice and Reconciliation has collected a series of documents and papers relating particularly to the issues on which it works. Occasionally, important documents and letters from churches in other countries have been translated into the English language and been brought to the attention of the South African Council of Churches. Several of these documents have been published and made available to SACC member churches, such as 'The Dilemma of

Code Three' and a booklet on 'Boycotts as a problem in social ethics'. An English version of a memorandum of a German study group 'Christian Faith and Resistance' has been sent to church leaders of SACC member bodies in an unpublished form. In each case care was taken to explain exactly either by a covering letter or by a preface why the South African Council of Churches sends out the document concerned."

The Police report does not take account of these covering letters or prefaces.

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"THEOLOGICAL PRESUPPOSITIONS UNDERLYING THE MEMORANDUM

On page 7, the authors of the memorandum state that it falls outside the role and the function of the South African Police to consider theological viewpoints. They point out that another forum would have to be entrusted with such a task, if there would be a need for such work to be done. However theological presuppositions are used.

On page 120, the memorandum objects to the activities of the South African Council of Churches because 20 it 'does not involve itself in its primary area, and does not undertake for instance, large scale campaigns for money in overseas countries for converting non-Christians in the Republic of South Africa to Christianity ..'.

This remark reveals a particular understanding of the mission of the Church in the world, according to which the church is not to involve itself in what is considered to be 'secular matters', but to concentrate on the conversion of non-Christians. The 30

frequency/...

frequency of terms like 'secular aims' and related terms occurring in the memorandum in the sense of indicating an area which falls outside the sphere of the Gospel and the responsibility of the church and which should be left to secular authorities, is an indication of a particular type of theology. This theology is often propagated by people or groups who are concerned to emphasise the absolute authority of the State or the dominant group in a particular state system".

10

Such theologies were also hailed by certain theologians of my church at the time of the Nazi regime.

"On page 7 the authors of the memorandum indicate that it is the task of the South African Police to implement the laws of the country without questioning the moral or theological acceptability of the existing legal order. It appears that a statement of this nature is possible only within the context of a certain type of theology or ideology".

I think this ideology supports an attitude of blind obedience, which can be very dangerous in crisis situations.

20

"The South African Police use highly emotive and derogatory language for what they consider to be the theology of the South African Council of Churches.

On page 121 they state: 'The Council has degenerated into a political pressure group with a political Gospel that is supported by a political theology which is involved in a variety of political actions'.

On page 119 they speak of a 'self-protective piety' that prevails in the South African Council of Churches.

30

Thus/..

Thus an evaluation of the memorandum of the South African Police requires an accurate examination on valid biblical criteria of its theological presuppositions underlying the investigation and its findings".

These criteria, however, are not given in the report.

"MISINTERPRETATION OF DOCUMENTS AND STATEMENTS

On non-violent action

On page 105 the authors of the memorandum point out that the South African Council of Churches in promoting non-violent action tries to create a climate that is favourable to anarchy and revolution. They argue as follows:

'It is however of cardinal importance to bear in mind that non-violent action is in the first place a strategy which seeks a confrontation with the State and even sometimes by purpose aims at evoking violent defensive action on the part of the authorities so that the latter can be accused of violence. The fact is being intentionally concealed, that the propagation of non-violent action contributes towards a spirit of unrest, awareness of power, blind and fanatical resistance and confrontation. In this way a climate is created that is favourable for anarchy and revolution'.

In the context of the argument the authors of the memorandum refer on page 106 of their document to the book of Prof J W de Gruchy on the 'Church struggle in South Africa' in the following say:

'Even Prof John de Gruchy of the University of Cape Town who is a champion of it (namely non-violent/...

violent action) admits that non-violence can be part of the "spiral of violence".'

The relevant passage in the book of Prof J W de Gruchy on page 233 reads as follows:

'Part of the problem of violence is the fact that what may start out as a comparatively mild attack on the dignity of a person, perhaps through the curtailment of some civil right, provokes a reaction, an understandable reaction. If this action and reaction intensifies, as it has in the history of 10 South Africa, especially as a result of apartheid, then you get what Dom Helder Camara vividly describes as "the spiral of violence".

Prof J W de Gruchy (according to my understanding) clearly in this passage does not speak about non-violent action at all, but about violence that evokes counter-violence.

With a view to corroborating their understanding of non-violent action as a preparatory stage for a revolution, the authors also refer to a book of 20 Prof Ben Engelbrecht with the title 'Teokrasie en Rewolusie'. In Prof Engelbrecht the authors of the memorandum have found a theologian who is convinced that non-violent resistance easily leads to violent resistance and via violent resistance to revolution".

M'Lord, I think I have not quoted the title of the book correctly. I suppose it is the chapter in the book. I will have to check that.

"However, even in this case they fail to interpret his statements correctly. By the way in which they 30 isolate sentences and phrases from the original

context in the book and arrange them in a different sequence, putting together emotive words, they create the impression that Prof Ben Engelbrecht believes that non-violent resistance necessarily leads to violent resistance and revolution. In the original context of the book Prof Ben Engelbrecht explicitly denies that this is a necessary and inevitable process".

MR KENTRIDGE: Dr Kistner, we have here copies of pages 120 to 123 of Prof Engelbrecht's book. Would you just like to look at one and identify it for the Commission? 10

--- Mr Chairman, on page 121 of this book there is ..

I will just allow it to be handed up to the Commission.

--- I would have to have a copy of the Police memorandum.

Are you referring to page 106 of the Police memorandum?

--- That is right.

Yes? -- On page 106 of the memorandum of the Police there is the extract from a paragraph, "Rewolusie selfs in die beginstadium van geweldlose verset", this is on page - this is to be found on page 121 as the third quotation in the sequence in which it is - here it is the first 20 in the memorandum, and then the next quotation in the memorandum, "Hy skryf in hierdie verband hoe vroom die idee van geweldlose verset ook al klink, daarmee staan elkeen wat dit predik op die drumpel van gewelddadige verset, rewolusie en chaos". The second - the beginning of this quote, is taken from a section reading "En hoe vroom die idee van geweldlose verset ook al klink, daarmee staan elkeen wat dit predik op die drumpel van gewelddadige verset". But then ..

Is that - what is that marked on the page? -- Yes, 30

that/...

that is at the top of the page, number two. And then in addition, he joins this with the words "Rewolusie en chaos". This is taken from the next paragraph, but the whole sentence of the next paragraph reads, "Ek weet wel dat verset teen die owerheid wat by die sogenaamde geweldlose verset begin, en via gewelddadige verset in rewolusie en chaos kan eindig; iets is wat in hierdie wêreld kan gebeur, en in die geskiedenis al dikwels gebeur het". Thus the emotive words, "rewolusie en chaos" are isolated from this context, joined with the other quotations, but the context from which these emotive words are taken, is completely left out, and I read from that passage that Prof Ben Engelbrecht does believe that non-violent action can lead to revolution, but he says it has often happened, but he does not say that it necessarily happens.

What do you feel about the use of these passages in the Police memorandum? --- Mr Chairman, I think it is a very selective use of documents. I can imagine - I would not say this is, I suppose, a memorandum of a group of people, not of individuals, not merely of one individual. It looks like it, and I would not say that there is an intention to create a wrong impression, because certain attitudes can be internalised, so that you really believe what you say, but with the choice and the way in which these documents - this quotation has been used, I cannot avoid the impression that there is intention behind it, to use quotations in a wrong way, and I would not say that this is the - this is a collective work, I suppose, but I suppose in selecting these words like this, there was some intention to convey the impression that non-violent action/...

action necessarily leads and is meant to lead to revolution, and violence.

Go on? --- (READING)

"In selecting statements from particular Protestant theologians to support their view on non-violent action from the great variety of stances that exist in the ranks of theologians on this issue, the authors of the memorandum undertake theological evaluations, contrary to the principles they pronounce on page 6 - 7 of this submission to the Eloff Commission. In resorting to 10 this approach they should have followed a better procedure by exposing their views to criteria derived from the Bible and the interpretations of the Bible with a view to related issues in similar situations by the leading theologians of the Reformation whose authority is widely recognised in Protestant churches.

ON THE AUTHORITY OF GOVERNMENT (NATIONAL STATES - UNITED NATIONS)

On page 110-111 the authors of the memorandum summarise the contents of a document 'Christian Faith and 20 Resistance' that has been worked out by a group of prominent church leaders and scholars in the Federal Republic of Germany. One of the issues raised in the document is the authority of secular government and the obligation of the Christian to obey secular government. The authors of the memorandum interpret the views expressed in the document on this issue as follows:

'The United Nations have to be regarded as the legal authority that is supposed to be instituted by God according to Romans 13 : 1 - 7 and 30 which/...



way, to the transnational political institutions in situations of conflict'.

The SAP memorandum creates the impression that the latter document expects Christians to accept the United Nations as the only legally instituted government authority. Their presentation of this document does not enable the reader to understand the ethical criteria which are meant to help Christians to take responsible decisions in conflict situations".

MR KENTRIDGE: Dr Kistner, that is the end of Part 1 10 of your memorandum. I do not know whether Your Lordship would find it convenient to come to Part 2 tomorrow morning?

THE COMMISSION IS ADJOURNED