

COMMISSION OF INQUIRY
INTO THE SOUTH AFRICAN COUNCIL OF CHURCHES

HELD AT PRETORIA

ON 14 MARCH 1983

CHAIRMAN:

THE HONOURABLE MR JUSTICE C F ELOFF

COMMISSIONERS:

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MR T L BLUNDEN

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ON BEHALF OF COUNCIL FOR THE

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ADV J UNTERHALTER SC

ADV A R GAUTSCHI

LUBBE RECORDINGS (PRETORIA)

/Idem

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THE COMMISSION IS RESUMED ON 14 MARCH 1983

PETER JOHN STOREY, still under oath:

MR UNTERHALTER: Mr Chairman, might I just inform Your Lordship and the members of the Commission that we have present with us this morning a number of churchmen who have come to South Africa to attend the Commission from overseas. I hope that we may have the opportunity a little later to introduce them personally. The names are Mr Jens Thomsen, who is the General Secretary of Dan Church Aid, Mr Joergen Nielsen, who is the Chairman of Dan Church Aid, there 10 is The Reverend Warner Conring, who is the ex-Secretary of the EKD, and Dr Held, who is the foreign minister of KDG, and Bishop Kruse, who is the Bishop of West-Berlin, and the Chairman of KCB.

CHAIRMAN: Well, until I meet these gentlemen, I would like to say that they are very welcome here, and I want to assure them, they are very free to attend all the hearings, and I hope they will find it instructive.

WITNESS: My Lord, I am now able to respond to questions which you directed to me, and I have spoken to Adv 20 Von Lieres, and the suggestion is that I do that now.

CHAIRMAN: Please? --- First of all, you wanted some idea of where Methodist thinking ended and SACC thinking began in my submission, and so I did go through it, and I picked up points where I had made any reference at all to the Methodist Church or the Methodist Conference. In Section C, which is the section dealing with the Evangelical Heritage of Social Concern, there was extensive reference to Wesley, and to Methodist beginnings. These were used as an illustration that concern for and involvement 30

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in human rights, justice, liberation of the oppressed, etcetera, is part of a member church heritage predating Marxism by 100 years and Black theology and liberation theology by 200 years. I believe, Sir, that the SACC would endorse all the statements which were made in the name of Wesley of Methodism in that section. So there is no distinction. In Section D, which is the SACC and its member churches, Methodist statements of support for the SACC were used as examples of member church solidarity, and also of the creative tension which I talked about with the SACC. Reference to an 80% Black membership holds true for all multi-racial churches in the SACC, I think except the Presbyterian Church of Southern Africa, where the Black membership is smaller. It is probably accurate as a minimum for the SACC, although I think that probably the Black membership of the SACC is higher than 80% in toto. The reference to representation on the National Conference and on SACC committees, I drew again on the Methodist Church as an example, but I would say that here each member church would have a comparable system of appointment. That is all I can say there. Then, F, there was just one brief reference under "Caring for the least of His brethren", to the fact that I have a discretionary poor fund as a minister of the church. I believe that although that phrase is a Methodist phrase, the practice is a wide one in all member churches. Then, H, the issue of prophetic distance from all political movements, there was a reference there to a sermon preached by myself on the radio. I would say that the points in that sermon would be totally supported by the SACC, and so there is no distinction. In I, which was conscientious

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objection, I quoted extensively from an editorial that I wrote in the Methodist newspaper, on the conscientious objection resolution. I think that may be seen as a Methodist critique on the resolution and not an SACC viewpoint. On page 54 under that same section, I quoted a Methodist Conference resolution, to show that the essence of the SACC resolution is upheld by one member church certainly, that is that a form of selective conscientious objection based on the just war concept is upheld. Then, K, the status of study documents, I quoted a 1926 Methodist magazine to prove 10 that there has been a long ministry of opposition to political policies in South Africa, predating Dar-Es-Salaam, and that was the purpose of that quote, and then I also quoted from C K Storey to show that the concept of obligatory disobedience goes back in the member church constituency to at least 1957. Then in O I referred to the pastoral approach in terms of disciplining any misbehaviour. This is a Methodist example, Sir, but all member churches have an equivalent. Then in P, under Black education, I believe that what I said there is true of all SACC 20 member churches who were involved in education before the Bantu Education Act, and I believe I was speaking entirely for the SACC. Those were the only references I could pick up, Sir, and I hope that that clarifies the position.

Then you asked me, My Lord, what the SACC means by apartheid, and I have prepared a statement here. When the SACC uses the term 'apartheid', it is referring to the ideology and practice of elevating a person's race to the position of being the supreme criterion by which he or she is judged. The message to the people of South Africa 30

puts it this way:

"But in South Africa everybody is expected to believe that a man's racial identity is the most important thing about him. Only when it is clearly settled, can any significant decisions be made about him. This belief in the supreme importance of racial identity amounts to a denial of the central statements of Christ's Gospel".

Apartheid takes a biological accident over which a person has no control, and from which a person can never 10 escape, and on that basis alone decides his future for him. Only under national socialism in Germany, to my knowledge, has another state in this century determined a person's entire life purely on the basis of race. This reliance on race as a criterion, when used to form opinions or prejudices is known as racism. Apartheid is therefore based on racism, but is worse than racism, because it has codified racism into a tightly-ordered legal system, upon which all the structures of society are built. When first advocated as a doctrine, apartheid was presented unashamedly 20 as a method whereby in South Africa White "baasskap" could be maintained, and therefore has its roots also in the determination by one group to retain superiority or power over other groups. It was also defended by theologians, particularly in the DR churches, on the basis of Old Testament Scriptures. While neither of these two views are widely advocated today, the roots of apartheid lie there, and the question is, can a bad tree bring forth good fruit?

The codification of which I have spoken, begins with race classification. From that moment a multiplicity 30

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of laws determines that for all of his life a person shall live only within the perimeters decided for his or her race. Now, there are of course a very long list of laws; I will not name them, but they govern, among other things, where and how he will be educated, where he may live, how securely he may live there, and with what degree of permanency, what jobs he may train for, what institutions of higher learning he may attend, who he may marry, whether or not he may actually live with his wife, the size of his salary, the size of his insurance premiums, whether he 10 may own a fire-arm, whether he may own land, who he may have to stay in his house, whether his home will be safe from police searches, where he may eat or go for entertainment, where he may holiday or even where he may relieve himself, and finally, the size of his pension and where he is buried. All of these things and more are decided entirely on the grounds of his race, and there are a multiplicity of laws to ensure this.

But in ordering society in this way, apartheid has brought untold suffering. For each of these require- 20 ments there have to be laws, which in turn have to be enforced. If a law is basically a bad law, no matter how humanely it is administered, it will still cause resentment. Thus one of the terrible consequences of apartheid is the erosion of respect for the law. Instead of being seen as the protector of individual freedom and dignity, it has come to be seen as the enemy of the people, and the law enforcement agencies such as the police, as instruments of apartheid's oppression.

As resistance to this oppression has grown, so 30

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the State has been required to buttress its apartheid laws with a growing list of security laws, taking to itself increasing powers to control or eliminate such resistance. Thus the detention, banning, banishing measures and ever wider definitions of terrorism and treason. These were once ostensibly aimed at outside threats, but are now openly acknowledged as internal security measures.

With internal repression reaching such proportions as to make political opposition, protest etcetera, increasingly difficult, and with some opponents of apartheid resorting to military action, a new cycle in apartheid's history begins with the build-up of the SADF and growing militarisation on the one hand, and armed incursions on the other. The inherent instability of South Africa caused by apartheid could now be exploited by outside factors like East-West power politics. 10

A further dimension of apartheid is that in an attempt to morally justify an ideology based in such immoral roots, the concept of "grand apartheid" or Bantustans was developed by Dr H F Verwoerd. Unable any longer to justify "White baasskap" in a unitary state, the concept of "separate nationhoods" with separate homelands was conceived as a way to maintain White domination in the Republic, and indirect White domination over the new Bantustans through economic and other forms of power. Thus 8 million South Africans have been declared citizens of one or other homeland, and at least 2 million have been relocated, mostly against their will, into the boundaries of one or other homeland. 20

Ethnic nationalism has been encouraged back to 30

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life, further dividing South Africa's people. Such divisions are now used to justify the necessity of the policy, thus the results of apartheid are used to justify it further.

In the Republic itself the new constitutional dispensation is one which again gives the appearance of broadening participation by people who are not White, and not citizens of the homelands, but it is in fact - but it does in fact vest more power in the White group than before, through the powers given to an executive president who will inevitably be White. At the heart of apartheid from its inception to its present state, lies one question: what is a South African citizen and who is a South African citizen? At present no South African enjoys the full blessings of citizenship. Black, Brown and Indian South Africans are still excluded from all final arbitration of power. White South Africans have surrendered numerous civil rights in order to preserve their dominant position. All this is predicated still on the accident of race. All this has flowed from the false criterion referred to when I opened this address. All this is the fruit of apartheid. The message to the people of South Africa call apartheid a false or pseudo-Gospel. In 1982 the SACC National Conference called it a heresy. This is because apartheid is not simply a socio-political system. As such it must be denounced as unacceptable because it is unjustly based on race, but there are Christian churches who still seek to justify that by whatever name on Biblical grounds or practical grounds. Where this happens, this support of apartheid must be denounced as heresy.

CHAIRMAN: You have given me a full exposition, but

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I was hoping for a definition of the concept from the point of view of enabling me to decide whether, when the South African Council of Churches or its spokesmen speak of eliminating all vestiges of apartheid, what that entails. Would it be correct - would it flow from what you have said that as long as there are on the statute books provisions which recognises ethnicity as a basis of any right whatsoever, no matter what the justice, you would still be dealing with apartheid? --- Broadly speaking, yes. There might be some exceptions to that, but I think our fundamental op- 10
position is that apartheid is a system based on the accident of race. Therefore any law which makes that accident of race a criterion, a deciding factor, would in fact be an apartheid law. So I think ..

Would it be fair to say that that is essential to your concept of apartheid, when you speak - of it - ideology in which ethnicity is used as a criterion of determining rights and obligations? --- Yes, certainly as the supreme criterion, yes.

Thank you.

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MR VON LIERES: Reverend Storey, at the adjournment on Friday, we were discussing the question of conscientious objection, and I asked you whether one should understand that it is the Council's view that if the injustices and discrimination were to be removed, that terrorism will stop, and you responded basically by indicating that the root cause is to be found in discrimination? --- Yes.

Now, who is to decide when this society will be sufficiently just? --- I think you asked that question on Friday, and I said that in respect of - and I think 30

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it was in the context of military service, that the question was asked, and I said that if you are asking when is the society sufficiently just to satisfy a person's conscience that he should in fact do military service, I indicated that you would leave people behind at certain points along the way. You will never satisfy a pacifist, that any society is just enough to justify killing anybody. Then you will have your selective conscientious objectors who may have different criteria for deciding whether or not they believe a struggle is just, and so I think that the essence 10 of the SACC position is that this is a matter of personal conscience, that there is no particular line that you can draw, but it is a matter of personal conscience. But at the same time I think, while I cannot answer who and when it can be decided that a society is particularly - is sufficiently just, I think that, as I read the SACC 1974 resolution, what they have said is that the society is sufficiently unjust to cause the need for questions.

We earlier had a reference to passing the buck in relation to amendments suggested to the Reverend 20 Bax' resolution - motion. Is this not passing the buck as well, if you leave it to the personal conscience, because to decide that society was unjust, the Council had no problems there, bringing out the necessary resolutions to that effect? Why can it not also take the stand that it is in a position to say - to decide when society is sufficiently just? --- Well, I think that the Council in deciding that society was sufficiently unjust to raise questions, nevertheless does not intrude on the individual conscience. It has not indicated that anybody should not go and do 30 military/...

military service, and neither have any of its member churches. So I do not think ..

No, it did not say so directly, but it suggested that it should consider whether they should. --- They should ask the question, but I believe that when you ask a question, you in the end answer it.

That particular resolution addresses itself to the South African who may have to perform national service. What is the Council's view with regard to the action of the terrorist? Does the Council consider their con- 10 duct and action, what is described as the counter-violence in that resolution, to be justified? --- No, I think I made it clear earlier on that the Council's position is not one of justifying it, but at least understanding it, and expressing that understanding of that action.

And .. --- It has not justified it.

To that extent supportive of the action? The extent that it understands the reason behind what they do? -- No, I do not think that a person necessarily supports something because they understand it. 20

Just before I go over to the next aspect. It has been reported in the Pretoria News on 12th of this month that a booklet called The Promised Land and published by the SACC was banned by the Publications Board, apparently according to the newspaper report that it undermines the security of the State. It is written by Dr Nash of Cape Town, published in conjunction with the SACC. The book, so the article says, describes the upheaval and removal of Blacks to the homelands. Could you explain to the Commission what the procedure is in the SACC for vetting 30

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the publications of books, and what the status of these publications are? --- I do not know if I am wrong, but I have a feeling that that particular book is - which was banned, that that matter is under appeal.

Let us assume that the appeal was successful, this is just the point where I want to enquire what the policy is? Let us assume the appeal has unbanned the book, for argument's sake. The book itself is not of special concern. It just brings me to the point. Who decides and what is the status of a book that is published by the SACC? 10
What is the procedure? --- I cannot answer that very well. I think that is an in-house issue, rather than one that I can answer. Very often a piece of work is published simply as study material, and we have been through that when we looked at one or two things that had been published, authored by Dr Kistner or the Justice and Reconciliation Division. I am trying to think of a publication which ..

Can I perhaps just interrupt you there? The public sees a book available to purchase. It sees a book issued by the South African Council of Churches; take for 20
example this investment in South Africa which was published some time in 1977. It purchases this book; now, for the man in the street who buys this book, he considers it to reflect the views of the SACC? Is that not the normal reaction, unless, of course, I grant you, there is a qualification inside that says that this is not to be regarded as the views of the SACC? I think Ecunews has such a qualification? ---- Yes.

But if it does not say so, can we accept that - is the man in the street wrong when he accepts that 30

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what is published in a particular book or publication reflects the view of the SACC? --- Yes, I think he can be wrong. An example is that the Methodist Church has a publishing house; it publishes a large number of publications, but it does not claim at all, and I do not think anybody would claim that those publications all reflect an official view of the Methodist Church. I think certainly you can assume that it is publishing material which it believes to be of concern for its constituency, yes. I do not believe that you can say simply because the publishing house happens 10 to be - carry the label of a particular body, that that necessarily means that those are the official views of the body. I think we have said before that the official views of the SACC are in its resolutions.

Now how is the Commission to determine whether a publication published by the SACC reflects the view of the SACC or not, if such a publication does not contain a notice to that effect in the publication? --- I would think by comparing the content of that publication with National Conference or Executive resolutions relating to the 20 subject which that publication deals with. In so far as they harmonise, that I would say can be taken as SACC policy. In so far as they do not, it cannot.

The Commission may be in the position to do that, because it happens to be in possession of the resolutions, but what about the man in the street who is not in possession of these resolutions, who cannot compare what is published in the book with the official resolutions? What is his position? --- I would hope that his position is that whatever is in that book, makes him think, which is 30

why it was published in the first place. I do not know that I can answer any more than that. If it is a book about Black uprooting for instance, then he must think about it. There are other sources of information which may present a contrary point of view, which he can also think about and read and make up his own mind.

Who determines the accuracy of publications before it is published under the auspices of the SACC? --- I really cannot answer that.

You do not know. Well, I want to refer just to 10 one example in this connection. Here we have a document "Investment in South Africa". It is a report submitted by the Division of Justice and Reconciliation to the National Conference at Hammanskraal, 1977, and it says it is for consideration, emendation and passing to member churches of the SACC for study and comment, passing to overseas partner bodies for study and comment, passing to relevant committees of the SACC for adoption and implementation. That is what it says in front. Now, on page 2 under the heading "The SACC and Investment Issues", I just want to 20 refer to one specific aspect, to illustrate to you the problem that I am facing. It says:

"In South Africa the main issue relating to human survival, justice and peace within the country, as well as the international relationships, is the growing gap between the rich and the poor. Many in South Africa lack adequate food, housing, clothing and education. They have little chance of obtaining these basic rights until a new political order is created".

The point here is, many in South Africa lack adequate 30 food/...

food, housing, clothing and education. Now, this, the document says, they can only obtain the rights until a new political order is created. Now, we have had the example in Africa where numerous states, post Second World War, have obtained a new political order; it is an objective fact, according to UNESCO statistics and other international statistics, that new political order that was created in these other African states, did not improve the sufficiency of food, housing, clothing or education. That is a given fact. Why is in a book like this, the relevant comparisons 10 with other countries in the same subcontinent excluded? --- I do not know why they are excluded. I think I can respond by saying that the primary concern for us, and I think I speak for the Council, is not a comparison between South Africa and other states in Africa, but rather the gap which exists between one group and the other groups within the boundaries of South Africa. That is our primary concern. I do not believe that - and I have said this at another point in this cross-examination, I think that it is for the SACC to produce a blue print of whatever this 20 new dispensation is. I would presume, however, that where new dispensations have not produced - not delivered the goods, in some other parts of Africa, that would at least be an indication of what not to do in this situation. But it is not for us to prescribe for other situations beyond our borders. Our witness is to the South African situation.

You see, we know that new political orders that were brought into being to achieve a correction of these very lacking elements, we know from experience, that has 30 failed/...

failed, yet we are suggesting here that this same failure recipe should be applied to the South African situation?--- No, I do not think we are. I have just said, we are not - I really would have some difficulty in getting into a discussion about the broader issues of economics and so on across the continent, but I would want to say, however, that an amateur like myself, a layman like myself in this field, can at least discern a major distinction between the South African situation and any other situation on the subcontinent of Africa, where independence has happened and 10 where new orders have happened, and that is because of the far more advanced technological, economic power which has developed in this country.

The question that I want to really pose in connection with this is the following: should the Church, when it embarks on a policy of promoting fundamental change, and when it decides on the nature of that change, should it not have regard to the feasibility of what it suggests to be the correct change in the light of experiences in similar Third World countries? -- I think I have said, 20 and I must repeat now, that the Church, I do not believe prescribes the shape of a future South Africa. Most of our member churches, and the SACC itself, have indicated that that is the task of a national convention. What we are sure about is that there should be change.

When it suggests change without prescribing, should it have regard to the feasibility in view of the experiences of other similar Third World countries on similar issues? --- Perhaps I can put very simply how I respond to that question personally, and that is simply that I am 30 convinced/...

convinced that the present dispensation, and I think I have indicated that in a number of ways in the submission, and in what I said this morning, is leading us to disaster. I would rather have an alternative to disaster. I would like an alternative to disaster. I believe that alternatives always involve risk, whatever they are. Anybody who presents or tries to introduce something new into a situation, takes the chance that it may fail.

Now, when you suggest an alternative to disaster and somebody responds then and he says to you, like 10 Zimbabwe, how do you respond to that then? --- Well, I would say the best way to avoid a Zimbabwe situation, is not to allow a war to develop such as has, in other words, to make the changes before people start fighting for them on a large scale.

Would it be correct - I wish to go over to a different topic now. There is not necessarily a reference in your submission to this. Would it be correct to say that the SACC's approach to the South African problem has undergone a fundamental change over the last, shall we say 20 approximately 20 years? Initially and with a message of the people as perhaps the prime example, it evinced a basical condemnation of apartheid as being evil, without offering any alternatives at that particular stage? Since that time, it has formulated its own policies, the content of what it wishes to see to be done in this country, namely what change, what fundamental change it wishes to see. So from being a negative - having a negative attitude, simply condemning, it has now developed over this period of time into a positive policy in which it has said - indicated 30 the/...

the areas in which it requires fundamental change to be achieved. Is that broadly speaking a correct summary of the change that the SACC has undergone since, shall we say 1968? --- Yes, with a qualification. I would say there has been evolution, and I think somewhere in my submission I indicate that there is no question at all that as the SACC had to become more open to the Black voice as distinct, if you like, from a White liberal opposition to apartheid, so certain things became more sharply defined. I do not believe that it has evolved, however, to the point 10 where it formulates its own scenario for the future. I believe that it has reached the point only where it is on record as requesting, and then I think the list of the request to the Prime Minister, however, those four requests include a crucial, and that is that the Government should commit itself to a common citizenship for all South Africans in one South Africa. Now, that, I think, is an indication that although it is not for the SACC to be the formulators of blue prints for the future, that that is the job for the politicians. Anything less than common citizen- 20 ship for all South Africans in one South Africa, would still be seen to be an injustice. Now, to that degree I think the SACC has said, we stand there, yes, and that certainly I think is an evolution from earlier days where the emphasis may have been more on simply protesting particular specific laws as they were promulgated.

Similarly, the preconditions that were mentioned to the Prime Minister would fall in the same category? --- Yes.

On citizenship, to that extent, what you said 30
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in connection with common citizenship would also be applicable. Now, just very briefly, I am not suggesting that the landmarks that I am going to mention to you are exhaustive, but I think some of the landmarks in this development are as you have already mentioned, the message to the people in 1968, then the WCC's PCR grant and the SACC's reaction, surrounding the Prime Minister's appeal to withdraw from the WCC, then we have got the CO resolution of 1974 which we have referred to already, and may I perhaps just in passing ask you, the first stated 10 or documented requirement that the SACC should go for fundamental change is to be found in the General Secretary's report of that time, before the CO resolution was adopted. Do you know of any earlier such recorded statement by the SACC? --- Not from memory, no.

Right, there we have the first written or recorded statement of fundamental change, and the CO resolution was then basically seen as part of that. The next one we have was the 1976 resolutions, in which support for the liberation movements were expressed, then we have .. --- Do 20 you mind if I just interrupt and ask you, I have been asked what resolution you are basing that report on.

Yes, I refer you to your Director's Report for 1977, in which the 1976 resolution - 1978, rather - in Appendix 2 of the Director for Justice and Reconciliation's Report to the National Conference of 1978, it is titled 'Background Paper for the Discussion of the Problem of Just Revolution', paragraph 1 of that sets out, and this is its heading, "The Stand taken on Related Problems by the SACC", and it reads as follows, subparagraph (3): 30

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"The SACC at its National Conference in 1976 expressed its approval of the aims of liberation in Southern Africa".

Did I say liberation movements? -- Yes.

Sorry, scratch 'movements', and it then sets out the motivation for that particular statement. The 1979 resolution on non-co-operation with the State, the disinvestment - well, the approach on investments over the period, the decision to investigate strategies of change, and the stating of demands to be met by Government before peaceful 10 change can be effected. These are all certain landmarks, not exhaustively, that expresses the standpoint of the SACC in broad terms? --- Yes, as long as we agree, they are not exhaustive, but there are others, but I would not want to try and call them out of my memory.

Yes, they are not exhaustive. They may be the most important. --- Some of the important moments, yes.

Now, a lot has been said in speeches in connection with what this fundamental change should contain, in *Crying in the Wilderness* for example, which is a publication, 20 collection of speeches by Bishop Tutu, we have to refer but to one or two, we are told, the SACC - it is page 46 of that book - is a Christian organisation with a definite bias in favour of the oppressed and exploited ones in society, and on page 44 we find in an address delivered to the Black Sash Conference on 10 March 1980, it says to the White community in general:

"I say express your commitment to change by agreeing to accept a redistribution of wealth and a more equitable sharing of the resources of our land. Be 30

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willing to accept voluntarily a declension in your very high standard of living; is it not better to lose something voluntarily and to assist in bringing about change, political power-sharing in an ordinary fashion, rather than seeing this come about through bloodshed and chaos when you will stand to lose everything".

Three elements are mentioned here, if I may just summarise, it is a redistribution of wealth and more equitable sharing of the resources of the land, declension in the high 10 standard of living, and political power-sharing. Then we have another example which I can perhaps just mention to you, and that example basically concerns the exploitative - a disapproval of the exploitative aspect of the economic system in this country, the capitalist system. I cannot find the exact reference now, but I will in due course, if you wish to see it. The fact is that towards this fundamental change, the nature of this fundamental change has been indicated in a number of ways. These are some examples. I also do not suggest that they are exclusive. 20 Now, following on this, we sit with the position that the SACC has taken certain steps to implement what it sees as this fundamental change required. We have discussed on Friday the underlying basis that the oppressed must be liberated. These are some of the socio-political changes that are seen by the General Secretary to be effected in order to reach the desired result. Now, in how far is the expression by the General Secretary of what he sees the fundamental change to include, reflective of the views of the SACC? --- Well, if you are referring to the four 30

points ..

The four preconditions I think we can accept. ---
I mean these four points that you - these four here. First of all, in terms of redistribution of wealth, I do not think that anybody in the SACC would quibble with the concept that there is no way in fact in which more people are going to be enabled to share in the resources of this country and the wealth of this country, unless there is some redistribution.

You would say that is commonly accepted SACC 10
standpoint? --- Yes, so long as one does not begin to box the phrase 'redistribution of wealth' in certain ideological terms. It is not an ideological statement. To me it is a statement of fact. The equitable sharing of resources and the drop, as I indicated yesterday, I do not believe that there can be a greater sharing within this country of its resources, unless there is some willingness on the part of those who have been at the top to slow down on the increase of wealth which may be for them in the present dispensation, in order that others - an indication 20
is that in the equilisation of stipends, in one of the member churches, there has had to be a willingness on the part of some to accept a slow-down in stipend increase so that others can have greater stipend increases to close gaps. So I see nothing, no inconsistency with the SACC position there. I think on the question of political power-sharing, there is no question whatever. When we talk about common citizenship, we talk about all the rights of citizenship, and that means the right to share fully in the political process, and fourthly, on the question of - and here 30

I have not got this exact quote.

Yes, the Bishop really expresses his distaste in the exploitative capitalistic system, in quotation marks, and seems to indicate that that should also - oh yes, here we have it, page 100.

"I loathe capitalism because it gives far too great play to our inherent selfishness. We are told to be highly competitive and our children start learning the attitudes of the rat race quite early".

Then I skip a few sentence, and he says: 10

"So I would look for a socio-economic system that places the emphasis on sharing and giving rather than on self-aggrandisement and getting. Capitalism is exploitative and I can't stand that".

--- Yes. Here I would say that there would be those within the SACC - there would be a vigorous debate within the SACC and within the member church constituency on - not on whether capitalism is exploitative. I believe that there would be very few Christians who would not say capitalism has exploitative elements in it. It was Lord Soper, who 20 said that capitalism runs on the crude oil of selfishness, socialism requires the refined oil of self-sacrifice, which may be why socialism does not always work too well, because there is not a lot of self-sacrifice around. But there would be unanimity, I do not think there is a single member church that would dare to suggest that capitalism does not exploit. At the same time, neither do I believe there is any member church which would wholeheartedly and without any question embrace socialism in toto. I would think that that debate, which is of course a major debate in the 30

world/...

world, and I want to make very clear that for me there is a major distinction between socialism and communism. I hold no candle whatever for communism. I believe that socialism is a perfectly respectable way of ordering society, which is being used in a number of Western societies. I would guess in the end that if you were to average out the views in the constituency of the SACC, you would find an opting for a mixed economy, for an economy which has elements of capitalism and elements of socialism.

So we can say .. --- What I am saying there is 10 that I do not believe the Bishop's statement, as read out there, is inconsistent because it does not opt for one or the other, and it does not reject one or the other entirely.

By and large, some change will have to be effected in the present economic set-up? In terms of what is seen as constituting fundamental change by the SACC? --- Yes, but I think there will be a wide debate within the SACC as to what and to what degree.

So the aims of the SACC, I think, have been iden- 20 tified in broad outline, the fundamental change and its constituent elements. Could we just have a very brief look at the methods the SACC employs. Way back in 1968 when the message to the people was accepted, voices were heard saying, but what are the alternatives you suggest? Is it correct that those voices who said, what are the alternatives you suggest, practical alternatives, that gave rise to the establishment jointly by the SACC and the CI of the Study Project on Christianity in an Apartheid Society? -- Yes.

Now, SPROCAS, as it is generally known, then 30

over/...

over the next four years produced what Thomas describes as a comprehensive blue print for the structuring of the South African society on principles compatible with those laid down in the message. Some of the publications would for example be Apartheid and the Church, 1972, Education beyond Apartheid, South Africa's Political Alternatives, 1973, there is a whole list of them. We do not need to go into them. There was just one very interesting book that was published and the title was 'The Ethics of Illegal Action' in 1973. I do not know whether you are aware 10 of this particular publication? -- I think it was authored by my old Philosophy professor.

D G S Oosthuizen? --- D C S Oosthuizen, yes.

That is quite correct. Now, Prof Oosthuizen died in 1969, and the first speech or the first essay, if I can put it that way, in this particular book, was an essay delivered in 1961 by Prof Oosthuizen, and it concerns the question when Christians are entitled to consider illegal action. That was in 1973. Would this perhaps have been a prophetic book, prophetic publication? --- You say 20 it was a 1961 essay and published in 1973?

Yes? --- I have it on my shelves, but I do not recall its content well, so I could not answer whether that ..

Well, basically it concerns the question under what circumstances the Christian is entitled to take illegal action. --- In the sense that it is grappling with the Christian which has come to face Christians, and which they are having to make decisions about, yes, I would say that it has a prophetic ..

Is it your view that the message and its aftermath, 30

this/...

this now includes SPROCAS and all its publications, really signalled the beginning of intensification of confrontation between the SACC and the authorities? --- I do not believe that it signalled an intensification of opposition, by the Church to the authorities, because I have indicated that that opposition was as strong as to say, we shall disobey, in 1957 already. I think what it did possibly was to - perhaps high-light the SACC as a body, which would in fact be speaking with and on behalf of the churches in the days to come, because I do not think that before 10 that the role of the CCSA had the sort of high profile which the message certainly began to give the SACC.

Can we just discuss the question of the preconditions that the SACC had set for fundamental change. Are these preconditions in any way negotiable? You know, influx control, education system, resettlement, full citizenship? You know, the four you mentioned to the Prime Minister? --- Yes.

What is the SACC's - firstly, what is your personal standpoint, if it is different from the SACC stand- 20 point? What is the SACC's standpoint on this? -- I would find it very difficult to see any of those as fundamentally negotiable. It would seem to me that they are crystal-clear, that influx control - let me say, when it comes to timing, when it comes to method of getting rid of influx control and changing it, that is plenty negotiable, but the principle, I do not believe I would see as negotiable.

And do you think you reflect the SACC view when you say so? That the principles are not negotiable? --- I do not think I would want to claim that without it having 30 been/...

been discussed, but I would feel that - I think the SACC would stand with me on that, yes. I think so, but it is an opinion.

Let us just have regard to what the General Secretary's position in this connection is. I again refer from a summary of 'Crying in the Wilderness', page 55, dealing with the meeting between the SACC and the Government, and the author then claims that what follows is Bishop Tutu's statement. He says:

"We recognise that this kind of fundamental change (page 56) cannot happen overnight and so we suggest that only four things need to be done to give real hope that this change is going to happen. We can assure you that if we go along this road, you will gain most of South Africa in the world while losing some of your party dissidents. These are the four points:

- 1 Let the Government commit itself to a common citizenship in an undivided South Africa."

Now, you have dealt with this. I am happy to say that the Bishop supports your view, because it says here:

"If this does not happen, we will have to kiss goodbye to peaceful change".

So it is not negotiable. Secondly:

- "2 Please abolish the pass laws. (He says) Nothing is more hateful in a hateful system for the Blacks than these laws. Let it be a phased process because none of us wants to have a chaotic country.
- 3 Please stop immediately all population removals and the uprooting of people.

4 Set up a uniform educational system".

Then the report goes on, and it says, in connection with these four demands:

"If this does not happen now urgently, then I fear we will have to say we have had it".

So it appears as if the attitude of the General Secretary is also that the preconditions are not negotiable. Now, if this is so, that the preconditions are not negotiable, and if it is so that the Government is not prepared to meet these preconditions, which I think in essence you 10 have described to the Commission as part of the change that is necessary to liberate the oppressed, what is the position then? --- The position then, so far as we are concerned, is that we will continue to plead for them. We will continue to call for them, and we will continue to try to persuade the State that these are things which must happen if we want an atmosphere in which change can take place peacefully. That is the position.

But now, for whatever reason, I am just putting this to you hypothetically, Government is not prepared to 20 concede these preconditions which it must do, what is the hope for peaceful change then? --- I think the hope for peaceful change reduces every day that there is not some step taken towards doing something about at least one of those things. That is what I believe.

Is the position not that because of the non-negotiability of these preconditions, the SACC in fact is not in a position to compromise with Government with regard to change? --- No, I cannot exclude - I cannot say that, with any finality, because while this is the SACC's view, and while we 30 believe/...

believe very deeply that those four things need to - etcetera, etcetera, nevertheless that cannot exclude some initiative of an entirely different nature, by some party in the situation; the Government, churches in the SACC, some other party, which creates a situation which has honestly to be looked at afresh. I find it difficult to conceive of something that would however, would enable the SACC to say, well, if that is the case, that is OK, keep the pass laws, keep Bantu Education, keep resettling people. I find it very difficult to imagine, but I cannot exclude the 10 possibility of some initiative which puts things in a completely different light, and I think Christians have to be open to that always.

I suppose this possibility is one you consider to be very remote? --- Yes.

Now, once these preconditions have been met, on the basis that they have been met - perhaps I should deal with the other aspect first. The preconditions are non-negotiable, yet at least in one respect it is questionable whether they are realistic. Let me give you an exam- 20 ple, the commitment to common citizenship; if Government has created independent states, such as Transkei, Venda, Bophuthatswana, how can it give an undertaking or a commitment of single citizenship without and in that case where these governments refuse to be drawn back into the unitary concept? --- I have to say, they have made the job very difficult for themselves, because I believe sooner or later that that will in fact be, what is going to have to happen, and that they have created - you quite rightly say, these states which may well have difficulty in just 30

responding/...

responding to a call to come back to mother, but I believe, and here I may be mistaken, but I believe that certainly some, even of these independent homeland leaders, have indicated that they themselves would favour a unitary South Africa, and those of them who have accepted independence, among them are those who are saying, this is simply part of the route to finally getting there. So I do not believe the door is closed to that. However, I agree that it has become far more difficult to accede to that simply than it once was before the whole homeland policy got its 10 impetus, and it is not easy and it would require instead of what it might have required once, which was simply saying, this is what we are moving towards and we will go towards it together, now it will involve bilateral negotiations with all sort of people with their own ideas of nationhood, and it will be very difficult. However, I think what we are asking there for, is not that somebody waves a wand and that it happens overnight, but that there be a commitment to this, as the goal.

If you were to compromise on these preconditions, 20 that is the SACC, if it were to compromise on these preconditions, I take it that would have a dramatic effect on its credibility? It has now held out that this is the minimum, the absolute minimum, it is non-negotiable in principle. We are not talking about the time factor. Now it starts negotiating with a view to seeing whether it should not compromise its preconditions, would that not affect its credibility rather severely? At this stage? --- Yes, except that I have to say that the Church can never ultimately be concerned with credibility. It is concerned 30

with/...

with integrity, and I really do not care who thinks what of me, provided I can be sure that I am standing where I believe I have been led by the Gospel. If that spoils my credibility with Whites or with Blacks, it means - it should mean nothing to me as a Christian. As a human being, of course, I hurt when somebody says they reject me, but as a Christian my credibility is not the issue. My integrity ultimately must be the issue.

But the fact is, you work with people, and the support you engender from people is in human terms linked to 10 your credibility? -- In human terms, yes. In other words, you mean the amount of influence that I can exercise?

Yes? -- But then I think Biblically our Master is somebody whose integrity led Him to lose, credibility with the masses and with the people who thought they had in Him some power figure, and we have got to be prepared to accept the same loss, with any group or constituency, if the alternative would be to try and tailor our position to satisfy a constituency.

Has the SACC considered its position if the 20 Government were not to respond to the requirements, its requirements for fundamental change? --- No, not that I know of, no. I think we have simply - we have no power, as I have indicated, and therefore all one can do, I mean, if you have power, you can then do something, but we are not a body of power. All we can do is to go and ask.

Is that quite correct in human terms that you have no power? Does not the SACC claim for itself that it wields a lot of influence because it is representative of between 10 and 15 million Christians in the country? Is that 30 influence/...

influence not a form of power? --- Yes, I think anybody who represents any constituency, can to a degree be said to have some power, but I do not believe that - I believe that the influence that the SACC wields, in the end is linked with the truth or otherwise of its stand, and not with the number of - Joseph Stalin was once warned not to do something because the Pope might be annoyed, and he said, how many divisions has the Pope got? I think that what I am saying is that it is not the number of divisions one can marshal to one's side, that count in a church organisation 10 ultimately, but whether it stands in the Gospel, and then I want to say, if it stands in the Gospel, it has power; it has the power of the Gospel, and the Gospel plus one person is a majority in some ways, in terms of ultimate power, yes.

At what stage in this whole process does liberation from sin become relevant? In other words, would that be after the socio-economic - or injustices and oppressive structures have been removed, and a more just and more humane society results from the transformation caused by the 20 change, does liberation from sin - is it completed at that particular stage or when does it enter into the SACC's understanding? We have been talking basically of changes on the socio-political, economic level. You have indicated the nature of them and possible consequences if it were not to take place, but this is part of the Council's theology in terms of which it sees the necessity to liberate those who are oppressed. When does this liberation from sin come into this - the SACC's liberation theology, or at what stage? --- Well, I think you will recall that I referred to 30

apartheid as a corporate sin. So in a sense - in so far as one lifts that burden from society, one is participating in God's redemption of His world, at the same time let me be very quick to say that in our theology of history and of sin in fact, I am just thinking now about corporate sin, there is no total liberation from sin, from corporate sin in this world. The defeat of - the ultimate defeat of sin is linked with the final coming of Christ and He has to pronounce that. In other words, the world will always be sinful. We are not suggesting it will not, that there 10 will be a utopia if one lifts apartheid. There will be the need immediately to address whatever new manifestations of corporate sin may emerge, and that may also involve a struggle in the future. The other task, and I am not sure if I am answering - if that is my answer to your - whether you are referring to the whole area of the message of liberation from personal sin, which we offer to people daily in our preaching and in our pastoral work, at another level, at the level of the local church around the country.

Actually perhaps before I ask this question, I 20 must just get clarity on this: do I understand you to say that the SACC adheres to the concept of the corporate nature of sin? --- That sin is both personal and corporate, yes.

Both personal and corporate? --- Yes. There are personal dimensions of sin and there are corporate expressions of sin.

Now, in its corporate dimension, is sin seen as a social, historical fact that is evidenced in oppressive institutionalised structures? Take for example your 30 race/...

race classification, group areas? --- Yes, I would say that those things that you are mentioning, are the corporate working out in society of personal sin as well, the sin of a racist attitude, finally worked out in society, but I think it is a little more than that. I think that we would also say that because we live in a fallen world, a world, a universe, and I think Bishop Tutu made much reference to this in his submission, at the very beginning, a world which is in rebellion against God, that part of God's purpose is to bring that world again into harmony with His purposes, and that there are structures in society which seem very obstinately to reflect that fallenness, and I would call this corporate sin. 10

The corporate nature of sin is reflected in certain structures in society? --- Yes.

Now, is this the basis in which one sources the requirement for socio-political, economic change, because no redemption can take place unless the sin is removed, wherever it is reflected? --- I would think that that is one of the two reasons for a Biblical opposition. The other reason is not just that this is sin. The other reason is that this sin hurts people, and that is a pastoral reason, but equally Biblical of course. 20

Now, we have been dealing - well, we mentioned the aims and I said I was going to discuss the methods with you, but I have not discussed that yet. Is basically the prime method that the SACC uses, or one of the main methods that it uses, were that as a particular South African - or meaning in the South African context, the creation of awareness or conscientisation, is that one of the main 30

instruments you use to demonstrate why fundamental change should take place? --- Yes.

I think you said you are in the communications business? --- I did, yes.

Now, Reverend Storey, there are one or two minor aspects I would just like to discuss with you. The one point is where you refer the Commission to the fact that you told the Prime Minister that your request for change is a cry that comes from the heart? --- Yes.

Could I just in that connection put to you 10
that in the development of your substantive policies of
fundamental change, that was perhaps of an over-emphasis?
--- No, you did raise that as a question, some days ago,
and I tried to say in response, and I will repeat it, be-
cause you indicated that surely the SACC does have some
organising, surely it has some strategy, etcetera, and I
acknowledged that, that a body that does anything must do
it with some method. I am not a Methodist for nothing,
and that there is something unfaithful to God by doing some-
thing in a chaotic way. So I do not think that the 20
fact that the SACC has methodology, is necessarily in any
way a denial that the fundamental plea is one which comes
from a deep heartfelt agony about this land, and about what
is happening to people in this land. When I say to the
Prime Minister it comes from the heart, I mean that I have
not got anything up my sleeve. I mean that I have no de-
sire for anything for myself out of this cry. Frankly the
things that I plead for, may well create hardship for me,
not the opposite, but that out of the heart there is some-
body who says that you must love God and love your 30
neighbour/...

neighbour as yourself, and to love your neighbour as yourself, it means that you have got to change, and that is what I am saying, and I believe that that is right from the heart; it comes from nowhere else. Well, of course, the head also plays a part. It makes sense to do that too, I believe.

Now, you were asked some questions in connection with the march of the 52 gentlemen. I have managed to obtain the court record, and actually there were 54 originally, one had to leave for Britain and the case was with- 10 drawn against him, so that left 53. Of the 53 there were 17 who paid admissions of guilt, and 36 who apparently eventually appeared in court. Of these 36 11 were connected in some way or another with the SACC, and of these 11 there were 7 staff members. It would be Bishop Tutu, Mr Niften, Mr Daniel Vaughn, Mr Wolfram Kistner, Mr Bell, who is the FELCSA gentleman, yourself, Rob Robertson, and - no, John Thorn was a witness. I will make this available to the Commission.

M'Lord, there is the case, the advocates, attor- 20 neys, presented a statement to Court, each of the witnesses, either simply affirmed the statement or added a few sentences, but were you aware, Reverend Storey, of the evaluation of this particular march by Dr Kistner? Do you know about his evaluation? -- Yes, before I respond, if I may just make one point, and that is, I am sure you link me with the SACC, obviously.

Well, you were Vice-President? --- That is right. I do need to say that I went on that march at the request of the leader of the Methodist Church in the South 30

Western Transvaal, under whose discipline I fall as a Methodist, and not - obviously I could not do anything about being the Vice-President and would not want to, but I just need to make that point.

Could I just ask you, are you aware of the fact that during the afternoon of 25 May 1980, it was discussed that a service would be held in the Congregational Church in Braamfontein the next day, and that thereafter the ministers who attended that service would march to the police station to submit this memorandum to the police? --- 10
What day was 25 May?

That is Pentecost Sunday, it says on the afternoon of May 25, 1980, that is Pentecost Sunday, an ecumenical worship service took place in the Church of The Reverend Thorn in Bosmont. This service had been planned long before. After the service the ministers from different churches met to discuss how they could respond to the arrest of Reverend Thorn. Does that place it in context? --- It does; thank you, yes.

Were you aware of this? --- No, not at the time, 20
because we had a similar service in my own church, and that was led by The Reverend S G Pitts, the leader of our church at the time, and it was after that service that he invited the clergy together and told them that - what had happened to Mr Thorn, and that The Reverend Joseph Wing had asked whether clergy could gather in order to discuss this. I do not recall whether he said - and whether he indicated that there might also be a march or procession or something. I do not recall that, but that was my first knowledge of the situation. 30

Did you actually attend this service in the church in Bosmont? --- No.

You did not, so you would not know about this? -- No, because that service was simultaneous with one I was having in town.

Were you surprised when you had this information that it was decided that - to hold the service and then to march? --- No. It does not surprise me that ministers in that Bosmont area got together and discussed what could be done.

Were you aware that a march of the nature that 10 was being contemplated would have been illegal in terms of the Riotous Assemblies Act before you participated in the march? --- Yes.

Now .. --- Although I think there was the suggestion that such a march, if it took place, should be two-by-two with some interval between, and there was some suggestion that that may circumlocute the Riotous Assemblies Act.

Now, the Reverend - Dr Kistner gives three reasons why ministers participated in the march, and the third reason he set out like this: 20

"A third group of participants was not as optimistic in assuming that the authorities would be convinced easily by a demonstration of solidarity. They intended to make public, and especially the members of the churches were aware of their obligation to resist unjust actions of the Government's oppressive laws".

Were you aware of such an intention amongst members - amongst the 52 gentlemen who marched to John Vorster Square? Was it mentioned to you that this was one of the reasons? --- May I hear the other two reasons? 30

The/...

The other two reasons are:

"All shared the conviction that injustice had been done to The Reverend Thorn. However, some of these ministers could never have accepted the concept of civil disobedience, though they practised disobedience in this particular case. There were several pacifists in the group who believed that a protest march of this nature could help to convince the authorities of the injustice that finds its expression in actions like the arrest of The Reverend Thorn. They 10 were anxious to avoid any action that could be interpreted or understood as deliberately provocative".

Then you get the third group that I mentioned. So it is the pacifists and some who were thinking there had been an injustice done, and this group that wanted to demonstrate the church's obligation to resist unjust actions. Now, was this discussed? Were you made aware that this was a motivation before you were requested to participate? --- As far as I can recall, when the ministers gathered, that is on the day of the march, at the Congregational 20 Centre in Braamfontein, I cannot recall how long the discussion took place; I cannot recall particular viewpoints put forward, but I am fairly sure, from memory, that there was a discussion about whether we should or should not march.

Yes, the last question on this topic is, the Doctor comes to the conclusion that a protest march had the effect of intensifying the tension between the Government and the SACC. Do you go along with that? -- No, because I do not think it was an SACC march. I think that it certainly sharpened the church/State tensions .. 30

And/...

And the SACC is part of that? --- Yes, it is, but not specifically the SACC/State tensions.

I have been referring to pages 20 to 22 of the Confidential Evaluation of the 1980 Conference by Dr Kistner, a document which is before the Commission already.

CHAIRMAN: Is there something you would like to add to what you have said? --- Well, I think it had other effects too, My Lord, which is not a direct answer to the question, but another effect which amazed me was the number of people particularly Black people, who responded by saying, 10 the Church has made a stand, thank you. That is all I wanted to say.

THE COMMISSION IS ADJOURNED

ON RESUMPTION:

PETER JOHN STOREY, still under oath:

MR VON LIERES: Reverend Storey, just one matter: in the minute book of the SACC National Conference Executive for the period May 1968 to June 1970, we find a document marked 145, and this appears to be dated - it is undated, but in the context where it appears, it seems to be 20 between - it seems to have been a decision taken between 10 June 1969 and the budget for 1970, which is dated 23 May 1969; it appears to be somewhere during that period, the following decisions were taken, and the heading of this document is "Memorandum on Statements by the South African Council of Churches". --- Sorry, is this an Executive minute?

This is a minute that is pasted in the National Conference Executives Minute Book, so I presume it would be an Executive minute. This is the only authority I could find in connection with statements, etcetera, and the heading 30

is "Memorandum on Statements by the South African Council of Churches". It says, the following principles are accepted: Firstly:

"The South African Council of Churches through its Executive and National Conference is expected to make statements, pass resolutions and publish literature on socio, ethical, ecclesiastical and theological matters".

That is quite clear. Secondly:

"This should be done in a way which clearly indicates that the statements and resolutions emanates from a meeting of the Executive or of a National Conference of the Council of Churches. Statements of a length and a nature which will make impossible agreement in every detail, may be published in the name of the Executive or National Conference. Resolutions will have the authority of the Executive or the National Conference. (Thirdly):

Any statement issued or resolutions passed by the Council do not bind its member churches. They have the authority of the body which makes them, and of their own intrinsic work. (The World Council of Churches' Regional and National Ecumenical Council is functioning in this way). (Fourthly):

In the case of study material, fact papers, pamphlets and books, it will be sufficient to indicate that they are published in the name of the South African Council of Churches. Themes for such publications must be approved by divisional committees or by the Executive or the National Conference. Between

meetings of the Executive (that is fifthly) it shall be competent for the General Secretary when it is urgently necessary to make statements in the name of the Council where these have the evident support of previous statements and resolutions of the SA Council of Churches. These shall be made in the name of the Council in order to indicate what has previously been resolved by the Council, in order to correct misapprehension and to explain actions and resolutions of the Council and related ecumenical bodies. 10

(Sixthly)

A list of the name of member churches will not be attached to any statement or resolution of the South African Council of Churches when it is released for publication. It is recognised, however, that the reasonable request from the press for the names of Council members cannot be refused".

Now, this appears to be, as far as my research went, the only authoritative statement by the Council on the status of statements and study material and fact papers that 20 can be found. Do you have any recollection on this particular aspect having been discussed or amended subsequent to, say, 1969, 1970? -- Yes, I recall it being discussed, but I do not recall any official laying out of a procedure. It has certainly been discussed on more than one occasion.

So the present position, the official position of the Council would then be as reflected in this particular document? --- Technically speaking, yes. In practice I think there has been something of an evolution, although not very much. 30

Just/..

Just one other question, or at least, I have got two other topics which will not take very long. Are you aware of the fact that a Dutch publication "Trouw" on 4 December 1981 carried an article alleging that the previous General Secretary, Mr Rees, had contacts with the security police? --- I have heard about it.

You do not know about it? --- Well, I did not see the article, and I heard rumours that an article alleging that had been published in Holland. That is all I know.

Now, I have one or two questions I need to put 10 to you in connection with the Chetty affair. --- Can I say by way of preamble that at the beginning of this cross-examination I indicated some things were nitty-gritty, and I want to say, that is a very nitty-gritty something upon which I am very much a layman and an amateur.

Certain statements were prepared for you in connection with the Praesidium and Executive Committee minutes, meetings after Mr Chetty had fled the country. These statements, is it correct, that they were prepared for you by the Council's attorney? -- Yes. 20

Did you have personal knowledge of what was set out in those statements? Or did you accept the correctness of these statements as it was drafted for you, basically? --- A bit of both, in the sense that I chaired or was involved in - I cannot tell you how many, but many of the meetings and consultations that took place at that time. So ..

Could I perhaps narrow the ambit of the question slightly? --- Yes.

Before the first Praesidium meetings and then 30
the/...

the Executive Committee meetings took place, you had consultations with the Council's attorney, and you realised that you would be called upon to make some statement to the Praesidium meeting or to the Executive Committee meeting. As a result of that, a draft statement was prepared for you, so let us restrict ourselves to the period before - this was on 12 September 1979, before the actual meetings took place, at that particular stage. I know you gained subsequent knowledge as a result of what was disclosed in the meetings. I am not interested in that. 10
Let us just do the thing one at a time. I will let you have a look at the statement to refresh your memory, unless you have one there. --- Well, what I have is our submission on the Chetty affair. That is what I have before me, which the Commission has.

Yes, I think we will show you the statement that we have in mind. That is a draft statement prepared for The Reverend Storey, and the title says "For the Executive Meeting of the SACC". It sets out the history, and it runs into some 5 pages. Now, that document was prepared 20
for you by the Council's attorneys? -- Yes, I see it as a sort of compendium of the various threads of information which we had been collecting to try and make some sense of this.

You were supposed to give an overall picture of the situation at these meetings? --- Yes.

Prior to your discussions and prior to the drafting of those statements, did you have any knowledge whatsoever concerning the relationships between Mr Chetty and the Council? Apart from knowing that he was one of the 30
lawyers/...

lawyers with whom the Council dealt? --- I do not think so.

Now, subsequent to these meetings .. --- Which meetings are you referring to? That is where I have a real problem in terms of dates and things.

Well, the meetings subsequent - the meetings that started in September of 1979. In any case, you do not need to concern yourself with that. I will deal with the facts set out here with other witnesses. As a result of these meetings you became aware of the fact that there is 10 a dispute concerning the question whether Mr Chetty owed - amongst others - R17 000 or not? ---- Yes.

Now, on 9 October, Mr Rees wrote you a letter, in which he said the following in the first two paragraphs, which is all that is really important:

"Dear Peter

Just recently again I have been questioned by Oliver Barrett concerning the payments which were made to Mr Shun Chetty, the lawyer who has subsequently left South Africa. 20

Again I have been asked to try to remember the circumstances which gave rise to the making of two advances to him in the sum of R29 000. I have explained to both Mr Barrett and latterly to Mr Wentzel that I can clearly remember making the first advance against projected counsel's fees in the sum of R17 000. I think the blue requisition slip bears witness to it. The second amount of R12 000 I am afraid to indicate that my memory fails me here completely. Suffice it to say that once again the blue requisition 30

slip/...

slip speaks about this being a loan. The only loans that I have ever advanced to Chetty were in the area of advance payments for advocate's fees".

The rest is not relevant to my question. A copy of this particular letter is indicated, went to Bishop Tutu, the General Secretary. --- That is correct, yes.

You responded on 1 November, acknowledging receipt of this particular letter? -- Yes, I think I responded to a portion of the letter, and not the first portion, which - the significance of which was beyond me as a layman. 10

Yes, now, that is what I wanted to ask you. Did you discuss Mr Rees' information that he had supplied to you with anybody? -- No, I do not think I did. A copy had gone to Bishop Tutu, who, as I indicated earlier, was the person responsible for the administrative side of the Council's life, and the significance or otherwise of what Mr Rees was saying, as I say, escaped me as a layman, but as far as I was concerned, would be taken up if significant elsewhere. So I did not - I do not recall discussing it.

That was now at that stage that it escaped you. 20
At this stage? --- I still am not sure what the significance of that is in the whole accounting ..

So you took basically no steps after you had received this explanation from Mr Rees to investigate what it is all about and what it means? --- No.

Initially there was talk of Mr Rees - Mr Chetty, I am sorry, having an amount of something like R99 000, according to the initial discussions, unexplained by way of billings or over-payments; nobody was sure what the correct position was at that stage. Subsequently, on 30

the/...

the final auditors' report, it appeared that the Council apparently in terms of payments made or billings received, owed Mr Chetty a certain amount of money, unexplained, R2 057 and so on. When that particular report was mentioned at the Executive Meeting on 12 March 1980, were any questions raised in connection with the matter? -- I do not remember.

The other question that I need to ask you is, when did you become aware for the first time of the question of R14 000 that was made available by Mr Rees on behalf of some anonymous donor, for the purchase of a house? --- I would be happy to provide the answer. I cannot give it to you out of my memory. I think I could probably, by just going through my papers, locate it. I would be happy to provide that answer.

Thank you. I will then wait for it. Then, one other aspect, in the Executive Committee Minutes of 10 to 11 August 1982, on page 3, this is document 723 before the Commission, it is reported as follows. -- Sorry, the date?

10 to 11 August 1982. --- Executive? 20

Yes. -- Thank you.

I will just check the date to see whether it is correct, but it says here on page 3 (iii):

"The President reported that the intense focus on Southern Africa seems to be easing somewhat in the consciousness of the WCC".

Did you say that? --- Yes.

On what did you base the statement that the intense focus on Southern Africa seems to be easing somewhat in the consciousness of the WCC? --- The actual phrase 30

I used was, there is evidence of some backing off of South African issues, which essentially means the same. I based that on my perception, and this is a report of a Central Committee meeting, of the WCC, which I attended in Geneva last year, on my perception that - and this is simply in conversation with delegates and also trying to assess the atmosphere of the meeting, and perhaps even the anxieties of some people in that meeting, who are particularly concerned with Southern Africa, that the issue of racism, first of all, and consequently the focus on Southern Africa particularly, has been a very, very important part of one of the divisions of the World Council, since prior to 1970. I based my assessment on a feeling that I got that there were people who were saying, there are other issues which must receive that same treatment, and that over something like 12 years now, this had occupied particularly through the PCR, a particularly important place. I think another factor was that I detected what is, I guess, simply a human quality about bodies, and that is that you can maintain a peak level of interest in a particular concern for just so long, in a large and widely variegated body, and that I felt that that peak had been reached, and so my assessment was that there was evidence of some backing off of South African issues at the last Central Committee meeting. 10 20

Did you consider that this backing off, or this easing of the intense focus, would have an effect on the witness of the SACC? In South Africa, and perhaps also linked to its international position? --- No, that was not an issue for me. I was concerned that I personally felt 30

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possibly even before that, the programme for the Vancouver Assembly was an important part of the agenda. Part of - or one of the questions faced so far as that programme was concerned, was what shape the plenary sessions of the Conference would take. The information that came through to me as I just attended the Central Committee meetings, was that there were those who wanted to see Southern Africa highlighted at a plenary session, and there were those who felt that it would have been - as it were dealt with previously, perhaps at the last big assembly in 10 Nairobi, and that it should in fact not take that - a plenary debate. For myself, if you are asking me why I would still want to encourage that it should, is that simply I believe in the importance of maintaining international awareness through the churches around the world, of the situation in South Africa.

Now, is it not also so that if focus on - could be placed on South Africa at the full Plenary at Vancouver, especially after the decisions of the World Alliance of Reformed Churches last year, this focus would also 20 create an opportunity to generate additional international pressures in respect of the South African situation? --- I do not think that necessarily follows, but it is a possibility, yes.

Well, it was definitely a visible result at the World Alliance of Reformed Churches? --- Well, I do not think the World Alliance's decision had anything to do with creating international pressure on South Africa. It was a decision about its relationship with the member church. That had significance, certainly, but theological more 30 than/...

than anything else, I think.

Did you then in fact - did the SACC then in fact support the call of the PCR that the Vancouver Conference should focus on South Africa? Was this letter sent? It says in these minutes, it was felt that the SACC should support the call of the PCR that the Vancouver Conference should also focus on Southern Africa; it was agreed that a letter to this effect be sent to the General Secretary of the World Council of Churches with a copy to the Assembly Preparation Committee underlining the hope that Vancouver will 10 give South Africa a high profile at the World Assembly? --- Yes, I do not know if the letter was sent.

Was this the intention then, that South Africa should receive a high profile, because it was being pushed in the background? -- Yes, that was the Executive's intention.

I have no further questions, thank you.

CHAIRMAN: Mr Unterhalter?

MR UNTERHALTER: Mr Chairman, throughout this cross-examination, we have observed the convention of not communicating with the witness, in accordance with what 20 Your Lordship knows is the procedure. There are a number of matters that may require clarification in respect of the re-examination, and although ordinarily one proceeds at once to the re-examination, there are certain problems arising from them, we are not quite clear about, and we wondered whether, with your permission, we could have a short adjournment, discuss it with the witness, with a view to assisting the Commission, and then resume and put the questions to him. I should not imagine it would take much more than a quarter of an hour. I wanted to say 30

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that subsequent to that, of course, we are considering the presentation of some views by the people who are visiting here. We will use some time to precognise them. We could do that as well prior to our resuming at 2 o'clock, but if you would prefer that we dispose of this before lunch and then take stock of the position, then all we would ask at the moment is about 15 minutes to 20 minutes' adjournment.

CHAIRMAN: Yes, I think we should make it our main objective to use time as gainfully as possible. So we will take a quarter of an hour, that takes us until, say 12 10 minutes past.

MR UNTERHALTER: Yes, about that. I hope it will not be longer.

THE COMMISSION IS ADJOURNED

ON RESUMPTION:

PETER JOHN STOREY, still under oath:

MR UNTERHALTER: Reverend Storey, in the course of the cross-examination, questions were put to you in respect of the contributions paid by member churches to the South African Council of Churches, and you acknowledged that 20 in certain cases there had not been the payments; I think you smiled a little when it was put to you in respect of a contribution by the Methodist Church, you remember. My question to you is this: apart from the financial contributions, when it came to a question of attendances at the National Conference of the South African Council of Churches by representatives of the churches, could you tell the Commission, what was the nature of those attendances, and whether it indicated a dropping in solidarity and support, or the reverse? --- All the National Conferences which I 30

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have attended, have been well attended, but I would say that if anything, the attendance has become better, and possibly at a higher level in recent years.

And what inferences are to be drawn from that in respect of solidarity with the South African Council of Churches, in your experience? --- Well, speaking for my own church, I would say that that indicated a growing concern to ensure that solidarity was demonstrated, and I think a growing awareness of the importance of the SACC and what happened at the National Conference, for its member church. 10

And as President of the Council, in respect of other churches, can you give the Commission any idea as to solidarity as between those churches and the South African Council of Churches? --- Yes, I cannot speak for the attendance of every single church, but certainly what I have referred to quite often as the major churches, that attendance has been full and it has been of a high caliber.

Now, you were also questioned on the role played by the Division of Justice and Reconciliation, background papers that had been prepared, and the resolutions that 20 appear to have been prepared, most of them, by members of the staff. You recollect that portion of the cross-examination? --- Yes.

And your reply had been that the basic work for the preparation of the resolutions, as a matter of course, is done by members of staff. Now, my question to you is this: can you describe, please, in a little detail, what happens when those resolutions come before the National Conference of the South African Council of Churches and is debated, and what are the developments? --- Yes, first of all, 30

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if I can just make a correction, I do not think that that work is done exclusively by staff, even before the National Conference, because that work passes through divisional committees, and those divisional committees have church representatives on them. So the 'staff work' that is done before a National Conference is not done exclusively by staff. It is done also by staff plus church representatives. Once that comes to the National Conference, that sort of work tends to come through divisional reports to the National Conference, and I pointed out in my submission that 10 it is - has been the custom in recent years, in order to cope with the volume of work, that the Conference is broken up into groups, where delegates elected by the churches will meet in different groups, looking at different concerns, and it is out of those groups that some of the resolutions which are looked at by the Conference, come. When those resolutions are put, they are usually put as part of the report of that division or that cluster. They are then - unless there is an immediate sort of reaction to them which is such that they do not get any further 20 than that, they would normally then go to the Screening Committee, which has been elected by the church delegates at the National Conference. That Screening Committee, in my experience, has consisted - there may - there has been usually one staff member on that Screening Committee, as a sort of consultant, but the rest of that Screening Committee consists of delegates to that Conference. The Screening Committee's task is not to decide whether or not a resolution comes forward, but if there are three resolutions which cover the same ground and tend to be repetitive, 30

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to conflate them into one sensible resolution, so as to assist the smooth running of the Conference. It then comes to a plenary session, usually the convenor of the Screening Committee is given the task of presenting pro forma, as it were, these motions. They are then debated, if the motion that comes back from the Screening Committee is seconded, it is debated. It is debated in plenary session, and voted upon, if necessary, and staff of course do not have any vote.

Would they be amended in the course of discussion, remoulded, altered in any form? --- Oh yes, sometimes, many times. 10

Now, could you apropos of what you have just said, give the Commission a couple of examples, perhaps, of what happened? --- Well, I would say that at a National Conference level, the Hammanskraal resolution was a fairly good example of one which came as I pointed out, not from a division at all, in a very lengthy debate in plenary, it was subject to numerous amendments, some of them succeeded, the majority of them did not, but in its final form I 20 have no doubt at all, I was one of the losers in that debate, if you like, in the sense that some of the things I suggested did not come through, but I have no doubt at all, it was a decision of the National Conference, of the church delegates, no question.

Any other examples you wish to give? --- Not at the National Conference level, but I think one of the most memorable examples for me of the churches making their mind very clearly known against the current, if you like, of what was the then staff thinking, was when a meeting 30

of the Executive and church leaders was called together, in order to discuss a complete restructuring of the Council, because of fears that action was going to be taken against the Council, and it was felt by some, and this emanated from the then General Secretary particularly, that if such action was taken against the Council, some of the things we were doing could more easily continue if every division of the Council was in fact a separately constituted division, with its own constitution, with its own committees and all the rest of it. Then the authorities would perhaps 10 act against this or that part of the Council's life, but other parts of its life could continue, and this was motivated very strongly at that one-day meeting of church leaders. I was not the President of the Council at the time; I was the Vice-President, but due to circumstances I was in the chair, and it was one of the most - one of the finest debates I have ever chaired, in terms of very strong cases being made for both positions. But at the end of the day, although massive preparations had in fact been made for this by way of the preparation of separate constitutions 20 for all these divisions and so on, the Executive and church leaders simply made it absolutely clear that the Council was part of the Body of Christ, it was one, and that the Council will sink or swim together, as one, and that we would not in fact divide the body as the sort of expedient to maybe avoid certain action. That to me was an exciting decision, it was a decision made after very high-caliber debate, and I think it was the churches saying, this is what we think, even though as it were, the Council had said, this is what you think. That was another example, 30

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and I think another example was the meeting of church leaders with the Executive, after Bishop Tutu's speech in Denmark, and again I think a very strong statement coming out of there, which did not emanate from any staff work or divisional work at all, making the Council's position on investment - I was going to say clear; in fact it was indicating that its position on investment could not be clear, but it was a church-motivated discussion and decision.

So that finally, Reverend Storey, in your position as the President of the South African Council of Churches, 10 and bearing in mind the responsibility that you have, to assist and guide this Commission, in so far as you are able to do so with your evidence, would you say that there is any suggestion at all that the staff in fact are manipulating and controlling the South African Council of Churches? ---- No. I think they are doing their job.

Now, a question was put to you - I will generalise by saying, in regard to confessing church. I am not sure if you gave the answer explicitly in the course of the cross-examination, but what would have to be done if a 20 member church was to become a confessing church, and is there any situation where the Council of Churches could be brought into that category of a confessing church? There are two parts to the question. --- It is not an easy question to answer, because from my own knowledge of the confessing church in Germany, I do not recall that it was officially constituted in some way, but rather that it was a phrase used to denote those Christians within the established church of the time, who had made a decision to disobey or to deliberately oppose Hitler. So it - I 30

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do not think I am using the right word here, it is a sort of generic term, it does not - it does not reside in a constitution and the establishment of an official body. So far as I know, and my history there may be wrong, therefore when you ask what would have to happen for such a church to come about, certainly I would think at the very least there would have to be a very strong call for members of member churches to in a sense withdraw out and declare themselves as being part of a confessing church, and I indicated in my submission that even the phrase 'confessing 10 church' has not appeared in any SACC resolution. The only - and this is interesting, I think, the only time that this phrase become a confessing church, has even approached the National Conference level, was in the consultation on Racism at Hammanskraal, where - although I was not present, I understand that the very strong statement that came out of that consultation, which included a word to the churches, which said, look, unless you put your house in order, unless there is more opportunity given to Black expression and so on within the multi-racial churches, then within a year 20 we may well become a Black confessing church; maybe that will have to happen. Those were very strong words directed to the churches. Now, my understanding is that that word, at that conference, came very strongly from member church representatives at that conference, as distinct from the SACC who were the - simply the convenors of that conference. I suppose that is as far as anybody has gone to say, on any forum that there should be a confessing church, or there may have to a confessing church. They did not say there should be, but there may have to be, if 30

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the churches do not change in some way. Now I have forgotten the second half of your question.

I must confess I have forgotten it myself. Thank you. What would have to be done if the South African Council of Churches itself was to, so to speak, be a confessing church? --- I think that that is a contradiction in terms. I think the SACC by constitution has to reflect - has to serve its member churches, and so in itself I cannot see how the SACC could become a confessing church. The only members of such a church would have to be drawn from 10 the member churches, and so the matter devolves again on the member churches.

Reverend Storey, you were questioned in regard to the march of the priests, and their subsequent trial, and with the leave of His Lordship, I should like to read to you from the evidence as given by Bishop Bavin and then I will ask you a question thereafter. I said to him at the trial: "Bishop, of which church are you a member" and he said "I am a member of the Church of the Province of Southern Africa". "The position that you hold 20 in that church?" "Diocesan Bishop of the Diocese of Johannesburg". "You heard this morning my reading to His Worship of a statement?" "I did". "Do you adhere to that statement?" "I do". "Is there anything you wish to add?" And he said, "Yes, please". He said, "Your Worship and members of the Court, I would wish firstly to affirm my belief in the vital importance of law and order within a nation, and in the undoubted need for laws in the ordering of our society. Therefore I do not lightly disobey even one of the laws of the land, and it was 30

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with some reluctance that I took part in the events of the subject of this trial. However, I would say this, that should I be found guilty by you in tribunal of breaking the law, I shall continue to believe in my innocence before the throne of Almighty God, for before that throne I know myself to be morally blameless in the matter in which I stand accused in this court. For it was in what I believed to be obedience to Him that I was part of the procession of clergy on May the 26th. I knew that by taking part in that procession, I might be charged with an offence 10 under the law, but my conscience and concern to do the will of God, sought in prayer, would not allow me to do otherwise. I perceived it to be my duty, therefore, to identify as fully as possible with a fellow-minister of religion who had been detained as I believe, for carrying out the normal pastoral and reconciling duties expected of any clergyman, and that without any explanation being given or obtained, and possibly for an indefinite period of time. Both the church to which I belong and myself have repeatedly and openly recorded our disagreement with legis- 20 lation which allows people to be detained indefinitely without public trial, and many representations on this matter have been made to our Government, apparently without any effect. We cannot continue indefinitely speaking to deaf ears, and so an important factor in my decision to take part in that procession of clergy, was the need to show by action that the Church is serious when she condemns legislation as being destructive of or contrary to the Light of the Kingdom of Heaven as taught by Jesus Christ. I hope therefore that we have succeeded, not only in 30

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possibly bringing about the early release of The Reverend John Thorn, but in also showing the Government and people of South Africa that many Christians will not forever accept and obey legislation which denies ordinary human rights to every member of our nation. I much regret that the letter of particular laws has had to be broken, in order to make this witness. However, St Paul tells us that the letter killeth but the spirit giveth life. Moreover it was by that same Holy Spirit of God, I believe, that I was led to follow the example of St Peter, when he indicated 10 to the authorities of his time that obedience to God sometimes counts higher than obedience to men, where there is a conflict. I would also remind the Court, Your Honour, that nothing less than the constitution of the Republic of South Africa was drawn up, and I quote, 'in humble submission to Almighty God', and it states, and I quote again, 'The people of the Republic of South Africa acknowledge the sovereignty and guidance of Almighty God'. In view of all this, Your Worship, I would ask with St Peter, whether it is right in the sight of God to harken unto you 20 more than unto God, judge He, for we cannot but speak the things which we have seen and heard. Thank you, Your Honour". Now, Reverend Storey, you were in court and you heard that? --- Yes.

Can you say as regards your attitude, how does that correspond, if it does at all, with the sentiments of Bishop Bayin? --- Yes, they are not my words, but I would certainly endorse everything that he has said there as being a description of why I was there as well, yes.

Did you have conversation with other priests 30

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who took part in the march? --- We spent some time together. We did, we have lots of conversation.

Can you say, in respect of what Bishop Bavin had said, whether this was or was not also their sentiment? --- I think so. There were those who could have put it into words like that, and there were those who, I think, had never perhaps thought terribly deeply about it, but I believe that that is why they were there, yes.

Now, there are just one or two short questions. You were questioned about awareness and conscientisation, 10 and I am not sure how happy you are with the use of those words, or if you would like to qualify them, explain a little, elaborate on it? --- Yes, I think I was asked - I do not quite recall the question, but I think I was asked about this ..

One of the methods of the South African Council of Churches, awareness and conscientisation?--- Yes.

That was the way the question was put. -- My understanding of those words, and I do not like the word 'conscientisation'. It is - only the Americans could 20 have invented it. It is not very good English and it is in a sense something of a catch word. My understanding of it, however, is that of the raising of awareness, and the sharpening of conscience, seeking to make people aware of a specific situation, and of what is happening in that situation, and challenging their consciences about it. That is the extent of the significance of that word, for me. I think one of the reasons why I dislike the word is that it is something of a catch phrase, and that it is a word which can be identified, I think, with particular 30

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ideological stance, and I would not like that to happen.

Do I understand then that the emphasis is really upon heightening of conscience, as we understand it in our everyday speech? Would that be a simpler and better way of putting it? --- Yes, I think one of the things that the Church is up against all the time, is that familiarity breeds not so much contempt; it breeds acceptance, and that there are people in our situation who are very good people, very good Christian people, but they live very comfortably with injustice all around them. They have just come to 10 accept it as part of the way things are, and to me conscientisation, if you like, is waking a person like that up.

Reverend Storey, there is just one last question I wanted to put to you, it is on quite a different plane at this stage. In the course of the evidence given by Mr Roelofse, the question arose as to the matter of permission having been granted to go through the files in Bishop Tutu's office particularly, on the basis of carte blanche having been given to him to do so. What do you say in re- 20 gard to that? --- Well, I remember that being raised, and I thought about it. I guess it is a question of interpretation. So far as I am concerned, in my correspondence with Mr Roelofse at the time, and discussions with him, I indicated that I - there were discussions about various conditions and so on, but the end result was, if you feel that there is something wrong here, then I want you to investigate it. There were things that I was unhappy about, and we discussed those, about the nature of that investigation, how it should be undertaken, there were suggestions 30

I made about, all really centring around my concern that staff members may begin to get the impression that they were being investigated by another staff member. Now, in the course of that, I put on paper my desire that we should get to the bottom of any problem of dishonesty that there may be, and that therefore he should continue in his work. All I can say is that if I am asked very honestly whether that implied to me a freedom to go into people's offices, shall we say, in their absence, and go through what is in their desks and so on, the answer is no, it did not imply that to me. 10

Thank you. Thank you, Mr Chairman.

CHAIRMAN: Thank you, Reverend Storey, thank you very much for your contribution. --- Thank you, My Lord.

MR. UNTERHALTER: Mr Chairman, we are desirous of presenting some evidence from our visitors, and we thought that we would like to use this afternoon, because they are visitors and their time also is rather short. We would try in the lunch interval, we hope to make use of this room, to do as much as we could so that perhaps we could assemble at 2 o'clock. I am not quite sure we will be ready then, but if we could perhaps send a message down to your rooms, just about 2 o'clock as to where we are, we hope we can then use the rest of the afternoon. 20

CHAIRMAN: Yes, very well.

THE COMMISSION IS ADJOURNED