

COMMISSION OF INQUIRY
INTO THE SOUTH AFRICAN COUNCIL OF CHURCHES

HELD AT PRETORIA

ON 19 MAY 1983

CHAIRMAN:

THE HONOURABLE MR JUSTICE C F ELOFF

COMMISSIONERS:

MR S A PATTERSON

PROF P OOSTHUIZEN

MR T L BLUNDEN

MR F G BARRIE

CHIEF INVESTIGATING OFFICER:

ADV K P C O VON LIERES SC

INVESTIGATING OFFICER:

ADV ETIENNE DU TOIT

SECRETARY:

MR M L MARAIS

ON BEHALF OF COUNCIL FOR THE

S A C C:

ADV S KENTRIDGE S C

ADV P A SOLOMON

LUBBE RECORDINGS (PRETORIA)

/Idem

VOLUME 74

(p 4328 - 4404)

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WITNESS: BISHOP D TUTU

VOLUME 75

(p 4405 - 4457)

THE COMMISSION RESUMES ON 19 MAY 1983

DESMOND TUTU, still under oath:

MR KENTRIDGE: I think you were at page 117 of your statement the last paragraph. Would you proceed from there please? --- (READING)

"The churches in South Africa have on their own initiative passed resolutions regarding ministry to South African refugees and chaplaincies to the liberation movements"

and I have documents, M'Lord, which I wish to place 10
before the Commission.

CHAIRMAN: This series will be numbered "BT 26". ----
It represents resolutions, M'Lord, and members of the Commission, of the Church of the Province of Southern Africa, the Methodist Church of Southern Africa, the Congregational - United Congregational Church of Southern Africa, and resolutions of the General Assembly of the Presbyterian Church of Southern Africa, and all I just wish to point out is that these churches either long before 1982 or in 1982, have on their own account passed the resolut- 20
ions relating to the subjects referred to in the Police submission. The first one is the Church of the Province of Southern Africa. We do not have page numbers for that, but the last sheet contains resolution 29 on refugees, but I would hope the Commission would also note resolutions on other matters which have been brought up by the SACC, conscientious objection, removals, mixed marriages and so on, and the next pile of documents is extracts from the minutes of the 100th Annual Conference of the Methodist Church. That has got page numbers, and there too 30

we find various subjects, on page 231 we have minute - or Section 9, Public Questions, and then on page 236, 10 is Conscientious Objection; page 238 is Ministry to Refugees, in which the Methodist Church bemoans the unfortunate lack of provision of pastoral care to Methodist exiles and refugees outside the Republic of South Africa, and the resolution says what ought to be done about this hiatus in the ministry of the Methodist Church. On page 264 is Ministry to the Other Side, and it speaks about membership of this church's committee for refugees. Then may 10

I please refer the Commission to the documents relating to the United Congregational Church of Southern Africa. There is a note there from its General Secretary. It points out that the Assembly of 1974 decided to withdraw from the United Board of Chaplains, and resolved that the church should exercise pastoral care on both sides of the fighting line, to SADF men, and to liberation movements. That is in 1974, eight years before the meeting in Kitwe. In 1975 we are told that the church must minister to the other side, and commended members of the liberation move- 20

ments to our ministers in Botswana and Mozambique who have exercised such a ministry on a sporadic kind of basis, and that these resolutions have in subsequent years been confirmed. On the next page, relating to the 1982 Assembly of this church, the last section - last paragraph on that page, the report of the Church and Society Department, it relates again to refugees, and then on the third page, Assembly 1981, Assembly recognising - paragraph 23 - that the Bible teaches a special concern for exiles and refugees, directs the Church and Society Department in 30

full co-operation with the South African Council of Churches and Christian Councils in neighbouring countries, to strengthen its ministry to refugees in neighbouring countries. That is in 1931, before this meeting. Then the resolutions of the General Assembly of the Presbyterian Church of Southern Africa, 1980, the Assembly recognised the bona fides of people who respond to conscription, but it also at number (c) recognises the bona fides of men who seek liberation from apartheid and from social oppression, and calls on this denomination to identify 10 with their aspirations by ministering to them in their situation, by interceding for racial equality, and for justice. The Assembly abhors the methods of terrorism frequently used by liberation movements and the reciprocal methods of terrorism of the opposing forces throughout the world. That is in 1980. In 1981 the Assembly reaffirms that it recognises the bona fides of those Christians who in good conscience before God take up arms to fight either for liberation or for law and order in South Africa, pays 20 tribute to those who in so doing suffer or pay the supreme sacrifice, and instructs the Moderator of each Presbytery to convey the church's sympathy and condolences to the next-of-kin whenever such cases are known. *

The SACC has for a long time been involved in the ministry to families of political prisoners, and the provision of legal defence, long before this Kitwe, May 1982 meeting, and the Police know this fact. It cannot surely be claimed that they have become so involved only in order to respond to outside initiatives. Perhaps what the Police are trying to say, that these activities are 30

precisely/...

precisely those that were recommended at this sinister Kitwe meeting where terrorists were present. So you see, this Council has been and is doing the kind of things that the members of banned organisations want.

"On page 42 reference is made to the R14 000 which I returned to Mr John Rees, the impression being created in the police submission that this action on my part was inspired by the words of the Kitwe consultation."

I will present some documents please.

10

CHAIRMAN: This series will be numbered "BT 27". ---

Thank you. I met with Mr Rees on a number of occasions, but here is a letter of 9 November 1981, before the Kitwe meeting, in which I raise the question of this R14 000, and I get Mr Rees' reply, the letter of 20 November 1981, and his statement or certificate, and then there is a statement by Matt Stevenson which indicates what happened with regard to this, and it is long before the May meeting of 1982, that we were concerned about this whole matter, and right up to March of 1982, which is before that meeting, we were still involved in investigations with regard to that particular letter, particular matter.

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"I just want to point out that .. I tried to clarify the situation about this anonymous gift especially as the Commercial Branch of the SAP were making inquiries and it had (also) featured in the Mbatha trial in the October of that year".

"I am getting tired but I need to continue this task. On page 43 (paragraph 1, the first line, the first sentence of that paragraph) a categorical statement 30

is/...

is made that the SACC is the instrument through which the ideals, convictions and ideology of the AACC and the WCC have been transplanted to South Africa. It is a totally unsubstantiated claim. It is churches who are members of both organisations, not Councils of Churches which are only affiliated members. Member churches (such as the Church of the Province of Southern Africa, the Presbyterian Church of Southern Africa, the Methodist Church, the United Congregational Church of Southern Africa, the Presbyterian Church in 10 Africa etcetera) participate fully in the deliberations of for instance the WCC and they vote, which the SACC cannot. And these churches have shown that they are able to reject resolutions which they find unacceptable, such as the grants to liberation movements from the PCR Special Fund. They are the carriers of the ideals and convictions and ideologies (whatever may be meant by this term) if a carrier is needed. It is not true either that it was only after PCR that the SACC began making statements 20 regarding social justice. The Police have forgotten that they referred to the 1949 Conference on Race at Rosettenville organised by the CCSA."

This is on page 8 of the Police submission.

"But (they are prepared to) use anything with which to beat the SACC.

If the SACC links up with this international ecumenical organisation, so do the churches. Why (is it that they will) not take on, for example, the Church of the Province of Southern Africa or 30

the/...

Do you have a copy in front of you? --- I have a copy in front of me, yes.

Before you were asked to look at it for the purposes of this Commission, had this article come to your attention? --- Not at all.

It is an article in the Journal for Contemporary History published by the Institute for Contemporary History at the University of the Orange Free State. --- I believe so.

And if you look at the beginning of it, you see that it starts off with a paragraph about Prof Kunert and his qualifications, and the last statement made in it is, he was recently appointed to the Board of Trustees of the South African Forum, formerly the South African Freedom Foundation. 10

M'Lord, I do not think it will be in dispute, but the South African Freedom Foundation was one of those organisations which purported to be independent, but two or three years ago it was revealed as being an Information Department front in the sense that it was fully funded by that Department, and when this came into the open, the Minister of Foreign Affairs indicated that that relationship was going to come to an end. 20

Now, Bishop, this article contains a good deal of quotation from the various resolutions and working papers of the Council of Churches, and in particular the Division of Justice and Reconciliation, on the question of foreign investment in South Africa and the pro's and con's of disinvestment. --- Yes.

Now, insofar as it quotes from these papers or resolutions/... 30

resolutions, I am not going to ask you to deal with it in detail, it has been dealt with by Dr Kistner and the documents of the SACC speak for themselves, but you will have observed that this article contains a number of allegations which amount to saying that in the attitude it has taken on this subject, the South African Council of Churches has become an echo of the World Council of Churches and has been influenced by political ideological and particularly Marxist rather than religious or theological considerations. I want to draw your attention, with- 10
out going through it, in detail, I want to draw your attention to certain aspects of this. The first section deals with the World Council of Churches and Revolution - 'Revolution' is in quotation marks, and if you turn to page 2, dealing still with the World Council of Churches, about 10 lines from the top of the page, it says:

"Behind the smokescreen of the Scripture action programmes for political revolution with a pronounced anti-Western and anti-capitalist bias were devised and Christianity was identified with, if not 20
reduced to revolution and liberation. In the process a sorry caricature was produced, massive omissions of parts of the New Testament supplemented by selective pickings of relevant passages, drained the Christian message addressed to individual souls of its meaning, situational ethics substituted for Christian ideals".

Now, from your knowledge of the World Council of Churches, are these general statements a fair reflection of the World Council of Churches in the 1960's? -- Not at all. They 30
are/...

are a caricature, not even a caricature, because I do not know anywhere where you could find justification for speaking about massive omissions of parts of the New Testament, and who says the Christian message is addressed to individual souls only? What competence does the Professor have for making theological judgments?

That is one of the general questions I was just about to come to. We do not want to re-enter the theological debate for the fifth or sixth time, but let me just say, on your reading of this article, has Prof - does 10 Prof Kunert appear to have any qualifications to enter a theological debate? -- There is no evidence at all.

Now, then, let us look at page 3, paragraph 1.2 where he turns to the South African Council of Churches and liberation, and he puts 'liberation' in quotation marks. -- Yes.

I want to point out the sort of language which he uses. He says:

"In many respects the WCC's radicalisation process is mirrored by the increasingly strident pro- 20 nouncements issued by the South African Council of Churches".

Now, do you view the pronouncements of the SACC as strident? Do you know why they should be called strident? --- No. They are usually couched in the form of appeals, after you perhaps - stating what the churches regard as the situation in our country, how this is seen in the light of the Gospel of Our Lord Jesus Christ, and I would not myself think that they deserve to be described as strident.

Yes, then you see at the foot of the page, in 30

the/..

the last paragraph on page 3 he says:

"The change over from the Christian Council of South Africa to the South African Council of Churches was accompanied by the politicalisation of an organised bureaucratic Christianity".

--- I do not understand what that means.

Now, that is an example of the language he uses, and then at the top of the next page, the third line, it says:

"This national church organisation (that is 10
the SACC) had definitely entered into a symbiotic relationship with its global counterpart (that is the WCC)".

Do you know what that is supposed to mean? -- No.

And then it says:

"Its move towards over-emphasising and propagandising social and political issues, caused an estrangement with the local evangelical denominations".

To what, if anything, does that refer? Do you know of an estrangement? --- I would say that there certainly 20
ly were churches such as the Baptists who felt that they could not any longer go along with the South African Council of Churches, because of an emphasis on the application, concrete application of the Gospel of Our Lord Jesus Christ, the implications of that Gospel in the situation of our country, and that there were such groups who did not wish to associate with the Council.

Well, did you lose membership at this time? --- I know - it is not more than, I think, the Baptists.

Yes, he speaks of local evangelical 30

denominations/...

denominations in the plural, but he does not mention which ones. You cannot help? -- No.

Then, just look at the third paragraph on page 4, the one that starts "The SACC was about to embark on a collision course with the South African Government", and you see at the end of the third line of that paragraph, he speaks of the regime's apartheid policy, and the word 'apartheid' is put in quotation marks. --- Yes.

Do you know why it is put in quotation marks? --- Usually when that is done, it will mean that either 10 people do not know the meaning of the word, or the generally understood meaning is not that which is accepted by the author.

By the author, yes. Then, look at the last paragraph on that page. It starts, "As the gulf widened between the SACC and its local constituency, the organisation became increasingly dependent for its continued operation on overseas financial support. Many local donors felt alienated by the unremitting hostility that the SACC almost compulsively displayed towards the national socio-political 20 dispensation". Now, what do you say to the statement that many local donors felt alienated? Did you lose local donors that you are aware of? -- I am not aware of this. Our church leaders have explained just why the churches in South Africa have been unable to step up their giving in any significant way.

Do you - are you aware of a widening of a gulf between the SACC and its local constituency? --- Not if you mean by local constituency its member churches. They have stuck by the SACC very firmly. 30

Then/...

Then this next sentence, this unremitting hostility, it is said, almost compulsively displayed towards the national socio-political dispensation. Presumably by national socio-political dispensation he is talking of the apartheid system? --- Yes.

And is it correct that the SACC has been unremittingly hostile to it? -- Yes. But so have all Christians outside of South Africa, I should say, most of the - most self-respecting Christians.

Now, then it says, lower down in this paragraph, 10 a few lines lower down:

"While the SACC had initially been critical of grants to terrorist movements by the Programme to Combat Racism, by the mid-1970's it staged a volte face and came out in wholehearted support of the principles propounded by the PCR".

What do you say to that? --- It is not true that there is anywhere where the SACC had accepted the special fund donations to liberation movements.

And then, look at the next sentence. Remember, 20 he is now talking about the SACC. --- Yes.

"The conceptual analytical and terminological tools of the para-Marxist school of sociology and political science impelled by and subsequently gaining respectability during the paroxysmal days of the Vietnam war period, were infiltrating into the main-stream thinking of the intelligentsia elite running the SACC".

Leaving aside for a moment the Professor's remarkable use or misuse of the English language in that sentence, let us just think about what he said. Are you conscious 30

of the tools of the Marxist school of sociology and political science infiltrating into your thinking? --- Not at all.

Or into the thinking of someone like Dr Kistner? --- I am not aware of it.

This reference to the intelligentsia elite running the SACC, it is true, he has talked of the period before you came into the SACC, but you know the people concerned. Why should they be called the elite? What sort of people were they? --- All I know is that the South African Council of Churches has been controlled by the National 10 Conference, which is made up of delegates chosen by member churches, observer member churches and member organisations. It is controlled by the Executive Committee, who would come from much the same kind of grouping. It is controlled by the Praesidium, and by divisional committees made up of members of the churches, and I have no notion at all to what this refers.

This intelligentsia elite, I do not know if it is meant to suggest that there were people outside the clergy or the lay members of the churches who were running 20 the SACC. If that is the suggestion, is there any foundation for that? --- There is no foundation.

Then the next sentence says:

"Buzz words like racism, liberation and structural violence were flying about".

I think by 'buzz words' he means the fashionable word? --- Yes.

'Buzz word' itself I think is a buzz word? --- Yes.

Now, racism, do you find any difficulty - do you know why racism should be called a buzz word? --- 30

I have no idea, because already in 1949 there was a conference by the forerunner of the SACC, at Rosettenville, dealing with it, and I just think that it is one of those shibboleths that are thrown about.

Then at the top of page 5, again it says:

"Its (that is the SACC's) adversary stance towards the local situation was infused with social gospel activism and embellished with a touch of radical chic".

Now, apart from simply being invective against the SACC, does this seem to you to relate to anything in the actual thinking of the SACC? -- No. 10

Do you know why he should refer to radical chic? --- Radical would be one of those words that are used to scare people, as if it were a frightening word. I do not know, chic, it may be that he is suggesting that people assumed that particular stance in order to be fashionable.

Yes, I think that is exactly what he does mean. Is there any foundation for that? -- Not at all. The Council of Churches weekly infallibly seeks to stand by what it believes to be the imperatives of the Gospel of Our Lord Jesus Christ. 20

I just want to show you the sort of thing he says, on a number of occasions, on page 5, in the second paragraph, on about the seventh line, talking about the Christian Institute, he says:

"The Christian Institute propagated its message through its mouthpiece Pro Veritate".

Now, do you know Pro Veritate? --- Yes.

What was it? What was Pro Veritate? Was that 30

a newspaper? --- It was the magazine of the Christian Institute.

Yes, the official magazine? --- Yes.

It was known as the official magazine? --- Yes.

Do you know why this sneering phrase, its mouthpiece, should be used?

Your Lordship will find it is used no fewer than three times in this article. It speaks of Pro Veritate as the mouthpiece of the Christian Institute.

Was it quite openly an official organ of the Christian Institute? --- It was openly so known by most people. 10

Then again, if you go well down in the same paragraph, about another 10 lines below that, you see the sentence starting:

"As the WCC transformed itself into an effective pressure group of the Third World, with the concomitant transformation of theological concepts, the SACC increasingly paid heed to the more eloquent and radicalised elite of its Black constituency". 20

Are you aware of any elite in your Black constituency, whether radicalised or not? --- No.

And then three lines lower:

"The concerns and prejudices of secular humanism which the WCC demonstrated on a macrocosmic plane, the SACC reflected on the microcosmic level".

Do you think that the SACC reflected a secular humanism? --- No.

Do you think that this author has - I have asked you that already, has any particular qualifications 30

to/...

to analyse your theology? --- On the basis of this document, no.

Then look at the last two sentences of that long paragraph:

"The WCC's Programme to Combat Racism was almost inevitably mirrored in the SACC's Justice and Reconciliation Division. The shrill voice of the former echoed in the more muffled voice of the latter".

What do you say to that suggestion that you were simply mirroring and echoing the WCC's Programme to Combat Racism? --- There is no basis in fact for such an allegation. 10

Incidentally - we will deal later with the suitability of this sort of language in what purports to be a scholarly article. Just look at that last paragraph, the last two lines on page 5, just glance through it, and the next paragraph at the top of page 6. You see that paragraph ends at the top of page 6:

"While the SACC's initial reaction (that is to disinvestment) was critical, it at least pacified the more extremist element of the WCC by setting up a Commission to Combat Racism within the framework of the SACC bureaucracy". 20

While you have been Secretary General of the SACC, have you ever sought to pacify any elements in the WCC? -- Not at all.

Then we come to some - we come to an account which we need not worry ourselves about of the - what the SACC did during the years 1972 to 1975, and apart from the fact that it contains comments which we do not need to 30

take/...

take up time, but just go to the last line on page 7. ---
I have got it, yes.

It says:

"Not only the South African churches but also the SACC was no longer speaking with one voice. Rees was admitting as much".

Does the SACC necessarily have one voice or one opinion on these matters? --- Not at all. It was demonstrated by the President before this Commission, that especially on the subject of investment and disinvestment, 10 there are at least two schools who hold two different views.

Then, let us just - the next sentence is interesting, Bishop.

"As control of the SACC was passing to South African Blacks, proponents of Black Consciousness and liberation theology seemed bent on using the organisation as a platform for political agitation".

Can you from your knowledge identify proponents of Black Consciousness who were bent on using the SACC as a platform for political agitation? --- No, I cannot. 20

I just want to point out, Bishop, to the members of the Commission, the spurious use of footnotes by this author. You see, this has got a footnote, 25. --- Yes.

And so one would no doubt expect that by looking at the footnote one would find some support for the allegation that proponents of Black Consciousness seem bent on using the organisation as a platform for political agitation? --- Yes.

But if you turn to page 30, and you look at footnote 25, all that you find is a quotation from an article 30

in the Daily Despatch, and East London newspaper, to the effect that by the 1970's Blacks gained an increasingly influential position in the SACC, and he quotes the article "Reconciliation a Must, says Church Leader" in the Daily Despatch. That is the only support. -- Yes.

Then he refers to pro-investment voices, in paragraph 3 he deals with the Christian Institute as a catalyst. If you look at the last line on page 9, you see again he refers to the Institute's mouthpiece Pro Veritate? --- Yes. 10

Well, I have asked you already if there is any reason for using that sneering term, mouthpiece. As far as you know, did Pro Veritate ever cease to be anything but an official journal of the Christian Institute? -- Not until they were banned.

Then just look at page 10, the last paragraph. Once again, just an example of the language used by this academic author. You see, in the last paragraph, the first sentence that -

"Yet by 1976 even prior to the outbreak of 20
unrest in Black townships, the politicalisation of the Christian Institute had reached a new threshold. Its Director had hitched his destiny to the Black Power Consciousness movement originally spurned by the Institute".

Do you note that word 'spurned'? --- Yes.

Well, interesting as it is, I do not think we need to deal with what he has to say about The Reverend Beyers Naude. Let us have a look at page 12, 3.2, "Overseas Churches, the Policy of Influencing". Do you see 30
that/...

that begins:

"While the Christian Institute appeared to have been instrumental in shaping the outlook of the SACC on the investment/disinvestment issue, overseas church organisations also helped to steer the SACC away from its almost unconditional pro-investment stance".

Do you think it is right to say that overseas organisations helped to steer the SACC in any direction? --- No. The SACC listens to its partners overseas. That is the point of a relationship, but this is untrue. 10

Now, again as an example of the language used, at the top of page 13, the second sentence, about the SACC document, he says:

"But it was not merely a lack of expertise that gave the SACC report on investment its biased twist".

Do you note that language? -- Yes.

Then look at the third paragraph, which starts:

"Following the WCC resolution passed at Utrecht, a spate of statements issued by overseas church organisations reached the SACC headquarters at Diakonia House in Johannesburg" 20

and it says:

"Many of these resolutions were a replica of the original, if not necessarily in tenor, then at least in structure".

Now, 'tenor' means of course, meaning or substance or purport? --- Yes.

And if they were not necessarily replicas of the original in tenor, but only in structure, can you understand what the author is getting at? --- I do not know 30

what/...

what the sentence means.

Just look at page 14, the last paragraph. He speaks there of a meeting in Driebergen in Holland where he speaks of the pro-Soviet African National Congress and the pro-Communist Pan Africanist Congress. Do you have any knowledge of the Pan Africanist Congress policies? --- I know that it abhors Communism.

Look at page 15 where he comes to the SACC report on investment in South Africa. Well, that - the status of that document has been dealt with by Dr Kistner. 10
Now, just have a look at this statement in the middle of the second paragraph:

"The time had come, it was argued, to re-assess the ethical principles underlying the capitalist or free enterprise system, partly to make the Christian message more palatable to Marxist-, Leninist-ruled countries".

Has that been a motivation of yours while you have been in the SACC? --- Not at all. Why should we be concerned about making the Christian message palatable to 20
Marxists?

It says:

" .. and partly to make Christianity more relevant to certain Black circles that were actively propagating socialism and/or African communalism. Note 49".

In other words, he has alleged that there was a motivation in what was being done, and you see a footnote 49. ---

Yes.

Now, just turn to footnote 49 on page 31. --- 30

I have done so, yes.

Can you see anything there at all to support what is stated in the text? -- No.

Incidentally, in that footnote, again he cannot refer to Pro Veritate without calling it the Christian Institute's mouthpiece, Pro Veritate. Do you see that? --- I do, yes.

Well now, on page 16, he sets out the suggested revised code of ethics. Do you see it? --- I have got it, yes.

Thirteen points. Let us leave out point 13 10
for the moment, boycotting the South African arms industry. Just cast your eye over 1 to 12. I suppose you are familiar with them. Can you see why any decent company, whether South African or foreign, should not want to accept those points 1 to 12? --- Not at all.

Then in - on page 17 in 3.4, he deals with South African churches and disinvestment, and this indicates that the Church of the Province set up a commission on the question, and that that commission, in 1977, did not agree with the SACC's document? --- Yes. 20

Are they entitled to differ? --- Absolutely.

And then, you see at the foot of 19, the author sets out what the Anglican commission concluded. Do you see, the last paragraph on the page? --- Yes.

"The commission agreed it should stay clear of offering sweeping solutions which lack realism and humility. While disassociating itself from the disinvestment campaign, it came out in favour of bringing pressure to bear on overseas companies to improve the employment conditions of Black. The Anglican Church 30
should/...

should be guided by the following criteria" and here is a code which they set out? --- Yes.

Including equal pay, training, recognition of unregistered trade unions, active concern and engagement in residential conditions of employees and so on. Again, apart from the question of the boycotting of arms industry and perhaps the depositing of capital in Black banking institutions, do you find anything particularly different between their code and your code? --- No, not really.

There are certainly differences in detail. Then 10 we come to what seems to be the ultimate part of this article, paragraph 4, page 20, which is headed "Desmond Tutu and the SACC. Phase 3, 1978 to 1979". You see, 4.1 has the heading "The SACC loads the Dice". Look at the top of page 21, this refers to your period of office? -- Yes.

"The SACC was deliberately heading for a major clash with the country's political authorities".

What do you say to that? --- I do not understand what it refers to, since the SACC has always sought negotiation, and to alert the authorities to the seriousness of 20 the situation.

Well, did you as General Secretary deliberately head the SACC into a major clash? --- No.

In reading through this article, have you found any evidence produced by the author to support that statement? --- Not at all.

Well, then he deals with the work of the Justice and Reconciliation Division and their draft resolution in April 1978, and the debate on it, and on page 22 he deals with the resolution itself, but I would like 30

to/...

to draw your attention to the first paragraph, on page 22. It says:

"On the eve of the National Conference of the South African Council of Churches, Secretary-General Tutu despatched a circular to all member churches and delegates. To make the atmosphere bristle with tension and possibly to project the image of political martyrdom, he drew attention to the legal implications of public discussion, revolving around the foreign investment issue".

10

And he refers to Section 2 of the Terrorist Act. It says, after quoting it:

"The delegates were asked to read the investment resolution against the background of these provisions"

So here he attributes certain motives to you. First, was he present at the National Conference, to your knowledge?
--- No.

Now, he says that you did this, you drew their attention to the Terrorism Act in order to make the atmosphere bristle with tension. Did you have any such motive?
--- Not at all.

20

Did the atmosphere at the National Conference bristle with tension? --- It was a difficult subject to deal with, and we even had recourse to a session with our attorneys.

Yes, well, here he says, one of the reasons you did this, also was possibly to project the image of political martyrdom. Was that your motive? --- I wanted us to discuss the subject responsibly and seriously.

Did you seek martyrdom? --- No.

Let us have a look at page 23: "Bishop Tutu

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and/...

and Escalation Politics". By the way, have you ever met Prof Kunert? --- No, I have not.

Because he does not seem to like you? --- I have not.

Well, it says that in the wake of the National Conference the Secretary General escalated the confrontation approach. And he quotes something you said to the Royal Commonwealth Society in London, and then going down, half-way through that paragraph, do you see the sentence:

"When addressing a small audience in St Alban's Cathedral in Pretoria, Tutu admitted that he had called on overseas governments and organisations to exert pressure on the South African Government diplomatically, politically and economically". 10

Now, have you ever tried to hide your views on these matters? -- I have not.

The suggestion seems to be that you made an admission not to the broad public, but only to a small audience in Pretoria? --- I have said much the same thing many times over, and have been quoted in newspapers. 20

Yes. Then, let me go on, two sentences after that:

"When the WCC announced its grant of tens of thousands of dollars to the terrorist Patriotic Front of Nkomo and Mugabe, Tutu viewed this as a positive identification with the cause for liberation, though he hypocritically hastened to add 'They wish to declare their identification with those who are struggling for peace, justice, human rights and a different order to society'."

So here this gentleman has accused you of hypocrisy? --- 30

Yes/...

Yes.

I suppose he means that you were saying something you did not really believe? -- Yes.

Is that true? -- It is untrue.

Now, we have just - let us keep our eye on that allegation of hypocrisy, because we are going to see something - have something to say about Prof Kunert's attitude here. Just an indication - just - let us just go back to the beginning of 4.3 on page 23, where I pointed out the Secretary General escalated the confrontation approach, and 10 then at the top of page 24, the first new paragraph, five lines from the top:

"Once having stepped on the escalatory ladder" - now, you remember, you are the one who escalated? --- Yes.

He says:

"There is almost no stopping. Symbolically the radicalisation of the SACC manifested itself when delegates attending the 1979 National Conference at Hammanskraal fired on by the US activist Jessie Jackson raised clenched fists in the final stages of the 20 closing service".

Well, I think we have dealt with this at a pretty early - I think when we were dealing with Mr Cain. I think I put it to him. Let me ask you: did you raise your clenched fist? --- I never do.

You note that this is the same thing which was said by The Reverend Mr Cain in evidence? --- Yes.

Then just look at the middle of the page for - again, the words used by this academic scholar:

"The theme he had intoned on previous occasions. 30

was/...

was again picked up by Tutu at the National Conference".
Do you know why he uses the word 'intoned', apart from
it being a sneering word? -- No, I have no reason to know
it.

And the theme that he mentions is that you say that
Oliver Tambo was a committed Christian? --- Yes.

Is that your belief? --- I do believe that, yes.

Do you know him? --- I know him.

Now he is dealing with the question of your advocacy
of economic pressures. Look at the foot of page 10
24:

"The policy advocated by the General Secretary was
bound to lead to increased unemployment, especially
among the Black population with all its dire conse-
quences of widespread hardship and malnutrition;
that this stance was clearly incompatible with the
espoused policy of being a caring church immediate-
ly struck many reasonable members of most South African
denominations."

Now, this is an accusation which I think has been 20
made by others? --- Yes.

Against your policy. Let us just keep that in mind.
We are going to come back to it. Then he speaks of the
fact, at the top of page 25, that the Bishop of
Johannesburg, The Right Reverend Timothy Bavin, said that
he was not speaking on behalf of the Diocese of Johannesburg.
I take it you never purported to speak on behalf of the
Diocese of Johannesburg? --- No.

Then there is an interesting sentence which says 30
something about the academic standards of the

Professor. He says:

"Privately Cardinal McCann and Archbishop Fitzgerald of the Roman Catholic Church expressed their disagreement with the General Secretary's boycott call"

and if you look at the footnote, footnote 76, he says:

"The information was supplied by the secretary to Archbishop Fitzgerald, a telephone conversation with the author".

So although this view was expressed privately, we find it published here in the journal. And then you see, 10 he quotes:

"The Chairman of the Christian League of South Africa, The Reverend Fred Shaw, accused Tutu of sentencing Blacks to starvation and unemployment".

Well, we all know about the Christian League of South Africa and The Reverend Fred Shaw, but - and who was supporting them. Now, I am afraid I must come - I am sorry to have to do it, Bishop Tutu, but I am afraid I must come to the paragraph at the foot of page 25. Do you see it? -- Yes.

It is the one which refers to your son. --- 20

Yes.

It reads:

"Those urging no more investments are largely recruited from groups that are economically and financially well-cushioned and who enjoy job security, i e political organisations, churchmen and students. This observation is singularly borne out by Bishop Tutu himself".

Incidentally, just pausing there for the moment, do you think that being General Secretary of the South 30

African/...

African Council of Churches in the present situation in South Africa is a good example of a secure job? --- Not at the present time.

No. But let us see how he goes on. He says:

"This is borne out by Bishop Tutu himself".

And then let us read what he says:

"While he has no compunction about plunging tens if not hundreds of thousands of South African Blacks into poverty and misery, the 23 year old son of the General Secretary of the SACC, Trevor, while 10 studying in London, is having a ball. He drives an MG, has a pleasant one-bedroomed flat in a wooded area overlooking the Thames and often mingles with the "Gin and Jag" set, but he fully endorses his father's stand against foreign investment in South Africa and believes that the introduction of Socialism would destroy apartheid. He doubts whether there can be meaningful change in South African without violence"

and there is a footnote 81, which we find on page 20 32, and it is from an article in The Star headed "Tutu's Son has a Ball with Gin and Jag Set in UK". So that is his authority.

Now, M'Lord, on behalf of the SACC I shall in due course submit that there can be nothing more despicable than to try to attack a man through his children, that even if this were true, it would be irrelevant.

But nonetheless, Bishop, I am afraid I must ask you something about the truth of this. First of all, at this time, or in 1979, was your son Trevor in London?--- 30

He/...

He was in London, yes.

Was he having a ball? --- He was a teacher in a comprehensive school.

A full-time teacher? --- A full-time teacher.

Was he earning a salary from that? --- He was earning a salary.

I believe that he had taken a degree at Imperial College, London? --- He had taken an Honours B Sc in Zoology and then studied at King's College for a post-graduate diploma in Education. 10

Did he get it? --- He had got it, yes.

So he was - he got his degree, an Honours degree and he got his diploma? -- Yes.

And when he was a teacher, you have said he had a salary, were you supporting him? --- No.

It says he drives an MG. Did you know that motor car? --- I got into it at very great risk to my life.

What sort of car was it? --- It was a beaten-down second-hand, at least, it could have been a third-hand car, the exhaust pipe always sort of falling off, 20 and you were never quite sure you would reach your destination.

Do you know, there is this quotation from the Star that he mingles with the "Gin and Jag" set. This seems to suggest he led some sort of dissolute life. Do you think that is true of your son? --- Well, as his father I would want him to be better, but I was not aware that it was a particularly dissolute life.

Was he a full-time teacher? --- He was a full-time teacher. 30

And/...

And how he is in South Africa. Is he in employment?
--- He works in South Africa for IBM.

Yes, on a full-time basis? -- On a full-time basis
yes.

Well, again at the top of page 26 he comes back to
it. He says that you were willing to condemn the Black
community to suffering, and then - do you see in the third
paragraph on that page; it starts:

"While Tutu stubbornly adhered to his pauperisation
strategy of South African Blacks". 10

That seems to indicate that you had some strategy that
Blacks should be pauperised in South Africa. Have you
or did you ever have such a strategy? -- I never had, and
do not have one.

I think this is based on your acceptance that if
there were economic disinvestment, it might cause hardship,
some hardship to Blacks, but you would nonetheless think
it was justified? --- Yes.

What is the reason for that view of yours? --- First
of all it is a view that has been propagated by 20
outstanding African leaders such as Chief Luthuli who have
suggested that Blacks are suffering now, a suffering that
seems to be endless, just now, as we sit here in a warm
room, people in the KTC camp have had mothers with their
flimsy covering, torn off them, burnt, mothers arrested,
and we have heard also of the camp in Noordhoek in the
Cape, which was flattened yesterday. In Soweto just now,
there are people who are living in tents and in prefabs,
whose homes have been demolished. There are over 2 mil-
lion Blacks who have been uprooted and dumped as 30

if they were rubbish, and for anybody to suggest that Blacks are living in clover, or the majority of Blacks are living in clover, is to be highly cynical, and the idea is that you look for a peaceful way of bringing about pressure on those in authority, to try to change a system that has brought untold misery and suffering to people, and that there are two kinds of suffering; there is a suffering which is purposeless, such as the suffering that our people are undergoing at the present time, and there would be a suffering that is teleological, a suffering that 10 has a goal, and would bring to an end this misery of our people.

Yes. Let us just turn to page 27, at the top of the page. He is talking about the SACC.

"It has converted itself (he says) into a transmission belt for radicalised secular humanism, and a catalyst for polarisation"

and then it says:

" .. dividing the Christian community, pouring salt into the open wounds of the South Africa body 20 politic; its prophetic calling has turned into a raucous strident call for violence".

Did you ever know the SACC call for violence whether raucously or stridently or otherwise? -- It has never done so. It is quite untrue.

There of course there is no footnote at all. Then just look at the middle of that page. He says:

"An ever-widening gulf is opening up between the SACC and the Black community".

Are you aware of that? --- I am not, and may I just 30

refer/...

refer to a survey that - could I please put before the Commission ..

Well, I wonder if we are looking for it, perhaps we can give it to Your Lordship after the adjournment.

THE COMMISSION IS ADJOURNED

ON RESUMPTION:

DESMOND TUTU, still under oath:

MR KENTRIDGE: You wanted to refer to some figures in relation to Prof Kunert's allegation of the ever-widening gulf opening up between the SACC and the Black com- 10
munity.

CHAIRMAN: This will be "BT 28". --- M'Lord, I want to refer at this point to the fourth sheet, after the first three, which come from The Star. There is page 34 and 35, and I just wish to refer to ..

MR KENTRIDGE: What is it, page 34 and 35 of? -- It is a document from the Centre for Research and documentation of the University of Zululand, a socio-psychological study of the unrest in African schools, by A J Gilbert, which was done in 1981. 20

And is this an opinion evaluation of Black pupils in Black schools, where, in Natal? --- In Natal, in Zululand, yes.

Now, look at page 35. You wanted to refer to Table 17? -- Yes. Just before doing so, I wanted to refer on page 34 to - has a political affiliation because the heading is of a political party. I do not think that that is obviously a correct description of the Council, but here we have a table showing what these pupils consider to be the contribution that the various itemised 30

groups/...

groups there are likely to make in the future of South Africa, a good future of South Africa, and the South African Council of Churches according to this table, is regarded as having a 59% contribution.

I see. Thank you. Now, if you go back to Prof Kunert's article, his next sentence is:

"It seems that on the other hand Governmental policy is more attuned to Black sentiments prevailing at the grassroots level."

And his authority for that is a public opinion poll 10 published in November 1979 by a marketing organisation called Markinor, which says that the Prime Minister, Mr P W Botha, at that time, had great popularity amongst Blacks, and this reflected an overwhelming change from the image of his predecessor, John Vorster. -- Yes.

Now, first of all, go back to November 1979. What was the situation then with regard to the Prime Minister?

--- I think he had just become Prime Minister, and had also - I believe - visited Soweto, and had made a very good impression. This was before the President's 20 Council and the exclusion of Blacks from that body. It was before the constitutional proposals which excluded most Blacks from - well, excluded all Africans from consideration, and this particular table that I referred to, which is a more recent thing, admittedly he is not speaking about the Prime Minister as such, but he speaks about the Nationalist Party and he says, 39.

Yes. Now, Bishop, let us just get this clear: he speaks about Black sentiments prevailing at grassroots level. Now, you have told us that you in addition to your 30

position/...

position in the SACC, you have a parish? --- I have a parish in Soweto, yes.

You live in Soweto? --- I live in Soweto.

And do you know many people there? --- Of course.

And do you move about among the Black community?

Do you go to .. --- I am Black, and I live in a Black community, and I serve a Black congregation. --- No.

Now, in your experience in the Black community, have you come across Prof Kunert? --- I have not yet met him.

Have you not, moving around amongst your Black 10 friends in Soweto, have you never met Prof Kunert? He seems to have some knowledge of Black sentiments at grass-root level. Do you know why, why he claims this? -- I have no notion at all what qualification he has.

Then, just let us finish off this article quickly. Let us turn to page 28, the first paragraph, the last sentence:

"One cannot help but wonder whether the tortuous position staked up by the SACC is not motivated more by a socialist belief as the report of the 20 Anglican Church of November 1977 surmised when diagnosing the critics of South Africa, rather than by abhorrence of racialism".

What do you say to that?--- The Council of Churches is directed by what it believes to be the demand and the command of Our Lord Jesus Christ in the Scriptures.

He suggests here that you do not really have an abhorrence of racialism; you just have socialist beliefs in the SACC? --- Our position regarding apartheid and obviously racism is based on the Gospel. 30

If/...

If you look two-thirds of the way down the page, he speaks of the dilemma that arises in the wake of loss of faith. I do not know who he suggests has lost faith. Do you think that your colleagues in the SACC can be accused of having lost their faith? -- On the contrary.

Now, look at the last paragraph.

"What intellectual Lumpen proletariat is to Marcuse, the Third World peasantry to Fanon the proletariat to the Marxist Leninist, the imaginary Black is to the SACC which has established itself as a kind of "victim search committee". "

Now, he speaks of the imaginary Black. Now, when you speak about Blacks, are you speaking about imaginary Blacks? --- No.

Do you know Blacks? --- I minister to Blacks, I work with Blacks, I am Black.

Have you been to removal areas, resettlement areas?

--- I have visited those, yes.

And when you talk of hardships or suffering by Blacks, is that imaginary? --- It is painfully real. 20

And then he speaks of victim search committee, as though apparently you decided to look for some victims whom you could help, I think on the basis that they may not be real victims at all. Now, what do you say to that phrase of victim search committee? --- Well, I would want to take him to Chicken Farm outside Kliptown, today, and he probably would suggest that we are responsible for the drought so that we should want to dispense aid to drought-stricken people.

Right well, now, you know, as I said, that 30

he/...

he had accused you of hypocrisy, that you were indifferent to the hardship and malnutrition, you were not caring, you were prepared gladly to see the suffering of Black people. Now, do you anywhere in Prof Kunert's article, because I have not read it all out to you, do you find any acknowledgment that at the present time in South Africa Blacks are suffering any hardship at all? --- No.

Or that there is any actual malnutrition? -- No.

Other than in this context, have you ever found Prof - have you ever come across Prof Kunert publicly 10 expressing any interest in the suffering or hardship of Black people? --- No.

Have you ever heard in public that he has raised his voice against racial discrimination? -- No.

Now, he has spoken about, as I have said, your hypocrisy and the fact that your actions are not those of a caring church. You have given evidence about what the SACC has done about feeding people, giving blankets to people who are out on the veld providing tents. Now, I think you must - I want you to think carefully and 20 to be as fair as you can to Prof Kunert.

Sometimes when the SACC has been to these poor people with its blankets or its food, have you not found that Prof Kunert has been there before you with his blankets and his food to give to them? Have you ever found him there? -- No.

Have you ever known him to go anywhere with a feeding scheme or with a self-help scheme for Blacks? --- I am not aware of that.

And when you have given scholarships to young Black people, has anyone ever said to you, I do not need 30

it, Prof Kunert has provided me with a scholarship? ---

No.

Again on this suggestion that you are a victim search committee, dealing with - in your statements with imaginary Blacks, from your knowledge, your personal knowledge of the Black community, do Black families prefer being separated from their breadwinners? --- No.

Do they like to be moved to distant rural areas? --- They have refused to move, and the most recent example is the people of Driefontein, whose leader was shot 10 by the police.

Now, Bishop Tutu, I do not propose to ask you any more questions about this article, although it is possible that My Learned Friend, Mr Von Lieres, may do so.

M'Lord, Your Lordship asked us to deal with this article, and to comment on it. I do not know whether Prof Kunert actually sent it in as evidence before Your Lordship.

CHAIRMAN: The idea underlying my decision that this should be put to the SACC, is that it could give its version of the facts. I was not at all interested in 20 the rhetoric which this article displays, but it purports to set forth facts. One of the functions of the Commission is to find - record the facts on certain matters in the life of the SACC. One of those matters is its stance on investment and disinvestment. My basic objective in asking for comment on this was to set forth the version, the factual version of the SACC in relation to that.

MR KENTRIDGE: Well, M'Lord, I have instructions on that. Your Lordship will see that - I mean, obviously insofar as it expresses opinions, the author is fully 30

entitled/..

entitled to his opinions.

CHAIRMAN: No, I am not interested in his opinions. I am not interested in his rhetoric either. I was interested in getting as much as I could by way of facts, on the theme of the - the attitude of the SACC and its Executive Committee.

MR KENTRIDGE: Well, M'Lord, our submission is this, that although it purports to be a scholarly article with all the apparatus, the footnotes and so on, it is in fact very much - very largely simply invective, using 10 often the language of insult. Insofar as he quotes actual documents of the SACC, he does seem to have taken them out of the booklet that was published. But Your Lordship sees that in addition to those statements, which on the whole seem to be factual, there are other parts of it which are couched not as opinion, but in a language of fact. For example where he says that this or that policy was taken over from the WCC, or this was based on Marxist ideology. M'Lord, I would say that although those are - that is in the language of a factual statement, it is 20 really simply comment, and the Professor's opinion, but to the extent that it purports to be fact, well, Your Lordship and the Gentlemen of the Commission have heard Dr Kistner; they have heard Bishop Tutu; they have seen the documents for themselves. I do submit, M'Lord, that it is a pity that something which is published on a scholarly journal and does purport to be a scholarly factual article, is full of emotive and sneering language. As far as the theology is concerned, we ask Your Lordship to ignore that. 30

Well/...

CHAIRMAN: Well, it was never the intention that you should be called upon to defend anything in relation to the allegations made on the theology. That was not the intention. This Commission is concerned in getting assistance as far as it can, from the SACC on certain themes which have arisen. One of these is disinvestment. Speaking for myself, I am not at all interested in invective. I can recognise it for what it is. Also the theology, I am purely and solely interested in the factual - facts and the Commission must then draw the inference it can. 10

MR KENTRIDGE: Well, then, what I would submit, M'Lord, is that where the author quotes an SACC document, well, Your Lordship has the document itself, and to the extent that that is factual, well and good. Obviously Your Lordship not only can but must and will look at the SACC documents. Insofar as the author is saying that this or that is Marxist or is secular humanism or is based on ..

CHAIRMAN: That I am not interested in. If I may interrupt you, that is - may be his opinion, and I was not .. 20

MR KENTRIDGE: Well, in that case, M'Lord, I would say that if one wants what I have called the true factual part of it, that only truly factual part in the sense which Your Lordship means, is his quotation from actual SACC documents. Now, My Learned Friend, Mr Von Lieres, in his examination of Dr Kistner, has really now put before Your Lordship a far more complete set of the relevant documents than Prof Kunert has quoted, and I would simply submit to Your Lordship that Your Lordship should have 30

regard/...

regard to the documents of the SACC, including the study documents which have been identified by Dr Kistner, and if that is the interest of Your Lordship ..

CHAIRMAN: Well, there are certain things - certain things which purport to be factual, certain allegations here, which are not - do not seem to be based purely on SACC documentation. If I may pick up a single - I cannot recall whether for instance the attitude of a member of the SACC Executive, Mrs Sally Motlana, whether that, which is recorded here, whether that is - can be derived from 10 SACC documentation. I have in mind - this is just an example, not necessarily the best example.

MR KENTRIDGE: That is on page ..

CHAIRMAN: Page 16, about two-thirds down the page.

"Sally Motlanā, Vice-President of the SACC, expressed her total opposition to further foreign investment". That is an example. I am much aware thereof that the documentation placed before us gives a fairly comprehensive picture, and I do understand what was said also by The Reverend Peter Storey that there is a difference of 20 opinion within the ranks of the Executive of the SACC on the proper stance to be adopted. What the Commission needs to be more precise as to how the division lies, would be something of this sort. So that when it reports the facts, and that is all it is going to do, it can then record what - who opted for this and who opted for that. That is the sort of thing I have in mind. May I suggest that the opportunity be used by the SACC to have another look at the article and see which of the - how much of the content of the article which purports to be factual, how much 30 of/...

of that is correct, and let us ignore the rhetoric and the style of the author. I am not interested in that.

MR KENTRIDGE: M'Lord, yes, I have noticed that the author on page 7 has a reference to the views of Sally Motlana. I cannot really recall, M'Lord, anything other than that which does not really come out of the documents of the SACC itself.

CHAIRMAN: Well, another thing, this is something which I did not realise when I had the article sent through to the SACC, that we were going to get from the EKD 10 its own attitude on investment. We have since had - I think from the documentation of Dr Kistner we have got a clear idea of their attitude. What the author says here somewhere is that the EKD was adopting a pragmatic course and wanted to be guided by the SACC in these matters. Well, since this was sent through to the SACC, we have had some evidence on the Königstein consultations, and I think we have as much about that as we need to have.

MR KENTRIDGE: Well, M'Lord, the source of that statement by Sally Motlana, I see from note 54, is said 20 be the Königstein consultation. My Learned Friend agrees with that.

CHAIRMAN: Well, it may well be that since this came to my attention, that the material which is being picked up from the documentation with which Dr Kistner was concerned, may give us as full a picture as we need. But still, the main object was in fairness to the SACC, to give it the opportunity of dealing with anything that purports to be factual on this issue.

MR KENTRIDGE: Well, I would rather put it the other way, M'Lord. If there is anything that purports to be
factual/...

factual, if it strikes Your Lordship as of some importance, and it is not - it does not appear from the documentation of the SACC, then I would respectfully submit that it is not simply a question of giving the SACC the chance to deal with this, as though this rather deplorable article was fact. If there are factual statements here which are not in accordance with our documents, would it not really be right then to ask Dr Kunert if he would be prepared to support his allegedly factual statements, and see what the evidence is that he has got for that? 10

CHAIRMAN: That might have been one way of doing it. The quicker way would be to define areas where ..

MR KENTRIDGE: Well, I wonder, possibly My Learned Friend could just define them for me informally, and we could give you a written reply.

CHAIRMAN: Yes, well, I have discussed it - I take the responsibility for directing this particular line of inquiry. So that perhaps you can address yourself to me.

MR KENTRIDGE: Well, then, M'Lord, in that case, if there are points other than the point about Sally Motlana, 20 perhaps I could get it from Your Lordship in chambers, and then we can try and deal with it.

CHAIRMAN: Very well.

MR KENTRIDGE: Well, Bishop Tutu, let us put Prof Kunert on one side, and return to your submission. You were at page 118 on the last paragraph. --- Thank you.

"Page 44 (paragraph 2) gives another smear - that nowhere do you find a strong condemnation by the SACC or its officers of revolutionary violence. That has been shown to be untrue". 30

At/...

At least I have attempted to do so; Peter Storey has done so. I do not know what the police mean by 'strong'.

"The President of the SACC, the Rev Peter Storey, has shown in his submission just how unfounded the Police contention is that the SACC has taken up positions on conscientious objection, disinvestment, conscientious resistance and civil disobedience in response to initiatives from outside South Africa. Of course, the church is not an island and we take seriously the views of our brothers and sisters elsewhere 10 in the world. But our decisions are ours and ours alone. The claim by the Police is of the same kind to be found elsewhere and it is designed to show that the SACC is not only unrepresentative but it is actually manipulated by external paymasters who call the tune to which the Council must dance."

In the last paragraph:

"We have heard that the idea of a National Convention which the Police derisively call the so-called National Convention, was first mooted in a Methodist 20 Conference. We (certainly) raised it in our discussions with the Government in 1980, two years before the Reformed Church in the Netherlands accepted a resolution on the National Convention. How can they have influenced the SACC and its member churches? I hope the Police will see that this is quite untenable. It is blatantly untrue, but it will serve to discredit this pliant body!"

Then on page 45:

"I have indicated that a distinction should 30
be/...

be made between the statements of individuals and those that declare SACC policy. The SACC has not changed its views about violence. What is quoted from my BBC interview is just a plain statement of fact. There may come such a time (as referred to here) and then decisions will have to be taken by individual Christians".

That surely must be obvious.

"But it is untrue to say that the change means that the SACC now advocates violence as a solution 10 to the South African problem as the bald Police statement implies. For there is no change in the quoted policy (of the SACC)."

Page 46, regarding giving credibility:

"The SACC does not participate in giving credibility to the ANC or any other political party. I do not either. The ANC, certainly in the Black community, does not need any such help. Whether the Police like it or not, the ANC has that credibility and the status of Nelson Mandela in the Black com- 20 munity has been demonstrated by many surveys. He does not need me. I am merely predicting, and I am free to do so. It is not a crime. If it is why am I not indicted? I state what I believe to be true whether it is popular or not. It is to give me an influence which I surely do not have - that my predictions are ex cathedra pronouncements, that will be self-fulfilling. I have to speak the truth as I understand it. If Mr Oliver Tambo is a man of Christian convictions, why is it a crime to 30

say/...

say so? Is it because it contradicts the image the Police and others want to convey of people such as himself as being the children of the devil, evil incarnate, to teach South Africans to hate them as the enemy? No, I can't do that. They are fellow South Africans. They are our brothers and sisters. They are our fathers and uncles. It is no use fulminating against that. It is just a fact of life. We will not solve the crisis of our country by dealing with illusions and not the realities of our situation." 10

Page 47, paragraph 2:

"Is it blameworthy to describe a reality as one sees it? I am not sympathetic, in describing that certain Blacks, indeed many Blacks, believe that change will come only through a violent overthrow of the present setup".

In the documents that we have referred to just recently, of that survey ..

MR KENTRIDGE: Is that "BT 28", the one with "Silverton benefited Blacks"? --- There is a survey that was carried out by The Star in February of 1980, which indicated that three out of four Soweto people feel either strong or qualified sympathy for so-called terrorists who attacked the Silverton bank in Pretoria, and the survey indicated that many people thought that violence as was demonstrated or used by those people, would be something that would improve their lot. 20

"Mr Storey has shown how ridiculous it is to say the SACC or Bishop Tutu is disseminating ANC viewpoints/... 30

viewpoints when these happen to coincide with ours. It would be silly when it is snowing, so Mr Storey aptly put it, to say it is not snowing just because a communist has also made the same observation.

I must just say yet again, that the SACC's position on violence has not changed and it is quite unequivocal. We condemn all forms of violence - the violence of those who would uphold an unjust system by force and the violence of those who seek to overthrow that system. We are opposed to structural and 10 institutionalised forms of violence. These are terms which even NGK theologians have used as my quotations from "Storm-kompas" show. It is quite irresponsible of the Police to suggest otherwise".

Page 49.

"A study paper from a division is not a policy statement".

This was have said many times.

"Policy statements are contained in resolutions of the National Conference etc as I have already 20 shown. The police say nearly as a factual statement that pro tem the SACC has decided on intensive psychological conditioning (they misconstrue the term conscientize conveniently) rather than the immediate application of violence."

The second paragraph, about five or six lines from the bottom:

'Dit blyk dus asof pro tem die SARK die beklemtoning eerder op die intensiewe psigologiese kondisionering laat val as op die onmiddellike toepassing van 30 geweld/...

geweld'.

"Both the opposite poles have not been accepted at any time by the SACC. It is a statement that will do the job of smearing the SACC. That is its main purpose - the SACC hopes to weaken the resistance of the so-called oppressors through a process of conscientisation, so the Police aver."

Page 50.

"Violence is not ruled out for the realisation of the goals of the SACC, so they continue. That 10 is a statement made seriously and yet without any backing. In fact, it is demonstrably false.

Page 53 of the Police statement.

"I keep having to ask who is the SACC when I read the Police views, for example, over the conscientious objection resolution of 1974 at Hammanskraal - that the attitude concurs with the aims of the liberation movements to overthrow the Government is what was being demonstrated (by the Police) here. It is palpably false, because to hold such views is an 20 indictable offence and secondly, no resolution of the SACC or of its member churches at any time has said this. It is quite staggering to find it thus stated so blatantly. The supporting evidence says differently. Mr Robertson, who is being quoted here, is giving a phenomenological description and that factual description is then described as what the SACC as it were decreed".

On page 54, the bottom of the page:

"Dir Kistner (and this Commission will have 30 noted/..

noted) as an academic theologian, describes a particular and universal evolution in the whole notion of violence and resistance. He is not giving his value judgment. But he is quoted as supporting the Police contention that conscientious objection has been projected by the SACC as a facet of the discussion on violence and non-violence (which it is) but this then develops in its practical manifestation, so the Police declare, into a form of passive resistance against the authorities and is obviously aimed at undermining White unity and morale. There is no evidence whatsoever to support this. The opposite could in fact be said to be the case for this Commission's record attests to the concession by the Defence Force that since 1974 a pitifully insignificant number (well under ten) of people from SACC member churches have actually declared themselves to be conscientious objectors. The Commission must by now be well aware of the tactics that I have exposed as consistently being employed to attempt to discredit the SACC by whatever means possible.

It is described as if it were something blame-worthy on page 55, that the SACC tries to stimulate discussion on such crucial matters (as conscientious objection and so on) so that Christians can make up their minds on the basis of trustworthy information rather than in an ill-informed manner. Surely the SACC should be commended rather than vilified; surely it is a good thing to assist conscientious objectors because they are going courageously against the mainstream/...

mainstream doing what all churches have taught us as important, obeying their consciences whatever the cost."

Paragraph 3:

"Why should the Police make a snide remark about what they describe as so-called peace libraries? Why are they so disparagingly 'so-called peace' libraries? Would they not want people to be informed about a perfectly Christian position - Christian pacifism which many people believe in fact to be 10 the only position that is consistent with the Bible - that war and all that goes with it are aberrations, all due to the fallen state of human nature? No, it is part of the Police effort to pour scorn on even noble things if it will help to malign the SACC at all."

Then, at the bottom of page 55, carrying on to page 56, I say here, with regard to that statement there:

"All human institutions are imperfect and can never be immune from criticism. Why should the Defence 20 Force be thought to be above criticism? The analogy of a brothel was an analogy (used) by a particular individual and was not (and is not) declared SACC policy."

On page 56:

"The General Secretary was stating a fact of how many in the Black community regard a Black soldier - did many Afrikaners not think the same thing during World War II of men in uniform who were often driven out of Dutch Reformed Churches?"

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MR KENTRIDGE: I think if I can stop you here, just to ask you to say something more on it, because I think Dr Kistner was questioned about this, about why members of the Black community should think this. Dr Kistner was questioned about it in another context. --- Yes.

A statement that the recession and the consequent unemployment was causing Blacks to join the Defence Force, and he was asked why that was - why there should be any disapproval of that, and what the Police memorandum here says, relates to the views of some in the Black community, that a Black soldier is a traitor, a "verraaier". Now, I wonder if you could explain why there should be such a view? --- In fact - I mean, people who had not obviously articulated in the way in which I would, which is basically that they would be saying, what are you going to be defending, are you going to be defending a system which ensures that you live in a hostel, a single-sex hostel as a migrant labourer? Are you going to defend a system which does not allow you freedom of movement in the land of your birth? Are you going to be defending a system that gives your children an inferior education? Are you going to defend a system that forces you to live in a ghetto without freehold, even when you are able to afford a better house in a better setting? Are you defending a system which gives you no vote at all in the land of your birth, no part in political decision-making except in a form that is decided unilaterally for you, in a situation where you are deprived unilaterally of your South African citizenship? What are you defending, and it is precisely, I would say, the same in many ways/...

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ways, the same kind of question that an Afrikaner would have asked: are you fighting the English man's war?

Thank you. --- (READING)

"On the question of Ministry to Refugees (page 57), it seems the Police wish to infer that there is something sinister in the fact that the SACC took the initiative in calling a meeting of church representatives. I have already pointed out that many of our member churches have passed resolutions regarding this ministry and by the fact that the jurisdiction of some 10 of them extended to the neighbouring States which are hosts to the refugees, they were already involved in some measure in this ministry"

and we have seen it in the documents that I have given - placed before the Commission, especially a church like the United Congregational Church, with sections in Botswana and Mozambique, that they were already involved in such a ministry.

"The SACC exists to help the churches do together what they do not need to do separately. It 20 exists in part to co-ordinate interchurch co-operation. Why then should the Police want to question this role in connection with the Ministry to Refugees who are South African and often at least the children of adherents of our member churches?"

And this is referred to in the Methodist resolution on Ministry to Refugees in the documents that I have given in to the Commission.

"Is it not in line with the (Police) obsession to paint the Council in unfavourable hues?" 30

Page 58:

"The Police then seek to mock the SACC by pointing out (in paragraph 1, about the middle of that paragraph, the sentence which begins, 'Dit blyk so uit die resolusies reeds vermeld en dat daar nie spontaan aan 'n algemene behoefte uiting gegee is nie, blyk uit die swak reaksie van die kerke') by pointing out what they consider to be the feeble response of the churches as an indication that these churches are not over-enthusiastic about this subject. 10

Please look again at the way this is described. The choice of words is deliberately pejorative - the Council is accused of seeking to camouflage."

The sentence which begins - about the last sentence in the first paragraph:

'Die SARK wou egter uit die kalklig tree aangesien daar beseft was dat die projek baie kontroversieel kon word. Dit was dus beoog om die projek te kamoufleer as 'n projek van die Suid-Afrikaanse kerke'.

"That is a highly emotive word chosen to indicate that the Council is hiding something, but the decision of the Council is openly minuted. Would this be the action of someone intent on camouflaging? I just want to point out for the benefit of the Police that in fact this Churches' Committee is one of the most high-powered we have. Significance is not indicated only by numbers. Even the Police must admit that a Committee which has the President of the Methodist Church as Chairman, the Moderator of the Evangelical Presbyterian Church as Secretary, which has 20 30

the/...

the General Secretary of the Presbyterian Church of South Africa, the Anglican Bishop Provincial Executive Officer and a Bishop representative of the Roman Catholic Church and the General Secretary of ELCSA cannot be dismissed lightly."

Then, we note the last sentence of that paragraph:

'Uit die hele inisiatief blyk dit dat die SARK hom hou by die riglyne wat neergelê is deur die WCC ten opsigte van die betrokkenheid by vlugteling-vraagstukke'

and I say here:

10

"The WCC guidelines are sensible."

You cannot pretend that they are not, just because they come from the WCC.

"You do want to look at the fundamental causes of the refugee problem. You do not just want to be tied to providing only ambulance service. The South African Government could be said to have followed similar guidelines in assisting refugees from Mozambique, Angola and Poland. But the Police hope that by referring to the WCC, they will manage to add a little more tar. "

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Then on page 60:

"The Police again in attempts to vilify, refer to our request to heads of frontline states to appeal for clemency for ANC insurgents sentenced to death in South Africa. Then they disparagingly refer to the so-called plea to the President of the Seychelles, President Rene, and berate it. Why only so-called? Was it not a real plea?"

I have - and I will place before the Commission ..

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CHAIRMAN: This will be "BT 29".

WITNESS: It is a straightforward - it is a pile of telexes, M'Lord, and the top one is the telex that I sent on behalf of the Executive Committee of the South African Council of Churches, and it says quite straightforwardly - this is English:

"I appeal for commuting of death sentence on South African plotters".

What is so-called about that?

"Was it not a real plea? Why should I talk 10
about the socio-political situation of a foreign
country when the most important fact is surely to
get the men condemned to death reprieved. But the
Police conduct is perfectly explicable. They do
what they do because my plea to the President of
the Seychelles would show me up in a slightly more
favourable light than they wish. It would show that
it was not political but Christian and theological
reasons which motivated me - I am opposed to the
death sentence in principle. The SACC has 20
passed at least one resolution asking for the death
penalty in South Africa to be scrapped, and I have
written .."

not to the relevant Minister actually, M'Lord, it is -
I have written on behalf of the Council to the State Presi-
dent, and I wish to place before the Commission ..

CHAIRMAN: The document now handed to me, which is a
letter dated 13 May 1981, will be "BT 30".

WITNESS: It is a resolution of the National Conference
and it is headed "Capital Punishment", and I refer 30
to/...

to the last paragraph of that sentence:

"In the name of the Lord Jesus calls upon the Government to abolish the death penalty altogether"

and there is a reply from the Minister of Justice, attached, Mr Coetzee, which indicates the response, a full response on the part of the Minister.

"The Police would know (that I am opposed, that the SACC is opposed to the death penalty in principle) but they are deliberately and maliciously selective.

It is not merely an incidental parenthesis to 10 refer as they do on page 61, to the ANC call for a reprieve for the ANC insurgents. It is (meant to be) guilt by association. We have shown (I hope conclusively) that it is nonsensical to claim that when people look at the same reality and describe it in much the same way, then to infer that that coincidence of views shows a sinister or other link between the two.

On page (the same page, the last paragraph) the Police are up to their tricks again in the use of 20 the word condone which is a highly emotive word and bears little relationship to the truth."

'Uit bogenoemde blyk dit dat die aksies van die SARK wat direk of indirek verwys na die gewapende aanslag teen Suid-Afrika in wese is dat die aanslag gekondoneer word en dat die verdediging daarteen afgetakel word'.

"The SACC, may we say for the umpteenth time, condemns all violence and at no stage has condoned guerrilla attacks nor those of the SADF. It 30

has/...

has declared that it understood (that is not to con- done) why certain people have chosen the way of the armed struggle."

Then the last sentence, last but one sentence in that para- graph:

"The Police are not being honest on page 61 when they declare that the SACC justifies the use of violence to overthrow the South African Government. It is a point of view held by many Christians around the world that it may be justifiable for Christians 10 to oppose violently an unjust system. That must surely have motivated the European underground. That must have motivated men such as Dietrich Bonhoeffer. And did it perhaps motivate the Voortrekkers in their bloody struggle against the British and in the Vry- heidsoorlog?"

Page 63:

"The SACC (as has been indicated several times) has not passed a resolution about being a confessing church. The Police assertion on page 63 is just 20 another example of something being said with confidence and categorically as if it were the case, when the facts are other than they are made out to be. The decision about a confessing church was taken at the 1980 Racism Consultation and referred to the churches."

I would wish to refer to this resolution itself, M'Lord, if you will please permit me. There are just sections of it which I want to read from this book, the Resolution 3 on page 6, resolution concerning the Black Confessing Church, preliminary note:

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The/...

"The Black delegate at the Conference drew up a statement concerning the Black confessing church in order to underline the seriousness and urgency of a joint commitment, i.e by both Black and White Christians, to uproot racism within the churches and to work towards its total elimination within the wider society".

And then we find the statement reading thus:

"We, the Black representatives in this Consultation, wish to place on record the painful realisation that the churches to which we belong, have conformed 10 to patterns of a racist society. The persistent cries of the Black people that the church is not consistent with the demands of the Gospel of Jesus Christ, have fallen on deaf ears"

and please note these words that follow:

"We (that is the Black representatives) acknowledge our participation in the sin of the church. We are aware that God has been calling and continues to call His church to be a community that transcends all barriers of denomination and race". 20

The one thing that keeps being referred to is the last part of the resolution. Everything else is not taken seriously into account. It is that we further call upon all White Christians to demonstrate their willingness to purge the church of racism. Then it says - it is a call, it is an appeal. Then it goes on to say:

"If after a period of 12 months there is no evidence of repentance shown in concrete action, the Black Christians will have no alternative but to witness to the Gospel of Jesus Christ by becoming a 30 confessing/...

confessing church".

It was a call by Christians made in all humility, in recognition that they could not just point accusing fingers at fellow-Christians. They realised that they were part and parcel of this particular church that they are speaking of. I long one day for White people to understand just how much we want for them to be human beings with us together. We try, we try to tell White people that we do not want to drive you into the sea. We want to live happily together in this land, and for goodness sake, everything that we say is taken and twisted, and one of the miracles of this country is the fact that Black people still talk to White people. 10

"It is not just the SACC that is opposed to the present unjust dispensation in South Africa. Its member churches have also expressed their condemnation as have even friendly governments"

and I have pointed this out, the Reagan administration. Then we are told, on page 63, the last paragraph, about economic pressure. 20

"It is impossible for the SACC to exercise any form of economic pressure."

After all, it has been pointed out with glee by the Police that we do not have any support financially in South Africa, and how could we ever be able to have any muscle, economic muscle? It is just one - another example of the blatant untruth in this Police submission.

"The SACC has no economic muscle to exercise the kind of pressure thus spoken of on page 63".

Then we are told that we ape the WCC. 30

"!f/...

"If we were aping the WCC, the SACC would have called for total disinvestment by foreign multinational corporations but the objective of the Police is to try to discredit the SACC first by pointing out that it is not its own master but dances to the tune played by foreigners, and secondly, to link the SACC with the WCC hoping to damage the SACC thereby".

And may I please again say, M'Lord, that I for one glory in the fact that I am associated with the WCC, and I believe that many member churches of the SACC are glad 10 that God has given them the opportunity of being so associated. I am merely having to take account of the attitude of most Whites in this country to the WCC and why the Police play these tricks of theirs, and so I have to try to answer to what they are attempting to do. On page 64, the second paragraph:

"We certainly have links with churches and church related groups that advocate disinvestment, but that does not mean we have dealings only with those whose views we share. The South African Government 20 deals with governments that have race policies diametrically opposed to theirs. It often has very good relations with such governments but that does not somehow (seem to) 'contaminate' the Government".

They have very good relations with the government of America, and the constitution of that country is totally different to the constitution of this country, and nobody blames the South African Government for having those relations.

"Why should the Police draw attention (as they do in that paragraph) to the fact that the SACC 20

have/...

have received financial assistance from groups holding certain views about disinvestment unless it be first, to say the SACC is being unpatriotic in having such relations, secondly, that the SACC is somehow controlled and manipulated by these groups, constrained to share their views, that the SACC has to dance to the tune played by these funders? Why have they not also referred to the SACC's West German connections"

and we have heard from the learned Prof Kunert that 10
the West German churches tried to move the SACC into a pro-investment stance. Why have the Police not referred to that? And it is the West German churches who provide the bulk of our funds, and if this argument held any water at all, we ought to be dancing more vigorously to the tune of those who provide the bulk of our budget.

" .. who are opposed to disinvestment, unless it be that this would nullify the Police argument?

It is quite untrue to say that the Council has moved from anti-disinvestment to a pro- 20
disinvestment stance. There is no resolution of either the National Conference nor the Executive Committee nor the Praesidium, to justify that statement"

and I believe the Commission has copies of the SACC resolution. If not, I have copies.

CHAIRMAN: I think that has been placed before us. I think it is read into the record. --- Thank you very much.

"The resolution that stands indicates the true state of affairs which is that some SACC members support 30
further/...

further foreign investment whilst other support dis-
investment. The statement on page 65 .."

I am trying to see what statement that is -

" .. is typical of the way the Police have operated -
putting forward an unsubstantiated claim as fact
and then proceeding to draw all kinds of conclusions
from that false assertion".

I deal with it on the following page, M'Lord.

"The SACC is accused of dealing with the issue of
disinvestment only after being prodded by the 10
WCC."

'Eers ongeveer vier jaar ná die Wêreldraad van Kerke
resolusie oor disinvestering waarna hierbo verwys
is, gee die SARK se Nasionale Konferense in 1976
opdrag vir 'n "urgent and careful study of investment
and disinvestment in South Africa".'

"It is odd that a body being so pliable and manipulat-
ed (to the extent that the SACC is) by the WCC (accor-
ding to the Police) should take four years or so
to respond to the proddings of its master. 20

The Police are expert at having their cake and eating
it. The SACC cannot be said to be dupes of the WCC
and then be shown as not responding promptly to the
master who is pulling the strings. I have already
referred to my Denmark statement earlier, and the
status of my personal statements. It is no good
the Police claiming for what I say a binding effect
on the SACC which it quite clearly does not have.

I do believe that it is a peaceful means to ask the
international community to exert pressure to 30

persuade/...

persuade the South African Government to come to the conference table. I cannot be castigated for wanting reasonably peaceful change, can I? And I have to suggest what I believe to be such viable peaceful means. Peaceful pressure has brought about change, for instance, in the sports world in South Africa, change which stands apartheid on its head. "

And almost everybody must agree that we would not have had the kinds of things that we see on our sports fields, had it not been for the pressure of the outside world. 10

"The EEC and Sullivan Codes are a form of pressure. So pressure per se cannot be reprehensible. Only if the authorities remain obdurate will the nature of the pressure have to be altered and increased. That is our only hope of change without too much violence and bloodshed, unless of course the authorities agree to hold a National Convention as the churches have called for".

I want to say again, I am a man of peace, but I am not a pacifist. 20

"I do not want to see my country go to the dogs through the chaos of a bloody racial battle. But these are my views".

These are my view which I will hold onto.

"They are not necessarily those of the SACC. The SACC has expressed its views in the National Conference resolution.

It surely is ridiculous to say that because the SACC has studied and discussed the questions of boycotts and sanctions that this means it is advocating the 30

principles/..

principles of boycott. The Police are quite irresponsible in so claiming on page 68."

The paragraph:

'Die gang na die openlike propagering van die beginsel van boikotte raak vir die SARK reeds praktiese beleid. Dit word reeds bespreek en die SARK het studiestukke hieroor beskikbaar gestel'.

Then we are apparently to be blamed or praised for what our partners do or say.

"The Police may not understand this, but the relationship between the SACC and its overseas partners is a mature and responsible relationship in which the partners are free to express all kinds of points of view. The relationship does not first of all depend on those points of view but on the gracious act of God who has bound us together in one fellowship in the body of our Lord Jesus Christ. That is the fundamental fact about this relationship. The SACC and its partners are not bound together because they are like-minded. They often differ profoundly, but that does not affect the basic relationship. Each partner is ultimately to be held responsible for his own point of view."

Then, I am sorry, we have to go back to page 66, because there I - we are told there are various things that we have done or have not done, and I say:

"Why has the State not instituted proceedings against those alleged to be doing the things the Police refer to on page 66. It is quite interesting that the Police are happy to follow the example of so-called/...

so-called liberated Africa on the issue of passports. Will they follow them in other respects such as universal suffrage, to use the example of Zimbabwe?

It really is unacceptable that the Police should state that the SACC is advocating disinvestment when it is a blatant untruth".

On page 66, the fourth line from the bottom:

'Die vraag gevra word of hy met dieselfde gemak disinvestering kon bepleit'.

Then they make a statement of fact. Then they proceed to draw what can only be a false conclusion, on page 66, and of course they get another dig at the SACC for being so very dependent on overseas funding, and all of this is put as statement of fact. On page 68 at the bottom:

"Just note another cynical example of the sort I have referred to several times, which is a hallmark of the conduct of the Police in this submission of theirs. At the bottom of page 68 :"

The last line:

'Die CCSA het reeds in 1959 nie verbandhoudend hom vereenselwig met boikotaksies wat deur die ANC destyds 'n wettige organisasie, geloods is'.

" .. that the CCSA supported the boycott measures of the ANC (mercifully we are told it was still a legal organisation at that time). What we are not told is that the boycotts referred to here were on a local plane e.g not boarding buses, not buying certain goods - nothing to do with the subject being discussed, i.e disinvestment and sanctions. Then why introduce it here (when the Police

themselves/...

themselves admit it is not really related to what they are discussing)? It is for the simple reason that you will have (here) a link with the "ANC" and with 'boycott', two items that are designed to raise the hackles of certain persons. It is a shabby trick. I would use very strong language but I do not wish to show disrespect for this Commission. But it is a plain untruth (as I indicated earlier; page 69) for the Police to state categorically that the SACC de facto controls Wilgespruit Fellowship Centre." 10

I produced a letter here as an exhibit, in which the Joint Screening Committee asked for information about the Wilgespruit Fellowship Centre, which would be a ridiculous way of acting if the SACC controlled the Wilgespruit Fellowship Centre.

"That body has its own Executive Committee and constitutional body. The SACC does not own the Joint Screening Committee which has FELCSA as the other partner and the Joint Screening Committee does not control the Wilgespruit Fellowship Centre. This would have then to be true of all the projects that are funded through the Joint Screening Committee. It just is not the case. But it is important for the Police to say this because their argument is that a document produced by the Agency for Industrial Mission, of which the Police presumably disapprove, was discussed at a Justice and Reconciliation meeting. So what? It would be a Justice and Reconciliation meeting whose resolutions become SACC policy only after/... 20 30

after acceptance by the appropriate body (either the National Conference or Executive Committee). The Police aim is again a feeble attempt to pronounce the SACC guilty by association, if the Agency for Industrial Mission is guilty at all, in helping the South African public to know certain facts. The SACC is not ashamed of helping to enlighten and inform the South African public as it did through the 'Dilemma of the Codes',

paragraph 3 on page 69. Then on page 70, we have 10
there, the first line:

' .. word die doel van Raadsbetrokkenheid op ekonomiese gebied soos volg toegelig: "Using the potential of foreign investments in foreign countries for contributing towards a fundamental change of the political and economic system of the RSA". Aanvullend is dit ook daarop gemik "to insist on the observation of a relevant code of ethics in South African industry and on the recognition of Black trade unions as bargaining partners".' 20

Now, surely the Police must admit that what they have quoted cannot be construed as propagating disinvestment. It is surely speaking about the opposite, how you can ask companies to use their foreign investments in this country.

"At long last, (in paragraph 2 on page 70) there is a definition of 'secular objective' - fundamental change, to seek a more just, a more democratic society in South Africa, is to be chasing after a secular objective".

That is what the Police want us to believe. 30

"I can only refer the Commission to the quotations from 'Storm-kompas' -

the contribution by Prof Lategan and Dr Kriel's comment thereon, much of which I have quoted on - between pages 65 and 172 of my submission, and those quotations -

" .. show that White NG Kerk theologians and leaders regard it as part of the church's role to be concerned even about constitutional change (and they say there are) theological and moral criteria for such change. Would the Police (wish to) castigate (those 10 gentlemen as) all running after secular objectives?"

On that same page:

"Are the Police opposed to giving relief aid to victims of unemployment and strike action? We certainly regard it as an obligation and we will not be deterred from this by Police fulminations about being involved in the labour field as if that were reprehensible.

The Police take umbrage at a factual situation. Trade unions in nearly every part of the world 20 have played an important role in the struggle for workers' rights. Right now the world is entranced with the saga of Solidarity in Poland and the South African Government showed its approval of the struggle by admitting Polish workers as refugees into South Africa. The Black trade unions are important. That is a fact and being annoyed about it will not make it go away. White trade unions still play an important role in the struggle for the advancement of the workers. Why should Black trade unions 30

be/..

be different?"

On page 71, paragraph 2:

"Why do the Police describe so disparagingly the work the SACC did in ending the Fattis & Monis boycott? Why is it a so-called mediator? Was Dr James Leatt a mediator or not and did his intervention help to end the boycott or not? The Police surely know the facts. Why are they so coy about producing them - because they show the SACC in a favourable light, which is contrary to the purpose of the Police? 10
And is it wrong to help trade unions unite? Will it not help for a more orderly labour situation when the employers know with whom to negotiate rather than have a splintered movement? Of course (that will mean having) strong unions - is it not better to have strong unions which could negotiate and be known and accepted as negotiating for the workers and which could discipline the workers properly. Most labour experts (that I have heard of) would say yes." 20

Page 72, paragraph 2:

"The Police are at liberty, I do not need to tell them this, to prefer charges against me if they suspect that I have done anything remotely illegal in my discretionary grants from the Asingeni Fund. I apologise for none of them whatsoever and it is no good the Police as it were, whispering behind their hand that the boundary between legal and illegal actions is very thin - please note how the smear tactics are again in evidence on page 72 (the 30

third paragraph) relating to Barbara Hogan and the ANC. Because the ANC does certain things, it is being suggested, somehow, makes the same things done by the SACC tainted. It is quite illogical and does not follow. It is a (proper) non sequitur. The point is the Police aim to discredit through guilt by association."

Page 73, the first line.

"We find repeated the evocative 'secular' ideals relating to a unitary state. The SACC is surely 10
ly permitted to have an opinion. There is surely a measure, at least, of freedom of thought in South Africa and the SACC can have different points of view put before it. The papers from the J & R are not SACC policy, though they would be in line with the official views of the SACC. The views in these papers have been expressed by other commentators!"

I refer to the Wiehahn and Riekert Commissions, and the responses that many people made to them.

"What the Police do not want and regard as 20
subversive per se is to have views that challenge Government views. That they regard as unpatriotic because they see themselves as having to protect the status quo and not the security of the State which are not the same thing.

I must again point out to the Commission that the status of study papers is that they are there to inform and to stimulate debate. They are not official SACC policy until they are accepted to be such with great deliberation". 30

On page 74, the second paragraph:

"Please note that a pet phrase pops up again on page 74 'secular objectives'. I just refer to it as a frequent phenomenon. But I have commented enough on it.

The Police (on page 75) are constantly at pains to speak about Black Power organisations (referring to help given out of the Asingeni Fund) for the same reasons that they use other emotive language in their submission. I will refrain from commenting further." 10

Page 77:

"Why are the Police concerned about my statement that Mr Mavi died in strange circumstances? It was strange especially because he was a prominent trade unionist who had shown considerable leadership qualities and there must have been some who wanted him out of the way (from whatever order of our community). It was a statement of concern because at the present time there are reports of strange occurrences which happened to a number of people in the trade union movement. People having their cars tampered with, bomb explosions, dead cats on doorsteps etcetera" 20

and there is, M'Lord, a Rand Daily Mail article report, or it is a report from Cape Town which appeared on 16th of this month, "Dirty Tricks Cause Trouble". May I please place it before you?

CHAIRMAN: This will be "BT 31". It is a photocopy of an article in the Rand Daily Mail of 16 May 1983. 30

It/...

WITNESS: It just refers to a number of strange coincidences, strange accidents. I want to refer, the first column, the penultimate paragraph, or the one before that:

"Several other incidents of motor cars being tampered with have been reported. Mr Jan Theron, the General Secretary of the African Food and Canning Workers' Union was in George for negotiations with a company earlier this year. After staying overnight in the town, he stopped to buy petrol. He had his tyres checked the day before and pumped to the normal 10 pressure of 180 kpa. The pump attendant who insisted on looking at the tyres, found that three of them had been inflated to a pressure of between 400 and 450 kpa, while one had been virtually deflated. If he had travelled onto Cape Town with tyres at that pressure, he would definitely have had a blow-out. We are to conclude it was deliberate and that someone had inflated them during the night".

There are several other instances. The third column:

"In March Mr Stephen Masekwa, a Pretoria or- 20 ganiser for the National Automobile and Allied Workers' Union and a companion died in a smash after his brakes failed".

These may just be unconnected incidents and genuine accidents. What is a little worrying is that the coincidence is being stretched somewhat, and one was merely pointing out the fact that we are worried. I have said again:

"Not only the SACC but its member churches are opposed to apartheid, the political ideology of the Government and also to racism." 30

In paragraph 2 the Police speak about - the second sentence:

'Die SARK het hom doelbewus gestel in opposisie tot die Suid-Afrikaanse Regering se politieke ideologie, bevind hy hom teen rassisme, is gekant teen apartheid, is gekant teen kapitalisme'.

Now, that is not true. The SACC does not have as an official policy opposition to capitalism.

"I am certainly so opposed. I have declared that I am a socialist"

and I would not apologise for that. 10

"It is therefore not correct to say that the SACC has deliberately set itself up in opposition to capitalism".

Then they quote what I said to students at the University of Wits, and I want to say here, M'Lord:

"I stand by all that I have said at the University of the Witwatersrand. That could not be (said to be) SACC policy as such. The SACC is neither Black nor White. It is Christian. That is why I keep urging that the Police need to distinguish between 20 the utterances of individuals, even officers of the Council and official Council statements."

And they quote my own views.

"I cannot see that it makes the SACC blameworthy (on page 78) because its General Secretary dislikes capitalism. The Police are trying to raise this as a gogga to scare people. I will not (myself) change my views about what I have seen of capitalism. I find it abhorrent and I have said why."

Then, the fourth paragraph:

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"Mr/...

"Mr Chairman, I find it quite unacceptable for the Police to cast the kind of aspersions it does on our overseas friends as (that paragraph, the last paragraph on page 78). The Police maintain as a fact for which no evidence is adduced that our overseas partners have a specific and an unacceptable ideology regarding the liberation of South African and that they compel the SACC to toe their ideological line through their funds. I can point out here that for instance in West Germany there has been 10 a strong controversy about the Special Fund of PCR, about the issuing of invitations to liberation movements to attend church meetings - odd occurrences if these church groups had the ideology which would obviously make them favourably disposed to the freedom fighters. But it is quite mischievous to state that our friends have such an ideology and that because we get funds from them they manipulate us to the extent that the availability of funds is made dependent on giving tangible signs of support- 20 ing their ideology. Mr Chairman has of course given his ruling, but it is necessary to point out that the Police were claiming in many parts of their submission, as here, that the SACC was manipulated even if they say the SACC was open to such manipulation."

And then in that paragraph, we hear seven from the bottom:

'Totale fondsverslawing verleen hom tot manipulasie deur sy buitelandse vennote-donateurs, en die vraag kan met reg gevra word of hy sou gepoog het om dieselfde beeld van radikalisme te skep indien sy 30

bestaan/...

bestaan substantief in Suid-Afrikaanse bodem gefundeer was'.

"The SACC is accused of projecting an image of radicalism. Where is the evidence for this? Is it radical to oppose apartheid on scriptural grounds? It was done several years ago by White NGK theologians. The Police ask whether the SACC would have attempted to project this radical image if it was rooted substantially in South Africa. The inference is that it is not so rooted. Can the Police say the SACC is not rooted (in South Africa)? The Council is described as a fellow-traveller with certain obligations and fellow-traveller, may I point out, has been made notorious by witchhunts for communists by for instance Senator Joe McCarthy in the United States and it is an evocative term used deliberately in line with the Police tactics, described over and over again in my submission. They have not given any evidence that the SACC has a radical image, but they speak of it as an accepted fact".

On page 79:

"There is a backhanded compliment about some of the things the Council does (in the first paragraph) as being for worthy ends. Then that damning with faint praise shows itself because immediately thereafter we are asked rhetorically whether even these worthy projects are not intended to serve other motives and the tenor of the question leaves us to infer that there are and indeed the Police suggest what those unworthy motives might be - the provision

of skilled manpower for the post-liberation era as with the IUEF, (an organisation which provides another opportunity for guilt by association). The SACC gives massive scholarships to the children in the rural areas. All the applications are by letter. The committee does not know the children from Adam. It selects on the basis of academic record and then sends these children to Government institutions. It is cynicism of the highest order to find anything sinister in such a laudable venture. And what 10 is wrong with providing skilled manpower in a country that is crying out for more skilled persons, even if these were to have been trained for the so-called post-liberation period? The Police are looking around for any stick with which to beat the SACC and call in question every activity of the Council because they have made up their minds about the nature of the Council - it is a subversive body and logically most if not all of its activities must be of dubious worth". 20

And then in the second paragraph on page 79:

"The SACC is accused of having a major strategy namely this psychological warfare through propaganda (which is intended) to condition the White power structure eventually to accept Black majority rule in a unitary state. There are several emotive words here - those that I have underlined, psychological warfare, propaganda, condition, used for the purpose already described, which is to find anything that will discredit the Council. This assertion is untrue and there 30 is/...

is no evidence yet adduced to support this serious allegation for what the Police put forward as evidence is too cynical to be true. The Council has spoken about a common citizenship for all South Africans in an undivided South Africa. It has said nothing about Black majority rule. It would envisage a truly demonstratic state and full citizenship implies universal suffrage, an indispensable element of true democracy.

The SACC gives legal defence not because it 10 necessarily approves or condones the alleged offence." I am dealing with the things on page 79, going onto page 80.

"The SACC believes firmly in a venerable principle honoured in democratic and more normal societies, that any and every person is entitled to the best defence possible, thereby assisting the fair administration of justice, and the SACC believes in the revered canon that an accused is innocent until he has been proved conclusively to be guilty". 20

At the bottom of that page, I am going more or less seriatim.

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"The Police with regard to relief assistance to the families of political prisoners manage to understand that the penal philosophy they uphold is that you must punish not only the offender but those associated with him; his family and relatives. The SACC obeys the injunction Our Lord to care for the prisoner, including his family. It is totally un-Christian and uncivilised to want to punish not only the 30 miscreant/...

- 4404 -

TUTU

miscreant but innocent people who happen to be related to him, and the SACC rejects the inferred proposal of the Police, completely out of hand".

CHAIRMAN: Might this be a convenient stage? --- Yes, M'Lord.

THE COMMISSION IS ADJOURNED

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THE COMMISSION RESUMES AT 14h00:

BISHOP DESMOND TUTU, still under oath:

ADV. KENTRIDGE: Bishop, you are on page 133 of your statement. --- Yes, third paragraph.

"Should the SACC and other bodies not be commended for assisting the process of rehabilitating prisoners through providing them with the means to improve their qualifications so that when they leave prison they can become useful members of society? Should the SACC not be commended rather than vilified? Do the police want us to understand that their view of punishment is entirely retributive - if not, then why is it propagandistic for the SACC to be involved in prison education, or is it only the SACC who are so viewed? -

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I have indicated how erroneous and malicious is the police contention that the Joint Screening Committee funds community development projects selectively on an ideological basis. (Page 80)

The SACC has never funded trade unions except to provide relief assistance for striking workers to help them pay rent and buy food, as well as provide for legal assistance. I do not understand the contention about the propaganda activities. The SACC does not disseminate propaganda. It does not manipulate facts. It tells the truth about the South African situation, which is unjust and immoral and discriminatory and nearly everybody, the Government included, agrees it should change, otherwise why all the fuss about constitutional change and moving away from

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discrimination / ...

discrimination based on race. The Government Ministers have made utterances about such subjects. The police should point out untruths in the statements issued in various forms and not just blandly accuse the SACC of dealing in propaganda.

The SACC is accused of being dishonest, but its officers have never hidden the fact that the General Secretary certainly has met with ANC leaders. It is a strange frankness coming from a body accused of behaving in a clandestine and underhand way. It is more consistent with the claim of the SACC that it has always operated openly, transparently and above board. Why is it propaganda to visit our overseas partners when it is from them that the bulk of the SACC funding comes? It really is a pathetic scraping of the bottom of the barrel to find something with which to discredit the Council. 10

The police with some glee have tried to say the Council is unrepresentative and yet in the same breath want to make out that the Council has mounted a massive and well orchestrated propaganda campaign to extend its influence and its support to carry forward the achievement of its goal of liberation. Which of these contentions is true? Has this elaborate propaganda campaign in word and deed reaped any worthwhile fruits? Why has the Council then remained in the police view, unrepresentative despite this campaign? If, as it appears, the campaign has not been particularly successful and the Council has remained insignificantly unrepresentative, why does anybody bother then to investigate / ... 20 30

investigate this inept body to the extent of appointing a judicial Commission, and why have the police gone to such trouble to prove this body to be subversive - when it is so unsuccessful, so unrepresentative?

Page 81 - we have another glaring example of the police using their assumption as proven fact and then drawing appropriate conclusions from their convenient premises. The problem of apartheid was internationalised by the world community long ago, for instance, at the United Nations after World War II. It cannot be blamed on the SACC. The SACC had not asked Western governments to condemn apartheid, forced population removal schemes, and for the world to apply, for instance, the sports boycott. These are among many South African problems that are almost by definition international because the whole situation in South Africa is of international concern. It is quite untrue that it is the SACC that has internationalised the South African situation.

The second paragraph - the SACC has discussed civil disobedience but it has not yet carried out its resolution. I have already pointed out that the march by 52 clergymen was not an SACC initiative at all, on page 94 of my submission.

The SACC has nowhere called for disinvestment, but the police need this for their argument to have any hope of holding water at all.

The SACC is committed to peaceful change. It is really to stand facts on their head, to say that when people

use non-violent means such as protest marches, they are actually being violent because they provoke the violence of the other side. When our Lord refused to answer questions before Pontius Pilate or the Jewish High Priest, He was using non-violent means of non-co-operation with an unjust set-up. Do the police want us to understand that they would accuse Him of violence, just because His non-violent non-co-operation provoked the violence of His tormentors? The police insist that the SACC is involved in a propaganda campaign. I have sought to show that this is a false accusation. The SACC wants to see the unjust system changed, and changed fundamentally so that there will be a new society in South Africa where all, Black and White, will have a place in the sun, where all, Black and White, will count for who they are, because South Africa will be truly democratic and non-racial. The SACC wants to see this happen reasonably peacefully through negotiation and discussion at a conference table and the SACC wants to persuade the Government to let this happen through non-violent and peaceful ways. The SACC has the support of the Bible, of the main Christian tradition and the experience of many parts of the world, for example Gandhi's satyagraha, Martin Luther King's Civil Rights Movement, etcetera. The SACC wants to see a just ordering of society where law and order will obtain because the rule of law exists - there being habeas corpus, there being the due process of law, where there will be proper safeguards for the

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liberty / ...

liberty of the person and no arbitrary banning and detention without trial. Law and order are not absolutes - they are means to a desired end. There is after all law and order in Russia and nobody in his right mind would want that kind of law and order here in South Africa.

The SACC believes that the stability and security of our land will come about only when justice has been established and all South Africans, Black and White, will then have a stake in their mother land, and so will uphold its stability and maintain its security which are meant to serve them.

On page 82, the police are determined to find what they are looking for and so even the activities of the SACC in education are not only suspect but downright unacceptable. They are to achieve the Council's so-called 'secular objectives' - paragraph 3, that hardy annual. I will not spend any further time commenting on this.

The EOC, which is referred to in the last paragraph, is in fact an autonomous Trust. It works especially with an organisation in the United States called the Institute of International Education. It has been accepted first by United States colleges and universities such as Harvard and by the United States corporations and also the United States State Department to handle the selection of Black students to attend colleges and universities in the US, who will be funded by money provided by these corporations and the US Government. The counterpart to the EOC in

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the US is the South African Education Programme chaired by Professor Derek Bok, the President of Harvard University. The EOC has obtained funds as well from EZE in West Germany and Dan Churchaid in Denmark and is trying to place students elsewhere than in the USA. It has also received funds from the Rockefeller Foundation and the Ford Foundation and runs, e.g. night schools and study centres".

I wish to place before the Commission a document, it is the report of a staff study mission to South Africa, August 21 to 23 1982, to the Committee of Foreign Affairs, US House of representatives, and it is entitled "US Educational Assistance in South Africa - critical policy issues".

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CHAIRMAN: This document just handed up will be given the reference number BT.32. --- I just wish to refer, on page 1 of part A, they set out there the nature and purpose of the study, Staff Study Mission, and about two-thirds down that paragraph, M'lord, is the question:

"Is the multiracial South African Selection Board, the Educational Opportunities Committee, UC, running a fair and representative selection process? Does the South African Government's ongoing investigation of the EOC's legal parent, the South African Council of Churches, threaten the continuation of the programme? Should the UD Government consider increasing its involvement in the selection of students?"

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And then they indicate that, in the third paragraph;

"Early this year in recognition of the process of change that is now under way in South Africa, and the extent that education is a key to that change, the

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Administration / ...

Administration urged Congress to approve a 2,3 million dollar internal education programme for Blacks to encourage peaceful evolutionary change". This is what the EOC is concerned with. And then on page 4, we see a heading "Summary Conclusions", and I would just ask that the Commission should please note the report, but those portions, the whole of the summary conclusions, but I want specifically to refer on page 5 to the indented paragraph, it refers to -

"the Educational Opportunities Committee Programme to select Black students, and the students are chosen on the basis of academic merit and community service orientation, and the fields of study are the scientific, technical, commercial ones that would be critical in a future political transition".

And the whole of that, since SACHED and the Institute of Race Relations are referred to in the police submission. But I want on page 6 to refer to the bottom of that page, (a):

"The evidence to date is that the EOC is evolving a community-based geographically representative national selection process, but no alternative community-based structure promised to be more representative, and that even a suspicious minority, members of the Zulu-based Inkatha group, continued to work in the existing system and does not call for a new one. Were the United States to replace the EOC with a new independent Foundation granting a larger role to Inkatha and other groups as some has suggested, it would be widely perceived as opposing an authentic community-based initiative for peaceful fundamental

change. This could seriously damage the credibility and viability of the whole programme. Now is there any danger as some have feared that the EOC programme would be shut down as a result of the Government investigation of its current legal parent, the South African Council of Churches. To strengthen the scholarships programme, the following recommendations are supported by a broad spectrum of anti-apartheid leadership.

Move rapidly toward a totally graduate level scholarship programme;

Increase resources in staff and logistical backing of the EOC to enable it to carry out a more extensive and effective selection process;

Increase resources to facilitate expanded contacts between the EOC and scholarship holders.

Evaluate existing US contractors for the programme and limit their number ideally to one contractor per year to facilitate contacts between the EOC and its scholarship students."

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Then I would just draw the Commission's attention to page 15, which is a description of what the EOC does, at the bottom of the page continuing on to the next page, and I just wish to point out the last three lines of that top paragraph:

"We attended the EOC National Board meeting in Johannesburg and encountered in one place most of the key leaders we had met in the previous week".

And this is the organisation the police seek to denigrate.

"It is alleged that it has links with groups such as SACHED, the Institute of Race Relations, Zingisa

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Education Programme, and of course the SACC's own
ABF. SACHED has helped considerably in meeting the
crisis in education highlighted by June 16 1976, and
it helps students to study for JMB and UNISA. It has
had a project for upgrading teachers in Bophutatswana
- strange projects for an organisation described as
trying to avoid Government institutions. Zingisa
Education Project as well as the Institute of Race
Relations and SACC give bursaries for children to
go to Government high schools and to Black universities
such as Fort Hare. It is cynism of the highest order
to declare that this kind of work and the
organisations doing it are seeking to oppose the
Government. These organisations are helping to
produce the skilled manpower South Africa needs so
desperately as the De Lange Committee Report pointed
out. The Council does not control the EOC in
practical terms. The trust deed does in fact indicate
that for the time being the SACC's General Secretary
Secretary will be chairman of the EOC Council and
Executive Committee, whose members are nominated by
the EOC and the Trustees are then ratified by the
SACC as a formality. The EOC unlike SACC divisions,
does not report at all to the SACC at either the
National Conference or the Executive Committee.
The Black Sash - page 83 - has its offices in Khotso
House. That does not make it fall under the control
of the SACC. Khotso House does not belong to the
SACC. It belongs to the Khotso House Trust. It will
be good for those who wish to do so to investigate

whether the Fund-Raising Act provisions have been contravened. Page 84, there are references there to my statements.

Are the police wanting to take exception to my remark which they quote on page 84 of their report? I can tell them that I hold firmly to those views and support what the ABF has indicated are its own concerns - the bottom part of the page.

Page 85 - why are the police so worried that the EOC uses overseas funds? Why is it worthwhile to say predictably it is beholden to foreign funding? South Africa alone cannot provide the funds needed to meet her backlog in educational needs. That has been declared many times by experts in the field - one just has to look at what the De Lange Committee has said on this matter. No, the police mention it for their hope of showing that such organisations are then open to the possibility of being manipulated by their foreign paymasters.

The EOC hopes it will be an important agency able to articulate Black education aspirations and needs. Is that a crime or blameworthy? Is it a crime to prepare children to share in the running of their country? I thought the Government was keen for this to happen.

On page 85 at the bottom and page 86 - the police seem to be unaware that the South African educational system is racist and discriminatory. That surely is just a fact of life. The SACC is opposed to Bantu Education. Anybody who does not so oppose Bantu Education must surely have forgotten the happenings

of June 16 1976 and its aftermath. The De Lange Commission and other bodies are also opposed to Bantu Education. Are they linked too with the ANC which is similarly opposed? This argument of the police used monotonously is quite nonsensical as has been pointed out on other occasions.

The SACC would rather do without the backhanded compliment of the police, thank you. We do not want to be damned with faint praise. The SACC is doing a splendid job and the SAP with a jaundiced eye will not recognise this is the case. They doubt whether we do the good work for pure educational motives. We are not likely to convince them because they have closed minds on the subject.

We do not know that we have an overriding purpose that returning students should participate in the Government of South Africa. We hope very much that everybody will be educated to their highest potential and that every South African will participate in meaningful decision-making. Has not the Prime Minister himself spoken about what he calls healthy power-sharing?

Page 87 the last paragraph - the police are determined to push their line that the SACC advocated disinvestment. I have shown that this is untrue. Then the morality of the SACC is called in question. I thought the police did not make value judgments. They were only concerned to uphold law and order and to prevent the commission of crime. They speak about an ideology which motivates the SACC. They do this in order to discredit the Council. They have no evidence

whatsoever / ...

whatsoever for their point of view. That appears not to matter as long as their stance can be to the disadvantage of the SACC.

Page 88. Are they upset that the SACC found funds to assist teachers on strike on conscientious grounds to demonstrate their opposition to an education system which has cost the country dearly in terms of the June 16 1976 uprisings and the casualties that have resulted in the serious shortfall in skilled manpower?

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Page 90, third paragraph. The police call in question what they call the motives and ratio of the help the SACC gives to the families of political prisoners and the legal assistance to those facing security trials. Then they charge the SACC with helping those engaged in illegal activities of a political nature as these activities appear to support the SACC activities to attain its secular objectives (again the hardy annual) liberation. They are determined to discredit and vilify the SACC at all costs. They are saying

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bombings and other acts of terrorism are in fact virtually condoned, virtually encouraged, as they will help in attaining the SACC's secular goals. Why utter such blatant untruths? They are experts on Christian compassion who speak about selective compassion. What qualifications do they have to do this?

The last paragraph on page 90 - we are told as a matter of fact that the SACC does not help those who commit offences which are not of a political nature.

That is first of all an unreasonable expectation. The

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funds / ...

funds which have been referred to by the police disparagingly at our disposal are not limitless. The SACC cannot be expected to deal with every single kind of social problem. There are limitations forced by a paucity of resources and personnel. Most importantly, as Mr. Storey pointed out, there are differences in the attitudes of those the police refer to and the attitudes of political offenders. The latter are motivated by ideals to believe they are working for the community. It is not something for their self-aggrandisement. They also face very severe penalties in which the death sentence may be involved.

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But in fact the police statement is untrue. We have assisted with Pass Law offenders. The Asingeni Fund gives financial support to the Becker Street Advice Office in Johannesburg - many of the Asingeni Reports will show that this is the case - in Johannesburg to assist pass offenders. And we have assisted people who were facing for example, murder charges, and a few people who, in prison for non-political offences, have complained of illtreatment, have had their cases taken up by SACC attorneys at the Council's expense. But is it a crime or indeed blameworthy to restrict legal assistance to those facing political charges? But as I have indicated, Asingeni does not so restrict its help. It is true that the bulk of such help is for political trials. We have indicated before just why this is the case. (Page 91)

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The law will take its course. If a person is guilty then / ...

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then he will normally be found guilty, but the due process is to ensure that only those who are guilty are punished. I thought there was a rubric in the administration of justice that it would be better for the guilty to be set free than that an innocent person should be punished.

The police are hitting out in every direction to find things with which to discredit the SACC. What, pray, is wrong with funding a memorandum that is critical of security legislation and detention without trial? Eminent lawyers have done that as well, meaning they have been critical of security legislation, and the Rabie Commission was set up in part because of a concern about security legislation. (Page 92, item (c)).

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It is difficult to understand what the police mean about giving of assistance being part of the raison d'etre of the Council. Of course, the Church exists to serve. But it is untrue that the assistance is limited to political offenders.

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The premiss the SA Police have given themselves permit them to draw the conclusion they reach on page 92, that all this selectivity is not only to build the morale of confrontation with the State but also to support the attainment of the Council's goal of liberation - and all this is part of its propaganda. Now, the Commission knows perfectly well in elementary logic, when the premiss has been shown to be wrong, then the conclusion is necessarily wrong too".

We have all had to go through this kind of thing of a

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syllogism / ...

sylllogism: all men are animals, John is a man, John is an animal. That is correct. All steepled buildings are churches. This is a steepled building therefore it is a church, but in fact that building is a library. The conclusion is wrong, because the major premise is wrong. Not all steepled buildings as we know very well are churches.

"The Reverend Peter Storey and I have dealt at length with the police allegations about SACC links with the ANC, especially attendance at meetings where ANC and others have been present, etcetera. (Page 95, the second paragraph) I am just pointing out that Bishop Tutu is not the SACC. But I want to go on and say firmly and courteously, the ANC leaders are Africans. They are people with whom many in the Black community are related. They are people we knew who were working for change by peaceful means in this country before they were banned in 1960, making many of them say they had no option but were being compelled to take up the armed struggle. Some of them were personal friends. And I want to state categorically that I will not allow this Government or any government to choose who will or will not be my friends. And I have a ministry of reconciliation to all South Africans, and the State will not dictate to me whom I can minister to. How will the message of reconciliation be heard if it is not communicated to those who are involved in the strife?

Then I am told that we were in touch with President Machel. I wish to point out again, I have been in touch not only with President Machel, if the police

had / ...

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had asked us we would have told them that the General Secretary was instructed to write to all the heads of our neighbouring states on the subject of refugees. The Press and the SABC went to town about the error in the police submission of citing President Machel and they had a garbled version of the contents of the letter. It was front page news in one Afrikaans newspaper. Unfortunately it was substantially wrong".

And may I place before the Commission -(BT.33) - M'lord, that is a pile of letters written at the same time as the letter the police referred to, to President Machel, and you will note there that I wrote an identical letter to the Prime Minister of Lesotho, to the President of Botswana, to the Prime Minister of Zimbabwe.

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"The last paragraph on page 95 - the police it seems do not like to hear what the Black community feels if it is unfavourable to the Government, for they take exception to being told what an observer would have been able to tell them about Black feelings over the Matola raid and the banning of memorial services.

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Speaking the truth when they are around is a dangerous pursuit. (Page 96) The police are upset at an

article I wrote trying to say how we could find peace in South Africa. Certain activities of Mr.

Tambo are widely publicised such as his meeting with US corporations. It was not information that I

obtained clandestinely. I knew about Tambo's intention to be ordained from Bishop Reeves himself.

I lived in London and I knew the Tambo's well. Why

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should / ...

should I have ostracised a fellow South African?
My article was on how to bring about peace - and
what is wrong with that I want to know? It was a
call for negotiations. The police are intent in
their obsession in finding ulterior motives that
are non-existent".

I write here towards the end of that article:

"The ANC would stop the armed struggle if Mr. Botha
were willing to negotiate with them about political
power and its deployment. We can still avert large-
scale violence and chaos. Why must these negotiations
happen only after the unnecessary deaths of thousands?"

And then the police quote at the end of page 96 and over into
page 97 a letter from the British Council of Churches or
someone who works with the British Council of Churches, and
I want to say here:

"The British Council of Churches is not the SACC. They
are surely free in Britain, which is a democratic
country, to do as they see fit. But that should not
be used as a stick with which to beat the SACC, which
has very good fraternal relations with the BCC, but at
no point is compelled to endorse or accept anything,
anything that the BCC does.

The second paragraph - we are told that the SACC had
clandestine links with the ANC as mentioned in the
IEUF Commission report. This is something that is
supposed to have happened in 1979. I was then General
Secretary, and I want to say categorically that I knew
nothing about such a clandestine link. If I had,
would I have dealt with Major Williamson as I did?

Surely / ...

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Surely I would have given personal warnings to the IUEF. There would have been no need to use the ANC as a channel. The logic of it is one which beats me. With regard to the SACC receiving funds from the IUEF, I need to state here that I made it clear that my own two children had received bursaries from the IUEF. I had forgotten a small amount which the IUEF had given for the Soweto Teachers' Trust which received funds through the SACC. In a sense I was right that there was no link between the SACC and IUEF because 10 the money was a once-off grant to the Soweto Teachers' Trust. That is the only money from the IUEF which found its way into the SACC's books. Then the bottom of page 97 and over into page 88. I am surely free to state my views - this is speaking about my addressing students at Stellenbosch. My audience is also free to accept or reject those views. But I need to speak the truth as I perceive it. South Africa is not going to be well served if attempts are made to depict fellow South Africans as the enemy. 20 That is bound inevitably to splinter our society. We must identify the real enemy - and for me it is first apartheid and its injustice and the immoral suffering it inflicts on many of God's children needlessly".

And one has to underline that, M'lord, for us there would be no instability in this country if apartheid went, and all the concomitant injustice and immoral suffering, and possibly there would be no fighting on the border because apartheid would not want to go into Namibia. And the view that I 30

express here in a sense is expressed by Dr. Kriel, whose statement we quoted from 'Storm-kompas' on page 72 of my submission, that it is not communism over there that is the problem, it is apartheid here in South Africa, and the injustice and the immoral suffering in South Africa here and now, that is the real problem.

"And it is totally, totally untrue to say that I am part of an international gallery, whatever that may mean, that does not condemn the violence of the ANC. I do so regularly, but I will not be stopped from condemning 10 equally strongly the violence of those who maintain an unjust and iniquitous system. The police should not sit so loosely to the truth, just so that they can find a way of discrediting, vilifying and maligning me and the SACC. Page 100. About the concept of the confessing church, my colleague, Dr. Kistner, has given a very authoritative disquisition. I just wish to add that the concept of the confessing church has a venerable record especially because of its witness in Nazi 20 Germany. It has a record of which many Christians are proud and when that concept is treated with so much suspicion and abuse as happens in the police submission, then one is left aghast. Page 105 of the police submission. I have already commented on the police view that non-violent action is in fact violent because it provokes the violence of retaliation. The fact of the matter is that to engage in non-violent action needs very serious spiritual and other preparation and cannot be undertaken by every 30

Tom, Dick and Harry".

And the film Gandhi shows so brilliantly just what it takes to be involved in passive resistance, non-violent action. Gandhi had to fast and many times fast to the point of death.

"It is a highly disciplined course of action and has a high moral tone. If it is to be ruled out of court, then one wants to know what methods are left especially to those who lack the power of the ballot box, unless it be a violent uprising? (Page 106)

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In passing I need to point out that the SACC has, of course, not accepted the status of a confessing church. The resolution on a confessing church was passed by the Racism Consultation in 1980. It is not a resolution that has been adopted by the SACC.

(Page 118) The police assert in their conclusions categorically, Mr. Chairman, that there is no doubt that the SACC has a substantial and indeed as its only and primary objective - that is stated as a fact - to effect fundamental change in the RSA

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dispensation in order to liberate the so-called oppressed. That is a statement of fact.

I have shown that this is untrue. I wish I could use stronger language, but I think I have mellowed, M'lord, since the days when I would have used such language. The SACC exists to glorify God, to work for the extension of His kingdom in South Africa, and for the reunion of the divided churches of Christ in this land. We quote from the Constitution of the Council and its objects:

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'The / ...

'The principle objects of the Council shall be:

1. To foster that unity which is both God's will for all mankind and His gift to the church, by discussions, conferences, ecumenical studies, joint endeavour and in such other ways as may from time to time seem appropriate;

2. To co-ordinate the work in Southern Africa of churches and other Christian organisations wheresoever situated in order more effectively to carry out the church's mission in the world. 10

3. To undertake on behalf of churches and Christian organisations such joint action and service as may be possible and to encourage joint action and service among member churches;

4. To do all such things and to encourage all such things as may best be calculated to reduce the divisive factors, whether doctrinal or otherwise, existing among the Christian churches;

5. To engage in such activities on behalf of its members as an integral part of the worship and service of the Triune God and to give effect to His Lordship and salvation for all mankind by undertaking the spiritual, physical, intellectual and emotional care of His people and by developing dialogue with people of other faiths and ideologies.' 20

Where the police get this statement from or the facts that justify that statement I do not know.

"The Kingdom of God is both spiritual and material and has to do with justice, righteousness, peace and reconciliation. 30

The police claim that the SACC is active on many levels and spheres in order to achieve its secular goal, i.e. liberation. They have decided on theological grounds, despite their original disclaimer that there are things secular and presumably things religious. The SACC rejects this false dichotomy. It works for God's justice and peace and carries out Christ's command to do works of Christian compassion and mercy, with no other purpose than to serve Christ in serving the least of His brethren. (Page 106)

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The SACC together with many other Christians, including those White Dutch Reformed Church leaders who contributed to 'Storm-kompas' and from whom I quoted in the previous section - indeed together with the vast majority of the world church and the international community, including the democratic countries of the West - regard the present apartheid system as unjust, oppressive and ultimately unrighteous. So that the SACC is not peculiar in this regard. It finds itself in very good company.

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And I challenge the police to produce any self-respecting theologian or political leaders anywhere else in the world who would stand up and say that apartheid is just and not oppressive. The SACC holds before South Africans, not an unattainable Utopia, as the police allege, but the vision of a truly democratic non-racial society where South Africans will count not because of the colour of their skin, but because they are persons of infinite value created in the image of God. The Government have

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proposed / ...

proposed through the Prime Minister that if White South Africans do not adapt they will die - meaning they must change and give up some of their power in a form of, what the Prime Minister has called, healthy power-sharing. The SACC has no political blueprint but a vision that can be translated into reality and attained if all South Africans are involved in drawing up such a blueprint in a national convention where all sections of the South African community will be represented by those whom they regard as their leaders.

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The SACC brings before all South Africans a picture of the reality of our situation, for only thus is there hope that it can be tackled appropriately and consequently resolved. It is dangerous to tilt at the windmills of illusion. The SACC has many many Whites in its constituency. Its President is White. It would be foolhardly and self-defeating to try to undermine White morale for this reason. The SACC in fact seeks to encourage all South Africans to tackle the problems of our land realistically, facing the truth, unpleasant though it may be, squarely in the face. The SACC works for true reconciliation and not for a spurious reconciliation which would cry 'Peace, peace, where there is no peace'. The SACC has often stepped in to serve as a mediator to settle disputes and differences. True reconciliation involves a proper kind of confrontation.

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It is not true that the SACC has mobilised and maintained international pressure. There is no

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evidence / ...

evidence for this as for virtually all the allegations the police have made earlier in their submission.

The police appear to have worked methodically to produce their submission. We have shown that it consists largely of innuendo, guilty by association half-truth and downright untruths, etcetera. Now on page 118, they work on the basis of the false premise they have provided themselves in the body of their submission to seem to arrive at their conclusion. In fact they had most of their conclusion to hand long before they started the submission which is in my view an attempt at a rationalisation post facto.

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They say the SACC methods embrace various aspects - the political, economic etcetera. They have decided that the SACC is a destabilising and subversive organisation. Consequently, they have viewed everything the Council does with this in mind. For instance, they concede reluctantly that some of the Council's activities, e.g. its provision of bursaries, might be commendable. But even this faint praise is

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immediately nullified by the police observation that they doubt whether this kind of work is carried out for purely educational reasons. There must be ulterior motives, so the police want us to believe. The SACC's agents presumably go around the bantustans

surreptitiously searching out for youngsters who want to study for J.C. and matric and ask them if they want to be part of the liberation struggle before they can qualify for SACC bursaries. This is a quite preposterous

picture but it would fit the obsession which filled the

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minds / ...

powers. That knocks that particular argument of theirs for a six. If it was necessary to refute it further, then we can point to the testimony of our overseas partners who told this Commission that they do not manipulate the SACC, that they do not initiate anything but wait for SACC initiatives to which they then respond and that they consider it a great privilege to share in the work of the SACC, which is work of Christian compassion and mercy. They are privileged, so they have attested, to share in the SACC's work of justice, peace, compassion and reconciliation. Anything other than this has been found only by the police who are unable to bring charges against the SACC for its alleged nefarious activities.

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Perhaps there is a Freudian slip in the last paragraph on page 119 when the police say it must not be thought that they assume that he who is not for us, meaning themselves, is against us - but it must be the case.

They are looking for enemies. Those who do not believe in the total onslaught and the total strategy, those who oppose policies of this Government, are the enemy and as such they must be dealt with, eliminated, or at the very least, discredited. That is what they have wanted to do so as to hobble the SACC and minimise its effectiveness. The police have not been objective at all. And now we note that they are experts on piety as well, for they disparagingly speak of the Council as an organisation whose language is clothed in self-protecting piety. What do they mean?

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To be protected against what, we would like to know, since the SACC operates openly and fearlessly?

(Page 120) The police know which are the areas we should be active in, we are told. Our primary terrain they pontificate, should be the evangelising of the non-Christian in South Africa and our 'begging' overseas should be to find funds for this work.

Who in the name of everything that is good are they to tell us what is our primary area of responsibility?

The churches have their own division of labour and they have specific agents, as Mr. Peter Storey pointed out, for carrying out appropriately specific functions and tasks. The churches have set up the SACC for the

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attainment of certain goals. Where do the police obtain the competence to pontificate about what are and are not the appropriate areas of activity for the SACC? It is presumptuous in the extreme when they pretended to disclaim theological competence at the beginning of their submission. When did it become the responsibility of an arm of the State to tell the

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church how to be church? In Russia the state dictates to the church what it can do and what it cannot do.

Are we to infer from this statement by the police that the Government now wants to dictate to the churches what they can or cannot do in carrying out their functions as church?

I am not sure what the police are referring to when they say the SACC works with persons who do not underwrite Christian dogma. If there is a flood disaster, would they say that the SACC should not

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co-operate / ...

co-operate, for instance, with Muslims or Buddhists or Jews to alleviate the suffering caused by that flood? We need to tell them, if they do not already know it, that the world has become a global village. Everywhere else in the world, dialogue and co-operation by Christians with persons of other faiths and ideologies is taken for granted. And why should we need to be told by Government authority through the police with whom we may have relations? This Government has already shown that it is obsessed with legislating for the most incredible minutiae of human relations. It tells people whom they can have as neighbour, whom they can marry, with whom they can study. It seems now that the churches are going to be told with whom they will generously be permitted to have relations. The Government will have to examine their credentials and their bona fides before they can say they are kosher or not. Is this what we are in for - Big Brother determining our every relationship, guarding our every movement? What business is it of the police with whom we relate as long as what we do is above board, legal and consistent with the Gospel imperatives? We are told this is part of our language which is clothed in self-protecting piety. We have repeatedly said it is untrue that the SACC strives after secular goals. The SACC strives after religious and spiritual goals which express themselves incarnationally, for we are not dealing with angels who are pure spirits, but human beings of flesh and blood. The Kingdom of God is not just a spiritual entity / ...

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entity - some of the references in 'Storm-kompas' say precisely the same thing. The Kingdom of God finds expression in concrete, physical, material, political economic and social institutions and organisations. We cannot help it. That is the biblical Judaeo-Christian faith which we affirm. If the goal of a more just, non-racial and truly democratic South Africa is also sought by others, we will not repudiate it for the simple reason that those others happen to belong to banned organisations. Their striving does not vitiate the good in the goal. It is pathetic logic to think, as the police would have us think throughout their submission and at this point".

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CHAIRMAN: May I interrupt you, might this be a convenient stage? --- Yes, M'lord.

THE COMMISSION IS ADJOURNED.

THE COMMISSION RESUMES:

BISHOP DESMOND TUTU, still under oath:

ADV. KENTRIDGE: You came I think to the foot of page 148.

--- I go to page 149 now, M'lord.

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"It is not true that the SACC distances itself from anything that has Government involvement. I have pointed out that I commend the authorities when they do what I consider to be commendable. The police can ask especially Mr. P.W. Botha and Dr. Koornhof if they disbelieve me."

I do not know whether we have copies of the telegram, just as an example of the kind of telegrams that I send - (BT.34).

I think I did put them already during Mr. Cain's evidence, Bishop, but I think perhaps for convenience let us

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put them in now. --- Yes, thank you very much. The first one was sent to Mr. Coetzee, Minister of Community Development, and I sent the same telegram to Dr. Koornhof, and it speaks for itself, in which I commend him warmly for selling housing units to Blacks "but wish you to consider freehold rather than leasehold and giving away older structures than selling them but God bless you". I have done that several times.

"If the SACC distanced itself, it would be odd conduct to want to give the Government any credit for anything. Our scholarships for secondary education and tertiary education are to send children to Bantustan schools and Government universities. When there was trouble in the schools, especially in Port Elizabeth in 1980, the parents in those areas asked the SACC to intervene with the authorities, and a delegation we put together went to see the then Minister, Dr. Hartzenberg. In 1980, on the initiative of the General Secretary of the SACC, the Government, led by Mr. P.W. Botha, met with a delegation of SACC church members. General Coetzee was present at this meeting in the Union Buildings, perhaps he has forgotten. Only last December, concerned at the unrest at Fort Hare, an SACC delegation led by the SACC General Secretary, met with the Rector of Fort Hare and some of his administrative staff in an attempt to help sort out the crisis on that campus. The Rector wrote in appreciation -

and I have copies of his letter, M'lord.

CHAIRMAN: Thank you, BT.35.

"On / ...

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"On behalf of the university I wish to thank you and members of the delegation who met with us on 1 December 1982, for taking the trouble to come to the university and the interest you showed in both the university and the students. In particular I would like to thank you personally, and members of the delegation for the friendly and open spirit which you displayed and for the Christian atmosphere in which we were able to conduct our discussions. Like you, I hope that these discussions will have created better understanding, and will make a positive contribution in the event of any further student unrest".

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"Two weeks ago the General Secretary of the SACC spoke with a high official of the West Rand Administration Board, trying to negotiate for the people living in tents in Soweto. Have I given enough instances to show that yet another police allegation couched as a conclusion is untrue? May I add that I personally intercede daily by name for each member of the Cabinet. The police know what attributes should characterise Christian statements. We want to point out that times without number our statements have been appeals to the authorities to desist from a particular kind of action or to urge them to conduct themselves in a particular way. The police object to statements of fact when those facts are unpalatable to them. As General Secretary of the SACC I have not threatened anybody. It is just a fact of life that Blacks will regard Coloureds and Indians who participate in the present sham constitutional proposals as sell-outs and

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co-oppressors / ...

co-oppressors. That is more or less what Chief Gatsha Buthelezi also said and consequently the Labour Party quitted the Black Alliance to which it had belonged with Inkatha. When I have said unless certain things happen, then we will have a blood bath, am I threatening any more than Mr. P.W. Botha could be accused of threatening when he spoke about 'adapt or die' or Mr. Vorster earlier spoke about 'the alternative too ghastly to contemplate'? We have pointed out previously on several occasions 10 that the police allegation that the SACC has never condemned violence of the guerilla movements is untrue. (Page 120) The SACC has no plan of action. Certainly not of the kind mentioned by the police. It is a figment of the fertile imagination of the police. Something as definite and as subversive as an action plan would long ago have caused the SACC to be charged in an open court, given the phalanx of draconian security legislation at the disposal of the police. Why are they being so coy? If the plan is destabilising 20 that surely is an indictable offence. Why, I ask again, are the police so unenthusiastic to prefer charges when they possess such explosive information? The SACC, we are told as a matter of fact, has degenerated (the last few sentences of the first paragraph) has degenerated into a political pressure group with a political gospel undergirded by a political theology which finds expression in a multiplicity of political actions.

I for one cannot pretend to recognise any of that as 30

referring / ...

referring to the SACC I know and of which I am General Secretary. The police must surely provide chapter and verse to substantiate such a remarkable conclusion. They have failed signally in the body of their submission to do this. Do they mean the member churches are a political pressure group because as I have striven to show and as others have shown, the SACC does not exist except through its member churches who control it through the National Conference, the Executive Committee, the Praesidium 10 and the divisional committees as well as church leaders' summit meetings? Wherein lies the political pressure group? The police have even distilled a political theology (I thought they had put in a disclaimer earlier that they were not competent or certainly did not want to pass judgment on theological issues - but they are being theological through and through, unfortunately their theology is thoroughly bad theology) and they even know about a political 20 gospel. Who are the proponents of these political oddities and why have the member churches not repudiated these aberrations? We recall, of course, that the SACC has the support, so the police told us, of a loudmouthed, radical, ecumenical leadership faction which almost certainly benefited organizationally and financially from giving this support. Are they the pressure group? Why have they not been identified more positively, and why is it the police alone who are aware of their existence? Or are we being 30 told in the manner of innuendo and inference that

those / ...

those others who do not belong to this faction but who keep quiet and do not repudiate such a reprehensible and unscrupulous lot are really dupes - are they speaking of the church leaders of our member churches and of their Assemblies, Synods and Conferences? Why do they not come out plainly and stop being coy?

What is this mysterious dilemma from which the SACC suffers? We are never let into the exciting secret possessed alone by the police. Instead we are regaled with the account of those church leaders who want to see change and have conscientious convictions, etcetera, etcetera. These wonderful people torn apart by a dilemma do not give the SACC unstinting support either financial or otherwise for its activities. Why? Because we are told they have a serious dilemma: must they go like lambs to the slaughter in the knowledge that a politicised group of clerics or ecumenical organisation with veiled objectives that cannot stand the light of day will reject their contributions or accept them only for short term political advantage or, in order to avoid all this, sit back and attempt to silence their consciences? The police are dangerously melodramatic. They have decided long ago that the SACC has political goals - they have said it is the primary goal of the SACC. Now they excel themselves as they speak in their accustomed manner of veiled objectives which cannot stand the light of day - they know these veiled objectives. We have not been let into the secret, but that / ...

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that does not matter, as long as the picture they tried to paint of the SACC, wholly unfavourable to that body, can be confirmed. It does not matter - if the truth will not do, half-truths or even downright untruths will do the trick.

The police know certain things. Presumably they have met these clerics and so they will vouchsafe us their names and addresses because we have not met them and they have not testified before this Commission.

They know that intuitively and based on research and 10
experience as well as theology, these dilemma-ridden clerics realise that to be involved with the SACC and its activities, is to be involved in a revolutionary strife which attempts a total overthrow of the present order to bring about a new Third World socialistic (abutting on communistic) dispensation.

M'lord and Members of the Commission, I am not sure that anybody is supposed to take this wild, unsubstantiated and irresponsible statement seriously. I take it we have to, only because of the source from 20
which it comes. It is highly unlikely that this extraordinary submission did not have the approval of highly placed Government officials.

First of all, do the police have the names of these persons who through research, intuition, theology and experience know that involvement with the SACC has these consequences? I ask because it would of course be interesting to find out whether they belong to our member churches for one thing. Frankly, it may be interesting but it is totally irrelevant to be told of 30

the views of people from non-member churches. The SACC is not answerable to them.

Secondly, it is interesting to note that the most responsible people in our member churches have not yet repudiated the SACC on these or any other grounds. Instead of churches leaving the SACC they are joining it. It is true that the NGK in Afrika has been debating continued full membership of the SACC, but in the Dutch Reformed Family of churches, the RCA which was an observer member is now a full member. 10

The NG Sendingkerk has applied this year for full membership at a time when the SACC is under attack as never before and is even being investigated by a judicial Commission. That is very odd conduct if the SACC is what these worthy police make it out to be.

Thirdly, can anyone believe seriously that it is possible to carry on a revolutionary struggle and not fall foul of the law? If that were the case the police must be quite inept and incompetent - if the SACC is so involved. Why not charge the culprits for 20

contravening so blatantly security legislation. The police and the Government would surely be vindicated tenfold for all their fulminations.

The SACC is charged with wanting to bring into being a Third World socialist (and for emphasis it is declared that it abuts on communistic) dispensation. It is a quite preposterous allegation. To call for a non-racial, more just and truly democratic ordering of society - is that what deserves those malicious and denigrating epithets used by the police? Of course, the 30

purpose as I have indicated before, is not to depict in an objective and truthful way what is the true state of affairs. The overriding purpose of the police submission is to vilify, malign and discredit the SACC and no holds are barred - if truth cannot do, they have no scruples to use half-truths, innuendo, guilt by association, suggestion, casting aspersions and downright untruths.

The police have an obsession with the foreign funds of the SACC. They have spoken of manipulation. They speak about funds used for political ends and they are the experts who can tell us what are and what are not theological purposes - despite their earlier disclaimer. We have declared that all our work is theological and religious and we will not wait for the police or anyone else to tell us what is or what is not religious and theological. Or do the police want to tell us that it is they or the state who will determine what is the legitimate sphere of the church's activities?

They claim that our activities are disturbing the current stability, peace and order in South Africa. We claim that if we did not assist the unemployed with self-help projects, if we did not help to feed the hungry, if we did not give water to the thirsty, if we did not help to educate thousands upon thousands, if we did not support the families of political prisoners, if we did not provide legal defence for those appearing on security law charges, then peace and order etcetera, would long have gone for a loop in / ...

in South Africa. We claim that we have helped to maintain peace and order. Of course, the Gospel we also claim is subversive of all injustice, oppression and exploitation - I said this in my first submission and substantiated it scripturally. Nobody challenged that submission.

In their recommendations on page 126, the police speak about the background against which they have formulated them. They speak there of the Council's aim to shape political opinion, all of which is clothed in theological terminology. We have shown that this is untrue and totally unsubstantiated, sucked out of someone's thumb.

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It is claimed as a matter of fact that the Council receives funds from foreign governments so that it will act as their agent to achieve their political goals. Now let us tell the police through this Commission, the money is used for scholarships, for legal defence, for family support, for supplying a water rig, for blankets, soup kitchens, seeds for kitchen gardens etcetera, etcetera. It is laughable to speak about being used as agents. It is totally untrue and the police know it, for the evidence of such activity would be damaging to the entire credibility of the Council. Why is not produced?

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It is untrue to say most of the SACC initiatives are not really its own but those of especially foreign institutions who seek radical change in South Africa. We have shown that the SACC is its own master under God. That is what our overseas partners have said.

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That / ...

That is what the leaders of our member churches have said. We do what we do, believing it to be in obedience to Christ. If it is advantageous to the so-called terrorist organisations, then so be it and if security legislation must be criticised, then truth demands that it be criticised. Eminent lawyers have done likewise. Are they also to be thought of as being somehow hand-in-glove with these banned organisations?

The SACC is accused of being a Council that is manipulated by affluent foreign organisations with political and economic motives. The Council is declared to be subject to overseas control - financial and ideological - and this ideological control is demonstrated by the funding. There is no evidence at all to support this preposterous allegation which is extended by the further suggestion on page 128 that South Africa must be freed from foreign-funded political influence. Our partners have spoken to this malicious allegation and the Chairman has given a ruling which removes the major reason why the police recommended that the SACC should be declared an affected organisation, i.e. that it was not its own master but was manipulated by overseas paymasters.

(Page 127) The police again in a very sinister suggestion want to dictate to the churches just what sort of ecumenical organisation they should have. They have forgotten that South Africa has religious freedom - and there is a great deal of debate just now in Parliament about the preamble to the new

Constitution and it hinges round whether there is going to be religious freedom, although they say South Africa will be governed as a Christian country with the freedom for Muslims and so on, and I believe the Government, through the Minister responsible for the legislation has said that there will be religious freedom. So we want to remind the police that is the position.

"It is the churches not the state which will decide how they will be churches relating to one another ecumenically. Do the police resent this measure of autonomy on the part of the churches? Do they want to pry into these matters and control them as they do when they try to uphold the provisions of the Immorality Act?

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In the police submission, just to go back to page 122, paragraph 3, we are told that legal defence of those who rise up against the State per se becomes sinister when it appears to maintain their morale, and it appears that those who provide the aid are kindred spirits with the alleged offenders and that it becomes even more sinister when it all has ideological links with those who have declared war on South Africa. This extraordinary observation is said to apply to SACC help given in education, given to trade unions, given to students - and it is all regarded as being sinister. Do the police seriously want us to believe this; that they cannot find one illegal act, but that when the activities of the SACC are taken as a whole then they become sinister, they disturb the peace, they are destabilising? They then go on to

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one of their pet obsessions - showing that there are parallels between the SACC and eg. the ANC. Apart from the fact that when a reality is a certain reality, it would be nonsensical to declare it otherwise just because a banned organisation says the same thing about that reality, we need to point to the fact that the police stretch points to the limit. They speak about expertly worded SACC calls for disinvestment on page 124. There are no such calls expertly worded or otherwise. The SACC support 10 and co-operate with PCR of course, because the churches have long opposed racism. The police themselves referred to the Christian Council of South Africa Conference on Racism in 1949 - 21 years before PCR was established. The SACC has rejected the grants to liberation movements from the Special Fund of PCR. Why is that not mentioned where it is so germane because it is a comparison of the SACC and a liberation movement? Is it wrong to tell people the truth as we see it - the Government spends millions of 20 rands trying to tell them what they consider to be the truth.

(Page 124) The police actually say that possibly the SACC and its officials are among those whom Mr. Tambo refers to as having answered the call who are found at home and abroad among the ranks of the political and military fighting forces of our people.

The police are suggesting that the SACC has joined the fighting ranks of the ANC. That would be an indictable offence. Why make such a mischievous 30 suggestion / ...

suggestion unless they have the evidence for it, and if they have the evidence for it, surely they are duty bound to charge the SACC and those particular officials who are guilty of this offence. It is a shabby trick, characteristic of this whole submission, to try to denigrate, vilify, malign and discredit the SACC by innuendo, guilt by association, half-truths and downright untruth as I have attempted to show in my analysis times without number.

The SACC operates openly, transparently and legally. 10

I stand by my repeated invitation: 'Come and examine us'. The police have done so. The Commission auditor has done so. And they have declared us to be clean - the police, in spite of themselves and their malicious bias have had to admit there is nothing, absolutely nothing illegal the SACC has done or is doing.

M'lord and Members of the Commission, I have appeared before you not to defend the SACC, for I have believed there was nothing to defend, that this Council has done little of which it ought to be ashamed. Far 20 from being ashamed the SACC stands with its head held high.

M'lord, you have asked the SACC to tell this Commission what effect its activities have on the South African society. I will attempt to answer that question and also say what I think will result if the recommendations of General Coetzee, contained in his submission, were to be implemented. I hope in carrying out this exercise of answering your question, it will not appear as if the SACC is blowing its 30

own trumpet. In various ways the SACC has shown what it is that it does in South Africa.

Through the African Bursary Fund and University and Technical Bursary Fund, the SACC has helped and continues to help a thousand children a year to obtain secondary education, i.e. pass JC and matric. About a hundred students a year go to university, studying in the different disciplines available at university. Some of those the SACC helps to educate are training to become teachers. Anyone must concede 10 that it is a significant contribution that the SACC is making - preparing for the South Africa of tomorrow, helping to produce those who will provide the skills so desperately needed in our land if South Africa will remain a prosperous country. Education has been shown to be a sensitive, indeed an explosive issue in South Africa. The SACC helps to defuse all that by its work. The SACC, through Inter Church Aid and the Joint Screening Committee provides over a wide area, especially in the impoverished rural bantustan areas, 20 many self-help community projects which help those poor communities to generate some income and not become dependent on hand-outs; but have their dignity restored because they earn some money through these community development projects. The SACC provides health education so that especially women in simple rural communities can learn how to eat properly and yet cheaply, how they can bring up their families to be healthy and strong. The agricultural education officer helps those uprooted and dumped communities 30

in the bantustan resettlement camps to learn how to grow food for themselves. There are relief programmes pure and simple that provide soup kitchens to feed the hungry, which give blankets to the aged to ward off the rigours of winter.

The SACC has a project on unemployment, a critical problem at the present time in our land and one that could explode at any time. The SACC has helped to defuse that volatile situation by its self-employment and other development projects to give hope to the despairing and the unemployed.

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The SACC helps the churches and our society to recognise the serious problems which will not go away by being ignored and which could deteriorate dangerously. We refer to the whole problem of the sanctity of marriage given the pressures under which the family exist today, to prostitution, alcoholism and juvenile, sexual and other delinquencies; as well as other critical issues, which a healthy and mature society must look squarely in the face.

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Our Justice and Reconciliation Division raises such questions as conscientious objection and the problems of war and peace, violence and non-violence and the questions raised by apartheid and its plethora of unjust laws - the Mixed Marriages Act, the Group Areas Act and the migratory labour system, the forced population removal schemes, etcetera. These and others are questions that must be debated as dispassionately as possible and with as much objective information as is available.

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Many people are probably outside gaol, or are serving slightly lighter sentences because the SACC has provided them with the best legal defence of their choice as possible, and in that way helped our courts to function better than they would otherwise have done. The SACC has ensure that our society still recognises the hallowed principles of justice that a person is entitled to the best defence possible; that an accused is deemed innocent until proven guilty. To provide legal defence should not be construed as condoning or approving the alleged offence (otherwise state provided legal aid would be impossible). 10

The SACC provides support to the families of political prisoners who are often the breadwinners. Consequently such families would be without support and they would be punished as well, infringing the principle that only the guilty should be penalised. There would be many desperately destitute people if the SACC was not around. 20

Without our water rig scheme many, many rural areas would today be without that precious commodity, water. The SACC-FELCSA Joint Screening Committee helps to provide water to needy communities through the sinking of boreholes.

The SACC is seen as a beacon of hope for many because it is an instrument of justice, peace and reconciliation. It is one of the few forums where Black and white can still meet and talk to one another frankly about the deep things of our land which bother them. (Mr. Storey 30

referred to this as well). It is truly a bridge between the various groups who are otherwise alienated and polarised and is an organisation trusted by many especially in the Black community. It gives hope of real change for which it is seen to call insistently and courageously. That is why it has the credibility to be asked to act as mediator as in the Fatti's and Moni's strike. Three weeks ago the General Secretary of the SACC was asked to intervene in the distressing situation at Crossroads where two factions have emerged and seven people were killed and 26 injured in sectional fighting. He has been asked to continue his efforts to bring unity and peace in that community. It is because the SACC has this credibility that it could meet with the Government to try to prepare the ground for a meeting of all the authentic leaders of this land as it did in 1980. Blacks believe that the SACC can articulate their aspirations and will not sell them short. Some Whites do believe that the SACC does have the interests of South Africa at heart. It is possible for the SACC to speak about reasonably peaceful means for change and not be rejected completely by especially the Blacks and it can speak about reconciliation and not be repudiated as yet."

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I have placed before the Commission the statistics from the socio-psychological study of the unrest in African schools showing what some Black students think of the SACC and the contribution it can make to a good future.

"Should the SACC stop its work or be hindered from doing it / ... 30

it, then the consequences can only be described as disastrous. There will be the resentful children who were denied an education because there was no money; there will be those who cannot go to university who will be frustrated and embittered, far readier to listen to the blandishments of communism and more likely to want to become a freedom fighter; there will be the thousands who will suffer because there are no community development schemes, etcetera; people will go hungry.

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The SACC has launched, together with the churches, the Hunger and Drought Relief Fund that could go for a long way without for instance the R50 000 that the SACC donated to launch the fund. Many more would be without water. Over 800 families of political prisoners would be destitute because without any sustenance, and many possibly innocent people would languish in gaol for lack of a proper defence. Our society would be prey to all kinds of misinformation if they were not helped to face up to the realities of our socio-political and economic system. And there would be a hobbled and very ineffective agent for justice, peace and reconciliation, a tottering bridge practically useless to everybody.

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Indeed, M'lord, I venture to say that many in this land would say: 'there goes one of our last chances of peaceful change', and many more Blacks would say: 'change can come in South Africa only through the armed struggle'. Many overseas would say - and the Commission recalls what Professor Bosch said on this

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subject / ...

subject - 'South Africa has degenerated into a police state'. The SACC in many ways stands between South Africa and disaster.

I have appeared before you, M'lord, sadly but confidently, confident that as our Lord promised, the truth will make us free. I have presented, together with those who have appeared with us, to you the authentic picture of the SACC, a body of Christian churches in South Africa confessing faith in the blessed and holy Trinity, believing itself to be blessed and moved by the Holy Spirit of God Himself - a body that has known that its primary and ultimate loyalty could be only to its head, its Lord and Master Jesus Christ the Son of God. The SACC is obedient to the commands of its Lord and Master who prayed that all His disciples might be one and so the SACC works for the unity of the fragmented body of Christ.

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The SACC is obedient to the commands of its Lord and Master who commanded that we love one another as He loved us, who said about feeding the hungry, clothing the naked, visiting the sick and caring for the prisoners - in as much as you have done it to the least of these my brethren, you have done it to me. The SACC is under a divine imperative to work for the Kingdom of God in South Africa, the kingdom of justice and shalom.

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The SACC, so the police say and as it knows itself, is guilty of no offence.

The SACC has not received funds from illegal sources.

There is no evidence of self-enrichment on the part

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of its employees, so said the auditor appointed by this Commission.

The same auditor has testified that the financial administration of this Council has improved greatly.

The member churches have testified that the SACC is their Council and they support it unreservedly, and that therefore it is representative of them and can speak on their behalf and can also articulate the aspirations and the longings and the hurts of those who are voiceless.

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The overseas partners of the SACC have testified before this Commission that they do not manipulate the SACC, that they wait on requests from the SACC before they act and they regard it as a great privilege to share in the SACC's ministry of Christian compassion.

The SACC teaches orthodox Christian doctrine supported even by Dutch Reformed leaders, clerical and lay, whom we quoted from 'Storm-kompas'.

The SACC works for a new society, a new, a truly democratic non-racial South Africa. It works for

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justice and peace. The SACC is committed to peace and reconciliation and to work by non-violent means.

The SACC has no ideological or any other action plan - it is not engaged in a psychological warfare. No, it works with God whose Son said of Himself:

'The Spirit of the Lord is upon me because He has annointed me; He has sent me to announce good news to the poor, To proclaim release for prisoners and recovery of sight for the blind;

To let the broken victims go free,

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To proclaim the year of the Lord's favour'.

The SACC belongs to God not to man - God, whose plans for South Africa will not be frustrated.

The SACC obeys God rather than man.

The court called them in and ordered them to refrain from all public speaking and teaching in the name of Jesus. But Peter and John said to them in reply:

'Is it right in God's eyes for us to obey you rather than God? Judge for yourselves. We cannot possibly give up speaking of these things we have seen and heard'. The court repeated the caution and discharged them. As soon as they were discharged they went back to their friends and told them everything that the Chief Priests and the Elders had said. When they heard it, they raised their voices as one man and called upon God:

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'Sovereign Lord, maker of heaven and earth and sea and of everything in them, who by the Holy Spirit, through the mouth of David Thy servant, did say: 'Why did the gentiles rage and the peoples laid their plots in vain? The kings of the earth took their stand and the rulers made common cause against the Lord and against His Messiah'.

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They did indeed make common cause in this very city against Thy holy servant Jesus whom thou didst anoint as Messiah. Herod and Pontius Pilate conspired with the gentiles and peoples of Israel to do all the things which, under Thy hand and by Thy decree, were fore-ordained. And now, O Lord, mark their threats and enable Thy servants to

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Speak / ...

speaking their word with all boldness. Stretch out
their hand to heal and cause signs and wonders to
be done through the name of their holy servant Jesus'.
When they had ended their prayer the building where
they were assembled rocked and all were filled with
the Holy Spirit and spoke the word of God with boldness.
The God we worship stands by His servants and bids
them not be fearful:

'But now this is the word of the Lord,
the word of your creator, O Jacob, 10
of him who fashioned you, Israel:
Have no fear; for I have paid your ransom;
I have called you by name and you are my own.
When you pass through deep waters, I am with you,
When you pass through rivers,
they will not sweep you away;
walk through fire and you will not be scorched,
through flames and they will not burn you'.

My Lord and Members of the Commission, I just have one
or two minor things to add. I want to ask, is it 20
possible for the Commission, if it has never been to
one before, to visit a resettlement camp? There is
one near Pretoria - Winterveld. Would the Commission
be willing to visit Munsieville to see the home in
which I lived and of which I have spoken in this
submission and to see the street I have referred to
and the White township abutting on Munsieville?
Thank you very much and God bless you".

ADV. KENTRIDGE: Thank you very much, Bishop. Bishop, arising
in part out of this last statement of yours and in part out 30
of / ...

of evidence given earlier, there are a few additional questions I would like to ask you. First, you recall that there was some debate when Mr. Cain gave evidence, he criticised you for not doing anything for Christians in Mozambique, and the question arose of the visit of certain Anglican Bishops from Mozambique who wished to come to South Africa for purposes connected with their church. Can you tell the Commission anything about that? --- Yes. When the two Anglican Bishops in Mozambique wanted to attend a church conference in the Republic, the Mozambique Government refused to give them permission, and I got in touch with, wrote to President Machel about this, and as a consequence certainly one of those Bishops was allowed to come.

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Now, another question which arose on a different aspect of the case, concerned what was termed the pilgrimage tour?

--- Pilgrimage of hope.

Yes, and I think one of the questions which was asked was whether any officers of the SACC participated in that tour? --- Yes.

Can you tell the Commission something about that pilgrimage of hope? --- The pilgrimage of hope, M'lord, in a way was the fulfilment of what I believe to be an inspiration I received when I was at Tessa. Tessa is an ecumenical community, religious community, men's community, and I was attending a meeting of the Faith and Order Commission of the World Council of Churches there. There is a large church on the grounds of Tessa, and many many young people from many parts of the world have been attracted to Tessa, and the church is called the church of reconciliation, and on one occasion whilst sharing in the worship in this church, it came as

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vividly / ...

vividly as I can say, a light, would it not be wonderful if young South Africans of all races could have the opportunity of coming to Tessy where they live in tents and so forth, roughing it together, loving together, praying together, quarrelling together, and I even got the number 144, which Your Lordship will recall is part of the number in the vision in Revelations Chapter 7.

What country is Tessy in? --- Tessy is in the South of France. And when I came back I asked the South African Council of Churches Executive Committee whether they thought this was not madness, and the Executive endorsed my call and we got the Anglican Bishop of Port Elizabeth, Bruce Evans, to be the one leader, and his co-leader and the person responsible for the logistics was Sol Jacob, who is the director of development of the South African Council of Churches. And these people, 144 young and not so young actually, started off with a visit to the Holy Land, and then they went to Geneva, Switzerland in fact, where they were billeted with ordinary Swiss families and often it was a Black South African with obviously a White Swiss family, and then after that experience they tramped to Tessy. And we were saying by this, we were seeking to demonstrate our faith in the future of a non-racial South Africa.

With regard to the specific question which was raised, did any officers of the SACC participate, you have mentioned Mr. Jacob? --- Officer of course is a technical word, officer would mean from Deputy General Secretary upwards in the Praesidium, but I am sure..(intervention)

I think it means the staff? --- Staff, yes and Sol Jacob is the one I remember, I am not certain that we did not have / ...

have perhaps one or two others, I am not certain about this.

Did you participate? --- No, I did not go.

Now, Bishop, could I ask you now about another matter which was raised, I think it was in connection with the evidence of Major Williamson, it was a letter in which it was indicated or a report that you had asked the IUEF for scholarships for good people who had been politically active. Can you tell the Commission what scholarships those were, who the 'good' people were who had been politically active?

--- Yes, I asked for scholarships for two persons, Barney Pityana, who skipped this country, and it was for him, and for the second person whom I shall mention, a scholarship to do theological studies. He went to King's College, London, where he obtained the B.D. degree, and today Barney Pityana is an ordained priest working in England. The second person is Father Drake Thinkane, who was a banned person who also escaped from this country, and I did not succeed to obtain what was an unusual kind of scholarship from IUEF for theological studies - from IUEF, I obtained this from Dan Churchaid, and Father Thinkane is studying for a theology degree in Glasgow University in Scotland.

Bishop, what I want to come onto next, a number of questions arising from the report of Mr. Wessels, financial report. M'lord, I do not suppose that report is in front of you at the moment, I wonder if in the circumstances, the Bishop has had a rather long day, so have we all, and I wonder whether I can ask for this to be dealt with tomorrow morning. For the guidance of the Commissioners and my Learned Friend, Mr. Von Lieres, my further questions to this witness will probably only take about another 20 or 25 minutes.

THE COMMISSION IS ADJOURNED.