

COMMISSION OF INQUIRY  
INTO THE SOUTH AFRICAN COUNCIL OF CHURCHES

HELD AT PRETORIA

ON 11th MARCH 1983

CHAIRMAN: THE HONOURABLE MR JUSTICE C F ELOFF

COMMISSIONERS: MR S A PATTERSON  
MR T L BLUNDEN  
PROF P OOSTHUIZEN  
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 J UNTERHALTER SC  
ADV A R GAUTSCHI

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LUBBE RECORDINGS (PRETORIA)

/VMD

WITNESS: REV P J STOREY

VOLUME 45

(p 2549 - 2626)

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THE COMMISSION RESUMES ON 11th MARCH 1983:

REVEREND P.J. STOREY CONTINUES HIS EVIDENCE: --- M'lord, may I respond to one of the questions you asked me to respond to, and that was the Methodist membership. These are the official figures, Sir, that members and adherents of the Methodist Church according to the Church's own figures for 1981 total 1 403 003.

CHAIRMAN: Thank you, as at what date? --- Those would be the figures reported at the Conference of 1982, which means they were the figures as at December 1981. 10

And may I crave Your Lordship's indulgence with the other two questions, if I could have a little time to put them on paper?

Yes, thank you.

ADV. VON LIERES: Reverend Storey, if you would like to turn to page 40 of your memorandum, please? In this particular section of your evidence you discuss the prophetic distance that the Council maintains from all political movements and you respond to certain allegations of collusion with the ANC. Now, at the bottom of page 39 top of page 40, you quote what you said to the Prime Minister in 1980, and you said that the cry that you raise comes not from some strategy but from the heart. I would just like to ask you a question on this statement. We know from the SACC's own submission on page 57 of Volume 1 of its submission, where it deals with the Division of Justice and Reconciliation, that it says that one of the functions of the Division of Justice and Reconciliation is to identify - I'll read it to you: 20

"The work of the Division of Justice and

Reconciliation / ...

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Reconciliation is subdivided in numerous projects included in which are issues such as the resettlement problem, racism, change strategy, labour matters and commissions" -

and it sets out various. Now the word "change strategy" here as used as one of the functions of the Division of Justice and Reconciliation, doesn't seem to me to be quite reconcilable with this statement that you don't have some strategy to try and effect those changes that you think is necessary, as you put it here on page 40? 10

--- Yes, I would agree with you that it would be a very disorganised organisation which did not seek to plan its programmes, it would be a very disorganised organisation which did not seek to have some idea of where it was going for a particular year or particular period and to try and measure those goals, I think that the phrase "strategy for change" is a fairly widely used one, and I certainly would not in any way disown that phrase. However, I think that what I was saying here is that fundamental to our plea for change itself, is a cry from the heart, that this 20 is something that we deeply feel that arises not out of any kind of ideology, it arises out of what flows into the life of the Church, and if one reads the rest of the sentence "from our priests, our ministers, our lay leaders, who are in touch with the grass roots people. They are in touch with their pain, they are in touch with what they are suffering" and that that is the impulse from which our concern arises, a Christian concern for our country which comes from the heart because it is rooted in what we discover in the lives of our people and how what is 30

happening / ...

happening in our country is affecting them.

Let me see whether I understand you, were you or are you making the point that the strategies that the Council employs are strategies that emerge from its theological conviction and shouldn't be confused with some secular organisation that has its own strategies? --- That is one point, but I think I am saying something in addition to that here, it also emerges out of our pastoral, in this paragraph particularly, out of our pastoral relationship with our people.

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But having found it or sought what you think should be done on the theological teachings that the SACC accepts, the attempt or the process of trying to achieve those objectives that flow from the theological foundation, that attempt and the determination of the activities that you should be involved in in order to achieve that, those are in fact policies or strategies? --- Yes, I would say that whatever I would hope to do, even if I hope to win so many people for Christ I would have some organisation or strategy to achieve that, yes.

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We dealt yesterday somewhat superficially with the idea of the confessing church and I think we went through the stages how it was impused in the Council and how eventually it landed up in two different resolutions, but it has struck me that in your evidence on page 65, you have in paragraph 5 there, you have stated that none of the Member Churches represented at the National Conference, nor any Executive Meeting of the SACC has ever included that concept - referring to a confessing church - in a resolution to your knowledge. Now, I would

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just / ...

just like to discuss with you the facts surrounding this particular question in some more detail. Now, I am mindful of what you have said, that in fact in some way or another, although not called by that particular name, your Church in objecting to the Government's Church clause, has in fact already if I can put it that way, confessed its opposition to that particular thing and hasn't followed that particular thing, so as far as Methodists are concerned and other churches are concerned, I fully accept that this activity or this concept has already been practised at some stage in the past 20-30 years. Now, what I am concerned with here is what the SACC's position is, I am concerned here with what the SACC's basis is, not the Methodist basis, so if you will just bear this in mind and you can accept that I know that the Methodists have taken certain steps long ago. The earliest - I don't know whether you are aware of this - but the earliest reference to the subject of confessing is to be found in the Report of the director of Justice and Reconciliation, which was submitted to the Executive Committee of the South African Council of Churches on the 17th and 18th March 1977, and here I specifically refer you firstly to paragraph 2, in which the director says:

"An attempt has been made to understand the objectives of the Division in the context of the general objectives of the SACC and of its basic theological principles".

And he refers the Executive to Appendix 2 of the document and this Appendix is titled "The South African Council of Churches / ...

Churches, and without reading the whole document I am just turning to the relevant page, and I refer you to page 6 of this particular document where I am just going to read to you one sentence or two sentences. This is said against the context, and I think I should perhaps include that:

"The SACC encourages its member Churches to make its members aware, not only of the authority of the State but also of the limits of its authority. It is convinced that the State undermines authority by denying the limits of its power" -

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that is what precedes the sentence that I say is the first indication. This sentence then carries on and reads as follows:

"The confession of man's unconditional acceptance on behalf of Christ, obliges the churches and the members to oppose the State in all legislation and in all measures which hurt the dignity which God has accorded to all men".

That is basically the sentence. What that document gives out to be is a preliminary working paper as to what the principles of the SACC should be. It is a preliminary working paper which was submitted to the Executive Committee on the 17th-18th March, that is reflected in the Executive Committee's Minutes of the 17th-18th March, incidentally I think you also attended this particular Executive Committee, I think your name is on the roll call list here, and what this Committee had to say about it appears on page 3:

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"In regard to the general objectives of the SACC

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Dr. Kistner reported that he drafted the working paper on the overall objectives and basic principles of the SACC. This is appended to the report and the Executive is asked to study it very carefully so that amendments can go to the National Conference. The directors of other divisions were also asked to present their rationales".

So it was only submitted to the Executive for consideration. The only point I am making is that is 10  
the earliest reference in the SACC I could find on this concept of confessing. Let us just get clarity on what it says there. As a general principle it suggests that the SACC should accept that the Churches when they confess their allegiance to Christ are under an obligation to oppose all legislation which hurts the - shall we call it human rights, dignity of man - which is an affront to human rights? --- Yes.

It suggests then the general principle is you must confess because you believe in Christ, and this confession 20  
places you under an obligation to oppose all legislation and other steps that the State takes where it is an affront to the human dignity of man. That was the suggestion. Now, next, the idea surrounding the confession is taken up or is apparently taken up during the ninth National Conference of the South African Council of Churches, its theme was the human rights in biblical perspective. Now unfortunately my only reference to the resolutions here are taken from Ecunews, and I refer you here to Ecunews Bulletin No.30 of 1977 which is dated the 12th August 1977. 30

That / ...

That particular statement that you have in front of you there on page 23 of this Ecunews Bulletin in the chapter or portion dealing with the resolutions of the National Conference 1977 we find the following. The headnote here is "theological statement":

"The SACC Conference accepts the following document and designates it as its theological statement on the work of its divisions with the proviso that the Executive Committee extend Section 3, the basic principles, with material from the proposed motion from the Presbyterian Church or any other material. The document will be referred to the Member Churches".

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Then follows that document for the next five or six pages. I just wish to show you this extract from the Ecunews, I want you to pay attention to the two sentences that are underlined there. Now if you wish to page further you will see I have marked the quotation that I read earlier on - at the bottom of the page in yellow? --- Oh, I see.

You see the exact same wording appearing there as I read to you earlier? --- Yes.

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Now the only point I am making here is that as a theological statement of general principles or basic principles of the South African Council of Churches, the 1977 National Conference has accepted the inherent right of the Council of Churches to confess as a basic principle? --- Yes, I will comment on that a little later, I'd like to follow your train of thought.

No, that is the point I make here. --- I see. If I can then just refer again to my submission, I am

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contending / ...



contending in my submission that the phrase "confessing church" has a particular connotation, that it is a phrase as I pointed out in my submission somewhat beloved of Lutherans and Calvinists and doesn't belong in the vocabulary necessarily of other Member Churches of the SACC, and that therefore any suggestion that there are circumstances in which the Church or Christians may be obliged to disobey laws, is a suggestion which must be seen in its whole and not simply in relation to the phrase "confessing church", because the National Conference which makes these decisions ultimately is a body made up of people who do not necessarily belong to that particular genre, and I think that is why I took the trouble to point out the history which we both accept, because I hear you saying that this is where it began for the SACC, tracing it back to a particular document and then following through and I seem to remember doing so when you were presenting a scenario to the Commission earlier on, I am saying that is not where it began, it is impossible to distinguish as I think you are doing entirely between the SACC and the Member Churches, because the contention that we have made time and time again is that the SACC consists of its Member Churches, that the SACC in fact is its Member Churches operating at a particular level, and therefore what happens in its Member Church history - I am not familiar with all the Member Churches' history but I am familiar with one that is why I used it - is to me absolutely relevant to the development of the life in the SACC. The concept of the right and sometimes perhaps even the obligation of Christians to disobey is

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something / ...

something which is rooted in the life of - and I can say this with confidence although I don't know the history of the others, in the life of other Member Churches as well. Certainly the 1957, I think, issue that I mentioned of the Church Clause, we know that the last act of the then Archbishop of Cape Town was in fact to sign a letter to the Prime Minister saying his church would in fact disobey this law. Therefore, to me it is of crucial importance to indicate that that which lies in the history of the Member Churches is part of the history of the SACC, that is of crucial importance, and I am simply saying therefore that for me I reject that the concept of disobedience under certain circumstances has its genesis here, this is merely the reflection of one part of the story of the SACC. As far as I am concerned the decision to disobey authorities on the Church Clause is as much a part of the story of the SACC as this is, because I am not prepared quite as easily to make that distinction between the SACC and its Member Churches because theologically, I believe Bishop Tutu made this point and I didn't labour it in my submission, I indicated that he had made it, theologically we are one, and to me what is theologically true is more important than what is true in any other way. That is just my comment.

Allright, I haven't suggested that the genesis started there, what my simple question at this stage is or was to you is that in 1977 the SACC National Conference accepted this concept as a basic principle? --- I don't think - no, I am not denying that it is there.

I am not saying that they took any steps to execute

I am just saying that they accepted it as a basic principle, that is what the words say that are written there. --- Yes.

Would you agree? --- I agree and I would say just one sentence, that they were stating something which in my view they had all accepted previously, and which I don't think was a new concept..(intervention)

And which your Church had applied already in respect of the Church Clause on more than one occasion?  
--- Yes. 10

But there it has now been recorded for posterity if I can put it that way, in 1977 at the National Conference?  
--- Yes, I can accept that it has been recorded for posterity.

Preceding that particular National Conference, there was of course this Lutheran World Federation Conference at Dar es Salaam. Now again I don't say that they are sui generis with their story - and that was not a pun - with what they had to say, the only point I want to make is that on the 1st July 1977 Ecunews Bulletin No.24 of 1977 reports on that particular Conference of the Lutheran Churches that was held in Dar es Salaam, and it refers to the decision taken there for the special appeal that the Lutheran World Federation had made to its White member churches in South Africa to recognise that the situation in Southern Africa constitutes a status confessionis. This is what is reported. Then this Report continues and it says: 20

"Dealing with the question of confessional integrity the Assembly noted that under normal circumstances 30

Christians / ...

Christians may have different opinions on political matters 'however, political and social systems might become perverted and oppressive so that to reject them and to work for change is consistent with a confession. We especially appeal to our White Member Churches in Southern Africa to recognise that the situation in South Africa constitutes such a status confessionis. This means on the basis of a faith and order to manifest the unity of the Church, Churches would publicly and unequivocally reject the existing apartheid system. The call on the Churches to play the role of a confessional church in South Africa was one of the most farreaching decisions taken at that Assembly".

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The point here is that decision was reported in the Ecunews about 24 or 25 days before this National Conference commenced on the 26th July 1977. I don't know whether you wish to see this or whether you are familiar with this, nothing much other than the fact that that appeared is the point I would like to make. Then the next reference to this entitlement to disobedience we dealt with yesterday already when I referred you to the 1978 Resolution on foreign loans, do you recall that? --- Not under the heading of disobedience.

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No, we referred to the wording "we confess" --- Yes, and I suggested that had nothing to do with the confessional church just with repentance.

Yes. Then we also referred you yesterday to the 1979 Resolution of the South African Council of Churches

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which was contained in the Minutes of the National Conference in paragraph 15. Perhaps before I deal with this Resolution it is perhaps relevant that I also refer you to the report that the director made to the National Conference which is to be found in the bound volume. I can provide you with a photo copy of his report. --- Thank you.

And there are four topics that he discusses that I wish to point out to you, the first one concerns the national security ideology, and the point he makes in this national security ideology is that more or less - eight lines from the top - that the Government for the sake of national security has accepted extraordinary measures limiting the freedom of the citizen and his access to legal protection. More attention will have to be given to the special features of such a national security ideology - he deals with that. Then the next one I want to point out is on page 3, he deals with strategies of resistance and he says:

"In view of the great suffering that results from the policy of separate development the question has arisen whether the South African Churches are not under an obligation to withdraw as far as that is possible from co-operation with the State".

Now this terminology used in the director's report is virtually identical to the terminology in the Resolution which we will deal with in a few minutes. The next aspect I want to point out is that the confessional integrity in the South African context becomes a special subject on

which / ...

which the director reports and he says that the Department of Justice and Reconciliation has given special attention to the status confessionis discussion on the South African issue - I underline the words "special attention". He referred to the Lutheran World Federation Assembly and to their Resolution on confessional integrity which we don't need to read here because we can always look it up, and then he refers to non-violent action for change. So here we have confessional integrity and the questions surrounding that being brought pertinently to the attention of the National Conference. --- Yes. 10

Following on this we have this Resolution that was adopted which you saw yesterday already, which I will show you again, and this is the one that "recognising the great suffering resulting from the policy of separate development and confessing that this suffering had been greatly increased by the Church's failure to act in the past, the Conference believes that the Churches are now under an obligation to withdraw as far as that is possible from co-operation with the State in all those areas in the ordering of the society where the law violates the justice of God". I am not going to read the whole thing, you know that it also instructs Justice and Reconciliation to examine further strategies. Now that I suggested to you yesterday, we have discussed that already, I just want to say that in the context of the development of this particular concept, this is the further step the 1979 discussions at the National Conference and this particular Resolution. Would you agree with me on that - don't you agree? --- No, I am not sure. Could I see that document, 20 30

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the one that you have just read?

Do you want the report? --- No, it is the - PAUSE  
Resolution? --- The Resolution, yes.

What you could perhaps look at also, Reverend Storey, is the background against which the Resolution was taken, and for that purpose I am going to provide you with the director's report. --- Thank you. Which portion of this did you want me to look at?

At the confessional integrity bit, you don't need to read it but I just want to make this point to you, that that is a topic that was discussed during the 1979 National Conference, and when you look at the Resolutions, the one I have read to you, one must obviously have regard to the fact that the confessional integrity issue was discussed at the National Conference? --- Yes. What I see is that the issue of confessional integrity and references to the Dar es Salaam conference were part of the Justice and Reconciliation report, and they are there for everybody to see. I think I would still want to say that where there is reference to Dar es Salaam and their significant Resolution on confessional integrity - and I don't deny for one moment that it was significant - that is part of the Lutheran story, and by the logic of what I have said already, what is part of the Methodist story is part of the SACC, what is part of the Lutheran story is part of the SACC. So to that degree the Dar es Salaam story is part of the SACC. I would still, however, want to say that I do not believe that there is a direct causal relationship necessarily between the Dar es Salaam story and that of the SACC Resolution, however much the wording

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may be similar, that wouldn't surprise me because this is the wording which is in this report here, but the concept which to me is more important than the wording, I make the point again that the concept is not new, it was not therefore exclusively a concept which arises out of Dar es Salaam - I use the word exclusively because..(Mr. von Lieres intervenes)

I think we accept that, we don't argue with you that it does arise exclusively from Dar es Salaam, the point we are getting at is that that particular Resolution that 10 was taken at that National Conference in fact now wishes to implement disobedience, civil disobedience, and that is why it calls on the Division of Justice and Reconciliation to examine strategies of resistance, in other words practical steps must now be taken, that Division must now investigate what practical steps can be taken to implement that particular decision. That is I think the crux of this particular Resolution. --- Yes, it doesn't say anything about implement at all in the Resolution.

If you read that sentence in the fifth or sixth line 20 from the top where it says..(intervention) --- "We commend the work of the Division and we request them to continue this work by examining the strategies in existence".

In other words they are now specifically tasked by the National Conference ..(intervention) --- To examine something.

To examine strategies and come with proposals? --- Well to come with a result of their examination.

Which logically should be suggestions as to how one can resist and where one can resist? --- Well I would have 30

thought / ...



thought they were not so much - resistances of how but in what areas such withdrawal of co-operation may be justified. I think there is a slight difference.

Fair enough, but now we are going over into the practical implementation, that is really the point, I think you go along with that? --- Yes. Just for the record then, because I need to indicate what my submission was actually saying, I said "to suggest that the idea of obligatory opposition to the present political system has its roots in a Conference in Dar es Salaam and the status confessionis discussion ignores the consistent opposition by others" etcetera.

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Well, may I say you have convinced me? --- Thank you.

Right, now let me leave the 1979 Resolution just with the point that we are in agreement about it has now become more practical than it was in the past? --- Yes.

As far as the SACC is concerned. Now, in 1980 the topic of discussion at the 1980 Conference, or the theme, was "Your Kingdom Come" and the main emphasis of the Division of Justice and Reconciliation was on the total strategy of the South African Government. I know it is difficult to recall the detail but I am just referring to what it says here. One of the points that the learned director makes in the Division Report is that the tasks entrusted to the Division have become more difficult since the time when the Resolution was taken.

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"Changes have taken place and are still taking place in the Republic of South Africa, which makes it difficult to recognise where in the areas of the ordering of our society the law 'violates the

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justice / ...

justice of God'".

So he does give recognition I think to certain changes that have taken place, which makes his task in identifying areas where the law violates the justice of God more difficult. He then discusses the total strategy and he discusses the confession of the Christian faith with a view to the total strategy again, and this one paragraph is perhaps important because it contains a suggestion that the confessional faith should be an all-embracing one covering the total area of the total strategy against which it should be in opposition. May I just read this paragraph to you:

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"Only if one envisages the comprehensiveness and intensity of the total strategy, the implications of the task entrusted to the Division of Justice and Reconciliation becomes recognisable. According to the Resolution of the National Conference resistance and withdrawal from co-operation with the State in areas in which the justice of God is violated and action on behalf of the suffering, have to be considered as an obligation emerging from the confession of the Christian faith in the present South African situation.

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The same insight was expressed at the recent consultation on racism when the term "confessing church" was used in a similar context. This raises the question, how do the South African Churches overcome their failure to act effectively on behalf of the suffering? How can they become a confessing church in the South African situation?"

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These questions are posed and the report continues then with a reference to Bonhoeffer, and the function of a confessional statement and the need for a confessional statement with a view to a total strategy. He suggests here that what has been said in the past - I am interpolating now so you can have a look - what has happened in the past around the confessional matters have been from limited areas. Now the total strategy has become so all-embracing that you need to have a total declaration - a total confessional declaration, I think 10 that would be the way I would put it to you. And that is basically what he says in this particular paragraph, I don't expect you to say yes or no because you haven't seen it, but perhaps I can just show it to you - paragraph 3.3, top of the lefthand page. --- Thank you.

Now, in the event a Resolution in accordance with the suggestions was not accepted at the 1930 National Conference, but let me read to you what the planning was that preceded this attempt to get such a wide confessional resolution. I now refer you to a confidential Minute 20 which was obtained from the director of Justice and Reconciliation's files, I will give you the exact reference a bit later, the title is "The National Conference of the SACC - Hammanskraal, May 5-9 1980, in the context of recent events in the Republic of South Africa - Confidential Report". Paragraph 1 deals with the context of the Conference and we go over to paragraph 3 and the heading of paragraph 3 is "Discussion on the crisis situation within the SACC and its member churches", which is very interesting but I am not going to refer to that now I am 30

just / ...

just going to refer to this confessional aspect. There was a staff retreat that was held at Hammanskraal on the 8th to 10th April 1980, did you by any chance attend this retreat? --- No, I am not on the staff.

So you would not attend it, right. Now, this is what Dr. Kistner reports happened at the staff retreat and this is in the context of the confessional statement that they wanted:

"At an SACC Executive staff retreat at Hammanskraal April 8-10 1980, the concept of a confessing church 10 came again to the foreground in the context of Bible studies and of references to the theology of Dietrich Bonhoeffer. At this retreat staff members expressed their pain at the inability of the SACC Member Churches to move forward and to be engaged in actions that correspond with the verbal condemnation of racism and the policy of separate development. There was great frustration that Church leaders did not take the lead in some relevant action on the part of the Churches. On 20 the other hand the question was raised whether the Church leaders are not themselves captives of the Church structures which are closely associated with the power structures in society.

The Church leaders can possibly be helped to be liberated from this captivity, if Church members take the initiative and exert pressure on the Church bureaucracy. A suggestion was therefore made that at the next National Conference SACC staff members should simply take the initiative in some action 30

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that corresponds with the relevant confession of the Christian faith in the South African situation".

Now, may I pause here for a moment and ask you whether you remember that during the 1979 Resolution - during the 1979 National Conference a Resolution to march on Pretoria as a sign of protest was defeated by a very narrow margin? --- I remember.

And that the intention of this particular march to Pretoria would have been to demonstrate what? --- The intention of the march would have been a protest against the resettlement policy.

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And do you know whether there was dissatisfaction amongst the staff of the SACC that that Resolution had been defeated by a narrow margin to march on to Pretoria? --- No, I don't know about staff dissatisfaction, I think that when you have a Resolution defeated by as narrow a margin as that you are fairly sure of nearly 50% dissatisfaction.

Sorry for the interruption there, let me just carry on with this, we are now reading to you what happened at the staff retreat:

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"As a result of this consideration at the staff retreat - now this consideration refers to the previous sentence -

"The suggestion was therefore made that at the next National Conference SACC staff members should simply take the initiative in some action that corresponds with the relevant confession of the Christian faith in the South African situation".

"As a result of this consideration at the staff retreat the director of the Division of Theological Education 30

invited / ...

invited a number of theologians, economic and legal experts, to consultation with a view to formulating an action-orientated manifesto that could possibly be submitted to the SACC National Conference".

--- I am sorry, I lost concentration, just that last - PAUSE

I may have a spare copy here which is going to make it much easier - it is marked there? --- Yes, thank you.

I am reading the last paragraph now:

"As a result of this consideration at the staff retreat the Director of the Division of Theological Education invited a number of theologians, economic and legal experts to a consultation, with a view to formulating an action-orientated manifesto that could possibly be submitted to the SACC National Conference. The consultation took place on April 29 1980. The main outcome was the recommendation on the part of the participants that a verbally prepared manifesto might be too much of a surprise at the Conference which would feel that it was being manipulated. It rather might be advisable to emphasise in the report of the General Secretary the central issue in relation to which a confessional statement on the part of the Conference and some action might be necessary. The central issue at the present juncture was considered to be the total strategy and the unrest in the country. The consultation suggested that the General Secretary might intimate that the whole programme of the Conference could be set aside in order to provide ample time for discussing the national crisis and

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the role of the Churches in this national crisis".  
Now, so far the quote. Could I ask you how is the agenda for a National Conference usually prepared, is it done by the Executive or by the staff? --- I am not sure that it has always followed exactly the same pattern. The patterns which I have been familiar with have been that the Executive has normally delegated a sub-committee to do some staff work on it, and that sub-committee hasn't necessarily consisted exclusively of staff - by that phrase "staff work" I didn't imply that - and then I think, I am 10 trying to remember and I am not sure but I think this could be confirmed perhaps by somebody else in this chair later on, the agenda is confirmed by the Executive. If not by the Executive certainly by the Praesidium.

Now, you will recall that we discussed at some length yesterday the role of the staff in relation to the National Conference and so forth and you referred us and vice versa to warnings and perceptions that you exercised or expressed in that connection. --- Yes.

Perhaps what is stated here happened at the staff 20 retreat is a very good example of what you wished to prevent? --- Yes, if you will bear with me a moment I am looking for that Minute, here it is, yes.

Now - sorry, did you want to say something? --- Yes, I wanted to say that that is correct, that the Conference took place in May 1930 and the concern expressed about perceptions was in June 1930, so in fact it was this particular Conference about which the high profile role of the staff was complained.

Now, do you recall, Reverend Storey, whether in fact 30  
the / ...

the agenda of the National Conference during 1960 was suspended? --- I think it was but I can't recall for certain.

Well from the Ecunews reports it is so, it was suspended, and do you know why it was suspended? --- So far as I can recall it was suspended so that we could give attention to the General Secretary's report, and the issues which had been raised in that report.

Those issues concerned the national crisis and the role of the Churches in the national crisis, his report? --- Yes, well I wouldn't swear to that at all, I just know that his report always deals with national crises and the role of the Church. His report that year was no different in content from any other - different in range and concern.

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Now, of course, from the document that I have given to you you will see that the suggestion of suspension was something that emanated from the staff in the hope that in that process the staff would get this Resolution on conscientious objection that they wanted - you see, on the confessing church - ten lines from the bottom of that quote:

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"It rather might be advisable to emphasise and report to the General Secretary the central issue in relation to which a confessional statement on the part of the Conference and some action might be necessary. The central issue at the present juncture was considered to be the total strategy and the unrest in the country. The consultation suggested that the General Secretary might intimate that the whole

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programme / ...



programme of the Conference be set aside in order to provide ample time for discussing the national crisis and the role of the churches in the national crisis".

Now, I want to suggest to you that what the staff did here in deciding that they wanted this confessional statement and thereafter holding a consultation with economic and legal experts and theologians to advise them how the matter should be handled - this consultation took place on the 29th - is a clear demonstration of an attempt by the staff to manipulate the National Conference? 10

--- Yes, if I may now comment on that, I would say that there is no doubt that it was a clear attempt by the staff to influence what happened at that Conference. The word manipulate is one that I am not going to apply because when - and I am recalling that particular Conference now - when the suggestion of a march etcetera happened at that Conference, certainly I was very aware that amongst others there were staff members who felt very strongly about it.

No, I am sorry, the march - wasn't that 1979? --- It was this Conference. 20

Yes, you are quite right. --- I was aware that there were staff members who felt very strongly about it. I want to here make it clear that my own view of a National Conference is that ultimately the Churches must have the last say in that Conference. I am absolutely clear on that and I think I said that yesterday. That does not mean for me that what staff feel is unimportant at all. Clearly the staff here - and this is the first sight I have of this confidential..(Mr. von Lieres intervenes) 30

Did you not know about that? --- No, I didn't know about it.

Didn't you know about this? --- No.

You didn't know about all this planning behind the scenes set out here? --- I didn't know about these meetings, I knew that there was a staff retreat obviously, we have a staff retreat every year, but I did not know about the content of the retreat that would not have been my business in any way to in any way ask what the content of that retreat was.

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Does this detail come as a bit of a surprise to you? --- Yes, it comes as a surprise in one respect only and that is that I haven't seen it, but if I look at it and I try to put myself into the situation of a discussion at a staff retreat, the content of that discussion, in other words a concern the Church leaders are perhaps not making the kind of stand that they ought to, a concern that there should be ways of trying to move the Churches into making a stronger stand, this would be to me run of the mill discussion in many quarters within the Church, in my own Church there would be Black members who would be saying this and they would be saying it strongly and they would want to work out ways in which they could bring issues to the Conference which would raise this concern and this awareness and a desire for action. There is nothing out of the ordinary, odd, sinister, about that whatsoever. I am talking about the content of it. When it comes to what happened at the Conference itself, I can only say that if the idea of the march was in fact staff stimulated, the Churches did in fact have the last word, even if by a

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very / ...

very narrow majority.

Right. Reverend Storey, the word manipulate is one that this report uses itself about five lines from the bottom. After the consultation on the 29th April, he said: "the recommendation on the part of the participants was that it might be too much surprise at the Conference which would feel that it was being manipulated"? --- Yes.

That is his own word. Now, the second point here is that this manipulation was not only directed at the Conference, with which we are ad idem although you don't 10 wish to use the word manipulation, there is also a desire to influence the Church leaders. Firstly they say they are frustrated that the Church leaders don't take the lead, then they say the question was raised whether the Church leaders aren't captives of the Church structures themselves? --- Yes.

And then they think that the Church leaders can possibly be helped to be liberated from this captivity. So the staff is even prepared to try and influence the leaders of your Member Churches? --- To help them to be 20 liberated, yes, from their captivity.

Could I put it to you slightly differently, to achieve the staff's objectives of in this instance getting a confessional statement which would amount to a declaration of war by the Churches against the Government's total strategy? --- Not entirely, because I think if one looks at the debate that did take place the fact is that far more people than the staff seemed to have feelings which were strongly similar, so I don't think that one can suggest it is only the staff's objectives, when it came to 30  
debate / ...

debate the particular issue which was to go on a march that debate found support, it found support amongst Church delegates to a large degree, you pointed out that it was a very small majority.

Tell me, Reverend Storey, would the staff be entitled to lobby - well not only to lobby but also to submit a motion to the National Conference to consider a particular subject? --- No, not to my knowledge, I don't think - I am not sure I must check my Constitution, but I don't think a staff member can propose a motion, that is my memory of it. May I check that? 10

Yes, I would like to know whether the staff is entitled to submit a motion. We know that most motions of the National Conference actually emanate from staff reports? --- From divisional reports.

From divisional reports. Whether it is then done through a member at the National Conference I don't know, but I would like you perhaps to check that question? --- Can I do it now?

Yes, certainly. --- Thank you, M'lord. The only staff 20 members who can bring forth a motion are the General Secretary or his Deputy. When other motions come forward which may be read by a staff member, they are reading a report which comes out of a divisional meeting which is a meeting of Church representatives as well as staff, so that they are simply presenting this on behalf of a divisional committee. Now I recall for instance that a staff member at that particular Conference read out a resolution but he was doing so on behalf of the group that had met to discuss it. 30

He can make a suggestion but somebody else has got to move the motion? --- Yes.

So it would have been quite in order for the staff to have read out a suggested resolution and somebody else could have responded and moved the motion to have it accepted? --- That would be in order, yes.

In other words there was nothing that barred the staff from having this statement, this confessional statement debated at the National Conference in order to obtain a resolution? --- No.

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Now, I am a bit concerned about the morality of this subterfuge that seems to have been employed here to get the National Conference to move this particular suggested motion, why couldn't they just get up on the floor at the National Conference and move this thing, why have a special consultation to advise them that the Conference may feel it is manipulated and then decide that to insert this confessional statement they need to use the General Secretary and his report, and they need to get the General Secretary to set aside the whole agenda so that the national crisis can be discussed in order to bring out a report if they could have submitted a motion, I mean either the General Secretary could have submitted a motion or the Deputy General Secretary could have submitted a motion, this type of motivation now, what is your feeling about it? --- Well first of all I think that ultimately that question should be directed at those who were there, you are asking what my view of it is. I think in any forum where debate is going to take place there is a greater or lesser degree of strategising. I think that that is

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legitimately / ...

legitimately accepted within Christian circles. Now by that I would mean for instance that one would have admiration for a speaker in a debate who knows when to make his speech, he waits until everybody has had their show and then he comes in, or he comes in at a psychological moment, his timing is good, that is strategising. There is nothing whatever in Church circles to prevent the lobbying of support for a resolution. If I am going to present a resolution there is nothing immoral at all or out of order about speaking to delegates 10  
beforehand and seeking to see if I can get their support to this. If I am asking for a seconder I can ask for a third or fourth or fifth - up to as many as I can try and persuade. So to a degree let me say that the kind of planning in order to obtain the success of a resolution is acceptable within Church circles. Now, if this was an open discussion between staff and this was something which they felt was important enough to want to try and move in some way within the Conference, then I suppose it could be argued that it was a perfectly legitimate approach. And I 20  
need to say that by way of preamble. I have to say that for me I am not happy about it, I just have to say that. You have asked me what I think and it leaves me ill at ease which is not saying it was immoral at all, but I happen to have a fairly - what some would call a naïve view on these things.

Excuse me, could I just ask you or put two suggestions to you. I get the impression that staff weren't happy to accept the majority decision, that is the one I would like to put to you. What is your feeling or your attitude 30  
about / ...

about that? --- I chaired part of that debate and therefore I think may well have been the target of much annoyance if you like. I think it was a tense debate, I think feelings ran high in that debate, I think people felt very deeply. For myself I assumed that a discussion the night before on the whole resettlement issue had affected many people, and in spite of that I have to say for myself no hostility whatever was directed towards me in my presence - I can't speak about anywhere else, but I do not know of any hostility either and therefore I have to say 10 I think it was felt that while it was a tough debate and while there were some difficult chair decisions to make during that debate which could have been questioned, nevertheless the decision was honoured and I didn't sense what you are suggesting.

Right. I would like to go over to a different topic now, I would like to ask you something about the concept of reconciliation. --- Does this refer to anything in my submission or not?

No, I would just like to get a general understanding 20 of this particular doctrine I suppose one should call it. Let me ask you this, does reconciliation presuppose a form of estrangement or alienation or difference of opinion? --- You mean in the presupposition?

Yes? --- Yes, an alienation.

Must it be a substantial alienation? --- No, I don't think it has to be it depends on what - I think if you could say what context you are referring to - between man and God it is substantial but perhaps a tiff between me and my fellow is not substantial. 30

Yes / ...

Yes, well shall we discuss this, I know there are two legs to it, it is the Man-God and the Man-Man relation, could we limit this discussion to the Man-Man relation as far as reconciliation is concerned accepting the theological basis? --- Well I would be happy to discuss it along those lines if I am allowed to say first that there is no reconciliation between Man and Man without Man and God. They hang together theologically so I would need the right to return to God if necessary in the discussion.

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Well perhaps you can just very briefly tell us which comes first, the Man-Man or the Man-God? --- That is a very difficult one to answer, I think the obvious answer would be the Man-God Man-Man, but in fact Christian experience indicates that a reconciliation between people in fact can do the same, in other words Jesus says in a sense both, he says before you come to the altar put yourself right with your brother, which indicates in a way Man-Man then Man-God, but obviously the other is very heavily weighted in the Scriptures.

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Could we discuss or just hear your understanding of what has caused alienation if any in the South African context? --- Well I suppose this moves into the issue of apartheid on which I was going to prepare something for the Judge.

Well I mean we know what your attitude about apartheid is, you have made no bones about it, so I don't think it is a problem. Is apartheid the cause of this alienation or estrangement - now if I use the word apartheid here I use it in its total concept? --- If one is talking about the

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polarisation / ...



polarisation, alienation between groups in our society, then I would say certainly that is a major factor, yes.

What other factors? --- Well I think apartheid is bolstered by a wide range of discriminatory laws, and then I think also related to the preservation if you like of that structure are a wide range of security laws.

Right. Is there any force other than apartheid and its supporting structures which would include these laws then, any force apart from that that contributes according to the SACC view, to a alienation in this country? 10

--- Yes, I think that there are the historic ethnic differences, tribal differences, language differences which are part..(Mr. von Lieres intervenes)

I am sorry, any other circumstances or factors that contribute to alienation that requires reconciliation, ethnic differences don't necessarily require reconciliation? --- Oh, I would say they do.

Do you think so? --- Well I mean if there is hatred or tension between two groups that requires reconciliation.

Allright, so we have got the historic ethnic 20 differences that may in certain given circumstances if they generate hatred or tension, require reconciliation, any other features? --- It is very difficult to pull these things out of a vacuum.

Allright. Now, in its submission to the Commission the SACC has only identified apartheid as the sole source of alienation in the country, it described it as a force in the country which generates conflict and encourages polarisation, "and the SACC and its Member Churches are at one in declaring it to be unbiblical, contrary to the will 30

of God and therefore should be rejected" - and that quotation continues and says: "this pervading social evil - that is apartheid - requires of us a clear denunciation of apartheid, ongoing opposition to all its manifestations in society" - you will find this on page 8 of the memo? --- Of this one?

No, of the SACC memo, the memorandum that the SACC has submitted? --- Our submission.

Right, now you say as a precondition reconciliation requires a state of alienation. Now let us assume that this state of alienation has been identified and this reconciliation process is now put into operation, is confrontation an element of reconciliation? --- Yes. 10

Now what is the nature of this confrontation? --- In all reconciliation - and here I can speak I think of reconciliation with God just as much as reconciliation with man, there has to be a confrontation with the truth, with the reality. If I am divided from somebody I am divided from God, God confronts me and at some point I have to recognise the reality of my sin, of the fact that I have failed Him. And unless I do that it is not that He doesn't wish to, but that it is impossible really to achieve a meaningful reconciliation with me, because I haven't faced up to the realities, to the truth. Now if one applies that to the Man-Man or group to group situation, I think that is the context in which confrontation must be understood, that it is impossible to find a reconciliation with somebody unless there is reached a point of reality where the reality of the wrong, whatever that wrong may have been, is faced up to. It is impossible / ... 20 30

impossible in a sense to repent of something without appreciating the magnitude of that which you should repent of, and so that point of reality sometimes requires, maybe sometimes it comes naturally but in my experience, certainly in my own relationship with God, it usually has to be confronted fairly strongly by himself.

Now, it sort of implies, if I understand it correctly, reconciliation implies that - to use the memorandum language of the Council - that the pervading social evil must be removed or must be taken away before this reconciliation can take place. So technically the confrontational aspect of reconciliation would then involve removing the unjust elements of that which is evil, or would it involve removing the whole thing? --- I think it would involve first and foremost facing up to the evil of it, establishing the evil of it, and making it - and the admission of the evil of it by those who may be perpetrating it, that would be the first point.

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The nature of this confrontation, let us take the South African situation now specifically because we are dealing with it, I think you can accept for the purposes of responding to my question that I will accept the oppressor/oppressed scenario caused by apartheid on the interpretation of the SACC to explain this to me. --- Yes.

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What would the nature of such confrontation be in order to effect reconciliation? --- I don't think I could say there is just one way in which confrontation would need to happen, I think confrontation can happen in many different ways. I believe that whenever somebody speaks

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out for the truth against this system, that is confrontation, being confronted by the truth, and whether it is sort of taken up, responded to or not, I think it is an attempt to speak into that situation.

Does that confrontation have a non-violent or a violent component? --- I think in terms of - I would say that for me it must be non-violent. It does seem that biblically there have been moments when God confronted Israel and where the prophets made it quite clear it was God confronting Israel, and He used a situation which in effect violent. So one has the prophet telling the Israelites that the Assyrians who were an enemy, are the rod of God's anger, and so the prophet is saying: you are being confronted for your sin by this situation, but I don't believe for one moment that a Christian in seeking to confront people with the wrong of any particular situation or policy is going to start there in his thinking whatsoever.

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So the confrontation could either be non-violent or violent depending on circumstances, there is historical and theological basis for both to be present in such a process of reconciliation? --- Yes, I think that when - if you are saying or if you are suggesting to me that a certain person has the option of violent or non-violent confrontation, then I would say that for me the Christian does not easily see violent confrontation as the way he should go at all.

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Circumstances I suppose would really dictate? --- Well, I gave an instance yesterday of the young man Mashinini, who in my experience quite clearly was a Christian.

On the theological foundation, I don't want to take

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up / ...

up too much time with this, but on the theological foundation for the necessity of reconciliation, the example is often given of Christ who had to go to the Cross in order to liberate and that is a form of reconciliation and confrontation that employed an enormous amount of violence, I think in the Council's memorandum they specifically refer to this, that the New Testament teaches that Christ in His ministry of reconciliation was obliged to confront the powers of evil throughout His life and this ultimately ended on the Cross. Now, could one then say just on the general principles of the concept of reconciliation, that the confrontation or the circumstances will dictate whether this confrontation is necessarily going to have a violent element in it or not. Let us talk about reconciliation between groups which is I think the South African scenario? --- PAUSE - I would think that the more violent or the greater the potential for violence the less the potential for reconciliation. I would think that the road to reconciliation is one which is not aided but hindered ultimately by violence. It may in fact come about ultimately but I do not believe that that is the way that God would want us to go, and I believe that when you go that way, although it is possible for reconciliation to happen ultimately - one looks now at the relationships for instance between Germany and other countries - reconciliation has happened, but the road of suffering and what has happened inbetween has been vast. 10 20

The post-revolutionary reconciliation in Zimbabwe as it has developed, I suppose that is a good example to demonstrate / ... 30

demonstrate what you said earlier, that the road to reconciliation is hindered by violence? --- Yes, I would say that because I believe that, if I can take things at face value, that the intention of reconciliation was very real and that it in fact was attempted in a very open way, but that the seed sown by the violence of the war of 9 or 10 years or whatever it is of war, were not so easily simply killed, and that they have once more begun to grow.

And I think there we basically deal with a group problem in Zimbabwe, Shonas and Ndebeles? --- And Whites.

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And Whites on the sideline? --- Well they tended to have an important role in starting the whole problem.

CHAIRMAN: We will take the adjournment now.

THE COMMISSION IS ADJOURNED.

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THE COMMISSION RESUMES:

REV. P.J. STOREY CONTINUES HIS EVIDENCE:

ADV. VON LIERES: Reverend Storey, just prior to the adjournment you made the point that the road to reconciliation was hindered rather than assisted by violence that may be present. Now, after - the stage after one has identified the point of reality which you have said is the starting point towards reconciliation, if after that stage friction - I would like to suggest to you that after that stage the more friction the more difficult reconciliation becomes. Or if I can put it a different way, the more violence like in Zimbabwe for instance, the more difficult reconciliation becomes? --- Yes.

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Now, the price of reconciliation, is this considered

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to be costly? --- Yes.

It can be costly in respect of different areas, it can be for example costly in respect of human lives, in respect of property, morality and so forth? --- Yes, well the first thing that comes to my mind when you talk about costliness of reconciliation is that it cost God His Son, that is the ultimate cost of all reconciliation, and that therefore it involves suffering, that is the cost of reconciliation. I think honesty is a cost of reconciliation, it may sound strange but honesty 10 can be very costly.

Could I just turn to another aspect that I would like some better understanding on. We have agreed that alienation or estrangement must exist, we have agreed that this fact, the realities must be identified before one can move on the road of reconciliation. Can reconciliation take place whilst - let us take the South African context again - whilst the status quo is maintained, in other words if one perceives of the South African situation as set out in the SACC memorandum, namely, the 20 oppressor/oppressed relation, can reconciliation take place whilst this status quo is maintained? --- I don't think so, I think at a personal level, at a one to one level between people, one who may come out of the body known as the oppressors, one who may come out of the body known as the oppressed, yes, reconciliation can take place because between one person and another person there can be a recognition of realities, there can be a confession of sin, and therefore those two people can meet as it were without that barrier between them and reconciliation can take place. 30

I believe, however, that reconciliation between groups is something which cannot be simply transferred from the individual level to the group level, the basic dynamic in reconciliation between one man and another is love, the basic dynamic in reconciliation between one group and another is justice, and so I would say that justice is in fact love applied at a group level, groups can't love each other, a group is incapable of love, by definition it cannot love, but a group can act justly to another group, and therefore the fundamental requirement for reconciliation to take place is justice. 10

Now, therefore, whilst an unjust situation persists reconciliation cannot take place, this unjust situation, the injustice in the situation must be removed? --- Yes.

Now in the South African context, does this then mean that the injustices that are perceived to be caused by the policy of apartheid must first be removed before reconciliation can take place? --- Between groups?

Yes? --- Yes.

Is it for that reason that in the visit to the Prime Minister in 1980 the South African Council of Churches demanded the removal of influx control, the stopping of resettlements, the educational equality and so forth, is that based on that consideration? --- Yes, I think it could be said to be based on that consideration. That didn't mean that that list was in fact an exhaustive list at all, but at least it was felt that that would provide a precondition of trust, that the person who was oppressed would at last see something which could again - which would establish a belief in the sincerity of those who had it in their / ... 20 30



their power to do that.

So one can then say that reconciliation in effect involves change? --- Oh yes, oh yes.

Now in the group situation locally, the local scenario, from which of the groups who are in conflict with one another has the change got to come? --- I think primarily in the South African situation without any doubt in my mind the change has to come from Whites. It has to come from those who in fact have the power, so there has to be a demonstration there primarily, I am 10 not suggesting that no change has to come from the oppressed because obviously there are attitudes which are developed in the experience of oppression which are negative attitudes and destructive attitudes which have also to be dealt with, some of them are - well it may sound surprising, but one attitude for instance I believe which has to be repented of in a sense by Blacks in this country, is the built in feeling of inferiority, which again I believe ultimately the responsibility for that devolves on the apartheid system. But while a man feels that way he himself has got 20 to discover his dignity.

So this change thus must have the effect of liberating or setting free the oppressed from that which they consider oppresses them, in other words to take a practical example the freedom of movement restrictions caused by the influx control, that has got to go, equality of education and so forth has got to be ensured. Do I understand that correctly? The effect of this change, we have already said that the major part of the change must come from the oppressor? --- Yes. 30

Who has got to remove that which is perceived by the oppressed to oppress them, so the major effect of this change would then have the effect of liberating the oppressed from the oppression, either real or imagined that they suffer from? --- Yes.

Do I understand that correctly? --- Yes, I think - I was just looking up these words of Jesus when He indicated His own manifesto and talked about proclaiming release for prisoners, recovery of sight for the blind, to let the broken victims go free, this is part of His work of reconciliation, and certainly a consequence of it would be this. So, yes, that is right, these would be signs or areas in which the injustice which is a block to reconciliation would be removed.

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Now in the case of the stance of the South African Council of Churches this liberating effect on the oppressed would be - one would be able to find that fundamentally in the area in which the Council says the secular law is in conflict with the law of God, do you remember that 1979 Resolution? --- Yes, if you will just say that again.

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I say as far as the Council is concerned, would it be correct to understand that the liberating effect that is sought to be brought about by this change, the areas can be identified in that area where the secular authority is in conflict with the law of God? --- Yes, I don't think that is the only area.

Well, that is what I would also like to know, the first answer then is yes but secondly which other areas are you thinking of? --- Well, simply that those laws reflect an attitude and therefore that liberating effect

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of the Gospel is not going only to be seen in the changing of a law, although that is necessary, but also in the creation of an awareness of a wrong attitude, it needs to be changed.

I see. --- I think it was Martin Luther King who said in respect of this, you know: the law can't make you love me, it can stop you from lynching me and that is very important. And therefore again, while I think ultimately the task of the Church given to it by its Lord is to bring to birth in people an attitude in which they see one another as brothers and sisters, where there are laws which reflect another attitude those laws, yes, need to be changed. 10

And the attitudes behind the laws? --- Yes, and it is a funny thing - I am not digressing I don't think, I want to be as clear as I can - it is a funny thing that sometimes a law is changed because an attitude has changed, but sometimes an attitude changes because a law has changed, and many attitudes have changed simply because the law of separating queues in post offices has fallen away, people have discovered that you still get your stamps and your letters without the heaven falling in, and so their attitudes have been affected by the changing of law. 20

Can I then basically summarise the question of change, can one say that there really cannot be any reconciliation without an accompanying liberation, that is now of those who are oppressed? --- For the purposes of argument, yes.

Yes, for the purposes of our discussion. Now, does this / ... 30

this reconciliation, this concept then imply a transformation or a change of the people and the circumstances in which they live? --- To the degree that those circumstances prevent a person from being able to be truly human part of the ultimate reconciliation of people and people must take that into account, yes.

Some group theoretically speaking, some group, shall we call it the oppressing group, must give fundamentally in order to effect ultimate reconciliation, they must - 10 reduced or relating it to the South African circumstance and what we have been discussing, it must give or abandon certain powers, certain rights? --- Yes.

In that sense it undergoes fundamental change really? --- Yes, because restitution is part of reconciliation, when Jesus dealt with Zaccheus, part of the reconciliation experience with God and with his fellows was in fact to give back what he had wrongly taken.

Now at what stage does this restitution take place, does it take place at a stage when the liberation has been 20 effected, the liberation of the oppressed has been effected, can it take place at an earlier stage, or can it only take place at this stage when the liberation of the oppressed - we're talking in inverted commas of course? --- Yes, I cannot really..(intervention)

- has been effected, because restitution really means giving back something? --- Yes. No, I cannot answer that one I am not sure at what stage, I think the need for it to be part of the equation is there, but whether it comes before the equal sign or afterwards I don't know. 30

What would you understand or what would you suggest restitution would contain in the South African context?

--- PAUSE ---

Would it be related, if I may explain the question somewhat, the claim is often made that the oppressed are oppressed because there is an unequal distribution of land, there is the 13 and the 37% story to mention one example, there is another story that the Whites have all the wealth because of exploitation of labour and so forth, would restitution be related to a redistribution or a more "equitable" distribution of these facets or these aspects about which the complaint has been made. In other words, is it a mental restitution or is it a physical restitution? --- I think in the end all attitudes must be demonstrated in action, therefore I don't think walking around and saying: I have a mental attitude of restitution towards you, is going to necessarily convince somebody. I think that is a very very difficult question to answer as I have to here theoretically, because it involves a very complex society and a society which has an infrastructure and a fabric the stability of which is important for the future, and so to walk around sort of saying, you know, on this date that must happen would be irresponsible. But I believe certainly that restitution would involve ultimately - thinking, I was going to say, on my feet - but it would involve a willingness on the part of those who have been in power certainly to accept a measure of a slowing down of their position of advantage, it would involve sacrifices, yes, on their part. If I am going to say that part restitution is ensuring that every

Black child has the same opportunity as every White child, that will not be achieved overnight. It may take a period but it will only be achieved if I as a White parent am prepared to accept a slow down in the growth of the amount of money spent on my child for a substantial period. When it comes for instance to the whole question of ownership of land, again where that ownership has in the main been limited to a small - the oppressor group, and restitution means opening the opportunity to everybody, that is something that cannot be achieved overnight. But the intention I believe would need to be there, but I think there may be many paths to deciding how that is achieved.

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Reconciliation as I understand it, and I am asking you this because I am not quite sure, at the end of the day it implies forgiveness and mutual respect? --- Yes.

What I wish to know is whether this forgiveness and mutual respect can be established before restitution has been effected or after restitution has been effected?

--- Right. In everything I am saying I go back to my understanding of what God has done in Jesus Christ, that is the only standard I have for reconciliation. First of all as I understand it, the forgiveness of God is there always, it isn't something he suddenly decides to offer when I show a certain attitude, His attitude is one of forgiveness. But I cannot appropriate that forgiveness unless I come to believe in what His Son has done for me.

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Now if I apply that - and God may have to thump me once or twice to get me to realise that I am living outside of His Grace and that I need to live under His Grace, and He may do that in a number of different ways. If I bring this

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now down to the inter-group thing, I don't think that the confrontation for instance with the realities necessarily implies a lack of forgiveness. I have found, and maybe this is simply a psychological and sociological fact, that I have found amongst the colleagues with whom I work who happen to be Black an unbelievable understanding of the White situation, a far greater understanding of Whites than Whites have of Blacks, and an appreciation of some of the forces that work in Whites to produce their prejudices and their fears and their actions. But nevertheless a determination to face those Whites with the truth of what they are doing. Now, when it comes to the question of when, I think that what we said to the Prime Minister might be a good enough example to base my reply on. We said to him an awful lot of things will have to happen before justice really comes in this country, but the starting point, the precondition, is trust and if you like mutual respect as you put it, and that precondition we believe would be demonstrated by these four or five actions. And so it seems to me again if I go back to Jesus that He was looking for signs of somebody's deep sincere intention and then He acted, even though that person wasn't necessarily totally on the road. There was a man who said to Him: look I believe but I have a lot of unbelief, and Jesus acted. So I think I would want to say only that there must be sincere signs of that intention and the intention of course must be an intention which I would be satisfied really does point towards justice, rather than maybe a cul-de-sac or a bit of

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a con trick.

Now, do you know whether the SACC has instituted any research on the implications of a doctrine of reconciliation in the South African context? --- It is a concept talked about often enough but I cannot point to any particular - PAUSE -

Yes, well I am talking about the implementation, let us assume that this fundamental change that the SACC wishes to see takes place, has it then already instituted research to establish what reconciliation exactly implies? --- We have heard papers from time to time on areas of this, I can remember in National Conferences and so on hearing papers on areas of - an area of a problem and the kind of changes that would be required.

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You see, what I am getting at is this, I will deal with this more fully at a later stage but I may just perhaps use the influx control example now. One of the demands that is suggested as a precondition for change is connected with the influx control. --- Yes.

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Now do you know whether the SACC has done any research to establish what the implications of the abolition of influx control would be, (a) as far as a question such as over-population is concerned, competitiveness in the industrial areas, jobs, housing, sociological problems, the effect on the 'platteland' and so on and so forth. Do you know whether they have done these indepth studies to be able to tell the Commission that the request is a realistic one or that it is not a realistic one or simply that it sounds good to ask for

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influx / ...



influx control - is there a factual basis that underlines the demand or supports the demand that the SACC knows of?

--- In terms of?

Simply in terms of feasibility of the demand?

--- On the one hand let me say that we turn very often to research on the whole area of influx control which is a specialisation of the Black Sash who deal with people who are suffering under influx control daily and I think can be regarded as experts in influx control legislation, but having said that I don't believe that you need research 10 in order to say that something wrong is wrong. Yes, it is obvious to us that if one were to abolish influx control some of the advantages enjoyed in this society at the moment could be threatened by large removal of people from the rural areas to the towns and so on. That is something that will have to be dealt with in another way, but so long as influx control is something which is applied to Black people only, it is a discriminatory piece of legislation. If the population at large including the Whites could be persuaded that it was in their interests to all carry a 20 pass and to all be in prescribed areas, then that is okay, but at the moment it is discriminatory because it limits the movement of one section of the population only, whereas others are free to go and settle where they will. That to us is sufficient reason to say it is wrong.

Now, I am approaching this from a slightly different angle, I am asking how feasible is it practically? Has the SACC considered that? --- You mean to simply phase it out?

Yes? --- I would say it would require signature by a Cabinet Minister, that is how feasible it is. 30

No, I understand that, they can phase it out, but the consequences of that? --- Yes, I heard your question clearly and I am saying that the consequences would need to be worked out in a just way, the consequences of not having influx control. And I am saying that if in the end the total population could be persuaded that influx control is vital, then let them be persuaded and let it be applied to all, but so long as it is applied to only some it is a discriminatory act which is wrong. So I am not arguing that the country does not need a form of influx control ultimately, but as it is at the moment it is wrong. 10

Right. I would then like to ..(Chairman intervenes)

CHAIRMAN: Before you leave that, from the SACC point of view then do you think that it is conceivable that in large measure the opposition to influx control and its component of Pass Laws would fall away if there were to be influx control operating as against all persons of whatever ethnic backgrounds they might be, and if everybody were to be obliged to wear what is referred to as a pass? --- Well certainly it would cease to be discriminatory legislation, M'lord, it may still be argued that it is an infringement on the freedom of the individual, and that would have to be weighed up against the necessity for having it or the value of having it, and if that were argued in a sense democratically and everybody came to the conclusion, or the majority came to the conclusion that we would rather have influx control than very large embarrassment of people around our cities, I would say that theoretically, yes. I think, however, that would be resisted / ... 20 30

resisted because I think in addition it is a limitation on what people would regard as a freedom, and that is freedom of movement, and I don't think that either of those two options are necessarily the answer, I don't know what the answer is. But I would say that if influx control of one sort or another were the only way to deal with an intractable problem - and I don't think it is necessarily the only way - but if it were then I think it would be important that it should be applied universally and not selectively.

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But does the SACC recognise that there is a problem if you have an excessive influx of people to cities where there is not housing, where there aren't jobs for the people? --- Yes, the SACC does, and I think that is illustrated in the fact that when we met with the Prime Minister Bishop Tutu specifically said: phase out the influx control, and if I recall what he said, which is we don't say this can happen in a month, we don't say it can happen immediately, we realise there are problems here, phasing it out is an important goal.

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ADV. VON LIERES: Let us turn to conscientious objection now, your reference will be page 50. I think I would like to deal with this in three different ways, firstly the chronology, the pre-1974 era, the 1974 era and then the SACC's activities in that connection. Perhaps it will be more convenient to deal with the status of certain SACC documents first. I don't know whether you were present when the Commission was told that the document that was prepared by Dr. Kistner on conscientious objection does not represent the view of the South African Council of

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Churches? --- No, I was not.

Well, I wish to show you this particular document to start off with, the document at issue is Appendix III to the Director of Division for Justice and Reconciliation's report to the Executive on the 17th-13th March 1977, you have handled this document this morning when you looked at Appendix II, I want to show you Appendix III now. Appendix III has the title: "Conscience in Conflict".

--- Yes.

M'lord, the statement that this particular document does not represent the view of the Council is to be found on page 2194 of the Record, lines 27 to 30. We were also told, Reverend Storey, just to place you in the picture that the South African Council of Churches' view on conscientious objection is that which was contained in your press statement of 1931. This is the background to the questions I now wish to put to you. If you look at that document that you have in front of you and you turn to page 1 - page 1 of the whole document. --- Yes.

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You will see the director sets out in a very brief summary form what his report contains, the first appendix to that document, if you will turn to Appendix I? --- I am sorry, the green one?

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Just before the green one, that appendix says that it is the Minutes of the Committee of Justice and Reconciliation who gathered or met in February 23rd-24th, and it gives a list of those who were present, amongst those present I think the General Secretary opened the - the General Secretary was there, Dr. Kistner was there, Reverend Massey was there, Reverend Wing was there.

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And / ...

--- And Miss Agar, Miss Keruti.

Yes, quite a number - Beyers Naude was there. I think he is one of them who appears at that particular committee meeting, and that committee meeting says it discussed that particular document, Appendix III, "Conscience in Conflict". If you turn to paragraph 9 of the minutes of that committee meeting - you see at the bottom of that appendix it says paragraph 9 - conscientious objection? --- Yes.

Then it goes to paragraph 9.1.1 and paragraph 9.1.2. 10  
Paragraph 9.1.1 basically says: the decisions recorded in respect of the document "Conscience in Conflict" is that the paper is to be published as soon as possible. The Reverend Wing and Dr. Kistner are to prepare an introduction and insertion has to take place on pages 24 to 25 in respect of the legislative position. And then I think 9.1.2 says that Mr. Thomas is to write a short summary on the document, right? --- Yes.

Now, those were the decisions reached by the Committee for Justice and Reconciliation on this particular matter. 20  
May I just draw your attention to the fact that they have insisted on this insertion on pages 24 and 25 of the document "Conscience in Conflict" of the legislative position, and this indicates that this committee in fact appears to have studied the document to find that there is a gap. It looks that way doesn't it? --- Yes.

Now those were the decisions taken by the committee, and these decisions form part of the Director of Justice and Reconciliation's report to the Executive Committee meeting which was held on the 17th and 13th March 1977. 30

So / ...

So, shall we say at that stage, at the end of that meeting that committee had approved that document for publication? --- Yes.

We won't worry about the content of it, we will talk about that later. Now the next step that happens is the Executive Committee meeting of the 17th and 13th March 1977 takes place, it is document 14 in the Commission's documents, and I want to refer you now to paragraph 7 of these minutes. Incidentally, you attended this particular meeting of the Executive over these two 10 days, so did Dr. Beyers Naude, Mr. Rees, Mr. Kistner and various other persons who also attended the Committee meeting of Justice and Reconciliation at which that decision was taken to publish. Paragraph 7 of this document then deals with the report of the Director of Justice and Reconciliation, and it says here quite clearly on page 3:

"It was confirmed that the historical case study on conscientious objection - Appendix III of the report - that is the "Conscience in Conflict" one that you have there -20 "has been published. The issues raised in paragraphs 9.1.1 and 9.1.2 were referred to Mr. Thomas, Dr. Kistner and Mr. Rees for further action".

Will you just have a look at that please - it is about two-thirds down the page on page 3? --- Yes.

The decision to publish, doesn't that bind the Executive to the document? --- No.

Why not? --- Because I think it is quite within the competence of the Executive to publish a document which they think would be useful in an area of discussion or 30 concern / ...

concern. I don't think it binds them to it at all. If it is making a contribution to a debate then it can in fact be published. I don't think it necessarily automatically then reflects the final word by the SACC unless it says so.

Let us have a look at what happens if this decision to publish would have been executed. --- I am sorry could I give you an example which may help. The SACC published a little book called "Investment in South Africa", but in fact that booklet does not represent the SACC position but there was a decision to publish it because the debate was one regarded as being important enough to merit making a contribution to the debate, and that was circulated around for a year before the SACC in fact came to a decision on investments which is not reflected in that book.

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Now the normal style of an SACC publication would be something like this format in which it is claimed that this is an SACC publication, and it is clear for everybody to read what the document is all about, and it gives out that it emanates from the SACC, so one would assume that if this document had been published, it would have been published in the normal form that the SACC publishes a document by reflecting that it is an SACC publication? --- Well I can't speak over a stretch of time as to what format our publications have taken.

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But I mean it is normal practice, you identify whose publication it is, on whose instructions it is published and you even put in the printer's name? --- It could be normal.

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If / ...

If the document had been published the normal man in the street who would have had a look at it, he would have assumed this is a document published by the South African Council of Churches? --- Yes.

Now, further publications of this document also took place. You know, I want to suggest to you that the decision by the SACC to publish for the man in the street who would deal with this thing would indicate acceptance of the content of that document as reflecting the SACC's stance? --- No, I have already said I don't go along with you on that. 10

But subsequent to this decision, you know, there are two further publications of this particular document, in the first instance Dr. Kistner was instructed on the 7th March 1977 - now please note this was prior to the Executive Committee meeting - by the General Secretary, Mr. Rees, to forward this historical case study to a Mr. Rijpert in Holland, and a letter was duly written to Mr. Rijpert of which I have a copy, I don't know whether I have got it here now but I will show you later, in which Dr. Kistner forwards this particular document on conscientious objection. The original letter is to be found in Dr. Kistner's file marked D532 - ah, here I have it. So publication of this particular document took place in document? --- Well I don't know, you are telling me. 20

I am telling you. The second publication of this document took place at the consultation on racism in February 1980? --- Is that the one at Hammanskraal?

Yes, in which reference was made to the position of conscientious objection. Now you have made your point of view / ... 30



view clear, you say that document as far as you are concerned does not need to reflect the stance of the SACC, I think whether it does or whether it doesn't is actually a matter for argument, but I will later demonstrate to you that the content of that document is quite in accordance with the Hammanskraal resolution, to which I will turn in a second or two. So as far as that position is concerned surrounding the administrative committees or the committees before which that document served, you are satisfied? --- I am sorry?

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You are satisfied that that document did in fact serve before the Executive, that they took a decision but that the decision is not binding, or need not necessarily be binding on them. In other words they don't need to stand father for the content of the document? --- No, I would see it as a study document.

Now, the first part of the chronology of conscientious objection has already been referred to and it has also been dealt with in Thomas' book and I have also got the original minutes of the CCSA here, the first response or the first action by the CCSA on conscientious objection in the post Second World War era, was an endorsement by the bi-annual meeting of the CCSA on the 22nd-23rd January 1952, of a World Council of Churches Central Resolution Committee that conscientious objectors had the right to the opinions expressed. I think you are probably familiar with that? --- Yes.

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After that and up to 1974 there was various correspondence and suggestions between the CCSA, later the SACC and the Minister of Defence in connection with the

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content of legislation, how it should be amended and objections and so forth were put forward. I don't think it is necessary to read it into the record, these are all in your Minutes that you have made available to the Commission, but on this issue two points emerge here, the first one is that the SACC responded to a WCC request and the second one is that the endorsements and the resolutions and the correspondence up to 1974 relates to the classic pacifist conscientious objector position and not to the selective conscientious objector as was the case with the Hammanskraal resolution? --- Yes, if I could just comment on the first of those two, I don't know that the SACC or CCSA as it was then was responding to a World Council request.

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Well it says so in the minutes here? --- Could I hear the minute, these are years long before I was involved?

I'll get the minute for you, that is what the minute basically says, they endorsed the WCC request, but I will give you the exact wording? --- Was it a request or a resolution?

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No, the WCC circulated its standpoint on the recognition for a conscientious objector and asked the various Councils to endorse that particular standpoint and that is what happened there. Now, you were present at the Hammanskraal Resolution? --- Yes.

It has already been mentioned that you suggested an amendment to that particular Resolution, you have expressed your comment and your criticism surrounding that particular Resolution in your statement, in your evidence, and I would like to deal with that now, but the minute has just come

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to / ...

to hand that you wanted to know about. This is a photocopy of the Minutes of the Ninth Bi-annual meeting of the CCSA dated 22 and 23 January 1951, Minute 3 under the heading "correspondence concerning peace movements":

"The Secretary referred to a minute of the Central Committee of the World Council of Churches passed in July 1951, concerning the recognition that conscientious objectors have a right to have their opinions respected".

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Then it carries on:

"He said that bodies associated with the WCC and IMC were asked to endorse the Resolution. Mr. Blaxall also made reference to a letter received from the Commission of the Churches of International Affairs and the National Council of Churches of Christ in the United States, which correspondence enclosed sundry resolutions concerning the Peace Treaty with Japan, the use of atomic weapons and so on. The Council agreed to endorse the special resolution of the WCC Committee".

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--- Yes, thank you.

And then the various resolutions on various dates here, 10 and 11 January 1957, in which they urge amendments to the Defence Act, 6(2) 64, paragraph 139 - and so it goes on, I don't think it is really important as far as that is concerned. --- I just wanted clarification on whether it was a request or whether they were simply endorsing something that had happened there.

No, it was a request. --- Thank you.

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Now / ...

Now, let me make my position quite clear, it is of course for the Commission to judge the relevance if any that has to be attached to the question whether the SACC consultation in Lusaka - whether the AACC consultation in Lusaka during May 1974 had triggered the SACC Resolution or not, or whether it was a combination of that and the Reverend Bax, or whether it was a combination of that and the General Secretary's speech explaining what happened there and the Reverend Bax, that is for the Commission to decide. I am not going to suggest to you it is the one or the other or maybe a combination of them. Now, you mentioned in your evidence that Mr. Rees had attended the Conference and that liberation movements had in fact made a deep impression on him? --- Well the fact that there were many Christians made a deep impression on him.

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Christians in the liberation movements? --- Yes.

Now Mr. Rees' impressions of that particular Conference are of course set out in the Ecunews Bulletin No.18 of 1974 in some considerable detail, it runs into two and a half pages, I suppose you are familiar with this? --- If you are going to refer to it at length, I would like a copy?

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No, not at length? --- Allright.

I just want to make this suggestion to you, that the main impression that he had and the message that he brought back from Lusaka was that unless there is in fact meaningful change, that he, Mr. Rees, had no doubt that violence would be seen in South Africa shortly? --- Yes.

And he said in fact: "I would say it seems likely that / ...

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that attacks on South Africa will be launched within the next 13 months"? --- Yes.

Not that it is relevant, but he says that the liberation movements received about 60% of the financial support from behind the Iron Curtain, this if course he says doesn't mean that they were committed to Communism or whatever else it is. What is important is that Mr. Rees also said that "bold and prophetic action is called for" in the light of this threat of violence that he sees? --- Correct.

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Do you recall that? --- Yes.

And that in connection with this bold and prophetic action the Church could play an important role. Does that accord with your memory? --- Yes.

Now, incidentally, I think you referred to Canon Burgess-Carr earlier? --- No, I did not.

CHAIRMAN: I did.

ADV. VON LIERES: Oh, I am sorry, his Lordship did. It was at this particular meeting apparently that he made his famous statement of the acceptance of the violence of the Cross that sanctified violence? --- Yes.

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Now, from your knowledge of Mr. Rees, when he came back did he reject this open Christian justification for violence as expressed by Canon Burgess-Carr? --- Yes, very strongly as I recall.

Now, you seem to - if I understand your evidence correctly - you seem to suggest that the decision, the motion by the Reverend Bax came as something of a surprise during that particular Conference? --- Yes.

There is this Ecunews Bulletin No.25 of 1974 which seems / ...

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seems to support you in that reporting on the basis that there was no prior notice of this motion given to anybody who attended that particular meeting. But he seems to suggest, in connection with the happenings at Hammanskraal, that the motion was formulated apparently in response to Mr. Rees' report as to his experiences in Lusaka. He says here:

"Mr. Rees' annual report to the Conference entitled 'The Church at the crossroads' -

incidentally, you don't perhaps have a copy of this report, 10  
"The Church at the Crossroads"? --- Not that I know of.

I think it may be of some interest to the Commission to see this report - could you perhaps make a note of that and enquire whether it is available? This was the title of his address at that 1974 Conference. It says here:

"Mr. Rees' annual report to the Conference entitled 'The Church at the Crossroads' helped further to set the tone. In that respect he gave an extensive account of the Assembly of the All African Conference of Churches in Lusaka, and of the 20

contact with the leaders of the liberation movement there. A fairly lively discussion followed, and during this the Reverend Douglas Bax rose to his feet to say that 'neither the churches nor the SACC had been in the lead to do something practical to change the status quo in South Africa. Isn't it time, he asked, for us to consider seriously whether the SACC should challenge young men on the score of conscientious objection'".

So I get the impression from this that it may be that Mr. 30

Rees' / ...

Rees' address with setting out his experiences could have impulsed the Reverend Bax in his particular motion. Not that much turns about it, around this particular point, but a full report is contained in this particular Ecunews in so far as that may become relevant if at all? --- Yes, if I can just again for the record comment, but I think my paragraph 2 on page 50 still stands, that there is nothing inconsistent with the fact that Mr. Bax popped up with this idea, and what I have said here that Mr. Rees and members of the Executive could not have been more surprised at the turn of events.

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That is why I haven't challenged any of your paragraphs so far. Were you a member of the Executive during the National Conference in 1974? --- No, I don't think so. I was simply a Methodist representative to the Conference. I attended my first Executive in 1975, June.

Thomas basically suggests that this Hammanskraal Resolution has got two main sources, the one being the Reverend Bax and the other one being the Third Assembly of the AACCC in Lusaka. Do you have any strong views on this? --- Yes, I think again my views are in my submission, if I could just - PAUSE -

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Well, let me ask you this, would you exclude the influence of the Third Assembly of the AACCC? --- No.

As a contributing factor to the Resolution? --- I said on page 53 of my submission, I indicated that this had made a deep impression, delegates were confronted by the very uncomfortable realisation that those in the liberation

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movements were not simply anonymous ciphers, nor necessarily Marxist with dark and evil intentions, but many of them were fellow Christians prepared to justify their decision to fight on Christian grounds, and in (9) suddenly there was an existential ethical dilemma. And so I would not exclude that.

Allright. Now, at the Conference itself the Reverend Bax proposed his resolution. This was initially opposed by Bishop Russell who suggested that the motion should have been dropped, and I think the Bishop was then described as a "cop out", or his motion was? --- The approach, the suggestion was described as a cop out.

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That is now to drop the motion. Then you also proposed an amendment, and I think somebody commented on your amendment to that of the Reverend Bax's resolution as an attempt to pass the buck? --- I proposed a number of amendments, in fact some of us proposed at least ten amendments I am sure, from memory.

Well one of your amendments was a complete resolution really? --- No, it was not a complete resolution, it was an amendment - if you are referring to the one which refers to the Afrikaner history, the one that the Judge referred to, it was an amendment to one section of the Hammanskraal Resolution.

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I will tell you to which one I am referring. No, I am referring to the one in which it was worded that the Conference of the SACC warns the people of South Africa that there are deep divisions amongst our people in respect of the situation of violent confrontation growing upon the Republic's borders, involving as it has South Africans on

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both sides of the conflict - that is the one that was defeated 13 to 23 with five abstentions? --- Yes, I am not sure if that is the total..(intervention)

No, there may have been more? --- I am not sure if that is the total content of the one that was defeated.

No, no, there are six paragraphs, I just thought the first paragraph would enable you to identify it. --- I see.

But your amendment shall I say was somewhat more moderately phrased than the Resolution that won the day? 10  
--- Carefully?

Well I used the word "moderately" compared to the other one - carefully. Substantially your amendment blamed the Government for the border conflict, it asked Churches to make study material on CO available to potential National Servicemen, and it requested that churches were asked to investigate the pastoral care available to Christians both serving in the Defence Force as well as those across the borders in liberation movements. That is basically what you suggested if I can summarise. Would that satisfy you? 20  
--- Yes.

Now, I would like to discuss the Resolution that was actually adopted with you, and I think it is perhaps necessary that I give you a copy. This is a reprint from S.A. Outlook, I think it is reasonably complete. Now the first three paragraphs of the preamble, they deal with justice, peace and violence. Could we summarise it like that? --- Well as I see it they deal with (1) the call to strive for justice and peace, secondly that a Christian is not automatically required to engage in violence or war 30  
whenever / ...

whenever the State demands it, and thirdly, that both Catholic and Reform theologians agree that you can take up arms only in order to fight a just war.

Yes, the three areas, justice, peace and violence in broad categories. Now, could I just get some understanding on this. Is it correct that according to universal Christian doctrine, governments are ordained by God to uphold justice and peace. I think you sort of refer in passing in your submission to Romans 13 or something? --- Yes.

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Would that be a correct statement broadly? --- That the State exists - and if we are going to get into a very deep discussion I want to say Mr. Robertson is probably the man to talk to, but nevertheless, that the State exists within the economy of God in order to be part of the instrument - part of His Will, in the ordering of society, justly, yes.

This implies also that the State has a task to perform in the maintenance of law and order in the general sense? --- Yes.

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Now, law and order, I want to suggest to you, can only be maintained by means of the exercise by the State of a certain degree of coercion and violence - and I am again talking generally. Do you agree with that? --- Agreed.

Your agreement, incidentally, is also in accordance with the WCC's document on violence and non-violence in the struggle for social justice, they also adopt the same attitude, that governments have that responsibility. The point I am trying to make is that the rejection of violence cannot be a total rejection? --- Yes, I think there are

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those / ...

those who would distinguish between force and violence, justifiable force in terms of what is required through police forces and things like that. There are different definitions of violence, as I say this is very much Mr. Robertson's field.

I am not going to keep you long on this, I just want to ask you now, what is the SACC's stance, does it when it calls for a rejection of violence, does it call for a total rejection of violence, or does it recognise that the call for the rejection of violence can only be relative? --- What is the last phrase, the call? 10

The call to reject violence can only be relative? --- Yes, I think it includes the first, it is inclusive of the first and probably expresses the second. When I say inclusive of the first there are people in our constituency, not only in the peace churches but in all the churches, who would take the position of the total rejection of violence in all forms, and therefore the SACC's position would certainly recognise the validity for them of that position. In other words it may not be the validity for all Christians but it is respected very very deeply for those who do hold that position. I think for the rest it would be a question of in one way or another subscribing to paragraph 3 that the Church has regarded the taking up of arms as justifiable if at all only in order to fight a "just war". 20

Now, if we accept that law and order or justice can only be maintained by the exercise of a certain degree of force, and we accept the peace churches' stand, do we then accept simultaneously that they may be somewhat mistaken in their / ... 30

their total rejection? --- I wouldn't like to speak, you know, on their behalf, because I think that the peace churches must have some doctrine related to the keeping of order in society, but I am not familiar enough with it to want to say they are mistaken because they don't.

Now, could I take the acceptance of this degree of violence with regard to the administration of justice and the maintenance of law and order one step further, is it not equally true that the acceptance of the exercise of a degree of violence would also be equally applicable 10 to a country as far as the defence of its borders are concerned? --- Well I think as you advance along this argument you leave some people behind, that is all I want to say, that there are some people who would say yes, it is legitimate to have a police force, but would say no, it is not legitimate to go to war. So you will leave some Christians behind on each step of this journey. But again I would say so far as the broader majority view, and I think this is what I was trying to say in response to the Judge's question yesterday, that the majority of 20 Christians accept that under certain circumstances it may be necessary to resort to violence, and the defence of one's borders as you have mentioned it, would be one of those to be included.

Now, are we in agreement that it is a legitimate duty of a government and an elementary duty of a government to defend and protect the lives of its citizens, and that if a government were not to defend and protect the lives of its citizens it would actually be betraying its responsibilities? --- Yes. 30

Now we know as a given fact that both in 1974 and today, this armed conflict is taking place on the borders and I know some people say it is also taking place in the cities, but what is the stance of the SACC, what do they want the Government to do as far as the border situation is concerned - perhaps we can deal with that in two sessions, what was their stance in 1974, and what is their stance today if any change has taken place? --- The stance of the SACC as of now in respect of the conflict on our borders, I think, has been clearly enunciated most 10 recently in a meeting of Church leaders, that wasn't an official SACC meeting, but we would be one hundred per cent with what in fact was enunciated by that meeting in January this year, but before that I think it would certainly be reflected in the call that was made by the General Secretary and myself after visiting Namibia, and that is for a ceasefire as the very first priority in terms of what ought to be done about the conflict on our borders now, that should be the first priority. In other words there is a conflict happening there, and a ceasefire is the 20 first priority in order to deal with that particular conflict now.

Is that the position set out after your tour to Namibia? --- Yes.

What was the position set out in January this year, was there any change? --- The same, there was a call for both sides to cease hostilities.

Right, now let us assume that this call can for practical reasons not be met, there can be no question of a ceasefire, what does the SACC want the Government to do 30

in connection with the borders, do they want them to recall the troops, stand back or what, what do you want the Government to do, what is your policy if you rule out a ceasefire? --- There is a sense in which this is an unreasonable question if I may say so, because it says assuming a ceasefire is impractical, that is the way it started.

Well isn't that the factual position at this stage? --- I don't think so at all, I don't think a ceasefire is impractical, I believe that on both sides there are people 10 who for reasons of their own interests at different times have made that ceasefire very difficult to achieve. I am not pointing a finger either way, I am saying that for political reasons there are times, I believe, that the South African Government has dragged its feet on the possibility of a ceasefire, and I believe that there are times when the other side has done the same. Now you may say that is a practical problem.

Okay, don't answer that question then, let me take the practical position as it exists today. Yesterday, 20 today, the day before there was physical fighting taking place in that particular area, there was a conflict of forces? --- Yes.

That is the practical position that is taking place now. We know about the negotiations, but people come in, people are abducted, mines are set and all that type of jazz, what is the Government supposed to do, or rather in that circumstance where a ceasefire is not forthcoming, what do you expect the Government to do? --- Allright. As far as I know the only position the SACC has taken in 30 that / ...

that existential situation of conflict, is that the Government - not what the Government should do, but what the Government should not do, it should not force a person to fight against his conscience. As far as I know that is the only position that the SACC has taken, in a sense presuming - it hasn't presumed to say what you should do right now when this or this or this happens or this explodes, but it has said the one thing we believe you shouldn't do is to force a person to take up arms in that conflict against his conscience.

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Now, does the SACC suggest or maintain that the Government hasn't got the moral right to defend those borders? --- So far as Namibia is concerned, I think that we have indicated that South Africa should not be there anyway and that that does raise a question about the right of the Republic of South Africa, as distinct from any government which may emerge in Namibia itself, to defend that particular border. But I think that is a very deep question of opinion as to the right, the legal right or not, whether the people there want the South Africans there or not, but we have indicated that from what we have discovered from the churches there, they would rather that South Africa was not there. Now that is just a matter of record. It is in the end something upon which people could have very different opinions, but that is what the Church leaders of Namibia have said to us, and we have simply said that is what they have said to us, we haven't said anymore than that, I think, except that that is what we have been told.

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The thrust of your report when you came back from Namibia, didn't that more relate to unlawful acts performed by Government forces according to information that you received there? --- No, it wasn't the thrust of our report but included in our report were again indications of what we had been told by Church leaders.

Now, can we agree on this perhaps that the border situation is a fait accompli today, it is there, it exists? --- It is there, it exists, yes. I don't believe it is something about which - I don't believe it has an inevitability about it, but if South Africa were in fact to indicate that it was going to withdraw from Namibia that situation may change. If SWAPO were to in fact tomorrow say: we are no longer going to use - we are going to lay down our arms, the situation would change. But I hear your question, I think the question without beating about the bush was: does a government have the right to defend its own borders, an obligation to do so, and I would say that is generally accepted as yes. I was just saying that the question about Namibia was whether those borders are South Africa's at all. 10 20

Now, point 4 of the preamble of the Resolution says that according to the theological definition of a just war, wars in defence of a basically unjust and discriminatory society, is excluded. Then in point 5 it goes on to make the point that the Republic is fundamentally unjust and a discriminatory society and that the injustice and discrimination constitutes the primary institutionalised violence which has provoked the counter-violence of the terrorists or freedom fighters. I would just like to deal with / ... 30



with the first part first that it is fundamentally unjust and a discriminatory society - let me just stand there. Now, does the existence of the injustice and the discrimination as seen by the SACC apply, that the Government has no right to defend itself, and its thousands of defenceless people against these terrorist operations whose purpose would be intimidation, sabotage, destruction? --- No, and I think this is part of the problem I had with this Resolution, I mean it is clear in my own submission I had problems with this Resolution. 10

Yes I know, and that is why I don't want..(witness intervenes) --- It is clear from my submission that with the problems I had with the Resolution, nevertheless in spite of that I had to with hindsight say God has used this Resolution, but that doesn't in any way say that I am one hundred per cent with everything that is said here, because what looks very logical is maybe a little bit simplistic.

I know that you had difficulties with this Resolution, I know you have certain views, but I am trying to find out what the official SACC view is? --- Right. 20

This is what I am trying to find out, not your personal view, but what the official SACC view is. I mean it is obvious to me after I read your amendment that it was clear that you had difficulties with the accepted Resolution or adopted Resolution, but the SACC attitude. You know you are sort of in a position on certain matters where you are in a minority but you have to reflect the majority view? --- Yes.

Now, the official SACC view, that is really what I 30

am interested in. If you don't know, Reverend Storey, what the official view is then say so, you are not forced to answer the question if you don't want to?

--- Yes, I recognise that, thank you, but I would say that the official SACC view is based on this Resolution, it is a resolution of the National Conference, as such I must say that is what it was. I would say that the focus for many people who may not have been too happy with this preamble, is in terms of the findings or the Conference, therefore that section, in other words the Resolution itself, because I can go along with the very paragraph you have just read: "it points out the theological definition of a just war excludes war in defence of a basically unjust and discriminatory society" - I accept that. And then the next one I can accept too, but the problem that I have in the end is that this is an issue of personal conscience in our view, and that therefore all the Church can do is to put the facts before people. 10

I accept that fully but my problem is that this is the official reflection of the stance of the SACC on which it asks the individual to make up its mind, you see? --- Yes. 20

So this document is offered to an individual and it reflects a collective view, you see that is my problem that is why I am asking you these questions, and I know you are in an extremely difficult position because we know what your own views were, they are recorded - and all I am after without trying to embarrass you is, I want to know what the official SACC stance is?

CHAIRMAN: May I interpose here, should the Commission 30

not approach the matter on the basis that the official stance is that recorded in the Resolution with the preamble?

ADV. VON LIERES: Yes, I think Your Lordship is quite correct in making that particular point. --- I accept that, that is the official stance.

And you also accept - well, do you accept - let me just try and put this this way, even if a society is unjust and discriminatory, does it still have the right to defend itself, even if it is basically unjust? --- I 10 would put it another way, that if a society is basically unjust I believe that a member of that society should have the right not to participate in its defence. I would expect a government however unjust to defend itself militarily, yes, I would expect it to do so, it would be very strange if it didn't do so, but I don't believe that a Christian should be bound to help it do that job if it is basically unjust.

CHAIRMAN: Does that answer the entire question, that is related now to the individual Christian who can in truth 20 say: my conscience precludes me from taking up arms, but leaving aside those Christians, would you recognise that it is the duty of even an unjust society, if there are incursions into its territory, to fight a war to resist, to protect that territory? --- Yes.

With the use of such powers as are available to it? --- I would recognise, Sir, that that is what any society would do. It is hard for instance to say it is the right of shall we say Japan to defend itself against the allies in the Second World War when we know what havoc Japan had 30 wrought / ...

wrought, and yet I think the Japanese state would have said: it is our right, and I think one does have a conflict here between the responsibilities of a civil power as they see it, and I think which are recognised generally by Christians. That is why I say it doesn't surprise me in any way if a government says: we must defend ourselves. I think, however, that apart from the kind of Christian you mentioned, there is another kind of Christian which this Resolution very definitely focuses on more, and that is the person who says: because 10 I believe it is an unjust situation you are defending, I am not prepared as a Christian to go along and help you do it, and I would like that right recognised. I think that that right isn't always recognised, and then a person must be prepared to accept the consequences of having said that.

ADV. VON LIERES: Could I perhaps ask you something else here. What is the Council's view, or is one to understand rather that the Council's view is that if the injustice and the discrimination were to be removed that the 20 terrorism will stop, or that a ceasefire will become effective? --- I think again I wouldn't want to be simplistic, the Council's view is very definitely that the root cause as to why this kind of thing has begun at all, the major cause by far the major cause is in fact the discrimination and the injustice. Therefore I think the Council would say: remove the injustice and the discrimination and the cause for the conflict would stop. Conflicts do have something of an impetus of their own once they are joined, and therefore it would be, I think, 30  
simplistic / ...

simplistic to say it would stop tomorrow, but the fundamental reason why there are those who feel that they have had to take up arms will have been removed and I think therefore also, referring again to something I said yesterday, the fundamental reason for why such a large number of people in this country feel at least some sympathy and understanding for them would be removed.

Now if the injustice and discrimination are removed then we will have a state of just or a situation of just? 10

--- Yes, and if they were there is no doubt in my mind that it would be not just a step but a leap towards ending any conflict.

Now do you think that the organisation that has declared itself that it is fighting because it wants the political power is going to abandon its quest for political power only because a greater degree of justice has been achieved in the country which is the target and in which it wants to take political power? --- I don't think that an organisation which is - well let me rephrase that. It 20 depends on that organisation's aims, ultimate aims. I have indicated elsewhere that in order to achieve aims political groups in the political world will seek power, and therefore to an extent I would have to say I cannot answer that, because if a group of people had decided willy nilly regardless of circumstances: we are going to take power by force of arms, then the change in the circumstances in a country would not necessarily change their minds, it would certainly change the attitude of the majority of the people in that country towards them, and therefore in my 30

view make their chances minimal and zero, and therefore it would seem to me it would be in their wisdom if they in fact abandoned the military road because if justice came in the situation, that would imply to me that it would involve people in the freedom to put their case to the people.

Just this aspect connected with that. Who is to decide when our society will be sufficiently just to ensure the right to defend ourselves? --- That is why I said that this issue is so much one of the individual conscience. There is a line, an invisible line which .. (intervention) 10

Yes, but excuse me for interrupting you, at a stage the SACC which is a body, decided it is so unjust that it must draw the attention of potential conscripts to the injustice and indicate to them that ..(intervention) --- I think that was justified.

Right, now at what stage is the SACC or who is to decide when this society is sufficiently just that for example this Resolution can be revoked? --- Yes, that is a question I cannot answer. I don't know when a majority of the National Conference of the SACC would feel that, at what stage, I don't know. I think it is an impossible question to answer. 20

Yes, you see it is probably impossible but it underlies the question of when is just just, it is a perception? --- Or when is just happening, or when is just a probable - I agree that it underlines that, and that is why it is impossible to answer. But I believe that nevertheless, without being able to say where that line is that / ... 30

that doesn't mean that the SACC National Conference cannot at a certain stage say: we believe that because of this and this and this that has happened, there is now a society which we can say is either on the road to justice or is sufficiently just for this no longer to be a moral issue, but where that line is I can't tell you.

Perhaps this is a question you want to consider over the weekend, in terms of your aims and objectives when would the situation be reached that the society will be sufficiently just to revoke this Resolution? --- I will think on that certainly, but I think that the heart of this Resolution is that the society we are in is sufficiently unjust to make this a moral issue for people, and I guess that that is something the SACC was clear on in 1974. 10

CHAIRMAN: I think the time has come for the adjournment. Reverend Storey, in pondering on the answer you are going to give me on my question of what you mean by apartheid, you must please feel free to consult with your colleagues in the SACC about that. Ordinarily if this were to be a trial and a witness is giving evidence or is being cross-examined then he is in cold storage, he can't talk, but this is not a trial, so feel free to talk to others about it. --- Thank you, M'lord. 20

THE COMMISSION IS ADJOURNED.