

COMMISSION OF INQUIRY
INTO THE SOUTH AFRICAN COUNCIL OF CHURCHES

HELD AT PRETORIA

ON 7 FEBRUARY 1983

CHAIRMAN:

THE HONOURABLE MR JUSTICE C F ELOFF

COMMISSIONERS:

MR S A PATTERSON

MR T L BLUNDEN (Absent)

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 P A SOLOMON

LUBBE RECORDINGS (PRETORIA)

/Idem

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THE COMMISSION IS RESUMED ON 7 FEBRUARY 1983

CHAIRMAN: We continue today with the hearing of evidence.

This is the third open session, which has been arranged for this purpose. For the record I should indicate that one member of the Commission, Mr Blunden, is not today with us, but we have a quorum and we will proceed.

I think it should also be recorded that there has been a change in counsel appearing. Mr Unterhalter, you appear now for the South African Council of Churches?

MR UNTERHALTER: That is so, Mr Chairman. 10

CHAIRMAN: We will then proceed. Mr Von Lieres, who is the next witness?

MR VON LIERES: Thank you, Mr Chairman. Mr Du Toit, my junior, will hand in a certain number of documents.

MR DU TOIT: Thank you, Mr Chairman. At this stage some additional documents; again, Mr Chairman, Gentlemen, due to practical difficulties no physical presentation will take place. I will make use of the traditio longa manu again.

M'Lord, we have managed to obtain complete sets 20 of documents now on the National Conferences of the Council, from 1977 up to and including 1982, save for the study documents, which were used during those National Conferences, and I hand in the papers pertaining to the National Conferences of the South African Council of Churches from 1977 right up to 1982, and with that a copy of an index. M'Lord, Your Lordship will notice that numbered 1 to 6 are the documents pertaining to these conferences; some of the agendas are not included. The reports are included as well as the minutes of those National Conferences, 30

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and as I say, we are still endeavouring to find the documents used as study material during these National Conferences.

I would like to hand in at this stage, M'Lord, the documents which were uplifted from the offices of the Council. I have prepared indexes. M'Lord, these indexes are to be attached to the index I provided to Your Lordship and the Gentlemen during the first presentation of documents. All the documents listed will be handed in, save for a few of the documents which were mislaid, but which will be physically put before the Commission in due course, 10 and Your Lordship will notice that the first batch of documents pertaining to the Dependants' Conference, documents 1 to 25, Dependants' Conference, documents 1 to 25, and as an example, M'Lord, document 9. Your Lordship will notice that document 9 is related to the aims and objectives of the Dependants' Conference. This particular document sets out the important aims of the Dependants' Conference as seen by the director of that Conference, Miss Anne Hughes, the document dated August of 1980, and in this particular document Your Lordship and the 20 Gentlemen will firstly find a description of dependants, and they are described as wives, sons, daughters, parents of those who are suddenly detained or banned, or are convicted under our many security laws, and Miss Hughes also sets out in this particular document the ways in which the dependants are assisted by the Council, an example, prison visits, monthly grants, educational assistance, release from prison grants, emergency grants, limited discretionary funds to assist with emergencies; there are also projects, special grants for projects, examples 30

woodwork business etcetera. Your Lordship will also find -
and Gentlemen - amongst these documents pertaining to the
Dependants' Conference, the procedure adopted in applicat-
ions for grants, also copies of the various application
forms are included for your attention. Documents 1 to
25 from Dependants' Conference.

Secondly, from the General Secretariat of the Council,
documents 1 to 37. Your Lordship will notice various
letters, memo's etcetera, pertaining to the activities
of the General Secretariat of the South African Council 10
of Churches; documents 1 to 37. Also from the General
Secretariat, documents 1 to 30, M'Lord and Gentlemen, uplift-
ed from office no 310, office of the General Secretariat,
again documents, minutes, Your Lordship will notice, for
example, documents 7 to 9, minutes of the Executive Commit-
tee, for example, of 1982, updating the minutes, Your Lord-
ship and the Gentlemen have already received from the Coun-
cil; documents 1 to 30, General Secretariat, and from
office no 306, also from the General Secretariat, documents
1 to 8, the financial statements for 1981, that is 20
document no 1, and documents mostly related to financial
matters. From the General Secretariat, office 303, docu-
ments 1 to 86; various documents, general documentation
relating to the activities of the General Secretariat,
the various divisions within the Secretariat, for example
the Communication Division, document no 6 is an example
of a document pertaining to that particular division; docu-
ment no 6, a document prepared by one Karin Welms, the
Executive Secretary for Communications of the Evangelisches
Missionswerk, if I may read from that just as an 30
example/...

example of this particular division and the documents pertaining to this division; it is a document prepared by Miss Welms, as I have said, for South Africa, for the South African Council of Churches, and it was done after what appears to have been an investigation into the Communication Division and activities of the South African Council of Churches, and in an introduction Miss Welms says the following:

"The South African Council of Churches is the ecumenical body where the churches in South Africa 10 co-operate. This application concerns one of the SACC operational departments, the Communication Division. It is not included in the SACC budget to be presented to ecumenical agencies."

There is an introduction:

"Oppression of the Black people on the one hand, their struggle for liberation on the other, are escalating in South Africa. The dispute is becoming more and more embittered on both sides. The patience of the Blacks is rapidly coming to an 20 end since their oppression is of a total nature and they are conscious of it. According to Bishop Desmond Tutu, General Secretary of the SACC, South Africa is in a state of war in the midst of a massive psychological warfare. The strategy is to divide the forces of resistance so that resistance does not gain strength. Most probably the SACC is at present the strongest single force of resistance in South Africa, where it concerns its integrating and articulating aspects. Since mass media establishment is the 30

main theatre of operations of a psychological warfare in South Africa, it is particularly important for the SACC and its abovementioned functions to be able to handle the media in an appropriate manner, particularly since very often the SACC itself is the object of attacks in the media. The SACC has basically developed a strategy of handling the media, which is to be implemented by the Communication Division. This strategy is not only directed towards the mass media establishment, but also towards many of 10 the alternative media and communication channels which are coming up everywhere at the grass roots level among the oppressed and their supporters. The last group represents the potential allies of the SACC in its endeavour to create togetherness among people. At the same time the SACC realises that there is a necessity to assist the churches in articulating their reactions where necessary in the total struggle between the Black majority and the White minority in South Africa, so that they 20 are a witness faithful to the Gospel for the poor and oppressed. For this purpose the communication between SACC and member churches and organisations must be strengthened."

And the document goes on. M'Lord, that as an example of the documents pertaining to the Communications Division, Your Lordship and the Gentlemen will notice that amongst the 85 documents are documents related to the other divisions of the General Secretariat as well.

From Mr M Stevenson, M'Lord, the Deputy General 30

Secretary/...

Secretary of the SACC, in room 306, came the following documents, documents 1 to 73, and Your Lordship will notice that these documents deal with the general administration of the Council, with the financial matters especially, and they include the latest financial documents published by the Council and used by the Council in its various meetings, for Your Lordship's attention, and the Gentlemen's attention, from 1, documents 1 to 73.

From the Division of Justice and Society, M'Lord, and Gentlemen, and from the offices of Dr and Mrs 10 Kistner on the 5th floor, came documents related to the activities of the Department Justice and Society, especially the divisions Justice and Reconciliation, the African Bursary Fund. Your Lordship will notice that the documents relate to the main activity fields of Justice and Reconciliation Division, namely labour matters, disinvestment or investment, violence and non-violence, the minutes of that commission, the Commission on Violence and Non-Violence, are included in these documents. There are study papers used by the Division, research papers, papers on 20 strikes, general labour matters, on the relationship between the South African Council and the World Council of Churches, in a green ledger marked document 107. There is also a green ledger containing documentation related to the relationship between the South African Council of Churches and various churches in the country as well as in Africa, documents related to resettlement, documents related to racism, the studies of the Council's Commission on Racism are included for Your Lordship's and the Gentlemen's attention. 30

Lastly/...

Lastly, to be handed in during this session, M'Lord and Gentlemen, the finance donor files, the donor files of the South African Council of Churches; the Council indicated that they would be inconvenienced, should the Commission take into its possession the original documents. We therefore, provide Your Lordship with copies which were made, photostatic copies of all these documents which were made available to us, and Your Lordship will find these photostatic copies, documents 1 to 375. The originals are at present in possession of the Council and we are 10 making the photostatic copies available. Mr Stevenson undertook to make the originals available, should Your Lordship wish to see them at any stage. M'Lord, documents 1 to 375 then, presented as far as the finance donor files are concerned.

M'Lord, I may just mention that in the Council and at the offices, when these documents were taken into our possession, we afforded the opportunity to the officers of the Council to make photostatic copies of the documents which they wanted photostatic copies of, so that we 20 shall not be making photostatic copies of these hundreds of documents available. They are in possession of the - important documents, copies thereof.

CHAIRMAN: Thank you.

MR VON LIERES: Mr Chairman, should there be any specific document of which the Council has not made a copy, the original is of course available to have copies made of. May I just by way of clarification refer Your Lordship and the learned Gentlemen to the first series of documents that were handed in, the National Conference documents. 30

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Now, M'Lord, as far as the National Conference documents are concerned, a complete set of National Conference documents would consist of an agenda, a list of all those present, the reports of the various divisions of the Secretariat of the SACC, which is presented to the National Conference, the various resolutions that were adopted or submitted in advance to be considered by the National Conference, discussion papers on which discussions were based, and it would also finally contain the new elected members for the coming year of the Executive and every second 10 or third year, the election of the President, as the case may be, and it would finally also contain, M'Lord, if it was complete, a complete set of all resolutions adopted. Now, what we have presented to Your Lordship as National Conference documents, are not in each and every respect complete, insofar as we could complete the set, we obtained the reports by the various divisions for these years, which were presented to the National Conference. These are bound in volumes of different colours for every year, similar to the auditors' report. Then we obtained from 20 various - on various occasions the General Secretary's report to the National Conference which is not included in the bound volumes. Sometimes these reports appear in Ecunews, from which we then photostated them; sometimes we received the reports from the Council, as part of the original documentation that the Council supplied; there were a number of General Secretary reports to the National Conference included in that session.

The agendas, as far as they could be found, they were provided to us by the General Secretary. In 30

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certain years we could find the election of members in Ecunews; in other years the Council provided them to us; in other years they were unable to be traced. Similarly, as far as the resolutions are concerned, some we found in Ecunews, some we found in the Executive minutes of the National Conference, as part of the documentation made available to us by the Council, and some were subsequently provided to us by the Council. These National Conference documents consequently are not in each and every respect a complete reflection of what happened at the National Conference. They are as complete as we could have made them under the circumstances.

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Mr Chairman, I then call Prof Bosch.

DAVID JACOBUS BOSCH, bevestig dat hy die waarheid sal praat:

MR VON LIERES: Professor, verkies u om in Afrikaans of in Engels te getuig? --- Ek sal my getuienis vanoggend in Engels lewer.

You were approached by myself during March, April last year with a view to preparing a document for the consideration of the Commission? -- That is right.

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You made a document available which was dated 8 April 1982; this document was in Afrikaans, and it had a heading "Die Suid-Afrikaanse Raad van Kerke"? --- Yes.

Subsequently you have prepared a document in English, which was made available to the Commission this morning. Is this a translation of the Afrikaans document, or are there changes? --- Mr Chairman, in main it is a translation of the Afrikaans, but there are also some alterations, particularly towards the end. It is in fact a new document towards the end.

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Could you perhaps just indicate to the Commission from what page of your translation there are changes and amendments to the Afrikaans version? --- I have not prepared myself in that way. I do not think I will be able to pinpoint all the alterations. There are alterations throughout, and particularly from, I would say, roughly page 12 on, it is for all practical purposes a new document. I do not think I can be more specific at this stage about the exact degree of difference.

CHAIRMAN: Just before you go on, I would like to 10 know just a little more about which particular part of the theological field you deal with? --- My subject is Missiology, which can also be called the Science of Mission, and that subject which is probably an unknown category in many parts of the world, concerns itself with the witness of the church over against the world. So it is that general area, also of the expansion of the church into non-Christian areas. That is roughly my field.

Non-Christian areas, particular fields in the .. --- Yes, well, non-Christian religions, the Christian 20 position over against non-Christian religions, the evaluation of non-Christian religions, the whole area of communicating the Gospel towards - to people in other cultures and in other religions, religious societies.

Would it then also be related to synchrestic beliefs? --- It would, yes. That would be an area that does come into our field of investigation.

MR VON LIERES: Professor, perhaps just for the record, a bit of background; where did you study? How long have you been operating? --- My own theological studies I 30 took/..

took at the Pretoria University in the Faculty of Theology, Section B, that is the Dutch Reformed Church Faculty, and I finished in 1954; then went to Basel in Switzerland where I obtained a doctor's degree in New Testament studies, in 1956, and then I spent almost 15 years in the Transkei as a missionary of the Dutch Reformed Church; 6 years of those were spent teaching theology in a small seminary of the Dutch Reformed Church in Africa, and then at the end of 1971 I was appointed to a chair in Missiology at the University of South Africa, where I am still 10 teaching. So I have been at UNISA for slightly over 11 years now.

During the period that you have been in the - occupying the chair of Missiology, did you do any overseas visit study trips and so on? ---- Oh yes, many in fact.

Could you mention a few of the more important ones to the Commission? --- I roughly go overseas, I would say, on the average, two times a year. Most recently I was in England in late November, early December last year, where I taught as a visiting lecturer at a number of 20 theological colleges, mainly of the Anglican Church. Prior to that, in 1981, that is the previous year, I taught at a Presbyterian Seminary in the United States, and also at a centre for overseas missionaries, for a brief period there. In 1978 - I am just highlighting a few of these - I taught for a full semester at a seminary of the Mennonite Church in Elcad in Indiana. Those are some of the more recent rather extensive visits.

Thank you. Would you now present your .. --- Mr Chairman, I do not know whether copies of this have 30 indeed/...

indeed been made available.

Yes. --- Thank you. Mr Chairman, early last year, as Mr Von Lieres has pointed out, I was approached by the Eloff Commission to prepare a brief evaluation of the theological position and activities of the South African Council of Churches. I prepared such an evaluation and submitted it in Afrikaans in April or May 1982. In fact it was April according to Mr Von Lieres. I subsequently communicated to the Commission my willingness to appear before it in person, particularly since one would then have a better opportunity to clarify vague and perhaps even misunderstood points in one's submission. 10

As my original paper was in Afrikaans and as, if I understood correctly, all the proceedings to date were conducted in English, I have decided to rewrite my submission in English, altering and expanding it in places.

I would like to begin with a brief reflection on the whole issue of the competence of the Church vis-à-vis society. It is in this area, I believe, that we encounter many misunderstandings. One is of course immediately faced with the question whether or not the South African Council of Churches is a church, in other words, whether what applies to the area of the competence of a church, would automatically also apply to the Council of Churches. Put differently: would it have been in order if a church had expressed the views and engaged in the activities under discussions, but wrong for a council of churches to have done so. Does the South African Council of Churches concern itself with matters that normally are the business of the or a church? 20 30

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It should be clear to everybody that the Council of Churches is not a church in the primary sense of the word, namely that of a local church or congregation or parish, depending on the tradition from which one comes. In this basic manifestation of the church, it expresses itself in the preaching of the Word, the celebration of the Sacraments, pastoral care, the service of loving concern, also called charity, catechesis or Christian education, mission and evangelism. The local church is a worshipping community, and all its other activities 10 flow from this centre of its being.

The concept 'church' can however also be used in a different sense, namely that of denomination, or even of a plurality of denominations. At this level the activities are different from those of the local church. The denomination as such is not a worshipping community. The activities here are rather in the area of organisation, policy, joint programmes etcetera. In this capacity the church can make statements, express views and launch programmes, with or without the co-operation of other 20 organisations. A few examples will help to illustrate what I mean. I give a few then: the first, the role played by the different Afrikaans Reformed Churches, particularly the Gereformeerde Kerk, in the founding and managing of Christian National Education schools, shortly after the Anglo-Boer War, or the Kakamas Nedersetting, the Kakamas Settlement, and the Reddingsdaadbond, as attempts to combat the poor White problem of the 1930's, the Volkskongres 30 organised by the Dutch Reformed Church in 1947 to reflect on the urbanisation of the Afrikaner, and a similar

congress three years later, on the so-called Native question, as well as more recently, the co-operation of several churches in organising the Afrikaneronderwyskongres in Bloemfontein in March last year. These are some examples of the church co-operating inter-denominationally and also with other organisations.

Now, sometimes, Mr Chairman, such projects are launched by one specific denomination; sometimes by several denominations together; sometimes even in close co-operation with cultural organisations. In all such projects, 10 conferences and programmes, statements are made from time to time on socio-political and economic matters. What is important for our purposes today in such projects, is that the local church is usually not able on its own to tackle national issues such as poverty, discrimination and unemployment, education, etcetera. It may even happen that a single denomination judges that it alone cannot adequately tackle the problem in question. It may then liaise with other denominations, with another denomination or denominations, as the examples from the history of 20 the Afrikaner illustrate.

In view of this it will not be possible to deem the activities and statements of the South African Council of Churches inappropriate, merely on the basis of formal arguments such as (a) that these activities fall outside the competence of a church or ecclesiastical organisation, and/or (b) that the South African Council of Churches is not a church, therefore it may not engage in these activities. If any weight is given to such formal arguments, it would have to be made applicable also to all 30

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other ecclesiastical, para-church and inter-church organisations.

Moreover, Mr Chairman, the South African Council of Churches is a formally established council of churches in the sense of denominations. I have to apologise for the slip of the typewriter there; the reference is not to anything related to demons, not 'demoniations' but 'denominations'. In this the South African Council of Churches differs from many other religious organisations, such as - I am just stating three examples - the 10 Gideons, the Students' Christian Association and the Christian League. Each of these has only individual members, as far as I know them at least. They cannot act on behalf of any corporate bodies. The South African Council of Churches, however, is an official and formal council to which the member churches have delegated certain functions. It can therefore indeed act on behalf of and in the name of their member churches. If it acts contrary to the wishes and convictions of one or more member churches, such churches can censure the Council, or even terminate their 20 membership. Where such action is not taken, it would be logical to deduce that the member churches deem the Council to be a faithful and reliable organ and custodian of their interests.

Mr Chairman, since I wrote this, I got hold of a copy of the minutes of the 99th Annual Conference of the Methodist Church in Southern Africa, 1981, and I want to read to you a resolution of the Methodist Conference on the South African Council of Churches. It is on pages 271 following. I am quoting now:

"Conference/...

"Conference recognises the disquiet occasioned in some congregations by actions or statements alleged to have been made by the South African Council of Churches or its officers; deplores the systematic attempt of certain bodies to present the views of the SACC out of context and against a false background; calls upon Methodists not to accept uncritically the innuendo's and half-truths that are frequently purveyed by the media; declares its support for the SACC in its opposition to apartheid and 10 its commitment to non-violent change, while reserving the right to criticise or disagree with particular statements or actions of the Council or its officers; re-affirms its repeated calls for the South African Government to -

- (a) express its commitment to a common citizenship for all South Africans in an undivided South Africa;
- (b) phase out the pass laws which restrict freedom of movement for Black people; 20
- (c) stop forced removals and resettlement immediately; and
- (d) move towards the introduction of a common education system for all South Africans"

and therefore identifies itself with Bishop Desmond Tutu in his call for these reforms.

I have not been able, Mr Chairman, to get copies of any other similar statements, but I think this one is probably, simply from what I know from news reports, typical of the degree of support the Council of Churches at 30

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the moment has from its member churches, and then my argument simply is that if action is taken against the Council, because of its stands, such action by implication should also be taken against the member churches which support the Council of Churches.

MR VON LIERES: Can I just ask you a little question here? In the 1978 National Conference of the South African Council of Churches, the status of the delegates of the various churches was questioned. This you can find in the 21 July 1978 issue of the Ecunews bulletin, where 10 the following is recorded. From the start, on page 5, I read the second paragraph:

"From the start the measure of the dilemma which faced the churches was the question of the status of those present at the National Conference".

I put that in inverted commas.

"That is whether they were merely representatives of the member churches, of the Conference, or official delegates who could speak authoritatively for the church constituency they represented, and com- 20 mit their respective churches to the resolutions adopted by the Conference. Disquiet was expressed at the possibility of so-called 'radicals' pressurising the 'moderates'. The question came up repeatedly and the formula adopted was -

(a) in a meeting of heads of churches, that they could speak only as heads of churches and not for their churches as such;

(b) likewise resolutions from the representative body were to go out in the name of the 30

National Conference of the SACC and not as committing the member churches".

Now, in relation to the status of resolutions, for example, adopted at the National Conference, how do you relate this adopted position to the fact that member churches have delegated certain functions to the SACC? Does there not seem to be, according to this decision, a withholding of commitment by member churches? --- Mr Chairman, perhaps I should just make clear right from the beginning that I do not see my role today as that of acting either 10 on behalf of the prosecution or the defence. I am simply trying to present - well, call it, if you want to, a kind of general canvass which can serve as a kind of framework against which the - this Commission can evaluate the activities of the Council. Therefore, in reply to Mr Von Lieres' question I would like to say just the following: I am not aware of that specific incident in 1978, neither do I know the constitution of the Council of Churches, to that extent, that I am in a position to say exactly what the legal status of the representatives is. I 20 would just like to say, quite apart from that, that a statement such as this, the one that I have read to you from the Methodist Church, which was three years after that incident, even if the delegates of the Methodist Church are in fact simply delegates of the church and acting simply in the capacity as members of the Methodist Church, the decision of the Conference as it stands can only be interpreted as supporting the general stance of the Council of Churches. So quite apart from the specific issue of delegation, of delegating people, a statement like 30
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this from Conference as the authoritative body of the Methodist Church, I think does carry some weight, but I will not stand by the specific expression of delegating, the way in which I have put it here, because I did not know that this was a controversial issue.

CHAIRMAN: Just before you proceed, may I correct one impression which seems to underlie part of what you said. You used the word 'prosecution'. This is not a trial, and nobody is being prosecuted. --- Yes, I apologise.

The function of the Commission is to get the 10 facts, and for this purpose, we appreciate whatever assistance is forthcoming. There is nobody in the dock; there is no trial; this is merely a fact-finding Commission, having regard to the terms of reference of the Commission. --- Yes, I apologise, Mr Chairman. I was in fact in my own mind using the two words in inverted commas.

MR VON LIERES: You see, Professor, why I ask you about this is simply that the SACC's National Conference itself seems to have adopted a stance in which it recognises that decisions taken at such a National Conference are 20 not necessarily binding on the churches, and I find this a bit contradictory to your suggestion, and I wondered whether you could illuminate this for us? --- Well, once again, let me say that even if the decisions taken, the resolutions taken at a specific National Conference of the SACC, are not at that moment in themselves binding on the member churches, it does appear to me that it subsequently - member churches in their official meetings do take resolutions such as the one quoted. They are in fact supporting what the Council has said and in 30

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that sense okaying what the Council has done.

CHAIRMAN: Are you then saying that if a particular resolution is taken, then any such question marks as might arise in regard to whether it binds the particular members, church, would fall away if that particular member church adopts the whole of the resolution or part of it? --- Yes, I would say so.

It is bound pro tanto to the extent of its support? -- I would say so, Mr Chairman. Of course, the thing becomes even more complicated if you begin to question 10 the authority of, for instance, the Methodist Church Conference, because the question then may be, is that binding on each and every congregation and each and every member of the Methodist Church. But at the moment, in the present set-up of the Methodist Church, the National Conference speaks for the Methodist Church, and if in such a National Conference of the Methodist Church, they are supporting the stance of the SACC, I take that as a post-event or ratification of the stance taken by the Council.

And short of such adoption, would you venture 20 a view on what the binding force is then? --- Once again, Mr Chairman, the point is of course that the member churches are at least affiliated to the Council of Churches, and if they do not contend or reject or refute decisions taken by the National Conference of the SACC, even if this is not binding in itself on the churches, I would argue that it is at least a kind of silent support for the stance taken by the SACC. But I think that is in a way an academic point, Mr Chairman, because I think it would be possible if one took the trouble to prove that practically 30

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all the member churches have in broad outlines adopted resolutions similar to this of the Methodist Church. I am speaking simply from my memory of what one reads in the press from time to time.

MR VON LIERES: Carry on please? --- I move onto a second item, Mr Chairman. This leads to the next step in our deliberations; are the activities and statements of the South African Council of Churches and its spokesmen reconcilable with what can be expected of a Christian church or ecclesiastical organisation? 10

We are particularly interested in those activities and statements which cast suspicion on the present socio-political dispensation in the Republic of South Africa, openly condemn this dispensation or even actively oppose it.

In order to respond to our question above, it may help if we first attempt to give, admittedly, in a dangerously over-simplified manner, a brief survey of the relationship between church and State in the course of the 20 centuries' long history of the Christian church. 20

Now, during the first period, that is until the beginning of the 4th century, the Christian Church on the whole refrained from getting involved in any direct confrontation with the state. There were basically two reasons for this attitude during the early church period. Firstly, many Christians had a very strong eschatological or future expectation, and believed that the present dispensation would pass - would soon pass away. The Kingdom of God would then come in all its glory at the return of Christ. Under those circumstances it did not make much sense 30

to get involved in society.

Secondly, the Christian Church was very much a minority institution in this period. It was struggling to survive against overwhelming odds. It was frequently persecuted. Christians did not really imagine that they would be able to inaugurate any significant changes in the fabric of the powerful and far-flung Roman Empire.

There were, nevertheless, numerous conflicts with the powers-that-be, inter alia because the Christians confessed 'Jesus is Lord', the Greek word being 'Kyrios'. 10 Now, in those times the Roman emperors usually arrogated the Kyrios title to themselves. In calling Jesus Kyrios, the Christians in fact claimed that He was not only Lord in the spiritual sphere, but also in the temporal, and the Roman authorities sensed that that was their claim, hence the persecutions.

In addition the Christian Church through its actions and witness, if not through direct confrontation, exercised an influence in society which in the course of time would function as a leaven in Western society and gradual- 20 ly prepare the soil for institutions such as democracy, universal education and health services, and for the abolition of societal evils such as slavery, through this kind of long-term leavening process.

To sum up: during the first three centuries of its existence, the Christian Church was, at most, a latent critical factor in society, and occupied mainly with its own internal life. The leavening process referred to above was often an unintentional by-product.

The second period commended with the coming

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to power, in 312 AD, of Constantine the Great and lasted in varying degrees, depending on the country concerned, until the 19th century. This period was characterised by the close alliance between Church and State. The church became the partner of the State and the champion of the State's interest. In other words, unlike the situation that obtained in the first period, the church now became part of the establishment. Metaphorically speaking, a close relationship developed between 'throne' and 'altar'. First pagan religions were outlawed and then 10 Christian sects, which differed from the official church. Pippin, and subsequently Charlemagne, frequently used the expression fideles Dei et nostri (those who are faithful to God and to us), in other words, to submit to God and to submit to the emperor, was in their thinking the same thing. When Charlemagne conquered the Saxons and incorporated their country into the Roman Empire, the Saxons were also baptised. In Charlemagne's view baptism was the inevitable seal on the subjugation, the political subjugation of the Saxons. Thus being a subject of the 30 Empire and a member of the official church, was coterminous.

There were of course also tensions between 'throne' and 'alter' in this period. The monastic movement in particular became a symbol of the conviction that the interests of church and state were not identical. In this entire Constantinian era, when persecutions of Christians had ceased, the monk in effect replaced the martyr as expression of witness and protest against state and society.

The situation did not change fundamentally with the Reformation of the 16th century, except in the case 30

of the Anabaptist movement. The major difference from the situation that had obtained before the Reformation, was that now after the Reformation, not all countries in Europe were Roman Catholic any longer. Some became Protestant. The political slogan of the time was simply an adaptation of what was in vogue earlier: Cuius regio eius religio, freely translated, each country should adopt the religion of its ruler. Where the ruler of a German province was a Lutheran, the church of that province was Lutheran; where he was a Roman Catholic, the church was Roman Catholic. 10

In the course of time this general interpretation of the relationship between church and state began to manifest itself in two different ecclesiastical traditions. In the first tradition it increasingly happened that the church aligned itself with the state and acted as its 'court prophet'. The reference of court prophet, of course, is to the Old Testament prophet; many so-called false prophets who were in fact lackeys of the kings. The state in this definition was the Western Christian state, 20 whether Protestant or Roman Catholic. In this tradition the church not only acquiesced to the colonial expansion of the West, it also approved of it publicly and even propagated it. I mention two examples: the Spanish conquista, that is the conquest and pillage of South and Latin, Central America, and secondly the capture and export of slaves from West Africa to the 'New World'. Both activities despite many individual protests from Christians, were conducted with the blessing and the co-operation of the church. 30

Now, the two examples just mentioned were extreme cases. In essence, however, the same tradition is found wherever the church puts itself without any reservation on the side of law and order, frequently with an appeal to Romans 13.

The second tradition in which the post-Constantinian understanding of the church manifested itself, was Pietism. I am using the word 'Pietism' here to indicate a general current of thinking, that goes wider than the specific movement called Pietism. In Pietism - in fact this 10 appears to be - 2.2 appears to be the very opposite of 2.1. In Pietism 'throne' and 'alter', church and state, are completely separated from one another. The task of the church is strictly to care for man's soul and to prepare people for the hereafter. The church has not responsibilities regarding the social, political or economic order. Pietists indeed exert themselves, often at the cost of almost incredible difficulties, to provide health services, education, orphanages and agricultural guidance, but these activities are not seen as impinging upon 20 the structures of the society. The basic structures of society remain intact, even sacrosanct. Pietists thus regard curative and preventative measures as falling within their province, not, however, any measures aimed at the restructuring of society as such. That, after all, would be politics, and the domains of church and state should be kept neatly separate.

In practice, in spite of the fact that the two traditions - positions are very opposite in theory, in practice it frequently happened that traditions 2.1 and 30

2.2 in their actual manifestations co-incide. To render active support to the state (2.1) or to let the state go its own way while the church concerns itself with its own separate task, frequently (2.2) boils down to the same. A good example can be found in the role of Pastor Kittelhaus, the role he plays in Gerhart Hauptmann's Die Weber. Now, this play is based on the story of the exploitation of the weavers in Silesia, in Germany, and their subsequent insurrection in the year 1844. It is difficult to establish whether Kittelhaus belongs to category 2.1 or 10 2.2, in other words, whether he actively supports the status quo, or alternatively, wants to limit himself to purely spiritual matters, in the pietistic tradition. He himself puts it this, Mr Chairman, I will skip the German there, and I will just give you my English translation in brackets there:

"No, no (says Pastor Kittelhaus); in these circumstances one is really tempted to say: Cobbler, stick to your last! Caretaker of the soul, don't become a caretaker of the belly! Preach the pure Word 20 of God, and, for the rest, let him care who has provided the birds with nests and food ..."

And then my comment, Mr Chairman, in Pastor Kittelhaus Traditions 2.1 and 2.2 in fact embrace each other.

It should perhaps be added that people who subscribe to the Pietistic view of church-state relations (2.2) by and large belong to two very distinct social categories: (a) The first category consists of people who have become completely apathetic. Life has treated them so terribly that they cannot even begin to hope for any change 30

in their appalling condition. All they have to keep them alive is their religion. Heaven at least will be different from this vale of tears. So they close their eyes to the misery around them and focus their imagination on the glories of Heaven. Many people suffering from acute poverty or oppression or persecution, for instance in Communist lands, belong to this first group.

The second category of people who adopt this Pietistic stance is, strangely enough, very different from the first. They are comfortable, middle-class people who do not want religion to upset their consciences. They go to church regularly and thank God for His temporal and spiritual blessings. They give generously to charities, but on the whole their religious life is a province divorced from their economic, political and social life. They define religion as a retreat from the world, as a storm-free island of tranquillity to which they can always flee when things get a bit hectic 'out there' in the world.

I move on, Mr Chairman, to the third period in the history of the church's relationship to the state. This is the post-Constantinian period in which the church increasingly began to adopt a critical stance towards the socio-political status quo.

Through all the centuries there were always individuals and small groups who have adopted such a critical attitude.

I have already referred to the Monastic movement in Catholicism, and the Anabaptist in Protestantism. In actual fact this kind of critical stance can appeal to an even older tradition, that of the Old Testament prophets, who confronted the kings of Israel with the demands

of God and before them, of Moses who confronted Pharaoh. The story of Masada, currently on South African television, is yet another example of the same trend.

This kind of protest took many forms. Bartholomew de las Casas championed the cause of South American Indians at the Spanish court in the 17th century, whereas William Wilberforce and the Clapham Sect tackled the institution of slavery in the late 18th century England.

In none of these cases, however, were the protestors supported by the established church. Sometimes entire denominations did indeed protest the status quo, such as the Anabaptists in 16th century Europe, but such denominations and individuals were invariably opposed and sometimes even oppressed by the dominant church of the time.

Only in the 20th century do we find examples of the official, even established, church openly criticising the socio-political set-up, and doing so by means of statements, by its elected and representative leaders. One of the earliest examples I could find is to be found in Great Britain in 1926, when a group of British church leaders, including 10 Anglican Bishops, and Mr Chairman, we should remember that the Anglican Church is the established church of England to which the Queen or the King has to belong, according to the constitution. Now, this group of Anglicans and others interfered in a dispute between striking coal miners, the proprietors of the mines, and the British government. Their interference created quite a commotion and incurred the wrath of the government. An irate Stanley Baldwin (then British prime minister) sarcastically asked whether the bishops would welcome

it if the Iron and Steel Corporation were to set about revising the Athanasian Creed.

This same scene has repeated itself in myriad forms during the past fifty years. Time and again the pronouncements of the church have been dismissed as interference, in areas which allegedly fall outside the province of the church. One recent example, in 1980 for instance, the German Roman Catholic bishops criticised the economic policies of the German Federal Government. Chancellor Schmidt reacted angrily to this, stating that the church had no right to do so, since neither the Old nor the New Testament contained any guidelines for economics or politics.

Now, Mr Chairman, up to now I have distinguished some main traditions in the history of Christianity. I will now attempt to illustrate the existence of these traditions in the contemporary ecclesiastical scene.

MR VON LIERES: Excuse me, is the Chancellor correct?

In his statement that the Old or New Testament do not contain guidelines for economics or politics? Is that correct or not? --- Mr Chairman, I think this is one of the problems I will come to a little bit later, that so much depends on the way we read the Bible. The theologians talk about Hermenutics, which is the Science of Interpretation, and there are indeed people who would argue that the Bible does not have any statements to that effect.

I personally would differ with that, about two years ago, you may remember the publication of 'Stormkompas', and in Stormkompas I published an article in Afrikaans on church and politics, and where I tried to elaborate from the Christian tradition and also from Old and New Testament

interpretation, whether or not the church has a calling in respect of these issues. I think, however, and this perhaps will lead us too much astray; I think I should point out that I do not think that we can apply the situation in the Old or New Testament on a one-to-one basis, to our current scene, and kind of read directly from the Bible the - how things should be applied in the current situation. That is the specific way of interpreting the Bible, which is usually called fundamentalism. I personally do not subscribe to that kind of Hermenutics. I think we have to understand the dynamics of the situation in its original context, and then let that context and that Bible story inform us as to how we ought to go about in our context, which may differ very much from that one. But certainly not on a one-to-one basis. I do not know whether that satisfied Mr Von Lieres for the time being.

CHAIRMAN: May I just pick up a part of what he says. The Bible refers to slavery. Is there any lesson to be learnt from that? The manner in which a slave is to be treated? --- Mr Chairman, if you will allow me a little bit of an excursion on this, I think this may help. I have not included this in my final English document, this specific argumentation, although I do allude to it in the course of my presentation, but perhaps just briefly I can say the following. I think one has to recognise that there is a basic difference in this whole issue between the Old and the New Testament. Now, some people say that the difference is due to the fact that the New Testament is far more spiritual, and the Old Testament far more material. Personally I do not think that

that/...

that is the difference. Many people would accept and concede that the Old Testament, particularly the prophets, are very explicit when they condemn the status quo, and when they oppose the kings, whereas that kind of explicit stance is absent in the New Testament. I do not think the reason is that the New Testament has all of a sudden become more spiritual. I think the difference is a difference of context. In the Old Testament the prophets can appeal to kings who at least profess to be believers in the same God. The New Testament Christians cannot 10 do that, and therefore their approach is rather one of gradually undermining the status quo, by infusing into the situation a new ethos, and I think particularly the case you are referring to, of slavery, is a case in point. Although Paul on the one hand encourages slaves to be obedient to the masters, he also wrote the little gem, the short epistle to Philemon, which is in fact, if you read it carefully, a complete refutation of the system of slavery, because he says to Philemon, now accept Onesimus back, not any more as a slave, but as a brother. So it is 20 a complete new relationship. But he could not head-on clash with the total Roman government on the system, and therefore his appeal was rather to Christian slave owners, to adopt a different stance towards their slaves. But in the long run I think it was a time-bomb that was put underneath the system of slavery, as also in the case of many other institutions.

May I go on, Mr Chairman, to the current scene. Up to now I have distinguished some main traditions in the history of Christianity, and now I will attempt to 30

illustrate/...

illustrate the existence of these traditions in the contemporary ecclesiastical scene.

Tradition (1) we today find mainly in countries behind the Iron Curtain, or in countries where the Christian Church, for whichever reason, leads a marginal existence, for instance in Islamic countries. In those situations the church is at most a latent critical factor. Because of socio-political realities, the church has no status in society. Indeed it may even be persecuted or oppressed. Perhaps I should just interrupt, what I am saying here; I 10 once had the privilege, in 1974, of paying a visit to East Germany, and of having drawn-out discussions with German, East-German church leaders, and also attending to German church, East-German church services, and the impression I got there is that this is a situation very similar to that of the church in the early church history period, where there is no head-on clash with the government, not at that stage at least, but what the church is inculcating into its members is in fact the leaven of a new approach to the old issue. I could elaborate more on that, 20 but I think I have experienced something of that. Now, in this context, like I said in my manuscript, the church may become a sign of hope for many people, and perhaps unintentionally, a point of reference for the dissatisfied. Three years ago I heard a Polish social worker say the following:

"In the Polish context the Roman Catholic Church functions as a very convincing sign of the kingdom hope. The church in my country is the one thing which did not fail, did not betray the people's trust. 30

This/...

This is how the church is experienced in Poland, and this feeling grows and becomes very intense in crucial moments of history, when both the awareness of danger and the elation of hope, move the people to lift their eyes, to be more aware of the values they choose".

Now, this was said in 1980. Subsequent events in Poland have illustrated the truth of those words, and particularly the role of the Roman Catholic Church as a kind of rallying point in Poland, and Poland is not an isolated exam- 10
ple. Even in the apparently monolithic Soviet Union, the church frequently exercises this anti-body function by means of a hardly detectable leavening process.

Tradition 2(a), that of 'throne' and 'alter', is probably not found anywhere in its pure form any more. The Constantinian dispensation has irrevocably passed, at least in the Christian part of the world. Khomeini's Iran is, of course, an excellent example of Islamic 'Constantinianism', where religion and state operate hand in glove. 20

Now, less pure manifestations of this tradition are of course still to be found in some Western countries. In South Africa this tradition reveals itself, at least to some degree, in the three Afrikaans churches and their support for government policy, although we must admit, recent events on the Afrikaner political front have left those churches to some extent in disarray in this respect. Traces of Constantinianism can, for instance, be detected in two examples: (i) the fact that the Ecumenical Office of the Nederduits Gereformeerde Kerk was for some 30

time subsidised financially by the now defunct Department of Information, and (ii) the fact that the theme of the 'Broederlike Onderhoud' during the October 1982 General Synod of the Nederduits Gereformeerde Kerk was 'the total onslaught against South Africa', with the Director of the National Intelligence Service and the Chaplain-General of the Armed Forces as speakers. Both examples illustrate a tendency to regard the task of church and state to be almost identical, and hence their enemies to be the same people or powers. The Christian League is another 10 example in the same vein.

Outside South Africa this tradition has manifested itself recently in the United States, in particular inter alia in the movement known as the 'New Right', which propagates a close liaison between conservative ecclesiastical groups and a right-wing political philosophy.

Tradition 2(b) (Pietism) is far more common today, in many parts of the world. It is typical of the so-called 'evangelical' movement, although it must be explicitly stated that many evangelicals in no way subscribe to 20 this view. Denominations in South Africa which, to a greater or lesser extent, subscribe to this tradition, include the Baptist Church, the Church of the Nazarene, the African Evangelical Church, and the overwhelming majority of Pentecostal churches.

CHAIRMAN: May I interrupt you? I think this might be a convenient time for a short adjournment.

THE COMMISSION IS ADJOURNED

ON RESUMPTION:

DAVID JACOBUS BOSCH:

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You/...

CHAIRMAN: You were, I think, on page 10 of the commencement of the ultimate paragraph. --- Thank you. I have, just to recapitulate, since the previous page, page 9, tried to illustrate the existence of these three traditions in the contemporary scene, and I now come to the third tradition, and this is of course the one we encounter particularly in the South African Council of Churches and its member churches, and globally in the World Council of Churches. In some countries, particularly in Latin America, certain segments of the Roman Catholic Church and its hierarchy, support this tradition. One could for instance refer to Archbishop Helder Camara. It is somewhat surprising to find the Roman Catholic Church subscribing to this view. Traditionally the Roman Catholic Church provided the best example of the Constantinian position. To move from tradition 2(a) to tradition 3 is in fact nothing less than a complete volte-face, as far as the Roman Catholic Church is concerned.

Now, I move onto the fourth subsection in my submission, the theological stance of the South African Council of Churches.

Since the mandate of the Eloff Commission specifically concerns the South African Council of Churches and its activities, I will in what follows limit myself to tradition 3. I appreciate the fact that the Commission is not, at least as I understand it, primarily interested in arriving at a theological evaluation of the Council. It will, however, be necessary to point out that the Council's views and activities are based on theological presuppositions. It is therefore impossible to ignore the

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theology/...

theology of the Council - be it good or bad.

Firstly then, the existence of different theological approaches to the problem of the relationship between church and state, is an historical fact, and cannot be wished away. I can understand that any government would feel more comfortable with traditions 2.1 and 2.2 and even with tradition 1, than with tradition 3. I cannot, however, see any state requiring much less enforcing, any of these attitudes. No state can take it upon itself to teach the church theology. Each church must in its own way 10
wrestle with all kinds of theological issues, and arrive at some kind of position in this regard.

In view of the above it may appear to be beside the point, to attempt to argue for any one of the traditional positions and against the others. Each position claims legitimacy, and no state can adjudicate here. The issue, if ever it is to be settled, which I doubt, Mr Chairman, must be settled by theologians, and churches, not by a government. This is not to suggest, however, that the state is not at all allowed to evaluate and even 20
condemn the church's actions and statements. To this I will return later. For the moment I simply want to argue that the theological position that a specific church or church body adopts, cannot as such be evaluated by the church - sorry, by the state.

Since, however, understanding the basic theological position of a given ecclesiastical body, may help the state to arrive at a fair evaluation of that body's actions and statements. Let me attempt a very brief exposé of the South African Council of Churches' theological 30

position/...

position in the area under discussion, at least as I understand it.

The South African Council of Churches can and does appeal for its stance to the Old and New Testament, particularly the Prophets. There are many examples of churchmen who challenged and opposed the authorities because of social evils; particularly the books of Jeremiah, Amos and Micah abound with examples.

The prophets challenged - and here I do repeat a little bit of what I said verbally this morning, the 10 prophets challenged kings and rulers who purported to believe in the same God in whom the prophets believed. In other words, the prophets could challenge the authorities on what the latter professed to be, namely believers. Phenomenologically the same situation obtains in South Africa. The South African Constitution states explicitly that the South African state is Christian. Many people have difficulties with the whole idea of a Christian state, and they advance very good arguments for their reservations, in this regard. I am not going to enter into 20 that discussion. I simply point out that whether it is theologically tenable or not, the South African Constitution states that this country is Christian. This implies, in my opinion, Mr Chairman, that the Government willingly submits to God's authority in political matters, otherwise the words in the Constitution mean nothing. Moreover, the relevant clause in the Constitution is, in effect, an invitation to the church to address and challenge the state on the basis of what the state itself professes to be.

Thirdly, the idea of the church's divine 30

calling/...

calling to challenge and censure the powers-that-be, if they maltreat people, appears to stand in an unresolved tension with another tradition in the Christian church, namely that the church should submit to the authorities since they (that is the authorities) are appointed by God. This I say is at least sociologically and unresolved tension between these two things. Time and again people who subscribe to this latter view, appeal to Romans 13:1-7 as proof text. It would take us into too much detail and theological argument if we were to discuss the interpretation of this periscope. I therefore simply refer here to what I myself have written on the subject, in the source quoted there. I did bring it along, and perhaps when we enter into discussion, it may be possible to read some paragraphs, if you so wish, Mr Chairman.

The South African Council of Churches, if I interpret it correctly, would subscribe to the conviction that Romans 13:1-7 in no sense excludes the possibility of the church challenging and even rebuking the state for social evils in the body politic. 20

My last section's caption is "Church and State: Dilemma or Opportunity?"

If we now, finally and briefly, turn to the question what the state ought to do in the case where an ecclesiastical body challenges and opposes it, the following considerations appear relevant:

It is today widely accepted that every theological position is contextual. That is the theological jargon, Mr Chairman. This simply means that it is an illusion for anybody to claim that his views are deduced 30

straight/...

straight from the Bible. We all read the Bible from a specific context and perspective, and the context becomes a filter through which we absorb Biblical teaching, and by which our interpretation of what the Bible says, is coloured.

The theology of the South African Council of Churches is undoubtedly also contextual, and to a large extent this theology is stamped by the experiences of the churches affiliated to the Council. At least, what they experience to be the reality, that is quite apart from what the actual reality may be. Now, if we assume that about 80% of those members, those are the members of the member churches, hail from the less privileged sectors of South African society, the so-called Blacks, Coloureds and Indians, then it goes without saying that their existential experience in the South African crucible will colour their theological thinking. If moreover the overwhelming majority of White members in SACC affiliated churches, are so-called English-speaking South Africans, another sociological factor has to be recognised, namely that since 1948 White English-speaking South Africans have become very marginal in matters political. This marginality undoubtedly also affects the way in which English-speaking Christians theologise in South Africa.

It should, however, Mr Chairman, constantly be kept in mind that White Afrikaans-speaking Christians likewise theologise contextually. The fact that Afrikaners are the dominant group politically, undeniably affects their reading of the Bible and particularly their attitude towards the socio-political realities. Because of their/...

their context as members of the privileged group in society, they tend to espouse a conservative political theory, either supporting the status quo or at most propagating adaptations of the existing political formulae. The political conservatism in varying degrees of Afrikaner Christians is therefore in a way contingent. This can be seen in the fact that many of the grandfathers of today's supporters of a theology of the status quo were, in 1914, supporters of the theology of liberation, if not of revolution. The different socio-political context then, in 1914, 10 led them to adopt a different political stance. This is what I mean by saying - referring to it as contingent.

In a country such as South Africa, where not only society as such, but also the churches, are to a large degree divided along ethnic and racial lines, it is inevitable that we will have different contextual theologies, more specifically, we will have opposing political theologies. I put the word in inverted commas, but in fact any theology is, if we look at it, is in a way a political theology. Where the church is homogeneous, whether 20 homogeneously Afrikaans, Black or English, makes no difference, but where it is homogeneous, there is an almost irresistible tendency for such a church to become the mouthpiece of its own group. The divisions and the group loyalties of society are nolens volens transferred to the church.

In view of the fact that all theology is by nature contextual, it is to be lamented when church leaders make apodictic statements about social, political and economic issues. Some such church leaders seem to suggest that they have a direct line to God, and therefore know 30

exactly/...

exactly and in detail what the solution should be. Spokesmen of both main contextual theology positions in South Africa succumb to the temptation to play God. Such immodesty is irritating and it inhibits dialogue. After all, if someone claims to know exactly and finally what God wants, what point is there in suggesting alternatives to him? The only remedy in my view for this malcondition would be to help church leaders become aware of the contextualness, and therefore of the relativity, of their positions. This in the first instance, Mr Chairman, 10 is not to plead for complete relativism. Even if the church cannot claim divine guidance for precise solutions to political and social problems, it can and indeed with authority, identify socio-political maladies that should not be tolerated, and I want this distinction to be very clearly registered. Even if the church cannot claim divine guidance for solutions, it can with authority identify socio-political maladies. Writing during a time of wide-spread unemployment in Britain in the 1940's, Archbishop William Temple stated, and I quote from his book Christianity and 20 the Social Order:

"I cannot tell you what is the remedy, but I can tell you that a society of which unemployment .. is a chronic feature, is a diseased society, and that if you are not doing all you can to find and administer the remedy, you are guilty before God. Sometimes the church can go further than this, and point out features in the social structure itself which are bound to be forces of social evil, because they contradict the principles of the Gospel". 30

Naturally/...

Naturally, if this approach holds good for unemployment in the case of William Temple, the same should apply to matters such as, for instance, I am just tabling a list, for housing, unequal wage system, lack of freedom or worship, speech, assembly and association with others, disruption of the family life, absence of property rights, unequal employment opportunities and education facilities, detention without trial, and lack of participation in decisionmaking processes. The church and its spokesmen cannot provide detailed blue-prints about how to solve 10 these problems, but it may, indeed in my view, should in fulfilling its prophetic role, ceaselessly identify these anomalies in the body politic, and help prepare a climate in which solutions become possible.

I may perhaps just again interrupt myself to say that in the words, indeed should, in between dashes, in which my own view comes through, I of course adopt the typical Calvinistic view, and not what has become known as for instance the two-kingdom theory in traditional Lutheranism, where probably it would not be stated 20 as explicitly as I stated it here, that the church indeed should in fulfilling its prophetic role, ceaselessly identify anomalies in the body politic.

I move onto point 5. There are churches, also in South Africa, which define their task as pertaining solely to the salvation of souls for the hereafter. They are, in effect, merely waiting rooms for heaven, such churches. Such churches, by definition, cannot come in conflict with the state. The state's arena is this life; the church's arena is the next, and the possibility of clash is 30

excluded/...

excluded.

However, if a church believes that its message and ministry impinge upon the future world and upon life in the here and now, there will always be the possibility of a clash between church and state. There is no fool-proof formula to prevent such a possibility. If the church speaks out on issues such as those enumerated in 5.4 above, it 'trespasses' on the terrain civil authorities claim to be theirs, even if the church argues, with an appeal to Scripture, that it has the right to do what it does, and say what it says. It would then from the perspective of the state be completely in order for the state to act against the church. In fact, technically, the state cannot be faulted if it does act against the church. The state is responsible for the ordering of civil life and may therefore indeed regard the church's protest as undue interference.

Whether it would be prudent for the state to act in these circumstances, is, however, a completely different matter. The following points may in such a situation be taken into consideration; the prudence of the matter. Firstly, where the church takes up the cause of those who have, for whatever reason, become marginal, it behoves a wise government to allow the church to become its conscience. In the Old Testament the marginalised were particularly and frequently identified in Old Testament terms as the poor, the orphan, the widow and the stranger, or the alien. Their treatment, these four categories, at the hands of the privileged and of the authorities, in fact because the touch-stone for the way in which society/...

society as a whole was judged. So the way in which they were treated became the conscience of society in the Old Testament.

Secondly, a wise government would take even more care to listen if the ecclesiastical body that criticises it, represents a segment of the population which does not have the same channels of expressing themselves politically as the rest of the population has.

Thirdly, though it may sound like wishful thinking, it should perhaps be added that the wise government, 10 even if it finds the church's criticism irritating, ought to welcome such critical voice, even if it sounds radical; it is always good for a wise ruler to listen to critical voices. Some Old Testament kings were grateful for the challenges of the prophets. A wise government recognises the value of a society which Adlai Stevenson calls a society in which it is safe to be unpopular. I found that an excellent phrase. Such a government should therefore do everything in its power to uphold the right of its subject, and particularly of the church, to express 20 their views and convictions.

Point 7, and this is my last point, Mr Chairman, the ecclesiastical tradition of the dominant group in this country, happens to be the Reformed or Calvinist tradition. It is one of the pillars of this tradition that there is no area of life that does not fall under the scrutiny of the Word of God. The Calvinist tradition accepts that God has appointed the church to exercise a prophetic ministry with regards to society at large and to become the voice of those who suffer. It also teaches that 30

there/...

there are limits to our submission to the authorities.

Calvin himself wrote in his Institutes:

"After Him (that is after God) we are subject to those who rule over us, but subject only in the Lord. If they command anything against Him, let us not pay the least attention to it".

It was this tradition, Mr Chairman, I would like to submit, that sustained the Afrikaner in those periods of his history in which he was the marginalised and the underdog. His Calvinist faith implanted in him a restlessness 10 with the way things were, and a refusal to acquiesce in injustice. It was likewise in a very real sense the Calvinist substratum in countries such as Switzerland, the Netherlands, Great Britain and the United States, a substratum that favoured the freedom of the church to act as both conscience and leaven in society. It was the existence of this substratum that saved those countries from the collapse of the democratic fabric that many other countries with different traditions were to undergo.

The role of the Calvinist tradition in South 20 Africa, so different, in many respects, from the Lutheran tradition in Germany or the Orthodox tradition in Russia, should, I believe, make it easier for the Eloff Commission to appreciate the validity of ecclesiastical protest and opposition in our own day.

CHAIRMAN: Mr Von Lieres, are there any questions you want to put? Mr Unterhalter, you are free to ask the witness questions?

MR UNTERHALTER: M'Lord, I did want to take a very short instruction, if I may. May I do it here and now? 30

Yes/...

CHAIRMAN: Yes, please do.

MR UNTERHALTER: Professor, there are three things I would like to ask you about. You were questioned very briefly on the matter of what was said by the German Chancellor, when he stated that the church had no right to do what it had done, since neither the Old or the New Testament contained any guidelines for economics or politics. I wonder if I could put it to you this way: would you not agree that the Ten Commandments, where they have the two tablets, the one, the relation of Man to God, and 10 the other the relation of Man to Man, is an indication, a fundamental indication of the guidelines of how people should behave the one to the other, and therefore is really an eloquent guideline for politics in essence? --- Do you want me to reply to this? Is this your first question?

Yes? --- Mr Chairman, through you, I would say, yes, in fact, once again, we have in this instance the testimony of both the Old and the New Testament. It is true that normally the Ten Commandments are divided into two tablets; the first tablet containing four of the Commandments, 20 pertaining to Man's relationship to God, and the second tablet with six Commandments pertaining to Man's relationship to his fellow human beings. Now, in the New Testament, in response to a question by a Pharisee, Jesus is quoted as answering in a similar vein, that the first Commandment is to love God, with all your heart and all your soul, etcetera, and the second which is like the first, it is said in Matthew 22:37-40, the second which is like the first, love your neighbour as yourself, and then he goes on to say that in this summary, in these two Commandments, 30

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we have the summary of the law and the prophets, which was the reference to the entire Old Testament. So what Jesus was saying was that the total testimony of the Old Testament can be summarised in this dual commandment of, love to God and love to our fellow human being, and indeed, so sin - I mean, if we say that this is the teaching of the Scripture, I think one has to go further and say that sin is also committed in both directions. We can sin against God, but we can also sin against our fellow-man, and both these are equally sin in the eyes of God; there is 10 no difference between the sins committed against a fellow human being. Whether this should be regarded as an eloquent guideline for a government, of course, brings us into another problem, and that is, you may find a government that says we are simply not interested in what the Bible says, we have our own inner - ethos and we judge things the way we want to do so. However, the South African Government, and this was part of my argument towards the end, stating explicitly in the Constitution that it is a Christian government, I think in those words in fact commits itself 20 to this interpretation of the central message of the Scripture, being love to God and love to our fellow-man, and all government laws should in fact aim towards making possible and implementing our love to God and our love to fellow-men. So in the case of a country such as South Africa, I would say we can see in this a guideline, an eloquent guideline, as you put it.

The second question I wanted to put to you is this: you gave a most interesting history of the development, the relations between church and state over the 30

centuries. I wanted to just ask you the following: it is a very recent occurrence. You may remember the incident at St Paul's Cathedral at the time of the celebration regarding the victory over the Falkland Islands, and the address of the clergy and also the change in the wording of the national anthem, and if I remember correctly, the rather angry reaction of Margaret Thatcher. Is there any leaven at work today in the English church, the Anglican Church, that may be relevant to the development that we have been discussing, upon which you would like to comment in 10 the light of what the church did and how the state reacted? --- Mr Chairman, through you, I followed these events to which Mr Unterhalter has referred, in the press, but of course not in any detail. I think on the whole he is correct in his summary of the incidents at St Paul's Cathedral and the stance taken by the British churches. I think it would be - it can be noted as yet another incidence of an official established church taking a stance in opposition to the government. The second part of the question, however, causes me a degree of embarrass- 20 ment, since I do not think in England at the present stage, that the church's views really carry much weight. England is a typical secular and secularised society, and in a way I think the church's existence is tolerated by the British government and the British people, but I do not think there is any degree of willingness to listen to what the church is saying, or a very limited degree of that. At the moment of course, the discussion issue is on the whole matter of nuclear warfare, and there too the church tends to adopt the position different from that of 30

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the government, but I am in no position to say whether or not that is influencing the British government, and I think this is a situation you would find in practically all countries in Europe today, and also in the United States, which is a typical post-Constantinian period, where the church - where the state on the whole simply ignores the government. So in a way we are returning to a pre-Constantinian position, if we look at the church historically, where the church is a very minor segment of society and is simply not being listened to in the world at large. South Africa is a different country; we have a different history, but on the whole my impression would be, Mr Chairman, that actions of the nature that are under discussion here at the moment at these hearings, would on the whole simply be ignored in most Western countries, by the state. I am not sure whether that does reply to your question.

Finally, I wonder if I could draw your attention to the Afrikaans text of the paper, as you prepared it. I do not know whether you have it before you? --- Yes, I have a copy somewhere, I had one.

It is page 6, the very last paragraph - sorry, page 9, the very last paragraph of paragraph 6. Do you have it? Right at the very end. Now, you say:

"Daarby moet ek dit baie duidelik stel dat die voortbestaan en vryheid van die SARK in die buiteland gesien word as een van die tekens van die voortbestaan van meningsvryheid in die RSA; hoe paradoksaal dit ook mag klink, beteken dit dus dat die vrye operering van die SARK miskien onbedoeld, n

bewys is vir die feit dat die Suid-Afrikaanse Regering 'n demokratiese bestel duld. Nog 'n keer anders gestel, dit is my oortuiging ook op grond van besoeke aan en kontakte met die buiteland, dat enige regeringsop-trede teen die Raad, die Suid-Afrikaanse Regering oneindig veel meer skade sal aandoen as die Raad self".

This does not find a place in your present presentation, but is it something to which you still give assent? --- I would say on the whole it would still be something 10 to which I would give assent. I thought that in a way my present presentation towards the end developed in a slightly different way, and I thought in a sense this might be redundant, to put it as explicitly as I put it here, but I think I must perhaps just - the third line from the bottom, just reiterate what I said there. I frequently have contact with people overseas, both in this country and during overseas visits, and I think it would be true that the freedom of the South African Council of Churches and any other church organisation and body for that 20 matter, is in a way a very important yardstick by which the South African society is being looked at and is being measured.

Thank you.

MR VON LIERES: Professor, you hand in a copy of your English translation and your Afrikaans submission? ---- No, I would like to withdraw the Afrikaans submission, Mr Chairman, and only submit the English copy.

CHAIRMAN: Well, I think that - not that that is of great importance, but the memorandum which you initially 30 sent/...

sent, has become a memorandum before the Commission. The Commission will note that you prefer to adhere to the attitude adopted in your English version. It has already been received, the Afrikaans copy, has already been received and is a document of the Commission. --- You will know technically what the status of that document is, but I think on the whole I would prefer at this moment the English document. That presents a more recent position than the Afrikaans document.

The Commission notes that. Is there anything 10 further? Prof Bosch, thank you very much for your contribution and the time you have given the Commission. It is appreciated. You may now be excused. If the Commission wishes to refer again to anything that arises, it will communicate with you.

THE COMMISSION IS ADJOURNED TO 8 FEBRUARY 1983