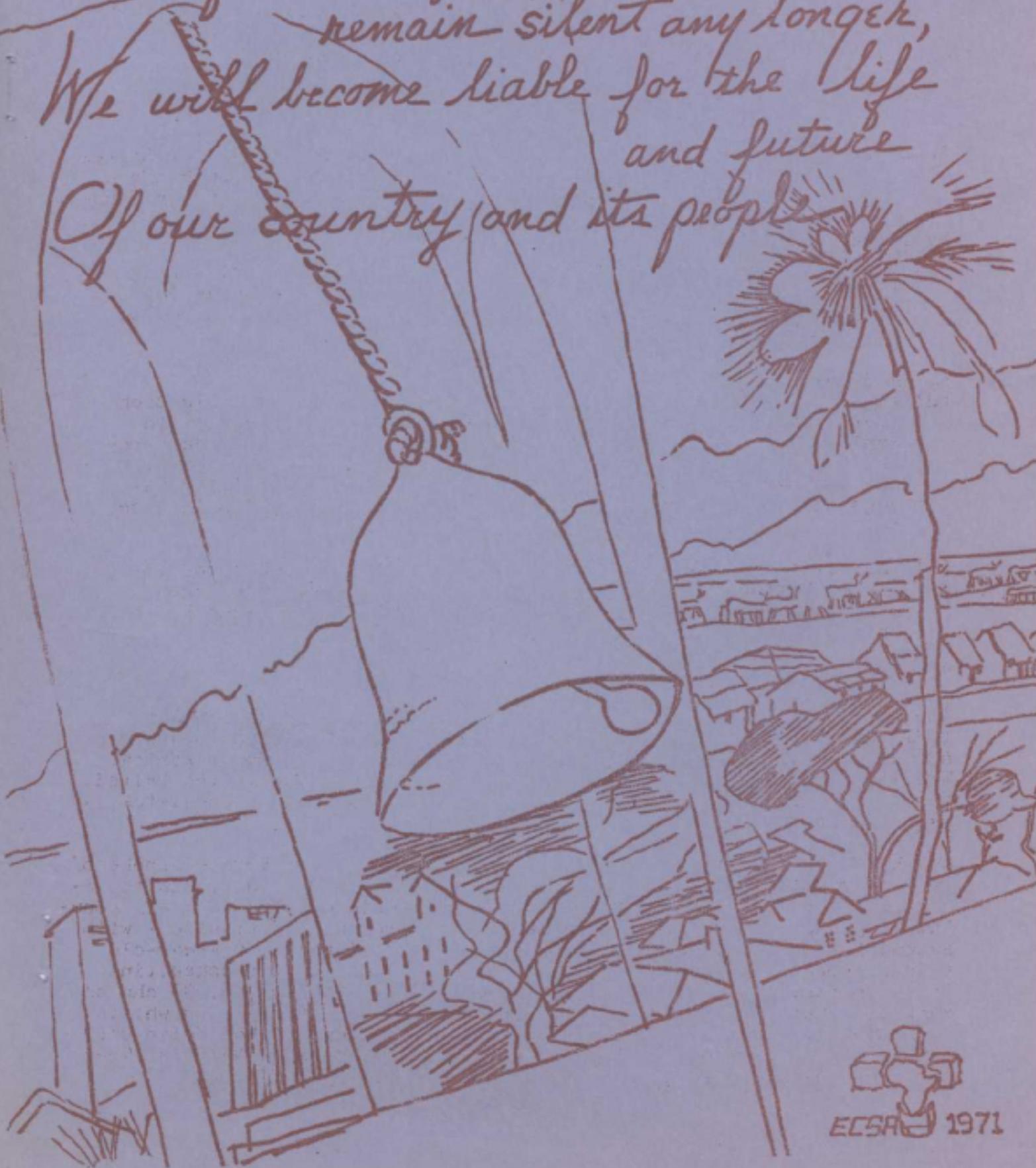


We feel that if we, as the Church,
remain silent any longer,
We will become liable for the life
and future
Of our country and its people



EPISCOPAL CHURCHMEN
for
SOUTH AFRICA

14 West 11th Street • New York, N. Y. 10011 • Phone: (212) 477-0066

THE COURT IS OF THE OPINION,

in reply to the question: "What are the legal consequences for States of the continued presence of South Africa in Namibia, notwithstanding Security Council resolution 276 (1970)?"

by 13 votes to 2,

- (1) that, the continued presence of South Africa in Namibia being illegal, South Africa is under obligation to withdraw its administration from Namibia immediately and thus put an end to its occupation of the Territory:

by 11 votes to 4,

- (2) that States Members of the United Nations are under obligation to recognize the illegality of South Africa's presence in Namibia and the invalidity of its acts on behalf of or concerning Namibia, and to refrain from any acts and in particular any dealings with the Government of South Africa implying recognition of the legality of, or lending support or assistance to, such presence and administration;
- (3) that it is incumbent upon States which are not Members of the United Nations to give assistance, within the scope of subparagraph (2) above, in the action which has been taken by the United Nations with regard to Namibia.

* * * * *

The International Court of Justice, sitting at The Hague, on June 21, 1971, gave this advisory opinion on the matter of Namibia (South West Africa) and its illegal occupation by the Republic of South Africa. The Territory and its relationship to South Africa and to the United Nations has been before world forums and the World Court consistently over the past 25 years.

South Africa's reaction was expected. Prime Minister Vorster spoke of an "international vendetta" and declared his country's duty was to administer the Territory "with a view to self-determination for all population groups". Soundings were made for a proposed plebiscite - with astounding results. Two black Lutheran Church leaders, 63-year-old Bishop Leonard Auala and Moderator Paulus Gowaseb, after consulting their boards, issued two statements on behalf of their 286,000 church members (over half Namibia's African people; there are 95,000 whites in Namibia). They were fully supported by Anglican Bishop Colin O'B. Winter and in part by the two Roman Catholic Bishops in Namibia. The texts of the Lutheran statements and Bishop Winter's follow.

(continued)

EVANGELICAL LUTHERAN OVAMBOKAVANGO CHURCH

EVANGELICAL LUTHERAN CHURCH IN SOUTH WEST AFRICA (RHENISH MISSION CHURCH)

THE CHURCH BOARDS: To the Congregations and Members of our Churches

Dear Brothers and Sisters in Jesus Christ,

We greet you with the words of Jesus: "Peace be with you." (John 20:19).

On the 30th June, 1971, we gathered together as the Church Boards of our two Lutheran Churches because we felt that we must direct words of leadership and guidance to our congregations in this hour of need.

We are concerned about the future of this country and about the future of the various peoples who live here. We not only feel this concern today but because of the judgment of the World Court given on the 21st June, 1971, we can no longer remain silent. We feel that if we, as the Church remain silent any longer, we will become liable for the life and future of our country and its people.

The judgment of the World Court was the answer to the prayers of many of our people, because this judgment involves the hope of freedom and recognition of personal worth. We believe that our people would not have betaken themselves to other bodies and also not to the United Nations Organisation if the Government of South Africa had not withheld from them the basic rights of man.

The mandate which was given to South Africa included the obligation to create conditions of peace and freedom and to guarantee such conditions for all the inhabitants of South West Africa.

True peace does not allow people to hate each other. But we observe that our people are caught up with fear and that the hate between people is increasing, especially between white and non-white. In our opinion this fatal development is caused and upheld by the policy of apartheid. We believe that a false impression arises when it is stated that peace reigns in our country. The peace is maintained by forceful measures.

To the freedom of the people belongs also the freedom of the spread of the gospel. We are concerned that Christians of various population groups are hindered by numerous laws and regulations from freely gathering together for the word of God.

As a result of the application of the Group Areas Laws the activities of the Church are severely restricted and the unity of the various races of the Church curtailed. Individual Ministers of the Gospel and Christians are filled with fear and distrusted. They are also sometimes hindered in their evangelizing by the refusal of permits.

(continued over)

To the Congregations and Members of our Churches (continued)

The true development of the inhabitants of South West Africa on a Christian basis ought to lead to unity and fraternity between the races. We are convinced that this must be the lasting goal for further and future development. The Government, by the application of the Homelands Policy, constitutes to the creation and continuation forever of the divisions between the races. It is stated that this policy is intended to lead the races to self government and independence. But our small race groups cannot really be aided by separation. They will be isolated and denied the chance to take a proper part in the development of the country.

We want to also inform the members of our congregations that we are determined to inform the Government of this state of affairs and of our convictions of what changes must occur. We appeal to you to maintain the peace and with a peaceful disposition to continue seeking our brothers in all racial groups. We want to advise you also to build bridges and not to break down contact.

Dear Congregations, we as your Church Boards do not intend sowing seeds of animosity, discord and strife. Our purpose is to stand for the truth and for a better future for our people and races, even when it involves suffering for us.

May the Lord be with you in His Mercy and give you guidance through His Spirit. Let us continue praying for all authorities (I Tim.2:1-2), so that they may be prepared to alter the grievous circumstances and to take cognizance of the true interests of this country and its people.

On behalf of the two Church Boards:

DR. LEONARD AUALA

Chairman of the Church Board of the
Evangelical Lutheran Ovambokavango
Church

PAULUS GOWASEB

Chairman of the Church Board of the
Evangelical Lutheran Church in
South West Africa
(Rhenish Mission Church)

Windhoek, 30th June, 1971

OPEN LETTER TO HIS HONOUR THE PRIME MINISTER OF SOUTH AFRICA

THE CHURCH BOARDS: Evangelical Lutheran Ovambokavango Church
P. B. 2015, Ondangwa, Ovamboland
Evangelical Lutheran Church in South West Africa
(Rhenish Mission Church)
P. O. Box 5069, Windhoek

His Honour,
The Prime Minister
Mr. B. J. Vorster
P R E T O R I A

After the decision of the World Court at The Hague was made known on 21st June, 1971, several leaders and officials of our Lutheran Churches were individually approached by representatives of the authorities with a view of making known their views. This indicates to us that public institutions are interested in hearing the opinions of the Churches in this connection. Therefore we would like to make use of the opportunity of informing your Honour of the opinion of the Church Boards of the Evangelical Lutheran Church in SWA and the Evangelical Lutheran Ovambokavango Church which represents the majority of the indigenous population of South West Africa.

We believe that South Africa in its attempt to develop South West Africa has failed to take cognizance of Human Rights as declared by the United Nations Organisation in the year 1948 with respect to the non-white population. Allow us to put forward the following examples in this connection:

1. The government maintains that by the race policy it implements in our country, it promotes and preserves the life and freedom of the population. But in fact the non-white population is continuously being slighted and intimidated in their daily lives. Our people are not free and by the way they are treated they do not feel safe.
In this regard we wish to refer to Section 3 of Human Rights.
2. We cannot do otherwise than regard South West Africa, with all its racial groups, as a unit. By the Group Areas legislation the people are denied the right of free movement and accommodation within the borders of the country.
This cannot be reconciled with Section 13 of the Human Rights.
3. People are not free to express or publish their thoughts or opinions openly. Many experience humiliating espionage and intimidation which has as its goal that a public and accepted opinion must be expressed, but not one held at heart and of which they are convinced.
How can Sections 18 and 19 of the Human Rights be realized under such circumstances?

(continued over)

OPEN LETTER TO HIS HONOUR THE PRIME MINISTER OF SOUTH AFRICA (continued)

4. The implementation of the policy of the government makes it impossible for the political parties of the indigenous people to work together in a really responsible and democratic manner to build the future of the whole of South West Africa. We believe that it is important in this connection that the use of voting rights should also be allowed to the non-white population.
Sections 20 and 21 of the Human Rights.

5. Through the application of Job Reservation the right to a free choice of profession is hindered and this causes low remuneration and unemployment. There can be no doubt that the contract system breaks up a healthy family life because the prohibition of a person from living where he works hinders the cohabitation of families.
This conflicts with Sections 23 and 25 of the Human Rights.

The Church Boards' urgent wish is that in terms of the declarations of the World Court and in cooperation with U.N.O. of which South Africa is a member, your government will seek a peaceful solution to the problems of our land and will see to it that Human Rights be put into operation and that South West Africa may become a self-sufficient and independent State.

With high Esteem,

BISHOP DR. L. AUALA

Chairman of the Church Board of the
Evangelical Lutheran Ovambokavango Church

MODERATOR PASTOR P. GOWASEB

Chairman of the Church Board of the
Evangelical Lutheran Church in
South West Africa
(Rhenish Mission Church)

Windhoek, 30th June 1971

A TIME TO LISTEN

by the Right Rev. Colin O'Brien Winter, Anglican Bishop of Damaraland
Windhoek, South West Africa

25 July 1971

Bishop Leonard Auala and Moderator Paulus Gowaseb have produced an important document. It behooves all people of this territory, and especially those who govern us from Pretoria to read it, but best of all to listen to what these men are saying.

From just living in this land one knows from experience that it has taken a great deal of courage for two black leaders to dare to say the things these men have said. South Africa does not take kindly to criticism of her policies. Time and again such people are dubbed 'agitators', 'communists', 'anti-South Africa', 'fanatics'. Abuse and rejection and sometimes violence are the lot of those who dare to express contrary opinions to those of the government. When will the white rulers of South Africa, and the vast majority of whites, listen to the sincerely held opinions of the blacks of this land? Surely if ever there was a time to listen that time is now. If ever there was a need for a round table conference with black leaders that time is now. To continue to reject what they are telling us is to return to a never-never land of make believe. These two Christian leaders are calling us back from a path that all of us in our heart of hearts know can only lead to bloodshed. We cannot ignore or suppress black opinion forever. My question is: Will they be listened to by our rulers and by the majority of whites in this country?

May I, as a Christian Bishop, be allowed to comment on the effects this document has had on me personally?

First, it confirms what all of us who have contact with the blacks know to be true, that the overwhelming majority of blacks in this land totally reject apartheid. The Bishop and the Moderator make five points why this is so. They are:

1. that blacks are not free people in this land;
2. that the free movement of the blacks is denied them;
3. that blacks are afraid to express their opinions for fear of reprisals;
4. that voting rights are denied black peoples;
5. that job reservation hinders the development of the black peoples and destroys their family life.

Apartheid has been foisted onto the black people against their will. It is in essence the white man's way of rejecting his black brother, no matter how much successive South African governments toy with words or battle to define ideologies. What Bishop Auala and Moderator Gowaseb's document is saying clearly to me is that we whites have deluded ourselves into thinking that we have found any solution to this country's problems in the apartheid regime. They expose apartheid as a violation of the Declaration of Human Rights upon which every free nation of the world bases its laws.

(continued over)

A TIME TO LISTEN (continued)

New schools, new hospitals, new roads, new Bantustans, all beg the real basic issue. The black man is still suffering in this land, is still exploited, is still denied those basic human rights, without which life in the modern world becomes intolerable. These two Christian leaders are telling me loud and clear that they and their people are not free, that they yearn for freedom, and that they can never be free in a state which bases its legislation on racial discrimination.

Because these men are Christian leaders of respected Christian churches, because they are black leaders in touch with the mood of their peoples and therefore better able than most of us to speak for the black man, they have the right to be heard and they will be heard throughout the free world. Will we listen to them in South Africa? Experience teaches me to doubt it. We whites for the most part have not only become deaf but silenced our consciences as well.

Christian leaders such as Bishop Auala and Moderator Gowaseb must not be allowed to stand alone. For this reason, and because I know them to be men of integrity, I wish to say that I agree with their assessment of the situation as it exists in South West Africa today, and that I stand by them in their views.

It is vital that all Christian leaders in this territory make their views known also. Men such as these must not be allowed to carry the brunt of the consequences of what they have said. The Christian Church as the conscience of this nation must now speak out with clarity and without fear. Apartheid must be denounced as unacceptable before God. Who else but the leaders of the Churches can do this?

♦ COLIN DAMARALAND

1. that blacks are not free people in this land;
2. that the free movement of the blacks is denied them;
3. that blacks are afraid to express their opinions for fear of reprisals;
4. that voting rights are denied black people;
5. that job reservation hinders the development of the black people and destroys their family life.

Apartheid has been foisted onto the black people against their will. It is in essence the white man's way of rejecting his black brother, no matter how much successive South African governments toy with words or battle to define ideologies. What Bishop Auala and Moderator Gowaseb's document is saying clearly to me is that we whites have deluded ourselves into thinking that we have found any solution to this country's problems in the apartheid regime. They expose apartheid as a violation of the Declaration of Human Rights upon which every free nation of the world bases its laws.

On August 18, Bishop Auala and Moderator Gowaseb met with Prime Minister Vorster in Windhoek during the latter's visit to the Territory. The encounter ended in deadlock, with Vorster asserting his government's determination to proceed with its separation policy and the church leaders reiterating the points made in their open letter and the pastoral. Bishop Auala told Vorster: "Our people suffer because they are denied human rights". The prelate said a minority of the whites treat Africans as real human beings, but such an attitude is considered to "trespass against the government policy". But even this attitude "is a cool drop of water in our burning thirst for human rights".

After the World Court decision there was unrest in Ovamboland, that area of the Territory lying alongside Angola and the South African-controlled administration's showpiece Bantustan. Students at the newly-opened Ongwediva College demonstrated in support of the Court decision. A delegation of Ovambos, members of the Territory's largest population group, faced the government-appointed Chief Councilor with grievances the same as those of the Lutheran Church leaders: "Ovambos pertinently want to bring it under the attention of the South African government that they completely agree with the decision of the World Court that South Africa's continuous presence in Namibia is illegal. The Ovambos do not want to be guilty of recognizing an illegal government of South Africa. Ovambos would rather suggest to Vorster and his company to create whitestans for Germans, Afrikaners and English but not in Namibia." Three of the delegates were fired from their government jobs.

In Windhoek's Katatura African location, Herero Chief Clemens Kapuuo, successor to the revered late Chief Hosea Kutako, hailed the Court opinion. "Our white brethren who have property in South West Africa and have made this territory their home, would be well-advised to abandon an outgoing government and so win the confidence of the indigenous population.....They have been misled by the belief that they would be protected by the great powers which have investments in South Africa and South West Africa, or that they would be protected by a British or French veto in the Security Council. For how long would a British or French veto help people in South Africa if that veto or their investments did not help the British or French governments to remain in the countries they possessed in Africa?"

Chief Clemens has retained a British firm of attorneys to challenge the exploitation of Namibia's minerals under the illegal South African regime, and is suing Barclays Bank over its refusal to allow him to operate the Herero bank account, part of the South West African regime's pressure upon the outspoken leader.

The South West Africa People's Organization of Namibia (SWAPO) stated:

"South Africa is trying hard to keep alive the convenient myth that Africans are incapable of thinking in terms of nationhood, that 'tribalism' is still the key word, and that most of us are too ignorant and too immature to think in terms of the United Nations and international opinion. The case of Namibia - with nationwide protests against South Africa's illegal presence, based on international backing - should contribute considerably to the destruction of this myth."

October 20, 1971

EMERGENCY: STILL TIME TO STOP SENATE DEFIANCE OF U.N. EMBARGO ON CHROME

Senate and House Conferees are now meeting on the Military Procurement Bill (H.R. 8687) which the Senate amended to permit importation of chrome from Rhodesia (Zimbabwe). The bill must be acted upon again by the House and Senate and by the President. Therefore you should write or wire NOW to your Senators and Representative asking them to vote against the amendment. Write also to the President asking him to veto the bill if it passes as amended.

Undermining the U.N.

If this legislation stands, the U.S. will join South Africa and Portugal as the only countries publicly committed to breaking the embargo, imposed after the white Rhodesian minority government declared its independence rather than consent to move toward majority rule. The U.S. voted in the Security Council in 1966 that Rhodesia was a threat to the peace under Chapter Seven of the U.N. Charter. The U.S. voted for the imposition of increasingly strict embargoes under articles 25 and 41, which authorize action to carry out the charter and to give effect to the decisions of the Security Council. And, of course, originally the U.N. Charter was ratified by the Senate, and the U.N. Participation Act (under which the President implemented the embargo by an Executive Order) was passed by both Houses of Congress.

All this has been rejected by the Senate's action, which was taken chiefly under lobbying pressure from Union Carbide and Foote Mineral, which own the chrome mines, and in the absence of Presidential leadership to counter the pro-Rhodesian forces.

Aiding Racism

Spokesmen for the rebel Smith regime in Rhodesia have already stated that the Senate action strengthens them, that it shows "increasing sympathy for us". Since negotiations have been going on between Britain and Smith for several months, with Smith refusing any concessions toward majority rule, and with the African majority unconcerned during the negotiations, the Senate action specifically strengthens Smith's hand. For if the U.S. openly violates the sanctions, international pressure on the regime will collapse and the forces within Britain pushing for a sellout will be strengthened. Smith will appear to be vindicated in his steady move toward apartheid in the attempt to control the 95% of the Zimbabwean people who are black and in opposition.

No Chrome Scarcity

Only about 10% of the 900,000 tons of high-grade chrome used annually in the U.S. goes for defense purposes. The strategic stockpile amounts now to 5,344,000 tons, of which 2,225,000 tons are in excess of foreseeable needs and authorization to sell 1,300,000 tons has been requested of Congress. Priorities for use or possible rationing have not even entered the discussion. The right-wing complaint is that the Soviet Union is now supplying more than 50% of the chrome at inflated prices. But there are other sources and potential sources which the U.S. has not attempted to develop (for instance Japan has moved to develop facilities in Turkey, now the U.S.'s third source of chrome after the Soviet Union and South Africa). The purpose of the Senate move is not to help the United States but to aid Rhodesia, Union Carbide, and Foote Mineral.

ACT NOW

WRITE OR WIRE YOUR SENATORS AND REPRESENTATIVE TO VOTE NO - ASK FOR A PRESIDENTIAL VETO

SOUTH AFRICA at WAR

at home and abroad

South African security police, some armed, conducted countrywide dawn raids on Sunday, October 24, 1971, on the homes of 60 churchmen, student leaders, university professors and journalists. Several were arrested and documents were seized.

Raided were playwright Athol Fugard; Mrs. Winnie Mandela, wife of imprisoned ANC leader Nelson Mandela, and Miss Shanthi Naidoo, both banned; University of Cape Town lecturers Dr. David Welch and Dr. Francis Wilson; Anglican Bishop Philip Russell of Port Elizabeth; and Roman Catholic priest Father Cosmos Desmond, also restricted under banning orders.

The police took samples of typewriter script and voice samples on a tape recorder. They bore warrants authorizing seizure of documents relating to the South African Communist Party, the African National Congress, and both Defence and Aid and the Anti-Apartheid Movement of London. Police Commissioner General Gideon Joubert promised more raids. THE TIMES of London reports the security police are interested in South African contacts with overseas Black Power groups; and speculation about their concern with the militant black South African Students Organization (SASO) and the Association for Education and Cultural Advancement (ASECA), an organization set up by the Polaroid Corporation because of anti-apartheid American pressure, has been raised recently.

BOSS

The London OBSERVER reports on the extensive activities of South Africa's Bureau of State Security (BOSS) in Britain. African exile movements and British groups, such as the Student Christian Movement, and particularly the Anti-Apartheid Movement, the president of which is Bishop Ambrose Reeves, are under constant surveillance by agents using sophisticated devices and methods. Anti-Apartheid's offices were raided and its mailing lists stolen. Most ominous is THE OBSERVER's statement: "Indeed, it appears that the BOSS agents enjoy a certain amount of British co-operation and that there is some interchange of information". If this can happen with Scotland Yard and MI 5, it can happen in the USA.

WAR

On October 5, Prime Minister Vorster announced that police officers were killed and injured in a landmine explosion in the Caprivi Strip, Namibia, and that he had ordered pursuit of 'terrorists...all the way to Lusaka', a statement he later retracted and blamed on irresponsible press reporting. On Zambia's complaint, the UN Security Council reprimanded South Africa. Defense Minister Pieter Botha warned of the possibility of war on South African soil and of air raids from African countries. Vorster and other officials are speaking of Chinese Communist backing of liberation movements, and South Africa is intensifying its search for armaments in European countries, notably France and Britain.



SOUTH AFRICA

DEAN FFRENCH-BEYTAGH

A verdict in the Terrorism Trial of the Very Rev. Gonville Aubie ffrench-Beytagh, Anglican Dean of Johannesburg, will be handed down on November 1.

The trial in Pretoria Supreme Court began August 2 and ended October 15. The 59-year-old British citizen is charged with actively working with banned organizations toward the violent overthrow of the South African government, inciting people to support that end, taking part in decisions to give financial aid to guerrilla organizations and with receiving over \$70,000 from the Defence and Aid Organisation of London. These allegations were made by a number of police informers. Lengthy records showed the dean distributed funds to families of political prisoners for personal needs such as food, rent, clothing, medical treatment, books and education.

Over 100 pages of testimony had to do with Dean ffrench-Beytagh's relationship with Episcopal Churchmen for South Africa. ECSA helped set up an American tour for the dean in 1967. Letters to and from ECSA and ECSA bulletins were not referred to in the indictment nor were they part of the State's case, but they were brought out during the dean's cross-examination, apparently to try to prove his concurrence with the contents of ECSA's publications. An instance was an article by Dennis Brutus, a now-exiled South African who served a term on Robben Island. The State suggested, without any evidence, that Brutus was a communist although the ECSA article described him as a Roman Catholic who abhors communism.

ARCHBISHOP CALLS FOR JUDICIAL INQUIRY INTO TORTURE CHARGES

The Most Rev. Robert Selby Taylor, Anglican Archbishop of Cape Town, speaking at the opening of the 48th synod of the Diocese of Cape Town, on October 14, called for a government-appointed judicial inquiry into allegations of torture and ill-treatment of prisoners by the South African security police. "Only an independent judicial inquiry can allay the public concern." Archbishop Taylor referred to the circumstances surrounding the death of South Africa's leading Moslem leader, the Iman Abdullah Haron, in 1969, and fifteen other men held in detention.

The Rev. Bernard Wrangmore, 47-year-old Anglican priest, fasted for 67 days in an attempt to bring about a judicial inquiry into the Iman's death and that of other detainees. For most of the time, Father Wrangmore sat in the Moslem cemetery on Signal Hill overlooking Cape Town. Prime Minister Vorster twice refused to grant an audience with Father Wrangmore, who broke fast with the Sacrament.

PIETERMARITZBURG TRIAL

The Terrorism Trial of 13 members of the Non-European Unity Movement and the African People's Democratic Union of South Africa at the Natal Supreme Court in Pietermaritzburg goes on, with more evidence of police torture and cruelty made known. The defense is even more in dire need of funds - which can be sent to ECSA.



EPISCOPAL CHURCHMEN for SOUTH AFRICA

14 West 11th Street
New York, N. Y. 10011

NON PROFIT ORG.
U. S. Postage
PAID
New York, N. Y.
Permit No. 14125

—For A Free Southern Africa—

The Rev. Robert Selby Taylor, Anglican Archbishop of Cape Town, speaking at the opening of the AGU symposium of the Diocese of Cape Town on October 15, called for a government-appointed judicial inquiry into allegations of torture and ill-treatment of political prisoners in African security police. Archbishop Taylor referred to the situation in the man Abdullah Haron, in 1969, and fifteen other men held in...