

Provisional submissions to the Panel concerning 9.1, 9.3, 9.4 and 9.5 of the Terms of Reference (We aim to have provisional submissions for the Panel on 9.2 to the Panel by late Tuesday 30th September or early on 1 October)

We apologise for any typographical errors or structuring clumsiness/repetition, however we are working under huge time constraints in the midst of a community who is reeling as a result of the cruel and dishonest allegations against them and the heritage of these past 50 years.

Final reference point for judgment

It is crucial to emphasize upfront that at all times Kwasizabantu Mission (the Mission), seeks to be obedient to Jesus and His revelation in Scripture. This includes that every single person is of infinite value and worth, and must be treated accordingly. Where this does not happen it must be brought into His light and promptly dealt with. Obviously this by definition makes violence against children and women totally unacceptable in His eyes and full account must be made to Him. We must stress that given this worldview, the final judge in this regard is an all knowing Jesus. The Mission simply cannot afford to be anything but completely transparent about something like the alleged abuse of children and women, because even if it escapes the justice of our criminal justice system it will not escape the judgment of Jesus.

Introduction

This past week Kwasizabantu Mission (the Mission) has been the subject of a severe onslaught of allegations, including rape, sexual assault, money laundering and being a cult. Natural justice requires that every accused person amongst other things be informed of the charge with sufficient detail to answer it, to have adequate time to respond, a presumption of innocence and crucially to test the "evidence" presented against it.

In the present matter most of the allegations are vague, lacking any real particularity, and often lack specific dates and the name of the offender and victim. Furthermore given the massive impact on the Mission, its people and its work, and that much of the press have simply ignored the presumption of innocence, we have been compelled to prepare these submissions under great time constraints, particularly for incidents which go back up to 35 years ago. This difficulty is greatly compounded by the fact that often the alleged perpetrator has passed away and we

have not been able to test the accusers themselves. This all makes it difficult to respond in a meaningful way.

The obvious intention of this machine gun attack strategy is to make it difficult to cover every aspect of the attack. No doubt the hope is that even if one suspicion remains then the accusers would have succeeded.

However, this notwithstanding, in what follows we will endeavour to show that where there is sufficient particularity it is clear that the specific allegations have no merit whatsoever and clearly are part of a malicious and criminal plan to discredit the present leadership of the Mission. This obviously will have a direct impact on the credibility of the creators of "Exodus" and their witnesses when it comes to the vague allegations concerning for example ongoing rape and abuse at the Mission. (We are aware of subsequent news reports, however given the time constraints on us we deal at this stage only with the documentary/video (Exodus).)

Transparency

A central theme in Exodus is that the Mission has tried to cover up various abuses, or suppress the truth about them. It is because of these allegations that we have set up this Panel. **Furthermore**, the Mission has also filed charges of criminal defamation and crimen injuria with the SAPS. It did this in the full knowledge that an inevitable consequence of this will be an independent criminal investigation of the allegations by SAPS, and possibly thereafter by the prosecuting authorities. This clearly is not consistent with wanting to cover up or suppress criminal activities.

Here we must stress the gravity of the allegations, not least of all that the Mission has been an accomplice to multiple ongoing rapes. It is for this reason that we have advised the Mission to lay the said charges to put pressure on the accusers when approached by the police concerning the charges against them, to furnish the police with names, dates etc of these alleged rapes so that they can be investigated. The obvious unanswered question is why have the accusers during all these years never brought these alleged rapes to the attention of the SAPS. In this regard, as recently as this morning two colonels visited the Mission. They spoke of an anonymous e-mail they had received, concerning allegations of abuse. They made no mention of receiving anything from the accusers.

Motives

The motives for this attack are basically two fold. Obviously the sensational nature of the allegations ensure an increased subscription for the concerned publication. Secondly, the accusers in their attempt to discredit the present leadership no doubt hope to assume control of the Mission and the businesses used by the Mission to finance its many ministries. More submissions in this regard will be forthcoming, also please see Annexure "A" headed "Motive For Smear Campaign".

This group has actually used the media as a dreadful tool to capitalise on public outcry against gender based violence where it was in fact a heist attempt for them to gain financially and for them not to have to submit to the Rev Stegen's black economic empowerment inclusionary programme he was driving.

Before we deal with the different heads of the Terms of Reference, a brief summary of the mission work of the Mission and how it is funded will be instructive. We will focus on what is happening now, as it has evolved over the years.

Context

Part of the Mission's projects is an intensive programme for drug and alcohol abuse addicts where it has offered free assistance, accommodation and food to over 18 500 people (up to 350 at a time) over the last ten years. In addition, two seven day youth conferences are held annually with up to approximately 5000 youth at a time. These young people are accommodated and fed at no cost to the individual. The Mission undertakes amongst other things, schooling, teaching farming, HIV care, drug rehabilitation, community outreach, school visitations, skills development and job creation. The consistent feature in all this is that the Mission more often than not works amongst the poor, materially and spiritually.

It can thus be seen that large parts of the community the Mission seeks to serve is often a very broken community requiring wisdom and discernment. It is a community which the "ordinary" society has either failed or does not have the gifts or capacity to serve. Indeed the Mission is often the last resort for people. When one is seeking to love such a broken community some failure and mistakes are inevitable.

For example dealing with drug addiction is an enormously difficult and complex task. This will be one of the reasons why the Mission does not allow alcohol, tobacco or any other substance of abuse at the Mission. The local shop the Mission runs therefore also does not sell any such products.

The Mission accepts that such a ministry will at times involve failure and even controversy, but part of its approach in this regard is to be honest about such failures and controversy and to deal with them as best and transparently as possible in the circumstances. At all times the chief aim of the Mission is to help the individual involved.

Here it must be remembered that putting the individual first when confronted with such difficult cases, at times requires complete confidentiality lest the individual feels betrayed by the Mission.

However, obviously central to the teaching of Scripture is at all times to walk in the light, and thus unnecessarily treating failures in confidence can never be part of the approach of the Mission. Furthermore it is clear that the Mission will never cover up something as serious as rape. And, as will emerge in these submissions, this is where the accusers and the concerned media seek to attack the Mission, that it not only failed to act when there was failure, but that it tried to cover up these failures.

Central to the approach of the Mission, from the outset was that it would never ask anyone for money to support any of its ministries. Accordingly, for example collection is never taken at any service for the work of the Mission. In other words, it from the outset adopted a so called tent making approach to its work. Thus all profit from the various businesses it runs goes to the support of the ongoing mission activities of the Mission. Furthermore part of its message is that Scripture teaches sustainability, the development of people's gifts and that central to the dignity of people is to empower people by amongst other things providing meaningful work for them. A crucial understanding in this regard is the genuine empowerment of the people in the area, which includes participation in leadership. (It will emerge in our later submissions that this is a fundamental divide between the leadership of the Mission and those seeking to discredit the leadership.)

Credibility of Accusers & "Exodus" Producers

Before we turn to the specific terms of the mandate, we will give some examples from Exodus which simply are either false or clearly meant to mislead the viewer. These examples clearly must bring into question the motives and credibility of the makers of it and the accusers therein. Over and above these three examples, below we also refer to how professor Dion Forster allowed himself to be used by the makers of Exodus which calls into question the overall credibility of the programme.

Firstly in the programme, a central accuser is Erika Bornman. In it she leaves the impression that she was an outcast because of her conduct and was finally expelled from the school when she was in standard 8. The reality is that not only did she matriculate from the school, but that she also shared the Dux award in her matric year and in fact returned to the school for a short period as a teacher. This evidence must cast everything else she says into question. We will later provide affidavits by her mother, sister and the school in this regard.

Secondly in the programme Mr Greeff says the final straw for him was when Rev Erlo Stegen convinced him and many others to invest in a mining venture. Documentary evidence shows that in fact the driving force behind this failed venture was his father in law, Mr Friedel Stegen. The evidence shows that it was Mr Friedel Stegen, and his family (wife and son, Arno Stegen) who actively tried to persuade people to invest in this venture. We attach two letters in this regard marked "B" and "C" respectively. If required we can obtain affidavits as well. (As an observation, when dealing with this venture the makers of the programme create the impression that it was deep mining, whereas in fact it was surface mining.)

This false evidence by Mr Greeff similarly must call into question the veracity of the rest of his "evidence". It must also be noted that whilst he and Ms Bornman allege that over the years countless women have been raped at the Mission, and infer that this is still happening, to the best of the Mission's knowledge the two of them have not laid one charge with the SAPS. (Here it must be noted that in the press one of the alleged victims is in fact Mr Greeff's [REDACTED]. To the best of the Mission's knowledge Mr Greeff never did anything about this allegation of [REDACTED], for example by laying a charge at the police station on behalf of [REDACTED]. We will deal with this at a later stage.)

Thirdly in the video immediately after Mr Greeff says that the Mission became a place of violence, it shows footage of people throwing furniture into a fire and then men on the back of a bakkie looking like militia. The fire scene was at a service where people amongst other things were convicted symbolically to get rid of items which they for example had obtained dishonestly. The use of Scripture for this can be found in Acts 19. The bakkie scene was of people being transported to a worship service.

Another example of dishonest reporting is where Rev Stegen is shown playing tennis. This is juxtaposed to input that there is a huge disparity between people at the Mission and the services they enjoy at the Mission. The impression created is that the tennis court is on the Mission and reserved for leaders. There is no tennis court at the mission. In like vein there is the allegation that the rich leaders have lifts in their homes whereas others live in dreadful circumstances. This simply is false. What there is is a sliding chair attached to a staircase for a disabled person to get to the top of the stairs.

We now turn to the specific terms of reference.

“9.1” The Mission is a cult

The expert used in Exodus is a Dion Forster. From his input the following emerges about what a cult is:

- a. “A set of beliefs which are not normal, that is not historically or traditionally accepted... ”
The doctrinal creed of the Mission is that Scripture is the final reference in all matters. Furthermore the Mission subscribes to the historical creeds of the church universal, including the 1700 years old Apostles Creed. In this regard we also attach the affidavit of Dr Elfrieda Fleishmann marked as Annexure “D”.
- b. The use of physical and emotional abuse to impose a set of beliefs or loyalty to a leader.
We deal elsewhere with the alleged abuses at the Mission.
- c. By necessary implication the belief “in angels, in demons, in powers...” And also the belief in judgment. We fail to understand this as all these are central in Scripture and in the belief system of the Christian church for the past 2 000 years. And so for example angels

ministered to Jesus (in fact there are many references to angels in Scripture), a part of the ministry of Jesus was to free people by casting out demons and St Paul clearly states in Ephesians 6 from verse 12 onwards that the Christian church is not battling against flesh and blood, but against powers and principalities. As regards judgment, for example almost the whole of Matthew 25 is Jesus speaking about judgment, and that if we do not feed the hungry, clothe the naked, visit the sick and those in prison, we do this to Him and there will be consequences. This ministry to the poor, the sick, the oppressed is core to the ministry of the Mission.

- d. That in a cult there is an attitude of being the exclusive owners of truth. Here we once again refer to Dr Fleischmann's affidavit. A perusal of the record of the Mission for example will show that over the years well known preachers such as the late Rev Molefe and David Wilkerson (and his son), Pastor Izak Burger (erstwhile head of the Apostolic Faith Mission), Archbishop Bill Burnett, Bishop Joe Bell, Professors Kitshoff and Stoker, to name a few have preached at the Mission. In this regard as an example we also attach a letter from the son of Rev Molefe, Rev Philip Molefe marked Annexure "E".
- e. That a motive of the leadership is personal financial gain. Any dispassionate look at the leadership of the Mission undermines this dimension completely. If necessary further submissions and/or evidence will be supplied to the Panel.

As regards the credibility of Professor Dion Forster's "independence" as an expert the following extract from Exodus is telling:

"Based on my own research and what I know about cults and harmful communities I would say that Kwasizabantu Mission does show some worrying signs and certainly if the allegations are true of the forms of abuse that are taking place there then it would be a very very sad thing for me to see a mission of that nature which is deeply trusted by people in the local community has performed those forms of abuse, so it is certainly a very worrying sign for me."

Here he is speculating about brothers and sisters in Christ obviously without testing the veracity of the allegations. He in effect is aiding and abetting the makers of Exodus and the accusers in their devastating attack on the integrity of the people at the Mission, on the very core of what to them makes them human beings. And this without coming to the Mission and

giving them an opportunity to put their side of things. This is crucial given the role he knows he is playing in Exodus. As a professor in theology he should have known about for example the words of the brother of Jesus, in James chapter 3 verses 6 onwards: "The tongue is set among our members, staining the whole body, setting on fire the entire course of life.... no human being can tame the tongue. It is a restless evil, full of deadly poison. With it we bless our Lord and Father, and with it we curse people who are made in the likeness of God ." Or St Paul's words in 1 Corinthians 13 that love does not rejoice in wrongdoing ... bears all things, believes all things, hopes all things... ." He should have known that fundamental to obeying these scriptures is first to go and sit with brothers and sisters and listen to them, before allowing himself to be used by the makers of Exodus profoundly to undermine the integrity and very being of brothers and sisters at the Mission.

It simply is not enough to hide behind the word "if". He must have known that the average viewer would view his participation in the programme as that of a "so called independent expert." This notwithstanding he does not bother to first investigate the veracity of the allegations upon which he basis his conclusions.

Furthermore, he is a Methodist minister and thus will be well aware of the crucial leadership role and leadership style of the founder of the Methodist church, Rev John Wesley. He was very charismatic and for some 50 years was the absolutely dominant personality in the Wesleyan revival. His brother, Charles Wesley, was a very powerful "second tier" person in the movement. John Wesley financially was very successful. Further to this, Wesley's teaching was distinctive, so much so that he was excluded from preaching in Anglican churches and often accosted by stone throwing mobs. In addition at his revival services many people would be "slain in the Spirit". He also preached about angels, demons and powers at play in the world. Interestingly his main mission was also amongst the poor in England, Wales and Ireland. This notwithstanding, and that on the surface a number of the characteristics which he highlights as being part of a cult were present with John Wesley and his movement, we have no doubt that Prof Forster would not classify the Methodist movement in the eighteenth century as a cult, because he has studied what actually happened during the Wesleyan revival. For example he used much of his wealth for his ministry. Likewise, it was incumbent on him as a brother in Christ to the people at the Mission, and as an academic, first to investigate the veracity of the allegations before opening himself to be used by the makers of "Exodus" in the way he has been used.

“9.3” VIRGINITY TESTING

Allegation: The Mission has tolerated, overlooked and/or facilitated virginity testing in contravention of subsection 12 (4) to (6) of the Children’s Act, 2005.

Response: When the school was established in 1986, the Zulu members of the parent body of Domino Servite School at one stage insisted on this cultural practice with their own children (not as a school policy but their own practice). At that time, about 85% of pupils at DSS were Zulu and initially the Mission did not feel it right to impose Western culture to abolish this tradition. After consultation with the parents, this practice was discontinued from 2002. However, all cultural practices which are clearly unBiblical are rejected whatever the racial or cultural background. KSB promotes the Biblical principle of sexual purity - abstinence before marriage and faithfulness within marriage.

Please see the affidavit of Martha Khwela attached as Annexure “F”.

“9.4” Money Laundering

Mr Koos Greeff makes specific allegations regarding a mining project in 1989 and that Rev Erlo Stegen drove it. As stated above, this is patently false. In this regard we refer the Panel to the two letters referred to above, which state that it was Mr Greeff’s father in law who drove this process.

As regards the other allegation concerning money laundering please see the attached letter from Colenbrander, marked as Annexure “G”. We will furnish a confirmatory affidavit in this regard if necessary.

“9.5” Labour law infringements

The Mission is visited regularly by the officials from the Department of Labour. The most recent visit was last week. We attach an affidavit by Mr Gladson Songelwa, marked as Annexure “H” and confirmation via e-mail from the Department of Labour confirming that the Basic Conditions of Employment Act as amended and National Minimum Wages Act provisions has been complied with, annexed hereto as Annexure “I”.

Corporal Punishment

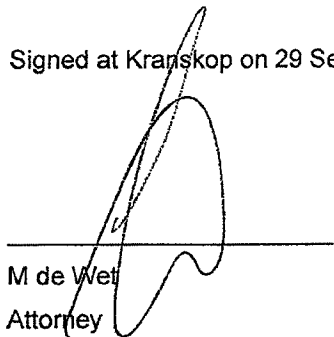
Although we are still going to deal with 9.2 in later submissions, herewith our response to the use of corporal punishment by the school.

Response about physical abuse: It was the policy of Domino Servite School (DSS), since its inception in 1986, to use "reasonable and moderate" corporal punishment. In 1994, a year before the Department of Education banned the practice of corporal punishment, DSS suspended it. In early 1996 it was officially banned by the school at a special meeting for parents.

In this regard in due course an affidavit will be furnished to the Panel.

We have submitted these preliminary submissions and annexures in the hope that they will facilitate the Panel's deliberations and processes. Our intention is to submit further submissions later today, or early tomorrow morning, particularly concerning 9.2. However, if there are any specific issues the Panel wants us to address sooner, please would the Panel immediately inform us so that we can comply.

Signed at Kranskop on 29 September 2020.



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