

“AS ADJUSTED TO OUR STATE OF AFFAIRS...”. THE CHURCH ORDER OF DORDT AT THE CAPE OF GOOD HOPE: RESTRICTIVE INFLUENCE - AUGMENTED ECCLESIASTICAL IDENTITY.

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1 Introduction

As a culmination of theological and ecclesiastical thought between 1571 and 1619, the Church Order of Dordt 1619 and its underpinning notions, provided the platform for Dutch reformed ecclesiology until the adoption of the *General Regulation*¹ in 1816. The footprint of the Church Order of Dordt in the overseas territories, however, was yet again different. Transplanted to and sustained by the renowned Dutch East-India and West-India Companies in ultramarine regions, where a trade enterprise of consequence was established since the turn of the seventeenth century, reformed churches implemented a ministry aligned with the mandates and constraints of the authorities as demanded by the respective colonial settings (cf. Schutte: 2002). This is e.g. evident in the *Kercken-orderinge gestelt voor de Kercken in Oost-Indiën*,² in Batavia in 1624, as well as the 1643 *Kerkorde voor de Bataviasche gemeente*.³

Even a superficial comparison between the Batavian church orders and that of Dordt 1619, e.g. in respect to the ministry of the sacraments, offers unambiguous indication to what extent the immediate colonial setup contextualized the articles of the Dordtian ecclesiology. The reception of the Church Order of Dordt in overseas regions should thus be carefully distinguished from its enduring and direct impact in the Netherlands.

What happened at the Cape of Good Hope? Incepted in April 1652 by the Dutch East-India Company as a refreshment post, the establishment (at the tip of Africa halfway between Batavia and Amsterdam) received its first reformed congregation in 1665, followed by the second (Stellenbosch) in 1686 and the third (Drakenstein) in 1690. At the end of the eighteenth century the number rose to seven, with congregants living in remote districts up to 800 kilometers from Cape Town. The question is whether a clear imprint of the Church Order of Dordt 1619, as so often is assumed and underscored by the popular Afrikaner church historiography (e.g. Strauss: 2015, 17–21), can be detected in this Cape ecclesiastical setup? Was it, as in Batavia, locally adjusted to the state of affairs? Or, did the Cape ecclesiology develop along a trajectory of its own? What do the sources indicate? This contribution endeavors to demarcate an interesting reception history of the Church Order of Dordt 1619, unfolded from the primary Cape sources until the mid-nineteenth century.

2 The Cape of Good Hope

The Cape sources inform us that Europeans, from different countries and religious beliefs, came, and - like Van Riebeeck - left again (Biewenga: 2002, 201ff). Others would stay. Since 1657, officials could leave the service of the Company to farm on

¹ *Algemeen Reglement voor het Bestuur der Hervormde Kerk in het Koninkrijk der Nederlanden*. For the text, cf. Hoojier: 1846, 24ff.

² For the text of this church order, cf. Spoelstra: 1907, 562–567.

³ For the text, cf. van Boetzelaer van Dubbeldam: 1906, 307–329.

small holds as free burghers. They helped to keep the settlement on track. In 1658, the vanguard of the first major immigration of people arrived: slaves from West Africa, East Africa, Madagascar and East-India. They came to stay. They would play a major role in making the trading feasible and with their manual labour, also viable. They were owned by the Company and prominent members of the Christian community at the Cape. They were people of colour and among them were Muslims. Some could speak Portuguese and were in former times in contact with the Roman Catholic mission.

Different languages were spoken at the Cape: Dutch, English, German, Portuguese, Malaysian. And, of course, indigenous languages. The society transplanted from different parts of the world congregated in the long-known Table Bay basin and its environs and it started to take root – after all – in the face of the native Koina groups.

When the Political Council and Cape settlement received a permanent minister in August 1665, an elder and deacon were appointed to serve as church council. A *Kerken-boek van de Caap van Goede Hope* was instigated, in which the names of those baptised (Kerken-boek: 2–60), were recorded. In addition, members of reformed churches that submitted attestation, were listed, as well as those that, in public, confessed the Christian faith and their adherence to the reformed doctrine (Kerken-boek: 61–74). Marriages (Kerken-boek, 75–91), as well as the decisions of the church council (Kerken-boek: 92ff), were also incorporated in the Cape *Kerken-boek*.

3 The ministry at the Cape of Good Hope

The *Kerken-boek* with its name lists and decisions, carefully kept to date by the successive Cape ministers, offers an inimitable perspective on the *character* of the earliest ecclesial ministry at the Cape of Good Hope. Fundamental was the *Formulierboek*, or Book of Formularies, used in Cape reformed congregations. The earliest extant *Formulierboek* in South Africa, was used in the congregation of Cape Town. This particular edition, published by Hendrik van der Putte in Amsterdam during the latter part of the eighteenth century, contained the Heidelberg Catechism (Formulierboek: 3–53), the *Kortbegrip* (or epitome) of the Christian religion (Formulierboek: 53–73) and the doctrinal standard (i.e. the Belgic Confession) of the reformed churches in the Netherlands, overseen in the National Synod at Dordrecht in 1618 and 1619 (Formulierboek: 73–119). The Christian prayers were incorporated (Formulierboek: 119–145). The liturgy of these churches was also explicated. This comprised the formularies for the administration of the mandatory sacraments, Baptism and the Lord’s Supper (Formulierboek: 145–169), the formularies for the excommunication (Formulierboek: 170–174) and re-admission to the church of Christ (Formulierboek: 175–180), the ordination of the ministers (Formulierboek: 180–191), the induction of elders and deacons (Formulierboek: 191–201), marriage (Formulierboek: 201–210) and the sick-comfort (Formulierboek: 211–136). The book concludes with the “Geloof-forme ende bekentnisse des H. Athanasii, Bischoep van Alexandrien, geschreven in het Jaer na Christi geboorte 333”⁴ (Formulierboek: 236–240) and the confession of Nicaea (Formulierboek: 241).

⁴ “Form of faith and confession of the Holy Athanasius, Bishop of Alexandria, written in the year 333 after the birth of Christ” (My translation – DB).

These core documents delineated the ministry and theology at the Cape of Good Hope. Precursors, like the 1695-Trommius edition of the Psalms of Dathenus, also contained these documents and played their role in the seventeenth and earlier eighteenth century at the Cape. When Krotoa (Eve), the first from among the Khoina, was baptised on the 3rd May 1662 by Reverend Sybelius (Gemeente Amsterdam 379: 31–32), she listened and responded to the Formulary for the Baptism of Adult Persons. All her children were baptised, even those, born out of wedlock, after the violent death in 1667 of her husband Pieter van Meerhof (Jerome, 23 November 1870, Antonij, 6 August 1873. Cf. Kerken-boek: 6 and 7 respectively). In these cases, the Formulary for the Baptism of Children of Believers was read.

The same applied when adults and children born from Christian families were baptised. At the Cape, children of slaves, belonging to either Christian families or the Company, who were brought to receive the sacrament, were indeed baptised as well. On 25 June 1660, e.g. Pietertje and Reintje, children of the slaves of sick comforter Pieter van der Stael and Van Riebeeck correspondingly, were baptised by Reverend Francois Caron (Gemeente Amsterdam 379: 21). This custom was against the majority ruling of the National Synod of Dordt on the fifth of December 1618. On the issue concerning the baptism *de infantibus etiam ethnicorum* (ADNS: 2014 I, 31.15), the majority was of the opinion that these small children, should not be baptised, until such time that they could be taught in the first principles of the Christian faith (ADNSD: 2014 I, 31.18–23). This decision excluded the new-born children of slaves from the sacrament. Visiting Reverend Buldaeus challenged the baptism of children of slaves at the Cape on 21st March 1666. He refused to baptise the child of a slave that was the property of the Company. The Cape Governor appealed to an instruction from East-India, and enforced the baptism of the child the next Sunday, when Buldaeus already had left (Resolutions C. 4: 5–10).

This incident illustrates to what extent the instructions, regulations and directives of the East-India Company determined the formation of the Christian ministry at the Cape. Article five of the 1617-Instruction (Spoelstra: 1907, 544–556) ruled that ministers and sick comforters in the service of the Company should restrict themselves to “Godsdienst: ende hun in ‘t uytvoeren van dien getrouwelijck ende neerstelijcken sien te quyten naer d’Ordre ende Instructie, hunlieden ... bij de respective Classen medegegeven”⁵ (Spoelstra: 1907, 546). The “mandate and instruction” received from the *Classes*, incorporated the official documents concerning the ecclesiastical examination, calling and ordination, the undersigning of the Catechism, the doctrinal standard of the Reformed churches of the Netherlands, as well as the Canons of Dordt. Article 39 of the *Kerkorde voor de Bataviasche gemeente* indeed required the consent to and sighing of these documents (Spoelstra: 1907, 588).⁶ Candidates for the ministry were also indebted to keep the liturgy of the Reformed church, as contained in the Trommius-edition of Dathene’s Psalms.

As officials of the Company a service level agreement in addition stipulated that

⁵ “Religion: and in the execution thereof, to act, faithfully and committed, according to the mandate and instruction, given to them by the respective Presbyteries” (My translation - DB).

⁶ This contained “de belijdenisse des Geloofs der Nederlandsche Gereformeerde Kercke en den Christelijcken Catechismus van Heydelbergh, mitsgaeders oock de Canones van het Synode Nationael van Dordrecht des jaers 1619...” (Spoelstra: 1907, 588).

soo vele de civile conversatie ende borgerlijcke gehoorsaemheyt aengaet, gedurende haere reyse, gelijk als alle andere Officiers ende dienaers van de Compe., de gestelde Overicheden soowel te water als te lande daer sij hun vinden sullen onderworpen sijn, ende hun moeten reguleren near den Generaelen Artijckelbrieff ende andere Instructiën, bij de Bewinthebbere alhier ofte oock bij den Gouverneur Generael ende Raeden van Indiën aldaer gemaect of noch te maecken (Spoelstra: 1907, 544).⁷

Consequently, they had to watch their footsteps. Their official ministry and its ecclesiastical formation would only be tolerated in as far as it was attuned to the points of departure and range of the larger Dutch East-India Company interests and framework. The postponed baptism of the slave Susanna's child, Andrias, on 28 March 1666 (Kerken-boek: 2), illustrates the point in case.

4 The formal structure of the ministry at the Cape of Good Hope

It could, therefore, be argued that the *basic configuration of the Christian ministry* in and of congregations at the Cape of Good Hope corresponded with the reformed tradition as incorporated in the Church Order of Dordt (1619), and therefore in accordance or conformity, as often is indicated in primary sources, with the customs or conventions in the fatherland. In the colonial set-up, the *official and thus public structure* of the reformed church as a *recognized (colonial) institution* in and for the colony (refreshment post) was, however, determined by a variety of political, ecclesial and official documents. Throughout the eighteenth century the Instructions of the DEIC, the Political Council, the Cape Governors and directives of visiting commissioners, stipulated the ministry of the church in the colonial set-up. The considerations and decisions under direction of Governor General **Joan van Hoorn** in February 1710 is a good example in this regard (Spoelstra: 1907: 608–613).

- Statutes and ordinances, e.g. for deacons and the management of the poor funds
- Batavian regulations and church orders
- Classis of Amsterdam and its deputies for foreign ecclesiastical matters
- Ecclesiastical acts, formularies, protocols and regulations for ministers, sick comforters, etc., on the ships and East India
- Decisions of the Combined meeting of congregations at the Cape 1745-1759
- Official letters to and from Cape churches
- Published Cape sermons.

These documents shaped, within the ranks of the established ecclesial leadership at the Cape, a trajectory of theological and ecclesial thinking and practices that eventually became the intellectual property of the Cape-Dutch church. A typical identity was founded. A public profile, theology and self-understanding anchored itself in these documents. In the Cape *Corpus Christianum* it motivated the prevailing intellectual, cultural and ecclesial practice and awareness. There was no reason to

⁷ With regard to both public conversation and civil obedience, during their sojourn, as in accord to all officers and servants of the Company, be submitted to the sanctioned authorities, both at sea and at land, wherever they are, and that they should strictly keep to the General Code of Conduct and other instructions, made by the Governing Body here, or also by the Governor General and Council of India there, or still to be made (My translation – DB).

appeal to the reformed confession, nor to deliberately call on the Church Order of Dordt (1619) on behalf of the integrity of its ministry as church of Christ. In the Christian cohesion (colonial) state-church at the Cape, the Cape-Dutch reformed church received a protected space for its household. The *official and public structure* of the church(es) as a recognised *institutum* at the Cape allowed for a reformed *formation* of the Christian ministry in the tradition of Dutch reformed thinking. The Church Order of Dordt as a predominant document determining the mutual life of the Cape reformed churches, is absent in the limited early Cape-Dutch theological and ecclesiastical corpus of literature.

5. Sowing the seeds of religion and humanity: a new administration 1802

The Dutch East-India Company collapsed during the nineties of the eighteenth century. This coincided with the inception of the Batavian Republic. The Cape of Good Hope transferred to British protection between 1796 and 1802. The peace of Amiens reversed the Cape to Dutch authority. This offered the Department of Indian Affairs to draft an entire *new charter* for the Cape of Good Hope, now seen as a valuable Batavian settlement (*Volkplanting*). An extensive *Memorandum* (De Mist: 1920, 2–158) of the Department, compiled by Commissary J.A. de Mist, outlined the future form and method of the Government of the Cape of Good Hope (De Mist: 1920, 15–16). This provided for liberty of trade, the implementation of well-defined laws and administration of justice, education, the right to acquire freehold property and full ownership and sharing in local government (De Mist: 1920, 34, 43). And, freedom of religion...

In his 1802 *Memorandum*, De Mist noted that it requires no proof to show that no community can exist without religion. The public acknowledgement of a Supreme Being, he interprets a popular opinion, carries the obligation to observe all moral and social virtues associated with civilization (De Mist: 1920: 44). This functional notion of the Christian faith and its institutions are then applied to the context of the Cape settlement. In this respect De Mist was informed by **John Barrow's**. Barrow delineated the reputation of offenses and excesses of and in the (white) Cape colonial society. Following Barrow, De Mist ascribed the rebellious conduct and unreasonable behaviour of inhabitants of the country, in particular those in remote regions far away from Cape Town, to the corruption of their moral sense. The lack of social intercourse with civilised individuals, the monotonous life and the “sederd eenige jaaren, als het waare georganiseerde Jacht Oorlog, tegen de Boschjesmannen en Caffers, die hun een mensch doe doodschieten, als of het een haas of wolf waare”⁸ (De Mist: 1920, 45), are the obvious reasons why improved methods of civilisation should be provided for these “half-wild Europeans” and the colonists in general (De Mist: 1920, 45). The work of civilising the colonists and provoking their moral sense, should be encouraged by a beneficent religion, De Mist concluded (De Mist: 1920, 47).

This relates to his conviction that civilisation should play a vital role in addressing the inhumanity of slave-trading at the Cape, the behaviour towards aborigines and former

⁸ ... “since some years, the (what might be termed a hunting) war, conducted against the Bushmen and Kaffirs, which caused them to shoot down a human being as if it was a hare or a wolf ...” (My translation – DB).

natives of the Cape with consistent cruelty by colonists, the ill-treatment of neighbouring tribes, acts of oppression, etc. This conduct should be remedied with justice, and by the “sowing of the seeds of religion and humanity” (De Mist: 1920, 109–116). The only instrument of restitution and rectification was – obviously – the Batavian administration, ready to govern the Cape of Good Hope. Like its predecessor, the Dutch East-India Company, this colonial authority would also incorporate and integrate the Christian faith and church to serve its governance functions. What this exactly entailed, would become clear once the Batavian administration took responsibility for the Cape settlement. The effect this would have on the public structure of Cape ecclesiological thought, cannot be underestimated.

6 A New Beginning: The Provisional Church Ordinance 1804

The Batavian era prompted the introduction of a new political and ecclesial dispensation at the Cape. De Mist led intellectually, and played a crucial role in the establishment of the dispensation. Partially because uncertainties and issues were raised i.a. by Cape-Dutch congregations, De Mist provided the settlement with a significant *Provisoneele Kerken-Ordre voor de Bataafsche Volkplanting aan de Kaap de Goede Hoop* in 1804. This (Cape) legislation was drafted with a view to supervise and regulate the inauguration of the novel ecclesial state of affairs at Cape of Good Hope. There were now, after all, different churches, mission societies and missionaries which, side by side, all laid claim to the propagation and church planting of the ecumenical-divers Christian religion in and outside the Cape colonial setting. Noteworthy is the last article of the *Kerken-Ordre*. All previous decisions, customs and orders contrary to any of the stipulations of the *Kerken-Ordre*, were hereby put out of effect and annihilated (De Mist: 1804, 9).

In the published extract from the Register of Acts and Decisions of Commissioner General De Mist, dated 25 July 1804, he explicated the reasons for the *Kerken-Ordre*. He stated again that no civilized society could exist without religion. It is, therefore, the duty of Government to ensure in all possible ways that the public religious exercises (services) of such church associations (*Kerk-genoodschappen*) that, in endorsing virtue and good morals, honor a Highest Being, be encouraged and protected. This responsibility should be based on sound (consistent) and just principles. It must be amended by regular decrees and ordinances (*Wetten en Ordres*), without which the best and most useful institutions cannot exist in the long run and would ultimately lead to confusion, separations and divisions effectuating the ruination of the state (De Mist: 1804, 1). The *Kerken-Ordre* should, therefore, also be read against the background of similar remarks in the earlier De Mist-Memorandum, as well as the envisaged and needed moral effect of religion on the Cape society, in particular with regards to injustices prevalent in slavery, the treatment of indigenous peoples, etc.

Die *Kerken-Ordre* comprised two sections. The first was dedicated to general principles and stipulations (provisions) (De Mist 1804, 1–3) and the second contained the instructions regarding the proper regulation for ecclesiastical (church) associations in the *Volkplanting* (De Mist 1804, 3–9). Careful reading of the *Kerken-Ordre* discloses its explication of the position of the state and its authority with regards to religious affairs, as carried by churches and mission societies. The rationale is to guarantee and protect the interests of civil society. Churches, as open associations, are

allowed to teach and preach their particular doctrines (De Mist: 1804, 2). However, the state and government have the indisputable power to adjudicate the effect of the believe systems on civil society. If it appears to be harmful, government is obliged to resist, prevent or restrain it (De Mist: 1804, 2). Ministers must submit to decisions of government in this regard. All opposition is seen as disobedience to the law and the resisting the good order (De Mist: 1804, 2). Permission must be obtained at all times for the erection of church buildings, and missionary institutions, within and beyond the borders of the colony. Church societies are allowed by the Governor and must apply for it. The government ensures that church governance and funds are managed properly (De Mist: 1804, 3).

Being the most numerous and in the rural districts the only church association, particular provisions and stipulations were made for this (historic) *Hervormde Kerkgenoodschap*. This church therefore should receive the aid and assistance of the government (De Mist: 1804, 3). The stipulations ruled the election of church councils, the appointment and numeration of ministers as well as their remuneration from state funds (De Mist: 1804, 4). Article 30 determines the nature and content of home visitation and underpins the moral effect of religion. Members should be

vermaanen, leeren, en troosten, en zich, zodoende, met den zedelyken toestand en het gedrag der Leden van hunne gemeente bekend maaken, , en by alle gelegenheden dezelve voorhouden hunne verpligting tot naakoming der Wetten, - eerbied jegens hunne Overheid – het verkeerde en verwoestende van eigen-richting, - en het misdadige dat gelegen is in het mishandelen der Vrye Hottentotten in hunnen dienst, - zo wel als van hunne Lyf-eigenen enz. (De Mist: 1804, 5).⁹

The privileged Cape-Dutch reformed church thus received its conditional entitlements, rights and responsibilities, as stipulated and sanctioned by the law, i.e. the *Kerken-Ordre*. To ascertain that the stipulations are kept in good order, the *Kerken-Ordre* authorised, at least every two years, “binnen deze hoofdplaats te houden eene algemeene KERK-VERGADERING”, consisting of two ministers and elders of Cape Town, and one ministers and elder from each of the congregations. In addition, two Commissioners-politique would represent the government (De Mist: 1804, 8–9). The official sanctioning of a general assembly, would significantly consolidate the position of the Cape-Dutch reformed church. This would initiate an amalgamated concept of the church. The congregations would be incorporated in a compacted, overarching and all-encompassing structure, legalised in terms of De Mist’s *Kerken-Ordre* and thus authorised to be constituted in a right of its own.

This (composite) church, as a public recognized *institutum* (*Kerk-genoodschap*), was entrenched in legislation, and at the same time also subject to that legislation. In a colonial context, the ideal position to be seated in. The foreseen General Assembly would provide the ecclesial structure that in future reinforced the concept of the colonial church as an accepted and even key *institutum*. Its composition could only be articulated in a range of rules, regulations, ordinances, ecclesial by-laws in so far as

⁹ “to admonish, teach, and comfort, and thus, to acquaint themselves with the moral condition and conduct of the members of their congregation, and on all occasions to remind them of their obligation to comply with the Laws, respect for their Government, the erroneous and destructive ways of own directedness, and the criminality of the mistreatment of the Free Hottentots in their service, - as well as their servants, etc.” (My translation – DB).

these would not contradict any public legislation. A new future dawned on the seven reformed congregations, a future in which they would be united in a single body.

In the South African ecclesiastical landscape, the Church Ordinance of De Mist in 1804 signifies a meaningful development. The De Mist Ordinance did not pretend to establish a church order. It is legislation to manage the ecclesiastical dispensation for and in a "new" colony. It is a contextual document, and motivated by a religious and church concept that was far removed from the theology and ecclesiology of the Dordt.

Due to the continuation of European wars, the Cape of Good Hope was occupied by Great Britain in 1806. The Batavian interlude ended.

7 The Establishment of a Colonial Church: The *Regulations* of 1824

The 1804 legislation persisted the transition to a colony in the British Empire in 1806. It kept its validity in particular with regard to the Cape-Dutch Church. In the set terms of the 1804 *Kerken-Ordre*, the first General Assembly met in Cape Town in November 1824. The General Assembly confirmed that the *Kerken-Ordre* of De Mist

beschouwd zal moeten worden als de grondwet der Hervormde Kerk in deze Volkplanting, van dewelke deze later algemeene bepalingen van kerkbestier slechts modificatien en byvoegsels zyn, uit de veranderde gesteldheid der tyden en omstandigheden geboren¹⁰ (Algemeen Reglement: 1825, 35)

The foundation for its legitimacy as a recognised *Kerk-genootschap* (including its constituent congregations), as well as the right to draw up its rules and regulations within the limits of its legal basis, was thus safeguarded. The composed church was divided in three presbyteries: The first, Cape Town; the second, Tulbach and the third, Graaff-Reinet. The governance of the church was stipulated to be congregational, presbyterial and synodical (Algemeen Reglement: 1825, 3).

The main purpose of the Assembly was to design and formulate *Reglementen voor het Bestuur der Nederduitsche Hervormde Kerk*, in Zuid-Afrika (Regulations for the governance of *Niederduch Reformed Church*, in South Africa). A *General Regulation* was thus drafted (Algemeen Reglement: 1825, 3ff). Additionally, a *Regulation* for the non-formal religious exercises was also accepted (*Reglement op het Oefening Houden*) (Algemeen Reglement: 1825, 32). In terms of the 1804 *Kerken-Ordre*, the *Regulations* were seen as "modifications and additions", adjusted to the "state of our affairs", and officially approved by the British colonial authority.

In the course of drawing up the Regulations, the Church Order of Dordt 1619 was not consulted. Neither were any references made to this historical document. However, in formulating its Regulations, the Cape Assembly was indeed informed by a contemporary Dutch ecclesiastical document, the *Algemeen Reglement voor het Bestuur der Hervormde kerk in het Koninkrijk der Nederlanden* (1816). (General Regulation for the Reformed Church in the Kingdom of the Netherlands.) The inception and restauration of a constitutionally guided Kingdom, required ecclesial

¹⁰ "Shall be regarded as the constitution of the Reformed Church in this Settlement, of which these latter general provisions of church administration are merely modifications and additions, born of the conditions and circumstances of the changed times" (My translation – DB).

legislation. Accordingly, the rationale for the *General Regulation* was to provide for the inevitable need for the effective and sustainable governance of the church as a judicially defined voluntary society, within the framework of reassuring government recognition and support. The demand was, therefore, for a new church order, adjusted to the state of affairs and adapted to the demands of time. In southern Africa, the *General Regulation* was destined to fundamentally shape the ecclesiological thinking and practice of its reformed churches, as convincingly argued by Nel (2019, 147–187). It provided a framework of clear-cut stipulations, rules and regulations, fit for purpose to govern the church as an entity in society. The *General Regulation* was the most appropriate example to follow, and to implement.

The 1824 *Regulations* for the governance of the *Nederduitsch Hervormde Kerk* in South Africa offered the church a standing in the Cape Colony. Its identity became conceptualised in the *Regulations*. The Cape-Dutch church was now an establishment of the colony.

8 The Consolidation of a Colonial Reformed Church 1843

In November 1843, the outdated and irrelevant *Kerken-Ordre* of De Mist was annulled and with regards to the Cape-Dutch church replaced by a (church specific) *Ordinance* (Wetten en Bepalingen: 1844, 3). This *Ordinance* offered a new legal framework for the *Dutch Reformed Church in South Africa*, as this church was now called. As such, the *Ordinance* was conforming to and aligned with the British administration and colonial legal system.

The *Ordinance* provided the Dutch Reformed Church with the authority to determine its internal affairs (Wetten en Bepalingen: 1844, 3). The General Assembly or Synod was, accordingly, designated as the natural and proficient authority to make such laws and regulations for the administration of the Church. These laws and regulations were, however, limited to the legitimacy of a validly recognised "voluntary society". The *Ordinance* also protected the legal liability of persons, as well as the church and its assemblies, especially where the church would administer justice (in terms of procedures and verdicts) by a properly composed and competent ecclesial court of law (Wetten en Bepalingen: 1844, 6–7). The church, as a "voluntary society", was now appropriately and lawfully accommodated in the British colonial system. Official recognition would be in terms of the *Ordinance* (7/1843) and its attached *Schedule* (Wetten en Bepalingen: 1844, 4), provided that any amendment or extension of the *Schedule* in violation of *Ordinance*, will be null and void (Wetten en Bepalingen: 1844, 5).

The *Schedule* comprised the *Wetten en Bepalingen voor het Bestuur der Nederduitsche Gereformeerde Kerk in Zuid-Afrika*¹¹ (cf. Wetten en Bepalingen: 1844, 8ff). Although the *Ordinance*, which was embedded in British legislature, provided correspondingly for church courts and church laws – concepts that indeed played a pivotal role later in the century (during the 1860's) when the Dutch Reformed Church had to defend its judicature, procedures and jurisdiction in the Cape High Court – the *Laws and Stipulations* were nevertheless based on the Dutch *General Regulation* of

¹¹ Laws and Stipulations for the Governance of the Dutch Reformed Church in South Africa.

1816. The 1816 article pertaining to membership of the church, was adopted as Article one (Wetten en Bepalingen: 1844, 8).

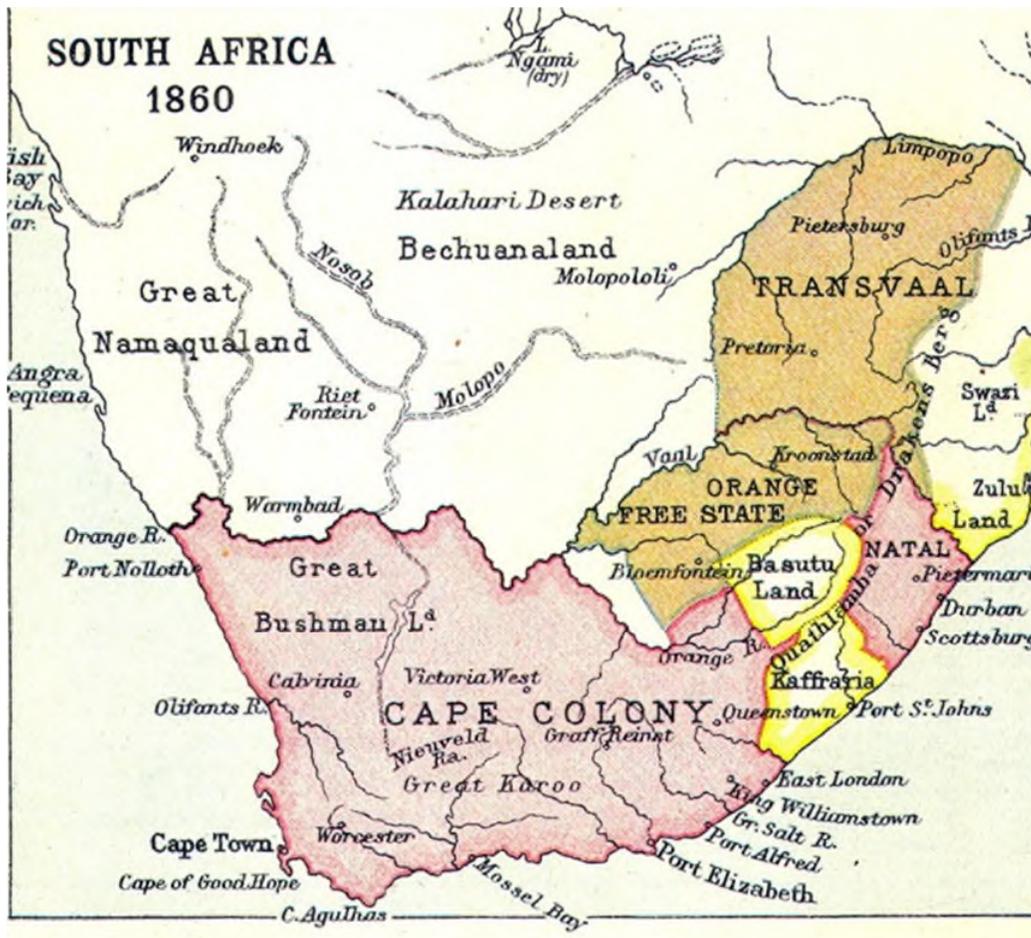
For the Cape-Dutch church the transition to a British colonial order was accomplished and finalised with the promulgation of the Ordinance and its *Schedule*. The church found recognition in terms of its Laws and Stipulations, and could identify itself amongst the many other churches in the colony. With the Laws and Stipulations in place, the Dutch Reformed Church gained prestige, and was now able to deploy her ministry in new directions, of which the inception of its own Theological Seminary in 1859 is a speaking example.

The trajectory that shaped the structure of the Cape-Dutch church, with its roots in the early Cape and Company instructions, directives and statutes, its exposure to the 1804 *Kerken-Ordre* of De Mist, and its formulated 1824 General Regulation, contextually adapted but informed by the notorious *General Regulation*, reached in the 1842 Laws and Stipulations its consolidation.

9 Reformed Churches in the Interior Distinguish Themselves

By now, South African history and church history were about to change. The region saw the political establishment of two Boer republics, (the South African Republic 1852, and the Republic of the Orange Free State 1854), a further British Colony (Natal), British protectorates, locations, reserves, kingdoms, etc. as the result of a third wave of colonisation, indicated by the 19th century map below. This further step in colonising the region were motivated, challenged, questioned and resisted. It created South Africa' controversial past – and future.

Ordinance 7/1843 legally limited the Dutch Reformed Church in South Africa to the Cape Colony. The Church had no legal status outside of the Colony and could not expand beyond its borders. Between 1853 and 1866, the historical Dutch Reformed Church in South Africa diverged in the establishment of differentiated Dutch Reformed churches in the interior regions, in the South African Republic, in the Orange Free State and in Natal. This gave rise to the inception of separate Dutch Reformed Churches in Natal (1864), the Orange Free State (1865) and the South African Republic (1866). Two independent reformed churches additionally were formed. In the 1850's the *Nederduitsch Hervormde Kerk in de Zuid-Afrikaansche Republiek* (1853) and the *Gereformeerde Kerk in de Zuid Afrikaansche Republiek* (1859) were instituted. The Boer Republics offered the opportunity for interested Dutch individuals, groups or circles to engage in assistance, support and motivated development. Influential Dutch ministers (like Dirk Van der Hoff and Dirk Postma) and missionaries (like Frans Lion Cachet) played a pivotal role in the course of events and the establishment of the differentiated churches in the north.



Notwithstanding the differentiation, these churches shared the same (Reformed) confessional standards and adhered to the Cape Laws and Stipulations-tradition when articulating their governance and character. The 1853 incepted *Nederduitsch Hervormde Kerk in de Zuid-Afrikaansche Republiek* published in 1862 its Regulations (Reglementen: 1862), which included an Algemeen Reglement. The first article stipulates that the Niederduitsch Reformed church comprises all the congregations in the South African Republic. The following articles specify membership. The highest legislative, judiciary and governing authority reside in the General assembly. The footprint of the 1816 General Regulation is clear. In 1870 the Regulation was replaced by *Wetten en Bepalingen voor de Nederduitsch Hervormde Kerk in de Zuid-Afrikaansche Republiek*. In these Laws and Stipulations, the confessional standards of the Church are listed. Their significance is made clear: the church is founded upon “de leer van den Bybel, als Gods heilig Woord; den Heidelbergsche Categismus; de 37 Artikelen der Nederlandsche Geloofsbelijdenis en de 5 Dordtse leer-regels, zooals die zyn vasgesteld in 1618 en 1619 te Dordrecht....”.¹²

The addition of the Standards of the Church must be explained as a reaction against the ‘Liberal controversy’ in South Africa between 1837 and 1875. This controversy

¹² “ the doctrine of the Bible, as God’s holy Word; the Heidelberg Catechism, the 37 Articles of Dutch Confession and the five Articles(canons) of Dordt, as these were established in 1618 and 1619 at Dordrecht ...”(My translation – DB).

deeply affected the Dutch Reformed Church in South Africa and stimulated a profound evangelical movement in the church. In the South African Republic, the *Nederduitsch Hervormde Kerk* was indeed not untouched, and its General Assembly insisted upon clarification of its doctrinal standard.

When the Dutch Reformed Church of Natal was formed in 1864, it verbally took over, as applicable, the Laws and Stipulations of the Cape church. The next year the Dutch Reformed Church in the Orange Free State published its *Wetten en Bepalingen voor de Nederduitsch Gereformeerde Kerk in den Oranjevrijstaat*. It contained a noteworthy Foreword, signed on behalf of the Synod by the Reverends Louw, Van Broekhuizen en Van de Wall. Against the current bombardment of the “God dishonouring unbelief,” they wrote,

... met het oog op de getrouw makende genade des Heeren, (hecht) De Synode der Nederduitsch Gereformeerde kerk van den Oranjevrijstaat zich onvoorwaardelijk ... aan de beproefde leer der Dordtsche vaderen, vervat in de Belijdenis-schriften onzer Kerk. Deze leer beschouwd zij als hare onschatbare erfenis, welke de Heer haar verwaardige dankbaar te bezitten en ongeschonden aan het nageslacht over te leveren! Hiervan getuigen o.a. Art. 1 der Wetten, alsook de opname van het Eedsformulier, goedgekeurd door de Synode van 1618 en 1619, hetwelk de Leeraren gehouden zijn te onderteekenen¹³ (Wetten en Bepalingen: 1865, Voorwoord)

The first article comprised thus the confessional foundation of the Church. And then follows the traditional sequence.

In 1866 the Dutch Reformed Church of the South African Republic received its *Wetten en Bepalingen voor de Nederduitsch Gereformeerde Kerk van de Zuid-Afrikaansche Republiek*. The first article – drafted by Frans Lion Cachet, alumnus of the Scottish Seminary in Amsterdam – contains the confessional standards as well as the liturgical formularies of the Church. It then follows the Laws and Stipulations of the Cape Church. The Dutch Reformed Church in South Africa also amended its Laws and Stipulations to include the series confessional standards, i.e. the Heidelberg Catechism, the Belgic Confession and the Canons of Dordt.

The Church Order of Dordt remained in the oblivion of history. With one exception, though.

10 The one exception

When, in February 1859, the Reformed Church in the South African Republic (*Gereformeerde Kerk in de Zuid Afrikaansche Republiek*) was incepted and instituted, its standing was defined by a deliberate endorsement of the Church Order Dordt 1619. Reverend **Dirk Postma**, sent out by the 1834 Separated Reformed Church in the

¹³ ... in view of the grace of the Lord that creates faithfulness, ... the Synod of the Dutch (Nederduitsch) Reformed Church of the Orange-Free State, unconditionally adheres to the proven doctrine of the Dordrecht fathers, contained in the Confessional Standards of our Church. It regards this doctrine as its priceless inheritance, which the Lord determined her to gratefully possess and to uncontaminated hand it down to the descendants! This is evidenced i.a. by Art. 1 of the Laws, as well as the inclusion of the Form of Oath, approved by the Synod of 1618 and 1619, which the Ministers are obliged to sign (My translation – DB).

Netherlands, drafted the constitutive document of the newly formed South African church:

Kerkorde voor de Gereformeerde Kerk in de Zuid Afrikaansche Republiek, zooveel mogelijk gevolgd naar de Kerkorde der Synode, gehouden te Dordrecht, in Nederland, in de jaren 1618 en 1619. Aangenomen en vastgesteld in onze eerste algemeene kerkvergadering van heden den 10 Febr. 1859, gehouden te Rustenburg¹⁴ (Coetzee: .

This church order, adopted by the first general assembly, was considered as the Church's regulation. However, church historically, in general, the insistence on and implementation regulations for the governance of South Africa's reformed churches, resulted in the drafting of Laws and Stipulations. Although contextually adjusted to the state of local circumstances, the intentional appeal on the Church Order of Dordt 1619, in 1859, is thus remarkable. However, despite its pretence to be based on a seventeenth century Church Order, the South African document is embedded in a nineteenth century Dutch edition, as it was operationalised in the churches of the Separation. It is thus clear, however, that the appeal to Dordt is framed by 19th century language, style and interpretation.

This exception to the rule, raises questions like: Why did this endorsement of the Church Order of Dordt appealed to a group of emigrant-settlers who struggled to organise (and regularise) a South African Republic? And why did the appeal carried to inspire church members who would not be confined to the South African Republic? After all, soon after the inception of the Reformed Church in the South African Republic, congregations were formed in the Free State and eastern parts of the Cape Colony as part of the Church. Who raised the Church Order of Dordt, as such, it for the first time as a constitutional foundation for a church? Did it originate in the Dutch circle of entrepreneurs that migrated from the Netherlands at the time to engage with and serve in the establishment of a "Dutch" South African republics? Among those who were linked to the Separation and Reveille? Did the Church Order of Dordt gain approval and was welcomed as a document that would justify an own point of view, including the very popular 'no equalisation'? These, and similar questions insist on and requires in-depth church historical investigation. Great care should be taken not to interpret the reception of the Church Order of Dordt in 1859 in South Africa as a core document that presupposes church reformation and orthodox theology, and prevalently presented as a "return" to Dordt.

10 Conclusion

This article sought to trace the footprint of the Church Order of Dordt 1619 in South African church and theology history, until about the middle of the 19th century. The intentionnal endorsement of the Church Order of Dordt (1619) occurred in the distant remote districts during the 1850s. The 1859 incepted Reformed Church in the South African Republic accepted an adjusted format of the Church Order as its constitutive

¹⁴ Church Order for the Reformed Church in the South African Republic, followed as far as possible the Church Order of the Synod, held in Dordrecht, in the Netherlands, in the years 1618 and 1619. Adopted and established in our first general church meeting today, Feb. 10. 1859, held in Rustenburg (My translation – DB).

document and ecclesial regulation. Before that, the the Church Ordedr of Dordt is absent in Cape theological literature.

The historical overview above profiled the development of a South African ecclesiology of its own, and the historical advance of a comprehension of the content, nature and authority of the church's rules and regulations. The roots of this already lie in the instructions, regulations, statutes and protocols that regulated the ministry of the church at the Cape during the Dutch East-India period. The *Kerken-Ordre* of De Mist (1804) was considered regarded as the constitution of the Reformed Church in this Settlement, and provided for its legitimacy as a recognised *Kerk-genoodschap* as well as the right to draw up its rules and regulations. Its formulated *Reglementen voor het Bestuur der Nederduitsche Hervormde Kerk, in Zuid-Afrika* (Regulations for the governance of *Niederduch Reformed Church, in South Africa*). Included a *General Regulation*. As indicated, the Cape Dutch church's Regulations were indeed informed by the *Algemeen Reglement voor het Bestuur der Hervormde kerk in het Koninkrijk der Nederlanden* (1816). (General Regulation for the Reformed Church in the Kingdom of the Netherlands.)

In November 1843, the *Kerken-Ordre* of De Mist was annulled and replaced by a *Ordinance*. Aligned with the British administration and colonial legal system, this Ordinance offered a legal framework for the *Dutch Reformed Church in South Africa*, to formulate *Laws and Stipulations*. With its Laws and Stipulations in place, the Dutch Reformed Church gained prestige, colonial identity and was able to deploy her ministry in new directions. An ecclesiastical trajectory shaped this identity of the Cape-Dutch church. It was created as a distinctive South African document, congruent with British colonial order, with an unmistakable imprint of the 1816 *General Regulation*. This characterized a unique South African colonial ecclesiology.

The emigration from the Cape Colony and occupation of the interior, engendered ecclesiastical differentiation. Between 1853 and 1866 a number of Dutch and reformed churches were established. Strikingly all, but one, opted for a *Laws and Stipulations* paradigm to govern and identify themselves. The addition of the confessional standards after 1960 indicated a unique South African stamp. that these Laws and Provisions have received their own South African signature.

Only one church departed from this trajectory: the Reformed Church in the South African Republic. In doing so, it appealed to a 19th century Dutch version of the Church Order of Dordt. In 2019 Jaco Nel (2019: 180-185) attained that that the appeal to Dordt did not exempt the this church from dealing with church order as a ministerial document. Rather, the tendency was to utilize the Church Order as a constitutive and regulating ecclesial document, embedded in the South African trajectory.

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