

“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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Carrying a historical connotation and a theological affinity, intentional references to and endorsement of the Church Order of Dordt surfaced during the 1850's for the first time in the theological history of South Africa. And, this occurred in the distant remote interior, where differentiated groups of emigrants struggled to organise (and regularize) a South African Republic (the Transvaal). Before that, the COD as a predominant document, is absent in the Cape-Dutch theological and ecclesial corpus of literature.

1. Since 1652, however, the *basic formation/configuration of the Christian ministry* in and of congregations at the Cape of Good Hope corresponded with the reformed tradition as incorporated in the COD, 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 state documents:

- Instructions of the DEIC, the Political Council, the Cape Governors, etc.
- Directives of visiting commissioners, e.g. Simons, Van Hoorn, Von Imhoff
- 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 appeal to the reformed confession, nor to deliberately call on the COD 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 recognised *institutum* at the Cape allowed for a reformed *formation* of the Christian ministry in the tradition of Dutch reformed thinking, i.e. the COD. This was embedded in the church as *ministra*.

2. Partially due the introduction of a new political and ecclesial dispensation during the time of the Batavian Republic in the Netherlands, and partially because uncertainties and issues were raised i.a. by Cape-Dutch congregations, the region received a significantly entitled *Provisioneele 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.

Commissioner General De Mist worked with a conviction: 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 (*kerkgenootschappen*) 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 adheres to a Christian tradition, however, it is arrayed in a new Batavian interpretation that provides for a functional notion of the Christian faith and its institutions.

Die *Kerken-Ordre* comprised two sections. The first¹ was dedicated to general principles and stipulations (provisions) and the second² contained the instructions regarding the proper regulation for ecclesiastical (church) associations in the *Volkplanting*, i.e. the Cape of Good Hope. The *Kerken-Ordre* explicates the position of the state and its authority with regards to religious affairs. The rationale is to guarantee and protect interests of civil society. Churches, as open associations, are allowed to teach and preach their particular doctrines. 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. 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. Being the most numerous and in the rural districts the only church association, particular provisions and stipulations were made for this (historic) *Hervormde Kerkgenootschap*. This church therefore should receive the aid and assistance of the government.

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*. The Cape of Good Hope was after all a Dutch enterprise and settlement.

¹ Eerste Hoofdeel: Algemene Beginsels en Bepalinge: 1-18.

² Tweede Hoofdeel: Houdende Voorschriften omtrend het behoortlyk Bestuur der toegelaaten kerk-Genootschappen binne deze Volkplanting: 19-52.

Although the Batavian government introduced a new political dispensation, the seven reformed congregations did not experience it as a break with the old dispensation. The church as an traditional and historical *institutum* (*instelling, and not an instituut*), as a determining trajectory of ecclesiastical identity, however, now predominated. This shift effectuated the inception of stipulations regarding the church as *ministra*. Its formation became incorporated in its structure as an association. The church as a public recognized *institutum* (*genootschap*) 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 conceded and 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 structure could only be articulated in a range of rules, regulations, ordinances, ecclesial by-laws insofar as these would not contradict any public legislation.

3. The 1804 legislation survived the transition to a colony in the British Empire. It kept its validity in particular with regard to the Cape-Dutch Church. In the set terms of the 1804 *Kerken-Ordre*, the General Assembly met in Cape Town in November 1824.³ The main purpose was to design and accept *Reglementen voor het Bestuur der Nederduitsche Hervormde Kerk, in Zuid-Afrika*⁴ (Regulations for the governance of *Niederduitsche Hervormde Kerk*, in South Africa). A *General Regulation* was thus drafted.⁵ Additionally, a *Regulation* for the non-formal religious exercises was also accepted (*Reglement op het Oefening Houden*). The unitary 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.

The General Assembly also held to the opinion 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

³ 46. Algemene kerkververgadering. Om ten einde het Gouvnerment eene meerdere zekerheid zou kunnen hebben, dat alle de voorenstaande orders, of na dezen dag nog mogen bygevoegd word, op een regelmatige voet binnene deze volkplanting worden naargekomen, zal deze eene proeve genomen worden, of het uiterlijk of dienstig zy om ten minste aal twee jaren in Okt of Nov voor de Hervormde Gemeenten dese Volkplanting binne hoofdplaats, eene algemene kerkvergadering te hou. Samestelling hiervan:

Hoofplaats: 2 predikante 2 ouderlinge

Ander een predikant een ouderling

2 Kommssarisse politiek om daar die goevnemenent te verteenwoordig

Platteland geen predikant of ourderliling nie, dan een of twee diakens/ onbesproke lidmaten watt e vore lede van die kerkaad was.⁴⁶

⁴ *Reglementen voor het Bestuur der Nederduitsche Hervormde Kerk, in Zuid-Afrika*, ontworpen en genomen in de Algemeene Kerkvergadering, gehouden binnen de Kaapstad, op den 2 November, en volgende dagen van het jaar 1824. (Kaapstad, Gedrukt by W. Bridekirk, Jun. voor Kerken-rekening, en te bekomen by P. Keeve, Heerengracht. Prys twee Ryksdaalders

⁵ *Algemeen Reglement voor het Bestuur der Nederduitsche Hervormde Kerk, in Zuid-Afrika*. Eerste Afdeling: Algemeene Bepalingen. Tweede Afdeling: belapingen betreffende de Algemeene kerkvergadering, in het Byzonder. Derde Afdeeling, Over het Kerkelijke Bestuur in het gemeenten. Vierde Adeeling, Over het Godsdienstig onderwys; Vyfde Afdeeling: behelzende een Reglement op het uitoefen van kerkelijke Opzicht en tucht. In addition the Reglement op het Oefening houden.

slechts modificatien en byvoegsels zyn, uit de veranderde gesteldheid der tyden en omstandigheden geboren.”⁶ These “modifications and additions”, adjusted to the “state of our affairs”, were fundamentally informed by the *Algemeen Reglement voor het Bestuur der Hervormde kerk in het Koninkrijk der Nederlanden* (1816)⁷ (the General Regulation for the Reformed Church in the Kingdom of the Netherlands (1816)). This also applies to supplementary regulations accepted, e.g. the *Rules for the Execution of Ecclesial Discipline and Censure*.⁸ The striking difference is that the 1824 *General Regulation* lacks the definition of who belongs to the particular church association. The consolidation of *institutum*-trajectory thus received expression in appropriate *Regulations*.⁹ The church as *ministra* became regulated.

4. In 1843 the *De Mist Kerken-Ordre* was replaced by an *Ordinance*. This provided a new legal framework for the *Dutch Reformed Church in South Africa*. As such, the Ordinance, was conforming to and aligned with the British colonial administration of justice. The 1804 Church Regulations were annulled.

The Ordinance provided the Dutch Reformed Church with the capability to determine its internal affairs. The General Assembly or Synod is designated as the natural and proficient authority to make such laws and regulations for the administration of the Church. The laws and regulations are however limited to the legitimacy of merely a “voluntary society”. The Ordinance also protects 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.

The *Schedule* attached to the Ordinance (7/1843) comprised –hence - *Wetten en Bepalinge voor het bestuur der Nederduitsche Gereformeerde Kerk in Zuid-Afrika*¹⁰ (Laws/Rules and Stipulation/Regulations for the governance of the Dutch Reformed Church in South Africa). 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 when the DR Church had to defend its judicature, procedures and jurisdiction in the Cape High Court – the *Laws and Stipulations* were nevertheless fundamentally informed by the Dutch *General Regulation* of 1816. The 1816 article pertaining to membership of the church, was also adopted.

⁶ Reglementen voor het Bestuur der Nederduitsche Hervormde Kerk, 1824, 35.

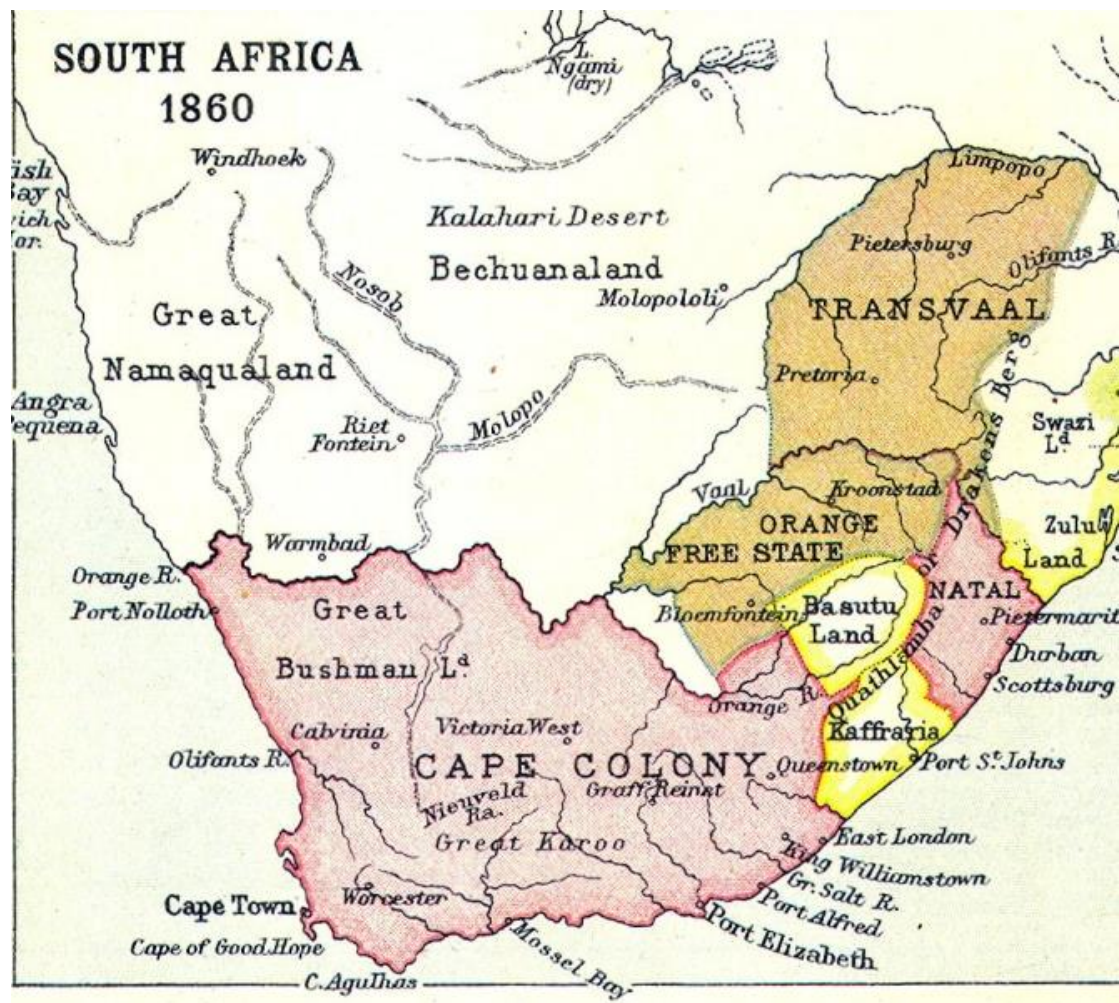
⁷ Cf. C Hooijer, *Kerkelijke Wetten voor de Hervormden in het Koninkrijk der Nederlanden*. Verzameld en met aantekeninge voorzien. Zalt-Bommel. Noman en Zoon, 1846, 24 ff.

⁸ *Ibid.*, 122 ff.

⁹ Ook te sien in die Reglemente na 1824: Reglement betrekkelijk het ordenen van Zendelingen, Reglement voor het kerkelijke onderzoek (Visitatie) by de Rings-vergaderingen (1829)

¹⁰ *Wetten en Bepalingen voor het Bestuur der Nederduitsche Gereformeerde kerk in Zuid-Afrika, gerevideerd in de Algemeene Kerkvergadering*, Gehouden in de Kaapstad op den 1 sten November en volgende dagen van het jaar 1842 en bekrachtigd door eene Ordonnantie van den Wetgevenden Raad, op den 8sten November 1843. Kaapstad. Gedrukt by Saul Solomon, “Gazette” kantoor. 1844.

5. By now history and church history were about to change. The region saw the political establishment of two Boer republics, a further British Colony (Natal), British protectorates, locations, reserves, kingdoms, etc. as indicated by the map below.



This further step in colonising the region were motivated, challenged, questioned and resisted. The South African Republic offered the opportunity for interested Dutch individuals, groups or circles to engage in assistance, support and motivated development. The historical Cape-Dutch Church now diverged in the establishment of differentiated churches in the interior regions between 1853 and 1866. Obviously the Ordinance for the Cape Dutch Reformed Church had no legal status outside of the Colony. However, these established churches adhered to the Cape tradition, as shaped by the 1816 General Regulation. Their governance (as *Instituta*) was articulated in Laws/Rules, Stipulations or Regulations, adjusted to the particular state of affairs.

Niederdutch Reformed Church in the South African Republic

1862. *Reglementen voor de Nederduitsch Hervormde Kerk in de Zuid-Afrikaansche Republiek*¹¹ It is incepted by a Algemeen Reglement. I Algemeene bepalingen. The first article stipulates that the Niederdutch Reformed church comprises all the congregations in the ZAR. The following articles specify membership. The highest legislative, judiciary and governing authority reside in the General assembly.

1870. *Wetten en Bepalingen voor de Nederduitsch Hervormde Kerk in de Zuid-Afrikaansche Republiek*.¹² In these Laws and Stipulations the confessional standards of the Church are listed. Their authority is 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....”. The addition of the Standards of the Church must be explained with regard to the assimilation of the ‘Liberal controversy’ in South Africa between 1837 and 1875.

The Dutch Reformed Church in the Orange Free State.

1865. *Wetten en Bepalingen voor de Nederduitsch Gereformeerde Kerk in den Oranjevrijstaat*.¹³ Against the current bombardment of the “Godonteerend ongelooft ... 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 vaders, 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 nagelslacht 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 onderteekenen.”¹⁴

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

The Dutch Reformed Church of Natal

1864: *Wetten en Bepalingen der Nederduitsch Gereformeerde Kerk van Natal*.

The Dutch Reformed Church of the South African Republic

1867. *Wetten en Bepalingen voor de Nederduitsch Gereformeerde Kerk van de Zuid-Afrikaansche Republiek*.¹⁵ The first article – drafted by Frans Lion Cachet –

¹¹ 1862. *Reglementen voor de Nederduitsch Hervormde Kerk in de Zuid-Afrikaansche Republiek*. Potchefstroom J.P. Borrius 1862.

¹² *Wetten en Bepalingen voor de Nederduitsch Hervormde Kerk in de Zuid-Afrikaansche Republiek*. Borrius, Potchefstroom 1870.

¹³ *Wetten en Bepalingen voor de Nederduitsch Gereformeerde Kerk in den Oranjevrijstaat*. Thomas White, Bloemfontein, 1865.

¹⁴ Foreword. Signed on behalf of the Synod by AA Louw, Van Broekhuizen en Van de Wall.

¹⁵ *Wetten en Bepalingen voor de Nederduitsch Gereformeerde Kerk van de Zuid-Afrikaansche Republiek*. Pietermaritzburg P Davis en Zonen, 1867.

contains the confessional standards as well as the liturgical formularies of the Church. It then follows the *Wetten en Beplainingen* of the Cape Church.

Nederduitsch Hervormde of Gereformeerde Kerk in de Zuid Afrikaansche Republiek

1890. *Wetten en bepalingen voor de Nederduitsch Hervormde of Gereformeerde Kerk in de Zuid Afrikaansche republiek.*¹⁶ 1890. The same traditional trajectories are followed, (confession, composition), except that in the 1894 edition, membership of the church is limited to white persons.

6. The one exception to the rule requires in conclusion our attention. When the Reformed Church came into existence in the South African Republic in 1859, its positioning was not only defined in terms of the Three Formularies of Unity, but also deliberately in terms of the Church Order of Dordt. It is here that the COD surfaces for the first time in South Africa's theological history. Adapted to our state of affairs. Postma drafted the document: *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 Rustenburg.* This document was seen as the church's regulation.

Where does it come from? Who raised it for the first time? I think it originates 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 republic. Among those who were linked to the Separation and Reveil. I think the COD gained approval and was welcomed as a document that would justify an own point of view, including the very popular 'no equalisation'. Still, this requires in-depth study.

7. The overview above explains the theme of this paper: "As adjusted to our state of affairs..." the Church Order of Dordt at the Cape of Good Hope: restrictive influence - augmented ecclesiastical identity. We must be careful to unlock the reception of the COD in South Africa as a document that presupposes church reformation and orthodox theology. It is determined by a contextual process within a colonial setup, in which the church as an *institutum* takes precedence over the church as *ministra*.

¹⁶ *Wetten en bepalingen voor de Nederduitsch Hervormde of Gereformeerde Kerk in de Zuid Afrikaansche republiek* 1890. Hofmeijer en Rechter, Kaapstad.