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Dutch Reformed Church in Africa

“Dei enim minister est tibi” – God’s servant for your good The Dutch Reformed Church in Africa and the law

1. INTRODUCTION

According to Romans 13:4 the authorities are servants of God for the good of the people. This article want’s to look at the relationship between the Dutch Reformed Church in Africa and the authorities or the laws of South Africa

The Dutch Reformed Church in Africa or properly called, Kereke ya NG (hereafter called the DRCA) takes it’s base from the Holy Bible. This scriptural base determines our reformed confessional framework and the church order we are using in the church. After a short history of the DRCA, I will address our dealings with the state in two parts, pre-1994 and post-1994. I will conclude my presentation with a short word or two about our future.

2. SELECTED BIBLIOGRAPHY

Our best resources are the Agenda and Acts of our General Synod’s meetings held every 4 years from 1963 onwards, as well as Yearbook of the Dutch Reformed Churches issued annually. Then we just opened our own website: www.ngka.co.za where we have a lot of material available. Otherwise, there isn’t much articles and books available on the DRCA.

3. SCRIPTURE

The main scriptural references we find in Romans 13 and 1 Timothy 2.

3.1 Romans 13

Romans 13:4 makes it clear that the state is the minister (diakono) of God to rule the people of God. Calvin (1960b:1489) even stated that they were called “gods”, so that nobody would think they are of lesser importance. It basically means they have a mandate from God and have been given divine authority as they are acting as God’s representatives. Therefore Calvin (1960:282) says that the magistrates or the rulers cannot rule for their own sake, but for the good of the people. They do not have unrestrained power, “but power restricted to the welfare of their subjects”. They are accountable to God and to men in their way of ruling. Because it is God who has chosen them to do his work, they are answerable to Him. Therefore, we as citizens of this country should choose our political leaders with the same sincerity and seriousness before God as we chose our spiritual leaders!

3.2 1 Timothy 2:1-4

This passage shows the importance of prayer for the authorities so that we, as the people of God, may be able to live religious and reverent lives in peace and quiet (verse 2, JB). By ruling the country in a rightful way, the authorities create a tranquil environment for its people in their entirety so that they can worship God in peace. Calvin, in his commentary on this

passage, also refers us to Jeremiah 29:7. Here Jeremiah advises the exiles to pray for the city of Babylon and to seek its welfare (šālôm). Likewise, we should pray for the authorities to uphold law and order so that the fruit of their efforts can help us to live and spread the gospel.

4. REFORMED CONFESSIONS

As a reformed church we are very proud of our reformed identity and our name. In the Reformed Forms of Unity we have an almost complete formulation of our beliefs. Our perception and understanding of God, his plan of salvation and our response, can all be found in our confessions of faith. In 1987, at the general synod's meeting where we discussed the Belhar confession, we decided we don't need any other confession to complement our existing confessions. A decision we fully adhere to, even today.

In the court case in 1996 (case number 799/1996), where URCSA challenged our validity and even put our name in inverted commas (Die Ligdraer 19 August 1996), the Highest Court of Appeal (Case number 536/96), upheld our legitimacy and we celebrated that outcome festively. We are therefore very proud of our reformed heritage, our reformed identity and we like to show it even in the manner we dress ourselves.

The Belgic confession is the only reformed confession of the DRCA that addresses the relationship between the church and the state (article 36). This article is in full accordance with Romans 13. The authorities are there for the advancement of a society that is pleasing to God. They are also there to advance the spreading of the Word of God and the preaching of the Gospel. They do not have absolute power to exercise to exercise their authority but are granted but are granted certain means to exercise their authority. It is their responsibility not to succumb to power-hunger, but to use those power to the best of their abilities to the benefit their people. If they do that, we as a church, will support them in all their efforts to rule the country. But if and where they fail to do so, we will be actively involved with all the prophetic powers given to us by the Word of God, to expose them in a peaceful, orderly way to our fellow citizens. Our purpose is that they can correct their mistakes and govern us in a proper manner. If they make laws not in accordance to our biblical understanding, we will firstly engage in discussions with them. If they continue to implement a statute, we will not obey it. We fought against apartheid, not that individuals may prosper out of it, but so that all the people may benefit!

We would further like to state that there is a notion that respect for the authorities also applies to political parties. The church is apolitical in its nature, as its members represent the different political parties. Therefore, we will not serve, nor support, any political party in its official capacity. That doesn't mean that we can't support projects and initiatives of individual parties. Our members are free to support the political party of their choice. We see to it that there is no discrimination against a member who supports a particular political party. In the past we oversaw fair elections, without intimidation, and we will continue to do so in the future.

5. CHURCH ORDER

The church order we use, is based on the reformed principles from the reformation. The particular form of our original church order probably originated in 1961, from the DR church as we were still under it's direct influence. Several practical problems and situations necessitated

changes, throughout the years. During the meetings of the synod held in 1990 and 1991, several radical changes were made to the articles concerning the changing of the confessions as well as the dissolving of the church. Its purpose was to give the general synod the power to do so unilaterally, without the authority of the synods, but as it later was found to be ultra vires, in 1996 it was changed back to its original wording of 1987.

6. SHORT HISTORY OF THE DRCA

Some congregations in the Free State were constituted in the 1870's with nearly 23 older than one hundred years, with the first synod meeting in 1910. However, the current DRCA is the result of the unification of 4 independent black churches in the then four provinces of South Africa: Transvaal, Orange Free State, Natal and Western Province on the 7th May 1963 in Kroonstad. In 1994, prior to the breakaway of more than two thirds of the synods to form the Uniting Reformed church in Southern Africa (shortened to URCSA) along with the Dutch Reformed Mission Church, we had 7 regional synods and nearly 380,000 full members.

After the breakaway of the 5 regional synods, we were left with about 120,000 members. At the Synod of the Northern Cape (the Phororo synod), we were still a functional synod (only 9 of the 34 congregations and 4 ministers left). Even after the formation of URCSA, the synod held several extraordinary meetings to determine our future. Ironically, URCSA sent us an invitation (dated 21 February 1995) to their first synod meeting scheduled for 22 to 26 March 1995 at Barkly-West. This was sent by the reverend Abels on behalf of the commission of Order of that synod (a synod that still had to be constituted)! They also named their synod Phororo.

However, the synod of the Free State had split into two groups. When the DRCA group of congregations in the Free State met on 27 September 1995 at Parys to reorganize their synod, the General Synod of URCSA weren't very happy about it. They started legal procedures to stop them from functioning as the DRCA. In the meantime, the Synod of Phororo decided unanimously to apply for membership at the DRC Northern Cape synod. Unfortunately, the Moderamen of the DRC General Synod advised the Northern Cape synod not to jeopardize talks with URCSA by allowing the DRCA congregations into their midst. With that decision of the Moderamen of the DRC, an uncertain future awaited us, also costing us more than a million Rand in legal fees that could have been saved! So when URCSA took legal action, the synod of Phororo also asked to join the proceedings. That was granted by all the parties (URCSA and the DRCA Synod of the Free State).

In the meantime, in 1996, the two Moderatures of Phororo and The Orange Free state met and called the General Synod together on 25 September 1996 at Bloemfontein. At that meeting we recalled the unlawful changes made to the Church order in 1991. We also had meetings in 1999 in Barkly-West, 2003 in Kroonstad (where we also celebrated the 50th year of a united DRCA), 2007 again in Barkly-West and in August 2011 in Bloemfontein. Although we have lesser congregations and members than in 1994, we are still fully functional as a church. We had ecumenical ties with the Reformed Ecumenical Council and attended all their meetings up to their amalgamation with the World Alliances of Reformed Churches, thus forming the World Communion of Reformed Churches on 26 February 2010. We had a lot of discussions with the Dutch Reformed Church family and URCSA. Our discussions with URCSA were very tense and usually ended with talks about our properties, still illegally held by the URCSA, although the appeal court in Bloemfontein adjudged us the lawful owners. We also had a local case (the Koppie's case) where the judge, after a careful survey of the facts, adjudged us the lawful

owners of the properties. Even after all URCSA's efforts to keep the properties illegally, we still utilise opportunities to talk to them as brothers and sisters of the Lord. However URCSA must understand that their actions on the property issue are going to have serious consequences on their credibility as a church and on the further relationship between us and them as well as the other members of the Dutch Reformed family.

I want to conclude this part with a remark that even up till now, congregations and members from URCSA, all over the country, are coming back to the DRCA because of various reasons. We have grown to nearly 200 congregations and 3 regional synods with about 200,000 members.

7. THE DRCA AND THE STATE

7.1 Before 1994

At our commencement in 1963, we as a church did not have a problematic relationship with the apartheid-government on any official level. Certain individuals did raise a lot of opposition against the government on the general synodical level, but that was not entertained by the majority of representatives. During the 1975 meeting, more critical voices against the government were heard in the reports and in discussions at the general synod. Certain issues were identified to be taken up in discussions with them. In an ad hoc report on the Bible, race and nation relationships (Agenda en Handelinge 1975, 175-205), synod was concerned with the current state of affairs in the country and took a cautious stand on it. In 1979, for instance, the homeland governments and relationships between the different language groups (1.1.3 p 225); housing (13.1 p 251); Mozambique immigrants and local relationships (13.3 p 251) were discussed. This was done through a permanent commission for meeting with government. During the 1980's, when the DRMC (NG Sendingkerk) started the process of adopting the Belhar confession, we still had not reached the point where we felt that it gave rise for a status confessiones. Reverend Mochudi Lebone, the moderator of the general synod's meeting of 1983, told me it is still a mystery why the DRMC did not ask the DRCA to participate in the process for a unified confession against the apartheid-government of the time as we were in the same position as they! In 1986, the DRMC adopted the Belhar confession as a fourth confession at their synod meeting (several authors claim that it happened at a general synod level, but the DRMC did not have a general synod at the time). In 1987, the General Synod of the DRCA decided against the acceptance of another confession than the 3 confessions of the church (Agenda en Handelinge 1987:376). At the 1991 synod meeting, several radical changes were made to the church order in preparation for the unification of the DRCA with the DRMC. It seems that the moderature went against legal advice opting for a shortcut approach. Initially, the moderature gave the assurance that every congregation would have a say in their future. In the moderature and joint commission's report before URCSA's first meeting in 1994 (Agenda and Acts, 8) they said they consulted the congregations and that 131 said yes, 13 said no and 12 said they weren't sure. But that is only 150 congregations out of a total of 265 (DRMC) and 485 (DRCA)! They completely ignored the remainder of the congregations. In the same report (page 20, pt 3) there is a copy of the letter sent to all the congregations assuring them that church unity will not be forced upon them from above. Unfortunately, that was exactly what happened. It was forced upon them by the general synod.

To come back to the meeting of 1991, the synod forced through several radical church order decisions without consulting with the church order commission. Some of the controversial decisions were taken on a Saturday afternoon at a time the members of the synod were informed that no meeting would take place. The moderature then came to the remaining

representatives to meet and took decisions without a roll call or the knowledge of all the representatives.

But what is the most astonishing fact of the 1991 synod, is the expulsion of the Swaziland circuit. They just wanted to form a separate synod but in the end were expelled! It is so ironically that in a synod that was positioned for church unity, another part of the church were disunitized and sacrificed for that sake.

For the 1994 meeting, a special general synod was called together by the moderature (not the general synodical commission as the church order article 33.2 stated) for the 14th of April. All the expenses were paid by the moderature and we arrived by SAA planes in Cape Town. Then we were taken with busses to the hotel and on arrival, we were handed the Agenda of the Foundational meeting (=Stigtingsvergadering) of the First General Synod of the Uniting Reformed Church in Southern Africa. That wasn't the reason we were called together. The moderature then called a preliminary meeting together that evening to have a roll call of the members of the DRCA special synod. It was a chaotic meeting because of all the questions that were raised about the validity of the meeting. In the end the moderature referred all the outstanding matters to the next day when synod was scheduled to start. But the next day the synod started with all the delegates of the DRMC already there and seated so that the opening was held and constituted and a new church, URCSA, was constituted. The Uniting Reformed Church of Southern Africa was formed without even one complaint or question answered!

7.2 After 1994

When the ANC-controlled government came into power in April 1994, they did not make a lot of changes to our position as a church. Our biggest problem since 1994 was not the state or the law, but URCSA. URCSA was not formed according to reformed principles whereby it is firstly had to be constituted by the local congregations and thereafter formed into regional synods which then constitutes a general synod. In this case the child gave birth to its mother!

Our reformed identity was crushed by the formation URCSA and therefore we could not participate with them anymore. They decided to take us to court to use state law to force us into an unification with them (in contradiction to the Belhar confession that confesses a unity out of love and freedom and not under constraint – Afrikaans 'dwang!'). I remember at our first meeting with our advocates, advocate Hans de Bruin asked us, what is your purpose for making this case. Our answer was, not to destroy URCSA. If they wanted to be a church aware or unaware of the unreformed procedures they had performed, let it be. But, we still wanted to be that DRCA for who our reformed name and reformed history and reformed church order were important.

When the final appeal verdict was given on the 27th of November 1998, judge Harms and the 4 other judges involved, said that a new church, URCSA was formed and the congregations and synods that didn't want to be involved, would stay the DRCA. Therefore none of their properties, liabilities and goods went over to URCSA. URCSA had asked for that to happen and when it was repudiated by the court, they didn't want to return our properties. What kind of justice is URCSA then confessing in the Belhar confession? In the first instance they went to the court of law to ask for clarity on this issue and when the highest court of law gave them their answer, they didn't want to abide by it. Therefore, and I want to state this clearly, the DRCA, will not accept the Belhar confession because we are of opinion that we cannot trust them on this issue!

Our biggest challenge since 1994 was the new labour legislation the state introduced. This challenged the DRCA to have a good look at the position of our ministers in the church. We decided to uphold the reformed principle that a minister is a servant of the Lord and that the church council only oversee and support the minister in his or her duty.

8. OUR FUTURE

From lessons learned in the past, we will decide our own way forward. Each DRCA congregation will have a say in the decisions about unity. The process we went through with URCSA and the court cases thereafter, taught us a lot of valuable lessons. There are no short cuts for the process of reunification. We long for our Dutch Reformed church family to be one, but we are willing to start with a minimal solution without the threat of court cases and decisions forced onto us from the top. When all our congregations are ready to move ahead, we will move forward!

9. CONCLUSION

As a reformed church in South Africa, we honour the state as a *Dei enim minister est tibi in bonum*, the state is a minister of God for our good (Romans 13:4). Therefore we will also honour all its laws if it is not in conflict with the Bible and our beliefs. We also want assure the state that if there is a conflict of interests, we will first engage in discussions with them and not unilaterally stand by our beliefs. But, as a church we also ask the state to be there for our good, thus to be there for all its citizens, especially those who are poor and vulnerable. In the theological dictionary to the New Testament the word "good" is defined: "As an adjective ἀγαθός expressing the significance or excellence of a thing or person".

God sees the church and state as partners in his kingdom? He sees them both as partners and even better, as co-workers, each in their own sphere, in his kingdom! We as a church will acknowledge that.

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