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Seventh-day Adventist Church

## Law and religious freedom in South Africa: Challenges facing the Seventh-day Adventist Church

### ABSTRACT

The Seventh-day Adventist church within the South African context faces a number of potential and real problems that relate to religious freedom and law. This article outlines the interaction between the state and the Seventh-day Adventist church in light of its development from late nineteenth century to the present. The Seventh-day Adventist church in South Africa does not operate with policies and a polity that is crafted and developed in a local context exclusively. As a global organization the Seventh-day Adventist church operates across many legal contexts. The discussion generated from this article will help in facilitating an open dialogue on issues that need to be taken into consideration in creating a healthy and working relationship between the church and state in the South African context. Cases discussed in this article serve as evidence of issues that need to be addressed by the church by clarifying a self-understanding of religious freedom within the South African context.

### 1. INTRODUCTION

This article gives a perspective on religious freedom in South Africa, by looking at the challenges facing the Seventh-day Adventist Church in the past, present and future. Understanding the Seventh-day Adventist church and how it functions within a socio-political context is very important in dealing with the challenges that the church faces. This study will therefore look closely at some aspects that make up the identity of the Seventh-day Adventist church. Attention will be given to challenges that its members face that relate to law and religious freedom particularly in South Africa. A Seventh-day Adventist historian, Makapela acknowledges personal freedom, personal choice and personal identity as values that had become important for the Church. He also claims that "these and many other ideas had democratised the Protestant churches and above all had also made it possible for the American Constitution and the Bill of Rights to be framed" (Makapela, 1995:36, 37). Therefore a historical overview and a description of the function of the church in both the global and particularly within the South African context will be given. The aim of this paper is to highlight potential and actual tension spots between the church and its socio political world.

### 2. EARLY DEVELOPMENTS AND GROWTH OF THE SEVENTH-DAY ADVENTIST CHURCH

After nearly 150 years the Seventh-day Adventist church has just started a process of reviewing its ecclesiology.<sup>1</sup> While the Seventh-day Adventist church traces its identity from Scripture and

<sup>1</sup> In May 12, 1982 the Biblical Research Committee of the General Conference of Seventh-day Adventists took an action to embark on serious research in the area of ecclesiology. This project is still ongoing, see Ecclesiology Project retrieved June 20, 2011 from [www.adventistbiblicalresearch.org/documentshtm#Ecclesiology](http://www.adventistbiblicalresearch.org/documentshtm#Ecclesiology)

claims the entire Judeo-Christian heritage, there are Christian traditions that have contributed more in the shaping of the church such as the Free Church movements particularly from the radical reformation (Sokupa, 2011:109-111). There are common values between the Seventh-day Adventist Church and churches that claim this particular tradition and Cartwright enumerates a few: "voluntary membership, believer's baptism, separation from the world, mission and witness of all members, church discipline, and the rejection of the state-church alliance" (Cartwright, 1994: 26, 27). The mid-nineteenth century marks an important period of development for the Seventh-day Adventist church.

The early development of the Seventh-day Adventist church may be traced from the Millerite movement of the 1840s in the United States of America (Knight, 1999:13). William Miller's preaching drew people from different denominations, among others were Methodists and Baptists. The movement experienced a major disappointment in 1844, in hoping that Christ would come that year, based on their interpretation of Daniel 8:14. After studying this passage they concluded that the cleansing of the sanctuary referred to the second coming of Christ. After examining this passage later, they found that Christ was entering a new phase of his ministry in heaven. The fundamental beliefs of the Seventh-day Adventist Church outline the church's doctrinal teachings. These were developed from a rigorous study of the Scriptures (Knight, 1999:13-27). In 1860 the name "Seventh-day Adventist" was decided upon, and in 1863 the church was formally organized (Knight, 63). In 1874 the first missionary was sent to Europe. In 1896 the first Seventh-day Adventist conference structure was organized in South Africa. Today the Seventh-day Adventist Church consists of over 16 million members across the globe. The Southern Africa Union Conference as of June 2010 has over 122 231 members within its territory. The church world-wide is growing by one million members every year. See Adventist History, retrieved June 20, 2011 from <http://www.adventist.org.za/index.php/about/adventist-history>

Within the Seventh-day Adventist church, there is no doctrine that has tested its members on matters of religious liberty more than the Seventh-day Sabbath. The contribution of the Seventh-day Adventists on matters of religious liberty began with a response to Sunday laws. Therefore main the focus of the discussion in this article is on the response of the Seventh-day Adventist church to Sunday laws in the past present and future.

### 3. THE INFLUENCE OF THE SEVENTH-DAY ADVENTIST CHURCH IN POLITICS.

Because of its apolitical stance the Seventh-day Adventist Church as a corporate body has not had much influence in politics. This position is based on the principle held by the church which separates state from religious affairs. However members of the Seventh-day Adventist Church as individuals have held political positions within the various political structures while they maintained their membership within the church. Many Seventh-day Adventists still make a contribution as individuals in the South African political scene.

Political influence however has not left the church unscathed. During the apartheid era the Seventh-day Adventist Church in South Africa reflected the political structures of the Apartheid government characterized by separate development, racial segregation and discrimination. The rest of the African continent separated South Africa during this period from its organization because of apartheid. South Africa became an isolated burden of the General Conference (the highest structure) for a number of years. However in the 1980s discussions were initiated by

the General Conference to end this anomaly. Much progress has been made to achieve this move toward unity. The political pressure in South Africa has definitely played a major role to bring a swift change of structures. Therefore political influence has played a major role in the church in South Africa.

The church operates within a political environment. Political interaction becomes an essential pre-requisite for this environment. There are a number of social activities that the church engages in within communities that require interaction with political structures.

#### 4. RELIGIOUS LIBERTY AND LAW IN THE HISTORY OF THE SEVENTH-DAY ADVENTIST CHURCH

During the fourth century the conversion of a Roman Emperor Constantine into Christianity brought some changes in the way the church was viewed and also placed the church in a favourable position (Davies, 1965:159). Sunday laws date back to the time of Constantine, who wrote the first Sunday observance act in the fourth century. In 321 Constantine raised Sunday to the level of other pagan holidays by “suspending the work of the courts and of the city population on that day (Coleman, 32, 33).

In tracing Sunday law history during the succeeding sixteen hundred years, we find that such laws were developed where governments recognized an established church, in other words where there was no separation of church and state.

Sunday laws were imported into America from Europe during the seventeenth century by the colonists, who believed that secular government could legislate both civil and religious conduct.

Since World War II, certain merchandising outlets operating mainly through suburban branches have discovered that some customers wish to shop on Sunday. Other retailers, in their endeavour to suppress Sunday selling competition, have sought to modernize the old Sunday blue laws, to secularize them and use them as an instrument of competitive control.

Religious intolerance is clearly portrayed in the way the Puritans of New England treated those who were deviant with particular reference to the blue laws of the seventeenth and eighteenth centuries. By means of “the whipping post, the ducking stool, the stocks, the pillory, fines, prisons, and gibbet”, force was exercised against the will of individuals to obey these blue laws. (“The Blue Laws of New England,” *Liberty* January-February 1963, pp 18, 19.)

“A blue law is a type of law, typically found in the United States and, formerly in Canada, designed to enforce religious standards, particularly the observance of Sunday as a day of worship or rest, and a restriction on Sunday shopping. Most have been repealed, or have been declared unconstitutional, or are simply unenforced; though prohibitions on the sale of alcoholic beverages or prohibitions of almost all commerce on Sunday are still enforced in many areas. Blue laws often prohibit activity only during certain hours and there are usually exceptions to the prohibition of commerce, like grocery and drug stores. In some places blue laws may be enforced due to religious principles, but others are retained as a matter of tradition or out of convenience.” Retrieved June 20, 2011 from [En.wikipedia.org/wiki/Blue\\_law](http://En.wikipedia.org/wiki/Blue_law)

Some incidences that illustrate the way these blue laws operated may be cited: in 1670 “two lovers, John Lewis and Sarah Chapman, were accused and tried for ‘sitting together on the Lord’s day under an apple tree in Goodman Chapman’s orchard.” “A Dunstable soldier, for ‘wetting a piece of old hat to put in his shoe’ to protect his foot – for doing his heavy work on the Lord’s day, was fined, and paid forty shillings.” “Captain Kemble, of Boston, was in 1656 set for two hours in the public stocks, for his ‘lewd and unseemly behaviour, which consisted in kissing his wife ‘publicquely’ on the Sabbath day, upon the doorstep of his house,” on his return from a three year’s voyage. A man who had fallen into the water and absented himself from church to dry his only suit of clothes, was found guilty and ‘publicly whipped.’ (*Liberty* January-February 1963, pp 18, 19.)

#### **4.1 Legal framework within the ecclesiological structure of the SDA Church**

Every organization of the Seventh-day Adventist Church within a country has its own legal framework within the ambit of the legal requirements of that country. This means that the “General Conference, divisions, unions, and local conferences/missions have separate identities for their legal purposes... Unless local laws require otherwise, the local church operates under the legal structure of the local conference, mission, or union of churches and not as a separate legal entity.” *GC Working Policy 2008-2009* BA 25 05 “Incorporating Organisations” p. 99.

Each organizational entity shall operate within a constitution, bylaws and operating policies which are “consistent with the Seventh-day Adventist concept of the church, its organization, and governance. The fruitage of that concept is a representative and constituency-based system... While the integrity of each entity is recognized (church, conference, union), each is seen to be a part of a sisterhood which cannot act without reference to the whole.” *GC Working Policy 2008-2009* D 05 “Seventh-day Adventist Church Organization” p. 129.

The constitution of the General Conference of Seventh-day Adventists as revised at the 58<sup>th</sup> Session held in St Louis, United States of America, June 29 to July 9, 2005, is the highest level organization constitution of the Seventh-day Adventist church. *GC Working Policy 2008-2009* “Constitution of the General Conference of Seventh-day Adventists” pp. 1-25. There are model constitutions that are followed by Unions and Conferences provided as well. *GC Working Policy 2008-2009* “Model Constitutions and Operating Policies” pp. 129-187.

Therefore the Seventh-day Adventist church in South Africa operates within a world-wide church organization. The structure however does recognize that each level operates within the scope of the laws of a particular country or countries in a region. Each level of church organization described above has to set its own policies to be in harmony with the legal framework under which it operates.

#### **4.2 The Seventh-day Adventist view on individual religious freedom**

Religious Freedom for Seventh-day Adventist individuals is expressed as:

The fundamental human right to have , adopt, or change one’s religion or religious belief according to conscience and to manifest and practice one’s religion individually or in fellowship with other believers, in prayer, devotions, witness, and teaching, including the observance of a weekly day of rest and worship in harmony with the precepts of one’s religion, subject to respect for the equivalent rights of others. *GC Working Policy 2008-2009* FL 05 p 309.

Within the South African legal framework the statement above would find relevance in the bill of rights. This statement also expresses the expectations and the provision made by the Seventh-day Adventist policies to meet such requirements of religious freedom for the individual. The Seventh-day Adventist church “not only works for the religious liberties of both individual church members and organized entities of the Church, but also supports the rightful religious liberties of all people.” *GC Working Policy 2008-2009 FL 05 p 310.*

### **4.3 Legal status of the Seventh-day Adventist Church**

The Legal status of the Seventh-day Adventist church may be complex because of the global nature of its structure. However there are clear guidelines that allow the church entities to make reasonable adjustments where there are tensions between the legal framework of a country and the Seventh-day Adventist church policy.

The General Conference, divisions, unions, and local conferences/missions have separate identities for their legal purposes. No church organization or entity assumes church organization simply because of its church affiliations. The incorporation or registration of legal entities of the Church, other than at the General Conference level, is subject to division policy which takes into consideration the principles of denominational organization and representation, laws of jurisdictions, and the specific needs of the Church in the geographic areas served. Unless local laws require otherwise, the local church operates under the legal structure of the local conference, mission, or union of churches and not as a separate legal entity. *GC Working Policy 2008-2009 BA 25 05 p 99.*

The Seventh-day Adventist Church has its trademarks and trade names protected in its policies. There are often offshoots that want to misuse the name, therefore it is registered and protected by law. In the General Conference Policy it is stated: “The Seventh-day Adventist Church has an historical, evangelical, and proprietary interest in trademarks, service marks, and trade names (referred to collectively herein as ‘trademarks’) developed by the Church and its related organizations.” *GC Working Policy 2008-2009 BA 40 05 p 100.* Further provision for protection is made that “All legal rights in any trademark utilized by the General Conference, as defined, shall be vested in the General Conference Corporation with use by a related or subsidiary entity subject at all times to approval and review by the General Conference Corporation.” *GC Working Policy 2008-2009 BA 40 05 p 101.*

“The Seventh-day Adventist Church at all levels – General Conference, division, union, and local conference/mission/field – shall seek and use legal counsel to safeguard the Church in the fulfilment of its mission.” *GC Working Policy 2008-2009 BA 30 05 p 99.*

The policy of the General Conference of Seventh-day Adventist, does make provision for legal counsel and representation. There are principles that the church has set for such a relationship. The following statement outlines the values to keep in view:

Lawyers advising and representing the Church and its institutions shall in all matters and at every opportunity give legal counsel consistent with the laws of the applicable jurisdiction. Above and beyond basic legal requirements, lawyers should advise the Church as to what appears to be fair, just, moral, and equitable, thereby seeking to direct the Church toward a position of moral and social leadership in harmony with scripture and reflective of Christian love. *GC Working Policy 2008-2009 BA 30 15 p 100.*

#### 4.4 Property holding within the Seventh-day Adventist Church

General Conference policy provides a system for holding property. In the early beginnings of the Seventh-day Adventist church there was resistance to organization. Properties were in the names of leading pioneers. This situation was one of the major factors that led to the organization of the church and choosing a name for the church. This led to a policy on holding property and handling legalities relating to property holding by the different entities of the Seventh-day Adventist Church.

Property Ownership – Church properties and other assets shall be held in the name of an appropriate denominational corporate entity, not by individuals, trustees, or local congregations. Where this is not legally possible, divisions shall make alternative arrangements in consultation with the General Conference Office of General Counsel. *GC Working Policy 2008-2009 S 55 05*

The Seventh-day Adventist Church in South Africa has a legal corporate entity that transacts the church's legal matters.

Because SEDCOM is a legal entity, registered under the Company's Act and operating in harmony with the laws of the Republic of South Africa, it shall formulate its own actions and record them in its own minutes. Union committee actions cannot be taken for the legal body, but the union committee has the right to record recommendatory actions for the legal entity. With the customary overlapping of officers and other personnel serving both entities, it would be most unusual and unlikely for the corporate body to refuse or fail to concur with recommendations from its parent body. Thus when the legal entity receives recommendations, takes appropriate actions, records them in its minutes and carries out its legal function in compliance with such actions it performs its function as a legal service to the organisation and accepts legal responsibility in doing so. *SAU Supplement to GC Working Policy SAHHH 05 05.*

The way the Seventh-day Adventist Church manages its properties is very much centralized. It is very helpful for churches that do not have financial resources enough to handle all the legalities that come with owning property.

### 5. THE RESPONSE OF THE SEVENTH-DAY ADVENTIST CHURCH TO THE SUNDAY LAWS

Sunday laws affected the Seventh-day Adventist church in its early stages of development in the USA around 1888. The church however responded to this crisis through active interaction with the government. Alonzo T. Jones, an editor of a Seventh-day Adventist Magazine, *American Sentinel*, challenged Senator Henry W. Blair with his national Sunday observance bill. Morgan observes that Jones saw the enforcement of Sunday as a worship day disadvantaging the observers of a Saturday Sabbath. The Seventh-day Adventists whom Jones was representing, had to choose between giving up one sixth of their work time or live against their consciences (Morgan, 2010:12). Morgan points out that even "a proposed exemption for 'Seventh-day believers' would solve nothing.... It would reflect mere toleration of difference, not recognition of human right" (Morgan, 12). In the light of the above observation it seems that the Sunday laws have had an impact around the world. This is evidenced by the fact that long after the laws were scrapped Sunday is still a day where most business activities particularly

in the public sector are closed. This means that even in South Africa where freedom of religion is protected, Seventh-day Adventists are limited in the amount of hours they can work per week in certain sectors. Therefore this does have an indirect impact on their livelihood and economic participation. This means that exemption from work on Saturday is not enough in some work situations, it takes away the right to work on Sunday because the place is basically closed on Sunday, when a Seventh-day Adventist can actually work.

The response of the Seventh-day Adventist church to the 1888 Sunday law crisis according to Morgan was not limited to individual work, there was also an effort towards grass roots organization. The church's International Tract Society solicited support from church members through signed petitions. The members were also urged to get their friends to sign the petition. Morgan summarizes the developments in Seventh-day Adventist response to the Sunday laws during this period:

By March 1889 they had amassed 260,000 signatures in opposition to the national Sunday bill... In the meantime Senator Blair also brought before his committee his proposal for a constitutional amendment requiring the states to provide free public education that included instruction in 'the principles of Christian religion'. Jones returned to Washington in February 1889 to speak against this effort to 'Christianize' both the public schools and the U.S. Constitution with one stroke. In contrast to testimony in favour of the amendment from several Protestant clergymen, including members of the Evangelical Alliance, Jones contended it would establish Protestantism as the state religion. The public schools would become 'seminaries for the dissemination of Protestant ideas,' which would 'violate the equal rights of Catholics, Jews, and infidels (Morgan, 13).

Therefore the Seventh-day Adventist church in the USA responded to the Sunday laws by engaging in discussions with the government and also by soliciting support not only from its own members but from those who sympathize with them on matters of religious freedom. The American experience that is discussed above illustrated how Seventh-day Adventists respond to matters of religious freedom. In other parts of the world the issue may not be Sunday laws, it may be homosexuality and law and how the church responds to the rights offered to such individuals within the church community. The next section looks at a case of religious intolerance with reference to the Sabbath within the South African context.

## 6. RICHARD MOKO – A CASE STUDY IN THE PRE-1994 SOUTH AFRICA (1903)

As a background and preamble to Moko's case, it is important to sketch the relationship between church and state within the Seventh-day Adventist church. In the late nineteenth century the Seventh-day Adventist church was growing through its missionary thrust. It was around this time that missionaries were sent to South Africa. The position of the church at this time on the matter of the relationship with the state was that there should be no relationship with governments. This included offers like tax exemption and donations from the government. It was during this time that the British South African Company under the leadership of John Cecil Rodes offered 6000 acres of land in Mashonaland Rhodesia, to P.J.D Wessels who was a prominent leader of the Seventh-day Adventist church. He attended the General Conference (a highest governance body within the Seventh-day Adventist church) in the USA. At this 1893 meeting of the General Conference Wessels reported to the committee about the land offer. He saw missionary possibilities and how this would help in the growth of mission work in Mashonaland. (See Costa, 2010:137)

Costa (2010: 137), further observes that Wessel's arguments were met with opposition from A.T. Jones referred to earlier in this paper as one of the champions of religious liberty. Jones advocated for a clear separation between church and state, that would not accommodate such relationships with the state. Ellen G. White one of the pioneers of the Seventh-day Adventist church opposed Jones and the leaders who supported his views of radical separation between church and state. (See "Nineteenth Meeting" *General Conference Daily Bulletin*, March 6, 1893; Costa, 2010: 138)

The background sketched above shows that there was a very positive relationship between the church and state in South Africa. There were no laws that were enforced against the Seventh-day Sabbath worship in South Africa. However even within such a context of a healthy relationship between church and state, there were problems that were faced by Seventh-day Adventist pioneers in South Africa. This section addresses a case particularly demonstrating elements of religious intolerance within the context of the pre-1994 South Africa.

Richard Moko was the first indigenous Seventh-day Adventist minister in South Africa (Cooks, 1986: 4). In 1903 Moko was working in East London preaching and establishing the Seventh-day Adventist church there (Mafani, 2010: 32, 33).

A petition was signed by members of Independent and Presbyterian churches in East London East Bank area in which Moko was accused of preaching heresy by teaching that Saturday was the Sabbath day and not Sunday. He was encouraging the younger sex to stay away from work on Saturdays. The petitioners demanded that Moko be expelled from the township (Mafani, 33).

The location superintendent Lloyd gave way to the petitioners by giving Moko one week's notice within which to leave the location. Lloyd was aware that he was acting outside the ambit of the law as there was no provision in location regulation for such action. Moko was a registered tenant in the East Bank Location. Therefore his expulsion had to be based on a contravention of the law.

"The Town Fathers, on the other hand decided to act with greater prudence because, they pointed out, such drastic action as expelling a person from the location merely because he was exercising religious freedom could have established a serious precedent."

"Lloyd was therefore instructed to serve notice upon Moko, calling upon him to "desist from causing discontent" amongst the township residents otherwise he would indeed be evicted in terms of Section 13 of Act 11 of 1895"

"The evidence would appear to be circumstantial and yet the Town Council took it seriously, acted upon it and expelled Moko from the Location. Probably the best explanation for the action appears in the Headman Minnie's report. He had been Headman in the Location for fourteen years, he stated, and during that time had seen very little trouble there. In November 1903, however, he had been called upon to investigate several cases of quarrelling between husbands and wives, and between parents and children. The problem, he said, was Reverend Moko's preaching his "Seventh-day Adventist religion which called upon people to refrain from working on a Saturday. He knew of at least nine people who no longer worked on Saturdays, regarding that day as the Sabbath. "This I can plainly see," Minnie concluded, ' is leading to people remaining from work on Saturday which will cause and is causing shortness of labour at East London.'" (Tankkard, retrieved July 4, 2011 from [www.eastlondon-labyrinth.com](http://www.eastlondon-labyrinth.com)).



com/townships/moko.jsp CA, 3/ELN 453. H Minie to Location Superintendent, 29.2. 1904.

“The seriousness in which Moko’s preaching was viewed can be seen from a testimony which Superintendent Lloyd delivered before the Lagden Commission earlier that very year. He had testified that he believed the locations existed purely to supply labour and that wages to the Black people should be held at such levels as to force them to work. The East Londoners, he said, tended to pay ‘extravagant wages’ which enabled a man to work only a few days a week and ‘to lie idle at home’ for the rest of the time. He personally put a stop to that, he boasted, never allowing a man to absent himself from work for more than one or two days a week without serving an eviction order on him. His general view, he told the Commission, was that it was ‘not reasonable’ for an African to rest every Saturday.” CL, SA Native Affairs (Lagden) Commission, 1903-5, II, 822-4. There are many other cases of intolerance wherein freedom of expression was deprived that were never documented.

Moko’s case has demonstrated that even within a context where there is no enforcement of Sunday laws or legal restriction of worship on a Saturday Sabbath, there were elements of intolerance that are demonstrated by Moko’s case. Therefore this case is important for the Seventh-day Adventist church in South Africa, to ensure that religious expression and freedom is afforded for those who worship on a day that is not popular in the business sector and the religious arena.

## 7. A STRUCTURE OF THE SEVENTH-DAY ADVENTIST CHURCH IN SOUTH AFRICA (POST-1994)

There have been some significant changes in the structure of the Seventh-day Adventist Church in South Africa. Because of Apartheid, South Africa was removed from the regional structure operating in Africa (Division) to be managed as a special case under a special South African Affairs Committee (SAAC) under the General Conference. This deprived South Africa the opportunities for growing and interacting with the church within the continent of Africa. The return of the Division office to South Africa after 1994 was very significant. It was an indication of the acknowledgment of the changes that have taken place to address structural defects that were caused by Apartheid.

The Seventh-day Adventist church in South Africa now is part of a global church family. Through the years of apartheid, which did not leave the church unscathed, yet the global vision of a world-wide united church was maintained. There is Seventh-day Adventist presence in almost every country around the world. With the headquarters in Washington USA, the church is administered through its 13 regional divisions across the globe. The Church in South Africa is part of this world-wide structure under the Southern Africa Indian Ocean Division. This division includes such countries as: Angola, Botswana, Comoros, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Reunion, Sao Tome and Principe, Seychelles, South Africa, Swaziland, Zambia, Zimbabwe, and Ascension, St. Helena, and Tristan da Cunha Islands. The headquarters of this Division is in South Africa, Pretoria. The church in South Africa is administered through the Southern Africa Union Conference, which includes Namibia, Lesotho, Swaziland and the entire South African territory. The headquarters for this union are in Bloemfontein. The union is administered through six conferences (Cape; KwazuluNatal-Free State; Lesotho Trans-Orange; Transvaal; Swaziland) and one field (Namibia) under which the local churches fall.

Globally “high concentrations of Adventists are found in Central and South America, throughout Africa, the Philippines and many other areas. In composition, 39 percent of Adventists are African, 30 percent Hispanic, 14 percent East Asian, and 11 percent Caucasian.” With reference to its mission “the church places great emphasis on different aspects of human freedom and responsibility. These include: religious liberty and human rights, humanitarian aid and development, better lifestyles, health and wholeness, education and personal growth, as well as social issues and community involvement.”<sup>2</sup>

## 8. RELIGIOUS FREEDOM AND LAW FOR SEVENTH-DAY ADVENTISTS

In the post-1994 era of democracy the Seventh-day Adventist church in South Africa has been challenged to adjust some of its practices and policies to be in line with for example the Labour Laws. Other cases were relating to issues of restructuring and the rights of certain groups in the process of restructuring which has been a process that started in the 1980s and has not been concluded to date. The church in South Africa through its legal advisors has attempted to not only become reactionary but to put mechanisms in place that will help shape its relation with the South African Law. For example most institutions of the church have a human relations department that looks into policies vs labour law to ensure good labour practice within the church.

One of the challenges currently is to document the principles followed by the Seventh-day Adventist church on religious freedom as part of local church policy. So far these are found in the policy documents of the higher structures of church organization that focus on global and largely an American context. However the Seventh-day Adventist church policies do accommodate and respect local practices in so far as they are in harmony with the general principles that the church upholds.

Another challenge that could be mentioned is that there seems to be a bias against private service providers in education in South Africa. Most private service providers are Christian-based. The government is holding back on allowing institutions that qualify for university status to be given a university charter. Students who are in such private institutions do not have access to government aid as individuals.

## 9. THE POSITION OF THE SEVENTH-DAY ADVENTIST CHURCH ON CHURCH AND STATE

Seventh-day Adventists believe in separation of church and state. Seventh-day Adventists do not believe separation of church and state to be a moral principle taught in Scripture, but rather a philosophy of government under which a moral principle, religious liberty, is best achieved.

“Seventh-day Adventists understand that, given the nature of society itself, an ‘absolute wall’ of separation between church and state is not possible... It may not be easy to trace the line of separation between the rights of religion and the civil authority with such distinctness as to avoid collisions and doubts on unessential points.”

“Some argue that the line must be drawn so that the government legislate morality, a

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<sup>2</sup> Retrieved July 4, 2011 from <http://www.adventist.org/world-church/index.html>

phrase that sounds great in the realm of ideas but in practical matters is useless. Morality is always legislated. What gets sticky, however, is that in most countries morality, which is reflected in its laws, often finds its roots in its religion" (Hofstrader, 2011: 6).

## 10. THE RELIGIOUS FREEDOM PRINCIPLES AS HELD BY THE SEVENTH-DAY ADVENTIST CHURCH

The Seventh-day Adventist Church defines religious freedom with reference to worship. This gives one freedom to worship God without force and coercion. The Seventh-day Adventist church takes a position that "the union of church and state is a sure formula for discrimination and intolerance and offers a fertile soil for the spread of persecution." (*GC Working Policy 2008-2009* FL 05 p 309.) Further, "separation of church and state offers the best safeguard for religious liberty and is in harmony with Jesus' statement, "Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's (Matt 22:21). This means that "civil government is entitled to respectful and willing obedience, to the extent that civil laws and regulations are not in conflict with God's requirements, for it is necessary 'to obey God rather than men' (Acts 5:29)." (*GC Working Policy 2008-2009* FL 05 p 309)

Seventh-day Adventists oppose all forms of discrimination based on race, ethnicity, nationality, colour, or gender. "We believe that every person was created in the image of God, who made all nations of one blood (Acts 17:26). We endeavour to carry on the reconciling ministry of Jesus Christ, who died for the whole world so that in Him 'there is neither Jew nor Greek' (Gal. 3:28). Any form of racism eats the heart out of the Christian gospel. One of the most troubling aspects of our times is the manifestation of racism and tribalism in many societies, sometimes with violence, always with the denigration of men and women. As a worldwide body in more than 200 nations, Seventh-day Adventists seek to manifest acceptance, love, and respect toward all, and to spread this healing message throughout society."

South Africa has experienced a wave of xenophobia in the past decade. This has to be included in the list of unacceptable ways of treating fellow human beings.

"The equality of all people is one of the tenets of our church. Our Fundamental Belief No. 13 states: "In Christ we are a new creation; distinctions of race, culture, learning and nationality, and differences between high and low, rich and poor, male and female, must not be divisive among us. We are all equal in Christ, who by one Spirit has bonded us into one fellowship with Him, and with one another, we are to serve and be served without partiality or reservation."<sup>3</sup> Retrieved July 4, 2011 from <http://adventist.org/beliefs/statements/main-stat14.html>

## 11. CONCLUSION

The Seventh-day Adventist church has made strides globally and in America particularly to define, defend and promote religious freedom. This paper has highlighted a few challenges that the Seventh-day Adventist church faces in South Africa. While we enjoy the privilege of religious freedom and participate in defining that freedom for ourselves, we are aware that government systems are dynamic. It is the masses that make and influence law not the few that sit in parliament. Regarding the future the Seventh-day Adventist church has a view

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<sup>3</sup> This statement was approved and voted by the General Conference of Seventh-day Adventists Administrative Committee (ADCOM) and was released by the Office of the president, Robert S. Folkenberg, at the General Conference session in Utrecht, the Netherlands, June 29-July 8, 1995.

that is based on apocalyptic eschatology. This view provides a warning for us and those with whom we associate in the “struggle” for religious freedom in South Africa that there are no permanent guarantees for religious freedom. A continuous engagement, clustering, and collaboration should map our way forward. This paper has looked at the areas that are a potential tension between the Seventh-day Adventist church, its freedom and Law in South Africa. Labour relations, property holding, and Sabbath observance are among a few areas that have been highlighted in this paper that have this potential for conflict with the state laws. The purpose of this paper was to highlight these areas for purposes of defining how the Seventh-day Adventist church looks at law and religious freedom in South Africa. Future studies in this direction may deal with actual case studies and seek to improve the relations between the church and its local communities particularly harmony with state laws.

## REFERENCES

- Cartwright M. G. (ed.). 1994. *The Royal Priesthood*. Grand Rapids, Michigan: William B. Eerdmans Publishing Company.
- Cooks, J.B. 1986. *South African Union Lantern* October 1.
- Coleman, Christopher B. *Constantine The Great and Christianity*, New York: AMS Press.
- Davies, J.G. 1965. *The Early Christian Church, Westport*. Connecticut: Greenwood Press.
- Hofstrader, Grady. 2011. *Church and State in Twenty-first-Century America Liberty March-April* 2011.  
<http://www.adventist.org/world-church/index.html> Retrieved July 4, 2011.  
<http://www.eastlondon-labyrinth.com/townships/moko.jsp> Retrieved July 11, 2011.  
<http://adventist.org/beliefs/statements/main-stat14.html> Retrieved July 4, 2011.  
<http://www.adventistbiblicalresearch.org/documentshtm#Ecclesiology> Retrieved June 20, 2011  
[http://En.wikipedia.org/wiki/Blue\\_law](http://En.wikipedia.org/wiki/Blue_law) Retrieved June 20, 2011.
- Mafani, Hlanga. 2010. *From Genesis to Germination*. Self Published.
- Makapela, A. 1995. The Problem of Africanity in the Seventh-day Adventist Church. Unpublished paper.
- Morgan, Douglas. 2010. “The Question of the Common Good”. *Liberty* January-February.
- A bibliography of Seventh-day Adventist sources in South Africa**
- Buwa, M. I. “The Seventh-day Adventist Work in East Griqualand: A Brief Overview of Canceled Mission – Founding Growth, and Potential, 1925-1983.” (M.A. Project, Andrews University, 1985).
- Chalale, D. W. B. “The Rewards of Unity”, *Adventist Review*, vol. 172, p. 20, 13 April, 1995.
- Crocombe, J. “The Seventh-day Adventist Church in Southern Africa – Race Relations and Apartheid.” Paper presented to the Association of Seventh-day Adventist Historians, 2007.
- Damsteegt, P.G. *Foundations of the Seventh-day Adventist Message and Mission*. Grand Rapids, Michigan: Eerdmans, 1977.
- Du Preez, G.T. “A History of the Organizational Development of the Seventh-day Adventist Church Amongst the Coloured Community in South Africa 1887-1997” (PhD Dissertation, University of the Western Cape, 2010).
- Makapela, A. *The Problem with Africanity in the Seventh-day Adventist Church*. Lewiston: Edwin Mellen Press, 1996.
- Mitchell, C.I. “History and Development of the Seventh-day Adventist Church in the Union of South Africa, 1887-1958.” (M. A. Thesis, Howard University Washington, D.C., 1959).
- Nkosi, T. “The Progress of the Seventh-day Adventist Church among African People in South Africa” *The Journal of Adventist Thought in Africa*, vol. 2 pp. 20-34, November 1996.
- Pantalone, A. “A Missiological Evaluation of the Afrikaanse Konferensie (1968-1974) and its Significance for the Seventh-day Adventist Church in South Africa.” (DTh dissertation, University of Durban Westville, Durban, 1998).
- Pantelone, A. “An Appraisal of the Development of Seventh-day Adventist Mission in South Africa: A Missiological Evaluation.” (MTh thesis, University of Durban Westville, Durban, 1996).

- Plaatjes, C. "Revisioning the Denominational Ethos and Administrative Structures of the Seventh-day Adventist Church in South Africa." (DTh Dissertation, Stellenbosch University, 2007).
- Sales, J.M. *The Planting of the Churches in South Africa*. Grand Rapids, Michigan: Eerdmans, 1971.
- Seventh-day Adventist Church Manual, 17th ed.*, Hagerstown, Maryland, Review and Herald Publishing Association, 2005.
- Sokupa, M.M. "The priesthood of believers : a critical analysis and evaluation of developments in the Ecclesiology of the Seventh-day Adventist Church" (DTh Dissertation, University of Stellenbosch, 2011).
- Swanepoel, L Francois, "The Origin and Early History of the Seventh-day Adventist Church in South Africa, 1886-1920." (M.A. thesis, University of South African, Pretoria, 1972).