

# **DE MAGISTRATU: A Probe into the Textual History of Article 36 of the CONFESSIO BELGICA**

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It is probably true to say that no article of the *Confessio Belgica* has engendered more discussion, debate, argument, or amendment over the last century than Article 36. Churches have wrestled long with the problem of whether they still believe the doctrines contained therein, and if not, what in fact they do believe. But the problem has not been as simple as that, for the question of whether a Church should tamper with the text of an historic confession has also entered the field of debate. This of course opens up the whole question of exactly what a confession is, and how it should function in the life of the Church. Some, no longer believing the doctrines embodied in this article of the confession, have pressed urgently for change. Others whose views were essentially the same have urged mere reinterpretation or statement of clarification, and of course there are also still those who retain the historic Reformed position as the Biblical one. The problem can suitably be likened to the current debate in the U.S.A. on constitutional interpretation. Should the constitution (cf. confession) be interpreted according to “strict construction” (i.e. original intent), or “loose construction” (i.e. current sentiment)? A final problem that has surfaced in the long struggle with this article is that of continuing a scholarly and useful debate within the context of limited ecclesiastical bodies. Synods are limited in scope, limited in authority, limited in time, and limited in permanence, so that the delegates of any one Synod may be totally different from those of the last. This final problem has contributed much to the debate particularly in the Christian Reformed Church of North America (henceforth CRCNA). This denomination has dealt extensively with the article beginning in 1898 and not reaching a final(?) conclusion until 1985. The 86 years of debate (which encompass the dealings of the Reformed Ecumenical Synod — henceforth RES) shall be a primary focus of this paper as they not only exhibit all of the problems outlined above, but also highlight most of the problems in the modern textual history of the article concerned. Our initial task, however, shall be to review the historic text(s) itself, and its early history, in order to provide an appropriate background to the revisionist discussions over the last century. Due to the limited nature of this essay, not much of the argumentation from the Scripture presented in the course of the debate can be given, however attempt will be made to indicate the general lines of argument that have been followed at one time or another. Because of the importance of the early text editions in recent discussion, each important variant will be quoted in full.

## **Early Textual History**

Before examining the text of De Bres’ work itself it is necessary to pay close attention to its precursor, the *Confessio Fidei Gallicana* which (as is generally accepted) formed the model for De Bres. This confession was initially drafted by none other than John Calvin and thereupon revised and approved by a Synod at Paris in 1559. Articles 39 and 40 read as follows:

39. We believe that God wishes to have the world governed by laws and magistrates, so that some restraint may be put upon its disordered appetites. And as he has established kingdoms, republics, and all sorts of principalities, either hereditary or otherwise, and all that belongs to a just government, and wishes to be considered as their Author, so he has put the sword into the hands of magistrates to suppress crimes against the first as well as against the second table of the Commandments of God. We must therefore, on his account, not only submit to them as superiors, but honour and hold them in all reverence as his lieutenants and officers, whom he has commissioned to exercise a legitimate and holy authority.

40. We hold, then, that we must obey their laws and statutes, pay customs, taxes, and other dues, and bear the yoke of subjection with a good and free will even if they are unbelievers, provided that the

sovereign empire of God remain intact. Therefore we detest all those who would like to reject authority, to establish community and confusion of property, and overthrow the order of justice.<sup>1</sup>

To those familiar with Calvin's *Institutio* IV:20, the identity of content with these articles must surely be striking, which is, of course, not surprising. Given this situation we may then be permitted to use that section of the *Institutio* to more fully understand the clauses embodied in these articles.<sup>2</sup> Recalling that this section is strongly apologetic against the Anabaptists, we may justly read the same emphasis in these articles. Against the notion attributed to Anabaptists that no state is duly framed unless according to the political system of Moses, the confession states that many forms of government have been appointed by God and are legitimate even if the rulers are unbelievers.<sup>3</sup> It is on account of this that Article 40 can require submission to these authorities, and then go on to condemn (though unnamed) the Anabaptists for their seditious notions. One other point should be noted in connection with Article 39. The confession is at pains to present the magistrates responsibility to the first table of the law as well as the second (non seulement ... mais aussi). This according to the *Institutio* means following after the pattern of the holy kings of Israel.<sup>4</sup> The magistrate may use the sword against crimes of the first table.<sup>5</sup> It should however be noted that these crimes are public disturbances of the peace (and therefore within the purview of the magistrates). This emphasis is again probably directed against the Anabaptist notion of a radical separation of Church and State.

Having examined the *Confessio Fidei Gallicana*, we are now in a position to look at the first edition of the *Confessio Belgica* written by Guido de Bres both to instruct believers, and as a defence against charges of sedition and disturbance of the public peace, made by the Roman Catholic rulers. For this latter reason particularly, De Bres was concerned to distance the Reformed faith from the seditious and rebellious Anabaptists. This first edition was begun in 1559, and finally published in 1561. Article 36 reads as follows:

We believe finally that because of the depravity of the human race our good God has ordained kings, princes, and civil officers. He wants the world to be governed by laws and policies so that human lawlessness may be restrained and that everything may be conducted in good order among human beings.

For that purpose he has placed the sword in the hand of the government, to punish the evil and protect the good and decent people.

And the government's task is not limited to restraining and watching over the political order but extends also to ecclesiastical matters, with a view to removing and destroying all idolatry and false worship of God; to undoing the kingdom of the Antichrist; to promoting the kingdom of Jesus Christ; and to furthering the preaching of the gospel everywhere; to the end that God may be honoured and served by everyone, as he requires in his Word.

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<sup>1</sup> Translation by E.O. Butler, in *Creeds of Christendom*, edited P. Schaff.

<sup>2</sup> For a detailed exposition of the background to *Institutio* IV:20, see J.W. Sawyer, *Moses and the Magistrate: Aspects of Calvin's Political Theory in Contemporary Focus*.

<sup>3</sup> Cf. Calvin: "*Quod etiam ipsius prorsus silentio transmittere maluissim, nisi intelligerem periculose hic a multis aberrari. Sunt enim qui recte compositam esse rempublicam negent, quae neglectis Mose politicis, communibus gentium legibus regitur. Quae sententia quam periculosa sit et turbulenta, viderint alii, mihi falsam esse ac stolidam, demonstrasse satis erit.*" *Institutio*, IV:20:14. The point here is not that Calvin rejects "the notion of a theocracy based on the judicial laws of the Old Testament" (J.T. McNeil, *Institutes of the Christian Religion* II. p.1502 note 36) but that commonwealths may be duly framed even though they neglect the political system of Moses. See J.W. Sawyer, *op.cit.* Unfortunately the author is not equipped to verify the views of the Anabaptists themselves, or enter into the current debate respecting them. In any event such a discussion is beyond the scope of this essay.

<sup>4</sup> Cf. Calvin, who concerning the necessity of magistrates to rule by the first table of the law, as well as the second, writes, "... *Christianos principes ac magistratus pudeat suae socordias, nisi in hanc curam incumbant.*" *Institutio*, IV:20:9. 7) *Hoc quoque nomine maxime laudantur sancti Reges in Scriptura, quod Dei cultum corruptum vel eversum restituerint, vel curam gesserint religionis, ut sub illis pura et incolumis floreret. Contra vero Sacra historia inter vitia anarchias ponit, quod non esset Rex in Israel, ideoque faceret quisque quod placebat [Iudic. 21.d.25].* *Institutio*, IV:20:9.

<sup>5</sup> Cf. Calvin, who says speaking of civil government, "*non tamen, inquam, huc spectat solum: sed ne idololatria, ne in Dei nomen sacrilegia, ne adversus eius veritatem blasphemiae aliaeque religionis offensiones publice emergant ac in populum spargantur: ne publica quies perturbetur: ut suum cuique salvum sit et incolome: ut innoxia inter se commercia homines agitent: ut honestas et modestia inter ipsos colatur. Denique, ut inter Christianos publica religionis facies existat, inter homines constet humanitas.*" *Institutio*, IV:20:3 cf. Deut. 13. 9) Translation of the Belgic Confession Translation Committee in CRC ·Acts of Synod· 1983, Report 31, pp.360-363. The words "public domain", and "church", in paragraph three have been altered to "political order", and "ecclesiastical matters". The text of the Committee makes a false dichotomy between the "public domain" and the "church". As evidenced in Calvin's *Institutio*, the distinction is between public matters of the first table of the law, and public matters of the second table of the law.

Moreover everyone, regardless of status, condition, or rank, must be subject to the government, and pay taxes, and hold its representatives in honour and respect, and obey them in all things that are not in conflict with God’s Word, praying for them that the Lord may be willing to lead them in every way and that we may be able to live in peace and quiet under them.

For that reason we detest all those who want to reject the authorities and civil officers and to subvert justice by setting up common ownership of goods and corrupting the moral order that God has established among human beings.

It is readily apparent that this text is extremely close to the *Confessio Fidei Gallicana*. A comparison of the French texts in paragraphs two and three is most revealing.<sup>6</sup>

CONFESSIO GALLICANA 1559	CONFESSIO BELGICA 1561
A ceste cause a mis le glaive en la main des Magistrats, pour réprimer les pêchez commis, non seulement contre la Seconde Table des Commandemens de Dieu, mais aussi contre la première.	Pour ceste fin il a mis le glaive en la main du Magistrat pour punir les meschans, et maintenir et les bons les gens de bien.  Et non seulement leur office est de réprimer et veiller sur la police, ains aussi sur les choses ecclésiastiques, pour oster et ruiner toute Idolâtrie et faux service de Dieu, pour détruire le royaume de l’Antichrist, et avancer le royaume de Iesus Christ, faire prescher la parole de l’Évangile par tout, afin que Dieu soit honoré et servi d’un chacun, comme il le requiert par sa parole.

All De Bres has done is fill out the implications of the *Confessio Fidei Gallicana*. Instead of referring to the first and second tables of the Law, he has given more concrete expressions equating the duties of the second table of the law with the political order, and the duties of the first table of the law with matters ecclesiastical. Furthermore De Bres evidently saw fit to spell out some of the magistrates duties in matters ecclesiastical. All this is precisely according to what was laid down in Calvin’s *Institutio*.

In 1566 the Synod of Antwerp upon reading the text of the *Confessio* decided to revise it slightly, improving upon its reading and smoothness and excising some of the more personal expressions of De Bres. The resultant text of Article 36 was as follows (to facilitate comparison with the 1561 text, additions to it are given in italics, omissions from it are placed in square brackets):

We believe [finally] that because of the depravity of the human race our good God has ordained kings, princes, and civil officers. He wants the world to be governed by laws and policies so that human lawlessness may be restrained and that everything may be conducted in good order among human beings.

For that purpose he has placed the sword in the hands of the government, to punish [the] evil *people* and protect the good [and decent people].

And the government’s task is not limited to *caring for* [restraining] and watching over the political order but extends also to *upholding the sacred ministry* [ecclesiastical matters], with a view to removing and destroying all idolatry and false worship of God;<sup>7</sup> to undoing the kingdom of the Antichrist; to promoting the kingdom of Jesus Christ; and to furthering the preaching of the gospel everywhere; to the end that God may be honoured and served by everyone, as he requires in his Word. Moreover everyone, regardless of status, condition, or rank, must be subject to the government, and pay taxes, and hold its representatives in honour and respect, and obey them in all things that are not in conflict with God’s Word, praying for them that the Lord may be willing to lead them in *all their ways* [in every way] and that we may *live a peaceful and quiet life in all piety and decency* [be able to live in peace and quiet under them].

<sup>6</sup> Texts from J.N. Bakhuizen Van Den Brink, *De Nederlandse Belijdenisgeschriften*.

<sup>7</sup> The text of the CRCNA Belgic Confession Committee omits a line in its 1566 text here reading “pour oster et ruiner toute Idolatrie et faux service de l’antechrist”. Acts 1983 p.393. They however do not state which text-type they use, nor why it disagrees with Bakhuizen Van Den Brink, who offers no MS support for this reading.

For that reason we detest *the Anabaptists and other anarchists, and in general* all those who want to reject the authorities and civil officers and to subvert justice by *introducing* [setting up] common ownership of goods and corrupting the moral order that God has established among human beings.

As can be seen, the only material change is the explicit mention of the Anabaptists in the last paragraph. In paragraph three, the somewhat vague phrase “ecclesiastical matters” (*sur les choses ecclesiastiques*) is replaced by the more specific phrase “upholding the sacred ministry” (*de maintenir le sacre ministere*), thereby avoiding possible misunderstanding. The basic meaning remains according to the *Institutio*.

Ten to twenty years later, Synods of the Dutch speaking churches realised that there was an urgent need for an authoritative text of the 1566 edition, due to the variations in the printed texts becoming current.<sup>8</sup> There was also a measure of confusion resulting from the fact that some Dutch editions of the 1561 text were still in circulation. This translation had been made as early as 1562, and reprinted successively in the years 1563, 1564, and 1566, though with many errors. Finally the Synod of Dort 1618-1619 dealt with the problem immediately after the settlement of the Arminian controversy and the departure of the foreign delegates. The 155<sup>th</sup> session appointed a committee to revise and formulate the Confession in Latin, French, and Dutch, with the purpose of providing a threefold authentic version. The basis of the textual work was to be the Walloon manuscript of the 1566 edition which was collated with the “oldest and most important versions”. During the 173<sup>rd</sup> session, the Dutch and French versions were approved and Festus Hommius (one of the clerks) was instructed to draft a Latin translation to be examined and approved by appointed revisers (*revisores*). The Dutch translation need not be given at this stage as it followed the French of 1566 very closely. The Latin translation, however, at two crucial points in paragraph three proved to be ambiguous. This was to have repercussions later when it was made the basis for an important English translation. Paragraph three reads:

*Horum autem officium est, ut non modo curam gerant et pro conservanda politia excubent, verum etiam ut sacrum tueantur Ministerium omnemque idololatriam et adulterinum Dei cultum submoveant et evertant, regnum Antichristi diruant, Christi vero regnum promoveant operamque dent, ut verbum Evangelii ubique praedicetur, quo Deus ab unoquoque, prout Verbo suo exigit, honoretur et colatur.*<sup>9</sup>

This translation may be interpreted wholly in line with the 1566 French text, however two ambiguities occur in the phrases “*ut sacrum tueantur Ministerium*”, and “*operamque dent, ut verbum Evangelii ubique praedicetur*”. The first phrase may be translated either “that they uphold the sacred Ministry”, or “that they protect the sacred Ministry” (as in the later English translation). The verb “*tueor*” has a wide semantic range including “to look to”, “care for”, “keep up”, “uphold”, “maintain”, “support”, “guard”, “preserve”, “defend”, “protect”, etc. Similarly the second phrase may be rendered “and to give attention that the word of the Gospel is preached everywhere”, or, “and to offer assistance that the word of the Gospel is preached everywhere”. The later English translation took it in the sense of “countenance the preaching of the word of the Gospel everywhere”. This formative English translation referred to above was made by the Reformed Church in America sometime early in the nineteenth Century. In 1912 it was adopted word for word by the CRCNA, thereby extending its influence to many English speaking Reformed denominations which relied (and still rely) on the publications of the CRCNA. Apart from these two important shifts of nuance and meaning, the translation in this article faithfully followed the Dort (= 1566) text. Paragraph three reads as follows:

And their office is, not only to have regard unto and watch for the welfare of the civil state, but also that they protect the sacred ministry, and thus may remove and prevent all idolatry and false worship; that the kingdom of antichrist may be thus destroyed, and the kingdom of Christ promoted. They must, therefore, countenance the preaching of the word of the gospel everywhere, that God may be honored and worshipped by every one, as he commands in his Word.<sup>10</sup>

<sup>8</sup> The reason for the vagueness is that different sources detailing decisions of the various Synods of this time blatantly contradict each other! (Compare CRCNA Acts 1983 pp.268-269 with P.Y. De Jong *The Church's Witness to the World* pp.43-45). Neither reference their sources.

<sup>9</sup> Text from J.N. Bakhuizen Van Den Brink.

<sup>10</sup> Text from P. Schaff.

The confessional difference in the first alteration (“uphold” versus “protect”) is minimal if non-existent due to the clauses immediately following. However, later on when revisions and excisions were made, this translation proved most troublesome. The second alteration, however, now meant that English speaking churches no longer confessed that it was the state’s duty to ensure that the Gospel was preached everywhere, it merely had a responsibility to sanction that activity. And so we arrive at the situation in the nineteenth century, a time when many in the orthodox churches began to have serious problems with what is confessed in these articles.

### **The Period Of Revisionism**

De Gereformeerde Kerken in Nederland (henceforth GKN), were the first major churches to make a move. In 1896 a gravamen was presented to the Middelburg Synod undersigned by several prominent names (including Abraham Kuyper – by this time a very influential man) requesting a revision of Article 36 with reference to the phrase “Om te weren en uit te roeien alle afgoderij en valsche godsdienst”. This was the beginning of nine years of deliberation on the subject. At this time ties between the GKN and the CRCNA were extremely close, so it is not surprising that only two years later a similar move was made in the CRCNA. However the extent of revision envisaged was larger in that request for elucidation of the doctrine “dat het ambt der Overheid is het Woord des Evangelies alom te doen prediken”, was also included. At this stage though, the Synod decided to await the outcome of discussions in the GKN. Which brings us back to the Netherlands. In 1902 a new study committee was appointed and commissioned to also consider the words “en het rijk des antichrists te gronde te werpen”, as implying the same thing. In 1905, action was finally taken and these phrases were deleted leaving the text of the third paragraph as follows:

En hun ambt is, niet alleen acht te nemen en te waken over de Politie, maar ook de hand te houden aan den Heiligen Kerkedienst, en het Koninkrijk van Jezus Christus te doen vorderen, het woord des Evangelies overal te doen prediken, opdat God van een iegelijk geëerd en gediend worde, gelijk Hij in Zijn Woord gebiedt.

The understanding of the resultant text appears to have been that it is indeed the duty of the magistrate to suppress heresy, but not with force and violence, rather with the Word of God.<sup>11</sup> It is noteworthy that this confessional change was accomplished only with a slim majority of eight. The vote was 24 to 16. Some delegates, however, evidently wished that more sweeping changes had been made and even wrote publicly against the confession to that effect! The official rationale for the change ran along the lines of 1) a denial of the equation of Israel’s kingly duties in terms of suppressing heresy, and 2) the New Testament situation which exhibited a different relation between Church and State. Appeal was made to the parable of the tares and wheat, and such passages as 2 Corinthians 10:4 and Ephesians 6:12, 17, to argue that the Kingdom of God should not be advanced by the coercive power of the State. Herein it is clear that Calvin’s distinction between the church’s function of preaching the Gospel and the state’s duty with respect to the “*publica religionis facies*”, was not sufficiently appreciated. Finally it is worth noting that they had the audacity to appeal to the “reformational principles” of freedom of conscience, and independence of church and state!<sup>12</sup>

Now that the GKN had finally taken some action, the matter naturally returned in earnest to the tables of the CRCNA (it had actually been on the table of every Synod since 1898). One year later (1906) no less than four overtures were presented re: Article 36, including one gravamen. Synod declared revision desirable and adjudged the offending clause “unbiblical”, appointing a committee to present a proposed revision to all the churches, also eliciting the advice of sister churches. In 1910, a decision was taken to add a footnote to the article concerning the appropriate clause. This footnote marked the beginning of a long and tortuous debacle of misunderstanding, misrepresentation, and plain short-sightedness. It read as follows:

This phrase concerning the office of civil government in relationship to the church arises out of the idea of a state-church, implemented first by Constantine and later in many Protestant countries. History argues, however, not in favor of the principle of state domination over the church, but rather

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<sup>11</sup> This assertion is made in CRC Acts of Synod 1940, Supplement XIV-a, p.320, and backed by quotations from N.Y. Van Goor, *De Nederlandsche Geloofsbelijdenis*.

<sup>12</sup> It is both interesting and illuminating to see that the basic line of argument presented was exactly that which Calvin so forcefully dealt with in his tracts against the Anabaptists! For an excellent exposition of this see J.W. Sawyer, *op. cit.*

for a certain separation of church and state. It is also in conflict with the New Testament dispensation to grant to the state the right to reform the church according to its will and to deny the church the right to take its stand as an independent sphere alongside the state. The New Testament does not place the Christian Church under the authority of civil magistrates to be controlled and extended by the power of the state, but places it solely under the Lord and King as an independent sphere alongside of and wholly free from the state, to be ruled and built up only by its own spiritual powers. Therefore nearly all Reformed churches have already rejected the idea of a state-church as contrary to the New Testament and have come to defend the autonomy of the churches and personal freedom of conscience in the service of God.

In accord herewith the Christian Reformed Church in America senses the need of declaring that it does not understand the office of civil government to entail the exercise of governmental power in the sphere of religion by introducing a state-church and maintaining and promoting it as the only true church, nor to resist, eradicate or destroy by the power of the sword all other churches as false religions. Rather we firmly believe that within its own worldly sphere civil government has a divine calling to fulfill with respect to both the first and second table of the divine law. We hold moreover that both state and church mutually, as institutions of God and Christ, have received rights and duties from above and are thus bound to fulfill a very holy calling in relationship to each other through the Holy Spirit who proceeds from the Father and the Son. But they may not intrude upon each other's sphere. The church as well as the state has a claim to sphere sovereignty.<sup>13</sup>

Several things must be noted about this perplexing footnote. First of all, the subject discussed is patently different from the subject of the article! The article deals with the duty of the magistrate. The footnote deals with the relationship of Church and State. Secondly, the footnote attributes several doctrines to the article which are nowhere to be found — a facile charge of Erastianism, by implication no separation of Church of State (!), and, the necessity of the State to introduce a state-church and thereupon to destroy all others as false (*ipso facto*).<sup>14</sup> Thirdly, the influence of the developing doctrine of sphere sovereignty stands out starkly. Creeping in all too clear is the concept of virtually closed law spheres, totally independent of each other. Fourthly, we may note that the state does have a divine calling with respect to both tables of the law! (Compare the exposition of the *Confessio Fidei Gallicana* above). This is stated with no explanation. Other questions also arise with respect to this action. First, why were no detailed Scriptural data provided, either in the footnote, or in justification of the confessional change made? This striking omission was to continue right throughout the years of discussion! Later parties in the dispute would merely toss the onus for this back and forth to each other! Second, what was the status of this footnote intended to be? Was it merely a Synodical pronouncement, or was it to have *status confessionis*? This ambiguity was destined to cause trouble.

The decision to append a footnote was not the only significant action of this Synod however. It was the same Synod that tabled the RCA translation of the *Confessio Belgica* noting the difference between the English and Dutch in article 36 yet deeming it too insignificant to warrant emendation. Again, this decision was destined to cause trouble. In 1912 this translation was officially adopted.

Twenty-Four years later — 1936, trouble arrived, not just in Germany, but for the CRCNA. Though the two were not unrelated. Concerned about the rising tide of totalitarianism, the faculty of Calvin Seminary overtured Synod to be rid of the blatant inconsistency between the footnote and the article. Plainly, although they wished the article modified, they did not see the footnote as a having *status confessionis*, stating:

If this is really the conviction of the Church, it should find expression in the body of the Creed itself, since this is the formal and official declaration of the faith of the Church.<sup>15</sup>

Evidently the Synod agreed. A committee was duly appointed to consider the matter, and in 1938, judging a complete rewrite to be undesirable, the GKN deletion was made to the official Dutch, German, and English texts (at this time the CRCNA was a trilingual denomination). The clause “and thus may remove and prevent

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<sup>13</sup> Translation by G.J. Spykman found in “Sphere Sovereignty”, chapter 6 of *Exploring the Heritage of John Calvin*, ed. D.E. Holwerda, pp.178-179.

<sup>14</sup> Cf. Die Gereformeerde Kerk van S.A. “Report on Article 36 of the Belgic Confession”.

<sup>15</sup> CRCNA Agenda for Synod 1936, Part II, p.339.

all idolatry and false worship, that the kingdom of antichrist may be thus destroyed ...” being duly removed. A new footnote was appended. It read:

In the original text this sentence read as follows: “Their office is not only to have regard unto and watch for the welfare of the civil state, but also that they protect the sacred ministry, and thus may remove and prevent all idolatry and false worship, that the kingdom of antichrist may be thus destroyed and the kingdom of Christ promoted.” The Synod of 1910, recognizing the unbiblical teaching, contained in this sentence, concerning freedom of religion and concerning the duty of the state to suppress false religion, saw fit to add an explanatory footnote. The synod of 1938, agreeing with the Synod of 1910 as to the unbiblical character of the teaching referred to, but recognizing a conflict between the objectionable clauses in the Article and its footnote, decided to eliminate the footnote and to make the change in the text of the Article which appears above, corresponding to the change adopted in 1905 by the General Synod of the “Gereformeerde Kerken in Nederland.”

Obviously this footnote was by far an improvement on 1910, however once again the assertion “unbiblical” was made without Scriptural argumentation. More serious, however, was the fact that given this omission, the phrase in the English translation “Their office is ... to protect the sacred ministry” now took on a totally different meaning from the Dutch text where the wording was “En hun ambt is ... de hand te houden aan den Heiligen Kerkedienst” (see discussion of the English translation above). This was not realised until pointed out the following year.

In 1939 an objection to the phrase “protect the sacred ministry” was lodged, in the desire of seeing the state also protect other minority groups. Lamenting the loss of the 1910 footnote, it was pointed out that the Dutch text (interpreting the English) prohibited this. Synod denied the request yet acceded their point by interpreting the English text to permit this (which was possible given the English construction). Synod argued that the Dutch text was not officially adopted by the CRCNA and therefore irrelevant! Of course this was patently untrue. Synod 1940 duly retracted this statement, appointing a committee to reformulate the article concerning “the relationship of Church and State”. Once again the actual subject of the article was mistaken. This time grounds for revision were given more substantially. Appeal was made to the “absolute separation of Church and State” in favour of a “neutral” State. This was further argued as the “American position”. The background to the latter argument was a faulty understanding of the first Amendment, later to be enshrined in the historical myth of the infamous 1947 Supreme Court ruling in the Everson case.<sup>16</sup> Again, however, no Scriptural evidence was presented.

In 1943 the committee reported back, divided in opinion. The majority report appears to have made significant ground. Firstly, they realised the confusion in the subject matter of the article. Secondly, they noted that the views of the objectors in 1940 were in contradiction to the 1910 footnote they so craved for anyway. The report even went as far as saying:

“Anyone who should deny that even civil governments have obligations to Christ and His kingdom and His Gospel certainly would thereby place himself outside the Reformed pale and in contradiction with the Word of God, Ps. 2.”

Strong words for what was evidently becoming quite an issue. The report then proceeded to recommend that the Dutch and German texts merely be understood (ungrammatically!) in line with the English, and that the matter be dropped altogether in preference for the *status quo*. The Minority Report(s) stressed that the decision of 1938 changed the confessional position of the Church as embodied in the 1910 footnote. Synod went ahead and adopted a motion stating that the Dutch version was in error, and that Synod 1938 erred in removing the confessional footnote. Without a word of explanation, the nature and authority of the 1910 footnote was viewed in an entirely new light! A new study committee was duly appointed.

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<sup>16</sup> Further evidence of the view propounded in the 1940 CRCNA Synod concerning the “American position” can be gleaned from the synodical letter to the U.S. President, (p.43 Acts 1940). The Supreme Court ruling of 1947, declaring “a wall of separation between Church and State”, and the historical myth undergirding it is fully discussed in N. De Jong / J. Van Der Silk, *Separation of Church and State*.

In June 1946, just two months before the first Reformed Ecumenical Synod (henceforth RES), Synod 1946 convened, among other things, to continue the ever more complex saga of Article 36. Representative of the growing division on this issue was the fact that this time there were three Minority Reports. However in one respect things were looking up. For the first time in the entire debate a fair measure of Scriptural support was attempted. The Majority Report argued for a proposed revision on the basis of the Dort text.<sup>17</sup> Perhaps the most significant argument from Scripture was that:

... there is too great a difference between the Old and the New Dispensation to conclude that present-day rulers must take the example of Israel's God-fearing kings as their norm in every particular.<sup>18</sup>

The Minority Reports represented some of the other views already discussed, including one which was full blown Kuyperianism. Synod (now leery of hasty action?) merely passed the reports on to the churches for study.

In August the first RES met, and amongst the topics placed on its Agenda for future discussion was none other than Article 36. This decision gave CRCNA Synod 1947 the relief it was long waiting for, and the Synod referred the entire matter to the RES.

RES 1949 duly discussed the matter. A major report on the subject was tabled by Die Gereformeerde Kerk van Suid Afrika (henceforth GKSA) arguing for retention of the original formulation of Dort.<sup>19</sup> Overall the report briefly gave an historical outline and exposition of the article and its interpretation, effectively disarming the arguments advanced against the "problem" clauses in Article 36. However the report was misconstrued and largely ignored by the Synod. Instead a declaration was formulated to which all delegates could agree. Understandably such a declaration was a very general statement open to various interpretations. A majority decision recommended the revision of the GKN with the desire for restoration of unanimity concerning Article 36.

In 1953 the GKN proposed the following revision to the RES, inviting its member churches to enter into discussion with it on the matter. The revision itself, as will be seen, is incredibly vague and open to all manner of interpretation. The third paragraph of the article was to read:

And being called in this manner to contribute to the advancement of a society that is pleasing to God, the civil rulers have the task, in subjection to the law of God, while completely refraining from every tendency toward exercising absolute authority, and while functioning in the sphere entrusted to them and with the means belonging to them, to remove every obstacle to the preaching of the gospel and to every aspect of divine worship, in order that the Word of God may have free course, the kingdom of Jesus Christ may make progress, and every anti-christian power may be resisted.<sup>20</sup>

Consequently in 1954 the CRCNA appointed a liaison committee to study this revision, and in 1958 provisionally adopted it. At that same Synod the RES declaration of 1949 was also finally officially sanctioned. In 1963 the CRCNA brought the provisional revision to the RES for its advice on final adoption. The various member churches were then polled for their action with the following result:

Ref. Churches of N.Z. — no change (to Art. 36)  
Ref. Church of Australia — no change Dutch Ref. Church of Ceylon — no change  
GKN — amendment in progress  
Die Nederduitse Geref. Kerk van S.A. — GKN amendment in progress  
GKSA — change considered and rejected  
De Christelijke Geref. Kerken in Nederland — no change

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<sup>17</sup> The report stated: "We feel that since our church has had dealings only with that form of Article 36 which was adopted by the Synod of Dort, our point of departure can only be this later version." (Acts of Synod 1946, Supplement 37, p.399). It is interesting to note that one of the undersigned was none other than Rev. L. Verduin (see below)!

<sup>18</sup> Acts of Synod 1946, Supplement 37, p.408.

<sup>19</sup> Already in 1913 the GKSA had decided to leave the article intact.

<sup>20</sup> CRCNA Acts 1958, pp.30-31, official translation.



The RES then proceeded to endorse the GKN amendment and urged member churches to either adopt it or accept it as an explanatory statement.

The following year the CRCNA shelved the issue to await the reaction of other churches, and the GKSA appointed another study committee to consider it. RES 1968 was fairly uneventful as regards our article. Another poll was taken which proved virtually identical to that of 1963. Obviously the issue was not a concern for many other churches. RES 1972 merely received for information the fact that the latest study committee for the GKSA could find no Scriptural data against Article 36, and therefore no action had been taken in that denomination. That was the last time that the RES dealt with the issue.

That does not mean, however, that the CRCNA was no longer concerned with it, for the matter resurfaced with a vengeance upon debate on the new translation for the *Confessio Belgica*. In 1979 the Translation committee submitted its report pleading for a return to the 1561 text. Underlying this plea was the now infamous Magisterialisation Theory of the Confession's development. Essentially this theory posited that De Bres' original formulation was a simple evangelical outworking of the faith of the "Flemish Evangelicals". Later, however, due to the heavy influence of Magisterialists like Calvin, who desired an Established Church supported by the magistrates, an "occult" Synod "doodled" over the text resulting in the Magisterialist version of 1566. This historically impossible theory, as demonstrated above in our exposition of the 1561 text, was buttressed by a rather stretched interpretation of the 1561 Article 36.<sup>21</sup> The clauses following "aussi sur les choses ecclesiastiques" were taken merely as result clauses. Behind all this was none other than Rev. L. Verduin. The Synod however was not duped and instructed the committee to study the early textual history of the *Confessio* and provide a translation of the Dort text to be printed side by side a corrected translation of the 1561 text. With regard to Article 36, the Synod instructed the committee to incorporate the contents of the revision accepted in 1958 into the Dort translation. By the time the committee reported back in 1983, a further dimension had been added to the problems besetting this article. In 1982 a protest had been lodged against "detesting" the Anabaptists. The committee's new report rejected the Magisterialisation theory arguing for retention of the Dort text. A minority report by one L. Verduin clung tenaciously to his dead horse. The committee further did not incorporate the 1958 revision into the text (merely adding it as a footnote), nor change the wording with respect to the Anabaptists. The problem was skirted by reading between the lines to what the "author and revisers intended to say". Such an exposition, needless to say, leaves much to be desired, and the Synod duly modified the expression. This done, the Dort translation was recommended to the churches for study. Finally in 1985 this version was approved, though the 1958 revision was now incorporated into the text, and the original wording placed in a footnote.

Such is the rather drawn out saga of Article 36. It is perhaps fitting now to close this essay by quoting in full the complete CRCNA revised text of Article 36. A version destined to exert influence far further afield than this American denomination.

We believe that because of the depravity of the human race our good God has ordained kings, princes, and civil officers. He wants the world to be governed by laws and policies so that human lawlessness may be restrained and that everything may be conducted in good order among human beings.

For that purpose he has placed the sword in the hands of the government, to punish evil people and protect the good.

And being called in this manner to contribute to the advancement of a society that is pleasing to God, the civil rulers have the task, subject to God's law, of removing every obstacle to the preaching of the gospel and to every aspect of divine worship.

They should do this while completely refraining from every tendency toward exercising absolute authority, and while functioning in the sphere entrusted to them, with the means belonging to them.

They should do it in order that the Word of God may have free course; the kingdom of Jesus Christ may make progress; and every anti-Christian power may be resisted.

Moreover everyone, regardless of status, condition, or rank, must be subject to the government, and pay taxes, and hold its representatives in honor and respect, and obey them in all things that are

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<sup>21</sup> For a good discussion and refutation of this theory see, J. Faber, *Textus Receptus of the Belgic Confession*.

not in conflict with God's Word, praying for them that the Lord may be willing to lead them in all their ways and that we may live a peaceful and quiet life in all piety and decency.

And on this matter we denounce Anabaptists, other anarchists, and in general all those who want to reject the authorities and civil officers and to subvert justice by introducing common ownership of goods and corrupting the moral order that God has established among human beings.

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