Coertzen, P
University of Stellenbosch

The relationship between church and state in a democracy with guaranteed freedom of religion

ABSTRACT

The article is about the relationship between church and state in a country, like South Africa where there is guaranteed freedom of religion. It is suggested that the answer must be sought through the guidelines of the Kingdom of God, the church as a unique entity amongst others within the kingdom and the state as a servant of God. The idea put forward by John Hiemstra of society consisting of a principled plurality of complementary, overlapping and mutual interdependent institutions and associations, a plurality of directions and a contextual plurality are explored as helpful in finding a answer to the question posed.

1. INTRODUCTION

The theme of this article is about the relationship between church and state in a country, South Africa, where there is a Bill of Rights i.a. guaranteeing the freedom of all religions (Christian and non-Christian). Before 1994 SA was a country where the Christian religion was dominant in society. After 1994 and under the new Constitution of 1996 this has changed. South Africa has become an open democratic society with the fundamental values of freedom, equality and human dignity. The Bill of Rights i.a. does not allow any discrimination on grounds of gender, sexual orientation, religious conviction etc. etc. while article 15 guarantees freedom of religion. The answer to the question of what the relationship between church and state and church and society should be in such a dispensation can be narrowed down to the formulation of certain guidelines that are necessary for a sound relationship between reformed confessing churches and the state. The question and the suggested answer to it are approached from a reformed theological point of view in the conviction that reformed theology has much to offer in this regard.

All over the world where reformed churches are found the answer to this question is of great interest and importance. It is especially important for a country like South Africa, where there are quite a number of reformed denominations. They all have to avail themselves with regard to their own position under the new Constitution (1996) of the country, a country where there is not only the Christian religion that has to be taken into account but a plurality of other world religions including African indigenous religions. This immediately poses the question on how churches would want the state to see them – in a mere secular neutral way or are there other possibilities. Churches must also take into account that there are many forms of associations in society who all stand in a relationship to the state – not only the church. This is all the more a reason why churches must avail themselves of their own relationship to the state. In this process Churches should clarify for themselves on how they see the state and its task. This inevitably brings forward that churches must ask themselves whether the state is fulfilling its task in accordance with what the bible teaches, and if not what do they stand to do.

The following perspectives/guidelines are important to try and find answers to the

main theme and the related questions of this paper.

2. THE KINGDOM OF GOD

The Kingdom of God forms the primary context for the existence of the church as well as the state – the church and the state is part of God's kingdom. The Dutch theologian, Herman Ridderbos (1978,1), calls the kingdom of God the most theocentric concept that Scripture offers for our understanding of the creation, humans, the world, current and future times. God's kingdom and the Lord Jesus Christ's royal sovereignty comprise the whole of creation. Where Christ's kingship is recognized, something of the kingdom becomes visible; individuals are liberated, and the entire pattern of their lives is transformed (Ridderbos 1960:303). The state (any state and all states) is also part of God's kingdom and, although a state often does not acknowledge God's sovereignty, it nevertheless remains a servant of God for the benefit of people (Rom 13:4-6) and as such a significant part of Gods' Kingdom.

With reference to the theme of the relationship between Church and state it is good for both the Church and the State to remember that the Kingdom of God does not only exist out of individuals, the church and the state – there is much more to take into account. This fact has been recognized and reflected upon more often by theologians, philosophers and jurists like Calvin, Althusius, Kuyper, Dooyeweerd (see: Du Plessis,1941,121-147), Stoker, (1970,292-304), and Van der Vyver,(2004,35-66), to mention but a few within the Reformed tradition. The Canadian scholar John Hiemstra points out the following relevant perspectives: within the ambit of the kingdom of God there is also ***a plurality (a multiplicity, a diversity) of complementary, overlapping and mutual interdependent institutions and associations.*** which are all rooted in Gods creation, and which are all part of His Kingdom, who are all called to live *coram Deo* and who all call for human responses to the calling for God's rule over them, the call to be obedient to the Lord of the Kingdom. All of this is a fact whether people acknowledge it or not. All these institutions, directions and contexts will in the end be responsible to God for the way in which they discerned their task and did their work. He writes in this regard of "The principal of *complementary responsibilities* which suggest that faithful living in each area of society must be determined by discerning, in the light of the Bible and creation the nature and calling of each social area. This breaks with the classic liberal idea that autonomous individuals determine how institutions should function in society, including the state. Classic liberals want to limit the state with *external* constraint of 'consent', later understood as popular sovereignty functioning through the majority mechanism. The principal of complementary responsibilities limits societal institutions and the state in two ways: by calling those to be faithful to their God-given calling and by asking those to respect and serve other societal institutions which each have their own calling (Hiemstra, 2005,21). The fact that the plurality of institutions and associations are mutually interdependent means that no institution or association is autonomous – a law unto itself – they all exist, or should exist to enable humanity to achieve its true unifying purpose namely to love God and neighbour (Hiemstra,2005,22-23).

Apart from the ***plurality of institutions and associations*** in the Kingdom of God a ***plurality of directions*** is also a reality that has to be reckoned with. "The full reality of institutional plurality in society can be unfolded in many religious and ideological directions."(Hiemstra,2005,46). The fact that many of the ideological and religious directions of institutions and associations in society cannot be accepted by Christians does not mean that they should not be respected and tolerated. Disagreement does not make them less real or diminishes

the calling of both church and state to deal with the plurality of directions in society – each of course in its own way. "The state must respect and tolerate the convictions and conscience of its neighbours in a plurality of institutions within society while vigilantly executing its limited task of public justice." (Hiemstra,2005,47). The Church must also respect the convictions of its neighbours in a society with a plurality of other directional individuals, institutions and associations. This does not mean that the church and Christians must approve of all the different directions in society – it does mean that the church and Christians cannot deny their existence. The church must also never forget that it has the undeniable task of proclaiming through word and deed the Gospel of the Kingdom of God – calling all people, institutions and associations of whatever direction they may be to obedience to the Triune God.

Hiemstra also distinguishes a third kind of diversity namely that which he calls ***contextual plurality.*** This refers to the fact that diverse cultures around the world and throughout different historical eras have developed the cultural and social potential of creation in different ways. Hiemstra concedes that some of these developments may be due to the sinful nature of man but more often these unique geographical and historical contextual developments are simply different legitimate responses to God's creation (Hiemstra,2005,23-24). This too must be recognized as belonging to the kingdom of God and it can help both the church and the state in their relationship to each other as well as their relationship to all other institutions, directions and contexts.

3. THE CHURCH

Within the Kingdom of God there are those who are gathered into a unity through the proclamation and acceptance of the Gospel. They are gathered into a confessional, cultic, orderly and confessing community – the church (cf. Ridderbos 1972,296-308). One could say that the church is a community of people who are, and must be, organized in respect of their confession, their worship, their teaching, discipline, pastorate, diaconate, mission, social calling, etc., etc. In all these respects the church is an image of God's kingdom that simultaneously points to the kingdom, and it also becomes a place where the kingdom is revealed and displayed in this world (Heyns 1977,23-26; Van Ruler 1978,64).

For the church it is very important that Jesus Christ is its' only Lord and Head. He is the primary subject in his relation to the church, which then is the secondary subject. The church must always be about a Christological-ecclesiological relationship (Barth *s.a.*,678-679). Various passages in Scripture teach this truth, inter alia in Ephesians 1:20-23. Christ is the head of the entire creation and, after his resurrection, he was given as the head of the church. This headship of Christ refers to his leadership and governance of the church (Du Plessis 1962,71-72). That Ephesians 1:23 describes church as "the fullness of Him that fills everything in everybody" reveals a most important characteristic of Christ's headship over the church as well as the uniqueness of the church. "Fullness" refers namely to the area over which the headship of Christ is "fully" exercised (Berkhof 1962,154). The church is the body of Christ and, as His "fullness," this means that it is the area where there should be perfect obedience to Him, the Lord and head (Du Plessis 1962,76).

Christ rules his church by means of the Word, the Holy Spirit and the ministries/offices that He has given. This is also a unique characteristic of the church. The proclamation of the Word in a variety of forms, such as preaching, training, charitable deeds, prophetic witness, caring and comforting can also be viewed as the church's unique task, as well as that of the

members and the offices in the church. In the Word, the church hears the Lord's voice through the Holy Spirit's Curiological work (Versteeg 1971,211-213). The church hears the Lord's voice for the time in which it lives, and through the calling and work of the offices and the members of his body, Christ cares for his body. The offices must equip, feed, discipline, stimulate and co-ordinate the members of the body for their task within the church, but also within God's greater kingdom. The offices must also join and lead the body to be able to function as the body of Christ in the world (Roberts 1963,140). All of this will inter alia mean that the church must continuously help its members to walk with God in righteousness – also with regard to the political challenges that they face. The church must help its members to distinguish between the plurality of religious and ideological directions that confront them every day and what they must do to remain loyal to Christ. It is also the task of the church to help its members to understand the societal context in which they live be it that they are a majority or a minority religion; what the consequences are of a state that does not allow any religion in the public sphere or of a state that guarantees freedom of religion to all religions and what the impact of that is on churches. It is also the task of the church, as an institution as well as through the equipment of its individual members to witness to the political powers of the day about the Kingdom of God and the sovereign rule of Jesus Christ. This can be done through prayer, dialogue or the prophetic witness of the church as well as through the righteous walk of the members of the church (Hiemstra,2005,11-12).

The faith identity of a specific church denomination usually finds its expression in the confession(s) of faith of the church and the resulting church order of the church. Its confession(s) of faith is a very fundamental document for any church. The confession(s) of faith of a church is a systemized expression of what the specific faith community understands as the main truths of the Bible. As such the confession(s) of faith is always subject to the teaching of the Bible. But until it has been changed the confession of faith determines the faith identity of a church. The church order of a church contains the rules that govern a church's life at a given point in time. The primary sources for a church order are the Bible and the confession(s) of faith of the church. Secondary sources are the history of the church and the tradition in which it stands. Although the historical traditional or contemporary context of a church can never be a normative source for the faith identity or the church order of a church it is something which a church must always take into account. In the end a church must always weigh its faith identity against the Word of God and the needs of the time. It is usually in this area where the church and the state and society must have clarity on their different identities and functions. The church order of a church usually states what the confession(s) of faith is to which the church adheres, what the offices are that the church keeps, what their authority is, how the office bearers are elected; how the church assemblies are called and what their authority is. The church order also lay down the rules for the training of its office bearers; the requirements for eligibility; the conditions of employment for ministers and other employees of the church. Furthermore the church order contains the definitions of the functions of the church; the rules of discipline and conflict resolution in the church as well as the rules for the relationships that the church maintains with respect to the state, to society and it's institutions as well as to other churches and religions. Very important also is the fact that the church order of a church contains the rules that have to be adhered to in the assemblies of the church; this means that the church order will also contain rules regarding the entrenchment of the confession of faith of the church. The church order has authority within the church and this authority is also recognized by the courts of the country. The authority of a church order can be amended, but only through the prescribed means. It can be said that a church order is a

contemporary expression of the identity of a church within the context in which it is called to function. As such it is a very important document in the relationship between church and state (see Coertzen,2004,150ff;187-209).

All of the above does not necessarily mean that the state in its relation to the church views the church as the church sees itself (Barth *s.a.,*686). It often happens that the state does not take the existence of the church seriously; or it propagates an absolute separation between the state and the church; the church is relegated to the so called inner or private sphere of life. It can also happen that the State sees the church as a mere subject of the state that must abide by the rules of the state denying the church its unique existence as part of the kingdom of God. For the church the danger always exists that it can begin to view itself as the state often sees it – namely as an voluntary association of people, albeit then a voluntary association with a special relationship to the Person whom they call Christ. It can happen that while the state sees the church as a mere voluntary association of people that performs certain actions in the Name of Christ, the church can also begin to see itself as such and lose view of its very special religious identity and calling. The church may never accept or be reconciled to this view about itself. The law of the state – the *ius circa* sacra - may never without responsible theological reflection by the church, become the law in the church – the *ius in sacra*. Given the freedom of religion in a democratic society the church is obliged to do everything possible to convince the state to see and judge it as it expresses itself in its obedience to the Word of God and as this is expressed in its confession of faith and in its order. This also places the church under the obligation to express itself in its church order in a way that is consistent with its confession(s) of faith and faith convictions. In other words, the church must use the space that constitutional freedom of religion allows it to define itself in a way consistent with its faith identity as a faith community and not wait for, or allow the courts of the country or the laws of the country to define it.

4. THE STATE

The state is the most encompassing entity with which any church can be involved – The church apart from its involvement with individuals in society, is also involved with many other social entities for example, marriages, families, corporations, social institutions, etc. etc. - That which can be called the plurality of associations. However it can be said the state is the most encompassing entity in its own right (Van der Vyver 2004,35ff) which a church can encounter in its earthly existence. The state encompasses and co-ordinates, inter-alia by its legislation and policies, all individuals, corporations, and institutions, which includes churches and religions, within its sphere of authority.

Christians believe the state is a divinely instituted institution; in other words, it is an instrument of the sovereignty of the Lord Jesus Christ, or to say it in still other words the state is the great human representative of Christ's sovereignty over the whole of creation – even if a state itself does not always recognize this. This is also why, with reference to Romans 13:6, churches confess that the state authorities are God's servants who are executing their God given command. This brings forward a remarkable parallel between church and state in that the centre of the church's existence is simultaneously also the final centre and authority of and over the state – Jesus Christ the Lord!

Apart from being a divinely instituted institution the state is also a historical institution, a human cultural response to God's call to do justice in the public relations of our lives. Through the course of history the state has taken on many different forms such as

kingdoms, principalities, empires commonwealths, tribal arrangements etc, etc. Sometimes these arrangements were more just and at other times less just or sometimes even plainly unjust, but always ways of structuring the political life for their times and contexts. In the same way contemporary states are our societies', better or worse answers to God's call to concretely structure political life. This implies that states may be reformed so that they can deal more justly with society. (Hiemstra,2005,39-40).

The state can be characterized for its specific concern as a political community to ensure that people and institutions, directions and contexts are publicly integrated in just ways. The state that has this as its main task is always territorially bound and should function by way of legal rule with the intent to bring about public justice (Hiemstra,2005,40-46).

The specific task of this kind of state as mentioned above will then be to recognize, integrate and protect the plurality of individuals, associations, directions and contexts which fall under its authority as a state. For the church this will mean - as for all other institutions and associations – that the state must leave them the space and the freedom that they need to fully respond to their God given calling. However should the actions of institutions an associations fail to achieve their essential tasks, or distort their neighbour's lives or harm their members the state must act to ensure that just public relations exists between all as well as that the common good shared by all societal actors is achieved (Hiemstra,2005,).

A very important document in the relationship between the state and churches/ religions is the constitution of a country. About a constitution Rautenbach and Malherbe writes as follows "A constitution is a law that contains the most important rules of law in connection with the constitutional system of a country. These include the rules of law dealing with the state, the government bodies of the country, their powers and how they must exercise those powers. In other words, a constitution defines government authority, confers it on particular government institutions, and regulates and limits its exercise. (the exercise of government authority includes the creation of legal rules on virtually every aspect of society.) A constitution guarantees and regulates the rights and freedoms of the individual and determines the relationships that exist between inhabitants of a state and their government bodies. A constitution thus provides a norm against which everybody's actions can be measured and which ensures public stability and security. A constitution is thus a key component of the legal system of a state. In addition, a constitution is regarded in democratic societies as an expression of the will of the people and a reflection of prevailing values, requiring the support of the citizens." (Rautenbach & Malherbe, 2004,22-23). A constitution can also be described as the *lex fundamentalis* of a country, the basis of the whole legal order. As such it is also regarded as a special law with a higher status than other laws; as a matter of fact all other laws of a country are subject to the constitution and are invalid if they are in contradiction with the constitution. A constitution is also accorded supremacy in that it is a written document that is entrenched which means that it cannot be amended at will by the government and the government itself is subject to the law. To change the constitution certain procedures must be followed. Furthermore the courts of the country are assigned the function to enforce observance of the provisions of the constitution. In the case of South Africa the Constitution itself provides in Section 2 that it is the supreme law of the country that any law or conduct inconsistent with it, is invalid and obligations imposed by the Constitution must be fulfilled. Apart from this the South African Constitution is also entrenched and the courts are formally vested with the power to test the constitutional validity of any government action and declare it invalid if it is in conflict with the Constitution. "All executive authority is also subject to the Constitution. The supremacy of the Constitution therefore obliges government bodies

to act consistently with the Constitution, lest their actions be declared invalid by the courts." (Rautenbach & Malherbe,2004,25).

Article 36 of the Constitution of South Africa, the so-called "Limitation of rights" clause , enables both the state and any institution of civil society to limit certain rights included in the Bill of Rights on condition that this takes place in accordance with the stipulations of the Constitution. The Constitution prescribes certain procedures according to which rights can be limited in both the state and civil society.

The Constitution itself can limit rights internally by means of the constitutional article that entrenches it; qualifies it (a.17 – rights may e.g. be exercised only peacefully and unarmed), or makes it subject to a further limiting stipulation (e.g. as a result of a.126[2], a.16[1] - right to freedom of expression - does not include protection of so-called "hate speech"). By generally applicable legal rules other than constitutional stipulations, rights can also be limited externally, if such limitation:

(i) is reasonable and justifiable in an open democratic society based on human dignity, equality and freedom, and

(ii) (ii) satisfies certain proportionality requirements (a.36[1]).

Institutions of the civil society (such as e.g. churches) can, by means of formulation of internal constitutional laws, statutes, church orders, stipulations and regulations, make use of the limitation possibilities that the Constitution offers, to interpret or reinterpret each of the stipulations of the Bill of Rights within the context of the internal constitution of the institution. In the case of churches, this will entail an interpretation or reinterpretation in accordance with the faith identity the church as it is found, inter alia, in the confession(s) of faith and church order of a church. Such a reinterpretation, especially where it pertains to a church's limitation of the rights of the Bill of Rights in the light of article 36, must always be very well motivated in the light of the church's faith identity the order that is the result of the faith identity. Such limitation must also fulfil the requirements stated in article 36 (cf Du Plessis 1999, 204-206).

5. CONSTANTINIAN (ERASTIAN), THEOCRATIC OR PRINCIPLED PLURALISM ?

In the history of the relationship between church and state two big trends can be distinguished. A distinction which proves to be very valuable. On the one hand the so called **Constantinian model** – it can also be called an Erastian model due to the thoughts of Thomas Erastus in this regard. Many well known figures in the history of Christianity like Constantine, Eusebius, Augustine, Luther, Calvin were partly or in whole sympathetic towards this model. On the other hand there is the so called **Theocratic model** which was advocated in a stronger or weaker way by the medieval church, Thomas Aquinas, many later Roman Catholic thinkers, as well as some historical Protestant streams. (Hiemstra,2005,29). Constantinian and Theocratic models for the relationship between church and state are not unique to Christianity. These models can also be found with regard to other religions and the way which they see their relation to the state and to the rest of society.

Three other possible models for the relationship between church and state can also be distinguished, namely *the Christian seperationist model* which argues that the distinctive roles of church and state can (must) be fully separated from each other. An example of this model is the viewpoint of Anabaptist Communities during the time of the Reformation and also of John Locke (Hiemstra,2005,30). *The Secular Seperationist* model asks for a complete separation of church and state. Religion is seen as irrelevant or dangerous in the public sphere

and must remain confined to the private sphere of life. *The Abolition of Religion* model views the church and religion as negative forces that mislead people and damage society and must therefore be contained and eventually eliminated (Hiemstra,2005,35).

Both the Constantinian and Theocratic models are positive about the role that religion should play in society – according to Christian thinkers in this regard, society should serve the Triune God and Christianity should provide direction to society. The models differ on who should be the guide or the leader in the role that religion plays in society. According to *the Constantinian model* the political authorities are dominant over church authorities which mean that they often assist, influence and sometimes fully control and use the church. It also means that the state has a role to play in the advancement and support of the "true religion" even to the extent that it uses its coercive power. According to *the Theocratic model* the control over the role of religion in society resides with the church authorities – the church (or religion) should dominate the political authorities as well as the rest of society (Hiemstra,2005,28-29).

From the literature it is clear that the two models - the Constantinian and the Theocratic – are not always clearly distinguished. A Clear understanding of what is meant will certainly help to advance the relationship between church and state in a democratic society with guaranteed freedom of religion. According to Hiemstra art 36 of the Belgic Confession of Faith contains elements of the Constantinian model in that it requires from the state the enforcement of true religion "---the government's task is not limited to caring for and watching over the public domain but extends also to upholding the sacred ministry, with a view to removing and destroying all idolatry and false worship 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. (Hiemstra, 2005,33). With reference to the view of John Calvin, who is seen as the theologian behind the Belgic Confession of Faith Hiemstra writes: "Calvin's understanding of the state also rejects the theocratic model. For Calvin, the church is part of God's eschatological goal of bringing renewed order to creation with the return of Christ out of the chaos of sin. In his approach, the church is concerned about all of life, not just the so called spiritual or supernatural elements. The church does so, however, with a focus on its own calling to minister to the inner person as it relates to the whole of life. It may speak to and encourage the state, but not coercively dominate, control or direct it." (Hiemstra,2005,32).

CFC Coetzee, concurring with theologians like Polman, Verboom and Van der Zwaag, is of opinion that art 36 of the Belgic Confession must be understood as propagating a Theocratic model for the relationship between church and state. Quoting Verboom he states: "God governs through the authorities" (God regeert door de overheid). "That is the theocratic view of De Bres" (Dat is het theocratisch uitgangspunt van De Bres).(Coetzee,2006,148). He also agrees with Van der Zwaag when he writes "Artikel 36 kunnen wij als een theocratische visie op de overheid beschouwen. Theocratie (letterlik: Godsregering) vatten we op als een norm die Gods Woord stelt voor geheel het leven, inclusief de samenleving." (We can see article 36 as a theocratic view on society. Theocracy (Literally God's government) we understand as the norm that God's Word requires for the whole of life, including society." (Coetzee, 2006,149). Coetzee sums up the viewpoint of Van der Zwaag in the following words: "Article 36 explicitly represents a theocratic principle, namely the governance of God over all things, which it puts as the governing norm for the whole of society. This norm is expressed in article 36 apart from the fact whether it can be realized in practice. It has everything to do with the faith character of the confession" (Artikel 36 verteenwoordig nadruklik 'n teokratiese beginsel, naamlik Godsregering oor alle dinge, wat as die geldende norm vir die samelewing gestel

word. Hierdie norm word in artikel 36 tot uitdrukking gebring ongeag die vraag of dit indie praktyk realiseerbaar is. Dit het alles te doen met die geloofskarakter van die belydenis) (Coetzee,2006,150). It is very interesting that with regard to the use of coercive power to further the Kingdom of God Van der Zwaag makes the argument that this only applies to the public domain – coercive power with regard to faith and religion is according to him is not only prohibited but also meaningless.

Something more needs to be said about article 36 of the Belgic Confession of Faith. In its original form it read that it was the government's task to protect the sacred ministry as well as to remove and destroy all idolatry and false worship of the Antichrist and to further the Kingdom of God. During the course of the twentieth century Reformed Churches realized that it was no longer possible to maintain this view on the task of the government. The wording of article 36 was then changed firstly by deleting the words "to remove and destroy all idolatry and false worship" and secondly by making the Confession read "furthering the Kingdom of God, allowing the Word of God to be preached everywhere so that God can be honoured and served everywhere as He commands in His Word.". The new wording no longer made it the task of the state to further religion by coercive means but it became the task of the state to provide conditions so 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 (Hiemstra,2005,35).

It is clear that theocracy is here understood in two different ways. On the one hand there is the view of Hiemstra understanding it as the rule of the church over the state – the church dictates what the Christian norm for society is. On the other hand there is the interpretation of Coetzee c.s. who apparently wants to accord a dominating role to the authorities for the promotion of the Kingdom of God. History has shown that neither of these models has presented good answers regarding the role of Christianity in society and the relationship between church and state. Many problems, at least in South Africa, that have been experienced by reformed churches regarding the role of Christianity in society and the relationship between church and state can be ascribed to a dominant Constantinian model – albeit not always in full - that has been used. Apart from failures like not clearly identifying the specific task of either the church (religion) or the state; both the church and the state usurping functions of the other and that there are no clear guidelines for solving jurisdictional disputes between church (religion) and state neither the Constantinian nor Theocratic model provide Christians with a just way of dealing with the relationship between church and state; the influence of Christianity in society or in dealing with the issues of religious plurality in a society (Hiemstra,2005,28-29).

6. IN CONCLUSION

1.1 It is suggested that in their relation to the state Reformed churches move away from both the Constantinian and Theocratic models for the formulation of the relationship between church and society as well as the relationship between church and state. Article 36 of the Belgic Confession of Faith must not be read in a Constantinian way as if it is the task of the state "to remove and destroy all idolatry and false worship of the Antichrist". Article 36 must rather be read taking into account the teaching of the New Testament about the Kingdom of God, the headship of Jesus Christ over all and every one and the position and function of the church (Polman,sa,313-315). In the light of this it can be said that the state, apart from doing public justice also has the task to recognize and advance the legitimate and principled task that the church has to fulfil

its function in obedience to God.

1.2 It is suggested that churches and Christians not abandon their calling to witness to Jesus Christ and His Kingdom in all spheres of life, to the contrary. It must however be done by way of what Hiemstra calls principled recognition of institutional plurality in society, including the institution of the state. Together with this there must be an acknowledgement of directional plurality in society – even if this is often difficult for Christians. The state in fulfilling its task of doing public justice in the society over which it governs must also reflect principled public pluralism. This does not mean that the state can only be either secular or neutral when fulfilling its task. The state is allowed to have religious and other convictions that take in to account the context of its citizens – it is hardly possible for a state not to have any convictions on a wide variety of matters, including religion. The state is however not allowed to coerce especially its religious convictions onto an associational and directional plural society with guaranteed freedom of religion. As state it has the God given task to administer public justice in a non-partisan way.

1.3 How does all of this relate to freedom of religion? It is in fact one of the greatest benefits of religious freedom that churches have the right to express their religious identity in a society with a plurality of associations and directions and to be accorded public justice accordingly. This right to self identity of churches is constitutionally guaranteed in South Africa through the protection of freedom of religion and as such it offers churches the space to express and realize the nature of their faith both toward the state as well as in society. Furthermore in a Constitutional democracy like the one that South Africa has, the Constitution compels the state and its organs to protect, promote and realize all the rights included in the Bill of Rights – also the right to freedom of religion. This means that churches in their relation to the state can expect from the state to exercise public justice towards them.

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