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Een grensgeval; oorsprong en functie van het territoriale beginsel in het gereformeerde kerkrecht

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SUMMARY

This study examines the question of the theological value of a territorial church formation and focuses especially on the tendency in the Dutch Reformed Church to enforce parish boundaries on the parishioners as a means of maintaining spiritual unity. It searches for the historical roots of this nowadays fiercely disputed obligation and starts with the claim, that the early church did not have such an obligatory parish system. The first Christian communities are a predominantly urban phenomenon. Their structure is not based on a specific territory, but on their mission to preach the gospel. Hence, their range of action is as wide as the society in which they dwell, i.e. the Roman *civitas* including its rural environments. This poses a problem when, from the 5th century on, the western part of the Roman empire collapses and its urban infrastructure starts to decline with it. Then the church has to move on (like a *peregrinus*, as St. Augustine points out) to a new organizational structure, more appropriate to a predominantly rural society. This process brings forth the parish in its original form: a church settlement in a rural community, generally still subordinate to the episcopal church in the city, but with a pastor entirely dedicated to the spiritual care in his 'own' village. This development is motivated by its pastoral necessity. Parish boundaries are of no interest whatsoever. This changes when in Carolingian times the ties between the episcopal see and its rural annexes are severed. The parish acquires financial independence, relying for income on the tithes it can collect from the land under its jurisdiction. Then parish boundaries of course do matter: the parish income depends on them. Here we see a juridical motive at work, reinforcing the obligatory character of the parish and its boundaries for its inhabitants and eventually leading to a penetration of the parish system (because of its clear and basically simple structure and the advantages of its financial independence) in urban environments. There the system proves useful but inadequate, thus provoking the mendicant orders to provide some sort of supplementary pastoral care. This medieval 'solution' for the problem of pastoral care in an urban environment by using a double pastoral system – i.e. the stationary parish system as well as the ambulant order system – deserves reconsideration in the modern ecclesiological discussion. In Reformation times a third motive becomes manifest: it is the political motive of the civil authorities seeking control over their subjects' beliefs and religious attitudes by enforcing parish boundaries even more.

Calvin takes a different stand: territorial divisions between churches (or parts of them, e.g. the parochial system used in Geneva) are a useful instrument of pastoral care, but can never be made absolute or imposed obligatorily on the parishioners. He sees the territorial aspect of church formation as a matter of pastoral loyalty: a pastor is tied to his parish as a shepherd to his flock.

The church formation of the Dutch refugees in London during the reign of Edward VI shows yet another aspect of the question. It reveals a tendency in Calvinist thought (as in Anabaptist thought) to organize the church in the way a free association is organized. This means that the decisive factor in church membership is not the

parishioner's place of residence but his clear statement that he wants to confess his faith and join the community.

Both models are rooted in Calvinist history and thought and it is one of the specific characteristics of Dutch Calvinism, that some kind of associational structure is found within the traditional pattern of territorially defined parishes. This raises a permanent tension between the 'true believers' and the 'public church' in the midst of which they exist. This tension explains the outburst of religious conflict in the Netherlands in the 19th century, when King William I tries to enforce discipline on the dissidents by means of changing canon law in favour of the public church idea. In the process of ecclesiastical splitting up that follows this royal intervention, the Dutch Reformed Church tends to increase the pressure on its members to hold to their own parish, whereas the groups that leave this church are moving towards a system of free churches. A very awkward construction is developed by Kuyper, the undisputed leader of the *Doleantie* movement in the 1880s, whose free church system is supported by a theory of obligatory church membership based on the place of residence. Political considerations play a major role in the development of this theory.

Kuyper's construction reveals another characteristic of Dutch Calvinist thought, emerging in the 19th century and still present in modern discussion: theologians produce new theological theories to support an old parish system. One of the most widely used lines of argument is, that the obligatory territorial parish provides a safeguard for unity in a church that is threatened by modern religious pluralism. This is put forward as the true Calvinist position, which it obviously is not. It is also in flat contradiction with the facts: this kind of coercion tends to result in new schisms and trench-warlike situations.

Apart from this theological line of argument there is another line, introduced by Hoedemaker and later elaborated by Noordmans in his own original way, that puts forward the freedom of the church with regard to its territorial structure. Noordmans argues that there are more legitimate forms of Christian community than merely the traditional parish. Both these theologians try to found their ecclesiological thinking in the notion – fundamental but too often ignored – that church formation should be based on the churches' missionary task in the first place. Let the church be church again, is Hoedemaker's way of putting it.

In 1951 the Dutch Reformed Church introduces a new canon law. This shows a somewhat double face. On the one hand it chooses theologically for a missionary self-interpretation of the church; on the other hand it chooses to maintain and even reinforce the traditional parish system (by imposing it, unlike in the past, as an obligatory system for the urban churches as well) and tends to strengthen its obligatory character, thereby bereaving itself from a lot of missionary opportunities.

Unfortunately, modern discussion generally misses this point. From one side it is argued, that the obligatory territorial parish is most urgently needed to maintain at least a shadow of Christian unity. From the other side it is argued, that this traditional system does not sufficiently fulfil the modern religious needs of the church members. This is a false dilemma. The church should free itself from it by focusing on its

missionary task instead, not only theologically but also structurally, in taking a much more flexible attitude towards different forms of Christian community.

Both models are rooted in Calvinist history and thought and it is one of the specific characteristics of Dutch Calvinism that some kind of associational structure is found within the traditional patterns of territorially defined parishes. This sense of mutual relationship between the believers and the public church in the parish of which they exist, this tension explains the culture of religious conflict in the Netherlands in the 17th century. When King William I was to enforce discipline on the process of ecclesiastical politics he first follows this logic: first, the Dutch Reformed Church wants to increase the pressure on its members to hold to their own parish, whereas the groups that leave this church are moving towards a system of free churches. A very backward conception is developed by Kuyper, the hardened leader of the 19th century movement in the 1850s, whose free church system is supported by a theory of obligatory church membership based on the place of residence. Political considerations play a major role in the development of this theory. Kuyper's conception reveals another characteristic of Dutch Calvinist political thought in the 17th century and this tension in modern discussion, theologians have also new theological theories to support an old parish system. One of the most widely used lines of argument is that the obligatory territorial parish provides a safeguard for unity in a church that is threatened by modern religious pluralism. This is not forward as the free church position, which is obviously not. It is also in this connection with the fact that this kind of coercion leads to tension in new systems and hence, within the framework of the argument, now at a point where a new system is being designed.

Apart from this theological line of argument there is another line introduced by Hochschild and later elaborated by Mollenkott in his own original way. This line of argument is concerned with the freedom of the church with regard to its territorial structure. Mollenkott argues that there are more legitimate forms of Christian community than merely the traditional parish. Both these neo-Calvinist forms of Christian community try to find their ecclesiastical thinking in the notion - fundamental but too often ignored - that church formation should be based on the principle of mission. This view is introduced as well as the view based on the principle of mission, which is the first time that the church is seen as a missionary church, which is a new movement in ecclesiastical history.

In 1957 the Dutch Reformed Church imposed a new canon law. This shows a somewhat double face. On the one hand it chooses theoretically for a missionary self-interpretation of the church, on the other hand it chooses to maintain and even reinforce the traditional parish system (by imposing it, thanks in the past, as an obligatory system for the Dutch church as well) and leads to strengthen its obligatory character. A very important result is that the church is now seen as a missionary church, which is a new movement in ecclesiastical history.

Unfortunately, modern discussion generally misses this point. From one side it is argued that the obligatory territorial parish is most urgently needed to maintain at least a shadow of Christian unity. From the other side it is argued that this traditional system does not sufficiently fulfil the system without needs of the church members. This is a false dilemma. The church should free itself from it by focusing on its