

## Polarization and the Pursuit of Unanimity in the Church: Ecclesiastical Decision-Making in the Dutch Reformed Tradition

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When the Reformed Church in the Netherlands came into being and took shape at the end of the sixteenth century, the Netherlands was strongly divided.<sup>1</sup> The Dutch Revolt alienated people from one another, and soon doctrinal disputes started to dominate the churches. In this context, the Reformed Church sought unity. This can be illustrated by the regulations on ecclesiastical decision-making at the time, which culminated in the church order established by the national Synod of Dordt in 1619. The synod confirmed a large number of previously introduced provisions, modified some of them and added new ones. No matter how polarization is handled, in the vast majority of cases it ultimately comes down to decision-making. The Church Order of Dort, confirming older regulations for settling disagreements, laid down the basis for decision-making in church assemblies in article 31: “that which is decided by majority vote shall be considered settled and binding unless it is proved to conflict with the Word of God or with the articles adopted in this general synod.”<sup>2</sup> In later times, under different circumstances, Reformed churches and theologians have again tried to establish how ecclesiastical decisions should be made.

Thus connecting with one of the sub-themes of this volume, ‘Polarization and the Reformed Tradition,’ we will first pay attention to the developments in church and theology up to and including 1619. The decision-making by a simple majority of votes was disputed, both in the church and theology of

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- 1 This article is a thoroughly edited, modified and elaborated version of two previous publications, K.W. de Jong, “Zo mogelijk met eenparige stemmen” (If possible unanimously), *NTKR Tijdschrift voor Recht en Religie* 10:2 (2016), 107–119, and J.D.Th. Wassenaar, “... dat God het winnen zal in de kerk ...”: Een beschouwing over ‘meerderheid van stemmen’ in de kerk” (... that God will prevail in the church: A reflection on ‘majority of votes’ in the church), *Ecclesia* 95:4 (2004), 26–29. We want to thank Don and Carla Sinnema for their critical review of a draft of this article, especially regarding the English language.
  - 2 Richard DeRidder, Peter H. Jonker and Leonard Verduin, *The Church Orders of the Sixteenth Century Reformed Churches of the Netherlands: Together with Their Social, Political, and Ecclesiastical Context* (Grand Rapids: Calvin Theological Seminary, 1987), 550.

the Dutch Reformation and in the rest of society at the time. We then discuss the second half of the nineteenth century. The church had to deal with polarization then too. Once again, the decision-making process was called into question. Finally, we focus on the process of unifying the three ‘Samen op Weg’ churches, which was accompanied by great tensions and led to the Protestantse Kerk in Nederland (PKN, Eng.: Protestant Church in the Netherlands) in 2004. In discussing these three moments in church history, we gain an insight into the way in which the Reformed tradition in the Netherlands has dealt with the Church’s calling with regard to decision-making procedures in times of polarization. We end with some conclusions.

## 1 The Introduction of the Majority Principle

It should come as no surprise that, from the beginning of the Reformation period, theologians in Dutch-speaking congregations struggled with the relationship between decision-making and the Word of God. As early as 1550, Johannes a Lasco, minister of the Dutch Strangers’ Church in London, reflected on this theme. Though a proposal may acquire the majority of votes, in his opinion, the Word of God should be decisive. Opinions that are not in accordance with the Word of God must be rejected. In any case, when decisions are made, even the appearance of conflict with the Word of God must be avoided.<sup>3</sup>

In the absence of evidence to the contrary, we assume that, from the outset in the sixteenth century, Reformed ecclesiastical assemblies, in principle, decided by majority vote. We could add in line with a Lasco’s approach: unless there was a conflict with the Word of God. However, the question as to whether there is a conflict with the Word of God, is ultimately always decided by a majority. If a majority is convinced that the authority of scripture is at stake, it will compel unanimity. Although this special situation has caused heavy battles in Reformed churches, we will confine ourselves to the simple majority principle, because as such it provides sufficient material for reflection.

### 1.1 *Majority Voting and the Pursuit of Unanimity*

There are indications that there has sometimes been a practice other than the above-mentioned majority principle. An appendix to the acts of the Synod of Emden (1571) briefly describes how the chairman of a provincial synod is

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3 F.L. Bos, *De orde der kerk* (The order of the church) (’s-Gravenhage: Guido de Bres, 1950), 116. Cf. for the Latin original, Joh. a Lasco, *Forma ac Ratio* ... [1555], 512.

expected to act.<sup>4</sup> He addresses the instructions from the credentials of the attendees one by one. Thereafter, each person is given the opportunity to express his opinion on each point. The chairman makes an inventory of the views that are expressed, “with an explanation of the feelings of most of them and the best of them.” The secretary must record this in writing and read it out, “in order that it will be established unanimously.” At the end of the meeting the secretary reads everything out again and the attendees express their agreement with their signature. This state of affairs has been interpreted in such a way that there are two votes: the first time by expressing opinions and the second time by agreeing with the decision as formulated by the chairman, confirmed by everyone’s signature.<sup>5</sup> Though one would expect a similar procedure regarding the classis, such a regulation is lacking. Seven years later, in the rules established by the Synod of Dordrecht (1578), the procedure for all church meetings is as follows: “In all cases (except those that are explicitly expressed in the Word of God), after having diligently counted the votes, one must follow the advice of the majority in order to subsequently decide. Everyone is obliged to obey this decision.”<sup>6</sup> This procedure has been considered to be comparable to the Emden regulation by F.L. Rutgers, who will be discussed in more detail further on; in spite of various opinions, ecclesiastical assemblies are obliged to strive for unanimous decisions.<sup>7</sup> However, that remains to be seen. The first round is referred to here as ‘advice,’ the second as ‘decision.’ The ‘subsequently’—in Dutch ‘daerna’—can also be understood as ‘in accordance with.’<sup>8</sup> Although the decision must be followed by everyone in the end, it can be defended that it does not necessarily have to be made unanimously.<sup>9</sup> A few years later, the Middelburg Synod (1581) came to the formulation which would be confirmed by both the Synod of The Hague (1586) and

4 F.L. Rutgers (ed.), *Acta van de Nederlandsche synoden der zestiende eeuw* (Acta of the Dutch synods of the sixteenth century), *Werken der Marnix-Vereeniging*, 11/3 (’s-Gravenhage: Nijhoff, 1889), 111. The quotes in the following sentences have been translated from this source. Later quotations in this article are also translated.

5 F.L. Rutgers, “Bespreking der hoofdpunten van het Kerkrecht naar aanleiding van de Dordtsche Kerkenorde” (collegedictaat 1892–1895) (Discussion of the main points of church polity in connection with the Church Order of Dort, Lecture Notes 1892–1895), art. 31 (123), <http://kerkrecht.nl/node/1310> (accessed August 8, 2019).

6 Rutgers, *Acta*, 148 (Dordrecht 1578), art. 23.

7 Rutgers, “Bespreking,” 123 (art. 31). De Jong followed Rutgers’s approach in a publication from 2016 (“Zo mogelijk,” 110). However, he came to a different conclusion in the present article.

8 Cf. the digital dictionary <http://wnt.inl.nl> s.v. ‘Daarna,’ sub 1 and 2.

9 Cf. the Classis Dordrecht in 1581 (“ende het advys een yegelick omvragen ende besluuten,” *Classicale Acta 1573–1620* (’s-Gravenhage 1980–2011), 1, 107)). Cf. the sometimes decisive role of the officers (‘moderamen’) of the Synod of Dort 1618–19, H.H. Kuyper, *De Post-Acta of nahandelingen ...* (The Post-Acta or after-actions) (Amsterdam-Pretoria: Höveker & Wormser, 1899), 104ff.

the Synod of Dort in 1619, and is quoted above. The difference between this decision-making procedure and that of the provincial synod described in the Emden Church Order (1571) is less pronounced than might appear at first sight. In Emden, explicit consent to the majority decision was required. In the regulations of Dordrecht (1578), the consent was most probably implicit, but from Middelburg (1581) onwards it is clearly implicit.

The practice of decision-making with 'advice' in which each one's opinion is expressed, and the chairman formulates a decision on the basis of the advice received, is in line with what was customary outside the church in the sixteenth century Netherlands.<sup>10</sup> At the local level and in commissions with an advisory character, the majority principle was generally applied. At the regional and national level, as in the Provincial States and the States General, unanimity was required for important decisions, for example, about war and taxes. A delegate to these assemblies was bound by the instructions of his principal. This could complicate negotiations to arrive at a common position. However, in order to avoid an impasse, the States General was allowed to take the decision-making process to a different level and request a binding opinion from the stadholder.<sup>11</sup>

The successive church orders give rise to the presumption that the practice of decision-making evolved in the course of time. But do other sources support this presumption? Their number is very limited. Minutes of meetings held in the early Reformation period are scarce and, almost without exception, they are brief about the decision-making procedure. At the level of the classis, the oldest acts in the source edition *Classicale Acta* are from the Classis Dordrecht and date from 1573. The next to follow originates from the Classis Zuid-Beveland and starts with the year 1579. A single mention in the 1573 acts of Classis Dordrecht shows that in this assembly decision-making by unanimity was not always the case at the time.<sup>12</sup> In the decades that follow, we have found a few indications of the desire to still achieve this. The editors of the acts of the Classis Delft, which date back to 1581, state: "Although the acta sometimes indicate that decisions were made by a majority of votes, they give the impression even more often that very extensive discussions took place first in order to reach an overall consensus."<sup>13</sup> Anyone who goes through the

10 Cf. W. van Vree, *Nederland als vergaderland: Opkomst en verbreiding van een vergaderregime* (The Netherlands as a meeting country: Emergence and spread of a meeting regime) (Groningen: Wolters Noordhoff, 1994), 142–144, 147–150.

11 Van Vree, *Nederland*, 148.

12 *Classicale Acta*, I, 7.

13 *Classicale Acta*, VII, XXX.

other published acts of classes on this point comes to the same conclusion. Nevertheless, a unanimously supported outcome was not a requirement.<sup>14</sup> This approach became more common in the second decade of the seventeenth century, mainly as a result of the increasingly sharp contradictions between Remonstrants and Counter-Remonstrants. This must have been the reason for a request of the Classis Deventer to the national Synod of Dort that the synod never reached; it wanted to explicitly consider the majority vote binding.<sup>15</sup> There are indications that this was under discussion at this time, especially in the province of Overijssel. For example, a document has been preserved in the city archives of Kampen that suggested that decision-making by majority vote is not the correct method for the complex matters that would be discussed at the national synod. This would lead to bitterness among the minority. The author advocates joint study and decision-making based on consensus.<sup>16</sup>

As far as availability of sources is concerned, the situation for the provincial synods is comparable to that for the classes.<sup>17</sup> In the acts of Noord-Holland, which begin in 1572, a year after the Emden Synod, the word 'united' can be found remarkably often in the decision-making process of the first meetings. Ten years later, however, it is explicitly stated that the majority of votes is decisive.<sup>18</sup> In the decisions of Zuid-Holland, known from 1574 onwards, no mention is made of the extent to which they are supported. However, it is clear from a few remarks that this synod strives for unity in many cases, a goal that can also be found later and elsewhere. The acts of the first meeting of Zuid-Holland

<sup>14</sup> E.g., *Classicale Acta*, v, 279.

<sup>15</sup> H.H. Kuyper, *Post-Acta of Nahandelingen van de Nationale Synode van Dordrecht in 1618 en 1619 gehouden naar den authentieken tekst in het Latijn en Nederlandsch uitgegeven en met toelichtingen voorzien. Voorafgegaan door de geschiedenis van de Acta, de Autographa en de Post-Acta dier synode en gevolgd door de geschiedenis van de revisie der belijdenisgeschriften en der Liturgie, benevens de volledige lijst der gravamina op de Dorchtsche synode ingediend* (Amsterdam-Pretoria: Höveker & Wormser), 446. Cf. J. Reitsma and S.D. van Veen (eds.), *Acta der provinciale en particuliere synoden, gehouden in de noordelijke Nederlanden gedurende de jaren 1572–1620* (Acta of provincial and particular synods, held in the northern Netherlands during the years 1572–1620) (Groningen: Wolters, 1892–1899), vi, 308; *Classicale Acta*, vi, 47 (Deventer), 123 (Kampen).

<sup>16</sup> Erik A. de Boer, *De macht van de minderheid: Het remonstrantisme in Kampen in de spiegel van de nationale synode te Dordrecht (1618–1619)* (The power of the minority: Remonstrantism in Kampen in the mirror of the National Synod in Dordrecht (1618–1619)) (Kampen: Summum Academic Publications, 2019), 113–116.

<sup>17</sup> Reitsma and Van Veen (eds.), *Acta*. The oldest acta are from the provincial synod of Noord-Holland (1572), followed by those of Zuid-Holland (1574) and Gelderland (1579).

<sup>18</sup> Reitsma and Van Veen (eds.), *Acta*, I, 92 (Noord-Holland, 1582). Cf. I, 318 (Noord-Holland, 1602).

also show that, in accordance with the Emden regulations and corresponding secular meetings, the acts were signed by all those present.<sup>19</sup>

### 1.2 *The Majority Principle*

As indicated, in 1619 the Synod of Dort repeated in its church order (in article 31) the majority principle, which was already widely practiced at that time. However, some relativizing remarks have to be made in this respect. To begin with, the acts of the Synod of Dort itself show a complex decision-making procedure which partly resembles the Emden regulations.<sup>20</sup> Probably reflecting the States General practice voting was by delegation and not by delegate. Each delegation discussed the matter at stake and subsequently submitted its advice to the synod. In case of disagreement within a delegation its members could submit their separate advice. After the opinions of the delegations were read on the floor of the synod, the president would formulate a single synodical decision. This proposal could be altered by those present. If unanimity could not be achieved, final approval occurred by a majority vote of the delegations.

The second relativization is the acceptance of the Church Order of Dort. It was introduced in full only in Utrecht, and with some changes (which, however, do not affect article 31) in Gelderland and Overijssel.<sup>21</sup> But even then, the rules of the church order were not always followed.<sup>22</sup> Other provinces maintained older regulations, which were in the application of the majority principle similar to the Church Order of Dort. This changed when new regulations were introduced for the Netherlands as a whole in 1816. New churches of the Reformed type reestablished the Church Order of Dort from 1834 onwards.

A third relativizing remark concerns the fact that many more provisions in the Church Order of Dort influence the outcome of a vote. For example, in article 42, the Church Order of Dort opens up the possibility that also ministers who were not delegated to the classis had the right to vote at classis meetings.<sup>23</sup> Despite the fact that this had been explicitly rejected in the past, and despite the ban on hierarchy in the Church Order of Dort, as a consequence of this, the

19 Reitsma and Van Veen (eds.), *Acta*, 11, 155 (Zuid-Holland, 1574; copies the 1571 Emden Synod are also referred to). Cf. Rutgers, *Acta*, 113 (Emden); Van Vree, *Nederland*, 143ff.

20 Hendrik Kaajan, *De Pro-Acta der Dordtsche Synode* (The Pro-Acta of the Synod of Dort) (Rotterdam: De Vries, 1914), 42ff.

21 J.T. van den Berg, "De synode van Dordrecht en de Dordtse Kerkorde" (The Synod of Dort and the Church Order of Dort), in *Handboek gereformeerd kerkrecht* (Manual of Reformed church polity), ed. H.J. Selderhuis (Heerenveen: Groen, 2019), 162–170, 167.

22 Cf. e.g., *Classicale Acta*, 1x, 745 (Arnhem), concerning the application of art. 42.

23 Cf. the Church Order of Dort, art. 42. See, e.g., De Ridder, Jonker and Verduin, *The Church Orders*, art. 42.

cities in particular gained influence, at the expense of the villages.<sup>24</sup> This development can also be recognized outside the church; the cities, especially in Holland, increased their power in the province by demanding unanimity on more subjects.<sup>25</sup> Other examples of circumstances influencing the achieving of a majority are the prominent voice of the chairman of a meeting, and the necessity of a valid credential to obtain voting rights.<sup>26</sup>

### 1.3 *Interim Conclusion*

By adopting the majority principle at all levels and almost everywhere, the Dutch Reformed Church opted for a relatively flexible decision-making process. Church assemblies could give their delegates binding instructions for the meetings of major assemblies.<sup>27</sup> Yet, in the case of a majority, these did not stand in the way of binding decision-making. After all, an appeal was possible against decisions of the church council and classis (and in principle, according to the Church Order of Dort, also of the provincial synod). In this way, the majority of a minor assembly could still be nullified.

## 2 The Majority Principle under Pressure

In 1816 the Reformed Church was renamed and called the Nederlandse Hervormde Kerk (NHK, Eng.: Netherlands Reformed Church). A new set of regulations was introduced at the same time.<sup>28</sup> Under this regime, small boards operated on a classical, provincial and national level, each with their own responsibilities.<sup>29</sup> In this new model of ecclesiastical government, there

24 Cf. K.W. de Jong, "Een verkennend onderzoek naar de receptie van een anti-hiërarchisch beginsel in Nederlandse kerkorden van het gereformeerde type" (An exploratory investigation into the reception of an anti-hierarchical principle in Dutch Reformed church orders), *In die Skriflig* 52:2 (2018), 1–9 (<https://doi.org/10.4102/ids.v52i2.2350>), 3ff.

25 Van Vree, *Nederland*, 148f.

26 Cf. Church Order of Dort, art. 35 (cf. 37, 41).

27 Cf. the more nuanced view of Bos, *De orde*, 134–136.

28 J.C.A. van Loon, *Het Algemeen Reglement van 1816* (The General Regulations of 1816) (Wageningen: Zomer & Keuning, 1942), 223–235. Cf. Fred van Lieburg and Johanna Roelevink (eds.), *Ramp of redding: 200 jaar Algemeen Reglement voor het Bestuur der Hervormde Kerk in het Koninkrijk der Nederlanden 1816–2016* (Disaster or rescue: 200 Years of General Regulations for the governance of the Reformed Church in the kingdom of the Netherlands 1816–2016) (Utrecht: Boekencentrum, 2018).

29 Johanna Roelevink, "Het Algemeen Reglement van 1816: een hekgolf in de rivier" (The General Regulations of 1816: A sternwave in the river), in *Ramp of redding*, eds. Van Lieburg and Roelevink, 19–57, 45; Leon van den Broeke, "Regionale (re)organisatie: clas-

was no longer any mention of the ancient rule of representation by means of burden or backstabbing. However, this newly gained freedom gave reason to pay less attention to the convictions of lower assemblies, especially to those of minorities with different views. Furthermore, the system of 1816 was in danger of becoming an oligarchy; conflicts of interest could easily arise, which sometimes harmed the church.

In 1852 the General Regulations of 1816 were thoroughly revised.<sup>30</sup> The organization was extensively democratized by the introduction of proportional representation. This revision has to be seen against the background of two developments. On the one hand, there was the constitutional reform of 1848, which gave an enormous impulse to the democratization of the Netherlands. On the other hand, parties with opposing views had emerged within the NHK. Yet, it was not until 1867 that proportional representation was put into practice in the NHK.<sup>31</sup> From then on, male members were allowed to go to the ballot box to express their opinion on the application of a form of equal representation in the board of their congregation. Orthodox parties in particular tried to exert their influence. This development has been described as an ‘orthodox Protestant mobilization’ which led to great contention in the church.<sup>32</sup> The primary objective was to obtain the majority of votes on the issue, whether the congregation should influence the composition of its church council or not. As a result, certain groups in this council could obtain the majority and could thus impose their views on the council. These two aspects of majority-composition and decision-making- were sometimes confused in the discussion and the reflection we will present hereafter on the basis of four theologians.

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sicaal bestuur en provinciaal kerkbestuur rond 1816” (Regional (re)organization: Classical administration and provincial church administration around 1816), in *Ramp of redding*, eds. Van Lieburg and Roelevink, 59–75.

30 Johanna Roelevink, “De Hervormde Kerk wankelend op eigen benen: de herziening van het Algemeen Reglement in 1852” (The Reformed Church on shaking footing: The revision of the General Regulations in 1852), in *Ramp of redding*, eds. Van Lieburg and Roelevink, 143–148.

31 Cf. K.W. de Jong, “Wettiglijk van Gods gemeente, en mitsdien van God zelve geroepen: De voorgeschiedenis van het reglement van 1867 voor de verkiezing en beroeping van een hervormde predikant” (“Lawfully called by God’s congregation, and therefore by God himself”: The history of the Regulations of 1867 for the election and vocation of a Reformed pastor), *Tijdschrift voor Nederlandse Kerkgeschiedenis* 20:3 (2017), 109–117.

32 Jeroen Koch, “Revolutie, restauratie, reformatie: Koning Willem I, Abraham Kuyper en het Algemeen Reglement van 1816” (Revolution, restoration, reformation: King Willem I, Abraham Kuyper and the General Regulations of 1816), in *Ramp of redding*, eds. Van Lieburg and Roelevink, 162–164; Annemarie Houkes, *Christelijke vaderlanders: Godsdienst, burgerschap en de Nederlandse natie (1850–1900)* (Christian patriots: Religion, citizenship and the Dutch nation (1850–1900)) (Amsterdam: Wereldbibliotheek, 2009), 181.



### 2.1 *J.H. Gunning Jr.*

The first is J.H. Gunning Jr. (1829–1905). Early in his career, in 1860, Gunning considered the majority principle to be the best solution—“as long as prophecy in the congregation had been neglected and despised.”<sup>33</sup> He did realize that objections could be raised, because the majority could also make incorrect decisions. He did, however, make a distinction between the area of natural society and “that of the original sanctified, that of the Church” because the testimony of the Holy Spirit is present in the congregation, which will sooner or later punish any recognized insensitivity.<sup>34</sup> In 1867, when proportional representation was finally to be introduced, the discussions about the theme had become heated, and the consequences of the revision had become painfully visible, Gunning published two brochures on universal suffrage.<sup>35</sup> He qualified it as an emergency solution. As the title of one of the writings indicates, the author presented sixteen propositions about the voting rights of the congregation. One of these suggested that

we should turn to the church council to request that the distribution of the ballot papers be accompanied by an explicit call of the council ... hoping and praying that no one may make use of this right, other than those who in good conscience share the *Faith of the congregation*. This should not give rise to pointless disputes about the nature and content of the Faith of the Congregation, for its determination is left to everyone’s conscience in this matter.<sup>36</sup>

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33 J.H. Gunning Jr., *Openbare brief aan de ouderlingen der Vrije Evangelische Gemeente te Amsterdam* (Public letter to the elders of the Free Evangelical Congregation in Amsterdam) (Utrecht: Van der Post, 1860), 23. Cf. J.H. Semmelink, *Prof. Dr. J.H. Gunning, zijn ontwikkelingsgang en zijne beginselen* (Prof. dr. J.H. Gunning, His development and his principles) (Zeist: Vonk & Co, 1926), 158ff.

34 J.H. Gunning Jr., *De vrijheid der gemeente: Bezwaren tegen de ordeningen der Nederduitsche Hervormde Kerk in onze dagen* (The freedom of the congregation: Objections to the orders of the Dutch Reformed Church in our days) (Utrecht: Van der Post, 1861), 42.

35 J.H. Gunning Jr., *Zestien stellingen betrekkelijk het stemrecht der gemeente, aan de gemeente ter overweging gegeven* (Sixteen propositions regarding the voting rights of the congregation, given to the congregation for consideration) (Amsterdam: Höveker, 1867); *Aan de Hervormde gemeente: Een woord over haar stemrecht* (To the Reformed congregation: A word about her voting rights) (’s-Gravenhage: Gerritsen, 1867).

36 J.H. Gunning J.Hzn., *Prof. dr. J.H. Gunning: Leven en werken*, II (Prof. dr. J.H. Gunning: Life and work) (Rotterdam: Bredeé, 1923), 34f.

In this way Gunning tried “to at least slightly uphold the most important principle, namely *that in the church there is a distinction between the holy and the unholy*.”<sup>37</sup>

Gunning came back to the issue a few years later, in 1869. He reproachfully wrote: “*No majority vote in matters of faith*. Listen, please listen, Reformed congregation, which has warmly welcomed the principle of majority voting, taken over from state institutions and the worldly atmosphere that surrounds you.”<sup>38</sup> According to his son, J.H. Gunning J.H.zn. (1858–1940), he wrote this “... with a direct application that left nothing to be desired in terms of clarity for the ‘orthodox’, happy with their victories obtained by a majority of votes.”<sup>39</sup>

Gunning accepted the validity of the majority vote again later on, but he shamefully considered it to be a humiliation of the church.<sup>40</sup> Elsewhere, in state affairs as well as in associations, he was convinced of the principal validity of a majority vote, but in the church he accepted it as a starting point only. “If one wants to climb from a lower state to a higher level, it is necessary to take this state as a starting point, set foot on it and rise higher with the other foot.”<sup>41</sup> At this time, Gunning also looked beyond the boundaries of his own church,

37 J.H. Gunning Jr., *Aan de Hervormde gemeente: Een woord over haar stemrecht* (To the Reformed congregation: A word about her voting rights), in Gunning, J.H.zn., *Prof. dr. J.H. Gunning*, 35. Cf. Jasper Vree, “Gunning en Kuyper: Een bewogen vriendschap rond Schrift en kerk in de jaren 1860–1873” (Gunning and Kuyper: An eventful friendship around scripture and church in the years 1860–1873), in Theo Hetteema and Leo Mietus, *Noblesse oblige: Achtergrond en actualiteit van de theologie van J.H. Gunning Jr.* (Noblesse oblige: Background and topicality of the theology of J.H. Gunning Jr.) (Gorinchem: Ekklesia, 2005), 62–86, 66.

38 J.H. Gunning Jr., *Ter nabetrachting van 31 oktober en ter voorbereiding tot 17 november: Een woord tot de gemeente gesproken* (In review of October 31 and in preparation for November 17: A word to the congregation) (’s-Gravenhage: Van Hoogstraten, 1869), 12.

39 Gunning J.H.zn., 293.

40 O. Noordmans, *Beginselen van kerkorde* (Principles of church polity) (Assen: Van Gorcum & Co., 1932), in *Verzamelde Werken* (Collected Works), 5 (Kampen: Kok, 1984), 184; A. van Ginkel, “Gunnings waardering van de presbyteriale kerkorde” (Gunnings’ appreciation of the presbyterial church order), in *Wegen en gestalten in het Gereformeerd Protestantisme: Een bundel studies over de geschiedenis van het Gereformeerd Protestantisme ...* (Shapes of Reformed Protestantism: A volume of studies about the history of Reformed protestantism), eds. W. Balke, C. Graafland and H. Harkema (Amsterdam: Ton Bolland, 1976), 257–268, 267ff; W. Balke, *Gunning en Hoedemaker samen op weg* (The mutual relationship between Gunning and Hoedemaker) (’s-Gravenhage: Boekencentrum, 1985), 177ff. Van Ginkel and Balke may both be dependent on Noordmans’ statement.

41 J.H. Gunning Jr., *Verlagen wij onszelven niet! Een woord tot de Hervormde Gemeente* (Let us not demean ourselves! A word to the Reformed congregation) (Nijmegen: Ten Hoet, 1902), 7.

the NHK.<sup>42</sup> The course of the development outlined here, however, shows that the unity of the church was important to him from the very beginning, although for a long time the emphasis was on his own denomination.

## 2.2 *Ph.J. Hoedemaker*

The second theologian we want to put into the spotlight is Ph.J. Hoedemaker (1839–1910). He was of the conviction that the church is the body of Christ, not an association, nor a society or an institution.<sup>43</sup> “It is not based on the will of people.”<sup>44</sup> Hoedemaker, therefore, had great difficulty with the 1816 organization of the NHK. He found the General Regulations illegal in origin, unbiblical in essence and pernicious in spirit. He also held the church government responsible for the growing dissent, which he abhorred.<sup>45</sup> This was partly prompted and reinforced by a number of personal experiences, in which he was confronted with the consequences of the revision of 1852.<sup>46</sup> The orthodox won, for example in his first congregation of Veenendaal and in the classis to which the congregation belonged, but he realized all too well that for liberals

42 M.G.L. den Boer, “J.H. Gunning jr. en de eenheid der kerk” (J.H. Gunning jr. and the unity of the church), in *Heel de kerk: Enkele visies op de kerk binnen de ‘Ethische Richting’. Uitgave ter gelegenheid van het vijftienvigste lustrum van het Theologisch-Litterarisch StudentengEZelschap ‘Excelsior Deo Iuvante’, 18 oktober 1995* (The church as a whole: Some visions within the so-called ‘Ethische Richting’ on the church. Publication on the occasion of the 25th five-yearly anniversary of the Theological Student Society ‘Excelsior Deo Iuvante’, October 18, 1995), 97–115, eds. Jaap Vlasblom and Jaap van der Windt (Zoetermeer: Boekencentrum, 1995).

43 Ph.J. Hoedemaker, *De Kerk en het Moderne Staatsrecht* (The church and the modern state law) (Amsterdam-Kaapstad: Hollandsch-Afrikaansche Uitgevers-Maatschappij, 1904), 92–122. Cf. G.Ph. Scheers, *Philippus Jacobus Hoedemaker* (Leiden: Groen, 1939<sup>1</sup>, 1989<sup>2</sup>), 184–197.

44 Hoedemaker, *De Kerk en het Moderne Staatsrecht*, 93.

45 Ph.J. Hoedemaker, *Op het fundament der apostelen en profeten* (On the foundation of apostles and prophets) (Utrecht: Van Bentum, 1885), 57, 60; *De roeping der Gereformeerden in de Hervormde Kerk: Naar aanleiding van de ‘Nabetrachting op de kerkelijke crisis, door Dr. Ph.S. van Ronkel’* (The call of Reformed members in the (Netherlands) Reformed Church: In response to ‘Review of the ecclesial crisis, by Dr. Ph.S. van Ronkel’) (Amsterdam: J.H. Kruyt, 1888), 19. Cf. P.J. Kromsig, “Kerkrechtelijke beginselen” (Church polity principles), in J. Schokking c.s., *Dr. Ph.J. Hoedemaker 1868–1908: Gedenkboek* (Dr. Ph.J. Hoedemaker 1868–1908: Commemorative book) (Leiden: A.L. De Vlieger, 1908), 39–122, 87.

46 Kromsig, “Kerkrechtelijke beginselen,” 52; *Wijziging der gedragslijn op Kerkelijk gebied: Brief aan Dr. A. Kuyper door G. Doedes, predikant der hervormde gemeente te Velsen* (Modification of the line of conduct in ecclesial matters: Letter to Dr. A. Kuyper by G. Doedes, minister of the Reformed congregation in Velsen) (Utrecht: Kemink, 1875); G. Bos, “Hoedemaker en de reorganisatie van de Nederlandse Hervormde Kerk” (Hoedemaker and the reorganization of the Netherlands Reformed Church), in *Hoedemaker herdacht* (Hoedemaker commemorated), eds. G. Abma and J. de Bruijn (Baarn: Ten Have, 1989), 33–49, 35.

this could have the ultimate consequence that they would be forced to leave the church.<sup>47</sup> This was at odds with his conviction.

In this context, it should be emphasized that Hoedemaker's thinking about ecclesiastical conflicts changed somewhat over the years.<sup>48</sup> In his early days he took struggles for granted, at least vis-à-vis the modernists. In his earliest writings he referred to them as enemies. Later he never did so again. The older he got, the more he considered the battles to be a sin. At that time he found every party formation, including those of a confessional nature, to be pernicious.<sup>49</sup> Here and there it could work as a corrective, but in his opinion it murdered any healthy concept of church. In 1897 he wrote in the well-known brochure, *The Church as a Whole and the People as a Whole*, with the telling subtitle, *A protest against the actions of the Reformed as a party and a word of farewell to the Confessional Association*: "The law of God is also the law of truth, and is NOT the law of the majority."<sup>50</sup>

In 1904 Hoedemaker, together with a few others, signed an open letter to the synod of the NHK, drawn up by Gunning.<sup>51</sup> They requested an impartial and complete investigation into the possibility and necessity of reorganizing the church administration. In the letter they denounced the party spirit in the church,

which removes the outstanding issues from a legal settlement by the church itself and leaves them to the endless and fruitless dispute of the parties, and thus raises the lever of the 'orthodox' or 'modern' majority, half plus one. The spirit of little faith, questions the power of the Word where it is useful and orderly, and therefore, by fear of a crooked orthodoxy (as if it could overcome this power), offers itself a humiliating 'proof of poverty.'<sup>52</sup>

47 Hoedemaker, *Op het fundament der apostelen en profeten*, 60f. Cf. for Hoedemaker's first years: Kromsigt, "Kerkrechtelijke beginselen," 58; Ph.J. Hoedemaker, *De Congresbeweging beoordeeld uit het oogpunt der Gereformeerde Belijdenis* (The so-called congress Movement assessed from the point of view of the Reformed confession) (Amsterdam: Wormser, 1887), 65.

48 Scheers, *Philippus Jacobus Hoedemaker*, 187.

49 Hoedemaker, *De Congresbeweging*, 66.

50 Ph.J. Hoedemaker, *Heel de Kerk en heel het Volk: Een protest tegen het optreden der Gereformeerden als partij, en een woord van afscheid aan de Confessioneele Vereeniging* (The church as a whole and the people as a whole: A protest against the actions of the Reformed as a party and a word of farewell to the Confessional Association) (Sneek: J. Campen, 1897), 13.

51 J.H. Gunning Jr., c.s., *Open Brief aan de Synode der Nederlandsche Hervormde Kerk* (Open Letter to the Synod of the Netherlands Reformed Church) (Amsterdam: Hollandsch-Afrikaansche Uitgevers-Maatschappij, 1904). Cf. Balke, *Gunning en Hoedemaker samen op weg*, ('s-Gravenhage: Boekencentrum, 1985), 187–197.

52 J.H. Gunning Jr., c.s., *Open Brief*, 13f.

### 2.3 *A. Kuiper and F.L. Rutgers*

The third theologian we would like to discuss is A. Kuiper (1837–1920). In 1867 he took a view similar to Gunning, albeit with a slightly different accent. In the brochure, *Wat moeten wij doen?*, he argues that democracy is not contrary to the nature of the church.<sup>53</sup> However, it should not be accepted because it is foreign to the Reformed Church and its tradition; it comes from outside the church. Still, the deplorable situation of the church makes it necessary for orthodox believers to make use of their right to vote. Kuiper's activist reaction to the increasing struggle following the innovations of 1852/1867 differs fundamentally from that of Gunning and Hoedemaker, although he would be friends with the latter for a long time to come. In 1869 Kuiper analyzed the situation in the brochure *De werking van artikel 23*, and he noted that the goal of an orthodox majority in the synod would not be achieved quickly.<sup>54</sup> In *Tractaat der Reformatie* (1883), he chose a new approach. In his opinion, it is not the majority of votes that are decisive, but "the present royal power of Christ."<sup>55</sup> In the spirit of prayer, office bearers must convince each other "until unity of insight is born."<sup>56</sup> However, when Kuiper was confronted with the fact that majorities in ecclesiastical meetings would certainly not lead to the desired goal and several major assemblies even had chosen an opposite direction, he and his 'Doleantie' movement forced a rift in 1886. Following on from this break, the Gereformeerde Kerken in Nederland (GKN) (Reformed Churches in the Netherlands) came into existence in 1892.

Kuiper's friend and kindred spirit F.L. Rutgers (1836–1917) incorporated Kuiper's ecclesiology into ecclesiastical law. The movement of the 'Doleantie' returned to the Church Order of Dort. Because the majority principle in article 31 of this church order is within the framework of the right of appeal to a major assembly, it concerns the heart of Kuiper's and Rutgers's ecclesiology, in which the local church was in itself a complete church, in principle having an almost full autonomy. Major assemblies consist by the grace of local churches wanting to gather on the basis of the same confession. All principal decisions of those assemblies have to be confirmed by the local churches. Only when a local church considers a decision to be in conflict with God's Word, is

53 A. Kuiper, *Wat moeten wij doen, het stemrecht aan ons zelven houden of den kerkeraad machtigen?* (What should we do, keep the Right to vote to ourselves or authorize the church council?) (Culemborg: Blom, 1867).

54 A. Kuiper, *De werking van artikel 23* (The effects of Article 23) (Amsterdam: Höveker, 1869).

55 A. Kuiper, *Tractaat van de Reformatie der kerken ...* (Tract on the Reformation of the churches) (Amsterdam: Höveker, 1883), 120.

56 Kuiper, *Tractaat*, 133.

it allowed to object. Rutgers's interpretation of the synods of Emden (1571) and Dordrecht (1578) as pursuing unanimous decisions in major assemblies must be seen against the background of this strong unity-oriented approach.

#### 2.4 *Interim Conclusion*

Against the background of democratization trends, theologians started to reconsider the long-standing majority principle from the middle of the 19th century onwards. Gunning and Hoedemaker were of the opinion votes should be avoided in ecclesiastical assemblies anyway. Kuyper, however, initially wanted to make use of votes to realize essential changes in the church of his day. Once having broken with the NHK, other than Gunning and Hoedemaker, he and Rutgers devalued the meaning of ecclesiastical votes by stressing the principle that unity had to be found on a confessional basis. People of the same confession gathered in congregations and congregations of the same confession gathered in major assemblies.

### 3 The Majority Principle Reworded

On May 1, 2004, the NHK, the GKN and the Evangelisch-Lutherse Kerk (Evangelical Lutheran Church) merged into the PKN.<sup>57</sup> The structure of both the church and its church order have predominantly been derived from the NHK. Elements of the practices in the two other denominations can be found in the elaboration of the structure. In this section we will first discuss the developments within the NHK, then the developments in the GKN, and conclude with the design of the church order of the PKN.

#### 3.1 *A New Church Order for the Nederlandse Hervormde Kerk (1951)*

After Gunning, many asked for a thorough review of the NHK's organization. It took almost half a century before a new church order was introduced, on May 1, 1951.<sup>58</sup> Many of the requests to the Reformed synod did not achieve a

57 Barend Wallet, *Samen op Weg naar de Protestantse Kerk in Nederland: Het verhaal achter de vereniging* (Together towards the Protestant Church in the Netherlands: The story behind the merge) (Zoetermeer: Boekencentrum, 2005); Hanna Ploeg-Bouwman, *Bewoonde herinnering: Een learning history van het Samen-op-Weg-proces* (Living memory: A learning history of the so-called Samen-op-Weg-process) (Utrecht: Eburon, 2019).

58 H.A.M. Fiolet, *Een kerk in onrust om haar belijdenis: Een phaenomenologische studie over het ontstaan van de richtingstrijd in de Nederlandse Hervormde Kerk* (A church troubled by her confession: A phenomenological study into the genesis of the battle of convictions within the Netherlands Reformed Church) (Nijkerk: Callenbach, 1953); H. Bartels, *Tien*

majority, because they were supported by nine out of nineteen votes. In that light, it is remarkable that in the process of developing a new church order, the need for a two-thirds majority for important matters was considered.<sup>59</sup> Still, no such provision was included in the church order in the end. In its founding articles, the most important guarantee for far-reaching decisions by the synod would be sought in a so-called double synod with twice as many delegates as usual, which had to decide by simple majority.<sup>60</sup> The only other guarantee that applied to all ecclesiastical meetings was that of a quorum of two-thirds of the members.<sup>61</sup> The simple majority became the rule; blank votes were only accepted under very special conditions.<sup>62</sup> Nevertheless, the requirement of a two-thirds majority in certain cases would still be introduced after only five years.<sup>63</sup> Apparently, the previous principal objections were not upheld. In his 1991 commentary, church polity expert P. van den Heuvel (b. 1941) notes:

The basic rule of every church law (of all confessions and denominations) is that Christ is the only ruler of the church. In a church, democracy is never considered to be the highest good. The truth of God is not established by majority vote. In the church, the Christocracy applies: Christ rules.<sup>64</sup>

And elsewhere in his book: “It is, of course, advisable to strive for unity in the church, or at least for broader agreement.”<sup>65</sup>

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*jaren strijd om een belijdende kerk: De Nederlandsche Hervormde Kerk van 1929 tot 1939* (Ten years of battles for a confessing church: The Netherlands Reformed Church 1929 to 1939) ('s-Gravenhage: W.P. van Stockum & Zoon, 1946).

- 59 W. Balke and H. Oostenbrink-Evers (eds.), *De Commissie voor de Werkorde (1942–1944), oorspronkelijk ingesteld als de Commissie voor Beginzelen van Kerkorde* (The Committee for the [Design of a] Workorder, Originally created as the Committee for the [Design of the] Principles of a Church Order) (Zoetermeer: Boekencentrum, 1995), 109, 169–171.
- 60 *Kerkorde der Nederlandse Hervormde Kerk* (Church order of the Netherlands Reformed Church) ('s-Gravenhage: Boekencentrum, januari 1951) (= HKO 1951), art. XXVIII-4,5 and XIII-2. Cf. P. van den Heuvel, *De hervormde kerkorde: Een praktische toelichting* (Church order of the Netherlands Reformed Church: A practical explanation) (Zoetermeer: Boekencentrum, 1991), 409.
- 61 HKO 1951, ord. 1-21-10.
- 62 HKO 1951, ord. 1-24.
- 63 *Kerkorde der Nederlandse Hervormde Kerk* (Church order of the Netherlands Reformed Church) ('s-Gravenhage: Boekencentrum, mei 1956), ord. 1-21-10. Cf. for similar changes in later editions Van den Heuvel, *De hervormde kerkorde*, resp. 409 en 389.
- 64 Van den Heuvel, *De hervormde kerkorde*, 24.
- 65 Van den Heuvel, *De hervormde kerkorde*, 121.

In working towards what would eventually become the PKN, the NHK synod in 1995 laid down an additional article to the church order for the merger of three denominations.<sup>66</sup> This provision stipulated that a majority of at least two-thirds of the votes cast was required for the NHK decision to unite into the PKN. The synod arrived at this decision on the basis of the consideration that a large majority should be taken into account, without, however, neglecting a large minority. The synod took the view that the requirement of the said majority was an extension of the usual rules in church and society. Reference was made to the use of organizations to prescribe a special method of decision-making for matters that affect constitution-like regulations. The adoption of both the Charter and the Constitution of the Kingdom of the Netherlands was given as an example. In the NHK itself similar rules had been used in the decision-making process on the church order of 1951: a majority of at least two-thirds was required for the final decision about a double synod. By the way, the other denominations required a qualified majority too when deciding about the merger into the PKN.<sup>67</sup>

### 3.2 *A New Church Order for the Gereformeerde Kerken in Nederland (1959)*

In the 1950s, the GKN developed a new church order in which the structure of the Church Order of Dort and the most important articles of that order can be clearly identified. Article 31 was given a completely new wording, in which the decision-making rules were placed in a subparagraph: "The decisions of the assemblies will always be made after joint consultation and, as far as possible, by unanimous vote. If unanimity is not achieved, the minority will comply with the conviction of the majority. The decisions of the assemblies are binding."<sup>68</sup> This change has to be seen against the background of two rifts in the GKN, in 1926 and 1944. The new text calls, as it were, for unity to

66 Generale Synode van de Nederlandse Hervormde Kerk, 15–17 juni 1995, "Advies van de Commissie voor kerkordelijke aangelegenheden inzake de procedure, die kerkordelijk gezien gevolgd dient te worden bij vereniging van de Nederlandse Hervormde Kerk met de Gereformeerde Kerken in Nederland en de Evangelisch-Lutherse Kerk in het Koninkrijk der Nederlanden" (Advice of the Committee for church order matters on the procedure to be followed in case of a merge between the Netherlands Reformed Church, the Reformed Churches in the Netherlands and the Evangelical Lutheran Church in the Kingdom of the Netherlands). Cf. Wallet, *Samen op weg*, 150; Van den Heuvel, *De hervormde kerkorde*, 396.

67 Wallet, *Samen op weg*, 317–322.

68 D. Nauta, *Verklaring van de kerkorde van de Gereformeerde Kerken in Nederland* (Explanation of the church order of the Reformed Churches in the Netherlands) (Kampen: Kok, 1971), 135.



be maintained. Majority decisions should only be made if unanimity is not feasible. In commenting on the article in his commentary on the GKN Church Order, church historian and church polity expert D. Nauta (1898–1994), following Rutgers and others after Rutgers,<sup>69</sup> refers in general terms to ‘old Reformed synods’ where “according to the description given here” decisions were made.<sup>70</sup> However, there is an essential difference between how Rutgers understood the texts of the old synods and the way in which unanimity is given a place in the renewed provision. Whereas, according to Rutgers, unanimity in the sixteenth-century regulations was given a place at the end of the procedure, in the GKN 1959 Church Order the striving for this becomes an integral part of the procedure that precedes the decision as such.<sup>71</sup> Still, the research presented in this article shows the GKN regulation is in line with the Reformed practice at the end of the 16th century.

### 3.3 *The Church Order of the Protestantse Kerk in Nederland (2004)*

When the three denominations merged into the PKN, a new church order came into effect. The majority principle in this church order is very similar to that of the GKN, though the line in the Church Order of Dort and the 1959 Church Order about the impossibility of decisions contrary God’s Word is lacking: “In all church meetings, decisions should always be made after joint consultation and, if possible, by unanimous vote. If unanimity turns out to be impossible, the decision is made by a majority of the votes cast, in which case blank votes do not count.”<sup>72</sup> The fact that the regulation applies to all ecclesiastical meetings and not only to meetings of office bearers is taken from the church order of the NHK. The dependence on the later NHK Church Order also applies to certain provisions according to which a qualified two-thirds majority is required.<sup>73</sup> Still, the GKN church order can be recognized in the basic rule for voting. Only the wording ‘as far as possible’ has been exchanged for ‘if possible.’ This seems

69 E.g., Joh. Jansen, *Korte verklaring van de kerkenordening* (Brief explanation of the church order) (Kampen: Kok, 1923), 144.

70 Nauta, *Verklaring*, 137.

71 De Jong, “Zo mogelijk,” 113.

72 *Kerkorde en ordinanties van de Protestantse Kerk in Nederland inclusief de overgangsbepalingen* (Church order of the Protestant Church in the Netherlands) (Zoetermeer: Boekencentrum, 2003), ord. 4-5-1 (cf. ord. 4-4-1).

73 Cf. for a list of these provisions P. van den Heuvel (ed.), *Toelichting op de kerkorde van de Protestantse Kerk in Nederland: Herziene uitgave* (Explanation of the church order of the Protestant Church in the Netherlands: Revised Edition) (Zoetermeer: Boekencentrum, 2013), 172.

to be a weakening of the original formula; the significance, however, is that serious efforts should be made to achieve unanimity.<sup>74</sup>

#### 4 Conclusions

The decision-making in the Reformed Church in the Netherlands initially followed secular practice, although with the general application of the majority principle as it takes shape in the Church Order of Dort, it seems to be ahead of its time, at least in the major assemblies. Nevertheless, the Dutch Reformed Church has realized from the beginning that, due to the special character of the church, decision-making is not a case of a simple majority. Other values are at stake, such as the obedience to (the Word of) God.

The nineteenth century shows a similar pattern. The Reformed Church followed secular practice, albeit that it only embraced this change with delay and restraint. Several theologians criticized the full implementation of the majority principle. They pointed to the church's own spiritual character and thus to the dignity of the church, as well as to the unity of the body of Christ, which in their view is endangered by the majority principle. In this context, historical arguments have been exchanged too. We note that in the sixteenth and seventeenth centuries unity and unanimity were certainly sought in regulations and in practice, but it goes too far to elevate this to a norm, as was done by Rutgers and, following his example, by others in the GKN.

In the church order of the PKN, the two lines come together. Achieving unanimity is an important goal in the decision-making process. On the one hand, this refers to unity in Christ; this unity should be seriously sought. On the other hand, unity in Christ does not depend on the results of a vote.

The Dutch churches in the Reformed tradition have always been strongly influenced by society as a whole in its decision-making regulations. At the same time, in dealing with differences of opinion and even polarization, the Church has given these rules their own color. It has opted for the majority principle on practical grounds, but has always realized that—especially when decisions are contrary to the Word of God—the majority does not in fact have the last word.

Reflecting on these conclusions, we note that they are ambiguous in their handling of polarization. On the one hand, decision makers are challenged to seek unanimity for the sake of the unity in Christ. However, the idea of unity in

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74 De Jong, "Zo mogelijk," 117.

Christ may entice them to force their own way of expressing this unity in ecclesiastical practice onto others; this will often cause polarization. On the other hand, the alleged unity in Christ may lead to a certain indifference; whatever the decision, the unity remains. There may be no polarization then, but the Church will not fulfil its calling towards polarization. In our view, this calling is in line with the two related theological tasks Pieter Vos describes in the introduction of this volume. Those called upon to make decisions should recalibrate their “view and life attitude in light of scripture and tradition” in order to reach “a new understanding of the common good.”<sup>75</sup> Hence, in decision making the Church should keep its distance from both the extremes outlined. As a consequence, it will probably have to go down a narrow path, but it knows from scripture this is the path that leads to life.

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75 Pieter Vos, “Introduction,” 10.

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