

Towards a Future with Greater Freedoms for All: A Historical Theological Engagement with Mary-Anne Elizabeth Plaatjies-Van Huffel's Contribution to Religion and Law

Dion Angus Forster

<http://orcid.org/0000-0002-7292-6203>

Stellenbosch University

dionforster@sun.ac.za

Abstract

This article engages the work of one of South Africa's foremost scholars in religion and law—the late Prof. Dr Mary-Anne Elizabeth Plaatjies-Van Huffel. Towards the end of her life, Plaatjies-Van Huffel published a number of important articles on themes related to religion and law. In this article we shall trace the biographical and academic antecedents to these later works. The article shows how her dedication to justice, peace and integrity (to borrow a phrase from the World Council of Churches) developed through particular methodological and theological commitments. The article concludes by offering some tentative insights into where her work may have gone, had she lived to follow the same trajectory of a post-structuralist historiographic engagement with power to deconstruct gender abuse, safeguard minority rights, and cultivate inter-religious cooperation.

Keywords: freedom of religion; religion and law; Mary-Anne Elizabeth Plaatjies-Van Huffel; ecumenism; pluralism; church history

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Introduction

The late Prof. Dr Mary-Anne Elizabeth Plaatjies-Van Huffel was one of South Africa's foremost experts working at the intersections of religion and law. She served as Head of the Unit for Religion and Law in the Beyers Naudé Centre for Public Theology, in the Faculty of Theology at the University of Stellenbosch (Beyers Naudé Centre for Public Theology: Unit for Religion and Law 2020). Her work spanned both the fields of church law and religion and law.

Before her passing, Plaatjies-Van Huffel had built up a vast range of experience (as one of the country's most senior religious leaders) in engaging the South African state in matters regarding religion and law. She served as a member of the Church Leaders Forum, the South African Council of Churches, and many advocacy and advisory groups (Pillay 2017, 3). During her tenure as Moderator of the Uniting Reformed Church in Southern Africa (URCSA) she frequently engaged in issues related to religious freedom and justice (Plaatjies-Van Huffel 2011a; Plaatjies-Van Huffel and Vosloo 2013). Towards the end of her life, she published a series of chapters and academic articles that expressly engaged the concerns of freedom of religion, human dignity and religion, and the legal and theological protections of religious diversity in a religiously plural South African context. She had a particular affinity for the protection of the rights of religious minorities.

It is clear that in the period from 2017, until her sudden death in 2020, she was developing a new line of thinking about the manner in which the religious rights and religious freedoms of South Africans should be protected and celebrated in relation to the multi-faith Constitution of the Republic of South Africa (De Waal, Currie, and Erasmus 2000). This line of reasoning is particularly important in a context that has often given Christianity legal preference because of its numerical dominance (Forster 2019, 23; Schoeman 2017, 1–7).

This article engages with the personal biography and work of Plaatjies-Van Huffel in order to present an exposition of her understanding of religious freedom as it relates to the South African context. It is hoped that such a contribution could honour her work and lay a foundation for further engagement at the intersections of religion and law in South Africa and beyond.

Some Biographical and Contextual Background

It was with great sadness that the Faculty of Theology, University of Stellenbosch, and the Uniting Reformed Church in South Africa (URCSA) learned of the untimely death of their colleague, Plaatjies-Van Huffel, on 19 May 2020.

Plaatjies-Van Huffel was affectionately known as “MA” by her students, colleagues and friends. This is a shortening of her name, Mary-Anne. However, there is a deeper symbolism at work here. “MA” was also used in reference to her matriarchal role that

she played within the academy, the church and broader society. The Afrikaans word, “*ma*” translates as “mother” in English. Many saw her as a wise, caring, courageous figure in South African religious, academic and political life.

“MA” was a truly remarkable woman—indeed a “pioneer” in our time (Nel in *Cape Argus* 2020; Flaendorp 2014, 55–56; Plaatjies-Van Huffel 2019d, 4). She was the second eldest of seven daughters born to Johannes and Jacoba Plaatjies, in the rural town of Prieska in 1959 (Flaendorp 2014, 53). Her birth came during a time of increasing brutality and injustice in South Africa after centuries of colonial rule and decades of South Africa’s national apartheid system. After completing her schooling in Wellington in the Western Cape, she went on to study to become a teacher at the University of the Western Cape. This was one of the few career options that were available to a gifted woman of colour in the early 1970s in South Africa. As a young woman of colour growing up in apartheid South Africa, she had to contend with many hardships, while facing structural injustices, racial prejudice and gender biases in her life and work (Hesselmans 2018, 115). These experiences would form a deep commitment to gender justice and racial justice in her later life.

In spite of the challenges in this early stage of her life, she continued to study and establish herself. Eventually she enrolled for theological training to become a minister of the former Dutch Reformed Mission Church in 1986. She was the first woman to be ordained as a minister of the Dutch Reformed family of churches in 1992 (Plaatjies-Van Huffel 2019d, 4). This was one of many firsts that she achieved in her life. She writes of her experience saying, “[a]s the first ordained woman [in URCSA], I struggled against subjection, against forms of subjectivity and submission. It was a lonely road” (Plaatjies-Van Huffel 2019d, 4). This language is important to note—as we shall see in the next section of this article. The power relations contained in subject and object distinctions were important aspects of her understanding of all forms of oppression. This was a deeply frustrating and painful time for her as she was often overlooked for synodical leadership positions; she was denied access to resources, and often felt silenced. As a result she claimed that URCSA “is not a safe space for ordained women” (Plaatjies-Van Huffel 2019d, 3–4). Hence, she writes, that part of her academic, and indeed moral task, was to “deconstruct the imaginary that only a male is fit to lead a congregation” (Plaatjies-Van Huffel 2019d, 4).

She served as a minister of the Robertson East congregation, 170km from her husband, Rev. Dawid van Huffel (who is also a minister of URCSA), until March 2010 when she was appointed to a teaching position in church history and church law (Ecclesiology) in the Faculty of Theology (Plaatjies-Van Huffel 2019d, 6). After 2010, while serving at the University of Stellenbosch, she was an associate minister at the Scotsdene Uniting Reformed congregation in Cape Town. She served this congregation until her death in 2020.

In the years after her appointment at the University of Stellenbosch, Plaatjies-Van Huffel was promoted to associate professor (2015) and to full professor in Ecclesiology in 2019. She was the first black woman to be appointed as a full professor in the Faculty of Theology's 161-year history (Nel in *Cape Argus* 2020). Plaatjies-Van Huffel was a remarkable academic, holding two doctoral degrees (the degree of Doctor of Theology, with a dissertation entitled, "Vroue in die Teologiese Antropologie van die Afrikaanse Gereformeerde Tradisie [Women in the Theological Anthropology of the Afrikaans-speaking Reformed Tradition]" defended at the University of South Africa in 2004 (Plaatjies-Van Huffel 2004). She also earned the degree of Doctor of Philosophy, with a dissertation entitled, "Die Doleansiekerkreg en Kerkregering van die Nederduitse Gereformeerde Sendingkerke en die VGKSA [The "Doleanse" Church Law and Church Governance of the Dutch Reformed Missionary Churches and the URCSA]" defended at the University of Pretoria in 2008 (Plaatjies-Van Huffel 2008a). As an academic theologian she edited three books, wrote 21 academic articles, and 14 chapters in books. She supervised six doctoral students and 14 master's students in their research (Mary-Anne Elizabeth Plaatjies-Van Huffel Academic CV 2020; Plaatjies-Van Huffel 2019d, 6). She also served as Head of the Unit for Religion and Law in the Beyers Naudé Centre for Public Theology (Beyers Naudé Centre for Public Theology: Unit for Religion and Law 2020).

In addition to being an accomplished and beloved scholar, Plaatjies-Van Huffel was also a formidable and highly regarded Ecumenical church leader. Not only was she the first woman ordained to the Reformed family of churches, but she was also the first woman to be appointed Moderator of the General Synod of the Uniting Reformed Church in South Africa (2012–2016) (Plaatjies-Van Huffel 2019d, 7). She also served as the President of the World Council of Churches, representing Africa from 2013 until her death in 2020 (WCC 2020).

Prof. Reggie Nel, the Dean of the Faculty of Theology at Stellenbosch University, said the following of Plaatjies-Van Huffel when interviewed shortly after her death:

While she has been a staunch activist for causes like black theology, women's rights and transformation on many levels, and has represented our continent in prominent positions including in the World Communion of Reformed Churches and the World Council of Churches, she has also been a passionate church historian, church law expert and pedagogue ... she made an indelible impression in her field, and in the hearts and minds of her colleagues and students. ... We recognise her many remarkable talents, achievements and contributions, but above all we remember her for her indomitable courage, her lovely person and her kind heart. (Nel in *Cape Argus* 2020)

Indeed, this statement captures much of her remarkable person and contribution. Who she was, what she did, and what she wrote, are intricately connected with her person and her story.

In the section that follows we will devote some time to tracing her theological contribution by considering some of the publications that appear to be formative to her later work. In order to do so, we will move from biography to publication to gain a broader perspective on her person and work in relation to law and religion.

Major Themes and Developments in her Work

As has already been noted, Plaatjies-Van Huffel wrote 14 chapters in books, 21 academic articles, edited three scholarly volumes, wrote four popular publications, and delivered 10 keynote addresses (Mary-Anne Elizabeth Plaatjies-Van Huffel Academic CV 2020; Plaatjies-Van Huffel 2019d, 6). She was both a highly regarded public figure, and an accomplished researcher. In order to attempt to understand her contribution, we will consider some publications that seem to express the intersection between her public interests and her academic interests.

Stanley Hauerwas contends that to some extent, all theology is biography in the sense that the “declaration of belief” is most clearly exemplified in how we live our lives (Hauerwas 2012, x; Hauerwas and Jones 1997, 4). I would suggest that this is true of Plaatjies-Van Huffel. She embodied her theology in her life, and her work was a reflection of her life. This is true in a general sense, since her commitments to gender justice, her interests in post-structuralism, and her Reformed Christian identity shaped how she lived. It is also specifically true. One of the most helpful articles in the writing of this paper is an auto-ethnographically written reflection on her life as a woman minister and theologian entitled, “A History of Gender Insensitivity in URCSA” (Plaatjies-Van Huffel 2019d, 1–22).

Of course, the personal narrative (autobiography) is an attempt at describing one’s life and experience to others. As McClendon writes, “the theologian looking at her own life, may have a special contribution to the larger task of biography as theology” (McClendon 2002, 166). Indeed, we come to understand personal, perhaps unseen or otherwise unspoken, aspects of the personal experience of a person. This was certainly the case as I read her work. There were small glimpses of how she viewed herself, how she viewed others, and how she understood her history and contribution, in what she wrote. However, her publications also need to be considered within a broader framework. One’s academic research is not only shaped by personal interest. It is often also shaped by social needs (i.e. topical and urgent social or ecclesiastical issues), the interests of others (e.g. being invited to speak at an event or contribute towards a publication), and of course pragmatic concerns (e.g. finding employment, securing funding, or meeting expectations). Hence, as McClendon suggests, biographical theology is also always in conversation “with community” in which our narratives are shaped both by “external as well as internal light” (McClendon 2002, 166).

This would seem to sit quite well with Plaatjies-Van Huffel’s academic interests, and also her life’s experience (as we have been able to observe it in part), and her work. She

shows a particular interest in critically engaging dominant histories; in so doing she questions constructions of social power (often captured in historical narratives and the language and symbols associated with those narratives), with an aim of facilitating agency for disregarded or subjugated subjects. We see this evidenced in her numerous published works on gender issues, minority rights, the protection of political minorities, and the questioning of patriarchal and exclusive doctrines and aspects of Reformed Church law.

Her first doctorate, which was completed in 2004, was a very important marker in the shaping of her later work. The dissertation is entitled, “Vroue in die Teologiese Antropologie van die Afrikaanse Gereformeerde Tradisie [Women in the Theological Anthropology of the Afrikaans Reformed Tradition]” (Plaatjies-Van Huffel 2004). In this study she employs her interpretation of Michel Foucault’s post-structuralist framework (Plaatjies-Van Huffel 2004, 35–176). She employs this method to read the history of the Afrikaans-speaking Reformed churches. Her intention is to show how the discursive practices of the Dutch Reformed Church formed a theological anthropology that underpins later views on women and ordination to ministry (Plaatjies-Van Huffel 2004, 35–86).¹ She would go on to develop this notion of identifying, naming, and deconstructing dominant (and dominating) power through her reading of historical texts in subsequent scholarly work. Shortly after completing this PhD she co-published an article with her promoter, Prof. Christina Landman, which was based on her research. It has the same title as her doctoral study (Plaatjies-Van Huffel and Landman 2005, 225–246). In this article one can already see evidence of her growing confidence in her reading of Foucault’s post-structuralism as an approach to historiography (Plaatjies-Van Huffel and Landman 2005, 226–230). At the core of her emerging focus was a critical consideration of the locus and use of power in the construction of social norms, values, and religious beliefs. She writes, “Om mag te verstaan, is dit nodig om mag in die mees diverse manifestasies te ontleed eerder as om te konsentreer op ‘n gesentraliseerde vorm van mag [To understand power, it is necessary to analyse it in its most diverse manifestations, rather than to concentrate on centralised forms of power]” (Plaatjies-Van Huffel and Landman 2005, 230). She employs this philosophical/historiographic approach in a number of later publications. In doing so, she doesn’t only consider obvious expressions of power (i.e. in the state, in ecclesial authority, etc.), but also diverse and subtle forms of power (such as gender, race, ethnicity, and later religious dominance, and religiously informed political dominance). In each instance, as we shall see, she advocated for an increase of agency for victimised, disregarded, or minority subjects. She does so by deconstructing dominating power structures that rest upon certain readings of history, and the language, social imaginaries, and power

1 For a discussion of the primary concepts in this section, see *Language, Counter-memory, Practice* (Foucault 1980); *An Analysis of Michel Foucault’s What is an Author?* (Smith-Laing 2018); *Textual Strategies: Perspectives in Post-Structuralist Criticism* (Harari 2019).

relationships that emerge and become entrenched as a result of those “dominant” (and dominating) readings of history.

Her next published article was a chapter for a book on the South African Reformed cleric, theologian, and activist, Beyers Naudé. The chapter is entitled, *Women in the Theological Anthropology of Beyers Naudé* (Plaatjies-Van Huffel 2006). From the title one can see that she was applying her chosen methodological approach to history in relation to the person, work, and reception of Dr Beyers Naudé. She notes:

What follows is an exposition, done against a post-structuralist background, of the question of women in the theological anthropology of Beyers Naudé ... I hope thereby to illustrate ... how one might come to a deeper understanding of a theologian’s theological anthropology and his/her theological presuppositions concerning women and how this continues to present a challenge to churches in [the] future. (Plaatjies-Van Huffel 2006, 109)

This contribution highlights, first, a commitment to an important methodological approach in historiography and historical theology (namely a post-structuralist engagement with power in histories). Second, it shows a deep moral commitment to advocacy for disenfranchised and marginalised persons and groups. Third, it highlights that the intention of this work is to shape an ecclesiology for a more just, inclusive and transformed church and society.

Plaatjies-Van Huffel undertook a similar task in, “About the Empowerment of Women in Post-apartheid South Africa: A Post-structural Approach” (Plaatjies-Van Huffel 2008b); “The Institutionalisation of Christian Women’s Organisations: From Docile Recipients to Agents of Change” (Plaatjies-Van Huffel 2011b); “A Response to Anne-Claire Mulder’s Empowering those who Suffer Domestic Violence: The Necessity of different Theological Imagery” (Plaatjies-Van Huffel 2013a); “The remarkable Career of Christina Landman, a Pioneer Feminist Theologian Rooted in the Reformed Tradition” (Plaatjies-Van Huffel 2014a); “Anna Tempo, Baanbreker: Van Kinderoppasser tot Sendeling [Anna Tempo, Pioneer: From Child Minder to Missionary]” (Plaatjies-Van Huffel 2017), to the deeply personal (even painful), “A History of Gender Insensitivity in URCSA” (Plaatjies-Van Huffel 2019d).

During this period, she also delivered a number of important keynote addresses at academic conferences and ecumenical gatherings. As can be seen, a number of these addresses went on to be published as either academic articles, or chapters in books. The titles of these talks, once again, emphasise the methodological and theological convictions that she was developing for engaging and unmasking oppressive historical power through a post-structural engagement with histories, while seeking to advocate for the rights and freedoms of marginalised individuals and groups. In 2010 she presented a paper entitled, “Gender Inequality and Gender Justice” at the World Communion of Reformed Churches meeting in Grand Rapids, MI (Plaatjies-Van Huffel

2010). At the 2011 International Conference on Church Law in Stellenbosch she spoke on, “The URCSA’s Engagement on Legal Matters in South Africa” (Plaatjies-Van Huffel, 2011c). In 2013 she delivered a keynote speech at the International Consortium for Law and Religion Studies in Richmond VA entitled, “The Quest to Religious Pluralism and Treatment of Religious Minorities in Post-apartheid South Africa” (Plaatjies-Van Huffel 2013b). She was the host of the International Law and Religion Conference at the University of Stellenbosch in 2014, where the title of her paper was, “Human Rights and Human Dignity, Drone Operations and the Quest for the Common Good in Modern Warfare” (Plaatjies-Van Huffel 2014b). Finally, in 2015 she presented a paper entitled, “The Rights and Responsibilities of Freedom of Religion at Public Schools in South Africa” at a conference on religious freedom and religious pluralism in Windhoek in Namibia (Plaatjies-Van Huffel 2015).

Returning to major published works, and major themes in her theology, she completed an impressive second doctorate in church law in 2008 entitled, “Die Doleansiekerkreg en die Kerkreg en Kerkregering van die Nederduitse Gereformeerde Sendingkerke en die Verenigende Gereformeerde Kerk in Suider Afrika [The “Doleanse” Church Law and Church Governance of the Dutch Reformed Missionary Churches and the URCSA]” (Plaatjies-Van Huffel 2008a). The subject field of this doctoral work shows her other major academic interest, namely church law. I chose not to engage her impressive number of keynote speeches, academic articles and chapters in scholarly monographs that directly engage with church law/church polity in this article. While it must be noted that this was a very significant contribution from her work, there are other scholars in this *festschrift* that will undertake this task with far greater skill and expertise than I could. Moreover, it was my intention to focus specifically on how her historical theological contribution (both in terms of her preferred methodology in historical theology, and her theological convictions) lay a foundation for her most recent work in religion and law. Of course, her work in religion and law is not unrelated to her work in church polity—quite the opposite. However, I could not engage her whole corpus in sufficient detail in a single research article. Hence, the choice was made to focus specifically on presentations that appeared to address issues not directly related to the field of church law. Regardless, one can see some evidence that Plaatjies-Van Huffel also applied a post-structuralist approach to power and justice in addressing church judicial issues in some of those publications (cf. Plaatjies-Van Huffel 2011a; 2019b; 2019e).

Finally, in this section, one can also see that even in her work that was not expressly historical in intent, she still applied a critical historiography to engage issues of public theological concern. For example, with regards to ecology she wrote, “The Search for Common Understanding with regard to Ecology and Justice in the Uniting Reformed Church in Southern Africa” (Plaatjies-Van Huffel 2013c) in which she surveyed various decisions and approaches (theological, pragmatic and at policy level) to address issues of ecological concern. In engaging race, identity, and theology in the work of James H Cone she wrote, “Blackness as an Ontological Symbol” (Plaatjies-Van Huffel 2020).

This final article is a remarkably deep and careful reading of the development of Cone's theology, and its historical reception with particular reference to the concerns of justice and recognition.

In summary, this section has shown how her work was interlinked with her own history. Who she was, and what she worked on, were intertwined with her church ministry and academic research. In looking back, one can identify the strong foundation upon which her work as the Head of the Unit for Religion and Law in the Beyers Naudé Centre of the Faculty of Theology, University of Stellenbosch, was built (2015–2020). Her profile as an experienced and senior faith leader in the South African, broader African context, and the international ecumenical world, brought many invitations to speak, and write, on issues of religion and law in the last decade of her life. This leads us to the three final publications on religion and law that were published in 2019.

Three later Publications Relating to Religion and Law

Plaatjies-Van Huffel published three scholarly contributions on religion and law in 2019. This is quite significant. It shows that in the preceding years she had a particular focus on issues related to this field of study. Of course, this does not mean that she had not done so earlier (as we have already seen), or that she was no longer focused on research in church law. In fact, she had four PhD students graduate with doctoral degrees in church law in 2018–2019, (cf. Chung 2018; Ekitala 2018; Faber 2019; Philander 2019). However, given the cyclic nature of academic publication—in which a researcher participates in an academic conference, delivers a paper, then prepares that paper for publication as an article or chapter for a book—the 2019 publications stem from the period 2017 to early 2019.

The publications in question are: “Freedom of Religion in South Africa” (Plaatjies-Van Huffel 2019b, 135–156); “The Quest for Religious Pluralism in Post-apartheid South Africa” (Plaatjies-Van Huffel 2019c, 120–142); and “Toward a Theology of Hospitality: Statelessness as Gender Discrimination as a Challenge to Just Hospitality” (Plaatjies-Van Huffel 2019a, 516–529). In each of these articles she addresses, in different ways, the relationships that exist between laws related to freedom of religion in contemporary democratic states, and how these function in relation to the practices, identities and theologies of Christians and other social, cultural and religious groupings.

In “Freedom of Religion in Southern Africa” her primary intention is to consider “freedom of religion with regard to religious observance at public schools in a religiously pluralistic South Africa” (Plaatjies-Van Huffel 2019b, 135). Her concern is that while the South African Constitution recognises the religious diversity of South Africa's population, the historically Christian worldview and numerical dominance of Christians tend to unfairly disadvantage persons from numerically smaller faith groupings in society. Here we see, again, the evidence of historiography that is informed by her application of post-structuralism to identify, and deconstruct, largely

unquestioned and subtly diverse forms of religious power that have become enshrined in law and policy. She uses the example of religious observances in public (government funded) schools as a case to illustrate that Christianity, Christian rituals (such as prayers, religious holidays and festivals), and Christian teachings and values (such as Christian religious education, and Christian norms related to dress, behaviour and socialisation) tend to undermine the equitable accommodation of “the diversity of identities, beliefs, and convictions of the population of South Africa” (Plaatjies-Van Huffel 2019b, 142; 143–151).

Foucauldian post-structuralism is evident as a foundation in her reasoning. By this, she understands that “all meaning and knowledge is discursively construed through language and other signifying practices” (Plaatjies-Van Huffel 2018, 18). What the post-structuralist viewpoint aims to achieve is that “the underlying power structures in church and society should be scrutinised along with the way in which subjectivity is created and maintained by the dominant discourse” (Plaatjies-Van Huffel 2020, 112). Her conclusion is that there is a differentiation between formal policy on religion and education, and the practices of schools and communities in this regard. This is based upon an imbalance of power that has subtly tipped in favour of the Christian worldview throughout the historical periods of colonial and apartheid rule in South Africa (Plaatjies-Van Huffel 2019b, 135–138). Her conclusion is that it is in the interest of Christians to identify, deconstruct and even-out the power imbalance in society for the protections of religious freedom (Plaatjies-Van Huffel 2019b, 154). Simply stated, if any religious grouping enjoys special status or protection by virtue of subtle values that are entrenched in an unjust history, it poses a threat to that religious community and all others in the future. While Christians may enjoy their privileged and exceptional status at present, it is naïve and dangerous to think that this will remain so, since religious, cultural, and social dynamics shift over time. In 50 or 100 years, it may be another religious tradition that dominates numerically—in such a situation Christians would want their rights and freedoms protected. Thus, she argues that the protection of religious freedom is in the interest of the common good, and neither the explicit or implicit values of religious communities, nor the laws of nations, are above critical engagement. In this article she expresses a concern that the historical relationship that the South African state has had with certain forms of Christianity, and the numerical dominance of Christianity in contemporary South Africa, have inadvertently led to a form of socially accepted Christian exceptionalism, which is not in the interest of human rights, or indeed, in keeping with the witness towards justice and dignity that is central to the Christian faith. This gives us a pointer towards where her work may have gone in the years ahead.

The themes of recognition, power, equity and justice for religious communities are developed further in a chapter entitled: “The Quest for Religious Pluralism in Post-Apartheid South Africa” (Plaatjies-Van Huffel 2019c, 120–144). She writes that “[o]ne of the most important challenges facing post-apartheid South Africa is how to manage moral and religious diversity” (Plaatjies-Van Huffel 2019c, 120). She bases this claim

on her understanding that religion “shapes people’s relationships with one another, influencing families, communities, and economic and political life” (Plaatjies-Van Huffel 2019c, 120). In this instance we can see the influence of post-structuralist thinking evidenced in her reasoning about the power of religion to shape individual and social values. Over time, such values become practices, eventually influencing policy, and in many instances, they become law. She says that people “use their belief system or worldview to make choices, interpret events, and plan their actions” (Plaatjies-Van Huffel 2019c, 120). The challenge that she identifies is that while South Africa is a deeply religious country (where close to 85% of its citizens have a religious affiliation of some sort), Christianity dominates numerically (close to 80% of citizens indicate that they are adherents of the Christian religion), and so Christianity dominates in the social and political realms (Kotze 2019, 3–5; Plaatjies-Van Huffel 2019c, 121; Schoeman 2017, 1–3). In this article she shows, once again, that while South Africa has a Constitution based on a “co-operative model”, that “is characterised by a constitutional separation between church and state coupled with mutual agreements between the state and various recognised religions,” Christians and Christianity view themselves as exceptional (Plaatjies-Van Huffel 2019c, 137). This can be seen in such legal prescriptions as the “public holidays” that relate to Christian feasts (e.g. Easter). However, it also finds expression in the manner in which Judeo-Christian values (largely contemporary Western versions of these values) have influenced legislation on women’s reproductive rights (e.g. abortion), marriage and sexuality, and the role of religion in formal public events (e.g. state funerals and presidential inaugurations). Such subtle exceptionalism offers power to Christian religious leaders, religious bodies and communities to unfairly exercise social and political power in South Africa. This poses a significant threat to religious pluralism, religious tolerance, and the *de facto* enactment of religious freedom in South Africa. She argues for both a legal and a religious appreciation for religious pluralism in South Africa that is based on the mutual recognition of human rights and the protection of minority religious freedoms (Plaatjies-Van Huffel 2019c, 142–143). In this article we see the emphasis falling upon issues of human dignity and human rights in relation to minority and majority power relations in religion and law. This gives us another pointer for where her work may have gone in the years ahead.

The third article that was published in 2019, on religion and law, was entitled, “Toward a Theology of Hospitality: Statelessness as Gender Discrimination as a Challenge to Just Hospitality” (Plaatjies-Van Huffel 2019a, 516–529). The central argument of the paper is that “God’s hospitality calls the church to move beyond binary notions of culturally dominant groups as hosts and migrant and minority peoples as guests. In God’s hospitality, God is [the] host” (Plaatjies-Van Huffel 2019a, 516). The article aims at addressing the church’s role in upholding the human rights of stateless persons in contemporary democracies. What makes her contribution to the general debate unique is her focus upon “the issue of statelessness as an issue of gender discrimination, and the need for a repositioning from advocacy to the embodiment of a theology of

hospitality” (Plaatjies-Van Huffel 2019a, 517). In this regard one can see the framing of a generalised issue in human rights in relation to power dynamics related to globalisation, international law, human rights and ecclesiology, but most specifically how these systems of power impact upon the lived realities of women and girls (Plaatjies-Van Huffel 2019a: 520–523). The first part of the article engages the Christian scriptures on the theme of hospitality. Her conclusion is that God is the primary host (i.e., the one who extends hospitality). This flattens the power relationships between the church and the stateless person. Her concern is that if the church assumes that it is the host, it communicates a sense of dominance and belonging to God, while “othering” the stateless person (Plaatjies-Van Huffel 2019a, 516).

The second part of the article is once again a post-structuralist engagement with dispersed power, expressly as it relates to families, cultures (and in particular patriarchal cultural systems), and finally how this finds expression in national and international law. In this part of the article she is addressing a subversive, and subtle, form of power that permeates the worlds of stateless persons, hospitable churches, and the societies within which the hospitable churches and the stateless persons interact. Because patriarchy and sexism are present throughout all of these spheres, it is particularly important for religious communities, their members, and leaders, to move from “advocacy to embodiment” (Plaatjies-Van Huffel 2019a, 516–517, 527–528). Advocacy still presumes an imbalance of power—the advocate is deemed to be without fault or prejudice, and so feels that she or he has the right to advocate on behalf of the supposed other, who is the subject of prejudice and abuse, against the institution or system that is prejudiced, abusive, and powerful. However, in Plaatjies-Van Huffel’s evaluation, both the church and the stateless person are subject to the powers of discrimination, sexism and patriarchy. Gender discrimination is not only evident through dominant international and national laws and policies, or only evidenced in the communities from which stateless persons come, it is deeply entrenched in every social and religious institution. As such, it must be identified, named, and deconstructed wherever it exists. Hence, she concludes her article by agreeing with the biblical scholar, Bruce Malina’s understanding of true hospitality, that it is, “the process by means of which an outsider’s status is changed from stranger to guest ... the outsider is ‘received’ and socially transformed from stranger to guest” (Malina 1986, 193; Plaatjies-Van Huffel 2019a, 528). This is a third indication for us of where her work on religion and law may have been heading—namely, that Christianity (and indeed the church) is to remain deeply self-critical, lest we allow a false sense of exceptionalism, moral superiority, or blindness to power, to cause us to inadvertently place ourselves alongside dominant and dominating systems of oppression. Or even worse, we inadvertently become the systems of oppression and abuse because of our blindness and smugness.

We have now considered the three major publications in religion and law that were published towards the end of her life. We did so in terms of Plaatjies-Van Huffel’s history and her scholarly oeuvre. We can now move on to the final section of the article,

where we offer some tentative indications of what her commitments and intentions may have been if she had continued along this trajectory.

Religion and Law for the Future: Freedom for All

The overview that was discussed in the previous sections of this article allows the reader to see certain themes emerging from Plaatjies-Van Huffel's life and work. In this section we will briefly highlight those characteristic elements. This is, of course, a speculative exercise. However, it is intended to offer some tentative possibilities for a theological trajectory that her work may have taken in the years ahead if she had continued to pursue similar interests.

First, we were able to identify that her two primary fields of academic contribution were in church law (which was not discussed at great length in this article), and religion and law. She clearly had an affinity for understanding, critically engaging, and contributing to scholarly debates at the intersections of theology and jurisprudence (both within the church—as a church law expert, and in relation to broader legal concerns—as an expert in religion and law).

Second, it is safe to conclude that her preferred method of undertaking her work was through a critical historiographic methodology. In the majority of her work she engaged in careful and critical readings of various histories (written, oral, non-textual etc.)

Third, as a historian, she was particularly committed to a post-structuralist engagement with subtle forms of power that are evidenced in historically constructed language, symbols, institutions and cultures. She was deeply influenced by her earlier work on Michel Foucault (Plaatjies-Van Huffel and Landman 2005, 226–230). This approach to power and history informed a great deal of what she wrote, and also how she lived, in the years that followed.

Fourth, a primary and ongoing concern in her work was to highlight the plight of women and girls, and to seek to return agency to marginalised, silenced, and structurally abused women. In part, it was argued that this was due to her own experience as a competent woman of colour who faced both personal and structural prejudices (Plaatjies-Van Huffel 2004, ii; cf. Plaatjies-Van Huffel 2019d, 1–22).

Fifth, she refers to herself as a feminist scholar in her publications (Plaatjies-Van Huffel 2019d, 3). What is clear was that she operated within the general theoretical perspectives of intersectional feminism. She was particularly astute in recognising how sexism, toxic masculinities and patriarchy permeated various levels of society—from the individual and personal (i.e., individual relationships), all the way to the collective and structural (i.e. international laws, universalised beliefs, cultures and policies). In particular, she was deeply committed to working for justice for women and girls—this was also evidenced in her work to establish the #ThursdaysInBlack campaign in South Africa. In

addition to this, her later work also showed particular concern for the impact of racism on both church and society (Plaatjies-Van Huffel 2020, 101–113).

Based on these points, and the conclusions reached in relation to the three articles of 2019, we can make some specific, although cautious, suggestions about how her work may have developed going forward.

First, she was clearly expressing concern about Christian exceptionalism in South Africa, and also in other parts of the ecumenical world. As we saw in a number of the publications discussed here, she felt that Christians, and indeed Christianity, needed to guard against assuming that it had exceptional status in terms of law, culture, and morality. It is possible that in the years ahead she would have continued to focus on this concern in South Africa, and through her work with the World Council of Churches, she may have developed the focus across the African continent and internationally.

Second, she was showing increasing concern about the need for religious tolerance, a celebration of religious pluralism, religious diversity, and inter-religious cooperation to safeguard both human rights and planetary wellbeing. Of course, this was not an uncritical inter-religious engagement. She was also very aware of the need for religious groupings and religions to engage one another in addressing issues related to gender abuse, religiously sanctioned violence, and the abuse of the environment and non-human creation.

Finally, she showed a tremendous capacity to invite the world's most prominent religious bodies, such as the World Council of Church and the World Communion of Reformed Churches, to become self-critical. The intention here was not destructive, but rather deconstructive. She was deeply committed to the work of the churches and various expressions of Christianity across the world. However, she was also acutely aware of the destructive, harmful, and abusive tendencies in many religious movements and communities. Because of her calm and wise demeanour, she was trusted to ask difficult questions, to challenge power, and to invite new ways of thinking, acting and legislating.

Had she lived longer, she would have continued to shape the identity and witness of the global church, and our local denominations, towards greater justice, peace and integrity, (to borrow a phrase from the World Council of Churches) (Love 1991, 107–119). We mourn her passing and hope to continue her work through our own ongoing efforts.

Conclusion

This article facilitated a historical theological engagement with the person and work of Mary-Anne Elizabeth Plaatjies-Van Huffel. The purpose of this engagement was to identify, consider and discuss the major emphases in her work on religion and law. Based on this engagement, we identified three possible ways in which her contribution

may have developed if she had continued along the theological trajectory that was identified. These were an increasing engagement with the harmful nature of Christian exceptionalism in national and international debates on religion and law. Second the need for policies and legislation (both in churches and in states) that recognise, appreciate and celebrate religious pluralism and diversity, and express the need for greater inter-religious cooperation for the safeguarding of human rights and planetary wellbeing. Finally, one could identify her work towards cultivating a self-critical reflection on power relations within, and by, Christian groupings and individuals around the world.

Plaatjies-Van Huffel made a significant contribution toward our understanding of religion and law in South Africa and beyond. Her legacy continues through her research and publications, and also through her students and colleagues, who will pick up some of these themes in the years and decades that lie ahead.

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