Abstract from Article

**FEDERAL JURISPRUDENCE IN THE PUBLIC SPHERE OF THE EARLY CAPE SETTLEMENT, 1652-1708**

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**Abstract**

This study investigated the tenability of J. Wayne Baker's views of theological and political federalism and the origins thereof in the thought of Heinrich Bullinger within the jurisprudential context of the early Cape settlement (1652-1708). Most authors commenting on the ideological roots of this Dutch settlement of the middle of the seventeenth century advanced the uncritical notion that Dutch Calvinism determined the nature of the community at the Cape. A critical analysis shows that the Reformed approach of federalism, flowing from Heinrich Bullinger's views of the covenant, played a much more fundamental role in this early formative phase of typical Cape jurisprudence. This federal jurisprudence provided a vision of legality based on the law of God and legitimacy involving the whole of society bound in the precepts of the Decalogue. In the final analysis, the underpinnings of the rule of law applied at the Cape settlement confirm Baker's conclusion about the fundamental impact Bullinger's federal views had on the Reformed world of the sixteenth and seventeenth centuries.

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