



Separating State from Church

by Samuel Walker

Summary

“Separation of church and state” watchdogs applaud when courts keep religion out of public schools, but what about when the state presumes to dictate the curricula of private religious institutions? The case of Puritan Reformed Theological Seminary in Grand Rapids provides church-state separation purists with an opportunity to defend religious freedom from unwarranted state intrusion.

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This past June, the U.S. Supreme Court reaffirmed its 1962 ban on organized prayer in public schools, arguing that “the religious liberty protected by the Constitution is abridged when the state affirmatively sponsors” prayer, such as at the start of athletic events. That ruling was cheered by Michigan’s church-state separation watchdogs at the state chapter of the American Civil Liberties Union. But are those same watchdogs in the mood to speak out when the state intrudes on religion?

A 1931 law called the “General Corporation Act” entitles the state of Michigan to determine the “adequacy” of the programs at any “educational corporation” that is “instituted and maintained by an ecclesiastical or religious order, society, corporation or corporations.” In layman’s terms: Our state government is in the business of approving or disapproving the programs—including curricula—at ecclesiastical seminaries. If a religious program doesn’t meet the standards of the Michigan Department of Career Development, which administers the law, state bureaucrats can actually deny qualified theologians the right to set up schools to train ministers to pastor their churches.

Some who view voluntary prayer at a football game as a threat to the community apparently see nothing wrong with government acting as judge of the curriculum at privately run religious institutions. They want the government to protect the public from religion, but they’re silent or even supportive when private, religious prerogatives are usurped by public edicts.



Under a 1931 state law, privately run Puritan Reformed Theological Seminary must apply and wait for government approval before it can confer religious degrees upon its students.

Consider the case of the Puritan Reformed Theological Seminary in Grand Rapids. The five-year-old school offers one of the most rigorous master’s degree programs in the state, a program that takes students a full four years to complete (most seminaries only offer two-to three-year programs). In 1999, Puritan Reformed graduated its first class of students, but could not confer upon them the degree “Master of Divinity.” Why? Because Puritan Reformed never was “certified” as a “proprietary school” (a legal term denoting its private nature) by the state of Michigan.

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In order to be so certified, the school first must prove that it has \$1 million in collateral—something Puritan Reformed does not have. This cannot be assets, but must be either actual cash on hand or an irrevocable letter of credit for \$1,000,000. Second, the school must submit to an extensive review process involving every facet of its degree program, which must be inspected by a state-approved committee of “peers.”

Dr. Joel Beeke, president of the school, was never informed of these requirements by the state and says he did not learn of the rules until two weeks prior to graduating his first class of students. Having learned of the requirements, Dr. Beeke is trying to do everything he can to help his students, who must now attempt to obtain positions in ministry without being able officially to claim the credential “Master of Divinity.” It is a tribute to Dr. Beeke’s reputation among theologians and to the excellence of the program at Puritan Reformed that two major theological seminaries have informally agreed to allow his students to “piggy-back” on their institutions—in other words, if the students submit a diploma from Puritan Reformed, these other institutions will confer upon them a master’s degree in divinity.

State officials have advised Dr. Beeke that it could take up to two years for Puritan Reformed to satisfy the government’s requirements, a hardship that damages the school’s effectiveness. “This situation makes it extremely difficult for us to attract students,” Beeke says, “especially in light of the fact that many of our students typically transition from our school into a Ph.D. program. Without the Master’s of Divinity degree in hand, this is going to be extremely difficult.”

Michigan state officials can’t be blamed for upholding the law. It is the law that needs to be changed. Officials from other religious schools in Michigan are currently negotiating with state lawmakers, who may offer legislation in September that would get the state’s nose out of a business that clearly should be, by every respected moral and legal standard, under the sole purview of the church and not the state.

Okay, ACLU and other watchdogs of separation of church and state, here’s your chance to show your colors. Are you for genuine separation, or do your principles only apply in one direction?

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(Samuel Walker is a communications specialist for the Mackinac Center for Public Policy, a Midland-based public policy research and educational institute. More information is available at www.mackinac.org. Permission to reprint in whole or in part is hereby granted, provided the author and his affiliation are cited.)

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