



Bethel College Statement
On Indiana State Assembly Convening over Expanding LGBT Protections
August 30, 2016

<http://wsbt.com/news/regional/indiana-lawmakers-to-discuss-ongoing-lgbt-rights-debate>

As State legislators convene to consider expanding protections for LGBT citizens, Bethel College cautions legislators and citizens against precedent by the State Assembly of California in July and August. While Hoosiers import all sorts of things from California, from iPhones to avocados, we ought not embrace all her ideas. All that glitters in The Golden State is not gold.

California Senate Bill 1146 was partially withdrawn this month by the sponsor so he might bring it back after further study. That bill affirmed the right to worship at a Christian college, but impaled the First Amendment right of religion – to believe, express, assemble – outside the chapel.

The bill captured large majority votes in several committees to prohibit a California student from using up to \$9,000 of state grants at a school that, for religious reasons, retains *for students* a single-sex bathroom or locker room, and, by advocating man-woman marriage, also restricts privately-owned married housing for the same. The effect is, the government bullies students from their preferred college, to a government school. Who can make up \$9,000 of state aid on their own?

Indiana should not follow. First, the bill inaccurately infers that delivery of state funds to a Christian college makes them a state actor compelled by all state policies. Actually, state grants go to the student for use at any state college. It's their money. Once the student voluntarily signs our campus covenant about religious purpose, the state delegates education to a private entity. This already happens in state contracts with religiously affiliated foster care and food bank agencies.

Second, limiting or eliminating the use of state grants to Indiana citizens for religiously affiliated colleges punishes the state's strongest producers. Indiana's independent colleges generate one-third of all bachelor degrees while using just four percent of state grants. Taxpayers grant just \$4,000 per degree at independent schools, compared with \$52,000 at state schools. Theology aside, why crush that civic productivity?

Third, the bill confuses arbitrary discrimination from lawful exemption. Democratic clubs don't have to hire Republican employees because of exclusion from general employment laws. A conscientious objector is legally released from military service even though registration is nationalized. A health care professional can legally abstain from performing abortions despite the right to choose. The Amish lawfully end education after eighth grade, though other children must be in school through age 16. Therefore, a general right to gay married housing in civic spaces can co-exist with a private, Christian college exemption to retain heterosexual married housing, based upon laws already on the books.

Legal scholars agree, not just from Indiana (Indiana University, University of Notre Dame, Valparaiso University), but also the universities of Harvard, Princeton, and Stanford. The Religious Freedom Restoration Act would never permit a Christian college to obtain a cheap exemption through convenient, suddenly discovered escape clauses. Exemptions come only when state law places substantial burden on religious mission and the government has no compelling interest in sustaining that burden. Since LGBT citizens have 5,000 college options where unisex bathrooms might be available, the public good survives.

Fourth, the bill violates the people's commitment to pluralism. Even if college policies on celibacy before marriage enrage some lawmakers, Christian colleges still advance moral conduct for all society without bigoted fervor or demanding allegiance to a particular sect. Less than 5 percent of Christian colleges require a statement of faith as a pre-condition for admission. We would enroll Jews, Muslims, or Atheists, providing they honor a lifestyle covenant we believe essential to our religious mission. We also apply no sex-attraction test for admission.

If a student expresses religious views heretical to the Christian faith, or if they get pregnant or drunk or experience transition in sexual identity, our first move is not to expel, but to advocate the merits of our mission and arrange mentoring or support groups, which advance the optimistic resource of our faith.

None of this evokes totalitarian regime, nor is scarily cultish, nor gives license for lawlessness. A Christian college exemption is actually deeply precedented First Amendment democracy.

Concluding, even Christian colleges know pluralism is a fact. Civic concerns must bridge diversity. We do not aspire to grow a political Christian Empire, but serve the interests of an immaterial, locationless, aggregate of believers called the Kingdom of God. But when politics encroach upon religious liberties already set with precedent, our duty is to remind citizens and those they elect of catastrophic harm to the public good by its violation. We pray for supernatural insight in our elected leaders, and for ourselves, that the tone of this civic chaos might be sweetened, not inflamed by our participation.