



**Therapon University (USA)
St. Thomas, US virgin
Islands**

9th March 2015

Religion and Education:

**A Report on allegations made against
Therapon University in the USA, by the
Department of Higher Education in the
Republic of South Africa**

- By Professor Nicolas F. Marais, Ph.D

This report / letter is written in response to accusations that have been made against Therapon University by the Department of Higher Education in South Africa. Our intention in this report is to set the record straight on Therapon University, as well as to clear up any questions that potential students may have.

A background to Therapon University, USA:

Therapon University being a Christian Organisation and ministry will always be attacked for the simple fact that it operates in the Kingdom of God as a blessing to the Body of Christ and to Christians all over the world, therefore we expect nothing less from the World and government than to oppose it. Opposition to Therapon University as a Christian institution means that something is being done and something is being done right.

First of all Therapon University is a University in the USA. Therapon University does not have any offices in South Africa, neither does Therapon University advertise itself as a University in South Africa. Therapon University may have students who reside in South Africa and other African countries who study through it directly in the USA as correspondence or online students. Those students are students that have contacted Therapon University and wish to study through Therapon University. Therapon University is a registered and accredited Christian University, registered and operated in the USA, not South Africa.

Therapon University has received permission from the St. Thomas State authorities on education in the USA to be allowed to grant degrees by religious exemption. Therapon University is a Biblical institution, therefore all qualifications and training that it offers are within a Christian / ministerial context and not a secular one. Therapon University does not offer qualifications to people that are of a secular nature, and Therapon University really only offers qualifications to Christians who are already operating ministries themselves or who wish to follow that calling or vocation. Therapon University advertises primarily through its website which is hosted in the USA and not South Africa.

Therapon University and the Higher Education Act in South Africa:

The Therapon University Board has reviewed the Higher Education Act in South Africa and has made the following findings. These findings prove that Therapon University is not breaking any of South Africa's education laws for the simple fact that it is **Not** operating within South Africa. In order for Therapon University to be in contravention of any of the laws in the Higher Education Act, Therapon University would need to be operating within South Africa as a University, which it is not doing.

Therapon has made this very clear on both its website and in communication to all its students. Therapon University is based in the United States of America, its operating from that country and operates within the laws of education of the United States of America. Although Therapon University has students who study from South Africa and other African countries, those students do so at their own will and within their own rights to be a correspondence student of Therapon University in the USA.

The law in South Africa does not prohibit people from obtaining qualifications outside of South Africa, it is a person in South Africa's democratic and human right to study where and how they please, particularly if those people are religious and wish to be by freedom of association awarded their qualifications in their faith through a religious organisation, such as Therapon University in the USA.

It must also be pointed out that the type of degrees that Therapon University is awarding to its students are also not regulated by any specific statutory body or council in South Africa. For example one who studies medicine abroad must first have their degree approved and accredited in South Africa in order to “practice” medicine in that country. They are obligated because of their profession to register with the Health Practitioners’ Council of South Africa in order for them to operate legally in the country.

This applies for many other professional fields in South Africa, but is not the case when it comes to ministry or religious vocations in South Africa. The rights and privileges to regulate ministers, pastors and other ministry workers is at the sole discretion of the church or Body of Christ and remains so for freedom of religion and freedom of association which is highlighted in the diverse culture and constitution of South Africa.

Because ministry, particularly Christian Ministry is not a regulated profession or vocation in South Africa people are not obligated to register with any statutory bodies or councils. Any councils and statutory bodies that are in South Africa are there established for the benefit of the Body of Christ and people have a choice to register with those or not. It is a choice not an obligation.

Just as a matter of fact, the allegations have only been made against “Christian Universities”. No allegations have been made against any Muslim or traditional schools or religious training centres in South Africa. The accusations have only been pointed at Christian Institutions, many of them, like Therapon University are not even in South Africa, but the USA.

If government in South Africa wants to be “fair” in their approach in these allegations, they would need to do the following:

- .1. Make the same accusations against the Muslim Schools and Colleges, which do operate in South Africa and Abroad, as well as any other religions that operate schools, colleges and universities for the purpose of training people in their respective religious instructions.
- .2. Shut down many hundreds of Traditional schools which include, but that are not limited to: Initiation schools, Schools that train and educate traditional healers (eg: Inyanga’s and Sangoma’s, who all practice medicine without a license)

It is our opinion that the department of higher education has a biased agenda that is clearly against the advancement of the Christian Faith in South Africa. Therapon University will continue to welcome people through its doors no matter their race or nationality. It is every persons Christian right to study at Therapon University should they wish to.

There are no laws in South Africa that make for any provisions for any exclusions of South African citizens wilfully studying through a Christian University in the USA. Should any such law exist neither are Therapon aware of it or any of the South African citizens it has had graduate through it as distance learners in the USA.

A summary of important points in the Higher Education Act 101 of 1997, amended: 2012 will prove this point:

According to the act there will be “RESPECT freedom of religion, belief and opinion;” Therapon University would like to point out that it is not a secular university, it is a religious Christian University catering for the needs of Christians, particularly those who are in a ministry calling or vocation.

Therapon University has made this very clear on its website and has in no ways mis-represented itself in any way to give the impression that it offers any secular qualifications. Anyone logging onto the Therapon University site in the USA will immediately know that the university does not cater for secular studies and only caters for Christian studies in the context of ministry.

Chapter three of the Higher Education act does not apply to Therapon University as it is not operating or registered in South Africa as a University. The chapter is only applicable to public or state institutions, of which Therapon is not.

Chapter four of the Higher Education act does not apply to Therapon University as it is not operating or registered in South Africa as a University. The chapter is only applicable for the governance of a public or state institution, of which Therapon is not.

Chapter five of the Higher Education act does not apply to Therapon University as it is not operating or registered in South Africa as a University. The chapter is only applicable to public or state institutions that require funding, for which Therapon is not included as it is funded in the USA and by the generous giving of the Body Christ globally and the fees that its students pay wilfully and whole heartedly.

Chapter six of the Higher Education act does not apply to Therapon University as it is not operating or registered in South Africa as a University. The chapter is only applicable to public or state institutions, of which Therapon is not.

Chapter seven, point 51, sub-point (1) makes reference to “a person” being registered or conditionally registered in terms of the Higher Education Act only being able to provide higher education in South Africa. That person or entity also needs to be registered in terms of the companies act of South Africa.

Therapon University does not operate in South Africa, but in the USA. Therapon University is also not registered as a business in South Africa, because it is not a business, neither does it conduct any business in the country. Therapon University is not a company in anyway. Therapon University is a Christian University, operating in the USA awarding degrees and qualifications by religious exemption.

Chapter seven, point 51, sub-point 2, number (b) makes reference to a foreign person or entity. Yet in this point the reference is made clearly in the context of that person operating in the Republic of South Africa. To be clear on this issue again: Therapon University does not operate “in” the Republic of South Africa, but “in” the United States of America, therefore under this point it must be noted that this cannot apply to Therapon University, as it only has students that are South African citizens study through it, but in no way is it operating in the Republic of South Africa.

It should also be mentioned that if this was the case the Department of higher Education would need to list and register every university that exists in the world today in order to apply this point to a foreign person or entity, as many South Africans have studied abroad and have done so online and correspondence. It would therefore be a huge task to enforce this point if the context of the point was to apply outside of South Africa, for which we are very grateful it does not!

Point 53;

Point 54;

Point 55;

Point 56;

Point 57;

Point 58;

Point 59;

Point 60;

Point 61;

Point 62;

Point 63 and

Point 64 do not apply to Therapon University in the context of the act as Therapon University is not operating as a University within the Republic of South Africa. And in case if it was not made clear the past few times, Therapon University is registered in the USA and operates from ST. Thomas where it has been granted permission to confer degrees by religious exemption.

Chapter eight of the higher Education Act in South Africa also does not apply to Therapon University in this context, the same applies for Chapter 9 of the act.

Administrative Procedures of Therapon University:

Because Therapon University is operating in the USA, it is therefore accountable in the USA and in the State that it is operating in to follow that States administrative procedures concerning education.

Where a correspondence student is concerned (namely from South Africa) the administrative procedure will work as follows:

.1. The student contacts Therapon University in the USA, via their website or via email and requests to be enrolled as a student with Therapon University in the USA.

.2. The student is then given their study materials via email or CD-ROM. No printed materials are ever given to the student at any point, and all study material is given freely without charge as the copyright on the material stipulates.

.3. The student is appointed by Therapon University a study mentor / life coach, whose aim is to assist the student in their studies. There are many willing pastors, teachers and Christians in South Africa that are assisting Therapon University in this regard in South Africa. These people do not get salaries from Therapon University, but are paid mentors and (or) an assessors fees for the assistance that they give the student.

The students themselves are the ones paying this fee for the mentoring / life coaching that they are receiving and not Therapon. The fact that mentors are not paid by Therapon University is communicated on the Therapon website.

.4. Once a student has met all the requirements for their qualifications and their accreditation and certification fees have been paid directly to Therapon University in the USA, then the qualification is issued to them.

The qualification is printed in the USA by Therapon University, and contains the details of the student as they provided it. The certificate is then couriered from the USA to the student no matter where they are on the world. It is very important to point out this fact: Therapon University does not issue or print any qualifications in the Republic of South Africa. All certificates are printed and administrated in the USA and all qualifications are processed exclusively in the USA. Qualifications are only sent via a courier to a student at the students request for what they have earned studying correspondence.

Student Fees to Therapon University, USA:

Therapon University, USA holds no bank accounts in South Africa, neither does Therapon University own any assets in the Republic of South Africa. As clearly stated before in this report, all operations are in the USA.

A student will pay their fees directly to Therapon University in the USA, and where possible a mentor can assist them with this transaction. There are no restrictions on South African citizens donating finances outside of South Africa, or paying for goods and services outside of the republic, this includes and is not limited to any specific service or product.

Any person in South Africa has the right to pay for things abroad, if this were not the case then the South African government would need to close down online stores such as Amazon.com and many other online retailers that allow a citizen of the republic to pay money in good faith to an overseas entity.

Conclusion:

Legally the Republic of South Africa cannot enforce the Higher Education Act on Therapon University for the following reasons:

- .1. Therapon University is not an Institute of Higher Learning in South Africa
- .2. Therapon University operates in the United States of America and is accredited in that country
- .3. Therapon University does not have any offices or financial assets in South Africa
- .4. Therapon University is not registered as a business in South Africa
- .5. Therapon University does not confer secular qualifications onto students, but religious qualifications by religious exemption
- .6. Therapon University makes use of its own online platform to make available its studies all over the world to all people, no matter their race or nationality, they all have the right to study through Therapon University online or correspondence.
- .7. Therapon University does not pay any of its associates or mentors in South Africa salaries, they hold their positions by association and their positions are not based on a remuneration from Therapon University in the USA.
- .8. Therapon University has a website that is owned by it and operated out of the USA in which it makes clear that it is not a secular institute of higher learning, but a Bible based institution, therefore no mis-representation has ever been made by Therapon University, USA.

.9. The choice of any student in any part of the world to study with and associate with Therapon University is that person's right to do so as a Christian. In South Africa the constitution protects the rights of people to have freedom of religion and freedom of association, therefore it's a person's right to choose if they want to study with Therapon University or not!

Therapon University being US based organisation operating in the USA does not fall within the jurisdiction of the Higher Education Act of South Africa, therefore the organisation is not in contravention of any of these laws. Regardless of what the government may feel about Therapon University, it will remain a blessing to the Body of Christ and will continue to grow on a global level. Therapon University is a ministry to the Body of Christ, that's its main purpose, it will not change its mandate to please any government! Its mandate remains to please God and to further the work of our Lord Jesus Christ, who is the King of Kings and the Lord of Lords.

Annexure A:

Please see to follow is a copy of the Higher Education Act in South Africa*

ANNEXURE A:
The Higher Education Act 101 of 1997