

## SCHOOL INSTITUTIONS / EDUCATION AND THE FAMILY

### ECCLESIASTICAL DECREES IN THE UNITED STATES

The general law of the Church as expressed in *Canon 1374*: "Catholic children must not attend non-Catholic, neutral or mixed schools, that is, such as are also open to non-Catholics. It is for the bishop of the place alone to decide, according to the instructions of the Apostolic See, in what circumstances and with what precautions attendance at such schools may be tolerated, without danger or perversion to the pupils."

*(Information taken from the Catholic Encyclopedia,  
1912 edition, Vol 13, pp. 580 - 581)*

1) At the *First Provincial Council of Baltimore in 1829*, it was declared by the assembled Fathers to be "absolutely necessary that schools should be established, in which the young may be taught the principles of faith and morality, while being instructed in letters." This was the first authoritative declaration of the Church in the United States on the subject of Catholic Schools, and the decrees of subsequent councils have but reiterated, amplified or given more precise practical effect to the general law thus laid down.

2) The *First Plenary Council of Baltimore, held in 1852*, exhorted the bishops "to see that schools be established in connection with all the churches of their dioceses", and if necessary, to provide for the support of the school from the revenues of the church to which the school was attached.

3) The *Second Plenary Council of Baltimore* simply ratified the decrees of the previous councils. In 1875, however, the *Congregation of Propaganda* issued an "Instruction to the Bishops of the United States concerning the Public Schools", in which it was pointed out that the public schools as conducted involved grave danger to the faith and morals of Catholic children, and that consequently both the natural and Divine law forbade the attendance of Catholic children at such schools, unless the proximate danger could be removed.

4) The *Third Plenary Council of Baltimore, held in 1884*, exhorted the faithful to send their children to the Catholic schools: "Therefore we not only exhort Catholic parents with paternal love, but we also command them with all of the authority in our power, to procure for their beloved offspring, given to them by God, reborn in Christ in Baptism, and destined for Heaven, a truly Christian and Catholic education, and to defend and safeguard them from the dangers of an education merely secular during the entire period of childhood and youth; and therefore to send them to parish schools or others truly Catholic, unless perchance the Ordinary, in a particular case, should judge that it might be permitted otherwise."

#### ***The Council issued the following decrees concerning Catholic schools:***

a) "Near each church, a parochial school if it does not yet exist, is to be erected within two years from the promulgation of this Council, and it is to be maintained *in perpetuum*, unless the bishop, on account of grave difficulties, judges that a postponement be allowed."

b) "A priest who, by his grave negligence, prevents the erection of a school within this time or its maintenance, or who, after repeated admonitions of the bishop, does not attend to the matter, deserves removal from that church."

c) "A mission or a parish which so neglects to assist a priest in erecting or maintaining a school, that by reason of this supine negligence the school is rendered impossible, should be reprehended by the bishop and, by the most efficacious and prudent means possible, induced to contribute the necessary support."

d) "All Catholic parents are bound to send their children to the parochial schools, unless either at home or in other Catholic schools they may sufficiently and evidently provide for the Christian education of their children, or unless it be lawful to send them to other schools on account of a sufficient cause approved by the bishop, and with opportune cautions and remedies."

5) *Pope Leo XIII*, in a letter addressed to the American Hierarchy through Cardinal Gibbons in May, 1893, declared that the decrees of the Baltimore Councils were to be steadfastly observed in determining the attitude to be maintained by Catholics in respect both to parish and to public schools. (cf. *The Catholic Encyclopedia*, Vol 13, p. 583).

## CATHOLIC PRINCIPLES GOVERNING EDUCATION

*(Information taken from the Catholic Encyclopedia,  
1912 edition, Vol 13, pp. 558 - 559)*

### I. General Principles:

- 1) The Church, being a perfect society, has the right to establish schools, which, although they may be permitted by the civil law merely as private institutions, are of their nature public;
- 2) By natural law, the obligation lies primarily with the parents of a child to provide his education (in the natural order), as well as for his physical support. This is part of the purpose and aim of the family as an institution. If no provision is made by any other institution, the parents must provide education either by their own effort, or that of others whom they employ;
- 3) When the parents neglect their duty in the matter of education, the State, in the interests of the public welfare, takes up the obligation of teaching. It has, therefore, the right to establish schools and, consequently, the right to compel attendance insofar as the principle holds good that public welfare demands a knowledge, at least, of the elementary branches of education.

### II. Particular Principles:

- 1) The Church has the exclusive right to teach religion to Catholic children. Neither the parents nor the State can exercise this right except they do with the consent (as parents do) and under the supervision and control of the ecclesiastical authorities.
- 2) The Church cannot approve schools which exclude religion from the curriculum, both because religion is the most important subject in education, and because even secular education is not possible in its best form unless religion be made the central, vitalizing and coordinating factor in the life of the child. The Church, sometimes, tolerates schools in which religion is not taught, and permits Catholic children to attend them, when the circumstances are such as to leave no alternative, and when due precautions are taken to supply by other means the religious training which such schools do not give. She reserves the right to judge whether this be the case, and, if her judgment is unfavorable, claims the right to forbid attendance.
- 3) In all schools, whether established by the Church or the State, or even by a group of families (so long as there are pupils received from different families), the State has a right to see that the laws of public health, public order and public morality are observed, and if in any school doctrines were taught subversive of public peace or otherwise opposed to the interests of the general public, the State would have the right to intervene "in the name of the good of the general public."
4. State monopoly of education has been considered by the Church to be nothing short of a tyrannical usurpation. In principle, it overrides the fundamental right of the parents, denies the right of the Church even to open and maintain schools for the teaching of religion alone, and in its natural effect on public opinion tends to place religion below considerations of mere worldly welfare.
- 5) The Church does not deny the right of the State to levy taxes for the support of the State schools, although this leads to injustice in the manner of its application in some countries. The principle is always distinct from the abuse of the principle. Similarly, the Church does not deny the right of the State to decree compulsory education so long as such decrees do not abrogate other and more fundamental rights. It should always be remembered, however, that compulsion on the part of the State is not the exercise of a primary and predominant right [for this belongs to the parents and to the Church], but must be justified by considerations of the public good.
- 6) Finally, the rights of the Church in the matter of religious teaching extend not only to the subject of religion itself, but to such matters as the character of the teacher, the spirit and tone of the teaching in such subjects as history and science, and the contents of the textbooks used. She recognizes that de-Christianized teaching and de-Christianized textbooks have inevitably the effect of lessening in the minds of pupils the esteem which she teaches them to have for religion. In a word, her rights are bounded not by the subject of religion, but by the spiritual interests of the children committed to her care.