

The Parents' Right to Educate their Children (II)

Parents are not the only ones with a legitimate concern in matters pertaining to education. Both the state and the Church, for various reasons, also possess inescapable obligations in this area.

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The previous article dealt with the natural foundation of the parents' right to educate their own children,

and with the universal and irrevocable nature of that right. This consideration easily leads us to see the school as an extension of the formative work that should take place in the home. Yet we also need to realize that parents are not the only ones with a legitimate concern in matters pertaining to education. Both the state and the Church, for various reasons, also possess inescapable obligations in this area.

The state's role in education

The interest of public authorities in education is justified by many good reasons. From a practical point of view, the effective growth of freedom and the social and economic progress of societies necessarily depend on the public authorities' ability to guarantee a certain level of cultural development. A complex society can only function properly with an adequate distribution of information

and knowledge among its citizens, together with a sound understanding of the virtues and norms that make civil co-existence possible.

One could mention here, for example, the importance of combating illiteracy as a means to foster social justice. Therefore the state has specific non-renounceable powers and rights in matters pertaining to education, to which every man and woman has an inalienable right. [1] This justifies, as a specific demand of the common good, state ordinances requiring certain levels of education in order to gain access to specific university programs or to other types of professional activity.

In this context, the question can be raised whether the concerns of parents and the state in this area clash and are incompatible, or, on the contrary, whether they can

complement each other. Relevant questions here are: how do those concerns relate to each other? To what extent can the state legislate without supplanting the rights of parents? Under what circumstances could it intervene to guarantee the rights of children in regard to their parents?

In reality, these are questions that do not touch upon the state's intrinsic role in education. However, contrary to what would be desirable, a tendency can be observed among public authorities in many countries since at least the 18th century to assume an increasingly exclusive role in matters of education. At times this reaches the level of an almost total monopoly in the education imparted by schools.

At the root of this interest is a claim to the right to impose a single ethical outlook on everyone, consisting of a

citizen morality based on a minimum set of universally valid ethical principles that are accepted by everyone. In the most extreme cases, this has led to a nearly totalitarian outlook that supplants the citizens' responsibility to form their own conscience and moral judgments, and thereby impedes endeavors or lifestyles that are not promoted by a public opinion created or supported by the state.

These goals have been fostered by an excessively "neutral" education in the so-called public schools, the isolation or economic strangling of educational initiatives born within the heart of civil society, or indirectly, the establishment through state legislation of accreditation and curriculum development requirements that are so specific and exhaustive as to eliminate the possibility of specific educational alternatives. This leads in practice to

a monopoly over education, or to an educational "pluralism" that is purely nominal.

In this context, it is important to realize that the so called "neutrality" of state programs is only an apparent one, since these programs always entail a specific ideological bias. Besides, experience shows that this sort of initiative is often linked to the desire to "emancipate" human culture from any religious framework, or to the endeavor to undermine certain fundamental moral values, such as a truly human view of married love, maternity, and the right to life from the first moment of conception to natural death.

In recent years this has been reinforced by the spread in schools of principles that are more appropriate to a university environment, such as academic

freedom and freedom of expression among educators. Freedom in education is thus reduced to the presumed freedom of teachers to express their ideas and form students in accord with their own biases, as a concession granted them by the state. Underlying such a conception of freedom is often a deep pessimism about the ability of parents, and society as a whole, to guarantee an education in virtues and civic responsibility for their children. These difficulties can be overcome when one keeps in mind that schools supplement the parents' responsibility for their children's education, and that "public authorities have the duty of guaranteeing this parental right and of ensuring the concrete conditions for its exercise," [2] that is, they should be guided by the "principle of subsidiarity."

Freedom of education

The defense of parents' rights over their children's education at school, whether it be against overreaching by public authorities or the indoctrinating pretensions of teachers, can be referred to as freedom of education. It is the selfsame natural right of parents seen from the perspective of their relation to the state or to other educational agents. Freedom of education is therefore a human right parents possess to educate their children in accord with their own convictions. [3] This can include matters related to the curriculum (choice of languages or of sports that are played) as well as methodological or pedagogical concerns (for example, possibilities for single-sex education or questions of discipline).

Naturally, this area also includes religious orientation. Parents normally want to educate their children in their own faith, in accord

with their own beliefs and practices. This is not an ideological or denominational question, but one relating to the natural right possessed by parents. This freedom guarantees that it will be they who assume the task of educating their children, whether by themselves or by choosing schools and other means they consider suitable or necessary, or even by creating their own educational centers. “The state has clear duties in terms of encouragement, control and supervision of education. And this demands equality of opportunity for both private and state undertakings. To supervise is neither to obstruct, nor to impede or restrict freedom.”

[4]

This right also satisfies the obligation legitimately imposed by the public authority to provide minors with a minimum degree of education, that is, for as long as children are under

the tutelage of their parents. Consequently, freedom of education refers to educational activities that have a specific social relevance, inasmuch as the education received by the minor is legally valid. This freedom implies recognition of the fact that state schools are not the only ones capable of certifying compliance with the minimum level of education legally established by public authorities.

When children are still minors, the activity of teachers is not ruled by the free transmission of knowledge or the academic freedom proper to the university environment.

Teachers act mainly with an authority delegated by the parents, thereby putting their professional talents at the parents' service, in order to assist them in providing the kind of education they desire for their children. Within the school context, the teacher's activity can

best be described as “paternal” and never ideological. Freedom of education is opposed to the paradigm shift that leads to replacing the principle that the school should act as a delegate of the parents, by the prejudice that the school is an ideological “agent” of state power.

The duty of becoming involved in educational questions

All citizens, and especially parents, whether individually or as members of associations, have the right and duty to intervene in the public sphere when education, as a fundamental part of the public good, is at stake. “In national life there are two things which are really essential: the laws concerning marriage and the laws to do with education. In these areas the children of God have to stand firm and fight with toughness and

fairness, for the sake of all mankind.”

[5]

This firmness in defending the family and marriage is grounded on a power granted neither by the state nor by society, but that in fact precedes them, since it is based on human nature. Parents, therefore, should fight for recognition of their right to educate their children by themselves, or the right to delegate this activity to those they trust. These rights are a defense of the sovereign domain of the family in the face of other powers that might attempt to interfere in educational activity.

This attitude on the part of the parents requires, at the same time, a strong sense of responsibility and initiative. As St. Josemaria advised: “You will follow each step of the children God has given you, and you will understand that the most important business of your life is to

raise your children well. It's not enough to bring them into the world; animals also do that. You must pass on to them your spirituality, your Christian ideals, your love for God, your devotion to the Blessed Virgin."

[6] *J.A. Araña - C.J. Errázuriz*

Footnotes:

[1] Cf. John Paul II, *Address to UNESCO* , 2 June 1980; Congregation for the Doctrine of Faith, Instruction *Libertatis conscientia* , no. 92.

[2] *Catechism of the Catholic Church* , no. 2229.

[3] Cf. *Ibid.* [4] St. Josemaria, *Conversations* , no.79.

[5] St. Josemaria, *The Forge* , no. 104.

[6] St. Josemaria, Notes taken during a get-together, 18 November 1972.

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