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**Catholic Education**  
IN THE  
**United States**

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**JAMES CONWAY, S.J.**

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# Catholic Education

IN THE

## United States

Prepared for the Catholic Congress of  
Melbourne, Australia

THE history of education in the United States cannot but have a very special interest for Catholics in Australia. The conditions of both countries are very similar. Their elements and forces of civilization are alike, and will doubtless produce like effects. Where the United States are to-day in the march of social and intellectual, not to say political, development, Australia will be in a few

NOTE—The works consulted for this paper were chiefly the following:

- Decreta Conc. Plen. Balt. I., II., III.
- Decreta Conc. Prov. Balt.
- The Church in Colonial Days. By John Gilmary Shea.
- Report of the U. S. Commissioner of Education.
- History of Georgetown University. By John Gilmary Shea.
- The Only True American School System. By Rev. Thomas J. Campbell, S.J.
- Brief Chronological Account. By Rev. J. M. Considine.
- Historical Sketch of Catholic Parochial Schools in the Archdiocese of Boston. By Rev. Louis S. Walsh.
- The Making of Our Middle Schools. By E. E. Brown.
- The Public School System of the United States. By Dr. J. M. Rice.

years hence. Much will depend, therefore, on the leaven wherewith the entire mass is leavened. That leaven is education. If the leaven is Christian, the mass will be Christian. If the leaven is godless, the mass will be godless. If the leaven lose its virtue, the mass will be tasteless, shapeless—indifferent.

Such is the *rudis indigestaque moles* we contemplate now in the United States—a negatively pagan mass, possessing, to a great extent, all the amenities of outward Christian culture and only a sprinkling of Christianity itself. Of the seventy-five or eighty millions who inhabit these States, not more than twenty-three millions profess any definite form of Christianity; and even of these, a considerable number are unbaptized; so that if we deduct one half of the number of professing Christians, who are Catholics, there remain outside the Catholic Church only ten or twelve millions who have anything more than the external garb of Christianity.

It must therefore be interesting and instructive for Australians to consider the causes which led up to this condition of things—the leaven which has leavened this mass,—in other words, the education which resulted in this peculiar phase of social and religious life.

Education has played a most important part in the history of the United States. In no country in the world have such efforts been made by communities and individuals to bring education within the reach of all. From the very start provision was made by the colonists, many of whom were themselves scholars and the alumni or graduates of the best English public schools and universities, for all grades of schools, from the elementary to the university.

In old Virginia, at a time when the colony seemed to be struggling for existence, before the Indian massacre

of 1622, steps were taken for the foundation of a college and a Latin school, which, of course, supposes the existence of common schools. But still more strenuous and successful efforts were made in the New England colonies. The first organized public school which attracts our attention is the Boston Latin School, founded and endowed by public subscription in 1635. It subsequently became a valuable feeder for Harvard College, which was founded some four years later. Similar schools were opened at Salem, Mass., 1637, and at Dorchester, 1639. The latter is the first school known to have been supported by direct taxation of the community. At the same time schools were inaugurated on similar lines at Newbury, and at Cambridge, Mass., adjacent to Harvard. The head of this latter was Master Elijah Corlett, "who had well approved himself for his abilities, dexterity and painfulness in teaching and education of the youth under him." The Free School of Roxbury was founded in 1645. Soon after, or contemporaneously with these, we find similar institutions in New Haven, Conn., Newport and Providence, R. I., and Plymouth, Mass. As early as 1659 the Dutch colonists of Manhattan Island hired a Polish schoolmaster for the education of the youth of the community; nor was the Quaker colony of Pennsylvania backward in the matter of education.

The spirit which animated the early colonists may be illustrated by a prayer offered on one occasion by John Eliot, who was surnamed the Apostle of the Indians. This God-fearing man, as Cotton Mather relates, before a convention of his brethren, prayed as follows: "Lord, for schools everywhere among us! That our schools may flourish! That every member of this assembly may go home and procure a good school to be encouraged in the town where he lives! That before we die we may be so

happy as to see a good school encouraged in every plantation in the country!" This was the spirit of the Pilgrim Fathers, and this spirit has been inherited by their children and appropriated largely by the subsequent immigrants and their descendants. In fact, public education has, to a great extent, become a religion, and degenerated into a fetich with the American people. The national idol is "our glorious system of Public Schools, the bulwark of our rights, the Palladium of our liberties."

These early colonial schools were variously termed free, public, grammar, Latin schools. They were accessible to all free of charge. They were no more than elementary schools, in fact, with a tendency to become high schools as soon as occasion demanded. They were eminently religious in their character and strictly denominational. They were obligatory on the community, though not compulsory on the individual.

In the colony of Massachusetts it was enacted by decree of the General Court, in 1647, that schools were to be erected and maintained at the public expense by all communities numbering fifty families, and that a grammar school was to be supported wherever the community numbered one hundred families. These schools were strictly church schools, modeled on the old Scotch Presbyterian schools sanctioned by Act of the Scottish Parliament in the preceding year, though the coincidence of the time of both acts seems to have been merely fortuitous. The motive of the Massachusetts Act is clearly put forth in the preamble, which runs as follows: "It being one chief project of that ould deluder, Satan, to keepe men from ye knowledge of ye Scriptures, . . . that learning may not be buried in ye grave of our fathers in ye church and commonwealth, the Lord assisting our endeavours,—It is, therefore, ordered," etc. What would the good

Puritan fathers of the General Court of Massachusetts say of our modern unsectarian public schools, with all the reading of the Scriptures "without note or comment"? Doubtless they would say Anathema! and declare that the "abomination of desolation" had taken possession of the holy place!

While Puritans, Quakers, High Churchmen and Dutch colonists were thus active in the work of education in the colonies of the New World, the few Catholics in colonial days were not idle. In fact they did their share nobly in this noble work. In the Catholic colony of Maryland the Jesuits, from the very outset, secured facilities for a Catholic education for the children of the colonists. As early as 1640, steps were taken by Father Poulton, S.J., towards the establishment of a higher seat of learning, which finally, after many vicissitudes, resulted in the foundation of Georgetown University in 1798. The project was delayed by persecution; but even in the midst of dire tribulation the Jesuits succeeded, not only in supplying the necessary means of elementary education, but also in maintaining a classical high school, which prepared a goodly number of youths for higher studies in St. Omer and other English colleges in Europe. This high school was obliged, in the face of persecution, to migrate from place to place. At one time we find it in a thriving condition at Calverton Manor; at another time, at Newtown Manor; later, it is forced to take refuge at Bohemia Manor, on the the east shore of the Chesapeake. It was here that John Carroll, first Bishop and Archbishop of Baltimore, and Charles Carroll, of Carrolton, one of the prominent signers of the Declaration of Independence, received their preparatory training. Finally, the Catholic High School of Maryland was transplanted by Bishop Carroll to Georgetown Heights, on the Po-

tomac, where it found a last resting-place and became the nursery of many of the most conspicuous men in every walk of American life. It was sown in tears, but it rose in glory at the early dawn of the resuscitated Society of Jesus, and to-day it is a fully equipped university, with its three faculties of Letters, Law and Medicine, and hundreds of earnest, hard-working Catholic students, the hope of the Catholic laity in America. Within a stone's throw of Georgetown University is the Academy of the Visitation, conducted by the daughters of St. Francis de Sales, rivalling it in antiquity and in success, whose pride it is to have educated many of the first women of America—also the creation of Archbishop Carroll and his saintly coadjutor, Bishop Neale.

In early colonial days, 1682, under the Catholic Governor Dongan, an attempt was made by the Jesuit missionaries Harvey and Harrison to establish a high school in New York City. It was known as the New York Latin School, and stood where now is the junction of Broadway and Wall street. It flourished till 1688, and collapsed with James II. and his Catholic representative on Manhattan Island. This was the only attempt at a Catholic school made in New York, or, in fact, outside of Maryland, in colonial times. The first parochial school in New York City was opened at the instigation of Bishop Carroll, by the Rev. William O'Brien in 1800, at St. Peter's Church, Barclay street. It bore the name of St. Peter's Free School, and still survives the vicissitudes of a century, under the shadow of a score of skyscrapers and amid the turmoil of one of New York's busiest sections. Its pupils are over 1,000, taught by twenty teachers.

With the dawn of civil liberty began the great struggle for Catholic education. The necessity of Catholic schools was acknowledged by the Catholic people and



clergy in the colonial times, as the principle of religious education was admitted by all without distinction of creed. Washington in his farewell address gave eloquent expression to this principle: "Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in the exclusion of religious principle." So writes the Father of his country. How much more is this the case if applied, not to national, but to personal morality?

"Religious principle," however, was soon excluded from education, and the non-sectarian, that is, the non-religious principle was adopted in the States. Nothing positively irreligious was to be taught, but positive religion of any kind was proscribed; only the reading of the Bible, "without note or comment," was tolerated. Religion was relegated to the Sunday school, which, as all earnest religious thinkers easily admit, is, to say the least, a very poor makeshift. This became a snare and a delusion to Catholics. They could not deny that the principle was wrong, especially after the declaration of Pius IX. in a brief addressed to the Archbishop of Freiburg, dated July 14, 1864, and propositions 47-48 of the Syllabus of December the 8th of the same year, and the detailed instruction of the Inquisition to the Bishops of the United States, June the 30th, 1875, concerning the American public schools. From these utterances it was evident that the sole control of education could not be abandoned to a secular state; that there could be no legitimate plea for entirely exempting schools of any kind or grade from the influence of the Church; that no Catholic could approve a system of education, divorced from the authority of the Church and the Catholic faith, and having for its sole or main object merely natural or secu-

lar training; that consequently the American public schools, being such as might not be approved by Catholics, being destructive to faith and morals, could not, except in very urgent cases, and with very special precautions, be frequented by Catholic children or youths.

The words of the Inquisition are very definite. After quoting previous declarations of the Holy See and advert- ing to the dangers of a merely secular education, the Sacred Congregation concludes: "It is therefore necessary that the illustrious prelates (of the United States), by all possible means, keep the flock entrusted to their charge aloof from the corrupting influence of the Public Schools. In the opinion of all, nothing is so necessary for this end, as that Catholics should everywhere have their own schools, and these not inferior to the Public Schools."

It is needless to say that the declarations and injunctions of the Holy See were received with the greatest submission by the American bishops. In fact, these papal utterances only formulated the principles and policy by which the American bishops were always guided.

The I. Provincial Council of Baltimore, in 1829, declared that "they regarded it absolutely necessary that schools be established, in which the youth should be taught the elements of faith and morals, while they are instructed in letters."

The I. Plenary Council of Baltimore (1852) urges the foundation of Catholic schools in the most forcible terms: "We exhort the Bishops, and, considering the grave evils which are wont to result from perverse training, we implore them by the divine mercy to have schools attached to each church in their bishoprics, and, if necessary, and convenient, to provide from the church revenue sufficient funds to maintain competent teachers."

The II. Plenary Council (1866) urges the same regu-

lation with increased force: "Following in the footsteps of our predecessors, we earnestly admonish the pastors of souls to use all their endeavors to establish parish schools wherever it is possible." The Fathers earnestly recommend the employment of the religious teaching congregations, wherever they may be had, for the work of education.

The III. Council of Baltimore (1884) is still more explicit, and strictly enjoins what in the previous synods was only a strong recommendation. Hardly less could be expected after the instruction of the Inquisition issued but nine years before. After reviewing the previous instructions of the Holy See and of the Provincial and Plenary Councils on the matter of education, the Fathers of the III. Plenary Council decree in the strictest form, as follows:

"We enact and decree:

"1. That adjoining each church, where such does not exist, within two years from the promulgation of this Council, a school shall be erected and perpetually maintained, unless the bishop, on account of serious (*gravior*) difficulties, judge a delay to be granted.

"2. That the priest who, within this time, by grave neglect has prevented the erection or maintenance of a school, or who, after repeated admonitions by the bishop, neglects to make provision for a school, deserves to be removed from his charge.

"3. That the mission or parish which neglects to cooperate with the priest in building and supporting a school, so as by such supine neglect to make it impossible for the school to exist, is to be rebuked by the bishop, and urged by efficacious and prudent means to contribute the necessary support.

"4. That all Catholic parents are bound to send their

children to parish schools unless they sufficiently and clearly provide for their Christian education, either at home or in other Catholic schools; or unless they are permitted, for a sufficient reason, approved by the bishop, and with sufficient precautions and remedies, to send them to other schools. What school is Catholic is to be decided by the judgment of the Ordinary."

This legislation seems to be sufficiently clear and comprehensive. While it enforces a general *modus agendi*, making it obligatory on parents, priests, and bishops, it leaves much latitude to the Ordinary in special cases within the limits of his jurisdiction. It was therefore natural to expect that the execution of these laws should vary widely, and depend greatly upon circumstances, as well as upon the degree of zeal, and the peculiar views and sympathies of priests and prelates. The consequence is, that, while in the diocese of Rochester, for instance, which is justly regarded as a model for Catholic education, seven out of eight; in Buffalo, six out of seven; in Cincinnati, five out of six of the Catholic children attend Catholic schools; in other representative dioceses the ratio is one to two, two to five, two to seven, and so on *decrescendo*. An attempt was made, especially during the recent school controversy—more, I believe, by the agency of a reckless press and by the agitation of irresponsible individuals than by any responsible ecclesiastical authority—to defeat those laws; but Rome, while upholding the freedom of the bishops to compromise in certain cases, repeatedly answered that the decrees of the III. Plenary Council of Baltimore were to remain in force.

It will be interesting to learn what the Church in the United States has, by a century of legislation, self-sacrifice and hard work, achieved in the field of Catholic

education. According to the latest issue of the American Catholic Directory, we are educating over one million of Catholic children in Catholic schools. Our parish schools number four thousand, and are mostly taught by religious. We have one hundred and sixty-two colleges and high schools for boys, and six hundred and forty-three academies for girls, all self-supporting. Besides these there are eight institutions bearing the title of Universities, some, at least, of which also deserve that name. Of these, to my knowledge, only two are endowed. The others have to live on the fees of the students. We have every reason, then, to be thankful and even justly proud of the work done, and to look forward with confidence into the future.

But much still remains to be done. More than one half our children still frequent secular schools; and of the Catholic young men and women who receive a higher education, whether at high school or at college, it is safe to say that considerably more than one half are educated in secular, some even in Protestant, institutions. The number of our Catholic young men attending the undergraduate classes, to say nothing of the professional schools, of the great Protestant and secular universities, is very considerable. Though I have not been able to obtain any reliable statistics of the number of our Catholic youth attending Protestant and secular colleges and universities, I could point out a half dozen of these in which certainly no fewer than one thousand of our Catholic youths are educated. The Protestant and secular women's colleges are also educating a corresponding number of our Catholic young women. There is no good reason why this should be so. Of course, there is the pecuniary difficulty, but this difficulty has been overcome in many places and might be

overcome in many others. To give one instance of what may be done, I have before my mind at this moment a pastor, who less than twenty years ago was appointed to one of those apparently impossible places in the heart of New York City,—a large church, in rather neglected condition, no school and more than \$200,000 of debt. In less than fifteen years that pastor built and paid for one of the finest schools in the city, refitted the church at very considerable expense, paid off the debt, and had his church consecrated—all of which cost him little less than half a million. That pastor is the Right Rev. Charles H. Colton, recently promoted to the See of Buffalo. The congregation of St. Stephen's Church in New York is nothing poorer to-day for having contributed that sum besides the current expenses incidental to conducting a large church and school. For the present, this is the only way out of the financial difficulty—the zeal of the clergy and the self-sacrifice of the people.

We seem to be as far as ever from getting our share of the public school funds for the support of our schools. The idea of unsectarian education has taken such deep root in the American mind that it is hard to uproot it. It has taken possession of a large number of our Catholics, and I fear that little is done to disabuse them. Catholic writers and speakers are too often afraid to express their whole mind on secular education. It is only with a profuse apology that some of them will venture to express their disapproval of our "glorious system." They regard it as an inseparable feature of the "system," that religion be excluded and relegated to Sunday schools. They are willing to be unjustly taxed rather than to appear disloyal to that scheme of education which they have foolishly learned to regard as American. They are satisfied to contribute their share of the \$250,000,000 that are

yearly spent on common schools, and besides to be mulcted \$25,000,000 yearly for the privilege of educating but one-half of their own children. If they protested, they fear they might be looked upon as rather indifferent Americans. "Voluntary bondmen!"

The case is plain and simple: If a contractor or corporation builds a national library in Washington for the United States, or a State Capitol in Albany for the State of New York, at an expense of \$25,000,000 they expect to be indemnified; but if Catholics supply \$25,000,000 worth of secular training to the nation or state, they have no case, in law or equity, for the sole reason that in addition to this, they happen to teach religion and morality in the most efficacious way. Yet, simple as the matter is, it will not penetrate the density of the public school fog which clouds the American mind. Until the true principles of education are made a part of the Christian doctrine (as they are in fact), until we educate a new generation of Catholics indoctrinated with these principles, there is little hope of our obtaining justice in the matter of education. Yet the problem has been successfully solved in other countries. Why should it prove insoluble to the resourceful American? Until it is solved, nothing but self-sacrifice can save us.

Still greater than the financial difficulty is that which arises from prejudice—the legitimate offspring of ignorance and pride. So much fulsome laudation has been lavished on our "glorious system" of unsectarian public schools, that even Catholics have been led to believe that they are the most perfect creation of human ingenuity—the most powerful factors of culture, refinement and morality; the necessities of enlightened citizenship, social progress and intellectual and political greatness; the

only framers of true American manhood and womanhood; that Catholic schools, on the contrary, are the remnants of a barbarous age, foreign, undemocratic, un-American, and, therefore, unfit to educate true American citizens. By dint of "damnable iteration," these notions have been deeply impressed on the minds of Americans. Barnum, the famous showman, who probably understood his countrymen better than any man of his time, used to say that "Americans liked to be humbugged." In no phase of public life does this weakness of the American come clearer to light than in the field of education.

Catholic schools and colleges, on the other hand, did very little to address themselves to the "gullibility" of the American public. They were believers in modest merit, an article which finds little appreciation with the Yankee, and the Yankeeizing portion of our community. Their beginning and their growth were modest, and were likely enough to impress the public with an idea of inefficiency, if indeed they were noticed at all.

Impressions, however, are rapidly changing. Many of our institutions are among the finest and best equipped in the country, and cannot fail to impress the public favorably, while it is sufficiently well known that, wherever our students are free to compete with those of the secular institutions, they show better training and greater ability. This superior training of our Catholic schools has been shown to evidence by the Catholic Educational Exhibit at the World's Fair in Chicago some years ago; it has been demonstrated time and again by intercollegiate debates, by competitive examinations for the military and naval academies at West Point and Annapolis. A recent illustration was afforded last summer (1903) in New York City. While seventy-five per cent. of the children of Catholic schools who presented themselves at the exami-



nation for entrance into the Normal College passed, and many of them with honor, only twenty-five per cent. of the pupils of public schools were successful. These figures speak for themselves. Yet prejudice remains impenetrable as ever, and our children continue to go to secular and Protestant schools and colleges, for no other reason than the *aura popularis*.

At the same time there are numerous complaints raised against the public schools. The first is on the score of morality. The increase of crime goes hand in hand with the diffusion of secular education. It is a remarkable fact, some years ago proved to evidence from statistics by the late Hon. Zachary Montgomery, of California, that the volume of crime in the States has increased in the direct ratio of the amount of money spent on secular education. Various suggestions are made to remedy the evil. Some suggest the teaching of lay morality, which is a body without a soul; some find a panacea in the teaching of non-sectarian Christianity, which is not Christianity at all; others fall back on the Sunday school, which has been tried and found wanting. For us, of course, the only solution of the problem is denominational schools, but public denominational schools have been made unconstitutional in many of our States, though there is nothing in the United States Constitution to prevent denominational teaching in schools.

The second complaint is on the score of inefficiency. One of the greatest drawbacks in the public schools is too much pedagogy, too many fads, and too little attention to the staple subjects of an elementary education. Teachers, who have not, and cannot have, the slightest notion of philosophy, are obliged to study courses of psychology, violently transplanted from German philosophy, the commonest terms of which they do not understand,

and, to make bad worse, and "confusion worse confounded," they are permitted and encouraged to experiment on their poor victims with this crude foreign importation, which, bad at first hand, is worsened by American adulteration. This is adding educational malpractice to very questionable transcendental pedagogy. Moreover, the subjects are so multiplied by the loading on of nature studies, civics, physical culture, hygiene, alcoholics, narcotics, and what not, that the three R's are thrown into the background. The consequence is, as officially reported by a Senate committee in the District of Columbia, which, by the way, boasts of the most advanced methods, "a deplorable want of training in the grades the young people were supposed to have mastered. In history the general average (in those schools) was not much over fifty per cent. The penmanship was poor, and the spelling miserably bad." One of the Senators remarks: "The children of to-day have had very indifferent instruction. The teachers of to-day are victims of a bad system. The old-fashioned schools did much better work, in spite of the fact that the path of learning has been made smoother and many things have been simplified." This lamentable inefficiency of the public schools has been acknowledged with regret by no less an authority than President Eliot, of Harvard University, who declares that they "are not what they were fifty years ago."

It has also been proved beyond all doubt that our Catholic colleges (at least the standard ones) are superior in genuine scholarship to the great Protestant and secular universities. They require higher standards for admission and graduation. A student may be admitted to Harvard University or Columbia College to-day without any knowledge of Latin or Greek, and may then choose his own subjects for bachelor's degree with such discre-

tion as to relieve him almost entirely from any serious study, while the Catholic colleges almost universally insist on the study of the classical languages, and, in addition to Science and Literature, on a solid course of Philosophy.

We have, therefore, nothing to fear from competition. Our wrestling is with the prejudice—with ignorance and pride—of parents, with the indolence and license of youth, who will flock to those institutions where they will find a minimum of serious work and a maximum of self-indulgence. Our only means to break these barriers is intelligent, pacific, persistent and systematic agitation. We have all the necessary data to hand, and they are multiplying from day to day. It is a question of life or death to the Church in the United States. The salutary work of our schools, for the Church and State, is patent. Their efficiency cannot be questioned. The impotence of the secular system to train moral citizens is becoming every day more evident. It has been tried and egregiously found wanting. The injustice done to ten millions of Catholics, and perhaps half as many more of other denominations who are eager to have their children brought up in schools of their own persuasion, is too flagrant not to be acknowledged by the majority in the long run. The scheme of denominational schools is feasible. Succeed it must in the end, though it be after a long and laborious struggle. But, no cross, no crown.

REV. JAMES CONWAY, S.J.

## APPENDIX I

### Origin of Secular Education in the United States

Those who have read the above must have been struck with the intensely religious character of the early American Public School. What puzzles the historian is the sudden and radical revolution to secularism in less than a quarter of a century, we may say, roughly speaking, from 1850 to 1875.

The causes of this remarkable transformation of our educational system have been well stated by the Rev. Louis S. Walsh, Superintendent of Parochial Schools in Boston, in a masterly paper read at the Conference of Catholic Colleges in Philadelphia in 1903, and printed in the *American Catholic Quarterly*, in January, 1904. The movement was inaugurated in Massachusetts as early as 1825 by Horace Mann, a man of acknowledged ability and literary attainments, but deeply indoctrinated with European liberalism, a staunch convert to Unitarianism, and an unmitigated bigot and positive hater of the Catholic Church and its teaching and practices. In 1827, he secured a bill in the legislature of Massachusetts "making it unlawful to use the common school, or teach anything in the school, in order to proselyte the children to a belief in any particular sect." That meant, in other words, that the children of Massachusetts were to be educated as good Unitarians. He agitated this principle indefatigably, in season and out of season, for a quarter of a century, in public speeches and lectures, as Secretary of the State School Board of Massachusetts and as Congressman in Washington; and some say that he died a martyr of "our glorious system of non-sectarian common schools."

Yet education in Massachusetts continued to be denominational as before, in spite of the eloquence of Horace Mann and the enactments of the State Legislature. Nay, the feeling in favor of denominational education was so strong, that in 1835, the School Board authorized Catholic Schools with Catholic teachers, subject to the control of the Catholic Church, to be maintained at the public expense, which was actually done in the town of Lowell at that time. But as soon as the great influx of Irish Catholics began in 1848, the agitation waxed more fierce, with the avowed purpose of opposing the "common enemy," that is, the Irish immigrant, and robbing the children of the "foreigner" of their Catholic faith. The American secular Public School is the offspring of that same spirit that brought about the burning of the Ursuline Convent in Charlestown on the night of August 11, 1834.

In 1855 a Constitutional amendment was passed, making it unconstitutional in the State of Massachusetts to appropriate public moneys "to any religious sect for the maintenance exclusively of its own schools." This was the last blow to denominational schools in the United States, the triumph of secularism over religious education. Such is the birth and growth and pedigree of our "Glorious Public School System." It was conceived in the diseased brain of a fanatic Unitarian, born of hysterical know-nothingism, nurtured in narrow-minded bigotry, and a doleful spectre it now stalks over the land, bearing with it the cheerless gospel of intellectual, moral and religious starvation.

## APPENDIX II

The following propositions on the freedom of education, written some years ago for the guidance of those who were opposing an obnoxious education bill, introduced in the Legislature of the State of New York, may be found of some value in connection with the above. As similar bills are annually proposed in the Legislature of this State, it is well to keep these principles fresh in our memory.

### I. THE CHILD.

Every child has the right to what is regarded by common consent an elementary, physical, mental and moral (including religious) education.

The corresponding duty of educating the child devolves first on the parent, secondly on the next in kin; in their default, on private charity first, then on the municipality, and on the State in the last instance.

In all cases the reasonable wishes of the parent (guardian) or next in kin must be consulted and respected, as these represent the rights of the child, who has no other means of asserting his rights.

Hence, the State, municipality and private charitable organizations, though they should laudably aid, facilitate, supply means of education, may not in any way infringe on parental rights, but are bound to carry out the reasonable wishes of parents or guardians.

When the parent (natural guardian) surrenders a child for education by the State, private corporation, or other physical or moral person, he cannot thereby waive the right of requiring of such a person the proper moral and religious training of the child, as this right is inalienable and the corresponding duty is imperative on him at all times and under all circumstances.

## II. THE PARENT.

From the ever imperative duty or responsibility arising from generation and from the positive Divine law, follows the inalienable right of the parent effectively to control the education of his own child to the exclusion of all interference from without.

This right may be suspended or forfeited or curtailed only by incapacity or criminal and notorious neglect, and even then the reasonable wishes of the parent, as interpreted by himself or his representative, should be respected.

Parents who are notably and notoriously incapable (*e.g.*, habitual drunkards) or neglectful in the fulfilment of the duty of education should be compelled by law to give their children the necessary elementary education, *i.e.*, to send them to some reputable school for a certain length of time, but the school is to be left to their own choosing.

In enforcing compulsory education, care must be had to avoid unnecessary vexation and the invasion of the domestic rights. No action should be taken except in the case of manifest truancy or vagrancy, or flagrant neglect. No investigation should be made without a legal warrant, which warrant should not be given except on the strongest suspicion of criminal neglect. Compulsion should be restricted to the bare essentials of an elementary education, *i.e.*, reading, writing and reckoning, not extending to ornamental branches, *e.g.*, physiology, calisthenics, etc.

In cases of commitment for truancy, the rights of the child and parent as above described should be safeguarded.

## III. PRIVATE CORPORATIONS.

Any person (whether physical or moral) of good character and of good standing in the community, as he has

the right to communicate what he knows by word of mouth or through the press, has the right to teach those who submit themselves, or are lawfully submitted, to his instruction, has also the right to open schools and conduct them on his own conditions as long as they do not conflict with the just laws of the State or ordinances of the city. Hence freedom of education is as natural as freedom of speech or freedom of the press.

If, however, such person (or corporate body) wishes to secure financial aid or other advantage (say the right of conferring degrees) from the State or municipality, it is natural that he should be required to submit to the reasonable demands of the same. But in no other case should he be interfered with as long as there are no grounds of suspicion against his moral character or the conduct of his school; nay, he should be protected by the law and favored as a benefactor of his kind.

On this principle of freedom of education are based the rights of private schools, colleges and universities. If they are State-aided they should do that work for which they are so aided, whatever they may purpose to do besides. If they are chartered by the State to confer degrees they should comply with the just requirements of the State, as far as scholarship is concerned, but no farther. What their material resources may be, for instance, what their religious persuasion, how their teachers are paid, etc., etc., is a matter of indifference to the State.

In cases of chartered institutions the State has the right to see that the provisions of the charter are carried out. In case of subsidized institutions the State has the right of examination to assure itself that the work paid for is efficiently done.

In no other case has the State any right to meddle with private educational institutions, unless at the solicitation



of those concerned, or in case of legal denunciation, or for sanitary inspection, etc., etc.—but not *qua* school.

It is unjust to subject private schools to the vexation of making any further statistical returns to the State than those that are required by the general laws on statistics, for the simple reason that they are not paid for doing such work for the State.

It is needless to add that according to the prevalent idea (whether right or wrong) which has obtained among us, that the State owes an education at the public expense to every child within its confines, that every private school which gives that instruction which is required by the State, and consequently does State work, is entitled to a just compensation from the State for such service rendered the State. This suggestion, I suppose, will not be considered, but it should be brought home to our law-makers and executive in season and out of season.

What we are to think of inspection or examination, compulsory text-books, courses of study, methods, etc., without compensation or without spontaneous invitation on our part, in individual cases, may be sufficiently gathered from the preceding paragraphs.

#### IV. THE STATE.

From the foregoing it is evident that the State is not the educator of its citizens, but the parents, and those to whom parents collectively or individually confide this work.

As it is the object of the State to promote the temporal welfare of its citizens, and as this cannot in our day be done without the instrumentality of education, it is both the right and the duty of the State to encourage, to promote, to facilitate the work of education, so as to bring at least an elementary education within the reach of all.

Hence the first duty of the State in regard to education

should be to promote and protect private enterprise, as in commerce, industry, etc., without attempting to monopolize it.

When and wherever necessary the State may also build and equip its own schools, which it has also the right to direct and control, always, however, consulting the reasonable wishes of parents as expressed by intelligent representation, and bearing in mind that in this department it has only the power of carrying out the collective wishes of parents.

All objections to monopolies and trusts in industry and trade are equally applicable to education. Hence it is the business of the State carefully to avoid every semblance of monopoly and to protect the weak against the strong, giving equal facilities and encouragement to all educational institutions.

As, according to the American State idea, all power comes through the people, and those in whom this power is vested are only the representatives and vice-gerents of the people, it ought to be the peculiar educational policy of the American State to afford a maximum of protection to individual, domestic and corporate rights, with a minimum of restriction or curtailment of the freedom of individuals, families and private corporations.

While the State has the fullest control compatible with parental and individual rights to manage its own school, it has no right to interfere in the management of private schools which are not State-aided, further than to examine and enforce sanitary conditions, etc., or in answer to legal complaint, as in any other private institutions.

The State has no right to examine into or control or dispose of the temporalities of a private school, college, or academy, more than those of any family or other private corporation within its confines. Should difficulties arise, they are to be settled in the court like all similar cases in which the rights of property are involved.

# THE CATHOLIC MIND

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By the RT. REV. BISHOP PAUL WILHELM VON KEPPLER.
- No. 2. THE LAWS OF PROSCRIPTION IN FRANCE.  
By FERDINAND BRUNETIÈRE, Editor of *Deux Mondes*.
- No. 3. IMPORTANT PAPAL DOCUMENTS.  
I. Bull of His Holiness Leo XIII, on the Church in the Philippine Islands.  
II. Constitution on the Institution of a Commission for Biblical Studies.  
III. Encyclical Letter to the Bishops of Italy on Studies in Ecclesiastical Seminaries.  
IV. Allocution to the Cardinals, December 23, 1902.
- No. 4. THE HOLY SHROUD, by JOSEPH BRAUN, S. J.
- No. 5. JUBILEE SERMON ON LEO XIII, at the New York Cathedral, March 3, 1903, by the REV. T. J. CAMPBELL, S. J.
- No. 6. THE CHRISTIANITY OF ADOLF HARNACK.  
From the *Civiltà Cattolica*.
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By the Rev. JOHN A. CONWAY, S. J.
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By ALBERT CONDAMIN, *Etudes*, March 20.
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(Continued on the following page)

## THE CATHOLIC MIND

(Continued)

- Nos. 19, 20. THE CONGRESS OF COLOGNE AND AN  
ENUMERATION OF THE FORCES OF THE  
CATHOLIC CHURCH IN GERMANY.
- No. 21. FIRST ENCYCLICAL OF PIUS X.
- No. 22. THE END JUSTIFIES THE MEANS.  
Right Rev. Bishop Ludden, John Gerard, S.J., S. M. Brandi, S.J.
- No. 23. PROFESSOR CODDINGTON AND MEDIEVAL  
LATIN. By A. GUGGENBERGER, S. J.
- No. 24. M. LOISY'S MANIFESTO. By FERDINAND PRAT.
- 1904 —
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- No. 2. SACRED MUSIC. MOTUS PROPRIUS, PIUS X.  
Letter to the Cardinal Vicar.
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Encyclical Letter of Pius X.
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A. DE MUN.
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MOST REV. DIOMEDE FALCONIO, D. D.
- No. 11. IRISH UNIVERSITY EDUCATION.  
WILLIAM DELANY, S.J.
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MUSIC. LUDWIG BONVIN, S.J.
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