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*Catholic Church - Education*

Statement  
 on  
**Parental  
 Rights**  
 and the  
 Free Exercise of Religion

November 15, 1971

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UNITED STATES  
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**T**HE Constitution of the United States guarantees religious and political liberty to every citizen. Precisely for this reason, we, the Catholic Bishops of the United States, feel compelled to speak to our fellow citizens about certain implications of the recent United States Supreme Court decision relating to government assistance for teachers' salaries in parochial schools. Our purpose is not to discuss the particular programs upon which the Court ruled, nor indeed the related tax and educational crisis affecting the citizens of many states. Rather we address ourselves to features of the decision which, left unchecked, would affect basic freedoms of all. These freedoms relate to parental rights, the free exercise of religion, and the liberty of every citizen to speak, assemble, petition and vote on matters affecting the public role of religion in American life.

The fundamental right of parents to educate their children in non-public schools is guaranteed by our Constitution and was recognized a half century ago in the *Pierce* case, wherein the Supreme Court said:

"The child is not the mere creature of the State."

But today the highest court of the land—dealing with a case intimately related to parents—makes no explicit mention of that right. Instead, by its decision this well recognized right could become an illusion if it results in a state educational monopoly in which parental rights—if acknowledged at all—will be enjoyed only by the wealthy, by those who can bear both the burden of school taxes and of the separate added cost of non-public schooling.

Today the effects of taxation, inflation and rising governmental cost make it increasingly impossible for parents to exercise their constitutional freedoms in education without enabling assistance. Government plainly has an obligation in justice to make those accommodations necessary to secure parental rights in education. In order to

exercise this right today, parents need and are entitled to a measure of economic help—a share of the tax dollars they pay. Government should not tip the economic scales so heavily in favor of the public schools that parents can exercise their right to choose non-public schools only with severe personal sacrifice.

We are hopeful and confident that the Congress and the states will promptly enact legislation, in conformity with the Constitution, which will aid parents in the exercise of their rights in education. In no way, however, should such legislation be construed as contributing to the creation or support of racially segregated schooling.

Furthermore, we trust that the Supreme Court will use its vast powers, in appropriate cases, to emphasize parental rights in education and to repudiate every effort to make the child a “mere creature of the State.”

The Supreme Court has said that the public discussion and political activity required to achieve enactment of certain types of state aid to church-related education must be kept out of the public forum because they present “hazards of religion intruding into the political arena.” This kind of reasoning is unacceptable.

The Supreme Court has also stated that “religion must be a private matter for the individual, the family and the institutions of private choice.” Religion is indeed a private matter, but it is far more than that. Since the founding of the Republic it has been deemed, in an important sense, a very public matter. The separation of church and state is a wise policy. The separation of religion from public life is dangerous folly. We Americans have always known that religious liberty demands, by its very nature, that it be exercised publicly.

There can be no political liberty in a society in which religious groups and individual believers, as such, may not speak out

on public issues. There can be no religious liberty in a society in which public issues may not be discussed in their religious dimension.

We trust that citizens concerned for the protection of parental rights, religious liberty, diversity and excellence in education, and the avoidance of the increased taxation resulting from a state monopoly of education, will now work, peaceably and with renewed vigor, for viable programs of aid to the education of *all* children.

We trust that religious-minded citizens of all faiths will continue to bear public witness to the truths they hold, so that—as always before in American history—religion will continue to have its proper role in the life of our nation.

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