

Home Schooling and the Local Church

By

Rev. Mr. William T. Ditewig

INTRODUCTION

Issues surrounding home schooling are a significant concern for the entire diocesan church. Because of the need for clarity in discussing the profound and fundamental issues surrounding home schooling, I will consolidate various definitions, canons and theological principles into this article for ease of reference. After analyzing these data, some conclusions will be suggested that will assist in ongoing dialogue between parents, pastors, diocesan staff and others interested in home schooling.

WHAT IS HOME SCHOOLING?

It is important to understand what home schooling is and what it is not. Some people confuse family-centered catechesis (which may take place in the home) with home schooling, which it is not. For clarity, therefore, let me suggest the following descriptions of several forms of educational activity in the home.

- 1) **Total Home Schooling**: In this model parents take responsibility for the total education of their children in all subject areas, including religious education. This education takes place primarily in the home, with no particular catechetical connection to the parish. In this model, parents must coordinate their efforts with the local public school system to ensure all state requirements for home schooling are met.
- 2) **Home Schooling - Religious Education**: In this model children attend a public school and parents take total responsibility for the religious education of the children. In this model, sacramental preparation is handled either by the parents or by the parish.
- 3) **Educational Enrichment in the Home**: This is the model most parents use to some degree. Parents are active in the school and parish religious education programs and ensure that the implications of these curricula are lived and practiced in the home. School and religious education programs find their source and their fulfillment in family activities at home.
- 4) **Family-Centered Catechesis in the Home**: Family-Centered catechetical programs exist in many forms, from parish programs in which all family members come to the parish for separate programs

provided for various age groups, to programs involving multi-generational catechesis. Some of these programs are also offered for delivery at home. *These are parish programs taught by the parents at home.*

REVIEW OF CANONICAL AND CATECHETICAL LITERATURE

Introduction

Church teaching on the specific topic of home schooling, as described above, is silent. Nonetheless, magisterial teaching is rich regarding the role of parents as the prime educators of their children in faith, the role of the bishop and the diocesan church in catechesis, and the role of the community and the common good of all the faithful in the overall process of handing on the faith.

Three major sources will be reviewed in this section. First, the Code of Canon Law, not only because of the obvious legal implications, but because it codifies much of the church's conciliar and post-conciliar teaching until 1983. That is to say, the canons use as their sources magisterial teaching up to and including Vatican II. Various canons are also developed using post-conciliar teaching contained in papal encyclicals and other documents.

Second, we will examine Pope John Paul II's *Catechesi Tradendae* (1979), once referred to as "the charter for the new catechesis." Other similar documents exist, of course; this document is selected both because of its overall magisterial significance and because it represents faithfully the key concepts involved in this matter. Third and finally, we will consider teachings contained in the 1994 *Catechism of the Catholic Church* and the 1997 *General Directory for Catechesis*.

Code of Canon Law: Overview

The organization of the *Code* is significant, since various canons concerning catechesis and the persons involved in it are found in widely-dispersed sections of the *Code*. In order to appreciate them fully, one must have an understanding of the intent of the section in which they are found. The *Code* is divided into seven Books. The pertinent canons reviewed are from Book II: The People of God; Book III: The Teaching Office of the Church; and, Book IV: The Office of Sanctifying in the Church. Book II first addresses the obligations and rights of all the Christian faithful, followed by those obligations and rights pertaining to the lay Christian faithful. Then, specific canons pertaining to the clergy and the hierarchical structure of the church are provided. Book III offers canons on the Ministry of the Word, with sections on catechesis and Catholic

education. Finally, Book IV provides specific canons on the sacraments and the catechetical issues related to their proper celebration.

1. The Obligations and Rights of all the Christian Faithful

From the outset, it will be helpful to know exactly how canon law understands the terms *obligation* and *right*. Canon 223, which ends the section of the *Code* addressing the Obligations and Rights of All the Christian Faithful offers this insight: "In exercising their rights the Christian faithful, both as individuals and when gathered in associations, must take account of the common good of the Church and of the rights of others as well as their own duties toward others. In the interest of the common good, ecclesiastical authority has competence to regulate the exercise of the rights which belong to the Christian faithful" (c. 223, §1, 2; underlining added). Canonical rights, therefore, are never absolute, but are contingent upon the common good of the People of God; furthermore, the ecclesiastical authority of the Church may regulate the exercise of rights in order to assure the common good.

The 1917 Code referred to Rights and Obligations; the 1983 Code reverses the order and speaks of Obligations and Rights. When clarification was sought on this point during the revision of the Code, the Code Commission responded that the ordering was not significant, since both rights and obligations come from the sacraments. In this sense, then, some rights flow from obligations; at other times, obligations flow from rights.

Rights. . . give rise to obligations. When the common good calls for one to exercise a right, there is an obligation to do so. Similarly, one person's right produces a corresponding obligation in others to respect that right. Moreover, when one has an obligation to provide something for others, those others have a right to that service. Thus when the Code requires sacred ministers to preach (c. 767) or to provide the sacraments to those who seek them properly (c. 843), it is only expressing the reverse of the right to word and sacrament that is common to all the faithful (c. 213). . . . The common good always regulates the exercise of rights. Rights in this sense are not absolute but relative, for their exercise must respect the rights of others and the conditions needed for all to achieve their fulfillment (*The Code of Canon Law: A Text and Commentary*, 137 - 138).

With this in mind, let us begin our review of the pertinent canons. Under the canons pertaining to ALL the Christian faithful, we find the canon which spells out the right of all the faithful to a Christian education:

Canon 217: The Christian faithful since they are called by baptism to lead a life in conformity with the teaching of the gospel, have the right to a Christian education by which they will be properly instructed so as to develop the maturity of a human person and at the same time come to know and live the mystery of salvation.

It is from this basic right to Christian education enjoyed by all the Christian faithful that other rights and obligations emerge: parents have the obligation and right to educate their children, and the Church has the obligation and right to coordinate the catechetical enterprise, to establish schools and other institutions to assist the Christian people in exercising their right to a Christian education. But all of these flow from this fundamental right of all the Christian faithful to Christian formation and education.

2. The Obligations and Rights of the Lay Christian Faithful

The subsequent canons provide the obligations and rights of the lay Christian faithful. Canon 226 addresses the obligation of the married lay faithful to build up the people of God, and then addresses the subsequent obligation and right to educate their children:

§1: Lay persons who live in the married state in accord with their own vocation are bound by a special duty to work for the upbuilding of the people of God through their marriage and their family. §2: Because they have given life to their children, parents have a most serious obligation and enjoy the right to educate them; therefore Christian parents are especially to care for the Christian education of their children according to the teachings handed on by the Church.

Two things are of particular note here: 1) the prior and primary responsibility of the married lay Christian faithful is the same as mentioned in Canon 223 above: the building up of the People of God, the common good; it is from this basic obligation that the rest of the canon emerges; 2) by stressing that Christian parents have an obligation and right to educate their children "according to the teachings handed on by the Church," the Church is reminding